



Ontario Association of Architects

February 23, 2015

Planning and Growth Management Committee
c/o Nancy Martins
10th floor, West Tower, City Hall
100 Queen Street West
Toronto, ON M5H 2N2

To Members of the Planning and Growth Management Committee,

Founded in 1889 and originating within the City of Toronto, the Ontario Association of Architects (OAA) is the licensing body and professional association for Ontario's architects. Established under the *Architects Act*, our principal object is to regulate the practice of architecture "in order that the public interest may be served and protected." The OAA has a membership of more than 3600 licensed architects, nearly 1500 intern architects, and nearly 1700 practices. As part of its regulatory mandate, the Association provides a wide range of services to its members and the public.

We are writing to express our severe concerns over the February 9, 2015 recommendation by City Staff to remove the professional experience or education qualification as a requirement for appointment to the Committee of Adjustment (2015.PG2.5). First and foremost, the recommendation before the Planning and Growth Management Committee appears to go well beyond the direction provided by Councillor Milczyn.

On June 19, 2014, the Planning and Growth Management Committee adopted item 2014.PG34.22 entitled "Towards a Functional Committee of Adjustment". Item 2014.PG34.22 recommended "improvements to key aspects of the Committee of Adjustment, including...training and ongoing professional development of Committee of Adjustment members." Reading between the lines, this was a tacit acknowledgement that the Committee of Adjustment panels already face significant issues arising from a general lack of knowledge or understanding.

As currently written, the Qualifications note that members should collectively bring the following skills and expertise to the committee [emphasis added]:

- **a strong interest in the complexities and challenges of city building**
- **an understanding of the diverse neighbourhoods and communities across the city**
- **have knowledge in one or more areas of:** law, planning, **architecture**, government, economic development, **community development**, **land development**, or citizen advocacy
- demonstrate decision-making, communication, and mediation skills to facilitate an open and fair hearing process
- each panel should have at least 2 members with adjudication experience and administrative public speaking and organizational skills to be able to chair public hearings and maintain order in conflict situations

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Participation of architects on Committee of Adjustment panels satisfies a great number of the current requirements, and require no training or ongoing professional development as architects are already leading experts in all of the highlighted aspects. Architects as professionals are also subject to ongoing continuing education as a requirement under the *Architects Act*.

Returning to 2014.PG34.22, the motion was amended to direct staff to report on the “feasibility and advisability of **requiring relevant professional experience or education as a qualification for appointment to the Committee of Adjustment**” [emphasis added]—not to study removing the pre-existing requirements altogether. The OAA can only conclude that the intent of Councillor Milczyn was wholly misunderstood by the originator(s) of the current recommendation. We believe that Councillor Milczyn was advocating for a move away from a poorly defined “knowledge in...” towards the entrenchment of a firm professional experience requirement to advance the City towards, in its own words, “a functional Committee of Adjustment.”

That the recommendation in 2005.PG2.5 goes so far as to advocate for removing a requirement for architectural knowledge or understanding altogether, the OAA is left to conclude that the originator(s) of the recommendation may have lacked a full understanding or awareness of the Committee of Adjustment's function in steering the built environment. If this is true, we are equally concerned at the seeming lack of involvement from staff (e.g. Building Officials, City Planners, etc.) who would have had a better familiarity with the role of, and benefit gained from, the architect. Such individuals would have been better situated to make recommendations on the matter at hand and should have led this review. We also suspect their recommendations to the Planning and Growth Management Committee would have been significantly different.

While the recommendation's originator[s] suggests that the current process is not in keeping with other municipalities or other City committees, their own report actually refutes this. Through the use of the phrase “generally do not require”, the report acknowledges that some of the City's other quasi-judicial boards do in fact have requirements for specific professional experience. The report also details a near-identical requirement in one of Ontario's other leading municipalities: the City of Ottawa.

Based on their skills, knowledge, and expertise, architects are uniquely positioned to comment on Committee of Adjustment applications. We are certain that far from resolving the original concerns raised in item 2014.PG34.22 (lack of training, lack of professional development, etc.), the challenges faced at the Committee of Adjustment will be grossly exacerbated if requirements geared towards involving an architect were to be removed altogether. Indeed, we would suggest that some of the existing problems may be directly attributable to the extremely low representation of architects amongst the current 28 appointees.

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We urge the Planning and Growth Management Committee to disregard the current recommendation, and to instead turn your attention to Councillor Milczyn's original request to investigate the strengthening of the requirement for professional experience. In particular, we would recommend that the appointment process be revised to ensure that each Committee of Adjustment panel have a minimum of one licensed architect as a member.

Sincerely,

A handwritten signature in black ink, appearing to read 'Toon Dreessen', with a large, stylized loop at the beginning.

Toon Dreessen, Architect
OAA, MRAIC, AIA, LEED AP
President