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March 10, 2010

**TO: Chair and Members, Committee of Adjustment
Toronto and East York**

FROM: Councillor Michael Walker

RE: 8 Highbourne Road – Item 9 - To be heard March 10th, at 1:30 a.m.

I am writing to respectfully request your Committee refuse the application for variances for 8 Highbourne Road. This application proposes to demolish the existing 2½ storey duplex and to construct a new 3 storey detached residential fourplex building. This proposal also would result in a building that would contain a 6 rear balconies, a two-way operation driveway and 4 rear parking spaces.

I am aware that your Committee has received numerous letters in opposition to this application as my office has been in contact with several residents on this street. I am not aware of any letters in support. The residents' submissions are very well prepared and make strong arguments against this proposal. I strongly support the residents in their opposition and I respectfully request that you consider all their communications to your Committee on this issue.

I strongly object to the whole of this proposal. The variances requested constitutes to an overdevelopment of the lot. The variances requested would result in an intensification of the lot by replacing 2 units with 4 units. Intensification is not allowed in our stable residential Neighbourhoods as per our Official Plan. This application does not meet the intent or spirit of the Zoning Bylaw and Official Plan.

I acknowledge that this applicant is building on the same footprint as the existing dwelling so variances #2, #5, and #6 reflect existing conditions. It is the building on that footprint that I object to.

The prevailing character of the neighbourhood is not 3 storey dwellings – it is 2 to 2½ storeys. The prevailing character of the neighbourhood is not fourplexes or even duplexes – it is single family homes. Both the proposed use and builtform are inconsistent with the prevailing character of the neighbourhood and are therefore, contrary to the Official Plan and the Zoning Bylaw. This application definitely does not reinforce the existing character of this neighbourhood.

Variances #3 and #4, will allow the structure to push out toward the street. This could negatively effect the streetscape, producing a crowding of the street.

Variance #7 would allow substandard greenspace on the property. This loss of existing greenspace and soil permeability would be detrimental to the neighbourhood and contrary to the intent of the Zoning Bylaw and Official Plan. In fact, the new draft Zoning Bylaw for the City strengthens greenspace requirements to prevent property owners from paving over their entire back yard for parking and maintenance facility. This applicant proposes to pave over the whole back yard and that is unreasonable.

Variance #8 would allow this applicant to be short one parking space. Considering visitors will be visiting, this is unreasonable for a new dwelling to worsen the existing parking condition on this street.

Variance #9 would allow a substandard two-way driveway to access the rear parking scenario. The driveway is proposed to be only half the width that the Zoning Bylaw requires. The variance would produce a situation that would be unworkable for the residents and their visitors, especially in winter. Because of its impracticality, residents and their visitors will park on the street, thereby exacerbating the on-street parking problem in this neighbourhood.

In light of the above reasons and the strong resident opposition, I respectfully request your Committee to refuse this application.

Sincerely,

Michael Walker
Councillor – St. Paul's