

Congratulations Ms. Jeffrey on your appointment as Minister of Ministry Affairs and Ms Keesmaat please pass on my congratulations to City Council on appointing a Chief Planner with vision!

I am writing to you both about development in South Long Branch Neighbourhood, an area between Marie Curtis Park and Colonel Samuel Smith Park, south of Lake Shore Blvd. West and north of Lake Ontario. My chief concern is that the OMB have made some decisions in South Long Branch which lack logic, are based on differing suppositions and do not follow the intent of the Toronto City Official Plan. These are my recommendations:

- 1 The Committee of Adjustment ask for 3 dimensional birds eye view renderings of any severance proposal and abutting properties where impacts are an issue;
- 2 The City should instigate an interim control bylaw with a study of how to bring the South Long Branch Neighbourhood zoning into conformity with the Official Plan and "sharpen" its function;
- 3 The City start a neighbourhood plan programme to implement the Official Plan.
- 4 The City through the OPA Review ensure loopholes in "Neighbourhood" designation policies be closed.
- 5 The City apply site plan control to all new houses in South Long Branch Neighbourhood
- 6 The Province resurrect the round table on the OMB,
- 7 The Province establish principles through guidelines to enable OMB decision consistency, including giving weight to those impacted and the City's decision and check for legality, rationality and consistency before each decision is issued.

After you have reviewed the contents please let me have your comments as soon as possible. This is a matter of urgency since the situation is likely going to get worse unless some corrective action is taken.

The South Long Branch Neighbourhood has a distinctive character originating from a cottage resort which was built up gradually until the 1960s to become a permanent neighbourhood. Over the last 50 years there has been a scattering of new houses. The Neighbourhood has many historic houses, is well treed and contains the Waterfront Trail along Lake Promenade. Toronto's Official Plan gives priority to the reinforcement of stability and character of neighbourhoods over providing greater densities. Intensification, according to the Official Plan is to be directed to Downtown, the City Centres (eg Etobicoke City Centre) and to a lesser extent Avenues, such as Lake Shore Blvd. My understanding is that extra density could theoretically be all accommodated in Avenues. While Neighbourhoods are growing organic entities, transformation is to be sensitive and gradual according to the Official Plan. There is therefore no need to divide lots unless they meet or nearly meet the zoning and certainly not the reductions in lot width from 12 metres (40 feet) to 7.5 metres (25 feet), a reduction of nearly 40%.

There are 2 issues which have emerged since increase in land prices and the resultant

profitability of redevelopment.

**The first** is that there is the potential under the current zoning for "monster homes": those houses that do not fit architecturally and provide major impacts on neighbours. These do not reinforce or respect the character of the area and have negative effects on abutting houses. A review of and application at 11 Lake Promenade for a 110 foot long house illustrates this in APPENDIX 1. I understand that site plan control has recently been withdrawn from the neighbourhood. This is a regressive step as placement on the lot within the building envelope is critical and a discussion about design can take place.

The Official Plan policies were strengthened during the preparation process by Neighbourhood groups and Councillors to try to make sure neighbourhoods were physically and visually protected. This was done by making the conservation of neighbourhood character a cornerstone of urban development. Rather than bringing zoning into conformity with Official Plan policies the City Planning Department recommended harmonising bylaws which was an unnecessary administrative project and so far has taken 10 years. This runs against the Official Plan by standardising restrictions across the city. However there appears to be some help for neighbourhoods in redefining roof heights and limiting lengths of buildings etc. The new provisions may not be implemented for some time as they will only come into play when approved and are subject to appeal to the OMB. The former draft harmonisation bylaw was implemented by the City on adoption.

APPENDIX 2 is an extract from a letter referring to top down planning and neighbourhood planning; the latter was used by the Toronto Planning Department in its heyday. I have always worked under the philosophy that decisions should be made at the level of greatest impact, see APPENDIX 3. Britain has adopted this philosophy countrywide as a policy known as "Localism".

As it may take time to mount a programme of Neighbourhood Plans, which should be done as soon as possible, an interim bylaw and examination of zoning should be taken as a matter of urgency (similar to the Brampton initiative), APPENDIX 4.

**The second** issue is the quality and consistency of OMB decisions. It is not surprising that the City want their own appeal body when, as I understand it, 75% of their decisions are overturned by the Board. Yet there again the OMB's sometimes more dispassionate decisions make good planning sense such as allowing the towers at Sherway Gardens. Conflicting OMB decisions themselves have a destabilising effect on neighbourhoods.

It is usually an intimidating experience for residents or local business people to appear before the Board as it is legalistic and confrontational. Certainly some members give good logical decisions and create a positive atmosphere at the hearing. Equally certainly some Board members do not create a friendly environment. People who have never been involved with urban planning before are suddenly thrust into the complexities of variances and severances. They spend a great deal of time and money defending their interests and are usually not organised enough to employ their own planner and lawyer.

They depend on the City of Toronto to provide professionals based on support from the local Councillor and Council. My understanding is that budget restrictions will cut back this service. The Planning Department planners only comment on minor variances and severances in rare cases and do not appear at the OMB. The grassroots are faced with developers with deep pockets, sharp lawyers and development oriented planners.

Consequently some OMB hearings seem to have a David/Goliath quality which does not necessarily get taken into account by hearing officers. Nor do some hearing officers give any special weight to the wishes of the community or City citing "fresh hearing".

It is reported to me that sometimes OMB chair do not follow their own rules for public participation and give no credit at all to the public's input without reasons. Some Chairs do not allow the public to address planning matters at all. One chair did not inspire confidence saying "I can make whatever decision I want".

The OMB decisions on variances and severances are all over the "board" in South Long Branch. Instead of establishing principles each decision applies different principles. I intend to do a grid of these after I have fully analysed the decision on 168 Promenade.

On this application the hearing officer erred by not taking into account severe impacts on abutting properties. The subject property already had a density bonus of 50% over regular lots being 150 feet deep and another 30% plus density was allowed which guarantees a 3 storey wall almost to the end of the abutting property's back yard. There are also major impacts on the abutting house on the east side. The zoning bylaw is a blunt instrument and in this case already allows major impacts but by extending the length of the house through extra density of over 30%, will create an overpowering wall which will be able to be seen dominating 170 Lake Promenade and will be highly visible from the neighbourhood being close to a corner. Squeezing two houses on an average width lot encourages greater ground coverage which creates overdevelopment, and in turn leaves less room for trees and rainfall retention. Reinforcing the character of the existing area is a subject the hearing officer did not appear to have any grasp, so the two narrow houses which are alien to this part of the street were approved.

He could not see that the houses were designed from the inside out, without any recognition of the neighbourhood around them. People passing who have any aesthetic sensitivity will feel that the development jars and disrupts the streetscape. It is difficult to imagine a development which would be more out of keeping being 3 storeys when surrounded by only 1 and 2 storeys, on narrow lots when most of the surrounding lots are twice the size, the garages take up a majority of the first floor and even the gable elevations are out of sync, possibly to enable more rooms to be established in the attic area. The reaction to "eclectic neighbourhood" means to the hearing officer that anything goes. There may be lots of different styles of housing, mainly from bygone eras, but they form a distinctive neighbourhood character.

There are new buildings which serve as good examples of blending in and enhancing character, particularly on 33rd and 40th Street. The split lot developments are generally speculative to maximise profit so the builder has no lasting interest in the development.

The principles applied to this application would allow any 50 feet wide lot in South Long Branch Neighbourhood to be redeveloped in a similar way, recognising that each application is unique and not a precedent in itself. It is frustrating when the public is told that previous decisions are not relevant yet developer's planners point to neighbourhood inconsistencies to justify extra density and the OMB make decisions that deviate from good planning. Developers are important to implement plans not make them.

APPENDIX 5 includes a comparison of the hearing decisions on 4 James and 364 Lake Promenade to illustrate the different principles.

Because of the mixed bag of decisions in South Long Branch huge chunks of time are wasted at hearings going over the same ground time and time again. To its credit the 168 Lake Promenade decision says that the proposal is a local matter rather than being governed by Provincial policy and did not make an issue of the different neighbourhood study areas put forward. Reading the Official Plan, the policies appear quite strong. However developers have exploited the smallest loopholes with support from the OMB. Some principles are already established for example that value of property impact is not valid. Other principles need issuing in the form of guidelines eg that dividing lots into two should be considered local matters; minor variances should be those that are hardly noticeable to passers-by, such as lot frontage and espoused by the OMB chair of 364 Lake Promenade and the De Gasperis Divisional Court decision; minor impacts are those which keep the enjoyment of adjacent properties basically intact; reinforcing character is based on the immediate area (OMB decisions on 241 and 251 Golfdale support tighter areas to determine character) that you can see from the front of the property particularly abutting properties; an eclectic neighbourhood should not allow just any type of housing.

There is no need for expert testimony as the hearing officer applies weight as they see fit. OMB decisions seem to be issued without legal checks (the OMB decision on 76 Ash contained a wild statement that there should be more severances in the area, thus showing prejudice.) Clearly decisions are not checked for consistency. It is sad to see such an august body as the OMB descend to such a level where some officers seem not fit for purpose and others need considerable additional training and guidance. I believe a round table on the OMB was held by now Premier Kathleen Wynne and this should be resurrected as soon as possible. 3 dimensional drawings should be required for assessment at the local level as in 11 Lake Promenade to be able to assess impacts.

Many people in this neighbourhood are feeling frustration and anger due to the unfairness and ineptness of certain members of the Ontario Municipal Board.

The first step is to recognise a problem. I have made recommendations but I may be unaware of your own constrictions. If you have your own ways to resolve matters that is fine. Perhaps you need supplementary information gathering and analysis. I hope we can deal with this in a collegial way. Thank you.

Yours truly,  
David Godley

**APPENDIX 1** Letter reviewing 11 Lake Promenade Variance application 13 February 2013

Thank you for sending the notice of hearing for Thursday and the 3 dimensional architectural rendering including next door houses.

This is an excellent drawing of the proposal by which to assess impacts. If only all applicants had them.

Clearly there is no reinforcement of the neighbourhood character and impacts are severe.

The roof variance is half a metre or about 20 inches and could be deemed minor and with little extra impact from what is the owner's right to build.

However my opinion is that the existing bylaw already has major impact on the adjacent houses in terms of overpowering, overlooking, overshadowing, blocking views and natural light; any extra is adding to the impacts and should be refused based on policies of the Official Plan concerning impacts and fit.

In terms of density this is a figure (0.35 to 0.49) that is not extreme in terms of other approvals and the applicant cannot count the land below the top of bank, a change made a number of years ago.

Again I would say that the bylaw already allows extreme impacts and any extra is not appropriate.

My understanding is the site plan approvals are no longer necessary (only recently withdrawn) which would have given an opportunity to discuss design at least by the planning department.

The Committee of Adjustment for Etobicoke/York works well from what I know and is really the only effective area of planning where people get a chance to have a say and influence development in their neighbourhood. The Committee supports resolution by those involved.

We have a number of systemic planning issues in South Long Branch.

Firstly the Planning Act does not provide a comprehensive control system as it has been built up over time. Subdivisions, severances, zoning, variances, site plans and other mechanisms are used for control instead of one single system.

Zoning is based on owner property rights rather than the public interest. This is the North American way.

Secondly we have only a partial Planning Department service which gives little priority to supposedly minor matters such as lot redevelopment or division.

The planning department also went wrong in trying to harmonise zoning instead of

bringing the zoning into accord with the Official Plan. Although the O P policies are generally in the right direction and were worked on by neighbourhood associations and politicians to be as effective as possible the zoning bylaw still allows "as of right" inappropriate development. The Planning Department also seem to be driven by the development industry rather than providing a framework in which development can occur.

Thirdly we have the OMB. Approvals by the OMB (if Committee of Adjustment decision is appealed) are largely dependent on which hearing officer is handed the file. The contrast in decisions in South Long Branch is extraordinary and of course the OMB is largely unaccountable.

Proposals such as 11 Lake Promenade will continue to surface and be built while land values are high and current zoning exists. Ironically we are planning by crisis. The neighbourhood plans that used to be done by the City when it had a good reputation are needed again.

David Godley

APPENDIX 2 Extract from my letter to Councillor Grimes' Assistant 2012 referring to planning processes dated 13 November 2012.

"Council is the agent of the people. The project belongs to the community, which is why grass roots should be involved from the start. Words like "Partnered" or "Empowered" signify a joint or collaborative venture. It is the community which lives with the results. I feel the community is demeaned at the moment under most current planning processes.

Mississauga let the community lead on the power station lands just west of us. The co-operative approach to the public meeting I attended had a completely different tenor to the frustration I have witnessed in many meetings here. You do not have to object, lobby or petition; you are fully involved. Lakeshore Planning Council did a neighbourhood plan for the Hospital Grounds in this way effectively saving Smith Park from mass housing. Most of my working life I have used this process which takes longer and needs more intensive resources but forms partnerships and uses everyone's talent. It has proved more successful in producing satisfactory conclusions because all are able to know the whole story which is usually quite complex. It is not only neighbourhood plans (the City of Toronto used to use this process) and smaller sections of the municipality but I have used it with larger projects such as downtown plans, housing policies, recreational and parks plans and sustainable development.

The process I endorse is as follows:

An advisory group of stakeholders is appointed after a background report is prepared partially through questionnaire.

The advisory committee with staff help review the state of the environment, hear from various staff members in different departments in a two way exchange.

The advisory committee prepares a SWOT analysis (Strengths, Weaknesses, Opportunities and Threats), and identify issues.

Finally the advisory committee recommend a plan which is then taken to the broader public.

Normally the councillor would be involved throughout the process but citizens would steer it with the help of a project planner. The Lakeshore Planning Council was set up to encourage this process.

I note that the Committee of Adjustment shares my concerns and recently have been asking for pre-meetings with the neighbourhood on contentious issues. Input from the councillor on minor variances and severances is much appreciated.

My conclusion is that only top down planning is carried out in this ward whereas greater involvement by the public from the beginning would create better plans and more harmonious neighbourhoods. Development planning rather than city planning is basically what happens in Lakeshore.

David "

**APPENDIX 3** Extract from letter from Planning Director for the City of Hamilton 26 November 1996.

"My philosophy on planning is that decisions should be made on issues as close to the impact level as possible, within the constraints of Legislation. This allows neighbourhood people to influence future change to the neighbourhood. It does not preclude the promotion of City wide interests. Rather a neighbourhood plan process blends wider interests, including Provincial, with grassroots interests. The wider interests are brought to the Advisory Committee by various departments and agencies. Hopefully each stakeholder can reach consensus by understanding the aims and focusing on objectives rather than positions. Issues that cannot be resolved at the local level are dealt with by other means, often a Provincial Board, such as the OMB, which imposes a decision."

#### **APPENDIX 4** Brampton deals with zoning that does not meet Official Plan policies.

- The owner of a 6,600 square-foot home being built in Brampton says the city is now taking away his rights by...

Brampton City Council has approved an Interim Control Bylaw that puts a one-year moratorium on all large house additions, in the wake of complaints about a house under construction on Centre Street North and another in Peel Village.

The bylaw takes effect March 1 and will be in place for one year, ending Feb. 28, 2014. It puts in place a city-wide limit on all additional housing density to 15 per cent of the gross floor area of an existing dwelling.

But like all Interim Control Bylaws, there could be exceptions, because some areas would not be affected by additions greater than 15 per cent, council heard. City staff will assess any applications that come in after March 1 that exceed 15 per cent of the original dwelling's gross floor area on a "site specific basis to determine their compatibility with the host neighbourhood" before any exemptions are recommended for consideration by council.

The ban will give the city a chance to address the issue of housing density in mature neighbourhoods in the five-year Official Plan Review, which will be conducted this year. "All options will be open as we go through this process," Acting Planning Commissioner Dan Kraszewski assured councillors.

Regional Councillor Elaine Moore called it "several layers of a safety net" for residents and the city.

The bylaw was an add-on at the council meeting taking place Wednesday afternoon.

City staff said the issue of large homes being fitted onto small lots in mature neighbourhoods came up last October when residents complained about the demolition of an existing home on River View Drive in Peel Village and subsequent construction of a much larger home. The issue packed the council chambers last fall with concerned residents, and sparked the Official Plan Review.

"It's essentially been simmering for six months," Kraszewski told council of the issue.

But as concern about the size of a house under construction on Centre Street North surfaced last week, staff responded with the temporary moratorium this week, in consideration of the amount of public interest that has been expressed about such infill.

The staff report indicated the city has recently received a "significant number" of complaints from residents about additions or new construction of single-detached and semi-detached houses in already developed neighbourhoods that residents say are incompatible with the existing homes.

The building on Centre Street has been halted by city bylaw officials, who say the structure does not match what the city's building department approved for construction on the small lot. The home's owner says it does, but has been ordered to produce a legal survey to prove that it does.

Regional Councillor Paul Palleschi said the property owner was approved for a 3,600 square foot house, but reports are that the building under construction is more than 6,000 square feet in size.

Whether it complies with existing zoning or not, there is still an issue of how to deal with



modern-day large homes being constructed in neighbourhoods built in a much different style in past decades.

“Applying current zoning standards in these communities could result in a housing density that far exceeds the existing physical scale and character of the host community,” according to the city staff report.

The city’s current zoning bylaws do regulate the height and size of a residential building, requiring a specific distance between the building and the property line, and limiting the size to a percentage of the size of the lot. Those limits are what will be looked at in the Official Plan Review as they relate to “infill” in older neighbourhoods.

Meanwhile, a report on how the issue on Centre Street North got to the point it is at will go to Planning, Design and Development Committee on Feb. 25, councillors were told.

#### APPENDIX 5 Comparing the OMB decision at 4 James with 364 Lake Promenade.

Applicant:	Rita Fiorucci
Appellant	Rita Fiorucci
Property Location	4 James Street, Plan 2180, Lot 201 4 James Street (Parts 1 & 2) 4 James Street (Parts 3 & 4)
Municipality	City of Toronto
OMB Case No:	PL120293, PL120294, PL120295
OMB Town File No:	B-37/11EYK, A-403/11EYK, A402/11EYK

1. I have lived at 401 Lake Promenade, Long Branch since 1975.
2. I am a qualified planner who has been involved in many planning matters since retirement from work. My curriculum vitae is attached as Exhibit "1" to this affidavit.
3. I have been involved with a number of severance issues and accompanying variance applications in the Long Branch area (the area within which 4 James Street is located). I have been actively involved in OMB matter PL120293 since 23 May 2012 and attended the hearing on the morning of June 11, 2012.
4. I have been asked by neighbourhood residents to prepare an analysis of the decision of OMB Member Hefferon on the appeal relating to severance and minor variance applications at 4 James Street in Long Branch.
5. It is my professional opinion that the decision is inconsistent and illogical and that good planning demands consistency and rationality.
6. It is my professional opinion that errors have been made that, if corrected, would change the decision.

7. COMPARABLE APPLICATION On July 6 2012, 16 days before the subject decision issued, an application involving property at 364 Lake Promenade with many parallels to 4 James Street was refused in a decision by the Ontario Municipal Board. The essence of the two applications was as follows:

<u>364 Lake Promenade</u>		<u>4 James Street</u>
Frontage	12m to 9.33m	12m to 7.62m
Lot Area	371 m2 to 353 m2	371 m2 to 278.66 m2
Density	0.35 to 0.44	0.35 to 0.53/0.54

8. The appeal for the Lake Promenade site was refused and the appeal for 4 James was approved.
9. CONSISTENCY In my professional opinion, while there are always variable circumstances to be considered in planning applications, it should be a goal that OMB decisions be consistent and rational. In these two cases, it appears that Chair Jackson correctly understood the evidence relating to City of Toronto Official Plan policies whereas Chair Hefferon did not.
10. INCONSISTENCY The zoning bylaw established 12m as a minimum frontage despite the original subdivisions having 15m lots and some existing smaller

lots built before 1958, the year the first zoning came into force. Likewise the 0.35 density is low and encourages the preservation of the distinctive character. The general intent and purpose therefore was to maintain the spacious feeling in the single detached zone and the preservation of the distinctive character. This was addressed in the 364 Lake Promenade decision and a change from 12m to 9.3m was deemed to be not in keeping with the character of the area. Notwithstanding that finding, a variance from a 12m to 7.5 metres in the 4 James Street decision was considered to accord with the character of the area.

11. GROWTH POLICIES In the introduction (Section 2) to the City of Toronto Official Plan it states, "The principles that follow for steering growth and change to some parts of the City, while protecting our neighbourhoods and green space from development pressures, are the first layer of a sound planning process for shaping the City's future." In policy 2.2.2 it states "Growth will be directed to Centres, Avenues, Employment Districts and Downtown." The Chair did not recognise these Official Plan statements.
  
12. GRADUAL REINFORCEMENT OF CHARACTER The notion of reinforcing the existing physical character of buildings and streetscapes is relatively new to Etobicoke and introduced in the City of Toronto Official Plan Policy 2.3.1 1 in 2006. In Chapter 4 under Development Criteria for Neighbourhoods it states, "A key objective of this Plan is that new development respect and reinforce the general physical patterns in a Neighbourhood". (section 4.1 Neighbourhoods which is the designation Long Branch Neighbourhood and 4 James as shown on Map 15). The introduction to development criteria in the Official Plan states that "physical changes to our established Neighbourhoods must be sensitive, gradual and generally "fit" the existing physical character. This leads to detailed policies as follows.
  
13. INTENT OF OFFICIAL PLAN Under Official Plan Policy 4.5 it states "Development in established neighbourhoods will respect and reinforce the existing physical character of the neighbourhood including the following development criteria:... size and configuration of lots; height, massing, scale and dwelling type of nearby residential properties; and prevailing building types in the neighbourhood." These are clear statements of Official Plan intent. In the 4 James Street decision these policies were ignored. The "Official Plan" test for the applications fail and therefore it is incumbent on the Board to refuse them.
  
14. NEARBY PROPERTIES 4 James Street is on a street section (between 36<sup>th</sup> and 37<sup>th</sup> Street) where all the lots are about 15m wide. Narrow two storey

detached houses are uncommon in the Long Branch neighbourhood nearly all being confined to recent developments in multiple residential zones. They do not exist in residential properties nearby 4 James. This is something the Chair did not consider.

15. CHARACTER OF NEW DEVELOPMENT In my professional opinion, higher densities in multiple dwelling zones, both out of sight and a good distance from the subject section of 4 James Street, are no justification for permitting this severance. That would mean almost any 15m or more frontage lot in the Long Branch neighbourhood could be split. If this logic is followed apartments would be appropriate as there are apartment areas at not unsimilar distances to the small lot areas referenced by the developer's planner and the Chair. This is illogical. The eclectic mix cited by the developer's planner is not the foundation for determining streetscape character for new development.
  
16. DESTABILISATION The Official Plan draws attention to the fact that successful streets depend on visual quality, activity, and safety and these are directly influenced by the built form of adjacent buildings. The massing of two narrow houses on narrow lots is not harmonious when the section of the street is made up of wider houses on wider lots. Once lot splitting is established as permissible every 15m lot in the neighbourhood is threatened and the area and neighbourhood destabilised. Upgrading the existing house or rebuilding would be compatible and avoid significant impacts on the adjacent properties. None of this was considered by the Chair.
  
17. PROVINCIAL POLICIES/INTENSIFICATION Intensification is cited a number of times by the Chair as a reason for approval, as is the need to use existing infrastructure efficiently. There will be need for much more infrastructure as major high density development continues to take place along Lakeshore Avenue. With respect to Neighbourhoods however, other considerations are to be balanced with the any intensification objective. The Official Plan was approved after the relevant Provincial Policy Statements (both for Ontario and the Golden Horseshoe) and therefore conforms to these documents. Directing intensification away from neighbourhoods is therefore valid.
  
18. CHANGE OF CHARACTER There are a number of criteria listed in the Official Plan that determine neighbourhood character but lot frontage (which comes under the heading of lot configuration) is a key variant of character. As noted

earlier the Official Plan draws attention to the fact that successful streets depend on visual quality, activity, and safety and these are directly influenced by built form of adjacent buildings and also that heights, massing and scale of nearby residential properties is a key criteria. The Chair seems to have missed this point and also that heights, massing and scale of nearby residential properties is also a key criteria. He refused to consider nearby or adjacent properties and instead cited properties at a distance from the subject site, out of sight from the subject property and in a multiple unit zone as being influential to the section of James between 36th and 37th. This kind of reasoning will lead to all 15m or more frontage lots in Long Branch becoming in danger of being split. The development pressures are there to do so now. This would lead to change of character of the neighbourhood over the long run from cumulative effect.

19. NEARBY/ADJACENT PROPERTIES The prevailing building type in Long Branch is detached on larger lots reflecting the original subdivision and zoning. Neighbourhood character varies from one area to another. To reinforce character requires harmony with the adjacent section of the street. This is a fact and is reflected in the policies of the Official Plan. Neither the developer's planner, nor the Board give any rationale for the arbitrary study area that was relied on in this decision. Character fit is based on more than the general neighbourhood which residents would recognise as 23rd to 42nd Street south of the properties on Lakeshore Blvd. More important is the streetscape surrounding the proposed development, the block that the property is in and the visual influence area, which generally coincides with what you can see standing in front of the property. The Chair does not give any weight to adjacent or nearby properties in determining respect and reinforcement of character.
  
20. CAPITALISING ON INFRASTRUCTURE The Chair states that renewal is needed to maintain the stability of the area. He received expert evidence that there is a ready demand for renovated property. Long Branch is under gradual and sensitive renewal without the need to diminish character. There is also a ready market for new detached housing on 15m or more wide properties as a walk round the neighbourhood will testify. Many renovations and new building are already allowing sensitive and gradual growth in accordance with Official Plan policy without the need to divide lots.
  
21. CONCLUSION The OMB has a long a distinguished history. I support their continuance as a body that makes planning accountable and has the ability to

make fair, rational and consistent decisions. A decision such as 4 James Street undermines the credibility of the Board. There are so many errors of fact, misleading information and evidence not taken into account, that I believe there is a compelling case to be made that the OMB should authorize a review. The Planning Act requires a fair process.

David Godley