

Construction Staging Area – 321 Davenport Road

Date: October 30, 2023
To: Toronto and East York Community Council
From: Director, Traffic Management, Transportation Services
Wards: Ward 11, University-Rosedale

SUMMARY

As the Toronto Transit Commission (TTC) operates a transit service on Davenport Road, City Council approval of this report is required.

321 Davenport Road Limited is constructing a 9-storey residential condominium building at 321 Davenport Road. The site is located on the south side Davenport Road between Dupont Street and Bedford Road.

Transportation Services is requesting approval to close the south sidewalk, south side parking lane, south side bicycle lane, and the south side eastbound lane on Davenport Road for a period of 8 months, from December 14, 2023 to July 31, 2024 inclusive to facilitate construction staging operations. Pedestrian movements on the south side of Davenport Road, abutting the site, will be maintained in a minimum 1.8 metre-wide covered and protected walkway. The eastbound bicycle lane will be temporarily closed, and cyclists will be redirected to a 1.8-metre-wide exclusive bicycle lane within the existing eastbound lane. The construction staging area will result in the loss of five on-street parking machine spaces on the south side of Davenport Road.

To accommodate the required staging area, Transportation Services is also requesting the authority for the General Manager of Transportation Services to issue Temporary Street Occupation permits for the developer on Davenport Road, notwithstanding that not all the criteria within the City of Toronto Municipal Code Chapter 743, Streets and Sidewalks, Use of, for so doing would be met.

RECOMMENDATIONS

The Director, Traffic Management, Transportation Services, recommends that:

1. City Council authorize the temporary closure of the south sidewalk, south side parking lane, south side bicycle lane, and the south side eastbound vehicle traffic lane

on Davenport Road, between a point 82 metres west of Bedford Road and a point 30 metres further west, and provision of a temporary pedestrian walkway within the closed portion of the curb parking lane and bicycle lane, from December 14, 2023 to July 31, 2024 inclusive to accommodate construction staging operations.

2. City Council rescind the existing parking machine regulation in effect 8:00 a.m. to 9:00 p.m., Monday to Saturday, 1:00 p.m. to 9:00 p.m. Sunday, at a rate of \$3.00 per 1 hour and for a maximum period of 3 hours on the south side of Davenport Road, between a point 99 metres east of Dupont Street and a point 59 metres west of Bedford Road.

3. City Council prohibit stopping at all times on the south side of Davenport Road, between a point 99 metres east of Dupont Street and a point 59 metres west of Bedford Road.

4. City Council direct the applicant to sweep 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. City Council direct the applicant to construct and maintain a fully covered, protected and unobstructed walkway for all pedestrians, including for those with mobility devices, for the entire duration of the construction staging area permit to the satisfaction of the City engineer and ensure that it is compliant with the Accessibility for Ontarians with Disabilities Act (AODA).

6. City Council direct the applicant to ensure that the existing sidewalks or the proposed pedestrian walkway have proper enhanced lighting to ensure safety and visibility at all times of the day and night.

7. City 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.

8. City Council direct the applicant to install appropriate signage and request the applicant to install converging mirrors to ensure that pedestrians, cyclists and motorists safety is considered at all times.

9. City Council direct the applicant to provide a sufficient number of traffic control persons as determined by the Work Zone 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.

10. City Council direct the applicant to provide a sufficient number of pay-duty Police Officers as determined by the Work Zone 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.

11. City Council direct the applicant to install cane detection within the covered and protected walkway to guide pedestrians who are visually impaired.
12. City Council direct the applicant 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.
13. City Council direct the applicant 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.
14. City Council direct the applicant, in consultation with Transportation Services, to maintain any bicycle lanes and install appropriate signage to inform drivers and cyclists of any changes to the cycling lanes.
15. City Council direct the applicant to cooperate with and provide all necessary assistance to the City Engineers, staff and representatives carrying out operation, maintenance, and construction activities to municipal infrastructure within the vicinity of the construction staging area, and at no cost to the City to remove any staging to accommodate the necessary municipal infrastructure work.
16. City Council direct that Davenport Road be returned to its pre-construction traffic and parking regulations when the project is complete.
17. City Council authorize the General Manager, Transportation Services, to issue any and all Temporary Street Occupation permits to 321 Davenport Road Limited for the period of December 14, 2023 to July 31, 2024 inclusive, for a portion of Davenport Road from a point 82 metres west of Bedford Road to a point 30 metres further west, without 321 Davenport Road Limited having to comply with certain requirements of City of Toronto Municipal Code Chapter 743, Streets and Sidewalks, Use of, as more generally described in the report from the Director, Traffic Management, Transportation Services (dated October 30, 2023) and, where the approval conflicts with Chapter 743, Streets and Sidewalks, Use of, the approval of the General Manager, Transportation Services shall prevail to the extent of the conflict..
18. City Council authorize the General Manager, Transportation Services, to negotiate, enter into and execute an indemnity agreement with 321 Davenport Road Limited to address the City's interests with respect to any and all temporary street occupations and closures on Davenport Road and any and all permits issued in relation to the project on terms and conditions satisfactory to the General Manager, Transportation Services, and in a form satisfactory to the City Solicitor.
19. City Council direct that recommendations 1 to 17, inclusive, above, be subject to 321 Davenport Road Limited entering into the indemnity agreement in recommendation 18 above.

FINANCIAL IMPACT

There is no financial impact to the City. The developer (321 Davenport Road Limited) 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 Davenport Road these fees will be approximately \$92,000.00 including lost revenue from the parking machines.

DECISION HISTORY

Local Planning Appeal Tribunal, pursuant to its Orders issued on May 17, 2021 and May 30, 2021 in relation to Tribunal File PL170861, authorized an amendment to Zoning By-law 569-2013, for the lands municipally known as 321 Davenport Road.

Local Planning Appeal Tribunal, pursuant to its Orders issued on May 17, 2021 and May 31, 2021 in relation to Tribunal File PL170861, authorized an amendment to Zoning By-law 438-86, for the lands municipally known as 321 Davenport Road.

COMMENTS

The Development and Timeline

321 Davenport Road Limited is constructing a nine-storey residential condominium building with 23 units and four-levels of underground parking at 321 Davenport Road. The site is located on the south side of Davenport Road between Dupont Street and Bedford Road.

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

A detailed review of the construction schedule was undertaken by the developer to minimize the project duration and impacts of the construction on all road users. Various options were explored by the developer to set up construction staging operations for the development within the development site. The developer has advised that due to limited availability of space, all construction activities cannot be accommodated within the site. This includes the delivery and storage of construction materials, hoisting, tower crane, and other temporary street occupations as defined in Toronto Municipal Code Chapter 743.

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

- Demolition: Complete
- Excavation and shoring: from Jun 2022 to July 2023;
- Below grade formwork: from July 2023 to October 2024;
- Above grade formwork: from July 2023 to October 2024;

- Building envelope phase: from November 2024 to December 2024; and
- Interior finishes stage: from November 2024 to May 2025.

Existing Conditions

Davenport Road is characterized by the following conditions:

- It is a four-lane, east-west, major arterial roadway
- It operates two-way traffic on a pavement width of approximately 18.8 metres
- The daily two-way traffic volume is approximately 29,000 vehicles
- The speed limit is 40 km/h
- TTC service is provided by bus number 19
- There are sidewalks located on both sides of the street
- Bicycle lanes are provided on both sides of the road

The parking regulations on Davenport Road, within the subject section are as follows:

North side

- Parking machine in effect 8:00 a.m. to 9:00 p.m., Monday to Saturday 1:00 p.m. to 9:00 p.m. Sunday, between a point 150 metres east of Dupont Street and a point 59 metres west of Bedford Road

South side

- Parking machine in effect 8:00 a.m. to 9:00 p.m., Monday to Saturday 1:00 p.m. to 9:00 p.m. Sunday, between a point 99 metres east of Dupont Street and a point 59 metres west of Bedford Road

Proposed Construction Staging Area

Traditionally, Transportation Services prefers to have the construction staging areas abutting the development. The delegated authority given to the General Manager, Transportation Services to issue Temporary Street Occupation permits pursuant to City of Toronto Municipal Code Chapter 743, Streets and Sidewalks, Use of, provides that "a permit may be issued under this section when it is required on behalf of an owner of the lands abutting the street, or portion thereof that will be occupied temporarily by equipment or material that has been used, or that is intended to be used, for constructing, repairing, or demolishing a building or structure situated on the lands, or that will be otherwise temporarily occupied in connection with the applicants use of the lands". Irrespective of the above provision in Chapter 743, the General Manager may still issue a permit under Chapter 743 despite the temporary occupation of any portion of the street beyond the limit of the applicant's property frontage on the street, where the adjoining property owner consents in writing and waives all claims against the City for losses and damages that may arise or result directly or indirectly from this occupation.

The unconventional property boundaries and property access to the development site and adjacent property at 305 Davenport Road will require occupation of the City right of way abutting 305 Davenport Road to accommodate the staging area required for the development at 321 Davenport Road. City staff understand that the owners of 305 Davenport Road will not consent to the proposed street occupation on Davenport Road or waive claims. By maintaining the staging area in close proximity to the approved development, construction traffic will be reduced on Davenport Road allowing for safer passage for pedestrians and vehicles.

Given the above, City Council approval is required for the temporary street occupation to occur on Davenport Road and to authorize the General Manager, Transportation Services, to issue any and all Temporary Street Occupation permits from December 14, 2023 to July 31, 2024 inclusive.

Subject to approval, the south sidewalk, south side parking lane, south side bicycle lane, and the south side eastbound traffic lane on Davenport Road, between a point 82 metres west of Bedford Road and a point 30 metres further west will be temporarily closed to accommodate construction staging operations for the development. Pedestrian movements will be accommodated in a 1.8 metre covered walkway within the existing bicycle lane on the south side of Davenport Road. The eastbound bicycle lane will be redirected, and cyclists will be accommodated in an exclusive 1.8-metre-wide bicycle lane within the existing south side eastbound traffic lane. TTC operations will not be affected. One eastbound traffic lane on Davenport Road in the subject area will be maintained. To enhance traffic flow around the construction staging area, stopping will be prohibited at all times on the south side of Davenport Road, between a point 99 metres east of Dupont Street and a point 59 metres west of Bedford Road. In order to facilitate safe and efficient inbound and outbound turn manoeuvres, it is recommended that five of the existing parking machine spaces on the subject section of Davenport Road be temporarily rescinded. The applicant will be responsible for paying the lost revenue for these two parking spaces.

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

A review of the City's Five-Year Major Capital Works Program indicates that on Davenport Road, Toronto Water plan sewer rehabilitation work in 2023. Rogers Communications Inc has work scheduled related to structures installation from 2023 to 2024. Transportation Services has major road resurfacing, and on-street bicycle way construction work planed in 2024.

The developer was informed that the staging areas may need to be temporarily removed or modified to accommodate the above mentioned Capital Works, and failure to do so may result in the developer being responsible to cover any cost penalties incurred by the City as a result. The applicant shall cooperate with and provide all necessary assistance to the City Engineers, staff and representatives carrying out operation, maintenance, and construction activities to municipal infrastructure within the vicinity of the construction staging area at no cost to the City.

In consideration of the above details and through ongoing dialogue with the developer, Transportation Services is satisfied that 321 Davenport Road Limited has looked at all options to minimize the duration and impact of the construction staging area on all road users. At the end of the approved temporary closure period, staff will review the need for an extension, if any changes to the approval conditions are required, and report back for approvals if required.

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

CONTACT

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SIGNATURE

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

ATTACHMENTS

Attachment 1: Proposed Construction Staging Area - 321 Davenport Road

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