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June 8, 2012

A. Milliken Heisey Q.C.
Papazian | Heisey | Myers, Barristers & Solicitors
Standard Life Centre,
Suite 510, 121 King St. W., P.O. Box 105
Toronto, ON M5H 3T9

Dear Sir:

Subject: Front Street / Union Station Municipal Class Environmental Assessment

We are responding to your letter to Jason Diceman of May 30, 2012 to regarding the Front Street EA study. In it you express your client (Cycle Toronto)'s dissatisfaction with the preferred concept for Front Street at Union Station, as put forth by staff and endorsed by Council.

The concerns you raise in the letter about bicycle parking, bicycle lanes, and Bixi are not new; they have been expressed by cyclists, the general public, stakeholders, and the study team right from the project's initiation, and consequently have been addressed and absorbed in the study and its recommendations to the extent possible. They are discussed in the project's Frequently Asked Questions page (http://www.toronto.ca/involved/projects/frontunion/pdf/2012-02-09_front-st-union-qna.pdf - specifically #20, 22, and 23. We can elaborate here as well.

Before doing so, we would like to point out and clarify that the scope of this EA study does not extend beyond the public right-of-way on Front Street; the ongoing Union Station Revitalization program is responsible for everything that happens on the Union Station property (i.e. from the sidewalk / "moat" boundary inwards) and much of that work is governed by the Station's historic designation and revitalization program. This is why the Front Street EA study does not develop or put forth any plans for use of that property. The Front Street study was intended to coordinate the street treatment with the Union Station plans, not the other way around.

In that context, you will appreciate that bicycle parking on the Union Station property (particularly directly in front of the station) must be addressed through the Union Revitalization project. Similarly, the Union Station Revitalization plans envision a clean, open entry plaza and do not provide for Bixi facilities on site. The recommended Bixi locations are as close to Union Station and as accessible as possible given those constraints. The City continues to work with the Union Station team to improve

and expand the cycling facilities and provisions on site (one example being the creation of a bicycle station in the York Street teamway).

In terms of the EA process, as a lawyer, you will recognize that the location of bicycle parking (bicycle racks, post-and-ring installations) and positioning of Bixi stations on the public right-of-way do not require Municipal Class EA approval, and hence could not form the basis of a Part II Order Request under the EA Act.

Regarding the ongoing and continued use of Front Street by cyclists, the EA recommended configuration, selected from among fourteen alternatives, includes indented, well-organized parking bays for taxis and other motor vehicles, a wide single lane in each direction marked by sharrows, and a pedestrian-oriented traffic-calmed environment which will have the effect of maintaining vehicular traffic speeds at comfortable levels. The 4.75 m wide lanes will be substantially wider than the vast majority of curb lanes on City streets and will provide a comfortable cycling environment. The 3.6 m wide "tabletop" segment, while still providing a wider-than-typical street lane, clearly signifies the "shared space" aspect of that 80 m long zone. Overall, this represents a step forward in how pedestrians and cyclists can use and enjoy the street in a safe, traffic-calmed manner.

The plan also recognizes that pedestrians and cyclists are not the only users of Front Street. As an artery in the downtown street network and as a "front door" to the Royal York Hotel, the Royal Bank towers, and Union Station, Front Street was examined closely during the study. It was determined that the continued use of the public right-of-way by motorists, taxis, buses, paratransit vehicles, commercial vehicles, and car drivers dropping off or picking up passengers is, and will continue to be, an important urban transportation function, and that space for those functions is needed alongside the space dedicated to pedestrians and cyclists. That there was not a dedicated bicycle lane included in the recommended plan is simply a recognition of the delicate balancing act the City must do in managing the use of the public right-of-way.

The fact that some people may disagree with the conclusions of the evaluation of alternatives or aspects of the recommended plan does not invalidate the process itself, which was in complete accordance with the Municipal Class EA. It is clear that Cycle Toronto's argument is with Council's decision to endorse the Front Street plan, rather than with the EA process, and requesting a Part II Order of the Minister of the Environment would be a misdirected tactic.

With reference to your position regarding the Front Street project's performance relative to Metrolinx's mobility hub guidelines, the Provincial Policy Statements, and the City's Official Plan, it could equally be argued that the recommended plan is entirely consistent with these broader guidelines and takes a big step forward from the existing, or "do nothing", situation. Without going point-by-point through all the guidelines cited in your letter, it is clear that the City's initiatives to reconfigure Front Street at Union Station, implement bicycle lanes on Bay Street, create a bicycle station at Union Station, narrow and pedestrianize York Street, introduce the Bixi program and install Bixi stations adjacent to Union Station, together with the bicycle parking components of the Union Station revitalization program, will collectively make this area a more attractive, convenient, and safe destination for cyclists than ever before. Noting that Front Street is not a designated through route on the City's Bicycle Network Plan, the City's choice of sharrows in 4.75 m lanes rather than painted bike lanes on

the block of Front Street between Bay Street and York Street cannot logically be seen as a fundamental breach of provincial or municipal policy. A pro-cycling policy such as the City's does not translate in bicycle lanes being painted on every street in the City.

Regarding the participation of Metrolinx in the Front Street EA study, the City has not "ignored (their) advice." Far from it. Metrolinx was involved directly from day one through the station managers:

- Lester Keachie, GO Transit / Metrolinx, Chief of Union Station Revitalization
- Stan Yee, GO Transit, Manager Station Operations – Central Region
- Anthony Pezzetti, GO Transit, Superintendent Bus Operations West Region
- Graham Walker, GO Transit, Manager, Bus Operations West Region

Those representatives were advised of the study in April 2010, even prior to the formal announcement of Study Commencement. For a record of GO's comments at our meeting of April 22, 2010, please see pages 32 and 38

http://www.toronto.ca/involved/projects/frontunion/pdf/front_st_esr_appendix_a_no_pic_mat.pdf

Metrolinx was included in all mailing list messages and invited to project events. GO staff participated in the internal review of June, 2011 (Mr. Keachie, plus Brian Heringer (Station Operations), Jason Vandervinne (Prosecutor), and Pat Hegarty (Superintendent)). Metrolinx / GO comments were included in the draft Environmental Study Report and hence were available for review by Public Works and Infrastructure Committee at the time that the Committee endorsed the study recommendations on February 16, 2012.

The letter from Metrolinx of February 29, 2012 was the first time that specific concerns about cycling were raised by Metrolinx / GO. The City had not had direct correspondence from Leslie Woo of Metrolinx to that point. We do not know the degree to which Ms. Woo's comments reflect input from the Metrolinx / GO staff who had participated in the study.

City staff did not provide any written comments to Council at its meeting of March 6 concerning the Metrolinx letter of February 29. As noted on the Council minutes, <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.PW12.5>, the Metrolinx letter was included in the agenda as a communication item and was available for Councillors' consideration.

Similarly, Bixi staff were invited to participate in the EA study as members of the Technical Advisory Committee, and did so by attending meetings, reviewing reports, advising the Project Team, and working to ensure that Bixi station locations were incorporated in the Front Street recommended plan, within the available public right-of-way. There is no gap between the Front Street EA study, its recommendations, and the Bixi program.

To conclude, the City strenuously disagrees with Cycle Toronto's ill-defined allegation that "the City's failure to provide adequate cycling infrastructure can be expected to cause significant environmental impacts" and that the project and the process that led to its recommendation under the EA Act of Ontario is in any way "inconsistent with the purpose and intent of the Ontario *Environmental Assessment Act*".

We are happy to continue this dialogue with Cycle Toronto about the Front Street project, but do not feel that going back to an alternative configuration (with bike lanes) that was considered and rejected in the EA study - a position consequently endorsed by City Council - is an appropriate or logical conclusion. We would repeat this argument to the Minister of the Environment should a Part II Order request be filed.

Regards,

A handwritten signature in black ink, appearing to read "Stephen Schijns". The signature is fluid and cursive, with a period at the end.

Stephen Schijns, P.Eng.
Manager, Infrastructure Planning

SS/

cc:

Councillor McConnell
Councillor Minnan-Wong
Councillor Vaughan
Public Works and Infrastructure Committee