

Authority: General Government Committee Item
GG12.17, as adopted by City of Toronto Council on
May 22 and 23, 2024
City Council voted in favour of this by-law on May 23,
2024
Written approval of this by-law was given by Mayoral
Decision 13-2024 dated May 23, 2024

CITY OF TORONTO

BY-LAW 523-2024

To expropriate lands at 21 Old Mill Road, 39 Old Mill Road and 2662 Bloor Street West for municipal purposes, namely improvements to transportation systems for the Easier Access Phase III Project.

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 lands and interests in the lands hereinafter described; and

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

Whereas pursuant to section 7 of the Expropriations Act, an inquiry hearing with respect to the proposed expropriation of 2662 Bloor Street West was held before the Ontario Land Tribunal on September 25, 26, 27, 28 and 29, 2023; and

Whereas the Council of the City of Toronto, as approving authority, has considered the report of the Ontario Land Tribunal issued on February 27, 2024, recommending approval of the application to expropriate the said lands at 2662 Bloor Street West, and has approved the application for expropriation of all interests in 21 Old Mill Road, 39 Old Mill Road and 2662 Bloor Street West, 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 for improvements to transportation systems for the Easier Access Phase III Project, 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 for improvements to transportation systems for the Easier Access Phase III Project, 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 in the applicable land registry office, the service of Notices of Expropriation, Notices of

Election and Notices of Possession, as contemplated by the Expropriations Act, and the payment of all incidental expenses.

3. The Deputy City Manager, Corporate Services; Executive Director, Corporate Services; Director, Transaction Services; and Manager, Transit & Infrastructure 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 May 23, 2024.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Schedule A
Table of Private Property Requirements

Municipal Address	Description of Land and Interest to be Expropriated
21 Old Mill Road, Toronto, Ontario	A limited estate, right or interest, comprised of a non-exclusive temporary easement, in, on, over and through the freehold lands legally described as Part of Block X, Plan M-416, City of Toronto; being part of PIN 07498-0238 (LT)) in the Land Registry Office of Toronto (No. 66) in Land Titles Division and labelled as Part 1 in the draft Plan for 21 Old Mill Road in Appendix D to Staff Report for Item GG12.17, dated April 17, 2024, for the purpose of ingress and egress with all such vehicles, materials, machinery, tools and equipment as may be reasonably necessary to facilitate the constructing, installing, erecting, operating, using, maintaining, inspecting, altering, removing, replacing, repairing, enlarging, expanding and reconstructing of below grade subsurface transit and/or other municipal system(s) structures and facilities, including without limiting the generality of the foregoing, constructing and housing of underground elevators, on adjacent lands and for all works or uses ancillary thereto or incidental to the exercise and enjoyment of the rights hereby granted for a period of four (4) years to commence upon ninety (90) days' written notice, but not to extend beyond December 31, 2029.
39 Old Mill Road, Toronto, Ontario	<ol style="list-style-type: none">1. All right, title and interest in the freehold lands legally described as Part of Block X, Plan M-416, City of Toronto; being part of PIN 07498-0086 (LT)) in the Land Registry Office of Toronto (No. 66) in Land Titles Division and labelled as Part 9 in the draft Plan for 39 Old Mill Road in Appendix D to Staff Report for Item GG12.17, dated April 17, 2024.2. A limited estate, right or interest, comprised of a permanent easement in, on, over and through the freehold lands legally described as Part of Block X, Plan M-416, City of Toronto; being part of PIN 07498-0086 (LT)) in the Land Registry Office of Toronto (No. 66) in Land Titles Division and labelled as Parts 2, 4, 5, 6, 10, 11, 14 and 17 in the draft Plan for 39 Old Mill Road in Appendix D to Staff Report for Item GG12.17, dated April 17, 2024, for the purpose of constructing, installing, erecting, operating, using, maintaining, inspecting, altering,

	<p>removing, replacing, repairing, enlarging, expanding, and reconstructing below grade subsurface transit and/or other municipal system(s) structures and facilities, including without limiting the generality of the foregoing, constructing and housing underground elevators, which shall include all temporary utility relocation required to facilitate the works, together with a right of ingress and egress with all such vehicles, materials, machinery, tools and equipment as may be reasonably necessary for such purposes and for all works or 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).</p> <p>3. A limited estate right or interest, comprised of an exclusive temporary easement, in, on, over and through the freehold lands legally described as Part of Block X, Plan M-416, Part of Block B, Plan M-385, City of Toronto; being part of PIN 07498-0086 (LT)) in the Land Registry Office of Toronto (No. 66) in Land Titles Division and labelled as Parts 1, 3, 7, 8, 12, 13, 15, 16, 18, 19, 20 and 21 in the draft Plan for 39 Old Mill Road in Appendix D to Staff Report for Item GG12.17, dated April 17, 2024, for the purpose of all work ancillary and necessary to the constructing, installing, erecting, operating, using, maintaining, inspecting, altering, removing, replacing, repairing, enlarging, expanding and reconstructing of below grade subsurface transit and/or other municipal system(s) structures and facilities, including without limiting the generality of the foregoing, constructing and housing of underground elevators, which shall include all temporary utility relocation required to facilitate the works, including without limiting the generality of the foregoing installation of construction hoarding, construction staging, installation of temporary underground road supports which shall include jacks and beams, and all temporary utility relocation together with the right of ingress and egress with all such vehicles, materials, machinery, tools and equipment as may be reasonably necessary for such purposes and for all works or uses ancillary thereto or incidental to the exercise and enjoyment of the rights hereby granted for a period of four (4) years to commence upon ninety (90) days' written notice, but not to extend beyond December 31, 2029.</p>
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<p>2662 Bloor Street West, Toronto, Ontario</p>	<ol style="list-style-type: none"> <li data-bbox="623 285 1414 684">1. All right, title and interest in the freehold lands legally described as Part of Toronto Standard Condominium Plan 1473; being Part of Lot 1, Plan M-1052; Part of Block B, Plan M-385; Part of Block X, Plan M-416, City of Toronto; S/T and T/W as set out in Schedule A of Declaration Number AT20863; being PINS 12473-0001 (LT) to 12473-0257 (LT) in the Land Registry Office of Toronto (No. 66) in the Land Titles Division, and labelled as Parts 1, 4 and 14 in the draft Plan for 2662 Bloor Street West in Appendix D to Staff Report for Item GG12.17, dated April 17, 2024. <li data-bbox="623 726 1414 1745">2. A limited estate, right or interest, comprised of a permanent easement in, on, over and through the freehold lands legally described as Part of Toronto Standard Condominium Plan 1473; being Part of Lot 1, Plan M-1052; Part of Block B, Plan M-385; Part of Block X, Plan M-416, City of Toronto; S/T and T/W as set out in Schedule A of Declaration Number AT20863; being PINS 12473-0001 (LT) to 12473-0257 (LT) in the Land Registry Office of Toronto (No. 66) in the Land Titles Division, and labelled as Parts 2, 3, 5, 6, 7, 9, 22, 25, 26, 27 and 28 in the draft Plan for 2662 Bloor Street West in Appendix D to Staff Report for Item GG12.17, dated April 17, 2024, for the purpose of constructing, installing, erecting, operating, using, maintaining, inspecting, altering, removing, replacing, repairing, enlarging, expanding, and reconstructing below grade subsurface transit and/or other municipal system(s) structures and facilities, including without limiting the generality of the foregoing, constructing and housing underground elevators, which shall include all temporary utility relocation required to facilitate the works, together with a right of ingress and egress with all such vehicles, materials, machinery, tools and equipment as may be reasonably necessary for such purposes and for all works or 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). <li data-bbox="623 1787 1414 1885">3. A limited estate right or interest, comprised of an exclusive temporary easement, in, on, over and through the freehold lands legally described as Part of Toronto

	<p>Standard Condominium Plan 1473; being Part of Lot 1, Plan M-1052; Part of Block B, Plan M-385; Part of Block X, Plan M-416, City of Toronto; S/T and T/W as set out in Schedule A of Declaration Number AT20863; being PINS 12473-0001 (LT) to 12473-0257 (LT) in the Land Registry Office of Toronto (No. 66) in the Land Titles Division, and labelled as Parts 8, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 23 and 24 in the draft Plan for 2662 Bloor Street West in Appendix D to Staff Report for Item GG12.17, dated April 17, 2024, for the purpose of all work ancillary and necessary to the constructing, installing, erecting, operating, using, maintaining, inspecting, altering, removing, replacing, repairing, enlarging, expanding and reconstructing of below grade subsurface transit and/or other municipal system(s) structures and facilities, including without limiting the generality of the foregoing, constructing and housing of underground elevators, which shall include all temporary utility relocation required to facilitate the works, including without limiting the generality of the foregoing installation of construction hoarding, construction staging, and all temporary utility relocation together with the right of ingress and egress with all such vehicles, materials, machinery, tools and equipment as may be reasonably necessary for such purposes and for all works or uses ancillary thereto or incidental to the exercise and enjoyment of the rights hereby granted for a period of four (4) years to commence upon ninety (90) days' written notice, but not to extend beyond December 31, 2029.</p>
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