



## **Staff Report for Committee of the Whole Meeting**

**Date of Meeting:** September 17, 2018

**Report Number:** SRPRS.18.182

**Department:** Planning and Regulatory Services  
**Division:** Development Engineering & Transportation

**Subject:** SRPRS.18.182 – Payment-in-Lieu of Parking Agreement – 2591076 Ontario Corporation – 10156 Yonge Street

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### **Purpose:**

To seek Council's approval to authorize the Mayor and Clerk to execute an agreement between the Town of Richmond Hill and 2591076 Ontario Corporation pertaining to Payment-in-Lieu of Parking for 10156 Yonge Street, in accordance with By-law 3-94.

### **Recommendation(s):**

- a) That Council authorizes the Mayor and the Clerk to execute an agreement between the Town of Richmond Hill and 2591076 Ontario Corporation to permit payment in lieu of parking for 4 on-site spaces at 10156 Yonge Street, in accordance with By-law 3-94 and upon the recommendation of the Commissioner of Planning and Regulatory Services

### **Contact Person:**

Hubert Ng, Senior Transportation Planner, (905) 747-6501 and/or  
Richard Hui, Manager of Transportation, (905) 771-5478.

### **Report Approval:**

**Submitted by:** Kelvin Kwan, Commissioner of Planning and Regulatory Services

**Approved by:** Neil Garbe, Chief Administrative Officer

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), Town Solicitor (as required), Commissioner, and Chief Administrative Officer. Details of the reports approval are attached.

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### Background:

2591076 Ontario Corporation has requested the Town to enter into a Payment-in-Lieu of Parking Agreement with them in order to address a parking supply deficiency at the existing property located at 10156 Yonge Street (Attachment 1). 10156 Yonge Street is illustrated in Attachment 2. 2591076 Ontario Corporation has proposed a change in use for part of the building from retail to medical use and the remainder of the building will be for the existing retail use. Zoning staff has determined that the change in use will result in a deficiency of four (4) parking spaces for the overall site, based on the Town's Zoning By-law 100-10.

The Town's Payment-in-Lieu of Parking Bylaw 3-94 for the Central Business District (Attachment 3) and Policy state that:

*Payment-in-Lieu of parking is a means by which the Town can collect funds and at the same time achieve development within the municipality. Payment-in-Lieu can facilitate development that cannot meet the parking standards required on site and provide funds to the Town to improve the supply of public parking as demand warrants. It is intended to be an occasional form of relief from the parking provisions of the Zoning by-Law, when warranted by the specific circumstances of the development.*

*As new development occurs in the Town, the intent is for the developer to adhere to the Town's parking by-law. However, if the developer cannot meet these requirements, due to certain constraints on the site, the Payment-in-Lieu policy can help achieve both the Town's and the developer's interests by attracting and enhancing development opportunities. Through this avenue, the Town may decide to reduce the amount of the parking required on the specific site in return for a cash payment. The amount of this payment is based on current construction and land costs for parking (surface parking or structured parking) in the vicinity of the development site. The monies collected are retained in a fund intended for the financing of future parking structures or lots within specified areas of the Town.*

Provided that Town staff is satisfied that the onsite parking deficiency can be accommodated off-site and does not pose a significant parking impact on the surrounding neighborhood, the Payment-in-Lieu of Parking Agreement is a tool which can help to facilitate new development or in this case, changes in use for specific units, when the required on-site parking supply cannot be met. At the same time, this also provides funds for the Town to increase the public parking supply in the future when it is deemed appropriate and necessary.

As part of the consideration for applying the Payment-in-Lieu policy for 10156 Yonge Street, the Town required the applicant to submit a parking study conducted by a qualified transportation specialist. The purpose of the parking study was to determine the availability of existing public parking within a reasonable distance of the property, which would accommodate the anticipated shortfall in dedicated on-site parking.

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Nextrans was retained by 2591076 Ontario Corporation and completed a Parking Justification Study dated August 16, 2018 that confirmed the availability of public parking spaces within a reasonable walking distance from 10156 Yonge Street to offset the four parking spaces that are the subject of the Payment-in-Lieu of Parking Agreement.

As a result of the supporting information provided by the applicant, Town staff recommends that 2591076 Ontario Corporation be granted relief of four parking spaces for 10156 Yonge Street through the execution of a Payment-in-Lieu of parking Agreement, in accordance with By-Law 3-94.

### **Financial/Staffing/Other Implications:**

There are no financial implications to the Town as a result of entering into this agreement.

The Payment-in-Lieu of Parking as part of By-law 3-94 for 10156 Yonge Street is based on the current cost of constructing an equivalent parking space. The actual cost to 2591076 Ontario Corporation is based on the parking formulae detailed in By-law 3-94 and amounts to 50% of the combined construction cost and land cost of a parking space, and a portion of the circulation aisles.

Based on the current construction costs, 2591076 Ontario Corporation is required to pay the Town \$106,523.00 for the four (4) parking spaces plus legal fees associated with preparation and/or registration on title of the Payment-in-Lieu of Parking Agreement.

### **Relationship to the Strategic Plan:**

The proposed change in use for 10156 Yonge Street support the Strategic Plan goal of providing Better Choices in Richmond Hill by supporting opportunities to revitalize the Downtown area and enhancing land use choices for residents and visitors. In addition, it achieves the goal of Wise Management of Resources by supporting the Town's plans for a new kind of urban community and building future infrastructure to create that community.

### **Conclusion:**

2591076 Ontario Corporation has requested to enter into a Payment-in-Lieu of Parking Agreement (under By-law 3-94) with the Town for four (4) parking spaces that cannot be provided on the existing site at 10156 Yonge Street. In order to be able to grant relief of these parking requirements and permit the proposed land use changes, it is recommended that Council authorize the Mayor and the Clerk to execute an Agreement between the Town and 2591076 Ontario Corporation (Municipal Address: 10156 Yonge Street), in accordance with By-Law 94-3, to allow for Payment-in-Lieu of Parking for the 4 spaces.

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### **Attachments:**

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format, please call contact person listed in this document.

- Attachment 1: Payment-in-Lieu Request Letter
- Attachment 2: Map of 10156 Yonge Street
- Attachment 3: By-law No. 3-94

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### Report Approval Details

Document Title:	SRPRS.18.182 - 10156 Yonge St - Payment-in-Lieu of Parking Agreement.docx
Attachments:	- SRPRS.18.182 Attachment 1 - 10156 Yonge - Request for Payment-in-Lieu.pdf - SRPRS.18.182 Attachment 2 - Aerial Map.pdf - SRPRS.18.182 Attachment 3 - By-law 3-94 (payment in lieu).pdf
Final Approval Date:	Sep 11, 2018

This report and all of its attachments were approved and signed as outlined below:

**Dan Terzievski - Sep 11, 2018 - 9:29 AM**

**Kelvin Kwan - Sep 11, 2018 - 10:19 AM**

**Neil Garbe - Sep 11, 2018 - 11:30 AM**