



## STAFF REPORT ACTION REQUIRED

### Payment-In-Lieu of Parking – 1912 and 1914 Avenue Road

<b>Date:</b>	August 8, 2016
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Transportation Services, North York District
<b>Wards:</b>	<b>Ward 16 – Eglinton-Lawrence</b>
<b>Reference Number:</b>	<i>p:\2015/Cluster B/TRA/North York/ny16077</i>

#### SUMMARY

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This report seeks Council's approval to exempt the applicant from the parking requirement specified in the City of Toronto Zoning By-law 569-2013 to provide 15 parking spaces and former City of North York Zoning By-law 7625 to provide 57 parking spaces. Instead of accommodating the parking on-site, the applicant has requested Payment-In-Lieu of Parking to the City which amounts to \$498,825.00.

The Ontario Municipal Board in Case Number PL150944 authorized a minor variance request for parking shortfall with a condition the owner enter into a Payment-In-Lieu of Parking Agreement with the City.

The parking exemption is considered appropriate since the parking space shortfall is expected to be accommodated by the Toronto Parking Authority Green P parking lots and on-street parking spaces in the surrounding area.

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

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Transportation Services recommends that:

1. City Council exempt the applicant at 1912 and 1914 Avenue Road from the City of Toronto Zoning By-law 569-2013 parking requirement of 15 parking spaces and

former City of North York Zoning By-law 7625 parking requirement of 57 parking spaces, subject to a \$498,825.00 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 \$498,825.00 and a \$337.78 plus HST application processing fee. The Toronto Parking Authority's parking reserve fund will receive the \$498,825.00, with Transportation Services receiving the application fee of \$337.78 plus HST.

## **COMMENTS**

In Case Number PL150944, the Ontario Municipal Board authorized the applicant's minor variance request for the parking shortfall, on condition that the owner enter into a Payment-In-Lieu of Parking Agreement with the City, in accordance with the City's Payment-In-Lieu of Parking Policy.

The applicant recently contacted Transportation Services, North York District 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 City of Toronto Zoning By-law parking standard of 15 parking spaces and former City of North York Zoning By-law parking standard of 57 parking spaces, to accommodate the proposed four-storey building with office and retail uses.

The property at 1912 and 1914 Avenue Road is currently zoned 'Commercial Residential' CR 3.0 (c2.0; r2.8) SS2 (x1543) according to the City of Toronto Zoning By-law 569-2013 and 'General Commercial Zone' C4(12) according to the former City of North York Zoning By-law 7625. Attachment 1 shows the location of the subject site.

The property is currently occupied by a 2-storey, 756.5 square metre retail and office building. The existing basement is used for storage purposes.

The applicant proposes to demolish the existing building and construct a new 4-storey, 2,461 square metre gross floor area building with office and retail uses. Attachment 2 illustrates the applicant's site plan.

The proposed building requires a minimum of 15 parking spaces under City of Toronto Zoning By-law 569-2013 and 57 parking spaces under former City of North York Zoning By-law 7625. The original proposal required only 14 spaces under City of Toronto Zoning By-law 569-2013; however, the office component has slightly increased resulting in a minimum parking requirement of 15 spaces.

Zoning By-law 569-2013 was developed by City staff in order to update the parking requirements for developments. This by-law was adopted by City Council in April 2013. The parking provisions contained in this by-law have been accepted by staff on recent development projects, where appropriate, as the associated parking standards are based on more recent information when compared to the former City of North York general Zoning By-law. As a result, we recommend that the site be subject to Payment-In-Lieu of Parking for 15 spaces instead of 57 spaces.

The proposed building has zero parking spaces. To justify the parking deficiency, the applicant submitted a Transportation Assessment Study by LEA Consulting dated May 2015. The consultant conducted parking utilization surveys at two Toronto Parking Authority Green P parking lots located within 150 metres of the subject site and on-street parking within 300 metres of the subject site. The surveys were completed in half hour intervals from 8:30 a.m. – 7:00 p.m. on April 14<sup>th</sup> and 15<sup>th</sup>, 2015. One of the two Green P lots is located immediately west of the subject site. According to the surveys, there is a combined 38 residual spaces within the surveyed area. On this basis, Transportation Services staff considers the parking exemption to be appropriate.

### **Calculating the Payment-In-Lieu of parking fee**

The applicant's proposal to construct a 2,461 square metres building with office and retail uses classifies the application into Category Three of the City's Payment-In-Lieu of Parking Fee Schedule. This formula is for new construction, renovations, alterations or change in use that is greater than 400 square metres gross floor area. Under Category Three, a land value (\$ per square metre) is needed to calculate the Payment-In-Lieu of Parking Fee. A land value of \$5,651.00 per square metre was provided by the City's Real Estate Services Division for the subject site.

The following chart illustrates the fee calculation:

Formula	Calculation
[\$5,000 + \$(5 x L)] multiplied by shortfall of parking spaces*	15 x \$33,255.00 = \$498,825.00

\* Where \$5,000 is the current estimated construction cost of a surface parking space and L is the current estimated land value (\$ per square metre) in the area

## CONTACT

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## SIGNATURE

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Jacqueline White, P. Eng.  
Director

## ATTACHMENTS

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