



Confederation of Resident & Ratepayer
Associations in Toronto

April 5, 2016

Planning and Growth Management Committee
c/o Secretariat Support, Ms. Nancy Martins
Toronto City Hall, 100 Queen Street West
Toronto, ON M5H 2N2

Sent via Email: pgmc@toronto.ca

Dear Chair Shiner and Members of Planning & Growth Management Committee (PGMC):

<p>PG11.3: Mid-Rise Building Performance Standards Monitoring Planning and Growth Management Meeting No. 11 – April 6, 2016</p>

CORRA, the Confederation of Resident and Ratepayer Associations in Toronto, is writing to Planning and Growth Management Committee (PGMC) to request:

That Agenda Item PG11.3 concerning Mid-Rise Building Performance Standards Monitoring be DEFERRED to the following PGMC Meeting scheduled for May 11, 2016 with Notice to allow residents, ratepayers, their groups and interested members of the public and others expecting notice an opportunity to fully consider the revisions and make representations.

The reasons are:

1. The agenda was uploaded by the clerk on March 30, 2016, however technical access to the new information was not available until April 5, 2016 (this issue is independent of the clerk's function). This narrow timeline and access to the new information a day before the meeting on a comprehensive city-wide planning matter is administratively unfair.
2. The new Attachment 1 – Mid-Rise Building Performance Standards Addendum and the additional PGMC meetings with recommendations since City Council referred the item back in November 2015 makes the material difficult to comprehend to ensure all corrections to the base document were fully considered and then to digest the new information / additional changes and to respond meaningfully. This too is administratively unfair.
3. The Decision History, page 2 of March 11, 2016 Staff Report (PG11.3a) is incomplete and Committee decisions following Council's referral are not fully disclosed. The Mid-Rise Building Performance Standards returned to PGMC on September 16, 2015 as agenda item PG6.6. This Item was deferred to the next PGMC meeting on October 8, 2015 as PG7.1. City Council considered PG7.1 on November 4, 2015 and referred the item back to PGMC for further consideration together with approved motions. The Decision History from September 16, 2015 is as follows:

DATE / MEETING	AGENDA ITEM
September 16, 2015 PGMC Mtg No. 6	PG6.6 Mid-Rise Building Performance Standards Monitoring http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG6.6 <u>Decision</u> : Deferred to October 8, 2015 Meeting not advanced to Council
October 8, 2015 PGMC Mtg No. 7	PG7.1 Mid-Rise Building Performance Standards Monitoring http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG7.1 <u>Decision</u> : Advanced with recommendations to Council
November 3, 2015 Council Mtg No. 10	Council PG7.1 Mid-Rise Building Performance Standards Monitoring http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG7.1 Supplementary Report Considered dated October 27 by Council: http://www.toronto.ca/legdocs/mmis/2015/cc/bgrd/backgroundfile-85288.pdf <u>Decision</u> : City Council referred the item back with amendments via attached letter http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-88654.pdf
	PGMC MEETINGS AFTER CITY COUNCIL DECISION
January 20, 2016 PGMC Mtg No. 9	PG9.8 Mid-Rise Building Performance Standards Monitoring http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG9.8 Committee Decision (Not advanced to Council): The Planning and Growth Management Committee: 1. Deferred consideration of the item until its April 6, 2016 meeting to enable the Chair of the Planning and Growth Management Committee and the Chief Planner and Executive Director, City Planning <u>to consult further with councillors</u> on the proposed Mid-Rise Building Performance Standards. 2. Requested City Planning Etobicoke York District staff to consider the motions referred by City Council on November 3 and 4, 2015 to the Planning and Growth Management Committee and the issues raised by deputants at the October 8, 2015 Planning and Growth Management Committee meeting <u>when undertaking the review of mid-rise building development applications</u> and <u>in particular as they apply to Ward 13</u> . <u>Note</u> : above under line emphasis added. <i>Motion to Defer Item was moved by Councillor David Shiner (Carried) with the above amendments.</i>
February 24, 2016 PGMC Mtg No. 10	Mid-Rise Building Performance Standards – Presentation and Consultation http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG10.9 Feb 9, 2016: PGMC Chair Letter to Councillors / Colleagues http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-90472.pdf Committee Decision (Not advanced to Council): The Planning and Growth Management Committee directed that <u>the comments from Councillors</u> be forwarded to the Chief Planner and Executive Director, City Planning.

PGMC Meetings following City's Council Decision considered further consultation with Councillors and issues raised by deputants to Etobicoke-York Planning District and in particular Ward 13, when considering mid-rise development applications.

CORRA asks why the uneven treatment and why the issues raised by the speakers / deputants for PG7.1 held on October 8, 2015 (PG7.1) were not fully considered but limited to Etobicoke-York Planning District. Given City Council's full referral decision, this too is administratively unfair.

CORRA provides additional links for Standing Committee reference:

City Council Decision PG7.1 held November 2015:

<http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-87231.pdf>

CORRA's Letter: <http://www.toronto.ca/legdocs/mmis/2015/pg/comm/communicationfile-56708.pdf>

Communications from PG9.8 held January 20, 2016:

(January 19, 2016) Letter from Eileen Denny, on behalf of Executive Team, Confederation of Resident & Ratepayer Associations in Toronto (PG.New.PG9.8.4) *

(<http://www.toronto.ca/legdocs/mmis/2016/pg/comm/communicationfile-58464.pdf>)

* Also speaker

4. As part of the referral decision, City Council requested the Chief Planner and Executive Director, City Planning to consult with Residents' Associations and other interested community members. There is no evidence that such consultations took place nor were there additional supplementary or clarifying statements from residents, ratepayers, or their groups in the Supplementary Report 3a of March 11, 2016.
5. The reports, attachments and how these relate to each other is unclear. Staff Reports now comprise of, (i) the Staff Report dated August 28, 2016, (ii) Supplementary Report considered by Council in November 2015 dated October 27, 2015, and (iii) Supplementary Report 3a dated March 11, 2016. There are also two Attachments, with the most recent being referred as an "Addendum" both making recommended changes. And the latest staff report speaks to a "2010 approved Mid-Rise Buildings Performance Standards" without specifying its meaning, especially when there remains no report on the "effectiveness" of these standards.

In Summary:

Without proper Notice, with only a meeting agenda uploaded 7-days or 5 business days in advance of PGMC's meeting and new materials to be considered (part 3a of the agenda) were not accessible to the public until a day before the meeting represents an absolute failure of proper due process or administrative fairness.

In addition, City Council's referral motions with actions to be conducted by the first quarter 2016 have not been met. Presentation and comments from attending Councillors do not represent full City Council decision. And the interim measure of using the recommendations

in the "Addendum" and the "2010 approved Mid-Rise Building Performance Standards" remain unclear. The use of the same "interim measures" as a base document, without public scrutiny, for further consultations without a reliable proper consultation process remains problematic.

Given the breadth of the new recommendations and its complexity, the lack of time to properly review and assess the changes and to respond meaningfully, full and proper due process has been all but eliminated. And to move forward on this precarious footing does not move the public to engage thoughtfully, meaningfully and with confidence.

As such PG11.3 concerning the Mid-Rise Building Performance Standards should be DEFERRED.

Respectfully Submitted,

Eileen Denny

Eileen Denny, Chair
Confederation of Resident and Ratepayer Associations in Toronto