



April 23, 2009

Honourable James J. Bradley, Minister
Ministry of Transportation
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77 Wellesley Street West
Toronto, Ontario M7A 1Z8

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The Regional
Municipality
of Durham

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Pat M. Madill, A.M.C.T., CMM I
Regional Clerk

**RE: BILL 163: THE GREATER TORONTO AND HAMILTON
AREA TRANSIT IMPLEMENTATION ACT, 2009**

**CORRESPONDENCE DATED MARCH 30, 2009 FROM
MINISTER OF TRANSPORTATION, HONOURABLE
JAMES BRADLEY RE: THE GREATER TORONTO AND
HAMILTON AREA TRANSIT IMPLEMENTATION ACT,
2009 (2009-J-19)**

Dear Minister, please be advised the Joint Finance and Administration, Works and Planning Committee of Regional Council considered the above matter and at a meeting held on April 22, 2009 Council adopted the following recommendations of the Committee:

- "a) THAT the following recommendations for changes to Bill 163, *the Greater Toronto and Hamilton Area Transit Implementation Act 2009* be forwarded to the Minister of Transportation and to the provincial Standing Committee on Finance and Economic Affairs:
 - i) The Province must recognize in Bill 163 that, for municipalities to plan effectively for key intensification corridors, they must be included as true partners in the planning and implementation decisions around major transit infrastructure in their municipality;
 - ii) The Province must foster the meaningful participation and strong co-operation from municipalities that is vital to effectively implement the Regional Transportation Plan by creating a 'hybrid board of directors' that retains municipal representation on the proposed 15 member consolidated Metrolinx board as well as including private sector experts;

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- iii) Since Metrolinx will be investing a very large amount of public funding, Bill 163 must include provisions to ensure that the consolidated board will operate as openly, transparently and accountably as possible;
 - iv) The Province must simplify and clarify how the various provincial acts, plans and policies for the Greater Golden Horseshoe fit together;
 - v) The Province must assume the responsibility for establishing, implementing and administering a Provincial Transit/Transportation Development Charge and related funding model to replace the existing GO Transit development charge pursuant to the *Development Charges Act 1997*. This Provincial Transit/Transportation Development Charge and related funding models must form an integral part of the future investment strategy by incorporating the capital projects set forth in the Metrolinx Regional Transportation Plan and GO Transit capital plans to ensure that the growth components of these plans are funded from growth revenue sources;
 - vi) The regulatory authority in Bill 163, to prescribe a transit system as part of the Metrolinx system, must be accompanied by a responsibility to mitigate any negative impacts, financial or otherwise, on an affected municipally-operated transit system, as a result of the prescription of a system within its service area. One way to do this is to balance provincial investment in the regional and municipal transit systems; and
- b) THAT a copy of Joint Report No. 2009-J-19 of the Commissioners of Finance, Works and Planning be forwarded for information to the Ministers of Energy and Infrastructure, and Municipal Affairs and Housing, Durham Region MPPs, the Chairs of Metrolinx and GO Transit, the Cities of Toronto and Hamilton, the Regions of Halton, Peel and York, and the eight Durham area municipalities."

Please accept Report No. 2009-J-19 as the Region's submission to the Standing Committee in response to *Bill 163 the Greater Toronto and Hamilton Area Transit Implementation Act*. We appreciate the opportunity to provide input.

As directed, please find enclosed a copy of Report #2009-J-19 of C. Curtis, Commissioner of Works, R.J. Clapp, Commissioner of Finance, and A.L. Georgieff, Commissioner of Planning.



P.M. Madill, AMCT, CMM I
Regional Clerk

PMM/cb

Enclosure

- c:
- G. Smitherman, Minister of Energy & Infrastructure
 - J. Watson, Minister of Municipal Affairs & Housing
 - J. Dickson, MPP (Ajax/Pickering)
 - R. Johnson, MPP (Haliburton-Kawartha Lakes-Brock)
 - W. Arthurs, MPP (Pickering/Ajax/Uxbridge)
 - C. Elliott, MPP (Whitby/Ajax)
 - J. O'Toole, MPP (Durham)
 - J. Ouellette, MPP (Oshawa)
 - R. MacIsaac, Chair, Metrolinx
 - P. Smith, Chairman, GO Transit
 - U. Watkiss, Clerk, City of Toronto
 - K. Christenson, Clerk, City of Hamilton
 - J. MacCaskill, Acting CAO, Region of Halton
 - ✓ C. Gravlev, Clerk, Region of Peel
 - D. Kelly, Clerk, Region of York
 - M. de Rond, Clerk, Town of Ajax
 - T. Gettinby, Clerk, Township of Brock
 - P. L. Barrie, Clerk, Municipality of Clarington
 - S. Kranc, Clerk, City of Oshawa
 - D. Wilcox, Clerk, City of Pickering
 - K. Coates, Clerk, Township of Scugog
 - D. Leroux, Clerk, Township of Uxbridge
 - P. Jones, Clerk, Town of Whitby
 - R.J. Clapp, Commissioner of Finance, Region of Durham
 - C. Curtis, Commissioner of Works, Region of Durham
 - A.L. Georgieff, Commissioner of Planning, Region of Durham



The Regional Municipality of Durham
 To: The Planning, Works and Finance & Administration
 Committees
 From: A.L. Georgieff, Commissioner of Planning
 C.R. Curtis, Commissioner of Works
 R.J. Clapp, Commissioner of Finance
 Report No.: 2009-J-19
 Date: April 22, 2009

SUBJECT:

Bill 163 the Greater Toronto and Hamilton Area Transit Implementation Act 2009

Correspondence dated March 30, 2009 from Minister of Transportation, Hon. James Bradley re: *the Greater Toronto and Hamilton Area Transit Implementation Act, 2009*

RECOMMENDATIONS:

That the Planning, Works, and Finance and Administration Committee recommend to Regional Council:

- a) THAT the following recommendations for changes to Bill 163, *the Greater Toronto and Hamilton Area Transit Implementation Act 2009* be forwarded to the Minister of Transportation and to the provincial Standing Committee on Finance and Economic Affairs:
 - i) The Province must recognize in Bill 163 that, for municipalities to plan effectively for key intensification corridors, they must be included as true partners in the planning and implementation decisions around major transit infrastructure in their municipality;
 - ii) The Province must foster the meaningful participation and strong co-operation from municipalities that is vital to effectively implement the Regional Transportation Plan by creating a "hybrid board of directors" that retains municipal representation on the proposed 15 member consolidated Metrolinx board as well as including private sector experts;
 - iii) Since Metrolinx will be investing a very large amount of public funding, Bill 163 must include provisions to ensure that the consolidated board will operate as openly, transparently and accountably as possible;
 - iv) The Province must simplify and clarify how the various provincial acts, plans and policies for the Greater Golden Horseshoe fit together;

- v) The Province must assume the responsibility for establishing, implementing, and administering a Provincial Transit/Transportation Development Charge and related funding model to replace the existing GO Transit development charge pursuant to the Development Charges Act 1997. This Provincial Transit/Transportation Development Charge and related funding models must form an integral part of the future investment strategy by incorporating the capital projects set forth in the Metrolinx Regional Transportation Plan and GO Transit capital plans to ensure that the growth components of these plans are funded from growth revenue sources;
 - vi) The regulatory authority in Bill 163, to prescribe a transit system as part of the Metrolinx system, must be accompanied by a responsibility to mitigate any negative impacts, financial or otherwise, on an affected municipally-operated transit system, as a result of the prescription of a system within its service area. One way to do this is to balance provincial investment in the regional and municipal transit systems; and
- b) THAT a copy of Joint Report No. 2009-J-19 be forwarded for information to the Ministers of Energy and Infrastructure, and Municipal Affairs and Housing, Durham Region MPPs, the Chairs of Metrolinx and GO Transit, the Cities of Toronto and Hamilton and Regions of Halton, Peel and York, and the eight Durham area municipalities.
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REPORT:**1. PURPOSE**

- 1.1 This report provides an overview of the *Bill 163, the Greater Toronto and Hamilton Area Transit Implementation Act 2009* which amends the *Greater Toronto Transportation Authority Act 2006*.
- 1.2 Changes from the previous legislation and the anticipated impact of these changes on the Region's relationship with Metrolinx and GO Transit are outlined. The report also recommends proposed changes to Bill 163.
- 1.3 In this report, the phrases *regional transit system* and *regional transportation area* have the meanings ascribed in the Bill 163 and refer to the transit system and the area covered by the Metrolinx regional transportation plan.
- 1.4 This report has also been provided to the Durham Region Transit Commission for their information.

