

June 18, 2014

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

Sent via email

RE: Bloor West Village Residents' Association Comments on City of Toronto Proposed Development Permit System Draft Official Plan Amendment (as presented in May 28, 2014 Report from the Chief Planner and Executive Director, City Planning)

Dear Members of the Planning and Growth Management Committee:

The Bloor West Village Residents' Association (BWVRA) is a non-profit corporation created to foster a well-balanced and livable community and to support and encourage participation of all residents in setting and meeting these goals. 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.

While we are in favour of rigorously applying a system that allows for front-end consultation with the community and that considers an entire community as a whole, we have many concerns about how the proposed DPS will be applied. We also have concerns that details of the DPS remain unclear and are not widely understood. Please review find some of our specific concerns below and please consider deferring the motion to amend the Official Plan by introducing policies for implementing a DPS in Toronto. We believe further work must be done to fully understand all of the implications of applying a DPS to Toronto. As Chief Planner Keesmaat has stated, the DPS would represent a "fundamental shift" in the planning process in Toronto so we want to ensure that the DPS is broadly understood and before moving ahead.

Considering the DPS in Toronto from a community perspective, BWVRA has the following concerns:

- **How will the City of Toronto resource the new DPS while, at the same time, ensure that existing planning tools such as HCDs continue to be resourced adequately?** DPS Studies appear to be resource-intensive undertakings that will require dedicated staff and dedicated funding to properly execute. BWVRA currently has an HCD Nomination submitted to the City of Toronto that would provide our community with all the benefits provided by a DPS (vision-based neighbourhood planning that is transparent and consistent and involves an extensive community consultation). However, this HCD Nomination has stalled due to a lack of adequate staffing at the City. It is unclear how the City intends to

resource the new DPS while also ensuring that existing viable planning tools already in place are adequately funded and staffed. Avenue Studies were, at one point, meant to provide neighbourhoods such as ours with a blueprint for future development. However, funding was not available to undertake a complete Avenue study for Bloor West Village and so, we find ourselves with few planning tools available to us as development pressure increases in our neighbourhood.

- **The DPS provides no guarantee to neighbourhoods that the community vision will be realized and then removes third-party rights to appeal.**
 - There does not appear to be a legal requirement for extensive community consultation in determining the DPS by-law for a neighbourhood. Furthermore, the process for community consultation even in practice is unclear. Who will be invited to the community consultations? What weight will each stakeholder's opinions be given in the development of the DPS by-law? What will the community consultation process involve and look like?
 - Even if the community consultation process does provide extensive input by the community, there is no guarantee that City Planning will write a DPS by-law that reflects the community's vision.
 - Even if City Planning writes a DPS by-law that reflects the community's vision, developers may appeal the by-law to the OMB and the OMB can change the by-law.
 - The way the Ontario Regulation is written, our understanding is that while a DPS makes the process of a site-specific appeal by a developer more difficult, that a developer CAN, indeed, appeal to amend a DPS by-law for a specific site.
 - While developers retain their right to appeal, the community loses its right to appeal decisions on development applications.

- **The DPS, in general, appears to be of more benefit to developers than to communities.** The stated benefit of a DPS providing a streamlined development approval process appears to be of benefit to applicants but certainly not to communities. Since a DPS by-law combines zoning amendments and minor variance processes, we foresee that a DPS by-law will often be written to "upzone" an entire DPS area.

Yours truly,
Krista Wylie,
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