



City of
Peterborough

To: **Members of the General Committee**

From: **Cynthia Fletcher**
Commissioner of Infrastructure and Planning Services

Meeting Date: **March 22, 2021**

Subject: **Report IPSPL21-013**
Crane Swing and Shoring Agreement, 195 Hunter Street East

Purpose

A report to recommend the execution of Crane Swing and Shoring Agreement with TVM Hunter Street East Inc., being the developer of the property municipally known as 195 Hunter Street East.

Recommendation

That Council approve the recommendation outlined in Report IPSPL21-013, dated March 22, 2021, of the Commissioner of Infrastructure and Planning Services, as follows:

That the Mayor and Clerk be authorized to sign the Crane Swing and Shoring Agreement, between the City of Peterborough and TVM Hunter Street East Inc., on terms acceptable to the Commissioner and in a form acceptable to the City Solicitor.

Budget and Financial Implications

There are no budget or financial implications arising from the approval of the recommendation.

Background

The subject property is located at the south-west corner of Armour Road and Hunter Street East and was formerly part of the St. Joseph's Hospital campus. Council approved a Site Plan Application in September, 2020, for the construction of a 91 unit, nine-storey apartment building on the property conditional on a Parkland Levy deposit in the amount of \$46,410.00 and the deposit of Site Work Performance Security in the amount of \$150,000.00. The Parkland Levy and the Performance Security have been deposited.

As the development of the property involves the construction of a nine-storey building, a major crane must be installed, as well as the installation of shoring for the building's excavation in a relatively tight space.

Need for an Agreement

An Agreement between the developer, TVM 195 Hunter Street East Inc., and the City is required to:

- 1) address the crane's swing over City lands and privately owned land; and
- 2) give the right for the developer to construct shoring for the building excavation, which will involve the installation of tiebacks deep underground within the abutting road allowances.

The shoring is much like a retaining wall, requiring tiebacks installed behind the wall to stabilize it. This method is commonly used in tall building construction. When the shoring is no longer needed, the wall is removed but the tiebacks remain. The removal of the tiebacks is not possible, as it would de-stabilize the ground above them.

The Agreement relative to the shoring work is necessary to ensure the developer is legally responsible in the event there is damage caused to underground services and any other infrastructure in the City road allowance. The developer is also required to engage an Engineer to conduct a pre-construction survey to establish the existence and condition of City infrastructure.

With regard to the building's crane swing, the developer has agreed not to have it carry loads in the air space of property owned by any person who is not a party to the Crane Swing and Shoring Agreement with the City. The developer has been advised to enter into separate agreements with additional insureds to secure the right to use air space over their land.

The Agreement includes full indemnity for the City and requires the establishment of commercial liability insurance coverage with a minimum limit of \$5,000,000.00 per occurrence naming the City and abutting private property owners as additionally insured.

Staff Review

The proposed Shoring Plans were reviewed by City Development Engineering Staff. The Crane Swing and Shoring Agreement includes the conditions of approval to the satisfaction of Development Engineering Staff.

If General Committee supports the agreement, the recommendation on page 1 will be presented at the March 22, 2021 Council meeting for final approval.

Summary

The Crane Swing and Shoring Agreement related to the development of the property at 195 Hunter Street East addresses the protection of City infrastructure in the abutting road allowances and addresses the issues associated with crane swing over abutting public and private property.

Submitted by,

Cynthia Fletcher
Commissioner of Infrastructure and Planning Services

Contact Names:

Ken Hetherington, RPP, MCIP
Manager, Planning Division
Phone: 705-742-7777, Ext. 1781
Toll Free: 1-855-738-3755
Fax: 705-742-5218
E-mail: khetherington@peterborough.ca

Brian Buchardt, BLA
Planner, Urban Design
Phone: 705-742-7777, Ext. 1734
Toll Free: 1-855-738-3755
Fax: 705-742-5218
E-mail: bbuchardt@peterborough.ca

Attachments:

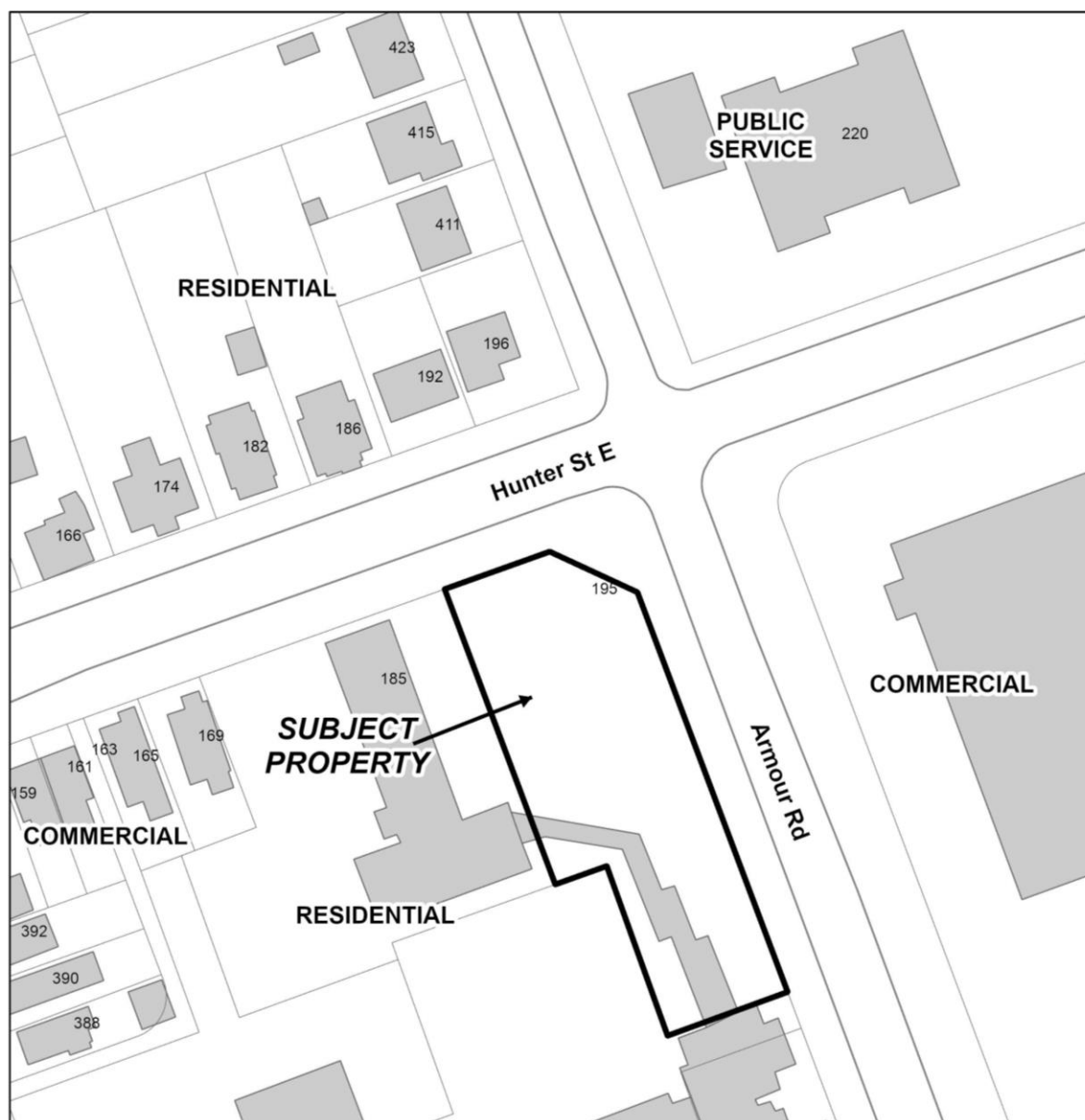
Exhibit A – Land Use Map

Exhibit A

Land Use Map

File: Z1217

Property Location: 195 Hunter Street East

**The City of Peterborough Planning Division**

DISCLAIMER OF ALL LIABILITIES - The Corporation of the City of Peterborough, its employees, consultants and agents, make no representation or warranty concerning the accuracy, validity or fitness for use of the contents of this digital or hard copy mapfile, and disclaims all liability for any claims for damages or loss arising from their use or interpretation by any party. A mapfile does not replace a survey nor is it to be used to provide a legal description.



Date: June 30, 2020

Map by: PZhao

0 3.75 7.5 15 22.5 30 37.5 Metres