

Authority: Government Management Committee Item 12.8,
as adopted by City of Toronto Council on April 10 and 11, 2012
Enacted by Council: April 11, 2012

CITY OF TORONTO

BY-LAW No. 500-2012

To expropriate a temporary easement in part of 4146 Sheppard Avenue East for the Grade Separation Project at Agincourt GO Station.

WHEREAS in accordance with the provisions of the *Expropriations Act*, an application has been submitted to City Council as approving authority for approval to expropriate an interest in the lands hereinafter described; and

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

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

WHEREAS the Council of the City of Toronto, as approving authority, at the same meeting of the Council which is enacting this by-law, 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 interest in land set forth in Section 2 is hereby approved by Council, pursuant to sections 7, 8 and 9 of the *City of Toronto Act, 2006*.
2. A limited interest, being a temporary easement, in, on, over and through part of the lands municipally known as 4146 Sheppard Avenue East, legally described as Part of PIN 06098-0169 (LT), Part of Lot 66, Plan 1909, Scarborough, City of Toronto, designated as Part 6 on Expropriation Plan No. AT2350016, is hereby expropriated and taken for the purpose of grading work, driveway rehabilitation and construction of a barrier wall in connection with the Grade Separation Project at Agincourt GO Station 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 six (6) months commencing August 10, 2012.
3. Authority is hereby granted for the signing, sealing and registration in the proper Land Registry Office of a plan showing the said lands and the interest in land to be expropriated, including the payment of all expenses incidental thereto.
4. City staff are hereby authorized to serve on the registered owners of the property Notices of Expropriation (along with copies of Notices of Election as to a Date for Compensation) and 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 City Treasurer are hereby directed to execute all documents necessary in that behalf, and the said Treasurer is hereby authorized and directed to affix the corporate seal of the City to all such documents.

ENACTED AND PASSED this 11th day of April, A.D. 2012.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS,
City Clerk

(Corporate Seal)