

Metrolinx Ontario Line - Right-of-way Permit Process and Requirements

Date: January 17, 2020

To: Toronto and East York Community Council

From: Director, Transportation Planning and Capital Program

Wards: Ward 14 - Toronto-Danforth

SUMMARY

This report responds to the Toronto and East York Community Council direction for the General Manager, Transportation Services to report on right-of-way permit process and requirements for the Metrolinx Ontario Line project.

The report provides an overview of the permit process and requirements for Metrolinx's contractors with an emphasis on requirements for construction notification. The report also provides an overview of Metrolinx's communication program to provide project updates and notifications to various stakeholders, including City Councillors.

RECOMMENDATIONS

The Director, Transportation Planning and Capital Program recommends that:

1. The Toronto and East York Community Council receive this report for information.

FINANCIAL IMPACT

This report will have no financial impact.

DECISION HISTORY

At its meeting on January 8, 2020, Toronto and East York Community Council adopted Item TE12.59 entitled "Right of Way Permit Requirements for the proposed Ontario Line". The Community Council decision can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.TE12.59>

COMMENTS

The Ontario Line, under the current proposal, will be an approximately 16 kilometre long higher order transit line and will consist of 15 transit stops connecting the Exhibition GO Station to Eglinton Crosstown Science Centre Station. The project is currently in early works stage, consisting of collection of soil and rock samples and evaluation of underground conditions along the project alignment.

The residents of Ward 14 (Toronto-Danforth) raised concerns through Councillor Paula Fletcher regarding the lack of advance notification for core sampling work on McGee Street and Minton Place. Metrolinx and their contractor confirmed the delay in mailing construction notification prior to commencement of this work. As per the permit requirements, the contractor was required to notify the affected residents and businesses at least 48 hours in advance of commencement of the work. Metrolinx project team and the contractor were made aware of this issue and instructed to issue proper notification to the public and councillor office. Assurance has been sort and received that proper notifications periods will be adhered to by Metrolinx and their contractors going forward.

As a result of this incident, Councillor Fletcher introduced a member motion at the January 8th Toronto and East York Community Council and asked for clarification on City's permit process and requirements to understand City's expectations from Metrolinx and their contractors on construction notification.

Right-of-Way Permit Process and Requirements

The right-of-way permits for the Ontario Line are issued by the Transit Infrastructure Projects Unit of Transportation Services. In accordance with the Toronto Municipal Code Chapter 743, Metrolinx's contractors are required to obtain a permit before undertaking any street work or temporary street occupation within the City right-of-way. The permit application requires the contractor to pay applicable fees, provide work details (scope, location, duration, and technical drawings), traffic control plan, evidence of insurance and any additional information as required. The permit application, traffic control plan and supporting documents are reviewed to ensure public safety and mobility during construction, compliance with applicable municipal standards and policies, utility clearance and coordination with other work in the area, TTC and emergency services.

Upon satisfactory review of the permit application, the requested permit is issued with terms and conditions specifying the location and time period of work, requirements for construction and Road Disruption Activity Reporting System (RoDARS) notification, traffic signage, traffic control, work zone setup and permanent restoration. Additionally, the contractor is required to notify the City work zone traffic coordinator 14 days in advance of commencement of the work.

In regards to construction notification, the contractor is required to notify the affected residents and businesses at least 48 hours before starting any street work or temporary street occupation and comply with any additional public notification requirements as deemed necessary for the work. For street work or temporary street occupation

exceeding 24 hours in duration and where any property access is affected, the contractor is required to deliver construction notice to the affected residents and businesses at least three working days in advance of commencement of the work.

In accordance with authority given by Chapter 743, the issued permit may be cancelled at any time without notice if the permit holder has violated the terms and conditions of the permit.

Councillor Engagement Process

Through its work on other major transit projects such as the ECLRT, FWLRT and GO Expansion, Metrolinx has developed and implemented a comprehensive communications program utilizing a variety of meeting techniques to keep City Councillors and their staff apprised of plans and developments related to the project. Metrolinx facilitates regular monthly councillor and stakeholder meetings (including local Members of Provincial Parliament (MPPs), local Councillors, Metrolinx staff, project partners and City staff) across the project corridors. Key stakeholders, such as TTC staff, are updated and consulted frequently, often several times each week. This strategy will also be put in place for the Ontario Line.

The Metrolinx consultation strategy includes one-on-one briefings with Councillors to address specific milestone events and emerging issues. Community outreach and Business Improvement Area (BIA) meetings, plus Construction Liaison Committee meetings (which include BIAs and local businesses), are scheduled throughout the long-term construction period to provide information and address current concerns and issues as they arise. Broad construction traffic management strategies are shared with the attendees at these meetings by way of presentations made by members of third-party project delivery teams, Metrolinx and City staff.

Specific details of the traffic management plans are discussed with the local Councillors as they are prepared and evolve. Metrolinx, project partners and City staff will work with local Councillors to address these issues in a timely manner. Specifically, City staff will hold one-on-one briefings with the local councillors to provide information and advice on concerns related to the project. Briefings will be provided prior to any significant road closure required for project construction work. Further, City staff will liaise with Metrolinx and Project Co. to minimize disruption during construction activities.

Details of the complex staging and discussions of lane closures are the subject of the monthly stakeholder meetings, routinely attended by Councillors and their staff. Similarly, the construction phasing at various station sites is an agenda item during monthly stakeholder meetings, and the subject of direct and frequent email communication between Transit Infrastructure Projects Unit office and the project team.

In all cases, when a significant change is planned at any of the construction sites, Metrolinx issues public notices in advance of the work, both on their website and delivered door-to-door. Major changes are also widely reported on television and radio and through social media platforms.

Metrolinx also operates community offices, which are positioned in key areas along the corridor. These offices work with residents, businesses and stakeholders to identify and respond to issues and find ways to mitigate against construction impacts.

CONTACT

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SIGNATURE

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ATTACHMENTS
