



November 27, 2024

Scarborough Committee of Adjustment

150 Borough Drive

Toronto, ON, M1P 4N7

Attn: Ashley Varajão, Acting Manager and Deputy Secretary-Treasurer and Caroline Samuel, Acting Director of Zoning and Secretary-Treasurer Committee of Adjustment

Letter of Concern about the Minor Variance Application Approval for 187 Oakridge Drive (File # A0215/24SC) and Conduct of Scarborough COA Panel at November 13, 2024 Hearing

Dear Ms Varajão and Ms Samuel,

The Cliffcrest Scarborough Village SW Residents Association (CSVSWRA) would like to formally file a complaint with respect to the conduct of the Scarborough Committee of Adjustment. CSVSWRA is seriously concerned about the recent handling by the Scarborough Committee of Adjustment of the minor variance application for 187 Oakridge Drive with a fourplex and a garden suite. CSVSWRA is an incorporated not-for-profit association, registered with the City of Toronto, working to preserve the unique nature of our neighbourhoods. We support property owners improving their properties, but these proposed changes need to fit in with the character of our established neighbourhood. While we understand that neighbourhoods are not static and change is inevitable, we believe it should be gradual.

1) Improper Identification of proposed development in minor variance application

Various documents uploaded on the AIC were confusing for this application and were hard for the neighbours to truly understand what was being proposed. However, no deferral was proposed by the COA to make sure proper community notification was provided, like other applications that day and prior hearings. The Committee of Adjustment has an obligation to ensure that the documentation posted on the AIC is accurate and consistent. This concern was indicated in Councillor Kandavel's letter of objection for 187 Oakridge Drive as well I had reiterated in my deputation at the November 13th COA hearing. What improvements are going to be made by the Committee of Adjustments to ensure similar clerical errors do not happen in the future?

The Zoning notice stated that this application was for a triplex, the public notice stated it was the construction of a new 2-storey dwelling, and the application description stated the proposal is for a new 2-storey 4-unit

dwelling. From the plans submitted and from the summary by the applicant at the COA hearing, the proposed development was a multiplex with 3 separate dwelling units on the main and second floors with a garden suite in the backyard. The community is concerned that the basement can be easily converted once built into two separate units by simply locking the doors from the main floor to the basement, for a total of 5 units in the new 2-storey dwelling, as there were clearly labelled 5 laundry rooms in the plans submitted for the main dwelling. The new EHON multiplex guidelines clearly state a maximum of 4 dwelling units in the main dwelling and a garden suite.

In the presentation by the applicant at this hearing and in the prior hearing for 2601 Kingston Road, he noted that he has been informed by contacts at the City that this FSI exception in our area will soon be eliminated. Applications need to be evaluated on existing by-laws not on changes that may or may not occur in the future. At this time the bylaw exception still exists. At no point did the chair ask for more details on this hearsay supposition provided by the applicant about upcoming bylaw changes. This is the third application that this same applicant is requesting, which includes an egregious FSI/GFA proposed for multiplexes in our local neighbourhood. One has been deferred (16 Horfield Avenue) as numerous neighbours were in opposition due to the size and the parking in the backyard. The other was approved at the October COA hearing (2601 Kingston Road) as there was no opposition by neighbours. With this approval of 187 Oakridge Drive, the flood gates are wide open, for the precedent of more overbuilds of multiplexes in our area and will be a significant impact to the existing physical character of our neighbourhood.

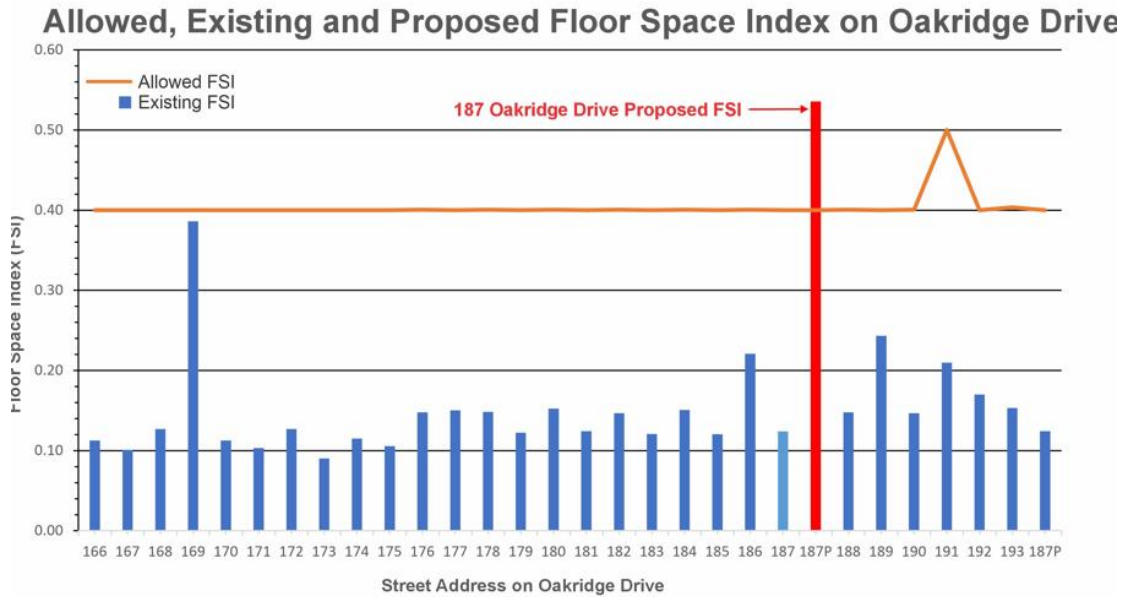
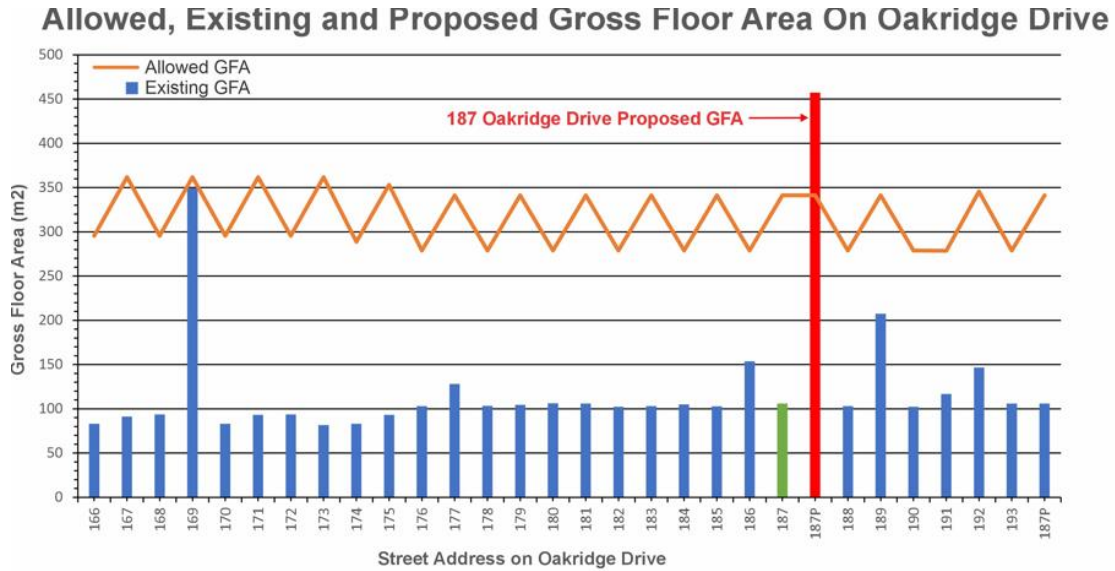
2) Approval of variance which is NOT minor

Minor variances must maintain the intent and purpose of the Official Plan whose policies ensure that development in a neighbourhood respects the existing physical character of that neighbourhood. CSVSWRA is aware that Toronto has amended the zoning bylaws and Official Plan to allow multiplexes as of right in every neighbourhood and that this application did not flag any other variances for building width, length or height, but the fact is that the FSI bylaw still exists in our area (900.3.10(1462(A)(iii)) Exceptions for RD Zone). In this application there is one variance for excessive FSI that is 34% (or 115.81 m²/1246.5 ft²) more than the allowable floor space, this is not minor in nature.

As shown in our RA's letter of objection submitted in our letter of objection, the requested floor space is not in the character of the neighbourhood and well beyond the allowable floor space. With the large property this home is permitted to be 341.44 m²/3,675.2 ft² as of right, but the approved floor space by the Scarborough Committee of Adjustment was approved at 457.25 m²/4,921.7 ft² is in excess of 115.81 m²/1,246.5 ft². While we understand that neighbourhoods are changing and the test of minor is not intended as simply a numerical

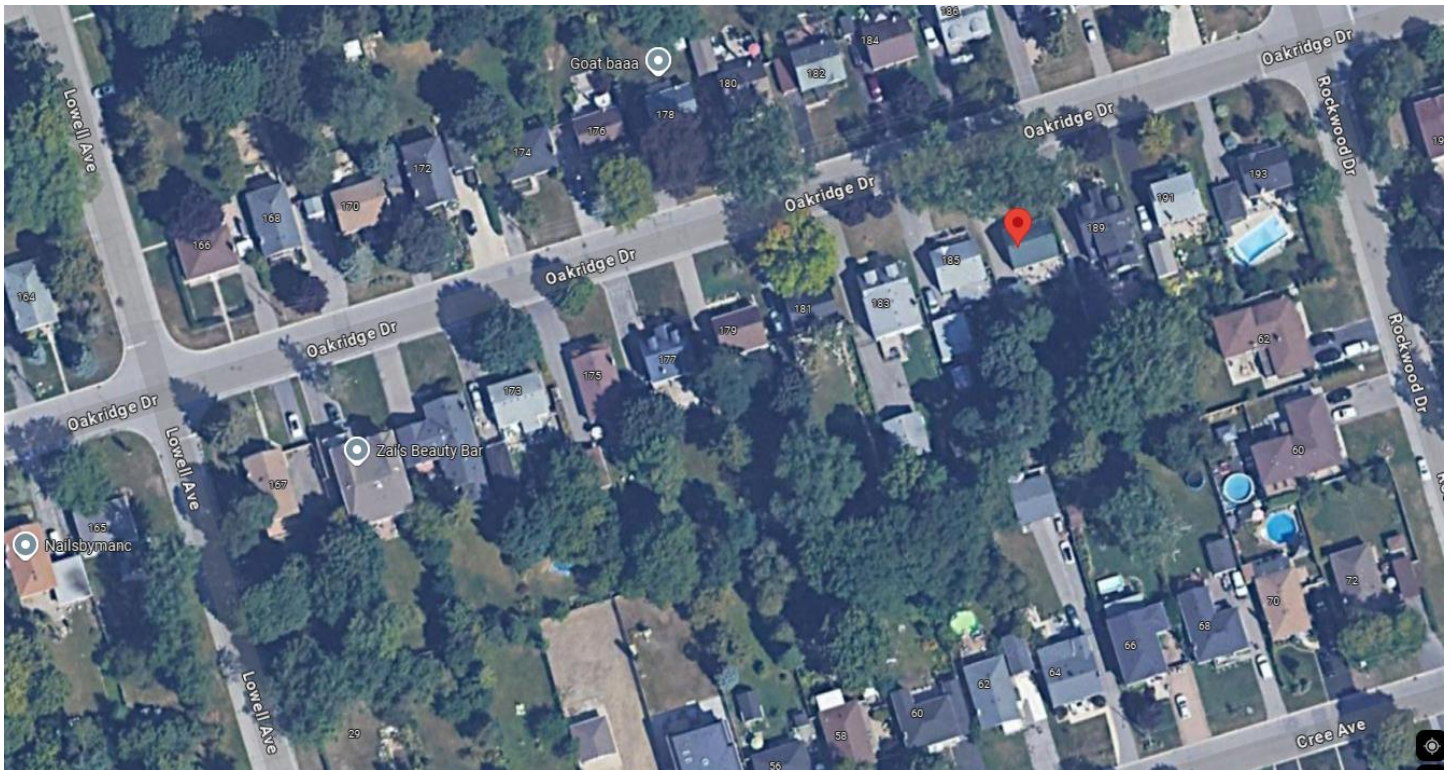
assessment. The approved minor variance of 115.81 m²/1,246.5 ft² will result in a home that is significantly larger than most of the neighboring homes, as is evident from the FSI/GFA plots provided below. This is not minor and should have been refused by the Scarborough Committee of Adjustment, as it did not meet all the four tests.

FSI/GFA Plot for Proposed Development on Oakridge Drive:



Source: IBMS-LUIS II. Prepared by: Toronto City Planning, Planning Research & Analytics, August 2020
 Updated CoA, TLAB Hearing Data, MyProperty.ca. Toronto Interactive Maps, and consultation with neighbours

Current Satellite View of Immediate Neighbourhood:



Approval of this application will permit parking in the backyard of 187 Oakridge Drive. No other house in either the immediate vicinity or the larger neighbourhood has backyard parking like the application being requested. While some driveways go to the back of the yard to a garage, the L-shaped driveway does not respect the existing physical character of our neighbourhood and could set an unfortunate precedent, especially with the total of 15 bedrooms planned in this multiplex and garden suite. The current home already has multiple rental tenants (while the owner waits for the infill build approval) and the parking needs range from 2-5 cars daily. This is only going to increase if this proposed development is approved and further impact of congestion and traffic on the street will be experienced by the immediate neighbours. On Oakridge Dr., there is no sidewalk and there is concern about safety, which was repeatedly mentioned by a number of the neighbours, in their deputations. Change should be gradual and done in a moderate and respectful manner. This is the first multiplex in our area and immediately imposes a radical change to our community.

3) Densification of the property and the two new buildings have not been analyzed with combined effect

Separate individual zoning reviews for garden suite and the new multiplex were completed for this application. Unfortunately, the combined impact of the excessive lot coverage and impacts of the runoff from this proposed development which have not been properly analyzed based on the current guidelines. The unintended consequences of Multiplexes and EHON have not been taken into consideration and need to be

reviewed as they will significantly impact the character of our neighbourhood. The depositions by a grading and drainage expert, who resides in our neighbourhood, explained how the runoff consequences will have significant impact on the neighbouring properties and also onto City property. The information shared was listened to by the COA panel, but not taken into consideration, as it is “not within their purview”.

No Arborist report was included with this application, but in the tree declaration and in the supporting pictures provided by the applicant there will be destruction of trees and damage to several mature trees on and surrounding this property. When approving changes to zoning by-laws to permit garden suites and multiplexes, Toronto City Councillors were careful to protect mature trees. Given the massive increase in non-permeable land, it is extremely unlikely that any of the trees on this property will survive. As you are aware, our planet is facing a climate crisis. In the Great Lakes region, the frequent occurrence of storms that formerly happened once every 100 years, are occurring almost annually. This application seeks changes to the property which will contribute to the issues and concerns surrounding the impacts of climate change.

4) Panel Member Comments

The “impact” kept being asked by the chair to the speakers in opposition. Their responses and concerns about changing the character of the neighbourhood and that the variance requested was not minor, safety concerns as our street does not have a sidewalk.

As panel member, Anne McCauley, cautioned that these bylaws are new, and we should accommodate these changes, which were permitted a year ago, slowly and gradually. The applicant is allowed, as of right, a very large house of 341 m², without any zoning changes. They can also get 3-unit multiplex and a three-bedroom garden suite, without any changes to the current bylaws. These zoning changes were made a year ago. A “year ago” in a planning history, is not very long. We have yet to understand the cumulative impacts of the new changes, caution should be taken when extending further permissions as what was done for this development. This neighbourhood, as in many of these neighbourhoods, has aging infrastructure. Recent City studies reveal much needed improvements to our roads, but no funding in place for these improvements.-If it is not adequate for the existing development what will the consequence of additional development have? These cautionary comments were ignored by the rest of the panel.

Mr. Reed, another panel member, supported the application and acknowledged that it is this very large building with a lot of units that's only triggering one variance, all the other variances around side yard, setback, rear yard, setback, open space, all that stuff is being satisfied. The panel chair, Mr Clay, then spoke of his support for Mr. Reed's comment to build more rental housing, but nowhere in the new EHON planning has the actual housing crisis of affordability been addressed or guaranteed by this applicant. Building more units does not ease the need for more **affordable housing**. Change in a neighbourhood should be more gradual. Just because the changes are within guidelines of all other variances, does not mean that the floor space being requested is minor, and should be approved. We can assure you

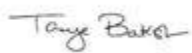
there are other developers who have purchased so many homes in our neighbourhood, opening temporary pop-up illegal rooming houses, and then exploiting the tenants that reside in them, while poorly maintaining their properties. All the while, this is negatively impacting the neighbourhood, while they wait to redevelop their properties, and profit, at the expense of the community. Furthermore, these applications will be used as precedent to push the new zoning changes, yet the full effect has not yet been understood and how it will affect the neighbourhood and community.

At the same hearing there were two other applications which were approved which were of concern. An application approved by the panel essentially re-zoned the use of a commercial property. The comments of Mr. Reed were that this was minor and it would take time for the applicant to go through the re-zoning process, so the panel approved the application. Re-zoning is not a part of the purview of the Committee of Adjustment. Another example was another multiplex application at 15 Andrew Avenue, where no neighbours opposed and the applicant in his presentation said that he had come to Committee of Adjustment for relief of the bylaws, as others in the area had already been approved with similar size. This application was also approved by the Committee of Adjustment even though some of the variances requested were not minor. The high rate of approvals by the Committee of Adjustment is effectively re-zoning neighbourhoods and altering the character of our neighbourhoods.

CSVSWRA is very concerned about the comments and the handling of the MV application for 187 Oakridge Drive. We understand that the COA panel is an arms-length quasi-judicial tribunal and makes their decisions independently through a detailed review of all material files with each application, letters received, site inspections, as well as deputations made at the public hearing.

CSVSWRA urges the members of the Committee of Adjustment to review our complaint and provide a response within 5 business days and would be happy to set up a meeting to discuss further.

Sincerely,



Tanya Baksh

CSVSWRA Board Member and Planning & Development Committee Co-Chair

Cc: Committee of Adjustment, Scarborough
Kyle Knoeck, Interim Chief Planner & Executive Director, City Planning Division
Councillor Kandavel
William Johnston, Chief Building Office and Executive Director
Mark Christian, Zoning Examiner
Daniel Kolominsky, Planner, Community Planning, Development Review Division
Abigail Bond, Toronto Housing Secretariat
Aisha Silim, Project Manager, Housing Secretariate
Jag Sharma, Deputy City Manager of Development and Growth Services
Valesa Faria, Executive Director, Development Review