

Authority: General Government Committee Item GG4.24,
as adopted by City of Toronto Council on June 14 and 15,
2023
City Council voted in favour of this by-law on June 15,
2023

CITY OF TORONTO

BY-LAW 556-2023

To expropriate lands for municipal purposes, including the acquisition of permanent and temporary easement interests for the construction, maintenance and future repairs of a new retaining wall along Halford Avenue.

Whereas in accordance with the provisions of the Expropriations Act, an application was submitted to City Council as approving authority, for approval to expropriate permanent and temporary easements in the lands legally described in the attached Schedule "A" (collectively, the "Lands"); and

Whereas pursuant to section 7 of the Expropriations Act, an inquiry hearing with respect to the proposed expropriation was held before the Ontario Land Tribunal on February 3, 2023; and

Whereas the Council of the City of Toronto, as approving authority, has considered the report of the Ontario Land Tribunal recommending approval of the application to expropriate the Lands; and

Whereas the Council of the City of Toronto, as approving authority, at its meeting of June 14 and 15, 2023, 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 Lands described in the attached Schedule A for municipal purposes, including the acquisition of permanent and temporary easement interests for the removal of an existing retaining wall and the construction, maintenance and future repair of a new retaining wall along Halford Avenue, 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 Lands for municipal purposes, including the removal of an existing retaining wall and the construction, maintenance and future repair of a new retaining wall along Halford Avenue, 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: (i) the signing, sealing and registration of an expropriation plan(s) in the applicable land registry office for the Lands; (ii) the service of Notices of Expropriation, Notices of Election and Notices of Possession on the owners of the Lands; and (iii) the payment of all incidental expenses.

3. The Deputy City Manager, Corporate Services, the Executive Director, Corporate Services, and the Director of Transaction Services 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 June 18, 2023.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

**Schedule A
Interests to be Expropriated**

Municipal Address	Property Interests (as further defined below)
19 Halford Avenue	i) Temporary Easement of approximately 87.72 sq. m. shown as Part 1 on the Sketch attached as Appendix B5 to the Staff Report for Item GG4.24 dated May 15, 2023. ii) Permanent Easement of approximately 33.88 sq. m. shown as Part 2 on the Sketch attached as Appendix B5 to the Staff Report for Item GG4.24 dated May 15, 2023.
21 Halford Avenue	Temporary Easement of approximately 83.60 sq. m. shown cross-hatched on the Sketch attached as Appendix B4 to the Staff Report for Item GG4.24 dated May 15, 2023.
23 Halford Avenue	Temporary Easement of approximately 55 sq. m. shown cross-hatched on the Sketch attached as Appendix B3 to the Staff Report for Item GG4.24 dated May 15, 2023.
25 Halford Avenue	Temporary Easement of approximately 64 sq. m. shown cross-hatched on the Sketch attached as Appendix B2 to the Staff Report for Item GG4.24 dated May 15, 2023.
27 Halford Avenue	Temporary Easement of approximately 43.12 sq. m. shown cross-hatched on the Sketch attached as Appendix B1 to the Staff Report for Item GG4.24 dated May 15, 2023.

Temporary Easement or rights in the nature of a temporary easement on, in, over, under and through the lands identified in the chart above, to facilitate the construction of a retaining wall on adjacent property and all works ancillary thereto, including without limitation, removal of and alterations to landscaping and trees, commencing on a date to be specified in writing by the City to the registered owner on at least 15 days' notice, and continuing for 15 weeks, expiring no later than December 31, 2024.

Permanent easement in gross on, in, over, under and through the lands designated above to construct, operate, maintain, repair, replace, upgrade or remove a retaining wall, and all works ancillary thereto.