

Construction Staging Area Time Extension - 292-298 Dundas Street West

Date: May 2, 2024

To: Toronto and East York Community Council

From: Director, Traffic Management, Transportation Services

Wards: Ward 11, University-Rosedale

SUMMARY

This staff report is about a matter that Community Council has delegated authority from City Council to make a final decision.

Tribute (Mc-Caul Street) Limited, is constructing a 32-storey residential condominium building at 292-298 Dundas Street West. The west sidewalk and a 2.3 metre wide portion of the southbound curb lane on St. Patrick Street abutting the site is currently closed for construction staging operations.

Toronto and East York Community Council, at its meeting on May 26, 2022, approved the subject construction staging area on St. Patrick Street from September 1, 2022 to July 1, 2024. The developer has requested a time extension on St. Patrick Street, due to a variety of construction delays and a recently approved minor variance decision permitting the addition of three-storeys.

Transportation Services is requesting authorization to extend the duration of the construction staging area on St. Patrick Street for an additional 14 months, from July 2, 2024 to September 1, 2025 to allow for the construction of the development to be completed.

RECOMMENDATIONS

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

1. Toronto and East York Community Council authorize the continuation of the closure of the west sidewalk on St. Patrick Street from Dundas Street West to a point 53 metres north and a 2.3 metre section of the southbound curb lane on St. Patrick Street between Dundas Street West and a point 27 metres north, from July 2, 2024 to September 1, 2025 inclusive.

2. Toronto and East York Community Council direct the applicant to continue posting 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.

3. Toronto and East York Community Council direct the applicant to continue providing and installing 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

4. Toronto and East York Community Council direct that Dundas Street West be returned to its pre-construction traffic regulations when the project is completed.

FINANCIAL IMPACT

There is no financial impact to the City. The Tribute (Mc-Caul Street) Limited 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 West these fees will be approximately \$310,000.00, including lost revenue from the parking machines.

DECISION HISTORY

Committee of Adjustments, at its meeting held on December 13, 2023 issued a Notice of Decision regarding File Number A0944/23TEY. The Committee of Adjustments approved a Minor Variance/Permission regarding the address at 292-298 Dundas Street West finding that the intent and purpose of both the Official Plan and the Zoning By-law were maintained.

<https://www.toronto.ca/city-government/planning-development/application-details/?id=5357000&pid=216702&title=292-298%20DUNDAS%20ST%20W%20-%20FINAL%20AND%20BINDING>

At its meeting on May 26, 2022, Toronto and East York Community Council adopted item 2022.TE33.40, entitled "Construction Staging Area - 292-298 Dundas Street West" and in so doing, authorized a construction staging area on the lands municipally know as 292-298 Dundas Street West from September 1, 2022 to July 1, 2024.

<https://secure.toronto.ca/council/agenda-item.do?item=2022.TE33.40>

COMMENTS

Status of the Development

A 32-storey residential condominium building is being constructed by Tribute (Mc-Caul Street) Limited at 292-298 Dundas Street West. The site is bounded by St. Patrick's Church (137 McCaul Street) to the north, St. Patrick Street to the east, Dundas Street West to the south, and McCaul Street to the west. The development in its completed form will consist of 382 residential units, mixed-uses on the ground floor and three level underground parking with permanent vehicular access provided from St. Patrick Street.

Major construction activities and associated timelines for the development are as follows:

- Excavation: Completed;
- Below grade Formwork: Completed;
- Above grade Formwork: January 2023 to September 2024;
- Building Envelope Phase: November 2023 to August 2024, and;
- Interior Finishes Stage: September 2023 to September 2025.

The developer has requested an extension of the duration of the construction staging area due to variety of construction delays such as vehicle operator strikes, material shortages, weather delays, and recently approved minor variance decision permitting the construction of additional three-storeys.

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. Therefore, continued occupancy of the construction staging area until September 2025 is essential to complete the development.

Construction Staging Area

Construction staging operations on St. Patrick Street will continue to take place within the existing west sidewalk and a 2.3 metre wide portion of the southbound curb lane, between Dundas Street West and a point 27 metres further north. The closure of the sidewalk restricts pedestrian movements along the west side of St. Patrick Street abutting the site. Warning signage has been installed in advance of the sidewalk closure at Dundas Street West and Elm Street to inform pedestrians of the closure and to cross to the east side of the roadway. One-way southbound traffic operation will continue to be maintained on St. Patrick Street.

There are no proposed lane closures or sidewalk closures on Dundas Street West or Mc-Caul Street. Pedestrian operations on the north side of Dundas Street West is being maintained in a covered and protected walkway within the existing sidewalk.

A drawing of the existing construction staging area is included in Attachment 1.

Overall, the existing construction staging area are 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 on:
Dundas Street West

- Enbridge Distribution Inc has gas main relocation work planned from 2023 to 2024.
- Toronto Hydro Electric System Ltd has overhead and underground civil and electrical work planned from 2024 to 2025.
- Rogers Communications Inc has cable direct buried work planned from 2023 to 2024.

St. Patrick Street

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

Mc Caul Street

- Toronto Hydro Electric System Ltd. has overhead, and underground electrical work planned from 2024 to 2025.
- Enbridge Distribution Inc. has gas main relocation work planned from 2023 to 2024.
- Toronto Water has sewer rehabilitation work planned in 2027.

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.

If the proposed staging area is not approved, the developer's only option will be to apply for day-use permits of St. Patrick Street for periods of less than 30 consecutive days over the 14-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 of this staff report.

CONTACT

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SIGNATURE

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

ATTACHMENTS

Attachment 1: Existing Construction Staging Area - 292-298 Dundas Street West

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