

June 18, 2014

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BY EMAIL

Planning and Growth Management Committee
c/o N. Martins, Administrator
City of Toronto
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Dear Members of Planning and Growth Management Committee

**Re: Official Plan Policies to Implement a DPS
OPA No. 258
Agenda Item: P34.4**

We act for the following parties:

- A&W Food Services of Canada Inc.
- The TDL Group Corp.
- Wendy's Restaurants of Canada Inc.
- McDonald's Restaurants of Canada Limited
- Ontario Restaurant Hotel & Motel Association

The purpose of this letter is to provide a formal written submission prior to passage of OPA No. 258 pursuant to section 17(20) of the *Planning Act*, R.S.O. 1990, c. P. 13.

Our clients have property, both freehold and leasehold, and operate businesses in the City of Toronto (the "**City**"). These property and business interests could be impacted by the adoption and implementation of a Development Permit System ("**DPS**") in the City pursuant to OPA No. 258.

Our clients have concerns regarding the impacts of the proposed DPS on the ability of our clients' business operations to respond to the changing market place and consumer demands given that the DPS system as proposed will strictly apply specific development standards and

regulations in different areas of the City. More specifically those concerns include, but are not limited to:


- That the OPA provides unclear and ambiguous policy direction on the potential implementation of the DPS, creating uncertainty in the planning process.
- That the OPA creates excessive discretion thereby creating uncertainty in the planning process.
- That the OPA is unclear and ambiguous with respect to the delegation of authority, thereby creating uncertainty in the planning process.
- That it is unclear how and whether existing height and density rights will be protected when areas subject to a development permit by-law are transitioned from existing zoning by-laws.

For these and other reasons our clients will be monitoring the DPS development and implementation and reserve the right to make further comments and suggestions as the matter progresses.

We request written notice of all future meetings, and decisions arising from meetings, as it relates to this matter.

Yours truly,

WeirFoulds LLP

A handwritten signature in black ink, appearing to read "Denise Baker", with a long horizontal flourish extending to the right.

for: Denise Baker

DB/jc

cc: Clients

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