

Report for 2015 to be presented at the SAHRA Annual General Meeting on April 6, 2016

2015 was a very busy year for the South Armour Heights Residents' Association both for the Directors and our Members. Let's review the activities and accomplishments.

We had the most successful **Neighbours' Night Out** on Sept 8, 2015. Increased attendance, visits by both the Fire Department and the Police Department (which the kids really enjoyed), ice cream scooping shifts by the three Federal candidates, student volunteers helping us this year and lots of visiting by the adults while the kids enjoyed the ice cream and balloons.

In 2014 we realized that the **'Waiver' process** was causing problems with Committee of Adjustment applications and actual building (the developer initially defines the required variance/not defined by Zoning Examiner). Since then, we have discussed the issue with Councillor Carmichael Greb, Planning and Building representatives, FoNTRA, CORRA and other Ward 16 Residents' Associations as this is a City-wide issue. On March 10, 2016, we submitted a formal request to the Councillor to put forward a Motion at the Planning and Growth Management Committee (PGMC) asking that a review be done by the City to consider eliminating the Waiver process and that a report be presented back to the PGMC in Q4 2016. FoNTRA and the Lytton Park Residents' Organization have submitted supporting letters. We have not yet received confirmation from the Councillor that she will put this item on the Agenda or submit a Motion.

In 2015, when dealing with the 1912-1914 Avenue Road application and the fact that they were not providing any parking, we realized that the policy controlling **Payment-in-Lieu of Parking** had not been updated since 2004. The policy stated that the policy and the rates should be reviewed every 4 years but this has not been done. We have discussed the issue with FoNTRA, CORRA and other Ward 16 Residents' Associations as this is a City-wide issue. On March 10, 2016, we submitted a formal request to the Councillor to put forward a Motion at the Planning and Growth Management Committee (PGMC) asking that a review be done by the City to update the Payment-in-Lieu of Parking policy and that a report be presented back to the PGMC in Q4 2016. FoNTRA and the Lytton Park Residents' Organization have submitted supporting letters. We have not yet received confirmation from the Councillor that she will put this item on the Agenda or submit a Motion.

In 2015, there were 17 applications to the **Committee of Adjustment**. SAHRA submitted Objection Letters to 15 of these applications. 2 were refused and then went on to the Ontario Municipal Board (54 Esgore and 1912-1914 Aveue Road).

In 2015, SAHRA has submitted formal requests to the City and the Councillor for the North York Committee of Adjustment office to adhere to the City's stated position of giving **20 days Notice** and of posting Decisions within 7 days of the hearings. For 2016, we prepared an automated spreadsheet that calculates the required mailing/posting (on website) dates. Our Volunteer monitors the actual dates and Early or Late number of days are calculated. On March 25, 2016, we submitted a follow-up request for improvements in the Notice posting dates.

A Volunteer monitors each month the City website for **Building and Development Applications**. SAHRA then actively follows-up on all applications within our boundaries and also on Avenue Road between Lawrence to Wilson. We are also monitoring Sign Permit Applications on the Building website.

Throughout the year, we have continued with efforts to **recruit new Directors** to join the Board. We were successful in convincing Jim Sadler to join the Board in Sept, 2015. But we need more new Directors to come forward and we also need to fill the President and Vice-President positions. SAHRA's ability to continue to deal with all the issues arising in our community is dependent on recruiting capable Directors. The search continues!

In 2014, we realized that the **By-law 107-2010 Section (f)** had a possible loophole in terms of defining when a step-back is required at the third floor as a result of 2078 Avenue Road's technique of requesting a permit to build a third storey and then later submitting another request to build a fourth and fifth storey. The Councillor put a Motion forward in May, 2015 asking that the Planning Dept prepare amendments to the by-law for review in Q4 2015. Then 2078 challenged the wording of the by-law as to whether a step-back was required on a side street – City Legal and Planning decided that they could not defend the current wording and then permitted 2078 Avenue Road to build without a step-back at the third floor on the side street (Joicey). This confirmed the need for amendments to this by-law; SAHRA engaged a lawyer to advise on the appropriate wording. A Staff Report was presented to North York Community Council on Feb 23, 2016 with amendments that SAHRA agreed with. The by-law amendments were approved by City Council on March 10, 2016. Unfortunately, Planning has stated that any applications received prior to the official by-law amendment will NOT be required to do a step-back at the top of the second storey on a side street (1912 Avenue Road, Canada Post and the Beer Store).

“Any building or structure 3 storeys or greater in height must have a minimum 2.0 metre step-back at the top of the second storey, from all main walls facing a lot line which abuts a street, measured from the exterior of the main wall.”

SAHRA recognizes that there are additional problems/loopholes with the By-laws as written. We have retained a lawyer to help us with the review and proposed **by-law amendments** which will then need to be presented to Planning and the City.

In June, 2015 member Nina Rapoport contacted us when a 50 km/h sign was erected on Harley off Yonge Blvd. We prepared an analysis of the 21 streets in the SAHRA boundaries showing that there are 10 anomalies where interior residential streets are rated at **speed limits** of 50 km/h, where one would expect them to be 40 km/h. If no speed limit is posted, the default speed limit of 50 km/h applies. A spreadsheet was submitted to the Councillor and Candice Martins, Traffic Operations on May 30/June 8th. The streets with anomalies are Delhi, Dunblaine, Elm, Greer, Haddington, Harley, Hedon, Jainey, Joicey, Jainey, Ravenhill, Ridley. Great News....Transportation Services is recommending to North York Community Council on April 5, 2016 that speed limit changes be made to 11 of our side streets to modify them from 50 km/h to the standard of 40 km/h!!

SAHRA representatives attended both **FONTRA** (Federation of North Toronto Residents' Associations) and **CORRA** (Confederation of Resident and Ratepayer Associations in Toronto) meetings to put forward issues of concern from our perspective and to be involved with the significant City-wide and Provincial issues that these groups deal with.

SAHRA has been involved with all the **Commercial Developments** that have been put forward in the past year on Avenue Road. **2078** Avenue Road (SW corner at Joicey) which was a fiasco! **2088** Avenue Road (NW corner at Joicey) which is now dormant. We have submitted position letters on **250 Lawrence Avenue West** (medical building east of Avenue Road) and **2100** Avenue Road (SW corner of Carmichael) to our Councillor, Planning and the North York Community Council. The major amount of our time and efforts was devoted to the **1912-1914** Avenue Road (NW corner at Brooke) development, which ended up being appealed to the Ontario Municipal Board. New applications are now in for **1780** Avenue Road (Canada Post) and **1580** (Beer Store).

On Feb 18-20, 2015 Sandy Gladstone presented as a Party to the OMB Appeal at **200 Ridley Blvd**. Unfortunately, the decision by the Board was to allow the 4 storey 30 unit condominium apartment building to proceed.

In late 2014, SAHRA engaged Goodmans LLP to deal with an OMB appeal for severing the lot at **214 Yonge Blvd** (NW corner at Wilson) into two under-sized lots and building two detached residences. Through the negotiations, the owner agreed to withdraw the OMB Appeal.

On Aug 6, 2015 the Committee of Adjustment refused the application by **1912-1914 Avenue Road** (NW corner at Brooke). The developer then submitted an Appeal to the Ontario Municipal Board (OMB). SAHRA registered as a Party opposing this application. A lawyer and a planner were retained and reached a Settlement with the developer on behalf of SAHRA. This application was heard at an Ontario Municipal Board hearing on Feb 24, 2016; a Decision has been published allowing the variances and accepting the Settlement. The Community accomplished a number of changes: the CofA refused the application; a step-back was done at the third storey off Avenue Road; now meets roof height of 16.5 metres by reducing 5 storeys to 4; the Councillor committed to see that (a) parking payment-in-lieu monies are designated to Upper Avenue (b) City will do reviews to define and then implement parking solutions for Avenue Road and (c) by-law wording would be amended to ensure step-backs are done on side streets. SAHRA then negotiated in Without Prejudice meetings with the Owner and his team and were able to reach a Settlement. We believe we gained substantial improvements in the built form/design – the mechanical penthouse has been set back, the design of the side facing Brooke has been improved, eliminating the ‘tower’; the rear although it does not meet the 45 degree angular plane requirement is now terraced with balconies on the second and fourth floors. The major item that we secured was the parking payment-in-lieu assessment (estimated to be between \$400K-600K); the Councillor is now to arrange for designation for this money to ensure that the funds are spent on parking solutions for Upper Avenue. We were advised by the lawyer that we would not be able to win on the side street step-back issue based on 2078 Avenue Road nor on the rear set back and 45 angular plane issues based on 1916 Avenue Road.

SAHRA Information Emails were issued generally once a month.

SAHRA Newsletters were distributed in Winter 2015, Fall 2015 and Spring 2016.

We asked Councillor Carmichael Greb in November, 2015 to follow-up on the status of implementation of 14 outstanding Recommendations from the [Avenue Road Avenue Study](#) (2009). At our AGM in April, 2015, she committed to ask for a Report to be prepared; this Motion was put forward in May, 2015 and a Report was prepared by Planning in Q4, 2015. The results of this review were presented at a Public Meeting on Nov 12, 2015. SAHRA prepared a document of 'Comments' on this review as we feel that the City is not meeting its obligations to the agreements reached in the Study. We submitted a formal request to the Councillor and City on Mar 10, 2016 asking that they commit to a serious review of the 14 outstanding Recommendation to define action plans and funding; prepare estimates of costs and possible sources of funding, review Section 37 monies (monies assessed against developments exceeding densification levels to be spent on community improvements) as potential funding sources; and that the findings/conclusions be reviewed with SAHRA and OOGRA (Old Orchard Grove Residents' Association) prior to presentation to the North York Community Council. We were then advised that Planning was intending to present their Report at the May meeting of NYCC and the Councillor suggested that we should wait until the final report is released and review the details of this report which will speak to our concerns; that there will be an opportunity for us to share our thoughts and concerns in a public forum at the Community Council meeting in May. The item will now likely be deferred to the June meeting of the NYCC to allow time for the participating departments to provide estimates of costs and potential sources of funding. We explained to the Councillor again that we want to review the report prior to presentation to NYCC. As the Residents' Associations in the area, we want to have a working session to review and discuss the report before it becomes final – before it is presented to North York Community Council and to a Community Meeting. The Councillor has now agreed to arrange a review meeting with SAHRA and OOGRA.

At the AGM in April, 2015, SAHRA reviewed the document prepared on past [Section 37](#) assessments, allocations and disbursements, asking the Councillor to have not-yet disbursed allocations reviewed for possible re-allocations. On March 10, 2016 SAHRA submitted a formal request to the Councillor regarding the Nov 12, 2015 Review of the Avenue Road Avenue Study Recommendations once again asking that the Councillor and City Departments review all Section 37 monies not yet received and/or distributed and determine if re-allocations should be made. On Mar 16th, we were told that "The Councillor will not be making changes to section 37 allocations already committed." SAHRA responded to this again on Mar 20th, providing two specific scenarios that should be reviewed. The response on March 21, 2016 was that "The Councillor **will not** be making changes to the section 37 decisions made under the previous Councillor."

We submitted a [Wish List for future Section 37](#) allocations to Councillor Carmichael Greb on July 14, 2015. Copies are available.

During the year, we have been contacted by individuals within Ward 16 and from other areas of the City who are facing the [Chimney Issue](#). The good news is that the Ontario Building Code is now open for review for the next Edition in two years. It has been confirmed that the Change Requests submitted in 2006 and 2012 will be now be considered. We now have to wait for the reviews to take place.

The City of Toronto has been investigating creating a [Local Appeal Body \(LAB\)](#) to replace the Ontario Municipal Board (OMB) for Committee of Adjustment (CofA) matters. SAHRA has been involved in reviewing the proposal in conjunction with both FoNTRA and CORRA and has submitted supporting opinion letters to our Councillor and the City. One of the suggestions is that a one year Mediation Pilot Project be done.