



**For Action  
with Confidential Attachment**

## **Toronto-York Spadina Subway Extension – Litigation Status Update**

**Date:** June 12, 2023  
**To:** TTC Board  
**From:** General Counsel

### **Reason for Confidential Information**

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This report is about litigation or potential litigation, including matters before administrative tribunals.

This report contains advice or communications that are subject to solicitor-client privilege, including communications necessary for that purpose.

### **Summary**

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On September 22, 2011, Walsh was awarded the contract for the Steeles West Station, (renamed to Pioneer Village Station), Contract A31-1 in the amount of \$165.925 million. The final approved value of the Contract is approximately \$223.207 million (inclusive of HST). This report includes an update on the litigation related to Steeles West Station.

### **Recommendations**

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It is recommended that the Board:

1. Authorize the information contained in the confidential attachment to remain confidential as it contains advice that is subject to solicitor-client privilege and is about litigation or potential litigation, including matters before administrative tribunals.

### **Financial Summary**

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Financial information is included in the Confidential Attachment.

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

### **Equity/Accessibility Matters**

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A cornerstone of the TTC's current Corporate Plan is accessibility, and as a proud leader in providing accessible public transit in the city of Toronto, the TTC is committed to ensuring reliable, safe, and inclusive transit services for all its customers. This is

supported through the TYSSE project, which went into service at the end of 2017. The TYSSE project connected the city of Toronto and York Region, which allowed for greater mobility and connectivity across regions for riders.

Ensuring barrier-free access is a priority and all TYSSE stations have extensive facilities (including elevators, escalators, tactile markings, etc.) that are in compliance with the Accessibility for Ontarians with Disabilities Act, 2005 (AODA). Further, the service that the TYSSE provides improves access to jobs, education, and other opportunities, for a large number of residents of Toronto and York Region, including students at York University.

## **Decision History**

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On October 23, 2008, the Board approved awarding contracts for the design of Steeles West Station (renamed Pioneer Village Station) as part of the TYSSE project to The Spadina Group Associates.

[Procurement Authorization Subway Station Design Services Toronto-York Spadina Subway Extension Project Contract A85-75](#)

On October 19, 2011, the Board approved awarding Walsh Construction Company Canada (Walsh) the contract for the Toronto-York Spadina Subway Extension Steeles West Station (renamed to Pioneer Village Station), Contract A31-1, in the amount of \$165.925 million.

[Notice of Award - Procurement Authorization Toronto-York Spadina Subway Extension Steeles West Station Contract A31-1](#)

On January 21, 2016 as part of the TYSSE project reset, a revised budget of \$3.184 billion was established.

[Toronto-York Spadina Subway Extension – Schedule and Budget Reset](#)

At its meeting on February 22, 2022, the Board approved the recommendation outlined in the Confidential Attachment to the Toronto-York Spadina Subway Extension – Litigation Status Update report.

[Toronto-York Spadina Subway Extension – Litigation Status Update](#)

## **Issue Background**

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As part of the TYSSE project, the TTC awarded a design contract on October 24, 2008 for Steeles West Station to a joint venture known as The Spadina Group Associates (Contracts A85-75A and A85-75B).

During the execution of the construction work as part of Contract A31-1, delays were encountered in the construction of the station, resulting in claims from Walsh. This report provides an update of the status of the litigation related to the design and construction of Steeles West Station.

## **Comments**

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The Confidential Attachment to this report provides advice, subject to both solicitor-client privilege and litigation privilege, with respect to the ongoing litigation relating to the design and construction of Steeles West Station.

## **Contact**

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## **Signature**

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Michael Atlas  
General Counsel

## **Attachments**

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Confidential Attachment 1