



STAFF REPORT ACTION REQUIRED

Legion Road - Highway Alteration By-law/Road Closure

Date:	August 13, 2010
To:	Etobicoke York Community Council
From:	Director, Transportation Services - Etobicoke York District
Wards:	Ward 6 – Etobicoke-Lakeshore
Reference Number:	p\2010\Cluster B\TRA\EtobicokeYork\eycc100145-to

SUMMARY

This staff report is about a matter that Community Council has delegated authority from City Council to make a final decision.

The purpose of this report is to recommend the enactment of a highway alteration by-law for road widening, sidewalk installation and grade changes on Legion Road, north of Lake Shore Boulevard West. As a result of this road widening and grade change, Legion Road may have to be closed for as long as eight weeks for construction.

Closing Legion Road will require that the developer construct a temporary full access driveway to the existing townhouse development and the self-storage facility at 2264 and 2262 Lake Shore Boulevard West, respectively. The cost of these improvements as well as restoring the driveways and municipal boulevard to their original configuration shall be done at the developer's expense, and with the written permission of the property owner.

The proposed road widening and grade change is development-related. All costs relating to the reconstruction of Legion Road will be funded by the developer as part of their conditions of site plan approval. These highway alterations will improve traffic operations at the north approach of the intersection of Legion Road and Lake Shore Boulevard West and satisfy the Flood Remediation Plan.

RECOMMENDATIONS

Transportation Services recommends that Etobicoke York Community Council approve:

1. The alterations and modifications on Legion Road, as indicated in Appendix “A,” and generally shown on the attached sketch, drawing, Attachment 1.
2. Temporarily closing vehicle and pedestrian traffic on Legion Road, between Lake Shore Boulevard West and point 300 metres to the north, for a period of 90 days, commencing no earlier than September 1, 2010, any such closing to last no longer than November 30, 2010.
3. The owner/developer of the property at 2242 and 2246 Lake Shore Boulevard West (“Empire beyond the Sea”) is responsible for all costs associated with the closing and reconstruction of Legion Road, between Lake Shore Boulevard West and a point 300 metres to the north.
4. The owner/developer of the property at 2242 and 2246 Lake Shore Boulevard West shall provide temporary full vehicle access to Lake Shore Boulevard West for the self-storage facility and the townhouse development located on the north side of Lake Shore Boulevard West, west of Legion Road (2262 and 2264 Lake Shore Boulevard West, respectively); such access to be provided at no cost to these adjoining property owners and at the expense of the owner/developer of the property at 2242 and 2246 Lake Shore Boulevard West.
5. Before closing Legion Road or undertaking any modifications to the existing driveways to Lake Shore Boulevard West, the owner/developer of the property at 2242 and 2246 Lake Shore Boulevard West shall obtain written approval from the property owners at 2262 and 2264 Lake Shore Boulevard West consenting to the temporary changes to their Lake Shore Boulevard West driveways, and shall obtain the necessary permits, approvals and clearances for these temporary driveway modifications from the Transportation Services Division and Toronto Fire Services.
6. Within fourteen days of the reopening of Legion Road, the owner/developer of the property at 2242 and 2246 Lake Shore Boulevard West shall restore the Lake Shore Boulevard West driveways to 2262 and 2264 Lake Shore Boulevard West to their original design, at no cost to the adjoining property owners or the City of Toronto.

Financial Impact

All costs associated with the highway alterations on Legion Road, as indicated in Appendix “A”, and the road closure will be funded by the developer, Empire (Beyond the Sea) Limited. Modifications to the Lake Shore Boulevard West driveways to accommodate full access to adjoining properties will also be the financial responsibility of the developer.

ISSUE BACKGROUND

The *City of Toronto Act, 2006*, requires by-laws for the alteration of highways. This is not a new requirement under the *City of Toronto Act, 2006*, in that it was required under the previous Municipal Act. Notwithstanding, many pre-amalgamation municipalities had varied practices relating to highway alterations. City Legal staff has advised that any district in Transportation Services that requires alteration to a highway, would require the passage of a by-law by City Council. Alterations requiring approval typically include road narrowing and widening, the installation of a lay-by, the installation of sidewalks, the installation of medians and the realignment of intersections.

Chapter 937 – 2 of the Municipal Code authorizes staff to issue road closure permits up to 30 days for private construction. This closure will be in effect for approximately 60 days and needs Community Council approval.

COMMENTS

As part of the conditions of site plan approval for 2242 and 2246 Lake Shore Boulevard West, a proposal to construct two high-rise condominium apartment buildings, highway alterations are required. A road widening is required to accommodate separate southbound left and right turn lanes on Legion Road at Lake Shore Boulevard West and a new sidewalk on the east side of the road. Also, the elevation of Legion Road is required to be raised to address the Flood Remediation Plan. These highway alterations are shown on the attached sketch and described in Appendix “A”. The enactment of the necessary highway alteration by-law is required prior to the construction of the proposed project.

As the work required results in a grade change of up to 2.5 metres in sections of Legion Road, a full road closure is necessary. If Legion Road is closed, access for residents of Yachters Lane (2264 Lake Shore Boulevard West) and the self-storage facility at 2262 Lake Shore Boulevard West must be modified to provide full access from Lake Shore Boulevard West.

The developer is required to obtain written consent from the affected property owners for any proposed changes to their Lake Shore Boulevard West driveways, including consent for these changes from Toronto Fire Services, such consent to be obtained before construction starts on Legion Road. Any road or driveway alterations required to accommodate both the driveway modifications to Lake Shore Boulevard West and the reconstruction of Legion Road shall be done at no cost to the City or the adjoining property owners.

CONTACT

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SIGNATURE

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ATTACHMENTS

Appendix "A"

Attachment 1: Drawing # 06-242 Legion Road

Attachment 2: Area Map

Appendix “A”

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Location Requiring a Highway Alteration By-Law

Ward	Street	At	To	Description of Highway Alteration	Rationale
6	Legion Road	Lake Shore Boulevard West		Road widening through the relocation of the curbs on the east side of Legion Road, north of Lake Shore Boulevard West Sidewalk installation on the east side of the street from Lake Shore Boulevard west to a point 140 metres further north Increasing the road grade	To accommodate separate southbound left and right turn lanes Pedestrian safety satisfy the Flood Remediation Plan