

Application for Approval to Expropriate a Portion of 20 Humberview Crescent and 50 St. Phillips Road – Stage 1

Date: October 8, 2025

To: General Government Committee

From: Executive Director, Corporate Real Estate Management

Wards: 1 - Etobicoke North and 5 - York South-Weston

SUMMARY

This report seeks authority to initiate expropriation proceedings for a fee simple interest in portions of the property municipally known as 20 Humberview Crescent and fee simple interests and temporary easements over portions of the property municipally known as 50 St. Phillips Road, for the purpose of implementing the Council-approved Mid Humber Gap trail project, for which a Municipal Class Environmental Assessment has been completed.

This is Stage 1 of the expropriation process. Should City Council adopt the recommendations in this report, staff will serve and publish the Notice of Application for Approval to Expropriate Land on each registered owner. Owners, as defined in the Expropriations Act (the "Act"), will have 30 days to request a hearing into whether the City's proposed taking is fair, sound and reasonably necessary.

Staff will report back to City Council with a Stage 2 report, providing details on property values and other costs, and if a hearing is requested, the report of the Ontario Land Tribunal. The proposed expropriation would only be effected after adoption by City Council, as approving authority, of the Stage 2 report, by registration of an expropriation plan(s), which would then be followed by the service of notices as required by the Act.

Before the City could take possession of the expropriated property, offers of compensation based on appraisal reports must be served on each registered owner.

RECOMMENDATIONS

The Executive Director, Corporate Real Estate Management recommends that:

1. City Council authorize the Executive Director, Corporate Real Estate Management, to continue negotiations to acquire the property interests set out in Appendix A (the "Property Requirements") and as illustrated in the sketches/draft reference plans set out in Appendices B, C, and D, and City Council authorize the initiation of expropriation proceedings for the Property Requirements, for the purpose of the construction, operation and maintenance of a multi-use trail and associated infrastructure, including an asphalt path, two pedestrian-cycle bridges and a boardwalk, that will close an important gap in the Humber River Trail, if the Executive Director, Corporate Real Estate Management, deems it necessary or appropriate to proceed in that manner.
2. City Council grant authority to serve and publish the Notices of Application for Approval to Expropriate Land for the Property Requirements, to forward to the Ontario Land Tribunal any requests for hearings that are received, to attend the hearing(s) to present the City's position, and to report the Ontario Land Tribunal's recommendations to City Council for its consideration.

FINANCIAL IMPACT

The costs to serve and publish the required Notices of Application for Approval to Expropriate, together with any costs related to attendance at the hearing(s), if any, will be funded from 2025 Approved Capital Budget and 2026-2034 Capital Plan for Parks and Recreation under the capital account CPR115-50-01.

Before proceeding with the expropriation, staff will report to City Council through the General Government Committee for approval of the expropriation (the "Stage 2 Report"). The Stage 2 Report will identify the estimated funding requirement and the funding source for the market value of the Property Requirements, as well as any other anticipated costs including disturbance damages, legal and appraisal costs, land transfer tax costs, and all other associated costs stipulated under the Act.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial implications as identified in the Financial Impact section.

DECISION HISTORY

On July 19, 20, 21 and 22, 2022, City Council endorsed a recommended trail alignment for the Mid Humber Gap and directed staff to file the Municipal Class Environmental Assessment Notice of Completion, post the study report for a 30-day review period, and continue discussions with local stakeholders as part of detailed design.

<https://secure.toronto.ca/council/agenda-item.do?item=2022.IE31.11>

On December 15, 2021 Toronto City Council approved the Cycling Network Plan Update, which established a new timeframe for cycling network programming and planning to improve road work coordination, accountability, and implementation. The Mid Humber Gap trail was identified for study in the near-term priorities (2022-2024).
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.IE26.10>

On January 29, 2020, City Council approved the Ravine Strategy Implementation report, which recommended implementation of the Loop Trail in partnership with Toronto and Region Conservation Authority and Evergreen Canada. The Loop Trail is a sixty-five (65) km off road, multiuse ring that will connect multiple ravines, neighbourhoods and trail systems throughout Toronto. The Mid Humber Gap trail has been identified as a significant gap in the future Loop Trail.
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.EX12.1>

On June 5, 2012, City Council approved the Bikeway Trails Implementation Plan, which identified and prioritized new bikeway trail connections to expand and enhance Toronto's bikeway network. As one of 26 projects identified within the Plan, the Mid Humber Gap constitutes a significant barrier to a continuous trail system from Toronto's northwest boundary to Lake Ontario.
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.PW15.2>

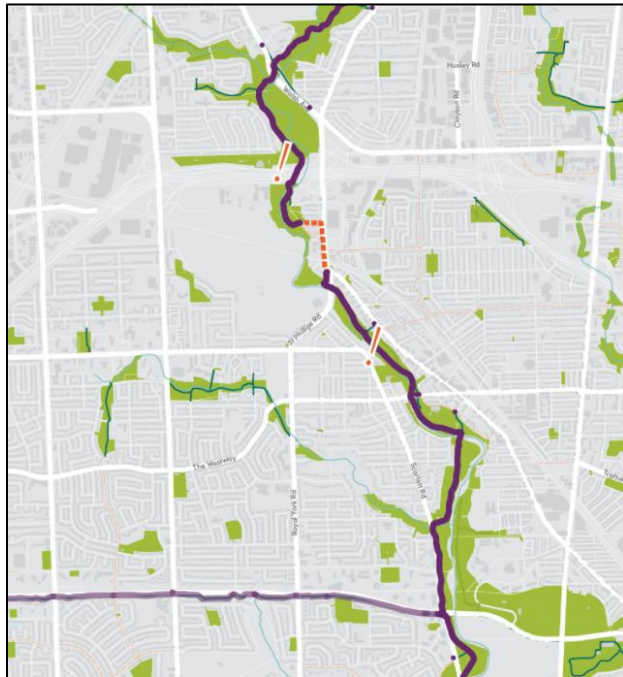
COMMENTS

Background

The City has taken a multi-phased approach to close the Mid Humber Gap, a gap of approximately 1.4 kilometers between Weston Road and Lawrence Avenue West, to provide a continuous multi-use trail connection along the Humber River Trail (HRT). Phase 1, completed in 2013, delivered a 600-metre trail connection from Mallaby Park to the HRT system with a 3.5-metre-wide paved multi-use trail.

The remaining 800-metre trail gap between Mallaby Park and Crawford-Jones Memorial Park is a significant accessibility and safety issue (see Figure 1). Presently, trail users must climb a long staircase at Mallaby Park and travel along a busy section of Weston Road before reconnecting with the existing HRT at Crawford-Jones Memorial Park.

Figure 1 - Map showing the Mid Humber Gap (red dashed line) along the HRT.



Technical Studies

In 2019, the City and Toronto and Region Conservation Authority (TRCA) undertook a preliminary feasibility study to evaluate trail alignment concepts to close the 800-metre gap in the HRT. Preliminary findings identified several technical constraints such as challenging ravine topography, sensitive ecology, and private property interests, providing a strong rationale to undertake a more rigorous evaluation. This led the City and TRCA to initiate a Municipal Class Environmental Assessment (MCEA) in 2021 to identify a preferred multi-use trail alignment for the Mid Humber Gap.

A total of six preliminary trail concepts were considered as part of the MCEA. These included routes along the west and east banks of the river valley, along Weston Road, and hybrid routes with portions of the trail in the valley and along the road. A “Do Nothing” option was considered as a baseline.

The six concepts and the “Do Nothing” option were evaluated for feasibility based on natural, socio-cultural, financial, technical, and public safety factors. Based on this screening, three concepts were brought forward for more comprehensive technical analysis: an in-valley alignment, a hybrid in-valley/on road alignment, and an on-road alignment.

Public consultation was undertaken at key stages of the MCEA process and informed the evaluation of concepts. Consultations included public events, online questionnaires, Stakeholder Advisory Group sessions, and individual meetings with property owners.

Approved Trail Alignment

Through detailed comparative analysis of the three potential trail alignments identified by the initial screening, the in-valley alignment was identified as most preferred. It scored the highest in the comprehensive MCEA evaluation and received significant public support through open houses, online feedback, and general correspondence.

Starting at Crawford-Jones Memorial Park, the trail will cross the Humber River via a new pedestrian-cycle bridge. A paved multi-use trail and cantilevered boardwalk will be built along the west bank of the Humber River through portions of the property municipally known as 50 St. Phillips Road (owned by the Weston Golf and Country Club). On land at 20 Humberview Crescent (owned by a private land trust), a second pedestrian-cycle bridge will connect to the east bank of the Humber River, along with a new paved multi-use trail through that would connect to the existing HRT at Mallaby Park.

Through 2022.IE31.11, the preferred trail alignment was approved by City Council and the Province of Ontario through endorsement of the MCEA.

Required Property Interests

Implementing the approved trail alignment requires that the City secure interests in two privately owned properties and two publicly owned properties. Staff have made efforts for over the last two years to acquire these property interests through negotiated agreements with the various owners.

Through these negotiations, staff have determined that initiating expropriation proceedings is the only feasible option of securing the two privately-owned properties (the "Property Requirements").

It is recommended that City Council, as approving authority, grant authority to initiate the expropriation process to acquire the Property Requirements to ensure the timely construction of the Mid Humber Gap trail project. City staff will continue to negotiate with the affected owners in parallel with the expropriation process.

Privately-owned Property Requirements Proposed for Expropriation

1. 20 Humberview Crescent (fee simple interest)

A portion of the ravine lands located at 20 Humberview Crescent is required to connect the existing Humber River Recreational Trail, which ends at Mallaby Park, to a suitable location along the bank of the Humber River, to cross onto future lands to be expropriated from the Weston Golf and Country Club located at 50 St. Phillips Road.

This property is owned by a private land trust. Following the death of the trustee, the City's position is that there is no legal means of entering into a negotiated agreement, leaving expropriation as the only option.

2. 50 St. Phillips Road (fee simple interests and temporary easements)

Fee simple interests are required along the western edge of the Humber River and a portion on the eastern edge of the Humber River (resulting from the shifting of the course of the Humber River) to locate the future trail, along with two temporary easements (one exclusive and one non-exclusive) to facilitate trail construction.

This property is owned by the Weston Golf and Country Club.

Publicly owned Property Requirements to be Negotiated

3. Metrolinx Rail Bridge (license agreement)

City staff continue to negotiate to obtain a publicly owned property interest, an easement or license from Metrolinx for passage under a rail bridge along the west side of the Humber River. Past discussions have been positive, with further review to be focused on the design as it advances.

4. Provincial Crown Land (permanent easement)

The shifting of the course of the Humber River has resulted in a parcel of land on the east bank, representing the former riverbed, being in the ownership of the Province of Ontario, as crown land. The river itself is also crown land as a navigable waterway. A separate process will be undertaken concurrently with the expropriation process to prepare a crown reference plan and apply for permanent easements from the provincial Ministry of Natural Resources.

Next Steps

Outside of the expropriation process and ongoing negotiations with public bodies to secure required the property interests, next steps for the Mid Humber Gap trail project include detailed design and continued engagement with impacted property owners and local interest groups.

The trail alignment will undergo a higher degree of refinement through the detailed design process. This will include additional technical studies, developing detailed drawings, obtaining permits and approvals, preparing tender-ready drawings and specifications, and tendering the project for construction.

Council's endorsement of the trail alignment included direction to staff to continue discussions with impacted property owners and other local interest groups throughout the detailed design process. Staff will continue to engage with interested parties throughout the various stages of the project to ensure impacts of the project are mitigated to the extent possible.

CONTACT

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SIGNATURE

Patrick Matozzo
Executive Director, Corporate Real Estate Management

ATTACHMENTS

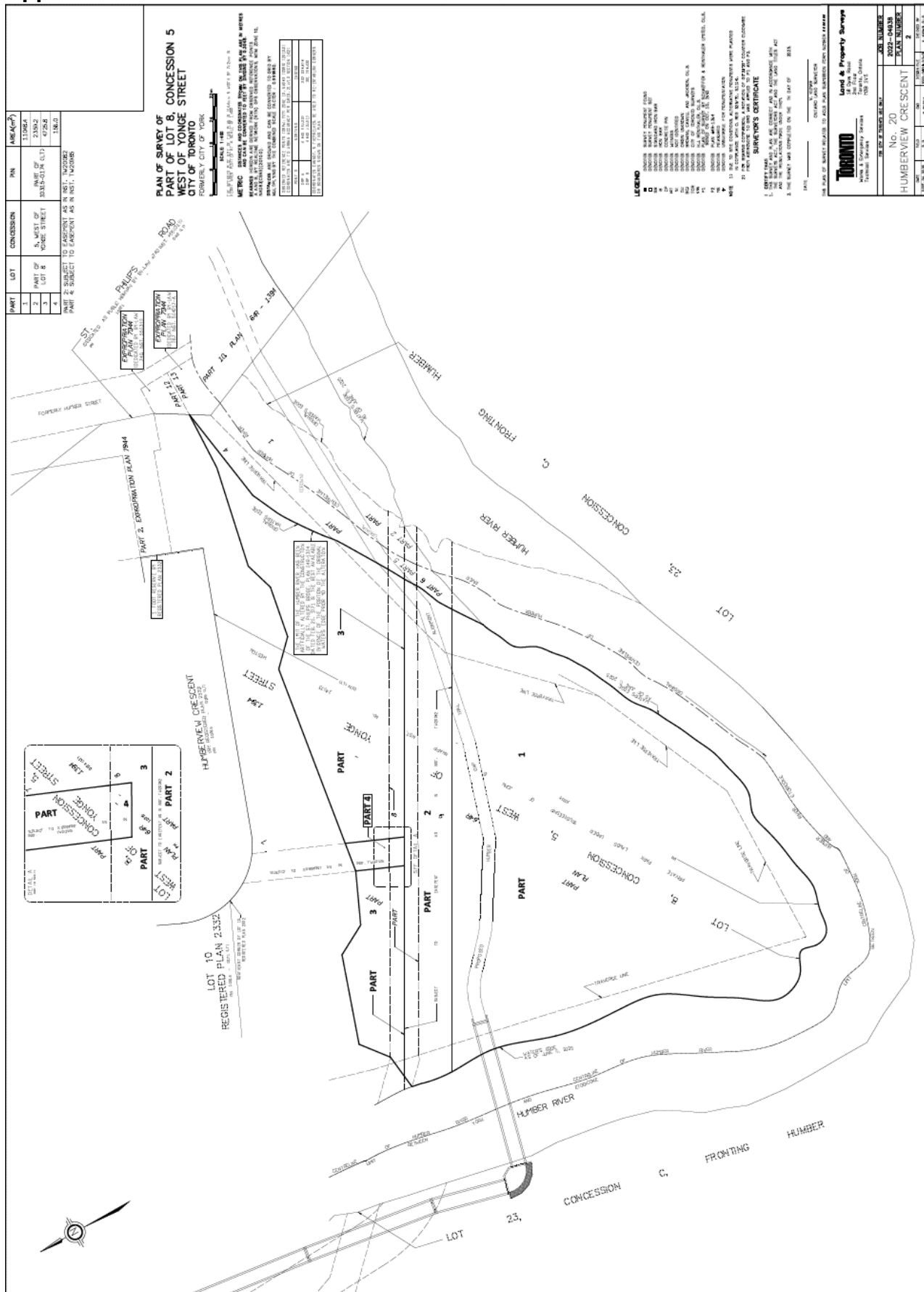
Appendix A - Table of Property Requirements
Appendix B - Draft Reference Plan for 20 Humberview Crescent
Appendix C - Draft Reference Plan for 50 St. Phillips Road (North of the Rail Corridor)
Appendix D - Draft Reference Plan for 50 St. Phillips Road (South of the Rail Corridor), former riverbed and former opposite shore

Appendix A - Table of Property Requirements

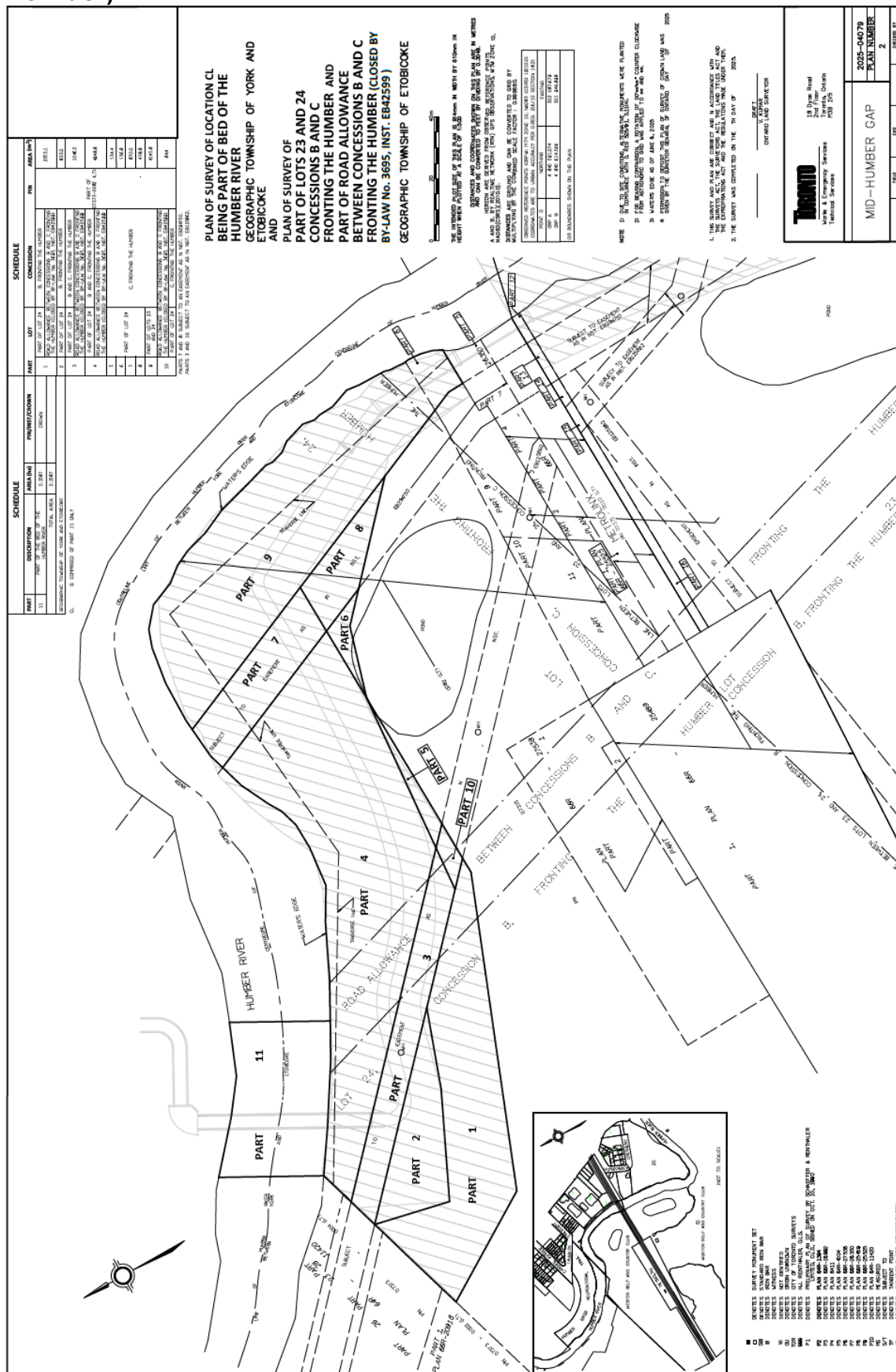
Municipal Address	Legal Description	Property Interest(s)
20 Humberview Crescent	Part of Lot 8, Concession 5, West of Yonge Street	Fee simple interest in parts illustrated as Parts illustrated as Parts 1, 2, 3, 4 on draft reference plan "2022-04938 Plan Number 2" attached as Appendix B.
50 St. Phillips Road (north of rail corridor)	Part of Lots 23 and 24, Concession C, Fronting the Humber, Part of Lot 24, Concession B, Fronting the Humber, and part of Road Allowance between Concessions B and C fronting the Humber (closed by by-law No. 3695, Inst. EB42599), Geographic Township of Etobicoke being part of PIN 07373-0082 (LT)	Fee simple interest in parts illustrated as Parts 2, 3, 4, 7 and 9 on draft reference plan "2025-04079 Plan Number 2" attached as Appendix C Temporary exclusive easement over parts illustrated as Parts 1, 5, 6, 8 and 10 on draft reference plan "2025-04079 Plan Number 2" attached as Appendix C for i) environmental, geotechnical and other investigations and ii) construction staging and storage of all materials, vehicles and equipment necessary for the planning and construction of a multi-use trail, boardwalk and pedestrian-cycle bridges on adjacent lands, and all works ancillary thereto, commencing on a date to be specified in writing by the City to the registered owner on 30 days' notice and continuing for five years, expiring no later than December 31, 2035.

Municipal Address	Legal Description	Property Interest(s)
50 St. Phillips Road (south of rail corridor)	Part of Lots 22 and 23, Concession C, Fronting the Humber, Part of Lot 23, Concession B, Fronting the Humber, and part of Road Allowance between Concessions B and C Fronting the Humber (Closed by by-law 3695, Inst. EB 42599), Geographic Township of Etobicoke being part of PIN 07374-0440 (LT)	Fee simple interest in parts illustrated as Parts 1, 6, 7, 8, 9, 10, 11, 12 and 13 on draft reference plan "2025-04079 Plan Number 1" attached as Appendix D. Temporary non-exclusive easement over parts illustrated as Parts 2, 3, 4, 5 and 14 on draft reference plan "2025-04079 Plan Number 1" attached as Appendix D, for access to and from St. Phillips Road with all workers, vehicles, machinery and equipment necessary for the planning and construction of a multi-use trail, boardwalk and pedestrian-cycle bridges on adjacent lands, and all works ancillary thereto, commencing on a date to be specified in writing by the City to the registered owner on 30 days' notice and continuing for five years, expiring no later than December 31, 2035.

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Appendix D - Draft Reference Plan for 50 St. Phillips Road (South of the Rail Corridor), former riverbed and former opposite shore

