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Chair and Members,
Planning and Growth Management Committee (PGM),
City Hall,
100 Queen Street West,
Toronto, Ontario M5H 2N2

RE: the Development Permit System
'IS' SUBJECT TO Site Specific Appeals

Dear Members of the Planning and Growth Management Committee,

INTRODUCTION
The DPS has been presented by the Chief Planner and members of her planning staff to various Residents' Groups with an *assurance that a DPS By-law would offer them the protection – *that a developer cannot launch a site-specific OMB Appeal without appealing the Development Permit By-law governing an area (similar to a heritage district)* – ***which is simply not true****!*

BACKGROUND
Accepting this *assurance, Residents' Groups have considered a DPS as an attractive planning tool, which would effectively combat the all-too-familiar routine whereby developers escape the existing *planning-framework-in-place* by launching a site-specific OMB Appeal. *However, a DPS By-law does not provide this protection!*

References to the implementation of DPS's in other Ontario communities have been presented as positive reasons for Toronto to adopt the DPS system. However, in light of the *Township of Lake of Bays* DPS example below – *this matter requires further consideration*.

TOWNSHIP OF LAKE OF BAYS EXAMPLE: FORESHORE DPS
The *Township of Lake of Bays* implemented a DPS governing foreshore development (*Development Permit By-law 04-180)*. This was subject to a site-specific OMB Appeal, PL130062, which resulted in OMB Member C. Hefferon's decision:

"The Board orders that Development Permit By-law 04-180 is amended to re-designate the subject lands from WR to WR-E292."
http://www.omb.gov.on.ca/e-decisions/pl130062-Aug-20-2013.pdf

IN CONCLUSION
In light of the *Township of Lake of Bays* OMB decision dispelling the *assurance , both Residents' Groups – ***and planning*** – need time to reconsider their position on the merits, effectiveness and structure of any DPS.

Sincerely

Terry Mills