

Swansea Area Ratepayers' Association

Reflecting the interests of the Swansea Community



Mailing Address: Swansea Area Ratepayer's Association
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Swansea Area Ratepayers' Group

Written On behalf of the Swansea Area Ratepayers Assoc./Group

Veronica Wynne, President, SARA/SARG

Save the Town Houses – Scrap the Tower

Ref: TE34.50 - 34 to 50 Southport Street – Compliance Re New Draft By- Law, Official Plan and Zoning By-law Amendment for this Application and request to include Clause 6 Section 114 Toronto Planning Act.

ATTN:

Wendy Walberg, Chief Legal Counsel Solicitor, wendy.walberg@toronto.ca

Kamal Gogna, Interim Chief Building Official/Executive Director,

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Cedric Barrera, Manager, Building Planning Review, cedric.barrera@toronto.ca

Carly Bowman, Director, Community Planning, Toronto East York

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Dan Nicholson, Manager, Community Planning, City of Toronto

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Councillor Gord Perks Ward 4 and City Councillors councillor_perks@toronto.ca

The Seven Condominium Corporations adjacent to the 34-50 Southport site and holding the documents and Clause 6 Section 114 Toronto Planning Act agreements.

Immediate ACTION Required

Urgent - This Application should be Approved as Compliant with and Include Clause 6 Section 114 Toronto Planning Act

- I wish to thank Dan Nicholson, Manager, Community Planning for giving me a heads up to the fact that the Applicant did not include the Clause 6 Section 114 Toronto Planning Act containing the information re Pre and Post Condition Surveys and the Precision Monitoring System as required.
- *The Amendment only substitutes the 32 storey building with the removal of the 16 Townhouses and as such should remain under the direction of Clause 6 Section 114 of the Toronto Planning Act. Both reference and action shall also be included at the Site Plan stage
- It is now a clearer picture of what the legal implications are of the Applicants omission of Clause 6 as part of the Amendment's by-law are for the adjacent

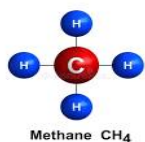
Condominium Corporations owners, the City and the Owner of the property. It is important that they all are provided with a copy of Clause 6 Section 114 Toronto Planning Act (See attachment)

Reference For Greater Certainty Clause 6 Section 114 Toronto Planning Act.

- In 1989 when the Condos of the South Kingsway Village, and 1 Ripley were built, 60 Southport suffered damage of \$1, 500, 000 to their building as a result of the dewatering process, the soil's settlement condition and its failure to expand to its original size because of the excavation and construction.
- *As a condition of the OMB Of 2012, all seven (7) Condominium Corporations' buildings, as identified in the adjoining report, were guaranteed the protection of Clause 6 Section 114 of the Toronto Planning Act (See Attachment).
- *This Clause 6 Section 114 Toronto Planning Act, as a legal document, was written up with input from the Legal, Building and Planning departments of the City of Toronto with the agreement of the current owner and developer to cover excavation and construction on the whole site at 34-50 Southport Street.
- *This Clause indicated that pre and post condition surveys with precision monitoring systems shall be included in the by-laws to protect surrounding buildings against all damage caused by new excavation and construction on the whole site at 34-50 Southport

The Reasons for the Need of the Protection of Clause 6

Methane Gas- Urgent



Peritus, Environmental Consultant for the Methane Study 2021. The initial study as posted **before** the July 8, statutory Community Council Meeting, indicated that the Amendment Application is in the Area of Influence, 250 metres radius from the former Stelco Steel Dump at Windermere and the Queensway. It states that Further structural agitation beyond the levels of 2021 will disturb the methane gas and is not covered by the study

DEWATERING - Urgent. (Quote from the GEOTECHNICAL REPORT 2025)

MCR ENGINEERS LTD.
GEO-ENVIRONMENTAL CONSULTANTS

'The dewatering contract must be performance driven and the contractor must provide a performance bond. In addition, upon completion of system's installation, the contractor must produce a written statement that the system is robust enough to lower and maintain groundwater at least 1.0 m below the lowest footing elevation, without impacting the integrity of shoring or foundation strata/bedrock. Potential adverse effects on adjacent structures, due to dewatering must be assessed/quantified and suitable preventive/remedial measures implemented.

A pre-construction survey of adjacent structures/roads should be carried out prior to the dewatering/shoring construction/foundation installation stage. Potential adverse effects on adjacent structures, due to the dewatering must be assessed/quantified and suitable preventive/remedial measures implemented.'

POPS-Privately Owned/Public Space - Urgent

In this application, it appears that Bousfield & the City have advertised our PRIVATE property as a recreational space for the Public to enjoy without our permission. Our Condominium and Property is ruled by the Condominium Act of 1989 as updated. Bousfield's description of our properties is wrong and they need to cut out any reference to our private property being an open space in their documents as action will have to be taken to address this matter.

Transportation Choices – Urgent

- Save the CROSSWALK at South Kingsway and Ormskirk Ave **OR** provide us with **Traffic Lights at the Same Spot**
- Windermere Place and the Lakeshore Windermere turning lanes are already modified turning lanes to accommodate trucks for the future project at 1978 the Lakeshore West.

Good Reasons to Vote to SAVE the Town Houses-SCRAP the Tower



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January 14, 2022

Re: 34-50 Southport Street (the "Property")

To All Interested Parties*

The Property was subject to a Rezoning application for a mixed-use development, consisting of 29 and 26-storey high-rise apartment condominium buildings and 16 three-storey mixed-use condominium townhouse units, accommodating an overall total of 558 dwelling units and 2,203 square metres of grade-related commercial uses.

As part of OMB Case No.: PL130301 related to the above note address, By-law No. 264-2013 was amended to include the following:

Clause 6:

Prior to Site Plan approval pursuant to Section 114 of the *City of Toronto Act, 2006* and prior to any excavation for the development proposal, the *owner* shall provide studies and documentation, including a pre-condition survey encompassing such buildings and area as the Chief Building Official deems appropriate, which shall be a public document demonstrating to the satisfaction of the Chief Building Official that de-watering and construction of the development proposal shall not produce any significant impact in relation to the soil stability of adjacent properties during and after the construction of the development proposal. The Chief Building Official may have the studies and documentation reviewed by a qualified engineer at the *owner's* expense.

To implement Clause 6 the Chief Building Official is accepting submissions from interested parties, including the South Kingsway Neighbourhood Committee with respect to what buildings and area the pre-condition survey required by Clause 6 ought to encompass. For that reason we are sending this letter to you.

The owner of the Property is now seeking Site Plan approval and has submitted supporting documentation with their application. The submitted public documents can now be viewed by accessing the below link.

<http://app.toronto.ca/AIC/index.do?folderRsn=YY3AFRpOQEqUPlwlGtg2WA%3D%3D>

Alternatively, you can receive a digital copy by making the request to bruna.nigro@toronto.ca

The Chief Building Official will accept submissions with respect to what buildings and area the pre-condition survey ought to encompass until March 4, 2022. Please submit any submission to cedric.barrera@toronto.ca by no later than 4:30 pm on March 14, 2022.