

Construction Staging Area – 63-91 Montclair Avenue

Date: October 27, 2023
To: Toronto and East York Community Council
From: Director, Traffic Management, Transportation Services
Wards: Ward 12, Toronto-St. Paul's

SUMMARY

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

Montclair Development LP is constructing a 19 and 18 -storey residential condominium building at 63-91 Montclair Avenue. The site is located on the south side of Montclair Avenue between Spadina Avenue and Lower Village Gate.

Transportation Services is requesting approval to close the south sidewalk on the south side of Montclair Avenue for a period of 27 months, from April 1, 2024 to June 30, 2026 to facilitate construction staging operations. Pedestrian movements on the south side of Montclair Avenue abutting the site will be restricted and pedestrians will be directed to the north side sidewalk of Montclair Avenue.

Additionally, approval is being requested to close a 1.6 metre wide portion of the westbound curb lane on Bantry Avenue for a period of 27 months, from April 1, 2024 to June 30, 2026 to facilitate construction staging operations.

RECOMMENDATIONS

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

1. Toronto and East York Community Council authorize the closure of the south sidewalk on Montclair Avenue, between a point 88 metres west of Spadina Road and the west end of Montclair Avenue, from April 1, 2024 to June 30, 2026.
2. Toronto and East York Community Council authorize the closure of 1.6 metre wide portion of the westbound curb lane on Bantry Avenue, between a point 88 metres west of Spadina Road and the west end of Montclair Avenue, from April 1, 2024 to June 30, 2026.

3. Toronto and East York Community Council rescind the existing parking prohibition in effect 7:00 a.m. to 10:00 a.m., Monday to Friday on the north side Montclair Avenue between a point 17 metres east of the west end of Montclair Avenue and a point 16 metres further east.

4. Toronto and East York Community Council rescind the existing maximum one-hour parking regulation in effect 10:00 a.m. to 6:00 p.m., on the north side of Montclair Avenue, between a point 17 metres east of the west end of Montclair Avenue and a point 16 metres further east.

5. Toronto and East York Community Council prohibit stopping at all times on the north side of Montclair Avenue between a point 17 metres east of the west end of Montclair Avenue and a point 16 metres further east

6. Toronto and East York Community 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.

7. Toronto and East York Community 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 it is compliant with the Accessibility for Ontarians with Disabilities Act (AODA).

8. Toronto and East York Community 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.

9. 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.

10. Toronto and East York Community 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.

11. Toronto and East York Community 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.

12. 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 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.

13. Toronto and East York Community Council direct the applicant to install cane detection within the covered and protected walkway to guide pedestrians who are visually impaired.

14. Toronto and East York Community 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.

15. Toronto and East York Community 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.

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

17. City Council directs 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 to remove any staging to accommodate the necessary municipal infrastructure work at no cost to the City.

18. Toronto and East York Community Council direct that Montclair Avenue and Bantry Avenue 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. Greenwin 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 Montclair Avenue and Bantry Avenue these fees will be approximately \$1,096,600.00.

DECISION HISTORY

City Council, at its meeting on April 12, 2023, adopted with amendments, Item 2023.TE4.25 entitled, 63-91 Montclair Avenue - Residential Demolition Applications. <https://secure.toronto.ca/council/agenda-item.do?item=2023.TE4.25>

City Council, at its meeting on February 2 and 3, 2022, adopted, Item 2022.CC39.12 entitled, 63-91 Montclair Avenue - Zoning By-law Amendment - Request for Direction Regarding Ontario Land Tribunal Hearing.

<https://secure.toronto.ca/council/agenda-item.do?item=2022.CC39.12>

City Council, at its meeting on May 5 and 6, 2021, adopted, Item 2021.TE24.18 entitled, 63-91 Montclair Avenue - Zoning By-law Amendment and Rental Housing Demolition Applications - Request for Direction Report.

<https://secure.toronto.ca/council/agenda-item.do?item=2021.TE24.18>

Ontario Land Tribunal, pursuant to its Order issued August 12, 2022 in relation to Case Number OLT-22-002222 (PL210016), application to amend Zoning By-laws 569-2013 and 438-86, for the lands municipality known as 63-91 Montclair Avenue.

COMMENTS

The Development and Timeline

Montclair Development LP is constructing an 18 and 19 story residential condominium building with a total of 419 units, and a two-level underground parking garage for approximately 159 cars at 63-91 Montclair Avenue. Permanent access will be from Montclair Avenue and Bantry Avenue. The site is bounded by a Montclair Avenue to the north, 55 Montclair Avenue to the east, Bantry Avenue to the south, and Lower Village Gate to the west.

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. Based on the information provided by the developer, the excavation depth from the street level is approximately 12 metres below grade and extends to the lot lines on the north and east side of the property. 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, including delivery and storage of construction materials, cannot be accommodated within the site.

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

- Demolition: from July 2023 to September 2023;
- Excavation and shoring: from September 2023 to February 2024;
- Below grade formwork: from February 2024 to October 2025;
- Above grade formwork: from February 2025 to December 2025;
- Building envelope phase: from April 2025 to January 2026, and;
- Interior finishes stage: from May 2025 to October 2026.

Existing Conditions

Montclair Avenue is characterized by the following conditions:

- It is a two-lane, east-west, local road roadway
- It operates two-way traffic on a pavement width of approximately 7.5 metres
- The daily two-way eight-hour peak traffic volume is approximately 350 vehicles
- The speed limit is 30 km/h
- There is no TTC service provided on this street
- There are sidewalks located on both sides of the street

The parking regulations on Montclair Avenue, within the subject section are as follows:

North side

- Maximum one-hour parking 10:00 a.m. to 6:00 p.m. daily, between a point 43.5 metres west of Spadina Road and the west end of Montclair Avenue
- No parking anytime 7:00 a.m. to 10:00 a.m. Monday to Friday between, a point 14 metres west of Spadina Road and the west end of Montclair Avenue

South side

- No parking anytime

Bantry Avenue is characterized by the following conditions:

- It is a two-lane, east-west, local roadway
- It operates two-way traffic on a pavement width of approximately 4.7 metres
- The daily two-way traffic volume is approximately 100 vehicles
- The speed limit is 50 km/h
- There is no TTC service provided on this street
- There are no sidewalks on either side of the street

The parking regulations on Bantry Avenue, within the subject section are as follows:

North side

- No parking anytime

South side

- No parking anytime

Proposed Construction Staging Area

Subject to approval, the south sidewalk on Montclair Avenue, between a point 88 metres west of Spadina Avenue and the west end of Montclair Avenue will be closed to accommodate construction staging operations for the development. Pedestrian movements on the south side of Montclair Avenue abutting the site will be restricted and pedestrians will be directed to the north side sidewalk of Montclair Avenue. The pedestrian ramp from Lower Village Gate to Montclair Avenue at the west end of Montclair Avenue will be equipped with overhead protection to ensure safety of the pedestrians. To enhance traffic flow and facilitate safe and efficient inbound and outbound turn manoeuvres around the construction staging area, stopping will be prohibited at all times on the north side of Montclair Avenue, between a point 17 metres east of Montclair Avenue west end and a point 16 metres further east.

Additionally, subject to approval a 1.6 metre wide portion of the westbound curb lane on Bantry Avenue, between a point 88 metres west of Spadina Road and the west end of

Montclair Avenue will be closed to accommodate construction staging operations for the development. To maintain traffic flow around the construction staging area, the exiting parking prohibition on both sides of Bantry Avenue will be maintained. Since Bantry Avenue is a dead end street at its western limits with no pedestrian generators in the vicinity of the work zone, therefore accommodations for pedestrians will not be provided.

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 Bantry Avenue, Transportation Services have laneway reconstruction, and green streets work planned in 2025. The developer was informed that the staging areas may need to be temporarily removed or modified to accommodate the above noted 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 Montclair Development LP, 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 closure period, staff will review the need for an extension and if any changes to the approval conditions are required.

If the proposed staging area is not approved, the developer's only option will be to apply for day-use permits of Montclair Avenue and on Bantry Avenue for periods of less than 30 consecutive days over the 27-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 in this report.

CONTACT

Stuart McGhie, Acting Manager, Work Zone Coordination and Traffic Mitigation,
Transportation Services, (416) 395-7468, Stuart.McGhie@toronto.ca.

SIGNATURE

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

ATTACHMENTS

Attachment 1: Proposed Construction Staging Area - 63-91 Montclair Avenue

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