

Harbord Village Residents' Association Board Meeting

Tuesday, February 20, 2024, 7:00– 9:00 pm

by Zoom call

APPROVED MINUTES

Attendees: Kerry Clare, Sue Dexter, Rosalinda Furlan, Karen Laurence, Tania Lewis, Cathy Merkley, Mary-Frances Morrison, Nick Provart, Gus Sinclair, Robert Stambula, Moritz Steinbauer

Regrets: Chair Anne Fleming, Susan McDonald, Lena Mortensen, Jane Perdue, Jody Salomon

Special Guests: Teodoro Amaro (Councillor's office), and HVRA member, Elizabeth McCrae (observing)

Note: *Gus Sinclair acted as meeting Chair in the absence of Anne Fleming*

1. **Meeting brought to order: 7:05**
2. **Approval of Agenda:** Kerry moved that the agenda be approved; Cathy seconded. **The agenda was approved.**
3. **Approval of the January 16, 2024 Board Meeting Minutes:** Sue moved that the minutes be approved; Nick seconded. **The minutes were approved.**
4. **Business Arising from Past Minutes:**
 - 4.1 **Zero waste update** Kerry reported that she set up Facebook group to build a base and make it easier to grow project. To date, 50 people have joined the group. In addition, there is now a logo for the project, and an announcement was sent out in Para & HVRA newsletters asking for Pilot volunteers. So far 6 people have come forward, but more are needed. Kerry is glad to be helping with this, but is not prepared to be co-coordinator with Dave Hunsburger, so that position is still open.
 - 4.2 **Governance committee** Gus reported that this committee, which consists of Anne, Tania, Moritz, Cathy and himself, has two problems to solve: 1) what to do about the vacant Vice Chair position, and 2) what to do about succession. The committee is heading towards a constitutional amendment that will allow the board to decide, year to year, what will work best for recruiting. The committee just needs to fine tune the wording and should have something to present to the board in March or April.
 - 4.3 **CNOY** Kerry reported on the progress of the two HVRA fundraising teams and encouraged board members to help raise money as the walk is just a week away and FYFB is still well short of their \$200,000 target.

4.4 Invitation to meeting with Resident Associations about the City's approach to responding to encampments Gus asked if any board member would be prepared to represent HVRA at this meeting. No one volunteered.

4.5 Spring General Meeting Gus discussed the difficulties and expense of setting up a hybrid meeting (See document appended). He suggested if we can find a solution to those problems at least a month before the SGM, then we'll consider that, but we should plan on Zoom as the fallback position.

4.6 College Street Update Gus shared Gord Brown's report on where things currently stand (see document appended). Bob suggested that the lack of street markings presented a serious hazard; that people could be seriously injured or killed because of the missing signage. Gus said the information about this had been sent to the councillor (by Gord Brown and Merrill Swain) and asked if Teodoro could find out what is being done about it. Teodoro said he would follow it up and get back to Gus.

4.7 NE Graffiti and trash Gus reported that an HVRA member had complained about graffiti and trash at the corner of Harbord and Spadina. Moritz followed up, explaining that there are markers (public art) all along the Spadina streetcar route. The one at Harbord has not been maintained. Something should be done about it, but it is city property, and the BIA doesn't have the money to fix it anyhow. The issue is further complicated by the fact the RBC building has been sold and the new owner is currently unknown. Once we know who that is and if they are interested in doing something about that marker, then we can see where it is all going. Gus said once we know more, we can compose a letter to the councillor and Teodoro and see what they can do.

5. New Business:

5.1 Reading of correspondence into the record (see documents appended)

- a. **Letter to Council re: 316 Bloor**
- b. **Letter to Mayor and Council re: Noise bylaw – e-vote Feb 4**

5.2 62 Croft Street TLAB Appeal Bob brought forward the following motions:

1. Move that HVRA confirm its Party Status to defend the C of A denial of the 62 Croft matter (see document attached). Sue seconded. **The motion passed.**
2. Move that HVRA supports the acquisition of a planner. Contributions from immediate impacted neighbours and others will be sought with any shortfall being the responsibility of HVRA. Karen seconded. **The motion passed.**

5.3 Report on FoSTRA Advocacy and Activism Committee Cathy presented her report on this meeting (see document appended). She said FoSTRA is also concerned about and working on response to the arbitrariness of CoA decisions.

5.4 Destruction of Willcocks Boulevard. Cathy and Sue reported on the ongoing damage being done to the trees and grass by construction vehicles (as well as the knocking down of bollards which were subsequently stolen). The board asked Teodoro what was being done, as this had been repeatedly brought to the attention of the councillor and various city departments, to no avail. Teodoro said he had reached out to transportation at least a year ago and will try to find out what the hold-up is.

Teodoro departed. The meeting then moved in camera for 10 minutes.

Bob moved that the amended Dr. Gary Davidson engagement letter (below) be approved. Sue seconded. **The motion passed, eleven in favour, one abstention.**

Engagement Letter

To: Dr. Gary Davidson FCIP, RPP, PLE, The Davidson Group Inc.

Acting as representative of the Harbord Village Residents Association (HVRA) board, I wish to retain your services as a comprehensive land use planner for the purpose of providing expert witness in a TLAB hearing regarding the property at 62 Croft Street, up to a limit of \$3,500. HVRA is a party to this hearing.

- 6. Committee and Area Rep Reports:** Acknowledgement of receipt only unless action or discussion is required.

P & D Committee Report: Sue reported that negotiations with the developer at 425 Bloor have been completed and the project is going to Council. She thinks they have the councillor in agreement to the public realm improvements on Robert St. The working group will have the 3rd and possibly final meeting with the Knox Church group at the end of February. It's hard to know where things will go. The committee is still trying to get the southern building down, but the developers want more out of the site.

- 7. Adjournment:** Bob moved that the meeting be adjourned; Tania seconded. **The meeting was adjourned at 8:30.**

APPENDICIES

- 1. Notes re: Hybrid Spring General Meeting**
- 2. Gord Brown Report on College Street Upgrade progress**
- 3. Letter to Council re: 316 Bloor**
- 4. Letter to Mayor and Council re: Noise bylaw**
- 5. Background and Basic Metrics re: 62 Croft**
- 6. Notes from FoStra A & AC meeting**

Report on Hybrid Spring Meeting

1: Tech Info: it is complicated to run a Zoom Meeting with a live and in-person meeting. The main concern is that all participants must be able to hear and see everyone else present at the meeting. This means microphones and speakers plus a live Zoom screen with audio for the 'live audience'. And it means two cameras with sound for the Zoomers: one constant camera on the live attendees with the chair visible and mic'ed and one camera roaming to pick up members of the live audience who are speaking or asking questions.

In addition, we will need tech help to run the Zoom meeting: one to get questions/comments from the chat and pass to the Chair and one to do the housekeeping: admit people to the meeting and manage the move to and from the breakout rooms.

We will also need an hour or more to do the setup and close to that for the take-down and load out.

Cost will be appx \$400.

2: We do not yet know if Kensington Health will be available to us for a meeting in May.

Report on College Street Upgrade

For furnishings, it would have been nice to have the opportunity to rethink street furnishing placement in light the major sidewalk space impacts and cycling benefits of 'College Street 2.0'. But seeing the City info, it appears that Staff are just replacing pre-existing items as they were.

For roadwork, it's a combination of several things.

1. Addressing missing or temporary pavement markings, largely by installing zebra crossings where missing, cycle track pavement 'logos' everywhere, and re-painting the now-missing bike lane between Budget RAC and Spadina.
2. Completing the Borden/Bellevue cycling connection, with signage, pavement markings and activation of bicycle signals.
3. Re-installing the Borden contra-flow lane and addressing resident concerns with signage and markings at the rebuilt Borden/Ulster intersection
4. Fixing the mess resulting from a late-breaking shift of the westbound TTC stop from east of Major to a much shorter, more awkward installation at Augusta.

HARBORD VILLAGE RESIDENTS' ASSOCIATION

Box 68522, 360A Bloor St. W.
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email: info@harbordvillage.com
website: www.harbordvillage.com



To: Toronto City Council

Re: TE 10.42

316 Bloor St. West

Dear Members of Council: Feb. 5, 2024.

We urge council to support the City's appeal of a Committee of Adjustment decision on 316 Bloor St. West. It approved 11 variances as minor, including increases in height of 28% and storeys of 24% from a rezoning approved in 2017. The application contained reductions in amenity space and provided for no affordable housing. It had minimal public consultation.

Before voting, you should have the following facts, which correct some of the misinformation surrounding this application and put the issue in a different light. It has been suggested that all that is being asked is a buildout after planning rules changed. This is not correct.

The planning rules governing height at this site have not changed since the applicant settled before the OMB in 2017. It was 98 m. then and remains in force now, except for a 2021 adjustment to allow extra height for window washing equipment. Ref. By-Laws 594-2021 and 595-2021 (OLT). 4.(e)(ii) and 4 D ii: *"the only element permitted to exceed a height of 98.0 metres shall be window washing equipment."*

While the original rezoning had full community consultation and involvement and a settlement at the OMB, this application came forward seeking variances via Committee of Adjustment with limited community involvement, rather than a rezoning application. This, when for a sister application, a month before, a block away, at 300 Bloor St. W., the Committee of Adjustment turned down a similar application for more modest variances because they were not minor. (The comparisons are shown in an appendix in the letter from the Annex Residents' Association to Toronto and East York Community Council., Jan. 20, 2024).

Background:

316 Bloor stands as a landmark site. Its 42-storey application in 2015 challenged the City to precisely define ceilings and limits on buildings along Bloor between Avenue and Walmer Roads. On March 9, 2017, after exhaustive public consultation two new instruments were approved: OPA 365 dealing, among other things, with number of storeys and OPA 368 establishing a height maximum that would clear the historic roofline at 1 Spadina Knox College from penetration by buildings along Bloor.

Several landowners, including 316, appealed both. Nine months later, Dec. 13, 2017, the developer at 316 dropped its appeals and settled for 98 m. in height and 20-29 storeys. OMB ratified the settlement and on May 15, 2019, went on to approve the viewshed OPA with other appellants.

The City has made no additional change in zoning for 316, except, in 2021, for a technical amendment allowing only the window-washing equipment to be higher than the approved 98 m. (see August 8, 2021 envelope diagram attached).

In the six years since it was first approved, there has been no major construction activity on the site.

Significance of approval:

We are concerned that this process would set a precedent for developers who have sat on approvals for long periods of time to double dip. It may even prove to be an incentive to hold and wait.

An application for a 25% increase in an existing large approval should proceed by way of a rezoning, rather than by way of Committee of Adjustment with its more limited public engagement, and no mandated consultation—a route that may or may not increase speed and reduce costs for developers, but sacrifices public engagement, transparency and trust in the planning system.

Please support this appeal.

With thanks for your attention.

Sue Dexter

97 Willcocks St.

Toronto, Ontario. M5S1C9.

Appendix 1: two zoning bylaw revisions:

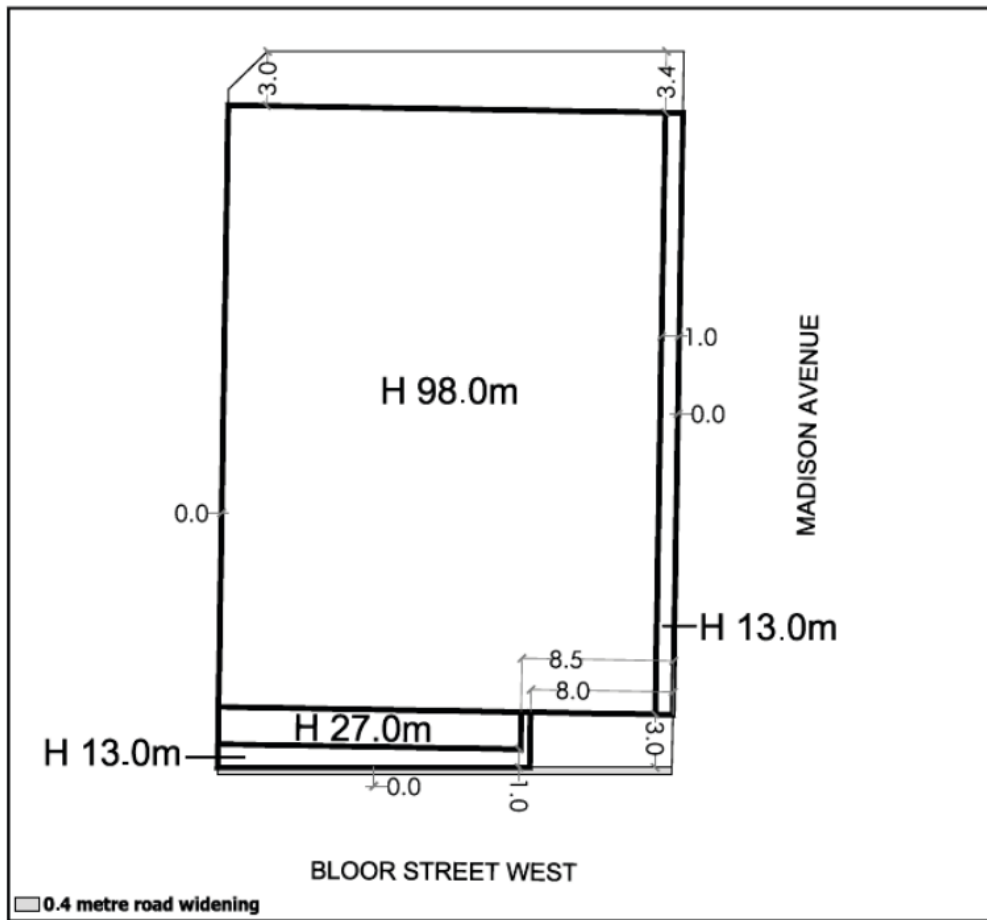
August 10, 2021: Toronto bylaw revisions

<https://www.toronto.ca/legdocs/bylaws/2021/law0594.pdf>

Sept. 10, 2021.

<https://www.toronto.ca/legdocs/bylaws/2021/law0595.pdf>

Each included the height diagram below, dated 2021. 98 metres remain the approved height.



Toronto City Planning Division

Map 2



Not to Scale

HARBORD VILLAGE RESIDENTS' ASSOCIATION

Box 68522, 360A Bloor St. W.
Toronto, ON M5S 1X1



June 20, 2023

TO: Mayor Olivia Chow

Toronto City Council

Toronto City Hall

RE: **2024.EC9.5 Implementation Review of the Noise By-law**

Dear Mayor Chow and Members of Council:

On Tuesday, February 6, City Council will be approving recommendations for the Noise Bylaw Review. I write on behalf of the HVRA, which comprises the area from Bloor St to College St and from Bathurst St to Spadina Ave. We support the recommendations put forth by the Federation of South Toronto Residents Associations and No More Noise Toronto, with our own specific emphasis on the following:

There are several major construction projects in our neighbourhood, with more in the way. While noise and disruption are to be expected from such projects, residents have been experiencing several years of noise in excess of what is reasonable, with huge impacts on sleep, ability to work, and general enjoyment of their homes, with little recourse.

Most recently the hoist noise for the new U of T residence going in at Spadina and Sussex has been very loud and has a pitch akin to nails on a chalkboard. One resident measured the noise and found one of them to have a noise level of 70 dB. *(It is noted that noise above 70 dB over a prolonged period of time may start to damage hearing.)* Numerous complaints were lodged with the construction team to little avail. Prior to that were several months at the neighbouring site where the building's balconies were jackhammered off, with little abatement.

(Exacerbating the balcony situation was the province's 2020 COVID extension of construction hours, meaning residents were subjected to noise and vibration as early as 6.30 am, with no break for 12 hours, 7 days a week. More recently, the U of T residence was itself deemed a public interest project and therefore given an early morning exemption, which means residents have been awoken well before normal hours for several months.)

With some research we were able to determine that a certain adjustment of the hoisting equipment would resolve much of the grating sound – **our request now is that construction crews be required to use counterbalanced hoists in the proximity (1km) of residential neighbourhoods.** We would also request

that there be **no exemptions to the hours of construction time, whether at the city of provincial level, except for rare and extreme cases** – developers should have to provide a very strong case and provide a robust abatement plan. Finally, it should not take months of wrangling to get some relief. **By-law enforcement must be beefed up and made available during all hours.**

As per the submissions of No More Noise Toronto and FoSTRA we request that Councillors act to:

- Include in the Noise Bylaw a statement acknowledging that noise is a public health issue
- Overhaul the 311 noise reporting process, including identifying better ways to report moving vehicle noise
- Introduce nighttime limits of 45 dB(A) outdoors and 35 dB(A) indoors for all noise sources, reflecting studies establishing serious negative health impacts due to disrupted sleep
- Establish appropriate measurement policies for different noise sources (e.g., measuring at property line of noise source in case of Amplified Sound; measuring at a point of reception such as the plane of an open window in case of Residential Air Conditioners/Stationary Sources)
- Implement automation of noise enforcement and data gathering via, e.g., noise cameras and sound level meters (as is done in London and New York City)
- Create one or more committees for the public, city, police, and other stakeholders to resolve noise issues.
- Remove the exemption for nighttime private Waste Collection pickup
- Establish guidelines for Waste Collection pickup to be in an enclosed space
- Ban the use of gas-powered lawn equipment
- Lobby the Province to make regulatory changes to allow for noise cameras and sound level monitoring.

Excessive noise is a health issue. As the City grows and changes, noise issues are changing. Addressing these issues in the City must be an ongoing and multifaceted endeavour.

Thank you in advance for your consideration.

Anne Fleming

Chair, HVRA

chair@harbordvillage.com

Background and Basic Metrics re: 62 Croft

In 2019, the Local Planning Appeal Tribunal (formerly OMB now **LPAT**) **approved** the severance of 157 Lippincott and a 2 storey home for 61 Croft **overturning a 2016 C of A denial**. HVRA and the City were parties at the hearing to oppose the LPAT appeal.

Nothing has been built since 2019. In 2023 the applicant sought greater variances for a 3 storey home; it was denied by C of A but appealed again (to TLAB).

The immediate impacted neighbours are long-term residents, each are single retired women. They have lived through the 2016 denial by C of A in 2016 (a win for them), only to see LPAT overturn it in 2019. And again C of A denied an even larger proposal (3 vs 2 storeys with even less rear yard setback 2.5 vs 3.48m) in 2023 and now they face appeal at TLAB (Toronto Local Appeal Body) set for April 10th. The City is not participating at TLAB - Saxe's refuses involvement.

I have given notice of intention to be a party for HVRA and to be the representative. I had this role in the 1/3/5 Croft TLAB matter (involving the same developer) in 2019.

Below are some basic metrics.

		2023 C of A denied but Appealed to TLAB in 2024	2016 Cof A denied but LPAT Allowed in 2019
Details	ByLaw		
FSI	1.00	1.91m	1.64m
Min Front Yard Setback	6 m	0m	0m
Rear Yard Setback	7.5m	2.5m	3.78m
Side Setback	0.45m	0m	0
Setback from Centre Lane	2.5m	1.98m	
Front Landscape	1.47 m2	1.25m2	
Storeys/height	2 for suites	3 storeys	2 storeys
Min Lot Size	180	100	100
Units of Housing		1	1
Garage		Yes	Yes

Notes from FoSTRA Advocacy and Activism Committee Meeting Feb 8th 2024

Minutes are available – ask Cathy to forward

Highlights:

1/ Impact of Social Development Plans (presented by Walied)

2/ Decided that FoSTRA will begin work developing several white papers on the following issues:

Alternative Revenue Streams for the City

Affordable Housing

Committee of Adjustment

Social Development Programs

FoSTRA Communications Strategy

3/ On Dec 22/23 Minister Todd Smith overturned the OEB's recommendation to eliminate the natural gas install subsidy program for new home builds. A FoSTRA rep produced a detailed brief on the background, process and some responses to date. FoSTRA also drafted Letter to Council in support of the Saxe- Motion MM14.14 –which was referred to Exec Committee.

4/ CofA Major vs Minor – FoSTRA also watching and committed to a white paper

5/ Will be seeking feedback from the 26 member associations around a Communication Strategy for FoSTRA

6/ TICA member rep alerting FoSTRA about a surprise motion by Pasternak and Burnside regarding a Special Tax for Toronto Island Residents. This has also been referred to Exec Committee (Feb 29th)

Cathy