

Construction Staging Area – 90-104 Queen Street East and 3 Mutual Street

Date: February 6, 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.

Citi-Core Construction Management Ltd is constructing a 34-storey mixed-use residential building with ground floor retail space at 90-104 Queen Street East and 3 Mutual Street. The site is located at the north-east corner of Queen Street East and Mutual Street.

Transportation Services is requesting approval to temporarily close the east sidewalk and a portion of the northbound curb lane on Mutual Street, and temporarily designate a section of Mutual Street abutting the site as one-way northbound, for a period of 34 months from February 24, 2023 to November 30, 2025, to facilitate construction staging operations.

RECOMMENDATIONS

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

1. Toronto and East York Community Council authorize the closure of the east side sidewalk and an 8.2 metre wide portion of the northbound curb lane on Mutual Street, between Queen Street East and Richard Bigley Lane, and provision of a temporary pedestrian walkway within the closed portion of Mutual Street, from February 24, 2023 to November 30, 2025.
2. Toronto and East York Community Council designate Mutual Street, between Queen Street East and Richard Bigley Lane, as one-way for northbound traffic only.

3. Toronto and East York Community Council prohibit westbound left turns anytime, from Richard Bigley Lane onto Mutual Street.
4. Toronto and East York Community Council rescind the existing parking machine regulation in effect from 8:00 a.m. to 9:00 p.m., Monday to Saturday; and 1:00 p.m. to 9:00 p.m. Sunday, on the east side of Mutual Street, between Queen Street East and Richard Bigley Lane.
5. Toronto and East York Community Council prohibit stopping at all times on the east side of Mutual Street, between Queen Street East and Richard Bigley Lane.
6. 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.
7. Toronto and East York Community Council direct the applicant to construct (as per the City's engineer approved specifications) and maintain a fully covered, protected and unobstructed walkway, compliant with the Accessibility for Ontarians with Disabilities Act, for all pedestrians, including for those with mobility devices for the entire duration of the construction staging area permit
8. Toronto and East York Community Council direct the applicant 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.
9. Toronto and East York Community 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.
10. Toronto and East York Community Council direct the applicant to install appropriate signage and request the applicant to install converging mirrors to ensure that pedestrians, cyclists and motorists safety is considered at all times.
11. Toronto and East York Community Council direct the applicant 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.
12. Toronto and East York Community Council direct the applicant 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.

13. Toronto and East York Community Council direct the applicant to install cane detection within the covered and protected walkway to guide pedestrians who are visually impaired.
14. Toronto and East York Community Council direct the applicant 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.
15. Toronto and East York Community Council direct the applicant 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.
16. Toronto and East York Community Council direct the applicant, in consultation with Transportation Services, to maintain any bike lanes, and install appropriate signage to inform drivers and cyclists of any changes to the cycling lanes.
17. Toronto and East York Community Council direct that Yorkville Avenue and Cumberland Street be returned to its pre-construction traffic and parking regulations when the project is complete.
18. Toronto and East York Community Council direct the applicant to provide monthly community meetings, to discuss any concerns raised by the community.
19. Toronto and East York Community Council direct that the occupation permit for construction staging on Mutual Street be conditional, subject to there being no conflicts with Metrolinx transit project construction.
20. Toronto and East York Community Council direct that Mutual 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. Citi-Core Construction Management Ltd 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 closure on Mutual Street, these fees will be approximately \$1,280,000.00 including lost revenue from the parking machines.

DECISION HISTORY

City Council, at its meeting on September 30, 2020, adopted Item TE18.7 and in so doing, amended Zoning By-laws No. 438-86 and 569-2013 for the lands municipally known as 90-104 Queen Street East and 3 Mutual Street.

<https://secure.toronto.ca/council/agenda-item.do?item=2020.TE18.7>

COMMENTS

The Development and Timeline

Citi-Core Construction Management Ltd is constructing a 34-storey mixed-use residential building with 364 residential units, ground floor retail space and three storeys of underground parking for 59 parking spaces at 90-104 Queen Street East and 3 Mutual Street. The site is located at the north-east corner of Queen Street East and Mutual Street. Based on the information provided by the developer, the entire site will be excavated lot line to lot line on all four sides to a maximum depth of 13 metres. Permanent parking access will be from Richard Bigley Lane. The site is bounded by Mutual Street to the west, Queen Street East to the south, Richard Bigley Lane to the north and one-storey municipal/industrial building to the east and a three-storey mixed use building to the east.

A detailed review of the construction schedule was undertaken by the developer to minimize the project duration and impacts of the construction on all road users. Various options were explored by the developer to set up construction staging operations for the development. The developer has advised that due to limited availability of space, all construction activities, including delivery and storage of construction materials, cannot be accommodated within the site.

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

- Excavation and shoring: from November 2022 to April 2023;
- Below grade formwork: from April 2023 to September 2023;
- Above grade formwork: from September 2023 to December 2024;
- Building envelope phase: from December 2023 to July 2025; and
- Interior finishes stage: from April 2024 to December 2025.

Existing Conditions

Mutual Street is characterized by the following conditions:

- It is a two-lane, north-south local roadway
- It operates two-way traffic, on a pavement width of approximately 13.8 metres
- The speed limit is 30 km/h
- There is no TTC service provided on this street
- There are sidewalks located on both sides of the street

The parking regulations on Mutual Street, within the subject section are as follows:

East side

- Parking machines operate for a maximum period of three hours from 8:00 a.m. to 9:00 p.m., Monday to Saturday, and 1:00 p.m. to 9:00 p.m. Sunday
- Unsigned statutory three-hour maximum parking is in effect at all other times

West side

- Parking machines operate for a maximum period of three hours from 8:00 a.m. to 9:00 p.m., Monday to Saturday, and 1:00 p.m. to 9:00 p.m. Sunday
- Unsigned statutory three-hour maximum parking is in effect at all other times

Proposed Construction Staging Area

Subject to approval, from February 24, 2023 to November 30, 2025, the east sidewalk and an 8.2 metre wide portion of the northbound curb lane will be closed on Mutual Street, between Queen Street East and Richard Bigley Lane, to facilitate construction staging operations. The number of lanes on Mutual Street, between Queen Street East and Richard Bigley Lane, has been reduced to a single lane northbound due to the presence of on-street construction staging on the west side of this section of Mutual Street. Westbound left turns will be prohibited during all times from Richard Bigley Lane onto Mutual Street. One existing parking machine space on the subject section of Mutual Street will be temporarily rescinded. The applicant will be responsible for paying the lost revenue for the parking space. Pedestrian operations on the east side of Mutual Street will be maintained in a 1.5 metre-wide pedestrian walkway within the closed portion of the northbound curb lane on Mutual Street. Pedestrian operations will be maintained on the sidewalk on Queen Street East abutting the site, where the walkway will be protected and covered. TTC bus stop locations will not be affected on Mutual Street or Queen Street West.

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

This development site is within the Construction Hub Coordination Pilot program and has been reviewed by staff to ensure compliance with the pilot program. This entails a coordinated review that includes construction coordination, community support, business support and communication and engagement with area residents. The guiding principles of a Construction Hub initiative include safety, equity, vibrancy, innovation and engagement. Within this Hub, staff will develop a logistical plan for all work within the right of way, coordinate resources to ensure a safe and equitable plan for all users with an emphasis on pedestrians, cyclists and vulnerable road users.

This development site has been reviewed by the Construction Hub Coordination Team to ensure a coordinated approach to safety and construction is being adhered to.

A review of the City's Five-Year Major Capital Works Program indicates the development site is within a Metrolinx Permit Review Zone and will require a Metrolinx Corridor Development Permit. Therefore, the issuance of the occupation permit by Transportation Services, for construction staging on Mutual Street, is conditional and

subject to Metrolinx review of potential conflicts with transit project construction and issuance of a Corridor Development Permit.

In consideration of the above details and through ongoing dialogue with the developer, Transportation Services is satisfied that Citi-Core Construction Management Ltd, has looked at all options to minimize the duration and impact of the construction staging area on all road users. At the end of the approved closure period, staff will review the need for an extension and if any changes to the approval conditions are required.

If the proposed staging area is not approved, the developer's only option will be to apply for day-use permits of Mutual Street for periods of less than 30 consecutive days over the 34-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: Proposed Construction Staging Area - 90-104 Queen Street East & 3
Mutual Street

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