



CITY OF HAMILTON

OFFICE OF THE CITY MANAGER

and

PUBLIC WORKS DEPARTMENT

Environment and Sustainable Infrastructure Division

Transportation, Energy and Facilities Division

and

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

Strategic Services and Special Projects Division

and

FINANCE AND CORPORATE SERVICES DEPARTMENT

Financial Planning and Policy Division

TO: Mayor and Members General Issues Committee	WARD(S) AFFECTED: CITY WIDE
COMMITTEE DATE: October 13, 2011	
SUBJECT/REPORT NO: Conventional, Rapid and Inter-Regional Transit: Technical, Financial and Land Use Considerations (CM11016/PW11064/PED11154/FCS11072) - (City Wide)	
SUBMITTED BY: Chris Murray, MCIP, RPP City Manager Gerry Davis, CMA General Manager Public Works Department Tim McCabe General Manager Planning and Economic Development Department Roberto Rossini General Manager Finance and Corporate Services Department	PREPARED BY: Don Hull (905) 546-2424 Extension 1860 Justin Readman (905) 546-2424, Extension 1473 Carla Ippolito (905) 546-2424, Extension 2448 Christine Lee-Morrison (905) 546-2424, Extension 6390 Bill Janssen (905) 546-2424, Extension 1261 Chris Phillips (905) 546-2424 extension 5304

RECOMMENDATION

- (a) That Senior Management Team be authorized and directed to complete the works itemized below for the B-Line and the A-Line (as outlined in Tables 1, 2 and 3 within this report), given that the work currently underway as part of the Contribution Agreement alone is not sufficient and understanding that, prior to making any funding recommendation on Light Rail Transit, Metrolinx requires completion of all of the following works including:
 - i) All deliverables relating to the Contribution Agreement between the City of Hamilton and Metrolinx (attached as Appendix E)
 - ii) The project benefit and cost report (*Making the Case* as described in Table 2)
 - iii) Maintenance Storage Facility analysis and Environmental Assessment, B-Line Phasing Strategy, Electromagnetic Field Study at McMaster University, A-Line Terms of Reference for Planning, Design and Engineering and Infrastructure Ontario Value for Money Exercise
- (b) That Senior Management Team be authorized and directed to negotiate with Metrolinx a funding formula to complete the above works at an upset limit of \$950,000 in combined staff and consulting services, and that any resulting City portion be funded from the Quick Wins Reserve # 108047.
- (c) That the General Manager, Finance and Corporate Services report back to General Issues Committee with financial impacts and a funding strategy for Council consideration when a funding commitment for a Light Rail Transit project is announced by senior levels of government.
- (d) That Staff be authorized and directed to pursue further Metrolinx funding to purchase additional 18.2 metre (60-foot) hybrid articulated buses to immediately address capacity shortfalls in the A-Line and B-Line corridor, while the longer term plan, including rapid transit, is under development.
- (e) That the General Manager of Planning and Economic Development complete the B-Line Nodes and Corridors Land Use Planning Study and give priority to the completion of node and/or corridor plans for James Street and Centennial Parkway in recognition of the planned GO Transit stations at James Street North and Centennial Parkway, as part of a long term Nodes and Corridors Planning Work Program.
- (f) That Senior Management Team develop an organizational structure and community engagement strategy to support, over the long term, an integrated public transportation program for the City that encompasses provincial, inter-regional, inter-city, rapid transit, public transit, active

transportation and transportation demand management no later than Q1 2012. Should this exercise conclude that additional staff complement and or budget is required, SMT is directed to report back to General Issues Committee prior to implementation.

- (g) That the City Manager be authorized and directed to correspond with Metrolinx to reaffirm the City's commitment to modernizing public transportation in the City of Hamilton including light rail and GO transit.

EXECUTIVE SUMMARY

Alternatives for Consideration - See Page 28

This report is provided to update Council on staff recommendations presented in predecessor report (PW08043d) in which staff received authorization and direction to undertake planning, design and engineering activities related to the development of Rapid Transit for Hamilton. *[See Historical Background section of this report]*

The purpose of this report is:

- To update Council on the status of the Rapid Transit Planning, Design and Engineering initiative;
- To seek Council support and direction to complete necessary works in partnership with Metrolinx over the next 12 month period that will allow Council and the Province to make informed decisions with respect to the strategic priority of Rapid Transit development for the City of Hamilton in the context of the overall priorities and funding availability of the City and Province, over time;
- To consider acceleration of HSR service development plans in the A-Line and B-Line corridors; and,
- To express support of enhanced regional public transportation integration throughout the Golden Horseshoe.

The report also provides updates for Council on related current activities involving further GO Transit integration and conventional transit (HSR) initiatives as they relate to the development of the public transportation network in Hamilton.

The report responds to Council's request for updated financial impact information on the costs associated with an LRT system for Hamilton.

The City's Transportation Master Plan reflects the approved nodes and corridors land use structure for the City and relies on aggressive transit improvements and an urban fabric with a high degree of connectivity.

As Hamilton grows, there will be a need for higher-order/rapid transit to ensure efficient and effective connectivity for citizens who want to move throughout the city and connect to inter-regional travel modes. Successful planning for higher-order transit must be completed through an integrated approach which includes planning for other travel modes (walking, cycling, conventional transit, cars and goods movement), land use planning and financial analysis.

Recommendations presented in this report ensure that the long term practice of integrated planning continues as the Rapid Transit initiative moves forward.

The City of Hamilton's public transportation network is comprised of five major components:

- Inter-regional integration (GO bus and rail, Burlington Transit, Niagara Region)
- Conventional HSR transit
- Specialized transit ATS/DARTS
- Rapid Transit
- Alternative Transportation (Walking, Cycling, Ride Share)

All network components, including Light Rail Transit, must be integrated to the greatest extent possible to ensure the most effective public transportation program for the residents of Hamilton.

Rapid Transit

In Report PW09007, Council adopted the following vision statement for Rapid Transit:

Rapid Transit is more than just moving people from place to place. It is about providing a catalyst for the development of high quality, safe, sustainable and affordable transportation options for our citizens, connecting key destination points, stimulating economic development and revitalizing Hamilton. Rapid transit planning strives to improve the quality of life for our community and the surrounding environment as we move Hamilton forward.

This vision statement has been used to guide decisions made in the development of the Planning, Design and Engineering work for B-Line Rapid Transit.

In 2007, the Province of Ontario announced through its MoveOntario 2020 Plan, that Hamilton had emerged as a short-term candidate for Rapid Transit funding. Since then, evolving and shifting funding priorities have impacted the momentum of Rapid Transit development in Hamilton and other Greater Toronto and Hamilton Area (GTHA) municipalities.

On September 22, 2011, a joint Metrolinx /City of Hamilton meeting was held for the purposes of providing a status update on the Planning, Design and

Engineering (PDE) study and project benefit & cost report (Making the Case). At this meeting, Metrolinx indicated that it was encouraged with Hamilton's progress on the Rapid Transit initiative and urged the City to complete the work plan outlined for 2012. This work would provide the necessary information allowing Metrolinx to put forth a positive recommendation stating that Hamilton's Rapid Transit initiative has reached a maximum state of implementation readiness, prompting the Board to proceed with a funding recommendation for LRT B-Line Rapid Transit. Staff is recommending to complete the 2012 work plan as outlined in Table 3 at an upset limit of \$950,000 to be funded from Metrolinx and/or the Quick Wins reserve.

Metrolinx also indicated that, while its Investment Strategy is due for completion in 2013, the Board has expressed a strong interest in receiving the strategy in 2012. The *Making the Case* work noted above will factor heavily in the work to be undertaken by Metrolinx as it relates to the Investment Strategy and the expedited timeline.

Metrolinx has acknowledged the extraordinary amount of work completed in Hamilton in a compressed time frame, noting that the City's Rapid Transit initiative has accelerated, placing Hamilton two years ahead of Rapid Transit projects in other municipalities, including Mississauga (Hurontario Line).

The detailed Financial Analysis is outlined later in this report.

HSR

Council approved a short-term service enhancement plan for the HSR within the 2011 budget in recognition of the immediate need to address insufficient service capacity. The majority of the enhancements will be implemented on the B-Line corridor (King/Main/Queenston). HSR service plays a key role in achieving our goal of "maximum state of readiness" for LRT. The 5-year planning horizon that supports this goal with respect to the HSR includes:

- Pursuit of an integrated approach to public transportation planning and operation, including strong links between land use and transit service in major corridors;
- Achieving LRT Operational Readiness through disentanglement of the bus routes operating in the B-Line corridor making it the dominant route;
- Further increasing the frequency and duration of services operating in the B-Line corridor in accordance with Staff Report (PW10101) Transit 2011 Operating Budget & Annual Service Plan;
- Further increase corridor capacity with additional replacement of 12.2 meter (40-foot) conventional buses with 18.2 meter (60-foot) articulated buses as funding permits (see Appendix A);

- Introduce Transit Priority measures including dedicated transit lanes to help avoid the effects of traffic congestion;
- Expand Rapid Transit re-branding beyond the unique paint scheme for the B-Line buses and student pass programs;
- Expand Technology applications beyond the existing automated stop announcement;
- Enhance Route #20 A-Line service level;

Integration of Rapid Transit, GO Transit and local transit services on the B- and A-Line corridors are converging on mutually beneficial paths.

Land Use and Transit planning are strengthened by a number of Council approved strategic policies, most notably:

- Hamilton's growth management study (GRIDS) which sets out the nodes and corridors urban structure as the basis for change and growth in the City, confirming both the B-line (Main-King-Queenston) and A-line (James, Upper James) as major corridors;
- Transportation Master Plan, 2007, reflects the nodes and corridors framework and relies on aggressive transit improvements and an urban fabric with a high degree of connectivity;
- The Urban Official Plan established the City's corridors as a significant opportunity for creating vibrant pedestrian and transit oriented places through investment in infrastructure, residential intensification, infill and redevelopment and careful attention to urban design. The B-Line is identified as a Primary Corridor in the Official Plan. Policy E.2.4.13 of the Official Plan specifically states that *Corridor studies or secondary planning shall be undertaken for the Urban Corridors to provide greater direction on mix of uses, heights, density, built form and design*;
- Transit Oriented Development (TOD) Guidelines City, which will be used as a tool to foster transit supportive development along transit corridors and routes;
- Hamilton Downtown Mobility Street Project, 2002;
- Cycling Master Plan (Shifting Gears), 2009; and,
- Recreational Trails Master Plan, 2007.

Based on the approved policy framework, nodes and corridors are to be the focus of reurbanization activities and intensification (i.e. population growth, private and public redevelopment and infrastructure investment). Primary corridors are to be served by higher order transit.

In the summer of 2010, work began on the B-Line Nodes and Corridors Land Use Planning Study, coordinated with the Rapid Transit initiative, specifically the B-Line Planning, Design and Engineering work. Substantial progress has been made on the land use study including background studies, visioning process and public design charrettes. Draft land use alternatives are nearing completion for presentation to the public for input. The study completion is targeted for early 2012.

GO Transit

On Friday, September 23, 2011, the Premier made a campaign announcement indicating the Liberal Party's commitment to implementing two-way, full-day GO train service to Hamilton in time for the 2015 Pan Am Games.

From a Staff perspective, Hamilton will benefit from supporting the Province's goal of greater integration of all modes of public transportation across the Golden Horseshoe. The primary benefit is reducing congestion in one of the busiest commuter and commerce corridors in North America that will contribute to improved economies for all municipalities in the corridor, over time. Enhanced GO Transit connectivity with the City of Hamilton is one of a number of key goals that aligns City and provincial priorities. Another example, is the provincial plan for Hamilton to eventually become a major regional transit hub in the West end of the Greater Toronto Hamilton Area (GTHA).

An Environmental Assessment completed by Metrolinx/GO Transit on the Niagara Peninsula Rail Service Expansion includes the James Street North and Confederation Station locations.

FINANCIAL / STAFFING / LEGAL IMPLICATIONS

Financial Implications:

Immediate

Funding for the City's portion of Staff Recommendation (a) is provided through the Quick Wins Reserve (Metrolinx funded). Currently, the reserve has a balance of \$14.2 million; the cost of Recommendation (a) is expected to be \$950,000. As at December 31, 2011, City contributions to the Rapid Transit initiative will be approximately \$5.3 million in studies and staff time.

Potential Future Impacts of B-Line LRT

Below is a summary of Financial Implications based on LRT implementation:

- The Capital cost of LRT on the B-Line ranges from \$875 million to \$1 billion. Financial impact analysis was prepared using a senior government grant assumption ranging from 100% to 50% funding. Based on this

assumption, the City's financial share of the LRT project could range from \$0 to \$509 million which would be debt financed.

- The City's own capital costs (non-LRT infrastructure) are expected to be in the range of \$1.8 million to \$2.4 million.
- The operating budget impact on the City for operating the LRT and the higher costs impacts on existing city services ranges from \$16.4 million to \$ 25.5 million per year.
- The potential residential tax impact (of both the capital and operating costs) ranges from a low of 1.4% or \$42 per household to a high of 7.9% or \$230 per household. This impact could be phased-in over a number of years.

A summary table is provided below:

SUMMARY OF CAPITAL & OPERATING FINANCIAL IMPACTS OF THE PROPOSED B-LINE LRT (2011 dollars) (\$000s)	LOW (\$000s)	HIGH (\$000s)
Gross LRT Capital Cost	875,000	1,000,000
City Share of LRT Capital Cost	0% - \$0	50% - 509,000
Other City Capital Costs	1,875	2,400
Annual LRT Operating Cost	7,800	13,500
Annual Operating Cost Impact on Other City Services	8,650	12,020
Total Residential Tax Impact: Capital + Operating :		
- % Per Household	1.4%	7.9%
- \$ Per Household	\$42	\$230

The detailed financial analysis is explained and presented later in this report.

Given the uncertainties over senior government funding levels and commitments (both capital and operating) and the wide ranging potential tax impacts, it is premature for Council to make a final decision on whether to approve an LRT construction and implementation project at this time. A more practical approach for Council is one that mirrors the strategy undertaken by Waterloo Region prior to senior government funding announcements which was the following:

1. The City continues to plan and advocate for LRT funding while assessing the related costs, benefits and impacts.

2. Defer a final Council decision until a concrete funding commitment from senior government(s) is known, and capital and operating funding arrangements are established.

Staffing Implications: Staffing requirements for the Rapid Transit office are included in recommendation (b). In addition, long term staffing needs for public transportation in the City will be part of the organizational review as outlined in recommendation (f). Should this exercise conclude that additional staff complement and or budget is required, SMT would report back to General Issues Committee for approval prior to implementation

Legal: Should the work as stated under the Contribution Agreement with Metrolinx not be completed, the City could be in default of the Agreement and may be required to repay all or part of the \$3 million grant. The work outlined in the Contribution Agreement will be completed by year end 2011, with invoice payment and claim submission to carryover into 2012.

HISTORICAL BACKGROUND

In Report PW09007, Council adopted the following vision statement for Rapid Transit:

Rapid Transit is more than just moving people from place to place. It is about providing a catalyst for the development of high quality, safe, sustainable and affordable transportation options for our citizens, connecting key destination points, stimulating economic development and revitalizing Hamilton. Rapid transit planning strives to improve the quality of life for our community and the surrounding environment as we move Hamilton forward.

This vision statement has been used to guide decisions made in the development of the Planning, Design and Engineering work for B-Line rapid transit.

The Official Plan (glossary) defines Higher Order Transit/Rapid Transit as:

Transit that generally operates in its own dedicated right-of-way, outside of mixed traffic where possible, and therefore can achieve a speed and frequency of service greater than conventional transit. Higher order transit can include heavy rail (such as subways), light rail transit (such trams or light rail vehicles), and buses in dedicated rights-of-way and is typically referred to as rapid transit (Growth Plan, 2006).

Appendix B illustrates the long term higher order transit/rapid transit network for the City. Appendix C illustrates the B-Line. A list of all previous Committee and Council reports regarding the B-Line is included in Appendix D.

Chronology Nodes and Corridors Urban Structure:

For the past several years, the City has been developing a supportive policy framework for corridor growth and revitalization including:

- The City's growth management study (GRIDS, 2006) set out the nodes and corridors urban structure as the basis for change and growth in the City confirming both the B-line (Main-King-Queenston) and A-line (James, Upper James) as major corridors.
- The City's Transportation Master Plan, 2007 reflects the nodes and corridors framework and relies on aggressive transit improvements and an urban fabric with a high degree of connectivity.
- The Urban Official Plan (adopted 2009 and approved in 2011, under appeal) established the City's corridors as a significant opportunity for creating vibrant pedestrian and transit oriented places through investment in infrastructure, residential intensification, infill and redevelopment and careful attention to urban design. The B-Line is identified as a Primary Corridor in the Official Plan. Policy E.2.4.13 of the Official Plan specifically states that *Corridor studies or secondary planning shall be undertaken for the Urban Corridors to provide greater direction on mix of uses, heights, density, built form and design.*
- In August 2010, Transit Oriented Development (TOD) Guidelines were approved for the City and will be used as a tool to foster transit supportive development along transit corridors and routes.
- Secondary Planning for Nodes and Corridors work was approved in the 2010 capital budget (project ID 8141055100 - budget amount of \$250,000) and included the B-Line Secondary Plan.
- In the summer of 2010, work began on the B-Line Nodes and Corridors Land Use Planning Study, a corridor study which will implement the Official Plan in accordance with policy E.2.413. The study area is shown on Appendix J. The secondary planning study has been coordinated with the Rapid Transit initiative, specifically the B-Line Planning, Design and Engineering work. Timing of the Official Plan adoption and the status of the Rapid Transit studies allowed for this opportunity to coordinate. Substantial progress has been made on the land use study including background studies, visioning process and public design charrettes. Draft land use alternatives are nearing completion for presentation to the public for input. The study completion is targeted for early 2012 (see Table 2).

Based on the approved policy framework in place, nodes and corridors are to be the focus of reurbanization activities and intensification (i.e. population growth, private and public redevelopment and infrastructure investment). Primary corridors are to be served by the higher order of transit.

Chronology - Rapid Transit Initiative:

At its October 7, 2008 meeting, the Public Works Committee approved a recommendation directing staff to study rapid transit with Light Rail Technology as the preferred option. Hamilton City Council endorsed the report (PW08043D) on October 29, 2008.

On April 1, 2009, the Province of Ontario included \$3 million in the Provincial Budget for the City of Hamilton to study Light Rail Transit on the B-Line and to determine the feasibility of rapid transit (either LRT or BRT) on the A-Line. Hamilton was the only municipality to receive such funding.

On October 13, 2009, Hamilton City Council gave its approval for the City of Hamilton to enter into a Contribution Agreement with Metrolinx for \$3 million in funding for Rapid Transit studies and for the General Manager of Public Works and the City Treasurer to be authorized and directed to negotiate and sign the final terms of the Agreement in a form acceptable to the City Solicitor. (Report # PW09088). The original expiry date for the Contribution Agreement was July 1, 2011 but the deadline was subsequently extended to March 31, 2012. A copy of the Contribution Agreement can be found in Appendix E.

On February 19, 2010, Metrolinx presented its Benefits Case Analysis (BCA) for Hamilton rapid transit to its Board of Directors.

Although the BCA identified full LRT as the highest cost option, it also noted that LRT generates the highest transportation user benefits in terms of travel time savings, ridership attraction and overall qualitative travel experience. LRT also carries a stronger potential to reduce greenhouse gas emissions and generate more significant economic development impacts including employment, income, and Gross Domestic Product growth for the city and region. BCA also identifies LRT as having greater potential to shape land uses and uplift land values along the King-Main corridor.

Metrolinx Recommendation to the Board on February 19, 2010:

- That the Metrolinx Board approve and publicly release the Hamilton King-Main Rapid Transit Benefit Case Analysis Report, demonstrating positive impacts for Bus Rapid Transit, full Light Rail Transit, and phased Light Rail Transit options;
- That the Board direct staff to continue to work collaboratively with the City of Hamilton on the Planning, Design and Engineering Work plan for the King-Main corridor in 2010;
- And that staff report back to the Board in late 2010 with a PDE work plan status update.

Rapid Transit Project Status:

Between 2008 and 2011, an inter-Departmental rapid transit staff team was assembled to undertake and oversee consultant work as outlined in Table 2, including work on the planning design and engineering for the B-Line, feasibility studies for the A-Line and the B-Line Nodes and Corridors Land Use Planning Study.

The B-Line planning, design and engineering and A-Line feasibility work is scheduled for completion by March 31, 2012, in accordance with the Contribution Agreement with Metrolinx. A meeting was held with senior staff from the City of Hamilton and Metrolinx on September, 22, 2011 to discuss project status. At the meeting Metrolinx indicated that:

- Hamilton is at least two years a head of other projects, in terms of implementation readiness, including the Hurontario LRT project in Mississauga/Brampton.
- Hamilton is not required to prioritize between LRT and GO service extension, as LRT is a local transit service whereas GO serves an inter-regional function.
- To make a funding decision Metrolinx requires a Maintenance Storage Facility (MSF) location and phasing study. Following MSF and phasing, Infrastructure Ontario will be able to complete a Value For Money (VFM) exercise for Metrolinx.

Inter-regional Transportation and Metrolinx Agency

In 2006, the Ontario government created an agency to play a lead in developing an integrated regional transportation plan for interregional, local transit, GO Transit and major roads for the Greater Toronto and Hamilton Area (GTHA), as well as to create a supplementary rolling five year capital plan and investment strategy.

Initially named the *Greater Toronto Transportation Authority* (GTTA), and re-branded under the name *Metrolinx* in December 2007, they were established to complement both the “Greenbelt” legislation, which protects more than 1.8 million acres of environmentally sensitive and agricultural land in region, and “*Places to Grow*”, a plan that coordinates population and job growth, ultimately to prepare the Greater Toronto and Hamilton Area for growth and sustained prosperity.

Initially created as a political Board structure of the GTTA and has been depoliticized and has formed into the current Metrolinx Board, which now includes GO Transit.

In July 2007, the agency identified a series of “*Quick Win*” projects as candidates for early implementation, and they included:

- Hamilton - Line (James/Upper James) and B-line (King/ Main) Improvements in Hamilton
- Hamilton - James Street North GO/VIA Station Gateway to Niagara
- Peel - Dundas and Hurontario Higher-Order Transit Corridor Development
- Peel - Mississauga Transitway Hub, Airport-Renforth Gateway
- Peel - Bolton GO Transit Improvements
- Halton -Dundas Street Bus Rapid Transit
- York – Viva
- York - Highway 7- Pine Valley Drive to Kennedy Road
- York - Yonge Street - Richmond Hill Centre to 19th Avenue
- York - Yonge Street - 19th Avenue to Newmarket
- York - Cornell Terminal
- Durham - Highway 2 Bus Rapid Transit Spine
- Toronto - Transit City Light Rail
- Toronto - Yonge Subway Capacity Improvements

The organization grew further with the addition of two more operating divisions - the Air Rail Link in 2010 and PRESTO in 2011. When complete, the Air Rail Link will be a premium express rail shuttle service between Union Station in downtown Toronto and Pearson Airport. PRESTO is a new electronic fare card that allows riders to transfer seamlessly across multiple transit systems. A full description of the evolution of Metrolinx is provided in Appendix F.

Most recently, on Friday, September 23, 2011, Premier McGuinty made an election campaign announcement indicating the Liberal Party’s commitment to implementing two-way, full-day GO train service to Hamilton in time for the 2015 Pan Am Games.

Initially, no details on funding arrangements and cost shares were released as this was just a campaign promise at this stage. However, the Mayor has recently received confirmation that the Province will pay for the cost of the project and that the City would just have to continue making its regular contributions towards GO Transits expansion capital budget.

It should be noted that the current/ existing funding arrangements for GO Transit’s expansion capital program is as follows:

- A formulae approach was established in 2003 with Hamilton Go Transit and the GTA/Hamilton municipalities. These costs shares have not been reviewed or adjusted in several years.
- Under the formulae, Hamilton currently pays 2.8% of GO Transit's expansion capital program.
- The GTA/Hamilton municipalities in turn fund their respective cost shares through Development Charges.
- As a practice, GO Transit annually/periodically invoices the GTA/Hamilton municipalities and we remit only those amounts actually collected through Development Charges.
- Typically, each year Hamilton is collecting about \$250,000 in GO Transit development charge revenues, which it remits to GO. On a calendar year basis, GO Transit does not invoice the City for any additional funding post GO Transit DC collection remittance
- No municipal funding is provided through the tax levy for GO for either operating or capital (ie. State of Good Repair or expansion) purposes.

From a Staff perspective, this announcement aligns with both Council direction and the SMT work plan, Hamilton will benefit from supporting the Province's goal of greater integration of all modes of public transportation across the Golden Horseshoe. The primary benefit is reducing congestion in one of the busiest commuter and commerce corridors in North America. Enhanced GO Transit connectivity with the City of Hamilton is one of a number of key goals that aligns City and provincial priorities. For example, there are provincial plans for Hamilton to eventually become a major regional transit hub in the West end of the Greater Toronto Hamilton Area (GTHA).

An Environmental Assessment completed by Metrolinx/GO Transit on the Niagara Peninsula Rail Service Expansion includes the James Street North and Confederation Station locations.

POLICY IMPLICATIONS

As noted in the Historical Background section of this report, the implementation of higher order transit/rapid transit and the preparation of a corridor plan (the B-Line Nodes and Corridors Land Use Planning Study) are consistent with the current Policy framework in the City of Hamilton, including the Urban Official Plan and the City of Hamilton Transportation Master Plan.

With respect to the rapid transit initiative, the project would:

- specifically implement City of Hamilton Strategic Plan 2008-2011 key activities 4.2.5 (Enhanced Public transportation through conventional public transit, BRT/LRT), 4.6.5 (Improve access to residential areas by

public transit (buses, light rapid transit)), 4.9.9 (Access by public transit, conventional /BRT/LRT), and 4.12.3 (Improve access to employment areas by public transit (buses, light rapid transit)).

- implement the Public Works Business Plan, Innovate Now, under category 1 Communities (leader in the “greening” and stewardship), category 2 People (involvement of staff from across the organization), category 3 Processes (business planning processes are defined and aligned) and category 4 Finances (use of provincial funding for studies and inclusion of a financial assessment of potential operating and capital costs).

With respect to the B-Line Nodes and Corridors Land Use Planning Study, the project would:

- specifically implement City of Hamilton Strategic Plan 2008-2011 key activities 4.2.2 (Prepare details secondary plans for employment areas and identified nodes and corridors) and 4.9.4 (Prepare Secondary plans/design guidelines for identified nodes and primary corridors).
- implement the Planning and Economic Development 2010 – 2012 Business Plan, Choosing our Future... Working Together, under section 4. Growing Our Economy b) A Streamlined Approval Process (development of implementation strategies including urban design guides and zoning) and d) Focused Support for the Development of Key Business Sectors and Redevelopment Areas (preparation of a secondary plan for the corridor).

RELEVANT CONSULTATION

As outlined in the Contribution Agreement with Metrolinx, the Rapid Transit Team has regularly engaged in community consultation with local residents, business owners, stakeholders, institutions, schools, property owners, agencies and utilities since the first phase of the Rapid Transit Feasibility Study was initiated in November 2007.

Since the commencement of the B-Line Nodes and Corridors Land Use Planning Study in summer 2010, public consultation efforts have been coordinated with the rapid transit initiative.

The Rapid Transit Citizens Advisory Committee (RTCAC), formed in September 2010, has been an integral component of the consultation and outreach process. The RTCAC has continued to meet every month (including the summer months) to provide the Rapid Transit Team with advice and comments, acting as a sounding board before project information is taken to the broader public.

The Rapid Transit team hosted a series of Public Information Centres (PICs), including the most recent PIC panels presented in August 2011, as part of the Transit Project Assessment Process (TPAP) (Appendix G) for the B-Line; the

July PICs for Land Use Planning Issues and Opportunities along the A-Line; and the B-Line preliminary PICs held between January and March 2011. A summary of consultation events is included in Appendix H.

Nodes and Corridors Land Use Planning Study consultation has been ongoing since the kick-off meeting held in September 2010. In late 2010 and early 2011, a B-Line Corridor Vision Statement was developed with corridor stakeholders (see Appendix I). The most recent phase of public consultation took place in June/July 2011, when a series of design workshops/charrettes were held for key areas across the corridor. Further consultation is tentatively planned for later this year.

In addition to the traditional approach to public consultation, the Rapid Transit team participated in corridor walks and visits to businesses along the B-Line, hosted visioning workshops and a developers' workshop (Appendix J), and launched a new, interactive website to provide all interested citizens with an opportunity to post comments online. Other forms of outreach and consultation included the regular distribution of the Rapid Transit Newsletter, advertising and handouts on HSR buses, and information sharing using the website and social media including Twitter, YouTube and Facebook.

The majority of comments received to date have been largely supportive of LRT and expanded GO Rail service pointing to the benefits which could include increased connectivity, various travel options, city shaping opportunities and downtown/lower city rejuvenation. Concerns heard during the consultation process included cost, traffic impacts, the absence of two-way conversions and some indicated a preference for the A-Line to proceed first.

ANALYSIS / RATIONALE FOR RECOMMENDATION

Integrated Planning Approach and a City-Wide Transit Strategy

As stated previously, the City's Transportation Master Plan reflects the approved nodes and corridors land use structure for the City and relies on aggressive transit improvements and an urban fabric with a high degree of connectivity. As Hamilton grows, there will be a need for higher order transit/rapid transit to ensure efficient and effective connectivity for citizens who want to move throughout the city and connect to inter-regional travel modes. Planning for successful higher order transit must be completed in an integrated approach which includes planning for other travel modes (walking, cycling, conventional transit, cars, and goods movement), land use planning and financial analysis. The recommendations included in this report ensure that the long term practice of integrated planning continues as the initiative moves forward.

Conventional Transit (HSR)

In 2009, The Canadian Urban Transit Association (CUTA) published a document entitled “Transit Vision 2040” that describes a vision for Transit garnered from the collective viewpoints of a broad range of public service stakeholders across Canada.

Staff Report (PW09081) Transit Vision 2040, September 2009, sought and received Council's endorsement of the vision as it relates to Hamilton. Hamilton was the first municipal Council in Canada to endorse the vision. Since then, many municipal and regional Councils have followed Hamilton's lead.

Transit is widely recognized as an important part of the solution to national challenges such as economic development, public health, climate change, safety and security. Public transit is not an end in itself; rather, it is an enabler for the communities we strive to create, a healthy economy and a good quality of life.

Moving from vision to action will require a number of initiatives. To that end, near term actions for the HSR include:

- Achieve LRT Operational Readiness. Disentangle bus routes operating in the B-Line corridor through re-allocation of service hours making it the dominant route in the corridor, to achieve an LRT equivalent service frequency in the order of 5-minutes so as to raise service level that a service schedule is not needed;
- Further increases to the frequency and duration of services operating in the B-Line corridor in accordance with Staff Report (PW10101) Transit 2011 Operating Budget & Annual Service Plan;
- Further increase corridor capacity with additional replacement of 12.2 meter (40-foot) conventional buses with 18.2 metre (60-foot) articulated buses;
- Establish Transit Priority measures to help transit avoid the effects of traffic congestion by:
 - Introducing transit priority features at key points along the B-Line corridor including, but not limited to, dedicated Right of Way, bus/taxi lanes, queue jump lanes, traffic signal priority;
- Expand Rapid Transit re-branding beyond the unique paint scheme for the B-Line buses and student pass programs by:
 - Completing implementation of Presto;
 - Making B-Line station enhancements;

- Expand Technology applications beyond the existing automated stop announcement, GPS to manage schedule efficiency and effectiveness, and Google trip planner with:
 - Electronic “real-time” way-finding signage;
- Enhance Route #20 A-Line service level:
 - This semi-express service was introduced on the main north/south corridor between the lower city and the escarpment, operating from Downtown via Hamilton GO Centre, St. Joseph’s Hospital campuses and Mohawk College to the Airport, and the western fringe of the future Airport Employment Growth District via Upper James Street. Current service levels are introductory in nature with buses operating only during weekday rush hour periods at a 30-minute frequency;
- Implement next phase of Public Works Yards Master Plan as it relates to transit;
- Build on relationship with Metrolinx beyond Hamilton’s participation in the GTA PRESTO Fare System, Provincial fleet procurement for both HSR and ATS, and Bus parts procurement initiatives.
- Pursue an integrated approach to public transit planning and operation, including strong links between land use and transit service in major corridors:
 - An overarching recognition of the need for an enhanced context, role and resources for transit if it is to both foster and meet rising demands for transit service and ultimately, to achieve its collective economic, environmental and quality of life objectives. The vital and inseparable relationship between public transit and successful city-building must be clarified, promoted and embedded by all orders of government into their own visioning, objective setting, decision making and action planning activities.

Rapid Transit and the LRT Update

A summary of deliverables and expected completion dates contained within the amended Contribution Agreement are noted in Table 1.

Table 1 - Work Required as Part of the \$3 million Contribution Agreement with Metrolinx

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Task	Expected Completion	Deliverables
PART 1: EAST-WEST RAPID TRANSIT PLANNING CORRIDOR (B-LINE), DESIGN & ENGINEERING (PDE)		
Component 1: Review and Summary of existing B-Line and corridor information carried to out to date	Complete	Summary of data collected from previous studies; mapped corridor base plans; Environmental Conditions Report to be integrated into Environmental Project Report.
Component 2: Project Constraints Assessment and Implementation Recommendation	December 2011	Subsurface Infrastructure Assessment ;major constraints assessment and critical path risk assessment, traffic management plan, parking and loading study
Component 3: Detailed Functional Planning & route analysis of preferred alternative	December 2011	Functional planning and route analysis report, 30% traffic modelling, route alignment and station locations, Storage and Maintenance Facility concept
Component 4: Ridership Review and Service Forecasting	Complete	Ridership forecasts, possible support land use development initiatives and vehicle requirements, estimated capital and operating costs.
Component 5: Environmental Project Report & Public Consultation	December 2011	Environmental Project Report, Public Consultation and Notice of Completion.
PART 2: NORTH-SOUTH RAPID TRANSIT CORRIDOR (A-LINE) & ROUTE SELECTION FEASIBILITY STUDY		
Component 1: Corridor Alternatives Development	December 2011	Traffic Modelling, transportation impacts on preferred alternative, parking & loading impacts, technology requirements.
Component 2: Identification of potential and existing hubs and land use development strategies	December 2011	Summary of potential and existing hubs, timelines for hub development, land use planning study, economic uplift potential report.
Component 3: Phasing Strategy	December 2011	Phasing options based on geographic constraints, and growth/support of the existing and future hubs.

A significant amount of time and effort has been invested by City staff in developing the plans for the B-Line and A-Line. As shown in Table 2, not all studies are specifically required by the \$3 million Contribution Agreement, but they do contribute to a fuller understanding of the benefits and implications of rapid transit on the B-Line and A-Line. With respect to the B-Line Nodes and Corridors Land Use Planning Study in Table 2 below, it should be noted that this study is an important implementation measure of the new Urban Official Plan and is relevant regardless of the LRT work. Furthermore, a work program for Nodes and Corridors across the City is being prepared for presentation to Planning

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Committee later this year. This work program will set out a strategy for completing similar studies for other Nodes and Corridors in the City.

Table 2 - Work Related to the B-Line and/or A-Line – Not included in the \$3 million Contribution Agreement

Task	Expected Completion	Additional Comments
Making the Case for LRT	90% complete	Funded by Metrolinx Quick Wins monies in the amount of \$500,000. This work will answer the questions posed to staff by SMT and Council in January 2011, addressing land use & intensification requirements, uptake & uplift, capital and operating costs, delivery mechanisms, return on investment & financing options for both LRT and BRT
B-Line Nodes and Corridors Land Use Planning Study	March 31, 2012	This work will establish clear and current land use policy and zoning, allowing for future investment and redevelopment throughout the corridor. This work is also necessary to implement Nodes & Corridors urban structure and Urban Hamilton Official Plan directions. The work ensures any transit investment will be supported with appropriate built form and densities in accordance with the Council-adopted Transit Oriented Development Guidelines.

As outlined in the Historical Background Section of this Report, it is important that staff complete the 2012 work plan outlined in Table 3 to ensure Metrolinx has all the required information to make future investment decisions for Hamilton. Metrolinx has acknowledged the work Hamilton has done to date and noted that Hamilton is two years ahead of other municipal Rapid Transit projects. As stated by Metrolinx, the completion of the 2012 work plan will take Hamilton to the desired “*state of maximum project implementation readiness*” and will further support the investment case to be presented to the Metrolinx Board, indicating that Hamilton’s LRT initiative is the next major project to fund.

Table 3 - Proposed 2012 Work

Task	Expected Completion	<u>Additional Comments</u>
Maintenance Storage Facility analysis	Quarter 4 2012	A Maintenance Storage Facility is required to support the B-Line LRT service. A number of sites must be evaluated in consultation with agencies and City staff to determine the most suitable location (likely 3 to ensure that a preferred site can be purchased, should funding become available) for an MSF.

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Task	Expected Completion	<u>Additional Comments</u>
B-Line Phasing Strategy	Quarter 4 2012	Once a Maintenance Storage Facility is determined, a Phasing Strategy would then be developed to bring LRT into service. The location of the MSF affects the overall phasing of the project (i.e. is it constructed from West to East, Centre to West, Centre to East or East to West).
Maintenance Storage Facility - EA	Quarter 4 2012	A Transit Project Assessment Process Environmental Assessment will require completion for the MSF location.
Partner with McMaster University to develop Electromagnetic Field and vibration mitigation measures for their Scanning Electron Microscope.	Quarter 4 2012	McMaster University is the location of a highly sensitive Scanning Electron Microscope (SEM) that can be influenced by electromagnetic fields and vibration. The LRT stop locations at McMaster University are situated close enough to the microscope to warrant analysis of mitigation measures to protect the instrument from LRT related electromagnetic fields. Through consultation with McMaster University, stop locations were determined. However, a commitment was made to partner with them to determine the best measures to minimize the effect of LRT on the SEM.
A-Line Terms of Reference for PDE	Quarter 4 2012	A Terms of Reference for completing a Planning, Design and Engineering Study(PDE) for the A-Line will be developed in 2012 so that the City of Hamilton can complete the same level of assessment for the A-Line as has been recently completed for the B-Line.
Infrastructure Ontario – Value for Money Exercise	Quarter 4 2012	Participation in Infrastructure Ontario's <i>Value for Money</i> (VFM) Assessment to determine the suitability of the B-Line for Alternative Financing and Procurement (AFP) delivery. The VFM would provide direction as to whether a P3 process or a more traditional delivery model should be considered. Province would fund this study. City staff would be involved.

The recommendations of this report also recognize that funding for implementation of the B-Line Rapid Transit project has not yet been received, despite the work that has been completed to date by City staff. The recommendations will allow staff to move forward with other initiatives without closing the door on future rapid transit work or committing to B-Line LRT service at this time.

As a result of workshops held for the City's Senior Management Team and Council (January, 2011), Many questions were raised about Light Rail Transit, specifically:

- 1) What would LRT on the B-Line cost?
- 2) How would it be paid for and what would the cost be to Hamilton?

- 3) What will Hamilton get if it LRT is implemented?
- 4) How do we know we'll get what we say we'll get if we implement LRT?
- 5) How would the answers to the first 4 questions change if BRT is chosen?

Steer Davies Gleave is addressing these questions in the presentation accompanying this report. The presentation addresses the questions to the fullest extent possible given the current stage of this initiative. Council should note, at this relatively early stage, it is difficult to estimate with absolute certainty the potential economic benefits and spin-off developments.

Financial Analysis & Potential Municipal Tax Implications

The Rapid Transit initiative has achieved a preliminary design of approximately 30% which can be used to predict a high level cost estimate of \$875 million for LRT on the B-Line. A very high level estimate for Bus Rapid Transit on the B-Line, as provided by Steer Davies Gleave, is \$264 million, as shown in Table 4.

Table 4 – Capital and Operating Cost Estimates for B-Line Rapid Transit

		CAPITAL COST ESTIMATES (2011-\$000s)	
		LRT	BRT
Preparatory Works		86,700	22,600
Guideway		132,600	77,200
Completion Work		10,400	10,300
Stations		8,000	6,500
Trackworks		51,700	0
Systems		85,000	7,700
Maintenance Facility		73,200	8,300
Vehicles		119,900	33,000
Total Construction		\$567,500	\$165,600
Design & Management		136,100	43,900
Property		35,400	13,000
Total Estimate before Contingency		\$739,000	\$222,500
Contingency		136,500	42,200
Total Estimate		\$875,500	\$264,700
		OPERATING COST ESTIMATES (2011-\$000s)	
		LRT	BRT
Based on 22 vehicles		13,500	
Based on 36 buses			16,100
Assumes 18 buses off the network		-5,700	
Total Net Operating Estimate		\$7,800	\$16,100

To determine the City of Hamilton “total” cost estimate for LRT, consideration must be given to Operating and Capital implications to all City Departments, including direct and indirect costs. At the January 2011, SMT and Council workshops, staff presented preliminary City Operating & Capital cost estimates associated with LRT implementation. At that time, City Operating impacts were estimated at approximately \$8.6 million and City Capital impacts were estimated at approximately \$130 million. Using the MTO cost eligibility guidelines, Rapid Transit staff and corporate working team representatives undertook a comprehensive review and further refined the cost estimates as noted in Table 5 below.

Design work at 30% allows for costing of the LRT project with a high range for a contingency. Staff has prepared Low and High cost estimates for both LRT Capital & Operating and City Services Capital & Operating. A summary is provided in the following table.

TABLE 5 : CAPITAL & OPERATING - LOW VS. HIGH Cost Estimates (\$000s)			
(2011 dollars)			
	ELIGIBILITY Based on MTO Guidelines	COST ESTIMATES	
		LOW	HIGH
LRT - Capital	Eligible	\$875,000	\$1,018,000
LRT - Operating *	Not Eligible	\$7,800	\$13,500
City Services - Capital	Not Eligible	\$1,875	\$2,400
City Services - Operating	Not Eligible	\$8,700	\$12,020

* Assumption: LRT will be operated and maintained by the City of Hamilton

The LRT Capital cost estimate ranges from \$875 million to \$1 billion based on the uncertainty of water/sewer utility costs and potential works required for the Queenston Road Bridge over the Red Hill Valley Parkway. Currently, subsurface infrastructure is estimated at \$60 million to \$143 million. This accounts for most of the cost differential. Further detailed design is required to obtain a more refined cost estimate. Based on the Eligibility Criteria, the current assumption is that these costs would form part of the Project Capital budget and would, therefore, be funded directly by Metrolinx. In January 2011, Staff assumed that 100% of the subsurface infrastructure relocation/replacement costs would be ineligible and, therefore, would be financed by the City.

To give both the high and low cost estimates, LRT Operating estimates include the redeployment of 18 buses into the BLAST network and the removal of 18 buses from the network. Depending on Council's decisions on final service

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levels, the existing 18 buses could either be removed from service or redeployed elsewhere as LRT B-line feeder service enhancements.

Details on the High and Low costs estimates relating to other City Services that would be impacted by the B-Line LRT are outlined in Appendix K. In summary, they are noted above as City Capital from \$1.87 million to \$2.4 million and City Operating from \$8.6 million to \$12 million.

Senior levels of government have yet to commit funding for either capital or operating costs associated with the City's LRT initiative. However, it should be noted that current rapid transit projects underway in other municipalities (such as Toronto and York Region), have received 100 percent of all eligible construction costs. Hamilton is the only municipality to receive Metrolinx funding for the PDE work.

In the event that the Province of Ontario makes a decision not to fund 100 percent of LRT capital construction costs, unlike the previous projects approved by Metrolinx to date, the various scenarios identified in Table 6 have been developed.

Table 6

POTENTIAL MUNICIPAL TAX IMPACTS UNDER VARIOUS SUBSIDY ASSUMPTIONS

City Contribution towards LRT Capital	FUNDING SCENARIOS (\$000s)			
	0% CITY FUNDING	25% CITY FUNDING	33% CITY FUNDING	50% CITY FUNDING
LOW : LRT Capital Costs	\$875,000	\$875,000	\$875,000	\$875,000
LOW: City Capital Contribution - To be Debt Financed	\$0	\$218,750	\$288,750	\$437,500
LOW: City's Own Capital Costs - To be Debt Financed	\$1,875	\$1,875	\$1,875	\$1,875
LOW : Annual \$000s Required	\$8,800	\$23,400	\$28,000	\$38,000
Municipal Tax Impact (%)	1.4%	3.8%	4.6%	6.2%
\$ annual impact per household	\$42	\$111	\$133	\$180
HIGH: LRT Capital Costs (\$000s)	\$1,018,000	\$1,018,000	\$1,018,000	\$1,018,000
HIGH: City Capital Contribution - To be Debt Financed	\$0	\$254,500	\$335,940	\$509,000
HIGH: City's Own Capital Costs - To be Debt Financed	\$2,400	\$2,400	\$2,400	\$2,400
HIGH: - Annual \$000s Required	\$12,200	\$30,200	\$36,100	\$48,300
Municipal Tax Impact (%)	2.0%	5.0%	5.9%	7.9%
\$ annual impact per household	\$58	\$144	\$171	\$230

Assumption: based on Transit Urban Boundary only

Note: 1% = \$6.1 million = \$29/year for average homeowner using Average CVA of \$245,100

The information provided is to provide Council with a range of figures relating to municipal tax implications of an LRT project in Hamilton. The following assumptions are included:

- City of Hamilton will operate & maintain the LRT system
- New development tax revenues are not included
- Both Direct and Indirect capital and operating costs are included

Based on these assumptions, the tax implication figures are conservative.

As noted in the Table above, a worst case scenario in which the City of Hamilton had to fund 50% of LRT Capital construction costs, plus the high range on the operating cost impacts, would require a tax increase of 7.9%. If this were to be phased-in over a 7-year period (as is being done in Waterloo Region) an approximate 1.13% tax increase per year would be the result. A 50% funding scenario would also impact the City's AA credit rating, therefore, alternative funding opportunities would need to be pursued to ensure due diligence in balancing fiscal responsibility.

Financial Capacity

The City's current 10-year debt forecast, excluding funding for LRT, is provided in Table 7. As indicated in the table, debt is projected to peak at approximately \$1.1 billion in 2019. It is important to note that the current 10 Year City Capital Budget & Forecast has no allocations for an LRT.

Funding an LRT system would add between \$1.8 million (0% City funded) to \$511 million (50% City funded) to the City's debt, depending on the funding level required by the City and the subsidy provided by the Province and/or Federal Governments.

The additional City debt required in either the 75%, 67% or 50% senior government subsidy level would have a negative impact on the City's credit rating (currently AA/Stable) and decrease the City's flexibility in terms of funding other City Capital priorities, including existing asset rehabilitation.

Table 7

Debt Forecast - Tax, Rate & DC Supported (Excluding funding for LRT)										
\$ Millions										
	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Total Debt	355	745	910	931	913	922	1,003	1,096	1,122	1,042

The City's most recent credit rating report from Standard and Poor's stated the following;

"In our view, constraining the ratings are significant capital expenditures that are required to address the infrastructure deficit backlog of about C\$2 billion....We

expect that the large deficits budgeted for senior levels of government will force the City to rely more on own source capital funding and that this will likely limit its financial flexibility during the next several years. As such, we expect that Hamilton's debt levels will rise significantly in the next 3-years as the City undertakes its capital plan. We expect that debt could peak at about 55%-65% of operating revenues by 2014, which would push the debt burden close to the upper limit of what we would view as appropriate for the ratings."

Note: The above analysis by Standard and Poor's was based on debt projections which did not include Light Rail Transit. Accordingly, it is likely that if the Province does not fund all or almost all of an LRT project, the resulting City debt combined with the already high forecast debt levels, would result in a credit rating down grade for the City of Hamilton.

Tax Incremental Financing (TIF)

The TIF financing incentive is based on municipal grants and loans that can be given under the Municipal Planning Act's community-improvement provisions (section 28). By calculating a grant or loan on the higher property tax that is generated from development (the tax increment), municipalities can offer eligible developers financing incentives that will put lands and buildings that might not otherwise be developed, back into productive use. The planning and financing framework is such that municipalities can designate an area or the entire municipality as a community-improvement project area, and can then implement a community-improvement plan (CIP) with grants and/or loan provisions which can, at the option of the municipality, be calculated on a tax increment basis.

In the Greater Toronto Area, two areas around the University-Spadina subway line from the City of Toronto into York Region and the West Don Lands brownfield redevelopment initiative, have been designated for pilot projects by the provincial government. Staff will continue to investigate and monitor the progress of these pilots to determine whether TIFs are suitable for the City of Hamilton and the potential tax revenue yields.

GTHA Context

In 2008, Metrolinx identified 15 Priority Projects (Appendix L) as part of The Big Move initiative. These projects were to be implemented within the first 15 years and included projects such as Hamilton's B-Line, the Hurontario/Main corridor in Mississauga/Brampton, rapid transit on Highway 2 in Durham, GO Rail improvements on the Lakeshore Line and extension of service to Bowmanville, and projects in Toronto and in York Region. Toronto and York have received funding, but the remaining projects have not yet been funded. Metrolinx is required by legislation to complete an *Investment Strategy* in 2013.

As for rapid transit projects currently underway in other municipalities (such as Toronto and York Region), Metrolinx is funding all eligible construction costs. As noted previously, Metrolinx is also funding rapid transit studies in Hamilton and

that no other municipality or transit agency in Ontario has received funding from Metrolinx to complete PDE work for a project that has not yet received full project funding. For example, the municipalities of Mississauga and Brampton together are providing municipals funds for studies focused on the Hurontario/Main corridor.

In Waterloo Region, LRT has a cost estimate of \$818 million (2014 dollars). The Province committed \$300 million to the project while the Federal Government committed an upset limit of \$265 million. Waterloo is funding its portion of the capital and operating costs through a 7-year annual tax increase of 1.5% (total tax impact 10.5% non-compounded) which is to be recovered uniformly against Waterloo's Urban Transit area only.

The Metrolinx approved rapid transit project in York, identified the following responsibilities in their Master Agreement:

York:

- Provide Easement for Rapidway to Metrolinx
- Ongoing maintenance of dedicated lanes & bus terminals

Metrolinx

- Long term asset preservation and replacement including pavement preservation, crack sealing, station refurbishment/replacement, software or infrastructure upgrades to fare collection equipment and on-board ITS equipment and security

On numerous occasions, Metrolinx has stated that Hamilton has set the standard for other municipalities undertaking rapid transit planning which focuses specifically on Hamilton's integrated planning approach and the City's ability to deliver on tight timelines. This approach has put Hamilton's B-Line LRT project approximately two years ahead of other projects in terms of implementation readiness.

Next Steps

This report provides an update on the City's Rapid Transit initiative, including recommendations for work currently underway to be completed by the end of 2011 and proposed work plan for 2012 as identified in Table 3.

This work would provide the necessary information allowing Metrolinx to put forth a positive recommendation stating that Hamilton's Rapid Transit initiative has reached a maximum state of implementation readiness, prompting the Board to proceed with a funding recommendation for LRT B-Line Rapid Transit. Staff is recommending the completion of the 2012 work plan as outlined in Table 3 at an upset limit of \$950,000 to be funded from Metrolinx and/or the Quick Wins reserve.

Metrolinx has also indicated that, while its *Investment Strategy* is due for completion in 2013, the Board has expressed a strong interest in receiving the strategy in 2012. The *Making the Case* work noted above will factor heavily in the work to be undertaken by Metrolinx as it relates to the *Investment Strategy* and the expedited timeline.

Since funding costs shares for both capital and operating purposes have not been established nor has Hamilton received any funding commitments, it is premature for Council to commit to the LRT project at this time. Once a funding commitment from Metrolinx, the Provincial or Federal governments is provided, staff would report back to Council with impacts and a funding strategy and, at that point, a decision could be made by Council on whether to proceed. Given the existing capital budget funding needs/constraints, the City can not afford an LRT system without most, if not all, of the project being funded by senior levels of government.

ALTERNATIVES FOR CONSIDERATION

Alternative 1 - Complete only the work required under the \$3M Contribution Agreement with Metrolinx

The work required under the Contribution Agreement with Metrolinx (see Table 1 and Appendix E) relates to feasibility analysis (A-Line), PDE (B-Line), consultation (both A and B Lines) and the completion of the TPAP process (B-Line). This work answers technical questions about how the lines would work and provides high level estimates for both capital and operating costs.

Completing the Contribution Agreement requirements alone will not fully inform Council and the Province of the potential benefits. Further, Metrolinx has requested Hamilton to complete the necessary work identified in the 2012 work plan as stated in Table 3.

On its own, the work contained in the Contribution Agreement does not provide enough information for Staff to adequately address the following questions:

- Will the planned and existing land use support LRT?
- Is there development potential along the rapid transit lines?
- Would LRT be a factor in developers' decisions to invest in Hamilton?
- What type of delivery methods (funding models) are appropriate for LRT in Hamilton; Would there be a positive return on a municipal investment in LRT?

While answers to these questions are not required to move ahead with a complete LRT design, answers are required to fully understand whether the Province and/or Hamilton would be in a position to fund a portion of either an LRT or BRT system. It is important to have a full understanding of the benefits

and costs of rapid transit before making a decision to pursue funding for construction, operating and vehicles. Much of this work is being addressed through the Making the Case which is nearing completion and also, the Land Use Planning work referenced in Table 2.

In addition to the above, although the B-Line Nodes and Corridors Land Use Planning Study is being coordinated with the rapid transit initiative, the planning study is an important implementation measure of the new Official Plan and is relevant regardless of LRT. A work plan for Nodes and Corridors across the City will be presented to Planning Committee this fall.

By choosing this alternative, the City would not complete the work plan outlined for 2012. The completion of this work is required to enable Metrolinx to put forth a positive recommendation to its Board of Directors, stating that Hamilton's Rapid Transit initiative has reached a maximum state of implementation readiness, prompting the Board to proceed with a funding recommendation for LRT B-Line Rapid Transit.

For these reasons, this alternative is not recommended.

Alternative 2 - Complete only the work funded by Metrolinx

Metrolinx is funding the work outlined in the Contribution Agreement (see Table 1 and Appendix E) and the Making the Case work (see Table 2).

The completion of Making the Case will bring us closer to answering the questions outlined in the second paragraph of Alternative 1. To put those answers into context, the land use planning work is a critical input into the Making the Case process by analyzing the corridor for capacity for future development. Completing the Land Use Planning concurrently with the technical work builds on the approach taken by Planning and Economic Development and Public Works in the GRIDS exercise. Infrastructure and land use planning was carried out using an integrated approach to ensure that the two processes informed each other. In addition, as noted above, the B-Line Nodes and Corridors Land Use Planning Study implements the Official Plan and should be completed regardless of the outcome of the LRT planning, design and engineering process.

By choosing this alternative, the City would not complete the work plan outlined for 2012. The completion of this work is required to enable Metrolinx to put forth a positive recommendation to its Board of Directors, stating that Hamilton's Rapid Transit initiative has reached a maximum state of implementation readiness, prompting the Board to proceed with a funding recommendation for LRT B-Line Rapid Transit.

For these reasons, this alternative is not recommended.

Alternative 3 - Complete the work outlined in Contribution agreement and Nodes and Corridors

By choosing this alternative, the requirements outlined in Alternative 1 would be met and would also assist Staff in determining whether the planned and existing land use supports LRT, and assess the development potential along the rapid transit corridor. This would require staff to be involved in the project until March 31, 2012, at an operating budget allocation of approximately \$100,000 to be funded from Quick Wins Reserve would be required.

By not completing the *Making the Case* work recommended in this report, Council and the Province would not have a full understanding of the benefits and costs of rapid transit.

By choosing this alternative, the City would not complete the work plan outlined for 2012. The completion of this work is required to enable Metrolinx to put forth a positive recommendation to its Board of Directors, stating that Hamilton's Rapid Transit initiative has reached a maximum state of implementation readiness, prompting the Board to proceed with a funding recommendation for LRT B-Line Rapid Transit.

For these reasons, this alternative is not recommended.

CORPORATE STRATEGIC PLAN

Focus Areas: 1. Skilled, Innovative and Respectful Organization, 2. Financial Sustainability, 3. Intergovernmental Relationships, 4. Growing Our Economy, 5. Social Development, 6. Environmental Stewardship, 7. Healthy Community

Skilled, Innovative & Respectful Organization

- ♦ A skilled, adaptive and diverse workforce, i.e. more flexible staff
- ♦ More innovation, greater teamwork, better client focus

Financial Sustainability

- ♦ Effective and sustainable Growth Management
- ♦ Full life-cycle costing for capital
- ♦ Generate assessment growth/non-tax revenues
- ♦ Sustainable Tri-parti Government Agreement

Intergovernmental Relationships

- ♦ Influence federal and provincial policy development to benefit Hamilton
- ♦ Acquire greater share of Provincial and Federal grants (including those that meet specific needs)
- ♦ Maintain effective relationships with other public agencies

Growing Our Economy

- ♦ An improved customer service

Social Development

- ♦ People participate in all aspects of community life without barriers or stigma

Healthy Community

- ♦ Plan and manage the built environment
- ♦ An engaged Citizenry

APPENDICES / SCHEDULES

Appendix A	Capacity per Hour and Bus Allocation Summary
Appendix B	BLAST Map
Appendix C	B-Line Map
Appendix D	List of Previous Committee and Council Reports Regarding the B-Line
Appendix E	Contribution Agreement
Appendix F	Evolution of Metrolinx
Appendix G	Transit Project Assessment Process
Appendix H	Summary of Consultation Events
Appendix I	Nodes and Corridors B-Line Planning Information
Appendix J	B-Line Nodes and Corridors Developers' Workshop Report
Appendix K	Details of High Low Cost Estimates
Appendix L	Information from The Big Move - List of Projects

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APPENDIX A

Table 1 Capacity per Hour and Bus Allocation Summary
King/Main/Queenston & James/Upper James Corridors

		Current				2015			
		Trips/Hr	Cap/Hr	40' Buses	60' Buses	Trips/Hr	Cap/Hr	40' Buses	60' Buses
Wkd	AM Pk	33	1810	37	18	34	2180	20	41
	Base	25	1325	31	11	28	1810	14	35
	PM Pk	34	1880	39	20	34	2180	21	42
	Early Eve	20	1050	22	9	20	1250	13	22
	Late Eve	9	455	11	3	11	695	7	12
Sat	AM Pk	10	640	15	4	16	970	13	15
	Base	16	1105	16	14	19	1180	13	21
	PM Pk	16	1105	16	14	19	1180	13	21
	Early Eve	10	690	11	8	15	950	9	17
	Late Eve	5	365	9	3	11	695	7	12
Sun	AM Pk	6	365	10	3	7	365	10	4
	Base	9	620	11	7	13	760	11	12
	PM Pk	9	620	11	7	13	760	11	13
	Early Eve	6	365	9	3	11	645	9	10
	Late Eve	5	320	7	3	6	320	7	4
Total Peak Vehicles				39	20			21	42
Change in Peak Vehicles				0	0			-18	22

Appendix B BLAST Map



Appendix C B-Line Map



Appendix D Previous Committee and Council Reports Regarding the B-Line

Number	TITLE	MEETING DATE	AUTHOR
PW08043	Rapid Transit Feasibility Study	April 14	Jill Stephen
	"A" Report - Rapid Transit Feasibility Study - Public Consultation Update	June 16	Lisa Zinkewich Jill Stephen
	"B" Report - Rapid Transit Feasibility Study - Public Consultation Update	September 15	
	"C" Report - Rapid Transit Feasibility Study - Phase II	October 6	
		October 20	
	"D" Report - Rapid Transit Feasibility Study - Metrolinx Draft Regional Transportation Plan	January 19, 2009	
	"E" Report - Metrolinx Regional Transportation Plan and Investment Strategy - Implications for Hamilton	September 14, 2009	
	"F" Report - Rapid Transit Feasibility Study Phase 3 - Public Consultation Update		
PW08045	By-laws Respecting Provincial Funding for Rapid Transit, Bike Racks and Bike Parking	April 14	Jill Stephen
PW08074	Metrolinx Regional Transportation Plan Process and "Quick Win" Service Enhancements - "A-Line" and "B-Line"	June 16	Jill Stephen Jim Dahms Don Hull
		April 20, 2009	Lisa Zinkewich
	"A" Report - Rapid Transit Studies Project - Budget Increase for A & B Line Implementation Studies	January 17, 2011	Carla Ippolito Jill Stephen Geoff Rae
	"B" Report - Quick Wins - Transfer of Funds		
PW09007	Rapid Transit Vision Statement	January 19	Lisa Zinkewich Jill Stephen
PW09027	Rapid Transit Maintenance Facility Location Review (Also PED09097) CONFIDENTIAL	April 6	Jill Stephen Bill Farkas

SUBJECT: Conventional, Rapid and Inter-Regional Transit: Technical, Financial and Land Use Considerations (CM11016 / PW11064 / PED11154 / FCS11072) - (City Wide) - Page 36 of 106

Number	TITLE	MEETING DATE	AUTHOR
PW09034	Rapid Transit Corporate Working Team Workshop, Technical Advisory Committee and Corridor Property Owner Meetings	April 20	Lisa Zinkewich
PW09056	Rapid Transit - Benefits Case Analysis and B-Line Corridor Options - Update	May 25	Lisa Zinkewich
PW09085	Rapid Transit Procurement Procedures	September 21	Jill Stephen
PW09088	Contribution Agreement between Metrolinx and the City of Hamilton for Rapid Transit Studies	October 13 CoW	Jill Stephen
PW10014	Rapid Transit Studies - B-line Underground Life Cycle Assessment	February 1	Carla Ippolito Jill Stephen Jim Harnum
PW10048	Hamilton's Rapid Transit Initiative - Downtown BIA Letter	May 31	Lisa Zinkewich Jill Stephen
PW10050	Proposed Land Acquisition for Rapid Transit CONFIDENTIAL	May 31	Carla Ippolito
PW11020	Rapid Transit Update - B-Line Planning, Design and Engineering, A-Line Feasibility and B-Line Nodes and Corridors Land Use Study (Also PED11068)	April 4	Jill Stephen Christine Lee-Morrison
PW11042	Environmental Project Report <u>B-Line Transit Project Assessment Process (City Wide)</u>	June X	Jill Stephen
PED11125	B-Line Nodes and Corridors Land Use Planning Study and Mid-Rise Development (City Wide) (Also PED08017A Re: city wide secondary planning (Oct 6, 2009)	July 5	Christine Lee-Morrison
FCS11023g	PED Budget - RT/B-Line/Nodes and Corridors mentioned on pages 11, 16, 51 and page 52 of PDF		

**Appendix E Contribution
Agreement**

CONTRIBUTION AGREEMENT
City of Hamilton Rapid Transit Planning, Design and Engineering Workplan

THIS CONTRIBUTION AGREEMENT entered into effective the 18th day of December, 2009.

BETWEEN: **METROLINX**, the regional transportation authority for the Greater Toronto and Hamilton area,
As represented by the President and Chief Executive Officer
("Metrolinx")

AND **CITY OF HAMILTON**
As represented by the General Manager of Public Works and the City
Treasurer, ("Recipient")

SUMMARY INFORMATION ON THE AGREEMENT AND PROJECT

This is an agreement between Metrolinx and the City of Hamilton concerning the funding contribution from Metrolinx, for Planning, Design and Engineering (PDE) work for future rapid transit implementation in the King/Main St. and James/Upper James St. corridors. The King/Main St. corridor work will advance design to a level that enables implementation. The James/Upper James St. corridor work will focus on developing route options for future north-south rapid transit.

This work will assist in the implementation of *The Big Move*, the Regional Transportation Plan (RTP) in the Greater Toronto and Hamilton Area (GTHA), where King/Main St. and James/Upper James St. were both identified as rapid transit corridors with the King/Main St. corridor identified as a top 15 priority project. King/Main St. and James/Upper-James are also consistent with the Recipient's rapid transit plans where in the conceptual local rapid transit network, these two corridors are identified as the priorities for implementation.

The total cost of the work for the two corridors is estimated to be \$3.0 Million, where \$2.5 Million is allocated to the King/Main St. corridor work and \$0.5 Million is allocated to the James/Upper James St. corridor work. The work will take a maximum of eighteen months to complete and is anticipated to begin in December 2009.

This Agreement specifies the obligations, requirements and expectations of all Parties.

WHEREAS Metrolinx has agreed to assist the Recipient by making a financial contribution of \$3.0 Million towards the cost of Hamilton Rapid Transit Planning, Design and Engineering work as part of the Provincial Funding Commitment announced April 1, 2009 by the Premier of Ontario;

AND WHEREAS the President and Chief Executive Officer of Metrolinx is authorized to execute this agreement;

AND WHEREAS the Recipient is authorized to execute this agreement and the General Manager of Public Works and the City Treasurer are authorized to execute this agreement on behalf of the Recipient.

NOW THEREFORE THIS AGREEMENT WITNESSES THAT in consideration of the premises and covenants contained herein, the parties agree as follows:

ARTICLE 1 – DEFINITIONS

Section 1.01 Definitions

1.01.01 In this Agreement:

“Agreement” means this Contribution Agreement and includes the documents attached as Schedule “A” and Schedule “B”, which forms an integral part of this agreement as fully as if they were set forth in their entirety;

“Business Day” means a day other than a Saturday, Sunday or statutory holiday in the Province of Ontario;

“Consultant” means any person who offers consulting services and who enters into a contract for consulting services with the Recipient to execute, in part or in whole, the Project Work;

“Eligible Costs” means those necessary costs incurred and paid by the Recipient which are solely and directly related to the Workplan and that have been approved in advance by Metrolinx, but does not include:

- a) Any costs incurred prior to this agreement coming into effect;
- b) Any costs eligible for rebates;
- c) Any costs referable to items of the Workplan already defrayed under other provincial or federal statutes or programs;
- d) Any costs attributable to staff employed by the Recipient;
- e) Any costs attributable to the correction of error and omissions by any consultant;
- f) Any costs incurred for the development of the project proposal;
- g) Any costs attributable to any financing charges and interest payments on loans;
- h) Any costs attributable to the leasing or purchase of land, buildings, or other facilities;
- i) Any costs attributable to the leasing of equipment; and
- j) Legal fees;

“Fiscal Year” means any twelve (12) month period commencing on April 1st of one calendar year and terminating on March 31st in the immediately following calendar year;

“Maximum Amount” means \$3,000,000;

“Minister” means the Minister of Transportation of Ontario or any person authorized in writing to act on the Minister’s behalf;

"Ontario Competitive Procurement Practice" means the new requirements of consulting services procurement of the Government of Ontario and its agencies dated July, 2009

"Party" means Metrolinx or the Recipient;

"Parties" means Metrolinx, and the Recipient;

"Provincial Framework for New Transit Project Implementation" refers to provincial direction that gives Metrolinx the authority to own and control transit assets that it funds;

"Workplan" means the work set out in Schedule A including the Workplan Terms of Reference;

"Workplan Part" means the work set out in Schedule A that only pertains to parts outlined in Schedule A;

"Term" means the period of time referred to in Section 3.01;

ARTICLE 2 – PURPOSE AND IMPLEMENTATION

Section 2.01 Purpose of this Agreement

2.01.01 The purpose of this Agreement is to establish the terms and conditions by which Metrolinx will reimburse the Recipient for Eligible Costs , as set out in Section 5.

Section 2.02 Project Implementation

2.02.01 In consideration of the contribution contemplated by this Agreement, the Recipient shall perform all its obligations as outlined in Schedule A including the Workplan Terms of Reference and the Recipient shall be responsible for and shall ensure that all Workplan deliverables are received and acceptable.

2.02.02 The Recipient shall complete all elements of the Workplan where required through expert advisory services.

2.02.04 The Recipient shall comply with, and shall ensure that the Consultant, if any, complies with, all applicable laws in undertaking the Workplan.

2.02.05 Once Metrolinx has remitted the contribution contemplated in this Agreement, Metrolinx' obligations under this Agreement cease.

2.02.06 This Agreement does not represent and in no way implies an agreement or commitment to enter into any subsequent agreement regarding this or any other project. The Recipient recognizes that the Workplan progresses towards the implementation of rapid transit and ownership of the outputs generated by the Workplan may be transferred to Metrolinx under the Provincial Framework for New Rapid Transit Project Implementation.

ARTICLE 3 – TERM

Section 3.01 Term of Agreement

- 3.01.01 This Agreement will be effective as of the date set out above and, subject to early termination or extension by agreement of the Parties, shall terminate on **July 1, 2011**.

ARTICLE 4 – WORKPLAN STEERING COMMITTEE

Section 4.01 Workplan Steering Committee

- 4.01.01 Within 60 days of the signing of the Agreement, the Parties agree to set up a Workplan Steering Committee ("Committee") to administer and manage the Agreement. Each Party agrees to appoint two members to the Committee drawn from among its senior officials, and agrees to notify the other of the appointments within the deadline prescribed above. The Committee will exist until its activities, including the audits, reports and final adjustments, have been completed.
- 4.01.02 The Committee will be headed by two co-chairs chosen from its membership, one appointed by Metrolinx ("Metrolinx Co-Chair") and one appointed by the Recipient ("Municipal Co-Chair"). If a Co-chair is absent or otherwise unable to act, the other Metrolinx or the other Recipient member, as the case may be, will act in that capacity.
- 4.01.03 Within 30 days of its first meeting, the Committee will establish, in writing, all the rules and procedures regarding its meetings and its sub-committee meetings, including rules relating to the conduct of meeting and decision making.
- 4.01.04 All decisions and recommendations made by the Committee must be recorded in writing. To the extent possible the Committee members will work on a consultative basis; however, in the event of a disagreement the decision of the Metrolinx Co-Chair shall prevail.

Section 4.02 Workplan Steering Committee Mandate

- 4.02.01 The Committee will be specifically responsible for:
- a) monitoring and reporting on the progress of the Workplan;
 - b) reviewing and ensuring that the procedures described in Article 6 are respected;
 - c) monitoring and ensuring sound management of the Workplan;
 - d) establishing sub-committees, as needed, for carrying out this Agreement;
 - e) coordinating planning, assessment, and communication activities described herein;
 - f) reviewing and initiating proposed amendments to this agreement; and performing any other function or duties required by this Agreement or directed by Metrolinx.

Section 4.03 Changes During the Life of the Project

4.03.01 For the purpose of this section, "significant change" to a Workplan Part includes:

- a) any funding allocation changes in excess of \$100,000 or changes to the duration of Workplan Parts greater than 2 months;
- b) a delay in completion of more than 3 months from the deadline indicated in Schedule A;
- c) any increase in project cost greater than thirty percent (30 %), without exceeding the maximum amount payable under this agreement; and
- d) any other change to the Workplan that would have a similar impact to those listed at subsections (a) and (b);

4.03.02 A request for a change to the Workplan will be reviewed by the Committee, and:

- a) in the case of a request for a significant change, the Committee will recommend to Metrolinx whether to approve it or not; and
- b) if the change is not significant, the Committee may approve or reject it.

ARTICLE 5 – CONTRIBUTION PAYMENT

Section 5.01 Amount of Contribution

5.01.01 Metrolinx agrees, subject to the terms and conditions of this Agreement, to reimburse the Recipient for Eligible Costs up to the Maximum Amount. Recipient agrees to complete the Workplan at the Recipient's cost in the event that the aggregate Eligible Costs exceed the Maximum Amount.

5.01.02 The Recipient shall, on the execution of this Agreement, from time to time on request, and prior to the final adjustment and settlement of Metrolinx' contribution, deliver to Metrolinx a statement signed by its Treasurer disclosing all cash and amounts of funding received or receivable for the Workplan.

5.01.03 In the event the Recipient receives from Metrolinx more funding for the Workplan than previously declared, Metrolinx's contribution under this Agreement will be reduced by the amount over paid to the Recipient. Any such amount if already remitted shall constitute a debt due to Metrolinx and the Recipient shall repay to Metrolinx on demand the debt.

Section 5.02 Payment Delay

5.02.01 Metrolinx reserves the right to delay any payment where, in Metrolinx' opinion, the Recipient has not expended on Eligible Costs all amounts previously remitted to the Recipient.

ARTICLE 6 – METHOD OF PAYMENT

Section 6.01 Method of Payment

6.01.01 The Recipient shall deliver to Metrolinx, on a quarterly basis but not more often than once per month of each Fiscal Year of the Term as outlined in Schedule B,

- a claim for payment of Eligible Costs . Schedule B is subject to revision by Metrolinx
- 6.01.02 The Recipient shall deliver to Metrolinx together with each such claim for review and acceptance by Metrolinx:
- a) a copy of all invoices, receipts, proof of payment and such other documentation as Metrolinx may require;
 - b) a statement of account signed by the Treasurer of the Recipient;
 - c) a statement signed by the General Manager of Public Works, or, a Director of Public Works of the Recipient that
 - i. sets out the amount of Eligible Costs to which the claim relates, the amount claimed, and the total amount of Eligible Costs to date;
 - ii. certifies that the expenses claimed are Eligible Costs, and the amount claimed has been calculated in accordance with this Agreement;
 - iii. states that the Workplan which is the subject of the claim has been performed;
 - iv. confirms that in the case of a Consultant contract the amount is in accordance with that contract, and in all other cases the amount is reasonable;
 - v. the Recipient is entitled to the payment claimed; and
 - vi. the representations and warranties in subsections 7.01.01 remain true as of the date of the claim; and
 - d) an activity report signed by the **Director of Strategic Planning and Rapid Transit** outlining the progress of the Workplan since the last claim for payment.
- 6.01.03 Subject to the terms and conditions of this Agreement, upon acceptance by Metrolinx that the claims are on account of Eligible Costs and that any remittance will not cause Metrolinx' contribution to exceed the Maximum Amount, Metrolinx will remit to the Recipient the amount of the claim.
- 6.01.04 The Recipient shall deliver to Metrolinx, in addition to the information described by Section 6.01.02, above, together with its final claim, for review and acceptance by Metrolinx:
- a) A short and concise evaluation of the Workplan describing the Workplan, reporting on the outcomes of the Workplan;
 - b) All data required by the President and Chief Executive Officer of Metrolinx for inclusion in an evaluation to be carried out and published by the President and Chief Executive Officer of Metrolinx on the effectiveness of the results achieved by this Agreement. Data shall include status reports, the final report, and any other report or relevant document required by the President and Chief Executive Officer of Metrolinx;

- 6.01.05 It is expressly understood and agreed by the Recipient that eligibility to payment of the contribution is conditional on the truth and accuracy of the Recipient's representations and warranties delivery of interim reports, if applicable, and delivery of a final report all of which shall be to the satisfaction of Metrolinx, and on the Recipient meeting all of the terms and conditions of this Agreement.

ARTICLE 7 – REPRESENTATIONS, WARRANTIES & CONTRACT PROCEDURES

Section 7.01 Representations & Warranties

- 7.01.01 The Recipient represents and warrants to and in favour of Metrolinx, in addition to any other representation and warranty made by the Recipient in favour of Metrolinx in this Agreement or to be made in any document, as follows:
- a) that all agreements to be entered into by the Recipient for the implementation of the Workplan, will be tendered, awarded and administered in accordance with the administrative, management and contract procedures of the Recipient provided that the Recipient's procedures comply with the Ontario Competitive Procurement Practice. In the event that the Recipient's procedures do not comply with the Ontario Competitive Procurement Practice, the Ontario Competitive Procurement Practice will take precedence unless otherwise agreed to by all Parties;
 - b) that no bribe, gift, commission or other inducement has been paid, given, promised or offered to any Government official or employee for the obtaining of this Agreement.
- 7.01.02 The Recipient hereby acknowledges that Metrolinx, in entering into this Agreement, is relying on all representations and warranties made by the Recipient in Subsection 7.01.01 or elsewhere in this Agreement or to be made in any document.

Section 7.02 Survival of Representations & Warranties

- 7.02.01 The representations and warranties made by the Recipient and contained in this Agreement, or contained in any document or certificate given or to be given by the Recipient to Metrolinx in connection with this Agreement, survive any payment made in respect of the contribution and the expiry of the term, and notwithstanding such payment or any investigation made by or on behalf of Metrolinx or any other person or any knowledge of Metrolinx or any other person, shall continue in full force and effect for the benefit of Metrolinx.

Section 7.03 Contract Procedures

- 7.03.01 The Recipient agrees to ensure that all Contracts are awarded and managed in accordance with Section 7.01 and its relevant policies and procedures. Unless otherwise agreed to by all Parties, these contracts will be awarded in a way that is:
- a) transparent competitive and apply the best combination of quality, product, service and time criteria, consistent with value for money principles and the Ontario Competitive Procurement Practice;
 - b) in accordance with the Agreement on Internal Trade;

Upon request by Metrolinx, the Recipient will provide a copy of a Contract to the Workplan Steering Committee when concluded,

7.03.02

The Recipient hereby undertakes that any contract entered into for the whole or any part of the Workplan shall be consistent with and shall incorporate the relevant provisions of this Agreement and, without limiting the foregoing, the Recipient will ensure that such contracts include the following provisions:

- a) proper and accurate accounts and records shall be maintained with respect to the Workplan;
- b) the Recipient or its designates, and Metrolinx or its designates shall be permitted at all reasonable times to inspect the Workplan and to inspect and carry out an audit or any records and accounts respecting the Workplan;
- c) all applicable labour and human rights legislation shall be complied with; and
- d) consent of the Consultant or third party to the use by Metrolinx as contemplated in Section 16.10 of any data, information, analysis, evaluation or report prepared by the Consultant or third party.

If Metrolinx wishes to exercise its rights to inspect the Workplan or audit records and accounts respecting the Workplan that are in the hands of a Consultant or any other person, the Recipient shall ensure that the Consultant or other person gives Metrolinx access to the Workplan and such records or accounts. If Metrolinx wishes to exercise its right to use any data, information, analysis, evaluations or report prepared by any Consultant or third party, the Recipient shall enforce any consent thereto required to be given pursuant to this Subsection.

ARTICLE 8 – DEBTS DUE TO METROLINX

Section 8.01 Debts due to Metrolinx

- 8.01.01 Any amount owed to Metrolinx under this Agreement shall constitute a debt due Metrolinx hereunder and be reimbursed to Metrolinx forthwith, on demand.

Section 8.02 Set off

- 8.02.01 The Recipient shall, within thirty (30) days of commencement of this Agreement and from time to time on request, declare in writing to Metrolinx any amounts owing to Metrolinx under legislation or another agreement.
- 8.02.02 At Metrolinx' sole discretion, the amount of any debt owing to Metrolinx hereunder, may be deducted from or set off against any other amounts otherwise payable by Metrolinx to the Recipient.

ARTICLE 9 –TERMINATION

Section 9.01 Early Termination or Default

- 9.01.01 Where this Agreement is terminated prior to the end of the Term by the mutual agreement of the parties or for default under Article 10, the Recipient shall remit to Metrolinx any amount owed under Section 8.01.

ARTICLE 10 – DEFAULT

Section 10.01 Default

- 10.01.01 If during the term of this Agreement, the Recipient:
- a) has not complied with any obligation, term, condition, covenant or undertaking of this Agreement and has not remedied such default for a period of thirty (30) days after notice thereof from Metrolinx to the Recipient;
 - b) makes a materially false or misleading representation, warranty, covenant, or undertaking;
 - c) submits false or misleading information to Metrolinx;
 - d) makes or submits any representation, document, statement, report or declaration which fails to be true and correct in all material respects;
 - e) abandons or fails to complete the Workplan;
 - f) makes an assignment of this Agreement in whole or in part without the prior written consent of Metrolinx;

(each of these events being referred to as an "event of default"), Metrolinx may, by giving notice in writing to the Recipient, suspend or terminate this Agreement and direct the Recipient to forthwith repay to Metrolinx, as liquidated damages, all or part of the total amount thereto remitted to the Recipient pursuant to this Agreement. That amount shall be considered a debt due to Metrolinx.

- 10.01.02 Upon receipt of any notice contemplated under Subsection 10.01.01 the Recipient shall comply with such direction and effect payment forthwith.
- 10.01.03 The Recipient agrees that, because of the difficulty in arriving at a genuine pre-estimate of damage in respect of the breaches described herein, the debt and the remedy described here in is fair and reasonable in the circumstances, and it shall not be considered unconscionable or unreasonable for Metrolinx to require payment of such debt as liquidated damages. The Recipient agrees that it will not challenge the validity of any such remedy in any legal proceedings or otherwise claim or assert that any such remedy is invalid or unenforceable. The Recipient further agrees that Metrolinx may plead this section in any legal proceedings as an estoppel and complete answer in defence to any such challenge, claim or assertion.
- 10.01.04 This Agreement shall not be construed as limiting Metrolinx' remedies at law or in equity.

- 10.01.05 The failure by Metrolinx to insist in any one instance upon the strict performance by the Recipient of the Recipient's obligations hereunder shall not constitute a waiver or relinquishment of any such obligations as to any other instances, and the same shall continue in full force and effect.

ARTICLE 11 – ACCOUNTING RECORDS, FINANCIAL REPORTS AND AUDIT

Section 11.01 Records and Accounts

- 11.01.01 The Recipient shall during the Term and for a period of two (2) years immediately following the Term, establish and maintain and cause any Consultant to establish and maintain accurate financial records and books of account, in accordance with generally accepted accounting principles, of all expensed incurred to execute the Workplan and will permit verification that any contribution made by Metrolinx has been determined in accordance with this Agreement and has been expended on Eligible Costs.
- 11.01.02 The accounts and records shall include, without limitation, all working papers and **all original invoices**, receipts, vouchers and proof of payment relating to the Eligible Costs. Such accounts and records, shall, at all reasonable times, be open for inspection, audit and extraction by Metrolinx or its authorized representatives and the Recipient shall cause any Consultant's accounts and records to be open for inspection, audit and extract by Metrolinx or its authorized representatives.
- 11.01.03 The Recipient shall furnish and shall cause any Consultant to furnish to Metrolinx or its authorized representative with such information as they may from time to time require for any purpose related to this Agreement.

Section 11.02 Audit

- 11.02.01 Metrolinx may at any time from time to time during the Term and within two (2) years of the end of the Term, cause a complete audit by its authorized representatives or by an independent auditor engaged by Metrolinx to be made of the Workplan, the contribution, this Agreement and of any accounting financial and other business records and documents including any accounts, records, invoices, receipts and vouchers in respect of the Workplan, any related procedures, the contribution and this Agreement.
- 11.02.02 The Recipient shall,
- a) provide and cause any Consultant to provide to Metrolinx' authorized representatives or the independent auditor engaged by Metrolinx appropriate space at its office satisfactory to and at no cost to Metrolinx, Metrolinx' authorized representatives or the independent auditor engaged by Metrolinx, and access to any accounting, financial and other business records and documents relating to the Workplan, the contribution or this Agreement including any accounts, records, invoices, receipts and **vouchers** and any related procedures as may be required by and at no cost to Metrolinx, Metrolinx' authorized representatives or the independent auditor engaged by Metrolinx; **and**
 - b) authorize the Recipient's auditor to provide and shall cause any Consultant to authorize and require the Consultant's auditor engaged by Metrolinx, reasonable access to his or her working papers (as such working papers are described and defined in the Canadian Institute of Chartered Accountants

Handbook) relating to the Workplan, the contribution or this Agreement, and to any accounting, financial and other business records and documents including any accounts, records, invoices, receipts and vouchers in respect of the Workplan, any related procedures, the contribution and this Agreement, such access to be provided at no cost to Metrolinx, Metrolinx' authorized representatives or the independent auditor engaged by Metrolinx and shall include the right to take extracts from such working papers.

- 11.02.03 Upon Metrolinx' written request to the Recipient, the accounting, financial and other business records and books of account of the Consultant shall be inspected and audited by or on behalf of the Recipient with a view to determining any issue raised by Metrolinx and the result of such audit shall be delivered to Metrolinx at the same time as they are delivered to the Recipients
- 11.02.04 The Recipient shall ensure that any contract with a Consultant contains provisions as will enable the Recipient to comply with its obligations in Section 11.01 and 11.02

Section 11.03 Disputed Claims

- 11.03.01 Where Metrolinx contests any amount submitted by the Recipient in a claim as payable pursuant to the terms hereof, or where an audit performance by or on behalf of Metrolinx indicates an adjustment to the costs claimed by the Recipient under this Agreement or questions the allowability of an amount claimed by the Recipient as an Eligible Cost, Metrolinx shall so notify the Recipient and provide an opportunity to the Recipient to confirm or verify the claim or any part thereof contested by Metrolinx.
- 11.03.02 Without prejudice to any other remedy available to Metrolinx, where Metrolinx establishes, and by notice in writing to the Recipient declares, that an amount claimed as an Eligible Cost has been disallowed, the amount that has been disallowed shall be deducted from any claim before Metrolinx calculated the amount of its contribution in respect of that claim.
- 11.03.03 Without prejudice to any other remedy available to Metrolinx, where Metrolinx establishes, and by notice in writing to the Recipient declares that an overpayment has been made under this Agreement, or that a sum contributed has not been expended or incurred by the Recipient to discharge its undertakings or has otherwise been disallowed as an Eligible Cost hereunder, or that an adjustment as identified in an audit indicates an adjustment to the costs claimed or questions the allowability of an amount claimed, the amount of such overpayment, unexpended balance, disallowed expense or adjustment shall constitute a debt due to Metrolinx and be reimbursed forthwith, on demand, to Metrolinx. Alternatively, any amounts thus determined to have been overpaid by Metrolinx may be deducted from, or off set against any amounts payable by Metrolinx hereunder.

ARTICLE 12 – COMMUNICATIONS

Section 12.01 Communications

- 12.01.01 A communications plan shall be jointly agreed upon by Metrolinx and recipient before information regarding the terms of the project is made public.

ARTICLE 13 – NO PARTNERSHIP, JOINT VENTURE OR AGENCY

Section 13.01 No Partnership, Joint Venture or Agency

- 13.01.02 No provision of this Agreement and no action by the Parties will establish or be deemed to establish a partnership, joint venture, principal-agent relationship, or employer-employee relationship in any way or for any purpose whatsoever between Metrolinx and the Recipient or between Metrolinx and a third party.
- 13.01.03 The Recipient agrees to be liable to Metrolinx and to indemnify Metrolinx for any liability that Metrolinx incurs by virtue of being found to be liable as a partner of, joint venturer with, or principal of the Recipient.
- 13.01.04 The Recipient shall obtain a written acknowledgement from any Consultant and any other person with whom it enters into a material contract that the Recipient is entering into the contract with the Consultant or the other person in its own right and not as agent or in any way representative of, or subordinate to, Metrolinx and further acknowledges that the Recipient does not have any authority to act for or assume any obligation or responsibility on behalf of Metrolinx.
- 13.01.05 The Recipient shall forthwith deliver a copy of each acknowledgement referred to in Section 13.01.04

ARTICLE 15 – GENERAL PROVISIONS

Section 15.01 Entire Agreement

- 15.01.01 This Agreement sets forth the entire agreement between the parties concerning the subject matter hereof and no representation or warranty expressed, implied or otherwise is made by Metrolinx to the Recipient or by the Recipient to Metrolinx except as expressly set out in this Agreement. Except as expressly set out in this agreement no prior document, negotiation, provision, undertaking or agreement in relation to the subject of the Agreement has legal effect.

Section 15.02 Accounting Terms and Principles

- 15.02.01 All accounting and financial terms used in this Agreement shall, except where otherwise provided either expressly or by necessary implication in this Agreement, be interpreted and applied in accordance with generally accepted accounting principles and generally accepted auditing standards in Metrolinx as they exist from time to time.

Section 15.03 Business Day

- 15.03.01 If the day on which any act or payment is required to be done or made under this Agreement is a day which is not a Business Day, then such act or payment shall be duly performed or made if done on the next following Business Day.

Section 15.04 Schedules

- 15.04.01 All capitalized words and phrases used in any of the attached Schedules shall have the same meanings as defined in this Agreement, unless specifically defined in the Schedule.

Section 15.05 Statutes, Regulations and Rules

- 15.05.01 Any reference in this Agreement to all or any part of any statute, regulation or rule shall, unless otherwise stated be a reference to that statute, regulations or rule or the relevant part thereof, as amended, substituted, replaces or re-enacted from time to time.

Section 15.06 Governing Law

- 15.06.01 This Agreement shall be interpreted in accordance with the laws in force in the Province of Ontario, subject always to any paramount or applicable federal laws. Nothing in the Agreement is intended to or is construed as limiting, waiving or derogating from any provincial Crown prerogative.

Section 15.07 Construed Covenants

- 15.07.01 All of the provisions and each agreement or obligation of this Agreement, even though not expresses as a covenant, are construed as covenants and agreements as though the words importing such covenants and agreements are used.

Section 15.08 Metrolinx' Use of Deliverables

- 15.08.01 In this section 15.08 "data" means any information, any summary of any report comprising part of the Workplan, any evaluation or analysis of the Workplan, and any findings.
- 15.08.02 The Recipient hereby agrees that Metrolinx may at any time, prepare, publicize and distribute in summary form any data related to the Workplan that is not commercially sensitive or cause any data that is not commercially sensitive to be prepared, publicized and distributed in summary form.
- 15.08.03 The Recipient further agrees that Metrolinx may, at a time, use, to serve as information for the transportation sector and as guidance for the future activities in the transportation sector; and for the purposes of evaluating the Workplan and the overall funding program; any data that is not commercially sensitive.
- 15.08.04 The Recipient shall obtain a consent from any Consultant or third party who prepared any data, information, reports, evaluation or analysis to permit Metrolinx to use or to permit the use of such data, information, reports, evaluation or analysis as contemplated herein

Section 15.09 Notice

- 15.09.01 All notices or other communications necessary for the purposes of this Agreement shall be in writing and delivered personally or by courier, or sent by registered mail or by prepaid post or by facsimile, or by email addressed.
- a) In the case of Metrolinx to:
- Metrolinx
20 Bay Street, Suite 901
Toronto, Ontario
M5J 2N8
Attention: Vice President of Investment Strategy and Project Evaluation
Telephone: (416) 874 - 5900
Facsimile: (416) 874 - 5901
e-mail :
- Or to such other address or facsimile number or addressed to such other person as Metrolinx may, from time to time, designate in writing to the Recipient; and
- b) In the case of the Recipient to;
- City of Hamilton
77 James St. North, Suite 320
Hamilton, Ontario
Attention: Director of Strategic Planning & Rapid Transit
Telephone: (905) 546 - 2424 ext. 4621
Facsimile: (905) 546 - 4435
e-mail: jstephen@hamilton.ca
- Or to such other address or facsimile number or addressed to such other person as Recipient may, from time to time, designate in writing to the Recipient; and
- 15.09.02 Any notice or other communication is considered to have been received:
- a) In the case of facsimile, on actual receipt; and
b) In all other cases, on the date of delivery.

Section 15.10 Amendment

- 15.10.01 This Agreement may be amended from time to time as mutually agreed in writing by the Parties.

Section 15.11 Waiver

- 15.11.01 The failure by any party to insist in any one instance upon the strict performance by the other party of Her or its obligations hereunder shall not constitute a waiver or relinquishment of any such obligations as to any other instances and the same shall continue in full force and effect.
- 15.11.02 No covenant or condition of this Agreement may be raised by any party except by the written consent of that party, and forbearance or indulgence by that party in any regard whatsoever and no matter how

long shall not constitute a waiver of the covenant or condition, and until performed or waived in writing that party shall be entitled to invoke any remedy available to that party under this Agreement or by law, despite the forbearance or indulgence.

Section 15.12 Severability

- 15.12.01 If, for any reason, any provision of this Agreement, other than any provision which is of fundamental importance to the arrangement between the parties, is to any extent held or rendered invalid or unenforceable, then the particular provision shall be deemed to be independent of and severed from the remainder of this Agreement and all the other provisions of this Agreement shall nevertheless continue in full force and effect.

Section 15.13 Assignment, Successors and Assigns

- 15.13.01 The Recipient shall not transfer or assign its rights or obligations under this Agreement to any person without:
- a) The prior written consent of Metrolinx; and
 - b) An agreement executed by the proposed assignee whereby the proposed assignee agrees directly with Metrolinx to be bound by all of the terms, covenants and conditions contained in this Agreement as if such proposed assignee had executed this Agreement, subject to Metrolinx approving the Agreement as to form and content.
- 15.13.02 Notwithstanding any other provision of this Agreement and notwithstanding any assignment, the Recipient shall be and remain jointly and severally liable with the transferee or assignee for all obligations to Metrolinx under this Agreement.
- 15.13.03 No rights shall enure to the benefit of any transferee or assignee of the Recipient unless the transfer or assignment is consented to by Metrolinx in accordance with subsection 15.13.01.
- 15.13.04 This Agreement shall be binding upon and shall enure to the benefit of Metrolinx and its successors and assigns and the Recipient and its successors and permitted assigns.
- 15.13.05 Nothing expressed or implied in this Agreement is intended to or shall be construed to confer on or to give any person, other than the parties and their respective successors and permitted assigns, any rights or remedies under or by reason of this Agreement.

Section 15.14 Survival

- 15.14.01 Despite Section 3.01 (Term of Agreement), the Parties' rights and obligations, which by their nature extend beyond the expiration or termination of this Agreement, shall survive any expiration or termination of this Agreement.

**SUBJECT: Conventional, Rapid and Inter-Regional Transit: Technical,
Financial and Land Use Considerations (CM11016 / PW11064 /
PED11154 / FCS11072) - (City Wide) - Page 52 of 106**

Section 15.15 Time of Essence

15.15.01 Time shall in all respects be of the essence of this Agreement.

SIGNATURES

This Agreement has been executed by Metrolinx on behalf of Her Majesty the Queen and the Province of Ontario and the Recipient by their duly authorized representatives.

For the RECIPIENT:



Don Fisher

Date

12/17/09

Dec 16, 2009
Date

General Manager of Public Works, City of
Hamilton GERRY DAVIS


City Treasurer, City of Hamilton

ANTONIO D. TOLLIS

For METROLINX:

Dec 18, 2009

Date

 President and Chief Executive Officer, Metrolinx

Schedule A

**Metrolinx - City of Hamilton
Hamilton Rapid Transit B-Line Preliminary Design and A-Line Feasibility Study
Schedule A
Workplan**

1. Introduction

Funding Summary

On April 1, 2009, the Province of Ontario announced \$3.0 Million in funding for the City of Hamilton, for the planning, design and engineering of the City's rapid transit corridors. The funds support the rapid transit project initiatives in Hamilton, as identified in Metrolinx's Regional Transportation Plan (RTP, November 2008). The RTP identified two Hamilton projects within the 15 year horizon period. The Hamilton projects include rapid transit along the King/Main corridor between Eastgate Square and McMaster University (East-West, B-Line) and the James-Upper James corridor between Downtown and the airport (North-South, A-Line). Both are important corridors to Hamilton, and the B-Line corridor has been identified by Metrolinx as a top 15 priority project.

Based on other comparable studies undertaken by the City of Hamilton and other agencies in the past, the estimated cost for the completion of the Hamilton Rapid Transit B-Line PDE and A-Line Feasibility Study is in the amount of \$3.0 Million.

Background

In parallel to the development of the Regional Transportation Plan (RTP) for the Greater Toronto and Hamilton Area (GTHA), known as *The Big Move*, the City of Hamilton undertook preliminary rapid transit planning along the King–Main and James–Upper James corridors. In November 2007, staff initiated a three phase Rapid Transit Feasibility Study (RTFS), which investigated major considerations in rapid transit planning and includes such things as transportation impacts, right-of-way requirements, economic potential uplift, stage 1 archaeology, natural environment inventory and impact identification, acoustic and air quality impact review, subsurface infrastructure impact, technology review, as well as including an extensive public consultation component. Subsequent to the release of the RTP, which identified the B-Line as a top 15 priority project (November 2008) and the A-Line as a 15 year project, the RTFS Phases 2 & 3 primarily focused on Hamilton's B-Line corridor given its higher priority in the RTP. The B-Line RTFS component was completed by Fall 2009. Although not a primary focus, the A-Line Feasibility Phase 1 component was completed as part of the same study.

In April 2009, a Metrolinx Benefits Case Analysis (BCA) was initiated for Hamilton's B-Line corridor, which is expected to be completed by Fall 2009, with the results to be presented to the Metrolinx Board shortly thereafter. The RTP 15 year plan, the BCA, the results of the RTFS and a City of Hamilton Council resolution to pursue Light Rail Transit form the basis for moving forward with the preliminary design of the B-Line Corridor and continued feasibility planning for the A-Line Corridor. The \$3.0 Million announced by the Province in April 2009 is essential in moving both of these corridors into the next phase of study.

2. Objectives

Hamilton's Rapid Transit Team anticipates initiating the planning, design and engineering stage of its rapid transit work for the B-Line Fall 2009 and the feasibility planning for the A-Line in Winter 2009/2010. Building on the work completed to date, the key objective for the use of the funding is to complete the B-Line preliminary design to a level that brings the project to a state of maximum implementation readiness and complete the feasibility component for the A-Line. Work and oversight of work, consistent with the body of this Contribution Agreement, is anticipated to be completed by outside consultants and City of Hamilton staff.

**SUBJECT: Conventional, Rapid and Inter-Regional Transit: Technical,
Financial and Land Use Considerations (CM11016 / PW11064 /
PED11154 / FCS11072) - (City Wide) - Page 54 of 106**

3. Workplan

The workplan for the use of the \$3.0 Million provincial funding is composed of two parts as outlined below in Table 1. The table outlines the overall project description of each part. The individual projects, description and anticipated costs totaling the \$3.0 Million funding commitment, announced April 1, 2009. Project completion year is also noted.

Table 1: Workplan Parts

Part	Rapid Transit Line	Project Description	Project Deliverables	Completion	Estimated Cost
1	East-West Rapid Transit Corridor (B-Line)	Preliminary Design and Engineering The essential elements include: <ul style="list-style-type: none"> • Summary of work and information done to date • Assessment of constraints and opportunities along the corridor • Detailed route alignment and stop location alternatives and recommended route • Ridership review and forecasting • Environmental Project Report and public consultation 	level of design and drawings for the East-West (B-Line) rapid transit corridor sufficient for Environmental Project Report requirements and detailed cost analysis	2011	\$2.5 Million
2	North-South Rapid Transit Corridor (A-Line)	Corridor and Route Selection Feasibility Study The essential elements include: <ul style="list-style-type: none"> • Evaluation of corridor alternatives • Land Use Planning & Hub Development • Construction and Phasing Strategy • Public Consultation 	Preferred corridor, route, mode and staging plan for the A-Line	2010	\$500,000

Summary of Parts:

Part 1: East-West Rapid Transit Planning Corridor (B-Line), Design and Engineering (PDE)

Through the undertaking of the Rapid Transit Feasibility Study, Metrolinx Benefits Case Analysis and preliminary functional design, the City of Hamilton has selected a preferred rapid transit mode and route for the east-west rapid transit corridor (B-Line). To advance the stages of planning, design and engineering (PDE) along this corridor the following five components, as identified below, will be carried out to establish a level of design sufficient for completing the Environmental Project Report required by the Ontario Transit Project Assessment Process. These five components are:

1. Review and summary of existing B-line and corridor analysis carried out to date
2. Project Constraints Assessment and Implementation Recommendation
3. Detailed Functional Planning and Design and route analysis of preferred alternative
4. Ridership review and forecasting
5. Environmental Study Report as per the Ontario Transit Projects Assessment Regulations (the streamlined Environmental Assessment process for Transit projects)

A competitive process will be used to procure advisory services to execute the workplan in Part 1.

Component 1: Review and summary of existing B-line and corridor information carried out to date

Description:

Summaries of past analysis and work carried out on this corridor will be compiled to fulfill the Environment Project Report (Component 4) requirements, as well as, updated corridor base plan mapping as part of this component. This information includes the Hamilton RTFS, the Metrolinx Hamilton Rapid Transit Benefits Case Analysis (BCA) and the enhanced preliminary design. The description of the local environmental conditions at the site of the transit project, as required for the Environment Project Report, will also be completed as part of this component.

Deliverables:

- Summary of Data Collected from previous studies (RTFS Phases 1, 2, 3)
- Mapped Corridor Base Plans
- Environmental Conditions Report to be integrated into final Environment Report, as required under the Ontario Transit Project Assessment Regulations

Component 2: Project Constraints Assessment and Implementation Recommendation

Description:

This component will review the corridor and identify key constraints and cost-effective alternatives to the constraints as well as identify other opportunities within the corridor. These identified constraints and opportunities should consider, but are not restricted to, rapid transit and road operations, construction staging and project costs. The emphasis is on identifying alternatives that mitigate the constraints that are cost-effective and exercise innovative solutions through value engineering. A cost estimate related to these constraints, solutions and other opportunities, where applicable will also be developed. These areas include, but are not restricted to:

- Subsurface infrastructure;
- Surface infrastructure and property impacts;
- Archeological considerations;
- Historical and heritage building considerations; and
- Road space requirements and traffic management.

This will allow staff to focus efforts on highest risk area during more detailed stages of design.

Deliverables:

- Detailed Subsurface Infrastructure Assessment
- Conceptual Traffic Management and Construction Phasing Plans
- Major Constraints Assessment and Related Cost Impacts Summary
- Critical Path Risk Assessment Summary for Implementation

Component 3: Detailed Functional Planning and route analysis of preferred alternative

Description:

Based on the constraints identified in Component 2, this component will confirm alignment and site specific options for the preferred alternative, which aim to minimize project costs with consideration for constraints and opportunities in the corridor. Options will be developed for intersections, station locations and segments between stations on the route and will consider the aspects listed below, as appropriate, but not limited to:

- Median, centre, curb alignment options;
- Nearside, far side, centre lane stop locations;
- Traffic impacts;

- Right-Of-Way restrictions;
- Property requirements;
- Storage and maintenance facility location and requirements, including required service infrastructure review;
- Hamilton Street Railway (HSR) transit network impacts and re-routing options; and
- Emergency services response impacts.

The development of these options will allow for the selection of a preferred specific route alignment and clear identification of impacts.

Costs of the preferred specific route alignment will be developed and will be presented in a manner appropriate for input into Infrastructure Ontario's input matrix tables.

Deliverables:

- A functional planning and route analysis report, which includes traffic modeling results
- Cross-sectional and key plans for route alignment and station locations
- Storage and Maintenance Facility conceptual design
- Cost tables

Component 4: Ridership Review and Service Forecasting

Description:

To identify rolling stock requirements, route scheduling, and maintenance facility requirements, a ridership review and travel demand forecast will be carried out.

Deliverables:

- Summary of ridership forecasts (optimistic, pessimistic and average forecasts) and assumptions along the line and possible supportive land use development initiatives (concepts, design policy and zoning framework).
- Summary of vehicle requirements (number, vehicle capacity) headways, hours of operation and spare ratio.
- Estimated capital and operating costs.

Component 5: Environmental Project Report & Public Consultation

Description:

This component will compile and prepare the Environmental Project Report that meets the prescribed 6-month Transit Project Assessment Process. Preparation of the public consultation material and public consultation required for this process will also be carried out along with a public relations workplan for future stages.

The Environmental Project Report (EPR) is the main output and must include the following:

Deliverables:

- Summary of the technical investigations and recommendations
- Environmental Project Report with Environmental Conditions Report from component 1
- Public Consultation materials, results summary of public consultation and public relations workplan for future stages.
- Implementation Plan, including graphic representation of the anticipated corridor evolution and also include a monitoring and review program based of an evaluation framework.
- Draft Notice of Completion

Part 2: North-South Rapid Transit Corridor (A-Line) & Route Selection Feasibility Study

The initial RTFS Phase 1 included a review of the feasibility of the requirements for implementation for both Bus Rapid Transit and Light Rail Transit along the A-Line, identifying that both technologies were feasible, although some constraints exist (i.e. escarpment crossing). Currently, the City of Hamilton is conducting a Bus Rapid Transit (BRT) Implementation Strategy Study, which focuses on the implementation of a short term BRT service in conjunction with Metrolinx "Quick Win" funding, which was to be completed in November 2009. To advance the stages of preliminary design along this corridor beyond the BRT Implementation Strategy Study and to inform a future Benefits Case Analysis (BCA), the following four components, as listed below, will be carried out to establish corridor alternatives and identify a preferred corridor long term rapid transit corridor and mode for the A-Line. These four components are:

1. Corridor Alternatives Development
2. Identification of potential and existing hubs and land use development strategies
3. Phasing strategy – including geographic and technology considerations
4. Public Consultation

A competitive process will be used to procure advisory services to execute the workplan in Part 2.

Component 1: Corridor Alternatives Development

Description:

This component will further previous A-Line analysis done within this corridor and review potential alternatives for North-South routing and technology options, setting the basis for the future Environment Project Report requirements. The work will involve an assessment and modelling of the transportation impacts along corridor alternatives and identify the preferred alternative that aims to optimize ridership and corridor development opportunities and minimize project costs. The feasibility study will also identify the local environmental conditions at the site of the transit project alternatives, to aid in the selection of the preferred corridor.

Deliverables:

- Traffic Modeling Summary of potential route alternatives
- Determination of right-of-way requirements and transportation impacts on preferred alternative
- Review of Parking and Loading impacts
- Stage 1 archaeology, built heritage & cultural landscapes inventory, natural environment inventory and impact identification report
- Acoustic and air quality impact review report
- Subsurface infrastructure impact report
- Technology requirements report
- Public consultation

Component 2: Identification of potential and existing hubs and land use development strategies

Description:

This component will confirm existing significant trip generators as well as future potential ones along the corridor to ensure that any proposed route along this corridor serves these key locations, particularly if future hubs are in preliminary planning stages and/or have been identified within City of Hamilton or Metrolinx planning documents. It will also review the corridor from a land use perspective, focusing on the nodes and concepts identified by the Hamilton Official Plan and review potential opportunities for intensification and alternative land uses. Through this analysis storage and maintenance facility requirements will also be reviewed.

Deliverables:

- Summary report of potential and existing hubs and timelines for hub development
- Land use planning study (focus on Nodes and Corridors)
- Economic potential uplift report
- Storage and maintenance facility location and requirements,

Component 3: Phasing Strategy

Description:

Using the outputs from components 1 and 2, a minimum of two phasing strategies will be developed that best compliments the geographic and anticipated funding constraints as well as optimizing the growth and support of the existing and future potential hubs. The strategies may include the staging of technologies or route length phasing or some combination of the two and should seek to optimize the overall benefit-cost ratio.

Deliverables:

- Phasing options

Component 4: Public Consultation

Description:

This component will compile and prepare the basis for the future Environmental Project Report that meets the prescribed 6-month Transit Project Assessment Process. Preparation of the public consultation material and public consultation required for this process will also be carried out along with a public relations workplan for future stages.

The outline for the future Environmental Project Report (EPR) is the main output and must include the following:

Deliverables:

- Summary of the technical investigations and recommendations undertaken as part of this overall assignment
- Outline for future Environmental Project Report
- Public Consultation materials, results summary of public consultation and public relations workplan for future stages.

Workplan Delivery

From the beginning, the City of Hamilton has taken a collaborative approach to its rapid transit planning ensuring that staff from all City departments has been involved in the planning to date. Stakeholders and the public have also been engaged at key milestones and a strong and collaborative relationship with Metrolinx has been formed.

While the City of Hamilton will continue to build on the existing strong relationship with Metrolinx and to work together to complete the projects outlined above, Hamilton staff will continue to manage and oversee the day-to-day activities to deliver this workplan. The working relationship between Hamilton staff and Metrolinx will be continued in the form of a joint Metrolinx-Hamilton Workplan Steering Committee, in the same spirit as the Hamilton Benefits Case Technical Team. This committee will formally continue the collaborative efforts between the Investment Strategy & Project Evaluations group at Metrolinx and the Public Works Environment & Strategic Planning Division at the City of Hamilton lead by John Howe (Vice-President of Investment Strategy & Project Evaluation) and Jill Stephen (Director of Strategic Planning & Rapid Transit), respectively.

Given the amount of work involved, interdisciplinary expertise will be solicited through open, transparent, and competitive procurement practices. This practice is in accordance with:

1. Open, fair, and competitive procurement policies of the Province of Ontario and, by extension, Metrolinx;
2. Canadian Federal Government open, fair, and competitive procurement policies that could (but not necessarily) make rapid transit capital works in Hamilton an attractive partnership opportunity project with the Federal Government, upon completion of the Workplan set out by this Schedule A;
3. The attractiveness of providing the opportunity for the global consulting market to bring the best possible skills, experiences, and talent to Hamilton in the design of an asset that will contribute to the success of Hamilton through much of this century;
4. Recognition that while the time required for a competitive and open procurement will take an amount of time incremental to the use of the Hamilton roster approach, the small increment of time required is seen as worthwhile for the three reasons listed above, and considering that the long-term East-West Rapid Transit project implementation timeline goals are still attainable. It is anticipated that, where possible multiple consultants will be engaged to undertake assignments in parallel to achieve further time savings.
5. It is also anticipated that there may be opportunities to utilize Hamilton's roster approach (an open, fair and competitive procurement process endorsed by City of Hamilton Council) for one-off projects of small magnitude, that require immediate deliverables to fit into works being done as part of the overall RFP process. Prior to undertaking such assignments the City of Hamilton and Metrolinx will discuss requirements of assignment and implications.

The selection committees for the various parts of the Workplan will be composed of Hamilton staff with Metrolinx staff being extended the invitation to participate in selection committees. In addition, Hamilton staff will be working on a number of related projects not funded by the \$3.0 Million, including Transit Oriented Design Guidelines, Corridor Urban Design Guidelines, Land Use Planning and Transportation Master Plans for Nodes and Corridors within the Rapid Transit Network, a Capital Works Coordination Plan, Station Design, Corridor Improvement Plan, and Staging Plan. This work will inform and contribute to the work outlined in Parts 1 and 2, above.

Schedule B

**Metrolinx - City of Hamilton
Hamilton Rapid Transit B-Line Preliminary Design and A-Line Feasibility Study
Schedule B
Payment Schedule**

The payment schedule as proposed in this Schedule B is subject to revision by the Workplan Steering Committee.

Workplan Component	Description	Est. Total Cost	Breakdown of Expenditures					
			Q1 Jan 10 - Mar 10	Q2 Apr 10 - June 10	Q3 July 10 - Sept 10	Q4 Oct 10 - Dec 10	Q5 Jan 11 - Mar 11	Q6 Apr 11 - June 11
Part 1								
1.1	Review and Summary	\$100,000	\$100,000					
1.2	Constraints Assessment	\$1,000,000	\$200,000	\$300,000	\$500,000			
1.3	Route Analysis	\$1,000,000		\$100,000	\$200,000	\$300,000	\$400,000	
1.4	Ridership Review & Forecasting	\$300,000	\$50,000	\$100,000	\$100,000	\$50,000		
1.5	Environmental Project Report	\$100,000			\$25,000	\$25,000	\$25,000	\$25,000
	Sub-Total Part 1 Project Cost	\$2,500,000	\$350,000	\$500,000	\$825,000	\$375,000	\$425,000	\$25,000
Part 2								
2.1	Corridor Alternatives	\$200,000	\$50,000	\$100,000	\$50,000			
2.2	Land Use Planning & Hub Development	\$125,000	\$25,000	\$75,000	\$25,000			
2.3	Construction & Phasing Strategy	\$100,000			\$50,000	\$50,000		
2.4	Public Consultation	\$75,000				\$50,000	\$25,000	
	Sub-Total Part 2 Project Cost	\$500,000	\$75,000	\$175,000	\$125,000	\$100,000	\$25,000	\$0
	GRAND TOTAL COST	\$3,000,000						

AMENDMENT AGREEMENT

THIS AGREEMENT, made in triplicate, and effective as of the 30th of June, 2011

BETWEEN:

Metrolinx

("Metrolinx")

AND:

CITY OF HAMILTON

(the "Recipient")

WHEREAS Metrolinx and the Recipient entered into an agreement effective as of 18th day of December, 2009 (the "2009 Agreement") for the completion of certain planning, design and engineering work for future rapid transit implementation in the City of Hamilton as more particularly described therein;

AND WHEREAS Metrolinx and the Recipient wish to amend the 2009 Agreement in accordance with the terms and conditions set out herein

NOW THEREFORE IN CONSIDERATION of the parties respective covenants and agreements set out below, and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, the parties agree as follows:

Article 1 - Definitions

The following words and phrases have the following meanings:

"Agreement" means this amendment agreement entered into by Metrolinx and the Recipient and all schedules and attachments to this agreement and any instrument amending this agreement as agreed to in writing by the parties;

All capitalized terms not otherwise defined in this Agreement bear the meaning associated with such term as contained in the 2009 Agreement.

Article 2 – Amendments to the 2009 Agreement

2.1 Section 3.01 (Term of Agreement) of the 2009 Agreement is hereby deleted in its entirety and replaced with the following:

Section 3.01 Term of Agreement

3.01.01 This Agreement will be effective as of the date set out above and, subject to early termination or extension by agreement of the Parties, shall terminate on **March 31, 2012.**

2.2 Schedules A (Metrolinx – City of Hamilton Hamilton Rapid Transit B-Line Preliminary Design and A-Line Feasibility Study Workplan) and B (Metrolinx – City of Hamilton Hamilton Rapid Transit B-Line Preliminary Design and A-Line Feasibility Study Payment Schedule) of the 2009 Agreement are hereby deleted in their entirety and replaced with the respective Schedules A and B attached to this Agreement.

2.3 The provision set out in sections 2.1 to 2.2 inclusive shall supersede and replace all conflicting provisions and subject matter otherwise contained in the 2009 Agreement, and in the event of any contradiction or conflict between this Agreement and the 2009 Agreement, this Agreement shall prevail.

2.4 Except as provided in sections 2.1 to 2.2 inclusive, this Agreement shall not amend or modify any other provisions of the 2009 Agreement and the 2009 Agreement, as amended by the terms of this Agreement, is hereby ratified and confirmed and remains in full force and effect in accordance with its terms.

Article Three - General Provisions

3.1 In the event of a conflict or inconsistency in any provisions in this Agreement, the main body of this Agreement shall govern over the schedules to this Agreement.

3.2 All references to dollar amounts in this Agreement (including the schedules) refer to Canadian dollars.

3.3 The headings in this Agreement are for convenience of reference only and in no manner modify, interpret or construe the Agreement.

3.4 This Agreement shall be governed by and construed in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable therein.

3.5 This Agreement shall enure to the benefit of and be binding upon the parties and their successors, executors, administrators and their permitted assigns.

3.6 This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

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**SUBJECT: Conventional, Rapid and Inter-Regional Transit: Technical,
Financial and Land Use Considerations (CM11016 / PW11064 /
PED11154 / FCS11072) - (City Wide) - Page 63 of 106**

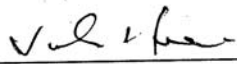
- 3.7 The parties agree that this Agreement may be transmitted by telecopier, electronic mail or such similar device and that the reproduction of signatures by telecopier, electronic mail, or such similar device will be treated as binding as if originals, and each party undertakes to provide the other party with a copy of the Agreement bearing original signatures forthwith upon demand.

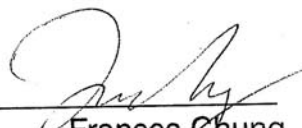
IN WITNESS WHEREOF the parties have executed this Agreement on the ____ day of June, 2011, effective as of the date first above written.

Metrolinx

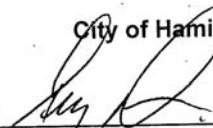
APPROVED FOR EXECUTION



Execution Authorized
By Approval
Authorization Policy

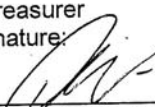
Signature: 
Name: John Howe
Title: Vice President , Investment Strategy & Project Evaluation
Date of Signature: _____

Signature: 
Name: Frances Chung
Title: Treasurer
Date of Signature: _____

City of Hamilton

Signature: 
Name: Gerry Davis
Title: General Manager of Public Works
Date of Signature: _____

Signature: 
Name: Antonio D. Tollis
Sr. Title: City Treasurer
Date of Signature: _____

Initials: 
Name: Don Fisher on behalf of City Solicitor
Date of Signature: 29/06/11

We have authority to bind the Recipient.

Schedule A

Metrolinx – City of Hamilton Hamilton Transit B-Line Preliminary Design and A-Line Feasibility Study Workplan

1. Introduction

Funding Summary

On April 1, 2009, the Province of Ontario announced \$3.0 Million in funding for the City of Hamilton, for the planning, design and engineering of the City's rapid transit corridors. The funds support the rapid transit project initiatives in Hamilton, as identified in Metrolinx's Regional Transportation Plan (RTP, November 2008). The RTP identified two Hamilton projects within the 15 year horizon period. The Hamilton projects include rapid transit along the King/Main corridor between Eastgate Square and McMaster University (East-West, B-Line) and the James-Upper James corridor between Downtown and the airport (North-South, A-Line). Both are important corridors to Hamilton, and the B-Line corridor has been identified by Metrolinx as a top 15 priority project.

Based on other comparable studies undertaken by the City of Hamilton and other agencies in the past, the estimated cost for the completion of the Hamilton Rapid Transit B-Line PDE and A-Line Feasibility Study is in the amount of \$3.0 Million.

Background

In parallel to the development of the Regional Transportation Plan (RTP) for the Greater Toronto and Hamilton Area (GTHA), known as *The Big Move*, the City of Hamilton undertook preliminary rapid transit planning along the King–Main and James–Upper James corridors. In November 2007, staff initiated a three phase Rapid Transit Feasibility Study (RTFS), which investigated major considerations in rapid transit planning and includes such things as transportation impacts, right-of-way requirements, economic potential uplift, stage 1 archaeology, natural environment inventory and impact identification, acoustic and air quality impact review, subsurface infrastructure impact, technology review, as well as including an extensive public consultation component. Subsequent to the release of the RTP, which identified the B-Line as a top 15 priority project (November 2008) and the A-Line as a 15 year project, the RTFS Phases 2 & 3 primarily focused on Hamilton's B-Line corridor given its higher priority in the RTP. The B-Line RTFS component was completed by Fall 2009. Although not a primary focus, the A-Line Feasibility Phase 1 component was completed as part of the same study.

In April 2009, a Metrolinx Benefits Case Analysis (BCA) was initiated for Hamilton's B-Line corridor, which was completed in late Fall 2009, with the results presented to the Metrolinx Board in February, 2010. The RTP 15 year plan, the BCA, the results of the RTFS and a City of Hamilton Council resolution to pursue Light Rail Transit form the basis for moving forward with the preliminary design of the B-Line Corridor and continued feasibility planning for the A-Line Corridor. The \$3.0 Million announced by the Province in April 2009 is essential in moving both of these corridors into the next phase of study.

2. Objectives

Hamilton's Rapid Transit Team initiated the planning, design and engineering stage of its rapid transit work for the B-Line and feasibility planning for the A-line in Spring 2010. Building on the work completed to date, the key objective for the use of the funding is to complete the B-Line preliminary design to a level that brings the project to a state of maximum implementation readiness and complete the feasibility component for the A-Line. Work and oversight of work, consistent with the body of this Contribution Agreement, is anticipated to be completed by outside consultants and City of Hamilton staff.

**SUBJECT: Conventional, Rapid and Inter-Regional Transit: Technical,
Financial and Land Use Considerations (CM11016 / PW11064 /
PED11154 / FCS11072) - (City Wide) - Page 65 of 106**

3. Workplan

The workplan for the use of the \$3.0 Million provincial funding is composed of two parts as outlined below in Table 1. The table outlines the overall project description of each part. The individual projects, description and anticipated costs totaling the \$3.0 Million funding commitment, announced April 1, 2009. Project completion year is also noted.

Table 1: Workplan Parts

Part	Rapid Transit Line	Project Description	Project Deliverables	Completion	Estimated Cost
1	East-West Rapid Transit Corridor (B-Line)	Preliminary Design and Engineering The essential elements include: <ul style="list-style-type: none"> • Summary of work and information done to date • Assessment of constraints and opportunities along the corridor • Detailed route alignment and stop location alternatives and recommended route • Ridership review and forecasting • Environmental Project Report and public consultation 	level of design and drawings for the East-West (B-Line) rapid transit corridor sufficient for Environmental Project Report requirements and detailed cost analysis	2011	\$2.6 Million
2	North-South Rapid Transit Corridor (A-Line)	Corridor and Route Selection Feasibility Study The essential elements include: <ul style="list-style-type: none"> • Evaluation of corridor alternatives • Land Use Planning & Hub Development • Construction and Phasing Strategy • Public Consultation 	Preferred corridor, route, mode and staging plan for the A-Line	2011	\$400,000

Summary of Parts:

Part 1: East-West Rapid Transit Planning Corridor (B-Line), Design and Engineering (PDE)

Through the undertaking of the Rapid Transit Feasibility Study, Metrolinx Benefits Case Analysis and preliminary functional design, the City of Hamilton has selected a preferred rapid transit mode and route for the east-west rapid transit corridor (B-Line). To advance the stages of planning, design and engineering (PDE) along this corridor the following five components, as identified below, will be carried out to establish a level of design sufficient for completing the Environmental Project Report required by the Ontario Transit Project Assessment Process. These five components are:

1. Review and summary of existing B-line and corridor analysis carried out to date
2. Project Constraints Assessment and Implementation Recommendation
3. Detailed Functional Planning and Design and route analysis of preferred alternative
4. Ridership review and forecasting
5. Environmental Study Report as per the Ontario Transit Projects Assessment Regulations (the streamlined Environmental Assessment process for Transit projects)

A competitive process will be used to procure advisory services to execute the workplan in Part 1.

Component 1: Review and summary of existing B-line and corridor information carried out to date

Description:

Summaries of past analysis and work carried out on this corridor will be compiled to fulfill the Environment Project Report (Component 4) requirements, as well as, updated corridor base plan mapping as part of this component. This information includes the Hamilton RTFS, the Metrolinx Hamilton Rapid Transit Benefits Case Analysis (BCA) and the enhanced preliminary design. The description of the local environmental conditions at the site of the transit project, as required for the Environment Project Report, will also be completed as part of this component.

Deliverables:

- Summary of Data Collected from previous studies (RTFS Phases 1, 2, 3)
- Mapped Corridor Base Plans
- Environmental Conditions Report to be integrated into final Environmental Report, as required under the Ontario Transit Project Assessment Regulations

Component 2: Project Constraints Assessment and Implementation Recommendation

Description:

This component will review the corridor and identify key constraints and cost-effective alternatives to the constraints as well as identify other opportunities within the corridor. These identified constraints and opportunities should consider, but are not restricted to, rapid transit and road operations, construction staging and project costs. The emphasis is on identifying alternatives that mitigate the constraints that are cost-effective and exercise innovative solutions through value engineering. A cost estimate related to these constraints, solutions and other opportunities, where applicable will also be developed. These areas include, but are not restricted to:

- Subsurface infrastructure;
- Surface infrastructure and property impacts;
- Archeological considerations;
- Historical and heritage building considerations; and
- Road space requirements and traffic management.

This will allow staff to focus efforts on highest risk area during more detailed stages of design.

Deliverables:

- Detailed Subsurface Infrastructure Assessment
- Conceptual Traffic Management and Construction Phasing Plans
- Major Constraints Assessment and Related Cost Impacts Summary
- Critical Path Risk Assessment Summary for Implementation

Component 3: Detailed Functional Planning and route analysis of preferred alternative

Description:

Based on the constraints identified in Component 2, this component will confirm alignment and site specific options for the preferred alternative, which aim to minimize project costs with consideration for constraints and opportunities in the corridor. Options will be developed for intersections, station locations and segments between stations on the route and will consider the aspects listed below, as appropriate, but not limited to:

- Median, centre, curb alignment options;
- Nearside, far side, centre lane stop locations;
- Traffic impacts;
- Right-Of-Way restrictions;

- Property requirements;
- Storage and maintenance facility location and requirements, including required service infrastructure review;
- Hamilton Street Railway (HSR) transit network impacts and re-routing options; and
- Emergency services response impacts.

The development of these options will allow for the selection of a preferred specific route alignment and clear identification of impacts. Costs of the preferred specific route alignment will be developed and will be presented in a manner appropriate for input into Infrastructure Ontario's input matrix tables.

Deliverables:

- A functional planning and route analysis report, which includes traffic modeling results
- Cross-sectional and key plans for route alignment and station locations
- Storage and Maintenance Facility conceptual design
- Cost tables

Component 4: Ridership Review and Service Forecasting

Description:

To identify rolling stock requirements, route scheduling, and maintenance facility requirements, a ridership review and travel demand forecast will be carried out.

Deliverables:

- Summary of ridership forecasts (optimistic, pessimistic and average forecasts) and assumptions along the line and possible supportive land use development initiatives (concepts, design policy and zoning framework).
- Summary of vehicle requirements (number, vehicle capacity) headways, hours of operation and spare ratio.
- Estimated capital and operating costs.

Component 5: Environmental Project Report & Public Consultation

Description:

This component will compile and prepare the Environmental Project Report that meets the prescribed 6-month Transit Project Assessment Process. Preparation of the public consultation material and public consultation required for this process will also be carried out along with a public relations workplan for future stages.

The Environmental Project Report (EPR) is the main output and must include the following:

Deliverables:

- Summary of the technical investigations and recommendations
- Environmental Project Report with Environmental Conditions Report from component 1
- Public Consultation materials, results summary of public consultation and public relations workplan for future stages.
- Implementation Plan, including graphic representation of the anticipated corridor evolution and also include a monitoring and review program based of an evaluation framework.
- Draft Notice of Completion

Part 2: North-South Rapid Transit Corridor (A-Line) & Route Selection Feasibility Study

The initial RTFS Phase 1 included a review of the feasibility of the requirements for implementation for both Bus Rapid Transit and Light Rail Transit along the A-Line, identifying that both technologies were feasible, although some constraints exist (i.e. escarpment crossing). Currently, the City of Hamilton is conducting a Bus Rapid Transit (BRT) Implementation Strategy Study, which focuses on the implementation of a short term BRT service in conjunction with Metrolinx "Quick Win" funding, which was to be completed in November 2009. To advance the stages of preliminary design along this corridor beyond the BRT Implementation Strategy Study and to inform a future Benefits Case Analysis (BCA), the following four components, as listed below, will be carried out to establish corridor alternatives and identify a preferred corridor long term rapid transit corridor and mode for the A-Line. These four components are:

1. Corridor Alternatives Development
2. Identification of potential and existing hubs and land use development strategies
3. Phasing strategy – including geographic and technology considerations
4. Public Consultation

A competitive process will be used to procure advisory services to execute the workplan in Part 2.

Component 1: Corridor Alternatives Development

Description:

This component will further previous A-Line analysis done within this corridor and review potential alternatives for North-South routing and technology options, setting the basis for the future Environment Project Report requirements. The work will involve an assessment and modelling of the transportation impacts along corridor alternatives and identify the preferred alternative that aims to optimize ridership and corridor development opportunities and minimize project costs. The feasibility study will also identify the local environmental conditions at the site of the transit project alternatives, to aid in the selection of the preferred corridor.

Deliverables:

- Traffic Modeling Summary of potential route alternatives
- Determination of right-of-way requirements and transportation impacts on preferred alternative
- Review of Parking and Loading impacts
- Stage 1 archaeology, built heritage & cultural landscapes inventory, natural environment inventory and impact identification report
- Acoustic and air quality impact review report
- Subsurface infrastructure impact report
- Technology requirements report
- Public consultation

Component 2: Identification of potential and existing hubs and land use development strategies

Description:

This component will confirm existing significant trip generators as well as future potential ones along the corridor to ensure that any proposed route along this corridor serves these key locations, particularly if future hubs are in preliminary planning stages and/or have been identified within City of Hamilton or Metrolinx planning documents. It will also review the corridor from a land use perspective, focusing on the nodes and concepts identified by the Hamilton Official Plan and review potential opportunities for intensification and alternative land uses. Through this analysis storage and maintenance facility requirements will also be reviewed.

Deliverables:

- Summary report of potential and existing hubs and timelines for hub development
- Land use planning study (focus on Nodes and Corridors)
- Economic potential uplift report
- Storage and maintenance facility location and requirements,

Component 3: Phasing Strategy

Description:

Using the outputs from components 1 and 2, a minimum of two phasing strategies will be developed that best compliments the geographic and anticipated funding constraints as well as optimizing the growth and support of the existing and future potential hubs. The strategies may include the staging of technologies or route length phasing or some combination of the two and should seek to optimize the overall benefit-cost ratio.

Deliverables:

- Phasing options

Component 4: Public Consultation

Description:

This component will compile and prepare the basis for the future Environmental Project Report that meets the prescribed 6-month Transit Project Assessment Process. Preparation of the public consultation material and public consultation required for this process will also be carried out along with a public relations workplan for future stages.

The outline for the future Environmental Project Report (EPR) is the main output and must include the following:

Deliverables:

- Summary of the technical investigations and recommendations undertaken as part of this overall assignment
- Outline for future Environmental Project Report
- Public Consultation materials, results summary of public consultation and public relations workplan for future stages.

Workplan Delivery

From the beginning, the City of Hamilton has taken a collaborative approach to its rapid transit planning ensuring that staff from all City departments has been involved in the planning to date. Stakeholders and the public have also been engaged at key milestones and a strong and collaborative relationship with Metrolinx has been formed.

While the City of Hamilton will continue to build on the existing strong relationship with Metrolinx and to work together to complete the projects outlined above, Hamilton staff will continue to manage and oversee the day-to-day activities to deliver this workplan. The working relationship between Hamilton staff and Metrolinx will be continued in the form of a joint Metrolinx-Hamilton Workplan Steering Committee, in the same spirit as the Hamilton Benefits Case Technical Team. This committee will formally continue the collaborative efforts between the Investment Strategy & Project Evaluations group at Metrolinx and the Public Works Environment & Strategic Planning Division at the City of Hamilton lead by John Howe (Vice-President of Investment Strategy & Project Evaluation) and Jill Stephen (Director of Strategic Planning & Rapid Transit), respectively.

**SUBJECT: Conventional, Rapid and Inter-Regional Transit: Technical,
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Given the amount of work involved, interdisciplinary expertise will be solicited through open, transparent, and competitive procurement practices. This practice is in accordance with:

1. Open, fair, and competitive procurement policies of the Province of Ontario and, by extension, Metrolinx;
2. Canadian Federal Government open, fair, and competitive procurement policies that could (but not necessarily) make rapid transit capital works in Hamilton an attractive partnership opportunity project with the Federal Government, upon completion of the Workplan set out by this Schedule A;
3. The attractiveness of providing the opportunity for the global consulting market to bring the best possible skills, experiences, and talent to Hamilton in the design of an asset that will contribute to the success of Hamilton through much of this century;
4. Recognition that while the time required for a competitive and open procurement will take an amount of time incremental to the use of the Hamilton roster approach, the small increment of time required is seen as worthwhile for the three reasons listed above, and considering that the long-term East-West Rapid Transit project implementation timeline goals are still attainable. It is anticipated that, where possible multiple consultants will be engaged to undertake assignments in parallel to achieve further time savings.
5. It is also anticipated that there may be opportunities to utilize Hamilton's roster approach (an open, fair and competitive procurement process endorsed by City of Hamilton Council) for one-off projects of small magnitude, that require immediate deliverables to fit into works being done as part of the overall RFP process. Prior to undertaking such assignments the City of Hamilton and Metrolinx will discuss requirements of assignment and implications.

The selection committees for the various parts of the Workplan will be composed of Hamilton staff with Metrolinx staff being extended the invitation to participate in selection committees. In addition, Hamilton staff will be working on a number of related projects not funded by the \$3.0 Million, including Transit Oriented Design Guidelines, Corridor Urban Design Guidelines, Land Use Planning and Transportation Master Plans for Nodes and Corridors within the Rapid Transit Network, a Capital Works Coordination Plan, Station Design, Corridor Improvement Plan, and Staging Plan. This work will inform and contribute to the work outlined in Parts 1 and 2, above.

Schedule B

**Metrolinx – City of Hamilton
Hamilton Transit B-Line Preliminary Design and A-Line Feasibility Study
Payment Schedule**

The payment schedule as proposed in this Schedule B is subject to revision by the Workplan Steering Committee.

Workplan Component	Description	Estimated Total Cost	2010				2011				2012	
			July 2010 - Sept 2010	Oct 2010 - Dec 2010	Jan 2011 - March 2011	April 2011 - June 2011	July 2011 - Sept 2011	Oct 2011 - Dec 2011	Jan 2012 - Mar 2012			
Part 1: B-line												
1.1	Project Management	\$542,830.00	\$104,840.00	\$231,550.00	\$56,210.00	\$64,740.00	\$29,920.00	\$29,920.00	\$25,650.00			
1.2	Constraints Assessment	\$204,520.00	-	\$12,220.00	\$5,380.00	\$15,930.00	\$59,850.00	\$59,850.00	\$51,290.00			
1.3	Route Analysis	\$983,900.00	\$120,270.00	\$454,200.00	\$148,480.00	\$239,580.00	\$7,480.00	\$7,480.00	\$6,410.00			
1.4	Ridership Review and Forecasting	\$663,390.00	\$87,690.00	\$292,000.00	\$92,670.00	\$191,030.00	-	-	-			
1.5	Environmental Project Report	\$220,250.00	-	\$15,180.00	\$24,220.00	\$31,250.00	\$52,360.00	\$52,360.00	\$44,880.00			
	Sub-total Part 1 Project Cost	\$2,614,890.00	\$312,800.00	\$1,005,150.00	\$326,960.00	\$542,530.00	\$149,610.00	\$149,610.00	\$128,230.00			
Part 2: A-line												
2.1	Corridor Alternatives	\$169,180.00	\$48,420.00	\$51,030.00	\$28,380.00	\$4,490.00	\$18,430.00	\$18,430.00	-			
2.2	Land Use Planning & Hub Development	\$151,770.00	-	\$80,290.00	\$12,030.00	\$19,450.00	\$20,000.00	\$20,000.00	-			
2.3	Construction & Phasing Strategy	\$10,000.00	-	-	-	-	\$5,000.00	\$5,000.00	-			
2.4	Public Consultation	\$54,160.00	-	-	\$18,840.00	\$15,320.00	\$10,000.00	\$10,000.00	-			
	Sub-total Part 2 Project Cost	\$385,110.00	\$48,420.00	\$131,320.00	\$59,250.00	\$39,260.00	\$53,430.00	\$53,430.00	-			
	GRAND TOTAL COST	\$3,000,000.00	\$361,220.00	\$1,136,470.00	\$386,210.00	\$581,790.00	\$203,040.00	\$203,040.00	\$128,230.00			

Appendix F Evolution of Metrolinx

In 2006, the Ontario government created an agency to play a lead in developing an integrated regional transportation plan for interregional, local transit, GO Transit and major roads for the Greater Toronto and Hamilton Area (GTHA), as well as to create a supplementary rolling five year capital plan and investment strategy.

Initially named the *Greater Toronto Transportation Authority* (GTTA), and re-branded under the name *Metrolinx* in December 2007, they were established to complement both the “Greenbelt” legislation, which protects more than 1.8 million acres of environmentally sensitive and agricultural land in region, and “*Places to Grow*”, a plan that coordinates population and job growth, ultimately to prepare the Greater Toronto and Hamilton Area for growth and sustained prosperity.

Initially, Metrolinx was staffed by a transition team seconded from the Ontario Public Service, and led by an eleven (11) member board of directors; with the chair Mr. Rob MacIsaac, and vice-chair; Mr. Peter Smith, recommended by the province, and the remaining nine members were recommended by the municipal councils of Durham, Halton, Peel, and York Regions, and the Cities of Toronto and Hamilton. These representatives tended to be either mayors, regional chairs, or councillors.

In July 2007, the agency identified a series of “*Quick Win*” projects as candidates for early implementation, and they included:

- Hamilton - Line (James/Upper James) and B-line (King/ Main) Improvements in Hamilton
- Hamilton - James Street North GO/VIA Station Gateway to Niagara
- Peel - Dundas and Hurontario Higher-Order Transit Corridor Development
- Peel - Mississauga Transitway Hub, Airport-Renfrew Gateway
- Peel - Bolton GO Transit Improvements
- Halton -Dundas Street Bus Rapid Transit
- York – Viva
- York - Highway 7- Pine Valley Drive to Kennedy Road
- York - Yonge Street - Richmond Hill Centre to 19th Avenue
- York - Yonge Street - 19th Avenue to Newmarket
- York - Cornell Terminal
- Durham - Highway 2 Bus Rapid Transit Spine
- Toronto - Transit City Light Rail

- Toronto - Yonge Subway Capacity Improvements

Metrolinx launched “[The Big Move](#)”, a Regional Transportation Plan, in September 2008. The plan identified that the province’s transit and transportation problems are regional in nature and cross municipal boundaries. The solution requires the coordination and integration of transit and transportation systems in order to allow growth to happen and help people and businesses move more easily throughout the region.

The 25-year Plan called for an integrated transportation network throughout the entire GTHA region, with a \$50 billion capital need. Aside from the specific projects, the overall vision that the Plan sought to achieve were as follows:

- Regional transit service would double numbers served
- Transit lines would triple in length
- Despite growth, commuting times would not increase
- 75% of people living within 2 km of rapid transit
- Green House Gas (GHGs) per capita decline significantly

As part of the “*The Big Move*”, Metrolinx identified fifteen (15) Priority Rapid Transit Projects to be implemented within the first 15 years, of which Hamilton’s “B-Line” was included on the priority list, as well as nine (9) so-called “Big Moves” which included:

1. A fast, frequent and expanded regional rapid transit network
2. High-order transit connectivity to the Pearson Airport district from all directions
3. An expanded Union Station - the heart of the GTHA’s transportation system
4. Complete walking and cycling networks with bike-sharing programs
5. An information system for travellers, where and when they need it
6. A region-wide integrated transit fare system
7. A system of connected mobility hubs
8. A comprehensive strategy for goods movement
9. An Investment Strategy to provide immediate, stable and predictable funding

In 2009, provincial legislation merged Metrolinx and GO Transit into one organization with an integrated management team and structure. As part of this re-organization, the legislation changed the Board to fifteen (15) members, including the president and CEO. The initial board included two (2) members from the former Metrolinx board and four (4) members from the former GO Transit board, and an additional nine (9) new members, none of whom can hold elected office any level of government. Metrolinx is formally accountable to Province through the Minister of Transportation, with both the Chair and CEO appointed by Order-in-Council, and a strong independent Board appointed by Cabinet.

The legislation makes other changes to Metrolinx's powers and abilities including the development of a transportation policy statement for the Greater Toronto and Hamilton Area, as well as allowing for designated projects to be deemed provincial assets, owned and controlled by Metrolinx.

The organization grew further with the addition of two more operating divisions – the Air Rail Link in 2010 and PRESTO in 2011. When complete, the Air Rail Link will be a premium express rail shuttle service between Union Station in downtown Toronto and Pearson Airport. PRESTO is a new electronic fare card that allows riders to transfer seamlessly across multiple transit systems.

Today, the Metrolinx catchment area is comprised of six (6) Regions, with additional GO Transit Services delivered outside Greater Toronto and Hamilton Area (i.e., Barrie, Simcoe, Guelph, Peterborough, Orangeville, Kitchener-Waterloo and Niagara), covering 27 municipalities, and a population base of six (6) million people today, growing to nine (9) million by 2031.

In 2010, then president and CEO, and current Board chair, Mr. Robert Prichard, stated nine specific short-term priorities for Metrolinx:

1. GO Service Expansion and Performance
2. GO Customer Service Focus
3. "Big 5" Projects with \$9.5 billion initial funding – on time and on budget delivery:
 - VIVA BRT (\$1.4 billion- 100% funding)
 - Sheppard East LRT (\$660 million – 2/3 funding)
 - Finch West LRT (\$1.2 billion – 100% funding)
 - Scarborough RT replacement & extension (\$1.4 billion – 100% funding)
 - Eglinton Crosstown LRT (\$4.6billion – 100% funding)
4. Investment Strategy by 2013
5. Keep the regional plan current and relevant
6. Electrification of the GO Transit network study
7. Presto Fare Card and progress on fare integration
8. Union Station revitalization
9. Georgetown South Service Expansion and Pearson Air Rail Link

As it relates to the identified fifteen (15) Priority Rapid Transit Projects, Metrolinx has completed the required "Benefits Case Analysis" (BCA) for the following projects: Dundas Street, Durham-Scarborough, GO Rail improvements, Hurontario-Main, Hamilton King-Main (B-Line), Sheppard-Finch, GO Lakeshore service improvements, Yonge North Subway Extension, Scarborough RT, and VIVA.

Specific to Hamilton's Rapid Transit projects, in October 2008, Hamilton City Council approved a recommendation directing staff to study rapid transit with

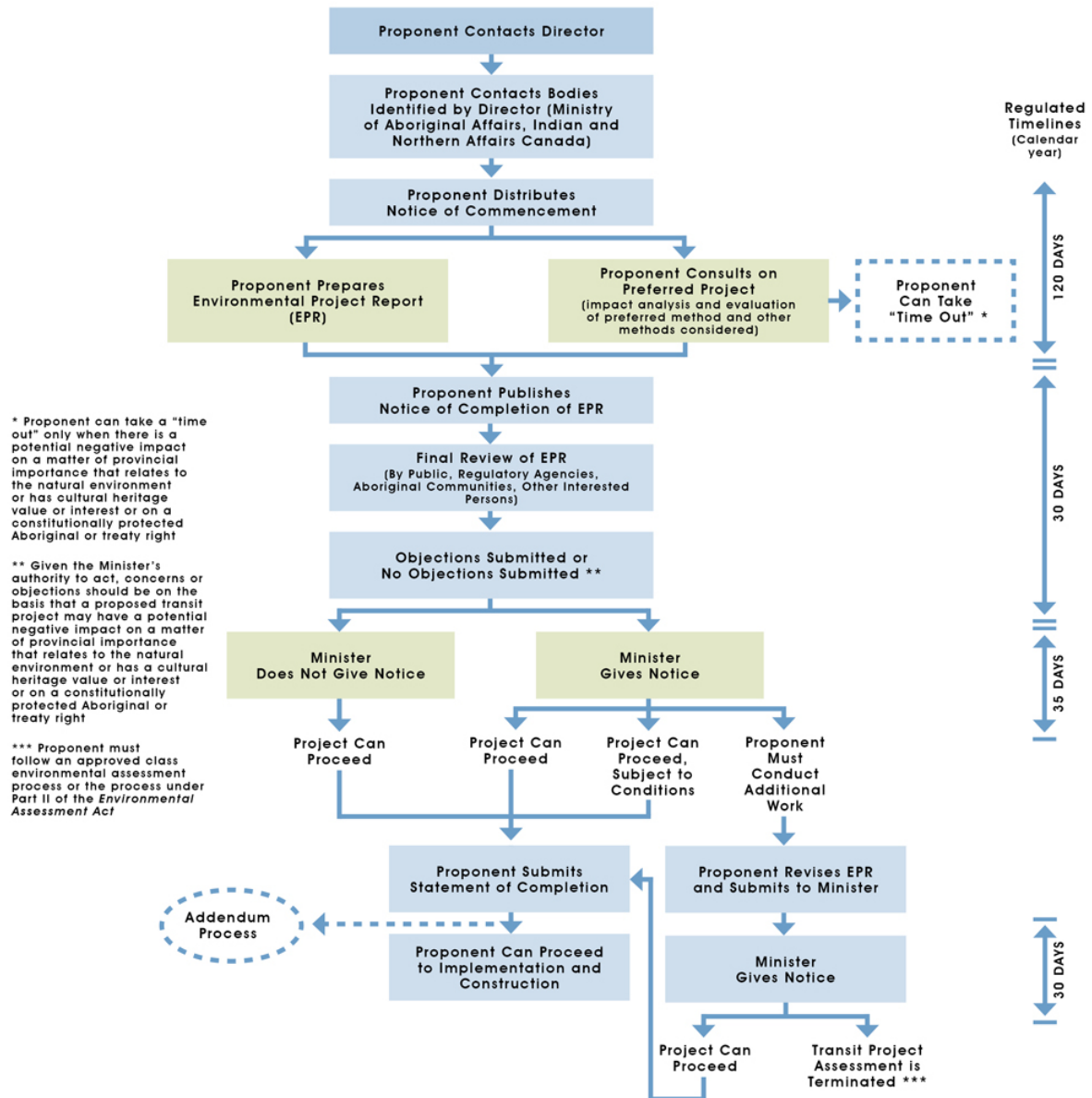
Light Rail Transit (LRT) as the preferred option for higher order transit in Hamilton. Metrolinx was requested to proceed with the required benefits case analysis (BCA) to include the functional design, detailed design and construction of the B-Line Rapid Transit Corridor. The BCA was completed and subsequently presented to the Metrolinx Board of Directors.

City staff and interested Council members embarked on a three-city, LRT fact-finding tour of Charlotte, North Carolina; Portland, Oregon; and Calgary, Alberta. Staff and Councillors (including the Mayor) had an opportunity to ride the LRT systems in each city, to discuss the planning and implementation process with municipal employees, and to hear the feedback of citizens and stakeholders in each community.

In April 2009, the Province of Ontario provided \$3 million to the City of Hamilton (through the Provincial Budget) for a PDE study for LRT on the B-Line and a Feasibility Study on the A-Line. The City and Metrolinx subsequently signed a Contribution Agreement (CA) \$3 million in funding for Rapid Transit studies. The CA is scheduled to expire March 31, 2012.

Going forward, the Metrolinx Board has approved a Project Prioritization Framework, which is a methodology for evaluating the remaining unfunded priority projects from The Big Move. The Framework provides technical evidence for identifying projects with the highest benefits based on the Metrolinx triple bottom line, as well as the overall goals and objectives of The Big Move, which will be used to inform the capital planning decision-making. This process enables the Board to assess the project's strategic fit, which allows for consideration of broader elements, such as leveraging of other projects and initiatives, project readiness, funding, as well as a project's contribution towards completing the Greater Toronto and Hamilton Area transportation network. This prioritization is an ongoing process subject to additional refinement as new analysis from other studies emerges.

Appendix G Transit Project Assessment Process



Appendix H Summary of consultation events

Rapid Transit Initiative Consultation Events

Pre-Planning Phase The objective of consultation during the Pre-Planning phase was to discuss the planning of rapid transit, including examination of project alternatives, and develop the details of the project. This was undertaken between April 2008 and June 16, 2011. Consultation undertaken during this period is outlined in Section 6.2 below.

TPAP Phase - The objective of the consultation during the TPAP phase was to consult on the developed project and the potential impacts and proposed mitigation measures. This phase commenced on June 17, 2011 concurrent with the Notice of Commencement. Consultation undertaken during this period is outlined in Section 6.3 below.

The public, regulatory agencies, aboriginal communities and other interested parties were able to choose their level of involvement from one or more of the following options:

- Public open houses
- The project website
- The project Facebook page
- Twitter
- Face-to-face meetings
- Presentations to stakeholder groups, including Chamber of Commerce, Business Improvement Areas (BIAs)
- Appearance and stands at local community events and festivals;
- Regular newsletters
- Corridor walkabouts
- Contacting the RT Team directly via either telephone, through the website, email or postal mail
- Contacting a member of the Rapid Transit Citizen Advisory Committee

At the public open houses, display panels and video presentations were used to present information about the project. Project staff, both City staff and consultant staff, were available at the open houses to answer any questions that were raised.

Six formal rounds of public consultation/engagement have been undertaken; five as part of the Pre-Planning phase and the sixth as part of the TPAP phase.

Notification Protocol

A number of communication methods have been used to notify stakeholders of events, latest project news and opportunities to input and comment. These include:

- Regular newsletters
- Emails to interested parties, both members of the public and stakeholders, on the Rapid Transit teams mailing list (and letters to mailing members without email)
- Information posted on the project website
- Project Facebook page
- Twitter
- Corridor walkabouts
- Advertising of events and project articles in the local media

- The Rapid Transit Citizen Advisory Committee meetings.

The City of Hamilton RT Team has directly contacted First Nations and local Aboriginal organisations for their views and input to development of the project, including provision of milestone notification of all opportunities to review and comment on project proposals.

Consultation During Pre-Planning

This section describes the consultation activities that have taken place between April 2008 and May 2011 during the Pre-Planning phase of the B-line LRT project.

There is a wide range of interests and stakeholders associated with the project, including, but not limited to:

- Metrolinx
- Developers/real estate/homebuilders association
- Other municipalities
- Provincial agencies with an interest in the project
- Business Improvement Areas and business owners
- Hamilton Chamber of Commerce
- Hamilton's top employers
- Special Interest Groups
- Colleges and Universities
- General public
- Youth groups
- Seniors groups
- Neighbourhood groups
- Conservation Authorities
- Aboriginal communities and First Nations representatives
- Property owners

A mailing list, which as of July 14, 2011 comprised 2,319 contacts, was created at the beginning of the project to identify directly affected property owners, government agencies, interest groups, other key stakeholders, and residents who were interested in receiving project information. The list of stakeholders consulted is dynamic and has been expanded to incorporate new stakeholders during the course of the project. A link on the project website (www.hamiltonrapidtransit.ca) provided the opportunity for any interested individuals or organizations to be added to the contact list and all consultation feedback material provided the opportunity to register to be kept updated.

Summary of Consultation With Aboriginal Communities

In April of 2002, as part of the Red Hill Valley project, the City of Hamilton and Six Nations community initiated an in-depth and focused dialogue to understand and address important cultural issues centered on the Red Hill Valley. Rather than engage in debate or dispute about the nature of their rights in the Valley, the Parties have resolved instead to concentrate on agreeing about the nature of their responsibilities and about how those responsibilities will be fulfilled. The agreements reached reflect those important objectives, and the Joint Stewardship Board is to be involved in any type of development on any city-owned land in the Red Hill Valley.

The Haudenosaunee - Hamilton Red Hill Agreements can be found on the following website:

<http://jointstewardshipboard.com/images/stories/executivesummary.pdf>

All notices for public consultation events were circulated to First Nations Contacts through our technical agencies mail outs.

No comments have been received from the First Nations communities.

Summary of Consultation With General Public and Property Owners

The Rapid Transit Team has also been active in reaching out to the community through attending various community organized events. While in attendance at these events, staff were available at information booths and handed out brochures, surveys and answered questions regarding the Rapid Transit Initiative. These events included:

- Hamilton Light Rail Workshop on May 1, 2008
- Hamilton International Airport on May 15, 2008
- The Landsdale Neighbourhood Association's "Summer in the Park" event on July 6, 2008 at JC Beemer Park
- St. Joseph's Hospital on July 2, 2008
- Jackson Square on July 21, 2008
- Eastgate Square on July 22, 2008
- Limeridge Mall on July 24, 2008
- The University of McMaster "Clubfest" on September 3, 2008;
- The North End Neighbourhood Association BBQ on September 13, 2008;
- Westitalia (by Westdale Village BIA) on September 13 and 14, 2008;
- Ancaster Community Council Meeting in September 2008
- McMaster Student's Union in November 2008
- Mohawk College on December 17, 2008
- Stipely Neighbourhood Community Meeting in March 2009
- Landsdale Neighbourhood Association on November 23, 2009
- Art Gallery of Hamilton on January 28, 2010
- Ward 5 Residents Meeting on February 11, 2010
- Visit to Downtown BIA Members on February 9, 2010
- Ward 1 Meeting on March 22, 2010
- International Village BIA property owners visits on March 26, 2010
- McMaster University Station Location Update Meeting on June 24, 2010
- Meeting with Nicholas Kevlahan on September 22, 2010
- Fortinos, January 4, 2011
- William & Michael Struss, property owners on January 19, 2011
- Crown Point Planning Hub Meeting on February 28, 2011
- South Sherman Planning Hub Meeting on March 7, 2011
- Cathedral High School on May 9, 2011

Staff also worked with Councillors to use their existing communication channels to help spread the word about the B-Line Rapid Transit project. This has included the use of their Ward newsletters and updates at Ward meetings.

Public Open Houses #1 and 2

Several Open Houses were held between April 2008 and March 2009. Two Open Houses were held in May of 2008 following the completion of the Rapid Transit Feasibility Study (FTFS) Phase 1. The Open houses were held at:

- Sackville Hill Seniors Recreation Centre on May 6th 2008;
- Board of Education on May 8th 2008

The purposes of the Open Houses were to present information about the project and to receive public feedback on the type of Rapid Transit that should be pursued.

In December 2008, Open House Community Update meetings were held at

- Hamilton Convention centre on December 2 2008; and
- Barton stone united Church on December 4th 2008

The purposes of the Community Update Meetings were to:

- Provide information to the public on the status and next steps of the rapid transit initiative;
- Provide comments on the draft Vision Statement;
- Get the public thinking about their role in providing rapid transit in Hamilton and how they would like to participate in the planning as the project moves forward; and
- Bring forward for comment the overriding draft vision statement that was developed by staff to guide rapid transit planning through to implementation, for their consideration and comment.

The Open Houses and Community Update meetings were interactive and included a formal presentation by Jill Stephen, Rapid Transit Director and one on-one interaction among attendees and City staff. Display panels were set-up and provided information about the project. All attendees were greeted at the entrance and were asked to sign-in. More than 150 people attended the May Open Houses and nearly 100 people attended the two Community Update meetings in December.

Property Owners Workshops

Two property owner workshops were held during February 2009. These sessions were aimed at establishing a foundation and positive working relationship and not only provided information about the project, but also engaged property owners to ask questions and provide comments in order for the City to better understand their issues and concerns.

Public Open House #3

Three Community Update events, in the east, west and Downtown were held at the beginning of June 2009 to update the public on the options being investigated and the next steps for the project. These were attended by 73 people who saw a series of display boards and a presentation given by the RT Team, as contained in Appendices C.1 (General Public and Property Owners), along with a copy of the submitted comment forms.

West: St. Paul Anglican Church - June 1, 2009

East: Church of the Nativity - June 3, 2009

Downtown: Sheraton Hotel - June 9, 2009

Rapid Transit Citizen Advisory Committee

To ensure regular engagement and input into the development of the project the City established a Rapid Transit Citizen Advisory Committee (RTCAC) in the Summer of 2010.

The role of the RTCAC is to provide input and advice to the City of Hamilton regarding the planning and development of the Rapid Transit Initiative and related land use planning studies.

The Committee comprises 26 members, made up of members of the public, property owners in the corridor and a number of stakeholder organizations. Membership was by application, in response to advertisements seeking interested citizens. In total, over 214 applications were received and final membership was determined through a process of filtering to ensure there was representation from all areas of the City. The Committee includes 9 general public Members, 6 property owners in the corridor, with the remainder representing business or community stakeholders.

The RTCAC met for the first time in September 2010, where they agreed their Terms of Reference, a copy of which is included at Appendix S4. While the RTCAC is not a decision making body, it meets with the RT Team generally on a monthly basis to provide feedback and input on emerging ideas, project related work activities and other elements, such as consultation material. To date, 11 meetings of the RTCAC have been held (latest meeting on July 11, 2011) and RTCAC members have played an active role at each of the consultation events that have been held since its formation. All meeting materials and minutes from the RTCAC are located on the project website (www.hamiltonrapidtransit.ca)

Public Open House #4

A Public Open House event was held on the evening of September 30, 2010 to give the public an update on progress developing the project and to introduce the Rapid Transit Citizens Advisory Committee. Information panels, included in Appendix C.1 (General Public and Property Owners), along with a video of LRT examples, were on display and RT Team staff and members of the consultant team were on hand to answer any questions from the 31 attendees. All submitted comment forms are contained in Appendix C.1 (General Public and Property Owners).

Public Open House #5

The next round of Public Open Houses was held in January and February 2011. Open Houses were held at 7 locations in the City, 6 on or near the B-Line route, and 1 on the mountain, as follows:

- January 19 Scottish Rite, Downtown Hamilton
- January 20 Westdale Secondary School
- January 24 International Village Business Improvement Area (BIA), Downtown Hamilton
- January 25 Sir Winston Churchill Secondary School
- January 27 Courtyard Marriott Hotel
- January 28 McMaster University Students Union
- February 2 Downtown BIA

In total, these events, which included comprehensive information panels and a video simulation of LRT in Downtown Hamilton, were attended by over 650 people. The video simulation is available on the project website and on YouTube (<http://www.youtube.com/watch?v=JJVa-rSXOSA>), where it has been viewed nearly 4,000 times.

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In addition to specific Open House events, Rapid Transit Team members have held, or presented project details at, a number of meetings with stakeholders. These include:

- Realty Association, May 13, 2008
- Hamilton Chamber of Commerce, June 10, 2008
- Hamilton Halton Home Builders Association, July 17, 2008
- The Barton Village Business Improvement Association (BIA) First Annual Festival, July 19 and July 20, 2008 at Woodlands Park
- Festival Board, Summer, 2008
- GIS Day, November 12, 2008
- McMaster Centre for Spatial Analysis, February 27, 2009
- Transportation Summit, April 2, 2009
- Hamilton Environmental Industrial Association, April 9, 2009
- Downtown Hamilton BIA – Annual General Meeting, November 3, 2009
- Hamilton Association of BIA's (HABIA), December 15, 2009
- Mohawk College Student Project Background Presentation on Rapid Transit in Hamilton on January 20, 2010
- Downtown BIA, January 26, 2010
- Spectator Editorial Board, February 16, 2010
- CHML, March 26, 2010
- Hamilton Association of BIA's (HABIA), April 13, 2010
- Downtown BIA and international Village BIA, October 4, 2010
- Hamilton TMA, November 2, 2010
- Downtown BIA Annual General meeting, November 2, 2010
- Hamilton Chamber of Commerce on December 7, 2010
- International Village BIA, December 13, 2010
- Downtown BIA, December 17, 2010
- Hamilton Chamber of Commerce, December 17, 2010
- Liuna, December 21, 2010
- International Village BIA Board, January 12, 2011
- Downtown BIA Board, January 19, 2011
- Art Gallery Hamilton, February 10, 2011
- McMaster University, March 1, 2011
- Hamilton Businessmen Breakfast, March 10, 2011
- Environmental Arts Night at Sherwood Secondary School, March 23, 2011
- King Street West BIA meeting, March 30, 2011
- Ecohouse Green Adventures family weekend, April 8 and 9, 2011;
- McMaster University, April 14, 2011
- 11th Health & Safety Fair, April 26 and 27, 2011;
- Winona Community Information Night, May 10, 2011;
- Hamilton Economic Summit, May 12, 2011
- Business Development Committee, June 2, 2011
- Open Streets, June 12, 2011;
- Transportation & Healthy Living Fair, June 16, 2011.
- Bill Kelly Show (CHML), June 20, 2011
- McMaster Institute of Transportation & Logistics (MITL), July 20, 2011

Summary of Consultation With Technical Agencies and Municipal Staff

Throughout the study process, the Rapid Transit Team has kept in close contact with Metrolinx. This has included their invitation to, and attendance at, the regular Rapid Transit Technical Team meetings that have helped shape the project.

Direct consultation with technical agencies and organizations, including federal departments and provincial ministries with an interest in the project, members of the Government Review Team, utility companies, hospitals, schools, and affected conservation authorities commenced in February 2009, when a workshop session was held.

One hundred representatives were invited to attend the workshop, although, unfortunately, only nine of these attended. The workshop provided information about the project, but also encouraged the technical agencies to ask questions and provide comments in order for the City to better understand stakeholder issues and concerns. Some of these concerns included:

- Concern regarding cost and timeline of infrastructure relocation
- Concern about overhead wires obstructing Fire Rescue ladders
- Ease of walking from King to Main to take the transit system in both directions
- Concern regarding the effect of the Rapid Transit line on subsurface infrastructure.

In addition the following meetings were held with agencies:

May 1, 2008 - Metrolinx

July 14, 2008 - Clean Air Hamilton Committee

October, 2008 - Downtown - West Harbourfront Coordinating Committee

October, 2008 - Hamilton Roundtable for Poverty Reduction

October 14, 2008 - Advisory Committee for Persons with Disabilities

January 20, 2009 - Youth Advisory Committee of Council

February 23, 2009 - Hamilton Utility Policy Review Committee

January 27 & 29, 2010 - Metrolinx

March 3, 2010 - John Howe

March 3, 2010 - Police Chief

August 12, 2010 - Canadian Pacific Railways

October 12, 2010 - Implementing Rapid Transit Projects Group

October 18, 2010 - Hydro One

October 25, 2010 - Jim Dunn (McMaster)

October 27, 2010 - GO-Strachan Community Office

November 22, 2010 - Hamilton Day at Queens Park

December 8, 2010 - McMaster

December 14, 2010 - Green Venture

January 10, 2011 - MTO

March 16, 2011 - John Brodhead (Metrolinx)

June 3, 2011 - Metrolinx Re: PDE/MSF

June 3, 2011 - Hamilton Fire Chief Rob Simonds

June 9, 2011 - Karen Stintz, Chair of TTC

June 15, 2011 - Translog

June 24, 2011 - City Manager's Office/Planning/Rapid Transit - Re: Scott Park

July 18, 2011 - MTO

Development on the B-Line project has included consultation with City of Hamilton staff, including Public Works (Transit, Capital Planning & Implementation, Energy, Fleet & Facilities, and Operations & Maintenance), Planning and Economic Development (Development Planning, Community Planning, Downtown and Community Renewal, Strategic Services and Special Projects, Real Estate, Parking and By-law Services), Corporate Services, Community Services and Public Health Services. Public Works has continued to work collaboratively with Planning and Economic Development in this process, as the project is of true importance to the City as a whole, with great economic potential, and has implications to the Nodes and Corridors Policies of the Official Plan, Zoning By-laws and the Urban Structure Plan. Public Health Services also has an important role to play, especially in the area of improved air quality as a result of rapid transit implementation, as does Community Services, in regards to station design and residential intensification along the corridors.

Consultation with municipal staff included two Lunch and Learn sessions and two workshops. Lunch & Learn sessions were held to educate City staff on the project on July 24 and 25, 2008. A downtown lunch time Public Information Centre was also held on July 28, 2008 to capture downtown commuters who are potential riders of a rapid transit system, many of whom presently commute to work using a single occupancy vehicle.

On November 19, 2008 a cross-departmental workshop was held with 25 City staff personnel representing six City Departments, including Public Works, Planning & Economic Development, Emergency Services, Corporate Services, Community Services and Public Health. The purpose of the workshop was to:

- Provide information to City staff on the status and next steps of the rapid transit initiative
- Get all City departments thinking about their role in providing rapid transit in Hamilton
- Determine key contacts in each department
- Understand any opportunities or challenges departments see with the project and specifically with their role
- Identify key considerations for project decision making moving forward
- Develop an overriding statement that would guide rapid transit planning through to implementation.

A follow-up workshop was held with municipal staff on February 5, 2009 to provide an update on the information that has been gathered to date and to obtain comments on potential corridor and route alternative impacts.

Following this earlier engagement a Corporate Working Team comprising more than 70 staff from all departments across the Council was established. The Corporate Working team members met on an approximately quarterly basis and heard updates on the development of the project. Crucially the Corporate Working team members acted as the primary point of contact and coordinator for their service areas and were given project material to circulate, review and compile comments which they then fed back to the Rapid Transit team. In this way the views and input from all sectors of the Council have been taken into consideration and have helped shape the project during the Pre-Planning phase into its current form.

- June 23, 2010
 - Rapid Transit Initiative Status Update
 - Work plan / Critical Path
 - Role of Corporate Working Team
- September 9, 2010
 - Rapid Transit Initiative Status Update (Project Timelines)
 - B-Line Corridor Land Use Update
 - Design Workbook 2 Presentation & Discussion
 - Project Financial Update
- December 9, 2010
 - Rapid Transit Initiative Status Update (Project Timelines)
 - B-Line Corridor Land Use Update
 - Design Workbook 2 Presentation & Discussion
 - Project Financial Update
- March 3, 2011
 - Consultation update
 - Post consultation suggested amendments
 - Land use update
 - Modelling (Steer Davies Gleave)
 - Next steps
- June 17, 2011
 - B-Line Transit Project Assessment Process
 - Maintenance and Storage Facility update
 - Subsurface Infrastructure Update
 - Land use update / Industry Focus Group Report
 - Making the Case Study
 - Next steps/timelines upcoming deliverables

Consultation During Transit Project Assessment Process Phase

The Notice of Commencement officially starting the TPAP phase was placed in the Hamilton Spectator newspaper on June 17 and June 24, 2011.

In addition, the Notice was:

- Sent to the MOE Regional Director, Environmental Assessment and Approvals Branch Director, and Project Coordinator. Sent to all property owners within 30 m of the project corridor
- Sent to all mailing list recipients (email and postal mail)
- Shown in the Spectator in the “At Your Service” advertisement section (June 17 and 24)
- Posted on the project website
- Summary of Consultation With General Public and Property Owners

One round of consultation was held after the formal Notice of Commencement was issued. Notices of Public Information Centres were issued in the Brabant Community News on Thursday August 4, 2011 and in the Hamilton Spectator on August 5 and 12, 2011. Notices were also mailed to all property owners within 30 metres of the subject area, the project mailing list and posted on the project website.

This is summarized below and included 4 Public Open Houses held between August 15 and August 18, 2011.

Public Open House #6

The purpose of the consultation was for the public and other stakeholders to:

- Review work done to date
- Review the updated alignment since the January/February 2011 Public Open Houses
- Review potential impacts of the project and proposed mitigation treatment
- Provide feedback on the project as presented
- Provide comments or ask questions
- Obtain information on the future program for the project
- Open House events were held on:
 - August 15 at Sackville Hill Seniors Recreation Centre between 6 p.m. and 8 p.m.
 - August 16 at the Grand Olympia between 6 p.m. and 8 p.m.
 - August 17 at Hamilton Convention Centre between noon and 8 p.m.
 - August 18 at Hamilton Convention Centre between noon and 8 p.m.

The Open Houses included detailed panels along with mock up montages and a video simulation illustrating how the project might look when implemented.

Summary of Consultation With Technical Agencies and Municipal Staff

As was the case during the Pre-Planning phase, the Rapid Transit Team consulted and engaged with federal, provincial and municipal staff on a regular and ongoing basis, and as otherwise required. This has included the Rapid Transit Technical Team. Meetings of the Technical Team were scheduled and generally held on a two week basis throughout the Pre-Planning phase and the TPAP phase (although on a less frequent basis during the TPAP phase).

The Corporate Working Team met once at the beginning the TPAP phase, although relevant material was circulated on an as and when basis to elicit feedback and comments.

Direct engagement with technical agencies has comprised:

- Ontario Ministry of the Environment Environmental Approvals and Assessment Branch Senior Project Officer and Senior Noise Engineer (May 27, 2011) – agreement on scope and criteria to be used for noise and vibration assessment; review/agreement on content/layout of Environmental Project Report; and review/sign-off on draft EPR and selected technical reports; discussion of TPAP process and timeline;
- Ontario Ministry of Tourism and Culture – pre-submission and sign-off on archaeological, built heritage resources and cultural heritage landscape components;
- Ontario Ministry of Transportation – Review of 403 crossing and modelling of ramps (July 18, 2011);

Agencies were circulated a copy of the Notice of Public Information Centres the week of August 2nd, 2011.

Commitments to Future Work and Consultation

During the Transit Project Assessment Process, the City of Hamilton Rapid Transit Team worked closely with other City staff and key stakeholder agencies to address and resolve any issues or concerns. Commitments to future work for the project, and related consultation activities, are listed below.

LRT Design

- Continue consultation with the public, property owners, business operators, regulatory and other government agencies, Aboriginal communities, and other interested stakeholders during design of the LRT alignment, stops and ancillary facilities, such as traction power substations and the location of a maintenance and storage facility.
- Consultation with Red Hill Valley Stewardship Board - The City will circulate to the Board, via the coordinator, proposed design plans for their input and will attend any Board meetings to discuss the project. Extensive construction management, mitigation and restoration programs were utilized for the construction of the Red Hill Valley Parkway and the City will commit to following these practices for any work in the Red Hill Valley.
- Continue consultation on integration of the LRT system and public realm enhancement initiatives.
- Work with residents and business along the corridor to develop parking and loading strategies to minimize impacts
- Continue discussions with McMaster University with regard to:
 - the location and configuration of the terminal stop at the University;
 - potential for electromagnetic interference impacts;
 - drainage and other infrastructure requirements; and
 - the most effective way to provide the interface between the campus, the LRT service, and other possible transit initiatives in the area (e.g., GO Transit bus service).
- Consult with the owners and tenants of Eastgate Square with regard to the location and configuration of the terminal stop at the Mall.

B-Line Nodes and Corridors Land Use Planning Study (Secondary Plan) Consultation Events

Project Kick-Off

- Public Information Centre - September 30, 2010*

Developing the Corridor Vision Statement

- Corridor Focus Group Sessions
 - Rapid Transit Citizen Advisory Committee Focus Group - October 12, 2010
 - Ainslie Wood Westdale Focus Group - November 24, 2010
 - Strathcona Focus Group - November 23, 2010
 - Downtown Focus Group - December 7, 2010
 - Central West Focus Group - November 30, 2010
 - Central East Focus Group - December 7, 2010
 - East Focus Group - December 15, 2010
 - Public Visioning Workshop - January 11, 2011

Presenting the Draft Corridor Vision Statement to the Public

- Central - January 19, 2011*
- West - January 20, 2011*
- International Village BIA - January 24, 2011*
- East - January 25, 2011*
- Mountain (Upper James) - January 27, 2011*
- McMaster University - January 28, 2011*
- Downtown BIA (rescheduled) - March 3, 2011*

Consulting with the Development Industry

- Development Industry Focus Group - March 25, 2011

Design Charrettes and Public Information Centres - Creating and Presenting designs of possible future development along the corridor

- Main Street West / Longwood Road - June 21, 2011
- Queenston Traffic Circle and Parkdale Avenue - June 23, 2011
- King Street West / Dundurn Street - June 27, 2011
- The Delta and Ottawa Street - June 28, 2011
- King Street East / Wentworth Street - July 5, 2011
- Queenston Road / Nash Road - July 6, 2011

* Joint Consultation Events - Rapid Transit Initiative and B-Line Nodes and Corridors
Land Use Planning Study

Appendix I Nodes and Corridors B-Line Planning Information

B-Line Corridor Vision Statement

The B-Line Corridor is...

DIVERSE

The corridor comprises vibrant and diverse neighbourhoods, made up of a mix of housing, services and amenities for all ages, incomes, household types, cultures and abilities. The diverse character of the unique neighbourhoods, places, buildings and streetscapes along the corridor, are recognized and celebrated.

BEAUTIFUL

The corridor is an attractive high quality environment. Beautiful buildings, public spaces, landscapes and streetscapes work together in creating places where people want to live, work, play and visit. Streetscapes are human scale, animated, comfortable, accessible and safe. Walking and gathering are promoted.

CONNECTED

The corridor connects people and their neighbourhoods to each other and important places in the City and beyond. The corridor promotes multiple ways for everyone to move around seamlessly, safely, and comfortably, by foot, bike, transit and car.

SUSTAINABLE

The corridor contributes to a sustainable future for the whole city. Innovative transportation options, efficient use of land, energy and resources, and an innovative sustainable built environment promotes healthy lifestyles and high quality of life for present and future generations.

REVITALIZED

The corridor is a destination for new investment and employment opportunities. The character of existing neighbourhoods is enhanced through renewal of buildings and businesses. A growing population supports new development, services and amenities.

Appendix J B-Line Nodes and Corridors Developers' Workshop Report

B-Line Corridor Land Use Study DEVELOPMENT INDUSTRY FOCUS GROUP

FINAL REPORT

1.0 Introduction

The City of Hamilton has initiated a secondary planning process for lands along the B-Line Corridor (Main-King-Queenston) from McMaster to Eastgate Square Mall. This will be a corridor plan that will put in place future land use patterns (uses, heights, densities, urban design elements) for properties through this corridor. This work is being done concurrently and in collaboration with the City's planning, engineering and design studies for an LRT (light rail transit) system along this corridor.

Investment in intensification along this corridor is important to meet the city's Official Plan goals and to the long term success of an LRT system. Therefore, in addition to consultation with citizens along the corridor the Nodes and Corridors Planning Group organized a focus group to reach out to those in the development industry with interest or experience in developing intensification projects.

Thirty members of the regional development industry; developers, architects, planners and real estate professionals were invited to come together for a half day to learn more about the corridor planning study and to provide input early in the process as to what types of intensification will and will not work in the corridor and what city policies and programs can be implemented to better encourage intensification.

Twenty one members of the development industry volunteered their time to attend the focus group on the morning of Friday March 25, 2011 at LIUNA Station in Hamilton.

This report documents the discussion that took place at the event.

2.0 Overview of Discussion

After a morning of candid discussion a general consensus formed both within working groups and between groups in regard to concerns about, and ideas for encouraging intensification along the corridor. The following responses were provided:

What are the biggest barriers to achieving a successful intensification project along the B-Line corridor?

- Macroeconomic issues including lack of employment opportunities, low incomes, a weak market and low property values
- Cumbersome planning procedures and processes which are misaligned with policy intent
- Government imposed costs including development charges, parkland dedication requirements (which have punitive high density formulas) and application fees.
- Safety and security issues for residents along the corridor
- Inflexible zoning and extensive upfront study requirements
- Heritage regulations and designations

What are the most important policy and program changes the City could make to help implement intensification along the corridor?

- Expand existing downtown incentive programs to entire corridor
- Reduce the scope of the application process
- Encourage private public partnerships
- Share the risk with developers in terms of accountability, reporting and study requirements
- Introduce flexible zoning including as-of-right zoning to permit land assembly and increase property values
- Eliminate government costs including development charges

Impact of LRT

When discussing the impact of the proposed LRT opinions were mixed. Many participants were of the opinion that the LRT was a good tool for encouraging development and intensification while others were concerned about the possible effect on larger economic issues, especially increases in municipal taxes that were identified as a factor in discouraging development. There was general consensus that in order to realize investment in intensification it is essential that changes to policy and incentive programs be implemented along the corridor before construction begins on the LRT.

3.0 Attendees

Development Industry:

Anthony Ferrari,	Forum Equity Partners Inc.
Brenda Khes	Khes Planning
Dan Gabriele	Marz Homes

David Court	Green Realty Ltd
David Sauve	MDL Investments/Core Urban Inc.
Drew Hauser	McCallum Sather Architects Inc.
Emma Cubitt	Garwood-Jones and Hanham Architects
Evan Apostol	Wilson Blanchard Management Inc.
Gabe Gasbarrini	Award Construction
Gerald Asa	Effort Trust
Howie Paskowitz	Medallion Developments Inc.
Jacky Fu	Everlast Group
Joe Lakatos	A.J. Lakatos Planning and Design
Rick Lintack	Lintack Architects Inc.
Robert Manherz	Dundurn Edge Developments
Rudi Spallacci	The Spallacci Group
Sally Tyler,	Seferian Design Group
Sergio Manchia	IBI Group/Urban Core Developments Inc.
Steve Kulakowsky	Core Urban Inc.
Steve Spicer	Multi-Area Developments
Vince Molinaro	Molinaro Group

City Staff: (Resource and Observation)

Al Fletcher, Manager, Strategic Projects, Zoning By-Law Reform, PED
Alana Fulford, Planner, Nodes and Corridors Planning, PED
Bill Janssen, Acting Director, Strategic Services/Special Projects
Brian Morris, Business Development Consul., Economic Development & Real Estate, PED
Carla Ippolito, Manager, Finance and Administration, Rapid Transit, PW
Chris Phillips, Senior Advisor, Office of the City Manager
Christine Lee-Morrison, Manager, Nodes and Corridors Planning, PED
Christine Newbold, Senior Project Manager, Nodes and Corridors Planning, PED
Glen Norton, Acting Director, Downtown and Community Renewal, PED
Jillian Stephen, Director, Strategic Planning and Rapid Transit, PW
Justin Readman, Manager, Rapid Transit, PW
Ken Coit, Senior Urban Designer, Nodes and Corridors Planning, PED
Lindsay King, Planner, Strategic Services and Special Projects
Michelle Sergi, Manager, Community Planning and Design, PED
Neil Everson, Director of Economic Development & Real Estate, PED
Shannon Hamilton, Planner, Strategic Projects, Zoning By-Law Reform, PED
Steve Robichaud, Manager, Development Planning, PED
Trevor Horzelenberg, Senior Project Manager, Rapid Transit, PW
Ashley Curtis, Associate, Steer Davies Gleave, Consultants to Rapid Transit PW

4.0 Minutes of Meeting

4.1 Welcome Remarks and Introductions

Neil Everson, Director of Economic Development & Real Estate gave a brief introduction and welcomed participants to the workshop.

4.2 Staff Presentation

Ken Coit gave a presentation on the background of the B-Line Land Use Corridor Study.

There were no questions from the audience.

4.3 Break Out Groups, Part One

Workshop participants were divided into three breakout groups as follows:

Group 1

Anthony Ferrari, Brenda Khes, David Sauve, Drew Hauser, Evan Apostol, Joe Lakatos, Robert Manherz and Vince Molinaro. Karla Koli, Facilitator and Christine Newbold, Recorder

Group 2

David Court, Emma Cubitt, Gerald Asa, Howie Paskowitz, Jacky Fu, and Sergio Manchia. Merrilees Willemse, Facilitator and Christine Lee-Morrison, Recorder

Group 3

Rudi Spallacci, Dan Gabriele, Rick Lintack, Steve Kulakowsky, Steve Spicer, Gabe Gasbarrini, and Sally Tyler. Brent Bullough, Facilitator and Alana Fulford, Recorder

In the groups above, workshop participants discussed three questions. The results of their discussions are summarized as follows:

What are the best opportunities for new intensification development along the corridor?

Group 1

- West end of the city
- Near McMaster Innovation Park
- Main St. W., University Plaza
- Eastgate Square, for long term development of rental units

- King St and Hess St
- Queen St and King St
- Central area of the city, for small scale intensification
- Head Street and Strathcona
- John and King William
- Wellington and King
- King and MacNab
- King and Walnut
- King and Wellington
- City-owned parking lots through public private partnership
- Larger lots, at least 34 m in depth
- Where land values are higher
- Between King and Main Streets at Emerald – former CAA site

Group 2

- Underutilized sites
 - Queenston Traffic Circle – City Motor Hotel site
 - Older physical structures
 - Downtown parking lots
- Kenilworth Ave. and Ottawa Street
 - Participants noted that there is a potential for more height in this area
- West end of the city
 - Near McMaster
 - Innovation Park, for condo development
 - Chedoke Golf Course
 - Participants noted the presence of jobs, open spaces and proximity to McMaster, McMaster Innovation Park and Westdale as attributes which make this area appealing for development.
- King and Queen
 - Participants noted that this area has potential for height
- Focus greater density in downtown core
 - Participants noted the importance of a vibrant downtown as a key to success
- Main St from Cootes to Paradise
- Gage to Ottawa, for medium-rise development
- King and Wentworth
- King and Sherman
- King and Prospect
- Balsam Ave S and Main
- 922 Main Street East (Balsam and Main)
- Prospect Street S. from Main to King

- Parkdale to Red Hill, for medium-rise development

Group 3

Near Term Development Opportunities:

- West end of the city (James Street to McMaster University)
 - Participants noted that this area has potential for mid-rise development
- Downtown to Dundurn
 - Participants identified good development potential in this area, especially for mid-rise properties, but noted challenges around land assembly.

Long Term Development Opportunities:

- The Delta
 - Participants identified the potential for long term development in this area.
- Red Hill Parkway
 - Participants identified the potential for long term development in this area.
- Central West
 - Participants identified opportunities for small scale infill and live-work development opportunities over the longer term. They identified a lot of choice in available properties in this area.
- Nash to Centennial Pkwy
 - Commercial intensification opportunities

The following types of development were identified as the best opportunities for new intensification along the corridor.

- Higher density, six storey development
 - Participants identified the potential for this type of development along the length of the corridor over the long term.
- Commercial development around station stops
- Mixed use development along the corridor
- Stacked townhouses
- Retrofits of existing built form

Group 3 also discussed the need to see the LRT in place to properly understand the dynamics and market potentials.

Where along the corridor will it be most difficult to achieve intensification? What types of development will be most difficult to achieve?

Group 1

- Central area of the city, for large scale intensification
- East of downtown
 - Due to market and image

Group 2

- Central area
 - Participants noted that low property values in this area are a disincentive to develop
- Wellington to Gage

Group 3

- Wellington St. to Sherman Ave. will be the greatest challenge
- Central East, where low property values pose a risk to developers

What City policies and investments are working to encourage intensification/revitalization?

Group 1

- Incentive programs/Downtown programs
 - Participants noted that incentive programs have reduced barriers to building downtown.
- ERASE

Group 2

- Downtown incentives
 - Participants noted that there has not been a lot of development downtown in spite of these incentives.

Group 3

- ERASE
- CIP
- Downtown Renewal
- TIFF

***What City policies and investments are presently discouraging
intensification/revitalization along the corridor?***

Group 1

- Economic Conditions
 - Lack of market and low land values
 - Participants noted an unfavourable image of downtown.
- Requirements and Regulations
 - Height requirements
 - Zoning regulations
 - Density requirements
 - Parking requirements
 - Participants noted that current parking requirements are not promoting intensification.
 - Heritage Requirements
 - Participants noted that the costs of making heritage properties financially viable are large.
 - Participants noted that heritage policies discourage investment as it is more costly to preserve these buildings; at the same time, they noted that heritage properties are attractive and have value.
- Fees
 - Development charges
 - Participants noted that Hamilton's development charges encourage developers to go to neighbouring jurisdictions, such as Burlington, where they can get a better return on their investment.
 - Participants noted that the development charges are not re-invested in the local area.
 - Participants noted the deferred development charges, as currently implemented, are not working.
 - Parkland Dedication
 - Participants noted that the parkland that is acquired is not necessarily located close to the site of development and does not benefit the area.
- Taxes
 - Participants noted that high taxes are decreasing interest to buy.
 - Participants noted that the tax ratio for land waiting to be developed needs to be lowered, but only if there is an application in process.
- Lack of knowledge and expertise in the development industry regarding intensification

- Small properties and the challenges of land assembly
- Lack of incentive programs outside the downtown area
- Aging infrastructure

Group 2

- Stormwater Management Requirements
 - Participants noted that flooding mitigation requirements can be too restrictive. e.g. Acceptance of only one model for analysis.
- Greenfield Policies
 - Participants noted that greenfield policies can conflict with intensification in the lower city. The example of a required office development at Heritage Green was cited.
- Setting Sail policies
 - Participants noted that these policies are too restrictive and that they won't allow for mixed use development at LIUNA station. They suggested that the policies do not enable a mobility hub design.
- Road Widening
 - Participants noted that road dedication requirements can be too restrictive and that they are not necessary in all cases. They can reduce the development potential of the land.

Group 3

- Parking requirements
- Parkland dedication requirements
- Zoning (fees, process – study requirements)
- Development charges

4.4 Break-Out Groups, Part Two

After a short break groups reviewed their comments from the previous session and then discussed the following questions:

What are the biggest barriers to implementing a successful intensification project along the corridor?

Group 1

- Fees
- Parkland Dedication Fees
 - Participants noted that parkland dedication fees increase exponentially with density and can reduce land value by up to 5%.
- Mill Rate

- Participants noted that Hamilton has the highest mill rate of the surrounding communities. Buyers will end up paying more in taxes in Hamilton as compared with other locations.
- Development Charges
- Social and Economic Conditions
 - Participants noted the challenges of the Hamilton market, in particular the difficulty of trying to sell high value properties when there is an oversupply of low value housing.
 - Participants noted an image problem in certain areas of the city.
- Regulations and Requirements
 - Participants identified barriers in zoning restrictions, height restrictions, and parking requirements.
- Application Process
 - Participants noted that the application process is unclear and overly complicated.

Group 2

- Requirements and restrictions
- Social and economic conditions
- Public acceptance of zero parking
- Existing economic conditions
- Difficulty obtaining financing from the banks
- Negative image of Hamilton
- Lack of employment opportunities in brownfields north of the corridor
- Application Process
 - Application delays caused by agency reviews
 - Length of planning application process
 - Lack of integration and coordination between city departments

Group 3

- Fees
 - Costs of development application including time and resources
 - Fees including development charges and park dedication fees which make Hamilton less competitive than neighbouring jurisdictions
- Social and Economic Conditions
 - Participants noted that the city faces social challenges that the LRT alone will not solve.

- Participants identified high property values in the west end as a barrier
- Infrastructure
 - Participants noted that in some areas, intensification is limited by infrastructure capacity issues. They recommended replacing infrastructure while the LRT is being constructed.
 - Participants noted a lack of place making amenities in many neighbourhoods including grocery stores, commercial amenities, hotels and community facilities such as rinks and pools. They also noted that existing facilities are old and not well maintained. They noted that downtown parks underutilized.
 - Participants identified the area between Highway 403 and the Red Hill Parkway as significantly underserved – amenities and community facilities
- Application Process
 - Fees and study requirements
- Policy Framework
 - Contradictory policies with respect to parking requirements

What policy and program changes and new programs could the City consider to help implement intensification along the corridor?

Group 1

- Fees
 - Reduce development charges to encourage intensification
 - Reduce development charges for higher density developments
 - Forfeit development charges for green buildings
- Application Process
 - Conduct noise studies on a wider area than a just single property
 - Conduct precinct traffic studies instead of requiring individual studies
 - Eliminate unnecessary studies by creating a list of standards and requiring studies only if a proposed development deviates from those standards
 - Remove third party appeal in the development permit system
 - Expedite and/or customize programs for zoning and permitting
 - Hire dedicated staff for commercial and multiple residential development

- Improve coordination between by-law enforcement and planning staff
 - Improve access to encroachment permits
- Incentive Programs
 - Extend downtown programs to the whole corridor
 - Offset the cost of revitalizing heritage properties through city programs
- Requirements and Regulations
 - Allow for partnership between properties to meet application requirements (i.e. joint parking facilities)
 - Reduce parking requirements to one space per unit
 - Allow for more flexibility in building height
 - Create minimum heights and do not set maximum heights
 - Limit student housing

Group 2

- Requirements and Regulations
 - Implement flexible standards and parking ratios
 - Move to a market based parking system
 - Establish parking ratio requirements based on dwelling type and size
 - Give parking exemptions to auto share and bike share programs
 - Allow flexibility in land use to allow mixed use to develop over time
 - Allow developers to take their own risks
 - Don't require commercial ground floor for entire corridor
 - Ensure that flexible zoning and incentives work together
 - Allow flexibility in approaches
 - Make policy recommendations on the basis of sound planning
 - Minimum density coverage requirements
- Fees
 - Reduce parkland dedication fees
- Application Process
 - Expedite the planning applications to a maximum six month approval process
 - Set and adhere to timelines
- Partnerships
 - Improve opportunities for public private partnerships
- Incentive Programs
 - Improve development incentives

- Encourage all types of tenure including rental and affordable condos
 - Ensure that planning and programming is in place before the LRT is operational
 - Implement policies which encourage development for all corridors across the city
 - Provide incentives for employment growth
 - Provide a development charge exemption along corridor
- Image and Marketing
 - Improve “healthy image” along corridor

Group 3

- Incentive Programs
 - Extend CIP
 - Establish development charge free zones
 - Tie development charges to population targets
 - Reduce mill rate for LRT corridor
 - Provide a tax incentive for commercial tenants to move downtown
- Fees
 - Eliminate development charges in whole or in part
 - Eliminate development charges for a period of time to encourage development
 - Eliminate parkland dedication – the City should conduct a long term cost benefit analysis
 - Reduce the costs of the application process by waiving fees
- Requirements and Regulations
 - Establish a flexible zoning system which allows land development decisions to be guided by the market and takes a long term view
 - Reduce requirements by 30 to 50%
 - Reduce building setback requirements
 - Enable mixed use development but allow the market to dictate where it is appropriate (i.e. do not require ground floor commercial)
 - Implement flexibility of zoning - as-of-right zoning
- Application Process
 - Simplify the application process by requiring fewer studies
 - Share the risk with developers through accountability and reliability
- Partnerships
 - Establish public private partnerships to spur development of middle income rental properties

4.5 Summary Final Presentations

A representative from each of the three groups gave a short presentation outlining the biggest barriers to intensification and the most important policy and program changes the city could make to encourage intensification developed by their group.

What are the three biggest barriers to achieving a successful intensification project in along the B-Line corridor?

Group 1

- Fees including parkland dedication fees, development charges and taxes
- The Hamilton market
- The length and complexity of the application process

Group 2

- Macroeconomic issues including lack of employment opportunities, low incomes, a weak market and low property values
- The lengthy application process
- Cumbersome planning procedures and processes which are misaligned with policy intent

Group 3

- The Hamilton marketplace
- Government imposed costs including development charges, parkland dedication requirements (which have punitive high density formulas) and application fees.
- Safety and security issues for residents along the corridor
- Inflexible zoning and extensive upfront study requirements
- Heritage regulations and designations

What are the most important policy and program changes the City could make to help implement intensification along the corridor?

Group 1

- Expand existing downtown programs to entire corridor
- Reduce the scope of the application process
- Encourage private public partnerships

Group 2

- Establish a public private partnership incentive program
- Introduce flexible zoning and standards

- Share the risk with developers in terms of accountability, reporting and study requirements

Group 3

- Introduce flexible zoning including as-of-right zoning to permit land assembly and increase property values
- Eliminate government costs including development charges
- Streamline the application process

4.5 Questions and Discussion

Staff invited workshop participants to offer any further questions or comments. Ken Coit put forward the suggestion of discussing lot sizes and size of development and the relationship of the LRT to development of the corridor.

There were no concerns identified about the assumed lot sizes or other assumptions noted in the staff presentation.

Workshop participants made the following comments in regards to LRT:

- The LRT is grand investment but it is important not to put the carriage before the horse. It is essential that the proper programs and incentives are in place before the LRT is built.

4.6 Next Steps

Staff noted that a report will be generated documenting this meeting and will be posted on the project website:

www.hamilton.ca/nodesandcorridors and www.hamilton.ca/rapidtransit.

The results of this report will inform work on this project as it moves forward.

It is anticipated that work on the B-Line Corridor Plan will be completed by the end of 2011 and that the initial design work and Environmental Assessment Report for the Rapid Transit line will be complete in early 2012.

4.7 Closing Remarks

Jill Stephen thanked participants for their contributions.

**SUBJECT: Conventional, Rapid and Inter-Regional Transit: Technical,
Financial and Land Use Considerations (CM11016 / PW11064 /
PED11154 / FCS11072) - (City Wide) - Page 105 of 106**

Appendix K Details of High Low Cost Estimates

LRT - CITY SERVICES AND BUDGET IMPACTS (\$000s)				
ACTIVITY	Operating Costs		Capital Costs	
	Low	High	Low	High
<u>Operations & Waste Mgmt:</u>				
Road Inspection & Supervision	\$95	\$95	n/a	n/a
Snow Ploughing/Removal - B-Line	\$2,000	\$2,000	n/a	n/a
Snow Ploughing/Removal - Neighbourhood streets	\$1,515	\$2,730	n/a	n/a
Snow Ploughing/Removal - Alleyways	\$750	\$750	n/a	n/a
Winter Maintenance - Transit stops	\$0	\$50	n/a	n/a
Asphalt & Concrete work along the B-Line	n/a	n/a	\$0	\$200
Summer Maintenance - Transit Stops	\$0	\$200	n/a	n/a
Litter Control/ Recycling Container Mtce	\$0	\$735	\$0	\$225
Horticulture Floral Beds	\$0	\$51	n/a	n/a
Street Tree Trimming & Decorative Street lights	\$175	\$175	n/a	n/a
<u>Traffic Operations:</u>				
Manage Traffic Engineering	\$85	\$85	n/a	n/a
Traffic Signal System	\$0	\$250	n/a	n/a
Traffic Signs & Markings	\$0	\$150	n/a	n/a
Traffic Street Lighting	\$500	\$500	n/a	n/a
<u>Parking & By-Law Services</u>				
Additional Signing	\$0	\$50	n/a	n/a
Additional Crossing Guards	\$35	\$35	n/a	n/a
Parking Enforcement	\$660	\$660	n/a	n/a
Loss of Parking Revenues	\$400	\$400	n/a	n/a
<u>Water, Wastewater Operations</u>				
Maintain water, sewer mains post LRT	\$200	\$200	n/a	n/a
<u>Fire Department:</u>				
Articulated Aerial Device	0	0	1500	1500
<u>Rapid Transit Office:</u>				
Staff and Office	\$500	\$500	n/a	n/a
Sub-total	\$6,915	\$9,616	\$1,500	\$1,925
Contingency at 25%	\$1,729	\$2,404	\$375	\$481
Total	\$8,644	\$12,020	\$1,875	\$2,406
	low	high	low	high
	OPER	OPER	CAP	CAP

Appendix L Information from The Big Move - List of Projects

Express Rail on the Lakeshore Line from Hamilton to Oshawa
Rapid transit in Downtown Hamilton from McMaster University to Eastgate Mall
Rapid transit on Dundas Street in Halton and Peel
403 Transitway from Mississauga City Centre to the Renforth Gateway
Hurontario rapid transit from Port Credit to Downtown Brampton
Brampton's Queen Street AcceleRide
Rail link between Union Station and Pearson Airport
VIVA Highway 7 and Yonge Street through York Region
Spadina Subway extension to Vaughan Corporate Centre
Yonge Subway capacity improvements and extension to Richmond Hill
Eglinton rapid transit from Pearson Airport to Scarborough Centre
Finch/Sheppard rapid transit from Pearson Airport to Scarborough Centre and Meadowvale Road
Upgrade and extension of the Scarborough Rapid Transit line
Rapid transit service along Highway 2 in Durham
Improvements to existing GO Rail services and extension of GO Rail service to Bowmanville