

***THE CITY OF VAUGHAN***

***BY-LAW***

**BY-LAW NUMBER 159-2006**

**A By-law to Implement a Cash-in-Lieu of Parking Policy in the Community of Kleinburg, in the City of Vaughan**

**WHEREAS** Section 40 of the Planning Act provides that where an owner or occupant of a building is required under a By-law of a local municipality to provide and maintain parking facilities on land that is not part of a highway, the council of the municipality and such owner or occupant may enter into an agreement exempting the owner or occupant, to the extent specified in the agreement, from the requirement of providing or maintaining the parking facilities, and the agreement shall provide for the making of one or more payments of money to the municipality as consideration for the exemption.

**NOW THEREFORE** The Council of The Corporation of the City of Vaughan hereby **ENACTS AS FOLLOWS:**

- 1) That this By-law applies to the portion of any property designated "Mainstreet Commercial" pursuant to Official Plan Amendment 601 (Kleinburg-Nashville Community Plan), as amended, and being used for a permitted commercial use.
  
- 2) That where, in respect of new development, additions to existing development, the conversion of all or part of a residential building for commercial uses or change of use on any land identified in Section 1 of this By-law, an owner of property is able to provide and maintain a portion but not all of the parking spaces required by the City of Vaughan Comprehensive Zoning By-law No. 1-88, as amended, the City at its sole discretion, may enter into an agreement with such owner exempting the owner from the requirement of providing or maintaining parking spaces for commercial uses to the extent that the owner is unable to do so in exchange for a payment.
  
- 3(a) Upon execution of the agreement for exemption to the parking requirements pursuant to Section 2, the owner shall pay to the City prior to the issuance of required building permit(s) for the development, redevelopment or change of use, or before any required City approvals, an amount of money in lieu of parking, using the following formula:

Attachment #2

$$\text{\$} = \{(\text{P} \times 40) + (\text{S} \times 28) + (\text{L} \times 12)\} \times \text{M} + \text{\$m}$$

\$	=	amount to be charged per parking space
P	=	appraised land acquisition cost per square metre
40	=	area of a parking space, plus the area associated with a portion of the required aisles and accesses plus the area of landscaped open space
S	=	construction cost per square metre of a parking space
28	=	area of a parking space, plus the area associated with a portion of the required aisles and accesses
L	=	construction cost of Amenity/Landscape/Lighting per square metre
12	=	Area of lands associated with Amenity/Landscape/Lighting
M	=	Multiplier
\$m	=	Recurring Maintenance Charge

3(b) the value of "M" shall be 1 for all new construction or additions to existing buildings that increase the gross floor area.

3(c) the value of "M" shall be 0.1 for outdoor patios, the conversion of an existing building from a residential use to a permitted commercial use and/or the interior renovation of existing buildings provided that the conversion or renovation of an existing building from a residential to a permitted commercial or mixed use and/or the interior renovation of the existing building does not change the gross floor area of the existing building.

4) The use of this By-law is limited solely to commercial uses or the commercial portion of mixed use developments.

5) That all monies received by the City under an agreement entered into under this By-law shall be paid into a reserve fund established pursuant to Section 417 of the Municipal Act and entitled the Kleinburg Parking Reserve Fund.

READ a FIRST, SECOND and THIRD time and finally passed this 8<sup>th</sup> day of May, 2006.

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Michael Di Biase, Mayor

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J. D. Leach, City Clerk