

February 13, 2013

Joe D`Abramo  
Director, Zoning By-law and Environmental Planning  
City of Toronto  
55 John Street, 22<sup>nd</sup> Floor  
Toronto, ON  
M5V3C6

Dear Mr. D`Abramo;

**RE: DRAFT HARMONIZED ZONING BY-LAW  
1480 QUEEN STREET WEST  
1480 QUEEN STREET WEST INC.**

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We are writing to you with regard to our concerns with the draft Harmonized Zoning By-law. We have reviewed the draft in relation to our property at 1480 Queen Street West, a recently developed two and one half storey mixed use building containing four residential units and one commercial unit (a restaurant). Two parking spaces are provided for the residential component and are under private condominium ownership. The site was constructed under the regulations of Former City of Toronto Zoning By-law 438-86.

The site is proposed to be zoned CR 2.5 (c1.0, r2.0) SS2 (x1766) in the proposed Harmonized Zoning By-law. Our review indicates that Section 40.10.80.20(1) requires a parking space to be set back at least 0.5 metres from a lot line. Due to the composition of the rear yard, there is insufficient space to provide a 0.5 m setback for parking from the rear lot line and still maintain a 5.6 metre parking space length as required by the current and proposed by-laws. This required setback is not found in the in-effect By-law 438-86. Therefore we fear that this section would render the parking for this site legal non-conforming, whereas the site complies with all other provisions of both by-laws.

Therefore we request the City add an exemption to draft Section 40.10.80.20(1) for legally existing parking spaces as follows:

*In a CR Zone, if the lawful setback for a lawful parking spaces is less than the minimum setback permitted by this By-law, that lawful setback is the permitted minimum setback for that lawfully existing building.*

If you would like to discuss, please feel free to call.

Thank you,

MHBC

A handwritten signature in black ink, appearing to read 'David McKay', written over a large, loopy scribble.

David McKay, MSc, MCIP, RPP