



Corporate Report

Clerk's Files

Originator's
Files

OZ 05/014 W1

DATE: April 11, 2006

TO: Chair and Members of Planning and Development Committee
Meeting Date: May 1, 2006

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Information Report**
Rezoning Application
To continue to permit commercial uses with a reduced parking standard
94-98 and 100 Lakeshore Road East
North side of Lakeshore Road East, west of Hurontario Street
Owner: Maurice and Carol Wong
Applicant: Dirk Blyleven, Beacon Planning Services
Bill 20

Public Meeting **Ward 1**

RECOMMENDATION: That the Report dated April 11, 2006, from the Commissioner of Planning and Building regarding the application to change the Zoning from "C1" (Commercial) to "C1 – Special Section" (Commercial) to continue to permit commercial uses with a reduced parking standard under file OZ 05/014 W1, Maurice and Carol Wong, 94-98 and 100 Lakeshore Road East, be received for information.

BACKGROUND: A rezoning application has been filed to allow commercial uses to continue at this location with a reduced parking standard. Since 1986, through temporary approvals from the Committee of Adjustment, a number of commercial uses have been permitted at

94-98 Lakeshore Road East without the required on-site parking. Information regarding the history of the site is found in Appendix I-1.

It is the applicant's intention to merge 94-98 Lakeshore Road East with 100 Lakeshore Road East to create a more efficient parking configuration at the rear of both sites in accordance with the proposed parking layout attached as Appendix I-7. An overall blended parking rate of 2.8 spaces per 100 m² (1,076.4 sq. ft.) of Gross Floor Area (GFA) is proposed for the combined properties to accommodate the existing commercial uses. No changes in use, nor building additions or internal alterations are proposed at this time.

The purpose of this report is to provide preliminary information on the above-noted application and to seek comments from the community.

COMMENTS:

Details of the proposal are as follows:

Development Proposal	
Application Submitted:	April 18, 2005
Existing Gross Floor Area (GFA):	94-98 Lakeshore Road East 483.15 m ² (5,200.7 sq. ft.) 100 Lakeshore Road East 159.5 m ² (1,716.9 sq. ft.)
Total Combined GFA:	642.65 m ² (6, 917.6 sq. ft.)
Height:	1 to 2 storeys
Lot Coverage:	94-98 Lakeshore Road East - 60% +/- 100 Lakeshore Road East - 37% +/-
Floor Space Index:	94-98 Lakeshore Road East - 0.94 +/- 100 Lakeshore Road East - 0.37 +/-
Parking Proposed:	10 spaces (see Appendix I-7 and Proposed Parking chart on Page 6)

Development Proposal	
Supporting Documents:	Planning Justification Report Parking Utilization Study

Site Characteristics	
Frontage:	20.2 m (66.3 ft.) on Lakeshore Road East (both properties)
Depth:	50.8 m (166.9 ft.) +/-
Gross Lot Area:	0.10 ha (0.25 ac.)
Existing Uses:	Retail, Restaurant and Office uses

The property at 94-98 Lakeshore Road East contains a two storey commercial building fronting onto Lakeshore Road East which is listed on the City's Heritage Inventory. It is occupied by two restaurants on the ground floor, namely Higher Groundz coffee shop and a 2-4-1 Pizza shop. A small outdoor patio which operates on a seasonal basis, is situated in front of the coffee shop. The second floor of this building accommodates 7 offices. At the rear of the site, is a former coach house, which is currently used as an office.

The abutting property at 100 Lakeshore Road East contains a one storey building, occupied by a retail store, namely Nik Nak Fashions. A total of fourteen (14) parking spaces are provided at the rear of both properties as depicted in Appendix I-6. Pedestrians access Lakeshore Road East from this parking area either by a walkway on the west side of 94-98 Lakeshore Road East or along a narrow right-of-way located between the two properties. Another right-of-way at the rear of 100 Lakeshore Road East is proposed to be discharged.

Additional information is provided in Appendices I-1 to I-9.

Neighbourhood Context

The properties are located on the north side of Lakeshore Road East, west of Hurontario Street within the Port Credit Village shopping district. To the north of the site are apartment uses which are zoned commercial. The closest residentially-zoned lands are located more than 60 m (196.8 ft.) away from the existing restaurant uses on these properties.

The surrounding land uses are as follows:

- North: Laneway, and surface parking area associated with an 8 storey apartment building
- East: Two storey commercial buildings with retail uses at grade
- South: Retail shops (No Frills Grocery) fronting onto Lakeshore Road East
- West: Food store (Rabba Foods) and office uses on the second floor

Current Mississauga Plan Designation and Policies for the Port Credit District (May 5, 2003)

"Mainstreet Commercial" which permits pedestrian-oriented street-related commercial uses. Compatible development is encouraged which recognizes the scale and enhances the form and character of Mainstreet Commercial areas. The application is in conformity with this land use designation.

There are other policies in the Official Plan which also are applicable in the review of this application including:

Urban Design Policies for Port Credit

The property falls within the "Mainstreet Commercial Character Area" which represents Port Credit's traditional mainstreet and generally extends a half block to the north and south of Lakeshore Road and is subject to the following urban design policies:

- Along Lakeshore Road, mixed-use developments with street-related commercial uses and a rhythm of closely spaced storefronts lining the street are encouraged to foster an active pedestrian street and to minimize the apparent width of Lakeshore Road.
- Building heights should not exceed 2 storeys.
- In accordance with the Port Credit District Parking Policies, where possible, parking for this area should be provided on-street or in small, distributed parking lots.

Port Credit Node

The property is located within the Port Credit Node in which a "high quality, compact and urban built form will be encouraged to reduce the impact of extensive parking areas, enhance pedestrian circulation, complement adjacent uses, and distinguish the significance of Nodes from surrounding areas".

The applicant's proposal conforms with these Official Plan policies.

Proposed Official Plan Designation and Policies

The applicant is not proposing any changes to the Official Plan.

Existing Zoning

"C1" (Commercial), which permits a variety of retail shops, personal service uses, financial institutions, business, professional and administrative offices, as well as restaurants and take-out restaurants.

Proposed Zoning By-law Amendment

"C1-Special Section" (Commercial) to permit:

- the commercial uses to continue with a reduced parking rate of 2.8 spaces per 100 m² (1,076.4 sq. ft.) as outlined in Appendix I-7;
- to restrict the restaurant use to a maximum GFA of 185.0 m² (1,991 sq. ft.);
- to permanently allow an outdoor patio accessory to a restaurant with an area of 15.1 m² (162.5 sq. ft.);
- to eliminate the requirement of one (1) loading space for the commercial uses; and
- to allow a zero rear yard setback rather than the 7.5 m (25 ft.) required under the By-law.

Draft Mississauga Zoning By-law

A new draft Zoning By-law has been prepared and was presented at a public meeting of the Planning and Development Committee on January 9, 2006. Under this draft zoning by-law, the zoning for the subject lands is proposed to be "C4" (Mainstreet Commercial). This proposed zone is consistent with the permitted uses and regulations contained within the existing "C1" (Commercial) zone with two exceptions. The proposed "C4" (Mainstreet Commercial) zone would also permit residential uses above the first storey in combination with commercial uses. This zone would also permit an outdoor patio on the ground floor up to a maximum area of the lesser of 120 m² (1,291.7 sq. ft.) or 20% of the GFA of a restaurant. Should this application be approved, a new "C4-Exception" (Mainstreet Commercial) zone would be required to reflect the site specific provisions sought through this application.

COMMUNITY ISSUES

No community meetings were held and no written comments were received by the Planning and Building Department.

DEVELOPMENT ISSUES

Agency comments are summarized in Appendix I-5 . Based on the comments received and the applicable Mississauga Plan policies, the following matters will have to be addressed.

Potential Site Plan Conflicts

Prior to the preparation of the Supplementary Report, the applicant is required to demonstrate that the proposed merger of the two properties allows for adequate vehicular circulation and fire protection and that there are no potential conflicts with garbage bins or pedestrian access through the site.

Existing Easements and Merger of Properties

Prior to the preparation of the Supplementary Report, the applicant is required to provide detailed information about the proposed merger of the properties, existing easements and whether the easements can be satisfactorily discharged.

OTHER INFORMATION

Development Requirements

In conjunction with the proposed development, there are certain other engineering matters with respect to existing easements and the merger of the properties, which may require the applicant to enter into appropriate agreements with the City.

FINANCIAL IMPACT: Development charges will be payable in keeping with the requirements of the applicable Development Charges By-law of the City as well as financial requirements of any other official agency concerned with the development of the lands.

CONCLUSION: Most agency and City department comments have been received and after the public meeting has been held and after all issues are resolved, the Planning and Building Department will be in a position to make a recommendation regarding this application.

ATTACHMENTS:

- Appendix I-1 - Site History
- Appendix I-2 - Excerpt of Port Credit District Land Use Map
- Appendix I-3 - Excerpt of Existing Land Use Map
- Appendix I-4 - Aerial Photograph
- Appendix I-5 - Agency Comments
- Appendix I-6 - Existing Parking Layout
- Appendix I-7 - Proposed Parking Standards
- Appendix I-8 - Proposed Parking Layout
- Appendix I-9 - General Context Map

Edward R. Sajecki
Commissioner of Planning and Building

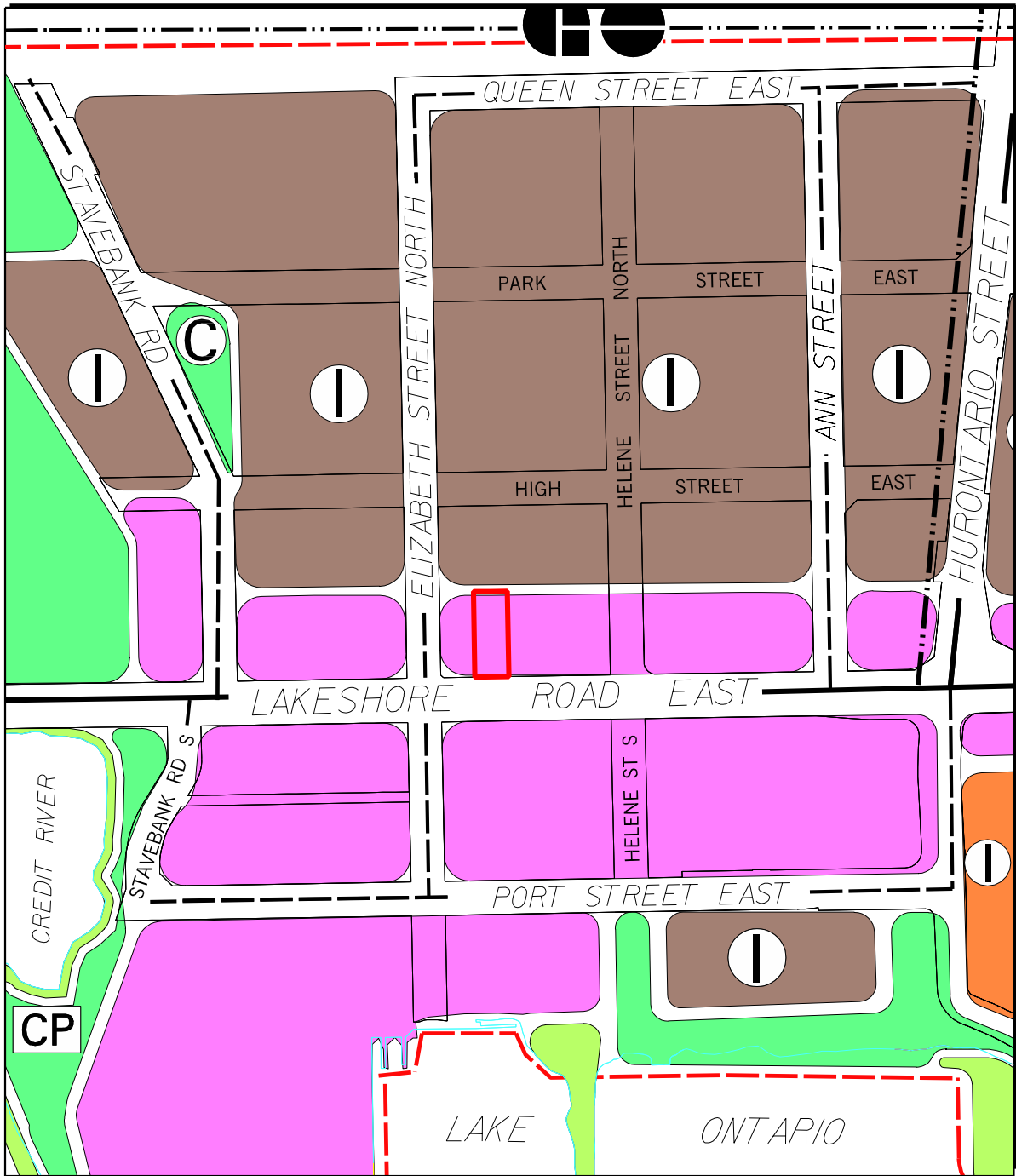
Site History

The following site history pertains to minor variance applications which were approved for 94-98 Lakeshore Road East on a time-limited basis for a take-out restaurant, outdoor patio accessory to a restaurant and an office. There is no record of any minor variance applications for 100 Lakeshore Road East.

Committee of Adjustment File No.	Date of Decision	Request	Decision	Expiration Date
Take-out Restaurant				
'A' 539/86	October 2, 1986	To permit a take-out restaurant providing no additional parking.	Use permitted for a three year period. subject to applicant entering into a Payment-in-Lieu (PIL) of Off-Street parking agreement for 8 parking spaces. Required PIL agreement entered into with City for 8 parking spaces in 1987.	October 31, 1989
'A' 304/89	May 25, 1989	To continue above noted variance request granted under file 'A' 539/86.	Extension of approval granted for a further temporary five year period.	June 30, 1994
'A' 446/94	July 21, 1994	To continue above noted variance request granted under file 'A' 304/89.	Extension of approval granted for a further temporary five year period with decision made personal to "241 Pizza Ltd.".	July 31, 1999
'A' 482/99	September 16, 1999	To continue above noted variance request granted under file 'A' 446/94.	Extension of approval granted for a further temporary five year period.	September 30, 1994









Committee of Adjustment File No.	Date of Decision	Request	Decision	Expiration Date
Outdoor Patio Accessory to a Restaurant				
'A' 548/94	September 22, 1994	To permit an outdoor patio accessory to a restaurant providing no additional parking and being located within 60 m (196.8 ft.) of a residential zone.	Use permitted for a two year period with the decision made personal to "Donald Cameron".	September 30, 1996
'A' 679/94	November 24, 1994	To continue above noted variance request granted under file 'A' 548/94.	Extension of approval granted for a further temporary four year period with the decision made personal to "Higher Ground Coffee Company Ltd."	September 30, 1998
'A' 768/98	November 26, 1998	To continue above noted variance request granted under file 'A' 679/94.	Extension of approval granted for a further temporary five year period with the decision made personal to "Higher Ground Coffee Company Ltd."	September 30, 2003
'A' 771/02	October 24, 2002	To continue above noted variance request granted under file 'A' 768/98.	Extension of approval granted for a further temporary five year period	November 30, 2007
Office				
'A' 599/96	December 19, 1996	To permit an architectural design office providing no additional parking.	Use permitted for a two year period with the decision made personal to "Michael Spaziani Architect Inc."	December 31, 1998
'A' 030/99	February 25, 1999	To continue above noted variance request granted under file 'A' 599/96.	Extension of approval granted for a further five year period.	December 31, 2003
'A' 910/02	November 14, 2002	To continue above noted variance request granted under file 'A' 030/99.	Extension of approval granted for a further three year period with condition that only 3 full-time persons operate from the office.	December 31, 2007

* It should be noted that while previous minor variance applications to allow offices and take-out restaurants for 94 and 98 Lakeshore Road East were approved prior to 1997, these uses are now permitted under By-law 1227, as amended.












**PART OF PORT CREDIT DISTRICT LAND USE MAP
PORT CREDIT DISTRICT POLICIES OF MISSISSAUGA PLAN**




LAND USE DESIGNATIONS

-  Residential - Low Density I
-  Residential - Low Density II
-  Residential - Medium Density I
-  Residential - Medium Density II
-  Residential - Medium Density III
-  Residential - High Density I
-  Mainstreet Commercial
-  General Commercial
-  Convenience Commercial
-  Motor Vehicle Commercial
-  Business Employment
-  Open Space
-  Greenbelt
-  To Be Determined

TRANSPORTATION LEGEND

-  Arterial
-  Major Collector
-  Major Collector (Scenic Route)
-  Minor Collector
-  Local Road
-  Existing Commuter Rail
-  GO Transit Station
-  Major Transit Corridor
-  Planning District

LAND USE LEGEND

-  Node Boundary
-  City Park
-  Community Park
-  Heritage Conservation District

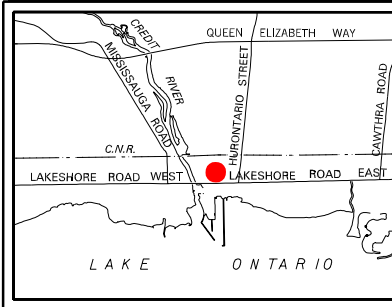


SUBJECT LANDS

*Appealed to the
Ontario Municipal Board*



SUBJECT:
MAURICE AND CAROL WONG



FILE NO:
OZ 05014 W1

DWG. NO:
05014LM

SCALE:
NTS

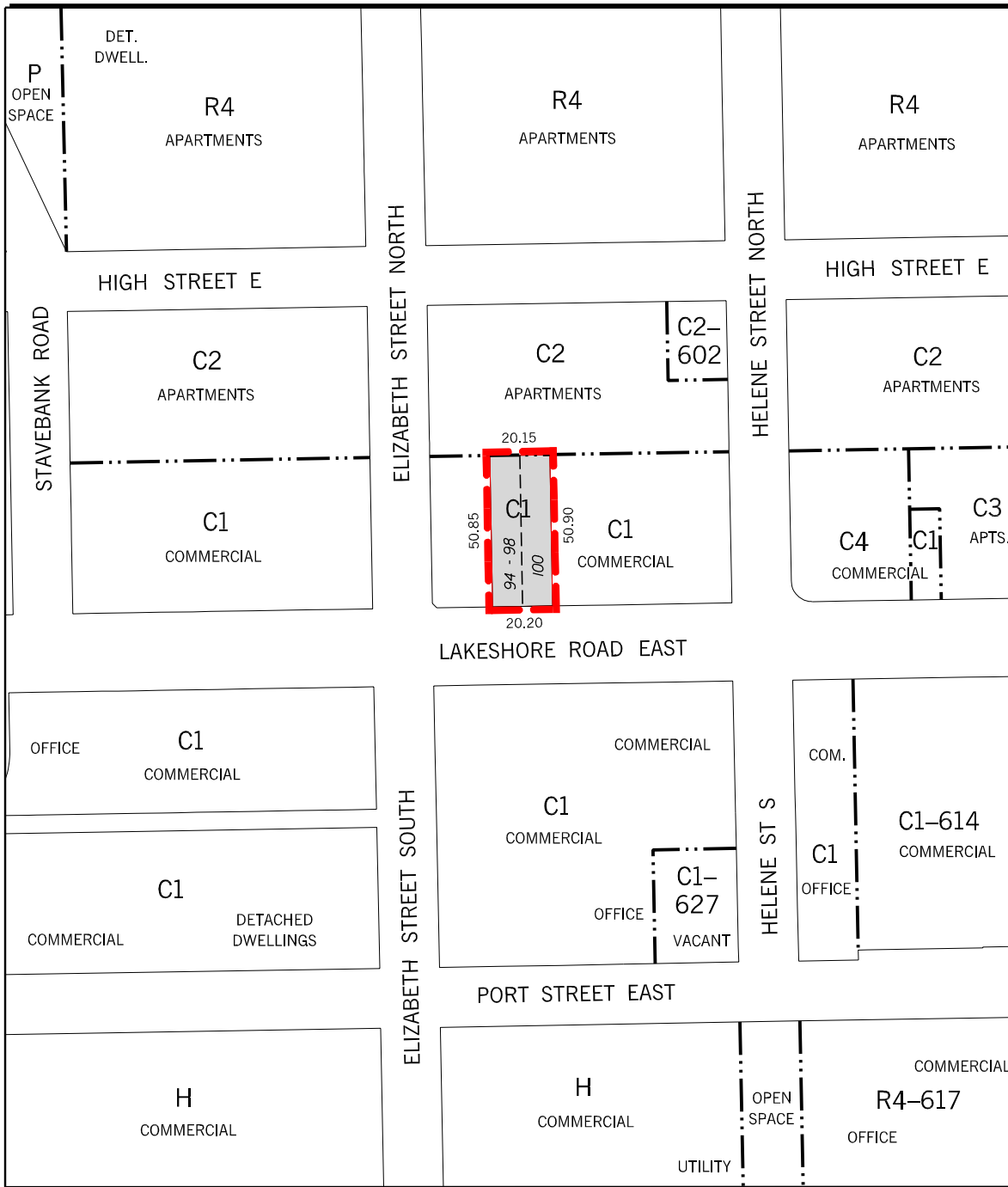
PDC DATE:
2006 05 01

DRAWN BY:
W. FINLAY

MISSISSAUGA
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*Produced by
T&W, Geomatics*

APPENDIX I-2



LEGEND:



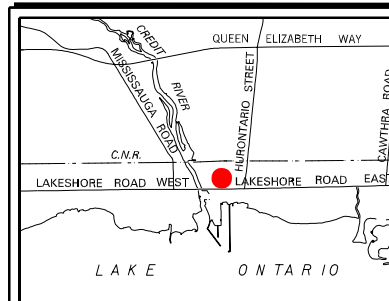
PROPOSED REZONING FROM "C1" (COMMERCIAL) TO "C1-SPECIAL SECTION" (COMMERCIAL) TO CONTINUE TO PERMIT COMMERCIAL USES WITH A REDUCED PARKING STANDARD.

NOTE: EXISTING ZONING DELINEATED ON THE PLAN
PROPOSED ZONING INDICATED BY SHADING WITHIN
THE APPLICATION AREA.



SUBJECT:

MAURICE AND CAROL WONG



FILE NO:
OZ 05014 W1
DWG. NO:
05014R
SCALE:
1:2000
PDC DATE:
2006 05 01
DRAWN BY:
W. FINLAY

APPENDIX I-3

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LEGEND:



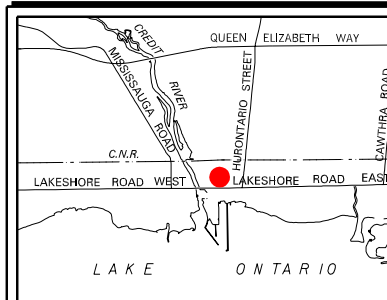
SUBJECT LANDS

DATE OF AERIAL PHOTO: MARCH 2005



SUBJECT:

MAURICE AND CAROL WONG



FILE NO:

OZ 05014 W1

DWG. NO:

V805014A

SCALE:

1:2000

PDC DATE:

2006 05 01

DRAWN BY:

W. FINLAY

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APPENDIX I-4

Maurice and Carol Wong

File: OZ 05/014 W1

Agency Comments

The following is a summary of comments from agencies and departments regarding the application.

Agency / Comment Date	Comment
Region of Peel (July 22, 2005 and updated on March 27, 2006)	There are adequate existing site services for this property. On-site waste collection will be required through a private waste hauler. The Region has no objection to the approval of the proposed application.
Community Services (July 20, 2005 and updated on March 27, 2006)	The subject property (94-98 Lakeshore Road East) is listed on the City's Heritage Inventory. As the proposed application does not impact upon the heritage value of the property there are no heritage related concerns.
City Transportation and Works Department (August 23, 2005 and updated on March 27, 2006)	The applicant is to ensure that the existing mutual right of way/servicing agreement for an access to Elizabeth Street North and Helene Street North will be maintained on title in perpetuity.
Other City Departments and External Agencies	The following City Departments and external agencies offered no objection to these applications provided that all technical matters are addressed in a satisfactory manner: Realty Services Economic Development Canada Post
	The following City Departments and external agencies were circulated the applications but provided no comments: Community Services – Fire Prevention Bell Canada Go Transit CN Rail Enbridge Gas Distribution Inc. Hydro One Networks Inc.



Maurice and Carol Wong

File: OZ 05/014 W1

Proposed Parking Standards					
Property	Use Category	Proposed GFA	Required Parking Rate per 100 m² GFA	Proposed Parking Rate per 100 m² GFA	Spaces Required by Parking Utilization Study
94-98 Lakeshore Road East	Restaurant	184.05 m ² (1,981.2 sq. ft.)	16.0	2.5 combined	(see subtotal below)
	Office	299.10 m ² (3,219.6 sq. ft.)	3.2		
Subtotal		483.15 m ² (5,200.7 sq. ft.)	-	-	12
100 Lakeshore Road East	Retail	159.5 m ² (1,716.8 sq. ft.)	4.0	4.0	6
Both Properties		642.65 m ² (6,917.6 sq. ft.)	-	2.8	18
*Minus PIL Credit				-	8
Total Spaces Required					10

* In 1987, a Payment in Lieu of Parking (PIL) application was approved for 94-98 Lakeshore Road East. A credit for 8 spaces was granted.



