

## **Construction Staging Area – 399 Bathurst Street (Nassau Street)**

**Date:** April 19, 2024  
**To:** Toronto and East York Community Council  
**From:** Director, Traffic Management, Transportation Services  
**Wards:** University-Rosedale, Ward 11

### **SUMMARY**

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

EllisDon Corporation has undertaken the constructing of a new tower addition for the Toronto Western Hospital at 399 Bathurst Street. The site is located on the southeast corner of Bathurst Street and Nassau Street.

Transportation Services is requesting authorization to close the east sidewalk and the northbound curb lane on Bathurst Street for a period of 42 months, from May 31, 2024 to December 1, 2027 to facilitate construction staging operations. Pedestrian movements on the east side of Bathurst Street, abutting the site, will be maintained in a 2.1 metre-wide covered and protected walkway.

Additionally, authorization is being requested to close the south sidewalk and a 2.8 metre wide portion of the eastbound curb lane on Nassau Street for a period of 42 months, from May 31, 2024 to December 1, 2027. Pedestrian movements on the south side of Nassau 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 10 on-street parking machine spaces on the east side of Bathurst Street.

## RECOMMENDATIONS

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

1. City Council authorize the closure of the east sidewalk and the northbound curb side traffic lane on Bathurst Street, between Nassau Street and a point 85 metres south and provision of a temporary pedestrian walkway within the closed portion of the northbound curb lane, from May 31, 2024 to December 1, 2027 inclusive.
2. City Council authorize the closure of the south sidewalk and a 2.8 metre wide portion of the eastbound curb side traffic lane on Nassau Street, between Bathurst Street and a point 69 metres east and provision of a temporary pedestrian walkway within the closed portion of the eastbound curb lane, from May 31, 2024 to December 1, 2027 inclusive.
3. City Council rescind the existing parking machine regulation in effect from 9:00 a.m. to 4:00 p.m., 6:00 p.m. to 9:00 p.m., Monday to Friday.; 8:00 a.m. to 9:00 p.m. Saturday.; 1:00 p.m. to 9:00 p.m. Sunday, on the east side of Bathurst Street, between a point 50 metres north of Nassau Street and a point 135 metres south of Nassau Street.
4. City Council rescind the existing designated on-street loading zone regulation in effect at all times except 4:00 p.m. to 6:00 p.m. Monday to Friday, on the east side of Bathurst Street between a point 41 metres south of Nassau Street and a point 11 metres further south.
5. City Council rescind the existing no standing regulation in effect at all times on the west side of Leonard Avenue, between a point 20.6 metres south of Nassau Street and a point 11 metres further south.
6. City Council designate an accessible on-street loading zone to be in effect at all times on the west side of Leonard Avenue, between a point 20.6 metres south of Nassau Street and a point 11 metres further south.
7. City Council rescind the existing stopping prohibition in effect 4:00 p.m. to 6:00 p.m., Monday to Friday, except public holidays on the east side of Bathurst Street, between a point 50 metres north of Nassau Street and a point 135 metres south of Nassau Street.
8. City Council rescind the existing maximum one-hour parking regulation in effect 9:00 a.m. to 4:00 p.m., Monday to Friday, on the east side of Bathurst Street, between a point 50 metres north of Nassau Street and a point 135 metres south of Nassau Street.
9. City Council rescind the existing parking prohibition in effect 7:00 a.m. to 9:00 a.m., Monday to Friday except public holidays, on the east side of Bathurst Street, between a point 50 metres north of Nassau Street and a point 135 metres south of Nassau Street.
10. City Council prohibit standing at all times on the east side of Bathurst Street, between Nassau Street and a point 50 metres north.

11. City Council prohibit stopping at all times on the east side of Bathurst Street, between Nassau Street and a point 85 metres south.
12. City Council designate a passenger loading zone to be in effect at all times on the east side of Bathurst Street, between a point 85 metres south of Nassau Street and a point 50 metres further south.
13. City Council rescind the existing standing prohibition in effect at all times on the south side of Nassau Street, between Bathurst Street and a point 69 metres east.
14. City Council prohibit stopping at all times on the south side of Nassau Street, between Bathurst Street and a point 69 metres east.
15. City Council rescind the existing parking prohibition in effect at all times on the north side of Nassau Street, between Bathurst Street and Lippincott Street.
16. City Council prohibit stopping at all times on the north side of Nassau Street, between Bathurst Street and Lippincott Street.
17. 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.
18. 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).
19. 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.
20. 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.
21. City Council direct the applicant to install appropriate signage and request the applicant to maintain all sightlines to ensure that pedestrians, cyclists and motorists safety is considered at all times.
22. 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.

23. 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.

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

25. 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.

26. 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.

27. City Council direct the applicant, in consultation with Transportation Services, to maintain any bicycle lanes, and install appropriate signage to inform drivers and cyclists of any changes to the cycling lanes.

28. City Council direct the applicant to 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, and at no cost to the City to remove any staging to accommodate the necessary municipal infrastructure work.

29. City Council direct that Bathurst Street, Leonard Avenue, and Nassau Street be returned to its pre-construction traffic and parking regulations when the project is complete.

30. City Council direct the applicant to provide monthly community meetings, to discuss any concerns raised by the community.

## **FINANCIAL IMPACT**

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There is no financial impact to the City. EllisDon Corporation 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 Bathurst Street and Nassau Street these fees will be approximately \$2,750,000.00, including lost revenue from the parking machines.

## DECISION HISTORY

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Based on request from the City of Toronto and Minister Jones of Ministry of Health, on January 26, 2024 a Minister's Zoning Order was made "Order Regulation 8/24" to facilitate the expansion of Toronto Western Hospital.

City Council, at its meeting on April 6 and 7, 2022, adopted Item MM42.34 - 399 Bathurst Street (Toronto Western Hospital) - University Health Network's request for Minister's Zoning Order - by Councillor Mike Layton, seconded by Mayor John Tory <https://secure.toronto.ca/council/agenda-item.do?item=2022.MM42.34>

City Council, at its meeting on September 30 and October 1, 2009, adopted Item TE27.5 - entitled "399 Bathurst Street - Zoning By-law Amendment Application" and in doing so amended Zoning By-law 438-86 for the lands municipally known as 399 Bathurst Street. <https://secure.toronto.ca/council/agenda-item.do?item=2009.TE27.5>

## COMMENTS

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### The Development and Timeline

EllisDon Corporation is constructing a 15-storey tower expansion to the existing Toronto Western Hospital at 399 Bathurst Street (at Nassau Street). The new tower addition will consist of a two level underground parking and permanent access from Nassau Street. The site is bounded by Nassau Street to the north, Leonard Avenue to the east, Dundas Street to the south, and Bathurst 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 excavation depth from the street level is approximately 9.5 metres below grade and extends to the north and east side of the site. 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 timelines for the development are described below:

- Demolition: from Demolition: March 2024 to April 2024
- Excavation and shoring: from August 2024 to December 2024;
- Below grade formwork: from February 2025 to October 2025;
- Above grade formwork: from November 2025 to January 2027;
- Building envelope phase: from August 2026 to August 2027, and;
- Interior finishes stage: from May 2026 to April 2028.

## Existing Conditions

Bathurst 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 14.6 metres
- The daily two-way peak eight hour traffic volume is approximately 8,600 vehicles
- The speed limit is 40 km/h
- TTC service is provided by streetcar number 511 and bus number 307
- There are sidewalks located on both sides of the street

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

### East side

- Parking machine regulation in effect from 9:00 a.m. to 4:00 p.m., 6:00 p.m. to 9:00 p.m., Monday to Friday.; 8:00 a.m. to 9:00 p.m. Saturday.; 1:00 p.m. to 9:00 p.m. Sunday, at a rate of \$4.00 dollars per hour for maximum period of 3 hours
- Designated on-street loading zone for permit holders in effect anytime except from 4:00 p.m. to 6:00 p.m. Monday to Friday  
Stopping prohibition in effect 4:00 p.m. to 6:00 p.m., Monday to Friday, except public holidays
- Maximum one-hour parking regulation in effect 9:00 a.m. to 4:00 p.m., Monday to Friday
- No parking regulation in effect 7:00 a.m. to 9:00 a.m., Monday to Friday except public holidays

### West side

- Parking machine regulation in effect from 9:00 a.m. to 4:00 p.m., 6:00 p.m. to 9:00 p.m., Monday to Friday.; 8:00 a.m. to 9:00 p.m. Saturday.; 1:00 p.m. to 9:00 p.m. Sunday, at a rate of \$4.00 dollars per hour for maximum period of 3 hours
- No parking anytime 4:00 p.m. to 6:00 p.m., Monday to Friday., except public holidays

Nassau Street is characterized by the following conditions:

- It is a two-lane, east-west, local roadway
- It operates two-way traffic on a pavement width of approximately 9.5 metres
- The daily two-way peak eight hour traffic volume is approximately 2,400 vehicles
- The speed limit is 40 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 Nassau Street, within the subject section are as follows:

### North side

- No parking anytime

### South side

- No standing anytime

## **Proposed Construction Staging Area**

Subject to approval, the east sidewalk and the northbound curb side traffic lane on Bathurst Street, between Nassau Street and a point 85 metres south will be closed to accommodate construction staging operations for the development. Pedestrian movements will be accommodated in a 2.1 metre wide covered walkway within the northbound curb side traffic lane.

In order to accommodate the construction staging area, the following traffic by-law amendments/modifications will be arranged:

- Relocate the existing streetcar stop at the southeast corner of Bathurst Street and Nassau Street to the east side of Bathurst Street and a point 50 metres north of Nassau Street.
- To enhance traffic flow around the construction staging area, stopping will be prohibited at all times on the east side of Bathurst Street, between Nassau Street and a point 85 metres south.
- The existing accessible on-street loading zone on the east side of Bathurst Street just south of Nassau Street will be temporarily relocated to the west side of Leonard Avenue to a point 20.6 metres south from Nassau Street.
- To allow for passenger pick-up/drop-off activities, in front of the hospital, a temporary passenger loading zone will be established on the east side of Bathurst Street, between a point 85 metres south of Nassau Street and a point 50 metres further south.
- The existing parking regulations on the west side of the street will remain in effect.
- In order to facilitate safe and efficient inbound and outbound turn manoeuvres, it is recommended that 10 of the existing parking machine spaces on the subject section of Bathurst Street be temporarily rescinded. The applicant will be responsible for paying the lost revenue for these two parking spaces.

Additionally, subject to approval, the south sidewalk and a 2.8 metre wide portion of the eastbound curb side traffic lane on Nassau Street, between Bathurst Street and a point 69 metres east will be closed to accommodate construction staging operations for the development. Pedestrian movements will be accommodated in a 2.1 metre wide covered walkway within the eastbound curb side traffic lane. To enhance traffic flow around the construction staging area, the existing parking and standing prohibitions will be temporarily rescinded and replaced with no stopping anytime on both sides of the street.

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

This development site is within the Construction Hub Coordination program and has been reviewed by staff to ensure compliance with the 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 indicates than on:

**Bathurst Street**

- Toronto Hydro Electric System Ltd. has overhead, and underground civil, and electrical work planned from 2024 to 2026.
- Transportation Services has local road resurfacing work planned in 2024, local geometric safety improvements work planned in 2027, and major road resurfacing work planned in 2028.
- Toronto Water has watermain replacement work planned in 2026, and sewer rehabilitation work planned in 2027.

**Nassau Street**

- Transportation Services has local geometric safety improvements work planned in 2024 and 2025. Economic Development and Culture has business improvement area project planned from 2025 to 2026.

**Leonard Avenue**

- Toronto water has sewer rehabilitation work planned in 2025
- Rogers Communications Inc. has cable direct buried work planned from 2023 to 2024

The developer was informed that the staging areas may need to be temporarily removed or modified to accommodate the above mentioned Capital Works, 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 EllisDon Corporation, 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 Bathurst Street and Nassau Street for periods of less than 30 consecutive days over the 42-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**

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

Attachment 1: Proposed Construction Staging Area - 399 Bathurst Street (Nassau Street)

