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City of Toronto City Clerk's Office  
Toronto City Hall  
100 Queen Street West  
10th Floor, West Tower  
Toronto, ON M5H 2N2

Attention: Your Worship and Members of Council

Dear Sirs/Mesdames:

**Re: Concerns with the Proposed City of Toronto Zoning By-law**  
**Client: InnVest Master Properties GP IX Ltd**  
**Properties: 600 Dixon Road - Holiday Inn**  
**Municipality: City of Toronto**

We are solicitors for InnVest Master Properties GP IX Ltd with respect to the property municipally known as 600 Dixon Road, City of Toronto (the "Property"). The Property is developed with a Holiday Inn Hotel and several accessory and complementary uses, including a restaurant and retail services.

The purpose of this letter is to document some of our client's concerns with the proposed new city-wide Zoning By-law (the "Draft By-law") released on November 8, 2012.

The Property is zoned IC2, Industrial Class 2, by the Etobicoke Zoning Code (the "By-law"). The City is proposing to zone the Property EO 1.5 (e1.5; o1.5), Employment Industrial Office, in the Draft By-law.

The IC2 zone currently applies a maximum density of 0.6 times lot area for office uses but does not contain a density limit for hotel uses on the Property. The Draft By-law will impose a maximum floor space index of 1.5 times the lot area for all uses on the Property. Given that the existing hotel is not presently subject to any density limit, the proposed density requirement is of concern. Mechanical rooms within the hotel building are excluded from the calculation of gross floor area in the By-law, whereas only below-grade mechanical rooms and mechanical penthouses are excluded from the calculation of gross floor area for non-residential buildings in

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the Draft By-law. This change in definition of gross floor area may affect the calculation of floor space index for the Property and is of concern, particularly if our client wishes to make improvements to its Property.

The Property is developed with front yard surface parking spaces. Clause 60.5.80.10(1) of the Draft By-law requires that front yard surface parking be set back at least 3.0 metres from the front lot line. This restriction did not apply to the Property under the By-law. Despite the exemption for existing parking spaces in Clause 60.5.80.11(2) of the Draft By-law, any reconfiguration of the parking spaces on the Property will have to comply with the three metre setback requirement, and is of concern.

The Draft By-law contains no bicycle parking requirements for hotel uses but introduces bicycle parking requirements for the restaurants, retail stores, offices and service shops in a hotel (and also related shower/change facility requirements). Given the ancillary nature of restaurants, retail stores, offices and service shops in a hotel, and the fact that the Property is in the vicinity of Pearson International Airport and regularly serves air travellers, the introduction of such bicycle parking requirements in the Draft By-law is of concern.

Since the Draft By-law process is an iterative one, we reserve the right to raise further issues with provisions of the Draft By-law that may affect the Property.

We ask to be provided with notice of all upcoming meetings of Council and Committees of Council at which the Draft By-law will be considered and we ask to be provided with notice of Council's decision with respect to the Draft By-law. Thank you for your attention to this matter. 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

CWL/mc

cc: George Kosziwka, *InnVest Master Properties GP IX Ltd*