



LYTTON PARK RESIDENTS' ORGANIZATION INC.
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With the volume of home sales in the Lytton Park area significant renovations and new builds have become a regular feature of the neighbourhood. Often these developments are not consistent with the prevailing character of the Lytton Park area. Below are a few guidelines to consider when facing a renovation or rebuild in your vicinity, or if you intend to undertake one yourself, based on the experiences of residents in the LPRO community ([see note/footnote below](#)).

What to do when you get a Committee of Adjustment Notice

- Notices must be received by neighbours at least 10 days prior to a hearing, and a notice sign must be visibly posted on the front façade of the applicant's home.
- Read the entire notice. If necessary contact someone who can read plans to assist you in understanding the requested variances implications.
- State your objections and reasons in writing to Planning staff (contact info in notice) and ask Planning if they intend to oppose them. If not, write the Manager, Community Planning (Wards 6, 8, 15), North York West Section and ask Community Planning to oppose them. Copy your correspondence to Councillor Mike Colle's office councillor_colle8@toronto.ca.
- For excessive variance requests, QUICKLY reach out for neighbour support.
- Contact the applicant (the owner/developer who has applied to the Committee of Adjustment) to express willingness to negotiate changes to his/her plans in exchange for your support at the hearing. If you reach an agreement, insist that he/she submit all agreed-upon changes in writing in advance of the hearing. You must still attend the hearing as the Committee has to approve them.
- Ask your neighbours to attend the hearing (virtual during COVID) and speak to issues. For context they should bring photos of nearby and typical homes. You can also ask them to sign a petition opposing the requested variances and send it to the Committee of Adjustment prior to the hearing.
- Prepare your argument for the hearing in advance. For a variance to be approved as minor it must meet all of The Planning Act's "Four Tests": 1. minor in size and impact; 2. appropriate for development of the site; 3. within the intent of the Official Plan; 4. within the intent of the Zoning Bylaw. Stay focused on how the variances impact you and why they do not meet the four tests.

- Prepare for your testimony by viewing CofA hearings on YouTube.
<https://www.youtube.com/channel/UCudbgOL5gua8MaaUXUpEISQ/videos>

OPA 320

Review the proposed design with the criteria in Section 4.1 Neighbourhoods of Toronto's Official Plan as amended by OPA 320 and approved by the Land Planning Appeals Tribunal (LPAT) on December 7, 2018. It states that development in neighbourhoods will respect and reinforce the physical character of the neighbourhood, including respecting prevailing heights, massing, scale, density and dwelling type of nearby residential properties. This is an important amendment providing more protection to neighbourhood stability. See: Toronto Official Plan, February 28, 2019, Chapter 4, pp. 4-4 & 4-5 Land Use Designations, Policy 5:

https://www.toronto.ca/wp-content/uploads/2019/06/8f06-OfficialPlanAODA_Compiled-3.0.pdf

At the Hearing

- Although your case may only take 15 minutes to be heard and decided on, prepare to be there all day.
- You will have exactly 5 minutes to speak.
- An overhead projector is provided for you to display graphic material supporting your testimony.
- See also: <https://www.toronto.ca/city-government/planning-development/committee-of-adjustment/process-participation/?accordion=virtual-public-hearings>

During COVID-19

Due to Covid-19 all hearings are virtual until further notice. You must register in advance no later than 4:30 pm two business days before the hearing date. See:

<https://www.toronto.ca/city-government/planning-development/committee-of-adjustment/process-participation/?accordion=virtual-public-hearings>

Negotiating at the hearing with the applicant (suspended during COVID)

At the beginning of your hearing the Chair may ask if the parties want to negotiate. If you choose to do so the case will be taken up again at the end of the hearing session and you will have anywhere from a few minutes to a few hours to come to an agreement, depending on the hearing schedule. Negotiating conditions on the day of the hearing are not optimal. The applicant or his agent may try to take advantage of the pressure on you, lack of experience or

inability to read design drawings. You do not have to make a deal. Applicants know they have an advantage and usually offer very minor concessions.

If you are the one applying for a minor variance

Introduce yourself to neighbouring home owners and discuss your development plans BEFORE submitting an application to the Committee of Adjustment. Work within the parameters of the neighbourhood; residents typically understand and are amenable to change as long as it is responsible change/re-development (in keeping with the neighbourhood size, style etc.).

The Appeal Process

Committee of Adjustment decisions can be appealed to TLAB, or in some instances, LPAT. Developers have the resources to appeal decisions and usually do.

For information on TLAB see City of Toronto Public Guide to TLAB:
https://www.toronto.ca/wp-content/uploads/2020/02/8c54-2019_Public-Guide_Accessible_Revised-December-10-2019_FINAL.pdf

For information on LPAT:

[:https://www.ontario.ca/document/citizens-guide-land-use-planning/local-planning-appeal-tribunal#:~:text=The%20Local%20Planning%20Appeal%20Tribunal,variet%20of%20contentious%20municipal%20matters.&text=land%20use%20planning%20applications%2C%20such,as%20official%20plans%20and%20zoning](https://www.ontario.ca/document/citizens-guide-land-use-planning/local-planning-appeal-tribunal#:~:text=The%20Local%20Planning%20Appeal%20Tribunal,variet%20of%20contentious%20municipal%20matters.&text=land%20use%20planning%20applications%2C%20such,as%20official%20plans%20and%20zoning)

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