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**AIRD & BERLIS LLP**

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Barristers and Solicitors

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March 24, 2017

**BY EMAIL** ([clerk@toronto.ca](mailto:clerk@toronto.ca))Mayor Tory and Members of Council  
City of Toronto  
100 Queen Street West  
Toronto, ON M5H 2N2Attention: Ulli S. Watkiss, City Clerk

Dear Mayor Tory and Members of Council:

**Re: Accessible Parking Regulations  
PG 18.5 – Technical Amendments to By-law 569-2013 respecting Accessible  
Parking Spaces  
City Council Meeting of March 28, 2017**

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We are writing on behalf of the landowners and developers identified on Schedule “A” to this letter. Our clients are impacted by the proposed amendments to Zoning By-law No. 569-2013 respecting accessible parking spaces.

We have reviewed the recommendations of the January 23, 2017 Report titled Technical Amendments to By-law 569-2013, and the draft Zoning By-law Amendment appended thereto. Although this proposed Zoning By-law Amendment was framed as a technical amendment made for the purpose of harmonizing existing accessible parking regulations with Provincial Legislation, we note that the proposed amendments are different from and more onerous than the standards outlined in the *Accessibility for Ontarians with Disabilities Act, 2005*, S.O. 2005, c. 11 (“AODA”) and amending Regulation 191/11, and do not in our submission constitute merely technical amendments to Zoning By-law 569-2013.

We have been informed that as a result of recent discussions between City Staff and representatives of BILD, City Staff may now be proposing a series of revisions to the draft Zoning By-law, including the addition of transition provisions and alterations to the accessible parking space dimensions. Once a revised proposal is released, we would appreciate the opportunity to review same with our clients and provide comments.

Accordingly, we are writing to request that consideration of this proposed Zoning By-law amendment be deferred in order to allow members of the public, including our clients, an opportunity for input.

Our clients' concerns with the current draft By-law include the following:

1. Dimensions of Accessible Parking Spaces

The increased (5.9 metre) length exceeds the 5.6 metre length of standard parking space dimensions in the City. The 5.6 metre parking space length on a 6.0 m wide drive aisle standard contained in Zoning By-law 569-2013 and the general Zoning By-laws of the former municipalities results in a particular parking grid and structural column location. The new accessible parking space dimensions do not "fit" into the standard parking garage grid upon which buildings in the City are designed. In many instances, it will not be possible to accommodate the increased dimensions of accessible parking spaces without losing standard parking spaces, and therefore requiring relief from other parking requirements of the Zoning By-law. No technical justification has been provided for the increased length, and we note that it is not required by the AODA.

2. No Transition/Grandfathering for Active Developments

Currently, there is no provision in the proposed amendment to provide any transition for developments currently in the design and development approval process. As drafted, even owners who have completed the rezoning process, have received Notice of Approval Conditions for Site Plan Approval and are under construction with a conditional building permit would be required to redesign in order to comply. In our submission, it is essential that the By-law include provisions grandfathering sites with pre-existing planning applications and building permit applications from these new standards.

3. Lack of Public Consultation

To our knowledge, there was no public consultation respecting these proposed revisions prior to the Staff Report being considered by the Planning and Growth Management Committee on February 23, 2017. We have not seen any technical studies to support the proposed amendments, which as noted above exceed the requirements of both the in force City Zoning By-laws and the AODA. Furthermore, as noted above, we understand the proposed draft By-law put forward in the Staff Report is now being revised. Given the impacts of the proposed changes, we respectfully request that Council provide an appropriate opportunity for consultation and input before the proposed By-law, in either its present or amended form, is considered for enactment.



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Accordingly, we respectfully request Council to refer the matter back to staff for further consideration and input from interested stakeholders. We ask to be provided with notice of any future meetings related to this matter and for notice of passage of any Zoning By-law resulting there from.

Thank you very much for your consideration of this request.

Yours truly,

AIRD & BERLIS LLP



Kim M. Kovar  
KMK/jt/mn

cc: Clients

encl.

**Schedule “A”**

| <b>Clients</b>                                        |
|-------------------------------------------------------|
| Block Developments Inc.                               |
| 1540 BSW Urban Properties Inc.                        |
| 214 King Holdings Limited                             |
| 2206181 Ontario Inc.                                  |
| 2325968 Ontario Inc.                                  |
| 2384903 Ontario Inc.                                  |
| 2445225 Ontario Inc.                                  |
| 2502295 Ontario Inc.                                  |
| 316 Bloor West Toronto Developments Ltd.              |
| 3450 Dufferin Yorkdale Holdings Inc.                  |
| 450 Richmond Street West Limited                      |
| 457 Richmond Street West Limited                      |
| 480 Yonge Street Limited Partnership                  |
| 50 Charles Street Limited                             |
| 6 Noble Street Developments Inc.                      |
| 970 Dixon Developments Inc.                           |
| Alberta and Main Urban Properties Inc.                |
| All Canadian Self Storage                             |
| Allied Properties REIT                                |
| Aragon (St. Helens) Development (Ontario) Corporation |
| Aragon (Wellesley) Development (Ontario) Corporation  |
| Bara Group Inc.                                       |
| Bel-East Corp.                                        |
| Bel Ontario Inc.                                      |
| Berkeley Parliament Inc.                              |
| Block Developments Inc.                               |
| Blue Jay and Main Urban Properties Inc.               |
| C Squared Properties 160 John Street Inc.             |
| C Squared Properties 580 King Inc.                    |
| Can Stor Nominee Corp.                                |
| CarHar3 – Esplanade GP Inc.                           |
| Caribou Urban Properties Inc.                         |

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|------------------------------------------|
| Choice Properties Limited Partnership    |
| Church Welldun Developments Limited      |
| Cityzen Greybrook BG Limited Partnership |
| Cresford (Rosedale) Developments Inc.    |
| Dravidian Management Limited             |
| Easton's Group of Hotels Inc.            |
| El-Ad Group Canada Inc.                  |
| FCHT Holdings (Ontario) Corporation      |
| Fieldgate Commercial Properties Limited  |
| First Capital (Bayview) Corporation      |
| First Capital Asset Management LP        |
| First Capital Holdings Trust             |
| First Capital Realty Inc.                |
| Great Gulf Group of Companies Inc.       |
| Harcroft and Main Urban Properties Inc.  |
| Hyde Park Homes Limited                  |
| K.P. Isberg Construction Inc.            |
| King Financial Holdings Limited          |
| King Liberty North Corporation           |
| Kingsett Capital Inc.                    |
| L. Richmond Corp.                        |
| Lamb Development Corp.                   |
| Lanterra 234 Simcoe Realty Limited       |
| Lanterra 4000 Eglinton Realty Limited    |
| Lanterra Developments Ltd.               |
| Loblaw Properties Limited                |
| Main and Main Developments Inc.          |
| Manga Hotels (Downtown) Inc.             |
| Marlin Spring Investments Limited        |
| Mr. Orest Kelebay                        |
| Northrop Development Incorporated        |
| Oben Flats Sherbourne Inc.               |
| One Eglinton East Inc.                   |
| Pinedale Properties Ltd.                 |
| Portland Properties Spadina Inc.         |
| Portland Properties Wellington Inc.      |
| Riverking Development Inc.               |
| Robina and Main Urban Properties Inc.    |



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|----------------------------------------------------|
| RoseWater 227 Gerrard Street East Holdings Limited |
| Stewart and Main Urban Properties Inc.             |
| Streetcar Developments Inc.                        |
| Talisker Corporation                               |
| The Harlowe Inc.                                   |
| TRAC Developments Inc.                             |
| V!VA Retirement Communities                        |
| WAM Development Group                              |
| Wellington and Main Urban Properties Inc.          |
| Westbank Projects Corp.                            |
| YG Limited Partnership                             |

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