

Fogler Rubinoff LLP Municipal Department News

May 4, 2012

Joel Farber of Fogler, Rubinoff LLP, along with co-counsel J. Anthony Caldwell of Caldwell Barristers, prevailed at the Ontario Municipal Board against the City of Toronto in a significant expropriation case involving the City's expropriation of lands at Queen and Dufferin for the construction of the newly built Dufferin Street underpass of the railway tracks.

The expropriation decision is significant in that substantial business losses were awarded to the claimants arising as a result of the spectre of expropriation that had been lingering over the subject property for many years. The decision is also significant in that the claimants achieved almost twice what had been offered by the City as compensation for the taking, both as a result of the appraisal evidence and on the basis of successfully opposing deductions for environmental conditions made by the City.

To view the decision click [DECISION](#).



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