

Construction Staging Area Time Extension - 1-25 Defries Street

Date: January 10, 2023
To: Toronto and East York Community Council
From: Director, Traffic Management, Transportation Services
Wards: Ward 13, Toronto-Centre

SUMMARY

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

Broccolini is constructing a 37-storey condominium with 580 residential units, at 1-25 Defries Street. The site is bounded by Mark Street to the north, Bayview Avenue to the east, Labatt Avenue to the south and Defries Street to the west. A 3.2 metre-wide portion of the northbound curb lane on Defries Street, between Labatt Avenue and Mark Street, is currently closed for construction staging operations.

Toronto and East York Community Council, at its meeting on April 21, 2021, approved the subject construction staging area from April 22, 2021 to April 30, 2022. At the time, the developer indicated they would require the staging area for a total of 24 months, from April 22, 2021 to April 30, 2023.

As the previous permit was only approved for a 12-month period, and as the site has experienced COVID-19 related construction delays and labour issues, the developer has requested an extension of the duration of the construction staging area.

Transportation Services is requesting authorization to extend the duration of the construction staging area from January 27, 2023 to December 31, 2023, 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 a 3.2 metre-wide portion of the northbound curb lane on Defries Street, between Labatt Avenue and Mark Street, from January 27, 2023 to December 31, 2023.

2. 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.
3. 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.
4. 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.
5. Toronto and East York Community Council direct the applicant to continue 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.
6. Toronto and East York Community Council direct the applicant to continue 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.
7. Toronto and East York Community Council direct the applicant to continue to post 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.
8. Toronto and East York Community Council direct the applicant to continue to provide and install 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.
9. Toronto and East York Community Council direct the applicant to continue to establish a construction management working group that meets monthly and invite local stakeholders including Transportation Services, Municipal Licensing and Standards, Toronto Buildings, adjacent neighbours, and local resident groups.
10. Toronto and East York Community Council direct that Defries Street and Mark Street be returned to their pre-construction traffic and parking regulations when the project is complete.

FINANCIAL IMPACT

There is no financial impact to the City. Broccolini 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 proposed closures on Defries Street, these fees will be approximately \$161,000.00.

DECISION HISTORY

At its meeting of April 21, 2021, Toronto and East York Community Council adopted item TE24.44, entitled "Construction Staging Area - 1-25 Defries Street" and in so doing, authorized a construction staging area on Defries Street from April 22, 2021 to April 30, 2022.

<https://secure.toronto.ca/council/agenda-item.do?item=2021.TE24.44>

Local Planning Appeal Tribunal, formerly known as The Ontario Municipal Board, pursuant to its Order issued October 23, 2020 in relation to Board Case No. PL171290, authorized an amendment to Zoning By-law No. 438-86, for the lands municipally known as 1-25 Defries Street.

City Council, at its meeting on July 23, 24, 25, 26, 27 and 30, 2018, adopted Item TE34.49 entitled "1-25 Defries Street - Official Plan and Zoning Amendment Applications - Request for Direction Report"

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.TE34.49>

COMMENTS

Status of the Development

A 37-storey residential condominium building is being constructed by Broccolini, at 1-25 Defries Street. The site is bounded by Mark Street to the north, Bayview Avenue to the east, Labatt Avenue to the south and Defries Street to the west. The development, in its completed form, will consist of 580 dwelling units, a four-level underground parking garage for 252 vehicles and loading bay that will be accessed from Mark Street.

The major construction activities and associated timeline for the development are described below:

- Above grade formwork: from April 2021 to April 2023;
- Building envelope phase: from September 2021 to July 2023; and
- Interior finishes stage: from December 2021 to January 2024.

As the previous permit was only approved for a 12-month period, and as the site has experienced COVID-19 related construction delays and labour issues, the developer has requested an extension of the duration of the construction staging area on Defries Street in order to complete the construction of the development.

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 area until December 31, 2023 is therefore essential to complete the development.

Construction Staging Area

Construction staging operations on Defries Street is taking place within the existing boulevard allowance and a portion of the northbound curb lane fronting the site. The boulevard and a 3.2 metre-wide portion of the northbound curb lane on Defries Street is closed, between Labatt Avenue and Mark Street, to accommodate construction staging operations for the development. As there are currently no sidewalks on any of the streets abutting the site, no additional measures to accommodate pedestrians were required. Pedestrian operations are maintained within the existing sidewalks on the west side of Defries Street, south side of Labatt Avenue and north side of Mark Street. In order to facilitate the construction, staging areas were required on the boulevards of Labatt Avenue, Mark Street and Bayview Avenue. These staging areas are within the boulevard only and do not impact traffic lanes or sidewalks.

The developer will be required to continue to provide parking accommodations on private property for the equivalent number of permit parking spaces that are being temporarily lost as a result of the installation of the staging area on the east side of Defries Street. Residents in the area with a valid permit will be able to continue to park overnight within the off-street parking facilities provided by the developer.

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

Overall, the existing construction staging area is 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 there are no capital works projects planned in the vicinity of the site. Therefore, the proposed construction staging area is not expected to conflict with the City's capital works projects.

If the proposed staging area is not approved, the developer's only option will be to apply for day-use permits of Defries Street for periods of less than 30 consecutive days over the 12-month life of the project in order to complete construction.

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 report.

CONTACT

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SIGNATURE

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

ATTACHMENTS

1. Construction Staging Area - 1-25 Defries Street

Attachment 1: Construction Staging Area - 1-25 Defries Street

