

Authority: Government Management Committee Item 26.31, as adopted by City of Toronto Council on November 30, December 1, 2, 4 and 7, 2009

Enacted by Council: December 4, 2009

CITY OF TORONTO

BY-LAW No. 1255-2009

To expropriate land and certain interests in land for the use by the Toronto Transit Commission for the purpose of constructing the new Finch West Subway Station and related construction activities in conjunction with the building of the Toronto-York Spadina Subway Extension and the extension of Murray Ross Parkway.

WHEREAS in accordance with the provisions of the *Expropriations Act*, an application has been submitted to the Council of the City of Toronto (“City Council”) as approving authority for approval to expropriate the interest in land as described in section 2; and

WHEREAS Notices of such Application have been published and have been served on the registered owners of the said lands and interest in land; and

WHEREAS a notice in writing of a desire for a hearing with respect to the said proposed expropriations was not received from any owner of the said lands and interest in land and the time for giving such notice has expired; and

WHEREAS the City Council, as approving authority, adopted Government Management Committee Item 26.31, at its meeting held on November 30, December 1, 2, 4 and 7, 2009, and thereby approved the said Application for Approval to Expropriate and gave leave to introduce and enact this by-law; and

WHEREAS the City of Toronto by the adoption of Government Management Committee Item 26.31, has been authorized as expropriating authority, to proceed with the expropriation of the interest in land as described in section 2;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The expropriation of a fee simple interest in a portion of the lands known municipally as 3975 Keele Street Toronto, (the “Lands”), as set forth in section 2, is hereby authorized by Council as the expropriating authority, pursuant to sections 7, 8 and 9 of the *City of Toronto Act*, 2006 S.O. 2006 Chapter 11, Schedule A.
2. The expropriation of a fee simple interest for the purpose of constructing the new Finch West Subway Station and related construction activities in conjunction with the building of the Toronto-York Spadina Subway Extension and the extension of Murray Ross Parkway and for all works and uses ancillary thereto on a portion of the “Lands”, being described as:

Part of Lot 22 in Concession 3 West of Yonge Street, being part of PIN 10179-0078 (LT), designated as Part 1 on the Draft Plan of Survey prepared by Marshall Macklin Monaghan Limited called Drawing Number 16-08045-011

3. Authority is hereby granted for the signing, sealing and registration in the proper Land Registry Office of the expropriation plan(s) of the lands and interest in land expropriated pursuant to section 2 hereof, including the payment of all expenses incidental thereto.
4. The Executive Director of Facilities and Real Estate or the Director of Real Estate Services is hereby authorized to sign and serve on the former registered owners of the lands and interest in land described in section 2 hereof, the Notices of Expropriation (along with copies of Notices of Election as to a Date for Compensation) and the Notices of Possession as contemplated by the *Expropriations Act*.
5. The Mayor and the proper officers of the City are hereby authorized and directed to do all things necessary to give effect to this by-law and the City Clerk and the Chief Financial Officer and Treasurer are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the corporate seal of the City to all such documents.

ENACTED AND PASSED this 4th day of December, A.D. 2009.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)