

GETTING TO KNOW the City of Toronto

COMMITTEE OF ADJUSTMENT

The Committee of Adjustment is a quasi-judicial City of Toronto body made up of citizen members appointed by City Council. It mainly considers minor variances related to municipal Zoning By-laws and grants consents required by the Planning Act.

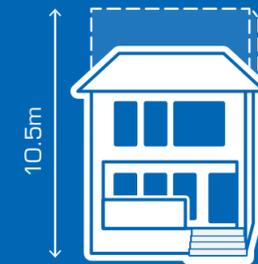


THE COMMITTEE OF ADJUSTMENT CONSIDERS APPLICATIONS FOR :

1 MINOR VARIANCE

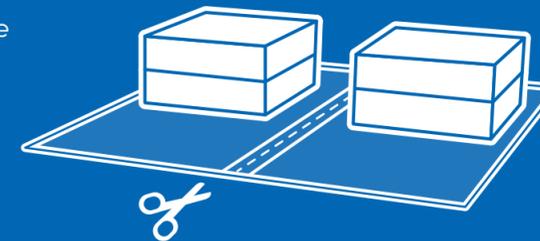
Whenever your project or development largely complies with the rules in the Zoning By-law but does not quite, you need to apply for a minor variance.

Example:
The maximum permitted height for this building is 10 m. The altered building is proposed to have a height of 10.5 m.



2 CONSENT

If you want to sever your property and/or create long-term easements or rights-of-way you need to apply for a consent.



Example:
You would like to divide your lot into two lots and build two new houses with a mutual driveway.

3 EXPANSION OF AN EXISTING LEGAL NON - CONFORMING USE

If you own a building that houses a use that was allowed by the Zoning By-law when it was built, but no longer is, you can apply to the Committee of Adjustment to enlarge it.

WHEN DOES THE COMMITTEE DECIDE TO GRANT A MINOR VARIANCE ?

It is every owner's right to to apply for a minor variance. The Committee decides if an application is minor by applying the following 4 tests:

1 MINOR

The change must be minor in both size and impact.

Some impacts the Committee looks at:



Traffic Generation and Parking



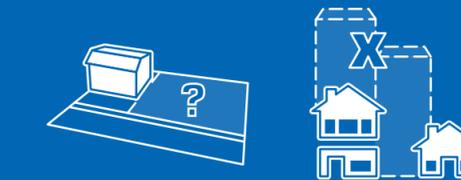
Privacy and Sunlight Impacts on Surrounding Properties

3 MEETS THE GENERAL INTENT OF THE ZONING BY - LAW

The change must meet the general intent and purpose of the Zoning By-Law, such as trying to maintain appropriate relationships between buildings, allowing for green space or providing a certain level of parking.



2 APPROPRIATE CHANGE



The change must be desirable for the appropriate development of the site itself and neighbouring lands.

4 MEETS THE GENERAL INTENT OF THE OFFICIAL PLAN



Neighbourhood Character

The change must fit in with the City's long-term goals and vision including respecting and reinforcing neighbourhood character.

HOW TO PARTICIPATE

Any person having an interest in an application will be given the opportunity to make their views known. Written and oral submissions by all stakeholders are considered if a Hearing is involved. For delegated Consents, comments must be written.

Visit www.toronto.ca/developing-toronto for the following resources:

[Application Forms and Requirements Application Checklist](#)

[Application Information Centre](#) to view details of active Committee of Adjustment applications

[Committee of Adjustment Public Hearing](#) schedules, agendas, minutes and decisions

Staying Informed About a Decision

If you speak at a Hearing or wish to receive a copy of the written Decision, please complete the Decision Request Card (provided in the Hearing room)

This brochure does not constitute legal advice. If you want legal advice on participating in the Committee of Adjustment, please seek independent legal counsel

www.toronto.ca/planning

@CityPlanTO



CONTACTS

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Permit Alley, 100 Queen Street West
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North York

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North York Civic Centre
Ground Floor, 5100 Yonge Street
Customer Service Counter,
Toronto, ON M2N 5V7

Etobicoke York

(416) 394-8060
Etobicoke Civic Centre
4th Floor, 2 Civic Centre Court
Committee of Adjustment Counter,
Toronto, ON M9C 5A3

Scarborough

(416) 397-5330
Scarborough Civic Centre
3rd Floor, 150 Borough Drive
Customer Service Counter,
Toronto, ON M1P 4N7



WHAT SHOULD I EXPECT AT A HEARING?

- ✓ All applications will be announced, and interested parties must make themselves known
- ✓ Applicants are encouraged to seek a resolution with concerned parties outside the committee room
- ✓ Applicants have five minutes to introduce and explain the application
- ✓ All concerned parties have five minutes to speak
- ✓ Applicants have five minutes to respond after all parties have spoken and answer any questions
- ✓ Usually the Committee members will vote, in which case, the decision will be announced immediately

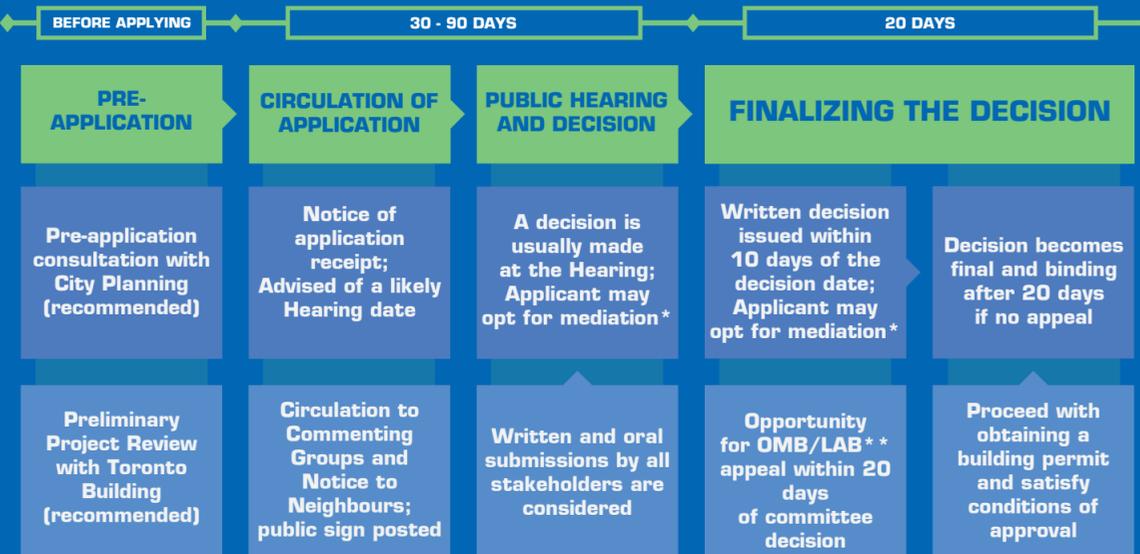


Remember to speak directly to requested variances or consents.

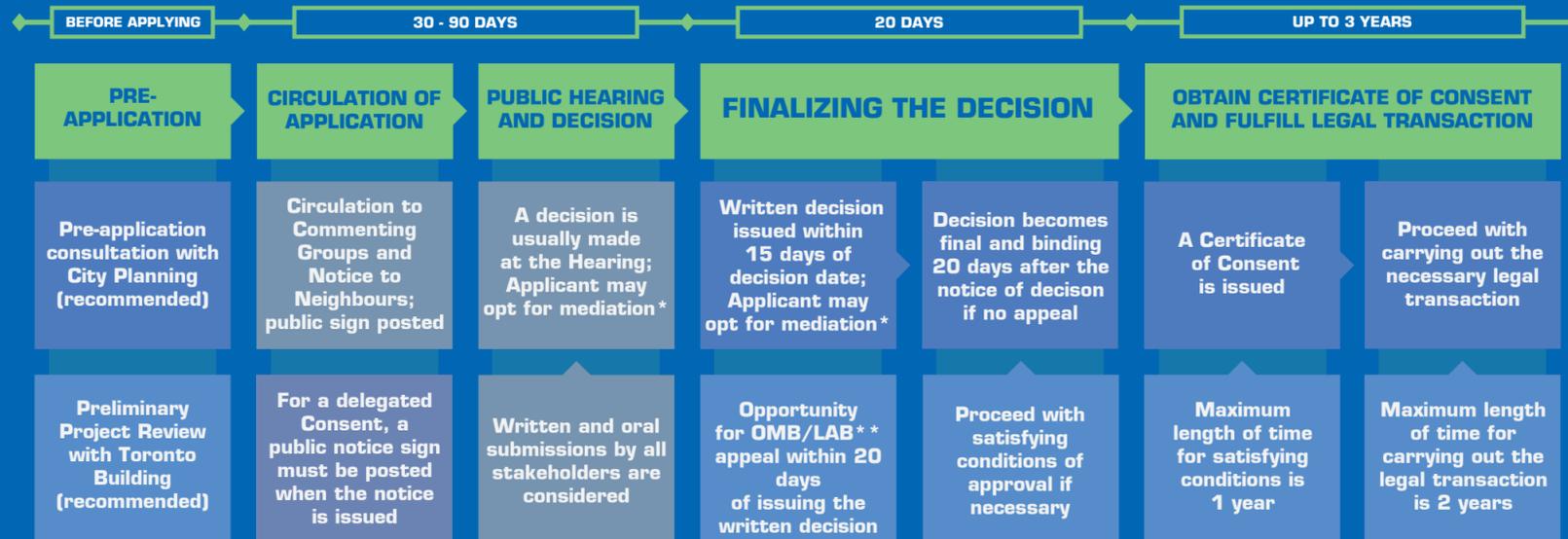
Other comments you may have about the proposal are not permitted to be considered by the Committee, including:

- ✗ Aspects of the proposal that do not require variances
- ✗ Property maintenance, construction, flooding and engineering concerns
- ✗ Prosecution for illegal construction (applications are viewed as if the construction has not occurred)
- ✗ Personal comments about neighbours, agents or applicants

REVIEW PROCEDURE FOR MINOR VARIANCES OVERVIEW OF KEY STEPS



REVIEW PROCEDURE FOR CONSENTS OVERVIEW OF KEY STEPS



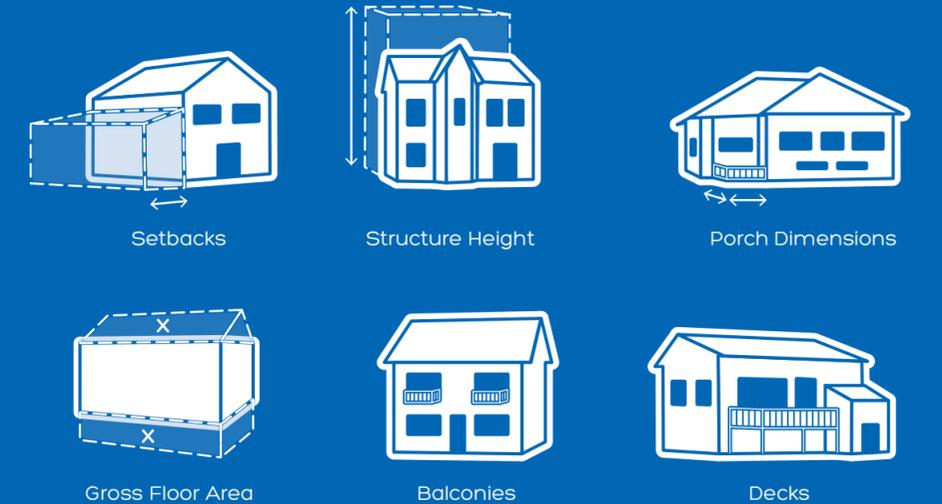
Delegated Consents do not require a Hearing and are considered not less than 14 days after a Notice of Application has been issued.

WHAT IS A ZONING BY-LAW ?

A Zoning By-law controls the use of land in your community. It states exactly:

- ✓ how land may be used
- ✓ where buildings and other structures can be located
- ✓ the types of buildings that are permitted and how they may be used
- ✓ the lot sizes and dimensions, parking requirements, building heights and setbacks from the street

For houses, this includes rules for:



WORDS TO KNOW * **MEDIATION**

The use of mediation to resolve disputes related to minor variance and consent applications in front of the Committee of Adjustment is a new pilot program for the City expected to start in early 2017. Mediation is voluntary and can take place before or after a Committee of Adjustment decision has been made.

** **LOCAL APPEAL BODY**

The Local Appeal Body (LAB) is expected to be established in early 2017. Once established this new independent quasi-judicial tribunal will assume the powers and authority of the OMB for hearing appeals of Committee of Adjustment decisions.

ONTARIO MUNICIPAL BOARD

The quasi-judicial provincial body that adjudicates matters related to land use planning statutes and to which Committee of Adjustment decisions may be appealed until the LAB is established.

OFFICIAL PLAN

A City's long-term master planning document that serves as a guide for future urban change and development and articulates goals for what the city should look like in several decades.

WORDS TO KNOW