



BUILDING A GREATER GTA
Building Industry and Land
Development Association

May 27, 2022

Chair Ana Bailão, and Members of the Planning & Housing Committee
Toronto City Hall
100 Queen Street West
Toronto, Ontario
M5H 2N2

Sent via e-mail to: phc@toronto.ca

Dear Chair Bailão and Members of the Planning & Housing Committee,

RE: PH34.6 – Development Application Fee Review

On behalf of the renovator members of the Building Industry and Development Association, we are in receipt of the above-mentioned staff report and submit these comments and recommendation for your consideration.

Recommendation:

BILD recommends that the proposed increase in fees related to minor variance and consent are not approved until:

- ***such time that the current City of Toronto with KPMG Review of Committee of Adjustment matters is complete, and;***
- ***service delivery improvement recommendations related to this review are contemplated and satisfactorily implemented.***

Any matters related to the Committee of Adjustment have been a long-standing concern for BILD's renovator members. We have presented both in person and with correspondence for several consecutive years on issues specifically related to service delivery and the need to increase efficiency and predictability.

To remind the Committee of the specific items we have raised, we have attached our previous letters which depict our ongoing concerns. It is prudent to note that the majority of them have not been addressed as we continue to experience significant challenges with service delivery when it comes to Committee of Adjustment matters and the processing of minor variance and consent related applications.

Before you today, for your consideration, is a new schedule of development application fees. First, we want to thank and acknowledge staff's presentation on this item to both the Toronto Chapter and to the renovator members. In each meeting BILD members did express concerns related to delays in planning application reviews and that fee increases should reflect a commensurate increase in staff resources and a noticeable improvement

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in levels of service. BILD members have, on several occasions, voiced that an increase in fees will only be acceptable when we see the increase in related service.

The proposed fee schedule suggests significant increases in minor variance related applications in the magnitude of 42%, and even higher increases of 58% for various consent type applications. Those can be found on page 4 of Appendix 2, but have been included here for ease of reference:

Attachment 2 of Staff Report, Page 4:

Minor Variance			
Additions/Alterations to existing dwellings (3 or less units)	1,717	2,431	42%
Residential dwellings with 3 units or less	3,859	5,465	42%
All other uses	4,995	7,073	42%
Consent (Applications)			
Severance (Number of Base fees charged)	6,223	9,855	58%
Fee for each additional lot created (>1)	5,053	8,002	58%
Multiple lot additions for the creation of one or more new lots (per existing lot)	-	4,927	-
Validation of title, leases, mortgage discharge, lot additions	1,753	2,776	58%
Committee of Adjustment Research Request Fee – 500 m radius	150	150	0%

BILD members have raised significant concern related to these proposed increases, citing them to be unacceptable at a time where affordability is top of mind for consumers, and especially since our longstanding concerns related to CofA matters, service delivery and improvements in application processing have not been adequately addressed.

We do recognize, and are very appreciative that the City has engaged KPMG to conduct a review of CofA matters and BILD’s renovator members are actively engaged in those stakeholder conversations. This IS a positive step, but we would emphasize that until this review is complete, and until we see the implementation of service delivery process improvements, the proposed fee increases related to minor variance and consent not be approved.

As indicated in the staff report, “fees are intended to recover the cost of services provided by all divisions engaged in development review. The methodology relies on an activity-based costing model, structured as a series of application-specific process maps, to determine staff level of effort in the processing of development applications.” If these proposed increases reflect a “change in effort”, BILD members would like the opportunity to understand the related causes and reasons. Perhaps the answers would

lead us to a conversation on trying to assess if there are better or different ways to review minor variance and consent applications. These are the types of discussions that we hope will be a part of the KPMG CofA and related review, and the conversations with staff that we trust will follow after the results are presented.

The staff report also states that “As the City continues to implement its Corporate Strategic Plan and the Toronto Office of Recovery and Rebuild COVID-19: Impacts and Opportunities Report, it is clear that many priorities have a significant impact on or are impacted by the development review process, **such as maintaining and creating housing that’s affordable and ensuring residents and businesses will realize value from rates and user fees.** Specifically, the Corporate Strategic Plan highlights the **need for a well-run City, ensuring staff support continuous improvement and embrace new approaches, that the City provide simple, reliable, efficient and equitable services that anticipate changing customer needs and that the City provide shared services across divisions and agencies to reduce costs, create economies of scale, increase service efficiency and effectiveness, and improve customer service.”**

There are many positive attributes in this statement that do not correlate to increasing minor variance and consent applications fees at this time. Allow BILD renovator members to be your partner in creating this well-run City and to be a part of the conversation related to “continuous improvements” and “embracing new approaches” that should lead to where we collectively see where we should “reduce costs, create economies of scale, increase service efficiency and effectiveness, and improve customer service.”

To reiterate, BILD recommends that the proposed increase in fees related to minor variance and consent are not approved until:

- such time that the current City of Toronto with KPMG Review of Committee of Adjustment matters is complete, and;
- service delivery improvement recommendations related to this review are contemplated and satisfactorily implemented.

We trust that you will take our comments into consideration and we thank you for the opportunity.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paula Tenuta', written in a cursive style.

Paula Tenuta
Senior Vice President, Policy & Advocacy

** PAST CORRESPONDENCE FOR REFERENCE PURPOSES **



April 21, 2021

Chair Ana Bailão and Members of the Planning and Housing Committee
Toronto City Hall
100 Queen Street West
Toronto, ON
M5H 2N2

Sent via Email to: phc@toronto.ca

Dear Chair Ana Bailão and Members of the Planning and Housing Committee,

RE: PH22.7 Update on Committee of Adjustment Virtual Public Hearings

In Toronto, the building and renovation industry provides over \$29 billion in investment value and employs over 250,000 people. As a simple rule of thumb one crane in the sky is equal to 500 jobs. BILD is the voice of the home building, land development and professional renovation industry in the Greater Toronto Area and Simcoe County. Residential Construction is a key economic driver to every community in Canada.

We stood before this Committee in September 2020 and April 2019 on behalf of the members of the BILD Toronto Chapter and Renovators' Council, as the operations of the Committee of Adjustment has been of on-going interest to our members for quite some time. Last year, we spoke specifically to the backlog of applications caused by the cancellation of 18 meetings during the emergency period.

To begin we would like to express our appreciation to the Planning and Housing Committee (PHC) for its on-going focus on the Committee of Adjustment process and the direction approved by PHC and Council to support the elimination of the backlog of applications by the end of 2020.

BILD is in receipt of the most recent staff report for the 'Committee of Adjustment Virtual Public Hearings' and we acknowledge that the staff report indicates the backlog of applications that occurred during the emergency period has largely been cleared. Yet the report also states that "a backlog continues to exist, resulting from a continued high volume of new applications..." which

was said to have been “reduced over the last six months” but not cleared, as was intended by the Committee and Council in its direction last year.

Over the years, it has become more and more difficult to achieve the legislative timeframe to schedule a hearing within the 30-day requirement of the Planning Act, as evidenced in the City’s staff report, where it indicates that “as of April 1st, the average hearing wait-time in the Toronto and East York district is approximately 14 to 16 weeks, and 12 weeks or fewer in the Etobicoke York, North York and Scarborough districts.” We believe that City Staff need additional resources to support the operations of the Committee of Adjustment.

BILD RECOMMENDATION:

We remain very supportive of the additional measures this Committee put in place to alleviate the initial backlog and we write to you today to ask for the continuance of additional measures such the ability to move files between districts, hiring more members, adding more meetings or provide for a full complement of staff to counteract the high vacancy rate.

The continuation of additional measures would greatly support the City’s ability to achieve the legislative requirement of 30-days to schedule a hearing. It would also support our industry’s effort to provide needed housing stock and continue to support the local economy as we exit this pandemic.

Thank you for your time and attention to this important matter.

A handwritten signature in blue ink, appearing to read 'Danielle Chin', with a small red mark at the end.

Danielle Chin, RPP MCIP
Director, Policy and Advocacy

CC: Toronto Chapter and Renovator Council members
Gregg Lintern, Chief Planner, city Planning Division
Michael Mizzi, Director, Zoning and Committee of Adjustment, City Planning Division



April 2, 2019

Via Email

Members of the City of Toronto Planning & Housing Committee
10th Floor, West Tower, City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Attention: Nancy Martins, Secretariat

Dear Sirs/Mesdames:

Re: Item PH4.5 – Committee of Adjustment Panel Size and Structure

With over 1,300 members, the Building Industry & Land Development Association is the voice of the land development, home building and professional renovations industry in the Greater Toronto Area. As the voice of this industry, BILD has always sought to maintain a constructive working relationship with all levels of government in examining ways to better serve the communities in which it operates. It is in this spirit that we are writing to you today.

This letter has a particular focus on BILD's members in the professional renovations industries. The renovation industry in the Greater Toronto Area is a substantial contributor to the economic growth and vitality of our great city. In 2018, in the City of Toronto, professional renovation generated \$6.0-billion in investment value and 55,899 jobs paying \$3.3-billion in wages. Recent reports by the CMHC estimate the renovation industry represents over \$16.1-billion in the GTA alone and \$77.9-billion Province-wide. The importance of this industry to the City of Toronto was recently noted in the 2018 Toronto Employment Survey presented to the Planning and Housing Committee at its meeting on March 20, 2019.

BILD is very supportive of staff's recommendation to increase the number of panel members for the Committee of Adjustment, which would enable more hearing dates to be scheduled. As noted by City staff, the volume of applications to the Committee of Adjustment has increased significantly in the last 10 years, which has resulted in a corresponding significant increase in the time for an application to be scheduled for a hearing. As a reminder, subsection 45(4) of the *Planning Act* actually requires a hearing to be held 30 days after receipt of the minor variance application. Clearly, neither the letter nor the spirit of this statutory requirement is currently being met by the City of Toronto.

Given the admitted difficulty in meeting service standards, BILD also suggests that **this is an opportunity for the Planning and Housing Committee to direct a more detailed review of the application process**. For example, it may be prudent to **consider different application streams for Committee of Adjustment matters based on the size and complexity of proposals that would**

enable less complex applications (such as renovations) to be processed more efficiently than larger, more complex and/or more contentious matters.

In the spirit of streamlining, this is also an opportunity for staff to go further to assess the types of variances that are being presented to the Committee of Adjustment and, if it is determined that there is commonality and abundance of the same kind, whether it is prudent for the City to examine different options to address these application types.

At a minimum, ***BILD recommends that City staff be directed to report back to the Planning and Housing Committee with a breakdown of applications according to building type, size, complexity and nature of variance.*** This information would enable a subsequent discussion of potential options to enable a more efficient application process.

Certainly, current service levels are unsatisfactory and it is unlikely that the Committee of Adjustment is going to experience a significant reduction in applications. Therefore, it is also ***BILD's recommendation that staff be directed to explore additional options to improve Committee of Adjustment service standards such as a separate stream for less complex applications.***

BILD looks forward to ongoing dialogue regarding this important issue, and is happy to assist in any way to achieving our mutual goal of greater efficiencies at the Committee of Adjustment.

Sincerely,

A handwritten signature in black ink, appearing to read "Paula J. Tenuta". The signature is fluid and cursive, with the first name being the most prominent.

Paula J. Tenuta, MCIP, RPP
Senior Vice President, Policy & Government Relations, BILD

CC: *BILD Renovator Government Relations Committee Members*



December 9, 2019

Via Email

Members of the City of Toronto Planning & Housing Committee
10th Floor, West Tower, City Hall
100 Queen Street West
Toronto, ON
M5H 2N2

Attention: Nancy Martins, Secretariat

Dear Sirs/Mesdames:

Re: Item PH11.14 – Committee of Adjustment Application Analyses and Service Improvements

With over 1,400 members, the Building Industry & Land Development Association is the voice of the land development, home building and professional renovations industry in the Greater Toronto Area. As the voice of this industry, BILD has always sought to maintain a constructive working relationship with all levels of government in examining ways to better serve the communities in which it operates. It is in this spirit that we are writing to you today.

This letter has a particular focus on BILD's members in the professional renovations industries. The renovation industry in the Greater Toronto Area is a substantial contributor to the economic growth and vitality of our great city. In 2018, in the City of Toronto, professional renovation generated \$6.0-billion in investment value and 55,899 jobs paying \$3.3-billion in wages. Recent reports by the CMHC estimate the renovation industry represents over \$16.1-billion in the GTA alone and \$77.9-billion Province-wide. The importance of this industry to the City of Toronto was recently noted in the 2018 Toronto Employment Survey presented to the Planning and Housing Committee at its meeting on March 20, 2019.

On April 4, 2019, the Planning and Housing Committee unanimously approved the following motion:

*"That the Chief Planner and Executive Director, City Planning report to the Planning and Housing Committee by the end of 2019 on additional options to improve service standards for the Committee of Adjustment, such as creating a **separate stream** for less complex applications and*

any small zoning by-law amendments necessary; and as part of that report, to provide a breakdown of applications according to building type, size, complexity and nature of variance.”

Staff Report PH11.14 “Committee of Adjustment Applications Analyses and Service Improvements” has been written in response to this motion, as well as others.

As a reminder, the *Planning Act* actually requires a hearing to be held 30 days after receipt of the minor variance application. Although the staff report (page 12) indicates that processing timelines of intake to hearing scheduling have moved from 12 weeks in 2017 to approximately 7 weeks now, clearly, neither the letter nor the spirit of this statutory requirement is currently being met. Given the admitted difficulty in meeting these statutory requirements, BILD would like to remain hopeful that the service improvements outlined in the staff report will yield tangible results, as the report summarizes recent enhancements to the CofA review and approvals process and evaluates other possible improvements. We value that staff are recognizing that there can be further improvements to these timelines, as collectively, we serve the City’s biggest customer, the homeowner, in delivering much needed housing supply. We need to see results. Our members are here to be your partners in community building, and share the same desired outcome to have the best possible service improvements to the CofA process.

Therefore, we trust that staff will continue to be in regular communication with its’ renovator members regarding the improvement initiatives outlined in staff report PH11.14, and utilize the expertise of our members to evaluate the degree of success of these potential improvements.

There are various elements outlined in staff report PH11.14 that BILD’s renovator members are pleased to note, especially as it relates to Council having increased the size of CofA from 30 to 35 members, the establishment of an additional panel, and the hiring of three temporary senior planners and three assistant planners to focus on CofA applications.

We also appreciate that staff have acknowledged that application processing times across the different City districts vary, and that there needs to be a commitment to address this discrepancy as a way to improve service levels. As noted on page 8, ***“application volume is not evenly distributed between the four districts, resulting in different processing times per district. Staff are currently exploring options to better balance the application volumes across districts in order to provide more consistent processing timelines for applications.”*** We look forward to learning about the options that staff are exploring, and **recommend that BILD’s renovator members be a part of this ongoing discussion as way to test and examine potential solutions.**

Although staff are not recommending the creation of a separate stream for less complex applications at this time, BILD is pleased that staff have indicated that discussions on that front can continue. As noted on page 1 of the report, ***“staff were also asked to provide a breakdown of applications according to building type, size, complexity and the nature of the variances. This breakdown, which is included in the body of this report, will be used to formulate possible streaming options for minor variance applications and could be used for evaluating amendments to Zoning By-law 569-2013.”*** Page 7 of the report indicates that ***“staff will continue to explore***

how best to divide applications into simple and complex streams. In formulating different options, staff involved in development review, residents groups, and applicants will be consulted.” Page 8 also goes further to say that ***“another option for streaming different application types is to schedule them according to application type within the hearing itself. CofA staff currently try to group simple and more complex applications together to achieve efficient hearings and will continue to refine this process.”***

BILD’s renovator members continue to hold the position that different application streams for CofA matters based on the size and complexity of proposals would enable less complex applications (such as renovations) to be processed more efficiently than larger, more complex and/or more contentious matters. We are therefore pleased to see that staff continue to be open to examining these possibilities, as indicated in the staff report, and we look forward to being a part of these solution-oriented discussions.

BILD does thank staff for indicating that they will continue to dialogue with applicants on service improvements and that they will continue to examine streaming options. However, at this time, as a way to ensure that all interested parties remain focused and committed to our mutual goals of success for CofA matters, ***BILD strongly recommends that staff be directed to report back to the Planning and Housing Committee within a year’s time with detailed progress, and key performance indicators illustrating tangible results related to the improvement initiatives and the streaming options as outlined in the December 10th PH11.4 staff report.***

BILD thanks staff for the open dialogue to date, and we look forward to ongoing discussion regarding these important service delivery related matters. We are happy to assist in any way to achieving our mutual goal of greater efficiencies at the Committee of Adjustment.

Sincerely,



Paula J. Tenuta, MCIP, RPP
Senior Vice President, Policy & Advocacy

CC: BILD Renovator Government Relations Committee Members