

VMC Sub-Committee Report

DATE: Tuesday, September 20, 2022

WARD: 4

TITLE: OPERATIONS AND MAINTENANCE AGREEMENT – VAUGHAN METROPOLITAN CENTRE (VMC) AND TORONTO TRANSIT COMMISSION (TTC)

FROM:

Zoran Postic, Deputy City Manager, Public Works

ACTION: DECISION

Purpose

To seek approval for delegated authority to the Deputy City Manager, Public Works, to execute a maintenance service agreement with the Toronto Transit Commission (the “TTC”) for the Vaughan Metropolitan Center (the “VMC”) Subway Station Plaza, TTC Plaza and several associated surface assets.

Report Highlights

- The VMC experiences over 15,000 daily visits through the VMC’s Mobility Hub, which requires more frequent and context sensitive maintenance activities, especially in the winter season, to retain the dynamic, downtown atmosphere envisioned for the area.
- The TTC has requested the City perform summer and winter maintenance on the plaza around the subway entrance and associated entrance buildings and surface assets at the TTC’s cost.

Recommendation

1. That delegated authority to the Deputy City Manager, Public Works be approved, to execute an agreement with the TTC for the Operations and Maintenance (O&M) of the plaza and landscape elements surrounding the VMC Subway Station, TTC Plaza and a number of auxiliary entrance buildings based on the list of principles included in Attachment 2 of this report.

Background

The VMC Mobility Hub experiences significant pedestrian traffic

The VMC is emerging as a true intensified downtown core. The VMC Mobility Hub encompasses the area around the Highway 7 Bus Rapid Transit station, the TTC subway station, Transit Square and the York Region Transit (YRT) bus terminal as generally illustrated in Attachment 1. This relatively small geographic area contains three major transit facilities each owned and operated by different public agencies together with a publicly accessible square. Currently, over 15,000 people pass through the VMC's Mobility Hub daily. Through further development in the VMC, this number is expected to grow significantly in the next five years.

Public Works has undertaken the following initiatives to set the groundwork for a seamless and consistent citizen experience in the mobility hub:

- Confirmation of various stakeholder's areas of responsibility
- Coordination of various stakeholder's maintenance activities and levels of service in the Mobility Hub
- Negotiation and execution of O&M agreements with stakeholders, as required

The TTC has requested the City maintain parts of their properties within the VMC

The TTC focuses maintenance efforts on their track infrastructure to ensure safe and efficient passage for all subway users. The TTC has requested the City assume responsibility for providing maintenance of surface elements of their properties in the VMC. The TTC will, in turn, reimburse the City for the cost of this work on an annual basis.

Previous Reports/Authority

The recommendations in this report were developed in consideration of asset descriptions, development timing and O&M practices described in the following documents:

- [June 4, 2019, VMC Sub-Committee, "VMC Operations and Maintenance Implementation Strategy"](#)

Analysis and Options

A maintenance agreement executed by the City will ensure a seamless citizen experience

A draft agreement has been prepared based on the principles outlined in Attachment 2. Assumption of the noted areas of work by the City will allow for an improved citizen experience through consistent and connected service delivery.

The maintenance agreement calls for the servicing of the surface area around the subway station and other TTC facilities in the VMC.

In addition to the area outside a 4m perimeter from the subway building, the TTC facilities requiring maintenance include the Emergency Exit Building number 7 (EEB 7), the South Fire Exit Building, and the Power Substation. The EEB 7 is located on the south side of Interchange Way, west of Jane Street, and has the municipal address 290 Interchange Way; the Power Substation is located on the south side of Highway 7, west of Jane Street; and, the South Fire Exit Building is located on the south side of Highway 7, west of Jane Street at 3151 Highway 7.

Maintenance activities will include both summer and winter maintenance.

The City will provide winter maintenance services, litter, debris and graffiti removal, and maintenance of the horticultural beds.

The City and the TTC will establish a working group to resolve any matters that may arise.

To coordinate their activities, the City and the TTC will establish a working group consisting of representatives from each party to coordinate and resolve matters relating to operations, routine and preventative maintenance, asset preservation/rehabilitation activities, capital works, and cost-sharing. The frequency of these meetings is still under discussion but is expected to occur annually at a minimum.

The agreement will be reviewed every five (5) years.

To ensure that the needs of both parties continue to be met, the agreement will be reviewed by the City and the TTC every five (5) years and, at which time, either party may terminate it.

Staff recommend the City enter into an agreement with the TTC for the O&M of the VMC Subway Plaza and other TTC structures in the VMC Mobility Hub

To facilitate the O&M of the TTC properties, the City will be granted an easement over the lands in conjunction with the Toronto-York Spadina Subway Extension project. In addition to the easement, the TTC has requested the City enter into a supplementary agreement that details each parties' rights, responsibilities, and obligations with respect to the O&M of the surface elements within TTC Plaza. The City's maintenance obligations related to TTC Plaza have been transferred to Penguin-Calloway (Vaughan) Inc. under a January 2018 agreement.

Staff are recommending that the City execute this agreement once it is in a form satisfactory to the Deputy City Manager, Public Works, and Legal Services.

Financial Impact

There is no additional financial impact to the City associated with the recommendations of this report as the TTC will be reimbursing the City for the cost of providing summer and winter maintenance of the plaza and landscape areas surrounding the VMC subway entrance together with several auxiliary entrance buildings. Maintenance services are expected to begin delivery in the 2023 fiscal year.

Broader Regional Impacts/Considerations

The City is working with its transit partners (TTC and YRT), as well as with York Region and private landowners, to work towards harmonized service levels and operational plans so that visitors will have a seamless experience throughout the VMC.

Conclusion

The TTC has requested the City provide O&M services to their properties in the Mobility Hub and will compensate the City accordingly. Staff recommend the City enter into an O&M agreement with the TTC to ensure a seamless and consistent citizen experience.

For more information, please contact:

Roger Young, Director, Parks, Forestry and Horticulture Operations, Ext.6146.

Attachments

1. Map of the VMC Mobility Hub area and TTC VMC Maintenance Locations.
2. Agreement Principles – Operations and Maintenance Agreement between the City and TTC for VMC Subway Station Plaza and TTC Plaza.

Prepared by

Maurice Battistuzzi, Project Manager, Public Works, x6149.

In consultation with:

Roger Young, Director, Parks, Forestry and Horticulture Operations.

Peter Pilateris, Director, Transportation and Fleet Management Services.

Ayo Agor, Legal Counsel.

Approved by



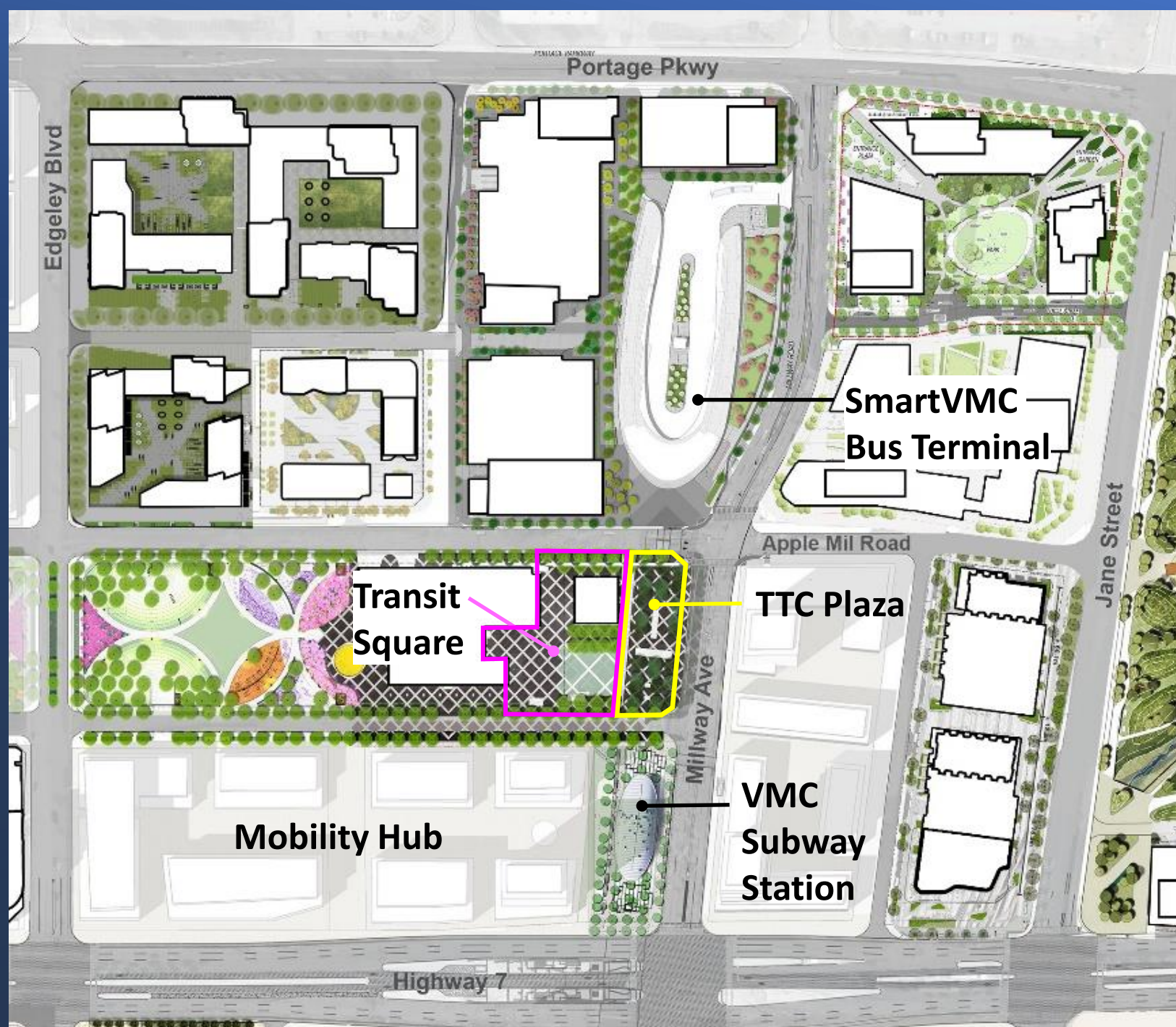
Zoran Postic, Deputy City
Manager, Public Works

Reviewed by



Nick Spensieri, City Manager

VMC Mobility Hub

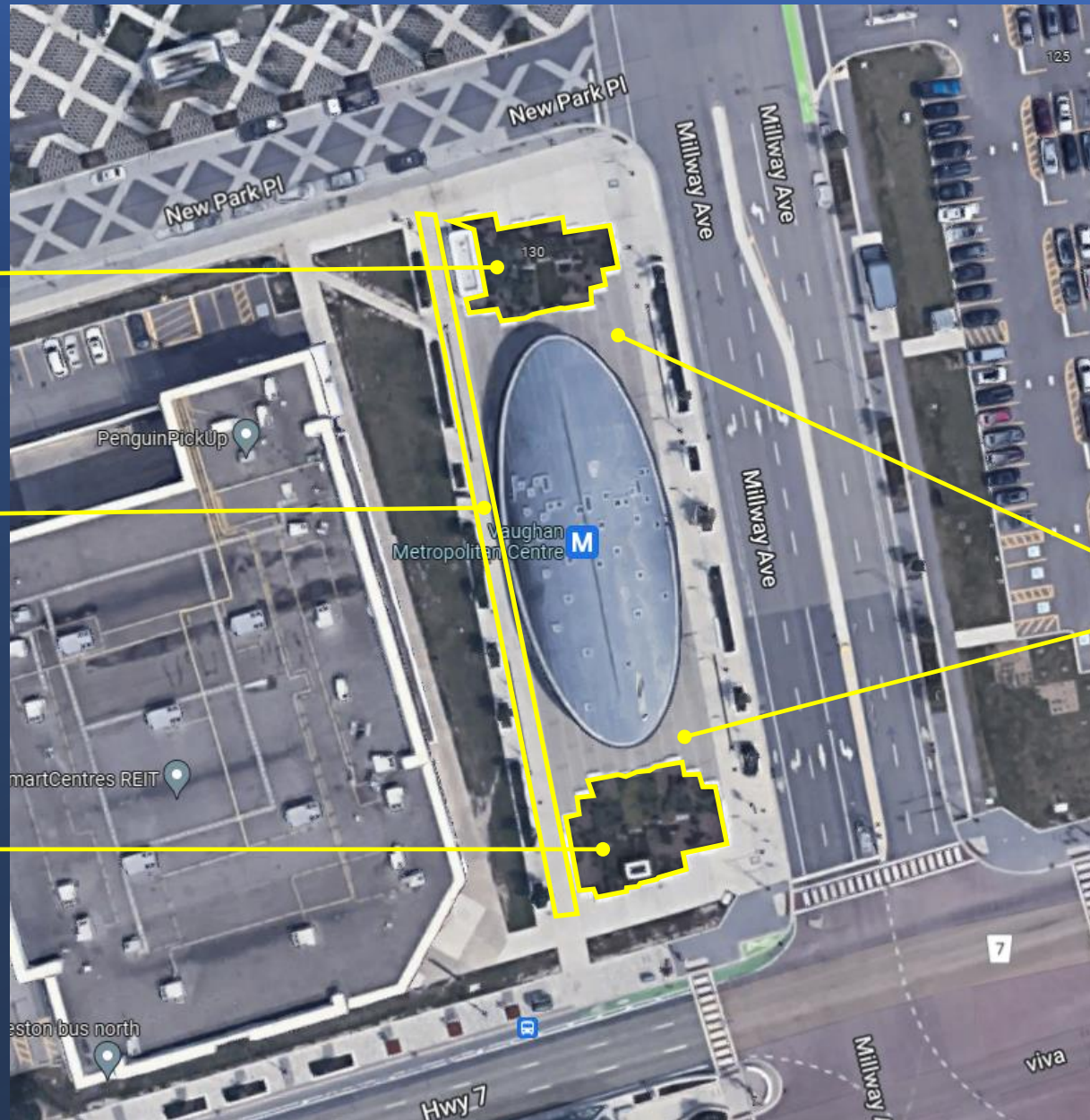


O&M Locations: VMC Station

Horticultural bed,
north side

VMC Station,
west sidewalk

Horticultural bed,
south side



VMC Station,
external platform

O&M Locations: EEB and Sub- station

Emergency Exit
Building

TTC VMC Sub-
Station



O&M Locations: Interchange Way EEB



ATTACHMENT No. 2

Agreement principles – Vaughan and TTC regarding the operating and maintenance of the VMC Subway Station Plaza and Other TTC Assets

In general terms, the principles of the agreement will:

- Define the TTC and Vaughan infrastructure in the VMC Mobility Hub;
- Set the operating and maintenance levels of service for the various elements of the TTC infrastructure in the VMC;
- Identify the operating and maintenance responsibilities of each party;
- Identify the operating and maintenance cost responsibilities of each party;
- Formalize protocols for the technical review of development applications in proximity to the subway infrastructure;
- Establish communication protocols and set out how the parties will coordinate maintenance activities; and
- Address insurance, indemnification, the cost reimbursement process, and dispute resolution matters.

More specifically;

1. Vaughan will perform winter and summer maintenance of the plaza and landscape areas surrounding the VMC Subway Entrance and winter maintenance around the power substation building and several Emergency Exit buildings (south side of Highway 7, west of Millway Avenue; Interchange Way, west of Jane Street) at the cost of the TTC.
2. TTC and Vaughan shall develop a communications protocol with respect to media communications, customer communications, special events, and emergency response in respect of the Subway System and the Station.
3. TTC and Vaughan will establish a working group to coordinate their mutual interests respecting the condition, maintenance, preservation, and life cycle management of the Station Plaza facilities.
4. The agreement will be reviewed by the Parties every five (5) years, with the option to terminate the same by either party at such time, or any subsequent fifth year anniversary.