

May 27, 2024

Matter No. 319760

BY EMAIL: iec@toronto.ca

Attention: Matthew Green

Chair Jennifer McKelvie
Infrastructure and Environment Committee
Toronto City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Dear Chair McKelvie and Committee Members:

**Re: Construction Staging Area at 89 Avenue Road, Toronto
Cycling Network Plan: 2024 Cycling Infrastructure & Missing Sidewalk Installation
Report
Item 2024.IE14.4 – Infrastructure and Environment Committee (May 28 2024)**

We are counsel to Hazelton on the Avenue Inc. (“**Hazelton**”), the owner of the lands municipally known as 89 Avenue Road (the “**Subject Property**”) in the City of Toronto (the “**City**”). The Subject Property is located on the east side of Avenue Road between Yorkville Avenue and Webster Avenue.

The Subject Property was approved for a Zoning By-law Amendment by way of Ontario Municipal Board Decision (PL130285) in July 2016, to amend former City of Toronto Zoning By-law 438-86 and permit the redevelopment of the Subject Property with a 20-storey residential condominium building (the “**Proposed Development**”). The Proposed Development will provide new housing in the form of 28 new residential units in an area anticipated for growth by the City of Toronto Official Plan and applicable provincial policy, and in close proximity to higher order transit.

The construction of the Proposed Development is well underway, with the fourth storey of the proposed building recently being completed. To facilitate the construction, in June 2022 City Council approved a construction staging area adjacent to the Subject Property on Avenue Road (2022.TE34.113) (the “**Construction Staging Area**”). The associated Lane Occupancy Permit for Avenue Road was approved by the City and will continue to be required until the completion of construction. The expected occupancy of the completed Proposed Development is anticipated for January 2026.

We are writing with respect to Item 2024.IE14.4 on the agenda of the Infrastructure and Environment Committee for May 28, 2024. Hazelton is supportive of active transportation in the area and more specifically, the proposed cycling network infrastructure upgrades proposed by staff in its report titled, “Cycling Network Plan: 2024 Cycling Infrastructure & Missing Sidewalk Installation - Third Quarter Update” (dated May 13, 2024) (the “**Staff Report**”). Hazelton

recognizes that as part of the cycling infrastructure plan proposed to this Committee, staff have recommended the continued accommodation of active construction sites along this stretch of Avenue Road, including specifically the construction works and Lane Occupancy Permit for the Proposed Development on the Subject Property. More specifically, we note that in its presentation to the Ward 11 Community Meeting on May 9, 2024 with respect to the ActiveTO Yonge Street and Avenue Road Study, City staff specifically identified the Subject Property and its associated Construction Staging Area as an active construction zone and proposed an interim plan to maintain two midblock motor vehicle lanes in each direction and continuous bikeways within this zone. This intention to accommodate existing construction activity on the Subject Site and within the Construction Staging Area for the Subject Site is also identified in the Staff Report, which states as follows:

"Work Zone Impacts

Avenue Road, between Bloor Street West and Davenport Road, is experiencing growth; there are two active construction sites (89 Avenue Road and 33-49 Avenue Road/136-148 Yorkville Avenue) and several approved or active development applications that could potentially begin construction in the next few years. Some of these development sites could require temporarily occupations of the curb-lane space to accommodate construction staging.

On Avenue Road, vehicle lane capacity has been decreased in the northbound direction (from three to two) to accommodate construction staging areas. The proposed complete street design accounts for the number of existing and upcoming construction sites and maintains two midblock motor vehicle lanes in each direction, and continuous bikeways." (Staff Report, p.14)

We are writing to reiterate the need for the accommodation acknowledged by staff for existing construction sites along Avenue Road, including on the Subject Property, and the importance that these accommodations and the proposed interim condition continue throughout the duration of construction at the Subject Site, in order to ensure that the completion of the much-needed new housing units can be delivered without delay or restriction.

We appreciate these comments being received and considered. Should you have any questions or require additional information, please do not hesitate to contact the undersigned or transportation engineering consultant for Hazelton, Warren Chow at chow@bagroup.com.

Yours truly,

AIRD & BERLIS LLP



Alexander J. Suriano
AJS/NH

cc: Client