

## **Expropriation of 81 Bloor Street East and 40/42 Hayden Street for the Bloor-Yonge Capacity Improvement Project - Stage 3**

**Date:** June 17, 2022

**To:** General Government and Licensing Committee

**From:** Executive Director, Corporate Real Estate Management

**Wards:** 11 - University-Rosedale

### **REASON FOR CONFIDENTIAL INFORMATION**

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This report deals with a proposed or pending acquisition or disposition of land by the City of Toronto (the "City").

### **SUMMARY**

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This report seeks the approval of City Council, as Approving Authority under the Expropriations Act to authorize City staff to pay offers of compensation to the registered owners of the properties municipally known as 81 Bloor Street East and 40-42 Hayden Street (the "Property Requirements"), at the appraised value, all in accordance with the requirements in the Expropriations Act.

On June 8, 2021 and February 2, 2022, City Council authorized the initiation and expropriation of the Property Requirements as set out in Appendix A and shown on the expropriation plans attached as Appendix C and D. The Property Requirements are required for the purposes of constructing a new alternative station entrance, emergency exit and electrical substation facility as part of the Toronto Transit Commission ("T.T.C.") Bloor-Yonge Capacity Improvement ("B.Y.C.I.") project (the "Project").

### **RECOMMENDATIONS**

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The Executive Director, Corporate Real Estate Management, recommends that:

1. City Council authorize the Executive Director, Corporate Real Estate Management or designate, to issue payment of the compensation offered in accordance with the requirements of the Expropriations Act, plus any applicable Harmonized Sales Tax, upon acceptance of the Offers of Compensation.
2. Where an Offer of Compensation is accepted in full compensation for the owner's interest in the Property Requirements, City Council authorize the payment of statutory interest, and all reasonable legal, appraisal and other costs in accordance with the Expropriations Act, to be agreed upon or assessed by the City Solicitor.
3. City Council authorize the public release of the confidential information contained in Confidential Attachment 1 once there has been a final determination of the compensation payable to the owners by arbitration, appeal or settlement to the satisfaction of the City Solicitor.

## **FINANCIAL IMPACT**

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Confidential Attachment 1 to this report identifies the fair market value of the required Property Requirements.

Funding to acquire the Property Requirements and the disbursement of all anticipated costs associated with the proposed expropriations is available in the 2022-2031 Council Approved Capital Budget and Plan for the T.T.C. under capital project account CTT155-01 Yonge-Bloor Capacity Improvement.

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**

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On February 2, 2022, City Council adopted GL28.11 and approved the expropriation of the fee simple interests at 81 Bloor Street East and 40-42 Hayden Street for the Bloor-Yonge Capacity Improvement Project.

<http://www.toronto.ca/legdocs/mmis/2022/gl/bgrd/backgroundfile-174639.pdf>

On June 8, 2021, City Council adopted GL23.8 and approved the application for approval to expropriate the fee simple interests at 81 Bloor Street East and 40-42 Hayden Street for the Bloor-Yonge Capacity Improvement Project.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.GL23.8>

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 Expropriation of Fee Simple Interests for the Bloor-Yonge Capacity Improvement Project - Stage 3

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 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 Plan - Public Transit Infrastructure Fund 2 program.  
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.EX9.1>

On April 16, 2019, City Council endorsed the B.Y.C.I. 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 - Public Transit Infrastructure Fund.  
<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 One. 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)

## **COMMENTS**

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### **Project Background**

The Bloor-Yonge Station is a major transfer point in the T.T.C. subway system. Line One is expected to experience significant ridership growth reflecting ridership generated from population growth from within and outside the City of Toronto and the implementation of transit expansion initiatives. It is anticipated that without modifications to Bloor-Yonge Station, overcrowding will increase dwell times, create bottle necks and reduce the level of service to customers at both this critical interchange station and Lines One and Two.

The B.Y.C.I. is a critical component of addressing capacity constraints on Line One, and is expected to mitigate impacts on the Bloor-Yonge Station described above. A component of the B.Y.C.I. necessitates a new permanent alternative station entrance, emergency egress and an electrical substation (the "Works") at Bloor-Yonge Station, for which the Property Requirements are needed and are proposed to proceed in 2022. The main B.Y.C.I. project works are scheduled to commence in 2024. The Property

Requirements have been identified by T.T.C. as the most feasible option from an engineering and customer service perspective to support the Works.

## **Expropriation of Property Requirements**

City Council previously authorized the expropriation of the Property Requirements on February 2, 2022. Consequently, City staff served and published the Notices of Application for Approval to Expropriate Land and registered the expropriation plans on March 14, 2022 for the Project Requirements. See Appendix C and D for copies of the expropriation plans.

Once an expropriation plan is registered on title, the Property Requirements are considered to be legally expropriated. The Expropriations Act then requires the City to serve an offer of compensation based on an appraisal valuing the Property Requirements as of the date the owner was served with the Notice of Expropriation or the date the expropriation plan was deposited. The owner elected to have the Property Requirements valued the date the expropriation plans were deposited. Corporate Real Estate Management staff have reviewed a third party prepared appraisal and is satisfied that it represents a fair estimate of the market value of the Property Requirements. Interest at the statutory rate and costs may also be payable in accordance with the Expropriations Act. Upon acceptance of the offer of compensation and receipt of the appropriate releases, the City will pay the appraised value (as identified in Confidential Attachment 1), plus any applicable Harmonized Sales Tax, and interest and costs if required by the Expropriations Act. Subsequently, the City will take possession of the Property Requirements.

## **CONTACT**

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Alison Folosea, Director, Transaction Services, Corporate Real Estate Management, 416-338-2998, [Alison.Folosea@toronto.ca](mailto:Alison.Folosea@toronto.ca)

Michael Stevenson, Director, Third Party - Property and Planning, Toronto Transit Commission, 416-590-6045, [Michael.Stevenson@ttc.ca](mailto:Michael.Stevenson@ttc.ca)

## **SIGNATURE**

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Patrick Matozzo  
Executive Director, Corporate Real Estate Management

## **ATTACHMENTS**

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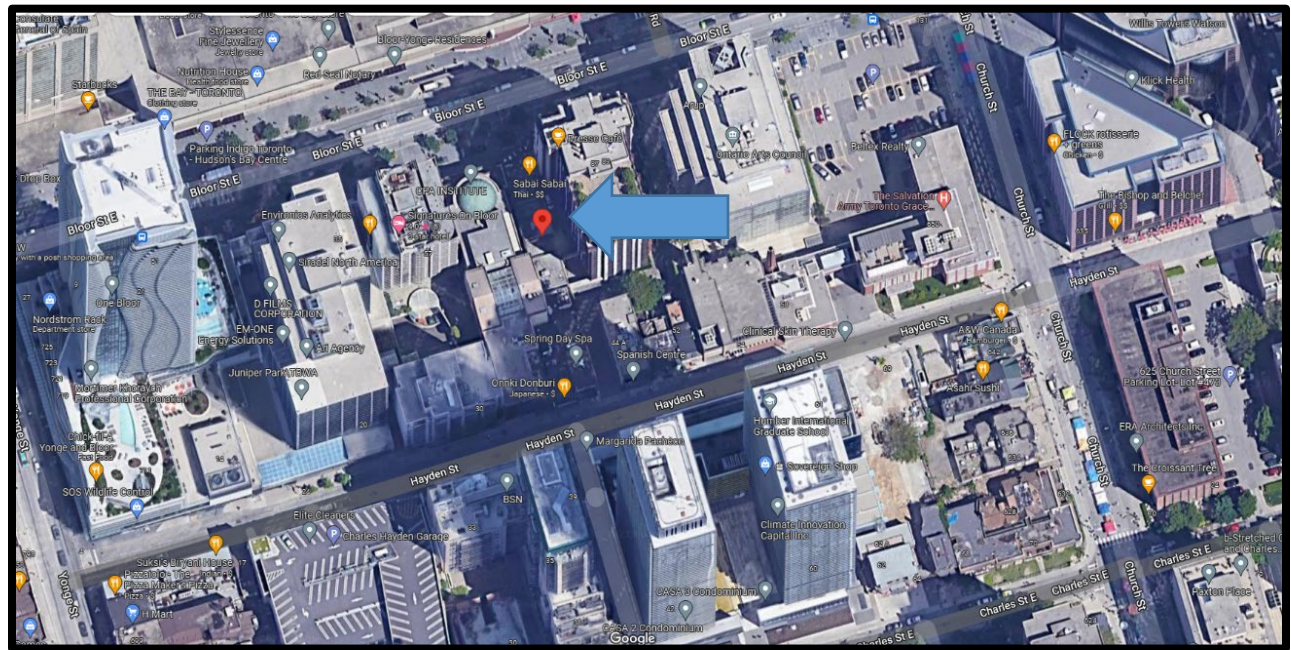
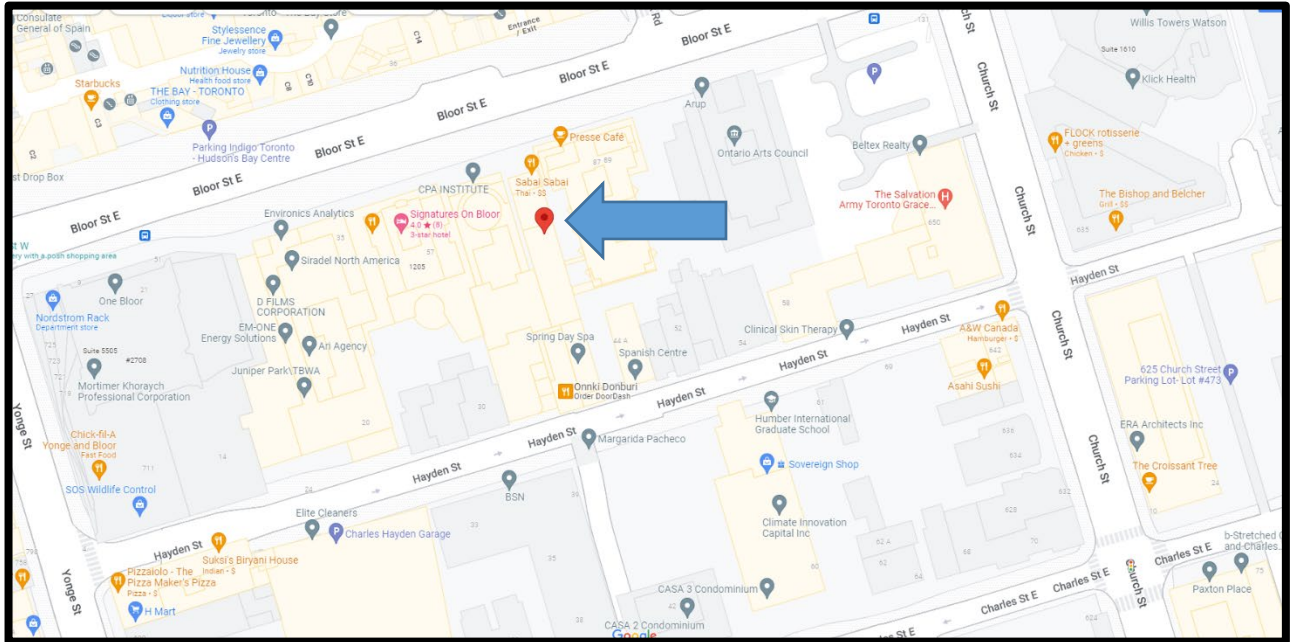
Expropriation of Fee Simple Interests for the Bloor-Yonge Capacity Improvement Project - Stage 3

Appendix A - Table of Property Requirements  
Appendix B - Location Maps  
Appendix C - Expropriation Plan for 81 Bloor Street East  
Appendix D - Expropriation Plan for 40/42 Hayden Street  
Confidential Attachment 1

## **Appendix A - Table of Property Requirements**

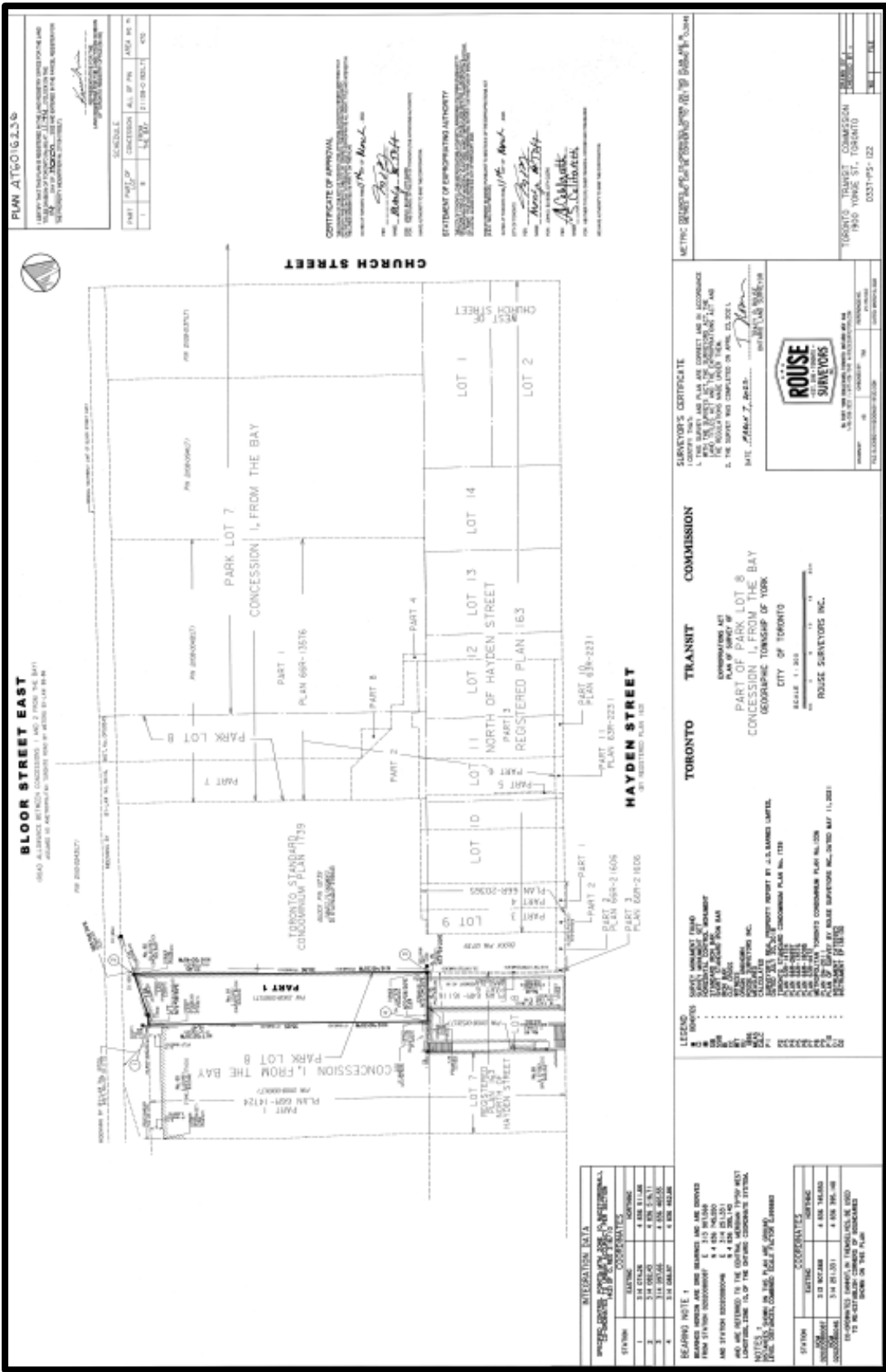
Municipal Address	Required Interest	Area (square meters)	Legal Description
81 Bloor Street East	Fee Simple	520	PT PARKLT 8 CON 1 FTB TWP OF YORK AS IN CT770650; S/T INTEREST IN CT770650; CITY OF TORONTO; BEING ALL OF PIN 21108-0192(LT)
40/42 Hayden Street	Fee Simple	371	PT LT 8 N/S HAYDEN ST PL 163 TORONTO AS IN EP138130 & CA755923 EXCEPT THE EASEMENT THEREIN; S/T CA755923; CITY OF TORONTO; BEING ALL OF PIN 21108-0152 (LT)

**Appendix B - Location Maps**



### Appendix C - Expropriation Plan for 81 Bloor Street East

Expropriation of Fee Simple Interests for the Bloor-Yonge Capacity Improvement Project - Stage 3



**PLAN AT 1:616.258**

THE PLAN OF THE SURVEY IS THE PROPERTY OF THE SURVEYOR AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE SURVEYOR.

PART	DATE OF SURVEY	DATE OF PLAN	DATE OF ASSESSMENT
1	8	1998	11/03/2001
2	8	1998	11/03/2001

**CERTIFICATE OF APPROVAL**

THE SURVEYOR HAS EXAMINED THE PLAN AND IS SATISFIED THAT IT COMPLIES WITH THE REQUIREMENTS OF THE SURVEY ACT AND THE REGULATION AND IS ACCURATE AND CORRECT AS TO THE INFORMATION THEREON.

*[Signature]*  
 SURVEYOR

**STATEMENT OF EXPROPRIATING AUTHORITY**

THE SURVEYOR HAS EXAMINED THE PLAN AND IS SATISFIED THAT IT COMPLIES WITH THE REQUIREMENTS OF THE SURVEY ACT AND THE REGULATION AND IS ACCURATE AND CORRECT AS TO THE INFORMATION THEREON.

*[Signature]*  
 SURVEYOR

**TORONTO TRANSPORT COMMISSION**  
 1940 YONGE ST. TORONTO

DATE: 03/31/98



**LEGEND**

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**INTEGRATION DATA**

STATION	EASTING	NORTHING
1	4 608 811.48	4 608 811.48
2	4 608 811.48	4 608 811.48
3	4 608 811.48	4 608 811.48
4	4 608 811.48	4 608 811.48

**NOTES**

1. THE SURVEY IS THE PROPERTY OF THE SURVEYOR AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE SURVEYOR.

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**Appendix D - Expropriation Plan for 40/42 Hayden Street**



