

Bill 171 Submission number 16026, June 10, 2020

Rosemary Waterston, 336 Logan Ave, Toronto, ON, M4M 2N7

Thank you for the opportunity to contribute to the goal that we all share – building the best transit system for Toronto. I have three areas of concern about bill 171 pertaining to the Ontario Line. These concerns may also apply to the three other transit projects but are particularly relevant to the portion of the Ontario Line between Gerrard Street and the Don River.

1. Expropriation:

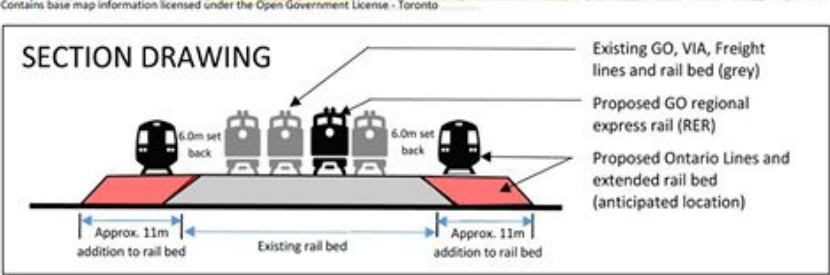
Bill 171 eliminates hearings of necessity for expropriations of property relevant to this transit project. This means owners of expropriated properties won't be allowed a hearing to receive information and to raise objections. Given the unresolved problems with the current Ontario Line plan along the rail corridor it would be a grave overstep to allow expropriations without the recourse and oversight provided by hearings of necessity. This is even more important because of the decision to not conduct a full TPAP EA for the Ontario Line.

2. Obstruction removal:

Under Bill 171 the Minister has the power to alter or remove a *“structure or vegetation on or under or within 30 meters of transit corridor land.”* While thankfully the bill does not permit the removal of a building without notice, it DOES permit the removal of **part** of a building if an agreement has not been reached by 30 days after the obstruction removal notice is served.

Given its location right beside the rail corridor I fear for the future of Jimmie Simpson Community Centre. This map and photo shows how the back of the centre almost touches the rail corridor at Queen and McGee. Under this provision of bill 171 the rear part of this crucial community resource could be removed without any recourse. There is certainly no doubt that the surrounding parkland will be reduced - a terrible loss in a community that is in the second lowest tier of parkland per resident in Toronto.

Preliminary Scoping of Community Health Impacts (Formal impact study not done)





Queen and McGee facing Jimmie Simpson Community Centre that abuts the Rail Corridor.



Jimmie Simpson Park (Rail corridor on left behind the trees.)

3. Administration and enforcement: Delegation to Metrolinx

Under Bill 171, 59 (1) The Minister may delegate their functions in whole or in part to Metrolinx who, in turn under 61 (1) may delegate its functions under Part IV to other entities. The goal is *“streamlining the process... while enhancing coordination and engagement...”* That’s a great goal but, given community interactions with Metrolinx so far, I have no faith that Metrolinx will accomplish it.

I ask that you amend Bill 171 so that no project contracts allow the effective delegation of ministerial powers to a private contractor

Even in the preliminary work to date Metrolinx has been terrible about keeping our neighbourhood informed much less “engaged”. We still don’t know:

- The final route
- How they will add three more tracks to the elevated rail corridor
- How they will mitigate the noise of trains passing through a residential neighbourhood every 90 seconds
- Where the Leslieville station will be located
- How the parkland destroyed will be replaced

I have attended numerous Open Houses, sent feedback and joined the local CAC to try to engage with Metrolinx. I want to understand their plans, share our community’s concerns and help ensure this project is built right.

I am not alone.

In the fall of 2019 Toronto’s Executive Committee voted to request Metrolinx to *“... consider options for constructing further portions of the Ontario Line underground...”*

More than a thousand people attended Open Houses and gave feedback on their plan. Hundreds expressed concern with using the elevated rail track between the Don River and Gerrard Street and how it would impact parks. Many asked Metrolinx to reconsider the idea of running this portion underground.

At the Open Houses Metrolinx posters said they were *“exploring conceptual designs to determine the optimal configuration of below-grade, at-grade and abovegrade tracks.”*

However, Metrolinx recently finally admitted that they are NOT exploring a below-grade configuration in this section. This option has never been considered even though they told people at the Open House that it was and Toronto city council asked them to do so. This makes a mockery of the process of community consultation.

Metrolinx says using the existing rail corridor will save money and speed up construction.

The idea that this will cost less than the original Downtown Relief Line has not been proven because the cost comparison has not been made. The claim that it will be done faster is false since the Downtown Relief Line was shovel ready when it was shelved. Construction would have already started on that fully funded project by now.

The NOISE and VIBRATION Ontario Line material states:

A combined impact assessment will be completed for GO Rail and subway where they run in parallel. Modelling is currently underway, and the results of the impact assessment and proposed mitigation measures are expected to be shared at upcoming public meetings.

What is the recourse for the community if the information is not forthcoming or we have problems?

The NATURAL ENVIRONMENT Ontario Line material makes vague statements. In contrast, the Eglinton LRT section of the Metrolinx website promises to abide by regulatory requirements:

... environmental personnel will be on site to ensure tree removal and protection is carried out in accordance with regulatory requirements.

All removals have been approved by the City of Toronto and Toronto and Region Conservation Authority (TRCA). Upon the completion of the Crosstown LRT, new trees will be planted in place of the removed ones."

I would like to see the same promise of oversight in the material about the Ontario Line. Look again at the map above. Trees and essential parkland will be destroyed. In a dense neighbourhood this is not acceptable and could be avoided by running this section underground.

Metrolinx has a terrible record in terms of Community Consultation. Their website says: *"Submit your question below. We'll post an answer to your question in 48 hours."*

<https://www.metrolinxengage.com/en/content/ask-question-ontario-line#comment-form>

The last response to a question appeared March 9th – three months ago. How can the government delegate responsibility for responding to the public to an organization that blatantly disrespects the citizens who make the effort to ask questions? Before you pass Bill 171 please take the time to read the comments and questions posed to Metrolinx and think again about whether this corporation deserves to be the face of our government.

In another section of the website it says: *"You can always share thoughts, questions or comments on the project by emailing ontarioline@metrolinx.com"* but the messages I and others have sent to this address result in only a boiler plate "your opinion matters" response. This is unacceptable. When Steve Munro, a well-respected transit advocate, submitted a thoughtful question about the alignment/elevated portion on May 14th he received this reply: *"We have nothing else to provide at this point as the project details are still being finalized and the preliminary design business case has yet to be released."* This lack of transparency is unacceptable.

The Ontario Line project is barely underway and we already have had problems with drilling crews operating without notice. If Bill 171 is passed, how will we deal with these issues? I want to be able to call an elected official to report problems, not a private company employee.

I ask that the committee amend Bill 171 to require:

- Minister/Metrolinx must publish information about construction impacts on the community, and keep it updated
- Minister/Metrolinx, in consultation with community, must set standards for construction impacts (eg: noise, dust, road access, utility service disruptions, access to store entrances, etc) and lay out consequences for failure to do so
- Minister/Metrolinx must establish a construction working group that includes local stakeholders to exchange advice and information during construction
- Minister/Metrolinx must coordinate with City of Toronto on construction permits, work orders, and access to municipal services/rights of way
- Minister/Metrolinx must ensure access to a responsible person to address community concerns about construction or access to municipal services/rights of way

I do not want our elected officials to download responsibility for this important transit project to Metrolinx and am appalled to think Metrolinx will have the ability to delegate their responsibility to third-parties. I believe the plan for this section of the Ontario Line will be changed once the flaws in the idea of running this section along the existing rail corridor are exposed. Take a closer look before more money is spent and more time is wasted.