



**To:** Board of Directors  
**From:** Jack J. Collins  
*Vice President, Rapid Transit Implementation*  
**Date:** February 16, 2012  
**Re:** **City Council Position on the Light Rail Transit Priority Plan**

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### ***EXECUTIVE SUMMARY***

The Board of Directors is being asked to receive this staff report on recent developments on the light rail transit (LRT) priority plan for Toronto that arise from a special meeting of Toronto City Council that resulted in a resolution of the Toronto City Council dated February 8, 2012 (the "Council Resolution" attached as Appendix I). The plan endorsed by the City Council departs from the March 31, 2011 Memorandum of Understanding (MoU) between the province, Mayor and Metrolinx, and affirms support for the Metrolinx "5 in 10" plan, approved by the Metrolinx Board at its meeting on May 19, 2010. The one exception to the "5 in 10" plan is on the Sheppard Avenue corridor, which the city has directed the creation of an expert panel to advise council on a transit project recommendation by March 21, 2012.

### ***RECOMMENDATION***

#### **RESOLVED:**

*THAT*, Metrolinx receives this staff report and directs staff to report back to the Board on the proposed advice to the Province once Toronto City Council finalizes its position regarding transit on Sheppard Avenue, and;

*THAT*, Metrolinx directs staff to continue construction and engineering on the Eglinton Crosstown central tunnel section from the west launch shaft east to Laird Station.

### ***BACKGROUND***

On January 31, 2012, Metrolinx Chair Robert Prichard sent a letter to Mayor Ford and TTC Chair Stintz, encouraging the Mayor and Chair to confirm the City's position on a transit plan in Toronto at the earliest possible date. The letter also restates the five principles that guided the negotiations of the Memorandum of Understanding (MoU) between the province, Mayor and Metrolinx, as they continue to reflect the provincial interest and the mandate given to Metrolinx (the letter is attached as Appendix III). Any change to the plan brought forward by the City for discussion with Metrolinx and the Province should address the following principles:

- achieve sound transportation objectives and reflect The Big Move – the regional transit plan

- be cost-effective, with no cost increases to the province, in terms of total provincial investment over the life of the assets, the required cash flow, and the ability of the Province to amortize its investment
- penalties related to contractual commitments or loss of investments will not be paid by the province
- delays in the delivery of results to residents are not acceptable, and any delay costs will need to be borne by the City.
- any plan should minimize adverse impacts on traffic to the extent reasonably possible.

On February 8, 2012, City Council adopted a motion on the Metrolinx Transit Projects in Toronto with a 25-18 vote in favour of a plan that is similar to the original “5 and 10” plan approved by the Metrolinx Board at its meeting on May 19, 2010. In summary, the City Council motion supports:

- Eglinton Crosstown LRT from Jane Street to Kennedy Station in a tunnel and surface alignment
- Finch West LRT from the future Finch West Station on the Toronto-York-Spadina-Subway-Extension (TYSSE) to Humber College
- The Scarborough RT conversion to LRT from Kennedy station to Sheppard Avenue.

The one exception is transit on the Sheppard Avenue corridor, for which the city has directed the creation of an expert panel to advise Council, no later than March 21, 2012, on the most effective means of delivering rapid transit to the greatest number of riders with the funds currently allocated and with projected funds, and will report on other potential funding sources. The City Manager will request the participation of senior representatives from Metrolinx, TTC, Toronto Board of Trade, the Greater Toronto Civic Action Alliance, Toronto Women’s City Alliance, Social Planning Toronto, David Crombie, Eric Miller, Dr. Gordon Chong and a representative of the Sheppard East Village Business Improvement Association.

The City Manager has mapped out an initial schedule for the expert panel deliberations. The plan is to hold three meetings culminating in a panel recommendation to Council in March.

Since the recommendation from this advisory panel will impact the scope of the Sheppard project, a report back from staff will be provided to the Metrolinx Board in order to finalize advice to the Province. City Council’s position will not be complete until it deliberates on the panel’s advice.

In addition to the Sheppard project, the City Council requested TTC staff discuss future feasibility studies with Metrolinx on:

- extending the Sheppard Subway west to Downsview
- extension of Sheppard LRT to the Toronto Zoo
- extension of TTC Bloor-Danforth Subway from Kennedy to Scarborough Town Centre
- extension of Eglinton Crosstown from Jane to Pearson Airport
- the construction of a Downtown Relief line.

## ***DISCUSSION***

Until a final recommendation is known regarding transit on Sheppard Avenue, the Council’s complete plan has yet to materialize. The expert panel report and recommendation to Council needs to be completed and submitted in order for the Council to vote on a final position. A final decision by Council on Sheppard will have implications for how the Metrolinx principles are

achieved, including costs, timing, penalties, as well as whether the SRT line is extended to Sheppard Avenue or end at McCowan. Therefore, it is important that Metrolinx receive a position from Council on the Sheppard corridor before Metrolinx can finalize its advice to the Province. In the meantime, Metrolinx will continue to advance work on the following activities:

- Metrolinx, Infrastructure Ontario and the TTC will continue discussions regarding the delivery, operations and maintenance of the light rail transit priority projects
- construction on the Eglinton Crosstown central tunnel
- design, construction and engineering to continue on the Eglinton Crosstown section west of Black Creek to Jane, including the west Maintenance and Storage Facility
- Metrolinx staff will participate on the Sheppard expert panel
- Metrolinx staff to develop extension scope and budgets for the Memorandum of Agreement with the City and TTC that expires on March 31, 2012 and begin drafting more definitive agreements.

Also, Metrolinx staff will report back on the “future feasibility” work identified in the Council’s motion, in the context of The Big Move 2.0 status report that is currently under development.

**Attachments**

Appendix I – Council Resolution (February 8, 2012)

Appendix II – Project Description

Appendix III – Metrolinx letter to TTC Chair (January 31, 2012)

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Respectfully submitted,

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## Appendix I City Council Resolutions

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Agenda Item History - 2012.CC17.1

**Tracking Status**

- [City Council](#) adopted this item on February 8, 2012 with amendments.

**City Council consideration on February 8, 2012**

CC17.1	ACTION	Amended		
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**Metrolinx Transit Projects in Toronto****City Council Decision**

City Council, on February 8, 2012, adopted the following:

1. Toronto City Council affirm its support for the light rail transit (LRT) priority plan for Toronto consistent with the Metrolinx "5 in 10" plan as presented to the Metrolinx Board at its meeting on May 19, 2010 and the early implementation of the following projects:
  - The Finch West LRT from the Spadina Subway extension to Humber College.
  - The Eglinton Crosstown LRT from Jane Street to Kennedy Station.
  - The Scarborough RT conversion to LRT from Kennedy Station to Sheppard Avenue, with an extension to the Malvern Town Centre as funds become available.
2. Toronto City Council affirm its support for the continued discussions between Metrolinx and the Toronto Transit Commission (TTC) regarding the TTC delivery, operations and maintenance of the light rail transit priority projects on behalf of Metrolinx.
3. Toronto City Council direct appropriate City staff to communicate to the Province of Ontario and Metrolinx its support for the continued discussions between Metrolinx and the Toronto Transit Commission over the light rail transit plan and the early implementation of the priority projects by the TTC on behalf of Metrolinx.
4. Toronto City Council authorize the City Manager and all appropriate staff to execute any and all agreements with Metrolinx for funding and implementation of the above.
5. Toronto City Council authorize the Toronto Transit Commission to direct staff to enter into discussions with Metrolinx to study the future feasibility of the following transit projects:
  - Extension of the TTC Sheppard Subway line westward from the current Sheppard Station to the current Downsview Station, thereby relieving ridership pressure off of

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the eastern portion of the Yonge-University-Spadina Subway line.

- Extension of the Sheppard LRT to end at the Toronto Zoo.
  - Extension of the TTC Bloor-Danforth Subway line from Kennedy Subway Station north-eastward to the Scarborough Town Centre.
  - Extension of the Eglinton Crosstown line from Jane to Pearson Airport including a study of its alignment.
  - The construction of a Downtown Relief Line.
6. City Council request the City Manager to establish an expert advisory panel regarding transit on Sheppard Avenue that will report back to a Special Meeting of Council no later than March 21, 2012.

The advisory panel, incorporating a gender and racial equity lens, will advise City Council on the most effective means of delivering rapid transit to the greatest number of riders with the funds currently allocated and with projected funds, and will report on other potential funding sources that could augment funds for a public transportation project on Sheppard; and further, Council request the City Manager to request the following participants for the expert advisory panel:

- Senior representatives from Metrolinx
  - Senior representatives from the Toronto Transit Commission
  - Senior representatives from the Toronto Board of Trade
  - Senior representatives from the Greater Toronto CivicAction Alliance
  - David Crombie
  - Eric Miller
  - Dr. Gordon Chong
  - Senior representatives from the Toronto Women's City Alliance
  - Senior representatives from Social Planning Toronto, and
  - A representative of the Sheppard East Village Business Improvement Association.
7. City Council support the early implementation of the Finch West LRT and direct the City Manager, in consultation with the Chief General Manager, Toronto Transit Commission, to report back to City Council on the future feasibility and pre-conditions required for a subway on Finch West, such report to include the cost and timing of construction.
8. City Council direct the City Manager to forward a letter to the Federal and Provincial governments requesting a long-term transit funding agreement for future transit infrastructure, operation and maintenance costs for the City of Toronto.
9. City Council refer the following motion to the expert advisory panel for consideration:

Moved by Councillor Pasternak:

That:

1. City Council request the City Manager, the Chief General Manager, Toronto Transit Commission, and the Deputy City Manager and Chief Financial Officer, in conjunction with Metrolinx, to report to the TTC and City Council on a long-term transit strategic funding solution for future transit projects and include but not be exclusive to completing the Sheppard Avenue subway from Don Mills Station to Scarborough Town Centre and from Downsview Station to Yonge and Sheppard.
2. City Council direct the City Manager to report to the Executive Committee on a strategic path for disposing of non-performing real estate assets used for TTC purposes, such report to address whether revenues from such disposals could be directed to funding the Sheppard Avenue subway plan, and the feasibility of allocating 20 percent of all net proceeds from the sale of City of Toronto assets to new subway and above-grade LRT construction.
3. Should savings be realized on the Eglinton Cross Town line as a result of confirmation by City Council to have a portion of the Eglinton East line constructed at or above grade, City Council request the Province of Ontario and Metrolinx to apply approximately \$650 million of the savings to the extension of the Sheppard subway east from Don Mills Station to Victoria Park as identified in the KPMG report entitled "Sheppard Subway Extensions: Analysis of Funding Options for Toronto Transit Infrastructure Limited and the City of Toronto".
4. City Council request the Chief General Manager, Toronto Transit Commission, to report to Council on the feasibility of allocating 20% of the TTC annual capital budget to the design and building of new subway and above-grade LRT track.
5. City Council direct the Deputy City Manager and Chief Financial Officer to report to Council on the implications of dedicating not less than 50% of the City's future annual surplus to the construction of new subway or above-grade LRT construction.
6. City Council affirm a goal of creating no less than one kilometre of new subway or above-grade LRT routes on an annual basis.
7. City Council request the Mayor to urge the Federation of Canadian Municipalities to work with the federal government on a national strategy for funding urban and regional transit.
8. City Council request the Deputy City Manager and Chief Financial Officer, in consultation with the Chief General Manager, Toronto Transit Commission, to commence negotiations on a federal funding package for our next generation of urban transit.

Appendix II – May 19, 2010 Approved “5 in 10” Plan

# 5 in 10 Plan



Appendix III – Letter from Metrolinx Chair to Mayor Ford and Councillor Stintz



Office of the Chair  
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January 31, 2012

Mayor Rob Ford  
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Councillor Karen Stintz  
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Your Worship Mayor Ford and Chair Stintz:

I write with respect to the Metrolinx transit projects in Toronto. My purpose in writing is to be clear on our approach to the transit projects and to give you guidance as you and your colleagues on City Council and the Toronto Transit Commission debate these issues.

At the outset, however, I would like to restate the principles that guided our negotiations a year ago and led to the Memorandum of Understanding (MoU), as these continue to reflect the provincial interest and therefore the mandate given to Metrolinx:

1. **Sound Regional Transit Planning:** Any projects to be paid for by the Province must achieve sound transportation objectives for the City and the region, and reflect the goals and principles of our regional transportation plan, The Big Move.
2. **Budget and Cost:** The maximum budget for the provincial contribution to the plan remains fixed at the original \$8.4 billion (2010 dollars). Any plan must be cost-effective and involve no cost increases to the Province over the original budget, in terms of the total provincial investment, the cash flow required in each year and the Province's ability to amortize its investment over the life of the assets. Any additional costs must be paid by the City or other partners.
3. **Penalties:** The Province is not prepared to pay any penalties related to contractual commitments or the loss of investments that result from changes sought by the City. These costs must be borne by the City just as the penalty costs and losses incurred by virtue of the MoU remain the City's responsibility.

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4. **Cost of Delay:** Delays in the delivery of results to residents are not acceptable. In the event that further delays occur in the delivery of projects, any delay costs must be assumed by the City.
5. **Traffic:** Any plan should minimize adverse impacts on traffic to the extent reasonably possible.

Metrolinx and the TTC, with TTC acting as the agent for Metrolinx, are making good progress with various elements of the Eglinton-Scarborough Crosstown LRT line including: acquiring tunnel boring machines, buying land on Eglinton for the vehicle maintenance and storage facility, preparing to initiate tunneling on the central part of the line, acquiring and refining the LRT vehicles and doing detailed planning. This progress and current work – located along the westernmost portion of the Crosstown line – is consistent with both the previous "transit city" plan as well as the "MoU" line.

We will soon have to choose between these competing proposals – namely at or below grade, east of Laird Drive to Kennedy Road. In order to continue with this important project we require the support of, and clarity from, the City of Toronto. As such, we are concerned that the MoU has not yet been confirmed by Toronto City Council. Our concern has been sharply elevated in recent days by widely reported public statements from TTC Chair Karen Stintz and other members of Council suggesting Council will reject the terms of the MoU and seek a different transit plan with Metrolinx.

Absent Council's endorsement of the MoU, the City is not bound by the plan and it is increasingly difficult for Metrolinx to implement it. We believe that both you and Council must soon confirm the direction the City wishes to take.

Metrolinx remains committed to moving ahead with major transit projects in partnership with the TTC and the City of Toronto. Our citizens want results and we are committed to delivering them with you. We ask that you confirm the City's position at the earliest possible date consistent with your processes. My colleagues and I remain available to meet with you at your convenience to review these issues and move forward.

Warm personal regards,



J. Robert S. Prichard  
Chair

Encl.

c: Joe Pennachetti, City Manager, City of Toronto  
Gary Webster, Chief General Manager, Toronto Transit Commission  
Bruce McCuaig, President and Chief Executive Officer, Metrolinx  
Bob Chiarelli, Minister of Transportation, Minister of Infrastructure