

Construction Staging Area Time Extension – 55-61 Charles Street East

Date: January 10, 2023
To: Toronto and East York Community Council
From: Director, Traffic Management, Transportation Services
Wards: Ward 13, Toronto Centre

SUMMARY

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

MOD Developments (Charles) Limited Partnership is constructing a 48-storey residential building at 55-61 Charles Street East. The site is located on the south-west corner of Charles Street East and Macy DuBois Lane (east intersection).

The south sidewalk and a 2.7 metre-wide portion of the westbound south-side curb lane on Charles Street East, between Macy DuBois Lane (east intersection) and a point 45.8 metres west is currently closed for construction staging operations. Pedestrian operations on the south side of Charles Street East is maintained in a 1.7 metre-wide covered and protected walkway within the closed portion of the existing lane.

Toronto and East York Community Council, at its meeting on October 14, 2021, approved the subject construction staging area from October 1, 2021 to June 30, 2022. At the time, the developer indicated they would require the staging area for a total of 33 months, from October 1, 2021 to June 30, 2024.

As the previous permit was only approved for a nine-month period, the developer has requested an extension of the duration of the construction staging area on Charles Street East in order to complete the construction of the development.

Transportation Services is requesting authorization to extend the duration of the construction staging area on Charles Street East for an additional 18 months, from January 27, 2023 to June 30, 2024 in order to complete the construction of the development.

RECOMMENDATIONS

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

1. Toronto and East York Community Council authorize the continuation of the closure of the south sidewalk and a 2.7 metre-wide portion of the westbound south-side curb lane on Charles Street East, between Macy DuBois Lane (east intersection) and a point 45.8 metres west, from January 27, 2023 to June 30, 2024.
2. Toronto and East York Community Council direct the applicant to pressure wash or sweep (weather permitting) the construction site and adjacent sidewalks and roadways daily, or more frequently as needed to be cleared of any construction debris and made safe.
3. Toronto and East York Community Council direct the applicant to continue to ensure that the existing sidewalks or the proposed pedestrian walkway have proper enhanced lighting to ensure safety and visibility at all times of the day and night.
4. Toronto and East York Community Council direct the applicant to continue to clearly consult and communicate all construction, parking and road occupancy impacts with local business improvement areas and resident associations in advance of any physical road modifications.
5. Toronto and East York Community Council direct the applicant to continue to install appropriate signage and converging mirrors to ensure that pedestrians, cyclists and motorists safety is considered at all times.
6. Toronto and East York Community Council direct the applicant to continue to provide a sufficient number of traffic control persons as determined by the Work Zone 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.
7. Toronto and East York Community Council direct the applicant to continue to provide a sufficient number of pay-duty Police Officers as determined by the Work Zone 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.
8. Toronto and East York Community Council direct the applicant to continue to install cane detection within the covered and protected walkway to guide pedestrians who are visually impaired.
9. Toronto and East York Community Council direct the applicant to continue to post 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.

10. Toronto and East York Community Council direct the applicant to continue to provide and install 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.

11. Toronto and East York Community Council direct that Charles Street East be returned to its pre-construction traffic and parking regulations when the project is complete.

12. Toronto and East York Community Council direct the applicant to continue to create a publicly accessible website with regular construction updates and post the website address on the construction site hoarding, which must be prominently placed and legible from 20 metres and on all elevations from the construction site.

13. Toronto and East York Community Council direct the applicant to continue to mitigate light pollution by installing a shield/barrier on any lighting standards in close proximity to adjacent residential properties, such as cranes.

14. Toronto and East York Community Council direct the applicant to continue to establish a construction management working group that meets monthly and invites local stakeholders including Municipal Licencing and Standards, Toronto Building, adjacent neighbours, and local resident groups.

15. Toronto and East York Community Council direct the applicant to continue to email monthly construction progress reports to the local Councillor, local residents' association, and Business Improvement Area Board of Management.

FINANCIAL IMPACT

There is no financial impact to the City. MOD Developments (Charles) Limited Partnership 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 Charles Street East, these fees will be approximately \$150,000.00, including lost revenue from the parking machines.

DECISION HISTORY

At its meeting on October 14, 2021, City Council adopted item TE28.30 entitled "Construction Staging Area - 55-61 Charles Street East" and in so doing, authorized a construction staging area on Charles Street East from October 1, 2021 to June 30, 2022.

<https://secure.toronto.ca/council/agenda-item.do?item=2021.TE28.30>

City Council, at its meeting on July 16, 17 and 19, 2019, adopted Item TE7.15 entitled "55-61 Charles Street East - Zoning Amendment and Rental Housing Demolition Applications - Final Report".

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.TE7.15>

COMMENTS

The Development and Timeline

MOD Developments (Charles) Limited Partnership is constructing a 48-storey residential building at 55-61 Charles Street East. The site is bounded by Charles Street East to the north, Macy DuBois Lane to the east and south, an existing 47-storey residential building (45 Charles Street East) to the west. The development, in its completed form, will consist of 100 rental units, 541 condo units, and a four-level underground parking garage for approximately 156 vehicles. Permanent access will be from Macy Dubois Lane.

The major construction activities and associated timeline for the development are still on-schedule and are described below:

- Above grade formwork: November 2021 to November 2023;
- Building envelope phase: January 2022 to November 2023; and
- Interior finishes stage: April 2022 to June 2024.

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. Continued occupancy of the construction staging areas until June 30, 2024 is therefore essential to complete the development.

Construction Staging Area

Construction staging operations on Charles Street East are currently taking place within the existing boulevard allowance and the westbound curb lane on the south side of Charles Street East, abutting the site. The number of westbound lanes are not reduced on Charles Street East and westbound traffic is maintained by a 4.6 metre-wide lane. Pedestrian operations on the south side of Charles Street East are maintained in a 1.7 metre-wide covered and protected walkway within the closed portion of the existing lane.

A drawing of the proposed construction staging area is shown in Attachment 1.

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 review of the City's Five-Year Major Capital Works Program indicates there are no capital works projects planned in the vicinity of the site. Therefore, the construction staging area on Charles Street East is not expected to conflict with the City's capital works projects.

If the staging area is not approved, the developer's only option will be to apply for day-use permits of Charles Street East for periods of less than 30 consecutive days over the 18-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 report.

CONTACT

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SIGNATURE

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

ATTACHMENTS

Attachment 1: Construction Staging Area - 55-61 Charles Street East

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