

# Stairs for winter

E-mail from Jutta Mason to Parks manager Sandy Straw, **May 2, 2006**



*Access to rink entryway*

This section of dirt is a main “cowpath” for people coming up from the sidewalk to the rink entrance in winter. We tried growing flowers there every year but the ground is too compacted from people walking on it. The parks workers laid that strange steep path of interlock paving stones at the left (about 7 years ago) but it’s treacherously slippery in the winter and people avoid it. As you see, it’s also missing some pavers.

What’s needed there is some stairs. Could you find out if this can be done this summer?

**Meeting date: May 26, 2006**

Parks manager Sandy Straw came to look at the stair location and agreed to put them on the park to-do list for this year.

**Sept. 23, 2006: temporary stairs for winter**

Parks manager Sandy Straw said there’s no time or money to build the stairs in time for winter. They will be built next year, she says. **But it’s been nine years since rink users first asked for stairs there (the city built the slanted interlock path instead). So a two-stair riser was bought with community money (steel and two-inch wood) from Home Depot, and installed. This will make the winter passage safer.** Next year, or in a few more years, the City can instal stairs using their own carpenters. Hopefully they’ll be this useful.



*Temporary stairs to rink*



*Fence blocking winter stairs, Dec.13*

**Dec.13, 2006, around 1 pm, stairs fenced off by someone, no consultation**

At about one p.m., rink users noticed that they no longer had access to the winter stairs, but had to go up the slippery incline again. **No one had seen the person who fenced off the stairs, nor had on-site rink staff been notified.**

**From Jutta Mason to Parks manager Sandy Straw, Dec.13, 2006**

**Please let us know who did this and why. We need to talk!**

**NO REPLY**

**Dec.13 2006**

**SAFETY FIRST: blockage removed**

The city-built interlock incline is a dangerous access where many people have slipped and fallen when it ices up in the winter. It was already iced twice this year. Blocking the safer stair access is dangerous for rink users, so the fence was removed. That left the four steel posts which are also dangerous because someone could fall on them and be impaled, so they were also removed and safely stored in the breezeway.



*Fence gone but sharp steel poles remaining*



**The stairway has now been restored for rink users to access the rink entryway from the sidewalk without having to put themselves at risk of falling on a slippery grade.**

*Stairs usable again Dec.13 2 p.m.*

From Jutta Mason to Councillor Adam Giambrone, **Dec. 22, 2006**

Dear Councillor Giambrone,

**For the second time this month, the community-built stairs to provide safe access to the Dufferin Rinkhouse entryway have been destroyed by the City.** No one has said they did this. But the evidence is there: the pre-fab Home Depot two-stair riser that we bought is gone and a danger fence is erected around the section, forcing rink users once again to go up the steeply inclined path put there by the City years ago. It has no railings and it is slippery even in rain. When there is ice or snow, people often fall there.

Please find out for us who did this and why. We would like our stair riser back, or the money we paid for it: \$73.39.

And please ensure that proper stairs are put in immediately. Last May Parks manager Sandy Straw was made aware of the need for stairs, and she agreed to get them built. But in late summer she said there were no funds to do the stairs this year. We put in temporary stairs and notified the maintenance supervisor.

**If the City wants to destroy the stairs we bought from Home Depot because they're not "up to code," please ask them to do the work themselves, NOW, to protect the rink users from injury.**



*Second destruction by the City*

**Parks manager Sandy Straw to Jutta Mason, Dec. 22, 2006**

We seem to have a communication problem here!!!!

1. We had an agreement that the ice rink repairs were priority for this year
2. Why on earth would you install any items on park property without consultation and approval;?
3. I arranged for appropriate City staff to inspect the stairs you installed and they are deemed unsafe, a trip hazard, and do not comply with code. Code and legal liability issues lie with City staff to ensure the park is safe and MUST be adhered to.

I understand you removed the safety fencing the first time staff erected it. Please understand this is not a legal action to undertake.

I was of the understanding you and I were trying to work together to ensure the park received amenities but that we would do things that did not jeopardize public safety or any legal liabilities that surround such actions.

When I return in the New Year we can plan for the 2007 park amenities as we originally agreed.

In the interim I expect you to respect the fact that the current version of the stairs constitutes a safety hazard and liability issue for the City and must not be reinstalled.

**From Jutta Mason to Kevin Beaulieu, assistant to City Councillor Adam Giambrone, Dec.27, 2006**

Here's my request for rink stairs follow-up. We need to talk to the building code inspector a.s.a.p.

**From Kevin Beaulieu, assistant to Councillor Adam Giambrone, to Jutta Mason, Dec.28, 2006**

**I spoke with Vince Conforzi of Buildings and Sandy, and it looks like the decision to remove the stairs had nothing to do with the Ontario Building Code, so a visit with a Buildings inspector won't be necessary.**

It's Parks staff we need to work with, because the concerns were that the stairs didn't satisfy Parks construction codes (I don't really know anything about those at this point.)

**From Jutta Mason to Kevin Beaulieu and Chris Gallop, Dec. 29, 2006**

I kept the petition here to give to you on Friday, but maybe we'll just post the whole thing, signatures and all, on the danger fence.

Here's the quote from Sandy after she got the stairs pulled out:

"I arranged for appropriate City staff to inspect the stairs you installed and they are deemed unsafe, a trip hazard, and do not comply with code."

So I would appreciate it if you could find out from Sandy who that City staff person was

and ask them to attend, **so that we may all learn which code was being**

**infringed** (I've cc'd her here, as you see). Being treated like this was a miserable experience for rink friends, but at least we can learn something.



*No progress January 30*

**From Parks manager Sandy Straw to Jutta Mason, Jan. 5, 2007**

The steps are illegal and reinstallation would be a violation of our agreement and the safety codes we identified.

Any Parks Forestry and Recreation staff that involve themselves in the reinstallation for any purpose will face possible disciplinary issues. Anyone testing the steps and receiving an injury put us back to where we started.....creating an unsafe public space. Removal of the safety fence to reinstall the steps is a serious violation that I would be forced to address.

**From Jutta Mason to Chris Gallop, assistant to Councillor Adam Giambone, Jan. 31, 2007**

Chris, here's the next update you requested -- the state of the Dufferin rink access stairs. **No progress. Some people cling to the wall when they go up or down the City's interlock slope and others prefer to clamber up the snow-covered dirt, hanging on to the plastic fencing. Either way it's an adrenalin rush, for people trying not to slip and fall.** All those petition signatures are still stuck onto the fence, slowly weathering. Lots of unhappy comments exchanged by rink users chatting in the rink house too. Still **no copy of the code** that made the City tear out those tidy little temporary stairs that were so useful while they lasted, and would have helped so much as soon as the snow arrived.

**From rink staff Dan Watson to Recreation supervisor Tino DeCastro, Feb. 6, 2007**

The rec staff and I have come up with what we hope will be a solution to the stairs problem. Instead of ripping up the concrete slope in front of the rink house, we propose that Parks could install a gate in the fence on the North side (right next to the entrance onto the shinny pad).

This would solve the problem of the slippery slope by providing an easier access point for Park Users, the problem of overcrowding at busy events like the market, and it would help rec staff with snow and ice removal (in the spring when the ice is melting, that area is particularly difficult for drainage). Not to mention it would be less expensive and much easier to build.

I have measured the dimensions. Basically, we would need a mirror image of the smaller pedestrian gate on the south side (8ft tall, 4ft wide). There is a small concrete curb at the fence line that would have to be cut into. On the other side of the fence, it would only be about 10ft of asphalt to connect the gate to the pathway.

I hope that you will pass this option on to Sandy Straw or any other relevant Parks Management staff.

**From Recreation supervisor Tino DeCastro to rink staff Dan Watson, Feb. 7, 2007**

I will pass on your possible solution to Parks. Thanks for the input.

**From Parks supervisor Peter Leiss to park staff Dan Watson and Mayssan Shuja, and to Jutta Mason, Feb. 7, 2007**

I will be at the Park this afternoon and look at this solution. On the face of it sounds promising.

**March 1, 2007**

**BRIEFING NOTE from a City Hall closed-door meeting.**

**Circulated to: Councillor Giambrone, General Manager Brenda Librecz, Parks Director Paul Ronan, Capital Projects Director Anne Marra, Technical Services manager Gord Andrews, Assistant to the General Manager Intiaz Ruffudeen; from Doug Muir, Supervisor, Parks Construction, and Sandy Straw, Manager Parks**

Issue: Unauthorized and unsafe installation of a set of Home Depot stairs within Dufferin Grove park, initiated by Friends of Dufferin Grove.

Background: The following park maintenance projects were reviewed, prioritized and agreed to by Friends of Dufferin Grove, Parks Manager and PDIM staff for the 2006 season: a) paving and reconstruction of the pathways around the rink with an additional piece to ensure a wide turn around for the Zamboni; b) reconfiguration of the north street side slope to include a stair access; **c) set of stairs to be cut into the south west berm closest to the building to ease access to the program area from that section of the park.**

Item a) was completed prior to the opening of the rink season as agreed

Item b) was delayed due to backlog of work in PDIM and was rescheduled for earliest convenience, weather permitting

**Item c) was agreed by all to be moved to the 2007 schedule in time for summer operation**

Key Points:

- A set of Home Depot steps was unsafely and without authority, installed on City property
- The risk to the public and code violations necessitated the removal of the stairs
- Staff will be reviewing the design ideas with Friends of Dufferin Grove

**- Weather permitting, construction will commence as soon as possible**

- The relevant code violations include Ontario Building Codes: 3.4.6.4. (1); 3.4.6.7. (3); and 9.8.9.3. (d). the treads on the stairs had a 1:12 slope which does not conform to " Good Trade Practice" and the landing was of various unevenly laid brick pieces.

- While PDIM and Parks staff appreciate ideas for the design, all final designs and construction must meet relevant codes and standards.

**March 10, 2007 from Jutta Mason to Councillor Adam Giambrone's assistant Chris Gallop**

Before we can analyze the briefing documents, I need the information I have been asking for, for all these months, in the case of the stairs:

1. the code which the Parks manager says was violated re: the rink access steps

You may agree that these documents are critical information because of this statement from the Parks briefing note:

***“legislative and other similar requirements of city employees are information for the public and not topics that may be revised at individual community meetings to reflect the varied interests or perspectives found within neighbourhoods.”***

Would you be able to try again, to get these legislative requirements? Negotiations can't really proceed when we are operating without having the text of the rules.

**March 13, 2007 from Technical Services Manager Gord Andrews to Councillor Adam Giambrone's assistant Chris Gallop**

The Carpenter Foremen working in the South District had identified the following Building Code violations:

Code #3.4.6.4.(1) **Handrails**, An exit ramp or stairway shall have a handrail on at least one side, and if 1- 100mm ( 3 feet 7 ins.) or more in width shall have handrails on both sides.

Code#3.4.6.7.(3) Treads and risers in every exit stair, except a fire escape stair, shall have uniform run and riser in any one flight, and shall not alter significantly in run and rise in successive flights in any stair system.

Code # 9.8.9.3.(d) except as permitted in sentence(2), be spaced not more than 900mm (2ft. 11 ins.) o.c. for stairs serving not more than one dwelling unit, and 600mm ( 23 5/8 in.) o.c. in other stairs.

Since the stairs did not meet code, the City would have been liable for any accident that may have occurred by persons using the stairs.

# Winter Rink Stairs

**From Jutta Mason to Parks supervisor Peter Leiss, July 9, 2007**

Peter, it was great to see that Dexter is beginning the entryway to the rink (gate in fence) -- however I am a bit alarmed -- it looks as though the cement access to the enclosure will be an incline -- this is exactly what's not wanted (and not in the building code, except with railings on both sides) -- please ask them to make a step and a level walkway in between.

**From Parks supervisor Peter Leiss to Jutta Mason, July 10, 2007**

Thanks for your email. I have checked with tech services and this project will within all applicable building codes.

We are following the existing grade and butting up against and level with the floor of the A.I.R. so as to eliminate the need for steps, and a need to retain soil etc. **There is no requirement for a hand rail due to the gentle slope. From our perspective this is the proper way to allow easy access to the A.I.R.**

**From Jutta Mason to Parks supervisor Peter Leiss, July 10, 2007**

Please stop the work until discussion can happen. There is no "gentle slope" possible here because the issue was rink users slipping on ice. I have called the Councillor's office and hope we can get this straight (i.e. LEVEL). **One stair is all that's needed and it's 100% safer than a "gentle slope."**



*Gravel base with two simple steps*

**From Jutta Mason to Parks supervisor Peter Leiss, July 10, 2007, 2 hours later**

Peter, I have as of yet had no response to the email below. As you know, **I asked your crew to stop the work until there can be a meeting (the site meeting we have never had yet) to make a plan that involves level access to the new rink gate -- as requested for so many years.**

After all we went through with the rink access issues last winter, I can hardly believe that the City would go ahead and put in another inclined concrete access (10 inches lower at the bottom than the top) -- I believe that was the measure made this morning).

Does this need a petition? How many names does it need, how many explanations to park users, to let them know that "level" was not in the City's plans?

I think it would make more sense to just have a site meeting with Dough Muir on Friday morning and make a plan for the two stairs needed. I'm guessing it will take 10 minutes.

**From Parks supervisor Peter Leiss to Jutta Mason, July 10, 2007**

Thanks for your email

Parks has been consulting on your original request to determine the best way to proceed. **As we understand it you told City Staff to stop working this morning. Directing staff is not an authority that you have.**

The Rink access issue was first raised with Parks earlier this year. Parks agreed to provide this access at that time. Parks is now working to provide the requested access. Part of our mandate is to provide accessible access wherever possible.

Parks has determined that the ramp does not require railings and provides suitable access at this point. This is also a more cost effective method in providing the requested access.

**From Chris Gallop, assistant to Councillor Adam Giambrone, to Jutta Mason, July 10, 2007**

Something in writing comparing the pros/cons of slope vs steps might help, as discussed this morning.

**From Capital Projects supervisor Doug Muir to Chris Gallop, assistant to Councillor Adam Giambrone, July 11, 2007**

After considerable consultation with staff, they reminded me of the large boulder in the ground that is situated approximately just passed the middle of the distance between the existing A.I.R. slab and the existing sidewalk, Note: the distance between the A.I.R. slab and the existing sidewalk is 9'-3". We attempted to remove the boulder but could not even though we used a backhoe. The top of the boulder is approx. level with the existing sidewalk. This precludes that we must have a min. of 5" of concrete above the boulder to prevent cracking. This is the reason for us deciding on ramping the path from the sidewalk to the top of the existing A.I.R. slab. We had considered the steps but we are barely meeting the required spacing over the boulder.

In light of all the opposition to a ramp, of which would have had an 11% grade, we have rethought our plan and will provide the steps in spite of not being able to provide the required slope to them so that we will have enough space above the boulder. Having said this, there will still be enough slope to eliminate any ponding of water so that there will be no slip hazard during winter months.

I hope this eliminates the need for consultations etc. and I am proceeding with the pour on Wed. July 11 as I cannot keep rescheduling this work and creating a backlog of other projects.

**Epilogue, Jan. 4, 2008:**

**The level access was completed in a very short time last July, and now in a very icy and snowy winter, the steps are easy to clean and are used all the time -- with no danger of slipping and falling on an incline.**



*Gate cut into fence: final step*