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Transit Review Public Information Centre – June 27, 2019 Highlights Report

This Report has been prepared by AECOM to provide the City of Toronto and the Toronto Transit Commission (TTC) with a snapshot of the feedback captured at the Public Information Centre (PIC) held on Thursday, June 27, 2019 in Toronto. The Meeting was the last in a series of four meetings that was held across the City of Toronto in June 2019.

Overview

On Thursday, June 27, 2019, the City of Toronto and the TTC hosted a PIC to inform the public about the Transit Responsibilities Review being undertaken by the City and the Province. The meeting was held from 6:30 p.m. to 8:30 p.m. at Toronto City Hall, located at 100 Queen Street West.

At the sign-in table, attendees were invited to sign up for the project mailing list and were notified of opportunities to provide their feedback via a comment form and through the online survey which will be open until August 31, 2019. The open house component of the meeting featured a series of 15 informational display boards and several handouts for attendees to view and take home. Attendees could move freely between display boards and speak with Project Team members from the City and TTC.

At 7:00 p.m., Alicia Evans (AECOM) welcomed attendees to the meeting and provided an introduction to the Transit Responsibilities Review. Scott Haskill (Manager of Project Development and Coordination, TTC) and James Perttula (Director of Transit and Transportation Planning, City of Toronto) provided a 30-minute informational presentation about Toronto's multi-billion dollar transit needs, including maintenance, operations, and transit expansion needs. The presentation also provided an overview of the current governance and funding model for transit in the City, the Province's proposed transit expansion proposal and the Province's two-part plan to upload the TTC subway system as described in the 2019 provincial budget. The presentation concluded with next steps and information on how to get involved and provide feedback.

Immediately following the presentation, attendees had the opportunity to ask questions and provided input related to the presentation topics in a 30-minute facilitated Question and Answer session (see **Appendix A** for the questions and responses). The presentation and Question and Answer session was also shared via a livestream to online participants.

The facilitated Question and Answer session was adjourned by Alicia Evans (AECOM) shortly after 8:00 p.m. The meeting adjourned at 8:30 p.m., after attendees had additional time to speak with members of the Project Team.

Eighty-two individuals signed into the PIC.

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Highlights of Participant Feedback

Several key themes emerged during the PIC, including:

- Concerns regarding how transit funding would be provided;
- Concerns regarding the upload of the transit system to the Province, and the potential impact on currently planned projects, funding and jobs/ roles;
- Concerns regarding the Provincial exertion of power and controls through Bill 107 and Bill 108 on transit projects, the impact on Environmental Assessments and related legislations including the *Planning Act*;
- Concerns regarding the negotiation process on transit responsibilities, and the relationship between the City and the Province;
- Concerns regarding current accessibility issues with the transit system and how the upload may impact these issues;
- Suggestion to build transit lines that connect with other existing lines;
- Suggestion to reserve transit lanes on the Gardiner Express and advance right-turn lights for vehicles beside cycling lanes;
- Concerns regarding the timing and future of the Relief Line/ Ontario Line with the Province now taking on the project; and
- Requests for clarification regarding City Council's position on the transit upload.

Next Steps

A summary report on the Phase 1 Consultation will be reported out in Fall 2019.

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Appendix A – Question and Answer

Details of the Question and Answer session that followed the presentation are provided below. To provide transparency for those not present at the meeting, the questions and answers received have been transcribed as much as possible.

Questions are noted with a “Q”, comments with a “C” and answers with an “A”. Answers were provided by James Perttula (City of Toronto) and Scott Haskill (TTC) unless noted otherwise.

Q1: Considering the speed at which the Province wants to upload their Transit Expansion Proposal, why is it taking staff until the fall to submit recommendations to City Council?

A1: The City and the TTC are currently working through the details of the Provincial Plan as there are aspects of the design that we are still attempting to understand and assess. We are also sharing information with the Province (Metrolinx) regarding the work that has already been done on the Relief Line South to help them determine which elements may be transferable. Similarly, earlier work that was conducted on the Scarborough Subway Extension (when we were considering three stops) is being shared.

Q2: I see the Provincial Transit Plan, but I do not see where the TTC employees are within this plan. Where do they stand in the upload?

A2: This is a very important element to the TTC. Publicly, the Province has stated that they intend to upload the asset and take ownership of the subway, but still have the TTC operate the service. The plan for the Eglinton Crosstown would also have a similar arrangement - the Province would own the asset, but the TTC would operate the service. The Province may use the Eglinton Crosstown model as a guide for the employment structure of the upload, but we do not have details at this time. Details regarding employment must be discussed between the TTC, the City and the Province.

C1: I appreciate the honesty in the backlog report¹. I wish we could also be honest about the language of the upload and call it a ‘theft’ or ‘taking’. Also, if we have a lack of funds, it would be beneficial for the City to state that the value of the Scarborough Subway Extension is not worth the high costs. We need to spend money on transit in Scarborough, but not with the subway extension.

R1: The City and TTC agree with being honest and transparent and our opinions should be behind all upload discussions. However, when it comes to the transit projects, the Province has taken control in deciding which projects will proceed. At this point, the City is working to educate the Province on the work that we have done; to help and advise them on their plans moving forward. In the end, TTC and City staff will provide City Council with thoughts on whether the Province’s Transit Expansion Proposal makes sense and if it should be supported by Council. We do not know what we will be recommending to Council as of yet, which is why we are

¹ This is in reference to the TTC’s 15-year Capital Investment Plan Report

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consulting the public and conducting studies currently, to come to a conclusion this summer/fall.

Q3: I am almost in anger and anxiety about the Province's Transit Expansion proposal. As a lifelong transit user, I have two specific concerns. First, the Province's proposal seems to be a rogue operation in violation of existing legislation and division of labour between the various levels of government. Is the City doing anything on a legal level to try to assert their rights to retain their own property? Second, are the protective legislations of the *Planning Act*, the *Environmental Protection Act*, and *Labour Relations Act* being enforced and considered in this process? I have seen nothing but instability coming from this; including bad transit service and a service that is going to cost us more with subsidized private owners. Profits that should be going into the development of the system are going into private hands.

A3: Regarding legal recourse, the City's legal staff have looked at different pieces of legislation that have been passed – Bill 107 in particular. It is within the Province's powers to enact legislation outlined in Bill 107. The City continues to challenge the changes that were made to the size of City Council and the ways the Province has intervened. We are in negotiations with the Province about the upload and cannot assume what the outcome will be. The City is working to point out the primary issues that need to be addressed around governance roles, responsibilities and funding. City Council has stated that they do not support the upload of the subway to the Province.

Q4: Given that cooperation by all three levels of government will be required to make something like this happen, what is the level of information sharing between the City and the Province? Is the absence of a Provincial representative at this public meeting indicative of the relationship that exists between the City and the Province?

A4: In terms of the broader negotiations around the upload of the subway – characterized as an extensive information sharing phase – the City has been working to compile information, much of which has been made public. We have also asked the Province for information and have been experiencing a relatively open information sharing process. The City cannot comment on motivations, but at a staff level, information sharing has been very cooperative and there have been many open discussions regarding the upload.

Q5: How will the upload impact accessibility on the TTC? Currently, the system is not very accessible. I think accessibility will get left behind if the Province takes over the system.

A5: If the Province is in the role of developing new rapid transit lines, the City expects that they would make them fully accessible as accessibility is required by law. The City has an extensive program in place to make all stations accessible by 2025 and every new vehicle purchased is accessible. We have a budget to allow for this and therefore expect that if the Province takes responsibility, they would carry out this plan. The City and TTC would help advise the Province on this. Improvements to the next generation of transit stations and vehicles will continue regardless of whom purchases or owns the asset.

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Q6: To what extent can the TTC work more closely with GO Transit and other regional transit providers to show both the Province and the public that the infrastructure and ownership is not the important aspect at the end of the day, but the seamlessness of the customer experience and quality that matters most?

A6: The City agrees that as an integrated system, we must work closely as a system, and with our regional partners and GO Transit. At a staff level, there has always been work to ensure services provide good connections. Metrolinx is planning to lead an extensive service and fare integration process designed to identify potential benefits of further aligning services, and where we can connect better in the future. Every GO station in Toronto (except for one) has a good connection to the existing TTC network, which we expect would continue. Regardless of who owns the asset, we as transit agencies work together as partners to ensure connectivity for customers.

Q7: There is Federal pressure to hire a Canadian company when purchasing new transit vehicles. But Bombardier is not delivering, and when they do deliver, their products are subpar. Does the TTC have a plan that goes beyond the pressures of the government to not use Bombardier and go with another vendor?

A7: Bombardier is now on track with their delivery. They are expected to deliver all streetcars by the end of this year and every indication so far is that they will meet their goal. It is correct that Bombardier has been behind over the life of the contract, but the most recent agreement was to ensure the streetcars would arrive by the end of this year. The TTC has identified the need to buy 204 streetcars and up to another 60 -100 more but in the Capital Investment Plan we have indicated that there is no money to do so. At this point, we expect we would go to the market and put out tenders, which means we would not get additional streetcars delivered for a number of years.

Q8: Why do some people think that there might be a problem with uploading public transit to the Province?

A8: There are different opinions about whether the upload is good or bad. If you look at the City's online survey, you will see that we are interested in receiving a variety of perspectives. The position we are putting forward is based on the position that City Council has taken; City Council does not support the upload and has instructed City staff to engage in conversations regarding the roles and responsibilities, planning, governance and funding of the system first. These topics are very important, and we can achieve many objectives in terms of building out the network without necessarily dealing with an upload.

C2: I want to propose that we have public hearings with the 13 transit bodies and the Ontario government present. Everyone here deserves to know the truth about transit.

Q9: Regarding the Terms of Reference, I understood that keeping the farebox on the subway was the Province's idea. However, there is more revenue generated from advertisements, BIA contracts, etc., than the subway. Therefore, I am puzzled about what the point of ownership is, as it seems like the owner would set the budget. As a result, elements such as safety standards, maintenance and change in service frequencies would be determined by the owner. They set the budget, and they will tell us how much

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we will be able to spend. Why is the Province interested in ownership unless it means that they will determine the budget?

A9: One of the issues presented for justification of ownership has to do with the ability of the Province to fund the system. If they own the asset they will be able to amortize their investment – similar to a mortgage. This is, in part, how the Eglinton Crosstown arrangement came to be. We do not currently know what controls this would give the Province over budgets, costs, or retention of revenue, as it is still subject to negotiation. The City does not know what the Province's intentions are but the Premier has publicly mentioned wanting to expedite some transit projects.

Q10: There seems to be a lot of confusion and doubt about how transit will be delivered. The Province had cut funding in the 1990s and have left the TTC in a state of disrepair, with \$40 billion in deficiencies. It is a serious issue and there are no real answers being provided. Where are the representatives from the Province to answer our questions?

A10: You are correct that there is no representative here from the Province to answer these questions. The City and TTC expect to continue to operate an excellent transit system. How the upload is handled is subject to negotiations that have not yet been finalized.

Q11: Going back to Bill 107, Section 47, Sub-Section 9 that states that the Provincial government can overrule any laws that they do not want to apply to an existing rapid transit line, without passing a bill. Has the Province stated how they will apply this specifically to developments on top or located on rapid transit routes? How would this impact the *Planning Act*, *Environmental Assessments* or other pieces of legislation?

A11: The Province introduced Bill 107 and Bill 108 at the same time. The Bills make many changes to planning, development charges, and a number of related pieces of legislation and other responsibilities of municipal government. The City has no indication from the Province about how they may use Section 47 in Bill 107. Metrolinx will be undertaking the Environmental Assessments; including amendments or addendums to Environmental Assessments that will be necessary for the Ontario Line and Line 2 – East Extension. The City has had conversations with Metrolinx regarding their market driven approach. This started with their new GO stations whereby they are looking for third-party investors to cover the costs of building new stations and to create development that also integrates the building of the station. Metrolinx is looking at a similar approach for parts of the Ontario Line and Line 2 – East Extension and has confirmed that development related to the Mimico GO station would still require City planning approval. The City does not know whether the Province/ Metrolinx will use the powers to exempt developments from municipal planning approvals in other projects.

Q12: I would like to know if the King Street situation with no vehicle traffic is still a pilot project or a final decision? I would also like to know what the reason for the Presto Card was.

A12: One month ago, City Council approved the King Street project, therefore making it a Transit Priority Zone. There is vehicular traffic on King Street, but no through traffic. Regarding Presto, approximately nine years ago, the TTC was ready to go to the market with open payments of an electronic card fare system but were persuaded by the Province to adopt the Presto Card instead. Like any other electronic system, it will continue to evolve. The problems

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currently being experienced with Presto will eventually be resolved, and within a few years we will likely be in the next generation of electronic fare payments.

Q13: I think a lot of people are here because the TTC Riders invited them to attend. How many people here think that Ford's plan to disregard the City's Transit Plan and take control of our system is going to be a disaster for public transit in Toronto? People are here because they are upset and confused. What is the City's position and what is it going to take for them to fight back against the Province? In December, City Council voted to keep Toronto's transit system in public hands. This consultation was launched to advertise this position, but if you walked into the room you would have no idea that City Council has voted to oppose the Province's Transit Expansion Proposal, that Ford has cut \$1 Billion from our public transit system, that Eglinton East is off the map, and that the Ontario Line is at 2% design. What is the City's real position and what is it going to take for them to say this is a bad deal for Toronto?

A13: You are correct that City Council does not support the upload. Considering the Province's recent actions and the introduction of Bill 107, City Council authorized the City Manager and CEO of TTC to engage in negotiations with the Provincial Advisor of the subway upload in efforts to persuade the Province away from proceeding with the upload. The purpose of the negotiation is to examine issues of governance, roles and responsibilities, and establish stable funding resources to help ensure the objectives for the system are achieved without an upload. However, given the current progression of Provincial actions on the upload both City Council and the City Manager agree that regardless of the outcome, the City must be at the table to advance our interests. To address this, we are assessing the Province's Transit Expansion proposal to determine whether aspects meet City objectives. The results of the assessment will determine what we recommend to Council. There is no guarantee that we will be allotting funds to all the transit projects that the Province has identified.

Q14: I am all for negotiations and trying to persuade the Province, but what if we do not come to an agreement that is technically the best option for the City and the citizens? What are the next steps? What can citizens do? What are our legal resources?

A14: As a citizen, you can provide comments and raise your concerns by using the Comment Form, the online survey and talking to your local Councillor or MPP. The City has developed four reports in the last six months based on conversations with the Province, to keep City Council informed, and will update Council on public consultations. As negotiations unfold, City staff will continue to keep City Council informed and seek direction on how to make recommendations regarding the upload. As negotiations are still taking place, the City does not know the outcome at this time.

Q15: I would like to discuss some of the numbers. I am concerned that only 30% of the funding over the next 15 years is available. How can we guarantee the maintenance of current rapid transit in the City and look to plan for future development?

A15: The City and TTC can guarantee the maintenance of the system by knowing what we must maintain and having an inventory of what is needed, ensuring good project controls and understanding what we must do to deliver a system that meets the needs of users. When it comes down to funding and implementing the necessary changes to ensure the long-term maintenance of the system, there is only limited funding available. Allocation of funding is often project-based and directed toward highest priority projects. The gap in funding is due to an

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absence of predictable and stable funding resources. Much of the current funding is derived from Federal and Provincial programs, and presently we are in the second phase of a Federal funding program related to capital expansion and transit. The 15-year Capital Investment Plan (CIP) was developed to provide an overview of the TTC's state of good repair needs, and guide discussions with senior levels of government and funding partners. The CIP is designed to help guide the path toward fiscal sustainability and predictability for us to ensure secured funding is available to plan for our maintenance requirements. The City is trying to push both the Federal and Provincial governments to identify a more stable approach to funding as opposed to a series of funding programs every few years.

C3: In the 1920's, the Province downloaded the TTC to the Municipality, while Metrolinx was only established in 2006. So why would I take advice from my 13-year-old child about what we should be doing to our transit system, when the TTC has been operating, maintaining and financing the system for 100 years? I do not think the Province has any business being part of our transit system. Why are they only trying to take over the subway which generates all the revenue and not taking over the entire system?