

Construction Staging Area Time Extension – 308-314 Jarvis Street and 225 Mutual Street

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

SUMMARY

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

Jarvis Carlton Limited Partnership is constructing a 34 storey mixed use residential condominium development at 308-314 Jarvis Street and 225 Mutual Street. The site is located at the south-west corner of Jarvis Street and McClear Place. The west sidewalk and a portion of the southbound curb lane on Jarvis Street are currently closed for construction staging operations. Pedestrian operations on the west side of Jarvis Street are maintained in a 1.7 metre-wide covered and protected walkway within the closed portion of the existing lane.

City Council, at its meeting on December 15, 16 and 17, 2021, approved the subject construction staging area, between McClear Place and a point 44 metres south, from January 1, 2022 to December 31, 2022. At the time, the developer indicated they would require the staging area for a total of 27 months, from January 1, 2022 to March 31, 2024.

As the previous permit was only approved for a 12-month period, and as the developer has had delays due to labour and supply issues, the developer has requested an extension of the duration of the construction staging area on Jarvis Street in order to complete the construction of the development.

Transportation Services is requesting authorization to extend the duration of the construction staging area from February 8, 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 west sidewalk and the southbound curb lane on Jarvis Street, between McClear Place and a point 44 metres south, from February 8, 2023 to September 30, 2024.
2. 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.
3. City Council direct the applicant to continue 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.
4. City 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. City Council direct the applicant to continue to install appropriate signage and converging mirrors to ensure that pedestrian, cyclist and motorist safety is considered at all times.
6. City 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. City 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. City Council direct the applicant to continue to install cane detection within the covered and protected walkway to guide pedestrians who are visually impaired.
9. 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.
10. 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.

11. City 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.
12. City Council direct the applicant to continue to mitigate light pollution by installing a shield/barrier on any lighting standards being used for construction purposes within the site in close proximity to adjacent residential properties, such as cranes.
13. City Council direct the applicant, in consultation with Transportation Services, to continue to maintain any bike lanes, and install appropriate signage to inform drivers and cyclists of any changes to the cycling lanes.
14. City Council, in areas where no cycling lanes exist, direct the applicant, in consultation with Transportation Services, to continue to install sharrow markings onto the roadway and display appropriate signage on the hoarding board to inform motorists and cyclists to safely share the road.
15. City 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.
16. City 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.
17. City Council direct that Jarvis Street be returned to its pre-construction traffic and parking regulations when the project is complete.

FINANCIAL IMPACT

There is no financial impact to the City. Jarvis Carlton 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 Jarvis Street, these fees will be approximately \$360,000.00, including lost revenue from the parking machines.

DECISION HISTORY

At its meeting on December 15, 2021, City Council adopted item TE29.39, entitled "Construction Staging Area - 308-314 Jarvis Street and 225 Mutual Street" and in so doing, authorized a construction staging area on Jarvis Street from January 1, 2022 to December 31, 2022.

<https://secure.toronto.ca/council/agenda-item.do?item=2021.TE29.39>
Construction Staging Time Extension - 308-314 Jarvis Street and 225 Mutual Street

The Local Planning Appeal Tribunal, pursuant to its Order issued June 15, 2021 in relation to Board Case No. PL150016, authorized an amendment to Zoning By-law No. 438-86, for the lands municipally known as 308-314 Jarvis Street and 225 Mutual Street.

City Council, at its meeting of April 7, 2021, adopted item CC31.6, entitled, "308-314 Jarvis Street, 225 Mutual Street - Zoning By-law Amendment Application - Request for Directions". The City Council Decision can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.CC31.6>

COMMENTS

Status of the Development

Jarvis Carlton Limited Partnership is constructing a 34 storey mixed use residential condominium development at 308-314 Jarvis Street and 225 Mutual Street, with 489 residential units and 242.7 square metres of retail. There will be two levels of underground parking for 106 cars. Permanent access will be from Jarvis Street. The site is bounded by McClear Place to the north, a hotel to the south, Mutual Street to the west, and Jarvis Street to the east.

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

- Below grade formwork: from January 2022 to January 2023;
- Above grade formwork: from December 2022 to March 2024;
- Building envelope phase: from May 2023 to May 2024; and
- Interior finishes stage: from August 2023 to February 2025.

The developer originally requested a closure for 27 months to accommodate construction staging operations, but only received approval from City Council for a 12 month period. In addition, the developer has had delays due to labour and supply issues.

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 Jarvis Street is taking place within the existing boulevard allowance and the southbound curb lane on the west side of Jarvis Street, abutting the site. The west sidewalk and the southbound curb lane on Jarvis Street, between McClear Place and a point 44 metres south, is closed to accommodate construction staging operations for the development. Pedestrian operations on the west

side of Jarvis Street are maintained in a 1.7 metre-wide covered and protected walkway within the closed portion of the existing lane on the west side of Jarvis Street.

A drawing of the existing 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 that underground and overhead electrical work are scheduled on Jarvis Street between July 4, 2023 and December 30, 2023. At the discretion of Transportation Services, and at no cost to the City of Toronto, the developer for 308-314 Jarvis Street will be required to clear the construction staging area if necessary to accommodate the work. Failure to remove the staging area may result in the developer being responsible to cover any cost penalties incurred by the City as a result.

If the staging area is not approved, the developer's only option will be to apply for day-use permits of Jarvis Street for periods of less than 30 consecutive days over the 20-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 in 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 - 308-314 Jarvis Street and 225 Mutual Street

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