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File No. 703209

March 27, 2017

By E-Mail Only to clerk@toronto.ca

Ms. Marilyn Toft
12th floor, West Tower, City Hall
100 Queen St W,
Toronto, ON M5H 2N2

Attention: His Worship, Mr. John Tory and Members of Council

Dear Mayor Tory and Members of Council:

**Re: Item PG18.5 – Technical Amendments to By-law 569-2013 (“By-law”)
Accessible Parking Space Dimensions**

Doubledown Holdings Inc. and Uxland Development (West) Inc. (collectively the “Clients”), the owners of lands municipally known as 488 Wellington St. West and 504 Wellington St. West, respectively, in the City of Toronto.

We write in relation to the City’s proposed amendments to Section 200.15 of the By-law to implement changes to the accessible parking regulations (the “Parking Amendments”), as further described in the City’s January 23, 2017 Staff Report (the “Report”).

Our clients have a number of concerns with the Parking Amendments. Most notably, the changes do not provide for transition or grandfathering for existing development applications, or zoning by-law amendments obtained within two years of an application for a minor variance. The Parking Amendments are especially prejudicial to our clients as they have each filed planning applications (Application Nos. 16 270154 STE 20 OZ & 16 270147 STE 20 OZ, respectively). Our clients have already invested in designing a parking layouts and structural elements based on the existing standards. This may result in our clients having to seek further relief if the Parking Amendments are passed as proposed.

Additionally, our clients retain concerns with the viability of some of the proposed changes. For example, we question the practicality of lengthening the perpendicular handicap spaces by 0.3m since users of rear loading accessible vehicles would still need to utilize a considerable share of the drive aisle to load



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and unload passengers. We also have concerns with the effective widening of parallel handicap spaces by 1.5 metres with an additional wide access aisle requirement. The City has not provided a technical study that indicates any sort of deficiency between the current mix of "Type A" and "Type B" spaces as is required by the *Accessibility of Ontarians with Disability Act, 2005* ("AODA"). We agree and adopt the comments submitted by BA Consulting Group Ltd., dated February 23, 2017, Item number PG18.5.3, in relation to this and other issues.

The Report does not provide any rationale or justification for why the Parking Amendments are being recommended. Many of the amendments go beyond the scope of what is required under the AODA and the Integrated Accessibility Standards in *Ontario Regulation 191/11*. Further, given the substantive nature of the proposed amendments, it is difficult to understand why they are being described as "technical" amendment.

Accordingly, we request that this item be referred back to Staff for further consideration and public input, and to reconsider a transition clause and other technical changes.

Lastly, we hereby request notice of any meetings, report or decisions related to this matter.

Yours truly,

DAVIES HOWE PARTNERS LLP

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