

Section II – Items for Executive Committee Action

TO: Chair and Members of the Executive Committee
Friday, May 9, 2025 Meeting

FROM: Alexander Schuler, Associate Director, Property and Asset Management

On behalf of John MacKenzie, Chief Executive Officer

**RE: METROLINX LAND REQUIREMENTS ON TRCA
PROPERTY FOR EGLINTON CROSSTOWN WEST
EXTENSION (CFN 71381)**

KEY ISSUE

Settlement of compensation for Toronto and Region Conservation Authority (TRCA) lands required for the construction of the Eglinton Crosstown West Extension (ECWE) project, located west of Jane Street, north of Eglinton Avenue West and east of Emmet Avenue.

RECOMMENDATION:

IT IS RECOMMENDED THAT a settlement of compensation be completed with Metrolinx with respect to an expropriation of lands municipally known as 565 Scarlett Rd; 101 Emmett Ave; 3650 Eglinton Ave W; and 3601 Eglinton Ave W, and more specifically described in Attachment 1 – Expropriated Lands Description (collectively the “Expropriated lands”);

THAT the total compensation be \$200,000.00, consisting of \$95,102.00 on account of the market value for the expropriated lands pursuant to the s. 25 Offers, and \$104,898.00 as an administrative cost of settlement, inclusive of statutory interest in accordance with Section 33 of the Expropriations Act;

THAT TRCA provide Metrolinx with a full and complete release of all claims on expropriated lands pursuant to the Expropriations Act;

AND FURTHER THAT authorized TRCA officials be directed to take whatever actions may be required to give effect thereto including the obtaining of necessary approvals and the signing and execution of

any documents, including an agreement on full and final release and settlement.

BACKGROUND

On November 23, 2022, Metrolinx registered the expropriation plan on title to the Expropriated lands and thereby expropriated all right, title, and interest in the Expropriated lands, as described in the Attachment #1. Under cover of letters dated February 16, 2023, Metrolinx served TRCA with the Section 25 offers, in accordance with the Expropriations Act, providing total compensation of \$95,102.00. The Section 25 offer provides compensation without prejudicing further claims for compensation including injurious affection and/or disturbance damages as a result of the expropriation. Negotiations continued between Metrolinx and TRCA staff, which resulted in negotiating a Full and Final Settlement Agreement, providing a total compensation of \$200,000, consisting of \$95,102.00 on account of the market value for the Expropriated lands pursuant to the Section 25 offers, and \$104,898.00 as an administrative cost of settlement, inclusive of statutory interest in accordance with section 33 of the Expropriations Act.

RATIONALE

Metrolinx, as a regional transit agency in Ontario, has specific powers under the Expropriations Act. These powers allow Metrolinx to acquire land necessary for public transit projects. Property owners whose land is expropriated are entitled to compensation, which is determined based on the market value of the property and any damages caused by the expropriation. Staff deem the abovementioned compensation fair and reasonable with respect to the market value of the expropriated interests and successfully negotiated additional compensation for administrative costs. Accordingly, the endorsement of this report will permit TRCA to finalize approval of a negotiated compensation for the Expropriated lands and further execution of a Full and final Settlement Agreement.

Staff will continue to work with Metrolinx to expedite the review of property requirements to support voluntary negotiation, as well as continue to report to the Executive Committee and the Board of Directors for property dispositions and expropriations.

Relationship to TRCA's 2023-2034 Strategic Plan

This report supports the following Pillars and Outcomes set forth in TRCA's

2023-2034 Strategic Plan:

Pillar 4 Service Excellence:

4.4 Transparent decision making and accountable results

FINANCIAL DETAILS

A Full and Final Settlement Agreement negotiated with Metrolinx provides a total compensation of \$200,000.

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Date: April 16, 2025

Attachment 1 - Expropriated Lands Description

Attachment 2 - Orthophoto