

June 25, 2019

Public Appointments Secretariat
City Clerk's Office 12th floor, West Tower,
City Hall 100 Queen Street West Toronto,
ON M5H 2N2

Attention: Cathrine Regan

**Re: Nominating Committee - Committee of Adjustment Selection of Candidates –
Etobicoke York Panel**

Dear Members of the Nominating Panel for the Committee of Adjustment;

Further to my letter forwarded to the Nominating Committee on June 12, 2019, please consider the following when selecting the new COA panel members.

Qualities of an effective and objective COA Panel include:

Independence from political interference

Panel members must individually and collectively reject any political interference or City of Toronto "Training" intended to influence or sway their interpretation of relevant planning documents.

They must be able to identify local NIMBY groups and the potential consequences of a philosophy that portends to blindly "protect" neighbourhood character to the detriment of the broader community and public interest.

The current city of Toronto planning review regime challenges the concept of arm's length independence as evidenced by the following staff statement during discussions of establishing a Local Appeal Body (LAB) in 2014.

"Staff: One of the things we had to be very careful about in this report with the Local Appeal Body Governance Design is that City Council also appoints the Committee of Adjustment members and will be appointing the LAB members, which they will be hearing the appeals coming from the Committee of Adjustment and directing legal and planning staff to defend those appeals in front of the LAB so...I suppose it does sound a little circular, but we were really trying to insulate it and make sure it had arm's length independence".

The current process certainly is circular and lacks the appearance of objectivity. In consideration of the above, it's imperative that the new COA panel members be insulated from undue influence of their employer and local politicians.

Composition of the Panel

The panel needs to balance education, expertise and experience with a demographic and cultural profile that reflects and acknowledges the diversity of our world class city.

The new members will need to balance social and environmental responsibility with the economic reality faced by the applicants before them. Many of whom are hard working families and property owners contributing to the revitalization and enhancement of their communities and the City of Toronto.

Individually members need to be:

Independent thinkers and adjudicators

Understanding of a spectrum of potential interpretations of pertinent planning legislation; much of which isn't specifically and clearly defined

Objective and fair minded

Effective communicators and public speakers

They must have the temperament to work collaboratively and effectively with their co-panelists and public stakeholders

They need to have a mediation mindset

They need to be effective negotiators and finally

They need to act in the broad public interest

In their March 26, 2016 letter to council regarding the establishing a Local Appeal Board (LAB), the Ontario Association of Architects (OAA) wrote the following:

“Architects have repeatedly commented on the City’s unofficial objective to force everything through COA, an accusation that some City staff and politicians have generally acknowledged. This was never the intention behind the COA, so the end result of many parties being frustrated is not surprising given the inappropriate way the process is being used”.

Vibrant Long Branch and its supporters have experienced the frustration and consequences of the “inappropriate way the process is being used”. We strongly encourage the new COA members to respect and focus on planning rationale sensitive to the revitalization of our community.

Due to submission rules identified by the Public Appointments Secretariat, the Ontario Association of Architects (OAA) letter to City Council on March 31, 2016 mentioned in my June 12, 2019 letter has not been included. It's available on request.

Thank you for your consideration.

Regards

David Matoc
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Advocating for a Revitalized and Vibrant Long Branch

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