**SWANSEA AREA RATEPAYERS’ ASSOCIATION**

**MINUTES of MEETING of June 16, 2020**

1. **CALL TO ORDER and DECLARATION OF CONFLICTS OF INTEREST**

***N.B. The meetings of March 23, April 28, May 25, and June 16*, *2020 were virtual meetings. Due to the Novo Corona virus (COVID 19) pandemic and resulting universal shutdown the Executive meetings for these months were conducted on-line with President Veronica as host and chair of the meetings.***

***The meeting of June 16*, *2020 was called to order by Veronica Wynne at 7:33 PM. There were no declared conflicts of interest.***

***Present: Veronica Wynne, John Meijer, Sydney Reimer, Nick Singh, Janice Kaldor, and William Roberts.***

***Regrets: Sybil Wilkinson and Brian O'Rourke***

***Guests: None***

**2. AGENDA AMENDMENTS and** **APPROVAL**

***June 16*, *2020:*** *It was Moved by John Meijer, seconded by Janice Kaldor, and CARRIED to accept the amended agenda and deal with the priority items as follows*

* **MINUTES AMENDMENTS and** **APPROVAL March, April, May Meetings 2020**
* **EXECUTIVE REPORTS**:
  1. Membership and Report (5 mins) – John
  2. Fund Raising & Report (5 mins) – John
  3. Treasurer’s Report (5 mins) – John
  4. Expenses’ Approvals & Payment (5-10 mins)-Executive
  5. Riverside Drive Group Sub-Group Report - Sydney
* **NEW MEMBERS and GUESTS (10-15 minutes each including Q & A)**
* **IMMEDIATE ACTION ITEMS**

1. AGM Speaker/Presentation and Organization Oct 29- Veronica
2. 16 Waller Avenue Project and Community Action Update - Veronica
3. Swansea Community Street Signs Project – John, Sydney, Bill
4. 2271-73 Bloor West Update from Architect – Nick, Veronica, Bill
5. **South Kingsway Traffic** issue E-mail from Resident – Executive discussion
6. Riverside request of **ActiveTo/Councillor as Covid-19 Quiet Street –** Sydney & Executive
7. Swansea Public School **Graduation Awards** Update- Bill and Executive
8. **SARA TLAB Appeal Decision** re JC Salon Application – Bill
9. Neighbourhood Housing Survey Chief Planner Response – Veronica & Executive
10. STH Board of Management Board Report on possible opening etc. - Bill
11. **Park Lawn Lake Shore Transportation Master Plan** **Response July 1** -Nick & Executive
12. Bloor West Village Avenue Study & HCD Study. – Bill, Veronica & Nick
13. **229 Riverside Drive Appeal Decision Pending July 1** – Sydney, Veronica and Bill
14. 569-2013 Update Report and CORRA fees & fundraising - Bill, Veronica
15. SARA Membership, Fundraising and Activities/Sub-Committees of Mission Statement
16. Calendar and Events 2020 - SARA Mtg Dates, AGM, YIMBY, Sidewalk Sales, AGM, C of Adjustment dates – Veronica & Executive
17. Insurance Policy:Investigating Better Insurance Rates – John
18. C of A Applications **272 Windermere** Letter - Veronica and Executive
19. Update, Monitor or Close: Veronica & Executive

* Land Use Items in Section 10 from the Minutes/Agenda of May 21 2020
* Other Matters that Need attention from the Minutes/Agenda of May 21 2020
* **COUNCILLOR ITEMS**
* **NEW BUSINESS:**

Next Meeting: Tuesday, July 14 or 21, 2020 at 7:30 pm in the Swansea Town Hall (if open)

1. **MINUTES AMENDMENTS and** **APPROVAL March, April, May Meetings 2020**

***June 16*, *2020: Deferred.***

1. **EXECUTIVE REPORTS**:
   1. Membership and Report (5 mins) – John

***June 16*, *2020:*** *It was Moved by John Meijer, seconded by Sydney Reimer, and CARRIED to accept John’s report as circulated. It was agreed that a new newsletter should be sent out to the members. John will send a copy of the last one to Veronica.*

* 1. Fund Raising & Report (5 mins) – John

***June 16*, *2020:*** *Veronica Wynne reported that the Village Players have not confirmed their plans for dealing with the COVID 19 crises and their webpage says that news is coming soon.*

* 1. Treasurer’s Report (5 mins) – John

***June 16*, *2020:*** *It was Moved by John Meijer, seconded by William Roberts, and CARRIED to accept the treasurer’s report as circulated.*

* 1. Expenses’ Approvals & Payment (5-10 mins)-Executive

***June 16*, *2020:*** *There were no expenses.*

* 1. Riverside Drive Group Sub-Group Report – Sydney

***June 16*, *2020:*** *There was no report.*

1. **NEW MEMBERS and GUESTS (10-15 minutes each including Q & A)**

***June 16*, *2020:*** *There were no guests.*

1. **IMMEDIATE ACTION ITEMS**
2. **AGM Speaker/Presentation and Organization Oct 29- Veronica**

***June 16*, *2020:*** *It was suggested that a larger venue might facilitate spacing sufficient for COVID 19 requirements to host an in person AGM. It was pointed out that October 29th clashes with the potential Villagers Players fundraiser and Oct22nd is the potential Swansea Town Hall Board of Management meeting and Oct. 28th is the Horticultural meeting. It was agreed that we should explore the ability of the STH to broadcast a virtual meeting.*

1. **16 Waller Avenue Project and Community Action Update - Veronica**

***June 16*, *2020:*** *Veronica Wynne reported that she has sent the updated variances and application to the concerned residents. Veronica will ask them for a response.*

1. **Swansea Community Street Signs Project – John, Sydney, Bill**

***June 16*, *2020:*** *John Meijer reported that an email was sent to the City but no response as yet.*

1. **2271-73 Bloor West Update from Architect – Nick, Veronica, Bill**

***June 16*, *2020:*** *Veronica has received and circulated the answers to the questions we submitted. She will resend it to anyone who did not receive it and will be gathering feedback to update position.*

1. **South Kingsway Traffic issue E-mail from Resident – Executive discussion**

***June 16*, *2020:*** *We have received a message from Melanie Fernandez regarding speeding on the South Kingsway and her efforts with the Councillor’s office. It is agreed by consensus that Bill and Brian will update their message from SARA which was intended for the Councillor and get it sent, as well, Ms. Fernandez should be asked if she would like to get involved as a member of the Board.*

1. **Riverside request of ActiveTo/Councillor as Covid-19 Quiet Street – Sydney & Executive**

***June 16*, *2020:*** *It was reported that we have received an acknowledgement from ActiveTO of our request for a Quiet Street to be installed on Riverside Dr.. Veronica Wynne will follow up.*

1. **Swansea Public School Graduation Awards Update- Bill and Executive**

***June 16*, *2020:*** *No News. William Roberts will follow up.*

1. **SARA TLAB Appeal Decision re JC Salon Application – Bill**

***June 16*, *2020:*** *William Roberts reported that our appeal to the TLAB of the 2326 Bloor JC Salon application was resolved with an agreed to settlement which will ensure the maintenance of the 200msq maximum for Restaurants on Bloor St. W. The settlement requires that the salon and the restaurant remain separated and the door between the two operations will be kept closed. (See Appendix 1)*

1. **Neighbourhood Housing Survey Chief Planner Response – Veronica & Executive**

***June 16*, *2020:*** *The Chief Planner has responded to the joint submission from SARA and CORRA regarding the shortcomings of the City’s housing survey, thanking us for our comments.*

1. **STH Board of Management Board Report on possible opening etc. – Bill**

***June 16*, *2020:*** *No News.*

1. **Park Lawn Lake Shore Transportation Master Plan (PLLS TMP) Response July 1 -Nick & Executive**

***June 16*, *2020:*** *On June 3rd the City sent out an online version of its presentation intended for the next Public Meeting for the PLLS TMP to the invited stakeholders. The City has asked for comments to be submitted by July 1st. Nick Singh will review the material and send a draft submission to the Board Members for review. For reference Veronica Wynne will send out a link to the City’s presentation.*

1. **Bloor West Village Avenue Study & HCD Study. – Bill, Veronica & Nick**

***June 16*, *2020:*** *No News.*

1. **229 Riverside Drive Appeal Decision Pending July 1 – Sydney, Veronica and Bill**

***June 16*, *2020:*** *A decision is expected on July 1st.*

1. **569-2013 Update Report and CORRA fees & fundraising - Bill, Veronica**

***June 16*, *2020:*** *Veronica Wynne reported that CORRA members have contributed some funds but the fund is still hort $3,000.*

1. **SARA Membership, Fundraising and Activities/Sub-Committees of Mission Statement**

***June 16*, *2020:*** *There was extensive discussion about**how we are making our presence in the community**known. It was decided that we are failing to involve our residents and ther are a number of actions that should be taken. It was decided to take a look at revising our website which has been described as a brick wall. It was agreed by consent that Nick, Sydney and John will form a Communications Committee. Veronica will send Sydney a set of example RA websites to sift through for good ideas. John will also look at what improvements can be made to our site. Our Vision and Mandate Statement was also suggested for review as a source of guidance.*

1. **Calendar and Events 2020 - SARA Mtg Dates, AGM, YIMBY, Sidewalk Sales, AGM, C of Adjustment dates – Veronica & Executive**
2. **Insurance Policy: Investigating Better Insurance Rates – John**
3. **C of A Applications 272 Windermere Letter - Veronica and Executive**
4. **Update, Monitor or Close: Veronica & Executive**
5. **Land Use Items in Section 10 from the Minutes/Agenda of May 21 2020**

***June 16*, *2020:*** *Nick Singh submitted a letter of opposition to the COA in regards to the upcoming hearing for 272 Windermere. The letter had been circulated to the Board for approval.*

***June 16*, *2020:*** *It was Moved by William Roberts, seconded by Nick Singh, and CARRIED to confirm approval for the letter of opposition regarding 272 Windermere Ave. and to approve the appearance of Nick Singh at the upcoming virtual hearing.*

1. **Other Matters that Need attention from the Minutes/Agenda of May 21 2020**

***June 16*, *2020:*** *The functioning of the COA Committee was discussed. It was clarified that the Chair of the Committee would be responsible for chairing meetings and sending the letters and the Committee as a whole would review the COA applications and make decisions.*

1. **COUNCILLOR ITEMS**

***June 16*, *2020:*** *None.*

1. **NEW BUSINESS:**

Next Meeting: Tuesday, July 14 or 21, 2020 at 7:30 pm in the Swansea Town Hall (if open)

The meeting was adjourned at 9:50 PM

*Appendix 1*

Decision of Toronto Local Appeal Body

Panel Member: S. TALUKDER TLAB

Case File Number: 19 197193 S45 04 TLAB

Toronto Local Appeal Body

40 Orchard View Blvd, Suite 211

Telephone: 416-392-4697

Toronto, Ontario

M4R 1B9

Fax: 416-696-4307

Email: tlab@toronto.ca Website: [www.toronto.ca/tlab](http://www.toronto.ca/tlab)

DECISION AND ORDER

Decision Issue Date Friday, May 22, 2020

PROCEEDING COMMENCED UNDER Section 45(12), subsection 45(1) of the Planning Act, R.S.O. 1990, c. P.13, as amended (the "Act")

Appellant(s): SWANSEA AREA RATEPAYERS GROUP

Applicant: IDA EVANGELISTA

Property Address/Description: 2326 BLOOR ST W

Committee of Adjustment Case File: 19 135827 STE 04 MV

TLAB Case File Number: 19 197193 S45 04 TLAB

Hearing date: Tuesday, December 03, 2019

DECISION DELIVERED BY SHAHEYNOOR TALUKDER

APPEARANCES:

Name Role Representative

Ida Evangelista Applicant

1550191 Ontario Inc. Owner/Party Amber Stewart

Swansea Area Ratepayers Grp. Appellant

INTRODUCTION

1. This is a settlement hearing in writing with respect to the commercial property located at 2326 Bloor Street West (Subject Property).

2. The Applicant and owner of the property, 1550191 Ontario Inc., filed an application for variances with respect to gross floor area (GFA) and setback from the rear lot line at the Committee of Adjustment (CoA). The CoA approved the variances.

3. The Swansea Area Ratepayers Group (SARG) appealed the CoA’s decision to the Toronto Local Appeal Body (TLAB). Prior to the hearing, the parties settled. TLAB was informed that the parties wished to proceed with a settlement hearing by way of a motion in writing.

4. The Applicant filed motion materials with TLAB with consent from the SARG. My decision is based on the following motion materials:

a. Notice of Motion, dated December 11, 2019, which included three attachments.

b. Affidavit of Theodore J. Cieciura, land use planner retained by the Applicant, dated November 25, 2019.

c. Witness Statement of Mr. Cieciura dated November 29, 2019

d. Document Disclosure of the Applicant.

5. The Applicant proposed to construct a rear, two-storey addition to the existing twostorey commercial building. A portion of the second storey would extend over proposed carport for three parking spaces.

MATTERS IN ISSUE

6. The application before the CoA was with respect to variances for GFA and for rear yard setback of the proposed development. However, prior to the hearing at the TLAB, the Applicant reached a settlement with the appellant SARG. As stated in the Notice of Motion, SARG objected to the increase in the non-residential GFA, which was resolved. The only issue remaining before the TLAB is the issue of the rear yard setback.

7. The Applicant had filed plans at the CoA prepared by Blue Grove Engineering Group Inc. dated June 10, 2019, which are attached to this decision as Attachment 1. The Applicant also prepared revised plans dated August 30, 2019, which superseded some of the drawings of the original site plans. These amended plans are attached to this decision as Attachment 2.

8. The Applicant also obtained a new Zoning Notice based on the revised plans, which was issued on October 9, 2019.

9. At issue is whether the settlement between the Applicant and the SARG should be approved, which will result in the approval of the following variance (as stated in the Zoning Notice dated October 9, 2019) and approval of the conditions agreed upon by the parties:

Section 40.10.40.70.(2), Development Standard Set 2, By-law 569- 2013:

A building must be set back at least 7.5 m from the rear lot line.

The proposed building is setback 3.66 m from the rear lot line.

Conditions of Approval

1) The proposed addition shall be constructed substantially in accordance with the following plans prepared by Blue Grove Engineering Group Inc.:

1. a. Site Plan (Drawing SP1) dated June 10, 2019 (Attachment 1)
2. South West Elevation (Drawing A4) dated August 30, 2019 (Attachment 2)
3. South Elevation (Drawing A5) dated June 10, 2019 (Attachment 1)
4. North Elevation (Drawing A6) dated June 10, 2019(Attachment 1)

2) The existing door on the ground floor of the north wall of the building shall be closed, as shown on the Ground Floor Plan (A2) dated August 30, 2019 (Attachment 2).

10. The settlement of matters between parties is encouraged. However, despite the presence of a settlement proposal, which should be given great weight, the TLAB panel must still be satisfied that the considerations raised by provincial policy, and subsection 45(1) of the Planning Act (as set out below), are satisfactorily met by the settlement proposal and that the public interest is served.

JURISDICTION

Provincial Policy – S. 3

11. A decision of the TLAB must be consistent with the 2014 Provincial Policy Statement (PPS) and conform to the Growth Plan for the Greater Golden Horseshoe for the subject area (Growth Plan).

Minor Variance – S. 45(1)

12. In considering the applications for variances from the Zoning By-laws, the TLAB Panel must be satisfied that the applications meet the four tests under s. 45(1) of the Act. The tests are whether the variances:

• maintain the general intent and purpose of the Official Plan;

• maintain the general intent and purpose of the Zoning By-laws;

• are desirable for the appropriate development or use of the land; and

• are minor. EVIDENCE, ANALYSIS, FINDINGS, REASONS

13. With respect to the motion, I am satisfied that the settlement hearing can proceed in writing, as the only two parties involved in this matter have consented to a hearing in writing and the motion materials sufficiently address the matters at issue.

14. The application for minor variance does not conflict with the PPS and the Growth Plan as these policies are centered on intensification and are not necessarily applicable with respect to this matter.

15. The Notice of Motion and Mr. Cieciura’s affidavit provided a summary of SARG’s concerns and how those concerns were resolved. The Applicant operates a hair salon in the building which is proposed to be expanded into the second storey of the rear addition. The Applicant further proposed a take-out panini shop which would be in the first floor of the rear addition. The original proposal retained the presence of an interior door between the hair salon and the panini shop (in the new rear first floor addition). As a result of this interior door connecting the two units, the zoning examiner conserved both the salon and the panini shop as one unit and identified the variance for GFA to be 430.75 m2.

16. The Notice of Motion indicates that the GFA of the panini shop is not more than the zoning by-law limit of 200 m2. The parties settled this issue of GFA by closing this internal door and adding a new separate exterior door to the panini shop unit. The Applicant revised the site plans accordingly and obtained a new Zoning Notice that only identified the rear yard setback as the applicable variance before the TLAB.

17.The parties agreed that a condition to the approval of the application be that the existing door on the ground floor of the north wall of the building be closed (Condition 2).

18. I have reviewed Mr. Cieciura’s witness statement and his signed Acknowledgement of Experts Duty Form. I am satisfied that he is qualified to be an expert on land use planning. I further acknowledge that as the motion for settlement hearing is filed on consent from SARG, SARG does not oppose Mr. Cieciura’s qualification as an expert on land use planning.

19. Mr. Cieciura described the Subject Property and its location in his witness statement. He noted that the Subject Property is located on the north east corner of Bloor Street West and Windermere Avenue. The two-storey commercial building on the Subject Property is located on the southern half of the lot. The two-storey rear addition will extend into the north portion of the lot. The Applicant uses the building for a salon business and the parking for the salon is at the rear of the lot.

20. The immediate land uses of properties surrounding the Subject Property and facing Bloor Street West are commercial land uses that include retail, service, office and restaurant uses. There is a municipal park and residential properties to the north. There are also residential properties to the south of the Subject Property (excluding the properties facing Bloor Street West). The area surrounding the Subject Property on Bloor Street West consists mainly of narrow lots with buildings between one and three storeys in height.

21. The Subject Property is designated as a Mixed Use Area under the OP and Bloor Street West is designated as an Avenue. The Subject Site is zoning as Commercial Residential under the City-wide Zoning By-Law 569-2013 and as Mixed Commercial Residential under former City of Toronto Zoning By-Law 438- 86. Both these by-laws permit a range of commercial and residential uses.

22. Mr. Cieciura provided the following submissions in his witness statement to support that the variance for rear yard setback satisfies the four tests, which I have accepted:

a. As per OP policies 2.2.3 and 2.2.3, Bloor Street West, as an Avenue, is a major street where reurbanization is anticipated and development of new housing and job opportunities are encouraged.

b. The Subject Property falls within the study area for the Bloor West Village Avenue Study completed by the City, which deals with transitions of commercial uses into adjacent public rights of way and adjacent uses of Neighbours and Parks. The proposal for the rear addition to the building on the Subject Property conforms to both the OP policies regarding Avenues and the Bloor West Village Avenue Study as it is compatible with the adjacent park. Further, apart from the variance for rear yard setback, the proposal does not require any other variances, including variance for angular plane in the Zoning By-Law 569-2013.

c. The proposal of rear addition to the building satisfies OP policy 4.5.2 for Mixed Use Areas, as the development will provide new jobs and use underutilized land. The building will be similar in height and have the same setbacks as other buildings on the same block facing Bloor Street West. The height is limited to two-storeys and therefore will adequately limit shadow impacts on the nearby park. This building is nearby public transit services and will take advantage of them.

d. The proposed development is similar in nature to other development in the nearby area and in the Bloor West Village.

e. The proposed rear yard setback is consistent with the abutting buildings to the east of the Subject Property and the rear main wall will be in line with the rear main wall of the adjacent building.

f. The height of the building limits any potential impacts as it is similar to height to other buildings in the block with a similar rear yard setback.

g. Mr. Cieciura surmised that it is common for the buildings on the north side of Bloor Street West to have reduced rear yard setbacks based on the CoA decisions for the surrounding area. He also noted that there are some buildings with may not meet the minimum required rear yard setback, as they may have been constructed prior to the introduction of the zoning by-laws.

h. It is common for rear corner lots in the area surrounding the Subject Property to have a second store or business accessible from the flanking street that results in reduced rear yard.

i. The proposal will use underutilized space which is currently used for parking for the rear addition while maintaining three parking spaces, which is desirable for the appropriate development of the land.

23. Based on the foregoing evidence provided by Mr. Cieciura, I am satisfied that the variance for rear yard setback satisfies the four tests and the conditions for approval are appropriate to accommodate the settlement between the Applicant and SARG.

DECISION AND ORDER

24.The following variance is approved, subject to the following conditions:

Section 40.10.40.70.(2), Development Standard Set 2, By-law 569- 2013

A building must be set back at least 7.5 m from the rear lot line. The proposed building is setback 3.66 m from the rear lot line.

Conditions of Approval

1)The proposed addition shall be constructed substantially in accordance with the following plans prepared by Blue Grove Engineering Group Inc.:

a. Site Plan (Drawing SP1) dated June 10, 2019 (Attachment 1)

b. South West Elevation (Drawing A4) dated August 30, 2019 (Attachment 2)

c. South Elevation (Drawing A5) dated June 10, 2019 (Attachment 1)

d. North Elevation (Drawing A6) dated June 10, 2019 (Attachment 1)

2) The existing door on the ground floor of the north wall of the building shall be closed, as shown on the Ground Floor Plan (A2) dated August 30, 2019 (Attachment 2).

X

Shaheynoor Talukder

Panel Chair, Toronto Local Appeal Body

Signed by: Shaheynoor Talukder