

## City Council

### Notice Of Motion

MM16.6	ACTION			Ward: 11
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### **Bloor Bedford Safe Rear Access - by Councillor Dianne Saxe, seconded by Councillor Mike Colle**

*\* Notice of this Motion has been given.*

*\* This Motion is subject to referral to the Toronto and East York Community Council. A two-thirds vote is required to waive referral.*

#### **Recommendations**

Councillor Dianne Saxe, seconded by Councillor Mike Colle, recommends that:

1. City Council direct the General Manager, Transportation, to report to the Toronto and East York Community Council in the second quarter of 2024 with a detailed plan and timetable for converting the City Driveway, between the rear of 210 Bloor Street West and Prince Arthur Avenue, to a public lane, and for any necessary ancillary changes to Toronto Parking Authority Lot 58, 208R Bloor Street West and/or to Prince Arthur Avenue, while maximizing the potential for future housing development at Toronto Parking Authority Lot 58.
2. For the purpose of this public lane, City Council direct the Executive Director, Corporate Real Estate Management, or their designate, to negotiate:
  - a. with the Royal Sonesta Hotel for the release of the exclusive easement on that part of the property more particularly described in Appendix B and shown as Part 3 on Draft Plan Job 2023-06713, attached as Appendix C;
  - b. with the owners of 9 Prince Arthur Avenue to purchase the southeast corner of that property to the minimum extent necessary to relieve the current pinch point; and
  - c. with the owners of 200 and 206 Bloor Street West to ensure that the Private Driveway between 200 and 206 Bloor Street West will be permanently closed to vehicular traffic once rear access is provided.
3. If such negotiations are unsuccessful, City Council direct the Executive Director, Corporate Real Estate Management, to report back to City Council in the second quarter of 2024 with recommendations for initiation of any necessary expropriations.
4. City Council direct the Executive Director, Housing Secretariat and the Chief Executive Officer, CreateTO, in consultation with the Toronto Parking Authority, to evaluate conversion of all or part of Toronto Parking Authority Lot 58 to housing with associated green space, and City Council direct the General Manager, Transportation, to evaluate whether, when and how it would be in the public interest to extend the public lane from the rear of 210 Bloor Street West to Bedford Road, as part of implementing City Council's decision on Item 2024.EX12.4,

headed "Long-Term Financial Plan Update: Leveraging City-Wide Real Estate Opportunities for Affordable Housing, Complete Communities and Financial Sustainability".

## Summary

The City owns a driveway (unopened lane) just west of Avenue Road and north of Bloor Street West (the "City Driveway"). The City Driveway runs south from Prince Arthur Avenue and then east toward Bedford Road just north of 200 to 220 Bloor Street West. The City Driveway terminates at the rear of 220 Bloor Street West, which is City property leased to HPT IHG Canada Corporation (known familiarly as the "Royal Sonesta Hotel").

Owners of several buildings fronting onto Avenue Road or Bloor Street have non-exclusive easements to use the north-south portion of the City Driveway for ingress and egress to Prince Arthur Avenue. This includes the Royal Sonesta Hotel.

As part of its long-term lease of the City property at 220 Bloor Street West, the Royal Sonesta Hotel also has an exclusive easement for \$1 per year over the east to west portions of the City Driveway that are identified as Parts 2 and 3 on the draft Plan attached hereto as Appendix "C". The Royal Sonesta Hotel also has a right of egress west to Bedford Road across the southern edge of the Toronto Parking Authority Green P Lot 58, and is very close to the Bedford entrance of the St. George Subway Station.

In 2022, the Ontario Land Tribunal ignored the City's objections and authorized construction of a large condominium tower at 210 Bloor Street West. This is a very small site with no room for a driveway. The Ontario Land Tribunal ruled that acceptable access was provided, for both construction and long-term operations, by an easement over a narrow private driveway behind 208 Bloor (4.7 m wide) and then south (5.5 metres wide) between the Museum (206 Bloor) and Exhibit (200 Bloor) condominiums to Bloor Street (the "Private Driveway"). Since that time, a fourth condominium tower has been approved for 208 Bloor Street West, to use the same narrow access over the Private Driveway.

If nothing is done to protect the public interest, construction vehicles, heavy trucks and all other vehicles that serve the four condominium towers will be competing to access Bloor Street through this dangerously narrow Private Driveway, plus there might have to be construction staging on Bloor. The Private Driveway empties directly across the Bloor Street westbound sidewalk and newly constructed cycle track, shortly before the Royal Sonesta Hotel's entry. Visibility is poor and the risk of collisions is high. There is already conflict between existing users of this Private Driveway, and vehicles sometimes queue on Bloor. In addition, the Royal Ontario Museum has also just announced major construction on its site across the street.

The City Driveway could be converted into a public lane that would provide much safer access to the four condominiums, if not for the exclusive easement granted to the Royal Sonesta Hotel.

Release of the exclusive easement held by the Royal Sonesta Hotel in Part 3 of the attached survey is necessary to provide the public with a safe rear access route to the four condos, in exchange for which the southern portion of the Private Driveway will be converted to a mid-block pedestrian connection to Bloor Street. This will significantly reduce the risk of serious collisions causing injury or death, of interference with pedestrians and cycle access along Bloor Street, and of congestion and queueing on Bloor Street. The operations of the Royal Sonesta Hotel will not be interfered with, as they will continue to be able to use the City Driveway / lane to access Prince Arthur Avenue, and will be able to access Bedford Road through Green P Lot 58.

Release of the exclusive easement would also facilitate an eventual public lane that could connect Prince Arthur Avenue and Bedford Road, likely as part of converting all or part of the

Toronto Parking Authority Green P Lot 58 to much-needed housing and green space. This could be a valuable site for the City's plan for *Leveraging City-Wide Real Estate Opportunities for Affordable Housing, Complete Communities and Financial Sustainability*, <https://secure.toronto.ca/council/agenda-item.do?item=2024.EX12.4>.

Negotiations are ongoing with the Royal Sonesta Hotel to release its exclusive easement in Part 3 in exchange for non-exclusive access over the same lands, and for reduction or elimination of its maintenance costs. If an amicable agreement cannot be secured, it will be necessary to expropriate the exclusive easement from the Royal Sonesta Hotel on appropriate terms.

### **Background Information (City Council)**

Member Motion MM16.6

Appendix A - Location Map

(<https://www.toronto.ca/legdocs/mmis/2024/mm/bgrd/backgroundfile-243722.pdf>)

Appendix B - Required Property Interest

(<https://www.toronto.ca/legdocs/mmis/2024/mm/bgrd/backgroundfile-243723.pdf>)

Appendix C - Draft Plan Job 2023-06713

(<https://www.toronto.ca/legdocs/mmis/2024/mm/bgrd/backgroundfile-243724.pdf>)