



STAFF REPORT ACTION REQUIRED

359-377 Roehampton Avenue – Official Plan, Zoning, Site Plan, Applications – Refusal Report

Date:	November 7, 2007
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward No.22 – St Paul’s
Reference Number:	File No. 05 195762 STE 22 OZ , 07 111502 STE 22 OZ & 07 105167 SA

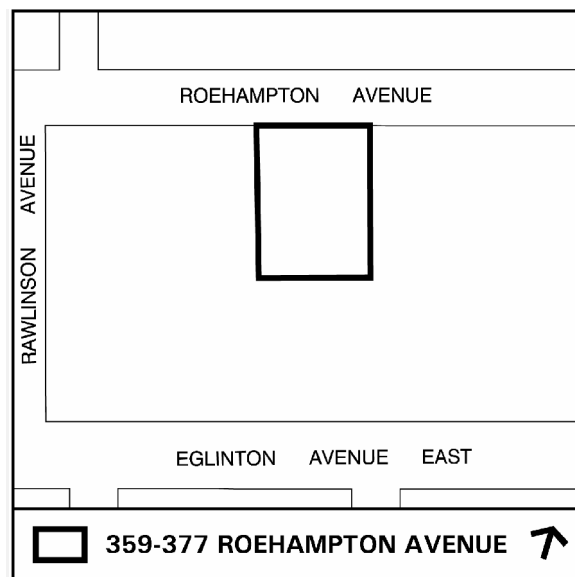
SUMMARY

Council previously refused the above noted applications on March 5, 2007, and had directed staff to attend the hearing at the Ontario Municipal Board. The applicant has since submitted significantly revised plans which staff believe requires further direction from City Council. Staff continue to recommend the proposal be refused. The applicant has consolidated the appeals to the Ontario Municipal Board with the hearing scheduled to begin on January 8, 2008.

The revised proposal contemplates the construction of 3 detached residential buildings containing a total of 15 units at 359-377 Roehampton Avenue. Construction of the proposed development will require demolition of the 3 existing detached buildings containing a total of 9 dwelling units, of which 8 are rental units.

This proposal has been considered on the basis of its compatibility with the surrounding neighbourhood and its compliance with the spirit and intent of the Official Plan and Zoning By-law. Housing policies relating to “house behind and house”, and rental protection have not been satisfied and form the basis for refusal of the applications.

This report reviews and recommends refusal of the applications to amend the Official Plan and Zoning By-law and for Site Plan Control.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council refuse the applications for the following reasons:
 - (a) the proposal is inconsistent with the Provincial Policy Statement;
 - (b) the proposal does not conform to the Official Plan;
 - (c) the proposal is inconsistent with Council-approved guidelines/policies eg. DIPS; and,
 - (d) the proposal does not meet the intent of the Zoning By-law.
2. City Council direct the City Solicitor to advise the Ontario Municipal Board (the “OMB”) that the City of Toronto requests the OMB to refuse the applications for Official Plan and Zoning By-law Amendment Nos. 05 195762 STE 22 OZ & 07 111502 STE 22 OZ, and Site Plan file No. 07 105167 SA; and
3. the City Solicitor, the Chief Planner and Executive Director and any other appropriate staff be authorized and directed appear at the OMB hearing in support of the City’s position as set out in Recommendation 1 of this report.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

A previous application to amend the Official Plan and Zoning By-law for the property at 359-377 Roehampton Avenue was submitted on October 21, 2005. This application was processed under the former City of Toronto Official Plan which is no longer in force and effect. Since no appeal was filed by the applicant prior to the new (and now) in-force Official Plan, the previous appeal to the OP was no longer valid. For this reason the applicant was required to resubmit an additional Official Plan Amendment to the new Official Plan. The application to amend the OP was refused on March 5, 2007, followed by a supplementary report of March 23, 2007 recommending refusal of the application again. The applicant has indicated his intent to appeal this refusal to the Ontario Municipal Board and consolidate it with the Zoning Amendment appeals to be heard on January 8, 2008.

ISSUE BACKGROUND

Site History

On October 21, 2005 Michael Vaughan, on behalf of Roehampton Birch Properties Inc. submitted an application for Official Plan and Zoning By-law amendments to permit the construction of a multi-unit residential building containing a total of 27 dwelling units.

The plans and accompanying materials were circulated to City Departments and appropriate outside agencies for their comment. In advance of receiving comments back from the circulation, a Preliminary Planning Report was sent to Toronto and East York Community Council. A number of issues were raised in that report. Council adopted that report and its recommendations, one of which directed the Planning Division to hold a community consultation meeting.

Planning staff met with the applicant prior to holding a community meeting to discuss the major issues of rental housing replacement, siting of buildings and massing. Community consultation meetings were held in the neighbourhood on February 1, 2006, February 20, 2007 and September 6, 2007.

Planning staff initiated subsequent discussions with the applicant in attempts to resolve the issues raised in the Preliminary Report and at the community meetings. While revisions have been made to the plans to deal with some of the City's issues over the last year, the overall proposal was not supportable. The applicant appealed to the Ontario Municipal Board on October 20, 2006 on the grounds that City Council had failed to make a decision.

Proposal

The latest proposal to amend the Official Plan and Zoning By-law for 359-377 Roehampton Avenue is to permit the construction of two multi-unit residential buildings and 3 attached rowhouses containing a total of 15 dwelling units.

The proposal is comprised of three blocks; 2-3 storey (10.28 metre) residential apartment buildings located at the front of the property, 1 block containing 4 housing units and 1 block containing 8, and three-2 storey rowhouses located at the rear. All blocks are served by a common driveway at the centre of the site leading to 18 subsurface parking spaces, and 5 at grade parking spaces accessed from Roehampton Avenue providing a total of 23 parking spaces. (See Attachments 1 to 3)

Construction of the proposed development would require demolition of the one single family dwelling and two four-plex rental buildings which contain a total of 8 two-bedroom rental units. One of the units is considered affordable as the rent is well below the average market rents for two bedroom units in the City and the remaining units are all considered to be mid-range as defined in the Official Plan.

Site and Surrounding Area

The 0.22 hectare site is located east of Mount Pleasant Avenue, north of Eglinton Avenue East at 359-377 Roehampton Avenue. The site is currently occupied by 3 detached buildings. Uses in the vicinity can be described as follows:

North:	2-3 storey detached and semi-detached residential dwellings
South:	13 storey residential apartment fronting onto Eglinton Avenue East
East:	2-3 storey detached and semi-detached residential dwellings
West:	2-3 storey residential buildings

Provincial Legislation

In reviewing these applications, consideration must be given to the in-force provisions and requirements of the Planning Act, and the 2005 Provincial Policy Statement.

Planning Act

Section 2(j) of the Planning Act calls for municipalities to address the adequate provision of a full range of housing. The Provincial Policy Statement directs that all planning jurisdictions provide for a full range of housing types and densities to meet projected demographic and market requirements of current

and future residents by a variety of means. Both rental and affordable rental housing are required to meet the needs of many existing and future residents of the City of Toronto.

Pursuant to Section 3 of the Planning Act, Council is required to make decisions on planning matters that are consistent with the Provincial Policy Statement, 2005.

Provincial Policy Statement

The Provincial Policy Statement provides policy direction on matters relating to land use planning that are of provincial interest. It is issued under the authority of Section 3 of the Planning Act. The 2005 version applies to all matters or proceedings commenced on or after March 1, 2005. As the subject application was submitted in October of 2005 and accordingly is subject to the Provincial Policy Statement, 2005.

Relevant provisions, include Policy 1.4.3 which sets forth the responsibility of planning authority's to provide for an appropriate range of housing types to meet projected requirements of current and future residents of the regional market area.

City of Toronto Act, 2006

In the new *Stronger City of Toronto for a Stronger Ontario Act, 2006*, (Bill 53), proclaimed January 1, 2007 the City received specific authority with regard to regulating rental housing properties. Section 111 of the provincial legislation enhanced the City's ability to prohibit and regulate the conversion and demolition of residential rental properties, thereby demonstrating the Province's acknowledgement of the importance of protecting the City's scarce rental housing stock.

With City Council's approval of the Section 111 implementing by-law (No. 885-2007) proposals which involve the demolition of residential rental properties require a separate application under Section 111 of the new City of Toronto Act. However, since this application for rental demolition was filed prior to the proclamation of the new Act (January 1, 2007), a separate application is not required.

Official Plan

The site is currently designated as a "Neighbourhood" in the Official Plan. Neighbourhoods are considered stable areas made up of residential uses in lower scale buildings such as detached and semi-detached houses, duplexes, triplexes, townhouses, and interspersed walk-up apartments.

Policy 5 of Section 4.1 states that development in established Neighbourhoods will respect and reinforce the physical patterns and character of the Neighbourhoods, with particular regard to, among other things:

- a) heights, massing, scale and type of dwelling unit;
- b) size and configuration of lots;
- c) prevailing building type(s);
- d) setbacks of buildings from the street; and
- e) prevailing patterns of rear and side yard setback and landscaped open space.

Policy 5 further states that no change will be made through rezoning, minor variance, consent or other public action that is out of keeping with the physical character of the neighbourhood. The prevailing building type is the predominant form of development in the neighbourhood.

In addition, the built form policies of the Plan state that new development will be located and organized to fit harmoniously into existing and/or planned context and will limit impacts on neighbouring streets, parks, open spaces and properties. Development will front onto public streets where possible and service areas will be appropriately screened.

Section 3.1.2.1 and 3.1.2.3 dealing with built form policies states that new development will be located and organized to fit with its existing and/or planned context, and generally locating buildings parallel to the street, with the main building entrances clearly visible and directly accessible from the public sidewalk.

The Official Plan encourages a full range of housing, in terms of form, tenure, and affordability across the City, and seeks to maintain and replenish housing stock. Replacing rental housing in the public interest and demolished units must be replaced with units of comparable type and size, as well as similar rents charged at the time of the application. The policies also require an acceptable tenant relocation and assistance plan.

Specifically, the Official Plan Section 3.2.1 Housing Policy 6 states that:

New development that would have the effect of removing all or a part of a private building or related group of buildings, and would result in the loss of six or more rental housing units will not be approved unless:

- a) all of the rental housing units have rents that exceed mid-range rents at the time of application, or
- b) in cases where planning approvals other than site plan are sought, the following are secured:
 - i) at least the same number, size and type of rental housing units are replaced and maintained with rents similar to those in effect at the time the redevelopment application is made;
 - ii) for a period of at least 10 years, rents for replacement units will be the rent at first occupancy increased annually by not more than the Provincial Rent Increase Guideline or a similar guideline as Council may approve from time to time; and
 - iii) an acceptable tenant relocation and assistance plan addressing the right to return to occupy one of the replacement units at similar rents, the provision of alternative accommodation at similar rents , and other assistance to lessen hardship, or
- c) in Council's opinion, the supply and availability of rental housing in the City has returned to a healthy state and is able to meet the housing requirements of current and future residents. This decision will be based on a number of factors, including whether:
 - i) rental housing in the City is showing positive, sustained improvement as demonstrated by significant net gains in the supply of rental housing including significant levels of production of rental housing, and continued projected net gains in the supply of rental housing;

- ii) the overall rental apartment vacancy rate for the City of Toronto, as reported by the Canada Mortgage and Housing Corporation, has been at or above 3.0% for the preceding four consecutive annual surveys;
- iii) the proposal may negatively affect the supply or availability of rental housing or rental housing sub-sectors including affordable units, units suitable for families, or housing for vulnerable populations such as seniors, persons with special needs, or students, either in the City, or in a geographic sub-area or a neighbourhood of the City; and
- iv) all provisions of other applicable legislation and policies have been satisfied.

Yonge-Eglinton Secondary Plan

The site is located within the Yonge-Eglinton Secondary Plan area. However, there are no additional policies in this Plan which relate to the site or the proposed development.

Zoning

The site is zoned R1S Z0.6 with a maximum permitted height of 9 metres (See Attachment 4). This zone permits detached, semi-detached, duplex and semi-detached duplex housing types to a maximum gross floor area of 0.6 times the area of the lot. Section 4(11) prohibits the erection or use of a residential building in the rear of another building.

Site Plan Control

The property is subject to site plan control. The application for site plan has been appealed along with the Official Plan and Zoning By-law amendments.

Development Infrastructure Policy and Standards

The present and future solid waste management pressures in Toronto are well documented and significant. The City's ability to accommodate future solid waste management requirements is very much dependent upon its ability to achieve high rates of household recycling. In order to achieve high rates of recycling, the design and size of waste management systems need to be supported and complemented by appropriate infrastructure to individual households and dwellings. The City achieves dramatically higher recycling rates when services are provided to the front curbsides of dwellings as opposed to centralized facilities. In this respect, the street front pick up of the household 'blue box' has become an essential element of the City's infrastructure and waste management system.

Based in part on this goal of encouraging waste reduction and diversion, and upon a March 1, 2005 staff report, City Council adopted a motion on April 12-14, 2005 that all streets in new townhouse developments be designed to permit delivery of services including curbside garbage collection, snow removal, street repair and maintenance, water and sewage maintenance, and Fire Services.

At its April 12, 13, and 14, 2005 meeting Council received a Staff report on the Development Infrastructure Policy and Standards ("DIPS") Review and adopted among others, the following recommendations:

Staff report for action – Final Report – 359-377 Roehampton Avenue

- “all streets in new townhouse developments and subdivisions be designed to permit curbside garbage collection by City vehicles, as well as other City services, such as snow removal, street repair and maintenance, water and sewage maintenance, and Fire Services, etc.”
- “staff use the information in this report to inform their review of development applications until final standards are approved”.

After extensive consultation from May through September, staff of Technical Services and City Planning presented a Phase 2 report to City Council in November of 2005. Through this report Council subsequently adopted criteria for considering and designing private streets. To summarize, the standards for “Private Streets or Mews” are:

- maximum street length of 45 metres from a public street
- street serves a maximum of 10 units
- minimum of 8 metre pavement width
- 1.7 metre sidewalk or an 8 metre pavement entirely of upgraded paving materials
- street tree planting with sufficient soil capacity
- appropriate lighting levels
- accessibility and space for City curbside collection of waste and recyclables

Reasons for Application

Official Plan Amendment

An amendment to the Official Plan would be required since the proposal does not meet the policies of the neighbourhood designation, specifically Policy 5 that development respect and reinforce existing physical character related to: the size of lot; prevailing building type; setbacks of buildings from the street; prevailing patterns of rear and side yards setbacks and landscaped open space. Further, the proposal does not comply with the housing policies related to house behind a house and rental replacement.

Zoning By-law Amendment

An amendment to the Zoning By-law would be necessary because:

- (i) the proposed use, apartment building, is not permitted in a R1S district;
- (ii) the proposed use, rowhouse, is not permitted in a R1S district
- (iii) the proposed density of 1.1 times the area of the lot exceeds the permitted maximum density of 0.6 times the area of the lot,
- (iv) the proposal requires a minimum of 2 visitor parking spaces for Building “B”, whereas only 1 is proposed;
- (v) the proposed building height of 10.28 metres exceeds the height limit of 9.0 metres.
- (vi) the by-law does not permit a residential building to be located behind another building, whereas the applicant proposes a building to be located in the rear of another building;

- (vii) the by-law requires a building on an inside lot to have a minimum front lot line setback of 8.05 metres, whereas the proposed is setback 6.4 metres;
- (viii) the by-law requires a building to have a minimum rear yard setback of 7.5 metres, whereas the proposed rear yard setback is 4.57 metres;
- (ix) the by-law limits a building to a maximum depth of 14.0 metres, whereas the proposed depth is 48.35 metres; and
- (x) the by-law requires an apartment building to provide a minimum landscaped open space of 50% of the area of the lot whereas the applicant is proposing 33%;
- (xi) the by-law defines a rowhouse as one of a series of more than two attached buildings which are divided vertically by one another by a party wall and are located on separate lots, whereas the proposed rowhouses are located on the same lot; and
- (xii) the by-law allows only one building to be erected on a lot that is capable of being conveyed in accordance with the provisions of the Planning Act, whereas more than one building is proposed to be erected on the lot.

Community Consultation

The revised proposal was presented at a community consultation meeting held on, September 6, 2007 with approximately 30 residents and the Ward Councillor attending the meeting. Concerns expressed at the meeting included:

- compatibility of proposal with neighbourhood;
- height and mass of proposed building is too great;
- shadowing, privacy and overlook from rear units;
- concerns with potential increase in amount of traffic;
- loss of rental units;
- concerns that the proposed building would set a negative precedent for future developments.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application.

COMMENTS

Provincial Policy Statement and Provincial Plans

To provide an appropriate range of housing types, as discussed in the Provincial Policy Statement, 2005 to meet the project requirements of current and future residents the City must ensure, that existing rental housing stock is protected and the production of new rental housing is encouraged. In *Flashforward Addendum: Projecting Housing Demand by Tenure to 2031*, it notes with the expected continued growth of Toronto's population, the demand for rental accommodation is projected to grow by 93,471 households or 19.7% by 2031. Unfortunately, despite City policies to encourage the construction of new rental housing, such as the new multi-residential building tax rate and programs through the Affordable

Housing Office, the majority of new housing in Toronto has been in the form of homeownership. (See discussion of Supply of Rental Housing below)

As the applicant does not intend to replace the rental housing units, the proposed loss of the existing rental housing stock does not meet the intent of the Provincial Policy Statement's housing policies.

Neighbourhood Structure and Character

This application was reviewed in the context of the City's Official Plan policies dealing with intensification and infill development. New housing stock is encouraged through intensification and infill, yet it must be consistent with the entire context of the Plan and the specific neighbourhood context of the proposal.

Specifically, Policy 1 of Section 2.3.1 and Policy 5 of Section 4.1 of the Official Plan require that new or infill development respects and reinforce the existing character of the neighbourhood with regard to stated criteria.

The neighbourhood and the proposed development can be characterized as follows:

- 2-3 storey single family residential homes on a single lot, whereas the applicant is proposing an apartment type development with 3 blocks located on a single lot. (Attachment 1)
- lot size and frontages on the south side of Roehampton Avenue between Rawlinson Avenue and Cardiff Road are generally in the range of 300-1,000 square metres and 5-12 metres respectively, whereas the subject lot has a area of 2,707 square metres and a frontage over 36 metres.
- residential buildings fronting onto public streets with entrances clearly visible having direct access from the public sidewalk, whereas the proposal would see 60% (9 of 15) of proposed dwellings having no direct relationship between the public street and their primary entrances (Attachment 1).
- sizable landscaped rear yard, whereas the applicant has proposed development within the rear yard.
- relatively flat topography on and immediately surrounding the site, whereas the proposal seeks to significantly alter the natural grade, requiring a sizable retaining wall located at the rear of the site.

Like most stable neighbourhoods in Toronto, the lots in the vicinity contain a building with frontage on a public street, a backyard to the rear of the property and possibly a garage. Placing a new building at the back of the property will alter the configuration of the lot and will create a precedent that could negatively impact the neighbourhood.

Rental Replacement

As noted in Policy 3.2.1.6 of the Official Plan, the demolition of rental housing is not permitted unless the same number, size and type of rental housing units are replaced and maintained with rents for the replacement units similar to those when the redevelopment application was made. The applicant is not proposing any rental replacement units despite the proposal's intent to increase the unit count on the site from the current 9 units (8 of which are rental) to 15. Rather than replacing the units the applicant is proposing a payment of \$200,000 to the City's Capital Revolving Funds for Affordable Housing. Such

a proposal is inconsistent with the intent of the policies which seek the actual replacement of rental units.

It is only possible to demolish rental housing without replacement when the rental housing market has been determined to have reached a healthy state as outlined in OP policy 3.2.1.6 (c). The determination of a healthy rental market should be based on evidence that the City’s supply of rental housing has been experiencing net gains, consistently higher vacancy rates and the proposal will not negatively affect a rental housing sub-sector.

Supply of Rental Housing

Almost all new housing produced in Toronto in recent years has been ownership, while the total amount of rental housing units has decreased slightly over the same period. There are fewer primary rental units in Toronto in 2005 than in 1996 (see Table 1). From the previous year alone, (2004 to 2005), the City had 1,482 fewer rental units. Though there has been a modest increase in the number of newly constructed private and assisted rental units, these have been outstripped by the loss of a greater number of rental units despite the City’s strong policies on protection of rental housing.

**Table 1
Primary Rental Housing: Changes to Supply
City of Toronto 1996-2005**

	1996	2001	2002	2003	2004	2005	Change 1996-2005
Number of Primary* Rental Housing Units	350,861	350,311	349,343	351,681	349,630	348,148	-2,713

Source: CMHC Rental Market Survey, special data request

Prepared by: City of Toronto Planning, March 21, 2006

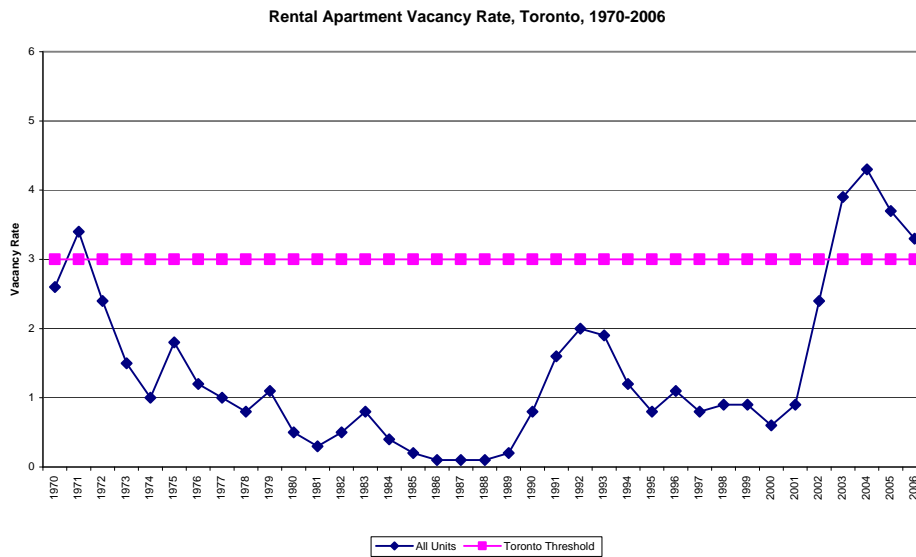
* Primary rental housing is purpose-built rental housing with 3 or more self-contained units, apartment and row units, private and assisted. However, CMHC also includes in the data on total rental units, condominium registered rental buildings where 50% or more of the units are rented and there is a rental office on site. This data does not include rooming houses, group homes, residential care facilities and secondary rental housing such as individual rented houses, duplexes, secondary suites in houses, and condominium rental units.

It is not unusual to see fluctuations up and down from one year to the next as occurred in the most recent period from 2001 – 2005. But the expectation is that over time there would be increases in the supply of primary rental housing to help the City continue to meet population growth and rental demand. Clearly this has not been the case and therefore the rental housing market which is described 3.2.1.6 (c) has not been reached.

Vacancy Rates

Vacancy rate is just one factor which should be considered in evaluating the health of the rental market. Planning decisions involving the loss or provision of rental housing must be concerned with both the current and future needs of the residents of the City. So while the City of Toronto’s vacancy rates, as reported by the Canada Mortgage and Housing Corporation (CMHC) have been above 3.0% as described in 3.2.1.6 (b), we have been experiencing a downward trend in vacancy rates over the past two years, and the most recent CMHC Rental Housing Report, December 2006 predicts that they will continue to decline. (See Table 2)

Table 2



Rental Housing Subsectors

This site is located within Zone 3 of the Toronto Census Metropolitan Area (CMA) which of the 17 Toronto CMA zones, has the second lowest vacancy rate of 1.9%, well below the overall City vacancy rate of 3.3% (CMHC Rental Housing Report, December 2006). This geographic rental submarket therefore has additional pressures and any loss of rental units would negatively affect the availability of rental housing for this neighbourhood.

It should also be noted that rental units with both mid-range and affordable rental units are of particular importance for the City. The loss of units in both these rent ranges, when the overall supply of rental housing is not increasing, tends to reduce the number of rental units with affordable rents. Increased demand for a shrinking supply of units tends to result in higher rents.

Density

The Zoning By-law limits the residential floor area for the site to a maximum of 1,307 square metres or 0.6 times the area of the lot, whereas the applicant’s proposal is 2,400 square metres or 1.1 times the area of the lot. This excess density results directly in other deficiencies respecting setbacks, and building depth.

Siting and Location of Open Space

The proposal is inconsistent with the setbacks and pattern of landscaped open space associated with the surrounding stable residential neighbourhood. Homes oriented towards the street with sizable landscaped rear yards is the typical condition found in the neighbourhood, whereas the proposal to locate one block of units behind two other blocks of units commonly referred to as a house behind a house, is not in keeping with the character of the area.(Attachment 4)

The proposed buildings do not provide adequate setbacks as required by the Zoning By-law. In particular, whereas a minimum rear yard setback of 7.5 metres is required, 4.57 metres is proposed, and whereas a minimum setback of 8.1 metres from the front lot line of a building on an inside lot is required, 6.4 metres is proposed.

Intensification within established neighbourhoods is to be undertaken in a sensitive manner so that the privacy and the enjoyment of both new and surrounding residential properties are not compromised. New development is to fit harmoniously into its existing and/or planned context to limit its impacts on neighbouring open spaces and properties.

The siting of the proposed 2 front blocks on the site with a 5.08 metre wide driveway, and 0.91 metre wide walkway between is not acceptable, will not comply with accessibility standards, and does not satisfy the City's policies related to DIPS. This driveway and proposed paved areas at the rear are problematic and potentially excessive. Suggestions have been made to the applicant to consolidate the visitor parking in one location to address this concern however, the applicant has not incorporated these changes. These changes would have resulted in a greater amount of soft landscaping to be created and utilized on site.

A setback of 7.5 metres is required for a building with a depth greater than 14 metres from the front lot line. The siting of Building 'C' in the rear yard will create a negative impact with respect to overlook and privacy between the proposed buildings, and the neighbouring properties.

Development Infrastructure Policy and Standards

The application was circulated to Technical Services for their comment. Objections were raised relating to the proposal which does not comply with the recommendations adopted by City Council on April 12, 13 and 14, 2005 with respect to Development Infrastructure Policy and Standards Review(DIPS). Specifically, the proposed driveway layout and configuration, solid waste collection from the 9 rear units, and, servicing of the rear units were in conflict with the policy and are deemed unacceptable.

The applicant must provide a local public right-of-way or a private mews with a turning circle or hammerhead, with required dimensions in order to satisfy these requirements.

Site Servicing and Grading

As a result of consultation with City Staff, and modifications initiated by the applicant, considerable changes to the proposal have been made which require updated site servicing, stormwater, and grading plans. Technical Services staff have previously requested these revised studies, but to date have not been submitted.

The applicant is proposing to alter the existing grade of the site which will create a significant retaining wall at the rear of the site.

Tree Preservation

The site is subject to the Private Tree By-law which regulates injury or removal of privately owned trees which measure 30cm or more in diameter as measured at 1.4 metres above ground level. An arborist report and tree preservation plan were submitted for review and it was determined that numerous trees

on and off the subject site meet the criteria for protection under the Private Tree By-law. The applicant has agreed to protect and maintain several trees on neighbouring properties and the 1 City street tree located in front of the subject site, however they have not indicated how they will replace all the trees required to be replanted on site.

Traffic Impact and Parking

The applicant is proposing a total of 23 parking spaces to serve the residents and visitors. This total exceeds the combined resident and visitor parking total minimum required under the zoning by-law. A variance to the by-law is generated due to the apportionment of the proposed parking spaces; 21 resident parking spaces, and 2 visitor parking spaces are proposed, whereas 15 resident parking spaces, and 3 visitor parking spaces are required. Technical Services staff have determined the parking supply to be acceptable.

Due to the limited number of dwelling units (15) the applicant has not been required by Technical Services to submit a Traffic Impact Study.

CONCLUSION

The proposal is inconsistent with policies and permissions outlined in the Official Plan and Zoning By-law which require that new developments fit their context and do not negatively impact lower scale neighbourhoods. Specifically, the proposed siting, built form, and landscaped open space characteristics of the development are not consistent with the prevailing character of the area. The proposal is also inconsistent with specific policies relating to house behind a house and the preservation of rental housing. Staff therefore recommend that City Council refuse the submitted applications.

CONTACT

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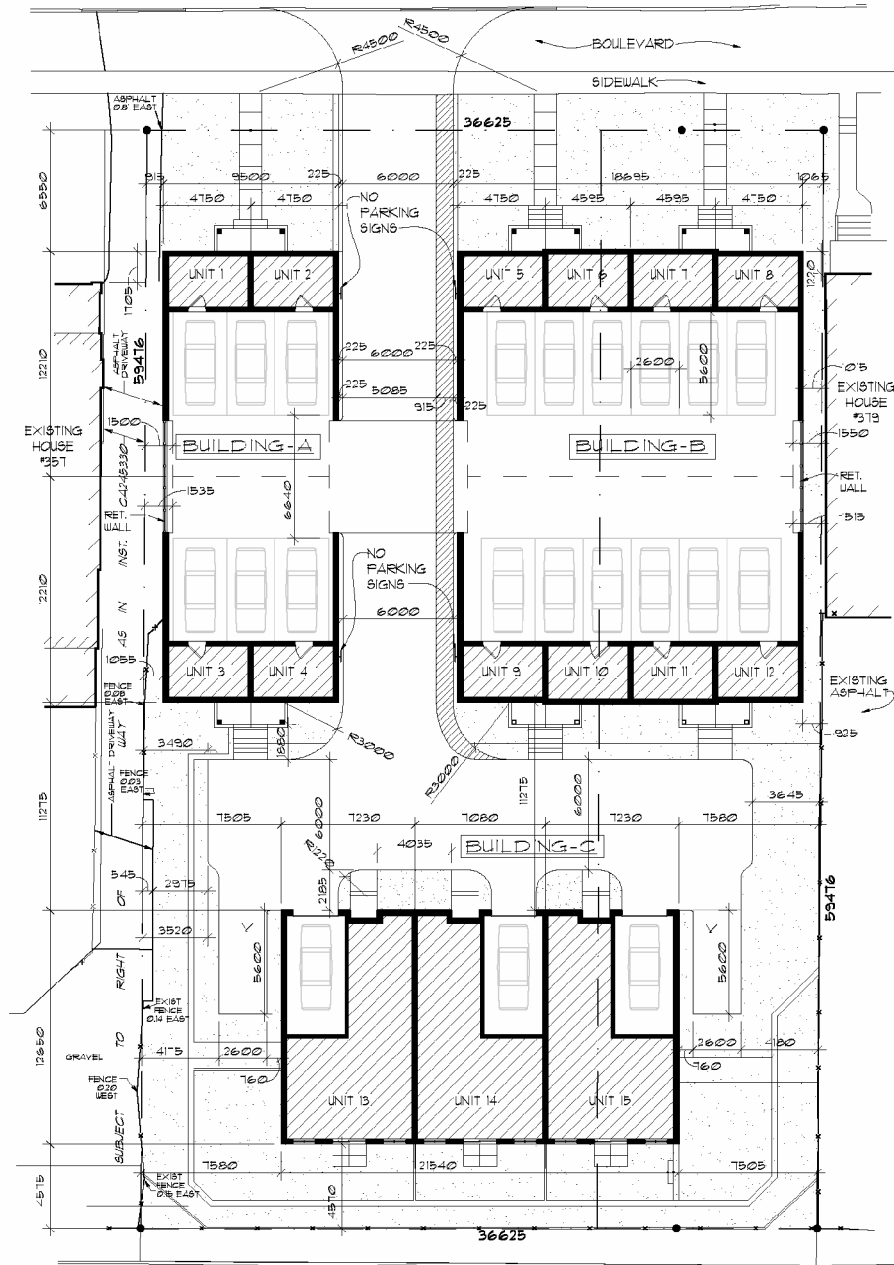
Gary Wright, Director
Community Planning, Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Elevations
Attachment 4: Zoning
Attachment 5: Official Plan
Attachment 6: Application Data Sheet

Attachment 1: Site Plan



Site Plan

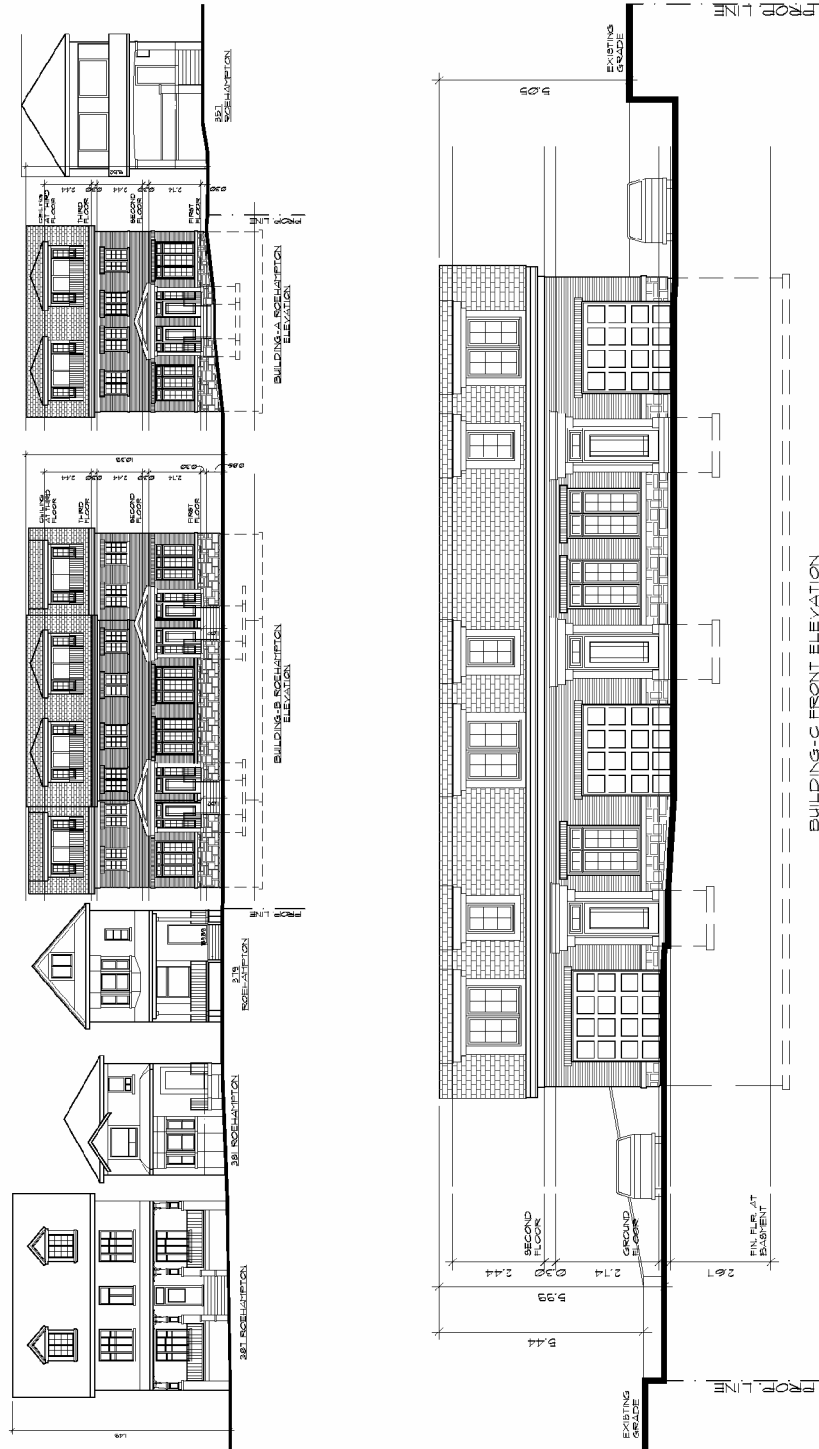
359 - 377 Roehampton Avenue

Applicant's Submitted Drawing

Not to Scale 

File # 07_111502

Attachment 2: Elevations

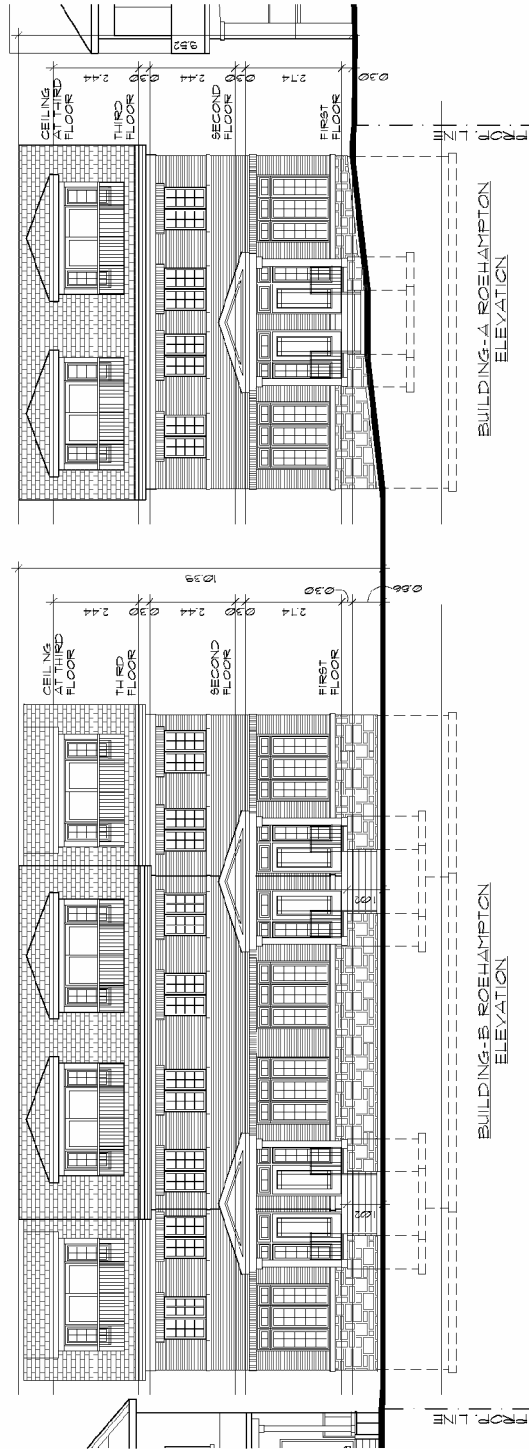


Elevations
 Applicant's Submitted Drawing
 Not to Scale
 11/01/07

359 - 377 Roehampton Avenue

File # 07_111502

Attachment 3: Elevations



359 - 377 Roehampton Avenue

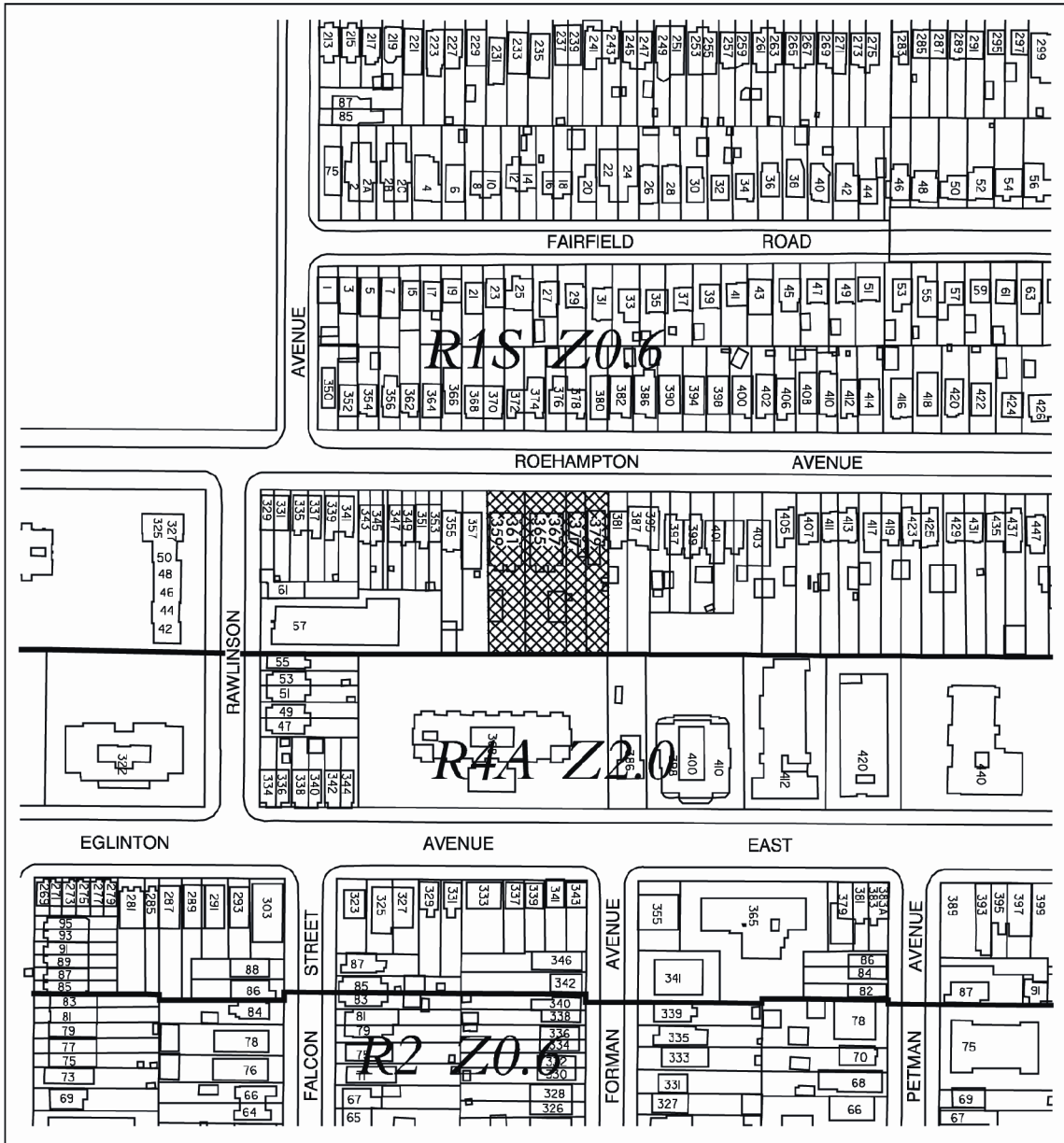
Elevations

Applicant's Submitted Drawing

Not to Scale
11/01/07

File # 07_111502

Attachment 4: Zoning



359 - 377 Roehampton Avenue

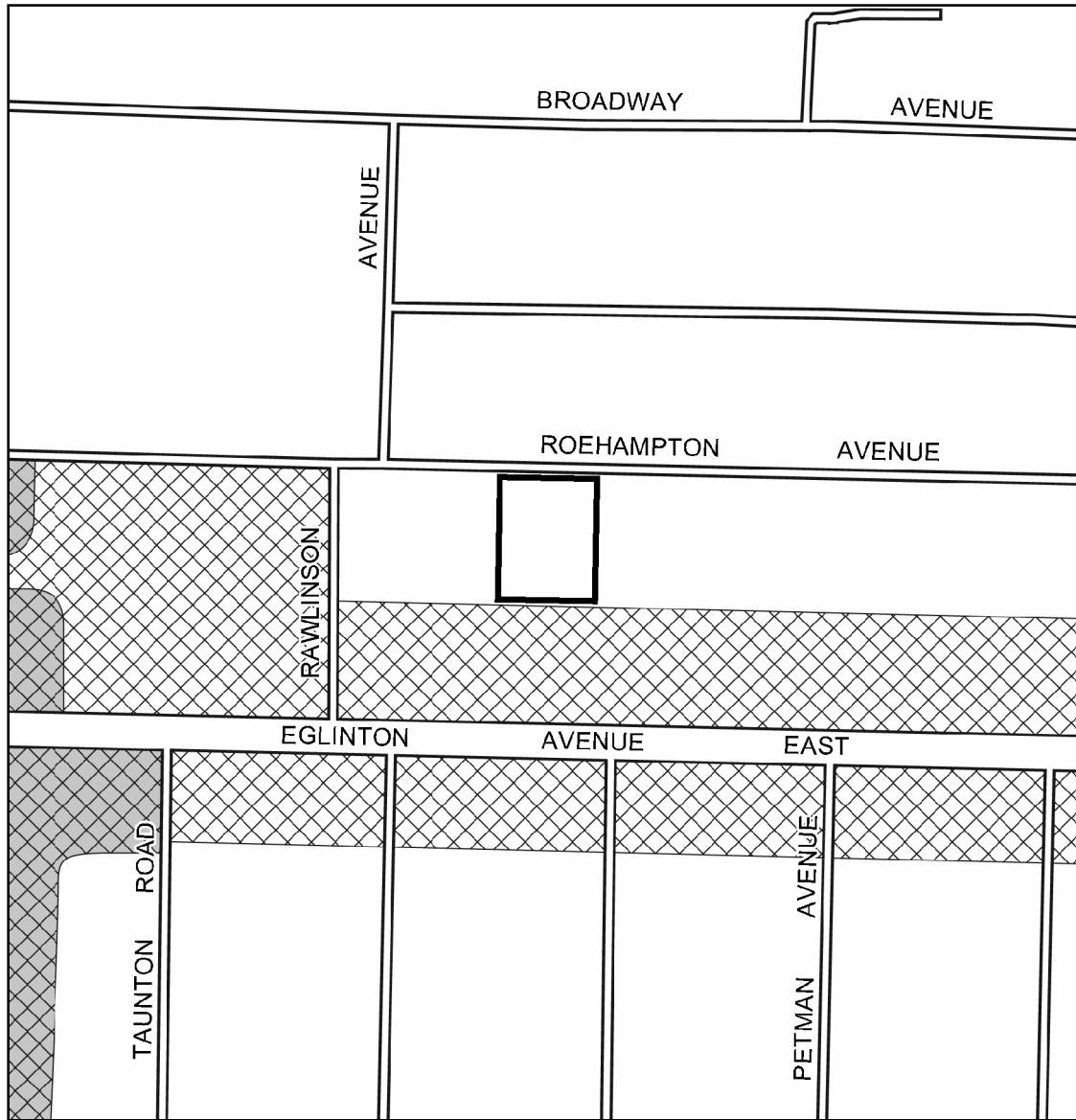
File # 07_111502

- R1S Residential District
- R2 Residential District
- R4A Residential District



Not to Scale
 Zoning By-law 438-86 as amended
 Extracted 11/01/07 - TA

Attachment 5: Official Plan



Toronto City Planning
Official Plan

359 - 377 Roehampton Avenue

File # 07_111502

-  Site Location
-  Neighbourhoods
-  Apartment Neighbourhoods
-  Mixed Use Areas


 Not to Scale
 11/01/07

Attachment 6: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Official Plan Amendment	Application Number:	07 111502 STE 22 OZ
Details	OPA, Standard	Application Date:	February 23, 2007

Municipal Address: 359 ROEHAMPTON AVE
 Location Description: PL 639 PT LT27 **GRID S2201
 Project Description: Construct 15 residential units, in three pods.

Applicant:	Agent:	Architect:	Owner:
WALKER, NOTT, DRAGICEVIC ASSOCIATES LIMITED WENDY NOTT			ROEHAMPTON BIRCH PROPERTIES

PLANNING CONTROLS

Official Plan Designation:	NEIGH	Site Specific Provision:	202-80
Zoning:	R1S Z0.6	Historical Status:	
Height Limit (m):	9	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	2178.4	Height:	Storeys:	3
Frontage (m):	36.6		Metres:	10.28
Depth (m):	59.5			
Total Ground Floor Area (sq. m):	948.51			Total
Total Residential GFA (sq. m):	2400.2		Parking Spaces:	23
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	2400.2			
Lot Coverage Ratio (%):	43.5			
Floor Space Index:	1.1			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Rooms:	0	Residential GFA (sq. m):	2400.2
Bachelor:	0	Retail GFA (sq. m):	0
1 Bedroom:	0	Office GFA (sq. m):	0
2 Bedroom:	4	Industrial GFA (sq. m):	0
3 + Bedroom:	11	Institutional/Other GFA (sq. m):	0
Total Units:	15		

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