

Clause 5 in Report No. 8 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on May 25, 2017.

5

Toronto-York Spadina Subway Extension Operations and  
Maintenance Agreement

Committee of the Whole recommends adoption of the following recommendations contained in the report dated April 25, 2017 from the Commissioner of Transportation Services:

1. Council authorize the Region to enter into the three proposed agreements with the Toronto Transit Commission related to the Toronto-York Spadina Subway Extension:
  - a) Operations and Maintenance Agreement for the subway extension into York Region; this agreement would identify day-to-day responsibilities between York Region Transit and the Toronto Transit Commission pertaining to the subway, Pioneer Village and Vaughan Metropolitan Centre bus terminals, and vivastation, pedestrian connections, passenger pick-up and drop-off and parking facilities.
  - b) Mutual Easement and Shared Facilities Agreement for the Vaughan Metropolitan Centre Bus Terminal and subway connection addressing property rights, long-term life cycle responsibility of facilities, supporting structures and cost sharing at property lines.
  - c) Mutual Easement and Shared Facilities Agreement for the Vaughan Metropolitan Centre vivastation and subway connection addressing property rights, long-term life cycle responsibility of facilities, supporting structures and cost sharing at property lines.
2. The Commissioner of Transportation Services be authorized to execute the necessary documents.

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Report dated April 25, 2017 from the Commissioner of Transportation Services now follows:

## 1. Recommendations

It is recommended that:

1. Council authorize the Region to enter into the three proposed agreements with the Toronto Transit Commission related to the Toronto-York Spadina Subway Extension:
  - a) Operations and Maintenance Agreement for the subway extension into York Region; this agreement would identify day-to-day responsibilities between York Region Transit and the Toronto Transit Commission pertaining to the subway, Pioneer Village and Vaughan Metropolitan Centre bus terminals, and vivastation, pedestrian connections, passenger pick-up and drop-off and parking facilities.
  - b) Mutual Easement and Shared Facilities Agreement for the Vaughan Metropolitan Centre Bus Terminal and subway connection addressing property rights, long-term life cycle responsibility of facilities, supporting structures and cost sharing at property lines.
  - c) Mutual Easement and Shared Facilities Agreement for the Vaughan Metropolitan Centre vivastation and subway connection addressing property rights, long-term life cycle responsibility of facilities, supporting structures and cost sharing at property lines.
2. The Commissioner of Transportation Services be authorized to execute the necessary documents.

## 2. Purpose

The Spadina Subway extension into York Region is planned to be operational in December 2017. This report seeks Council's authorization for York Region to enter into three separate proposed agreements with the Toronto Transit Commission relating to the Toronto-York Spadina Subway Extension focusing on daily operations and property responsibilities.

Legal Services has confirmed that the Delegation Bylaw would not apply to these agreements and Council authorization is needed for the Region to enter into these new agreements.

### 3. Background and Previous Council Direction

In December 2017, the Toronto-York Spadina Subway Extension into York Region is scheduled to be operational

[In June 2007](#), Council authorized the Region to execute an Operations and Maintenance Memorandum of Understanding (MOU) for the Toronto-York Spadina Subway Extension project with the City of Toronto, Toronto Transit Commission (TTC) and Metrolinx/GO Transit.

The MOU set the principles for a future Operations and Maintenance Agreement that is to be executed prior to the opening of the subway. The MOU also indicates the TTC will run the same service frequency in York Region as they do in Toronto. This will be captured in the new Operations and Maintenance Agreement.

A map depicting the Toronto-York Spadina Subway Extension is shown on Attachment 1.

A new Operations and Maintenance agreement is required to be executed prior to the launch of the subway extension

Staff has negotiated the terms and conditions related to the operations and maintenance of the subway and associated facilities.

The agreement identifies day-to-day responsibilities and shared costs between YRT/Viva and the TTC pertaining to the subway, Pioneer Village and Vaughan Metropolitan Centre bus terminals, the Vaughan Metropolitan Centre vivastation, pedestrian connections, passenger pick-up and drop off areas, and parking facilities.

Two Mutual Easement and Shared Facilities Agreements are required to address jointly owned property lines, demarcation, maintenance, costs and ownership between York Region and the TTC

Through the drafting of the Operations and Maintenance Agreement, it was also identified that two Mutual Easement and Shared Facilities Agreements are needed between York Region and the TTC.

The Agreements would address ownership of structures at property lines and identify property rights, long-term life cycle responsibilities, and cost sharing of the supporting structures. The shared supporting structures are located between:

1. Region-owned Vaughan Metropolitan Centre Bus Terminal and the TTC subway station
2. Region-owned Vaughan Metropolitan Centre vivastation (below-grade) on Highway 7 and the TTC subway station

There is an existing agreement between York Region and Metrolinx where Metrolinx owns the above-grade asset of the Vaughan Metropolitan Centre vivastation.

A drawing depicting the Vaughan Metropolitan Centre Bus Terminal, vivastation and subway line is shown on Attachment 2.

#### 4. Analysis and Implications

The Operations and Maintenance Agreement identifies roles, responsibilities and shared costs between York Region and the TTC for the day-to-day work needed to deliver a quality service for travellers

Table 1 identifies property ownership for the subway line in York Region between York Region, the TTC and Metrolinx.

**Table 1**  
**Property Ownership**

York Region	TTC
<ul style="list-style-type: none"><li>• Pioneer Village Bus Terminal and passenger pick-up and drop-off area</li><li>• Vaughan Metropolitan Centre Bus Terminal and Highway 7 vivastation (below-grade)</li></ul>	<ul style="list-style-type: none"><li>• Pioneer Village Subway Station and Commuter Parking Lot</li><li>• Vaughan Metropolitan Centre Subway Station</li><li>• Highway 407 Subway Station and Commuter Parking Lot</li></ul>

York Region recently transferred ownership of the Highway 407 Bus Terminal and passenger pick-up and drop-off area to Metrolinx. In addition, Metrolinx is responsible for asset management of the above-grade portion of the Vaughan Metropolitan Centre vivastation including asset preservation and replacement.

The agreements in this report do not pertain to the Metrolinx-related assets as they will be managed through earlier agreements with Metrolinx.

The new Operations and Maintenance Agreement is in line with existing agreements between York Region and the TTC

YRT/Viva has been coordinating transit services with the TTC since 2001. Services operating under existing agreements include Finch Subway Station, Downsview Subway Station and Don Mills Subway Station.

The terms and conditions of the new Operations and Maintenance Agreement outline service-related requirements. At a high-level, Table 2 outlines the areas of responsibility between York Region and the TTC under the new Operations and Maintenance Agreement.

**Table 2**  
**Operations and Maintenance Agreement Areas of Responsibility**

Activity	York Region	TTC
Region-owned bus terminals and pedestrian connections	✓	
Subway stations and subway operations		✓
Security and law enforcement	✓	✓
Maintenance and repair activities	✓	✓
Coordination of bus service with the subway	✓	✓
Scheduling of subway service		✓
Commuter Parking Lots		✓
Pioneer Village Station passenger pick-up and drop-off area	✓	

The Vaughan Metropolitan Centre passenger pick-up and drop-off area will be maintained by the City of Vaughan as per an existing agreement.

In order to provide a consistent level of service and minimize costs at the Pioneer Village Station, the Operations and Maintenance Agreement would include provisions for the Region to maintain designated exterior maintenance on both

the Region and TTC properties. The TTC would compensate the Region for their proportionate share.

Two Mutual Easement and Shared Facilities Agreements are required for connections at Vaughan Metropolitan Centre Bus Terminal and vivastation

The two Mutual Easement and Shared Facilities Agreements would address long-term infrastructure responsibilities at the property lines between York Region and TTC-owned property. The two agreements below are currently being negotiated between York Region and the TTC:

- Vaughan Metropolitan Centre bus terminal and the TTC subway station
- Vaughan Metropolitan Centre vivastation (below-grade) on Highway 7 and the TTC subway station

The TTC routinely implements these agreements between themselves and private land owners where a subway station connects with private property.

In these Agreements, York Region and the TTC will grant each other the necessary rights to operate and maintain their respective structures, and permit the flow of pedestrian traffic. The Agreements will be registered on title. Both Agreements are subject to Council approval and would be executed by the Commissioner of Transportation Services upon satisfactory completion.

Terms and conditions of these agreements are anticipated to address:

- York Region and TTC responsibilities associated with the connection points
- Potential joint YRT/Viva and TTC responsibilities related to asset management of the facility structure in the area of the property lines

Metrolinx will own the above-grade asset of the Vaughan Metropolitan Centre vivastation through prior agreement with York Region.

Execution of the two Mutual Easement and Access Agreements are scheduled prior to launch of the Toronto-York Spadina Subway Extension.

## 5. Financial Considerations

The TTC would be responsible for all operating and maintenance costs associated with the Toronto-York Spadina Subway Extension, including the section in York Region

The TTC would be responsible for the maintenance, repair and operating costs associated with the subway service and subway stations, including the segment in York Region. To offset some of the operating costs of the subway, the TTC would receive all fare revenues from customers using the subway service.

The Region would be responsible for all non-track and train-related operation and maintenance costs at the Pioneer Village Bus Terminal, Vaughan Metropolitan Centre Bus Terminal and vivastation

The estimated annual cost to operate and maintain the transit terminals at Pioneer Village Station and Vaughan Metropolitan Centre, including the Vaughan Metropolitan Centre vivastation, is \$642,000. Sufficient funds are included in the 2017 approved budget and 2018 outlook.

Metrolinx will be responsible for the above-grade assets of the Vaughan Metropolitan Centre vivastation including long-term capital costs for rehabilitation and replacement. York Region is responsible for operation and maintenance costs, as noted above, for both the above- and below-grade assets of the Vaughan Metropolitan Centre vivastation.

At Pioneer Village Station, the Region and TTC will each own the lands for their respective facilities. YRT/Viva would maintain the landscaping and winter maintenance for all lands at Pioneer Village Station. The TTC would compensate YRT/Viva for work performed on property owned them.

A drawing depicting the Pioneer Village Station is shown on Attachment 3.

## 6. Local Municipal Impact

The Toronto-York Spadina Subway Extension provides high-capacity and quick transit service to and from York Region. YRT/Viva services will be realigned to improve access to the three subway stations in the Region.

## 7. Conclusion

The proposed agreements formalize the rights and obligations identified in the 2007 Council approved MOU between the TTC and the Region. The agreements are necessary as they identify responsibilities and coordination of services between TTC and YRT/Viva services relating to the Toronto-York Spadina Subway Extension.

For more information on this report, please contact Rick Takagi, Director, Transit Operations at 1-877-464-9675 ext. 75624

The Senior Management Group has reviewed this report.

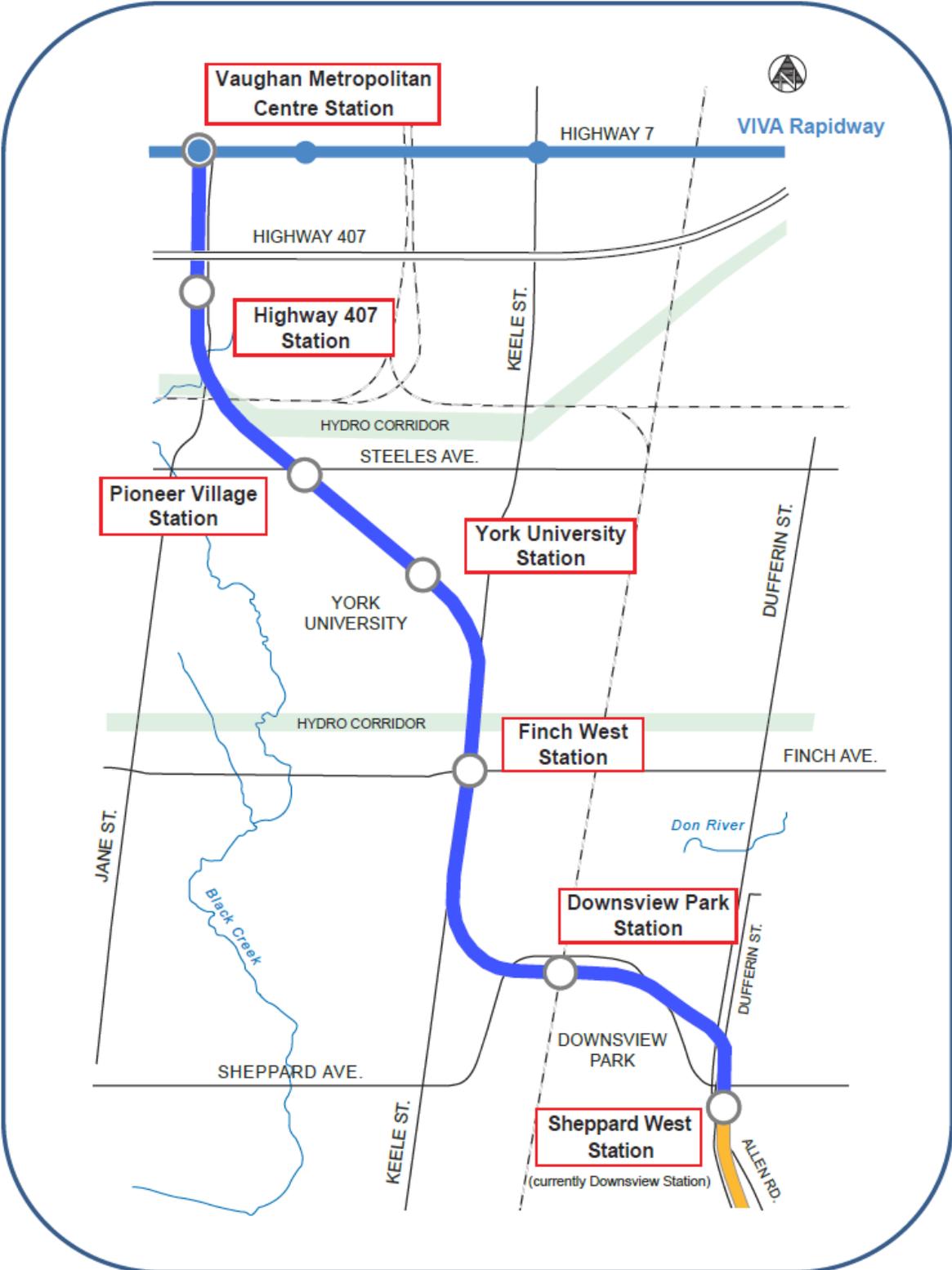
April 25, 2017

Attachments (3)

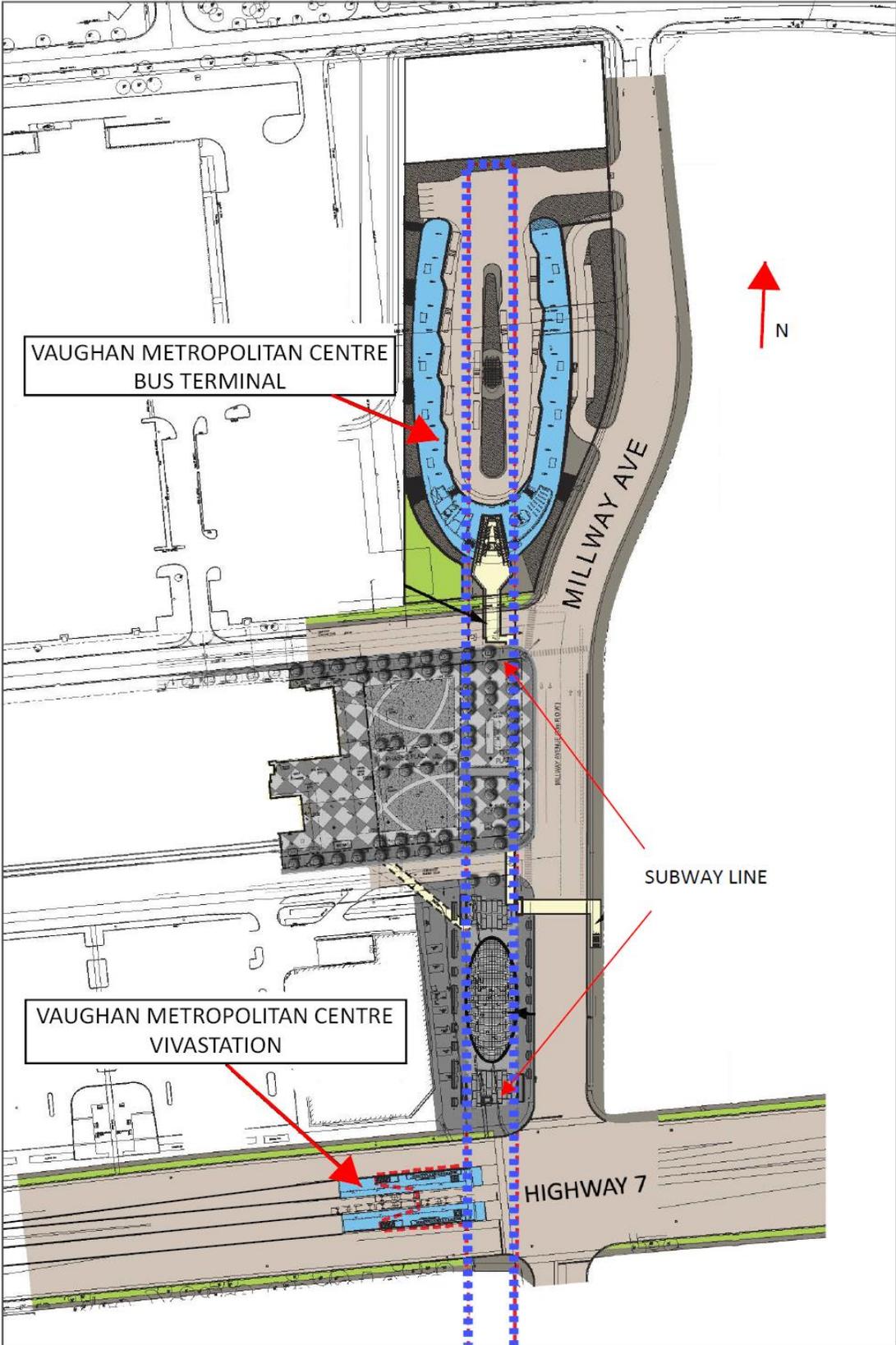
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Accessible formats or communication supports are available upon request

### Toronto-York Spadina Subway Extension



# Vaughan Metropolitan Centre Vivastation



### Pioneer Village Station

