

**Payment In-Lieu of Parking: Applicant – 751 Don Mills Road**

<b>Date:</b>	July 6, 2010
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Transportation Services Division, North York District
<b>Wards:</b>	<b>Ward 26 – Don Valley West</b>
<b>Reference Number:</b>	<i>ny10088</i>

**SUMMARY**

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To seek City Council's approval to exempt the applicant from North York Zoning By-law 7625 requirement of forty-four (44) parking spaces to permit the construction of two new buildings containing restaurant and retail uses, whereas twenty-eight (28) parking spaces can be provided on-site.

**RECOMMENDATIONS**

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Transportation Services Division, North York District recommends that City Council:

1. Exempt the applicant from the North York Zoning By-law 7625 requirement of forty-four (44) parking spaces, subject to payment-in-lieu for sixteen (16) parking spaces; and
2. Approve that the applicant enter into an agreement with the City of Toronto for the payment in-lieu of sixteen (16) parking spaces based upon the proposed additional Gross Floor Area (GFA), which in this case amounts to \$109,440.00.

**Financial Impact**

Council's approval of this application will provide the City of Toronto with \$109,440.00 payment in-lieu of parking and a \$300.00 plus HST application processing fee.

## **ISSUE BACKGROUND**

751 Don Mills Road is undergoing a site plan application review (application number 09 178258 NNY 26 SA) to construct a Tim Horton's with drive-thru in one building and two restaurants plus two retail uses in a second building. The total gross floor area (GFA) of the two buildings is approximately 534 m<sup>2</sup>.

In accordance with North York Zoning By-law 7625, the applicant must provide a total of forty-four (44) parking spaces for the proposed uses, whereas twenty-eight (28) spaces are proposed on-site, resulting in a parking deficiency of sixteen (16) parking spaces.

The applicant submitted a Minor Variance Application (A0085/10NY) to the Committee of Adjustment meeting on June 23, 2010 for the above noted parking deficiency. The committee approved the variance subject to payment in-lieu of parking.

## **COMMENTS**

A parking study was prepared by BA Group dated April 28, 2010. The study concluded that there is sufficient parking supply on-site to meet the future parking demands of a Tim Horton's, two retail uses and two restaurant uses.

The study surveyed a proxy site, Mondeo Plaza, which is located at the northeast corner of Birchmount Road and Ellesmere Road. The site contains a Tim Horton's (286m<sup>2</sup>) with a drive thru, a Burger King and a Dairy Mart. The total GFA of the site is 720m<sup>2</sup>. The total parking supply of the site is seventy (70) parking spaces. Surveys of the parking demand and drive thru demand were conducted on Thursday December 3, Friday December 4 and Saturday December 5 of the year 2009. The maximum parking demand of forty-nine (49) vehicles occurred on Friday December 4 at 8:00 am and 1:00 pm. The maximum drive thru queue was twelve (12) vehicles and occurred at 1:00 pm on Saturday December 5.

Transportation Services Division recommends that payment in-lieu of parking be applied for sixteen (16) parking spaces given that staff have concerns with the parking supply notwithstanding the submitted study's conclusions.

Should Council concur with applying the policy at this location, the applicant will be required to pay a total of \$109,440.00 in accordance with the Payment In-lieu of Parking Policy (Category 3), which stipulates a payment of \$5,000.00 per space plus, additional payment of 5 times the land value per m<sup>2</sup>. In this case, Facility and Real Estate

Services has appraised the value of this land at \$368.00 per m<sup>2</sup>. Therefore, the payment per parking space is \$5,000.00 plus \$1,840.00 (5 x \$368.00), or \$6,840.00 per space, for a total of \$109,440.00 for the sixteen (16) space deficiency.

## **CONTACT**

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## **SIGNATURE**

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Myles Currie, B.A.  
Director