

Date: September 21, 2020

To: The Chair and Members of the Planning and Housing Committee

From: Councillor John Filion

Re: PH16.4 – Addressing the Committee of Adjustment COVID-19 Related Application Backlog

I am extremely opposed to the cross appointment of Committee of Adjustment panels, except in situations where staff need some minor flexibility to be able to achieve quorums to facilitate the schedule of hearings. If this is the intention, it is not stated anywhere. The Committee could fix that with a simple amendment.

As you know, Committee of Adjustment decisions are, for the most part, not simple mathematical exercises. Making good decisions requires an understanding of neighbourhood context and character. This is difficult enough in geographic areas that make up a quarter of the City; when you are dealing with the entire city, it is virtually impossible.

In the North York panel, I noticed a change in decision-making when an aggressive member from another panel was inserted into North York. The result was several decisions which did not match other decisions on similar properties in the same neighbourhood; in some instances, I had to ask Council to appeal those decisions so that an adverse precedent would not be set.

I am not opposed to flexibility, provided that it is used as infrequently and as judiciously as possible.

Regards,

John Filion