

Report for 2016 to be presented at the SAHRA Annual General Meeting on April 5, 2017

2016 was another very busy year for the South Armour Heights Residents' Association, for both the Directors and our Members. Here are a few of the highlights.

We had a very successful **Neighbours' Night Out** on September 6. There was a visit by the Police Department with one of their cruisers, which the kids enjoyed. As usual, ice cream was served (enjoyed by both kids and adults) and balloons were available for the younger set. Student volunteers really helped at the event again this year. However, attendance was down as were paid memberships, and we have decided that holding the event on the same day as school returns may be reducing the number of residents who come. So this year's Neighbours' Night Out will take place on Tuesday, June 13 at the same time and place, 6:30 to 8:00pm at 2 Haddington Avenue. We hope to see you there.

Traffic congestion and pedestrian safety at Armour Heights Public School led SAHRA to meet with the principal of the school and has contacted the Family and School Association. The city's Traffic Service department provided some data on signal light timings, traffic and turning counts and collisions. We are continuing to work with interested parties to find improvements.

Speed Limit changes (to modify from 50 to 40 km/h) for 21 streets in the SAHRA area were approved by the City in 2016 based on our work on this issue in 2015.

Throughout the year, we have continued with efforts to **recruit new Directors** to join the Board. Our treasurer, Ron Johnson, has announced that this will be his last year on the Board after eight active years. Thank you, Ron. We need more Directors. SAHRA's ability to continue to deal with all the issues arising in our community is dependent on recruiting capable Directors and volunteers. We have already discussed what activities we will not be addressing in the future, but have not yet made any decisions. Please let us know of anyone who you feel would be interested.

Some of our members noticed that the weekly **junk mail** delivered by contractors (not the post office), was being left in driveways and not delivered to front doors or mailboxes. After contacting the delivery company, this practice was rectified.

SAHRA continues to **collaborate with several residents' organisations**, including FoNTRA (the Federation of North Toronto Residents' Associations). FoNTRA's dedicated leadership is especially effective at dealing with North Toronto related issues. In addition, OOGRA (Old Orchard Grove Ratepayers' Association) is becoming more active after a period of dormancy – we have been working with them on several of the Avenue Road commercial development proposals. SAHRA also participates in the Ward 16 Residents' Association meetings. Main issues include traffic, parking, tree protection, sign by-law amendment requests, sewers, Committee of Adjustment (CofA) and Ontario Municipal Board (OMB) issues, Section 37 allocations, and Waivers.

A SAHRA Volunteer monitors the City website for **Building and Development Applications**. SAHRA then actively follows-up on all applications within our boundaries and in areas of interest close by. Another Volunteer monitors **Sign Permit Applications** on the city's Building website.

In December, 2014 SAHRA asked Councillor Carmichael Greb to provide a status report and action plan for the outstanding **Recommendations from the Avenue Road Avenue Study**. 21 recommendations were approved but only 7 had been implemented. At SAHRA's AGM in 2015, the Councillor advised that she had been unable to obtain status reports/action items on the outstanding Recommendations. In May, 2015, she put a Motion forward for the Planning Department do a complete review and report back on their findings by Q4 of 2015. The Councillor held a Public Meeting in November, 2015 at which time Planning presented its review. In SAHRA's opinion, the City was not meeting its obligations to the agreement reached in the Avenue Road Avenue Study. SAHRA submitted a formal request to the Councillor in March, 2016 for a commitment for the City to do a serious review of the 14 outstanding Recommendations, to define action plans and funding. We believe work has been underway on this issue but we have not received any updates from the Councillor or Planning. We understand that the Report will be on the agenda for the May 2 meeting of the North York Community Council.

Each new commercial development is assessed for parking needs. Often, the development does not provide adequate parking, but there exists a city policy whereby the developer can make a **Payment-in-Lieu of Parking** payment. In theory, these payments should be used by the city to provide adequate parking nearby. This policy has not been updated since 2004, even though the policy itself states that it, and the rates charged, should be updated every four years. The city is losing valuable income by not charging current rates. In March, 2016, we asked Councillor Carmichael Greb to put forward a motion asking for a review of the policy. The Councillor has requested Traffic Services to review and report back. A report is expected in Q2 of 2017.

Further to Payment-in-Lieu of Parking, at the January, 2016 Community Consultation Meeting for 1912 - 1914 Avenue Road (more details later), in response to concern expressed, Councillor Carmichael Greb committed to submit a Motion to request that these monies collected on Upper Avenue be designated for parking solutions within that area and that the City would undertake reviews to define and then implement parking solutions for Avenue Road. In April, 2016 SAHRA submitted a formal request on the same matter to the Councillor. We asked that all funds secured since Jan 1, 2015 from assessments within Ward 16 boundaries be used in the area adjacent to the source of the funding, involving the local Residents' Association(s) and specifically that monies received from developments on Upper Avenue Road between Lawrence to Wilson be designated to support the implementation of parking solutions within that section of Avenue Road, involving the local Residents' Association(s). In September the Councillor advised that the City will not consider these designations. In the Motion for the Payment-in-Lieu of Parking for 1912 - 1914 Avenue Road which amounted to \$498K, the Councillor specified that the funds were to be deposited to the Toronto Parking Authority general pool. SAHRA was very disappointed with this outcome. We had dealt with the time and cost of the OMB hearing for 1912 - 1914 Avenue Road and obtained a Settlement with one of our prime objectives being to secure the Payment-in-Lieu of Parking monies. We were successful in obtaining OMB, Developer and City Legal agreements that these monies would be assessed and paid. Without our efforts, we believe that these monies would not have been realized, for the intended benefit of Upper Avenue. The \$498K that SAHRA secured through the OMB Settlement has now been lost for Upper Avenue!

When a development includes height and densification beyond what is permitted by the city by-laws, a process exists to assess a fee paid by the developer, for benefits which would then be provided to the local community. In cases like this, the local councillor can negotiate with the developer to establish the fee. These funds, referred to as **Section 37 funds** since this process is established under Section 37 of the provincial Planning Act, can be used within the councillor's ward at the councillor's discretion. Multiple times, SAHRA has requested that our Councillor reallocate Section 37 funds from areas which have already been addressed to outstanding recommendations from the Avenue Road Avenue Study. Each time these requests were refused, and she stated that she would not reallocate funds allocated by her predecessor. However, the Councillor has made two urgent last minute motions to City Council meetings to reallocate Section 37 monies. None of the changes addresses the Avenue Road Avenue Study recommendations.

Councillor Carmichael Greb has requested that **TTC Roe Avenue bus loop** be declared surplus and that it be assigned to the Toronto Parking Authority. This is the only portion of Avenue Road which is still available to turn into green space, allowing the city to meet one of the recommendations of the Avenue Road Avenue Study. While parking is an issue on Avenue Road, there are almost always parking spots available in the existing parking lot. We believe this space would be better used as green space.

The city has a process to expedite Committee of Adjustment applications, which allows developers – instead of city zoning experts – to identify by-law variances for the proposal. This **“waiver” process** was brought in at a time when changes had been made to the by-laws and the city did not have enough staff to deal with the applications in a timely manner. However, this time has passed, and the continued use of the “waiver” process causes problems at Committee of Adjustment hearings. In March, 2016 we requested Councillor Carmichael Greb to put forward a motion asking for a review of the policy. We have been supported in this by FoNTRA and other Ward 16 Residents' Associations. The Councillor's office has indicated that the city's legal and planning departments have been reviewing the waiver issue and were to report back in the fall of 2016. We are still awaiting the report.

The city has a policy of giving **20 days' notice** prior to Committee of Adjustment hearing dates, and of publicizing CofA decisions within 7 days of the hearing date. North York is much worse than the rest of the city in meeting these deadlines. One of our volunteers monitors the dates. The situation is worse in 2017. For notices, the averaging posting dates were an average of 12 days late; in 2017 this has worsened to 16 days. Similarly, for decisions, the days late has moved from just 1.4 to 20 days. On March 25, 2016, we submitted a request for improvements in the posting dates. We are still waiting for a reply. [Show Excel file.]

SAHRA submitted a letter supporting OOGRA's request which asked Councillor Carmichael Greb to require the **capping of laterals**, which are the building connections to sanitary sewers, at demolition. This would reduce the amount of ground water which infiltrates the sewer system. This extra ground water in the sewer system must be treated before being released, adding to costs, and can also cause sewers to back up into homes. The Councillor put a motion to City Council in October, 2016 to study the issue and report in 2Q of 2017.

A **zoning study review** was undertaken by a SAHRA volunteer to understand which properties on Avenue Road side streets were zoned as other than residential. These properties are not subject to the 45 degree angular plane calculations from neighbouring developments, and can result in taller portions of buildings being closer to the property line. The commercial side street properties are also more vulnerable to purchase and incorporation within Avenue Road commercial developments than residential-zoned properties. This study will allow SAHRA to better respond to development applications.

Much of SAHRA's efforts in the last year have been focused on **increased development** along Avenue Road, Wilson Avenue, Lawrence Avenue and within the residential areas of our boundaries. During 2016, there were 25 hearings at the Committee of Adjustment which SAHRA addressed: of these, 11 objection letters and 3 requests for deferral were issued, while no objection was made in the other 11 cases. Seven of the cases were commercial, on Avenue Road.

- 1) Without doubt, our greatest effort was centred on working with the developer for **1912 – 1914 Avenue Road**, at the northwest corner of Brooke. SAHRA successfully opposed this development at the Committee of Adjustment in 2015. When the developer appealed to the OMB, we hired a planner and a lawyer to represent SAHRA and the community at the hearing. Before the hearing took place, we were able to come to an agreement with the developer. As a result of this process, SAHRA believes that we have gained substantial improvements in the built-form/design: the height was reduced by 2.9m, now meeting the by-law of 16.5 metres; 5 storeys were reduced to 4; and numerous changes were made to reduce massing. the mechanical penthouse was set back and the tower feature was removed facing Brooke Avenue, both of which reduced the building's massing; a small step-back was created at the top of the first floor facing Brooke; and the rear is now terraced with balconies on the second and fourth floors and railings and screen materials were changed to an opaque, glass-like material, both of which protect adjacent residential properties. And, as mentioned above, the developer agreed to pay \$498k for Payment-in Lieu of parking. As well, the owner agreed to pay Payment-in-Lieu of parking cash-in-lieu (which was assessed for \$498K) and he also committed to support SAHRA's request that the parking cash-in-lieu be used to upgrade the Green P lot immediately adjacent to the site. As mentioned above, while Councillor Carmichael Greb had committed to have these funds designated for parking solutions for Upper Avenue, they apparently have gone into the Toronto Parking Authority's parking reserve fund. As a result, the funds have not been earmarked for local use.
- 2) The proposal at **2100 Avenue Road** (Seligman's) consumed much time and effort. The application was to allow this Residential property to be used as a business office with a two-storey upper residential rental unit, OR for completely commercial use. Planning was in favour of the proposal and the Councillor did not submit an objection letter. SAHRA opposed the application at October's North York Community Council meeting but the application was approved. SAHRA feels that this now sets a precedent, along with 2098 Avenue Road (The Goldberg Group building), for on-going conversion of residences on Avenue Road to commercial operations.
- 3) The developer at **1560 Avenue Road**, at the southwest corner of Douglas Avenue, has been before the CofA several times and has demolished and partially built a new structure despite not having a valid building

permit. We are pushing the city to hold the developer to the CofA requirements for Site Plan Approval to ensure that the required Right-of-Way access at the rear of the building will be provided.

- 4) Among other important developments, we are keeping our eyes on **1580 Avenue Road**, the current beer store, and **1780 Avenue Road**, the old post office building. The former has an application for a condo building with numerous variances; the latter has gone through several proposals, none of which appear active currently. The developer for **250 Lawrence Avenue West**, the current medical building, has an application before the OMB for a 12-storey apartment building, completely out of character with the area. We are asking the city to oppose the development at the OMB. The developer for **228 Wilson Avenue**, just east of the 401 overpass, has seesawed back and forth between a condo and an apartment building. The number of parking spots provided in the proposals has been an issue.
- 5) Within the residential areas of our neighbourhood, SAHRA issued several letters of objection, but the points made are numerous and varied. A couple of areas which particularly concern us are
 - a) Any time a developer or homeowner does not comply with the by-laws or CofA approvals
 - b) A new trend which adds a second basement – a sub-basement. This may affect neighbouring houses and existing drainage patterns due to the extra depth of the building.

The **Avenue Road Avenue Study**, published in 2009, supported step-backs of taller buildings on walls which face both Avenue Road and side streets, where the building is on a corner lot. While a by-law was passed several years ago for this, SAHRA requested that it be amended to better state that a step back is required on the side street(s) as well. City council passed this amendment in March, 2016.

It has recently come to our attention that the by-law changes which came about as a result of the Avenue Road Avenue Study do not apply **north of Joicey**. We met with city planning staff in January to understand the issue and need to formulate a plan of action.

To use our members' contributions more effectively by reducing costs, we are pushing to deliver our newsletters by e-mail rather than by physical delivery. Our main challenge is in collecting **e-mail addresses**. We would appreciate your support in asking your neighbours to provide e-mail addresses to us if they have not already done so.

Thank you for your support, particularly over the last year, and we look forward to continuing to advocate for our neighbourhood in the coming year.