



**STAFF REPORT
ACTION REQUIRED**

Payment-In-Lieu of Parking - 416 Eglinton Avenue West

Date:	May 22, 2013
To:	North York Community Council
From:	Acting Director, Transportation Services, North York District
Wards:	Ward 16 – Eglinton-Lawrence
Reference Number:	<i>P:\2007\Cluster B\TRA\NorthYorkDistrict\ny13079</i>

SUMMARY

This report seeks Council's approval to exempt the applicant from the parking requirement specified in the former City of Toronto Zoning By-law 438-86 to provide eight parking spaces (four spaces for the residential component and four spaces for the office component). Instead of accommodating the parking on-site, the applicant has requested a Payment-In-Lieu of Parking to the City which amounts to \$20,000.00.

The parking exemption is considered appropriate since the eight space shortfall will not have a significant impact on parking conditions in the area. As the City's Payment-In-Lieu of Parking Policy can only be considered for the non-residential component of mixed-use developments, only four of the eight parking spaces will be subject to Payment-In-Lieu.

Section 40 of the Planning Act grants Council the authority to approve payment-in-lieu of parking. This application has been made pursuant to the City's Payment-In-Lieu of Parking Policy, adopted in July 2004. City Council approval is required as this matter has not been delegated.

RECOMMENDATIONS

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

1. Exempt the applicant at 416 Eglinton Avenue West from the former City of Toronto Zoning By-law parking requirement of eight parking spaces, subject to a \$20,000.00 payment-in-lieu of parking; providing the applicant signs a Payment-In-Lieu of Parking Agreement with the City, to the satisfaction of the City Solicitor.

Financial Impact

The City of Toronto will receive \$20,000.00 and a \$300.00 plus HST application processing fee. The Toronto Parking Authority's parking reserve fund will receive the \$20,000.00, with Transportation Services receiving the application fee of \$300.00 plus HST.

COMMENTS

The property at 416 Eglinton Avenue West is currently zoned 'Mixed Use Commercial Residential' (MCR T3.0 C2.0 R2.5) according to the former City of Toronto Zoning By-law 438-86. The rear of the property abuts an existing private lane. Attachment 1 shows the location of the subject site.

The property is currently occupied by a one-storey, 779.57 square metre retail building. The existing basement is also used for retail purposes.

The applicant proposes to construct a three-storey addition to the existing building to accommodate 382 square metres of office use on the second floor, five, two bedroom residential units on the third and fourth floor while the existing 662 square metre retail store on the ground floor and basement will remain.

Based on the zoning review prepared by the Building Division, the additional office space and residential units require four parking spaces for each use. In total, a minimum of eight parking spaces are required for the uses proposed. Attachment 2 illustrates the applicant's site plan.

In view of the existing building layout and rear yard constraints, the property cannot provide any functional on-site parking that conform to the vehicle access and dimension requirements of the former City of Toronto Zoning By-law.

In Decision Number A900/12NY, the Committee of Adjustment approved the applicant's minor variance request for the parking shortfall of eight spaces, on condition that the applicant request North York Community Council's approval to enter into a Payment-In-Lieu of Parking agreement with the City of Toronto. As the City's Payment-In-Lieu of Parking Policy can only be considered for the non-residential component of mixed-use developments, only four of the eight parking spaces will be subject to Payment-In-Lieu.

The applicant recently contacted North York Transportation Services to request an application for payment-in-lieu of parking under the City's Payment-in-Lieu of Parking Policy. The applicant subsequently submitted a formal request, Attachment 3, to exempt the property from the former City of Toronto Zoning By-law parking standard for four additional parking spaces to accommodate the proposed office use on the second floor of the proposed building.

The Toronto Parking Authority provides metered on-street parking on Eglinton Avenue West abutting the site and a paid public parking lot at the southwest corner of Castle Knock Road and Burnaby Boulevard located west of the site. Subsequently, the on-site parking shortfall is not expected to have a significant impact on existing parking conditions in the area. On this basis, North York Transportation Services considers the parking exemption to be appropriate.

Calculating the payment-in-lieu of parking fee

The applicant’s proposal to construct 382 square metres of office space on the second floor of the proposed building classifies the application into Category Two of the City’s Payment-In-Lieu of Parking Fee Schedule. This formula is for completely new construction or from construction, renovation, alteration or change in use that is greater than 200 square metres but equal to or less than 400 square metres.

The following chart illustrates the fee calculation:

Formula	Calculation
Shortfall of ‘x’ parking spaces multiplied by \$5,000 per parking space	4 x \$5,000 = \$20,000

CONTACT

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SIGNATURE

Pascoal D'Souza, C.E.T.
 Acting Director
 Transportation Services Division, North York District

ATTACHMENTS

- Attachment 1: Context Map
- Attachment 2: Applicant's Site Plan
- Attachment 3: Applicant's Letter