



Tuesday, September 29, 2020

To: Committee of Adjustment
From: Casa Loma Residents Association
Re: File Number A0213/20TY
Property Address: 66 Wells Hill Avenue

Dear Committee of Adjustment,

This letter is provided to the committee to advise the Casa Loma Residents Association opposes the application for minor variance/permission regarding the above-noted file number.

The Casa Loma Residents Association represents a large group of residents where 66 Wells Hill Avenue is located. We are a volunteer organization committed to sustainable development that supports our unique and vibrant neighbourhood. We frequently work with the City and neighbours collaboratively to ensure all affected parties' interests are heard.

This application for variance and permission is deeply problematic. The application appears to contain erroneous and or misleading information as set out below.

The applicants built six ancillary buildings on the property without permits or permission from the City of Toronto. In doing so, the applicants have shown a flagrant disregard for the City of Toronto's By-laws, rules, and procedures. The applicants now seek to obtain the City of Toronto permission after-the-fact. This type of build-first ask for permission later should not be encouraged by the City of Toronto. To grant after-the-fact permission would encourage this applicant and all Toronto residents to engage in this unacceptable behaviour.

Not only do the applicants wish to obtain permission for work already completed, the actual buildings on the property as built, offend the existing zoning by-law. The applicants appear to suggest the main ancillary building (Building C) is a garage. That ancillary building is a second house with a full operating washroom and other living amenities. Had the applicant followed the proper City of Toronto process to obtain permits for building beforehand, I am confident they would have been denied on several bases.

First, the main ancillary building is a second house on the property, which is not permitted for a variety of reasons. To call a second house a garage is an obvious attempt to circumvent zoning and building laws (besides the applicant's first attempt to circumvent the laws by building without permission).

Second, the property is massively overbuilt, having less soft landscaping than required by Chapter 10.5.50.10(3)(a) By-law 569-2013. This is problematic not only due to the by-law infringement but given the ancient at-risk Oak forest in which this property is located.

Third, we have concerns about servicing this ancillary building with necessary city services including Toronto fire services. We have been provided with no information regarding fire services' ability to

service the ancillary buildings (second house) nor the effects of these ancillary buildings on city services and vice versa. These concerns about city services and specifically Toronto Fire's ability to protect the ancillary buildings are true given the buildings' large size and proximity to the property line contrary to at least six chapters of By-law 569-2013 regarding setbacks, as set out in the application before the committee. These issues pose an increased risk to neighbouring properties.

Fourth, the total floor area of all buildings on the lot is 2.6 times what is permitted by Chapter 100.5.60.50(2)(A) of By-law 569-2013. This poses obvious issues with such massive overbuild. If permitted, after-the-fact, this committee of adjustments will set a precedent that massive overbuild on Zone R residential properties is permitted by the City and there is no need to get permission beforehand. This precedent will be set for this neighbourhood and all of Toronto. Also, the committee should take notice that if the ancillary buildings catch fire and such fire cannot be contained because Toronto Fire has no access to them (there is no laneway), the fire may spread to the remaining buildings on the property, the fire may be massive because of the overbuild, causing an increased risk to neighbouring properties.

The applicant is attempting to circumvent the required application process. This behaviour cannot be encouraged by the City of Toronto. The onsite buildings were not properly inspected during construction, were not authorized by the City to begin with, and do not abide by past or current zoning laws. These applicants have come to the committee of adjustment asking for relief from their own misconduct. The committee need not find a remedy for their problem. These applicants are the authors of their misfortune. The committee ought to send a strong message that such conduct is unacceptable by denying the application.

Sincerely,



Robert Levy
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