



**CITY PLANNING DIVISION
COMPLAINT PROCEDURE**

OVERVIEW OF SERVICES

Mission:

The Division’s mission is to guide and manage the City’s physical change and growth, and the effects on the social, economic and natural environment while seeking to enhance the quality of life for Toronto’s diverse residential and business communities.

Customers/Clients:

- Property Owners(s)
- Community
- Interest Groups
- Applicants
- Business Community
- General Public
- Tourists
- City of Toronto ABC & D’s

Program Map/Services:

SERVICE	ACTIVITIES	TYPES
Development Review, Decision & Implementation	<ul style="list-style-type: none"> ▪ Committee of Adjustment ▪ Community Planning ▪ Heritage Review 	<ul style="list-style-type: none"> ▪ Minor Variance ▪ Consent ▪ Official Plan Amendment ▪ Zoning Amendment ▪ Condominium Approvals ▪ Interim Control By-law ▪ Residential Demolition Control By-law ▪ Rental Demolition & Conversion Control By-law ▪ Agreements under the Planning Act and the City of Toronto Act ▪ Part Lot Control ▪ Site Plan Approvals ▪ Plans of Subdivision ▪ Zoning Amendment – H Removal ▪ Developer Public Art Implementation ▪ Design Review Panel ▪ Section 37 Implementation
Civic & Community Improvements	<ul style="list-style-type: none"> ▪ Heritage Incentives ▪ Public Realm Improvements 	<ul style="list-style-type: none"> ▪ Heritage Grant Program ▪ Heritage Tax Rebate Program ▪ Heritage Designations & Listings ▪ Civic Design - Places ▪ Design Service for Infrastructure Improvements
City Building & Policy Development	<ul style="list-style-type: none"> ▪ Plans ▪ Policy, Strategies & Guidelines ▪ Surveys, Monitoring & Forecasting 	<ul style="list-style-type: none"> ▪ Official Plan Policies (city-wide & local) ▪ Comprehensive Zoning By-law (Development & Maintenance) ▪ Zoning By-law Amendment (City-wide & local) ▪ Implementation Plans, Studies & Guidelines ▪ Inter-regional/Inter-governmental ▪ Annual Employment Survey ▪ Program Policy & Practices ▪ Resident Surveys ▪ Transportation Surveys ▪ Monitoring & Forecasting

The Division processes approximately 4,000 Development Approval Applications (including Committee of Adjustment – minor variance and consent) annually and engages over 16,000 residents and members of the public about the choices and consequences of new development in Toronto through various initiatives, including: local area studies, Environmental Assessments, neighbourhood workshops and non-statutory community consultation meetings.

COMPLAINT PROCEDURE:

INTRODUCTION:

The City Planning Division strives to operate in a professional and courteous manner. It is also focused on treating its clients and partners in an open, transparent and timely manner. A complaints policy has been established to provide external individuals and organizations, as well as City Divisions, with a clear procedure to follow when making a complaint about the City Planning Division. Equally, the policy provides the Division, and its staff, with a clear process for handling and resolving complaints.

The Division's operations are guided by Provincial legislation (e.g. *Planning Act*; *City of Toronto Act*; *Ontario Heritage Act*; *Environmental Assessment Act*, etc.) as well as Council adopted policies, guidelines and by-laws.

TYPES OF COMPLAINT:

- Definition: A complaint is an expression of dissatisfaction about the service, actions, or lack of action by a City Planning Division's business unit or staff. Complaints may relate to the actions of an individual or to a City policy/practice, process or procedure.
- Examples include, but are not limited to:
 - perceived failure to do something agreed to;
 - failure to observe policy or procedures (*excluding such matters as Official Plan policies, Zoning By-law regulations, Urban Design guidelines and similar policies and guidelines*);
 - an error made by staff; or
 - discourteous actions/statements by staff.
- Anyone personally affected can submit a complaint and it will be reviewed in accordance with this procedure.
- *Please note: There are specialized appeal processes for legislative decisions associated with the development application review process. Please see "Specialized Appeal Processes" below for more information.*

A complaint is distinct from:

- Enquiry – A general or specific request for service or request for information regarding a City of Toronto product or service made by a customer that is resolved at the point of service delivery.
- Feedback – An opinion, comment and expression of interest in a City of Toronto program or service by a customer.

- Compliment – An expression of approval for a City of Toronto service, staff member, program, product or process.
- Suggestion – An idea submitted to the City of Toronto by a customer with the aim of improving services, programs, products or processes.

GUIDING PRINCIPLES:

- Complaints are dealt with promptly and resolved as quickly as possible.
- Staff treat complaints as confidential and protect complainant's privacy.
- Complaint investigations are fair, impartial and respectful to parties involved.
- Complainants are advised of their options to escalate their complaint if they are dissatisfied with treatment or outcome.
- Complainants are provided clear and understandable reasons for how decisions on the complaints were made.
- Updates are provided to complainants during investigations.
- Complaints are used to assist in improving services, internal practices and procedures.

RECEIPT OF COMPLAINT:

A complaint may be made verbally (in person or by telephone) or in writing (by hand delivery, mail, fax or e-mail).

- Written complaints are date-stamped and immediately referred to the staff person involved and his/her Manager and/or Director. Receipt of the complaint is acknowledged within 48 hours in the same medium as the complaint (e.g. letter, e-mail, etc.).
- Verbal complaints may be dealt with by the staff person involved. The Director must be informed of the nature of the complaint and its resolution.
- Anonymous complaints are referred to the Manager and Director.
- Complaints not within the jurisdiction of the City Planning Division are forwarded to the appropriate Division and the complainant is advised.

MAKING A COMPLAINT:

Complainants may contact the City Planning Division using any of the following methods:

- E-mail complaint to cityplanning@toronto.ca
- Phone complaint into 311 or contact one of the City Planning key contacts noted below.
- Mail complaint to: Chief Planner's Office
City Planning Division
Toronto City Hall
12th Floor – East Tower
100 Queen Street West
Toronto, Ontario
M5H 2N2

CITY PLANNING DIVISION – KEY CONTACTS			
PROGRAM AREA	DISTRICT	CONTACT	TELEPHONE #
Committee of Adjustment	Etobicoke York	Manager /Deputy Secretary Treasurer	(416) 394-8064
	North York	Manager /Deputy Secretary Treasurer	(416) 395-7115
	Toronto & East York	Manager /Deputy Secretary Treasurer	(416) 392-0413
	Scarborough	Manager /Deputy Secretary Treasurer	(416) 396-7012
Community Planning	Etobicoke York	Director – Community Planning	(416) 394-8211
	North York	Director – Community Planning	(416) 395-7170
	Toronto & East York	Director – Community Planning	(416) 392-0427
	Scarborough	Director – Community Planning	(416) 396-7006
Heritage Preservation Services	City-wide	Director, Policy & Research	(416) 392-8148
Policy & Research	City-wide	Director – Policy & Research	(416) 392-8148
Transportation Planning	City-wide	Director – Transportation Planning	(416) 392-8100
Urban Design	City-wide	Director – Urban Design	(416) 392-1126
Zoning By-law & Environment	City-wide	Director – Zoning By-law & Environment	(416) 397-0251
Chief Planner’s Office	City-wide	Program Manager – Office of the Chief Planner	(416) 392-7566

PROCEDURE:

The City Planning Division uses a clear three-step process to handle complaints:

First Step:

- The staff member involved in the complaint should attempt to resolve it, with input from their Manager, and if necessary the Director.
- If the complainant asks to be referred to the Manager or Director, the staff person should immediately comply.
- If the complaint concerns the conduct of a staff person or if it cannot be resolved, staff should immediately refer it to the Manager and inform the complainant of the Manager's name and contact information.
- If the complaint is made directly to management, the staff member involved shall be notified.

Second Step:

- The Manager reviews the complaint to determine if it is a complaint, feedback or a suggestion, and may attempt to resolve it immediately with the involvement of the staff member.
- If it is determined to be feedback or a suggestion, then no further action (including an acknowledgement of the receipt of the submission) will be required.
- If further investigation is required, the Manager records the complaint and contact details and investigates the complaint to determine its validity and proposes a resolution (*see Investigations below*).
- The Manager may request that a verbal complaint be put in writing, especially if it involves a serious or complex matter.
- For all verbal and written complaints requiring investigation, the Manager indicates to the complainant when they will contact them with a resolution or update.

Third Step:

- If not resolved to the complainant's satisfaction, at the Manager's discretion or at the complainant's request, it is referred to the Director.
- The Director reviews the complaint and any investigation already undertaken, and may attempt to resolve it immediately.
- If further investigation is required, the Director records the complaint and contact details, investigates the complaint to determine its validity and proposes a resolution (*see Investigations below*).
- The Director may request that a verbal complaint be put in writing, especially if it involves a serious or complex matter.
- For all verbal and written complaints requiring investigation, the Director indicates to the complainant when he or she will be contacted with a resolution or update.

If not resolved to the complainant's satisfaction, at the Director's discretion or at the complainant's request, the complaint is referred to the Chief Planner/Executive Director and, if of a significantly serious or potentially controversial matter, to the Deputy City Manager (DCM) – Cluster B.

- The Chief Planner/Executive Director reviews the complaint and investigations already undertaken, and may attempt to resolve it immediately, in consultation with the DCM if considered appropriate.
- If further investigation is required, the Chief Planner/Executive Director records the complaint and contact details, investigates the complaint to determine its validity and proposes a resolution (see Investigations below).
- For all complaints requiring investigation, the Chief Planner/Executive Director indicates to the complainant when he or she will be contacted with a resolution or update.
- Where a complainant is dissatisfied at the end of the process, they are advised of the opportunity for external review by the Ombudsman.

INVESTIGATIONS:

Investigations may be conducted during the second, third and final step. The investigations may include:

- Discussion(s) with the complainant to clarify the complaint, confirm common understanding, clarify outcome sought and explain complaint procedures.
- Discussion with staff involved.
- Review of background information such as City policies/practices and procedures, previous written communications and other documentation.
- Obtain and review other expert opinions and perspectives.

At each stage of escalation, it should be determined whether the previous investigation has been adequate.

NOTICE OF DECISION AND RESOLUTION:

- Written complaints receive a written notice of decision.
- Verbal complaints receive verbal or written notice at the Manager/Director's discretion.
- If investigation determines that the reasons for the complaint are not justified, and no further action is required, the complainant is notified.
- If investigation determines that the complaint is justified, the complainant is notified of corrective action to be taken and/or any remedy proposed.

RECORD OF THE COMPLAINT:

During the complaint escalation, staff maintain a record at all stages including:

- Name of complainant;
- Date of complaint;
- Details of complaint;
- Communications with complainant and other parties;
- The decision and actions taken; and
- The complainant's response.

SPECIALIZED APPEAL PROCESSES FOR LEGISLATIVE DECISIONS:

For certain services and processes, there exists legislated processes for complaints and appeals that are outside of the City Planning Division's jurisdiction. The examples below provide a highlight of some of these processes.

Subject	Description
Planning decisions	<p>The <i>Planning Act</i> governs land use planning and development in the Province of Ontario. The Ontario Municipal Board (OMB) may hear appeals based on the decisions (or failure to make a decision on a complete application) of local authorities. The Act sets out who is eligible to make an appeal to the Board, and the procedures that must be followed to do so.</p> <p><i>Planning Act:</i> http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90p13_e.htm</p> <p><i>Ontario Municipal Board Act:</i> http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90o28_e.htm</p>
Heritage decisions	<p>Certain decisions made by Council under the <i>Ontario Heritage Act</i> may be appealed to the Conservation Review Board or Ontario Municipal Board, as appropriate.</p> <p><i>Ontario Heritage Act:</i> http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90o18_e.htm</p>
Ontario Municipal Board	<p>Appeal mechanisms under other statutes: Several other public and private statutes give specific jurisdiction and authority to the Ontario Municipal Board.</p> <p>https://www.omb.gov.on.ca/english/OMBInformation/OMB_Legislation.html</p>
Environmental Assessments	<p>An environmental assessment (EA) is a study that is completed to assess the potential environmental effects of an individual project:</p> <p><i>Environmental Assessment Act:</i> http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90e18_e.htm</p>