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Our File No: 75532.1

March 23, 2017

VIA EMAIL: clerk@toronto.ca
AND REGULAR MAIL

Mayor and Members of the Toronto City Council
Toronto City Hall
100 Queen Street West
Toronto, ON M5H 2N2

c/o Ulli S. Watkiss, City Clerk
City Clerk's Office
Toronto City Hall, 13th Floor
100 Queen Street West,
Toronto, ON M5H 2N2

Attention: Ulli S. Watkiss, City Clerk

Dear Sirs/Mesdames:

RE: Item PG18.5 – Technical Amendments to By-law 569-2013

We are counsel to Tarn Financial Corporation, the registered owner of lands municipally known as 2035 Kennedy Road, Toronto (the "**Property**"), located immediately North of HWY 401 and accessible through Village Green Square.

The Property is subject to Rezoning (File No. 15 167709 ESC 40 OZ) and Site Plan Approval (File No. 16 132832 ESC 40 SA) applications currently being considered by the City of Toronto.

We are writing to address our client's concerns with respect to the Planning and Growth Management Committee's (the "**Committee**") recommendations to amend Section 200.15 of Zoning By-law 569-2013 (the "**Recommendations**"), which propose changes to the accessible parking regulations by making them consistent with the *Provincial Accessibility for Ontarians with Disabilities Act* (Ontario). The Recommendations were recently adopted by the Committee and will be considered by the Toronto council (the "**Council**") on March 28, 2017.

We had an opportunity to review the Report from the Chief Planner and Executive Director, City Planning Division on Technical Amendments to By-law 569-2013, dated January 23, 2017, and draft by-law amendments, which, among other, things, increase accessible parking space dimensions and change stall ratios.

Our client is concerned that the new Section 200.15 does not contain a transitional clause, which would exempt pre-existing development applications from the new requirements. An absence of such clause will have significant implications for the Property's development. Council should amend the by-law to establish a transitional provision that would recognize applications submitted to the City prior to the amendment coming into force, or those that already have been subject to site specific by-laws, as exempt from the requirements of the new Section 200.15.

We respectfully request that the Council either (i) add a transitional clause to exempt applications currently filed with the City or already approved through site specific by-laws; or (ii) defer deliberations of the Recommendations and refer them back to the Committee for further consideration in order to allow for the new Section 200.15 to be implemented in a fair and reasonable manner.

Please provide us with notice of any Council, committee and/or public meetings considering the proposed amendments. We also request to be notified of any decisions in respect to this matter.

Yours truly,

BENNETT JONES LLP

Andrew L. Jeanrie

cc. Ali Ackman, Tarn Construction Corporation