

Construction Staging Area Time Extension - 10 Prince Arthur Avenue

Date: June 21, 2024

To: Toronto and East York Community Council

From: Director, Traffic Management, Transportation Services

Wards: Ward 11, University-Rosedale

SUMMARY

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

Accel Construction Management Inc. is constructing a 7-storey residential condominium building at 10 Prince Arthur Avenue. Currently, the north side sidewalk and a 3.6 metre wide portion of the eastbound lane on Prince Arthur Avenue, between a point 60.6 metres west of Avenue Road and a point 36.5 metres further west is closed to accommodate a construction staging area.

Toronto and East York Community Council, at its meeting on June 22, 2023, approved the subject construction staging area on Prince Arthur Avenue from June 23, 2023 to June 30, 2024. The developer has requested an extension of the duration of the construction staging area on Prince Arthur Avenue, as the site has experienced a number of delays due to inclement weather, unforeseen issues with the heritage component, and delays in civil services.

Transportation Services is requesting authorization to extend the duration of the construction staging area on Prince Arthur Avenue for an additional 5 months, from July 31, 2024 to December 31, 2024 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 side sidewalk and a 3.6 metre wide portion of the eastbound lane's north side on Prince Arthur Avenue, between a point 60.6 metres west of Avenue Road and a point 36.5 metres further west and provision of a temporary pedestrian walkway within the closed portion of Prince Arthur Avenue, from July 31, 2024 to December 31, 2024 inclusive.
2. Toronto and East York Community Council continue to rescind the existing permit parking in effect from 12:01 a.m. to 7:00 a.m. daily, on the odd side of Prince Arthur Avenue, between a point 60.6 metres west of Avenue Road and a point 36.5 metres further west.
3. Toronto and East York Community Council continue to rescind the existing parking machine regulation on the south side of Prince Arthur Avenue, between a point 60.6 metres west of Avenue Road and a point 36.5 metres further west, from 8:00 a.m. to 9:00 p.m., Monday to Saturday and from 1:00 p.m. to 9:00 p.m. Sunday, for a maximum period of three hours and at a rate of \$3.00 per hour.
4. Toronto and East York Community Council continue to prohibit stopping at all times on both sides of Prince Arthur Avenue, between a point 60.6 metres west of Avenue Road and a point 36.5 metres further west.
5. Toronto and East York Community Council direct the applicant to continue posting 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.
6. Toronto and East York Community Council direct the applicant to continue providing and installing 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
7. Toronto and East York Community Council direct that Prince Arthur Avenue be returned to its pre-construction traffic regulations when the project is completed.

FINANCIAL IMPACT

There is no financial impact to the City. Accel Construction Management Inc. 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 Prince Arthur Avenue these fees will be approximately \$110,000.00, including lost revenue from the parking machines.

DECISION HISTORY

At its meeting of June 22, 2023, Toronto and East York Community Council adopted item 2023.TE6.50, entitled "10 Prince Arthur Avenue - Construction Staging Area" and in so doing, authorized a construction staging area on 10 Prince Arthur Avenue from June 23, 2023 to June 30, 2024.

<https://secure.toronto.ca/council/agenda-item.do?item=2023.TE6.50>

Ontario Land Tribunal, pursuant to its Order issued August 4, 2022 in relation to Case Number OLT-22-004132, authorized an amendment to Zoning By-law 438-86, for the lands municipally known as 10 Prince Arthur Avenue.

COMMENTS

Status of the Development

A 7-storey, mixed-use condominium building is being constructed by Accel Construction Management Inc. at 10 Prince Arthur Avenue. The development in its completed form will consist of 26 residential dwelling units, two commercial units, and two-level underground parking garage. The site is bounded by 2-storey residential buildings to the north, a 2-storey mixed use building to the east, Prince Arthur Avenue to the south, and a 22-storey residential building to the west. Permanent parking access will be from Prince Arthur Avenue.

Based on the information provided by the developer, the project has experienced a number of construction delays, which are listed below:

- Several unforeseen issues with the heritage component of the project, resulting in changes to the original sequence of construction.
- Delays with utility construction activities
- Delays due to inclement weather
- Structural and layout design changes resulting in further delays with construction

Consequently, the delays have impacted the original construction schedule. At the time of this report, the developer is currently working on the building envelope phase. The major construction activities and associated timelines for the development are as follows:

- Above grade Formwork: from September 2023 to June 2024;
- Building Envelope Phase: from June 2024 to December 2024, and;
- Interior Finishes Stage: from July 2024 to August 2025.

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. Therefore, continued occupancy of the construction staging area until December 31, 2024 is essential to complete the development.

Construction Staging Area

The construction staging area will continue to take place within the north sidewalk and a 3.6 metre wide portion of the north side eastbound lane on Prince Arthur Avenue, between a point 60.6 metres west of Avenue Road and a point 36.5 metres further west. The enclosure is utilized to accommodate construction material storage, materials hoist, workers, and worker facilities. Pedestrian operations will continue to be maintained in a minimum 1.8 metre wide covered and protected walkway in the closed portion of the eastbound lane on Prince Arthur Avenue. The traffic lane has been reduced from approximately 7.3 metres to 3.7 metres wide to maintain one-way eastbound traffic operations.

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 drawing of the existing construction staging area is included in Attachment 1.

A review of the City's Five-Year Major Capital Works Program indicates that Toronto Water has sewer rehabilitation works planned on Prince Arthur Avenue in 2027.

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.

If the proposed staging area is not approved, the developer's only option will be to apply for day-use permits of Prince Arthur Avenue for periods of less than 30 consecutive days over the 5-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 staff report.

CONTACT

Nathan Sham, Manager, Work Zone Coordination and Mitigation, Transportation Services, 416-338-5397, nathan.sham@toronto.ca.

SIGNATURE

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

ATTACHMENTS

Attachment 1: Existing Construction Staging Area - 10 Prince Arthur Avenue

Attachment 1: Existing Construction Staging Area - 10 Prince Arthur Avenue

