

May 16, 2012

VIA HAND DELIVERED

City of Richmond
6911 No. 3 Road
Richmond, BC V6Y 2C1

Dear Sirs & Mesdames:

Tim Hortons[®]

OPERATED BY THE TDL GROUP Corp.
7460 - 51ST STREET S.E., CALGARY, ALBERTA T2C 4B4
TELEPHONE (403) 203-7400 • FACSIMILE (403) 203-7430

**Schedule 5 to the Minutes of
the Council Meeting for
Public Hearings held on
Tuesday, May 22, 2012.**

Re: Tim Hortons Restaurant located at 125-7771 Alderbridge Way, Richmond, BC

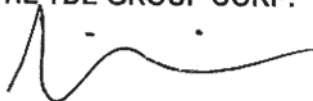
1. This letter is a submission from the TDL Group Corp. which operates as the franchisor for the Tim Hortons restaurant #2324 located at 125-7771 Alderbridge Way, in Richmond, BC.
2. We wish to voice our objection to the proposed re-zoning application by Onni. If the re-zoning is approved in the current form, it will cause irreparable harm to all of the businesses in and around 7731 Alderbridge Way and 7771 Alderbridge Way.
3. Tim Hortons has been operating at this location since 2002 and our lease of the premises continues through to 2032. Onni recently purchased this property from the previous landlord and our understanding is that Onni plans to re-develop all of the property located in the vicinity of the Tim Hortons into residential condominiums.
4. Our concern is that Onni has not formally indicated to us, or to any of the other businesses in the area, their intentions for this development. We think it is only fair that Onni should inform the tenants of their re-development plans, as they plans will ultimately have a major impact on all of the stakeholders, including the community at large.
5. As a condition of their re-zoning approval, Onni should be required to either settle any disagreements with the tenants regarding their existing leases or permit the tenants to continue operating until the end of their term as agreed to in the leases.
6. We wish to inform City Council that the Tim Hortons lease has no early termination clause or demolition clause, so it is abundantly clear that there are no legal grounds for termination available to Onni.
7. We feel that if City Council were to approve Onni's application as it stands, Onni would be encouraged to breach the terms of their leases and effectively close down the Tim Hortons, as well as the other businesses, causing many employees to lose their jobs.
8. Further, we are concerned that Onni's development plans will affect the access and parking for all of the businesses at this location. We would like to know if Onni's construction plans will impede access to our property and effectively kill our business.
9. Finally, the proposed re-zoning would force all of the businesses into a legal limbo because they would be non-conforming with the proposed zoning, a status that no business owner would want. Non-conforming status could impact our ability to refurbish, renovate and alter our operations at this location, which would most certainly occur over the remaining 20 year term of our lease.

10. Tim Hortons and our Franchisee are positive contributors to the Richmond community. We operate several locations in Richmond that have employed hundreds of local residents over the years.
11. We have been, and continue to be, a strong supporter of numerous local charities and organizations thru the Timbits Minor Sports Program, the Tim Hortons Community Cruiser, and the Tim Horton Children's Foundation. This could all be lost if Onni re-zoning application were to proceed as planned.
12. We would respectfully request that if the City wishes to proceed with the re-zoning, that the City require as a condition of the re-zoning that Onni:
 - (a) include some commercial or retail space in the development that could accommodate our operations; and
 - (b) settle any lease issue with Tim Hortons and the other businesses at this location.

Thank you for your consideration.

Yours very truly,

THE TDL GROUP CORP.



William Cao
Legal Counsel