



January 23, 2024

Toronto City Hall  
100 Queen Street West  
Toronto, ON M5H 2N2  
Attention: Nancy Martins

### **PH9.13 - Committees of Adjustment and Minor Variances**

Dear Chair Councillor Gord Perks, and Members, Planning and Housing Committee,

This is to express our strong support for Councillor Dianne Saxe's letter and her recommendation that:

**1. Planning and Housing Committee direct the Chief Planner to review and report back to Planning and Housing Committee, by Q4 2024, on whether the City should adopt a by-law under Section 45 of the Planning Act to establish criteria that would limit what qualifies as a minor variance when applicants request additional height for large-scale multi-storey development proposals that already hold site-specific zoning permissions as an outcome of a private application for rezoning.**

The issue here is that the permitting of previously approved Zoning Bylaw Amendment applications to request additional variances at the Committee of Adjustment is taking root without any policy review of its implications by City Council. While this matter can be viewed as part of the longer-term (intractable) issue of defining what is "minor", we feel that this subset issue involving post-ZBA CofA applications can be addressed relatively simply<sup>1</sup>.

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<sup>1</sup> Matthias Schlaepfer has suggested that a simple solution to avoid having to define 'minor' in such situations is to adopt a By-law under Section 45 that adds timing as an additional criterion. ie a minor variance application has to seek a variance to site-specific Zoning By-law provisions that are at least 5 or 10 years old.

We agree with the Annex Residents Association in its contention that, if allowed to continue, "this abusive use of the CofA for approving significant changes will impact innumerable projects already approved across Toronto. In the face of the CofA's troubling, inappropriate, contradictory, and inconsistent decisions, we urge Council to curb this practice from the outset. It constitutes nothing less than double dipping on the part of the developers and is an affront to community participation."

And we agree with Councillor Saxe in her review of the different treatments by the Committee of Adjustment in the 316 and 300 Bloor Street W. applications that: "such apparent inconsistency and lack of clarity undermines public confidence in Toronto's land use decision-making, and in the worth of the consultation processes that we invite the public to."

Meanwhile City Planning is undertaking the implementation of the Committee of Adjustment KPMG Review, yet substantive issues like this were not dealt with in the Review.

Yours truly,

Geoff Kettel  
Co-Chair, FoNTRA

Cathie Macdonald  
Co-Chair, FoNTRA

Cc: Mayor Olivia Chow  
Councillor Dianne Saxe, Ward 11 - University-Rosedale,  
Jag Sharma, Deputy City Manager, Development and Growth  
Kerri Voumvakis, Interim Chief Planner and Executive Director, City Planning  
Division  
Kyle Knoeck, Director, Committee of Adjustment and Zoning, City Planning  
David Driedger, Manager, Community Planning, Toronto and East York, North  
District  
Sarah Rogers, Project Manager, Committee of Adjustment and Zoning  
Rita Bilerman, President, Annex Residents Assn.  
FoSTRA

**The Federation of North Toronto Residents' Associations (FoNTRA)** is a non-profit, volunteer organization comprised of over 30 member organizations. Its members, all residents' associations, include at least 250,000 Toronto residents within their boundaries. The residents' associations that make up FoNTRA believe that Ontario and Toronto can and should achieve better development. Its central issue is not *whether* Toronto will grow, but *how*. FoNTRA believes that sustainable urban regions are characterized by environmental balance, fiscal viability, infrastructure investment and social renewal.