

Authority: General Government and Licensing Committee
Item GL32.26, as adopted by City of Toronto Council on
July 19, 20, 21 and 22, 2022.

CITY OF TORONTO

BY-LAW 963-2022

To expropriate lands for municipal purposes, including facilitating a road widening project and future retaining wall maintenance and repair work and works ancillary thereto.

Whereas in accordance with the provisions of the Expropriations Act, an application was submitted to City Council as approving authority, for approval to expropriate the interests in land described in the attached Schedule A; and

Whereas Notice of such application was published and served on the registered owners of the said lands; and

Whereas no request for a hearing regarding the proposed expropriation of the said lands was received, and the deadline for such request has expired; and

Whereas the Council of the City of Toronto, as approving authority, at its meeting of July 19, 20, 21 and 22, 2022, approved the application and gave leave to introduce and enact this by-law;

The Council of the City of Toronto enacts:

1. The expropriation of the interests in land described in the attached Schedule A for municipal purposes, including to facilitate a road widening project and future retaining wall maintenance and repair work and works ancillary thereto, is approved by the Council of the City of Toronto as approving authority, and authority is granted for the signing, sealing and registration of the Certificate of Approval.
2. The expropriation of the interests in land described in the attached Schedule A for municipal purposes, including to facilitate a road widening project and future retaining wall maintenance and repair work and works ancillary thereto, is authorized by the Council of the City of Toronto as expropriating authority, pursuant to Sections 7, 8 and 9 of the City of Toronto Act, 2006, and authority is granted for the signing, sealing and registration of expropriation plans at the land registry office, and the payment of all incidental expenses.
3. The Deputy City Manager, Corporate Services, the Director of Real Estate Services and the Manager, Expropriations are hereby authorized to execute and effect service of the Notices of Expropriation, Notices of Election, and Notices of Possession, as contemplated by the Expropriations Act, and to do all things necessary to give effect to this by-law.

Enacted and passed on July 22, 2022.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

**Schedule A
Interests to be Expropriated**

"Temporary Easement" means a temporary easement or rights in the nature of a temporary easement on, in, over, under and through the lands identified, for the purpose of facilitating the construction of a retaining wall on adjacent land, and all works ancillary thereto, including, without limitation, alterations to and removal of hard and soft landscaping, re-grading work and the right to enter and occupy with all necessary vehicles, materials, machinery, tools and equipment. Such temporary easement shall commence on a date specified in writing, on at least THIRTY (30) days' prior written notice to the registered owner, and will continue for a term specified in the chart below. All rights under the temporary easement shall expire no later than December 31, 2026.

"Permanent Easement" means a permanent easement or rights in the nature of a permanent easement, on, in, over, under and through the lands identified, for the construction, installation, maintenance, inspection, repair, removal, replacement or reconstruction of a retaining wall, and all works ancillary thereto including, without limitation, alterations to and removal of hard and soft landscaping and re-grading work and the right to enter and occupy with all necessary vehicles, materials, machinery, tools and equipment.

Municipal Address	Property Interest to be Expropriated
2 Scarlett Road	Temporary Easement in the land labelled as Part 1 in the draft Plan dated June 2, 2022 for 2 Scarlett Road in Appendix B to the report (June 17, 2022) from the Executive Director, Corporate Real Estate Management (Item GL32.26), for a period of 140 days.
10 Scarlett Road	Fee Simple in the land labelled as Part 1 in the draft Plan dated June 2, 2022 for 10 Scarlett Road in Appendix B to the report (June 17, 2022) from the Executive Director, Corporate Real Estate Management (Item GL32.26).
2700 St. Clair Avenue West	<p>Permanent Easement in the land labelled as Part 1 in the draft Plan dated May 31, 2022 for 2700 St. Clair Avenue West in Appendix B to the report (June 17, 2022) from the Executive Director, Corporate Real Estate Management (Item GL32.26).</p> <p>Temporary Easement in the land labelled as Part 2 in the draft Plan dated May 31, 2022 for 2700 St. Clair Avenue West in Appendix B to the report (June 17, 2022) from the Executive Director, Corporate Real Estate Management (Item GL32.26), for a period of 140 days.</p>
4000 Dundas Street West	<p>Permanent Easement in the land labelled as Part 2 in the draft Plan dated May 31, 2022 for 4000 Dundas Street West in Appendix B to the report (June 17, 2022) from the Executive Director, Corporate Real Estate Management (Item GL32.26).</p> <p>Temporary Easement in the land labelled as Part 1 in the draft Plan dated May 31, 2022 for 4000 Dundas Street West in Appendix B to the report (June 17, 2022) from the Executive Director, Corporate Real Estate Management (Item GL32.26), for a period of 200 days.</p>