



**BUILDING A GREATER GTA**  
Building Industry and Land  
Development Association

May 27, 2015

Chair Jaye Robinson and members of the Public Works and Infrastructure Committee  
10th floor, West Tower, City Hall  
100 Queen Street West  
Toronto, ON  
M5H 2N2

**RE: BILD Comments on the Street Occupation Permit Fee Revisions**

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Dear Chair Jaye Robinson and members of the Public Works and Infrastructure Committee,

The Building Industry and Land Development Association (BILD), is in receipt of the April 20, 2015 staff report for the *Street Occupation Permit Fee Revisions* and we offer you the following comments with respect to this matter.

On behalf of the BILD Toronto Chapter members, we thank Councillor Jaye Robinson for her leadership in this review and participating in the early working group discussions. We also appreciate the efforts of Transportation Services, led by General Manager Stephen Buckley, to consult with our industry during the technical review of the fee methodology. We can assert that we have had some positive and meaningful discussions with City Staff and through these consultations there have been some amendments to the proposed Street Occupation Permit Fee review that were warranted.

Our members are committed to mitigating traffic congestion through well designed construction management plans and they are also committed to building the type of city that is directed to them by the City of Toronto's Official Plan, with zero lot lines to support intensification. This level of intensification pushes construction staging areas onto the sidewalks, boulevards and streets.

In order to build and be in keeping with the City's Official Plan, our members require space to have concrete and other materials delivered and removed in a safe way. Space is required to ensure that pedestrians are safe, employees on a construction site are safe, and promotes the efficiency and timely completion of these projects. In this scenario, occupying the sidewalk, boulevard and laneway is not a privilege - *it is a necessity*.

It is also essential to note that any fee increase associated with a development project is transferred to the new residents and businesses of Toronto, further challenging the affordability of new homeownership and feasibility of commercial businesses.

We continue to be significantly concerned with the extent to which the fees are proposed to increase, as this revised proposal has the potential to increase the fee to occupy a laneway by 1727% at its maximum. Our industry believes that these heavy fee increases are not properly measured against the practical realities of the construction process, or the economic benefit that these developments bring to the City.

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**Outstanding Issue:**

One of the key outstanding issues: the crane swing fee, was first raised two years ago during our right-of-way management discussions with Transportation Services. This issue is in regard to a duplicate fee paid by the applicant. It is paid when they are required to rent road space and again when they rent air space over the road.

Transportation Services acknowledged the industry's concern for this "double fee" in its December 12, 2014 stakeholder presentation to BILD (as attached). In this original proposal, Transportation Services was prepared to eliminate this duplication during the *Lane Occupancy Fee Review*, but unfortunately remained silent on this aspect of the fees associated with right-of-way management in the April 20, 2015 Staff Report.

Acknowledging the significant increases that are proposed and the adverse effects of these fees on the new residents and businesses of Toronto, we request the following:

**BILD Recommendation:**

That the proposed Street Occupation Permit Fee refinements also recognize the existing duplication in payment of the air space rental over the road, known as the "crane swing fee" as part of this exercise, by eliminating the monthly fee for swinging a crane over a right-of-way, when an applicant is also paying the City to occupy the same right-of-way space for purposes of construction staging.

We thank you for the opportunity to submit these comments and should you have any questions or comments, please feel free to contact the undersigned.

Sincerely,



Danielle Chin MCIP RPP  
Senior Manager, Policy & Government Relations

CC: Stephen Buckley, GM Transportation Services, City of Toronto  
Chris Phibbs, Senior Advisor, Office of Mayor John Tory, City of Toronto  
Steve Deveaux, BILD Chairman  
Paula Tenuta, Vice President, Policy & Government Relations, BILD  
BILD Chapter Members