

Authority: Government Management Committee Item 17.4,
as adopted by City of Toronto Council on October 30, 31 and November 1, 2012
Enacted by Council: November 1, 2012

CITY OF TORONTO

BY-LAW No. 1408-2012

To expropriate land and certain interests in land for or in connection with the Eglinton-Scarborough Crosstown Transit Project.

WHEREAS in accordance with the provisions of the *Expropriations Act*, applications have been submitted to City Council as approving authority for approval to expropriate the lands and interests in land hereinafter described; and

WHEREAS Notices of such Applications have been published and have been served on the registered owners of the said lands and interests 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 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 Applications 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, 3 and 4 are hereby approved by Council as the expropriating authority, pursuant to sections 7, 8 and 9 of the *City of Toronto Act, 2006*.
- 2.** A fee simple interest and all other right, title and interests in a portion of the lands municipally known as 2322-2400 Eglinton Avenue West, legally described as part of PINs 10491-0490 (LT) and 10491-0498 (LT) being part of Blocks 1, 3, 4 and 5 on Plan 66M-2270 and part of Lot 1, Concession 3 West of Yonge Street, City of Toronto, designated as Parts 1, 2, 3, 7 and 9 on Draft Plan of Survey Job No. 2012-0141 dated September 24, 2012, is hereby expropriated and taken for the purpose of the tunnel alignment, Caledonia LRT station and vent shafts in connection with the Eglinton-Scarborough Crosstown Transit Project and for all works and uses ancillary thereto.
- 3.** A limited interest, being a permanent easement, over a portion of the lands municipally known as 2322-2400 Eglinton Avenue West, legally described as part of PIN 10491-0490 (LT) being part of Block 3 on Plan 66M-2270, City of Toronto, designated as Part 4 on draft Plan of Survey Job No. 2012-0141 dated September 24, 2012 is hereby expropriated and taken for the support and safe operation of the subsurface transit and/or other municipal systems.

4. A limited interest, being a temporary easement in, on over and through part of the lands municipally known as 2322-2400 Eglinton Avenue West, legally described as part of PINs 10491-0490 (LT) and 10491-0498 (LT) being part of Blocks 1 and 3 on Plan 66M-2270 and part of Lot 1, Concession 3 West of Yonge Street, City of Toronto, designated as Parts 5, 6 and 8 on draft Plan of Survey Job No. 2012-0141 dated September 24, 2012 is hereby expropriated and taken for the purpose of constructing the headwalls for Caledonia LRT Station, and for all works and uses ancillary thereto, including the right to pass over and occupy the lands with all personnel, material and equipment, for said purposes for a period of 3 months commencing March 1, 2013.
5. 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.
6. The Executive Director of Facilities and Real Estate or the Director of Real Estate Services, Facilities and Real Estate, is hereby authorized to sign, and serve on the former registered owners of the property the 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*.
7. 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 1st day of November, A.D. 2012.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS,
City Clerk

(Corporate Seal)