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Bill 110

An Act to enact the Building Billy Bishop Airport Act, 2026

The Hon. P. Sarkaria
Minister of Transportation

Government Bill

1st Reading April 23, 2026

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

The *Building Billy Bishop Airport Act, 2026* authorizes the Minister of Transportation to prescribe and vest prescribed lands owned by the City of Toronto in the Crown. When land is prescribed, all associated buildings, structures, fixtures and improvements owned by the City also vest in the Crown, and the City is prohibited from encumbering or disposing of these assets.

The Act provides for compensation to the City based on market value determined through appraisal reports prepared in accordance with regulatory rules. Disputes regarding compensation are resolved by binding arbitration.

The Act also removes the City of Toronto as a party to the Tripartite Agreement on a prescribed date, substituting the Crown in its place. Dealings by the City in relation to the agreement are prohibited and void.

The Act authorizes the Minister to require the City to provide information relevant to the vesting of land under subsection 2 (1) and establishes rules for service of documents. It limits proceedings against the Crown and confirms that actions under the Act do not constitute an expropriation.

The Act includes regulation-making powers for both the Minister and the Lieutenant Governor in Council. The Act comes into force on Royal Assent.

An Act to enact the Building Billy Bishop Airport Act, 2026

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Preamble

The Government of Ontario is committed to:

Modernizing Billy Bishop Toronto City Airport to unlock the airport's economic potential for all of Ontario.

Supporting more choice and convenience for air passenger traffic.

Advancing Ontario's economic and tourism objectives.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Interpretation

1 (1) In this Act,

“Crown” means the Crown in right of Ontario; (“Couronne”)

“Minister” means the Minister of Transportation or such other member of the Executive Council to whom responsibility for the administration of this Act is assigned or transferred under the *Executive Council Act*; (“ministre”)

“land” includes any estate, term, easement, right or interest in, to, over or affecting land; (“bien-fonds”)

“prescribed” means prescribed by the Minister under section 9; (“prescrit”)

“regulations” means the regulations made under this Act; (“règlements”)

“Tripartite Agreement” means the agreement dated June 30, 1983, as amended from time to time, between the Government of Canada, the City of Toronto and the Toronto Port Authority relating to the Toronto Island Airport, also known as the Billy Bishop Toronto City Airport; (“entente tripartite”)

“vested real property” means the land, interests, buildings, structures, fixtures, additions, alterations and improvements that are vested in the Crown under section 2. (“biens réels dévolus”)

Subsequent changes to Property Identification Numbers

(2) The land identified by a Property Identification Number set out in Schedule 1 or in a regulation is the land described by the Property Identification Number on the day the Property Identification Number is added to the Schedule or regulation and the identification of such land is not affected by any subsequent change to the Property Identification Number.

Land vested in the Crown

2 (1) Any land prescribed for the purposes of this subsection is vested in the Crown on the date prescribed in respect of the land and is under the Minister's control.

Buildings, structures, etc., vested in the Crown

(2) If land is prescribed for the purposes of subsection (1), the following are also vested in the Crown on the date prescribed in respect of the land and are under the Minister's control:

1. All interests in the land.
2. All buildings and structures located on the land and all interests in those buildings and structures.
3. All fixtures and all interests in fixtures installed or placed in or used in connection with the land or the buildings or structures described in paragraph 2.
4. All additions, alterations and improvements and all interests in those additions, alterations and improvements made in connection with the land or the buildings or structures described in paragraph 2 or the fixtures described in paragraph 3.

Application

(3) Subsections (1) and (2) apply despite anything in any agreement, instrument, other Act or regulation, other than a regulation under this Act.

Billy Bishop Toronto City Airport land

(4) Land prescribed for the purposes of subsection (1) must be within the land identified by the Property Identification Numbers set out in Schedule 1 and must be owned or controlled by the City of Toronto.

City-owned buildings, structures, etc.

(5) Despite subsection (2), an interest, building, structure, fixture, addition, alteration or improvement set out in that subsection does not vest in the Crown unless, on the date the land is prescribed under subsection (1), the interest, building, structure, fixture, addition, alteration or improvement is owned or controlled by the City of Toronto.

Exceptions, etc.

(6) This section is subject to any prescribed exceptions, conditions, limitations or restrictions, including those that may limit the extent or duration of the vesting of land under this section.

Restrictions on City re property

3 (1) The City of Toronto shall not encumber, sell, remove or otherwise dispose of,

- (a) any land that is part of the land identified by the Property Identification Numbers set out in Schedule 1;
- (b) any buildings or structures located on the land described in clause (a);
- (c) any interests in the land described in clause (a) and any interests in the buildings or structures described in clause (b);
- (d) any fixtures or any interests in fixtures installed or placed in or used in connection with the land described in clause (a) or the buildings or structures described in clause (b); or
- (e) any additions, alterations and improvements or interests in those additions, alterations and improvements made in connection with the land described in clause (a), the buildings or structures described in clause (b) or the fixtures described in clause (d).

Transfer of land is void

(2) The encumbrance, sale or disposal of any thing mentioned in subsection (1) by the City of Toronto is void and of no effect.

Deemed contravention, pre-Royal Assent

(3) The encumbrance, sale, removal or disposal of any thing mentioned in subsection (1) by the City of Toronto after the day this Act receives First Reading and before the day that Act receives Royal Assent is,

- (a) deemed to be a contravention of subsection (1); and
- (b) deemed to be void and of no effect.

Notification

(4) The City of Toronto shall, immediately after the day this Act comes into force, notify the Minister in writing of any pending dealings involving the land identified in Schedule 1 that the City owns or controls, including any pending litigation or other matter that may affect such lands.

Exceptions etc.

(5) This section is subject to any such exceptions, conditions, limitations or restrictions as may be set out in the regulations.

Compensation

4 (1) The Crown shall pay compensation in respect of vested real property to the City of Toronto in accordance with this Act and the regulations.

Same

(2) The compensation payable to the City of Toronto shall be based on the market value of the vested real property as set out in the reports mentioned in subsection (4) and such other amounts as may be set out in the regulations.

Costs deducted from compensation

(3) If any amount, such as costs, is recoverable under this Act by the Crown against the City of Toronto, the compensation payable to the City in respect of any vested real property may be reduced by that amount or by a portion of that amount.

Appraisal reports

(4) The Minister, or another entity as may be specified in this Act or the regulations, shall prepare a report appraising the market value of vested real property.

Same

(5) A separate report shall be prepared under subsection (4) in respect of each regulation made for the purposes of subsection 2 (1) and each report shall contain,

- (a) a list of the selling prices of comparable properties, if applicable;
- (b) an explanation of any reductions made under subsection (3); and
- (c) such other information as may be required by the regulations.

Timing and methodologies for determining or valuing amounts

(6) The appraisal of market value under subsection (4) is subject to such rules as may be specified in the regulations respecting,

- (a) dates or periods with respect to which the market value of vested real property shall be determined or valued;
- (b) methodologies for determining or valuing any amount or thing related to appraising the market value of vested real property; and
- (c) such other rules as may be set out in the regulations.

Provision of reports

(7) The Crown shall provide a copy of the relevant report to the City of Toronto at the time compensation is paid.

Overpayment

(8) Any amount paid to the City of Toronto that exceeds the amount of compensation to which the City is entitled under this section is a debt due to the Crown, and the Crown may recover the debt by action or by any other remedy or procedure available by law to the Crown for the collection of debts owed to the Crown.

Money appropriated by the Legislature

(9) The compensation payable under this section shall be paid for out of the money appropriated for the purpose by the Legislature.

Land exchange

(10) Despite subsection (9) and subject to the regulations, if any, the Crown may, as part of the compensation payable under this section, convey land owned by the Crown to the City of Toronto.

Disputes

(11) Any dispute relating to this section shall be determined by binding arbitration under the *Arbitration Act, 1991*.

Market value

(12) In this section,

“market value” in respect of property means the amount that the property might be expected to realize, based on the existing condition and current use of the property, if sold in the open market by a willing seller to a willing buyer.

Same

(13) For greater certainty, the following shall not be considered in determining market value:

- 1. Any special use to which the land will be put.
- 2. Any increase in the value of the land resulting from the development or the imminent development of the land.

Tripartite Agreement

5 (1) On and after the prescribed date, the City of Toronto is deemed to have assigned all of its rights and obligations under the Tripartite Agreement to the Crown and any reference in the agreement to the City of Toronto shall be read as a reference to the Crown.

Restrictions on City re agreement

(2) The City of Toronto shall not encumber, assign, amend, terminate or otherwise dispose of its rights or obligations under the Tripartite Agreement.

Encumbrance, etc., of right is void

(3) The encumbrance, assignment, amendment, termination or disposal of any right or obligation under the Tripartite Agreement is void and of no effect.

Deemed contravention, pre-Royal Assent

(4) The encumbrance, assignment, amendment, termination or disposal of any right or obligation under the Tripartite Agreement by the City of Toronto after the day this Act receives First Reading and before the day that Act receives Royal Assent is,

- (a) deemed to be a contravention of subsection (2); and
- (b) deemed to be void and of no effect.

Exceptions etc.

(5) This section is subject to any such exceptions, conditions, limitations or restrictions as may be set out in the regulations.

Requirement to provide information

6 (1) The Minister may give written notice to the City of Toronto requiring it to provide any information or data that, in the Minister's opinion, is relevant to the vested real property under subsection 2 (1).

Same

(2) Without limiting the generality of subsection (1), a notice under that subsection may require the provision of copies of any contracts, records, reports, surveys, plans or any other document.

Compliance

(3) The City of Toronto shall comply with a notice served under subsection (1) within the time specified in the notice.

Serving a document

7 (1) Except as otherwise provided under this Act, a document that is required or permitted to be given or provided to, or served on, a person or entity under this Act is sufficiently given, provided or served if it is,

- (a) delivered directly to the person or entity;
- (b) sent by registered mail to the person's or entity's last known address;
- (c) sent by email to the person's or entity's last known email address; or
- (d) given by any other prescribed means.

Deemed receipt

(2) Subject to subsection (3),

- (a) a document sent under clause (1) (c) is deemed to have been received on the first business day after the day it was sent; and
- (b) a document sent under clause (1) (d) is deemed to have been received on the day specified by the regulations.

Failure to receive document

(3) Subsection (2) does not apply if the person establishes that they, acting in good faith, did not receive the document or received it on a later date because of a reason beyond their control, including absence, accident, disability or illness.

Extinguishment of causes of action

8 (1) No cause of action arises against the Crown or any current or former member of the Executive Council or employee, officer or agent of or advisor to the Crown as a direct or indirect result of,

- (a) the enactment, amendment or repeal of any provision of this Act;
- (b) the making, amendment or revocation of any provision of a regulation under this Act;
- (c) anything done or not done in accordance with this Act or a regulation under this Act;

- (d) any modification, revocation, cessation or termination of rights in real property, contractual rights or other rights resulting from anything referred to in clauses (a) to (c); or
- (e) any representation or other conduct that is related, directly or indirectly, to the actual or potential transfer of vested real property or any part thereof, whether the representation or other conduct occurred before or after section 2 of this Act came into force.

No remedy

(2) Except as otherwise provided in section 4, no costs, compensation or damages, including for loss of revenue or profit or any other alleged loss, whether direct or indirect, are owing or payable to any person by a person referred to in subsection (1), and no remedy, including a remedy in contract, restitution, tort, a remedy for misfeasance, bad faith or a breach of trust or fiduciary obligation, any equitable remedy or any remedy under any statute, is available to any person against any person referred to in subsection (1) in connection with anything referred to in that subsection.

Proceedings barred

(3) No proceeding that is directly or indirectly based on or related to anything referred to in subsection (1) may be brought or maintained against any person referred to in that subsection.

Application

(4) Subsections (2) and (3) do not apply with respect to an application for judicial review or a claim for a constitutional remedy, but do apply with respect to any other court, administrative or arbitral proceeding claiming any remedy or relief, including specific performance, an injunction, declaratory relief or the enforcement of a judgment, order or award made outside Ontario.

No costs awarded

(5) No costs shall be awarded against any person in respect of a proceeding that cannot be brought or maintained under subsection (3).

No expropriation or injurious affection

(6) Nothing referred to in subsection (1) constitutes an expropriation or injurious affection for the purposes of the *Expropriations Act* or otherwise at law.

Proceedings by Crown not prevented

(7) This section does not apply with respect to proceedings brought by the Crown.

Regulations, Minister

9 The Minister may make regulations,

- (a) respecting anything that is referred to in this Act as being prescribed or otherwise dealt with in the regulations;
- (b) exempting any person or entity from a provision of this Act or the regulations, with or without conditions;
- (c) defining any word or expression used in this Act that is not already defined and further defining any word or expression used in this Act that is already defined in this Act;
- (d) requiring the City of Toronto or other specified person or entity to take specified actions with respect to vested real property;
- (e) governing the recovery by the Crown of costs from the City of Toronto or other prescribed person or entity, including prescribing circumstances in which the Crown may recover costs, prescribing the costs that may be recovered, requiring the City of Toronto or other prescribed person or entity to pay such costs and authorizing the Crown to recover the prescribed costs in those prescribed circumstances;
- (f) requiring the City of Toronto or a specified person or entity to provide information to the Minister or other prescribed person or entity that is relevant to the administration of this Act;
- (g) providing for transitional matters which, in the opinion of the Minister, are necessary or desirable to,
 - (i) facilitate the implementation of this Act or any provision of this Act, including matters arising from the vesting of real property,
 - (ii) deal with problems or issues arising as a result of the enactment of this Act;
- (h) providing for any other matters to carry out this Act, other than matters that may be the subject of regulations made under section 10.

Regulations, Lieutenant Governor in Council

10 The Lieutenant Governor in Council may make regulations,

- (a) if the Lieutenant Governor in Council is of the opinion that an agreement may interfere with the vesting of real property under this Act, governing such agreements to the extent of the interference, including,
 - (i) deeming specified terms or conditions to be or not to be included in an agreement,
 - (ii) requiring the parties to an agreement to include specified terms or conditions in the agreement,
 - (iii) prohibiting an agreement from including specified terms or conditions;
- (b) addressing the consequences of a contravention of or non-compliance with section 3 or 5, including,
 - (i) respecting measures that shall be taken by the City of Toronto, the Minister or any other person or entity in connection with the contravention or non-compliance,
 - (ii) governing the rights, powers and obligations of persons or entities who were directly or indirectly affected by the contravention or non-compliance,
 - (iii) governing the vesting of real property, including the registration on title, in connection with the contravention or non-compliance,
 - (iv) providing for exceptions, conditions, limitations or restrictions;
- (c) governing compensation under section 4, including,
 - (i) governing amounts for the purposes of subsection 4 (2), including fixing the amounts, setting maximum or minimum amounts and specifying methods or techniques for determining amounts or maximum or minimum amounts,
 - (ii) specifying an entity and providing for requirements in respect of a report under subsection 4 (4),
 - (iii) respecting the rules that apply in appraising market value under subsection 4 (6),
 - (iv) requiring the City of Toronto to receive payments of the amounts referred to in subclause (i) or to participate in specified methods for receiving such payments;
- (d) governing service for the purposes of section 7, which may include specifying a date for the purpose of clause 7 (2) (b).

Adoption of documents in regulations

11 (1) A regulation may adopt by reference, in whole or in part, with such changes as the maker of the regulation considers necessary, any document, including a code, formula, standard, protocol or procedure, and may require compliance with any document so adopted.

Rolling incorporation by reference

(2) The power to adopt by reference and require compliance with a document in subsection (1) includes the power to adopt a document as it may be amended from time to time.

When effective

(3) The adoption of an amendment to a document that has been adopted by reference comes into effect on publication of a notice of the amendment in *The Ontario Gazette* or in the registry established under the *Environmental Bill of Rights, 1993*.

Retroactivity, existing rights

12 If it so provides, a regulation is effective with respect to a period before it is filed and applies to rights in real property, contractual rights or other rights that existed at the time that the regulation was made.

Commencement

13 **This Act comes into force on the day it receives Royal Assent.**

Short title

14 **The short title of this Act is the *Building Billy Bishop Airport Act, 2026*.**

SCHEDULE 1

LAND THAT CAN BE PRESCRIBED FOR THE PURPOSES OF SUBSECTION 2 (1)

1. Property Identification Number 21386-0314 (LT).
2. Property Identification Number 21418-0016 (LT).
3. Property Identification Number 21418-0017 (LT).
4. Property Identification Number 21418-0019 (LT).
5. Property Identification Number 21418-0020 (LT).

6. Property Identification Number 21418-0021 (LT).
7. Property Identification Number 21418-0107 (LT).
8. Property Identification Number 21418-0121 (LT).