

Expropriation of 81 Bloor Street East & 40-42 Hayden Street - Request for Directions Regarding Ontario Land Tribunal Hearing

Date: December 2, 2025

To: City Council

From: City Solicitor

Wards: Ward 11 - University Rosedale

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

On February 2, 2022, City Council authorized the expropriation of the property municipally known as 81 Bloor Street East & 40-42 Hayden Street (the "Property"). The Property is required for the purposes of constructing a new alternative station entrance, emergency exit, and electrical substation facility as a part of the Toronto Transit Commission's Bloor-Yonge Station Capacity Improvement Project (the "Project").

The Property is located east of the Yonge Street and Bloor Street intersection with frontage on Bloor Street East and Hayden Street.

The Property was owned by 81 Bloor Inc. (the "Claimant"). The City served an offer of compensation in accordance with the requirements of the *Expropriations Act* on the Claimant. The Claimant has subsequently served a claim for compensation on the City pursuant to the *Expropriations Act*, alleging insufficient payment of market value compensation, disturbance damages, the payment of statutory interest, and reimbursement of its reasonable costs. A four-week hearing at the Ontario Land Tribunal has been scheduled to commence on June 15, 2025.

This report deals with 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 regarding the litigation and any potential resolution of the

subject claim for compensation and the information in this regard are 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 the confidential recommendations is to remain confidential at the discretion of the City Solicitor as it contains advice and information which is subject to solicitor-client privilege.

FINANCIAL IMPACT

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

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

On June 8, 2021, City Council adopted GL23.8 and approved the application for approval to expropriate the fee simple interests in the Property for the purpose of the Project.

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

On February 2, 2022, City Council adopted GL28.11 and approved the expropriation of the fee simple interests in the Property for the purpose of the Project.

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

The OLT has scheduled a four-week hearing to commence on June 15, 2025 for the purpose of adjudicating the claim.

COMMENTS

This report has been prepared in consultation with staff from Corporate Real Estate Management, Corporate Finance, and the Toronto Transit Commission.

The Claimant has contested the amount of market value compensation offered by the City for its former interest in the Property and has made additional claims of compensation for damages.

The City Solicitor requires further instructions. This report is about litigation before the Ontario Land Tribunal and contains advice or communications that are subject to solicitor-client and litigation privilege. The report is urgent as it relates to ongoing litigation and cannot be deferred. Confidential Attachment 1 to this report contains confidential advice and should be considered by City Council *in camera*.

CONTACT

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SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

1. Confidential Attachment 1 - Confidential Recommendations and Confidential Information