

Payment-In-Lieu of Parking – 399 Dundas Street West

Date: June 13, 2018
To: Toronto and East York Community Council
From: Acting Director, Transportation Services, Toronto and East York District
Wards: Ward 20, Trinity - Spadina

SUMMARY

This report seeks City Council's approval to exempt the applicant from the parking requirement specified in Section 4(5)(b), By-law 438-86 to provide 3 retail parking spaces. The applicant is unable to accommodate the parking on-site and has requested a Payment-In-Lieu of Parking to the City, which amounts to \$15,000.00.

The parking exemption is considered appropriate since the parking space shortfall will not have a significant impact on parking conditions in the area.

Section 40 of the Planning Act grants City 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

The Acting Director, Transportation Services, Toronto and East York District recommends that:

1. City Council exempt the applicant at 399 Dundas Street West from the former City of Toronto Zoning By-law 438-86 parking requirement of 3 retail parking spaces, subject to a \$15,000.00 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 \$15,000.00 and a \$355.64 plus HST application processing fee. The Toronto Parking Authority's parking reserve fund will receive the \$15,000.00, with Transportation Services receiving the application fee of \$355.64 plus HST.

DECISION HISTORY

At its meeting of February 27, 2014, the Committee of Adjustment (COA) considered and refused the minor variance application, related to retail parking spaces, residential and non-residential gross floor area, for the construction of a new 4-storey building with commercial on the first and second floors and residential on the third and fourth floors. The applicant appealed the decision of the COA to the Ontario Municipal Board (OMB). At the onset of the hearing, held on May 22, 2014, the applicant and the City advised the Board that a settlement had been reached and that a Memorandum of Understanding (MOU) had been drafted. The proposed settlement, as detailed in the MOU, dated May 22, 2014 has resulted in the withdrawal of the variance for retail parking, as the applicant has agreed to make a cash-in-lieu payment for the non-provision of retail parking. The OMB, in its decision, dated June 11, 2014, will withhold its Order pending confirmation from the City solicitor that the parking agreement has been executed and registered on title to the subject property. A map of the area is attached as DWG No. 421G-3076.

COMMENTS

An application was submitted to Transportation Services on June 6, 2018 by Kyle Abdo, on behalf of 2348613 Ontario Inc., for a cash payment-in-lieu of providing 3 retail parking spaces.

The applicant proposes to construct a 4-storey building with commercial on the 1st and 2nd floors and residential on the 3rd and 4th floors. There are no vehicular parking spaces proposed to serve this development. Vehicular parking for the existing building has been accommodated by the area on-street network and within off-street parking facilities nearby.

A staff review of the site plans for this project revealed that providing on-site parking is, in fact, not feasible, due to the narrow width of the site.

Transportation Services recognizes there are parking spaces in the surrounding area to accommodate the parking demand associated with the proposed building. The non-provision of parking 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.

The funds from cash payment-in-lieu applications, will be placed in a parking reserve account, administered by the Toronto Parking Authority, to be used to develop and maintain municipal parking facilities.

In view of these circumstances, it is appropriate to waive the requirement to provide 3 retail parking spaces and approve the application for a cash payment-in-lieu of these spaces.

Payment-In-Lieu of Parking Fee

The applicant's proposal is to construct a new 4-storey mixed use building classifies the application into Category Two of the City's Payment-In-Lieu of Parking Fee Schedule. This cost is for increases in GFA resulting from construction, renovation, alteration or change in use that is greater than 200 square metres and less than 400 square metres, resulting in a cost of \$5,000.00 per parking space.

In accordance with the cash payment-in-lieu of parking cost adopted by City Council as noted above, the payment will be \$5,000.00 for each parking space, for a total payment of \$15,000.00. Transportation concludes that the outlined Payment-In-Lieu of Parking application for this development is acceptable.

CONTACT

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SIGNATURE

Dave Twaddle, C.E.T.
Acting Director, Transportation Services
Toronto and East York District

ATTACHMENTS

1. Context Map Drawing No. 421G-3076

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Attachment 1: Context Map



NOTE:
 INFORMATION ON THIS PLAN IS BASED ON OFFICE
 RECORDS AND IS SUBJECT TO FIELD VERIFICATION.

**399 DUNDAS ST W:
 PAYMENT IN LIEU OF PARKING**

DWG. NO. 421G-3076 O.P. JUNE, 2018 TRANSPORTATION SERVICES TORONTO & EAST YORK DISTRICT