

## **PROVINCIAL STATEMENT OF INTENT RELATED TO THE ARRANGEMENT TO SUPPORT ACCELERATING TRANSIT DELIVERY**

The Province of Ontario (the “Province”) and the Regional Municipality of York (the “Region”) (collectively, the “Parties”) acknowledge that the accelerated delivery of major transit capital projects is a shared objective and responsibility.

- The Province and the Region are mutually committed to working together to expedite, where possible, the implementation of transit projects, by addressing the common drivers of cost, schedule, resource and quality risks.

To this end, the Province intends to continue to engage its municipal partners, including the Region, to pursue opportunities to accelerate the planning, design and construction of the four provincial priority transit projects included in Ontario’s ‘*New Subway Transit Plan for the Greater Toronto Area (GTA)*’, namely:

- The Ontario Line;
- The three-stop Scarborough Subway;
- The Yonge North Subway Extension (the “YNSE”); and,
- The Eglinton Crosstown West Extension.

Hereafter, the priority transit projects featured in Ontario’s ‘*New Subway Transit Plan for the GTA*’ shall be referred to as the “Provincial Projects.”

As such, this “Provincial Statement of Intent Related to the Arrangement to Support Accelerating Transit Delivery” is being provided by the Province to the Region, in order to establish the scope and an accompanying collaborative framework/process to be deployed by the Parties, in respect of the set of mechanisms proposed by the Province through the *Building Transit Faster Act, 2020* (the “Act”). The Act, if passed, would help enable the implementation of the Provincial Projects in accordance with their publicly-committed schedules/timelines.

Moreover, this statement reflects the provincial intentions and commitments – articulated by the Province to the Region during consultation convened through meetings of the ‘Ontario-York Region Executive Steering Committee’ over the course of fall 2019/winter 2020 – in relation to the suite of tools proposed through the Act, which the Province introduced to the Legislature on February 18, 2020.

In pursuing these proposed tools, the Province further intends to adopt a “collaboration first” approach with the Region, underpinned by the following provincial commitments outlined in the proposed Act:

- The proposed Act would apply solely to the Provincial Projects;
- Authority with respect to planning and construction of the Provincial Projects would rest with the Minister of Transportation, unless appropriately delegated to an applicable provincial public sector entity;
- The tools proposed by the Province are primarily envisioned in their application as backstops/safeguards, in the event that cooperation or negotiation between the Province and its municipal partners does not result in an adherence to the committed schedules for the Provincial Projects; and,
- Some of the provincially-proposed tools would enable the Province to eliminate some constraints, in order to meet the committed timelines associated with the Provincial Projects.

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Furthermore, with respect specifically to the delivery of the YNSE, the Province commits to proactive and good faith collaboration with the Region through a mutually-developed and structured engagement process – guided by an overarching Ontario-York Region governance framework that leverages the existing ‘Ontario-York Region Executive Steering Committee’, and ensures the facilitation of input from the lower-tier municipalities of the Region through which the YNSE will be constructed – aimed at:

- Establishing – and reflecting, in practice – the shared objectives and responsibilities of the Parties.
- Ensuring that, through the engagement process and subject to provincial approvals, the Province provides to the Region the proposed project plans, schedules and procurement timelines related to the YNSE.
- Developing new protocols to support the implementation of the provincially-proposed mechanisms, and to streamline current processes and approvals, where possible.
- Reviewing and assessing the impacts and outcomes that may be attributed to the mechanisms proposed in the *Act* to accelerate project delivery. Such an exercise would identify lessons learned and, as necessary, potential refinements to specific tools.
- Jointly investigating and considering other opportunities and measures – both existing and new – that could help the Parties to expedite the implementation of major transit capital projects that are shared priorities.

Consistent with the above, the proposed *Act* would provide the Province with the tools to expedite the planning, design and construction process that has delayed major transit projects in the past. If passed, then, this legislation would enable the Province to deliver on the implementation timelines to which it is committed in respect of the Provincial Projects, by:

- Relocating utilities more efficiently, while treating businesses fairly, and ensuring costs are not passed on to consumers;
- Ensuring the assembly of land for the Provincial Projects that is required to construct stations, conduct tunneling and prepare sites, while treating property owners fairly;
- Ensuring timely provincial access to municipal services and rights-of-way;
- Allowing the Province to inspect and remove physical barriers to construction with appropriate notification to property owners; and,
- Ensuring nearby developments or construction projects are coordinated, so they do not delay the delivery of the Provincial Projects.

Finally, building upon the YNSE-specific consultation that has occurred to date through the ‘Ontario York Region Executive Steering Committee’, the Province commits to continue:

- The discussions regarding the details associated with the above-noted suite of tools and mechanisms proposed through the *Act*; and,
- To develop, in partnership with the Region, the joint protocols and procedures to be applied pursuant to the aforementioned Ontario-York Region engagement process and governance framework.