

Authority: CC11.3, as adopted by City of Toronto Council at its meeting on December 9 and 10, 2015

CITY OF TORONTO

BY-LAW No. 1359-2015

To expropriate land for municipal purposes located at 18 Willingdon Boulevard, namely improvements to transportation systems.

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 a permanent and temporary easement 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 with respect to the said proposed expropriation was received and such hearing was held before an inquiry officer on October 28, 2015 pursuant to Section 7 of the *Expropriations Act*; and

Whereas the Council of the City of Toronto, as approving authority, has considered the report of the said inquiry officer recommending approval of the application to expropriate the land herein;

The Council of the City of Toronto enacts:

1. The expropriation of permanent and temporary easement lands set forth in Section 2 are hereby approved by Council as expropriating authority, pursuant to Sections 7, 8 and 9 of the *City of Toronto Act, 2006*.
2. The permanent and temporary easement interests and all other right, title and interest, as described in Schedule "A" attached hereto (the "Lands"), in the lands municipally known as 18 Willingdon Boulevard, described as Part of PIN 07511-0033 (LT), being Part of Lot 50 on Plan 1685 as in Instrument No. TB844937, is hereby expropriated and taken for municipal purposes, namely improvements to transportation systems.
3. Authority is hereby granted for the signing, sealing and registration in the proper Land Registry Office of a plan showing the Lands 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 Lands, 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 the Deputy City Manager and Chief Financial Officer are authorized and directed to execute all documents necessary in that behalf and affix the corporate seal of the City to all such documents.

Enacted and passed on December 10, 2015.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

Schedule "A"

Table of Private Property Requirements

Municipal Address	18 Willingdon Boulevard
Legal Description	Part of PIN 07511-0033(LT) being part of Lot 50 on Plan 1685, Etobicoke, City of Toronto ("Lands")
Property Requirements	<p>A permanent easement in, on, over and through part of the Lands, designated as Part 1 on Draft Plan of Survey Drawing No. 0337-PS-054, approximately 15.16 m² (163.18 ft²) of land, for access, support and maintenance of the subsurface transit and/or other municipal systems, including the elevator to be built on adjacent lands owned by the City, and all works and uses ancillary thereto.</p> <p><i>[Note: The owners will retain rights, subject to the prior written approval of the relevant transit and/or municipal authority to alter the easement lands or effect changes to the use thereof, provided that the safety or stability of the subsurface systems are not adversely impacted, such approval not to be unreasonably withheld or delayed].</i></p>
	<p>A temporary easement in, on, over and through part of the lands designated as Part 2 on Draft Plan of Survey Drawing No. 0337-PS-054, approximately 84.57 m² (910.33 ft²) of land, for access, erection of hoarding around the subsurface transit and/or other municipal systems, including the elevator to be built on adjacent lands owned by the City, and all works and uses ancillary thereto during the construction and restoration of adjacent City owned lands for a period of three (3) years from the registration of the Expropriation Plan.</p>