

Construction Staging Area Time Extension - 321-333 King Street West

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

SUMMARY

As the Toronto Transit Commission (TTC) operates a transit service on King Street West, City Council approval of this report is required.

Empire Communities is constructing a 49-storey residential condominium building at 321-333 King Street West, located on the south side of King Street West between John Street and Blue Jays Way. The south sidewalk and eastbound curb lane on King Street West, between a point 61 metres east of Blue Jays Way and a point 36 metres further east, are currently closed for construction staging operations.

At its meeting on May 14, 2019, City Council approved the subject construction staging area on King Street West from June 1, 2019 to July 1, 2022. The developer has requested an extension of the duration of the construction staging area on King Street West, as the site has experienced COVID-19 related construction delays.

Transportation Services is requesting authorization to extend the duration of the construction staging area from January 27, 2023 to September 30, 2024 to allow for the construction of the development to be completed.

RECOMMENDATIONS

The Director, Traffic Management, Transportation Services recommends that:

1. City Council authorize the continuation of the closure of the south sidewalk and eastbound curb lane on King Street West, between a point 61 metres east of Blue Jays Way and a point 36 metres further east, and provision of a temporary pedestrian

walkway within the closed portion of the eastbound curb lane, from January 27, 2023 to September 30, 2024.

2. City 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.

3. City 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.

4. City 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.

5. City Council direct the applicant to ensure that the existing sidewalks or the proposed pedestrian walkways have proper enhanced lighting to ensure safety and visibility at all times of the day and night.

6. City Council direct the applicant 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.

7. City Council direct the applicant to install appropriate signage and converging mirrors to ensure that pedestrians, cyclists and motorists safety is considered at all times.

8. 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.

9. 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.

10. City Council direct the applicant to install cane detection within the covered and protected walkway to guide pedestrians who are visually impaired.

11. City Council direct that King Street West be returned to its pre-construction traffic and parking regulations when the project is completed.

FINANCIAL IMPACT

There is no financial impact to the City. Empire Communities 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 King Street West, these fees will be approximately \$461,000.00.

DECISION HISTORY

At its meeting on May 14 and 15, 2019, City Council adopted item TE5.42, entitled "Construction Staging Area - 321-333 King Street West" and in so doing, authorized a construction staging area on King Street West from June 1, 2019 to July 1, 2022.

<https://secure.toronto.ca/council/agenda-item.do?item=2019.TE5.42>

City Council at its meeting on July 11, 12 and 13, 2012, adopted Toronto and East York Community Council Item TE17.16 to amend Zoning By-law as outlined in report May 22, 2012 regarding 321-333 King Street West from the Director, Community Planning, Toronto and East York District.

COMMENTS

Empire Communities is constructing a 49-storey residential condominium building at 321-333 King Street West, with a total of 328 units, ground floor retail and a four-level underground parking for approximately 54 cars. The site is located on the south side of King Street West between John Street and Blue Jays Way.

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

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

The developer has requested an extension of the duration of the construction staging area as the site has experienced COVID-19 related delays.

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 September 30, 2024 is therefore essential to complete the development.

Construction Staging Area

Construction staging operations on King Street West are currently taking place within the existing boulevard allowance and the eastbound curb lane on King Street West, abutting the site. The south sidewalk and eastbound curb lane on King Street West, between a point 61 metres east of Blue Jays Way and a point 36 metres further east, are currently closed for construction staging operations. Pedestrians are directed to a 1.7-metre covered walkway within the closed portion of the eastbound curb lane, and a Construction Staging Area Time Extension - 321-333 King Street West

clearance of 1.2 metres is maintained from the TTC tracks on King Street West. With the closure in place, King Street West in the immediate vicinity of the site consists of one eastbound lane for TTC vehicles and other road users.

A drawing of the existing construction staging area is included 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 that Toronto Water work and TTC track replacement/repair work are planned on King Street West, to begin in 2025. The developer was informed that any request for a time extension may conflict with the work, and the staging areas may need to be temporarily removed or modified after September 30, 2024 to accommodate the City's planned activities. Failure of the developer to remove the staging area by September 30, 2024 may result in the developer being responsible to cover any cost penalties incurred by the City as a result.

A review of the City's Five-Year Major Capital Works Program also indicates the development site is within a Metrolinx Review Zone. Therefore, the issuance of the occupation permit by Transportation Services, for construction staging on King Street West is conditional and subject to Metrolinx review of potential conflicts with transit project construction.

If the proposed staging area is not approved, the developer's only option will be to apply for day-use permits of King Street West for periods of less than 30 consecutive days over the 21-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

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SIGNATURE

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

ATTACHMENTS

Attachment 1: Construction Staging Area - 321-333 King Street West

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