

271 Front Street East, 25 Berkeley Street, and 44 Parliament Street - Expropriation of City-owned Lands by Metrolinx for Transit Purposes

Date: April 8, 2025

To: City Council

From: City Solicitor

Wards: Ward 10 - Spadina - Fort-York / Ward 13 - Toronto Centre

REASON FOR CONFIDENTIAL INFORMATION

This report contains advice or communications that are subject to solicitor-client privilege. This report contains information regarding potential litigation.

SUMMARY

Pursuant to the *Expropriations Act*, Metrolinx expropriated City-owned lands with the municipal addresses of 271 Front Street East, 25 Berkeley Street, and the north portion of 44 Parliament Street operating as a Toronto Parking Authority lot (collectively known as the "First Parliament Properties") and the subsurface portion of Parliament Square Park located at the south side of 44 Parliament Street (the "Strata Lands"), for the purpose of the construction of the new underground Corktown Subway Station and underground tunnel on the proposed Ontario Line.

Metrolinx took possession of the First Parliament Properties and the Strata Lands on August 31, 2021. Metrolinx served offers of compensation on the City on August 16, 2021 in respect of 271 Front Street East and 25 Berkeley Street and on September 15, 2021 for 44 Parliament Street. The City accepted the offers of compensation without prejudice to its ability to further negotiate the payment of additional compensation or to bring a claim to the Ontario Land Tribunal to seek additional compensation for the expropriations as permitted by the *Expropriations Act*.

This report deals with potential litigation that affects the City and contains advice or communications that are subject to solicitor-client privilege. The purpose of this report is to seek further direction in this regard and information is being provided as confidential material.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council adopt the recommendations contained in Confidential Attachment 1 to this Report.
2. City Council direct that all information contained in Confidential Attachment 1 including Confidential Appendix "A" and Confidential Appendix "B" and the confidential recommendations are to remain confidential at the discretion of the City Solicitor as it contains advice and information which are subject to solicitor-client privilege.

FINANCIAL IMPACT

The financial impact is discussed in Confidential Attachment 1 to this report.

DECISION HISTORY

Pursuant to City Council's adoption of Item EX27.8 - The First Parliament Site and Expropriation of City-owned Lands by Metrolinx for Transit Purposes - at its meeting of November 9, 10, and 12, 2021, City staff were authorized to accept the advance payment of compensation made by Metrolinx pursuant to Section 25 of the *Expropriations Act* in respect of the expropriation of the First Parliament Site and the Strata Lands, in the amounts set out in Confidential Attachment 1 to the report (October 13, 2021) of the Executive Director, Corporate Real Estate Management, the Executive Director, Transit Expansion Office, and the Chief Planner and Executive Director, City Planning, without prejudice to the City's right to claim for further compensation pursuant to Section 25 of the *Expropriations Act*.
[Agenda Item History - 2021.EX27.8](#)

COMMENTS

The City Solicitor requires further instructions at this time. This report is in respect of matters which may result in potential litigation before the Ontario Land Tribunal and contains advice or communications that are subject to solicitor-client and litigation privilege. Confidential Attachment 1 to this report contains confidential advice and should be considered by City Council *in camera*.

This report has been prepared in consultation with staff from Corporate Real Estate Management and Corporate Finance.

CONTACT

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SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

1. Confidential Attachment 1 - Confidential Recommendations and Confidential Information
2. Confidential Appendix "A" - Confidential Information
3. Confidential Appendix "B" - Confidential Information