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mccarthy tétrault

March 27, 2017

**Via Email**

Mayor John Tory and Members of Council
Toronto City Hall
2nd Floor
100 Queen Street West
Toronto ON M5H 2N2

Dear Sirs/Mesdames:

**Re: Item No. PG18.5 – Planning and Growth Management Committee For Consideration by City Council on March 28, 2017**

We are the solicitors for 250 Davenport Holdings Inc., a corporation with interests in land and development in the City of Toronto (the "Company"). On behalf of the Company we are writing to express concern with the recommendations of January 23, 2017 Report entitled: *Technical Amendments to By-law No. 569-2013* that was considered by Planning and Growth Management Committee on February 23, 2017 (the "Report"). In particular the Company is concerned with Recommendation 1 to enact a zoning by-law amendment, substantially in accordance with Attachment 1 to the Report regarding amendments to Section 200.15 – Regulations Applying to Accessible Parking Spaces (the "ZBLA").

The Company's preliminary concerns are two-fold:

1. **Lack of a Transition Clause:**

   As indicated in the February 2, 2017 Notice of Public Meeting, it is acknowledged that:

   "These changes may affect the approval of building permits, zoning certificates or other applications for a minor variance, a consent to sever, an amendment to a zoning by-law, an Official Plan amendment or a Minister's zoning order and any appeals of these matters, as well as outstanding appeals of Zoning By-law 569-2013. All land owners and applicants should review the proposed amendments to Zoning By-law 569-2013 carefully, and consult with your professional advisors about the proposed changes and how they may impact your lands or development applications."

   Without an appropriate transition or grandfathering clause, many development applications under consideration by the City – "pipeline projects" – will be adversely affected.

   In this regard, we respectfully request that transition wording – similar to what was done for the parent By-law No. 569-2013 – be drafted and included in the ZBLA in order to avoid adverse implications for these pipeline projects.

2. **Accessible Parking Space Dimensions**

On behalf of the Company we have reviewed the February 23, 2017 letter from BA Consulting Group (Communication Item No. PG18.5.3) and adopt the issues and concerns identified therein regarding the required size of the parking space.

Accordingly, we respectfully request that Council direct staff to report to Planning and Growth Management Committee respecting the above two issues so that further public input can be received as well prior to this matter returning to Council. As the proposed bylaw is currently constituted, the Company would object.

Please provide us with notice of decisions by Council or any other Committee of Council related to this matter.

Sincerely,

McCarthy Tétrault LLP

Cynthia A. MacDougall