



July 14, 2025

Toronto City Hall
100 Queen Street West
Toronto, ON M5H 2N2
Attention: Nancy Martins

RE: PH23.7 Committee of Adjustment KPMG Service Delivery Model Review and Recommendation Implementation Update

Dear Chair Councillor Gord Perks and Members, Planning and Housing Committee

This response highlights four major areas of concern with Toronto's proposed changes to improve the COA Service Delivery model

We note that the efforts of the Committee of Adjustment cannot be directed to achieve housing goals where these housing goals are not clearly defined within the Official Plan.

1. Application Streaming Recommendations

The City proposes categorizing COA applications into four types - Priority Projects, Residential Renovations/Additions, New Builds, and Complex Applications - to tailor review and fees. Here are our key concerns:

- **Priority Projects** may fast-track applications misaligned with Toronto's Official Plan. FoNTRA urges renaming this stream to "Regulatory Transitions" or something similar.
- **Transparency & Fairness:** Zoning interpretations based on new provincial regulations should be uniformly shared among all parties.
- **Stream Classification:** Rules must be clearly defined, with a hierarchy that escalates more complex or ambiguous applications.
- **Zoning Waivers:** Support for limiting waivers to smaller renovations only, capped at 5 variances per building to maintain planning integrity.
- **Submission Requirements:** Clarify what qualifies as acceptable Site and Architectural Plans - sketches may suffice for simpler cases.
- **Hearing Procedures:** Speaker presentation time should be expanded to ten minutes under the streaming model.

2. Eight New KPMG Recommendations (2025)

FoNTRA's response is focussed on the 'Option C' that is supported by City Staff.

We note Application Streaming will succeed when City Staff and Panel Members receive training and trusted advice related to handling the complexity of each stream.

- **Integration of Application Intake:** Support shifting intake from Toronto Building to COA but caution that coordination is critical to avoid inconsistencies.
- **Application Streaming & SOPs:** Support process clarity but call for defining planners' roles and the nature of their negotiations with applicants.
- **Panel Structure:** Oppose centralized panel makeup - local context is critical for fair adjudication of the Official Plan Cornerstone Test (Section 4.1.5).
- **Hearing Frequency & Capacity:** Endorse capping daily hearing caseloads (20–25 apps) to maintain decision quality.
- **Dedicated Hearing Room:** Strongly supports a permanent space for Toronto and East York Panel, citing poor in-person conditions currently

3. COA Fee Structure & Transparency

FoNTRA believes in the mantra that 'growth pays for growth' and this extends to operational costs of the Building Permits and Committee of Adjustment operations.

- **Cost Recovery:** Those benefiting from approvals should bear COA operational costs.
- **Complexity-Based Fees:** Adopt tiered pricing linked to work effort by application type.
- **Document Access & Research Fees:** Current \$150 fee for historical reports is high – and should be reviewed.
- **Extended Access to Closed Decisions:** Recommend increasing access from 90 days to at least one calendar year to align with other municipalities.

4. Implementation of 15 Hearing Review Recommendations (2023)

FoNTRA appreciates the several engagement opportunities that have been extended during the implementation of these recommendations. We have the following concerns.

- **Plain Language & Engagement:** Residents can provide valuable input.
- **COA Decision Rationales:** Written explanations should be mandatory for 'Complex Applications'.
- **Application Revisions:** Oppose last-minute changes post-public notification.
- **Inconsistent Staff Comments:** Call for standardized planning input across districts.
- **Tenant Displacement:** Where likely, require outreach and elevate the level of review.

Finally, we note that this report represents a significant amount of effort by City Staff and consultants to improve the service delivery within the Committee of Adjustment. We commend this work effort.

Yours truly,

Geoff Kettel

Geoff Kettel
Co-Chair, FoNTRA

Cc: Jason Thorne, Chief Planner and Executive Director, City Planning Division
Valesa Faria, Executive Director, Development Review Division
Kyle Knoeck, Director, Zoning and Secretary-Treasurer, Committee of Adjustment,
City Planning Division,
Carola Perez-Book, Project Manager, Zoning Section, City Planning Division

Attachment: Detailed Response to the Report for Action

The **Federation of North Toronto Residents' Associations** (FoNTRA) is a non-profit, volunteer organization comprised of over 30 member organizations. Its members, all residents' associations, include at least 250,000 Toronto residents within their boundaries. The residents' associations that make up FoNTRA believe that Ontario and Toronto can and should achieve better development. Its central issue is not whether Toronto will grow, but *how*. FoNTRA believes that sustainable urban regions are characterized by environmental balance, fiscal viability, infrastructure investment and social renewal.



Attachment: Detailed Response to the Report For Action

PH23.7 Committee of Adjustment KPMG Service Delivery Model Review and Recommendation Implementation Update

We have reviewed the available material as published on TMMIS on July 8, 2025. Our response covers four sections as follows:

Item 1. Response to Application Streaming Recommendation

Overview:

The City is proposing to implement an application streaming model for COA applications, grouping them into four streams: Priority Project, Residential Renovations and Additions, Residential New Builds, and Complex Applications. The intent is to tailor submission requirements, fees, review processes, and hearing management to the complexity and type of application.

What are Priority Projects?

The **Priority Projects** stream appears to be oriented around achieving Strategic Planning goals (i.e., build more dwelling units) and these goals may be contrary to the policy directions of the Official Plan. Speeding up the implementation of specified projects is beyond the purview of the Committee of Adjustment.

We have observed several Panel discussions at the Committee of Adjustment that indicated that an application should be approved because it aligned with the strategic goals of the City to build more housing. The decision path used by the COA Panel constituted a fifth Planning Test that is not permitted as we only have four planning tests.

We would recommend that this stream be renamed to a planning-oriented goal and offer the following candidate names:

- **Regulatory Transitions, or**
- **Transitional Applications**

Applications that are subject to new zoning regulations (e.g., EHON, Multiplex) would be handled differently during the first three calendar years as the new regulations transition into routine applications.

Provincial Regulations

The Province has begun the practice of introducing new zoning bylaw regulations (O.Reg. 299/19 and 462/24) across the province (e.g., Bill 23 and Bill 17). These bylaws have been enacted and are immediately in force. These new regulations present a challenge to find '**trusted advice**' with respect to these bylaws. Today, zoning examiners may make changes based on the O.Reg. and share this information with the Applicant or Agent. The Zoning Examiner will not provide the same information to Opponents of the application. During the hearing, the Agent will present this information as **trusted advice**.

This situation lacks transparency and fairness. If bylaw interpretations by City staff are changed, then all parties should be advised of the changes with background information and the rationale for the changes.

Other Key Concerns of Residents:

- **Streaming Rules must be transparent:** Streaming could improve clarity and predictability for applicants and the public, but categories and criteria must be clearly defined and publicly accessible.
- **Waivers for Residential Renovations and Additions:** The proposal recommends allowing waivers for the 'Residential Renovations and Additions' stream but not allowing waivers for the other application streams. City staff recommends allowing waivers for 'Simple' applications although there is no definition of a 'Simple' application. We suggest that 'Simple' applications would include ancillary buildings or structures, and decks, platforms and amenities.
- **Hierarchy of Streams:** Certain applications may be classified in several streams (e.g., a Laneway Suite built on a severed lot). In these cases, the application should move up the hierarchy of streams. Complex applications will require the most diligence.
- **Zoning Review Requirements:** The recommendation to limit zoning waivers to 'Residential Renovations and Additions' is a positive step forward and will reduce the loopholes that exist through this mechanism. We note that some renovations are larger than new builds, and zoning waivers should have a cap of 5 requested variances per building.
- **Site Plans and Architectural Plans:** The Committee of Adjustment application requirements require Site Plans and Architectural Plans but do not specify whether lay-person drawings (aka Sketches) or certified drawings are required. In some simple applications, it may be appropriate to submit Sketches. In these cases, a

Sketch should have the same status as a Waiver, as the document is not from a trusted source.

- **Allotted Time for Each Application:** By convention, in the City of Toronto each speaker is allotted five minutes for presentation or applicant’s rebuttal. With the Application Streaming method, ten minutes for presentation should be permitted.
- **Consultation:** We would encourage consultation with residents’ associations before finalizing the streaming model, as we can provide some real world input.

Item 2. Response to the Eight New KPMG Recommendations (2025)

FoNTRA supports efforts to improve the efficiency, transparency, and consistency of the Committee of Adjustment (COA) process. However, several of the recommendations have significant implications for resident stakeholders.

We understand that there are four options under consideration with ‘Option C’ as the option supported by City Staff. Our comments and recommendations will be based on ‘Option C’ as shown below.

Attachment 2: Committee of Adjustment Service Delivery Options

Option	Summary
C - Implement KPMG Recommended Process Improvements but Maintain Current District-Based Geographic Model	<ul style="list-style-type: none"> • Implementation of all process related KPMG recommendations. • Committee of Adjustment districts would administer application intake • Geographic district operations would remain the same • Dedicated Toronto and East York District public hearing space be secured

The shift from district-based administration to a centralized city-wide structure risks disconnecting decision-makers from the local context and reducing responsiveness to area-specific planning considerations.

A centralized city-wide structure would provide a scale that would better handle the proposed new Applicant Streaming. Creation of a new Panel to only hear Complex Applications would not be possible.

2.2 Integration of Application Intake (IN Option C)

While shifting intake from ‘Toronto Building’ to COA may reduce duplication, it risks losing valuable checks and balances if not properly coordinated with zoning compliance and building code review. We have experienced cases where the application documents submitted to Toronto Building were different from the application documents submitted to COA.

- We support the integration of application intakes.

2.3 Application Streaming (IN Option C)

(See Item 1 above)

2.4 Review of Application Requirements and Forms (NOT IN Option C)

Simplifying application requirements may be possible for certain simple applications. We would like to see clarification of mandatory requirements for all applications.

Recommendation:

- The COA Application guidelines should be extended and clarified. There may be some cases where required documents can be submitted as Sketches.
- Site Plans should include the Site Analysis table that indicates the requested variance and the bylaw requirements for each variance.
- The Site Analysis table should include key front yard and rear yard landscaping values where there are requested variances for landscaping.
- Information on tenant displacement should be requested.
- Require applicants to provide a brief justification statement for each variance, written in plain language, to aid public understanding.

2.5 Standard Operating Procedures (IN Option C)

Standard Operating Procedures generally represent back-office functions that are not visible to the residents who participate in the process.

Residents may interact with Assistant Planners (aka local planners) who have responsibilities for the COA files across several wards. Interactions with these local planners vary widely, and planning reports vary widely in depth. Some local planners focus on recent decisions in the broader neighbourhood but it is not clear if precedence is the most appropriate planning test.

It often appears that the Assistant Planner has engaged in a negotiation with the Applicant to adjust the proposal to a level that is deemed appropriate. Applicants often then declare that they have come to an agreement with City Planning, and that this agreement should be sufficient for the COA Panel.

Some residents may also interact with the Senior Planner who is assigned to each District Panel to gain understanding of the proposal. In other municipal jurisdictions, the assigned planners play an active role through the public hearing, and Panel members may ask the planner for advice on key matters. The role of the Senior Planners in Toronto's Committee of Adjustment is not clearly understood.

Recommendation:

- The Assistant Planners should have clearly defined roles with respect to their reporting and other responsibilities, and if they have conducted a negotiation with the Applicant this information will be relevant to the COA Panel.
- The Senior Planners assigned to each COA Panels should have clearly defined roles. If those roles include public education and providing assistance to the Panel these roles should be defined.

2.6 City-Wide Panel Structure (NOT IN Option C)

Panelists unfamiliar with the local neighbourhood may miss important context or precedent concerns. Local trust in the decision-making process may suffer.

2.7 Cap Hearing Lengths and Increase Frequency (IN Option C)

The number of applications that should be heard in a one-day hearing should be capped at 20 to 25 applications. It is not physically possible to maintain attention in a hearing day that extends to 8 hours.

- We support the capping of the number of applications in a hearing day.

2.8 Centralized Hearing Room (PARTIALLY IN Option C)

A dedicated hearing room for Toronto and East York is proposed. We attended a recent in-person COA hearing at City Hall. The sight lines were poor and deputants could not see or properly address the Panel members. We note that the Toronto and East York COA Panel handles the largest number of cases.

- We support the securing of a dedicated hearing space for the TEY Panel.

Item 3. Response to COA Fees Recommendation

Overview:

No immediate fee increase is proposed for COA applications, and the City is considering aligning fees with the new application streaming model and updating fee categories to reflect recent zoning changes (e.g., multiplexes, laneway suites, garden suites).

Key Concerns of Residents:

- **Cost Recovery:**
The Applicants are generally applying for variance approval that will ultimately improve the value of their property. As such, the cost recovery of the Committee of Adjustment operations should then fall to the beneficiary of these services.
- **Alignment with Complexity:**
The rollout of the Application Streaming model should also include a method to

measure the work effort associated with Building Type or Structure within each Application Stream. A tiered-pricing scheme should be proposed when the City has determined work effort associated with each of the four streams.

- **Service Fees for Research Reports:**

The Committee of Adjustment applications in the City of Toronto are available online for 90 days following a final decision on an application. Closed applications in a 500m radius for the last ten years can be purchased for a fee of \$150. We request that the purchase cost for research reports be reviewed to ascertain whether the fees are appropriate to the cost of providing this service.

- **Access to Decisions to be extended to Two Years:**

Other cities across the province maintain this information online for two calendar years. Construction commonly begins after the 90-day cut-off window and information on development cannot be reasonably accessed. We request that closed decisions be made available online for a period of at least one calendar year.

Item 4. Response to Implementation Status of the 15 KPMG Hearing Review Recommendations (2023)

We commend the City Staff for:

- Launching an annual stakeholder meeting and planned training sessions.
- Drafting a Purpose Statement and Service Charter.
- Redesigning the Notice of Hearing and Notice of Decision using plain language.
- Creating a Public Participation Handbook (Q3 2025 release anticipated).

We recommend that the City establish an annual public report card on participation and engagement metrics (e.g., attendance, satisfaction, hearing accessibility and outcomes) to be presented at the annual stakeholder meeting.

We would be pleased to provide feedback on the Public Participation Handbook before or after the general release of this document.

However, we offer the following comments on the implementation status, along with concrete recommendations to address remaining gaps and reinforce accountability.

Key Concerns of Residents:

- **Public Engagement in Plain Language:**

Efforts to improve communication, plain-language notices, and public handbooks are positive steps. Associations and other stakeholders should be engaged to provide feedback on these materials to ensure these documents meet community needs.

- **Lack of Detailed Reasons for COA Decisions:**
 Applicants and residents often struggle to understand the rationale behind COA decisions, particularly when approvals conflict with Official Plan policies or established neighbourhood character. Along with the implementation of the new Application Streaming approach, we recommend that written reasons be provided for all 'Complex Applications'. This would represent a partial step forward.
- **Substantive Revisions After Notice of Hearing:**
 Last-minute application changes after a Notice of Hearing are unfair to residents and undermine public confidence in the process.
- **Inconsistent Commenting Practices Across Districts:**
 The quality and consistency of comments from staff and agencies remain uneven, which weakens decision-making and transparency.
- **Tenant Participation and Displacement:**
 New requirements to identify and notify tenants should be introduced. Where tenant displacement is likely, dedicated outreach and support should be mandatory, and applications involving such displacement should be escalated to a higher review stream.
- **Lack of Data Monitoring and Performance Indicators:**
 The City's commitment to annual stakeholder meetings and training should be supported, with a call for ongoing, structured feedback mechanisms for residents' associations.