



## STAFF REPORT ACTION REQUIRED

### **Toronto-York Spadina Subway Extension Project - Construction of a Walkway within Landscaped Berm at W.R. Allen Road / Dufferin Street and Sheppard Avenue West**

<b>Date:</b>	September 28, 2015
<b>To:</b>	TTC Board
<b>From:</b>	Chief Executive Officer

#### **Summary**

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The Dufferin berm is an earthen rise on the west side of Dufferin Street, running from north of Sheppard Avenue West to Clifton Avenue. The berm provides a noise/visual screen from W.R. Allen Road for the west facing residential houses located on the east side of Dufferin Street.

The southern portion of the berm, north to Codsell Avenue, was removed to facilitate the construction of a pair of extraction/drop shafts by the Toronto-York Spadina Subway Extension (TYSSE) project. A temporary timber fence was erected along the west side of Dufferin Street where the berm was removed, to screen the residential properties throughout TYSSE construction. The TYSSE is required to restore the berm to its original condition, including tree and landscaping replacement once the shafts are no longer required for construction. Demolition of the drop shafts and restoration of the berm by TYSSE is anticipated in the summer of 2016.

This Action Report provides commentary on opportunities, restrictions and alternatives for an elevated walkway within the landscaped berm.

#### **Recommendations**

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It is recommended that the Board:

1. direct TYSSE to proceed with the restoration of the berm as necessitated by project scope and permit obligations; and
2. refer this item to the Public Realm Unit of Transportation Services for possible further study in consultation with City Planning Division, including sourcing possible funding.

## **Financial Summary**

There are no financial implications resulting from the adoption of this report.

## **Accessibility/Equity Matters**

There are no accessibility or equity issues.

## **Decision History**

On August 19, 2014, the TTC Board directed “that TTC CEO in conjunction with the General Manager of Parks, Forestry and Recreation provide to the TTC Board of Commissioners a briefing note that would include but not be restricted to:

1. The opportunities that present themselves in creating an elevated walkway or path on the berm referred to above.
2. If restrictions or problems exist, recommendations for remediation.
3. Any alternatives or ideas that can leverage this essential north-south walking corridor.”

## **Issue Background**

The subject berm is located on a long narrow strip of land extending north from Sheppard Avenue West between W.R. Allen Road and Dufferin Street. This landscape feature was constructed by the City of Toronto as a noise mitigation, providing a buffer between traffic on W.R. Allen Road and residences located on the east frontage of Dufferin Street. There is a public sidewalk along the east frontage of Dufferin Street where the single-family homes are located. A sidewalk is also provided on the west side of Allen Road. At the far-north end of the berm there is a sidewalk leading to a bus shelter on the east side of Allen Road near the intersection with Rimrock Road. A vent structure and an emergency exit for the TTC Downsview Station are located beyond the south end of the berm and include an access sidewalk. An additional subway vent structure was located a little farther north, within the berm, but has been permanently removed.

### TYSSE Construction

The south end of the subject berm was temporarily removed in order to construct the Tunnel Boring Machine (TBM) extraction shaft, which has been used as a drop shaft (construction access point) since completion of tunnelling work. TYSSE is obligated to restore the berm to its original condition, including in-kind replacement of the trees that were removed. The trees are to be replaced at a one-to-one ratio, as agreed with the City’s Urban Forestry Division. The TYSSE Project has been issued City permits for Tree Removal and Road Occupancy, which set out the requirements for TTC to restore the berm.

### Resident Concerns

Residents, whose homes front on the east side of Dufferin, have expressed concerns about the restoration of the berm. They have noted problems with access to the berm by high school students and others, resulting in littering and use of the berm as a toilet. Some residents have requested that mature landscaping be used to replace the landscaping that was removed within the berm, as the previous landscaping had 15 years' worth of growth. The community has also requested that the height of the berm be increased by 10-15 feet.

### Ownership of Berm and Surrounding Public Property

While the strip of property containing the berm is under the jurisdiction of the City's Right-of-Way Management Section of the Transportation Services Division, it (along with the Allen Road right-of-way) is owned by Canada Lands Company (CLC) and leased to the City of Toronto through October 31, 2028. The lease, which was executed in 1978, allows the City to construct "a transit facility" on the property, which includes the vent structure and emergency exit (serving the Downsview Subway Station), the (now demolished) vent structure discussed above, and TTC Busway facilities.

### **Comments**

Per the Board's Direction, the following is provided:

1. "Opportunities that present themselves in creating an elevated walkway or path";  
AND
2. "Any alternatives or ideas that can leverage this essential north-south walking corridor".

It appears that a walking path along the west side of the berm (east side of Allen Road) could be constructed in place of what is a worn "cow path" extending southward from the signalized Allen Road/De Boers Drive intersection, providing a potential pedestrian connection from the west side of Allen Road to the north entrance of the Downsview Subway Station. The current design for the York University Busway art piece includes a small landscaped plaza which could provide an enhanced pedestrian area for a portion of this type of connection. Extending a walking path further north on the west side of the berm to meet up with an existing bus shelter and sidewalk at the far north end of the berm, near the Allen and Rimrock roads intersection, is also a possibility. It is important to note that any such enhancements are outside of the scope of the TYSSE project and, as such, there are no funds in the TYSSE budget for either of these alternatives for a walkway on the property containing the subject berm. Further, as stated above, a public sidewalk already exists on the east side of Dufferin Street to provide a pedestrian connection to the Downsview Subway Station for transit riders living east of Allen Road. In consultation with the City's Urban Design Division it has been noted that while there is work being done toward normalizing the street conditions to an urban street with sidewalks, street trees and lights on both sides, consideration has not been given to an elevated walkway on the berm.

### 3. “If restrictions or problems exist, recommendations for remediation”

An elevated walkway or path, presumably on top of the berm, would be a more challenging and costly project with issues such as available width, safety, accessibility, and constructability being primary concerns. Further, it is a possibility that such a project could compromise some of the intended functions of the current landscaped berm design, which provides visual and sound buffering for residents to the east. For example, construction of an elevated walking path would potentially result in a reduction of the height of the berm, in order to provide sufficient width for a standard width walkway. Such a reduction in height would likely reduce the visual and sound buffering functionality of the berm, and conflicts with the request by adjacent residents for an increase in the height of the berm to provide further buffering. Further study would need to be undertaken by the City to fully understand the potential for an elevated walkway or path on top of the berm.

It does appear, however, there is sufficient space for a walking path on the west side of the berm, including room for a planted boulevard to provide some separation between auto traffic and pedestrians.

#### **TYSSE Funding Requirements**

In the coming months, TYSSE will be tendering a contract that includes restoration of the portion of the berm that was disturbed for project construction. Any improvements to this area, such as an elevated walkway, path or sidewalk, would have to be designed by the City and constructed after restoration work is completed by TYSSE, unless the project is directed to remove the restoration from its scope, to be assumed by the City as part of its berm walkway project.

Alternatively, the City could provide funding for design and construction of such improvements in time for TYSSE contract tender. As CLC is the land owner, it is advisable for the City, as lessee, to consult with CLC on any permanent improvements planned for the property.

If the City plans to fund and implement, or assume, any changes to the restoration, this intention should be specified to TYSSE as soon as possible, as TYSSE is proceeding with the obligatory restoration work at the earliest possible date.

#### **Conclusion/Next Steps**

The TYSSE project is at an advanced stage of construction and, as such, it may not be possible for TYSSE to include enhancement of/changes to the berm within the overall TYSSE project schedule. The walkway would have to be designed, with the resulting plan approved by City Council, and the necessary funds provided to TYSSE to complete the works within a confined timeframe.

TYSSE's scope of work is to restore the berm to its pre-construction state and the project does not have budgeted funds to undertake works over and above the approved restoration.

It is recommended that the Board direct TYSSE to proceed with the restoration of the berm as necessitated by project scope and permit obligations.

It is further recommended that the Board refer this item to the Public Realm Unit of Transportation Services for possible further study in consultation with City Planning Division, including sourcing possible funding.

## **Contact**

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