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**BRIEFING NOTE:  
CONCERNS ABOUT SHEPPARD EAST LRT PLANNING AND CONSTRUCTION**

**Background**

The Sheppard East Village Business Improvement Area (SEV BIA) represents more than 500 businesses on or near Sheppard Avenue, from Midland Avenue to Markham Road. Formed in 2007, the SEV BIA includes five automobile dealers, a large number of automotive service providers, many restaurants (offering a range of international foods), seven bank branches, three small malls and other retail businesses providing a variety of goods and services.

The SEV BIA has been involved in discussions with the City of Toronto and TTC regarding new Light Rail Transit (LRT) lines to run along Sheppard – directly through our BIA – as part of the “Transit City” transportation improvement plan.

TTC officials have, for the most part, been cooperative in sharing information and acknowledging our concerns. Nonetheless, with preliminary work already underway, we continue to have numerous questions and concerns about the project, which will have enormous impact on our community.

**Our Position**

In principle, the SEV BIA strongly supports the Sheppard East LRT project. We recognize that, although there will be considerable disruption during the construction period, our members will ultimately benefit from better transit in our area.

We believe the overriding tenet for this project must be “Get It Right.” TTC representatives have expressed this same sentiment. Our objective is to maintain this attitude throughout the construction.

Our concerns are that if due care is not taken at all times, the result could be far more disruption than is necessary; a longer-than-anticipated construction schedule; significant cost overruns; and, in a worst-case scenario, parts of the project never being completed.

We appreciate the political imperative of ‘shovels in the ground’ and the need to show tangible progress quickly. However, we believe that, without proper attention to detail, the end result will be a much more serious political embarrassment.

Moving ahead quickly on the project may be appealing, but we submit that *finishing* as quickly as possible is more important. Haste in the early stages will no doubt lead to construction delays and, ultimately, a longer period of time before the LRT service is operational.

We fear that, unless our concerns are addressed, the Sheppard East LRT will be a repeat of the St. Clair West LRT fiasco, which has caused a great deal of unnecessary hardship to businesses and residents in that area. The TTC’s standpoint is that lessons have been learned and the mistakes of St. Clair West will not be repeated. While we accept these assurances that the same mistakes may not occur, we remain very concerned that the same *types* of mistakes – i.e., mistakes borne of hasty planning and incomplete preparation – are not just possible, but likely to plague LRT construction on Sheppard East.

## The Current Situation

Some work has already begun – shovels are indeed in the ground. This is “pre-construction,” involving sewers and water mains, hydro, natural gas pipelines, communications cables and other components that need to be dealt with before actual construction of the LRT system can proceed. The main component of the project, construction of the right of way (ROW) – including widening Sheppard on each side and installing track, platforms and power lines – is scheduled for the second year of construction in each phase of the project, as it moves along Sheppard.

There are still some questions about key elements of the project, including connections to the Don Mills Subway and intersections with the Scarborough Rapid Transit and existing GO line. We believe that the overall plan should be completed, with all of these factors determined, before ROW construction (and the major disruption it will entail) begins along Sheppard, through our BIA.

We acknowledge that TTC construction plans call for omnibus contracts so that all pre-construction activities will be coordinated, minimizing traffic disruptions. We applaud this approach, which should help avoid some of the difficulties encountered on St. Clair West.

The pre-construction phases of the project, if coordinated, are not a major concern to our members. However, we remain deeply concerned about the subsequent ROW construction activities, especially in light of what happened on St. Clair West. We want to make sure the staging is done logically, to minimize disruption – both in terms of time and scale.

We are encouraged by the sense of cooperation and goodwill from TTC officials to date, but we know we must be vigilant to ensure that future decisions about the project do not cause undue hardship to our community. Many of our fears would be allayed if we were assured of a formalized, accurate flow of information, and opportunities to provide input when we do have concerns.

## Specific Concerns

We believe the following specific questions, issues and problems need to be satisfactorily addressed before the Sheppard East LRT project proceeds any further.

### **1. Construction is starting in the *middle*, leaving empty tracks for at least 2 ½ years.**

We agree with the concept of phasing, with construction to take place at different times on different parts of Sheppard Avenue. What we do not understand, or accept, is that the first phase will take place in our BIA (from 2009-2010), an illogical starting point for a number of reasons:

- Our area is in the middle of the proposed LRT – and therefore useless until connected to other transit lines. The result will be a “ghost line” in this area for at least three years.
- Ours is one of the busiest sections of Sheppard Avenue. Surely it would make more sense to start in an area with no (or at least far fewer) businesses, to lessen the human impact of the disruption. Businesses affected by the early phases of construction will have the longest gap before experiencing the benefits of the completed project. We believe the construction schedule should minimize the impact. Unfortunately, the current plan exacerbates the disruption, by forcing the largest number of businesses to endure the longest gap between construction and service.



- Major LRT connection points – the Don Mills subway station and the Scarborough RT – are still at the planning stage (see point 2, below) and are not currently scheduled to be completed until 2013 and 2015, respectively.
- The tram cars required to deliver the new Sheppard LRT service are not expected to be available until at least 2013 – again, leaving unused tracks through our area for a significant period of time.

We have been advised that our BIA has been chosen as the starting point because it is the “easiest” in terms of land acquisition and construction readiness. We feel this is political expediency rather than sound project planning.

Construction in our BIA is not likely to delay completion of the entire project, whereas other, more complex components stand a good chance of taking longer than anticipated. Construction on these projects should be underway first, so as to avoid, or at least minimize, having a long stretch of track sit idle for years.

## 2. The plan is incomplete.

Pre-construction is already underway, yet there are still major gaps in the overall plan for the Sheppard East LRT construction. This is a recipe for major problems – indeed, we are told that significant plan changes are the root cause of much of the chaos on St. Clair West.

These gaps in planning include:

- Connection to the Don Mills Subway Station. Linking the Sheppard East LRT to the existing subway system is crucial to its success. The TTC only recently (May 28, 2009) approved plans for an underground section of the Sheppard East LRT, linking it to the Don Mills station at subway level. Obviously this will be an extremely complex undertaking – with a high likelihood of planning and/or construction contingencies delaying completion – and we believe it should be well underway before any other parts of LRT construction get started.
- Accommodating the existing GO Train line. Like the Don Mills subway connection, extensive and complex construction will be required to allow the LRT to go under the GO Train line west of Midland Avenue. We believe it would be much more prudent to wait until this element of the project is closer to completion before starting LRT construction in our area.
- How the Sheppard East LRT will connect with the planned extension of the Scarborough Rapid Transit line. We have been advised of a number of potential options, which would have varying degrees of impact on our community during construction.
- Streetscape improvements. Although they are an integral part of the project and a vital benefit to our community following LRT construction, streetscape plans are still undecided. Some preliminary design plans have been shared with us and we have been told all streetscape particulars must be included in the final construction plan – but it is not yet complete, even though construction is underway. We have recently been advised that the streetscape plans are now projected to be completed in December 2009.

In each of these instances, any opportunities to realize efficiencies and/or mitigate disruption will be lost, because it appears they are being planned on a piecemeal basis.

If the entire plan was finalized prior to construction, as we are advocating, many of the potential problems would be resolved.

(Note: We are encouraged by some recent progress. The revised plan for Phase 2 construction means that work on the GO Train line would be completed prior to construction in the west end of our BIA, as we recommended. We are hopeful that this willingness to heed our concerns will continue throughout the LRT construction project. At the same time, we are committed to being vigilant, which is why we are advocating for a formalized process to ensure we are kept apprised of, and have an opportunity to comment on, developments at every step of the project affecting our community.)

**3. Funding is questionable.**

The TTC's Environmental Assessment, released in January 2009, suggested the overall Sheppard East LRT budget would be in the "order of magnitude of \$865 million." In May 2009, the federal and provincial governments announced \$950 million for the project. Also in May, a report from the TTC revised the prospective budget to between \$1.079 billion and \$1.179 billion.

Given the current economy, it is not unreasonable to question whether sufficient funding will be in place to complete the project as planned. Our fear is that we will experience years of disruption, only to end up with incomplete or sub-standard LRT service.

**4. Economic impact data is lacking.**

As noted above, we fear a repeat of the problems experienced by businesses and residents during construction of the St. Clair West LRT. Compounding our concern is the fact that much of the information about St. Clair West is anecdotal.

We believe the plan for the Sheppard East LRT should include detailed summaries of the economic impact of the St. Clair West project – to provide accountability and ensure better planning this time.

To date, such data has not been available. We believe the data exists – if not, this raises further questions about accountability – but it has not been shared with us. The reluctance to acknowledge the true impact on businesses of the St. Clair West project compounds our unease about lessons having been learned.

**5. There is no confirmation of plans to minimize congestion during and after construction.**

Traffic congestion is clearly one of the primary concerns of our members, inasmuch as it will be the single greatest deterrent to customers patronizing our businesses.

During the construction period, we are looking for assurances that all contractors will exercise their responsibility to help customers get in and out of businesses during construction, ensuring access and providing temporary directional signage as required.

More important is the number of lanes open on Sheppard East at any given time. For the period of ROW construction, we have advocated that a minimum of three, and ideally four, lanes of traffic be open on Sheppard East at all times. To date, there has been no assurance that this will be achieved. In fact, we have been frustrated by what has been a "moving target" in terms of the number of lanes we



are told will need to be closed during ROW construction. Again, we believe these decisions should be made – and alternatives explored, if necessary – prior to the ROW construction commencing.

Even after ROW construction is complete, steps will need to be taken to alleviate congestion. For us, the worst case scenario would be to have reduced lanes, with the ‘ghost line’ ROW sitting empty, vehicles stopping for left turns and buses stopping to pick up/drop off passengers, effectively bringing traffic to a standstill.

Given that there will be a long gap – two years or more – between completion of the right of way and the arrival of trams, we have proposed that the right of way be used by buses in the interim, eliminating our fear of exacerbated traffic congestion as buses block lanes on a reduced roadway. (Emergency vehicles could also use the right of way, solving another major concern.) A further option would be to allow *all* vehicles to use the ROW for left turns until the LRT begins service, eliminating blockage of the inside traffic lane.

To date, we have received no indication that buses or other vehicles will be allowed to use the right of way before trams are available.

#### **6. Requests for financial relief/compensation have gone unheeded.**

Local businesses will face significant disruption during LRT construction. Access to their properties will be hindered, traffic congestion will increase dramatically, and irritants such as dust and noise will keep customers away from our area.

This will result in economic hardship and even bankruptcy for many area businesses. For the larger community, it means lost jobs and less tax revenue.

We have proposed that the City of Toronto consider compensating businesses impacted by the LRT construction during the ROW phase. Our suggestion is a reduction in business taxes (or a reduced assessment) to help ease the financial strain caused by the disruption. Other forms of compensation may also be acceptable.

Other jurisdictions (including Paris, France) have recognized the economic impact of large-scale transit construction projects on the local business community, and have developed relief packages to help compensate.

Given the economic challenges our businesses are already facing because of the recession, this is a particularly difficult time to have to cope with the extra loss of sales revenue caused by the LRT project disruption. To date, we have received no indication of any willingness to address these concerns.

We believe compensation for affected businesses should be established as a model, built into the cost of large-scale municipal transit construction projects – not just the Sheppard East LRT, but all major transit projects. (This would not apply to pre-construction work, or to routine road, water or hydro activities unrelated to transit construction.)

To reiterate: We are *not* proposing a precedent-setting compensation system that could apply to routine city work on water mains, hydro, etc. We see this as exclusive to LRT projects, and are of the view that compensation should be available to businesses only for the relatively brief period when LRT construction is in the immediate vicinity of their property. This approach would have the added advantage of easing the strain on businesses should construction take longer than anticipated.

## Conclusion / Recommendations

In light of the uncertainty and concerns outlined above, we believe there is good reason to be concerned about the Sheppard East LRT project as it currently stands. We fully support the project itself, but remain very concerned about construction – particularly the *sequencing* of the various construction phases, the steps that need to be taken to minimize traffic congestion, and measures to ensure access to all businesses both during construction and in the extensive period before LRT service begins.

Related pre-construction work scheduled and now underway – including water main and hydro modifications – will not pose a problem, if the work is done efficiently and traffic on Sheppard can return to normal when the work is complete. But the main components of the LRT project – widening the street, constructing the right of way and laying the track – should not proceed without a more thorough and complete overall plan.

We recommend that the entire LRT plan – including the crucial connections to the Don Mills Subway and Scarborough RT, as well as construction of the GO underpass – be finalized, before the project proceeds beyond the pre-construction stage. Moreover, we suggest that the sequencing of construction phases needs to be more carefully and logically mapped out, to minimize the disruptions faced by businesses and residents.

We are encouraged that the TTC has agreed with our suggestions for construction phasing in the west end of our BIA. We sincerely hope this spirit of cooperation and flexibility continues. We pledge to be similarly accommodating – provided we feel we are being legitimately consulted.

The Sheppard East Village BIA would be pleased to provide input on decisions throughout the LRT construction project. Indeed, we recommend that establishing a strong two-way dialogue with the local business community – building on what has occurred to date – should be a model for all future LRT projects.

It is not only in the interests of the Sheppard East Village BIA that we make these recommendations.

Based on the negative perceptions of the St. Clair West LRT project, there is great risk to the reputations of the TTC, the City of Toronto, Metrolinx and the Province of Ontario should the Sheppard East LRT construction go badly.

The Sheppard East LRT is the first of seven such LRT projects, and will obviously be watched closely. St. Clair West has unfortunately set a negative tone, and Sheppard East will surely continue this trend if the current concerns are not addressed.

On the other hand, if implemented properly, Sheppard East is an opportunity to establish a positive foundation for all future transit projects.

In short, we strongly recommend that more care be taken at the front end, to eliminate snags that will inevitably hamper the project as it moves forward. Making better decisions at the start, we are convinced, will ultimately mean an earlier and more efficient finish.

Much is at stake. We submit that it will be considerably less expensive – both in terms of actual costs and public perceptions – to think the whole project through now, rather than proceeding with the incomplete plan currently underway.

Again, the imperative must be to “Get It Right” on Sheppard East.