

Payment-In-Lieu of Parking: 3795 Bathurst Street

Date:	August 7, 2015
To:	North York Community Council
From:	Director, Transportation Services, North York District
Wards:	Ward 10- York Centre
Reference Number:	<i>p:/2015/ClusterB/TRA/NorthYork/ny15065</i>

SUMMARY

This report seeks City Council's approval to exempt the applicant from the parking requirement specified in the former City of North York Zoning By-law No. 7625 to provide twenty-four (24) parking spaces and Zoning By-law 569-2013 to provide seven (7) spaces.

RECOMMENDATIONS

Transportation Services recommends that:

1. City Council exempt the applicant at 3795 Bathurst Street from former City of North York Zoning By-law No. 7625 parking requirements of twenty-four (24) spaces and City-wide Zoning By-law 569-2013 parking requirement of seven (7) parking spaces, subject to a \$17,500.00 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

Council's approval of this application will provide the City of Toronto with \$17,500.00. This payment will be allocated in the Toronto Parking Authority's parking reserve fund.

COMMENTS

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.

The applicant contacted Transportation Services to request an application for payment-in-lieu of parking under the City's Payment-in-Lieu of Parking Policy.

The property at 3795 Bathurst Street is currently zoned 'Commercial Residential' CR1.0 (SS2) according to the City-wide Zoning By-law 569-2013. The property is currently occupied by a mixed use building at Bathurst Street and Southbourne Avenue. The rear of the property abuts a multi-unit residential building.

The applicant proposes to expand the existing eating establishment to accommodate an additional 84.6 square metres of restaurant space. Based on the zoning review prepared by the Building Division, a minimum of twenty-four (24) parking spaces are required under the former City of North York Zoning By-law No. 7625 and seven (7) spaces are required under Zoning By-law 569-2013. Transportation Services notes the associated parking standards of Zoning By-law 569-2013 are based on more recent information when compared to the former North York By-law and therefore the seven (7) parking space requirement should be used to calculate the Payment-in-Lieu of Parking fee.

In review of the lot area constraints, the property cannot provide sufficient functional on-site parking that conforms to the vehicle access and dimension requirements of both the former City of North York Zoning By-law and the City-wide Zoning By-law.

Transportation Services recognizes there is a sufficient parking supply in the surrounding area to accommodate the parking demand associated with the proposed expansion of the existing eating establishment. The on-site parking shortfall is not expected to have a significant impact on existing parking conditions in the area. On this basis, Transportation Services considers the parking exemption to be appropriate.

Calculating the payment-in-lieu of parking fee

The applicant's proposal to expand the existing eating establishment with an 84.6 square metre addition of restaurant space classifies the application into Category One of the City's Payment-in-Lieu of Parking Fee Schedule. The formula below is for completely new construction or for construction, renovation, alteration, or change in use that is less than 200 square metres.

The following chart illustrates the fee calculation:

Formula	Calculation
Shortfall of 'x' parking spaces multiplied by \$2,500	7 x \$2,500.00 = \$17,500.00

Transportation concludes that the outlined payment-in-lieu of parking application for this development is acceptable.

CONTACT

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SIGNATURE

Jacqueline White, P. Eng
Director

ATTACHMENTS

Attachment 1: Context/Site Plan