
June 9, 2014

Planning and Growth Management Committee
City Hall
100 Queen Street West
Toronto, ON
M5H 2N2

Sent via email

**RE: Infrastructure Ontario Comments
City of Toronto Proposed Development Permit System
Draft Official Plan Amendment (March 26, 2014 version)**

Dear Members of the Planning and Growth Management Committee:

Infrastructure Ontario (IO) is a crown agency responsible for the strategic management of the provincial realty portfolio on behalf of the Ministry of Infrastructure (MOI). Part of IO's mandate is to protect and optimize the value of the portfolio, while ensuring real estate decisions reflect public policy objectives. We are writing to provide you with comments for consideration on the draft Official Plan policies for implementing a Development Permit System (DPS) in Toronto.

IO generally supports the potential under a DPS model to streamline development approvals and provide added certainty in the development process, particularly through the introduction of front-ended appeals and discretionary land use permissions. We do, however, have some questions and concerns related to its implementation:

- It is unclear how the areas subject to a development permit by-law will be transitioned from the existing zoning system to the proposed DPS. Transition policies should be included in the draft OPA which explain how existing development approvals (minor variance, rezoning, site plan approval) and active applications will be addressed once a Development Permit by-law is in place. For example, if all previous approvals are repealed, will there be an effort by staff to recognize them in the development permit by-law given the extensive supporting studies that were prepared for the original application(s)?
- The draft Official Plan policies lack detail regarding the process for establishing a development permit by-law. IO recommends including policies in the draft OPA that outline more specifically how the community will be consulted and which criteria will be

used when selecting a development permit by-law area.

- It is recommended that item 1b under the “Goals” section of the draft Official Plan Amendment be expanded to say “engage the community *including residents, businesses, landowners and other stakeholders* in the creation of the planned vision for subject areas.”
- IO is concerned that the draft Official Plan policies do not contemplate a process by which the public is consulted, to some degree, on development permit applications. Although it is recognized that there will be no opportunity for third party appeals once the by-law is in place, it is recommended that the City consider a mechanism by which the public is notified and given an opportunity to review and provide input into staff decisions on site specific applications, particularly those that are large and/or complex in nature.
- The draft OPA notes that “where a development permit by-law has been enacted, Council may delegate its decision making authority respecting development permit applications.....to a Committee or body appointed by Council or an employee of the City of Toronto”. It is unclear how Council will determine when it is appropriate to delegate its authority and to whom it should delegate. It is recommended that criteria be established to help Council make this decision (for example, only for certain minor applications) to ensure transparency and consistency across the city.

IO would be happy to further discuss any of the above comments with City staff and we request that this letter be included as a formal submission on the proposed Development Permit System. We thank you for the opportunity to provide comments on this important initiative. For further information, please contact the undersigned.

Yours truly,



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