
BE BOLD

PLANNING & HOUSING

BILL 109

APRIL 27 2022

CITY PROCESSES TOO TIME CONSUMING AND COMPLICATED

- City of Toronto commissioned KPMG report August 2019**
 - City of Toronto adopted PH22.7 in May 2021 to study changes to COA process due to issues**
 - Ontario Government report January 2022 and use of MZOs**
 - Federal Government comments**
-

CITY PROCESSES TOO TIME CONSUMING AND COMPLICATED

- **Canada is 2nd worst of the OECD countries for time needed to issue a permit**
 - **The costs, revenue, GDP and housing implications of this are enormous**
 - **e.g. Friend is looking at building 8 townhomes on land they own.. it will take \$300,000 of fees to satisfy the conditions of building as well as many many years to a permit, if they can get it. They will likely give up. This type of impossible process means less housing. It also means these costs are simply transferred to buyers**
 - ***Housing Crisis...* Building Houses qualifies as an Emergency Service.. Where is the support from the City of Toronto to make this happen?**
-

BE BOLD

- **Bill 109 is the City of Toronto's moment to**
 - **Update the permit issuance process for the greater good of its residents**
 - **Make Planning more accountable to applicants**
 - **Govern and serve its resident's better with a more permissive permit process**
 - **Simplify an overly complex, administratively burdened, time consuming and overtly expensive process**
 - **Reduce costs and time for applicants.**
-

TORONTO PUBLIC SERVICE BY-LAW

The City of Toronto has a Public Service By-Law that stipulates that the City officers must “remain accountable for all our work”,

Yet there are essentially ZERO accountability standards, procedures or repercussions for delays, errors and oversights by Zoning, or Planning or other related departments.

What is the accountability to the public here?

Bill 109 will be a small step forward for the public greater good of accountability

Toronto Public Service By-Law

In June 2014, City Council adopted The Toronto Public Service By-law (TPS By-law) to set important foundational legislation which strengthens the separation between the administrative and political components of Toronto's government; and advances Toronto's public service as professional, impartial and ethical. The TPS By-law is Chapter 192 of [Toronto's Municipal Code](#) and came into effect as of December 31st, 2015.

The TPS By-law provides guidance to members of the public service (City and applicable Agency employees) on:

- Their rights and responsibilities for ethical matters related to conflict of interest and confidentiality, and political activity;
- Their rights and responsibilities to disclose wrongdoing and the protection they have from reprisal for making such disclosures in good faith.

Expand All + Collapse All -

Public Service Values

Apply judgement and discretion

- **Remain accountable for all our work.** We can delegate responsibilities and authorities but not accountability.
- Ensure our decisions are transparent and based on available evidence.
- Make sure our decisions are inclusive by seeking the perspectives of people affected by our decisions.
- Exercise discretion in the course of making decisions while ensuring that judgement never results in **discrimination** or intentional negative consequences.
- Understand that the public may view **any comment made as an official comment** and therefore only comment if we have authority and follow the appropriate protocols and policies when commenting publicly.

• <https://www.toronto.ca/city-government/accountability-operations-customer-service/city-administration/toronto-public-service-by-law/>

DELEGATE SITE PLAN APPROVAL

- **Bill 109 amended site plan approvals under Section 41**
 - **Municipal authorities must now to delegate site plan approval authority to an officer, employee or agent. This is effective July 1, 2022.**
 - **This will empower the City to make some decisions and cut out several steps of the permit process**
 - **The City of Toronto already does all of this work by way of preliminary project reviews as well as Zoning Certificate applications prior to COA to determine variances.. This is not new work.**
-

REMOVE PUBLIC CONSULTATIONS

- **Public consultation for minor variances for dwellings under 10 is unnecessary and simply transfers governance to the “mob”.**
- **We live in a City where a high percentage of buildings have legacy zoning variances from times long ago. Residents do not understand that their old home is offside with variances**
- **Approximately 95% of applications to the COA are accepted, and therefore the process is an unnecessary step and cost to applicants.**
- **Applications that are rejected are often those that Planning has suggested be refused.**
- **We should not need a public tribunal to build a home, driveway, pool, or whatever it is that Planning/Zoning deems as Okay, or that a neighbour already has done**

The screenshot shows a page from the Ontario Housing Affordable Task Force report. It features a list of recommendations numbered 12 through 15. Three items are circled in red: item 12, item 14, and item 15. Item 12 is 'Create a more permissive land use, planning, and approvals system:'. Item 14 is 'Require that public consultations provide digital participation options.'. Item 15 is 'Require mandatory delegation of site plan approvals and minor variances to staff or pre-approved qualified third-party technical consultants through a simplified review and approval process, without the ability to withdraw Council's delegation.'.

12. Create a more permissive land use, planning, and approvals system:
 - a) Repeal or override municipal policies, zoning, or plans that prioritize the preservation of physical character of neighbourhood
 - b) Exempt from site plan approval and public consultation all projects of 10 units or less that conform to the Official Plan and require only minor variances
 - c) Establish province-wide zoning standards, or prohibitions, for minimum lot sizes, maximum building setbacks, minimum heights, angular planes, shadow rules, front doors, building depth, landscaping, floor space index, and heritage view cones, and planes; restore pre-2006 site plan exclusions (colour, texture, and type of materials, window details, etc.) to the Planning Act and reduce or eliminate minimum parking requirements; and
 - d) Remove any floorplate restrictions to allow larger, more efficient high-density towers.
13. Limit municipalities from requesting or hosting additional public meetings beyond those that are required under the Planning Act.
14. Require that public consultations provide digital participation options.
15. Require mandatory delegation of site plan approvals and minor variances to staff or pre-approved qualified third-party technical consultants through a simplified review and approval process, without the ability to withdraw Council's delegation.

PRIVACY AND PUBLIC CONSULTATIONS

- **The present Committee of Adjustment process runs contrary to any privacy law that I am aware of.**
- **How is it okay to publish the plans of people's homes for the world to see and download?**
- **How is it okay to provide the general public with the full architectural plans for homes that show where children sleep?**
- **How is it okay to provide the general public with plans of where a person's bathtub is, where their toilet is?**
- **Such extreme public disclosure is not necessary to determine if GFA, Lot coverage, FSI, and a slightly wider than zoning permitted driveway is in the interest of the general public.**
- **The extreme nature of the sharing of private documents is discriminatory relative to those who do not need minor zoning variances for their applications.**
- **Simply because the City has you sign a mandatory waiver that these documents are published online does not mean it is necessary or in line privacy law.**
- **Bill 109 is simply one of the reasons that the City of Toronto should end this practice.**

12. Create a more permissive land use, planning, and approvals system:

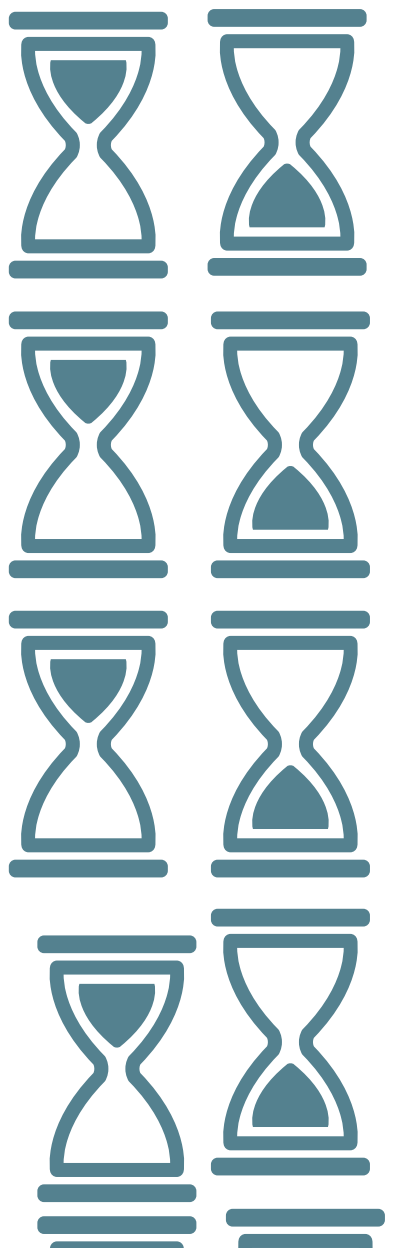
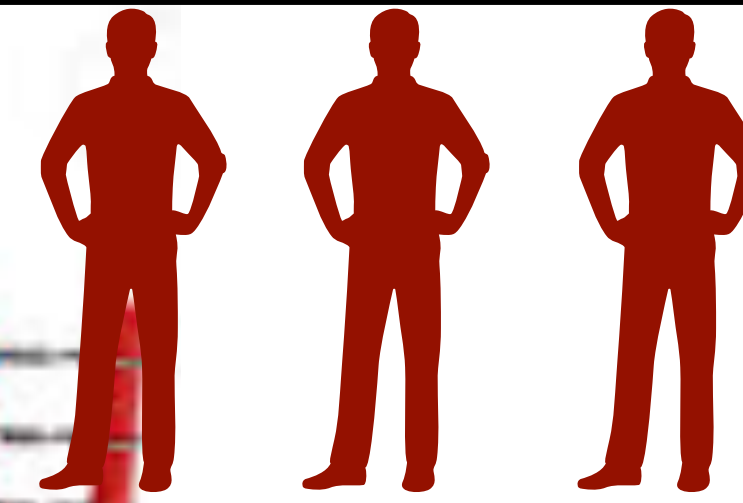
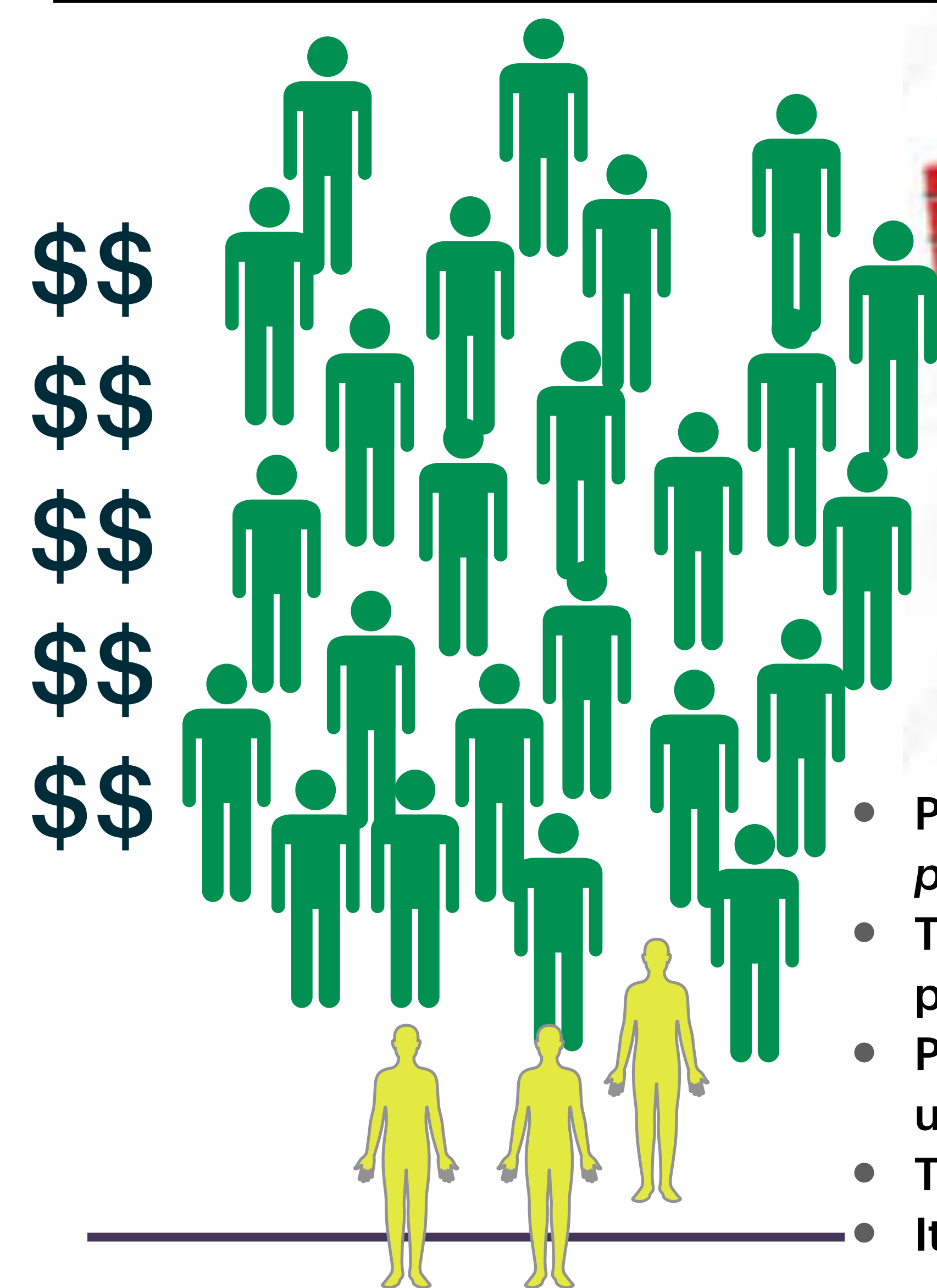
- a) Repeal or override municipal policies, zoning, or plans that prioritize the preservation of physical character of neighbourhood
- b) Exempt from site plan approval and public consultation all projects of 10 units or less that conform to the Official Plan and require only minor variances
- c) Establish province-wide zoning standards, or prohibitions, for minimum lot sizes, maximum building setbacks, minimum heights, angular planes, shadow rules, front doors, building depth, landscaping, floor space index, and heritage view cones, and planes; restore pre-2006 site plan exclusions (colour, texture, and type of materials, window details, etc.) to the Planning Act and reduce or eliminate minimum parking requirements; and
- d) Remove any floorplate restrictions to allow larger, more efficient high-density towers.

13. Limit municipalities from requesting or hosting additional public meetings beyond those that are required under the Planning Act.

14. Require that public consultations provide digital participation options.

15. Require mandatory delegation of site plan approvals and minor variances to staff or pre-approved qualified third-party technical consultants through a simplified review and approval process, without the ability to withdraw Council's delegation.

STOP PUBLIC HEARINGS FOR MINOR VARIANCES



- Public hearings on minor variances is not needed. *These decisions should be made privately by the City appointed staff as noted in Bill 109*
- There will always be residents who disapprove, people who do not understand, and people who agree.
- People have different motivations and loudness of voice for COA making the process unfair and stressful for applicants to the point of causing mental trauma
- The COA process divides communities and scars them.
- It should not be incumbent upon residents to reason with neighbours.

WORK SMARTER, NOT HARDER

- **Bill 109 necessitates that the City review existing processes to remove unneeded steps**
 - **For example - why use City resources to figure out if a resident can have 37% lot coverage when 20 homes in the area already have this approved and built? Free up these resources.**
-

BE BOLD

- **Reduce time, red tape, and costs associated with permit issuance**
- **Labour and material costs to build are higher than ever in the history of the world.. inflation as well as temporary and permanent supply chain disruption means that permit change is needed**
- **Implement Bill 109 swiftly and in a BOLD and meaningful way**

Thank you.
