

Construction Staging Area Time Extension - 410 and 440 Front Street West

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.

Deltera Incorporated and EllisDon Corporation are developing the lands bounded by Wellington Street West to the north, Spadina Avenue to the east, Front Street West to the south and Draper Street to the west. The development will consist of seven high-rise buildings of various heights containing office, retail and residential uses. Deltera Incorporated will develop six out of seven buildings and EllisDon Corporation will develop the remaining one building to be located in the north-west corner of Front Street West and Spadina Avenue. The north sidewalk and a 3.3 metre-wide portion of the westbound curb lane on Front Street West, between Spadina Avenue and Draper Street, are currently closed for construction staging operations.

Toronto and East York Community Council, at its meeting on January 16, 2018, approved the subject construction staging area on Front Street West, from Spadina Avenue to a point 61.5 metres west from March 1, 2018 to December 31, 2020, and from a point 61.5 metres west of Spadina Avenue to Draper Street from March 1, 2018 to June 30, 2022. The developer has requested an extension of the duration of the construction staging area on Front Street West, due to delays caused by: COVID-19 delays (including material delays and shortages), labour issues and inclement weather conditions.

Transportation Services is requesting authorization to extend the duration of the construction staging areas from January 27, 2023 to October 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 the north sidewalk and westbound curb lane on Front Street West, between Spadina Avenue and Draper Street, from January 27, 2023 to October 31, 2023.
2. 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.
3. 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.
4. 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.
5. Toronto and East York Community Council direct the applicant 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.
6. Toronto and East York Community Council direct the applicant 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.
7. Toronto and East York Community Council direct the applicant to install appropriate signage and converging mirrors to ensure that pedestrians, cyclists and motorists safety is considered at all times.
8. 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.
9. 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.

10. Toronto and East York Community Council direct that Front Street West 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. Deltera Incorporated and EllisDon Corporation are 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 closure on Front Street West, these fees will be approximately \$1,371,000.00, including lost revenue from the parking machines.

DECISION HISTORY

At its meeting on January 16, 2018, Toronto and East York Community Council adopted item TE29.46, entitled "Construction Staging Area - 410 and 440 Front Street West" and in so doing, authorized a construction staging area on Front Street West from March 1, 2018 to June 30, 2022.

<https://secure.toronto.ca/council/agenda-item.do?item=2018.TE29.46>

City Council at its meeting on January 31, 2017, adopted Item TE20.7 to amend Zoning By-law 438-86 and By-law 569-2013 for the property at 440, 444, 450 and 462 Front Street West; 425, 439, 441 and 443 Wellington Street West; 6-18 Spadina Avenue and 19 Draper Street.

COMMENTS

Status of the Development

A development at the north-west corner of Front Street West and Spadina Avenue, consisting of seven high-rise buildings of various heights containing office, retail and residential uses, is being constructed by Deltera Incorporated (developing six of the buildings) and EllisDon Corporation (developing the remaining building). The site is bounded by Wellington Street West to the north, Spadina Avenue to the east, Front Street West to the south and Draper Street to the west.

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

- Building envelope phase: July 2020 to December 2022; and
- Interior finishes stage: July 2021 to October 2023.

The developer has requested an extension of the duration of the construction staging area on Front Street West, due to delays caused by: COVID-19 delays (including material delays and shortages), labour issues and inclement weather conditions.

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 October 31, 2023 is therefore essential to complete the development.

Construction Staging Areas

Construction staging operations are currently taking place within the road right-of-way on the north side of Front Street West, on the south side of Wellington Street West and on the west side of Spadina Avenue, abutting the site.

Construction staging operations on Wellington Street West and Spadina Avenue are taking place within the existing boulevard space. Pedestrian operations on Wellington Street West and Spadina Avenue are being maintained in a 2.1 metre and a 1.7 metre covered and protected walkway respectively. Traffic operations on Wellington Street West and Spadina Avenue remained unchanged.

In addition, the north sidewalk and a 3.3 metre-wide portion of the westbound curb lane on Front Street West, between Spadina Avenue and Draper Street, are currently closed for construction staging operations. Pedestrians are directed to a 1.5 metre-wide covered and protected walkway.

A drawing of the existing construction staging area is included 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 there are no capital works projects planned in the vicinity of the site. Therefore, the construction staging area on Front Street West is not expected to conflict with the City's capital works projects.

If the staging area is not approved, the developer's only option will be to apply for day-use permits of Front Street West for periods of less than 30 consecutive days over the 10-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

Craig Cripps, Manager, Work Zone Coordination and Mitigation, Transportation Services, 416-397-5020, Craig.Cripps@toronto.ca

SIGNATURE

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

ATTACHMENTS

Attachment 1: Existing Construction Staging Area - 410 and 440 Front Street West

