

## **Construction Staging Area – 1 Bloor Street West (Balmuto Street)**

**Date:** October 19, 2020  
**To:** Toronto and East York Community Council  
**From:** Acting Director, Traffic Management, Transportation Services  
**Wards:** Ward 11, University-Rosedale

### **SUMMARY**

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Since this report contains recommendations that do not comply with City policy or by-laws, City Council approval of this report is required.

Mizrahi Development Group (The One) Inc. (the "developer") is constructing a mixed-use development at 1 Bloor Street West (Mizrahi Project). The site is located on the southwest corner of Yonge Street and Bloor Street West. The development will consist of an eight-storey high retail podium and an 86-storey high residential tower.

Construction staging operations for the development are currently taking place within the road right-of-way on the south side of Bloor Street West and on the west side of Yonge Street. Phase 1 of construction involved excavation, piling and shoring operations and building to the ground level, which is now complete. The current construction staging areas on Bloor Street West and Yonge Street are unable to accommodate the requirements for the delivery of concrete to the site. Therefore, Transportation Services, in consultation with the area Councillor and the developer have reviewed numerous options for the supply of concrete to the site. After reviewing the benefits and impacts of each of the options, Transportation Services is proposing a construction staging area on the east side of Balmuto Street south of Bloor Street West.

Transportation Services is requesting authorization to temporarily close a portion of the northbound curb lane and east sidewalk on Balmuto Street from a point 29 metres south of Bloor Street West to a point 12 metres further south for 24 months (i.e. from November 30, 2020 to November 30, 2022), in order to facilitate the construction of the eight-storey high podium (Phase 2A) and 86 storey high residential tower (Phase 2B).

Transportation Services is also requesting the authority for the General Manager of Transportation Services to issue a Temporary Street Occupation permit for Balmuto Street to the developer, notwithstanding that not all the criteria within the City of Toronto Municipal Code Chapter 743, Streets and Sidewalks, Use of, for so doing would be met.

## **RECOMMENDATIONS**

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

1. City Council authorize the closure of a 5 metre wide portion of the northbound curb lane and east sidewalk on Balmuto Street, between a point 29 metres south of Bloor Street West and a point 12 metres further south, from November 30, 2020 to November 30, 2022.
2. City Council rescind the existing designated commercial loading zone on the west side of Balmuto Street, between a point 25.5 metres south of Bloor Street West and a point 11.5 metres further south.
3. City Council rescind the existing designated on-street accessible parking space on the west side of Balmuto Street, between a point 37 metres south of Bloor Street West and a point 20 metres further south.
4. City Council rescind the existing parking prohibition in effect from 6:30 p.m. of one day to 8:00 a.m. of the next following day, Monday to Friday, from 6:00 p.m. to 12:00 a.m. Saturday and at all times Sunday on the east side of Balmuto Street, between Bloor Street West and a point 57 metres south.
5. City Council rescind the existing stopping prohibition in effect from 3:30 p.m. to 6:30 p.m., Monday to Friday on the east side of Balmuto Street, between Bloor Street West and a point 57 metres south.
6. City Council rescind the existing standing prohibition in effect from, 8:00 a.m. to 3:30 p.m., Monday to Friday and from 8:00 a.m. to 6:00 p.m., Saturday on the east side of Balmuto Street, between Bloor Street West and a point 57 metres south of Bloor Street.
7. City Council prohibit stopping, at all times, on both sides of Balmuto Street, between Bloor Street West and a point 57 metres south.
8. City 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.
9. City 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.
10. City Council direct the applicant to continue sweeping the construction site daily and nightly, or more frequently as needed to be cleared of any construction debris and made safe.

11. City Council direct the applicant to continue pressure washing the construction site and adjacent sidewalks and roadways weekly, or more frequently as needed to be cleared of any construction debris and made safe.
12. City Council direct the applicant to continue ensuring that the existing sidewalks or the proposed pedestrian walkway have proper lighting to ensure safety and visibility at all times of the day and night.
13. City Council direct the applicant to continue consulting and communicating all construction, parking and road occupancy impacts with local business improvement areas and resident associations in advance of any physical road modifications.
14. City Council direct the applicant to provide a sufficient number of traffic control persons as determined by the Work Zone Traffic 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.
15. City Council direct the applicant to provide a sufficient number of pay-duty Police Officers as determined by the Work Zone Traffic 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.
16. City Council direct the applicant to continue installing appropriate signage and converging mirrors to ensure that pedestrians, cyclists and motorists safety is considered at all times.
17. City Council direct that Balmuto Street be returned to its pre-construction traffic and parking regulations and lane configurations when the project is completed.
18. City Council authorize the General Manager, Transportation Services, to issue a Temporary Street Occupation permit to Mizrahi Development Group (The One) Inc. for the period of November 30, 2020 to November 30, 2022 for a portion of Balmuto Street, from a point 29 metres south of Bloor Street West and a point 12 metres further south, without Mizrahi Development Group (The One) Inc. having to comply with certain requirements of the Toronto Municipal Code Chapter 743, Streets and Sidewalks, Use of, as more generally described in the report from the Acting Director, Traffic Management, Transportation Services (dated October 19, 2020) and, where the approval conflicts with Chapter 743, Streets and Sidewalks, Use of, the approval of the General Manager, Transportation Services shall prevail to the extent of the conflict.
19. City Council authorize the General Manager, Transportation Services, to negotiate, enter into and execute an indemnity agreement with Mizrahi Development Group (The One) Inc. to address the City's interests with respect to any and all temporary street occupations and closures on Balmuto Street on terms and conditions satisfactory to the General Manager, Transportation Services, and in a form satisfactory to the City Solicitor.

20. City Council direct that parts 1 to 18, inclusive, above, be subject to Mizrahi Development Group (The One) Inc. entering into the indemnity agreement in part 19 above.

## **FINANCIAL IMPACT**

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There is no financial impact on the City. Mizrahi Developments 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 term of the closure, these fees will be approximately \$244,000.00.

## **DECISION HISTORY**

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City Council, at its meeting on October 2, 3 and 4 2017 adopted, as amended, item TE26.69 entitled "Construction Staging Area (Phase 1) - Yonge Street and Bloor Street West (1 Bloor Street West) and, in so doing, authorized the closure of the sidewalk and a portion of the southbound lane on Yonge Street and the closure of the sidewalk and a portion of the eastbound lane on Bloor Street West, from October 9, 2017 to October 31, 2019. Subsequently, City Council, at its meeting on November 26, 2019 approved the extension of the construction staging areas on Bloor Street West and Yonge Street (TE10.27).

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.TE26.69>

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.TE10.27>

## **COMMENTS**

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### **Development**

A mixed-use development (The One) is currently being constructed by Mizrahi Developments Group (The One) Inc. at 1 Bloor Street West. The site is bounded by Bloor Street to the north, Yonge Street to the east and existing commercial uses to the south and west.

The development, in its completed form, will include an 86-storey high residential condominium building atop an eight-storey high retail podium. Retail uses will also be provided in a below grade concourse level. A four-level underground parking garage will be provided.

All permanent access to the development will be from a laneway located to the southwest of the site. The laneway services a number of neighbouring properties and can be accessed from Balmuto Street.

Based on the information provided by the developer at the time of this report, construction of the below-grade activities are complete. Phase 2 of construction will include a multi-storey podium and a residential tower.

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

Excavation and shoring: Completed;  
Below grade formwork: May 6, 2019 to July 10, 2020;  
Above grade formwork: July 2020 to October 2022;  
Building envelope phase: to be completed by November 2022; and  
Interior finishes stage: to be completed September 2023.

### **Construction Staging Areas**

Construction staging operations for the development are currently taking place within the road right-of-way on the west side of Yonge Street and south side of Bloor Street West abutting the site.

Since the existing construction staging areas are unable to safely accommodate the requirements for the delivery of concrete to the site, a review of potential staging areas was completed including Bloor Street West, Yonge Street and the laneway that accesses the site from Balmuto Street. The review indicated that the laneway was unfeasible to accommodate the delivery of concrete to the site as it would have resulted in nearby buildings that take access from the laneway to either totally lose or have significantly reduced access to their parking facilities during times in which the concrete was being delivered.

The only option that was deemed feasible was a location on Yonge Street, just south of Bloor Street West. However, in order to accommodate the construction staging area at that location both southbound lanes would be required resulting in Yonge Street being reduced to one lane for each direction between Bloor Street and Hayden Street, within the current two northbound lanes. Given that the historical 24-hour traffic volumes on Yonge Street near Bloor Street are in excess of 26,000 vehicles per day, the impacts and delays to traffic would be significant. In addition, a cycling infrastructure installation project is planned on Yonge Street, between Bloor Street to Wellesley Street, in the year 2022. The installation of the staging area on Yonge Street could impact the installation of the bike infrastructure in the area. Furthermore, due to the width of the encroachment into Yonge Street, the construction staging area could have an impact on Transportation Services street events that take place on Yonge Street in the area of Bloor Street.

Since this option of Yonge Street was not a desirable location for the remainder of the Mizrahi Project, other non-traditional options were reviewed. As part of the review process, the Area Councillor arranged numerous meetings in which Transportation Services staff, representatives from the developer and representatives from area properties were in attendance, to review and suggest alternatives.

One option that was found feasible was to provide a construction staging area on the east side of Balmuto Street south of Bloor Street West, from which the concrete could be supplied to the site, via an underground pipe within the public laneway. Given the significantly lower daily traffic and pedestrian volumes on Balmuto Street (approximately 4,800 vehicles daily), this option was viewed by Transportation Services staff as a preferred option to the Yonge Street location. In this instance, it was determined that impacts on Yonge Street and the intersection of Bloor Street and Yonge Street would be significant enough to justify the staging area on Balmuto Street.

Traditionally, Transportation Services prefers to have the construction staging areas abutting the development. In fact, the delegated authority given to the General Manager, Transportation Services to issue Temporary Street Occupation permits pursuant to City of Toronto Chapter 743, Streets and Sidewalks, Use of, provides that "a permit may be issued under this section when it is required on behalf of an owner of the lands abutting the street, or portion thereof that will be occupied temporarily by equipment or material that has been used, or that is intended to be used, for constructing, repairing, or demolishing a building or structure situated on the lands, or that will be otherwise temporarily occupied on connection with the applicants use of the lands". Irrespective of the above provision in Chapter 743, the General Manager may still issue a permit under Chapter 743 despite the temporary occupation any portion of the street beyond the limit of the applicants property frontage on the street, where the adjoining property owner consents in writing and waives all claims against the City for losses and damages that may arise or result in directly or indirectly from this occupation.

The proposed temporary street occupation on Balmuto Street does not abut the Mizrahi Development Group (The One) Inc. Rather the proposed temporary street occupation on Balmuto Street would abut the property at 19 Bloor Street West. Staff understand that the owners of 19 Bloor Street West will not consent to the proposed street occupation on Balmuto Street or waive claims.

Given the above, City Council approval is required for the temporary street occupation to occur on Balmuto Street and to authorize the General Manager, Transportation Services, to issue a Temporary Street Occupation permit.

In order to accommodate the staging area on Balmuto Street a 5 metres wide portion of the northbound curb lane and sidewalk will be closed between a point 29 metres south of Bloor Street West and a point 12 metres further south. Balmuto Street has the ability to provide a staging area that can accommodate two concrete trucks side-by-side, while still maintaining the sidewalks on both sides of the street for pedestrians and a 6 metre wide roadway for vehicular traffic. This allows for one truck to be off-loading while the other one prepares, providing a continuous supply of concrete. Once pouring of concrete for structural slabs work begins, it cannot be stopped for any reason until it is completed, including the commencement of a rush hour restriction in a permit. This is because concrete slabs must be poured in one continuous effort in order to maintain their structural integrity. Due to the nature of the work, it is challenging to time the pours within off peak traffic periods. If the staging area was allowed on Bloor Street West or Yonge Street, it could result in greater disruption to traffic in the area, particularly during peak periods.

Concrete for the development will be provided from the staging area to the site, via an underground pipe buried within the 1st laneway south of Bloor Street West and east of Balmuto Street. A pedestal will extend above the road surface within the staging area to facilitate the delivery of concrete. At the time of writing this report, the developer had been issued a monthly permit to facilitate the installation of the pedestal on Balmuto Street and the accompanying piping to supply concrete to the site.

Pedestrians will be accommodated on the east side of Balmuto Street within a 1.7 metres wide portion of the existing sidewalk separated from the staging area by temporary construction fencing. Two-way traffic operations will be maintained on Balmuto Street within the remaining 6 metres roadway. However, during times when construction activities are taking place, traffic will be restricted to one lane controlled by traffic control persons.

The following parking regulations are in effect within the subject section of Balmuto Street.

#### *West Side*

1. Designated "Commercial Loading Zone" between a point 25.5 metres south of Bloor Street West and a point 11.5 metres further south.
2. Designated "On-Street Accessible parking space" on the west side of Balmuto Street between a point 37 metres south of Bloor Street West and a point 20 metres further south.

#### *East Side*

1. "No Parking, 6:30 p.m. one day to 8:00 a.m. of the next following day, Monday to Friday, 6:00 p.m. to 12:00 a.m. Saturday, Anytime Sunday" between Bloor Street West and Charles Street West.
2. "No Stopping, 3:30 p.m. to 6:30 p.m., Monday to Friday" between Bloor Street West and Charles Street West.
3. "No Standing, 8:00 a.m. to 3:30 p.m., Monday to Friday and 8:00 a.m. to 6:00 p.m., Saturday" between Charles Street West and Bloor Street West.

To enhance traffic operations, it is recommended that stopping be prohibited on both sides of Balmuto Street, between Bloor Street West and a point 57 metres south.

Mizrahi Development Group (The One) Inc. has indicated that they are prepared to sign an agreement that would indemnify the City of Toronto from any legal action in regards to the staging area being installed on Balmuto Street. Should the proposed construction staging area be approved by Toronto City Council, a signed agreement indemnifying the City of Toronto would be required prior to the issuance of the permit for the construction staging area on Balmuto Street. Such an indemnity is meant to cover all closures in relation to the Mizrahi Project.

Finally, a review of the City's Five-Year Major Capital Works Program was undertaken to identify any conflicts between the proposed construction staging areas and planned capital works projects in the area. The review of the Program at the time of this report did not reveal any conflicts with the proposed staging area on Balmuto Street.

Transportation Services is satisfied that Mizrahi Development Group (The One) Inc. has looked at all options to alleviate congestion and minimize impacts to the neighbourhood at this location.

Councillor Mike Layton has been advised of the recommendations of this staff report.

## **CONTACT**

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## **SIGNATURE**

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

## **ATTACHMENTS**

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Drawing No. 421G-3797 dated October 2020

Construction Staging Area - 1 Bloor Street West - Balmuto Street

