

PG-34.4.40

**Margaret Sexton - PG34.4 OP Policies for Implementing a DPS**

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**From:** Ben Daube <[REDACTED]>  
**To:** <clerk@toronto.ca>  
**Date:** 07/07/2014 10:04 AM  
**Subject:** PG34.4 OP Policies for Implementing a DPS  
**CC:** Rob Ford <mayor\_ford@toronto.ca>, Norm Kelly <councillor\_kelly@toronto.c...>

Mayor and Members of Toronto City Council,

We have been assured that after a DPS area is established, only the whole agreement is appealable. However, the Planning Act Sec 34 allows the right of appeal to the OMB to amend on a site-specific basis. In Sec 9 a, b and c, one simply has to demonstrate that changes in an area have occurred that would support a site-specific amendment. There are already some Ontario examples, apparently. And after the recent 95 Broadway decision, virtually any development can now go to the Board – and win. It would be foolish to endorse a system where there's so much doubt over the process.

In an ideal world, the DPS could work well. The best course at this time, however, would seem to be to send the proposed DPS policies back to PGMC for reconsideration.

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