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March 27, 2017

By E-Mail Only to *clerk@toronto.ca*

Ms. Marilyn Toft
12th floor, West Tower, City Hall
100 Queen St W,
Toronto, ON, M5H 2N2

Attention: His Worship, Mr. John Tory and Members of Council

Dear Mayor Tory and Members of Council:

Re: Item PG18.5 - Technical Amendments to By-law 569-2013 ("By-law")
Accessible Parking Space Dimensions
Comments from The Conservatory Group

We are counsel to The Conservatory Group and related companies and persons, including but not limited to, those set out in Appendix 1. Our clients are appellants and parties to By-law 569-2013.

We write in relation to the City's proposed amendments to Section 200.15 of the By-law to implement changes to the accessible parking regulations (the "Parking Amendments"), as further described in the City's January 23, 2017 Staff Report (the "Report").

Our clients have a number of concerns with the Parking Amendments. Most notably, the changes do not provide for transition or grandfathering for existing development applications. The Parking Amendments are especially prejudicial to projects for which our clients have already secured planning approvals, or those undergoing planning review, where it has already invested in designing a parking layout and/or underground structure based on the existing standards. This may result in our clients having to seek further relief if the Parking Amendments are enacted as proposed.

Additionally, we have technical concerns with the viability of some of the proposed changes. For example, we question the practicality of lengthening the perpendicular handicap spaces by 0.3m since users of rear loading accessible vehicles would still need to utilize a considerable share of the drive aisle to load

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and unload passengers. We also have concerns with the effective widening of parallel handicap spaces by 1.5 metres with an additional wide access aisle requirement. The City has not provided a technical study that indicates any sort of deficiency between the current mix of "Type A" and "Type B" spaces as is required by the *Accessibility of Ontarians with Disability Act, 2005 ("AODA")*. We agree and adopt the comments submitted by BA Consulting Group Ltd., dated February 23, 2017, Item number PG18.5.3, in relation to this and other issues.

The Report does not provide any rationale or justification for why the Parking Amendments are being recommended. Many of the amendments go beyond the scope of what is required under the *AODA* and the Integrated Accessibility Standards in *Ontario Regulation 191/11*.

Accordingly, we request that this item be referred back to Staff for further consideration and public input, and to reconsider a transition clause and other technical changes.

Please provide us with notice of decisions of this matter.

Yours truly,

DAVIES HOWE PARTNERS LLP

Isaiah Banach

IB:RL

copy: Clients
Peter Swinton, PMG Planning Consultants

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Appendix 1: Conservatory Group of Related Companies and Persons

Rainbow Developments Inc.

Rosedale Developments Inc.

Hollybar High Rise Development Ltd.

Holly Downs Developments Inc.

Anteplope Hills Construction Ltd.

Fancy Dell Developments Ltd.

B-Major Homes (Ontario) Inc.

Top of the Tree Developments Inc.

GCD Trustee Ltd.

Figtree Construction Ltd.

Misty Manor #2 Developments Inc.

Marklib Investments 2

Granite Heights Developments Inc.

Winding Road Developments Inc.

Suela Development Inc.

Kingbird Developments Inc.

2242148 Ontario Ltd.

Yolanda Flanders Developments Inc.

The Gates of Scarborough Town Centre Inc.

2308163 Ontario Inc.

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Fawn Haven Construction Ltd.

Ambercroft Construction Ltd.

2297485 Ontario Ltd.

Treble Clef Construction (Ontario) Inc.

Damaris Developments Inc.

Jasamax Holdings Inc.

Ringley Construction Ltd.

Corey Sean Libfeld

Sheila Margery Royce

Nancy Claire Libfeld

Marich Developments Inc.

CG Acquisition Inc.

CGIV Properties Inc.

Soprano Developments Inc.