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From: Jessica Wilson [REDACTED]
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CC: "willadvocate@aol.com Roberts" <willadvocate@aol.com>, "eileen.denny@rog..."
Date: 6:01 PM 7/6/2014
Subject: Ossington Community Association comments for 2014.PG34.4 on July 8, 2014 City Council

To the City Clerk:

Please add my comments to the agenda for the July 8, 2014 City Council meeting on item 2014.PG34.4, Official Plan Policies for Implementing a Development Permit System - Final Report

I understand that my comments and the personal information in this email will form part of the public record and that my name will be listed as a correspondent on agendas and minutes of City Council or its committees. Also, I understand that agendas and minutes are posted online and my name may be indexed by search engines like Google.

Comments:

Dear Members of City Council:

On behalf of the Ossington Community Association, I respectfully request that you endorse the recommendation of CORRA, FoNTRA, and George Belza to send the Official Plan Policies for Implementing a Development Permit System back to the Planning and Growth Committee for fundamental reconsideration and study.

Among the many important concerns highlighted in the submissions of these and other organizations and individuals, I flag four for your consideration, any one of which constitutes sufficient reason to send the Policies back.

1. The foundational claim, presented to communities as the primary advantage to them of implementing the DPS in Toronto, that "site-specific amendments of DPS by-laws are not allowed", has been established by top planning lawyers (Dennis Wood of Wood Bull, Calvin Lantz of Stikeman Elliot, and Jeff Davies of Davies Howe) as false. Toronto's DPS policies make site-specific amendments a bit harder (in truth: not much harder than site-specific amendments of existing area-planning policies), but do not prevent them---moreover, thanks to the Planning Act there is no way for the DPS Policies to prevent site-specific amendments.

2. The DPS process, unlike existing vision-based area-planning processes, involves a risk of significant unappealable OMB-determined upzoning of an entire area (since developers can appeal to change the parameters of a proposed DPS by-law), far beyond anything the community envisioned. Here it is worth noting that the sorts of areas at most risk here are high-growth areas not having a consistent built form---a description that applies to all the proposed pilot areas.

3. It is problematic that the Policies designate "the entire City of Toronto" a development permit area, notwithstanding the qualifier that the DPS is to be implemented on an "area by area" basis. As Calvin Lantz said in a recent Law Times article, "'Toronto is talking about moving forward by way of pilot project at the same time that the city is proceeding with an official plan amendment to implement a DPS on a city-wide basis [...] That seems inconsistent, and It's difficult to understand why the city is moving forward so rapidly with what it is calling, but doesn't actually appear to be, a pilot project.'"

4. There has been almost no substantive public consultation about this proposed "fundamental shift" in planning. Only 300 people attended the open houses---a drop in the bucket of the 2.9million in the affected City of Toronto. And notwithstanding Councillor Filion's amendment to the initial item requiring that City Planning consult with resident associations, almost no such consultation has occurred. Of the

2014 JUL 7 5PM 8 51

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many resident associations who had written in about the DPS, few if any were asked to engage in any sort of meaningful consultation about this important issue. Nor have resident associations or BIAs in the affected pilot areas been consulted about whether they are interested in their area being a DPS pilot project. For example, neither TEDRA(Toronto Entertainment District Resident Association) nor the Entertainment District BIA were consulted about whether they wanted King-Spadina to be a pilot DPS area. Moreover, as above, Chief Planner Keesmaat and other staff members have repeatedly presented false information about the content of the DPS; these presentations have also failed to highlight the serious risks associated with unappealable significant OMB-determined upzoning of an entire area, not to mention other concerns.

Again, these are just some of the existing unaddressed concerns with the Development Permit System that is being proposed. The initiative is clearly premature: please send the DPS Policies back to Planning and Growth Management for fundamental reconsideration and study.

Sincerely,
Jessica Wilson
President, Ossington Community Association
Associate Professor of Philosophy, University of Toronto
