

Application for Approval to Expropriate Parts of 2 & 90 Bloor Street East for the Bloor-Yonge Capacity Improvement Project - Stage 1

Date: March 8, 2022

To: General Government and Licensing Committee

From: Executive Director, Corporate Real Estate Management

Wards: 11 - University-Rosedale

SUMMARY

This report seeks authority to initiate expropriation proceedings for fee simple and temporary easement takings from both freehold and leasehold properties located in the properties municipally known as 2 Bloor Street East and 90 Bloor Street East (the "Project Requirements"), for the purposes of expanding the Bloor-Yonge interchange station as part of the Toronto Transit Commission ("T.T.C.") Bloor-Yonge Capacity Improvement ("B.Y.C.I.") project (the "Project").

This is Stage 1 of the expropriation process. Should City Council adopt the recommendations in this report, staff may serve and publish the Notice of Application for Approval to Expropriate 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, 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, or their designate, to continue negotiations to acquire the Project Requirements as set out in Appendix A and as illustrated on the property sketch attached as Appendix B, and as Approving Authority, authorize the initiation of expropriation proceedings for the Project Requirements for the purposes of expanding the Bloor-Yonge interchange station as part of the Bloor-Yonge Capacity Improvement project.
2. City Council authorize the Executive Director, Corporate Real Estate Management, or their designate, to serve and publish the Notices of Application for Approval to Expropriate Land for the Project Requirements, to forward to the Ontario Land Tribunal any requests for hearings 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 the 2022-2031 Council Approved Capital Budget and Plan for the T.T.C. under account CTT155-01 Yonge-Bloor Capacity Improvement.

Before proceeding with the expropriation, staff will report to City Council through the General Government and Licensing 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 Project 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 impact information.

DECISION HISTORY

On October 29, 2019, City Council adopted EX9.1 and approved the Preliminary Agreement with the Province as a starting framework for agreements that will result in significant new transit investment in Toronto to both maintain and expand the existing transit systems. As a part of this agreement, the Province of Ontario committed to endorse the Project under the Investing in Canada Infrastructure Program Public Transit Infrastructure Fund Phase 2 program.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.EX9.1>

On August 26, 2019, the Government of Canada announced priority funding consideration would be given to the Project and is setting aside \$0.5 billion in federal funding through the Public Transit Infrastructure Stream, subject to conditions being met, including final approval by the Treasury Board. All three levels of government are expected to contribute \$0.5 billion towards the estimated \$1.5 billion project.

<https://www.canada.ca/en/office-infrastructure/news/2019/08/getting-torontonians-moving-making-crucial-investments-in-public-transit.html>

On April 16, 2019, City Council endorsed the BYCI through the adoption of EX4.1 as a priority project under the City of Toronto's funding allocation of the Investing in Canada Infrastructure Plan ("I.C.I.P.") Public Transit Infrastructure Fund ("P.T.I.F.").

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.EX4.1>

On April 11, 2019 the T.T.C. Board approved "Line 1 Capacity Requirements - Status Update and Preliminary Implementation Strategy", which outlined next steps to achieve capacity improvements and accommodate forecast demand on Line 1. The expansion of Bloor-Yonge Station was identified as one of the key components to address capacity of the subway system, which would accommodate passenger and transfer growth at that station.

[https://www.ttc.ca/About the TTC/Commission reports and information/Commission meetings/2019/April 11/Reports/Decisions/18 Line 1 Capacity Requirements Status Update Decision.pdf](https://www.ttc.ca/About%20the%20TTC/Commission%20reports%20and%20information/Commission%20meetings/2019/April%2011/Reports/Decisions/18%20Line%201%20Capacity%20Requirements%20Status%20Update%20Decision.pdf)

In May 2017, City Council requested the T.T.C. to report on the status of plans to expand the Bloor-Yonge interchange station, including estimated costs, timelines and potential capacity added to Line 1. At the time, City Council also confirmed the expansion of the station as priority project for Provincial and Federal Funding.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.EX25.1>

COMMENTS

The Bloor-Yonge Capacity Improvement project ("B.Y.C.I.") is a critical component of addressing capacity constraints on T.T.C.'s subway Line 1, and is expected to ameliorate impacts on the Bloor-Yonge Station from projected growth in the City of Toronto and surrounding jurisdictions, planned transit expansion programs as well as the expected higher density in the area.

The Project Requirements (shown on Appendix A) identify properties that will be used for the purpose of expanding the Bloor-Yonge interchange station as part of the T.T.C. Project, which is scheduled to commence in 2024. The Project Requirements have been identified as the most feasible option from an engineering and customer service perspective to support the construction.

Negotiations with the owners to acquire the Project Requirements have been ongoing, however if a resolution is not achieved in the near term, construction timelines for the

Project may be adversely impacted. Accordingly, City Council authority is requested to initiate expropriation proceedings for the Project Requirements.

CONTACT

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SIGNATURE

Patrick Matozzo
Executive Director, Corporate Real Estate Management

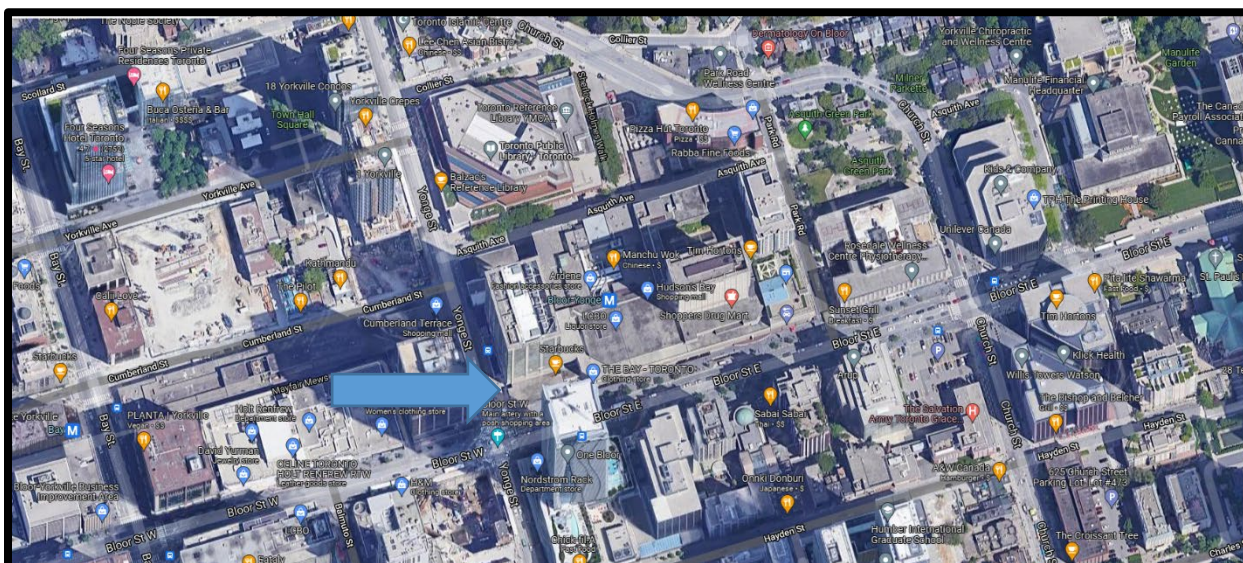
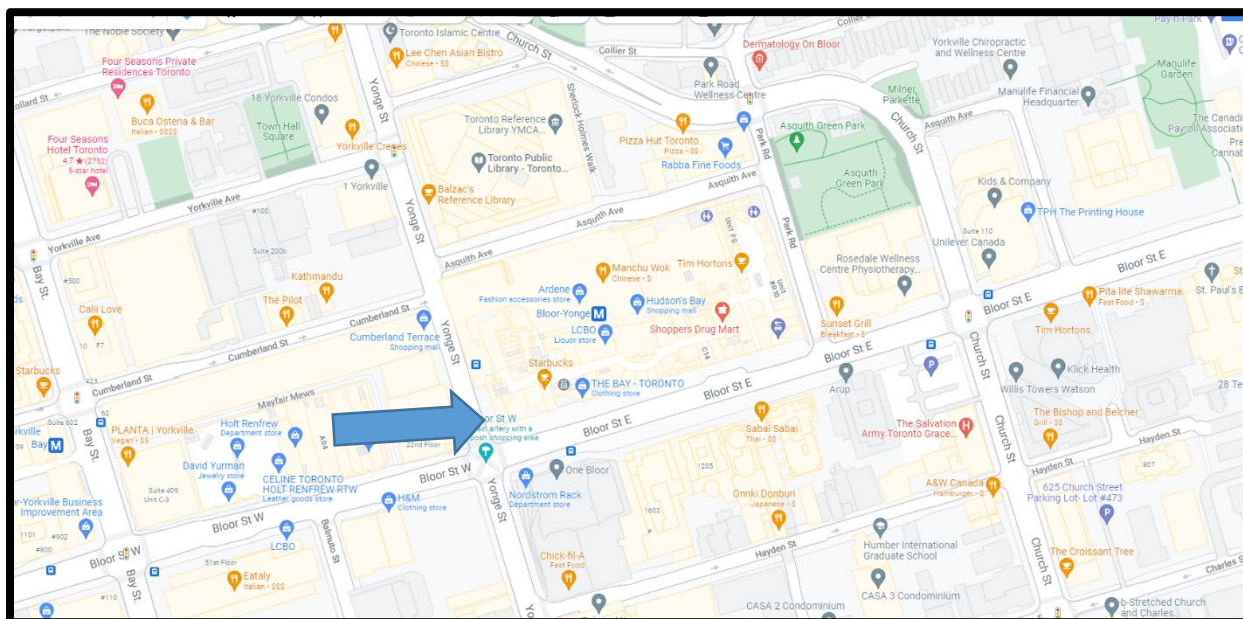
ATTACHMENTS

Appendix A - Table of Project Requirements
Appendix B - Location Maps
Appendix C - Project Requirements Sketch

Appendix A - Table of Project Requirements

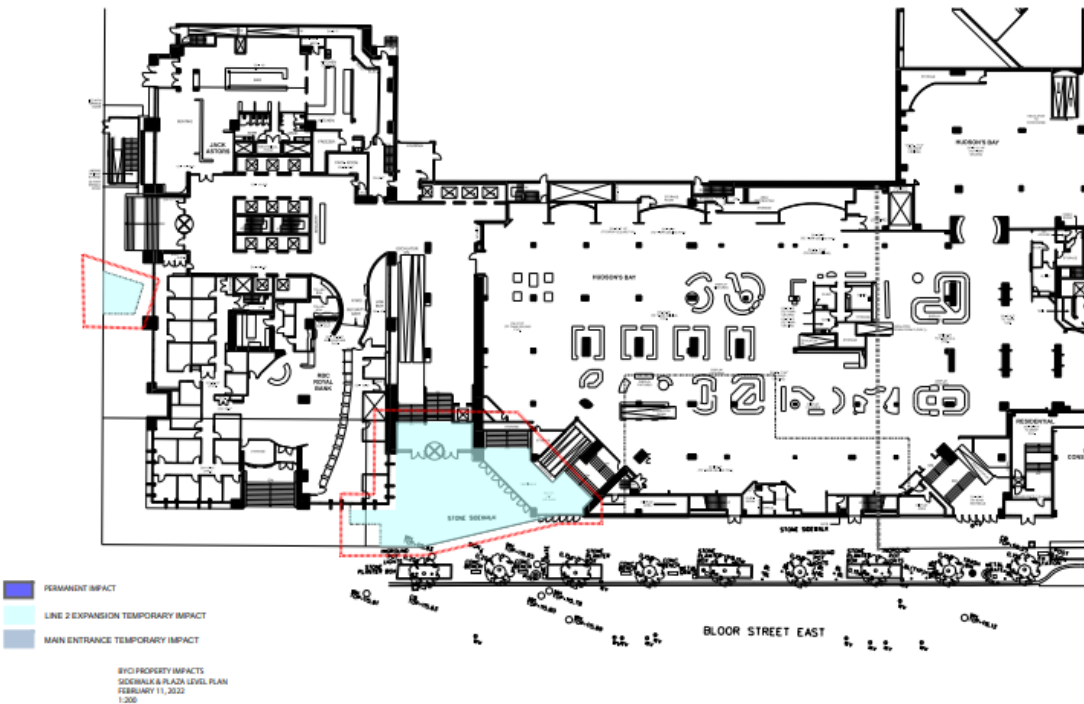
Property Identification Number (PIN)	Required Interest	Approximate Area (square meters)
21110-0266 (LT) Freehold PIN	Fee Simple (All right, title and interest in the Freehold PIN)	87.40 square meters
21110-0266 (LT) Freehold PIN	Temporary Easement (A temporary right, title and interest in the Freehold PIN)	211.60 square meters
21110-0043 (LT) Leasehold PIN	Fee Simple (All right, title and interest in the Leasehold PIN)	2,164.30 square meters
21110-0043 (LT) Leasehold PIN	Temporary Easement (A temporary right, title and interest in the Leasehold PIN)	2,222.95 square meters
21110-0071 (LT) Freehold PIN and 21110-0053 (LT) Leasehold PIN	Fee Simple (All right, title and interest in the Freehold PIN and Leasehold PIN)	66.70 square meters

Appendix B - Location Maps

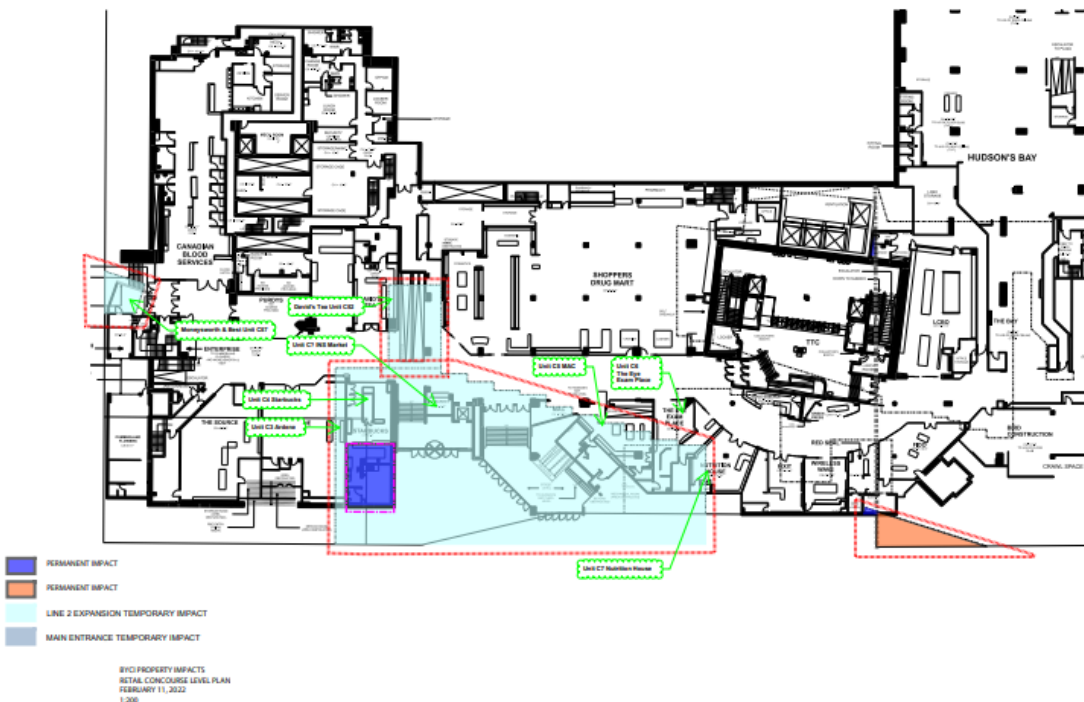


Appendix C - Project Requirements Sketch

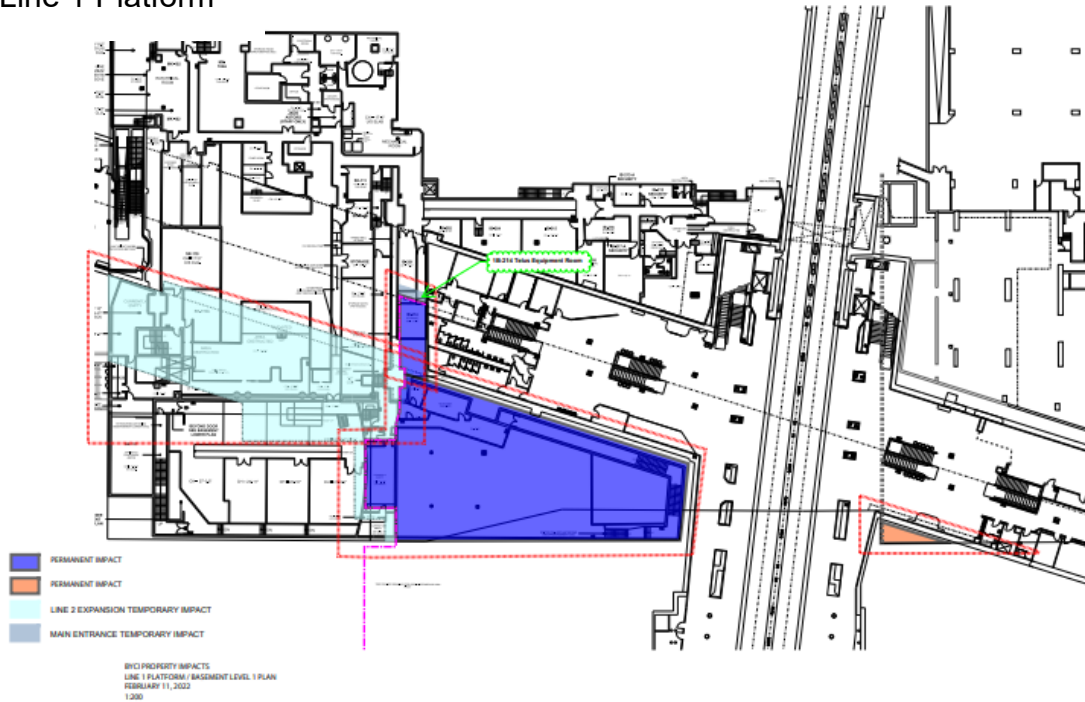
Street & Plaza Level



Retail Concourse Level



Line 1 Platform



Line 2 Platform

