

# DEVINE PARK LLP

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## PLANNING AND DEVELOPMENT LAWYERS

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Matter No. D202-06

April 23, 2018

### DELIVERED BY EMAIL

Mayor and Members of Council  
c/o City Clerk's Office  
City of Toronto  
13th Floor, West Tower, City Hall  
100 Queen Street West  
Toronto, ON M4H 2N2

**Attention: Ms. Ulli S. Watkiss,  
City Clerk**

Dear Ms. Watkiss:

**RE: Development Charges By-law Review – Agenda Item No. EX33.3  
Letter Filed on Behalf of DF Lake Shore Ltd.**

We are solicitors for DF Lake Shore Ltd., the owner of the lands municipally known as 1926 Lake Shore Boulevard West, in the City of Toronto.

We have reviewed the Report from the Interim Chief Financial Officer on the Development Charges By-law Review - Results of Additional Consultation, and the accompanying background information. We are writing to express our client's objections to the proposed new Development Charges By-law (the "**Proposed DC By-law**").

Our client appreciates that City Staff has adopted some of the recommendations of the Building Industry and Land Development Association respecting the Proposed DC By-law. However, our client wishes to express its concern with the lack of grandfathering provisions for existing projects and the rate of the development charges increases.

Notwithstanding the proposed transition provisions, the increased development charges would negatively impact condominium purchasers who have already entered into agreements of purchase and sale, which in some cases can be in excess of two years prior to the pulling of an above-grade building permit, which triggers the payment of development charges. This is completely unfair to those purchasers. Active development applications that have been deemed complete as of the date the Proposed DC By-law come into force should be grandfathered into the current development charges rates and the Proposed DC By-law should not apply. These applications should include Official Plan Amendment Applications, Zoning By-law Amendment Applications, Site Plan Approval Applications, or Minor Variance Applications.

The rate of the proposed increases in development charges are excessive, in some cases at almost 100%. This, coupled with the absence of grandfathering provisions, would be highly prejudicial to developers and homebuyers to whom a significant portion of the increased costs would be passed on. The magnitude of


the proposed increases would make housing more expensive, which is particularly troubling during a time when the City has recognized and is trying to respond to a crisis in housing affordability.

Please accept this letter as notice of our client's concerns with and objections to the Proposed DC By-law. We respectfully request that we be notified of any further actions or decisions made by City Council respecting the above-noted Proposed DC By-law.

If you have any questions or concerns about the matters discussed above, please contact the undersigned.

Yours very truly,

**Devine Park LLP**



Jason Park  
JIP/MAC/ss