

Authority: Government Management Committee Item GM25.7, as adopted by City of Toronto Council at its meeting on March 26 and 27, 2018

CITY OF TORONTO

BY-LAW 313-2018

To expropriate land for municipal purposes, namely improvements to public transportation systems at Sherbourne Subway 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 certain property interests over part of the subject property for municipal purposes, namely improvement to the subway station facility at Sherbourne Subway Station, including construction of two (2) elevators at Sherbourne Subway Station to provide accessibility to and from each of the eastbound and westbound platforms and street level, and works and uses ancillary thereto; and

Whereas Notices of such application have been published and have been served on the registered owners of the said lands; and

Whereas no notice in writing of a desire for a hearing has been received with respect to such interests and the time giving such notice has expired;

The Council of the City of Toronto enacts:

1. The expropriation of certain property interests set forth 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. Those property interests over part of the property, as described in Schedule A attached (the "Lands"), in the lands municipally known as 425 Bloor Street East, described as Part of PIN 21086-0017 (LT), being Part of Lots 1 to 4 on Plan 44 and Pt Back Road Plan 44 as stopped up and closed by judgement of the High Court of Justice Chancery Division as in NE10647 See A990309 Pt 1 to 26, 66R13151 S/T A999878E; Toronto, is expropriated and taken for municipal purposes, namely improvements to public 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 expenses incidental thereto.
4. City staff are 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 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 March 27, 2018.

Frances Nunziata,
Speaker
(Seal of the City)

Ulli S. Watkiss,
City Clerk

Schedule A

Table of Private Property Requirements

Property Requirements	<p>All right, title and interest, over Parts 1, 2, 8, 26, 27 and 33 in Drawing Number 2215017012-001E of the draft plan that was completed by WSP Geomatics Ontario Ltd. to construct and operate elevators and related transit facilities and all works and uses ancillary thereto.</p>
	<p>A permanent easement in, on, over and through part of the Lands, designated as Parts 4, 7, 9, 10, 11, 12, 13, 14, 21, 22, 23, 24, 25, 28, 29, 30 and 32 on Drawing Number 2215017012-001E of the draft plan that was completed by WSP Geomatics Ontario Ltd to construct and maintain the elevator and related transit facilities and all works and uses ancillary thereto.</p>
	<p>A temporary easement in, on, over and through part of the lands designated as Parts 3, 5, 6, 15, 16, 17, 18, 19, 20, 31, 34 and 35 in Drawing Number 2215017012-001E of the draft plan that was completed by WSP Geomatics Ontario Ltd. to construct the elevator and related transit facilities and for construction lay down and all works and uses ancillary thereto, for a period of three (3) years to commence upon ninety (90) days written notice to the owner but not to extend beyond December 31, 2022.</p>