

Ward 27, Toronto Centre-Rosedale Tel: 416-392-7903
City Hall, 100 Queen Street West Fax: 416-696-4300
2nd Floor, Suite A5 Councillor_wongtam@toronto.ca
Toronto, Ontario M5H 2N2

February 10, 2012

Roz Dyers, Clerk
Toronto East York Community Council
City Hall
100 Queen Street West
Toronto, ON
M5H 2N2

RE: Request a report to analyze the common occurrence and planning impact of Committee of Adjustment applications requesting additional height of recently approved rezoning applications

It has come to my attention that the Committee of Adjustments is being used to undermine the city planning department and community interests. Applications for minor variance consideration are submitted by developers often requesting additional height, anywhere from 2 to 27 additional storeys, on recently approved rezoning applications or the as-of-right height.

Committee of Adjustment applications of this nature lend to the public perception that the legitimate community planning process is stage-managed by developers proposing that such additional constitutes a "minor variance" shortly after a significant rezoning for new density has been granted at TEYCC. Although, some community benefits may be offered and secured, it is often a last resort settlement to avoid a new OMB appeal, where the developer's interest will most likely prevail, and overturn city planners' professional advice.

Recommendation:

1. Toronto East York Community Council direct the Chief Planner and City Solicitor report back to the March 20, 2012 TEYCC meeting, the impact to community planning on shadow, wind, traffic, transportation, heritage, streetscape, technical and park systems as it pertains to Committee of Adjustment rulings on additional height requests of 2 to 27 storeys as minor variances on recently approved re-zoning applications.
2. Toronto East York Community Council direct the Chief Planner and City Solicitor report back to the March 20, 2012 TEYCC meeting, planning and legal mechanisms that can be used by the City to legally procure and secure the strata and air rights as a community benefit one metre above the pending approved height of any application while in the full re-zoning process, outside of the Committee of Adjustments.

Thank you and I shall look forward to the staff report.

Respectfully submitted,

Kristyn Wong – Tam
Councillor, Ward 27
Toronto Centre – Rosedale