



Update to TTC Corporate Policy 8.3.0 – Entrance Connections

Date: February 10, 2021
To: TTC Board
From: Chief Capital Officer

Summary

This report recommends revisions to TTC Corporate Policy 8.3.0 – Entrance Connections to ensure consistency in accessible paths, the provision of accessible features and compliance with the TTC's requirements respecting third party entrance connections to the TTC stations. This report is in response to a motion from the December 12, 2019 TTC Board meeting. The revisions to the policy also include housekeeping matters to ensure conformity with TTC's current department organization structure and practices.

Recommendations

It is recommended that the Board:

1. Approve the revisions to TTC Corporate Policy 8.3.0 – Entrance Connections as set out in Attachment 1 to this report.

Implementation Points

The revised TTC Corporate Policy 8.3.0 requires approval from the Board. Upon Board approval of the revised policy, the TTC Entrance Connection Guide will be updated to reflect the revised policy and the applicable accessibility guidelines.

Financial Summary

There is no financial impact arising from the adoption of the recommendations contained in this report. Entrance connection fees will remain unchanged from the current policy for 2021. Staff will begin a review of the entrance connection fee structure in 2021 and will report back to the Board with the necessary amendments.

The Interim Chief Financial Officer has reviewed this report and agrees with this statement.

Equity/Accessibility Matters

A cornerstone of the TTC's Corporate Plan 2018-2022 is accessibility, and as a proud leader in providing accessible public transit in the city of Toronto, we are committed to ensuring reliable, safe and inclusive transit services for all our customers. This is supported through TTC's revised Entrance Connection Policy. The policy provides for consistency in accessible paths and the provision of accessible features for third-party entrance connections across the system.

Presentations of the proposed revisions to the policy were made to ACAT's Service Planning Subcommittee on September 9, 2020 and October 7, 2020. ACAT supports the proposed revisions to the Entrance Connection policy.

Decision History

The November 19, 2003 meeting of the Committee of the Whole approved the requirement for an entrance connection policy. The report is not available in an electronic format, but can be made available upon request.

A new Entrance Connection Policy was approved at the February 25, 2004 Board meeting:

[https://www.ttc.ca/About the TTC/Commission reports and information/Commission meetings/2004/Feb 25 2004/Other/Entrance Connection .jsp](https://www.ttc.ca/About%20the%20TTC/Commission%20reports%20and%20information/Commission%20meetings/2004/Feb%2025%202004/Other/Entrance%20Connection%20.jsp)

TTC Corporate Policy – Entrance Connections – 12.3.0 was updated at the April 27, 2009 Board meeting to bring it into alignment with the Planning Act and City of Toronto Act:

[https://www.ttc.ca/About the TTC/Commission reports and information/Commission meetings/2009/Apr 27 2009/Reports/TTC Corporate Policy1.pdf](https://www.ttc.ca/About%20the%20TTC/Commission%20reports%20and%20information/Commission%20meetings/2009/Apr%2027%202009/Reports/TTC%20Corporate%20Policy1.pdf)

Issue Background

The first entrance connection policy was approved by the Board on February 25, 2004. The policy was updated on April 27, 2009 to bring it into alignment with the Planning Act and City of Toronto Act.

The TTC consulted with TTC's Advisory Committee on Accessible Transit (ACAT). At its November 2019 meeting, the ACAT noted that some recently constructed third-party entrance connections to TTC subway stations do not meet TTC standards, particularly for elevator design. To ensure ACAT's concerns were addressed, the Board at its meeting of December 12, 2019 passed the following motion:

“Revise TTC's Entrance Connection policy, in consultation with the Advisory Committee on Accessible Transit, to provide for consistency in accessible paths and the provision of accessible features involving all future private and public development connection agreements, including interchange stations, to conform to TTC's own design standards for accessibility in elevators.”

This report is in response to the Board's motion and recommends revisions to TTC Corporate Policy 8.3.0 to address the accessibility concerns.

Staff completed a comprehensive review of the policy and the proposed revisions will result in improved consistency for all accessible features and more accessible pathways as part of new third-party entrance connections to stations across the system.

The revised policy also includes housekeeping to ensure conformity with the TTC's current departmental structure and practices.

Comments

The current Entrance Connection Policy generally requires that when third party accessible entrance connections are proposed, they must provide accessible paths from street level to the station concourse. It also requires that entrance connections be designed and constructed in accordance with TTC standards. The current policy also describes the types of entrance connections to be provided and the responsibility for capital and operating costs and fees associated with these entrance connections.

There are, however, notable gaps in the current policy that have likely led to inconsistencies to the provision of accessible paths and features across the system. These include:

- Lack of a definition of "accessibility";
- No specific criteria to determine when new third-party entrance connections are required to be accessible (i.e. new entrance connections can be accessible or non-accessible);
- Entrance connections can be open only during the hours of operation of the development, and not the operating hours of the TTC station; and
- Where other accessible entrance connections to a station exist, new elevators are not always constructed to the same requirements or standards, resulting in inconsistencies at the station.

The revised policy (Attachment 1) includes the following revisions to mitigate these gaps:

- Provides a definition of "accessibility";
- Requires all third-party entrance connections be accessible;
- Requires entrance connections be open during all hours the station is in operation, and not just the hours of operation of the development; and
- Links accessibility requirements and standards to functionality.

The underlying principle of the revised policy is to ensure consistent functionality of accessible features across the system. This will ensure that all elevators and other accessible features of an entrance connection (i.e. hand rails, mirrors, lighting, etc.) are built to the specific requirements and/or standards determined by the TTC for each location, which can exceed building code requirements. In the revised policy, entrance connections to a station from a third-party development must be accessible regardless of whether the station is already accessible.

The implementation of each new entrance connection will require a TTC technical review and be subject to a construction agreement and entrance connection agreement.

The revised policy addresses the December 2019 Board motion by requiring consistency in accessible paths through third-party developments.

Staff recommend approval of the revisions to TTC Corporate Policy 8.3.0 – Entrance Connections as set out in Attachment 1 to this report.

Contact

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Signature

Gary Downie
Chief Capital Officer

Attachments

Attachment 1 - TTC Corporate Policy 8.3.0 – Entrance Connections (Draft)

03078-31-463

Attachment 1

Toronto Transit Commission

POLICY/INSTRUCTION – 8.3.0 – Entrance Connections (Draft)

SUBJECT	CLASSIFICATION	DATE APPROVED	P/I NUMBER
Entrance Connections	Property Development		

1.0 RESPONSIBILITY

The Head of Property, Planning and Development is responsible for the review and approval of Entrance Connections, the negotiation and administration of Entrance Connection agreements, and the administration and collection of Entrance Connection fees.

The Head of Engineering is responsible for the receipt and co-ordination of technical reviews and technical review comments relating to the design and construction of Entrance Connections, and the application of the TTC requirements, standards and specifications for the design and construction of Entrance Connections.

2.0 PURPOSE

- 2.1 To set out the terms and conditions under which the TTC shall permit third-party Entrance Connections between developments or Intermodal Stations and Transit Stations.
- 2.2 To set out the requirements and standards to which third-party Entrance Connections shall function and be designed and constructed.
- 2.3 To set out the procedure for the approval, design and construction of third-party Entrance Connections.
- 2.4 To set out, in general terms, the responsibility for the capital and operating costs associated with third-party Entrance Connections.
- 2.5 To set out a fee structure of Entrance Connection fees.

3.0 DEFINITIONS

- 3.1 “Accessible” refers to construction in compliance with the Ontario Building Code and the TTC’s accessibility requirements, standards and specifications, as applicable, to enable the use by persons with disabilities.
- 3.2 “Construction Agreement” refers to the legal document, as amended from time to time, setting out the documents, methods and procedures for the construction of the Entrance Connection, the responsibilities of the parties in respect of the

APPROVED	REVISION NO.	SUPERSEDES	PAGE
Board Chief Executive Officer	2		1 of 16

Toronto Transit Commission

POLICY/INSTRUCTION – 8.3.0 – Entrance Connections (Draft)

SUBJECT	CLASSIFICATION	DATE APPROVED	P/I NUMBER
Entrance Connections	Property Development		

construction of the Entrance Connection, and the conditions to be met by the Owner prior to the operation of the Entrance Connection for public use.

- 3.3 “Development” refers to a proposed building or an existing building, as applicable, for which an Entrance Connection is proposed or existing, as applicable, and includes all potential land uses including, but not limited to, commercial, retail, institutional, residential, municipal, industrial and mixed uses.
- 3.4 “Development Density” refers to the ratio between the Gross Floor Area and the land or site area the Development occupies expressed as coverage.
- 3.5 “Entrance Connection” refers to a physical, weather-protected or fully enclosed structure between a Development or an Intermodal Station and a Transit Station including, but not limited to, tunnel structure, bridge, enclosed walkway, covered walkway, stairs, elevator and escalator, but excluding a chair lift or platform lift for a vertical transition or grade transition.
- 3.6 “Entrance Connection Agreement” refers to the legal document in the form deemed appropriate by the TTC and the City of Toronto, as applicable, as amended from time to time, setting out the Entrance Connection fee, the grants of property interests, the Entrance Connection alterations process, the responsibility for the procuring and posting of Entrance Connection signage, and the responsibilities for Entrance Connection inspection, repair and maintenance, structural, repair and maintenance, and security and operation (including opening and closing the Entrance Connection).
- 3.7 “Entrance Connection Components” refers to the parts, elements, equipment, and mechanisms including, but not limited to, tunnel, bridge, walkway, path, stairs, elevator, escalator, fare equipment, signage, communications systems, which, together, form the Entrance Connection.
- 3.8 “Eng Head” refers to the Head of Engineering, as amended from time to time, or their designate.
- 3.9 “Gross Floor Area” refers to the total area of all floors of the Development, whether above or below grade, measured between the outside surfaces of exterior walls or between the outside surfaces of exterior walls and the centre line of party walls dividing the Development from an adjacent and abutting development or building, but excluding any room or enclosed area used exclusively to accommodate heating, cooling, ventilating, electrical, mechanical,

APPROVED	REVISION NO.	SUPERSEDES	PAGE
Board Chief Executive Officer	2		2 of 16

Toronto Transit Commission

POLICY/INSTRUCTION – 8.3.0 – Entrance Connections (Draft)

SUBJECT	CLASSIFICATION	DATE APPROVED	P/I NUMBER
Entrance Connections	Property Development		

or telecommunication equipment that service the Development as a whole or loading and parking facilities.

- 3.10 “In-person Assistance” refers to the provision by the Owner of in-person personal assistance to users, upon the request of a user, of an Entrance Connection.
- 3.11 “Intermodal Station” refers to a transit station which provides a connection and transfer point between the TTC transit system and transit systems owned and operated by other transit agencies.
- 3.12 “On-call Assistance” refers to the provision by the Owner of assistance delivered by means of a communication system to users, upon request of a user, of an Entrance Connection and may include, depending on the assistance requested, the provision of In-person Assistance, and is in addition to the mandatory on-call assistance available within elevators.
- 3.13 “Owner” refers to the developer or the owner of a Development or Intermodal Station or their designate.
- 3.14 “PDP Head” refers to the Head of Project Development and Planning, as amended from time to time, or their designate.
- 3.15 “PPD Head” refers to the Head of Property, Planning and Development, as amended from time to time, or their designate.
- 3.16 “Staffed” refers to the provision of both In-person Assistance and On-call Assistance.
- 3.17 “Technical Review” refers to the review undertaken by the TTC respecting the Entrance Connection design and construction documents to ensure that the Entrance Connection design and specifications are in accordance with the applicable TTC requirements, standards and specifications, and that the Entrance Connection construction will not have an adverse effect on existing TTC systems or facilities and/or future operating and capital project requirements, known or contemplated, in the vicinity of the Entrance Connection.
- 3.18 “Transit Station” refers to TTC subway stations, rail transit (also known as RT), light rail transit (also known as LRT) stations, and bus rapid transit (also known as BRT) stations, facilities and structures, including tunnel structures and bus terminals.

APPROVED	REVISION NO.	SUPERSEDES	PAGE
Board Chief Executive Officer	2		3 of 16

Toronto Transit Commission

POLICY/INSTRUCTION – 8.3.0 – Entrance Connections (Draft)

SUBJECT	CLASSIFICATION	DATE APPROVED	P/I NUMBER
Entrance Connections	Property Development		

3.19 “TTC” refers to the Toronto Transit Commission, its officials or their designates, employees, contractors, consultants and agents.

3.20 “TTC On-call Assistance” refers to the provision by the TTC of assistance delivered by means of a communication system to users, upon request of a user, of the Entrance Connection or an Entrance Connection Component, as applicable.

4.0 GENERAL

4.1 The TTC encourages Entrance Connections between Transit Stations and Developments provided the following are met:

4.1.1 The Entrance Connection is a convenience to transit customers.

4.1.2 The Entrance Connection is designed to meet all safety, fire, and building codes required by law.

4.1.3 The Entrance Connection is designed in accordance with this policy and applicable TTC requirements, standards and specifications.

4.1.4 The Entrance Connection is Accessible.

4.2 All Entrance Connections require prior Approval of the Board.

4.3 Entrance Connections are the subject of Construction Agreements and Entrance Connection Agreements.

4.4 The property requirements for Components of the Entrance Connection that are maintained by the TTC once the Entrance Connection is in operation for public use or which forms, or shall form, a structural component of a Transit Station may be provided by the Owner under an easement or fee (simple or strata) interest, as determined by the TTC in consultation with the City of Toronto or other municipality, as applicable, in the name of the City of Toronto for use by the TTC or in the name of the TTC, as applicable.

4.5 The Entrance Connection financial obligations of an Owner shall be clearly defined and communicated to the Owner by the TTC, (i) in the case of a

APPROVED	REVISION NO.	SUPERSEDES	PAGE
Board Chief Executive Officer	2		4 of 16

Toronto Transit Commission

POLICY/INSTRUCTION – 8.3.0 – Entrance Connections (Draft)

SUBJECT	CLASSIFICATION	DATE APPROVED	P/I NUMBER
Entrance Connections	Property Development		

proposed new Development, early in the Development approval process; (ii) at the time the Owner seeks to construct an Entrance Connection to connect an existing Development to a Transit Station; or (iii) in the case of an existing Entrance Connection, on renewal, extension, or amendment of an existing Entrance Connection Agreement.

- 4.6 Subject to section 4.7, the Owner is responsible, at its cost and expense, for the Entrance Connection design and construction, including the preparation and revision of the design and construction documents, the Technical Review, and the supply and installation of the Entrance Connection Components.
- 4.7 TTC shall, at the Owner’s cost and expense, install and commission the fare equipment, provide the signage graphic standards, and carry out any electrical or mechanical connections at the interface to a TTC system or any work on TTC property required in support of the construction of the Entrance Connection.
- 4.8 All Entrance Connections shall be subject to an Entrance Connection fee in accordance with this policy to be paid by the Owner in accordance with the Entrance Connection Agreement.
- 4.9 The following shall apply to the Entrance Connection fee:
 - 4.9.1 Reflect the substantial benefit that accrues to the Development from including an Entrance Connection.
 - 4.9.2 Compensate the TTC for financial impacts resulting from including an Entrance Connection.
 - 4.9.3 Not be a disincentive to a transit-oriented Development or to the economic feasibility of constructing an Entrance Connection.
 - 4.9.4 Be based on the size and location of the Development.
 - 4.9.5 Be transparent.
 - 4.9.6 Be in accordance with this policy.
- 4.10 On expiry of an existing Entrance Connection Agreement for which an Entrance Connection shall continue in operation, the then current form of Entrance

APPROVED	REVISION NO.	SUPERSEDES	PAGE
Board Chief Executive Officer	2		5 of 16

Toronto Transit Commission

POLICY/INSTRUCTION – 8.3.0 – Entrance Connections (Draft)

SUBJECT	CLASSIFICATION	DATE APPROVED	P/I NUMBER
Entrance Connections	Property Development		

Connection Agreement shall apply and the Owner shall enter into the then current form of Entrance Connection Agreement.

- 4.11 The Entrance Connection design and construction shall not introduce physical obstacles, barriers or constraints on TTC operations or operational requirements as determined by the TTC in its sole discretion.
- 4.12 Where TTC maintains or shall maintain an Entrance Connection or Entrance Connection Components, the Entrance Connection or Entrance Connection Components shall be designed and constructed in accordance with the applicable TTC requirements, standards and specifications.
- 4.13 In the case of the relocation of an existing Entrance Connection, including the incorporation of an existing stair access to a Transit Station located in the municipal right-of-way into a Development or an Intermodal Station, the Entrance Connection shall, (i) be designed and constructed in accordance with the applicable TTC requirements, standards and specifications at the time of relocation or incorporation; and (ii) have, at a minimum, the exit capacity of the original Entrance Connection or stair access or the exit capacity requirement under the Building Code for a single exit. Closure of the existing Entrance Connection or stair access shall only take place once the relocated Entrance Connection is in operation for public use.

5.0 TYPES OF ENTRANCE CONNECTIONS

- 5.1 Except as otherwise provided in this policy, an Entrance Connection is required to, (i) connect the main at-grade public access, or an alternate location as determined by the TTC, to the Development or Intermodal Station and to the Transit Station; (ii) be Accessible; (iii) have an Accessible path or route to the Transit Station and to the Entrance Connection; (iv) be in operation during all hours the Transit Station is in operation; and (v) be Staffed.
- 5.2 Where the fare line of an Entrance Connection is located inside the Transit Station, the TTC shall provide TTC On-call Assistance respecting the fare line.
- 5.3 Entrance Connections may be Direct or Indirect Entrance Connections.
 - 5.3.1 A Direct Entrance Connection connects a Development or Intermodal Station directly to a Transit Station without passing through a

APPROVED	REVISION NO.	SUPERSEDES	PAGE
Board Chief Executive Officer	2		6 of 16

Toronto Transit Commission

POLICY/INSTRUCTION – 8.3.0 – Entrance Connections (Draft)

SUBJECT	CLASSIFICATION	DATE APPROVED	P/I NUMBER
Entrance Connections	Property Development		

development, another Entrance Connection, another Intermodal Station, a TTC entrance connection, or the City of Toronto PATH system, is to meet the requirements set out in section 5.1, and may include a fare line.

5.3.2 An Indirect Entrance Connection connects a Development or an Intermodal Station to a Transit Station through a development, another Entrance Connection, another Intermodal Station, a TTC entrance connection, or a path forming part of another Entrance Connection to the Transit Station, and is required to, (i) be Accessible; (ii) have an Accessible path or route through the Development; (iii) be in operation during all hours the Transit Station hours is in operation; and (iv) be Staffed.

5.3.3 The Owner of an Indirect Entrance Connection, which connects to a Transit Station by means of a path or route through a development or property interest, which is not Accessible, is required to install signage indicating the path or route between the Entrance Connection and the Transit Station is not Accessible until such time as the path or route is made Accessible.

5.3.4 An entrance connection which connects indirectly to a Transit Station through the City of Toronto PATH system, more than one property interest or development, more than one Entrance Connection, to a Transit Station, or by agreement of adjacent property owners and without the agreement of the TTC, is not an Entrance Connection in accordance with this policy and is not subject to this policy.

6.0 ENTRANCE CONNECTION FEE

6.1 Entrance Connection Fee Structure

The Entrance Connection fee is a rate per square metre of Development Gross Floor Area and increases with the Development Density as follows:

Development Density	Rate (Dollars per Square Metre)
Less than 4 times coverage.	\$3.23
4 to less than 5 times coverage.	\$4.84
5 to less than 6 times coverage.	\$5.38

APPROVED	REVISION NO.	SUPERSEDES	PAGE
Board Chief Executive Officer	2		7 of 16

Toronto Transit Commission

POLICY/INSTRUCTION – 8.3.0 – Entrance Connections (Draft)

SUBJECT	CLASSIFICATION	DATE APPROVED	P/I NUMBER
Entrance Connections	Property Development		

6 to less than 7 times coverage.	\$5.92
More than 7 times coverage.	\$8.07

6.2 The Entrance Connection fee is calculated by multiplying the rate by the Gross Floor Area of the Development (expressed as a multiple of site area or coverage).

6.3 Application of the Entrance Connection Fee to the Transit Station.

6.3.1 The Entrance Connection fee applies to a Development with a Gross Floor Area of 9,290 square metres or more and does not apply to Developments with a Gross Floor Area of less than 9,290 square metres.

6.3.2 100% of the Entrance Connection fee shall be charged for an Entrance Connection to the following Transit Stations:

Line 1 Transit Stations:

- Bloor
- Wellesley
- College
- Dundas
- Queen
- King
- Union
- St. Andrew
- Osgoode
- St. Patrick
- Queen's Park
- Museum
- St. Clair
- Davisville
- Eglinton
- York Mills
- Sheppard
- North York
- Finch

Line 2 Transit Stations:

APPROVED	REVISION NO.	SUPERSEDES	PAGE
Board Chief Executive Officer	2		8 of 16

Toronto Transit Commission

POLICY/INSTRUCTION – 8.3.0 – Entrance Connections (Draft)

SUBJECT	CLASSIFICATION	DATE APPROVED	P/I NUMBER
Entrance Connections	Property Development		

- Kipling
- Islington
- Bathurst
- Spadina
- St. George
- Bay
- Yonge
- Sherbourne

Line 3 Transit Stations:

- Scarborough Centre
- McCowan

6.3.3 75% of the Entrance Connection fee shall be charged for an Entrance Connection to Transit Stations not noted in section 6.3.2.

6.3.4 Where an Entrance Connection fee applies, whether calculated in accordance with sections 6.2 or 6.3, the minimum applicable Entrance Connection fee is \$100,000.

6.3.5 There is no maximum Entrance Connection fee.

6.3.6 Any amendment or change to an Entrance Connection fee requires Board Approval.

6.3.7 Upon the expiration of the term of an Entrance Connection Agreement for an Entrance Connection, which shall continue to be in operation, upon the extension, renewal or restatement of the Entrance Connection Agreement, the Owner shall pay the applicable Entrance Connection fee in accordance with this policy unless otherwise Approved by the Board.

6.4 Payment of Entrance Connection Fee.

The Entrance Connection fee may be paid, (i) in a lump sum amount; or (ii) in instalments over a period not to exceed twenty (20) years taking into account the time value of money, equal at a minimum to one percent (1%) in excess of the lending rate the Bank of Canada charges Canadian banks expressed as a rate per annum, at the rate posted immediately before the date of the Entrance Connection Agreement and adjusted thereafter every five (5) years on the

APPROVED	REVISION NO.	SUPERSEDES	PAGE
Board Chief Executive Officer	2		9 of 16

Toronto Transit Commission

POLICY/INSTRUCTION – 8.3.0 – Entrance Connections (Draft)

SUBJECT	CLASSIFICATION	DATE APPROVED	P/I NUMBER
Entrance Connections	Property Development		

anniversary date of the agreement based on the then Bank of Canada lending rate set immediately before the anniversary date of the agreement.

6.5 Accepting and Managing Entrance Connection Fees.

6.5.1 The Owner shall pay the Entrance Connection fee on the settlement and delivery of the Entrance Connection Agreement to the applicable parties.

6.5.2 The Entrance Connection fee shall be paid to and received by the TTC as instructed by the TTC.

6.5.3 Any Entrance Connection fee received by the TTC shall be credited to the appropriate account.

7.0 PROCESS FOR REVIEW AND APPROVAL OF ENTRANCE CONNECTIONS

7.1 Where the requirement for an Entrance Connection is determined as part of a planning review and approval in connection with a development application made to the City of Toronto or other municipality, as applicable, pursuant to the Planning Act, the following shall apply:

7.1.1 The requirement for an Entrance Connection shall be determined when the planning application is circulated for review and comment by the City of Toronto or other municipality, as applicable, to the TTC, as early as possible in the planning review and approval process or at the latest as a condition of site plan approval.

7.1.2. PPD Head shall advise PDP Head of the requirement for the Entrance Connection and PDP Head shall inform the City of Toronto or other municipality, as applicable, of the requirement for the Owner to provide an Entrance Connection as a condition of planning or site plan approval and, subject to Board Approval, enter into the Construction Agreement and the Entrance Connection Agreement to the satisfaction of the TTC.

7.2 Where an Entrance Connection is proposed between an existing Development or Intermodal Station and a Transit Station, the application for an Entrance Connection shall be made to the PPD Head.

7.3 The following process applies to sections 7.1 and 7.2:

APPROVED	REVISION NO.	SUPERSEDES	PAGE
Board Chief Executive Officer	2		10 of 16

Toronto Transit Commission

POLICY/INSTRUCTION – 8.3.0 – Entrance Connections (Draft)

SUBJECT	CLASSIFICATION	DATE APPROVED	P/I NUMBER
Entrance Connections	Property Development		

- 7.3.1 PPD Head shall, in consultation with PDP Head and Eng Head, determine the feasibility of, and the type of, Entrance Connection to be provided.
- 7.3.2 Eng Head shall provide to PPD Head the TTC's future operating and capital project requirements, known or contemplated at the time, in the vicinity of the proposed Entrance Connection, and the technical requirements, standards, and specifications for the proposed Entrance Connection
- 7.3.3 PPD Head shall provide to the Owner the TTC's future operating and capital project requirements, known or contemplated at the time, in the vicinity of the proposed Entrance Connection, TTC Developer's Guide, TTC Entrance Connection Guide, applicable TTC technical requirements, standards, and specifications, and Entrance Connection Agreement and Construction Agreement templates, as applicable.
- 7.3.4 In the design of the Entrance Connection, the Owner shall be responsible to protect for the TTC future operating and capital project requirements, known or contemplated at the time, in the vicinity of the proposed Entrance Connection.
- 7.3.5 Upon receipt of the Entrance Connection design documents prepared by the Owner, PPD Head shall request the Director – Technical Support, or their designate, circulate the design documents for Technical Review.
- 7.3.6 PPD Head shall provide to the Owner the Entrance Connection design documents Technical Review comments.
- 7.4 Prior to Board Approval, the Owner may request the following:
 - 7.4.1 The TTC inspect, repair, maintain, and operate the Entrance Connection in whole or in part and, if Approved by the TTC and the Board, the Owner shall do the following:
 - 7.4.1.1 Design and construct the Entrance Connection or the Entrance Connection Components to be inspected, repaired, maintained, and operated by the TTC to the applicable TTC requirements, specifications, and standards.

APPROVED	REVISION NO.	SUPERSEDES	PAGE
Board Chief Executive Officer	2		11 of 16

Toronto Transit Commission

POLICY/INSTRUCTION – 8.3.0 – Entrance Connections (Draft)

SUBJECT	CLASSIFICATION	DATE APPROVED	P/I NUMBER
Entrance Connections	Property Development		

- 7.4.1.2 Reimburse the TTC for the TTC's cost and expense to inspect, repair, maintain, and operate the Entrance Connection or the Entrance Connection Components to be inspected, repaired, maintained, and operated by the TTC.
- 7.4.2 The TTC supply the fare equipment or supply and install the signage, and if Approved by TTC and the Board, the Owner shall reimburse the TTC for the TTC's cost and expense to supply the fare equipment or supply and install the signage.
- 7.5 Prior to Board Approval of an Entrance Connection, the following shall occur:
 - 7.5.1 The TTC Chief Operating Officer, or their designate, shall assess the Entrance Connection for potential TTC operational and/or financial impacts, and where the Entrance Connection would create operational and/or financial impact to the TTC, the operational and/or financial impact shall be quantified by the Chief Operating Officer, or their designate.
 - 7.5.2 The Entrance Connection design is settled to the satisfaction of the TTC.
- 7.6 Board Approval is required for a section 7.4 request and prior to the review of the Entrance Connection construction documents. PPD Head shall, (i) present the Entrance Connection at a meeting of the Board recommending the Board Approve the Entrance Connection; or (ii) consult the Advisory Committee on Accessible Transit before presenting the Entrance Connection at a meeting of the Board recommending the Board Approve the Entrance Connection.
- 7.7 Upon Board Approval of an Entrance Connection, PPD Head shall request the Owner prepare the Entrance Connection construction documents and submit the construction documents for Technical Review.
- 7.8 Upon receipt of the Entrance Connection construction documents, PPD Head shall request the Director – Technical Support, or their designate, to circulate the construction documents for Technical Review. All Technical Review comments shall be provided to PPD Head.
- 7.9 PPD Head shall provide to the Owner with the Entrance Connection construction documents Technical Review comments.

APPROVED	REVISION NO.	SUPERSEDES	PAGE
Board Chief Executive Officer	2		12 of 16

Toronto Transit Commission

POLICY/INSTRUCTION – 8.3.0 – Entrance Connections (Draft)

SUBJECT	CLASSIFICATION	DATE APPROVED	P/I NUMBER
Entrance Connections	Property Development		

- 7.10 PPD Head shall negotiate with the Owner the Construction Agreement and, as applicable, negotiate with the Owner the Entrance Connection Agreement or request the City of Toronto or other municipality, as applicable, on behalf of and in consultation with the TTC, negotiate with the Owner the Entrance Connection Agreement.
- 7.11 PPD Head shall circulate the Construction Agreement and Entrance Connection Agreement for review and comment to the Legal, Finance and Engineering departments, as applicable. The Engineering Director – Technical Support, or their designate, shall circulate the Construction Agreement and Entrance Connection Agreement for review and comment to the Plant Maintenance and Subway Infrastructure departments, as applicable. All review comments shall be provided to PPD Head.
- 7.12 PPD Head shall provide to the Owner the Construction Agreement review comments and, as applicable, provide to the Owner or the City of Toronto or other municipality, as applicable, the Entrance Connection Agreement review comments.
- 7.13 Following receipt by the Owner of the Entrance Connection construction documents Technical Review comments and the Construction Agreement review comments, the Owner shall, to the satisfaction of the TTC, (i) revise the construction documents; and (ii) settle the Construction Agreement. Upon satisfaction of the TTC, the Construction Agreement, which includes the Approved Entrance Connection construction documents, shall be settled and executed by the TTC and the Owner.
- 7.14 Following the negotiation, settlement, execution, and delivery of the Construction Agreement by the TTC and the Owner, and, as applicable, following receipt by the Owner or the City of Toronto or other municipality, as applicable, of the Entrance Connection Agreement review comments, (i) the Owner shall, to the satisfaction of the TTC, settle the Entrance Connection Agreement; or (ii) PPD Head shall request the City of Toronto or other municipality, as applicable, to incorporate, to the satisfaction of the TTC, the review comments in the Entrance Connection Agreement. Upon satisfaction of the TTC, the Entrance Connection Agreement, as applicable, (i) shall be settled and executed by the TTC and the Owner; or (ii) PPD Head shall request the City of Toronto or other municipality, as applicable, to settle and execute the Entrance Connection Agreement.

APPROVED	REVISION NO.	SUPERSEDES	PAGE
Board Chief Executive Officer	2		13 of 16

Toronto Transit Commission

POLICY/INSTRUCTION – 8.3.0 – Entrance Connections (Draft)

SUBJECT	CLASSIFICATION	DATE APPROVED	P/I NUMBER
Entrance Connections	Property Development		

- 7.15 Where the requirement for an Entrance Connection is identified as part of a planning review and approval in connection with a development application made to the City of Toronto or other municipality, as applicable, pursuant to the Planning Act, upon execution by the Owner of the Construction Agreement and the Entrance Connection Agreement, PPD Head shall notify PDP Head and the City of Toronto or other municipality, as applicable, the Owner has successfully met the planning or site plan approval condition.
- 7.16 Upon execution of the Construction Agreement the following shall apply:
- 7.16.1 The Owner shall become responsible for the construction of the Entrance Connection in accordance with the Construction Agreement.
- 7.16.2 The Subway Infrastructure Department shall assume responsibility for the administration of the Construction Agreement until the operation of the Entrance Connection for public use in accordance with the Entrance Connection Agreement.
- 7.17 Upon execution of the Entrance Connection Agreement the following shall apply:
- 7.17.1 The Owner shall register the Entrance Connection Agreement on the property title on which the Development is constructed and provide to TTC verification of the registration.
- 7.17.2 The Owner shall operate and maintain the Entrance Connection in accordance with the Entrance Connection Agreement.
- 7.18 Upon operation of the Entrance Connection for public use, the Operations Group shall assume responsibility for the operation of the Entrance Connection in accordance with the Entrance Connection Agreement and the Property, Planning and Development Department shall assume responsibility for the administration of the Entrance Connection Agreement.
- 7.19 Upon any proposed or pending change of ownership of the Development or Intermodal Station or transfer of the property on which the Development or Intermodal Station is situated, the Owner shall notify the TTC in accordance with the Entrance Connection Agreement.

APPROVED	REVISION NO.	SUPERSEDES	PAGE
Board Chief Executive Officer	2		14 of 16

Toronto Transit Commission

POLICY/INSTRUCTION – 8.3.0 – Entrance Connections (Draft)

SUBJECT	CLASSIFICATION	DATE APPROVED	P/I NUMBER
Entrance Connections	Property Development		

8.0 CHANGES TO ENTRANCE CONNECTIONS AND ENTRANCE CONNECTION AGREEMENTS

- 8.1 No changes shall be made to the Entrance Connection Agreement without the concurrence of the TTC and in accordance with this policy.
- 8.2 The following shall apply to any change to an operating Entrance Connection:
 - 8.2.1 Any change carried out to the Development or the Entrance Connection by the Owner shall include, at the Owner's cost and expense, the renovation of the Entrance Connection to an Accessible Entrance Connection in accordance with the then current applicable TTC accessibility requirements, standards and specifications, including, but not limited to, an Accessible path or route between concourse and street levels.
 - 8.2.2 Any material change to the Entrance Connection proposed by the Owner shall be subject to a Technical Review.
 - 8.2.3 Any change to an Entrance Connection proposed by the Owner shall be at the Owner's cost and expense, including any negative financial impact to the TTC.
 - 8.2.4 Any change to an Entrance Connection proposed by the TTC shall be at the TTC's cost and expense, including negative financial impact to the Owner.
 - 8.2.5 Where the Owner is required to renovate or reconstruct the Entrance Connection to bring the Entrance Connection into conformance with applicable laws and not for the purpose of a change to the Development proposed by the Owner or of a change to the Transit Station proposed by the TTC, the Owner and the TTC shall be responsible for the cost and expense of bringing into conformance the Entrance Connection Components for which each is responsible to maintain under the Entrance Connection Agreement.
 - 8.2.6 Any change carried out to the Development by the Owner, which results in or requires a change to the Entrance Connection, the resultant or required change to the Entrance Connection shall be at the cost and expense of the Owner. Should the change to the Development result in

APPROVED	REVISION NO.	SUPERSEDES	PAGE
Board Chief Executive Officer	2		15 of 16

Toronto Transit Commission

POLICY/INSTRUCTION – 8.3.0 – Entrance Connections (Draft)

SUBJECT	CLASSIFICATION	DATE APPROVED	P/I NUMBER
Entrance Connections	Property Development		

an increase in Gross Floor Area or Development Density, the Owner shall pay the adjusted Entrance Connection fee in accordance with the then current Entrance Connection fee.

8.3 Upon the expiration of the term of an Entrance Connection Agreement of an Entrance Connection, which shall continue to be in operation, the Owner shall enter into an extension, renewal or restatement of the Entrance Connection Agreement in the then current form of Entrance Connection Agreement or Entrance Connection Agreement extension, renewal, or restatement agreement, as applicable.

8.4 Upon the expiration of the term of an Entrance Connection Agreement for an Entrance Connection, which shall continue to be in operation, in addition to the requirements set out in section 8.0, the Owner shall be responsible, at the Owner's cost and expense, to renovate the Entrance Connection to an Accessible Entrance Connection in accordance with the then current applicable TTC accessibility requirements, standards and specifications. Where the configuration of the Development shall not permit the construction of an Accessible Entrance Connection and there are no changes proposed to the Development, prior to entering into the an extension, renewal or restatement of the Entrance Connection Agreement in the then current form of Entrance Connection Agreement or Entrance Connection Agreement extension, renewal, or restatement agreement, as applicable, in accordance with this section 8.4, the Owner may request relief from the requirement to construct the Accessible Entrance Connection. Any such relief requires the Approval of the Board.

9.0 REFERENCE SOURCES

- City of Toronto Act, 2006
- City of Toronto Official Plan
- Ontario Building Code
- Planning Act

APPROVED	REVISION NO.	SUPERSEDES	PAGE
Board Chief Executive Officer	2		16 of 16