



## Policy & Procedures

Section: 5.0 General

Policy: Payment in lieu of Parking

By-Law: 2019-19

Date: 19 February 2019

Revision: [Click here to enter text.](#)

### Coverage:

The policy shall apply to all lands within the 'GC' General Commercial Zone as established by the Township of Huron-Kinloss Comprehensive Zoning By-Law

### Policy Statement:

Payment-In-lieu of Parking will enable the Township to secure financial resources to allow for the construction, maintenance or replacement of existing parking facilities, while encouraging new development/redevelopment, and the reuse of existing buildings in the general commercial zone of the Township of Huron-Kinloss where the applicant is not able to satisfy the parking requirements.

### Legislative Authority:

Section 40 of the Planning Act, R.S.O. 1990, c. P.13

40(1) "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, from the requirement of providing or maintaining the parking facilities."

40(2) "An agreement entered into under sub-section (1) shall provide for the making of one or more payments of money to the municipality as consideration for the granting of the exemption and shall set forth the basis upon which such payment is calculated."

### Contents:

Payment in Lieu of Parking is not intended to replace or conflict with the minor variance or zoning amendment process.

The Committee of Adjustment/Council will determine whether the parking requirements applying to a particular site could be varied. The payment-in-lieu option will be used in a situation where the Township is prepared to reduce or eliminate the parking requirement on a given site in order to apply the funds obtained towards developing and maintaining municipal parking facilities in areas where municipal parking exist, or is reasonably expected to exist, sometime in the future.

In this manner, payment-in-lieu of parking is not intended to be an automatic right of the proponent, rather it is applied at the discretion of Committee of Adjustment/Council only

after having considered the impacts and the usefulness of applying the funds obtained to the provision of municipal parking facilities.

It is preferable for the applicant to provide on-site or some off-site parking, within close proximity to the development, to satisfy the Zoning By-law requirements of a project.

As a last resort, payment-in-lieu of parking may be considered as an option only if the applicant is not able to satisfy the parking requirements of a development.

The payment-in-lieu of parking fee will be included in the consolidated fees by-law as amended from time to time.