

HARBORD VILLAGE RESIDENTS' ASSOCIATION

December 3, 2024

Re The Zoning Bylaw Amendment: 569-2013

The Harbord Village Residents' Association (HVRA) catchment area is Bloor to College and Spadina to Bathurst.

In general, we approve the proposed changes under the rubric of Expanding Housing Options in Neighbourhoods.

We have been active in constructively engaging with the Business Communities on Bloor and Harbord and a good example of this is our Patio Protocol (See Appendix below).

We have read through the Proposed By-Law Amendment and we cannot find the following items considered. We believe that if these concerns are taken into account, it will go a long way to mollifying the apprehensions of some residents.

- 1: I would suggest that alcohol sales not be permitted
- 2: I would suggest that cannabis and vaping sales not be permitted
- 3: I would suggest that patio hours be restricted as follows:
 - serving of food on the patio be stopped at 8pm
 - patios be cleared by 9 pm.

Yours truly,

Rory Sinclair
HVRA Planning and Development Committee

Appendix: Patio Protocol for Patios Adjacent to Harbord Village

Patios contribute to the ambience of Harbord Village. They can also be a source of concern to residents. The Harbord Village Residents' Association (HVRA) wants to ensure representation of residents' interests in patios, as well as good communication among applicants, residents, businesses, City staff, and the ward Councillor. HVRA thus proposes the process set out in the following paragraphs.

There are in essence three types of patio:

1. A patio on City property on a residential street (usually at the side of a corner business on a main road). For this, the business operator must have a patio permit from the City and, if alcohol is served, a licence for use of the patio from the Alcohol and Gaming Commission of Ontario (AGCO). As well, such a patio must be supported by a majority of neighbouring residents who respond to a poll conducted by the City.
2. A patio on City property on a main street (usually on the sidewalk in front of the business). The requirements are as for #1, without the need for a poll.
3. A patio on private commercial property (usually at the rear of the property). The licence from AGCO is required, if applicable, but not a patio permit from the City.

For an application in respect of any of these types of patio, particularly the first and the third, HVRA, if asked, can facilitate a public process designed to ensure that a proposed patio will not imperil residents' quality of life and allow for an Operator of a business to flourish. Elements of such a process might include the following:

1. Make available relevant information, e.g., about zoning requirements and AGCO's requirements.
2. Help ensure that an applicant understands the kinds of concerns neighbours can have about patios and the desirability of distributing plans to nearby residents.

3. Convene one or more meetings at which an applicant and nearby residents can air concerns so there is a baseline of understanding among all parties, and perhaps move towards an agreement as to how the proposed patio could be managed.

Topics of a negotiated settlement could include: hours of operation, number of patrons, alterations of plans to mitigate noise, conditional licensing, onsite staffing arrangements, trial periods, and others. HVRA will act impartially during such a process.

When an applicant refuses to participate in the process, HVRA will usually oppose the application.

When there is an HVRA-facilitated negotiation without a settlement, HVRA may itself conduct a poll of neighbours, using the City's rules, and be guided by the results of the poll.

When a settlement is reached and the patio operator does not abide by its terms, HVRA will usually act to secure enforcement of the settlement.