

Payment-In-Lieu of Parking – 503 Keele Street

Date: October 26, 2023
To: Etobicoke York Community Council
From: Deputy General Manager, Transportation Services
Wards: Ward 5, York South-Weston

SUMMARY

This report seeks City Council's approval to exempt the applicant from the parking requirement specified in Zoning By-law No. 438-86 to provide a total of four (4) parking spaces for the additional office uses on the subject site, as determined by the City's Building Division. The applicant is unable to accommodate one (1) of the required four (4) parking spaces on-site and has requested a Payment-In-Lieu of Parking to the City which amounts to \$5,000.

The parking exemption is considered appropriate since the parking space shortfall is considered minor and 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 Deputy General Manager, Transportation Services, recommends that:

1. City Council exempt the applicant at 503 Keele Street from the Zoning By-law No. 438-86 requirement to provide one (1) of the total requirement of four (4) additional parking spaces for the proposed additional office uses of the site, subject to a \$5,000 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

There are no financial implications associated with the adoption of this report as the proponent has made a payment to the City of Toronto for the Payment-In-Lieu of Parking application processing fee of \$432.82 plus HST. If the application is approved by City Council, the proponent will make a payment of \$5,000.00 for the one space parking shortfall. The Toronto Parking Authority's parking reserve fund will receive the payment for the parking shortfall.

DECISION HISTORY

The site was the subject of a Minor Variance Application with the Committee of Adjustment, under File No. A0353/20EYK, in which the applicant requested permission to permit an office use on the site, whereas office uses are not permitted. The applicant also requested a parking variance to allow the parking deficiency in which four (4) parking spaces are provided, in lieu of the 35 parking spaces that are required. In its December 3, 2020 decision, the Committee of Adjustment approved the above-noted Minor Variance Application, subject to the proposed second and third floors being limited to office use only and not converted to habitable area, and the applicant successfully obtaining a Payment-in-lieu of Parking for the additional office uses, to the satisfaction of Transportation Services.

COMMENTS

An application was submitted to Transportation Services by John Rounis, on behalf of the owner of the property, Basile Rounis, for a cash payment-in-lieu of parking.

The site is currently occupied by an existing building on the site consisting of a two-storey section at the rear and a one-storey section at the front. The location of the site is shown in Attachment 1.

The proponent wishes to retain the existing vehicle-related uses on the ground floor while proposing to construct new office space within a second and third floor addition to the front portion of the existing building. As noted in the Public Hearing Notice for Minor Variance Application No. A0353/20EYK, 35 on-site parking spaces are required for the expanded site, whereas only four (4) on-site parking spaces are provided.

Subsequent to the Committee of Adjustment approval on December 3, 2020, and at the request of Transportation Services, the applicant further consulted with the Building Division of the City of Toronto regarding the current and proposed parking situation at the site. On October 12, 2021, the Building Division indicated that they could not confirm the lawful number of approved parking spaces for the existing vehicle-related uses on the site, given that the permit history for this site was not available in their records. They also indicated that the previous June 23, 2020 zoning review listed all parking requirements for existing and proposed uses based upon the current and proposed

building gross floor area, irrespective of permit history regarding the existing parking spaces for the vehicle-related uses. In light of this, the Building Division indicated that the existing four (4) parking spaces for the vehicle-related uses cannot be reduced, and that the parking variance shall be for the proposed new office uses only, which require four (4) new parking spaces.

The applicant, through its retained agent, indicated that they can provide three (3) additional parking spaces on the northern portion of land it owns located within Lot 43, which is accessible from the existing public lane at the rear of the site. They also provided a copy of an Indenture and its Schedule A, dated October, 1979, and documentation from the Land Registry Office confirming that part of Lot 43 (along with parts of Lots 41 and 42) belong to the current owner of the subject site. Given that the Building Division has identified that four (4) additional parking spaces are required for the proposed office uses, there will be a parking deficiency of one (1) parking space, for which a Payment-In-Lieu of Parking is required.

It is our understanding that should the applicant decide to sell any part of the lands within which they propose to provide the additional parking for the additional office uses a consent application with the City would be required.

The applicant provided the Transportation Services Division with a site plan that shows the proposed development site. The site plan shows that, for the existing building, 410.5 square metres of vehicle-related (automobile repair) uses and 233.4 square metres of office uses are provided. For the proposed building addition, the 410.5 square metres of vehicle-related uses will be retained and a total of 564.2 square metres of office uses will be provided, which includes 330.8 square metres of new office space. Given that the increase in office gross floor area is between 200 square metres and 400 square metres, Category Two of the Payment-In-Lieu of Parking Calculation shall apply, in which a payment of \$5,000.00 per parking space is required for each deficient parking space. This calculation is detailed in the 'Calculating the Payment-In-Lieu of Parking Fee' section below.

A staff review of the site plans for this project revealed that it is not possible to provide all of the parking spaces required for the additional office uses. The shortfall of one office parking space is not expected to impact the surrounding area. In addition, our Traffic Operations Unit has no record of parking-related complaints with respect to the existing vehicle-related uses at 503 Keele Street. 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 the single office parking space that cannot be provided on-site and approve the application for a cash payment-in-lieu of this single parking space.

Calculating the Payment-In-Lieu of Parking Fee

Given that the proposed additional office use has a gross floor area of 330.8 square metres, the application falls into Category Two of the City's Payment-In-Lieu of Parking Fee Schedule, based upon construction, renovation, alteration or change in use that is between 200 square metres and 400 square metres.

The following chart illustrates the fee calculation:

Formula	Calculation
\$5,000 per parking space*	$\$5,000 \times 1 = \$5,000$

*Where \$5,000 is the current estimated construction cost of a surface parking space.

In accordance with the cash payment-in-lieu of parking formula adopted by City Council as noted above, the payment will be \$5,000 for the one (1) deficient office parking space. Transportation Services concludes that the outlined Payment-In-Lieu of Parking application for this development is acceptable.

The Ward Councillor has been advised of the recommendation of this staff report.

CONTACT

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SIGNATURE

Ashley Curtis,
Deputy General Manager, Transportation Services

ATTACHMENTS

Attachment 1: Map - Payment-In-Lieu of Parking - 503 Keele Street

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