

Committee of Adjustment Participation Handbook



Welcome to The Committee of Adjustment

You don't have to be an expert to work with us. In fact, most of the people we help are contacting us for the first time.

This handbook explains how you can participate in the Committee of Adjustment process. It will help you understand:

- How to apply for a minor variance or consent
- How to respond to a Public Hearing Notice
- What to do before, during, and after a public hearing
- Everyone's roles, responsibilities, and rights in the process
- And much more.



If you only have a few minutes, read the [Summary](#).

If you are applying for a minor variance or a consent, read the [Applicant's Guide \(Section 3\)](#).

If you have comments on a neighbour's application, read the [Neighbour's Guide \(Section 4\)](#).

You'll also find:

- Useful tips, examples, and links (in every section)
- An overview of who does what at the Committee of Adjustment (Section 1)
- Descriptions of how Committee Members make decisions and what to expect at a public hearing (Section 2)
- Answers to frequently asked questions (Section 5)
- Where to get more help if you need it (Section 6)
- Definitions of the words and phrases we use in this handbook (Section 7)
- A list of related legislation, regulations, and policies (Appendix A)
- Examples of our notices (Appendix B).

We prepared this handbook to make it easier for applicants and neighbours to participate in the Committee of Adjustment process. We're looking forward to working with you!

Director of Policy and Secretary-Treasurer Committee of Adjustment

Please note: This handbook has been created for the purposes of public education and information. It is not intended to be used for legal proceedings and does not constitute legal advice of any sort.

Acknowledgements

This handbook was developed through the thoughtful collaboration and expertise of professionals who work closely with the Committee of Adjustment (CoA). The CoA drafted the initial version of this guide and then engaged with a group of industry-leading subject matter experts to review and strengthen the content. Their valuable input helped ensure this guide would serve as an effective resource to enhance participation from both applicants and members of the public.

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Summary

This handbook is designed to help Torontonians understand and participate in the Committee of Adjustment process.

About us

The Committee of Adjustment is an independent, quasi-judicial, administrative tribunal created by City Council to consider applications for changes (“adjustments”) to buildings, other structures, and land. We only get involved when a property owner (an “applicant”) applies for a [minor variance](#) or [consent](#). Major development proposals go through the City’s [development review process](#), instead. Many small building projects do not require an application to the Committee of Adjustment.

The Committee is made up of Members who review applications, hold public hearings, and make final decisions, and dedicated staff who help everyone find their way through the application process. Together we seek to make the application process efficient, fair, and just for everyone.

The decision-making process

While many people hire an agent to help them prepare and represent them at the public hearing, this is not required.

Property owners need to submit a complete application [online](#). Once staff confirm it is complete, they schedule it for a public hearing. This is the applicant’s opportunity to present the proposed change and the clear, persuasive reasons for it to the Committee Members.

Staff let the applicant’s neighbours know about the proposed change by sending them a Public Hearing Notice in the mail and sending the applicant a sign to post on their property. We strongly recommend that applicants talk to their neighbours before the public hearing. Neighbours can ask questions, raise concerns, and make a case for or against a proposal. We accept written comments by email and encourage neighbours to [sign up](#) to speak or present at the public hearing, if they wish to.

Before the public hearing, staff share the application, along with staff reports, comments received from neighbours, and related information on our [Application Information Centre](#).

At the public hearing

Our public hearings are open to everyone, online and in-person.

Committee Members strive to balance an applicant’s interests with that of their neighbours and the wider community. Their role is to ensure that proposed changes meet provincial laws and City regulations and policies, while generally allowing for some flexibility in how the rules are applied.

Ontario's [Planning Act](#) requires them to consider if a minor variance application meets [four tests](#) (Section 45[1]), and if a consent application has regard to a long list of [criteria](#) (Section 51[24]).

Committee Members announce their decision at the public hearing. They approve an application in full, in part, or with conditions, or refuse it.

After the public hearing

Committee staff send a formal Notice of Decision to the property owner and anyone who requests it. The Notice of Decision describes the decision, the reason(s) for it, and the last date for an appeal.

Under provincial legislation, only applicants, the Minister of Municipal Affairs and Housing, and specified persons and public bodies in the Planning Act can appeal a decision to the [Toronto Local Appeal Body](#).

How to use this handbook

Each section of this handbook provides complete descriptions and instructions to help everyone understand and participate in the Committee of Adjustment process.

[Section 1](#) describes the Committee of Adjustment: who we are and what we do.

[Section 2](#) describes the decision-making process, how to appeal a decision, and what to expect at a public hearing.

[Section 3](#) provides a step-by-step guide for applicants.

[Section 4](#) provides a step-by-step guide for neighbours and others with an interest.

[Section 5](#) lists commonly asked questions and answers.

[Section 6](#) describes where you can find more information and assistance.

[Section 7](#) provides definitions for the specific words and terms we use in this handbook.

[Appendix A](#) provides a list of related legislation, regulations, and policies.

[Appendix B](#) provides examples of a Public Hearing Notice, a Notice sign, and a Notice of Decision.

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1. About Us

1.1 Who we are and what we do

Who we are

The Committee of Adjustment is an independent, administrative, quasi-judicial tribunal created by City Council to consider applications for changes (“adjustments”) to buildings, structures, and land. We only get involved when a property owner (an “applicant”) applies for a [minor variance](#) or [consent](#). Major development proposals go through the [City’s development review process](#), instead. Many small building projects do not require an application to the Committee of Adjustment.

The Committee is made up of Council-appointed Members who evaluate and make decisions on each application, and City staff who administer the application process from start to finish.

Together we seek to ensure the application process is efficient, fair, and just for everyone.



The Committee of Adjustment’s role is “quasi-judicial”: to review applications, hold public hearings, and make legally binding decisions.

[Ontario’s Planning Act](#) has two important sections that give authority to the Committee of Adjustment to make decisions:

- Section 45, on minor variances from the zoning bylaw and changes to legal non-conforming uses of land, buildings, and other structures.
- Section 53, on consent to sever land, and related matters.

The Act also requires the Committee of Adjustment to follow certain processes and procedures, such as providing fair notice to neighbours and others who may have an interest in a proposal.

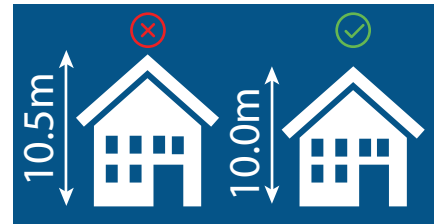
What we do

Committee staff work with thousands of property owners every year who apply for:

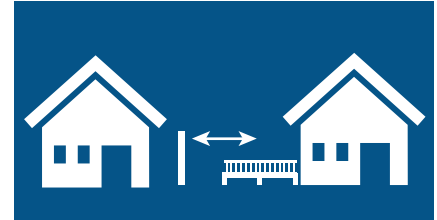
- Minor variances from what Toronto’s zoning bylaws allow (the most common type of application).
- Consents to sever (or divide) a single property, and related matters (e.g. new rights-of-way).

A property owner needs to apply for a minor variance if, for example, they want to:

- ▶ Add an extension that is 10.5 metres high when the zoning bylaw allows a maximum height of 10 metres



- ▶ Build a deck that will be closer to a shared fence when the zoning bylaw requires more distance



- ▶ Provide fewer parking spaces for a store than the zoning bylaw requires



A property owner needs to apply for a consent if, for example, they want to:

- ▶ Divide a single lot and build two new houses



- ▶ Add land to their property from a lot next door



- ▶ Add easements and rights-of-way to allow access to a property



The Committee of Adjustment does not deal with:

- Official Plan and Zoning Bylaw amendments that change legislation, regulations, policies, or plans
- Parking permits
- Property line or fencing disputes
- Servicing of severed lots
- Complaints about construction, drainage, engineering, garbage, noise, pollution, or property maintenance
- Complaints about applicants, neighbours, or agents.

To find City staff who can help you with these matters, visit or call [311](#).



The role of Committee staff

Our process at a glance

Our staff team is here to help. We process applications; advise property owners, neighbours, and interested groups; and manage public hearings. We are managed by a Secretary-Treasurer with a city-wide role and four Deputy Secretary-Treasurers, one for each district office: Etobicoke–York, North York, Scarborough, and Toronto–East York.

Committee staff help everyone find their way through the application process. However, we do not make decisions on applications or help Committee Members make decisions on applications.

When we receive an application: We check that it's complete, and if not, let the applicant know what's missing. Once complete, we add it to the agenda of the next available public hearing and send a Public Hearing Notice to neighbours, inviting them to provide their questions and comments. We also circulate the application to City departments and external agencies that may have an interest. We make all information available to the public on our [Application Information Centre](#) and provide it to Committee Members for their review before the public hearing.

At the public hearing: We ensure that all presentation material is ready to be viewed online and in person, and administer the hearing. (See [Section 2.3.](#)) Committee members announce their decision at the public hearing.

After the public hearing: We send a formal written version of the Committee Members' decision, called a [Notice of Decision](#), to the applicant and anyone else who requests it. It includes the decision, conditions that the applicant must meet (if any), and how they can appeal the decision if applicable. We also update the file in the Application Information Centre, available for about 90 days after a decision becomes final and legally binding (20 days after the public hearing if there is no appeal).

Process Steps



The role of Committee Members

Committee Members are the decision-makers in the Committee of Adjustment process. Their role is to ensure that any changes to land uses and development follow provincial laws and City regulations, and all policies.

Only Committee Members can assess the merits of an application and make decisions about an application.

Each of the 35 Committee Members is appointed by City Council for a four-year term. They have backgrounds in areas such as law, planning, architecture, government, economic development, community development, land development, urban forestry, environmental planning, and citizen advocacy. Members have skills in decision making, communication, and mediation.

Committee Members are appointed to one of four district panels. Each panel selects a Chair who leads the public hearing and coordinates with the city-wide Chair who oversees all four panels.

If you're interested in serving as a Committee Member, see our opportunities page.

Committee Members evaluate proposals: To inform their decisions, Committee Members consider if the evidence in an application meets the requirements of Ontario's *Planning Act*.

- A minor variance application must meet [four tests](#) (Section 45[1]).
- A consent application must have regard to a list of [criteria](#) (Section 51[24]).

At each public hearing: Members consider applications for minor variances from the City zoning bylaw, and applications for consents, which are usually to sever (or divide) land, and related matters (like necessary rights-of-way). Members review all of the submitted written material, comments, and drawings in advance of the hearing. They listen to everyone's presentations, discuss the application, and announce their decision to:

- Approve the application
- Approve the application with conditions (a "conditional approval")
- Approve the application in part (a "partial approval"), or
- Refuse the application.

Members' decisions do not change any legislation, regulations (like Toronto's Zoning Bylaw), or policies (in Toronto's Official Plan or Ontario's Provincial Planning Statement).

From time to time, Committee Members choose to defer (postpone) an application to a future public hearing if requested by applicants, neighbours, or City staff (e.g. for more time to review late submissions).

Committee Members often evaluate consent and minor variance applications together at the same meeting (e.g. if a property owner applies for consent to divide a property into two lots, and also wants to build homes on each lot that are taller than the height allowed by the zoning bylaw).

2. The Decision-Making Process

2.1 How Committee Members make decisions

Every application is unique and evaluated on its own merit.

This means that when making a decision, Committee Members will not approve a change just because a similar proposal was approved nearby in the past, but because it meets the requirements of Ontario's Planning Act. Members make decisions based on the specific circumstances and characteristics of the property and the proposal. Each requested minor variance must meet [four tests](#); a consent must have regard to specific [criteria](#). Committee Members also consider the views of applicants, neighbours, other interested individuals and groups, staff of various City departments, and external agencies.

Provincial and City policies provide guidance and become even more important as evidence if there is an [appeal](#) of a decision. See [Appendix A](#) for a list of related legislation, regulations, and policies.

Applicants have an opportunity to make the case for their proposal in their application and at the public hearing. Neighbours and others with an interest may share their views through written comments and at the public hearing.

Committee Members strive to balance the applicant's interests with that of neighbours and the wider community.

They look for ways to be flexible in how they interpret the rules so property owners can use or build on their property how they wish, as long as it contributes to good city planning, has “no unacceptable adverse impact” on neighbours and the community, and meets the [four tests](#) or [criteria](#) of the Planning Act. This means that some impacts are acceptable even if they are adverse. It is up to neighbours to explain how an impact on their property that will result from an application will be unacceptable

City Council has delegated responsibility for some consent applications to the district Deputy Secretary-Treasurers, such as for a long-term lease, a technical severance, or partial discharge of a mortgage. This is called a “[delegated consent](#)”. Committee staff notify neighbours and receive their comments; the decision is then made by the district Deputy Secretary-Treasurer.

Staff and Members of the Committee are guided by common law and Ontario's Planning Act.

- Cases involving similar facts are decided in a similar manner.
- Different factual context can distinguish one matter from another.
- Committee Members are required to follow issues of law determined by the Divisional Court, but are not bound by prior Committee Member decisions or those of the Toronto Local Appeal Body or Ontario Land Tribunal.
- Committee Members must pay attention to the rules of natural justice and principles of fairness. This includes giving reasonable notice to neighbours about an application; delivering a fair public hearing; providing opportunities for interested individuals and groups to be heard; allowing agents to represent applicants and neighbours; and providing written Notices of Decision that include the reasons for a decision.

Decisions on minor variance applications**Minor variances are adjustments to the City's Zoning Bylaw.**

They include requests to change building setbacks, parking requirements, or increases in height or density. These are the most common types of applications we receive.

Minor variances don't change the City's Official Plan or Zoning Bylaw.

Instead, they provide property owners with specific relief from particular zoning provisions, if a proposed change does not conform exactly to the zoning bylaw but follows its general intent. In some cases, this flexibility even allows applicants and neighbours to find creative solutions to a particular change that is proposed.

The official plan describes the City's long-range plan for how land should be used and developed over the long term.

The zoning bylaw describes how land and buildings can be used and where buildings and other structures can be located or developed in every part of the city. The zoning bylaw includes rules relate to the size and function of a building, such as limits to the height or footprint, or requirements for the amount of landscaping on a property.

To make a decision, Committee Members consider if the proposed variance meets the four tests provided in Ontario's *Planning Act*:

1. Is the application minor?
2. Is the change desirable for the appropriate development of the site itself and neighbouring lands?
3. Does it maintain the intent and purpose of the zoning bylaw?
4. Does it maintain the intent and purpose of the official plan?

All four tests must be met for Members to approve an application.



When making decisions, Committee Members are focused on the impact of the specific requested variance(s), not whether the proposal is a good idea in general. Applicants need to focus on providing evidence that supports the specific variance(s) they are requesting. Neighbours can provide evidence about the impact of a particular variance on themselves, the neighbourhood, and the city.

Test 1. Is the application minor in size and impact? Or is it too large or important to be considered “minor”?

Committee Members consider the size, but especially the impact, of a proposed variance. Generally, “minor” is not only about the size of a change, but how it will affect neighbours, the neighbourhood, and the city.

There is a wide range of possible impacts, and Members consider them individually and together. The test of what is “minor” includes consideration of what exists today and what is planned for the future of the community as described by Toronto's Official Plan policies.

“Minor” is a technical term in the *Planning Act* that has been interpreted and defined through appeals to the Toronto Local Appeal Body and the Ontario Land Tribunal.

A homeowner may see an extension on the back of their house as a minor improvement, but their neighbour may find it to be a major change that has an impact on them. And even if the numbers are small – a few inches here, a half metre there – small numbers do not necessarily mean small impact. Similarly, large numbers may not have a large impact.

Ultimately, the test of “minor” is whether there is any “unacceptable adverse impact”. This means that even though a variance may be “adverse” it may be acceptable when all things are considered.

Test 2. Is the change desirable for the appropriate development of the site itself and neighbouring lands?

Committee Members consider the purpose of a variance and whether it will serve the City's planning goals and community interests, or create an "undesirable or inappropriate use" of the land or buildings. They consider if the proposal is appropriate for the use of the property and for the neighbourhood as a whole, from a planning and public interest perspective.

Similar to the test of what is "minor," what is "desirable" and "appropriate" may not be viewed the same way by everyone. A proposal to add an additional floor to a house may be very desirable to a homeowner, but not to their neighbours; or it may not be appropriate in the particular neighbourhood.

Committee Members do not give weight to individual private interests, but look to principles of good planning and the existing and planned pattern of development in the community as described by Toronto's Official Plan policies.

Test 3. Will the change maintain the general intent and purpose of the zoning bylaw?

Committee Members consider whether a minor variance will undermine the original purpose of the zoning for the property. They look to Toronto's Zoning Bylaw requirements for certain front, rear, and side yard setbacks, building sizes and heights, and land uses, as well as any site-specific regulations that may apply.

Different parts of the city have different zoning requirements (e.g. for setbacks) and each has a specific purpose.

See the [Interactive Zoning Map](#) to see how your property is zoned.



Test 4. Will the change maintain the general intent and purpose of the official plan?

Committee Members consider if a minor variance will be compatible with the official plan's vision, goals, and policies. They may approve a proposal that meets many, but not all, of the policies, if it meets the overall intent of the official plan. And because City policies must conform to those created by the Province, Committee Members must consider how those in the Provincial Planning Statement (e.g. on intensification and environmental protection) align with the proposal, as well. See [Appendix A](#) for a list of important policies.



See the [Official Plan Maps](#) to find the land use designation for your property and the surrounding land uses.

The Four Tests

Test 1. Is it minor (in size and impact)?	• Is the proposal “too big” in size or impact to be considered “minor”? • What negative impacts may occur if it is approved (e.g. on neighbours, scale, lot pattern, health and safety, environmental integrity, privacy, sunlight, trees)? • What are the existing conditions? How do they compare to official plan policies and zoning requirements? How will the proposal affect the conditions?
Test 2. Is it desirable for the appropriate use of the land (for the property and neighbouring lands)?	• What is the purpose of the proposal? Is it for an existing use, an addition to an existing use, or a change/addition in use? • Is it desirable and how is it appropriate for the property and neighbouring lands? • Does it support good land use planning (e.g. official plan and provincial policies)? • Will existing conditions be improved by the proposal? • Are there other policies that apply (e.g. transportation, heritage, ravine protection)?
Test 3. Is the intent and purpose of the zoning bylaw maintained?	• What is the property’s zone and zoning provisions? • Is the property subject to the current zoning bylaw and/or a former municipal zoning bylaw? • Are there site-specific regulations? • How has the property been used in the past (e.g. were previous variances granted; has the use changed over time)? • If the proposal is for an additional use, how will this impact the existing permitted uses and neighbouring area? • What does the proposal achieve from a zoning standpoint (i.e. what standards are met)? • Why does the City regulate (e.g. heights, setbacks) and can that intent still be met even if, technically, a proposal is offside the regulation?
Test 4. Is the intent and purpose of the official plan maintained?	• What is the property’s land use designation? • What are the surrounding land use designations? • Does the proposed change meet the objectives of the designation? Does it conform to the policies of the designation? • Is the property subject to any site- and area-specific policies from the official plan that apply locally? • Are the proposed changes compatible within the existing planned context (in the official plan)? • What is the purpose of the relevant policies? Can the intent still be met even if, technically, the proposal does not conform to the policy in full?

Occasionally a property owner will apply for a variance to a legal non-conforming use. You do not need a minor variance to be considered a legal non-conforming use, but may need a variance to expand or change one. To learn more, see our [website](#).

Decisions on Consent Applications

A consent application is required for a property owner to sever (divide) their land into two new lots, such as to build two new homes. This is the most common type of consent application that we receive, but a property owner may also request a consent to:

- Establish easements and rights-of-way (to create access to a new lot, for example),
- Add land to an immediately neighbouring property (such as for lot additions, adjustments, extensions, or corrections to deeds or property descriptions),
- Lease land or register a mortgage in excess of 21 years,
- A technical severance, or
- Allow a partial discharge of a mortgage.

Draft Plans of Subdivision, to create and sell new lots, are managed through City Planning's development review process, not by the Committee of Adjustment.

To approve a consent application, Committee Members must determine if:

- The proposed severance is in the public interest and conforms.
- The land is suitable for the purpose of severance (such as to build a new house).
- The dimensions and shapes of the proposed lots are appropriate.
- It meets other [criteria](#) listed in Section 51(24) of the *Planning Act*.

Both the severed and original retained lot must conform to the [Zoning Bylaw](#). If they do not, the applicant must apply for a minor variance(s) at the same time as the consent.



See the [Interactive Zoning Map](#) to find your property's zone and the [Official Plan Maps](#) to find the land use designation for your property and the surrounding land uses.

Consent Considerations - Questions to Consider

1. Is the application premature?
2. Is it in the public interest?
3. Would it conform to official plan policies (such as neighbouring lot patterns)? How would approval affect matters of provincial interest?
4. What are the dimensions and shape of the proposed lot(s) (except where to divide land only)?
5. Are there adequate utilities, municipal services, and schools to support the new use?
6. Does it have regard to other [criteria](#) listed in Section 51(24) of the *Planning Act*?

2.2 If you disagree with a decision

Under provincial legislation, only the applicant, the Ontario Minister of Municipal Affairs and Housing, or a specified person or public body can file an appeal.

Appeals by applicants: If you are the applicant, you have the right to appeal an entire decision, part of a decision, or the conditions for approval. Appeals are heard by the [Toronto Local Appeal Body](#), not the Committee of Adjustment. The window to file an appeal is short!

- For a minor variance, 20 days from the decision date (the public hearing).
- For a consent, 20 days from the day Committee staff mail out the formal Notice of Decision.



Find the [appeal forms](#) on our website.

Committee staff will process the forms and notify you when your appeal application is complete. After this point, you will work directly with staff from the Toronto Local Appeal Body.

Appeals by neighbours: Neighbours cannot appeal a decision directly; however, if a public body (like the City of Toronto) files an appeal with the Toronto Local Appeal Body, they may apply for and be granted party status. Check the [website](#) for more on the rules, practices, and procedures for appealing a decision.

The only certain opportunity for neighbours to share their views is through written submissions to the Committee of Adjustment and at the public hearing, according to provincial legislation.

2.3 What to expect at the public hearing

Public hearings are where Committee Members make their decisions. In some ways, our public hearings look and feel like court proceedings. Committee Members review the evidence, listen to everyone involved, discuss the application, and announce their decision. Once the appeal period closes (approximately 20 days after the hearing), their decision is final and legally binding.

All public hearings are in a hybrid (in person and online) format. Applicants and neighbours who wish to speak or give a presentation can attend in person or online through the City's online platform. Anyone who wishes to simply observe can attend in person or watch on [YouTube](#).

Committee Members attend the public hearing in person except in unusual circumstances.

We hold the scheduled public hearing even if there are no comments from neighbours, City staff, or anyone else.

Our hearing agendas are long! We try to stick to the schedule, but you will probably have to listen to at least a few other applications before it's your turn.

Public hearing procedures

1. The Chair will introduce the application and invite the applicant or their agent to come to the front of the room, or unmute them if they are online. Applicants have a maximum of 5 minutes to present their application.
2. Neighbours and others who wish to speak or give a presentation are called on by the Chair. Each individual, household, or group has one 5 minute opportunity to present their views. When there are many presentations on a single application, the Chair may limit each to 3 minutes. Committee Members may ask questions of the speakers. This is the only opportunity for neighbours to present their comments at the public hearing.
3. The Chair will invite the applicant or their agent to respond to comments, for no more than 5 minutes. Due to rules of procedural fairness and natural justice, the applicant always gets the last word.
4. Members then ask questions, discuss the application, and make their decision.
5. The Chair then announces the decision. The application will be approved, approved in part, approved with conditions, or refused.

We recognize that there is not much time for applicants or neighbours to present their case. For a complex application, Committee Members may ask questions to allow an applicant to discuss their proposal in more detail, or neighbours to fully discuss their concerns.

Considering an agent

Applicants and neighbours can hire an agent to help them prepare their comments and presentations, although it is not required. We know it can be difficult to select the right person. Here are some things to look for if you are considering hiring an agent:

Experience. We recommend that you hire an agent who has been through the Committee of Adjustment process before, ideally in Toronto. If you think your application will be complex, it's useful if they have also been through the appeal process with the Toronto Local Appeal Body. They should be able to help you understand what to expect before, during, and after the public hearing so you don't have any surprises.

You may also want to hire someone who is certified by a professional association. For example, an urban planner should have a Registered Professional Planner (RPP) designation from the Ontario Professional Planners Institute; an engineer should have a Professional Engineer (P.Eng.) designation from the Professional Engineers of Ontario.

Knowledge. The agent should be aware of all of the legislation, regulations, and policies that guide Committee Members' decisions (see [Appendix A](#)). They should know how to build a clear, persuasive, evidence-based case and how to present it effectively at the public hearing.

Organization. Find out how they coordinate with other professionals you may want to hire. For example, if you hire a land use planner, how will they ensure your architect's drawings are included in your application? Which professional will represent you at the public hearing? Who will prepare and file any appeal documents, represent you at the hearing, and if needed, take you through the appeal process? Consider if they are an individual running their own business or part of a larger firm. What resources and other professionals can they bring in if needed?

Examples. Ask for samples of work and references. It will help you understand how they approach their work, how successful they have been, and what they will do (or not do) for you.

Communication skills. Most of all, make sure you feel you can communicate with anyone you hire. Do they take time to explain things to you? Are they open about the costs involved? Can they provide you with a timeline of what will happen and when? Do they respond to you within a reasonable amount of time?

See [Section 6](#) for advice on where to find assistance with your application.

3. Applicant's Guide to the Committee of Adjustment

If you are a property owner applying for a minor variance or consent, start here.

The application process – at a glance

Book a pre-consultation with Committee staff if this is your first application or you don't have an agent.

Consider hiring an agent (such as a lawyer, urban planner, architect, engineer). Think about whether it makes sense for you. How complex is the application? How much time do you have?

1. **Download and review the application form** to see what information you must provide.
2. **Request a zoning review** if you're applying for a minor variance.
3. **Start talking to your neighbours** about your proposal.
4. **Prepare and submit** a complete application.
5. **Pay the fees.**
6. **Note the date** of your public hearing.
7. **Post the sign** for at least 10 days before the hearing.
8. **Prepare** for the public hearing.
9. **Attend** the public hearing.
10. **Choose your next steps** based on the formal Notice of Decision.

Apply for a minor variance to make a change to height or density, building setbacks, parking requirements, that are different from what Toronto's Zoning Bylaw(s) allow.

Apply for a consent to sever (divide) your land into two or more new lots, establish easements and rights-of-way, add land to an immediately neighbouring property, lease land or register a mortgage in excess of 21 years, or need a partial discharge of a mortgage.

Contact a [district office](#) if you're not sure whether you need to apply to the Committee of Adjustment.



3.1 Applicants’ responsibilities and rights

As the property owner, you are responsible for:

- Preparing all forms, reports, and other materials that support your application,
- Presentation at the public hearing,
- Providing an application that is complete (see our [Application Checklist](#)) and paying all **fees**
- Posting a Public Notice sign on your property
- Attending the public hearing – or having your agent attend in your place – to present your proposal, answer questions, and hear the decision
- Taking any steps needed once you receive the formal Notice of Decision.

You have the right to:

- Be prepared for the public hearing. Committee staff post everything publicly on the [Application Information Centre](#) and do not accept anonymous comments.
- Appeal a decision to the Toronto Local Appeal Body (see [Section 2.2](#)).

3.2 Step-by-step for applicants

Book a pre-consultation: Committee staff at a district office can help, especially if this is your first application or you do not have an agent. They will help clarify the process and save you from costly and time-consuming mistakes (e.g. if there are special issues to address in your application or a need to consult with other City departments).

Contact the district office by phone or email.

Etobicoke–York	 416-394-8060	 coa.ey@toronto.ca
North York	 416-395-6446	 coa.ny@toronto.ca
Scarborough	 416-396-3223	 coa.sc@toronto.ca
Toronto– East York	 416-392-7565	 coa.tey@toronto.ca

Consider [hiring an agent](#): A lawyer, urban planner, architect, engineer, or other professional can help you through the process and represent you at the public hearing.

Consider speaking to your neighbours: We recommend that property owners speak directly with their neighbours about their application before the public hearing.



1. Download the application forms

Download the application forms for minor variances and consents. The form describes what to include in a [complete application](#).

If you are applying for both a consent and a minor variance(s), you may need to complete more than one form. Contact the district office if you have questions.

2. Request a zoning review

On [request](#), a City zoning examiner identifies all parts of your proposal that do not comply with the zoning bylaw(s), for a fee. You can then apply for all of the minor variances you need.

If you choose to do your own zoning review instead, you must include a signed [zoning review waiver](#) with your application.

You can skip the zoning review, but we do not recommend it. You may have to reapply and pay the application fees again if you get something wrong or are missing essential information.

3. Start talking to your neighbours

Communicating with your neighbours helps resolve many concerns long before the public hearing.

While you may consider your proposal to be minor, your neighbours may not. Say hello and let them know what you are planning. The process will go much more smoothly if they understand what you would like to do and you can understand – and address – their questions and concerns.

Committee staff will be sending a Public Hearing Notice to all neighbours within 60 metres (200 feet) with your application details and directions on how they can share their views, if they wish to.

If your neighbours support your proposal, ask them to let us know before the public hearing. The Public Hearing Notice describes how they can email us with their comments. Committee Members aren't interested only in opposing viewpoints!

Tips for communicating with neighbours

Many issues can be resolved long before the public hearing.

- Make an effort to talk in person, or set up time for a Zoom chat or phone call.
- Take your neighbour through your plans. Listen to their comments or concerns.
- See what you can offer as a compromise or solution.

It is your responsibility, as the applicant, to start the conversation with your neighbours!

4. Prepare and submit a complete application

A complete application benefits everyone:

- ▶ It saves time. Staff can schedule you for the next available public hearing.
- ▶ It ensures Committee Members and staff, neighbours, and others with an interest can access the information they need to participate in the process.
- ▶ It avoids project delays. If your application is incomplete, it may be deferred to a future hearing to give neighbours and others time to review it.

A complete application includes all of the information that Committee Members need to make their decision.

Look up similar applications in the [Application Information Centre](#) and the [Research Request Portal](#) (which requires payment of a fee). You can see what other applicants provided, how they presented their request for permissions, how staff and neighbours responded, and what the decisions were. However, keep in mind that each application is evaluated on its own merit, not precedent decisions (see [Section 2.1](#)).

Focus on the criteria that Committee Members must use to make their decisions. Remember that they will review your application based on the [four tests](#) (for a minor variance) or specific [criteria](#) (for a consent).

Use our online [Application Checklist](#) to be sure you've provided all mandatory information.

Applicants are able to introduce late additions or revisions to their application, and Committee Members may appreciate if it's the result of a fair compromise with neighbours. However, they may also defer the hearing to a later date, so Committee staff can circulate a new Public Hearing Notice that gives neighbours (and others with an interest) more time to respond to the new information. Avoid delays by submitting a complete application!



A complete application includes

- Basic information such as your name, property address, and contact information for you and any agent(s) you hire
- All required forms, such as a tree declaration
- A description of your proposal: your property and the surrounding context, and the reason(s) you are applying
- All of the evidence you are presenting to support your case.

Evidence includes:

1. The provincial and City policies that support your proposal.
2. Detailed drawings and photos that make it easier for everyone to understand your proposal:
 - Show the entire property and the location and size of the buildings, parking spaces, walkways, driveways, and other features.
 - Show what is being proposed in relation to all of the property's features.
 - Drawings must be to scale, clearly labelled, and colour coded, even if provided by hand. They should also show the proposed change in relation to the rest of the property and the neighbourhood.
 - For a consent application, show what is being retained or conveyed.
3. Technical studies (e.g. heritage, parking).
4. A certified survey of the property.
 - For a consent application, include a draft reference plan ("R-Plan") with additional information on the proposed use of the land, the uses on surrounding lands, and rights-of-way widths labelled on streets.
5. Architectural plans (e.g. site plan, statistics, floor plans, elevations).
6. A [tree declaration form](#) with colour photos of the entire front and rear yards and all trees within 6 metres of the site or 12 metres of a protected ravine or natural feature, and site plan with all protected trees and tree protection zones, the species, and their diameters.
7. A [rental housing declaration form](#) if the existing building has rental units.

Use the [Application Checklist](#) for the most up-to-date requirements, before you submit your application. It also describes how to label drawings and name files for easier processing.

Send your complete application to bldapplications@toronto.ca. Use a PDF format and include the property address in the subject line of your email.

Submit your application as soon as it is complete. We know you want to get your project going. The earlier you send in your application, the sooner we can add you to the agenda of the next available public hearing.



5. Pay the fees

Applicants will be contacted about the total fee amount that is to be paid. Application fees are established by City Council and cover the costs of processing the application.

Committee staff review the application and contact you with questions or to let you know if something is missing or incorrect. It's important to respond right away so we can keep your application moving.

Staff in the Toronto Building department send applicants a status submission letter that explains how to pay the [fees](#). You must pay the fees within 5 business days to avoid having your application cancelled.

After you have paid the fees and Committee staff determine your application is complete, we:

- Schedule you for a public hearing
- Send you a Notice sign to post on your property, and
- Provide the name of the staff member who will be your main contact for the rest of the application process.

Please note: The start date of your application is the day Committee staff determine it is complete, not the day you submitted it to us.

Before the public hearing, we:

- Send a Public Hearing Notice to property owners within 60 metres (200 feet) of your property
- Send you a Notice sign to post on your property

- Circulate the application to City staff to invite them to submit comments on the application. Divisions include:
 - Parks, Forestry and Recreation (Urban Forestry) to ensure trees are protected or replaced (for every application we receive)
 - Development Review (Community Planning) to provide comments on the application and review for public engineering issues (Engineering Review)
 - Heritage Planning to ensure properties on the heritage register are protected
 - Engineering and Construction Services to ensure the application is technically sound
 - Toronto Region Conservation Authority to ensure ravines and natural areas are protected
 - Others as relevant to a specific application.
- Post your application and all comments from neighbours and reports from staff on the Application Information Centre.

City and agency staff may have no comments, or may provide a report with a recommendation that an application be approved in full, in part, or conditionally; refused; or deferred to a future hearing.

6. Note the date of the public hearing

We will send you a tentative hearing date, followed by a confirmed date, before the public hearing. Once your hearing is confirmed and we have set the agenda, it is difficult to change.

Notify your Committee staff contact as soon as possible if you are not able to attend or need more time. If it's very late, you may have to attend the scheduled hearing to request a deferral, which may or may not be granted by Committee Members.

See the [calendar](#) of scheduled public hearings.



7. Post the Notice sign on your property for at least ten days before the hearing

You must post the Notice sign on your property where it can be seen from the street for at least 10 days before the public hearing.



You must post the Notice sign on your property where it can be seen from the street for at least 14 days for a consent application and 10 days for a minor variance application before the public hearing. You must ensure that the sign remains in its posted location for this period of time.

8. Prepare for the public hearing

Typically, applicants have 5 to 8 weeks to prepare for their hearing. See our online [calendar](#) of scheduled hearings.

Focus your presentation. The best presentations are logical and based on the evidence – not emotion. Focus on the purpose of your application and the evidence that supports the criteria that Committee Members must use to make their decision. Directly address any concerns raised by neighbours and City or agency staff in their comments and reports.

Look up similar applications. You can also watch past public hearings on [YouTube](#). You can see what information other applicants and neighbours provided, how they presented their case, and what the decisions were, in the City's [Application Information Centre](#) and the [Research Request Portal](#) (for a fee). However, keep in mind that each application is evaluated on its own merit, not precedent decisions.

A complete application includes

Many people create presentation slides with PowerPoint or a similar software.

- Keep it simple and clear: one point on each slide and include drawings and photos.
- Submit it at least 5 business days before the hearing.
- Practice your presentation! Be ready to make your case in less than 5 minutes.

Submit any presentation materials before the hearing. Committee staff must receive any presentation materials at least 5 business days before the hearing. This gives Committee Members time to review your application in full, and gives staff time to prepare it for those attending the hearing online.



You can bring presentation materials with you to the hearing, but we cannot post them for everyone to see unless they are provided in advance.

9. Attend the public hearing

It is essential that you (or your agent) attend the public hearing, either in person or online. Applicants (or their agent) are expected to present the proposal, answer questions, and be there to hear the decision. Committee Members listen to everyone's views, ask questions, discuss the application, and announce their decision at the hearing. This is your opportunity to make the clear, convincing case for your proposal! See [Section 2.3](#) to learn more about what to expect.

We hold public hearings because they:

- Support a fair and just process,
- Enable two-way communication between Committee Members and everyone else with an interest,
- Are an open forum that allows everyone to hear why Members made a particular decision, and
- Meet the requirements of the *Planning Act* ([Section 45\[6\]](#))

If you cannot attend your hearing for any reason, notify your Committee staff contact immediately. If it's too late to reschedule your application, you may have to attend the hearing to request a deferral to a future date. However, Committee Members may not agree to the request. And, if you are absent without notifying staff ahead of time, the hearing could be held without you.

Tips for presenting at the public hearing

Come prepared and ready to be persuasive!

- Speak directly to Committee Members.
- Start by stating your name and street address.
- Briefly describe your proposal and the reason(s) for it. Be clear and to the point. If you submitted presentation slides, Committee staff will make sure they're shown in the room and online.
- Describe how your evidence meets the criteria they use to make decisions. Explain how the *Planning Act's* [four tests](#) (for a minor variance) or [criteria](#) (for a consent) are met.
- Describe the efforts you made to address any concerns raised by neighbours, City or external agency staff, or other interested parties.
- Keep an eye on the time! The Chair will cut off anyone that goes beyond 5 minutes.
- Respond to any feedback or questions asked by Committee Members.

10. Choose your next steps based on the formal Notice of Decision

You will hear the decision at the public hearing, but Committee staff will also send you a formal [Notice of Decision](#) within 10 days of the public hearing. It describes the decision, the reason(s) for it, and what you can do next.

Committee Members make the following decisions:

- ▶ **Approval:** You may continue with your project once the appeal window has closed.
- ▶ **Conditional approval:** you must meet the conditions listed in the Notice of Decision, to the satisfaction of the district Deputy Secretary-Treasurer, before you can continue with your project.
There is no time limit on meeting conditions for a minor variance, but you have up to two years for a consent. You may also choose to file an appeal of any of the conditions.
- ▶ **Partial approval:** Some of the variances may be approved and some may be refused. You may continue with the part of your project that is approved once the appeal window has closed. For the other part(s), you may choose to make changes to your proposal and submit a new application or file an appeal.
- ▶ **Refused:** You may not continue with the project, but you may choose to make changes and submit a new application or file an appeal. Sometimes making a change means that the revised proposal complies with the zoning bylaw, and Committee of Adjustment approval is no longer required.

Appeals are heard by the [Toronto Local Appeal Body](#).

To appeal a minor variance, you must first have the right to appeal.

You must file within 20 days from the date the decision is made at the public hearing. To appeal a consent, you must file within 20 days from the date the Notice of Decision is mailed out. Once the appeal deadline has passed, all decisions are final and legally binding. You can find the [appeal form](#) on our website.

Under Ontario legislation, only applicants, the Minister of Municipal Affairs, and specified persons or public bodies are allowed to appeal a Committee of Adjustment decision.

4. Neighbour's Guide to the Committee of Adjustment

If you have questions, concerns, or comments on a neighbour's minor variance or consent application, start here.

How to participate – at a glance

1. **Read** the Public Hearing Notice.
2. **Prepare any comments** you may have.
3. **Submit** your written comments.
4. **Prepare for the public hearing.**
5. **Speak or give a presentation** at the public hearing.
6. **Request** a formal Notice of Decision.

4.1 Neighbours' responsibilities and rights

You are responsible for:

- Contacting us with any questions if you do not understand the [Public Hearing Notice](#).
- Deciding if you will hire your own agent (e.g. a lawyer, planner, architect) to help you respond and represent you at the public hearing.
- Submitting any written comments and presentation materials by the deadlines in the Public Hearing Notice.
- Attending and signing up to speak or give a presentation at the public hearing by the deadlines in the Notice, if you choose to. (Attendance is not required: your written comments will still be considered.)
- Requesting the formal [Notice of Decision](#) be sent to your home address.
- Checking the [Application Information Centre](#) up to the day of the public hearing to see any new information that may have been added (like staff reports). And, if necessary, asking Committee Members for a deferral at the public hearing if you need more time to review late information or to work with the applicant on a solution. (This may or may not be granted by Committee Members).

Applicants have access to all comments that are submitted. We do not accept anonymous comments, in the interest of fairness and justice. All information is posted publicly on the Application Information Centre when Committee staff receive it.

Tenant notification and participation

The Committee of Adjustment (CoA) encourages all members of the public, including tenants, to actively participate in CoA hearings. The CoA strongly encourages property owners to engage with tenants early in the planning process and to provide clear and timely information about proposed changes to ensure all residents are informed and empowered to participate.

As a Tenant

Tenants have the right to actively participate in Committee of Adjustment (CoA) hearings whether the application concerns their own residence or any other property. Tenants may submit written comments or speak at a hearing to express their views.

When a Rental Housing Demolition application is submitted, tenants receive a Notice of Rental Demolition. This notice is hand-delivered by the applicant, who is required under Municipal Code Chapter 667-11 to provide proof of delivery through a sworn affidavit. If no Rental Housing Demolition application is submitted, tenants are made aware of a proposal through a posted notice sign on the property.

Tenants who are affected by the proposed demolition of rental housing may be eligible for a Tenant Assistance Plan. In accordance with the City's Official Plan, City staff typically recommend that such a plan be secured as a condition of approval. These plans are designed to support displaced tenants and may include:

Come prepared and ready to be persuasive!

- Advance notice to vacate
- Temporary or alternative accommodation
- Rent gap assistance
- Moving allowance
- Access to a leasing agent
- Tailored supports for tenants with special needs

More information will be provided to the tenant with the Notice of Rental Demolition.

As a Property Owner/ Applicant / Landlord

The property owner is responsible for informing tenants of an application at their place of residence. Tenants do not receive a Notice of Hearing and may only know about an application directly from their landlord, or from viewing the posted public sign. The CoA encourages property owners to speak to tenants early about proposed changes and encourages tenants to actively participate in CoA hearings.

In cases where a Rental Housing Demolition application is submitted, tenants receive a Notice of Rental Demolition, which the applicant or property owner must hand-deliver. Municipal Code Chapter 667-11 requires applicants to distribute this notice and submit a sworn affidavit confirming delivery.

You have the right to:

- Be heard by the Committee Members.
- Have access to information about the application through the Application Information Centre, to be prepared for the public hearing. Committee staff post all application information up to the day of the hearing.

Under provincial legislation, neighbours and other members of the public do not have the right to appeal decisions to the [Toronto Local Appeal Body](#). However, there may be opportunities to join an appeal led by the municipality or by a specified person or public body (see [Section 2.2](#)).

4.2 Step-by-step for neighbours

1. Read the Public Hearing Notice

Committee staff send a Public Hearing Notice: Everyone who owns a property within 60 metres (200 feet) of a subject property will receive the Notice in the mail, as required by the *Planning Act*, to:

- Let you know that a neighbour has requested a minor variance or consent
- Describe the proposed change
- Explain how you can share any comments you may have
- Let you know the date, time, and place of the public hearing.

We mail the Public Hearing Notice to neighbours at least 10 days before the hearing (for a minor variance) and at least 15 days before the hearing (for a consent). Through Council direction, we mail Public Hearing Notices 20 days in advance of a hearing. This is more notice than required by the Planning Act, to ensure there is adequate time to receive, read, and provide comments before the public hearing. The timelines are short; if you want to provide comments, note the deadlines provided in the Notice.



No one is required to respond to a Public Hearing Notice. However, if you have questions, concerns, or you support or are opposed to the proposal, email your written comments to the Committee staff member named in the Notice. You may also wish to speak or give a presentation at the public hearing; [sign up](#) and submit your materials in advance, if possible.

Consider hiring an agent: A lawyer, urban planner, architect, engineer, or other professional can help you or your group respond, and represent you at the public hearing. However, an agent is not required: we want to hear from individuals, households, and groups with questions, concerns, and comments to share (see [Section 2.3](#)). Most neighbours do not hire an agent.



2. Prepare your written comments

We welcome your written comments. You can prepare your comments on your own or together with neighbours. If you are working with agent, make sure they submit everything correctly (check the [Application Information Centre](#)).



Make time to respond – the timelines are short. Look for the deadlines in the Public Hearing Notice.

Tips for preparing comments

Read the Public Hearing Notice. If there is something you don't understand, contact the Committee staff member named in the Notice.

Talk to the property owner who is applying for the change, if you feel comfortable doing so. They may be able and willing to make some changes to their plans.

Talk to other neighbours. Some residents find it useful to hear their neighbours' views. If you choose to submit comments, you can do so on your own or as a group. You may find it helpful to talk to a local residents' association, as well (See [Section 6](#)).

Focus your comments on the application's merits. Base your comments on the criteria that Committee Members must use when making decisions (see [Section 2.1](#)). Review the evidence provided in the application. See how well it meets the tests or criteria that Committee Members must use to make their decisions.

See [Appendix A](#) for a list of related legislation, regulations, policies, and bylaws.

Members do not consider concerns that are unrelated or of a personal nature.

If you are submitting a petition, it should be more than a list of names and addresses. Include a discussion of the application's merits: focus on the criteria that Committee Members use to make decisions (see [Section 2.1](#)).

3. Submit your written comments

Submit your comments as soon as possible. Email your comments to the Committee staff member named in the Public Hearing Notice. We cannot guarantee that Committee Members will have time to review your comments if they arrive after the deadline noted in the Public Hearing Notice.

To protect the integrity of the process and allow everyone to be prepared for the public hearing, we do not accept anonymous comments. We post all comments publicly on the [Application Information Centre](#).

4. Prepare for the public hearing

We encourage you to present your views at the public hearing, but you don't have to. Committee Members will consider your written comments even if you do not attend.

Everyone is welcome to attend the hearings. The day, time, and location of the public hearing is on the Public Hearing Notice. Our hearings are in a hybrid format, so you can attend in person or online.

Please [sign up](#) in advance and submit any presentation materials at least 5 business days before the hearing. If you have registered to speak or present, we will send you the log-in link one day before the hearing. If you do not sign up in advance, you may still share your comments at the hearing, but we cannot include any presentation materials you may have prepared.

See our online [calendar](#) of scheduled hearings.

If you prefer to simply observe, you can attend the meeting in person (at the location noted in the Public Hearing Notice) or watch it live (or later) on [YouTube](#).



Because we receive thousands of applications every year, our hearings are timed very carefully. We always appreciate advance notice that speakers and observers are attending. Please [sign up](#) in advance.

Focus your presentation. The best presentations are logical and based on the evidence. Focus on the purpose of your presentation and the evidence that supports the criteria that Committee Members must use to make their decision.

Look up similar applications. You can also watch past public hearings on [YouTube](#). See what applicants and neighbours provided, how they presented their case, and what the decisions were in the City's [Application Information Centre](#) and the [Research Request Portal](#) (for a fee). However, keep in mind that each application is evaluated on its own merit, not prior decisions (see [Section 2.1](#)).

A complete application includes

Many people create presentation slides with PowerPoint or a similar software.

- Keep it simple and clear: one point on each slide and include drawings and photos.
- Submit it at least 5 business days before the hearing.
- Practice your presentation! Be ready to make your case in less than 5 minutes.

5. Speak at the public hearing

Our public hearings can be long! It's important that you be there from the beginning of the scheduled timeslot, as agenda items can move quickly and the order of items can change. The time the item will be heard is available on our hearing agendas [web page](#) and on the Public Hearing Notice.

Check the Public Hearing Notice for the start time. Start and end times vary from one district to another, but we break meetings up into reasonable time slots.

The hearing begins with a presentation by the applicant; this is usually done by their agent.

The Chair then invites neighbours and others with an interest to speak. Presentation slides are helpful but not required. If you submitted presentation materials in advance, Committee staff will have them ready to show on screen in the hearing room and online. If you are online, they will unmute you when it's your turn.

We record and upload the public hearings to [YouTube](#). Please be aware that viewers will hear your name and address when you speak at the public hearing.

You, your household, group, or agent have one 5-minute opportunity to speak at the public hearing (and sometimes less). Stick to your key points: this is your only chance to speak at the hearing, although Committee Members may ask some follow-up questions.

If there are many people who want to present, the Chair may limit everyone's speaking time to 3 minutes.

After everyone presents, the applicant (or their agent) has 5 minutes to respond to the comments. The Committee Members then discuss the proposal and announce their decision. The applicant is allowed the opportunity to speak last. This follows the principles of fairness that have been developed to protect an individual's right to be heard.

See more on what to expect at the public hearing in [Section 2.3](#).



If you are presenting as a group, it's best to appoint one speaker or plan a coordinated presentation that moves quickly and smoothly from one speaker to the next.

Don't waste the limited time you have!

Tips for presenting at the public hearing

Each individual, household, or group has no more than 5 minutes to present. Come prepared and ready to be persuasive!

- Speak directly to the Committee Members.
- Start by stating your name and street address. Mention if you are there on behalf of a group of neighbours.
- If you have a presentation to give, use it to guide your comments. Committee staff will make sure your presentation is shown in the room and online if you provided it at least 5 business days in advance.
- Briefly explain why you are there (e.g. if you support or oppose the application). Be clear and to the point.
- Focus on how the proposal meets or does not meet the decision criteria. Describe the impact you expect it to have on you, your neighbours, or your community.
- Keep an eye on the time! The Chair will cut off speakers that go beyond 5 minutes.
- Respond to any feedback or questions asked by the Committee Members.

The public hearing can be a busy environment. Committee Members are listening even if they are taking notes and reviewing materials that are in front of them during your presentation. They may ask you questions, and may or may not respond directly to your comments. See more on what to expect in [Section 2.3](#).

Tips for effective public speaking

We understand that most people don't give public speeches every day! Here are a few tips to put you at ease:

- ▶ **Come prepared.** Write down your remarks in point form ahead of time so you remember everything you want to say.
- ▶ **Time your remarks.** Make sure to practice at least once, to make sure everything you want to say fits within your five-minute time slot. You don't need to speak for all five minutes, but you won't be able to speak for more. Also practice fitting it into a three-minute time slot, just in case the Chair needs to shorten everyone's speaking time.

Some people find it useful to mark the time on their notes to keep themselves on track. You can mark them up to remind yourself, for example, that "at the two-minute mark, I should be starting this second point." You can use a timer on your phone or watch. The Chair will also let you know if you are going over time.
- ▶ **Be yourself.** Committee Members hear from all Torontonians and don't expect you to sound like an expert. You don't have to be very formal, but please be polite and respectful.
- ▶ **Take a breath.** Don't be tempted to read your notes out loud from start to finish without pausing. Slow down. Give Committee Members a chance to follow and really hear what you're saying. Tell them when you're starting a new point (You can say, for example, "My third concern is..."). Look up and make eye contact with the Chair and other Committee Members.
- ▶ **Direct your comments to Committee Members.** This makes it easier for you to feel, and sound, like you're simply having a conversation with another person. This also helps to make your remarks more engaging and interesting.
- ▶ **Don't worry!** Committee Members will consider your comments even if you don't deliver them as perfectly as you planned.

6. Request the formal Notice of Decision

Neighbours must request a written Notice of Decision.

Ask for the Notice to be sent to you when you are at the hearing (in person or online) or request it from a district office. You can also look up the decision on the [Application Information Centre](#) soon after the hearing.

The Notice of Decision describes:

- If the application was approved in full, in part, with conditions, or rejected
- The reason(s) for the decision
- The last date the decision can be appealed.

As a neighbour, you may not agree with the decision, but under provincial legislation, you have no right to appeal directly to the Toronto Local Appeal Board (see [Section 2.2](#)). The decision becomes final and legally binding once 20 days have passed from the date of the decision (for a minor variance) or from the date the Notice is sent (for a consent).

All decisions are part of the public record.

5. Questions and Answers

What if an application has missing, unclear, or incorrect information?

Let us know as soon as possible. Email the Committee staff member named in the Public Hearing Notice.

What if someone is applying for approval only after they've already made a change to their property?

If a property owner makes a change to a building, structure, or use without approval and then later applies to the Committee of Adjustment, Committee Members will review the application and apply the four tests as if the building had not been constructed. Committee Members cannot penalize an applicant without an approved variance, but Committee Members may refuse the application and require the owner to take down the new building or structure or return the property to the original use at their own expense.

How long does the application process take?

The main part of the application process typically takes 5 to 8 weeks, from the date Committee staff determine an application is complete to the date of the public hearing. An applicant may also spend many weeks or months getting their application ready. They may also spend time after the public hearing addressing any conditions that Committee Members decide they must meet before they can proceed.

Our timer starts once Committee staff confirm an application is complete and ready to be scheduled for a public hearing. If materials are missing, the application takes longer to process. See what to include in a [complete application](#).

Staff schedule the application for the next available public hearing date. Applicants cannot reserve time on the agenda before staff confirm the application is complete.

Our staff also need time to circulate the application to City departments and external agencies, and receive their reports. We also send a Public Hearing Notice to inform neighbours and gather input before the hearing date.

If someone appeals a decision to the Toronto Local Appeal Body, it is no longer a Committee of Adjustment matter. It has its own process and timeframe for hearing appeals.

How much does it cost to apply?

The City's [application fee table](#) lists the costs of all types of applications.

Should applicants and neighbours hire someone to help them through the process?

It depends. We want it to be easy for anyone to work with us on their own, without an agent.

However, applicants often choose to hire an expert to represent them, and neighbours can also benefit from hiring a professional. Depending on the project, this may be an urban planner, architect, engineer, designer, lawyer, or someone else with experience working with Committees of Adjustment who can put forward the most complete, persuasive case possible (see [Section 2.3](#)).

Do neighbours have to respond to a Public Hearing Notice?

No. Neighbours do not have to take any action when they receive the Notice in their mailbox.

Do applicants have to post the sign they receive from Committee staff?

Yes. This is an important part of ensuring everyone with an interest has a fair chance to share their views. If a property owner does not post the sign for at least 10 days in a location visible from the street, Committee Members may defer the application to a future meeting.

How much time do neighbours have to respond?

We try to give neighbours several weeks to respond, but it may be as little as 10 days for a minor variance. It's important that neighbours submit any comments by the deadline in the Public Hearing Notice. (The timelines are set out in the *Planning Act*.) You can request more time, particularly if new information is added late or even at the hearing, but Committee Members may not agree to it. Come to the hearing as prepared as you can be.

Do applicants and neighbours have to attend the public hearing?

Applicants or their agent must attend. If an application is on the agenda but the applicant is not there (in person or online), Committee Members may consider their proposal without them. Applicants may not get the decision they were hoping for and have to spend time and money on an appeal.

Neighbours do not have to attend. Committee Members will still consider all written comments submitted by the deadline in the Public Hearing Notice.

How do neighbours sign up to speak or present at the public hearing?

It's helpful if neighbours [sign up](#) online as soon as they decide that they want to speak or give a presentation. We will confirm the registration by email. If attending online, we will send the log-in link one day before the hearing.

It's also helpful if neighbours provide any presentation materials at least 5 business days before the public hearing. This ensures Committee Members can review them before the hearing. It also lets Committee staff prepare your presentation to be seen in the room and online during the hearing. Due to time restraints, we are not able to set up materials that arrive late or on the day of the public hearing.

Neighbours can speak at the public hearing even if they do not have a presentation or do not sign up in advance. However, due to time restraints, we are not able to set up presentation materials that neighbours submit late or on the day of the public hearing

Can neighbours present together?

Yes. It's important to appoint a speaker or coordinate speakers, because as a group, you have 5 minutes or less to speak. If there are many people who wish to speak, the Chair may shorten everyone's presentation time to 3 minutes.

However, the number of speakers for or against an item is not relevant, and does not impact how Committee Members evaluate an application. Applications are evaluated based on merit, and on the four tests.

If neighbours don't attend the public hearing, how do they find out what Committee Members decided?

Watch the live video or the recording on [YouTube](#) to hear the decision.

Anyone can also look up the decision in the [Application Information Centre](#) soon after the public hearing or contact the [district office](#) for a written copy of the formal Notice of Decision.

Who can ask for a deferral to a future hearing?

Applicants and neighbours may request a deferral at the public hearing, but it must be justified, and the Committee may or may not agree to it. Everyone is expected to come to the scheduled public hearing ready to make their case.

Can an applicant get a refund if they need to withdraw and/or resubmit their application?

See our [fees](#) table for the most current information.

Can my City Councillor help?

The Committee of Adjustment does not report to Council. Councillors may contact City staff with questions about applications, and Councillors can assist their constituents with accessing the correct staff member. Councillors may submit written comments on an application but cannot influence the process or decisions made by Committee Members. Councillors may also bring motions to Council to instruct the City Solicitor to attend an appeal at the Toronto Local Appeal Body.

Can I talk to a Committee Member outside the public hearing?

No, and they are not permitted to respond. Committee Members make their decisions based on only the application information, staff reports, comments received from neighbours and other members of the public, and presentations at the public hearing. We want all applications to be considered openly and fairly.

Contact the Committee staff member named in the Public Hearing Notice or the [district office](#) with your questions and comments, instead.

Will Committee Members visit the property?

Committee Members may complete a site visit sometime during the week before the public hearing but will not trespass on the property. They are not permitted to speak with applicants and neighbours during a site visit, to be fair to everyone involved. Applicants do not need to be there for the site visit.

Who can see the full application, including comments from neighbours and staff reports?

Everyone. We make all application information public in the interest of fairness and justice (see the [Application Information Centre](#)). We do not accept anonymous comments.

Applicants and neighbours have the right to know what to be prepared for at the public hearing. Sharing information also helps Committee Members know who is participating and what their relationship is to the subject property being discussed.

What do City staff provide in their reports?

Staff are experts from various City departments and external agencies who provide their professional evaluation and identify any conditions they find to be necessary. They may let Committee Members know that they have no concerns, recommend refusing the application, or ask them to approve only part of an application, or defer a decision until more information can be provided by the applicant.

Staff reports are available on the [Application Information Centre](#) and may be added up to the day of the hearing.

Can applicants and neighbours appeal a decision?

Applicants can appeal. After the public hearing, Committee staff send a Notice of Decision that describes the reasons for the decision and how to appeal, if they choose to.

Neighbours cannot appeal a decision directly; however, if a public body (like the City of Toronto) files an appeal, they may apply for and be granted party status. Under provincial legislation, only an applicant, the Minister of Municipal Affairs and Housing, and specified persons or public bodies are allowed to appeal.

6. Where to Find More Information

If you have questions or comments:

Contact the Committee staff member named in the Public Hearing Notice.

For application forms, fees, refund policies, waivers, and more:

Go to the Committee of Adjustment's [website](#).

For application information, including status updates and recent decisions:

Check the online [Application Information Centre](#). For search tips, see the [user guide](#).

For applications more than 90 days old, request information through the [Research Request Portal](#), for a fee.

If you still have questions:

Contact a Committee of Adjustment district office, listed below.

Etobicoke–York	 416-394-8060	 coa.ey@toronto.ca
North York	 416-395-6446	 coa.ny@toronto.ca
Scarborough	 416-396-3223	 coa.sc@toronto.ca
Toronto– East York	 416-392-7565	 coa.tey@toronto.ca

Other local sources of information:

Look for a local resident and ratepayer association. Many have experience with the Committee of Adjustment, have published their own guides to the process, and may be able to help you find an agent. Try an online search using the name of your community + “resident and ratepayer association.” Search the lists of member organizations published by some of the larger associations, like the [Federation of North Toronto Residents' Association](#) and the [Federation of Urban Neighbourhoods](#), on their websites.

Accessibility:

If you don't have a computer or have difficulty using one, visit any branch of the [Toronto Public Library](#) for assistance.

For translations of any information in this handbook, contact [311](#).

7. Definitions

We provide these definitions to help everyone understand the Committee of Adjustment terms used in this handbook. The definitions should not be relied on for legal proceedings.

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Agent: A professional such a lawyer, urban planner, or architect hired to provide advice and represent a property owner, neighbour, or others with an interest in an application.

Appeal: A request to the Toronto Local Appeal Body to reconsider evidence in support of an application after a decision has been made by Committee Members.

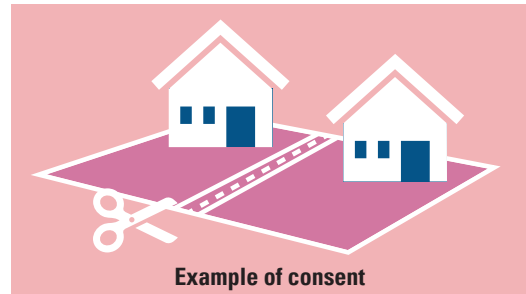
Applicant: The property owner or the agent who is submitting the application.

Committee of Adjustment: Toronto's independent, quasi-judicial, administrative tribunal that is granted authority by the Province and City Council to manage the application process and make final, legally binding decisions on minor variance and consent applications for proposed changes to buildings, structures, and land.

Complete application: An application that is submitted with all required information as listed in the [Application Checklist](#) and as a result is ready to be heard at a public hearing. Committee staff determine when an application is complete.

Conditional approval: One of several possible decisions made by Committee Members at the public hearing. Requires the applicant to meet all noted conditions before they receive approval to proceed with their project.

Consent: A type of application to sever (divide) land to create a new property that may or may not have a building on it. May also involve new easements and rights-of-way, long-term leases, mortgages and mortgage discharges, and changes to a property's boundaries, and may be combined with an application for a minor variance(s).



Convey: To transfer land from one owner to another, such as after a consent application is approved by Committee Members.

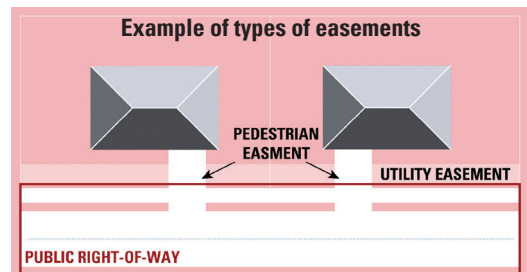
Delegated Consent: A type of consent application that does not involve creating a new lot, and that is decided by one of the Committee's district Deputy Secretary-Treasurers rather than Committee Members.

Deferral: A postponement of a public hearing to a future date, typically when an applicant, neighbours, or City staff request it and can justify the need (such as for more time to review a late submission).

Density: A measure of the intensity of land use in a specific area, used to regulate growth and development (according to the official plan) in a specific area (a zone). The proposed density of a development can be determined by calculating the floor space index (the relationship between the total amount of useable floor area and the total area of the property on which it stands).

District panel: A group of Council-appointed Committee Members who work together to evaluate applications for minor variances and consents by listening to everyone's presentations, discussing the application, and announcing their decision at the public hearing. There are four district panels in Toronto: Etobicoke–York, North York, Scarborough, and Toronto–East York.

Easement: An agreement that someone or something is allowed access to a property for a specific purpose, underground (e.g. pipes) or above ground (e.g. pedestrian or vehicle access). See [rights-of-way](#).



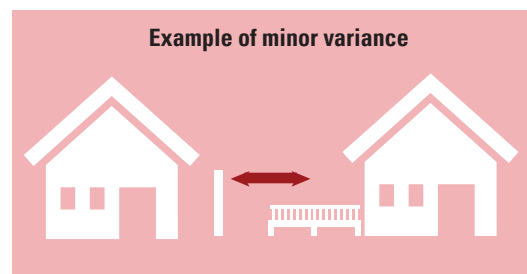
Encroachment: A building or other structure (like a fence) on one property that is intruding onto another.

Intensification: The development of a property, site, or area for a higher density of people in a building than currently exists.

Legal non-conforming: An application to enlarge or expand a use that was allowed when it was established but is no longer allowed under the current zoning bylaw. A property owner can apply to the Committee of Adjustment to expand an already existing legal non-conforming use. This is a different type of application than a minor variance or a consent. If you have questions about a legal non-conforming use, contact your district office.

Legally binding: A final decision that must be followed by the property owner, by law. The decisions made by Committee Members are final and no appeal is allowed after the appeal period has passed.

Minor variance: A type of application for an exception (or variation) from what the zoning bylaw allows. Also referred to as a variance.



Neighbour: A property owner whose home or business is located within 60 metres (200 feet) of an applicant's property, for the purpose of being notified of a public hearing by Committee of Adjustment staff members.

Notice: A legal letter mailed by Committee staff that provides information about an application and public hearing, or a decision, as required by Ontario's *Planning Act*. A Public Hearing Notice is sent to neighbours and interested groups when a complete application is received. A Notice of Decision is sent to applicants and others with an interest who request it.

Official plan: A city plan that provides the vision, goals, and policies that guide how land should be used and developed over the long term, under Ontario's *Planning Act*. Ontario's *Planning Act* requires every municipality to have an official plan.

Partial approval: One of several possible decisions made by Committee Members at the public hearing. Allows the applicant to proceed with the approved part of their proposal and/or make a change to their proposal and resubmit a new application.

Property owner: A person or business with legal title to a property. A property owner is often the applicant.

Quasi-judicial: An administrative tribunal with legal power to review applications, hold public hearings, and make legally binding decisions. Typically involves a less formal process than a court of law.

“R-Plan” or reference plan: A certified surveyor’s plan required for consent applications that shows what is to be severed and retained, easements and rights-of-way, boundaries, dimensions, and the area of each part.

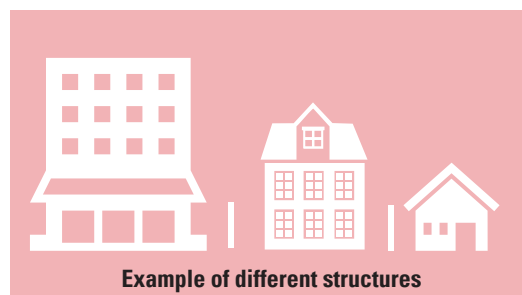
Rights-of-way: A walkway, driveway, or similar path that legally allows someone through a property to access another site. See [easement](#).

Setback: The distance of a building from a property line, as described in a zoning bylaw.

Severance: The creation of a new, separate property by dividing one lot into two by way of a consent application.

Specified person or public body: A person or group interested in an application that is allowed to appeal a Committee of Adjustment decision under the *Planning Act*. This could include, for example, a municipality, government agency, utility company, or conservation authority involved in the planning process.

Structure: Anything built that has one or more parts joined together (like a house or shed), as described in the City zoning bylaw.



Toronto Local Appeal Body: A tribunal created by City Council that hears appeals of Committee of Adjustment decisions.

Zoning review: A review conducted by a City zoning examiner to identify all variances from the zoning bylaw that an applicant needs to address in their minor variance application.

Zoning bylaw: A list of all of the regulations for how land and buildings can be used and where buildings and other structures can be located or developed in Toronto. Includes maps and specific rules for the size and density of land uses, parking requirements, building heights, setbacks, and more. Older zoning bylaws may occasionally be used where this bylaw is not in effect.

We update these definitions from time to time. Check our [online glossary of terms](#) for the most recent additions.

See the [illustrated examples](#) on our website for how to measure height and find front, side, and rear yard setbacks; established grade; maximum building depth and length; floor space index; and more.

Appendix A. Related Legislation, Regulations, and Policies

Government of Ontario

Planning Act

- Section 45 on authority for minor variances
- Section 45(1) on approval criteria for minor variances often called the “four tests”
- Section 45(2) on legal non-conforming uses
- Section 53 on authority for consents
- Section 51(24) on approval criteria for consents

Provincial Planning Statement, 2024

- Chapter 1 on the vision for Ontario’s land use planning system
- Chapter 2 on building housing and communities
- Chapter 3 on infrastructure and facilities
- Other policies as applicable.

City of Toronto

Official Plan

- Chapter 1. City priorities, vision, principles, and more
- Chapter 2. A livable region, land use and transportation, Downtown, centres, avenues, employment areas, healthy neighbourhoods, and more
- Chapter 3. Built environment: public realm, built form, heritage, housing, natural environment, economy, culture, and more
- Chapter 4. Land use designations: neighbourhoods, mixed use areas, and more
- Chapter 5. Implementation: height and density incentives, site plan control, inclusionary zoning, and more
- Chapters 6. Secondary plans
- Chapter 7. Site and area specific policies
- Official Plan Maps including Maps 13–23 on land use designations
- [Official Plan Maps](#)

**Zoning
Bylaw
#569-2013**

- Chapter 1.4. Zone categories
- Chapter 2. Compliance
- Chapters 10 and 15. Residential areas
- Chapters 30, 40, and 50. Commercial and mixed use areas
- Chapter 60. Employment-industrial
- Chapter 150. Specific uses (e.g. laneway homes and garden suites)
- Chapters 200 to 230. Parking and loading
- Chapters 280 to 500. Specific districts (e.g. downtown, centres, avenues, heritage)
- Chapter 900: Site-specific exceptions
- [Interactive Zoning Map](#)

**Committee of
Adjustment**

- [Rules of Procedure](#)

Appendix B. Sample Sign

Public Notice Sign

 **Notice**

A change is proposed for this site.
To alter the existing one-and-one-half-storey semi-detached dwelling by constructing a rear two-storey addition with a ground floor deck and stairs.

For more information or to tell us what you think:



Public Hearing
March 5, 2025 at 3:30 p.m.
Virtual Hearing / Committee Room 2,
Second Floor, Toronto City Hall, 100
Queen Street W, M5H 2N2
Email Comments
coa.tey@toronto.ca no later than
February 26, 2025 at 4:30 p.m.



Committee of Adjustment
<http://www.toronto.ca/cofa>
coa.tey@toronto.ca
416-392-7565



Minor Variance
123 MAIN STREET
<http://www.toronto.ca/aic>
File: A0000/00TEY



Thank you for using this handbook!

**We hope it made it easier for you to participate in the
Committee of Adjustment process.**

Thank you to the subject matter experts and consultants who dedicated their time,
knowledge, and effort to making this handbook.

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Please note: This handbook has been created for the purposes of public education and information. It is not intended to be used for legal proceedings and does not constitute legal advice of any sort.

