

HARBORD VILLAGE RESIDENTS' ASSOCIATION

Planning Development and Zoning Committee ("PND")

General

- Generally comprised of three (3) to four (4) members as approved by the Board, but numbers may periodically fluctuate to meet the priorities and needs being faced by the Committee;
- PND reports to the Board at regular meetings, and between meetings as required
- Discussions can take place by phone, email, conference call, or web-conference (e.g. Skype, WebEx)
- Typically, one (1) member of the PND takes the lead on an individual file but no action is taken without PND input and consultation
- On broader consultation items, at least two (2) members should be engaged

Subject Areas

I. Committee of Adjustment (C of A) (in general)

Bi-weekly notices from C of A are distributed to the Committee

Role of the Area Representatives (ARs) - Notices should automatically be shared with the local community via the Area Rep, in consultation with the board member who keeps membership lists. Using templates already in place, recipients are asked if they are concerned, to contact the Area Rep who will relay their concerns to the PND.

Role of the PND

- a) No action if the variances are benign (e.g., a garage replacement on the same footprint as a previous garage)
- b) If the variances are not benign, the PND investigates and finds out whether residents are concerned. A meeting could be called by the PND or the Area Rep in consultation with the PND where residents' concerns can be expressed. The PND member assists the community members and the Area Rep on how to draft objections at C of A, and encourages attendance.
- c) HVRA may also wish to intervene at C of A on behalf of the Association. The PND will approve a letter to C of A. The PND member should attend the C of A.
- d) The PND may facilitate negotiations through the Councillor's office.
- e) Throughout this process the responsible PND member will be the contact with the Councillor's office.

2. Ontario Municipal Board (OMB)

An appeal of a C of A decision can be made to the OMB by anyone. In each case, the PND member who took the original file at C of A would likely follow through at the OMB. HVRA Board would be consulted on appearing at the Board.

Most often an appeal is made by the applicant who lost a decision at the C of A. In this case, the PND will decide what its role should be at the OMB. Should the PND elect to oppose the appeal (and uphold Committee of Adjustment), the first step is to remind the Councillor to put in a request to City Council to order City staff to appear at the OMB. In the event the Planning Department supported the applicant, City Council would instruct the City Solicitor to appear at the OMB, and to retain an outside planner.

It is also possible for HVRA or the City to appeal a decision of C of A in favour of an application thought to be damaging to the community. It also must be recognized that the City Lawyer is just that – he/she does not work for HVRA even though in the general sense we are on the same team. The City Lawyer will defend City interests. The PND member will defend the interests of the Board, the membership, as well as our perception of the interests of the neighbourhood.

Mostly, Residents’ Associations are now electing to appear at the OMB as a party. This guarantees the Residents’ Association will be at the table should mediation take place. While party status allows for cross examination and the production of evidence, the OMB has been tolerant of Residents’ Associations simply presenting neighbours as witnesses on the planning case.

In exceptional cases, the PND may recommend to the Board that HVRA raise funds to hire our own planner, and perhaps lawyer.

3. Heritage

Two members of the PND belong to the HVRA Heritage Conservation District Advisory Committee. They liaise with Heritage Preservation Services on applications, façade changes, questions from the community, OMB and Committee of Adjustment matters. The members also encourage the preservation of heritage in the neighbourhood and work with interested neighbours in expanding our two districts.

4. Patios

Members of the PND work with Area Representatives on patio applications and problems arising from patios. See Addendum for more detail on this scope of work.

5. Broader Issues:

- Meeting with developers and City staff at pre-public consultation stage and providing them with community feedback
- Meeting with other Residents’ Associations about current or pending developments in or adjacent to Harbord Village and negotiating with developers
- Participating in planning consultations/studies: TOcore, block plans, etc.

- Promoting heritage listing where appropriate
- Communicating with the broader community about such issues

6. Special Cases

Special cases occur, such as Central Tech. Although the C of A was involved in this case, it was only a small part of the arena in which this played out, including Board and Board committee level. Here the whole planning committee may be called into action plus other allies in adjacent neighbourhood associations. This activity would be ratified by the Board.

Confidentiality

Because planning issues can set neighbour against neighbour, and many of them involve large developments, the PND must act with discretion. The Board will be advised on pivotal decisions, but would not be consulted during the case.