



## **STAFF REPORT ACTION REQUIRED**

### **Cash Payment-in-Lieu of Parking - 415-417 Spadina Road**

<b>Date:</b>	February 17, 2010
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Transportation Services, Toronto and East York District
<b>Wards:</b>	St Paul's - Ward 22
<b>Reference Number:</b>	Ts10025te.top.doc

### **SUMMARY**

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A developer is proposing to construct additions to the rear of the existing three-storey retail/office building to expand the café and office space uses. The Zoning By-law would require the provision of five parking spaces in respect of the enlarged building, whereas zero parking spaces are proposed. In view of this shortfall, the applicant has submitted an application to make a cash payment in-lieu of providing the required parking spaces. Transportation Services staff support the application for cash payment-in-lieu of parking.

### **RECOMMENDATIONS**

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#### **Transportation Services recommends that City Council:**

1. Approve the application by Ritchie Ketcheson Hart and Biggard, on behalf of Roar Enterprises for a cash payment-in-lieu of providing five parking spaces, in the amount of \$25,000.00; and
2. Approve the requirement for the applicant to enter into an Agreement with the City of Toronto for the payment-in-lieu of five parking spaces, in the amount of \$25,000.00.

## **Financial Impact**

Monies collected from this application would be directed to the Toronto Parking Authority (TPA) parking reserve account.

## **ISSUE BACKGROUND**

The property at Premises Nos. 415 and 417 Spadina Road, located on the northeast corner of Spadina Road and Lonsdale Road is presently occupied by a three-storey office and retail building, which currently includes a café at grade. The applicant previously obtained variances to, among other things, increase the maximum permitted non-residential gross floor area of the building to up to 1,141 square metres and to permit a reduced setback from the public lane at the rear of the site (File No. A0406-08TEY). The applicant subsequently revised the proposal to include a minor reduction in the total non-residential floor area to 1,087 square metres, including 399.78 square metres of additional floor area. The Zoning By-law requires that the owner provide five parking spaces in respect of the enlarged commercial building on the site. The owner applied to the Committee of Adjustment for variances in respect of the infill addition to permit, among other things, the provision of “zero” parking spaces instead of five parking spaces, as required by the Zoning By-law. In its Notice of Decision, dated January 7, 2009, (File No. A0406/08TEY), the Committee of Adjustment did not grant the owner the parking variance. In view of this decision, the owner would like to make a cash payment-in-lieu of providing the required parking spaces. A map of the area is attached as DWG. No. 421F-9957.

## **COMMENTS**

An application for a cash payment-in-lieu of providing five parking spaces was submitted to this Division on December 4, 2009, and modified by a further submission in respect of a slightly downsized project on February 9, 2010. The application was submitted by Bruce Ketcheson, Ritchie Ketcheson Hart and Biggart, Barristers, Solicitors and Notaries, on behalf of Roar Enterprises, the owner of the property.

A staff review of the site plans for this project revealed that providing additional on-site parking is, in fact, not feasible. Furthermore, the owner has been unable to obtain suitable leased off-site parking in the area. However, the area is presently served by a TPA lot located within 100 metres of the site, as well as on-street metered parking spaces. TPA staff have also advised that they are actively pursuing expansion of TPA parking facilities in this high-demand area and that funds from cash payment in lieu applications, which are deposited into the TPA reserve account, will benefit the expansion of TPA facilities.

In view of these circumstances, it is appropriate to waive the requirement to provide five non-residential parking spaces and approve the application for a cash payment-in-lieu of these spaces. In accordance with the cash payment-in-lieu of parking formula adopted by City Council, the payment will be \$5,000 for each parking space, for a total payment of \$25,000.

## **CONTACT**

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## **SIGNATURE**

Peter Noehammer, P. Eng.  
Director, Transportation Services

## **ATTACHMENTS**

Drawing No 421F-9957, dated February 2010

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