

Construction Staging Area Time Extension - 23 Spadina Avenue (Blue Jays Way)

Date: January 10, 2023
To: Toronto and East York Community Council
From: Director, Traffic Management, Transportation Services
Wards: Ward 10, Spadina-Fort York

SUMMARY

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

Concord Adex Developments Corp. is building 62 and 72 storey condominiums with a grand total of 1373 units perched upon a 13 story podium. The site is located on the east side of Spadina Avenue, between Bremner Boulevard to the south side, Blue Jays Way to the north and Navy Wharf Court to the east. The south sidewalk and eastbound parking lane on Blue Jays Way, from Spadina Avenue to Navy Wharf Court, and west sidewalk on Navy Wharf Court, from Bremner Boulevard to Blue Jays Way, are currently closed for construction staging operations.

Toronto and East York Community Council, at its meeting on October 10, 2019, approved the subject construction staging area on Blue Jays Way from September 23, 2019 to December 15, 2022. The developer has requested an extension of the duration of the construction staging areas on Blue Jays Way and Navy Wharf Court, due to construction delays caused by: COVID-19, supply chain and material shortages, remedial structural work, manpower shortages, union strikes and weather related delays.

Transportation Services is requesting authorization to extend the duration of the construction staging areas from January 27, 2023 to June 30, 2025 to allow for the construction of the development to be completed.

RECOMMENDATIONS

The Director, Traffic Management, Transportation Services recommends that:

1. Toronto and East York Community Council authorize the continuation of the closure of the south sidewalk and eastbound parking lane on Blue Jays Way, from Spadina Avenue to Navy Wharf Court, from January 27, 2023 to June 30, 2025.

2. Toronto and East York Community Council authorize the continuation of the closure of the west sidewalk on Navy Wharf Court, from Bremner Boulevard to Blue Jays Way, from January 27, 2023 to June 30, 2025.

3. Toronto and East York Community Council direct the applicant to continue posting a 24-hour monitored construction hotline number on the hoarding board, which must be prominently placed and legible from 20 metres and on all elevations from the construction site.

4. Toronto and East York Community Council direct the applicant to continue providing and installing public art, including mural artwork, onto every elevation of the hoarding board with adequate spotlighting for night-time illumination, at their sole cost, to the satisfaction of the Ward Councillor

5. Toronto and East York Community Council direct the applicant to pressure wash or sweep (weather permitting) the construction site and adjacent sidewalks and roadways daily, or more frequently as needed to be cleared of any construction debris and made safe.

6. Toronto and East York Community Council direct the applicant, in consultation with Transportation Services, to continue to maintain any bike lanes, and install appropriate signage to inform drivers and cyclists of any changes to the cycling lanes.

7. Toronto and East York Community Council direct the applicant, in areas where no cycling lanes exist, to continue to install sharrow markings onto the roadway and display appropriate signage on the hoarding board to inform motorists and cyclists to safely share the road.

8. Toronto and East York Community Council direct the applicant to continue to ensure that the existing sidewalks and/or any proposed pedestrian walkways have proper enhanced lighting to ensure safety and visibility at all times of the day and night.

9. Toronto and East York Community Council direct the applicant to continue to clearly consult and communicate all construction, parking and road occupancy impacts with local business improvement areas and resident associations in advance of any physical road modifications.

10. Toronto and East York Community Council direct the applicant to continue to install appropriate signage and converging mirrors to ensure that pedestrians, cyclists and motorists safety is considered at all times.

11. Toronto and East York Community Council direct the applicant to continue to establish a construction management working group that meets regularly and invite local stakeholders including Transportation Services, Municipal Licensing and Standards, Toronto Building, adjacent neighbours, local resident groups, and local BIAs.

12. Toronto and East York Community Council direct the applicant to continue to create a publicly accessible website with regular construction updates and post the website address on the site.

13. Toronto and East York Community Council direct the applicant to provide a sufficient number of traffic control persons as determined by the Work Zone Traffic Coordinator and Toronto Police Construction Liaison Officer, on a daily basis to control construction vehicle access and egress to and from the site and maintain a safe environment for the public.

14. Toronto and East York Community Council direct the applicant to provide a sufficient number of pay-duty Police Officers as determined by the Work Zone Traffic Coordinator and Toronto Police Construction Liaison Officer, during large scale concrete pours and large scale material deliveries to control vehicle access and egress to and from the site and maintain a safe environment for the public.

15. Toronto and East York Community Council direct that Blue Jays Way be returned to its pre-construction traffic and parking regulations when the project is complete.

FINANCIAL IMPACT

There is no financial impact to the City. Concord Adex Developments Corp. is responsible for all costs, including payment of fees to the City for the occupancy of the right-of-way. Based on the area enclosed and projected duration of the closures, these fees will be approximately \$1,110,000.00.

DECISION HISTORY

At its meeting on October 10, 2019, Toronto and East York Community Council adopted item TE9.39, entitled "Construction Staging Area - 23 Spadina Avenue" and in so doing, authorized a construction staging area on Blue Jays Way, from September 23, 2019 to December 15, 2022.

<https://secure.toronto.ca/council/agenda-item.do?item=2019.TE9.39>

The Ontario Municipal Board, pursuant to its decision issued on November 14, 2016, in relation to Board Case No. MM150053, authorized an amendment to Zoning By-law No. 1994-0806, for the lands municipally known as 23 Spadina Avenue.

COMMENTS

Status of the Development

Concord Adex Developments Corp. is building 62 and 72 storey condominiums with a grand total of 1373 units perched upon a 13 story podium. The site is located on the

east side of Spadina Avenue, between Bremner Boulevard to the south side, Blue Jays Way to the north and Navy Wharf Court to the east.

Major construction activities and associated timelines for the development are described below:

- Above grade formwork: October 2020 to June 2024;
- Building envelope phase: June 2022 to August 2024; and
- Interior finishes stage: August 2022 to June 2025.

The developer has requested an extension of the duration of the construction staging areas on Blue Jays Way and Navy Wharf Court, due to construction delays caused by: COVID-19, supply chain and material shortages, remedial structural work, manpower shortages, union strikes and weather related delays.

The developer has informed staff that due to the built form of the development and limited availability of space, all the construction staging operations cannot be undertaken from within the site as it may create unsafe working conditions. Continued occupancy of the construction staging areas until June 30, 2025 is therefore essential to complete the development.

Construction Staging Areas

Construction staging operations for the development are taking place within a combined 5.9 metre portion of the south side sidewalk and the eastbound parking lane on Blue Jays Way. Blue Jays Way, in the immediate vicinity of the site, continues to operate as one lane in each direction (eastbound and westbound). Pedestrians on Blue Jays Way are directed to use the north side sidewalk.

The sidewalk on the west side of Navy Wharf Court, between Bremner Boulevard and Blue Jays Way is also closed for a staging area. Pedestrians on Navy Wharf Court are directed to use the east side sidewalk. A 1.5 metre covered walkway is erected on both the north side of Bremner Boulevard and on the east side of Spadina Avenue.

A drawing of the existing construction staging area is included in Attachment 1.

Overall, the existing construction staging areas are operating acceptably, and Transportation Services does not recommend any modifications to the area for the duration of the extension period.

A review of the City's Five-Year Major Capital Works Program indicates that Toronto Water has forcemain work planned from 2023 to 2025 on Navy Wharf Court. The developer was informed that at the discretion of Transportation Services, and at no cost to the City of Toronto, the developer will be required to clear the construction staging area to accommodate the City's work. Failure to remove the staging area may result in the developer being responsible to cover any cost penalties incurred by the City as a result.

If the proposed staging area is not approved, the developer's only option will be to apply for day-use permits of Blue Jays Way and Navy Wharf Court for periods of less than 30 consecutive days over the 30-month life of the project in order to complete construction.

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These permits would often contain time of day restrictions to ensure there is no road occupation during peak periods. Based on the nature of this type of construction activity, there are potential risks to the City in not allowing the staging area permit to proceed such as:

- During crane hoisting activities for a project of this scale, in considering Health and Safety regulations, the Police Act and the Highway Traffic Act give Toronto Police Service officers the discretionary authority to close all lanes of a public highway during the hoist, taking into account wind conditions, as well as both the size and nature of the load.
- Once the pouring of concrete for a structural slab or member is commenced (like a building foundation or floor), it cannot be stopped for any reason (including the commencement of a rush hour restriction) until it is completed in order to maintain its structural integrity.
- This would mean that on any given day during the construction activity, instead of having a single lane occupied 24/7 so that all hoisting would take place within the site, behind the construction hoarding, where the remaining adjacent lanes of traffic operate in a free-flow condition, all lanes of traffic may be held by the paid-duty officer on-site during the hoisting activity, including morning and afternoon peak periods at their sole discretion.
- When the constructor/developer requests the use of adjacent public highway to expand the size of their construction footprint, and bring vehicles into the site, they are also attempting to address their obligations as a constructor/employer under Ontario Regulation 213/91 "Construction Projects" pursuant to the Occupational Health and Safety Act.

The Ward Councillor has been advised of the recommendations of this staff report.

CONTACT

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SIGNATURE

Roger Browne, M.A.Sc., P. Eng.
Director, Traffic Management, Transportation Services

ATTACHMENTS

Attachment 1: Existing Construction Staging Area - 23 Spadina Avenue

Attachment 1: Construction Staging Area - 23 Spadina Avenue

