

Authority: Motion MM9.6, moved by Councillor Perruzza, seconded by Councillor Stintz,
as adopted by City of Toronto Council on June 14 and June 15, 2011
Enacted by Council: June 15, 2011

CITY OF TORONTO

BY-LAW No. 804-2011

To expropriate land and certain interests in land for the purposes of acquiring a permanent subsurface easement for the construction and operation of an underground stairwell for the emergency exit building and an easement right of way for access for TTC maintenance vehicles and other City of Toronto vehicles to access emergency exit building parking spaces on the property at 3875 Keele Street in connection with the construction of a portion of the Toronto-York Spadina Subway Extension.

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 expropriation 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 Motion MM9.6, at its meeting on June 14 and June 15, 2011, 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 Motion MM9.6, 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 1270 Finch Avenue West 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 purposes of widening Tangiers Road and intersection improvements where it intersects with Finch Avenue West, in connection with the construction of a portion of the Toronto-York Spadina Subway Extension and for all works and uses ancillary thereto on a portion of the "Lands", being described as:

Part of PIN 10180-0295 (LT), being Part of Lot 20, Concession 3 West of Yonge Street in the City of Toronto (formerly the City of North York) shown as a permanent subsurface easement in and through part of the lands designated as Part 1 to construct, access, operate and maintain an underground stairwell for the emergency exit building and a permanent right of way easement on part of the lands, designated as Part 2 for

purposes of TTC maintenance vehicles and City of Toronto vehicles to access the emergency exit vehicle parking on the property at 3875 Keele Street, as shown in Draft Plan of Survey prepared by Toronto York Spadina Subway Extension Project and designated drawing number A0328-G8315.

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. City Staff are hereby authorized to sign and serve onto the former registered owners of the properties described in section 2, 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*.
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 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 15th day of June, A.D. 2011.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS,
City Clerk

(Corporate Seal)