

Hello Neighbours of 50 36th Street.

This matter is at the Committee of Adjustment (COA) on June 9th.

Below is a draft report for your review.

I act as planner for LBNA but am not a member.

I have not heard whether anyone is attending or whether someone is taking charge but this severance is of concern to the wider neighbourhood.

I can forward material about what to expect at the COA and advice on a petition.

Yours truly, David Godley mhairig@pathcom.com

Hand delivered to residents of 3, 7 James Street, 41, 43, 44, 45, 47, 48 and 51 36th Street. June 1 2016

Proposed Severance, Variances 50 36th Street, Long Branch
B12/16, A338-9/16 EY

Comment by Long Branch Neighbourhood Association (LBNA)

Recommendation:

Defer to enable consultation with the Councillor, Planning Department, affected residents/owners, and the applicant and that the applicant supply context material (to evaluate Official Plan conformity) and report on tree impact.

Introduction:

The Planning Department have introduced a new process to try to improve severance and variance planning decisions based on deferral and consultation. Several consultation meetings, with a good degree of success, have been held.

Severance and Variance Process:

The process at the local level and the Provincial level at the Ontario Municipal Board (OMB) is almost exclusively adversarial. Significant proposals are refused or approved without dialogue. There are winners and losers and usually those with the most resources win. Deferral gives an opportunity to share information, discuss issues and hopefully come to a consensus or part consensus.

Another problem is that the community cannot play an influential role at the OMB unless an objector pays \$20,000 to \$30,000 for legal and planning representation. The neighbourhood has to rely on the Planning Department represent them at OMB hearings as opinions of residents are rarely taken into account when expert evidence is offered. The Planning Department's opinion does not necessarily coincide with the community's.

Deferral gives the opportunity for applicant, planners, and concerned citizens to sit around a table in an informal atmosphere without waiting and with less emotion to create a made in Long Branch solution.

Another difficulty is access to information by the public. The facades of structures are not included with the notice and those plans that are submitted are often unreadable due to reduction. Context is a key part of character evaluation and this cannot easily be done by lay people without dimensioned lot layouts with existing densities and front facade outlines of buildings either side of the proposal for comparison as well as what is permitted by the zoning bylaw. Bird's eye views are an additional advantage.

Proposal and Official Plan:

The current application shows severing the rear half of 50 for double the allowable density dwelling and keeping the current house. This does not conform to the Official Plan:

Section 2 directing density away from designated neighbourhoods; the Provincial policies are irrelevant as they are implemented through Official Plans. The Official Plan is emphatic that there is no need for new detached housing in Long Branch.

Section 3 achieving urban design harmony, and minimising impacts both on neighbours, and the street scene relating to both development and trees. Impacted trees can only be protected prior to approval. Conditions are voided. Once approval is given for a specific proposal Urban Forestry's hands are tied. Section 4 reflecting and reinforcing character.

The proposal does not follow the low density intent of the zoning or the minor nature of a variance which the City's definition is "*Small changes or exceptions to existing land use or development restrictions contained in the zoning bylaw are called minor variances.*" The COA is appointed to fulfill City policies.

Conclusion:

The LBNA support deferral with conditions that full information is provided for context in order to evaluate "fit" into the neighbourhood and that the impact on trees be part of the evaluation.

Brian Liberty
Chair, Long Branch Neighbourhood Association.