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# AIRD & BERLIS LLP

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Barristers and Solicitors

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July 2, 2013

BY EMAIL

Kelly McCarthy, Committee Administrator  
Executive Committee  
City Clerk's Office  
10th Floor, West Tower, City Hall  
100 Queen Street West  
Toronto, ON M5H 2N2

Dear Ms. McCarthy:

**Re: Executive Committee Meeting – July 3, 2013  
Item EX33.1 - Development Charges By-law Review**

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We act on behalf of Cresford Developments with respect to the properties municipally known as 1000, 990 and 984 Bay Street; 42 Charles Street East and 39 Hayden Street; and, 50-64 Charles Street and 47-61 Hayden Street.

We are writing at this time to state our client's opposition to the proposed Development Charges By-law. We are not satisfied with the proposed transition protocol and request that the Executive Committee incorporate grandfathering provisions for active development applications including: Official Plan Amendment, Zoning By-law Amendment, Site Plan Approval and Committee of Adjustment applications filed with the City of Toronto and deemed complete as of the date the proposed Development Charges By-law comes into force. We are also opposed to the very brief, nine month phase-in period for the new development charge rates and request that the phase-in period be extended.

The proposed development charge rates will impose significant hardship on landowners who have purchased properties and planned developments; made financial contributions under Section 37 of the *Planning Act*; received appropriate approvals; and marketed developments or sold units at a price that did not include the increased development charges. The incorporation of an appropriate transition protocol will ease the transition to the new development charge rates by allowing developers to complete active projects based on development plans and strategies prepared prior to the proposed new rates.


Kindly provide the undersigned with written notice of any decision respecting the proposed Development Charges By-law. Should you have any questions, please do not hesitate to contact the undersigned.

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Yours truly,

AIRD & BERLIS LLP



 N. Jane Pepino, C.M., Q.C., LL.D.

NJP/ee

cc. Cresford Developments

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