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Please reply to the TORONTO OFFICE

February 19, 2021

File No. 2160185

BY E-MAIL

Toronto and East York Community Council
2nd Floor, West Tower, City Hall
100 Queen Street W.
Toronto, Ontario M5H 2N2

Attention: Ellen Devlin (Secretariat)

Dear Council:

**RE: Toronto Standard Condominium Corporation No. 1614 (the "Corporation")
Comments for 2021.TE23.59 on February 24, 2021**

We are the solicitors for the Corporation, which manages the affairs of a condominium building comprising 135 dwelling units and which is located at 25 Scrivener Square.

It is our understanding that the Council will be meeting on February 24, 2021, to consider a number of agenda items, including TE23.59 (Construction Staging Area – 5 Scrivener Square, 4-10R Price Street and 1095-1107 Yonge Street).

We have been asked to submit the Corporation's comments with respect to three (3) of the recommendations being considered by Council. Specifically, our client is concerned with how the implementation of recommendations 4, 5, and 14 will affect the Corporation and its residents.

Below we reproduce the recommendations in question (bolded) and offer our client's comments:

4. Toronto and East York Community Council prohibit stopping at all times on both sides of Scrivener Square (north-south leg), between Price Street and Scrivener Square (east-west leg).

The Corporation is very concerned that implementing this recommendation, as currently worded, will impact access to the building for large delivery and moving trucks, in addition to impacting access for waste removal trucks. In light of the construction surrounding the building, the Corporation expects that it's normal, existing loading areas may be temporarily inaccessible and therefore the trucks will occasionally and briefly have to stop along Scrivener Square to access the building.

Accordingly, our client asks that the wording of the recommendation be amended to reflect that the Corporation is exempted (or grand-parented) from the prohibition, otherwise the residents would be severely impacted and for an indeterminate amount of time.



5. Toronto and East York Community Council direct the applicant to pressure wash the construction site and adjacent sidewalks and roadways weekly, or more frequently as needed to be cleared of any construction debris and made safe.

The Corporation is concerned that this recommendation is unclear as to who shall be responsible for determining whether the area is safe and the frequency of the pressure washing.

Furthermore, based on the wording, it is unclear as to whom the Corporation can direct any complaints to in this regard. Pursuant to the *Condominium Act, 1998*, the Corporation is the “occupier” of its lands and therefore to meet its legal obligations, it must ensure that the adjacent sidewalks and roadways, which are regularly used by its residents, are kept safe at all times.

Accordingly, our client asks that the wording of the recommendation be amended to provide greater detail regarding the decision-making regarding cleaning the adjacent sidewalks and roadways. In this regard, it must also be clear as to who the Corporation should contact when there are issues or concerns.

14. Toronto and East York Community Council direct that Scrivener Square be returned to its pre-construction traffic and parking regulations when the project is complete.

The Corporation would like to confirm that once the project is complete that Scrivener Square will be returned to a state of good order and condition. In this regard, the wording must be clear that returning Scrivener Square to "its pre-construction traffic and parking regulations" will not be limited to simply putting up traffic and parking signs that have been temporarily removed or changed during the course of the project.

Our client respectfully asks Council to take its above comments into consideration and to make the necessary amendments to ensure that the Corporation's hundreds of residents are not unduly impacted by the project and the recommendations being proposed.

Should the Council have any questions or concerns regarding the Corporation's comments, please contact the undersigned.

Yours truly,
SHIBLEY RIGHTON LLP
Per:



Armand G.R. Conant
AGRC:LH/nw

cc. Craig Cripps, Manager, Construction Coordination and Traffic Mitigation, Transportation Services - Craig.Cripps@toronto.ca

cc. Roger Browne, Acting Director, Traffic Management, Transportation Services - Roger.browne@toronto.ca

cc. Mike Layton, Ward 11 Councillor - councillor_layton@toronto.ca

cc. Aviva Coopersmith, Advisor, Constituency and Planning, Office of Councillor Mike Layton, Ward 11, University-Rosedale - Aviva.coopersmith3@toronto.ca