

# How a bid to resurrect Scarborough LRT was killed: Analysis | The Star

It took more than three years of political standoff on transit in Scarborough just for council to arrive back at the beginning again this July.

Should the city build a subway — revised as just a single stop and defended by Mayor John Tory even as costs ballooned past \$3.2 billion — or a light-rail line, with capital costs covered 100 per cent by the province, that could be built in less time and serve more residents?

[click to see caption](#)

TTC CEO Andy Byford says his agency wasn't directed to produce a briefing note that went on to become key to the mayor's goal of securing votes for a subway extension.

[click to see caption](#)



[click to see caption](#)



It took only two pages and 800 words to secure the vote in favour of the controversial subway, killing a move to return to the original LRT alternative to replace the aging Scarborough RT.

Documents obtained by the Star through freedom of information requests and interviews with those involved show how a misleading briefing note produced by the TTC just two weeks before a crucial vote became central to the mayor's and allied councillors' successful push for a subway, and how senior city and TTC staff discredited the LRT while advancing the subway option.

At the same time, the provincial Liberal government, which had politically endorsed a subway, refused to weigh in and ignored an internal report that found building the subway was "not a worthwhile use of money."

**Article Continued Below**

City staff say they were just doing their job, providing the best advice possible in a politically charged environment. The province denies any meddling while continuing its silence on key issues.

This is the inside story of how the subway was approved — again.

On June 29, at 6:21 p.m., TTC spokesperson Brad Ross emailed Amanda Galbraith, the mayor's chief spokesperson, Kristin Lillyman, policy adviser to Councillor and TTC chair Josh Colle, and Peter Wallace, the city manager.

"Attached is a briefing note to help understand the issue of re-introducing an LRT into the current SRT corridor," Ross wrote, adding: "Caveats around numbers and assumptions can't be emphasized enough."

The note didn't discuss the subway at all, but apparently unprompted, it raised several unanswered questions about the feasibility of returning to the seven-stop LRT.

Most importantly, it estimated the cost of the LRT had climbed to \$2.97 billion from \$1.8 billion.

Having the updated figure in writing was a bombshell and a gift to Tory and allies because it put the cost of the LRT on par with the tunneled subway, muting any argument of potential savings.

#### **Article Continued Below**

In the email, the TTC's Ross told Galbraith and Lillyman to share the note with Tory, Colle and "Chris" (probably Tory's chief-of-staff, Chris Eby) "as you see fit."

Galbraith, who told the Star she saw the note for the first time when it arrived in her inbox, replied to Ross: "Hey thanks for this, it's really helpful.

"Can we discuss what you're doing with this?" And in a later reply: "I'd like to discuss possibly distributing this info more widely."

The distribution of that note and its contents would become key to the mayor's strategy to secure votes for the subway.

It started with the mayor's office leaking the note to CP24, according to a source with knowledge of the leak. The news outlet published a story July 4 under the headline: "Unresolved issues in reverting to LRT in Scarborough, TTC says." Colle, an ally to Tory and the subway plan, was interviewed live.

The note was only later sent to other councillors and the TTC board by Tory's and Colle's offices.

"It was important council and the public had all of the facts before them about what it would mean to return to the LRT — higher costs, further delays and damaged relations with other levels of government," Galbraith said in an email.

She didn't respond to a question about who leaked the briefing note.

As for the selective distribution, Ross said "it was appropriate to ensure the mayor's office, as head of council, the TTC chair and senior city staff were aware of the briefing note's contents given the importance of the debate."

TTC CEO Andy Byford said it was not directed to produce the note. "TTC staff are professionals and anticipated this issue would be raised at council and took the initiative to prepare a briefing note so they could answer questions as fully as possible," he told the Star by email.

With more than a week before the council vote, the mayor's office used the briefing note to work the second floor of city hall.

Rookie Councillor Jon Burnside, who was undecided going into the vote, said he was visited by the mayor's principal secretary, Vic Gupta. Burnside said Gupta was pushing the costs of the LRT.

"I think what he said, is 'You're going to find the costs are about the same,'" Burnside said.

It was enough to persuade the councillor not to support the move back to the LRT.

There was one major problem. The cost in the TTC briefing note was misleading.

The cost figure was based on the assumption that construction of the Scarborough LRT could not start until 2021, only after construction of another LRT line, the Eglinton Crosstown, was complete at Kennedy station. That was what the TTC's "quick preliminary evaluation" said would push the completion of the Scarborough LRT to early 2026 and cause costs to escalate as a result of inflation.

On the floor of council, Councillor Josh Matlow, who has repeatedly challenged the justification for the subway, questioned that assumption.

Byford and the TTC's chief project manager for the subway, Rick Thompson, admitted there was no reason why construction could not begin elsewhere — at the other, northern end.

So if that delay didn't exist, how could the cost be \$2.97 billion? Byford replied the TTC was "asked to provide" a comparison of the LRT "for the same finish date as a subway." In other words, the TTC simply provided the cost of the LRT, escalated to a date that matched the subway's completion date.

It's unclear who asked for that comparison.

"I cannot recall who asked, but we would rightly be criticized if we didn't anticipate questions on costs and escalation," Byford said in an email, adding the figure was TTC staff's "best professional estimate."

At the July council meeting, city staff often referenced the briefing note in warning against returning to an LRT.

Deputy city manager John Livey repeatedly interjected during the debate to warn of "risks" with the LRT plan. He voiced doubts that the savings from building a seven-stop LRT would allow a second 17-stop LRT line proposed to run east along Eglinton to be substantially funded.

"It doesn't look like the math adds up to me," Livey said.

But many of the stated unknowns in the briefing note were not actually unknowns, as staff claimed.

During questions about operating and maintenance costs from subway advocate Councillor Glenn De Baeremaeker, Peter Notaro, the city's executive director of strategic and corporate policy, cast doubt on what the province was obligated to pay for.

With the subway, the city is responsible for an estimated \$2.85 billion in operating and maintenance costs in 2016 dollars over 60 years, which LRT proponents identify as a major knock against the plan.

At council, Notaro said a signed agreement with the province to build the LRT was "relatively silent" on those costs. The city maintained that position last week, saying the city could have been required to pay those costs.

But that is not what council was originally told.

The agreement, and earlier reports to council, outline that Metrolinx is responsible for maintenance of the LRT and the province's Infrastructure Ontario was to select contractors to design, build, finance and maintain the line, as has already been done with the Eglinton Crosstown, which is covered in the same master agreement. The agreement also outlines that the province and city would negotiate a deal for TTC to operate the new line.

A 2012 city staff report noted the city had "limited direct funding responsibility" for the Scarborough and other LRT projects. It listed what the city could be responsible for. It did not say the city was responsible for paying capital maintenance or operating costs.

The TTC briefing note also questioned whether other levels of government would still commit to fund the construction of an LRT, even though the province is still bound by the agreement and the federal government had made clear its funding remains in place regardless of the technology.

And although the note spoke of possible conflicts with plans for expanded GO service in the corridor, Metrolinx confirmed to the Star its plans never conflicted with an LRT being there.

The city's code of conduct for council members dictates that "members should be respectful of the role of staff to provide advice based on political neutrality and objectivity and without undue influence from any individual member or faction of the council."

"At all times it is staff's role to provide their best professional advice" to council, city spokesperson Wynna Brown said in an email. "Staff anticipated there would be questions about the feasibility of reintroducing an LRT . . . The briefing note prepared by the TTC addressed many of the technical issues council would need to look at when considering this matter."

Most councillors didn't see or chose not to see the flaws in the briefing note.

Matlow's motion, a plea to put "people before politics" and return to the LRT plan failed 16-27.

What was absent from the debate was any comment from the province or the Metrolinx transit agency, even though it was Metrolinx that was in charge of the original LRT plan — not the TTC.

Though the TTC requested Metrolinx weigh in, Metrolinx declined. Asked again this week about the briefing note, Metrolinx refused to comment.

"It's shocking that nobody, to include myself in that, actually got the answer from the province," Burnside said about the question of costs.

“It would have swayed my vote. One hundred per cent it would have.”

A source with knowledge of the backroom discussions, who was not authorized to speak publicly, told the Star that senior Metrolinx officials were “surprised” by the numbers put forward by the TTC.

“Metrolinx has always believed the Scarborough LRT represented a sound choice to address transportation needs,” spokesperson Anne Marie Aikins said in an email. “However, all three orders of government made the decision to proceed with a subway solution.”

The provincial Liberals and Premier Kathleen Wynne have, since the summer of 2013, actively supported a subway, promising to fund its construction as they fought tough byelections in Scarborough.

Before a vote in October 2013 that sealed council’s decision to flip-flop on the LRT plan and build a then three-stop subway instead, the province had evidence the subway was not a sound plan.

Metrolinx staff prepared a cost-benefit analysis comparing the subway and the LRT, a draft of which was dated September 2013. The detailed 16-page report concluded the additional cost to build the subway was “not a worthwhile use of money.”

That report was never finalized, and Metrolinx never published it. The Star obtained the draft copy through a freedom of information request.

By October the province was fully in support of a subway.

Metrolinx CEO Bruce McCuaig emailed Metrolinx board members in the days after the council vote confirming their new message.

“Metrolinx is prepared to work with the city and the TTC now that Toronto City Council has confirmed its commitment to extend the Bloor-Danforth subway,” he wrote.

Chair Rob Prichard responded directly to McCuaig with a suggestion.

“I would say (Metrolinx) will work with city, not prepared to. Make it positive. Let’s get on with it,” he said.

But he made clear that the province would not make good on their commitment to fund the subway until the city paid for millions in lost work planning the LRT. To make his point, he raised the spectre of another recent scandal over cancelled plans that embroiled the Liberal government.

“I would not and will not flow a dollar to the city until they repay the \$85 (million) plus. Period. Non-negotiable. Rigid,” Prichard wrote. “No gas plants for us, thanks.”

When council was again faced with confirming their commitment to a subway this July, Wynne was preparing to call another byelection, in Scarborough-Rouge River. All three top candidates, including the Liberal’s Piragal Thiru, campaigned on a promise to build a subway.

Today, plans for the revised one-stop subway extension are already behind schedule, meaning the \$3.2-billion cost estimate is expected to rise, a fact council should have known in July but which staff did not emphasize.

A footnote in city staff’s report noted the timeline was contingent on council’s approval of a route for the subway in July, something council was not even asked to consider. Staff are expected to recommend a route this December.

The morning after the July council vote, Byford sent an email to his own team and senior city officials. It was mistakenly copied to this reporter. The subject line was: “Congratulations.”

“Just a quick note to say a big thank you and a massive well done for your fabulous work on the transit report,” it read.

Today, Byford says he thought staff were “hard-pressed” on tight timelines and that a “well done” was in order.

“That it prevailed so comprehensively yesterday is down to your hard work in researching and preparing the paper,” the email said. “And in getting senior execs ready for our grilling.”

**Read more about:** [john tory](#), [metrolinx](#)

**TOP STORIES, DELIVERED TO YOUR INBOX.**