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March 27, 2016

Our File No.: 100578 and 122236

DELIVERED BY E-MAIL AND COURIER

Mayor and Members of Council
c/o City Clerk's Office
Toronto and East York Community Council
City Hall, 2nd Floor
100 Queen Street West
Toronto, Ontario M5H 2N2

Attn: Marilyn Toft, Manager, Council and By-laws

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

We are solicitors for RioCan Management Inc. and the related entities identified in Schedule "A" to this letter (collectively "RioCan"). RioCan is either the property owner or a development partner in a number of development projects with *Planning Act* applications in various stages of the approval process as similarily set out in Schedule "A" to this letter (the "RioCan Developments").

These RioCan Developments have proceeded through extensive public consultation and technical review over a number of years. In all cases, specific zoning approvals which amended By-law 569-2013 were obtained either from City Council or the Ontairo Municipal Board.

On February 23, 2017, the Planning and Growth Management Committee adopted the above-noted item, which recommends amendments to By-law 569-2013 (the "**By-law**") relating to accessible parking spaces. While RioCan and its co-owners support this initiative, RioCan has significant concerns with the process through which the proposed amendments are being administered specifically in regard to the absence of transition provisions for pre-existing development applications.

Transition Provisions:

In the absence of appropriate transition provisions, the proposed amendments will likely have significant unanticipated consequences. If implemented as currently proposed, the amendments could require the redesign of the RioCan Developments despite the fact that the City has already devoted substantial time and resources to technical review and consultation, and as noted in Schedule "A", these developments have already obtained *Planning Act* approvals.

Accordingly, we respectfully request that the proposed amendments include an appropriate transition provison that exempts pre-existing applications from the new standards.

Exemption:

In the alternative, should the City not wish to create much needed transition provisions in the By-law, Riocan requests that the RioCan Development be exempted from the application of the By-law to ensure that these projects, which have already been extensively studied, reviewed, discussed and approved can proceed as studied and approved without undue delay or complication.

Please provide us with notice of any decisions on this matter.

Yours very truly,

GOODMANS LLP

Anne Benedetti
AKB

cc: Melissa Bruzzese, RioCan Management Inc.
Councillor Burnside, Ward 26 Don Valley West
Councillor Layton, Ward 19 Trinity-Spadina

SCHEDULE A

	Property Owner	Municipal Address	*Planning Act* Development Approval Status
1.	College Street (555-563) Inc.	547- 555 College Street	Rezoning Application Filed September 20, 2013. Rezoning Approved by Council in 2014 (By-laws 693-2014 and 694-2014). Site Plan Approval Application in process. Technical Minor Variance application filed March 17, 2017.
2.	RioCan Holdings (Sunnybrook) Inc.	660 Eglinton Avenue East	Rezoning Application Filed December 23, 2014. Rezoning Approved by the OMB by decision dated December 21, 2016 (order withheld pending satisfaction of conditions).