

Construction Staging Area Time Extension – 244-260 Church Street

Date: April 19, 2024
To: Toronto and East York Community Council
From: Director, Traffic Management, Transportation Services
Wards: Ward 13, Toronto Centre

SUMMARY

As Dundas Street East is classified as a major arterial street, City Council approval of this report is required.

250 Church Limited Partnership is constructing a 52-storey mixed-use building at 244-260 Church Street. The site is located on the southwest corner of Church Street and Dundas Street East. Currently, a section of the first north-south public laneway west of Church Street is closed to facilitate a construction staging area. Additionally, a 0.6 metre and 1.0 metre wide portion on the public right-of-way abutting the development site along Church Street and Dundas Street East, respectively, are closed to accommodate construction operations.

City Council, at its meeting on July 19, 2023, approved the subject construction staging area on the public laneway, Church Street, and Dundas Street East from August 1, 2023 to July 31, 2024. At the time, the developer indicated they would require the staging area for a total of 41 months, from March 1, 2022 to July 31, 2025, however, the occupation was only approved for a 12 month period. The developer has requested an extension of the duration of the aforementioned construction staging areas.

Transportation Services is requesting authorization to extend the duration of the construction staging area on the public laneway west of Church Street, on Church Street, and on Dundas Street East for an additional 12 months, from August 1, 2024 to July 31, 2025, 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 first north-south public laneway west of Church Street, between a point 11.4 metres south of Dundas Street East and a point 37 metres further south, from August 1, 2024 to July 31, 2025, inclusive.
2. City Council authorize the continuation of the closure of a 1.0 metre wide portion of the right-of-way abutting the development site on Dundas Street East, between Church Street and a point 26.8 metres further west, from August 1, 2024 to July 31, 2025, inclusive.
3. City Council authorize the continuation of the closure of a 0.6 metre wide portion of the right-of-way abutting the development site on Church Street, between Dundas Street East and a point 38 metres further south, from August 1, 2024 to July 31, 2025, inclusive.
4. City Council direct the applicant to continue 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 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.
6. 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.
7. 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.
8. 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.
9. 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 the 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 continue to install cane detection within the covered and protected walkway to guide pedestrians who are visually impaired.
11. 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.

12. 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.
13. City Council direct that Dundas Street East, Church Street, and the first north-south public laneway south of Dundas Street and west of Church Street be returned to pre-construction traffic and parking regulations when the project is complete.
14. City Council direct the applicant to continue to construct and maintain a fully covered, protected, unobstructed, and wheelchair accessible pedestrian walkway for the entire duration of the construction staging area permit, at their sole cost.
15. 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 place and legible from 20 metres and on all elevations from the construction site.
16. City Council direct the applicant to continue to mitigate light pollution by installing a shield/barrier on any lighting standards in close proximity to adjacent residential properties, such as cranes.
17. City Council direct the Director, Traffic Management, Transportation Services and the applicant to continue to establish a Construction Management Working Group that meets monthly and invites local stakeholders including Municipal Licensing and Standards, Toronto Buildings, adjacent neighbours, and local resident groups.
18. 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.
19. City Council direct that the occupation permit for construction staging on Dundas Street East, on Church Street, and on the public laneway west of Church Street continue to be conditional subject to there being no conflicts with Metrolinx transit project construction.
20. City Council direct the applicant to continue to cooperate with and provide all necessary assistance to the City Engineers, staff and representatives carry out operation, maintenance, and construction activities to municipal infrastructure within the vicinity of the construction staging areas, and at no cost to the City to remove any staging to accommodate the necessary municipal infrastructure work.

FINANCIAL IMPACT

There is no financial impact to the City. 250 Church 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

Dundas Street East, Church Street, and the first north-south public laneway south of Dundas Street East and west of Church Street, these fees will be approximately \$520,000.00.

DECISION HISTORY

At its meeting on July 19, 2023, City Council adopted Item TE6.52, entitled "Construction Staging Area Time Extension - 244-260 Church Street" and in so doing, authorized a construction staging area time extension from August 1, 2023 to July 31, 2024.

[Agenda Item History - 2023.TE6.52 \(toronto.ca\)](#)

At its meeting of March 9, 2022, City Council adopted item TE31.54, entitled "Construction Staging Area - 244-260 Church Street" and in so doing, authorized a construction staging area on Dundas Street East, Church Street, and the first north-south public laneway south of Dundas Street East and west of Church Street from March 1, 2022 to July 31, 2023.

[Agenda Item History - 2022.TE31.54 \(toronto.ca\)](#)

At its meeting of May 5, 2021, City Council adopted Item TE24.9 "244-260 Church Street - Zoning Amendment - Final Report".

[Agenda Item History - 2021.TE24.9 \(toronto.ca\)](#)

COMMENTS

Status of the Development

250 Church Limited Partnership has undertaken the construction of a 52-storey mixed-use building at 244-260 Church Street. The site is located on the southwest corner of Church Street and Dundas Street East.

Based on the information provided by the developer, construction activities for the above grade formwork are nearing completion. The development is scheduled to be completed in July 2025. Additional major construction activities and associated timelines for the development are as follows:

- Above grade formwork: April 2023 to June 2024;
- Building envelope phase: February 2024 to August 2024; and
- Interior finishes stage: April 2023 to July 2025.

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

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undertaken from within the site as it may create unsafe working conditions. Therefore, continued occupancy of the construction staging area until July 31, 2025 is essential to complete the development.

Construction Staging Areas

The construction staging area for the development is currently within a portion of the first north-south public laneway west of Church Street. The laneway is closed between a point 11.4 metres south of Dundas Street East and a point 37 metres further south. Pedestrian access is closed in the laneway. The developer has coordinated with the owners of 234, 240 and 244 Church Street to confirm there will be no major impacts to any of their operations and agree to accommodate any vehicular access as required.

In addition, a 1.0 metre wide portion of the City right-of-way abutting the development site along Dundas Street East, and a 0.6 metre wide portion of the right-of-way abutting the site along Church Street, are also closed to accommodate a construction staging area. Pedestrian operations on the south side of Dundas Street East and on the west side of Church Street are maintained in a 1.7 metre wide covered and protected walkway within the existing sidewalk area.

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.

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.

A review of the City's Major Capital Works Program indicates that underground civil and electrical work by Hydro One Networks Inc. is planned in the vicinity of the staging area between 2024 and 2026. 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 to the planned activities. Failure of the developer to remove the staging area 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 Major Capital Works Program indicates the development site is within a Metrolinx Permit Review Zone. Therefore, the issuance of the occupation permit by Transportation Services, for construction staging on the public laneway west of Church Street, on Dundas Street East, and on Church Street, 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 Dundas Street East, Church Street, and the public laneway west of Church Street for periods of less than 30 consecutive days over the 12-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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Director, Traffic Management, Transportation Services

Attachment 1: Construction Staging Area - 244-260 Church Street

