

Construction Staging Area – 8 Elm Street

Date: September 27, 2023
To: Toronto and East York Community Council
From: Director, Traffic Management, Transportation Services
Wards: Ward 11, University-Rosedale

SUMMARY

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

8Elm Development Limited Partnership is constructing a 69-storey condominium building at 8 Elm Street. The site is located on the north-west corner of Elm Street and Yonge Street.

Transportation Services is requesting approval to close the north sidewalk and a portion of the westbound curb lane on Elm Street for a period of 48 months, from November 30, 2023 to November 30, 2027 to facilitate construction staging operations. Pedestrian movements on the north side of Elm Street, abutting the site, will be maintained in a 2.1 metre-wide covered and protected walkway. The construction staging area will result in the loss of eight on-street parking machine spaces on Elm Street.

Additionally, approval is being requested to close the west sidewalk, and southbound curb lane on Yonge Street for a period of 48 months, from November 30, 2023 to November 30, 2027. Pedestrian movements on the west side of Yonge Street, abutting the site, will be maintained in a 2.1 metre-wide covered and protected walkway.

RECOMMENDATIONS

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

1. City Council authorize the closure of the north sidewalk and a 3.9 metre wide portion of the westbound curb lane on Elm Street, between Yonge Street and a point 64 metres west, and provision of a temporary 2.1 metre-wide pedestrian walkway within the closed portion of the westbound curb lane, from November 30, 2023 to November 30, 2027.

2. City Council authorize the closure of the west sidewalk and a 3.2 metre wide portion of the southbound curb lane on Yonge Street, between Elm Street and a point 40 metres north, and provision of a temporary 2.1 metre-wide pedestrian walkway within the closed portion of the southbound curb lane, from November 30, 2023 to November 30, 2027.
3. City Council rescind the existing parking machine regulation in effect from 8:00 a.m. to 9:00 p.m., Monday to Saturday, 1:00 p.m. to 9:00 p.m. on Sunday, at a rate of \$5.00 per hour and for a maximum period of 3 hours, on the north side of Elm Street, between Yonge Street and a point 64 metres west.
4. City Council rescind the existing standing prohibition in effect at all times on the north side of Elm Street, between Yonge Street and a point 20 metres west.
5. City Council prohibit stopping at all times on the north side of Elm Street, between Yonge Street and a point 64 metres west.
6. City Council rescind the existing parking machine regulation in effect from 8:00 a.m. to 9:00 p.m., Monday to Saturday, 1:00 p.m. to 9:00 p.m. on Sunday, at a rate of \$5.00 per hour and for a maximum period of 3 hours, on the south side of Elm Street, between a point 45 metres west of Yonge Street and a point 34 metres further west.
7. City Council rescind the existing standing prohibition in effect at all times on the south side of Elm Street, between Yonge Street and a point 45 metres west.
8. City Council prohibit stopping at all times on the south side of Elm Street, between Yonge Street and a point 79 metres west.
9. City Council rescind the existing parking prohibition in effect at all times on the west side of Yonge Street, between a point 19 metres south of Elm Street and a point 48 metres north of Elm Street.
10. City Council rescind the existing stopping prohibition in effect from 7:30 a.m. to 9:30 a.m. Monday to Friday except Public Holidays, on the west side of Yonge between, a point 19 metres south of Elm Street and a point 48 metres north of Elm Street.
11. City Council prohibit stopping at all times on the west side of Yonge Street, between, a point 19 metres south of Elm Street and a point 48 metres north of Elm Street.
12. City Council direct the applicant to sweep the construction site and adjacent sidewalks and roadways daily, or more frequently as needed to be cleared of any construction debris and made safe.
13. City Council direct the applicant to construct and maintain a fully covered, protected and unobstructed walkway for all pedestrians, including for those with mobility devices, for the entire duration of the construction staging area permit to the satisfaction of the City engineer and ensure it is compliant with the Accessibility for Ontarians with Disabilities Act (AODA).

14. City 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.
15. 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.
16. City 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.
17. City 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.
18. City 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.
19. City Council direct the applicant to install cane detection within the covered and protected walkway to guide pedestrians who are visually impaired.
20. City 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.
21. City 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.
22. City Council direct that Elm Street and Yonge Street be returned to its pre-construction traffic and parking regulations when the project is complete.
23. City Council direct the applicant to provide monthly community meetings, to discuss any concerns raised by the community.

FINANCIAL IMPACT

There is no financial impact to the City. The developer, 8Elm Development 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 Elm Street and Yonge Street these fees will be approximately \$533,700 including lost revenue from the parking machines.

DECISION HISTORY

City Council, at its meeting on July 19, 20, 21 and 22, 2022, adopted Item 2022.MM47.72 - 8 Elm Street and 348-354 and 356 Yonge Street - To Permit Application for Minor Variance - by Councillor Mike Layton, seconded by Councillor Robin Buxton Potts.

<https://secure.toronto.ca/council/agenda-item.do?item=2022.MM47.72>

City Council, at its meeting on December 15, 16 and 17, 2021, adopted Item 2021.MM38.46 - Minor Variance Approval to 8 Elm Street Planning Application - by Councillor Mike Layton, seconded by Councillor Joe Cressy.

<https://secure.toronto.ca/council/agenda-item.do?item=2021.MM38.46>

City Council, at its meeting on July 14, 15 and 16, 2021, adopted Item 2021.CC35.8 - Alterations to Heritage Properties at 8 Elm Street, 348 - 350 Yonge Street, and 352-354 Yonge Street.

<https://secure.toronto.ca/council/agenda-item.do?item=2021.CC35.8>

Local Planning Appeal Tribunal, pursuant to its Order issued July 30, 2021 in relation to Tribunal File PL161269, authorized to amend Zoning By-law 569-2013, as amended, with respect to lands municipally known as 8 Elm Street, and 348-354 and 356 Yonge Street and a portion of 14 Elm Street.

<https://www.toronto.ca/legdocs/bylaws/2022/law0214.pdf>

Local Planning Appeal Tribunal, pursuant to its Order issued July 30, 2021 in relation to Tribunal File PL161269, authorized to former City of Toronto Zoning By-law 438-86, as amended, with respect to lands municipally known as 8 Elm Street, and 348-354 and 356 Yonge Street and a portion of 14 Elm Street.

<https://www.toronto.ca/legdocs/bylaws/2022/law0213.pdf#:~:text=BY-LAW%20213-2022%28OLT%29%20To%20amend%20former%20City%20of%20Toronto,Street%20and%20a%20portion%20of%202014%20Elm%20Street.>

COMMENTS

The Development and Timeline

8Elm Development Limited Partnership is constructing a 69-storey condominium building with 819 units together with ground floor retail, community space, and three level underground automated parking for approximately 65 cars at 8 Elm Street. All permanent vehicle access will be from Elm Street. The site is located on the northwest corner of Yonge Street and Elm Street.

The site is bounded by a Gerrard Street West to the north, Yonge Street to the east, Elm Street to the south, and Bay Street to the west.

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. 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 depth of 16 metres. Various options were explored by the developer to set up construction staging operations for the development within the development site. 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:

- Demolition: from November 2022 to April 2023 (complete)
- Excavation and shoring: from April 2023 to June 2023 (in progress)
- Below grade formwork: from October 2023 to February 2024;
- Above grade formwork: from February 2024 to July 2026;
- Building envelope phase: from October 2024 to November 2026; and
- Interior finishes stage: from February 2025 to June 2027.

Existing Conditions

Elm Street is characterized by the following conditions:

- It is a two-lane, east-west, collector roadway
- It operates two-way traffic on a pavement width of approximately 11 metres
- The daily average 8-hour peak, two-way traffic volume is approximately 1600 vehicles
- 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 road

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

North side

- No standing anytime, between Yonge Street and a point 20 metres west
- Parking machine, maximum 3-hours parking (at \$5 per hour), from 8:00 a.m. to 9:00 p.m., Monday to Saturday, 1:00 p.m. to 9:00 p.m. on Sunday, between Bay Street and Yonge Street
- (Posted / not by-lawed) no parking anytime, between a point 46 metres west from Yonge Street and a point 13 metres west

South side

- No standing anytime, between Yonge Street and a point 45 metres west
- Parking machine, maximum 3-hours parking (at \$5 per hour), from 8:00 a.m. to 9:00 p.m., Monday to Saturday, 1:00 p.m. to 9:00 p.m. on Sunday, between a point 49.5 metres east of Bay Street and a point 45 metres west of Yonge Street

Yonge Street is characterized by the following conditions:

- It is a four-lane, north-south, major arterial roadway
- It operates two-way traffic on a pavement width of approximately 12.3 metres
- The daily two-way traffic volume is approximately 10000 vehicles
- The speed limit is 40 km/h
- TTC service is provided by bus number 97, 97B, 97C, 320, 320A, and 320S
- There are sidewalks located on both sides of the street

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

West side

- (Posted / not by-lawed) No standing anytime, between Elm Street and a point 37 metres north
- No parking anytime, between Shuter Street and Gerrard Street West
- No stopping anytime in effect from 7:30 a.m. to 9:30 a.m. Monday to Friday except Public Holiday between, the north street line of Shuter Street and Gerrard Street West

East side

- No standing in the vicinity of the bus loading zone
- No parking anytime, between Shuter Street and a point 137.5 metres south of Carlton Street
- No stopping anytime in effect from 3:30 p.m. to 6:30 p.m. Monday to Friday except Public Holiday between, Shuter Street and a point 137.5 metres south of Carlton Street

Proposed Construction Staging Area

Subject to approval, the north sidewalk and a 3.9 metre wide portion of the westbound curb lane on Elm Street, between Yonge Street and a point 64 metres west will be closed to accommodate construction staging operations for the development.

Pedestrian movements will be accommodated in a 2.1 metre covered walkway within the existing westbound lane on Elm Street. Two-way traffic will be maintained on Elm Street in the subject area. To enhance traffic flow around the construction staging area, stopping will be prohibited at all times on the north side of Elm Street, between Yonge Street and a point 64 metres west. Also, stopping will be prohibited at all times on the south side of Elm Street, between Yonge Street and a point 79 metres further west.

In order to accommodate the construction staging area and facilitate safe and efficient inbound and outbound traffic manoeuvres, eight of the existing parking machine spaces on the subject section of Elm Street will be temporarily rescinded. The applicant will be responsible for paying the lost revenue for these parking spaces.

Additionally, the west sidewalk on Yonge Street, and a 3.9 metre wide portion of the southbound curb lane will be closed, between Elm Street and a point 40 metres further north to accommodate construction staging. Pedestrian movements will be accommodated in a 2.1 metre wide covered walkway within the closed southbound curb lane on Yonge Street. To enhance traffic flow around the construction staging area, stopping will be prohibited at all times on the west side of Yonge Street, between, a point 19 metres south of Elm Street and a point 48 metres north of Elm Street. The existing TTC bus stops in the area will be maintained and do not require re-location.

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 being reported upon, 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 on Elm Street indicates that Toronto Water plans sewer rehabilitation work to begin in 2024, and watermain replacement to begin in 2025. Transportation Services plans local road resurfacing in 2024, and infrastructure enhancements scheduled between 2025 and 2028. Enwave Energy Corporation also has works scheduled between 2026 and 2027.

On Yonge Street, Toronto Water plans sewer rehabilitation in 2024, and watermain replacement works between 2025 and 2028. Transportation Services plan infrastructure enhancements between 2025 and 2028. Hydro One Networks Inc has underground civil and electrical works planned between 2022 and 2026. Enwave Energy Corporation has works scheduled between 2024 and 2025, and Bell Canada has work planned between 2022 and 2023.

The developer was informed that the staging areas may need to be temporarily removed or modified to accommodate the planned activities, and failure to do so may result in the developer being responsible to cover any cost penalties incurred by the City as a result. The applicant shall cooperate with and provide all necessary assistance to the City Engineers, staff and representatives carrying out operation, maintenance, and construction activities to municipal infrastructure within the vicinity of the construction staging area at no cost to the City.

In consideration of the above details and through ongoing dialogue with the developer, Transportation Services is satisfied that 8Elm Development Limited Partnership, 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 Elm Street and Yonge Street for periods of less than 30 consecutive days over the 48-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 - 8 Elm Street

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