

February 6, 2013

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VIA E-MAIL & REGULAR MAIL

File 13517.00001

City Clerk
City of Toronto
Planning and Growth Management Committee
Toronto City Hall
100 Queen Street West
10th Floor, West Tower
Toronto, Ontario M5H 2N2

Attention: Frances Pritchard

Dear Ms. Pritchard:

Re: City of Toronto's proposed new City-wide Zoning By-law

We are solicitors for Target Park Inc., operators and managers of various parking facilities throughout the City of Toronto (the "**City**"), including locations associated with apartment buildings in locations proposed to be zoned as Residential Apartment (RA) and Commercial Residential (CR) Zones pursuant to the November 8, 2012 draft version of the new City-wide Zoning By-law (the "**By-law**").

We are in receipt of the "Notice of an Open House and Statutory Public Meeting Concerning the Proposed City-wide Zoning By-law" (the "**Notice**") issued by the City on January 23, 2013. The purpose of this correspondence is to provide the City with a formal written submission in respect of the By-law before it is passed by City Council.

As set out in the Notice, the November 8, 2012 draft version of the By-law has removed the regulation prohibiting the charge for visitor parking at apartment and mixed use buildings. Our client supports this deletion, as it provides the owners of visitor parking facilities within apartment and mixed-use buildings an ability to properly manage their parking supply.

In our view, since the visitor's parking supply arises out of a zoning requirement, the charging for visitor parking should not be classified as a new use, but rather, is entirely ancillary and accessory in nature to the permitted principal use. On this basis, there is no compromise or impact on the zoning expectations or planned function of the apartment or mixed-use buildings.

Secondly, with the deletion of the original prohibition contained in the June 18, 2012 draft version of the By-law, all landowners in the City are now being treated equally as they are provided with the same ability to charge for visitor's parking, whether it is an institutional, commercial or an apartment and mixed use building.

In light of the foregoing, we trust that the current draft version of the By-law will continue with the elimination of the previous regulation which prohibited the charge for visitor parking at apartment and mixed use buildings.

Kindly accept this correspondence as our formal request that we be provided with any Staff Reports, Council and/or Committee's resolutions, and Notice of Decision by the City under section 34(18) of the *Planning Act* with respect to the By-law. Further, we reserve the right to further supplement this submission as the By-law evolves.

Thank you for your attention to this matter. Should you have any questions or require clarification, please contact Paul Chronis, Land Use Planner in our office at (416) 947-5069.

Yours truly,



C. J. Tzekas

CJT/PC:cl

cc: Joe D'Abramo, City of Toronto
Alan Theobald, City of Toronto
Ian Graham, City of Toronto
Hercules Modopoulos/Mike Kanarellis, Target Park Inc.
Paul Chronis, WeirFoulds LLP

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