

# **The Corporation of the City of Kawartha Lakes**

## **Council Report**

**Report Number PLAN2019-046**

---

**Date:** August 13, 2019  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

---

**Ward Community Identifier: Ward 5 – Lindsay**

**Title:** Parking Requirements – Additional Development of 82 Kent Street West, Lindsay

**Description:** Request to the City for the collection of cash-in-lieu of parking for the additional development of the property in accordance with the provisions of the Town of Lindsay Zoning By-law

**Author and Title: Ian Walker, Planning Officer – Large Developments**

---

### **Recommendations:**

**That** Report PLAN2018-046, **Parking Requirements – Additional Development of 82 Kent Street West**, be received; and

**That** Council requires cash-in-lieu of parking for the additional development of 82 Kent Street West, Lindsay, in the sum of \$18,158.15 as cash in lieu for 8 parking spaces.

**Department Head:**\_\_\_\_\_

**Financial/Legal/HR/Other:**\_\_\_\_\_

**Chief Administrative Officer:**\_\_\_\_\_

## Background:

The owner of the lot proposes to renovate the existing basement of the building at 82 Kent Street West, known as Wards PC, to create additional office space within the existing commercial building. The current proposed development will require 8 parking spaces, and the owner is unable to provide any additional on-site parking spaces, as the lot is currently fully developed with a building and parking. The applicant met with Planning Division staff to determine what the staff recommended value of cash-in-lieu of parking would be, based on consistency with recent past practices in the downtown core. As such, they have requested to make a presentation to Council for the consideration of cash-in-lieu of parking.

Owner:	2153986 Ontario Inc. – Wards PC
Applicant:	Kevin M. Duguay Community Planning and Consulting Inc.
Legal Description:	Town Plan Part of Lot 7 North of Kent Street West, former Town of Lindsay, City of Kawartha Lakes
Designation:	“Central Business District Commercial” on Schedule ‘A’ of the Town of Lindsay Official Plan
Zone:	“Central Commercial (CC) Zone” on Schedule ‘A’ of the Town of Lindsay Zoning By-law No. 2000-75
Lot Area:	862.0 square metres (9,148 square feet – MPAC)
Site Servicing:	Municipal sanitary sewer, storm sewer and water supply
Existing Uses:	Lawyers Office
Adjacent Uses:	North: Vacant Land (Parking) East: Commercial (Shoppers Drug Mart); William St S South: Kent St W; Various Commercial Uses West: Alley; Commercial (Scott’s Decorating Centre)

## Rationale:

The property is located on Kent Street West, between Cambridge Street South and William Street South, in Lindsay. See Appendix ‘A’. It contains an existing two (2) storey office building with a vacant basement, constructed circa 1900 (MPAC). The basement would be renovated to add an additional 199.7 square metres of office space. Staff has discussed various alternatives with the owner and applicant for the parking requirement regarding this proposal.

The Town of Lindsay Zoning By-law parking ratios are the same for suburban sites as they are for the downtown core. However, in the downtown core, the By-law allows that cash-in-lieu of parking may be considered by Council as an alternative to providing on-site parking. Historically, properties in many downtown areas have been built to the front lot line, and provide little or no on-site parking.

The Zoning By-law considers that if a building is converted to a new use and/or if an addition is constructed, that the existing parking deficiency is not required to be addressed, however, it does require the **difference** in parking to be addressed (e.g. the difference between the new required total and the previous required total). For the conversion of the basement into 199.7 square metres of office space, it requires that 8 new parking spaces be provided on-site (at a ratio of 1 space per 25 square metres of Gross Floor Area), or alternatively, that cash-in-lieu of parking may be considered as an alternative for any parking deficiency.

Section 40.(1) of the Planning Act allows for a municipality to enter into an agreement with an owner of a building, exempting them from providing and/or maintaining parking facilities required by a by-law. Section 40.(2) of the Act provides for the payment of money to the municipality as consideration for granting of this exemption. The money will be collected by the City at the time of execution of the Site Plan Agreement, and goes into a special account which can be used for providing and/or maintaining municipal parking. To date, City Council has not passed any by-laws setting a standard rate for cash-in-lieu of parking, anywhere within the City. The only by-law which is currently in place and which was passed by the local Council prior to 2001 applies to the former Village of Fenelon Falls, where the rate is \$4,000 per space. Since 2001, applicants within the Former Town of Lindsay have sought relief from Council via cash-in-lieu of parking, to proceed with their development, as follows:

- In 2007, Development Services staff recommended collection of **\$40,000** cash-in-lieu for the re-development of the properties at 43, 47, and 49-51 Kent Street West, based on a formula for recognizing that the parking standards in the downtown core are not typically the same as in a suburban setting. The rationale for the calculation is provided in Appendix 'C'. It set the basis for the current staff recommendation and other monies collected. The result was a value of approximately \$1,379 per space based on the staff recommendation. Council chose to receive half of the staff recommended cash-in-lieu, for a total of \$20,000 for 29 parking spaces;
- In 2015, Council received **\$10,500** cash-in-lieu for 7 parking spaces, for the re-development and conversion of the building and property at 25 King Street. This was based on a value of \$1,500 per space, and was approved by the Ontario Municipal Board;
- In 2018, Council approved a proposal for **\$76,362.68** cash-in-lieu for 100 parking spaces, for the re-development of the properties at 171-183 Kent Street West (The Grand hotel). This was based on a value of \$763.63 per space, using the same formula as the staff recommendation for the 2007 Rexall Development above.

For the 2007 downtown Lindsay Rexall Re-development, Richard Danziger, Director of Development Services recommended using the following three-step process to calculate cash-in-lieu of parking:

- i. The cash-in-lieu payment be based on a 50% reduction to the zoning requirement for parking;
- ii. The cash-in-lieu payment be taken based on the remaining spaces not provided for on-site; and
- iii. The number of spaces in step ii. above be multiplied by the \$4,000 requirement for parking spaces in the Fenelon Falls cash-in-lieu of parking by-law.

It should be noted, the theory of this three-step calculation provides 3 functions for downtown properties (where cash-in-lieu of parking can be collected). Firstly, it treats the proposed development application as though the Zoning By-law parking requirement is half (50%) of the value for a greenfield (suburban) development. Secondly, it gives credit for any new parking spaces provided on-site. Thirdly, it incorporates the original value of \$4,000 per parking space found within the former Village of Fenelon Falls. The staff recommended equivalent value per space, and the total overall payment value calculations are dependent on how many spaces are required by the Zoning By-law (the new deficiency), and how many new spaces can be provided on site to offset this.

For the Rexall Development, this calculation resulted in the equivalent of \$1,379 cash in lieu of parking payment per space, for a total of **\$40,000**. Staff brought a report forward to Council recommending this payment, but after reviewing the report, Council decided to cut this payment in half such that the applicant paid \$20,000 for the 29 deficient parking spaces, or a value of \$689.65 per deficient parking space.

In 2015, the Ontario Municipal Board (OMB) agreed with the 2007 staff recommendation value of \$1,379 per parking space, but recommended indexing this payment to \$1,500 per parking space to equal 2015 dollars.

Using the staff recommendation set by the Rexall Development and an indexed base value as suggested by the OMB decision in 2015, the staff recommendation for the Wards PC Additional Development would be as follows:

- i. The cash-in-lieu payment be based on a 50% reduction to the zoning requirement for parking which would equal 4 spaces (8 divided by 2);
- ii. The cash-in-lieu payment be taken based on the remaining spaces not provided for on-site which would equal 4 spaces (4 spaces minus 0 new spaces provided); and
- iii. The number of spaces in step ii. above (4) be multiplied by a 2019 indexed value of \$4,539.54 per parking space for a total of **\$18,158.15**.

There are multiple ways for Council to determine what value they wish to collect for cash-in-lieu of parking:

- a) Use the Rexall staff recommendation with an indexed total amount as explained above;

- b) Use an indexed value per parking space based on the 2007 recommended value of \$1,379 per space (2019 indexed value of \$1,565 per space). This would total \$12,520;
- c) Take a value of \$4,000.00 per space (or 2019 indexed value of \$4,539.54) for all deficient spaces. This would equal \$36,316.32;
- d) Determine the true cost per space of providing the new parking spaces on another property (which will vary depending on the type of structure, location, etc.); or
- e) Take a nominal value of \$1.00 for all deficient spaces.

The City's Transportation Master Plan recognizes the general need to expand municipal parking capacity in the downtown areas of Lindsay, Fenelon Falls and Bobcaygeon. This is based on the population and employment forecasts in the Growth Management Strategy, as a result of the Provincial Growth Plan, which forecasts the City reaching a permanent population of 107,000 by 2041. On April 24, 2018, Council passed Resolution CR2018-255, to commission a Downtown Parking Strategy project which will examine parking issues in downtown areas more closely, to substantiate specific needs and develop proposed solutions for future parking needs. This study is currently underway, with the results expected to be brought back to Council sometime in 2020. The results should provide Council with direction on the true costs of any proposed parking upgrades, and should also help inform what value Council should set for the collection of cash-in-lieu of parking.

The Transportation Master Plan identified there are in excess of 500 municipal parking spaces available in the downtown area. On-street parking is available on Kent Street West, Cambridge Street South, William Street South and North, and Victoria Avenues South and North. Off-street parking is available in municipal and private lots to the east (along William Street North and South) and to the north (between Kent Street West and Peel Street). It is not anticipated that this proposal will result in any parking deficiency.

In the absence of knowing the exact value of constructing new parking, and/or until such time as Council passes a by-law setting the specific value per parking space for the taking of cash-in-lieu of parking, staff would recommend being consistent with the recommendations which formed the basis for past Council decisions. Staff would therefore recommend alternative a) above, consistent with other recent decisions.

### **Other Alternatives Considered:**

No other alternatives were considered at this time.

### **Financial/Operation Impacts:**

There will be financial impacts which cannot currently be quantified at this time, as the true costs of adding new parking in the downtown area are not known.

Depending on the alternative chosen, the City may be in a position to receive cash-in-lieu of parking.

### **Relationship of Recommendations To The 2016-2019 Strategic Plan:**

The Council Adopted Strategic Plan identifies these Strategic Goals:

- Goal 1 – A Vibrant and Growing Economy
- Goal 2 – An Exceptional Quality of Life
- Goal 3 – A Healthy Environment

This application aligns with the vibrant and growing economy strategic goal as it increases the available employment opportunities in the downtown core.

### **Review of Accessibility Implications of Any Development or Policy:**

There are no accessibility implications for the City. Any accessible standards will be implemented through the Site Plan Agreement, and permits issued under the Ontario Building Code (OBC).

### **Servicing Implications:**

The lot is connected to full municipal services in the Lindsay municipal service area.

### **Consultations:**

- Transportation Master Plan;
- Report DEV2007-083, Parking Requirements – Re-development of 41, 43 & 59-51 Kent St. W., Lindsay
- Report PLAN2018-046, Parking Requirements – Re--development of 171-183 Kent Street West, Lindsay

### **Attachments:**

The following attached documents may include scanned images of appendixes, maps, and photographs. If you require an alternative format, please call Ian Walker, Planning Officer – Large Developments, (705) 324-9411 extension 1368.

Appendix 'A' – Location Map



PLAN2019-046  
Appendix A.pdf

Appendix 'B' – Letter dated July 3, 2019 from Kevin Duguay, Kevin M. Duguay  
Community Planning and Consulting Inc. (applicant)



PLAN2019-046  
Appendix B.pdf

Appendix 'C' – Report DEV2007-083



PLAN2019-046  
Appendix C.pdf

**Department Head E-Mail:** [cmarshall@kawarthalakes.ca](mailto:cmarshall@kawarthalakes.ca)

**Department Head:** Chris Marshall, Director, Development Services

**Department File:** D19-2019-005