

December 4, 2015

Jennifer Keesmaat  
Chief Planner & Executive Director  
City Planning Division  
City Hall  
100 Queen St. W.  
12<sup>th</sup> Floor, East Tower  
Toronto, ON M5H 2H2

Dear Ms. Keesmaat:

**Subject: Davenport Grade Separation Project**

Thank you for your letter dated November 24, as well as your email to Bruce McCuaig on November 30, 2015. Further to our conversation last week where a number of these items were discussed, I would like to take this opportunity to provide additional context and information on the points you have raised on behalf of the City Planning Division.

I would like to start by recognizing that we are in unprecedented times with strong federal, provincial and municipal public alignment to build and deliver an expanded rapid transit network across Toronto and the region. While we are excited about the social, environmental and economic benefits a program of this magnitude will have for local communities, the capital funding for this program also came with a commitment by the Provincial government to complete projects, including electrification of core Metrolinx owned corridors, within 10 years.

As you know from your own experience with the timeline and work that needs to be done to support SmartTrack, 10 years is an ambitious schedule to bring projects through the cycle from feasibility, environmental assessment, detailed design through to construction. We believe this can be achieved by working with communities and municipalities as key stakeholders who can help identify community building opportunities that are an inherent part of transit projects. We also recognize the challenges this compressed time schedule presents for municipal staff which is why we agreed to pay for additional resources to support the City's review of RER-related projects. I am glad to hear that the concerns from your legal department about this arrangement have been successfully addressed and that resources should be in place for the New Year. I continue to be committed to working with you to ensure these resources are in place.

The realities of such a compressed timeline are also why we have been working regularly with staff at the City of Toronto on plans to remove the Davenport Diamond. We first discussed restarting this project with City staff on July 21, 2014 with formal meetings starting in March 2015.

Removing the diamond has been under consideration for over five years as eliminating this rail-to-rail crossing will improve service reliability and safety at a junction where freight trains that can carry dangerous and hazardous goods meet an ever increasing number of passenger trains. Prior to its inclusion as part of the RER capital program, Metrolinx completed a feasibility study and initiated pre-consultation

for an Environmental Assessment in 2009. However, it was not formally initiated due to other construction that was under way at the time in the area. In 2014, we also updated the feasibility study to include the option of an open overpass structure, similar to the Union Pearson Express spur.

Community and stakeholder engagement began once RER funding was announced and the financial resources were in place to move forward with the project. Public meetings, as well as a Resident's Reference Panel, were held in the community as early pre-consultation work to support the formal start of Transit Project Assessment Process. As a process that the City of Toronto has also used, you are likely familiar with the "preferred" option that the process asks a proponent to put forward and make the focus of environmental studies. The purpose of the process is to expedite the approval of transit projects to deliver the transit infrastructure our communities badly need. A project timeline was shared with City of Toronto staff that also reflected the condensed nature of the Transit Project Assessment Process.

As the regional transit agency, Metrolinx has a responsibility to develop a policy framework, decision-making criteria and a business case analysis that can be applied across all projects and all municipalities. These decisions align with Ontario's Growth Plan, the Greenbelt priorities, the regional transportation plan, all of which share the objective of building strong, vibrant and sustainable communities.

In your letter you state that much of the policy assessment you needed had to be generated. I would like to clarify that what we undertook was a policy assessment specific to the City of Toronto's "Feeling Congested" criteria to facilitate your understanding of the preferred option being proposed. This analysis was in addition to our own process and criteria that are based on the documents listed above. We undertook this work in the spirit of collaboration and the draft analysis was provided to City of Toronto staff on September 29. At the October 21 meeting, City staff advised they had completed their review of the draft and it would be sent to us. However it was not provided until November 18.

The schedule for this project has experienced changes, but I offer that the schedule has been well articulated and was well understood. Since it was originally shared, the schedule has changed for a number of reasons, including accommodation of City requests for additional analysis and two postponements to meet City process timelines. Requests for postponement were agreed to and additional information was generated and provided to help City staff understand the project within the City planning framework. The most recent request for a delay was discussed but it was also understood that all parties would have an opportunity to confirm this change before the community was informed.

Avoiding delays is important in order to deliver the 10 year RER program on time and on budget. Within the 10 year program, there are also interim deliverables including implementation of midday, evening and weekend service in the 2016-18 timeframe. Early completion of the Davenport grade separation is crucial, as it needs to be in place before construction work in future years can be done, including double tracking, electrification, and signal system improvements. Delaying a decision on moving ahead with the Davenport grade separation increases the complexity of future construction, the level of disruption, and the cost.

As referenced above, we have already delayed the Notice of Commencement by 5 months from the original schedule provided to the City at your request. As we advised at our November 25 meeting, the original schedule float has been used to work with the City on its consideration of the project. There is no remaining schedule float and further postponement creates a high risk of delays to the delivery of the overall RER program on this corridor. Therefore, we need to formally start the Transit Project Assessment Process in January 2016. The Transit Project Assessment process must be completed within 120 days and we are confident that the additional analysis the City has asked to see will be completed by the end of December to provide time for you to review this material prior to a Notice of Commencement in January.

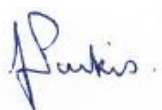
Community engagement is a critical part of any project, and our commitment to building the best project we can is why we started conversations and engagements with residents in the spring. Formal project meetings and a Resident's Reference Panel were held and were the beginning of work with the community to make the project an asset to local residents. As part of that process, Metrolinx also made a clear commitment to public realm enhancements. We will continue to work with the community and hold public opportunities for resident feedback throughout design and construction stages.

We are also actively looking at a station at Bloor Street, as discussed at the November 25 meeting, as part of a system-wide analysis of potential new stations. There are a large number of potential stations across our system, including SmartTrack stations, and we are in the process of evaluating these locations based on regional criteria that provides an additional layer of analysis to the municipal criteria used to develop the City of Toronto's Official Plan. It should be noted that the original list of possible station locations was over 120 and the Bloor Street location performed well enough that it is on the list of 50 potential locations that we will be consulting the public on early in 2016. We expect that the new station analysis will be completed in the spring of 2016, followed by detailed business cases and environmental assessments. However, inclusion of a new station in the Davenport grade separation Transit Project Assessment Process would require a significant change to the scope of the study area and environmental studies and would delay the project even further.

In terms of your recommendation to City Council, as you know, the tunnel option transfers community impacts to the Rogers' Road area, significantly extends the consultation period and the cost of the initiative. I would suggest that the City staff report identify these factors and how the City would participate in managing these impacts. As a key stakeholder, the City position will be included as part of the EPR for full consideration by the Minister of the Environment and Climate Change. In the same spirit, we would ask that you please include this letter in your report to Council this month.









































Attached is the schedule for both Transit Project Assessment activities as well as the 10 year RER program on this corridor. We look forward to answering any questions you may have about it and continuing our work together on this and other projects.

Sincerely,

A handwritten signature in blue ink, appearing to read "Purkis".

James T. Purkis  
Executive Vice President  
Regional Express Rail

cc: John Livey – City of Toronto  
Ulli Watkiss – City of Toronto  
Bruce McCuaig - Metrolinx

Davenport Diamond Overpass																					
ID		Task Mode	Task Name	Duration	Start	Finish			01 September		21 September		11 October		01 November		21 November		11 December		01 Jan
							18/01	26/07	31/01	07/08	12/02	20/08	25/02	02/09	10/03	15/09	22/03	27/09	04/04	10/10	
1			TPAP Planning	21.6 wks	Mon 01/02/16	Wed 29/06/16															
2			TPAP Decision	10 wks	Thu 30/06/16	Wed 07/09/16															
3			RQQ Issued to MERX	13 wks	Thu 08/09/16	Wed 07/12/16															
4			Award Design	16 wks	Thu 08/12/16	Wed 29/03/17															
5			Design Period	64 wks	Thu 30/03/17	Wed 20/06/18															
6			Construction Tender to MERX	12 wks	Thu 21/06/18	Wed 12/09/18															
7			Construction Award	16 wks	Thu 13/09/18	Wed 02/01/19															
8			Construction Period	129 wks	Thu 03/01/19	Wed 23/06/21															
Project: Davenport Diamond Date: Thu 05/11/15			Task		Project Summary		Inactive Milestone		Manual Summary Rollup		Deadline										
			Split		External Tasks		Inactive Summary		Manual Summary		Progress										
			Milestone		External Milestone		Manual Task		Start-only												
			Summary		Inactive Task		Duration-only		Finish-only												
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