

July 9, 2021

VIA EMAIL - clerk@toronto.ca

His Worship Mayor John Tory and Members of Council
100 Queen St W 13th Floor,
Toronto, ON M5H 2N2

Attention: City Clerk

Your Worship and Members of Council:

Re: Agenda Item NY25.1 - July 14, 2021 Council Meeting
Re: City Initiated Zoning Amendment
Re: 625-627 Sheppard Avenue East and 6 - 12 Greenbriar Road

I am the solicitor for 625 Sheppard Avenue East Limited Partnership ("625 Sheppard") the owner of lands known municipally as 625-627 Sheppard Avenue East and 6 - 12 Greenbriar Road (the "Lands").

The Lands are currently designated and zoned to permit a 10-storey mixed-use building containing 205 residential units, with commercial/retail space on the ground floor and ground related residential townhouses. The approvals for this development were obtained on an appeal to the Local Planning Appeal Tribunal in a decision dated January 23, 2019.

The development of the Lands is imminent and demolition permits for existing buildings on the Lands were issued by the Chief Building Official on January 20, 2021.

The proposed zoning amendment to impose an H on the Lands with the proposed condition for the lifting of the H is onerous and unnecessarily restrictive in order to address the issue raised by City Staff concerning municipal services.

We are requesting that the condition for the lifting of the H in the draft zoning bylaw be amended to read as follows:

"The lands shown on Diagram 2, shall not be used for any new buildings where the use or construction of which will increase sanitary

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or private water or groundwater flows to municipal sewers, unless one of the following provisions are complied with:

- A. The owner of an individual parcel of land has entered into a site plan agreement, that includes a provision *inter alia* that the owner may not use any new building on the property unless one of the following alternatives is in place
- (i) the Sanitary Sewer Upgrades (being the upgrade of the last three 300mmØ sanitary sewer legs upstream of the sanitary trunk sewer to 675mmØ, located at the north-west corner of Sheppard Avenue East and Leslie Street intersection), which works are being undertaken by the City of Toronto under the Design & Construction, Major Infrastructure Unit, Don & Central Waterfront District in the Engineering & Construction Services Division under project # SAP2020-GL-EASTDON-001, have been completely constructed and are operational to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water; or
 - (ii) in respect of individual parcels of land, the owner has provided an acceptable alternative solution to address the outstanding municipal sanitary sewer capacity issues to the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water and such acceptable solution has been implemented by the owner(s) at their sole cost to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water. OR
- B. The Sanitary Sewer Upgrades (being the upgrade of the last three 300mmØ sanitary sewer legs upstream of the sanitary trunk sewer to 675mmØ, located at the north-west corner of Sheppard Avenue East and Leslie Street intersection), which works are being undertaken by the City of Toronto under the Design & Construction, Major Infrastructure Unit, Don & Central Waterfront District in the Engineering & Construction Services Division under project # SAP2020-GL-EASTDON-001, have been completely constructed and are operational to the

satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water”.

We are advised the required Sanitary Sewer Upgrades are currently being tendered with construction being expected to be completed in mid 2022.

The proposed condition for lifting the H would allow construction of the approved new buildings of the Lands to proceed and the H to be lifted if a site plan agreement is entered into preventing the occupation of the new buildings prior to services being available.

The construction process including the registration of a site plan agreement, building permit for the new development will take at least 2 years being ready for occupancy in the summer\ fall of 2023.

Our client is confident that construction of the sewer upgrades will be ready before the new development is ready for occupation.

The proposed condition protects the City's legitimate concern while permitting construction to proceed in a timely fashion.

Yours very truly,



A. Milliken Heisey, Q.C.
AMH/lg

cc. Councillor Shelley Carroll, Councillor for Ward 17
cc. 625 Sheppard Avenue East Limited Partnership