

Authority: Item CC3.4,
as adopted by City of Toronto Council on February 7 and 8, 2011
Enacted by Council: February 8, 2011

CITY OF TORONTO

BY-LAW No. 234-2011

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 Council of the City of Toronto, as Approving Authority, did approve the said Application for Approval to Expropriate;

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

1. The expropriation of the lands and interests in land set forth in Sections 2 and 3 are hereby approved by Council as the Approving Authority, pursuant to sections 7, 8 and 9 of the *City of Toronto Act, 2006*.
2. A fee simple and all other right, title and interests in the lands described in Schedule "A", are hereby expropriated and taken for the purpose of constructing a portion of the Toronto-York Spadina Subway Extension Project.
3. A limited interest in the lands described in Schedule "B", being a temporary easement, for a limited time is hereby expropriated and taken for construction purposes, and for all works and uses ancillary thereto, including the right to pass over and occupy the lands with all personnel, materials and equipment, for said purposes for a period of four years to run from either the date of registration of the expropriation plan, or in the alternative, the commencement date specified on the expropriation plan, whichever is later.
4. Authority is hereby granted for the signing, sealing and registration in the proper Land Registry Office of the plans showing the lands and interests in land to be expropriated including the payment of all expenses incidental thereto.

5. City Staff are hereby authorized to sign and serve onto the former registered owners of the properties described on Schedules "A" and "B", the Notices of Expropriation (along with copies of Notices of Election as to the date for compensation), Notices of Possession and Offers of Compensation as contemplated by the *Expropriations Act*.
6. 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 as 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 as necessary.

ENACTED AND PASSED this 8th day of February, A.D. 2011.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)

SCHEDULE "A"

MUNICIPAL ADDRESS	LEGAL DESCRIPTION
1 Four Winds Drive	Part of PINs 11128-0001(LT) to 11128-0496(LT), Part of common elements of York Condominium Plan No. 128, Block H, Plan 66M-1299, City of Toronto designated as Part 2 on the draft reference plan prepared by MacKay, MacKay & Peters Limited, dated January 13, 2011 for Project No. 0-080-9-EX2.
1280-1300 Finch Avenue West	Part of PINs 11863-0001(LT) to 11863-0322(LT), Metropolitan Toronto Condominium Corporation Plan No. 863, Part of Block 1, Plan 66M-2221, City of Toronto, designated as Parts 1 and 2 on Plan 66R-24809.

SCHEDULE "B"

MUNICIPAL ADDRESS	LEGAL DESCRIPTION
1 Four Winds Drive	Part of PINs 11128-0001(LT) to 11128-0496(LT), Part of common elements of York Condominium Plan No. 128, Block H, Plan 66M-1299, City of Toronto, designated as Part 1 on the draft reference plan prepared by MacKay, MacKay & Peters Limited, dated January 13, 2011 for Project No. 0-080-9-EX2.
3926 – 3932 Keele Street	Part of PIN 10247-0426(LT) Part of Parcel B-1 Section M1131, Block B, Plan 66M-1131, Township of York/North York, City of Toronto, designated as Part 1 on the draft reference plan prepared by MacKay, Mackay & Peters Limited dated November 15, 2010 of Survey Job Number 09-080-13-EX3.
44-46 Romfield Drive	Part of PIN 10247-0425(LT) Part of Parcel A-1, Section M1131, Block A, Plan 66M-1131, Township of York/North York, City of Toronto, designated as Part 1 on the draft reference plan prepared by MacKay, Mackay & Peters Limited dated November 15, 2010 of Survey Job Number 09-080-13-EX1.