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File No.: 140633.1001

City Council
c/o City Clerk's Office
Toronto City Hall
13th Floor West Tower
100 Queen Street West
Toronto ON M5H 2N2

Attention: Ulli S. Watkiss, City Clerk

Dear Sirs/Mesdames:

**Re: PG20.1 - Technical Amendments to By-law 569-2013
Accessible Parking Regulations**

We are solicitors for Terracap Management Inc., Milwest Investments Inc., and related companies (the "Clients"), with respect to 1417, 1421-1425, 1427, 1429, & 1431 Yonge Street (Milwest Investment Inc.), and 401-415 King Street West. (1107051 Ontario Ltd.), and their various other land holdings in the City of Toronto. Our Clients also have broad land interests in the City of Toronto and acquire additional interest in lands in the City from time to time.

We have reviewed the recommendations of the Planning and Growth Management Committee ("PGMC"), adopted at its meeting held on May 3, 2017. We are pleased that transitional regulations are now proposed to phase in the new accessible parking standards and to ensure that existing applications for building permit, zoning certificate or complete site plan applications, need only comply with the accessible parking standards as they existed on May 3, 2017.

However, we remain concerned that the proposed transitional regulations do not grandfather:

1. complete zoning by-law amendment applications still under review or appeal; and
2. approved zoning by-law amendment applications that have yet to apply for site plan approval and/or building permits.

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As a result, (1) for complete zoning by-law amendment applications still under review or appeal, an owner must obtain relief from the new standards or redesign its parking layouts to accommodate the new standards; and (2) for approved zoning by-law amendment applications that have yet to apply for site plan approval and/or building permits, an owner will need to obtain relief through another rezoning application or a minor variance. However, as a result of the Bill 73 changes to the *Planning Act*, an owner is prohibited from filing a minor variance application for two years after the passing of a site-specific zoning by-law amendment unless Council permits otherwise.

It is unreasonable, unfair and prejudicial to impose the new accessible parking standards on such classes of applications. Significant resources are spent to prepare, submit and process a zoning by-law amendment application—all of which is based on a set of standards known and applicable at that time—and it is prejudicial to later impose new standards on such applications. Accordingly, the proposed transitional regulations should also allow the two above-noted classes of applications to be exempt from the new accessible parking standards for the duration of the transitional regulations.

We also note that, as of the date of this letter, the draft zoning by-law amendment implementing the recommendations of the PGMCM has not been released and we reserve the right to raise further issues and concerns with respect to the proposed amendments.

Please continue to provide us with notice of all upcoming meetings of Council and Committees of Council at which the proposed amendments will be considered, and any notice of Council's decision with respect thereto.

If you have any questions or require further information, please contact the undersigned. Thank you for your attention to this matter.

Yours truly,


Calvin Lantz
Partner

CL/mb

cc. Larry Krauss
Jason McCauley