

Municipal Consent Requirements

for the Installation of Plant
Within City of Toronto Streets



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Municipal Consent Requirements:
www.toronto.ca/engineering/mcr

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Table of Contents

Table of Contents	i
Appendixes	A
Chapter 1 – Introduction	1
Chapter 2 – Order of Precedence.....	3
Chapter 3 – Permit Application Requirements	5
Conditions of Permit Application	5
Extension of Permit Duration	6
Moratorium on Newly Improved Streets	7
Scope.....	7
Duration	7
Exceptions.....	8
Work Not Requiring Excavation – Temporary Street Occupation	
Permit.....	9
Site Services Permit	9
Work Requiring Excavation – Cut Permit.....	9
Identification of Planned Work.....	10
Identification of Plant	10
Alignments	10
Services	10
Clearance from Other Plant	11
Depth of Cover.....	11
Curbed Roads.....	12
Uncurbed Roads.....	12
Boulevards	12
Structures with Surface Access.....	12
Tree Protection Zone	12
Cancelled Projects.....	13
Structures with Surface Access.....	13
Joint-builds / Common Trenches	13
Abandoned / Decommissioned Infrastructure	13
Installations on City Owned Lands Other than Streets	14
Protected Locations.....	14
Areas of Archaeological Potential	14
Archaeological Sensitive Areas	14
Archaeological Assessments.....	15
Exemptions	15
Heritage Properties	16
Changes to Permit	17

Chapter 4 – Application Streams	19
Emergency Work	19
Scope.....	19
Requirements	19
Short-Stream	20
Scope.....	20
Submission Requirements.....	20
Application Review Period	21
Full-Stream	21
Scope.....	21
Submission Requirements.....	21
Full Stream Utility Cut Fee.....	22
Projects with Multiple Applications	23
Circulation	23
Incomplete Applications	24
Application Review Period	25
Disputes.....	25
Chapter 5 – Above-Ground Plant.....	27
Location	27
Justification	27
Vibrant Streets	27
Aesthetic Treatment	27
Notification	28
Business Improvement Areas	28
Acceptance by the General Manager	29
Pole Replacement.....	29
Pre-Application Review	30
Non-compliant Installations	30
Chapter 6 – Construction Requirements	31
Scope.....	31
Insurance	31
Site Meetings	31
Perimeter Warning Signs	31
Scheduling.....	32
Locates and Protection of Plant	32
Notification to the City	32
Resident and Business Notification	33
Documents Required to be On-Site	33
Working Hours.....	33
Project Information Sign.....	34
Street Occupation Permits	34
Cut Permits	35
Traffic Control	35
Access to Site / Inspection	37

Paid Duty Police Officers	37
Road Emergency Events	38
All Other Emergencies.....	39
Scheduled Events	39
Table 1: Deployment of Traffic Control in Road Construction	
Activities	41
Public Convenience and Safety	42
Clean Work Site.....	43
Material and Equipment Delivery and Storage.....	44
Operation of Valves and Hydrants.....	44
Working Around Trees	44
Working Around Mass Transit	45
Working in the Vicinity of Bridges	45
Snow Removal and De-Icing	45
Contaminated Soil.....	46
Notification of the Location of Unidentified Plant	46
Keyhole Excavation	46
Trenchless Installations.....	46
Temporary Service Drops	47
Reporting Impact / Damage to Existing Plant	48
Non-compliance	48
Chapter 7 – Backfill and Restoration	49
General	49
Keyhole Excavation	49
Deficiencies.....	49
Temporary Restoration	49
Permanent Restoration	50
Emergency Repairs	50
Chapter 8 – Location Certificates	51
Preparation and Submission.....	51
Non-Compliance with Location Certificate Requirements.....	51
Accountability for Inaccurate Location Certificates.....	51
Glossary	53

Appendixes

- Appendix A – Permit Application Offices
- Appendix B – Utility Circulations Contacts
- Appendix C – City District Map
- Appendix D – TS 4.60 – Construction Specification for Utility Cut and Restoration
- Appendix E – TS 4.70 – Construction Specification for Keyhole Excavation and Temporary Reinstatement of Keyhole Cores
- Appendix F – Tree Protection Policy
- Appendix G – Traffic Control
- Appendix H – Material Specifications
- Appendix I – Unshrinkable Fill
- Appendix J – Full-stream Electronic Submission Process
- Appendix K – Permit Application Form
- Appendix L – Request for New Applicant Code
- Appendix M – Guidelines for Completing Permit Application Form
- Appendix N – Project Information Sign
- Appendix O – Vertical and Horizontal Clearance Guidelines
- Appendix P – Standard Utility Location in Greenfield Developments (20 m and 18.5 m ROW drawings)
- Appendix Q – Permit Drawing Standards
- Appendix R – Minimum Location Certificate Requirements
- Appendix S – Classification of City Streets
- Appendix T – intentionally left blank
- Appendix U – Site Services Permit
- Appendix V – intentionally left blank
- Appendix W – intentionally left blank
- Appendix X – intentionally left blank
- Appendix Y – intentionally left blank
- Appendix Z – Document History

Chapter 1 – Introduction

The Municipal Consent Requirements (MCR) provide for the efficient review of applications pertaining to installations within city of Toronto streets.

Adherence to these requirements will protect the interests of the City of Toronto, the community, and utilities occupying the right-of-way. To this end, all applications are reviewed with consideration to their impact on the physical and social environment and the City's infrastructure. It is important that these objectives are taken into consideration in the planning and design of all work being proposed and carried out within the streets.

The impact on the physical and social environment is controlled through the establishment of pedestrian and vehicular traffic restrictions, setting out the timing and physical extent of the work, and the strict enforcement of the City's noise and air quality bylaws. Protection of the surface infrastructure is achieved through implementation and enforcement of the pavement cut repair standards established by the City. Protection of the underground infrastructure is achieved through the implementation and enforcement of drawing and construction standards established by the City, circulation of drawings for planned construction to all affected stakeholders and adherence to minimum clearances and depths.

All work within the streets requires consent from the General Manager of Transportation Services division.

This document applies to all utility companies, commissions, agencies, boards, associations, municipal departments and private stakeholder applicants proposing to undertake work within city of Toronto streets.

Chapter 2 – Order of Precedence

In the event of any inconsistency or conflict in the contents of the following documents, such documents shall take precedence and govern in the following order:

- 1 Negotiated and legislated agreements, including municipal access agreements (MAA)
- 2 City of Toronto bylaws
- 3 Permit
- 4 Municipal Consent Requirements (MCR).

Chapter 3 – Permit Application Requirements

Conditions of Permit Application

Permits are issued by the General Manager to allow an Applicant to perform work related to the installation and maintenance of plant within the streets.

A permit is required whenever the Applicant's proposed work includes:

- performing maintenance to existing plant
- installing new plant
- making additions or upgrades/alterations to existing plant
- excavating, directional boring and/or drilling within the right-of-way

By submitting an application to perform work within the public right-of-way, the Applicant agrees to:

- Indemnify and hold harmless the City and its elected officials, officers, directors, employees, representatives, successors and assigns collectively, the Indemnitees for injury or damage including legal costs, howsoever arising, due to the construction, operation and/or maintenance of the work or temporary repairs referred to in this application unless such injury or damage was caused by the negligence or wilful misconduct of the City.
- Indemnify and hold harmless the Indemnitees from all claims and actions resulting from any preserved or perfected lien under the *Construction Lien Act (Ontario)* in connection with the construction, operation and/or maintenance of the work or temporary repairs referred to in this application. The Applicant shall cause any such lien or claim which may be filed or made to be released, vacated or otherwise discharged within five days of receiving notice of the lien or claim by the City or otherwise. If the Applicant fails to release, vacate or discharge any such lien or claim, the City may, but is not obligated to, obtain a discharge or release of the lien or claim or otherwise deal with the lien or

claim, and the Applicant shall pay all costs and expenses, including legal fees, incurred by the City in so doing.

- Conform to and comply with all applicable laws and regulations including, but not limited to, the *Occupational Health and Safety Act* (OHSA). The Applicant will indemnify and hold harmless the City of Toronto from and against all liability resulting from any and all failures to meet the responsibilities referred to in the OHSA, including any fine(s) levied against the City of Toronto as a result of any breach of the responsibilities of the employer for the project, to the extent attributable to the Applicant's failure to fulfil its obligations.
- Perform all work in accordance with any legislated or negotiated agreements, such as municipal access agreements, applicable bylaws, the permit and this document.

Extension of Permit Duration

If the work arising out of an application will not be completed by the expiry date of the permit, the Applicant will be required to apply for an extension of the permit. Any such request for extension must be submitted to the General Manager no less than seven days prior to the expiry of the existing permit. Only one extension may be granted for any permit.

Extension approval shall be at the sole discretion of the General Manager based on:

- a review of the proposed work
- the progress of the work up to the date of the extension request
- the performance of the Applicant during the period of the existing permit
- a review of any potential conflict with other planned or ongoing work which may be affected by the requested extension, and
- the safety and convenience of the public

Expired permits may not be renewed if an application for extension has not been received within seven calendar days of the expiry of the existing permit. The Applicant must submit a new application in accordance with the requirements of this document, including, but not

limited to, updated circulations, sign-offs and notifications.
Documentation from previous applications will not be accepted.

Moratorium on Newly Improved Streets

To ensure the long-term sustainability of the City's infrastructure, the General Manager enforces a moratorium on all newly improved streets.

The moratorium ensures that the integrity of the pavement structure is protected and also serves to minimise the disruptions and inconvenience to the public resulting from repeated construction activity.

Scope

The moratorium applies to the enhancement, maintenance, repair or replacement of existing plant and construction of new plant which may undermine the integrity of the newly improved street infrastructure. Unless otherwise stated the moratorium applies to the whole street, from property line to property line. The expiry of the moratorium shall be measured from December 31 of the calendar year in which the improvement was performed.

Duration

The moratorium shall apply:

Within three years from the date of:

- maintenance or repair work undertaken on roads, curbs, sidewalks, and boulevards
- construction, reconstruction, maintenance or repair of embankments, handrails of highway bridges, rail bridges, pedestrian bridges and culverts

Within five years from the date of the:

- construction or reconstruction of roads, curbs, sidewalks, and boulevards
- full resurfacing of streets including base repairs

- construction, reconstruction, maintenance or repair of abutment walls, piers, un-waterproofed bridge approaches, slope protection of highway bridges, rail bridges and pedestrian bridges
- construction, reconstruction, maintenance or repair of culverts

Within 10 years from the date of:

- construction, reconstruction, maintenance or repair of bridge decks, sidewalks, parapet walls, asphalt wearing surface, deck waterproofing, superstructure, bearings, expansion joints, ballast walls, and foundations of highway bridge and pedestrian bridges
- construction, reconstruction, maintenance or repair of decks, parapet walls, superstructure, bearings, expansion joints, ballast walls, and foundations of railway bridges

Exceptions

While these requirements represent the General Manager's current policy, it is recognised that, under certain circumstances, such as emergency work, providing service to a new customer, or construction identified by the General Manager as being necessary to ensure public safety, an exception to the moratorium may be made. Exemptions may be made, at the sole discretion of the General Manager, provided that the Applicant has investigated and evaluated all other options and can demonstrate that they are not feasible or practical.

When such exceptions are granted, the Applicant shall exhaust all trenchless methods available to minimize the number and size of cuts in the street. The City, acting reasonably, may perform more extensive site restoration than would normally be expected, at the Applicant's expense, in order to mitigate the concerns of public inconvenience and the premature degradation and aesthetics of newly improved streets.

Work Not Requiring Excavation – Temporary Street Occupation Permit

For temporary street occupation not requiring excavation, consent is required through a *Temporary Street Occupation Permit* issued by the appropriate permit office as indicated in Appendix A, *Permit Applications Offices*.

Site Services Permit

In view of the extensive networks of plant owned by utilities, as a requirement, the General Manager will issue a *Site Services Permit* – blanket *Temporary Street Occupation Permit* – to each utility company that is a member of the Toronto Public Utilities Coordination Committee (TPUCC). This permit is issued annually at the beginning of the year and will allow the Applicant to temporarily occupy portions of the public right-of-way in order to maintain existing plant, subject to the terms and conditions of the permit. The *Site Services Permit* does not authorise excavation or any surface cuts within any portion of the public right-of-way, and is not permitted to be used in conjunction with any other permit. This permit must be displayed at each work site at all times.

Information regarding the site services permit for all city districts can be obtained from the Toronto and East York district office at 416-392-6593.

Note: This permit will be renewed automatically by the General Manager in December of each year, prior to the expiration of the permit, and will be faxed to the respective permit holder.

Work Requiring Excavation – Cut Permit

For work involving excavation, consent is required through a cut permit issued by the appropriate permit office as indicated in Appendix A, *Permit Applications Offices*.

Cut permits will only be issued to Applicants having authority to construct, operate and maintain their plant within City streets, as established through legislation or the terms of a municipal access agreement or encroachment agreement.

Identification of Planned Work

Applications will be checked against the list of planned capital projects submitted to the TPUCC capital coordination subcommittee. For proposed work that is anticipated to cause a major disruption but was not identified on the list of planned capital projects, the Applicant may be required to submit an explanation of why the project was not identified at the time the list was prepared prior to the application being processed.

Identification of Plant

Where pole bases are used, each bay of sidewalk poured on top of the pole base shall bear a stamp with the name of the pole owner and the text Pole Base as a warning that there is buried infrastructure below. Where the sidewalk is reinforced with rebar, the stamp shall include the wording 'Reinforced Bay'.

Alignments

Wherever possible, installation of plant should follow the alignments shown in the standard right-of-way cross sections in Appendix P, *Standard Utility Location in Greenfield Developments*

The City, in its sole discretion, may direct the Applicant to propose an alternate alignment if, in the opinion of the General Manager, the proposed alignment is not in the best interests of the efficient and organised usage of the right-of-way.

Services

Wherever possible, services and service drops shall be designed and constructed directly in front of the customer being serviced in a straight line perpendicular to the road. Where an application shows a service that is not in a straight line perpendicular to the road, the Applicant may be required to submit rationale explaining why this could not be achieved.

Clearance from Other Plant

Horizontal and vertical clearances shall be in compliance with Appendix O, *Vertical and Horizontal Clearance Guidelines*. The indicated clearances are minimums and shall be interpreted to be measured from the outermost edge of the existing plant to the outermost edge of the proposed plant.

Any encasement, steel plating or other non-excavatable material shall be considered to be part of the proposed plant and must meet the required clearance from existing plant.

Exemptions from the minimum clearances may be granted, at the discretion of the affected plant owners and the approval of the General Manager, acting reasonably. As a minimum, any consideration for exemption will require written consent from the affected plant owners giving explicit permission to the Applicant to reduce the clearance. To ensure the acceptability of the proposed reduction in clearance, the Applicant may be required to submit a detailed drawing identifying the existing and proposed plant.

Depth of Cover

The depth of cover for all installations shall meet the depths indicated below. Where there is a conflict at the proposed depth of cover, the Applicant shall plan to go deeper to accommodate the existing plant and meet the required clearances.

Where an Applicant demonstrates that the depth requirements cannot be met, exceptions may be granted on a case-by-case basis. Applicants should contact the City for such an exemption at the planning stage of their project, prior to submission of a permit application.

Under no circumstances shall plant be installed shallower than the minimum depths indicated without specific written consent from the General Manager.

The depths listed below are minimums. Where deemed necessary to accommodate other existing plant or future work, additional depth of cover may be required at the application review stage or during construction at the sole discretion of the General Manager.

Curbed Roads

For areas under the road, curb, the portion of the boulevard within one metre of the back of curb, and the entire right-of-way within thirty metres of an intersection, the minimum depth of cover on shall be one metre.

Uncurbed Roads

For the entire right-of-way, from street-line to street-line, on uncurbed roads, the minimum depth of cover shall be 1.3 metres below the centreline of the road, or 0.6 metres below the lowest point of the adjacent ditch, which ever is deeper.

Boulevards

Except where specified above, the minimum depth of cover on all streets shall be 600 milimetre.

Structures with Surface Access

For buried structures, including, but not limited to, vaults and chambers, the top of the structure shall conform to the minimum depths described above. Where such a structure requires access, it shall be designed so that only the access chimney protrudes to the surface.

Tree Protection Zone

For any means of construction other than directional boring, the minimum depth of Cover shall be a minimum of 1.5 m within the TPZ. If the installation of plant is executed via directional boring, the depth of cover may be reduced to a minimum of 1.2 m.

Cancelled Projects

The permit office must be notified of any cancelled projects for which an application has been submitted or a cut permit has been issued.

Structures with Surface Access

Any new buried structures which have surface access, with the exception of vaults where the structure roof is monolithic with the sidewalk or flush with the surrounding finish grade shall be constructed with the ability for fine adjustment of their elevation to accommodate future changes to surface grading. The amount of vertical adjustment available for lowering shall not be less than 300 millimetres.

Joint-builds / Common Trenches

To make effective use of the limited space in the right-of-way, the General Manager may request that utility companies planning installations in close proximity to one another, or to service the same customer, enter into an agreement to share a common trench. Where the parties have agreed to construct in a common trench, one of the utilities companies shall be designated as the Applicant for purposes of obtaining a cut permit, adherence to permit conditions, completion of restoration, billing process, and submission of location certificates. Joint-builds shall be clearly identified as such, including the names of all participating utility companies, on both the application and the drawings.

Abandoned / Decommissioned Infrastructure

The utility company shall continue to be responsible and liable for all abandoned infrastructure and any issues that arise as a result of that abandoned infrastructure until such time that it has been completely removed from the right-of-way to the satisfaction of the General Manager.

Note: This responsibility shall include, but not be limited to, providing all available information for any abandoned or decommissioned plant as part of the Applicant's response to any request for information by the General Manager or other members of the TPUCC.

Installations on City Owned Lands Other than Streets

Installations on city owned land other than streets require the prior approval of the city division that has jurisdiction over that land. Any easement documents or licenses that may be required by the General Manager for work in these locations shall be submitted with the application.

Protected Locations

Areas of Archaeological Potential

The City of Toronto has identified areas of archaeological potential on a city-wide basis. These are general areas where archaeological resources may still exist. They will range from areas that are highly urbanized, to areas which include parkland, watercourses and residential neighbourhoods.

Depending upon the scale of the work undertaken by a utility company, a Stage 1 archaeological assessment—background research—may be required. These background studies examine the impact of the work and determine whether there is a probability that archaeological resources will be impacted by the work and whether or not further archaeological work would be required. Work covering an extensive geographic area should be reviewed against the City of Toronto's potential mapping as identified on the following web link under *Archaeological Potential Mapping, City of Toronto, June 2006 – Mapping for East, Central and West* at: www.toronto.ca/heritage-preservation/archaeology.htm.

If a project falls within an archaeological potential zone, completing a Stage 1 archaeological assessment will avoid costly delays to the project in the long term and is highly recommended.

Archaeological Sensitive Areas

Archaeological Sensitive Areas (ASA) are areas of known archaeological potential. These areas are localised and limited in number, and include both known archaeological sites and areas which have yielded archaeological resources in the past.

Any work that will result in soil disturbance and is anticipated to take place in an ASA will require an archaeological assessment at the preliminary design phase of the project.

Note: Information provided on the location of Archaeological Sensitive Areas is strictly confidential and is for planning purposes only. The location of ASAs is not to be released to the any party.

Archaeological Assessments

When required as above, a consultant archaeologist licensed by the Ministry of Culture under the provisions of the *Ontario Heritage Act R.S.O 1990*, as amended, must be retained to carry out an archaeological assessment of the area of impact. The archaeologist shall make recommendations to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. The assessment is to be completed in accordance with the *Standards and Guidelines for Consulting Archaeologists, September 2006, Ministry of Culture*.

Should the archaeological assessment process continue beyond a Stage 1 assessment, any recommendations for Stage 4—full excavation—mitigation strategies must be reviewed and approved by City Planning, Policy and Research — Heritage Preservation Services prior to commencement of the site mitigation.

The consultant archaeologist shall submit a copy of the relevant assessment reports to City Planning, Policy and Research — Heritage Preservation Services unit in both hard copy format and as an Adobe Acrobat PDF file on compact disc.

In the event that archaeological resources are encountered through the assessment process, no demolition, construction, grading or other soil disturbances shall take place on the subject property prior to City Planning – Heritage Preservation Services unit and the Ministry of Culture – Heritage Operations Unit confirming in writing that all archaeological licensing and technical review requirements have been satisfied.

For more information, contact: the supervisor special projects Archaeology, City Planning – Heritage Preservation Services, at 416-338-1096.

Exemptions

On a case by case basis, the Applicant may be given permission to proceed without an archaeological assessment within an ASA if the soil disturbance impact is highly restricted in scope, for example, a single street light unit replacement.

City Planning – Heritage Preservation Services should be consulted in such instances and will provide written confirmation that an archaeological assessment is not required by the utility company or service provider in these instances.

Heritage Properties

Prior to submitting an application for a cut permit, the Applicant shall verify whether their proposed work is located in front of, or immediately adjacent to, a heritage property.

The inventory of heritage properties can be found at:
www.toronto.ca/heritage-preservation/heritage_properties_inventory.htm

The site is equipped with a search engine to assist the Applicant in identifying whether the proposed work location is located in front of a heritage property.

Note: Above-ground installations will not be permitted in front of, or immediately adjacent to, heritage properties without specific written consent from City Planning – Heritage Preservation Services.

When performing work in the vicinity of heritage property, the Applicant shall take extra care not to disturb any landscaping or architectural features. The Applicant shall exhaust all trenchless construction methods available to minimize the number and size of cuts and may also be required to perform more extensive site restoration than would normally be expected.

For further information on heritage properties, the Applicant may contact Heritage Preservation Services at 416-338-1077 or 416-338-1078 or by e-mail at heritagepreservation@toronto.ca.

Changes to Permit

Any request for changes to an issued cut permit and the applicable drawings must be reviewed and approved by the General Manager.

Depending on the nature and extent of the requested change, the Applicant may be required to:

- meet with the General Manager in the field to review the proposed change
- submit, in writing, an explanation of the proposed change
- submit a revised drawing highlighting the proposed change
- obtain sign-off from owners of affected plant
- submit a new application for the revised work

Chapter 4 – Application Streams

Emergency Work

Scope

The requirements and process for emergency work shall apply to work requiring a new excavation and be limited to the repairs or actions required in response to a failure of, or damage to, existing plant that results in, or has the potential to result in, danger to the public, a loss of an essential service, and/or damage to infrastructure or other utility plant.

Requirements

When emergency work is undertaken, the Applicant shall:

- Immediately notify Transportation Services dispatch at 416-392-5555 or e-mail tmcdisp@toronto.ca. Transportation Services dispatch will notify the appropriate city inspector, and where necessary, Emergency Medical Services (EMS).
- In the event that EMS or police assistance is required, call 911.
- Submit a cut permit application, clearly marked emergency, by the next business day to the appropriate district permit office with the field location and details of the repaired or replaced plant.
- Notify Transportation Services dispatch at 416-392-5555 or e-mail tmcdisp@toronto.ca immediately upon completion of the emergency work.

The cut permit application for the emergency work shall include the rationale for classifying the work as emergency work.

Short-Stream

Scope

Classification of work as short-stream shall be at the discretion of the General Manager.

In general, work to be submitted through the short-stream application process includes, but is not limited to:

- Exploratory work to investigate subsurface conditions.
- The construction of service drops or subsurface services connecting one or more individual users to the mainline distribution infrastructure, and not requiring the removal, relocation or alteration of adjacent infrastructure.
- The reconstruction or replacement of mainline infrastructure in the identical horizontal and vertical location and having similar dimensions—length, width, height, and capacity as the existing plant with the existing plant being removed as part of the construction.
- Replacement of a pole along its existing alignment within one metre of its existing location or to a location between two existing poles along the same alignment.
- The installation or relocation of anchoring or other supports on existing poles.
- Replacement of frame and cover for existing underground structure with surface access.
- The extension of mainline infrastructure at the discretion of the General Manager.

Submission Requirements

Cut permit applications for work defined as short-stream shall be made on the standard *Application for Installation of Services* form included in Appendix K, *Permit Application Form*.

Where the proposed work is not taking place directly in front of the customers' municipal address, the Applicant shall indicate the actual street and location impacted by the work.

The form shall be completed, in its entirety, and include a sketch conforming to the standards outlined in Appendix Q, *Permit Drawing Standards*.

The application shall include one copy of the form. Where a separate drawing or sketch is included, six copies should accompany the application.

The application should be submitted to the appropriate permit office as identified in Appendix A, *Permit Application Offices*. Incomplete or inaccurate applications will not be processed.

Application Review Period

Short-stream applications will normally be processed within five business days of receipt.

Full-Stream

Scope

In general, work to be submitted through the full-stream application process includes, but is not limited to:

- The construction of new underground or surface infrastructure involving the relocation, removal or alteration of adjacent infrastructure.
- Replacement of a pole where there is a change to the installation type, for example, replacing a direct buried pole with one bolted to a concrete pole base.
- Any work not classified as emergency or short-stream under the definitions provided herein.

Submission Requirements

A separate application form shall be fully completed and submitted for each street of the proposed work.

Cut permit applications for work defined as full-stream shall be made on the standard *Application for Installation of Services* form included in Appendix K, *Permit Application Form*.

Where the proposed work is not taking place directly in front of the customers' municipal address, the Applicant shall indicate the actual street and location impacted by the work.

The submission package should be submitted to the appropriate permit office as indicated in Appendix A, *Permit Application Offices*.

The submission package shall include:

- One copy of the application form, completed in its entirety.
- It is suggested that the applicant send the City two copies of the drawings initially. Six copies of the finalized drawings will be required before final issuance of the permit.
- One copy of the required sign-offs from impacted parties.
- The full stream utility cut fee.

Incomplete or non-compliant applications or applications submitted without the full stream utility cut fee will not be processed.

Full Stream Utility Cut Fee

In accordance with the Toronto Municipal Code Chapter 441 (Fees and Charges) and Chapter 743 (Streets and Sidewalks), all applications shall include the full stream utility cut fee.

Where a single application spans more than 1.0km length of road, the fee shall be submitted for each 1.0km.

Examples:

- Ducts on both sides of a block that is 700 m in length – one application, one fee.
- Ducts on one side of a street with total length 2.5 km – one application, three fees.
- Multiple isolated locations on a single street with a total application span of 700 m – one application, one fee.
- Ducts on one street for 700 m in length then continuing for 10 m on a cross street – two streets, two applications, two fees.

Projects with Multiple Applications

The Applicant may choose to 'bundle' several applications together as a single project. For submission of a project, the applicant shall submit the appropriate number of applications as defined above. In the absence of any specific instructions, the project will be reviewed as a whole with permits for all applications being issued simultaneously or all applications being declined.

Circulation

Prior to submitting a full-stream application, the Applicant shall circulate drawings of its proposed work to all members of the Toronto Public Utilities Coordinating Committee (TPUCC) and any other agency, commission, or person that may be impacted by the work, for the purpose of receiving comments, avoiding conflicts, and determining if a joint installation with another party is feasible.

All circulated parties shall be afforded 15 business days from the date of issuance if the circulation is made electronically or by courier, or 18 business days if by mail, to provide comments to the Applicant and determine if a joint installation with the Applicant is feasible.

The Applicant shall attach to its application:

- 1 a dated confirmation from each party that it has received the circulation, and
- 2 a circulation list which identifies
 - a) The parties receiving the circulation
 - b) The contact details and method of delivery to each party
 - c) The date that the circulation was issued
 - d) The date of response, if any, from each party.

Prior to submitting an application, the Applicant shall resolve any identified conflicts and, where applicable, negotiate the terms of a joint installation. By submitting a full-stream application, the Applicant certifies that:

- 1 the Applicant has resolved all objections received and conflicts identified as of the date of the application; and
- 2 the Applicant has explored all other options for installing its proposed equipment that will avoid excavating in a street, including but not limited to, using the existing facilities of private parties, or in the case of telecommunications equipment, using the decommissioned high pressure water main system in the downtown core area of the former City of Toronto.

If, at any time after the permit application is submitted, the Applicant becomes aware of a conflict, it must immediately advise the City of that conflict.

Should the City become aware of a conflict or be advised that a joint installation is feasible after the circulation period or after the permit application has been submitted, the City will not issue a permit until the Applicant has resolved the conflict, or fully explored the feasibility of a joint installation, to the City's satisfaction.

Should a conflict be identified following the issuance of a permit, the Applicant shall resolve such conflict through the City's Full Stream Line Change Process prior to proceeding with the work. Depending on the nature of the identified conflict, the City may cancel an existing permit and require that the Applicant submit additional information or a new full stream application.

Incomplete Applications

Full-stream applications that are not in strict conformance with the Municipal Consent Requirements (MCR), particularly with the drawing standards in Appendix Q, *Permit Drawing Standards* will not be reviewed. The Applicant will be notified by the General Manager via e-mail or telephone and informed of the specific parts of the MCR with which the application does not comply.

For the purposes of time tracking, the date of submission shall be the date on which a complete and compliant application is received at the permit office.

Application Review Period

The date of application will be the date on which the complete and compliant application is received at the permit office. Full-stream applications will normally be processed within 20 business days of receipt.

The time required for review of a full-stream application will vary depending on the nature, size and complexity of the proposed work and the completeness and clarity of the application form and drawings. Additionally, a high volume of applications at a permit office may occasionally cause delays in the issuance of cut permits. If the General Manager, acting reasonably, determines that there will be a delay in processing the application, the permit office will notify the Applicant as soon as the delay is identified.

Disputes

In the event of any dispute regarding the classification of a specific application, the General Manager shall make the final determination.

Chapter 5 – Above-Ground Plant

Location

The conditions outlined herein shall apply at all locations; however, in general, more scrutiny will be used in reviewing applications to install above-ground plant:

- On major or minor arterial streets.
- Within the downtown central area, defined in the Toronto Official Plan as the area bounded by: Bathurst Street to the west, the Don Valley lands to the east, Rosedale Valley Road from the Don Valley Parkway to Yonge Street then along the rail corridor north of Dupont Street to the north and Lake Ontario to the south.

Justification

Applications or drawings that include proposed above-ground plant shall include an explanation of the reason why this plant cannot be installed below ground.

Vibrant Streets

Any above-grade installations within the street shall conform to the Vibrant Streets Toronto's coordinated street furniture program. These guidelines are available on the City's website at:

www.toronto.ca/involved/projects/streetfurniture/pdf/vibrant_streets.pdf

Aesthetic Treatment

Permit applications for work defined as full-stream that include above-ground plant shall include consideration to reducing the negative visual impact to passing motorists, pedestrians and adjacent property owners while still allowing the Applicant to freely access and properly service the plant and provide its services to its customers.

Applications or drawings shall describe the proposed aesthetic treatment so that the General Manager can evaluate the suitability and potential impact.

Examples of aesthetic treatments include, but are not limited to: placement in locations of minimal visual impact; landscaping around the plant; painting the plant; decorative covers; placement of plant behind existing physical features. The treatment must be supplied and installed during the time of equipment installation. The Applicant shall be responsible for the maintenance of the aesthetic treatment to the satisfaction of the General Manager.

Notification

The Applicant shall provide written notification to all adjacent properties, and all properties that will face or will have a line of sight to the proposed plant. Such notification shall outline the nature of the work and clearly describe the size, appearance and location of the proposed plant. The notice shall include the phone number of a contact person at the Applicant's office.

A copy of the notification and a list of the addresses of all residents the notice has been sent to shall be submitted with the full-stream application. The General Manager may perform random spot checks on the list to ensure that the notification is being done.

Business Improvement Areas

If the proposed location of the plant falls within the boundaries of a Business Improvement Area (BIA), the Applicant shall ensure that they notify the BIA and address any objections regarding the proposed plant and its location in the following manner.

The Applicant shall notify the BIA, in writing, and outline the nature of the work, clearly describing the size, appearance and location of the proposed above ground plant. The notification shall include the phone number of a contact person at the Applicant's office and the phone number of the appropriate district permit office.

The notification shall include clear wording to indicate that a response from the BIA outlining the specifics of any objection to the proposed plant is required within 15 calendar days and that no response shall be interpreted as the BIA having no objection to the work.

Where the BIA reasonably objects with the proposed work, and where the Applicant has exhausted all negotiation measures, the General Manager will attempt to work with the Applicant and the BIA to reach a mutually acceptable agreement. If an agreement cannot be reached,

the General Manager will advise the Applicant on what escalation measures or other options may be available.

A copy of the notification and the BIA's response, if any, shall be submitted with the full-stream application. The General Manager may contact the BIA to confirm their receipt of the notification.

A listing of Toronto's BIAs can be found at:
www.toronto.ca/bia/toronto_bia.

Acceptance by the General Manager

The General Manager may require that the applicant submit additional information and/or meet with staff and stakeholders during the application review process based on the nature and details of the proposed work.

Where a proposed above-ground installation or the proposed esthetic treatment is not satisfactory, the General Manager will provide the Applicant with a detailed written explanation of the reason for denial of the permit application.

Pole Replacement

To ensure the timely removal of redundant poles, any application for the installation of a new pole which is intended to replace an existing pole shall include a detailed schedule showing, as a minimum:

- Installation date of the new pole
- Relocation of the Applicant's plant
- Relocation of each third-party attachment
- Removal of the old pole, and
- Completion of temporary restoration.

The schedule shall be of sufficient detail to demonstrate that the work has been planned-out to the satisfaction of the General Manager. The time-period from installation of the new pole until completion of temporary restoration shall not exceed 12 months.

Pre-Application Review

To avoid the need for redesigns and resubmissions, and to speed up the review process, the General Manager will, within reasonable time and at no cost to the Applicant, attend a site meeting and conduct a preliminary review of the proposal before the Applicant finalises the design and submits the permit application.

Non-compliant Installations

Where above-ground plant is found to be installed without a valid permit and/or in a location other than that approved by the General Manager, the Applicant may be required to remove the plant immediately, at its own expense. Restoration shall be performed in accordance with the procedures outlined in this document.

Chapter 6 – Construction Requirements

Scope

These requirements cover work performed by the Applicant within the city of Toronto's streets and describe the procedures to be followed before, during and after construction work is undertaken.

Work must be done according to the restrictions shown on posted signs, the conditions listed on the permit and the requirements outlined in this document. There shall be no deviation from the approved drawings for any part of the proposed installation without prior approval from the General Manager.

Insurance

Liability insurance for the construction, operation and maintenance of plant shall be provided as set out in the authority or agreement under which the Applicant occupies the right-of-way.

Site Meetings

Prior to the start of work the Applicant shall contact the General Manager's designated representative specified on the cut permit to schedule a site meeting. As a minimum, the site meeting must be attended by at least one representative directly employed by the Applicant and not solely by the Applicant's designated contractor.

Perimeter Warning Signs

Based on the impact to traffic and area residents, at the sole discretion of the General Manager, acting reasonably, advance notice perimeter warning signs may be required. The General Manager shall identify the requirement for such signs at the time of the site pre-construction meeting. Where such signs are required, the signs shall be manufactured and installed by the General Manager at the Applicant's cost. Typically, two weeks are required to manufacture and install the signs after the decision that the advance notice signs are required. Work shall not commence until the perimeter warning signs have been in place for at least one week.

Where the Applicant is planning work that will extend over a long period or where it is anticipated that the work will cause major disruption to traffic or residents, the Applicant is advised to contact the district permit office as soon as possible to make arrangements for to assess the requirements for signage.

Scheduling

To minimise disruption to vehicular traffic, the General Manager may, in its sole discretion, direct the Applicant to alter the start date of construction. In general, construction activity will not be permitted to occur simultaneously on parallel adjacent arterial roads or collector roads. The Applicant will be notified by the General Manager of a conflict with other work, and the requirement to adjust their start date to a mutually agreeable date, at the pre-construction site meeting.

Where such conflicts arise, the General Manager will work with the affected Applicants to coordinate a mutually agreeable schedule. All instances will be evaluated on a case-by-case basis; however, precedence will generally be given to the first Applicant to hold a site meeting and provide a firm start date to the General Manager.

Locates and Protection of Plant

Prior to the commencement of any excavation, the Applicant shall obtain locates from all owners of underground plant in the work area to determine the location of all such plant and shall comply with any standards and instructions from the plant owners when working near their plant. The Applicant shall comply with industry best practices when excavating, shoring, piling, backfilling and compacting around existing plant or as directed by the owner of the plant and the General Manager.

Notification to the City

The Applicant shall strictly adhere to the notification protocol indicated on the permit.

Following completion of the work the Applicant must immediately notify Transportation Services dispatch at 416-392-5555 or tmcdisp@toronto.ca.

Resident and Business Notification

For all non-emergency work, written notification stating the type and location of the proposed installation, duration of construction and phone number of the utility company undertaking the work shall be delivered to all residences and businesses abutting the work zone a minimum of 48 hours prior to commencement of work.

When the duration of the project is expected to be greater than seven calendar days, or if access to residences and businesses will be restricted in any way, the Applicant shall notify the local councillor and, where applicable, the Business Improvement Area (BIA) office at least 10 business days prior to commencement of construction. A copy of this notification shall be forwarded to the permit office.

A listing of Toronto's BIAs can be found at:
www.toronto.ca/bia/toronto_bia.htm .

Documents Required to be On-Site

The Applicant shall ensure that, as a minimum, copies of the following documents are kept on-site at all times and shall make these documents available for viewing immediately upon being requested to do so by the General Manager or the Toronto Police Service:

- cut permit or street occupation permit
- permit drawings
- notification to adjacent residences and businesses, where applicable
- notification to councillor and BIA offices, where applicable
- minutes of pre-construction meeting, where applicable
- any documents required to be kept on-site under other legislation.

Working Hours

The Applicant shall comply with the City's Noise Bylaw, Chapter 591 of the Toronto Municipal Code available at:
www.toronto.ca/legdocs/bylaws/2003/law0111.pdf .

In addition, the Applicant shall ensure the following:

- Equipment shall be maintained in a good working condition that does not leak fluids and prevents unnecessary noise, including but

not limited to proper muffler systems, properly secured components and the lubrication of all moving parts.

- Idling of service equipment shall be restricted to the minimum necessary for the proper performance of the specified work.

Work may only take place during the times specified on the permit or as specified by General Manager. The Applicant should note that the restrictions may vary for different directions of travel on the same street and that work may be prohibited at specific times and dates in order to co-ordinate with or avoid other work or events in the area.

At most locations, typical working hours will be between the hours of 7 a.m.–7 p.m. from Monday to Friday and from 9 a.m.–7 p.m. on Saturday. Typically, no work will be permitted on Sunday or statutory holidays. On arterial roads, work will typically be limited to the hours of 9:30 a.m.–3:30 p.m. Specific exceptions to these typical times may be granted or required, at the sole discretion of the General Manager, depending on the circumstances of the individual work.

Project Information Sign

Street Occupation Permits

For work authorised under a street occupation permit, including site services permits, on any portion of the right-of-way, regardless of duration, or when material and equipment are left on-site unattended for any period of time, project information signs shall be prominently displayed.

A project information sign will not be required for work authorised under a street occupation permit only when all of the following conditions are met:

- A work vehicle is parked within 10 metres of the work area, bearing a sign identifying the name and corporate logo of the Applicant, their designated contractor undertaking the work, where applicable, and a 24 hour emergency contact phone number.
- The emergency contact phone number shall connect the caller to an office and contact person that will answer calls 24 hours a day seven days a week. Connection to a voice mail box is not acceptable.

- The site will not be left unattended for any period of time.

Cut Permits

For work authorised under a cut permit on any portion the right-of-way, regardless of duration, or when material and equipment are left on-site unattended for any period of time, project information signs shall be prominently displayed.

Signs must conform to the requirements of Appendix N, *Project Information Sign* and shall clearly identify the name and corporate logo of the Applicant, their designated contractor undertaking the work, where applicable, and a 24 hour emergency contact phone number.

The emergency contact phone number shall connect the caller to an office and contact person that will answer calls 24 hours a day, seven days a week. Connection to a voice mail box is not acceptable.

Signs shall be clearly legible to pedestrians and drivers passing the work site and shall be placed, as a minimum, at each end of a project so that traffic from both directions can easily view the details. For projects that extend across more than one block, additional signs may be required at intermittent intersections crossed by the project.

Traffic Control

The Applicant shall provide, place in service, maintain and remove all of the traffic control devices and certified traffic control person as required by the *Ministry of Transportation Ontario (MTO) Ontario Traffic Manual Book 7*, the *Occupational Health and Safety Act* (OHSA) and *Ontario Regulation 145/00* for Construction Projects, the *Highway Traffic Act* and all other applicable legislation and City of Toronto policies.

The Applicant shall also conform to the following minimum requirements:

- The Applicant shall have a copy of the location-specific traffic control plan for the protection of workers and the public on site at all times as per the Ministry of Labour regulations.
- On non-arterial roads, the Applicant may restrict traffic to one lane if a minimum of two certified traffic control persons are

provided to ensure safe vehicular travel through the site or as deemed necessary by the General Manager.

- Vehicular access to commercial properties must be maintained at all times for the duration of the work. Any work across commercial driveways shall be done in a manner that will ensure continuous and unimpeded flow of vehicular traffic.
- All sidewalk cuts shall be backfilled or covered with a non-skid surface having sufficient strength to maintain pedestrian traffic and include warning signs for pedestrians.
- Sidewalks shall be maintained at a minimum width of 1.2 metres at all times. Where this cannot be achieved, a temporary sidewalk shall be required.
- Bicycle lanes shall be maintained at a minimum width of one metre at all times. Where this cannot be achieved, and where conditions permit, a temporary bicycle lane may be required.
- All open excavations on roads, when not under construction, are to be covered with non-skid steel plating, counter-sunk and set flush with the surface of the pavement. The counter-sunk plate should overlap the cut by no less than 300 millimetres on all sides. Appropriate signs shall be posted advising of the presence of the plates. The plates must be secured to the pavement and be of sufficient thickness and strength to support the traffic without movement or bouncing. The plates are to be placed on a layer of burlap to avoid any excessive noise. Asphalt mix shall be used to jam the plate tight into the pavement along all edges.
- Where it is not reasonable to cover an open excavation, the Applicant may request permission from the General Manager to leave the excavation uncovered. Where permission to do so has been granted, the excavation shall have the appropriate barriers, fencing and signage as per applicable legislation in addition to any further requirements imposed by the General Manager.
- For a traffic sign removal or relocation, the Applicant must place a request to Transportation Services dispatch at 416-392-5555 at least two business days in advance of the required removal or relocation. Under no circumstance is the Applicant to remove or relocate any traffic signs.

A static barrier may be permitted to close crosswalks at a signalised intersection depending on the pedestrian and vehicle volumes. This

would be discussed at a site meeting. Yellow caution tape is not recognised as an acceptable barrier.

Additional traffic control or signage may be required as directed by the General Manager. The applicant shall be granted a reasonable amount of time to place these additional signs.

Access to Site / Inspection

Authorised representatives of the General Manager, having the required personal protective equipment, shall at all times have access to the work site to monitor the progress of the work to whatever extent they deem appropriate and to determine compliance with the Municipal Consent Requirements (MCR), permit requirements and any other instructions issued by an authorised representative of the General Manager. The Applicant is cautioned that lack of such compliance may result in a stop work order being issued or cancellation of the permit and that such violations will be documented and kept on file.

The Applicant shall immediately cease the work or any part thereof when directed to do so, verbally or in writing, by an authorised representative of the General Manager, or any other party having proper jurisdiction. Verbal orders shall be followed by written notification within 24 hours stating the reasons for the order to stop work. The work or affected part thereof shall not resume until any such violation has been rectified to the satisfaction of the General Manager.

Paid Duty Police Officers

The following information should be used to determine traffic control at permitted events or work sites.

- 1 Transportation Services has authority over the issuance of permits and the determination of traffic control required for permitted activities on all City roads. The Toronto Police Service, in conjunction with Transportation Services road inspectors, enforces this authority on behalf of Transportation Services.

Road Emergency Events

- 2 In the event of road emergency services that have to be performed by City staff, City contractors or utilities and which require assistance from Toronto Police Services for traffic control, on-duty officers should be requested through a phone call to the Toronto Police Service Communications Centre at 416-808-2222, subject to the following criteria:

Road emergency service is deemed to be any unscheduled maintenance where:

- Public safety or health is threatened
- Immediate action is required
- The public is without an essential service.

Examples:

- Sewer or water main break
- Electrical failure, for example traffic lights, etc.
- Leaking of gas distribution system.

- 3 At any road emergency work site, a representative of the affected work must respond to the site as soon as possible to assess the situation, determine the necessary repairs and establish the time frames required to complete these repairs. Police officers will document any instance where a representative of the affected work fails to attend the location within 1.5-hours of the call being received by the Service and forward this information to the Unit Commander of Traffic Services.
- 4 In circumstances where the required work can be completed within 3 hours of the Toronto Police Service receiving a request to attend an emergency location, a regular on-duty police officer will protect the site, subject to exigencies of the Service. A large scale emergency may preclude the attendance of an on-duty officer. If the emergency repair is anticipated to take more than 3-hours, a paid duty police officer shall be ordered immediately and the regular on-duty officer shall stay on site until the arrival of the paid duty officer.
- a) Where a road emergency has occurred which, through its circumstances and conditions requires that the ensuing traffic control be provided by a police officer, this

traffic control shall be provided by an on-duty officer until the emergency has passed.

- b) If the emergency resolution will be lengthy and the on-duty officers are required for other service duties, then staff of the Toronto Transportation, Toronto Police Services and the associated contractor will collectively determine which subsequent traffic control can be provided by means other than an on-duty police officer.

All Other Emergencies

- 5 In the event of any other type of emergency which presents an immediate danger to the health or safety of any person, including but not limited to the failure of buildings or parts of buildings, due to events such as fire, explosions, circumstances resulting in the collapse of buildings or otherwise, and which result in the need for traffic control, the required traffic control shall be provided by on-duty police officers for the duration of the emergency.

Where the City division(s) having jurisdiction over and managing the emergency determine(s) that the emergency has passed in that the immediate danger to the health and safety of the persons is removed and the restoration of the site can be uninitiated, said Division(s) in conjunction with Toronto Police Services shall determine if continued traffic control is required, and if so, whether the continued traffic control should reasonably be provided by on-duty police officers or transferred to paid duty officers.

Scheduled Events

- 6 Traffic control for all scheduled or regular maintenance activities shall be determined by Transportation Services staff, in consultation with Toronto Police Services and the applicant and the nature of the traffic control will be specified in the appropriate road occupancy permit.
- 7 A Transportation Services representative, in consultation with the Toronto Police Service will determine the nature of traffic control and if there is a need for police officers for all other activities on City roads.
- 8 Where the permitted road occupancy creates a disruption to the rules of the road, appropriate traffic control should be established

to ensure that the safety of all road users is maintained for the extent of the road occupancy, based on the criteria in attached Table 1 to these guidelines.

- 9 Traffic Control Persons (TCP) should be considered to control locations with a single lane of one-way traffic flow. A TCP can also control pedestrian movements off the traveled portion of the roadway. A TCP can also control pedestrian movements at a signalized intersection if the signal indications are clearly visible and the TCP is not required to stop traffic. If more than one lane or direction of traffic flow is to be controlled or stopped, then a police officer will be required as per OTM Book 7.
- 10 Marshals should be considered to maintain road closures at permitted events.
- 11 A static barrier (i.e. crowd control barrier) may be acceptable to close crosswalks at a signalized intersection depending on the pedestrian and vehicle volumes. Yellow 'Caution Tape' is not recognized as an acceptable barrier.
- 12 If Paid Duty Officers are determined to be the required traffic control, these Officers shall be arranged through the Central Paid Duty Office by faxing your request to 416-808-5042. If further assistance is required, the Central Paid Duty Office at 416-808-5048 should be contacted.
- 13 The Ministry of Labour is the governing agency responsible for the safety of workers and the public. The Toronto Police Service, as part of their responsibility as the employer of Police Officers, is required to provide the training for, the equipping of, and ensuring the use by members of personal protective equipment.
- 14 The contractor is responsible for providing traffic control at a permitted road occupancy, as required in the conditions laid out in the activity permit.
- 15 Should a dispute arise between police officers on patrol with regards to the need for traffic control at a permitted road occupancy site, a Toronto Police Services sergeant and a representative of Transportation Services, shall consult to determine if additional traffic control measures are required at the permitted site.

The above guidelines do not preclude the need for a site meeting to discuss traffic safety related issues, hours of work, etc, with the Transportation Services and a Toronto Police Services representative and other agencies.

Table 1: Deployment of Traffic Control in Road Construction Activities

Conditions under which Traffic Control may be required	Normal regulatory posted speed 60 km/h or lower, one lane or reduced to one lane	Normal regulatory posted speed 70 km/h to 90 km/h, one lane or reduced to one lane	Any speed, more than one lane in each direction
To protect workers on public way	Traffic Control Persons (TCP) can be used	TCP can be used	Police presence is required
To protect construction vehicles crossing roadway	TCP can be used	TCP can direct construction traffic only, not public traffic	Police presence is required
To protect construction vehicles entering a roadway	TCP can be used	TCP can direct construction traffic only, not public traffic	Police presence is required
Electrical contractor work on traffic control signals	Police presence is required if there is an absence of traffic control device display and/or if the vehicle/pedestrian indication(s) are to display conflicting movement. If not, follow Ontario Traffic Manual Book 7 – Table 6 – Deployment of Traffic Control Persons (TCP). If the TCP conditions are not met, then police presence is required.		
Construction, Surface Maintenance, Utilities, Toronto Water	Follow Ontario Traffic Manual Book 7 – Table 6 – Deployment of Traffic Control Persons (TCP). If the TCP conditions are not met, then police presence is required.		

Note 1: Table 1 is a modified version of OTM Book 7 – Table 6: Deployment of Traffic Control Persons (TCP) that takes into consideration City of Toronto Operational Guidelines.

Note 2: See Occupational Health and Safety Act and Regulations for Construction Projects, R.S.O. 1990, Regulations 213/91 as amended by Regulations 631/94 and 145/00.

Note 3: If conditions under Ontario Traffic Manual Book 7 – Table 6 – Deployment of Traffic Control Persons (TCP) are satisfied, the TCP(s) must be positioned in a manner which will not conflict with the traffic control device operation. If this is not possible, police presence is required.

Note 4: For City of Toronto employees, contractors, and sub-contractors, traffic control work is performed in compliance with the provisions of: The City's Traffic Control policy and its guidelines; the Regulations for Construction Projects (sections 67-69, 104-106, and 186-187); the Ontario Traffic Manual for Temporary Conditions (OTM Book 7 and Field Edition); and the Handbook for Construction Traffic Control Persons.

Note 5: In reviewing traffic control measures related to road construction activities, Transportation Services, Toronto Police Services and the applicant must ensure that the safety of all road users is preserved.

Public Convenience and Safety

In carrying out the work, or any portion thereof, the convenience of the public must always be considered and provided for by the Applicant who must not obstruct any street, thoroughfare or pedestrian walkway longer or to any greater extent than is absolutely necessary in the opinion of the General Manager and shall in no case tear up or open more of any street than is approved by the General Manager or other body having jurisdiction over such closures or obstructions.

The Applicant is to provide safe, ample and convenient means of approach and entrance to adjoining lanes, driveways, buildings and property, both for vehicles and pedestrians, wherever necessary, and for passing along all roads and sidewalks, and for crossing the same where it is practicable to do so, both during the execution of the work as well as at other times, and for this purpose must construct and maintain, in good and serviceable condition, suitable and convenient platforms, approaches, structures, bridges, crossings or other works as necessary to maintain access.

The Applicant is to ensure that all residents have access to their properties at all times. If access will be blocked for any period of time, the Applicant must make arrangements with the occupants at least 48 hours in advance of any disruption. Particular attention will be required at night to ensure that safe access is maintained for all occupants. The Applicant shall be attentive to the needs of pedestrians that are visually or physically impaired, and the Applicant must be prepared at all times to assist in the safe and comfortable passage of these pedestrians.

Clean Work Site

The Applicant is responsible for maintaining the work site and surrounding area free of dust and mud. The Applicant shall clean the road and sidewalks as required to the satisfaction of the General Manager.

Prior to the start of any construction activity, filter cloth shall be placed between the frames and covers of all catch basins within the immediate area to prevent the entry of construction dirt and debris.

The Applicant shall keep the site and work in as tidy a condition as practicable and to the satisfaction of the General Manager. The Applicant shall not deposit any material on any portion of street, sidewalk, boulevard, grass plot, or other city or public property, without the permission of the General Manager, and shall remove same without delay when and as directed by the General Manager. Upon completion of the work, the Applicant shall remove all surplus materials as well as any rubbish accumulated on account of the work, make good any defects or damage and shall leave the site in a condition satisfactory to the General Manager.

Should the Applicant fail to comply with this requirement and maintain the street in a satisfactory condition, the General Manager, acting reasonably, without further notice, may issue a stop work order, cancel the permit, charge the Applicant under applicable bylaws and/or arrange for the site to be cleaned immediately by others. All costs incurred in cleaning the dust and mud resulting from the Applicant's work shall be charged to the Applicant.

Material and Equipment Delivery and Storage

The Applicant shall plan and schedule the movements of construction and delivery vehicles to, from and within the work site to minimise the interference and interruptions to traffic. Where possible, access routes shall be established to allow vehicles to merge with traffic without crossing traffic lanes.

Storage of materials delivered to the work site shall be considered to be part of the work area and shall conform to the traffic management plan and the provisions of this document.

Stockpiled material and equipment must not obstruct pedestrian or vehicular traffic, obstruct pedestrian or vehicular sight-lines, or be allowed to runoff onto pavement or sidewalks or into storm sewers. Sites for material storage are to be approved by the General Manager at the pre-construction meeting. Material storage must adhere to the City's tree protection practices as outlined in Appendix F, *Tree Protection Policy*.

Notwithstanding the foregoing, the Applicant shall immediately rectify any situation involving equipment or material that, in the sole opinion of the General Manager, constitutes a hazard to vehicular traffic or to pedestrians.

Operation of Valves and Hydrants

The Applicant shall not operate watermain valves, service water valves and/or hydrants. If operation of any water supply vales is required, the Applicant should contact Toronto Water district operations at 416-392-8857.

Any unauthorised use of fire hydrants will be subject to penalties as set out under the Water Supply Bylaw, Chapter 851 of the Toronto Municipal Code dated January 1, 2008.

Working Around Trees

Any construction activity in the vicinity of trees shall be carried out in strict compliance with the tree protection policy in Appendix F, *Tree Protection Policy* of this document. Such activity includes, but is not limited to: delivery and storage of equipment and material; excavation; backfilling; plant installation; traffic control.

Working Around Mass Transit

The Applicant shall coordinate all staging with any transit commission, school or tour group known to the Applicant that may have a bus stop or travel, within the work area. Special attention shall be given to loading and unloading areas for disabled persons and school buses.

The Applicant shall maintain access to all existing bus stops within the work area. Where it is not practical to maintain access, the Applicant will be responsible for relocation and reinstatement of the bus stops, under the direction of the transit authority or the General Manager, unless other arrangements have been made.

Working in the Vicinity of Bridges

Any construction activity in the vicinity of bridges shall require the approval and review of the Structures and Expressways unit. The applicant may contact the structures and expressways unit, prior to their submission to the City, in order to determine the feasibility of their proposed design. The correspondence from the pre-consultation with the Structures and Expressways unit should be included in the submission package to the City, in order to expedite the review process.

In the case where the applicant submits a set of plans that includes proposed work in the vicinity of bridges with pre-consultation with the Structures and Expressways unit, the Utility and Third Party Review group will forward a set of drawings to the Structures and Expressways. The applicant is to note that the turnaround time maybe be significantly higher for such cases based on the complexity of the review.

Snow Removal and De-Icing

Where the Applicant's work impedes snow removal and de-icing by the City on areas where vehicular and pedestrian traffic are being maintained, as reasonably determined at the sole discretion of the General Manager, the Applicant shall be responsible for providing ice and snow removal services within the limits of the work site. Such areas shall be cleared of ice and snow to the satisfaction of the General Manager.

Should the Applicant fail to complete the required snow removal services and de-icing within the set deadlines, the General Manager, without any notice to the Applicant, may arrange for the snow and ice to be removed by others. All costs incurred by such removal shall be charged to the Applicant.

Contaminated Soil

If contaminated material is found when excavating, the Applicant shall immediately notify the General Manager and the Ontario Ministry of the Environment and comply with all applicable health and safety requirements. Contaminated material must not be used as backfill and must be disposed of according to ministry requirements at the Applicant's expense.

Notification of the Location of Unidentified Plant

The Applicant shall immediately notify the General Manager of any plant encountered during the course of excavation which was not identified in any of the pre-construction circulations or locates. The Applicant shall contact all other utility companies and endeavour to determine the owner of the unidentified plant.

The Applicant shall include the location, depth, size and material of the unknown plant, clearly labelled as unidentified existing plant, with the location certificates submitted for that project.

Keyhole Excavation

Keyhole excavation shall be carried out in accordance with specification Appendix E, TS 4.70 – *Construction Specification For Keyhole Excavation and Temporary Reinstatement of Keyhole Cores*, as amended.

Trenchless Installations

Where the work is being undertaken using trenchless installation methods, pilot holes and any other damage to the street infrastructure shall be restored as per the requirements in this document. The location of the pilot holes and the measured depth of the existing plant must be clearly depicted on the location certificate.

Temporary Service Drops

Temporary service drops shall be permitted as a temporary means to supply servicing to a resident with the permanent service being installed at a future date.

Temporary service drops shall be subject to the following requirements:

- Installation of cables shall be performed in a manner that ensures the safety of residents, pedestrians, and vehicles and placed with due regard for aesthetics.
- When on the boulevard, a cable shall be buried such that it does not constitute a tripping hazard.
- Cables shall not cross sidewalks, driveways or walking paths along the surface.
- Cables shall not lie unprotected on the ground at any location.
- Cables shall not be strung using trees with a trunk diameter of less than 300 millimetres. When using a tree, the cable shall be affixed to the tree with tape or with minimal wrap-around. Under no circumstances shall cables be attached to trees using screws, nails or other destructive methods.
- When crossing a road, sidewalk, driveway or walking path, the height of the cable shall be no less than 4.5 metres.
- Cables shall enter and leave a utility pedestal at a 90 degree angle.
- A cable shall not cross over a property not being fed by this cable without consent of the affected property owner.
- Notification must be given to all residents of all properties affected by the temporary service connection including an estimated date of permanent service installation and removal of the temporary cable.
- All infrastructure including, but not limited to, utility pedestals, cables, supports and access points shall remain in a closed and safe condition at all times.

The Applicant shall make its best effort to install the permanent service as soon as possible. In the winter or early spring, frost

conditions may delay the permanent installation; however, in general, temporary service drops shall be removed within 45 days.

Immediately upon installation of the permanent service, regardless of whether or not restoration has been completed, all materials and equipment associated with the temporary service drop shall be removed from the site.

Reporting Impact / Damage to Existing Plant

Any impact with existing plant including, but not limited to, the protective coating, support, cathodic protection or the housing of the plant, shall be reported to the General Manager and plant owner immediately. The plant shall remain exposed, with the excavation properly supported, until the plant owner has assessed the damage and made a repair or authorised the Applicant to proceed.

Note: This requirement shall not be limited to an impact that causes a visible weakening or the partial or complete destruction of the plant.

Non-compliance

Should any construction begin that is not in strict compliance with the conditions of the permit and this document, the Applicant may be issued a stop-work order and may be required to perform temporary restoration and move all equipment and materials off-site until these requirements are met in-full and the permit may be cancelled, at the sole discretion of the General Manager.

Depending on the severity of the infraction, the issuance of new permits for some or all work by the same Applicant may be withheld or delayed, at the sole discretion of the General Manager, until the infraction has been addressed by the Applicant to the satisfaction of the General Manager.

Chapter 7 – Backfill and Restoration

General

Backfilling and restoration shall be carried out in accordance with the conditions of this document, in particular, Appendix D, *TS 4.60 – Construction Specification for Utility Cut and Restoration*.

All restoration shall be completed at the expense of the Applicant.

Where the Applicant has completed temporary restoration, the permanent repairs shall be completed by the General Manager with all costs charged to the Applicant including the City's administrative cost recovery and, where applicable, a pavement degradation fee. Additional charges shall apply to overdue accounts.

The City will carry out permanent repairs and invoice the Applicant within 18 months of the date of permit expiry. When the repair can not be completed within 18 months, the City will notify the Applicant with an explanation and a revised completion date.

Keyhole Excavation

Backfilling and restoration of keyhole excavations shall be carried out in accordance with Appendix E, *TS 4.70 – Construction Specification for Keyhole Excavation and Temporary Reinstatement of Keyhole Cores*, as amended.

Deficiencies

Temporary Restoration

Upon being notified that the temporary restoration has not been carried out to the satisfaction of the General Manager, the Applicant shall rectify the deficiencies within 48 hours. The General Manager may, in its sole discretion, accept a request from the Applicant for another timeline where justified by the nature and extent of work required. If the deficiencies are not rectified by the required deadline, the General Manager may undertake remedial restoration, which may include complete excavation of the cut, and charge back all associated expenses, including mobilization costs, to the Applicant.

Permanent Restoration

Upon being notified by the City, in its sole discretion, that a permanent repair made by the Applicant is unacceptable, the Applicant shall, within 72 hours, investigate and respond in writing with a firm timeframe for rectification of the deficient work. The General Manager will have sole discretion regarding the acceptability of the proposed timeframe. If the Applicant cannot perform the rectification within the accepted timeframe, the General Manager may undertake remedial restoration, which may include complete excavation of the cut, and charge back all associated expenses, including mobilization costs, to the Applicant.

Emergency Repairs

Notwithstanding the above, if deficiencies in the temporary or permanent repair performed by the Applicant pose a safety hazard, the General Manager, in its sole discretion, may immediately undertake remedial restoration, which may include complete excavation of the cut, and charge back all associated expense, including mobilization costs, to the Applicant.

Notwithstanding the above, if deficiencies in the temporary or permanent repair performed by the Applicant pose a safety hazard, the General Manager, in its sole discretion, may immediately undertake remedial restoration, which may include complete excavation of the cut, and charge back all associated expenses, including mobilization costs, to the Applicant.

Chapter 8 – Location Certificates

Preparation and Submission

Location certificates shall comply with the requirements outlined in Appendix R, *Minimum Location Certificate Requirements* within 90 days of the date of permit expiry, the Applicant shall submit location certificates electronically to the City Technical Services Survey and Mapping Services section.

Non-Compliance with Location Certificate Requirements

If the Applicant does not submit a compliant location certificate within 90 days of project completion, the General Manager may, in its sole discretion, arrange for a locator and survey crew to identify, locate and prepare a drawing accurately depicting the location of the Applicant's infrastructure. All costs associated with this work shall be charged to the Applicant. The issuance of new permits may be withheld or delayed, at the sole discretion of the General Manager, until the required location certificates have been submitted.

Accountability for Inaccurate Location Certificates

The submitted location certificates may be used for management of the right-of-way and for future designs. In the event that the actual constructed plant location differs from that shown on the location certificate, the Applicant will be held 100 percent responsible, and shall absolve all other occupiers of the street of any responsibility for all damages, liabilities, relocation costs, redesign costs and subsequent delay costs resulting from the Applicant's failure to provide an accurate location certificate.

Glossary

Alignment – A location specified or approved by the General Manager for locating equipment on, over, along, across, under, or in a street.

Applicant – A person applying for a permit or other consent under these requirements. This shall be extended, where applicable, to include the Applicant's direct employees and its agents, consultants and contractors.

Book 7 – Ontario Traffic Manual, Book 7 – Temporary Conditions (Field Edition) was developed to show how to apply traffic control devices in temporary construction, maintenance, and utility work zones, to help ensure worker safety, motorist safety, and motorist mobility. It has been prepared to assist works in the field by illustrating the appropriate signing and the channelization required for the most common types of roadway work operations.

Boulevard – That part of a public street that is not used, or intended to be used, for vehicle travel by the general public, and that is situated between the travelled portion of the road and the adjoining property line.

City – The City of Toronto—the corporation—and will be referred to as the City for the purposes of this document.

Emergency Work – Work within a street that must be completed immediately due to health or safety concerns or because the provision of essential services is endangered.

Equipment – Includes any machinery, vehicles, construction materials, poles, cables, pipes, conduits, ducts, pedestals, antennas, towers, wires, amplifiers, vaults, maintenance holes, hand holes, support structures or other appurtenances or ancillary facilities, structures or devices used to provide any public utility, including telecommunications, electrical energy, steam energy or water and waste water utility services.

Essential Services – Energy (including, but not limited to, natural gas, steam, and electricity), water, sanitary sewage, traffic control, and the following communication services: 911 service, communications for financial transactions, business networks, and Internet.

Excavating – The breaking, digging up, tearing up, tunnelling, boring, coring, cutting into or removing any portion of the surface or subsurface of the street, including pavement, sidewalk, curbs, gutter or landscaping.

General Manager – The person appointed by the City from time to time as the general manager of Transportation Services and his or her successors or his or her duly authorized representative.

Intersection – The area embraced within the prolongation or connection of the lateral curb lines or, if none, then of the lateral boundary lines of two or more streets or private driveways that join one another at an angle, whether or not one street or private driveway crosses the other.

Location Certificate – A drawing prepared according to the General Manager's specifications that, in the General Manager's opinion, is sufficient to accurately establish the location, elevation and distance of any equipment constructed, installed or reconstructed within a street.

Municipal Access Agreement (MAA) – A legal agreement, approved by City Council, which contains provisions for granting consent to a person to do work in the streets upon compliance by such person with all other applicable municipal requirements.

Mainline – Any plant that is not a service or service drop.

Municipal Consent Requirements (MCR) – This document, specifying the requirements for the installation of plant within city of Toronto streets.

Municipal Address – The city, street and number on the street by which a property is known.

OHSA – Occupational Health and Safety Act for the province of Ontario.

Permit – Written authorisation granted by the General Manager under the provisions of this document.

Person – One or more individuals, partnerships, corporate bodies, unincorporated organisations, governments, government agencies, trustees, executors, administrators or other legal representatives, other than the City or its legal representatives.

Plant – Any poles, cables, pipes, conduits, ducts, pedestals, regulators, antennas, towers, wires, amplifiers, vaults, maintenance holes, hand

holes, support structures and or other appurtenances or ancillary facilities or structures used for the provision of telecommunications, internet, energy, water, waste water, steam, fuel and/or other materials. Any encasement, steel plating or other non-excavatable material shall be considered to be part of the plant.

Road – The portion of the street designed, improved and ordinarily used by vehicle traffic.

Service / Service Drop – A cable, pipe, conduit, or any other plant that provides service directly to a customer.

Sidewalk – That part of a public street located within the boulevard that is improved for the exclusive use of pedestrians.

Street – A common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicle and includes the area between the lateral property lines thereof. The terms City's public road allowance, right-of-way and highway shall have the same meaning as street.

Street Line – The property line indicating the boundary of the right-of-way and private property.

Toronto Public Utilities Coordinating Committee (TPUCC) – the organization, or any successor organization, comprised of member utility companies and the City who own and operate equipment in City streets.

Trunk – A watermain with an inside diameter equal to or greater than 400 millimetres; a storm sewer with an inside diameter equal to or greater than 750 millimetres; a sanitary or combined sewer with an inside diameter equal to or greater than 375 millimetres; any attachment to the aforementioned watermain/sewers including, but not limited to, maintenance holes, appurtenances, valve chambers, cathodic protection or other features.

Utility Company – A company owning, operating and maintaining plant in the public right-of-way.

Work – Includes any excavating in streets, and the installing, repairing, replacing, extending or operating and maintaining of any equipment, structure or device located on, over, along, across, under, or in streets.