



STAFF REPORT ACTION REQUIRED

Metrolinx LRT Projects – Delegation to the General Manager, Transportation Services, to Approve Road Closures Up To And Including 365 Consecutive Days for the Metrolinx Eglinton Crosstown LRT

Date:	January 27, 2016
To:	Public Works and Infrastructure Committee
From:	General Manager, Transportation Services
Wards:	Wards 1, 7, 8, 11, 12, 15, 16, 17, 21, 22, 26, 34, 35, 37
Reference Number:	P:\2016\Cluster B\TRA\TIM\pw16002tim.docx

SUMMARY

The purpose of this report is to delegate authority to the General Manager, Transportation Services, to close to vehicular and pedestrian traffic any highway or portion of highway, with the exclusion of those highways listed in Section 937-4 of City of Toronto Municipal Code Chapter 937, Temporary Closing of Highways, up to and including 365 consecutive days in support of the construction of the Metrolinx Eglinton Crosstown LRT project. The report seeks authority to make associated amendments to Code Chapter 937 and City of Toronto Municipal Code Chapter 27, Council Procedures.

Without the extension of this authority, reports will be required seeking Council approval to grant road/lane closures lasting more than 30 days. The scope of the Eglinton Crosstown LRT project necessitates numerous concurrent and consecutive lane closures that will extend beyond thirty days during a multi-year construction period. Delegating this authority to the General Manager, Transportation Services, has two main benefits.

Firstly, it will significantly reduce the administrative burden on City of Toronto staff and enable them to focus on working with Metrolinx, the contractor, local ward councillors and the community to maximize the effectiveness of traffic management and construction scheduling. Secondly, the delegated authority will minimize the chance of project delay.

RECOMMENDATIONS

The General Manager, Transportation Services recommends that:

1. City Council amend City of Toronto Municipal Code Chapter 937, Temporary Closing of Highways, to delegate to the General Manager, Transportation Services, until January 1, 2022, the authority to temporarily close to vehicular and pedestrian traffic any highway or portion of a highway, with the exception of those highways listed in Section 937-4 of Code Chapter 937, for a period up to and including 365 consecutive days as required for the purposes of construction of the Metrolinx Eglinton Crosstown LRT project.
2. Subject to the approval of Recommendation 1 in the report dated January 27, 2016 of the General Manager, Transportation Services, City Council exempt the General Manager of Transportation Services, in carrying out his authority under Recommendation 1, from Section 937-5 of City of Toronto Municipal Code Chapter 937, Temporary Closing of Highways, including the requirement to notify the local ward councillor of the pending closure and the requirement to report on the proposed closure if so requested by the local ward councillor.
3. Subject to the approval of Recommendations 1 and 2 in the report dated January 27, 2016 of the General Manager, Transportation Services, City Council amend City of Toronto Municipal Code Chapter 27, Council Procedures, to provide that the current delegation to Community Council to temporarily close local roads, collector roads, and minor arterial roads does not include closures delegated to the General Manager, Transportation Services, in carrying out his authority under Recommendation 1.
4. City Council authorize and direct the appropriate City Officials to take the necessary action to give effect thereto, including the introduction in Council of any Bills that may be required.

Financial Impact

There are no financial implications arising from the adoption of this report

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

At its meeting of July 7, 2015, City Council adopted Item PW6.16 entitled "Temporary Delegation to the General Manager, Transportation Services to Approve Road Closures Up to and Including 90 Days for the Metrolinx Eglinton Crosstown Project" which recommended that City of Toronto Municipal Code Chapter 937 be amended to delegate to the General Manager, Transportation Services, during the period between the

completion of the scheduled July 7 and 8, 2015 City Council meeting and the agenda closing date in August or September 2015 for the appropriate Community Council or Standing Committee, the authority to temporarily close to vehicular and pedestrian traffic any highway or portion of a highway for a period up to and including 90 days as required for the purposes of the construction of the Metrolinx Eglinton Crosstown LRT project.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PW6.16>

ISSUE BACKGROUND

Pursuant to Section 937-2 of the City of Toronto Municipal Code Chapter 937, Temporary Closing of Highways, the General Manager, Transportation Services, is currently authorized to close any highway or part of a highway for a period up to and including 30 days for construction work privately initiated (other than by a utility company with statutory rights or a municipal access agreement with the City allowing occupancy).

This authorization is subject to two limitations:

- the closure of certain roads, such as the F.G. Gardiner Expressway, the Don Valley Parkway, the W.R. Allen Road, Black Creek Drive or Highway 27, requires Council approval.
- prior to authorizing a closure, the General Manager, Transportation Services, must notify the local Ward Councillor, who may require that the matter be reported to the appropriate Community Council for final decision under delegated authority pursuant to Municipal Code Chapter 27, Council Procedures, or for recommendation to Council for final decision as required.

For closures related to construction work privately initiated which are more than 30 days in duration, approval must be sought through the appropriate Community Council or the Public Works and Infrastructure Committee, depending on the location of the proposed closure.

For the Summer of 2015, Council granted the General Manager, Transportation Services, the authority to approve road/lane closures associated with one of Metrolinx' projects, the Eglinton Crosstown LRT project, for up to 90 days in duration. This temporary authority has now expired.

COMMENTS

Required Road/Lane Closures

The construction of the Eglinton LRT project will require road/lane closures associated with tunnelling works, utility relocation, underground station construction, guideway construction, roadway restoration and streetscape implementation. In order to ensure schedule adherence, Transportation Services must be able to act quickly to issue the required permits and ensure that the necessary road/lane closures are in place during construction.

Based on current information regarding the number of proposed long-term closures associated with this project, it is estimated that at least 150-200 reports to Public Works and other Committees would have to be prepared should the currently delegated authority not be extended.

Proposed Road/Lane Closure Process

The need to report on closures of longer than 30 days would be problematic in terms of the risk it presents to schedule adherence by Metrolinx and Crosslinx. The City has contractual obligations pursuant to the Master Agreement signed between the City and Metrolinx to process permit applications in a timely manner. Given that Council report cycles can last from 3-6 months from report inception through to Council approval, there is risk that the City of Toronto's approval process could introduce delays into the construction schedule.

In addition, this volume of reporting would impose a significant burden on Transportation Services staff whose time could otherwise be spent working with Metrolinx, Crosslinx, affected ward councillors and the community and inspecting and supervising work to minimize construction impacts on the local community and the travelling public.

In order to ensure the responsiveness which the City has committed to on this project, it is therefore recommended that the General Manager, Transportation Services, be given the delegated authority, until January 1, 2022, to temporarily close to vehicular and pedestrian traffic any highway or portion of a highway, with the exception of those highways listed in section 937-4 of Code Chapter 937, for a period up to and including 365 consecutive days as required for the purposes of construction of the Metrolinx Eglinton Crosstown LRT project.

Further, it is recommended that the General Manager, Transportation Services, in carrying out this proposed authority, be exempt from Section 937-5 of Code Chapter 937, which outlines the General Manager's requirements in regards to Councillor consultation, and the ability of the Councillor to request that the proposed closure be reported to the appropriate Community Council or to Council. An alternative consultation process is discussed below.

An amendment to Toronto Municipal Code Chapter 27, Council Procedures, which outlines Council procedures and the current reporting process, is also required as is public notice of such an amendment.

Granting this extension of authority will drastically reduce the number of reports required in support of the Eglinton LRT, and remove a large source of schedule risk to the project.

Councillor Engagement Process

The above-noted recommendation will result in fewer reports regarding proposed road/lane closures being submitted to Community Council or the Public Works and Infrastructure Committee. However, to ensure that the local Ward Councillor is aware of any proposed closure and has an opportunity to provide comments on impacts and mitigation, the following process is proposed:

- Biweekly meetings of a Transportation Management Committee will be held including representation from Metrolinx, Crosslinx, Transportation Services, Toronto Fire and Paramedic Services.
- These meetings will include a review of upcoming works (six month forecast) and the required approvals and consultation.
- Each major construction activity will result in production, by Crosslinx, of a Traffic and Transit Management Plan (TTMP).
- The TTMP will include a series of sub-plans that will describe the impact on motorists, pedestrians, cyclists and development affecting adjacent roads involving municipal, utility and private construction.
- The TTMP will suggest mitigating measures related to road users, access for residents and businesses, parking, emergency services.
- Crosslinx will submit the TTMP to Transportation Services for review.
- Once staff are satisfied with the content of the TTMP, Metrolinx and Transportation Services representatives will meet with the impacted Ward Councillor(s).
- The TTMP will be modified based on feedback received during this process, and any additional consultation (e.g. resident meeting) will be undertaken
- Once staff and the Ward Councillor(s) are satisfied with the TTMP, public notification of the upcoming construction activities and mitigating measures will occur through the use of flyers, a project website, social media, and outreach via BIAs.

Conclusion

- The current process of reporting to Community Council or Council on road/lane closures of longer than 30 days in duration would be problematic for Metrolinx and its consortiums, as well as the City of Toronto. In addition, it would place a significant administrative burden on Transportation Services staff which would deflect them from engagement, inspection and supervision activities.
- In order to ensure the necessary responsiveness on this project, it is recommended that the General Manager, Transportation Services, be given delegated authority, until January 1, 2022, to temporarily close to vehicular and pedestrian traffic any highway or portion of a highway, with the exception of those listed in section 937-4 of Code Chapter 937, for a period up to and including 365 consecutive days for the purposes of construction of the Metrolinx Eglinton Crosstown LRT project.. It is further recommended that the General Manager of Transportation Services, in carrying out this authority, be exempt from Section 937-5 of City of Toronto Municipal Code Chapter 937.
- An amendment to Toronto Municipal Code Chapter 27, Council Procedures, which outlines Council procedures and the current reporting process, is also required as is public notice of such an amendment.

- Metrolinx, its consortiums and Transportation Services staff have put in place a robust process to ensure input from impacted Ward councillor(s). The extensive community engagement and information dissemination will also continue.

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