

Authority: Government Management Committee Item GM24.9, as adopted by City of Toronto Council on January 31 and February 1, 2018

CITY OF TORONTO

BY-LAW 101-2018

To expropriate lands for permanent municipal easement purposes at 685 Lansdowne Avenue, 699 Lansdowne Avenue and 478 St. Clarens Avenue.

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 the lands and interests 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 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 at which it is enacting this by-law, did approve the said application and gave leave to introduce and enact this by-law;

The Council of the City of Toronto enacts:

1. The expropriation of the easements set out in Section 2 are approved by Council as expropriating authority, pursuant to Sections 7, 8 and 9 of the City of Toronto Act, 2006.
2. The permanent easement interests and all other right, title and interests, as described in Schedule A attached (the "Lands"), in the lands municipally known as 685 Lansdowne Avenue, 699 Lansdowne Avenue and 478 St. Clarens Avenue, is expropriated and taken for municipal purposes, namely improvements to transportation systems.
3. Authority is 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 incidental expenses.
4. City staff are authorized to serve on the registered owners of the Lands, 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.
5. The Mayor and the proper officers of the City are authorized and directed to do all things necessary to give effect to this by-law, and the City Clerk and the Director of Real Estate Services are authorized and directed to execute all documents necessary in that behalf and affix the seal of the City to all such documents.

Enacted and passed on February 1, 2018.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

Schedule A

Table of Private Property Requirements

Municipal Address	685 Lansdowne Avenue, Toronto, Ontario
Legal Description	Part of PIN 21311-0482 (LT), being Part of Lot 30, Plan 1049 Toronto, being Part 3 on Plan 66R-29738, City of Toronto (the "Lands")
Property Requirements	A limited estate, right or interest, comprised of an exclusive permanent easement in, on, over and through the Lands designated as Part 3 on Plan 66R-29738, measuring approximately 31 square metres required for the construction, installation, operation, use, maintenance, repair, enlargement and/or replacement, of the subsurface transit and/or other municipal system(s), including without limitation, for an elevator, including the right to enter and occupy such lands with all such vehicles, materials, machinery, tools and equipment as may reasonably be necessary for such purposes and for all works and uses ancillary thereto (to expire after 999 years from the date of registration of the Expropriation Plan in the event that such perpetual duration is precluded by statutes or common law).
Municipal Address	699 Lansdowne Avenue, Toronto, Ontario
Legal Description	Part of PIN 21311-0479 (LT), being Part of Lot 6, Plan 920 Toronto, being Part 1 on Plan 66R-29738, City of Toronto (the "Lands")
Property Requirements	A limited estate, right or interest, comprised of an exclusive permanent easement in, on, over and through the Lands designated as Part 1 on Plan 66R-29738, measuring approximately 44 square metres required for the construction, installation, operation, use, maintenance, repair, enlargement and/or replacement, of the subsurface transit and/or other municipal system(s), including without limitation, for an elevator, including the right to enter and occupy such lands with all such vehicles, materials, machinery, tools and equipment as may reasonably be necessary for such purposes and for all works and uses ancillary thereto (to expire after 999 years from the date of registration of the Expropriation Plan in the event that such perpetual duration is precluded by statutes or common law).
Municipal Address	478 St. Clarens Avenue, Toronto, Ontario
Legal Description	Part of PIN 21311-0492 (LT), being Part of Lot 27, Plan 1049 Toronto, being Part 2 on Plan 66R-29738, City of Toronto (the "Lands")

Property Requirements	A limited estate, right or interest, comprised of an exclusive permanent easement in, on, over and through the Lands designated as Part 2 on Plan 66R-29738, measuring approximately 60 square metres required for the construction, installation, operation, use, maintenance, repair, enlargement and/or replacement, of the subsurface transit and/or other municipal system(s), including without limitation, for an elevator, including the right to enter and occupy such lands with all such vehicles, materials, machinery, tools and equipment as may reasonably be necessary for such purposes and for all works and uses ancillary thereto (to expire after 999 years from the date of registration of the Expropriation Plan in the event that such perpetual duration is precluded by statutes or common law).
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