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March 23, 2017

Mayor Tory and Members of Toronto City Council

City of Toronto
Toronto City Hall
100 Queen Street West
Toronto, Ontario
M5H 2N2

Dear Mayor Tory and Toronto City Council:

PG: 18.5 TECHNICAL AMENDMENTS TO BY-LAW 569-2013, AS AMENDED

The purpose of this letter is to express concerns our client has with the proposed technical amendments to the accessible parking standards in By-law 569-2013, as amended.

We are agents for 863880 Ontario Limited, the ("owner") of lands municipally known as 39-49 East Liberty Street, 19 Western Battery Road, and 80/86 Lynn Williams Street (collectively herein referred to as the "sites").

The sites are part of the King Liberty Village ("KLV"), being lands bounded by Strachan Avenue to the east, King Street West to the north, Hanna Avenue to the west and the CP rail line to the south, which has assisted in transforming the west end of the City of Toronto.

By way of background, we are currently assisting the owner with various development applications in KLV pertaining to the sites including:

- 49 East Liberty Street Site Plan Amendment application (12 116875 STE 19 SA);
- 49 East Liberty Street Building Permit application (16 268347 BLD 00 NB);
- 80/86 Lynn Williams Street Site Plan Amendment application (15 232150 STE 19 SA); and
- Are in process of submitting development applications for their lands municipally known as 19 Western Battery Road and 39 East Liberty Street.

It should be noted the sites are currently not part of By-law 569-2013, as amended, but continue to be governed by By-law 438-86, as amended. In spite of this the owner has incorporated the most current accessible parking standard as per By-law 569-2013, as amended, in the projects they have completed to date, which provides for wider parking spaces.

We have reviewed the recommendations of the Staff Report and the draft By-law 569-2013 amendments in the above noted Item PG18.5 (the "recommendations"). We are writing to express concern on behalf of the owner with the recommendations that have been proposed without adequate opportunity for review and comment. Upon reviewing the recommendations we would like to raise the following concerns:

1. **All accessible parking spaces would be required to be 3.4 metres wide;**

The recommendations are proposing that all accessible parking spaces be 3.4 metres in width, which conforms to the Accessibility of Ontarians with Disabilities Act (AODA) specifically “Type A” accessible parking space. However, AODA only requires that 50% of all accessible parking spaces serving a given development be “Type A”, while the remaining accessible spaces would be “Type B” , with a width of 2.4 metres. Therefore, the proposed recommendations would be more stringent and less flexible than the AODA requirements.

It is unclear why this deviation from the AODA requirements is proposed. Therefore, alternatively, the recommendations could consider adopting accessible parking space requirements that are in line with AODA by allowing 50% of the accessible parking supply to be “Type B”.

2. **Accessible parking spaces would be required to be longer than general parking spaces**; and

By-law 569-2013, as amended requires both general and accessible parking spaces have a length of 5.6 metres. However, the recommendations are proposing that accessible parking space lengths be extended to 5.9 metres. It is unclear why this deviation from the current parking space lengths is being proposed, considering that differing general and accessible parking space lengths is anticipated to raise design challenges, which could potentially be difficult to overcome without the loss of spaces. Therefore, the recommendations could consider maintaining the current accessible parking space length requirement of 5.6 metres.

3. **Transition period**.

The owner is concerned the proposed amendments do not provide for any grandfathering /transitional provisions for pre-existing development applications. As can be seen, most of the owner’s aforementioned projects are well advanced in terms of their sales and design and providing for the recommendations at this time would be detrimental.

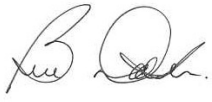
If the City proceeds with the recommendations, the City should consider applying the proposed requirements to new development applications only while maintaining current requirements for existing applications. Requiring the recommendations to be incorporated into existing development applications could potentially require significant revisions which would result in negative impacts to timelines and budgets.

Thank you for the opportunity to submit our concerns to you. We respectfully request that you please provide us with notice of the City Council decision on this item and any resulting Zoning By-law Amendment. Further, please provide notice of any subsequent public meetings, committee meetings, or Council meetings related to this matter.

Please feel free to contact the undersigned if you have any questions.

Yours truly,

IBI GROUP



Bill Dalton, M.Pl, MCIP, RPP LEED AP BD+C
Associate