

HARBORD VILLAGE RESIDENTS' ASSOCIATION

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To: Toronto and East York Community Council
Re: TE 10.42
316 Bloor St. West

Jan. 22, 2024

Dear Members:

Harbord Village Residents' Association is pleased to support Councillor Saxe's motion to appeal the Dec. 13, 2023 Committee of Adjustment decision on this site.

The Committee approved changes as high as 28% to their existing rezoned approval from 2016. While a block away, a month before, a second Committee refused a similar application at 300 Bloor St. W. with smaller changes (around 17%) to a 2019 rezoning. (The Chart is in your files). One yea. One nay. One appealed by the developer. One, we hope, to be appealed by the City.

In a sense, there is a new developer m.o. which can easily come your way. Here's how it works:

Two developers on sites a block apart have elected to do an end run on their requests for considerably more density (and sharp reductions in amenity space), by taking their requests to Committee of Adjustment. It has a limited notification area, a quick turnaround, no opportunity for community consultation and a history of favouring up to 90% applications that made this route appealing. Plus, the community has no right of appeal.

The appeal will permit a review of the decision at 316 to rectify the inconsistency between committees, to grapple with the definitions of major and minor so future panels will be better guided, and to address the process issue created by taking such rezonings to c of a—a review the community, by rule of the Provincial Government, no longer has the power to request.

Over 25 years, Harbord Village Residents' has participated in all the studies, appeals, OPAs and rezonings from Bedford to Bathurst. We were members of the working groups on both sites, and parties to the OMB settlement hearings. We support housing, preferably rental, always affordable. We did Mirvish without an appeal. We believe we have been heard and the community has been accorded a respected place around the table.

Our position is like should beget like. Rezoning should be changed by rezonings. With the new expedited rules, 90 days to approval, it should prove faster and more reliable.

We understand the City cannot direct an application to a rezoning or to committee, but Planning can, and we believe, should, on files with major variances (certainly on +25%) plus other

impacts, oppose those applications at Committee. That would send a clear signal the community needs to be engaged.

Instead Planning conditioned approval in both these cases, with section 45(9) conditions of 2.5 million on the smaller application, and \$1.0 million on the larger application at 316. These deals have an uncomfortable appearance of fee for approval and were never part of any discussion with the community.

And now we can't appeal.

Planning is recommending working groups on rezoning files.

In a perfect world, there would be none of these changes to the planning act which abridge community participation. From the outset, the Planning Department has been responsive and sensitive to the need to ensure we are part of the conversation.

We are reporting back to Michelle Drier on several test cases of using working groups to narrow, if not eliminate, objections to projects before final applications are submitted. 425 Bloor St. will soon be coming to council for approval, with the full endorsement of the community. Knox Church is undergoing a similar process of their site at Spadina and Bloor. Housing for several thousand new residents has been approved without appeal at 350 Bloor, 666 Spadina, and most famously at Mirvish Village. City planning recommends and supports rezoning projects coming to working groups—or workshops. But the working group process will prove a harder sell to our communities, if the rezonings they worked so hard on and agreed to, can now be changed by another 'order of government' with no inbuilt consultation.

Where developers subsequently go to council and get more, the community is left wondering, what happened to the deal? Why weren't we told? Why don't we stakeholders get even a single chance at a meeting to understand the changes? If you want to change a contract, even a social contract, would it not be healthy for you to speak to all parties in the process?

Today is the first step: appeal the approval on 316.

Hire a planner. We've applied for Party status on both 316 and 300. We found a senior member of the planning community in a single phone call. It is hard to believe The City cannot do the same.

Councillor Saxe's motion is a fight for our place at the table, for fairness, and decisions that can withstand transparency.

Regards
Sue Dexter
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