



Corporate Report

Clerk's Files

Originator's
Files FA.31 06/001 W1

DATE: June 6, 2006

TO: Chair and Members of Planning and Development Committee
Meeting Date: June 26, 2006

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Payment-in-Lieu of Off-Street Parking (PIL) Application**
6 Helene Street North
North of Lakeshore Road East, west of Hurontario Street
Owner: Noelle Spaziani
Applicant: Michael Spaziani Architect Inc.

RECOMMENDATION: That the Report dated June 6, 2006 from the Commissioner of Planning and Building recommending approval of the Payment-in-Lieu of Off-Street Parking (PIL) application under file FA.31 06/001 W1, Noelle Spaziani, 6 Helene Street North, north of Lakeshore Road East, west of Hurontario Street, be adopted in accordance with the following for "Lump Sum" agreements:

1. That the sum of \$3,750.00 be approved as the amount for the payment-in-lieu of two (2) off-street parking spaces and that the owner/occupant enter into an agreement with the City of Mississauga for the payment of the full amount owing in a single, lump sum payment.
2. That City Council enact a by-law under Section 40 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, to authorize the execution of the PIL agreement with Noelle Spaziani for the expansion of the professional office within the existing building.

3. That the execution of the PIL agreement and payment must be finalized within 90 days of the Council approval of the PIL application. If the proposed PIL agreement is not executed by both parties within 90 days of Council approval, and/or the PIL payment is not made within 90 days of Council approval then the approval will lapse and a new PIL application along with the application fee will be required.

BACKGROUND:

An application has been filed requesting payment-in-lieu of providing two (2) on-site parking spaces. The purpose of this report is to provide City Council with a recommendation with respect to the application.

COMMENTS:

Background information including details of the application is provided in Appendix 1 through 4.

Neighbourhood Context

The subject property is located on the west side of Helene Street North, mid-block between Lakeshore Road East and High Street East and contains the offices for Michael Spaziani Architect Inc. The building, however, retains the appearance of a detached residential dwelling unit.

Surrounding uses include: a lane to the immediate south which provides access to private parking areas for the commercial uses fronting on Lakeshore Road East; a 7 storey apartment building to the west which fronts onto High Street East with a portion of its parking provided at the rear of the subject site accessible from High Street East or via the above noted lane; a one storey convenience store (Daisy Mart) to the north with its parking area located adjacent to the intersection of Helene Street North and High Street East; and a 5 storey apartment building to the east, across Helene Street North.

Payment-in-Lieu Request

The applicant is proposing to expand the amount of office floor area by converting the existing garage into office space. No building additions or increase in the overall size of the building are proposed, and the applicant is not proposing to add any additional paved surface area in order to preserve the residential appearance of the property as it is listed on the City's Heritage Inventory.

The Zoning By-law requires parking to be provided at a rate of 3.2 spaces per 100.00 m² (1,076.42 sq. ft.) gross floor area (gfa). In this instance, with the addition of 23.69 m² (255.00 sq. ft.) of office space, the total office gfa will be 132.19 m² (1,423.00 sq. ft.). Based on this amount of gfa, a total of four (4) parking spaces are required. Presently, two (2) parking spaces can be provided on-site in accordance with the minimum parking space size and aisle width requirements in the Zoning By-law.

The applicable parking requirements proposed under the new Mississauga Zoning By-law released in January 2005 is consistent with the parking requirements under By-law 1227, as amended.

Evaluation Criteria

This application has been evaluated against the following criteria contained in the Corporate Policy and Procedure on Payment-in-Lieu of Off-Street Parking.

1. Whether the existing parking supply in the surrounding area can accommodate on site parking deficiencies.

In addition to the two (2) parking spaces provided on-site, there is on-street parking available on both sides of Helene Street North between Lakeshore Road East and High Street East. This represents approximately sixteen (16) parking spaces in the immediate vicinity. There is also on-street parking available on High Street East and on Helene Street North between High Street East and Park Street East.

The applicant has advised that there are a total of nine (9) employees at this office, of which many are frequently off-site conducting site inspections and meetings. Further, the nature of their professional office involves very few clients visiting the site.

Employees park in tandem in the existing driveway, however, the Zoning By-law does not recognize tandem parking spaces in the calculation of parking. The tandem parking spaces do provide additional parking and function in a practical way for the existing office use, thereby reducing the need for office employees to use on-street parking.

The parking available in the immediate vicinity is adequate to accommodate the existing professional office.

2. What site constraints prevent the provision of the required number of parking spaces?

While it appears that there may be an opportunity to construct additional parking on the property, north of the building, there is a change in grade between the street and the subject property. Therefore, it is unlikely that a new parking area constructed in this location would be viable. Furthermore, should an additional parking area be constructed, the heritage value and the residential appearance of the property would be negatively impacted.

Therefore, there is no feasible or desirable opportunity to create any additional parking spaces on the property.

3. The proposed use of the property, and whether there is any issue as to overdevelopment of the site?

The existing use is permitted by By-law 1227, as amended. The need for additional parking is a result of the expansion of the office use within the existing building, not a result of building expansion. In addition, the applicant has indicated that the nature of the professional office will not change with the additional office floor space. Rather, it will provide more space for the current office to function within. Based on the foregoing, this application will not result in overdevelopment of the site.

PIL Agreement

The *Planning Act* provides that a municipality and an owner or occupant of a building may enter into an agreement exempting the owner or occupant from providing or maintaining parking facilities in accordance with the applicable Zoning By-law, provided such agreement provides for the payment of monies for the exemption and sets out the basis for such payment.

The Planning and Building Department and the applicant have prepared and mutually agreed upon the terms and conditions of the PIL approval and related agreement which has been executed by the owner/occupant of the subject lands. The agreement stipulates the following:

- payment-in-lieu of off-street parking is provided for two (2) parking spaces;
- a total payment of \$3,750.00 is required;
- payment will be made in one lump sum.

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:

Current parking standards represent city-wide averages which were developed to ensure that municipal standards will provide adequate off-street parking for all land uses. Nonetheless, there are areas within the City where it may be physically impossible to comply with the off-street parking requirements without jeopardizing the opportunities to expand uses in response to market demand. Older areas of the City such as Port Credit face the further challenge of strengthening their historic commercial centres through the creation of new residential and commercial space in their core areas through intensification and infilling on lots with limited land areas.

The subject PIL application should be supported for the following reasons:

- no building expansion is being proposed as the professional office will be expanding within the existing building;
- the nature of the professional office will not change as a result of this application or the expansion of the office area;
- there is ample on-street parking opportunities in the immediate vicinity to offset the on-site shortfall of two (2) parking spaces;
- there are currently no viable or desirable opportunities to create additional parking on the subject property, and;

- the proposed shortfall of two (2) on-site parking spaces is not expected to adversely impact the local area.

As of June 6, 2006, the balance of the PIL account for Port Credit was \$1,021,433.67 and with the incorporation of the monies from this PIL application, the account will have a total of \$1,025,183.67.

ATTACHMENTS:

Appendix 1 - Excerpt of Existing Land Use Map

Appendix 2 - Aerial Photograph

Appendix 3 - Survey Plan

Appendix 4 - Policy History

Edward R. Sajecki

Commissioner of Planning and Building

Prepared By: Stacey Laughlin, Development Planner

ELIZABETH STREET NORTH

R4
APARTMENTS

HELENE STREET NORTH

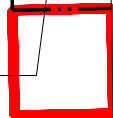
R4
APARTMENTS

HIGH STREET EAST

HIGH STREET EAST

C2
APARTMENTS

C2-602



C1
COMMERCIAL

C2
APARTMENTS

C3
COMMERCIAL

C4
COMMERCIAL

C1
COMMERCIAL

LAKESHORE ROAD EAST

C1
COMMERCIAL

HELENE STREET SOUTH

C1-614
COMMERCIAL

ELIZABETH STREET SOUTH

LEGEND:

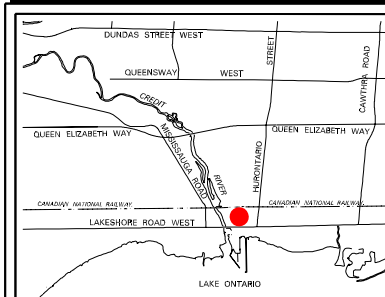


SUBJECT LANDS



SUBJECT:

NOELLE SPAZIANI



FILE NO:

FA.31 06/001 W1

DWG. NO:

3106001R

SCALE:

NTS

PDC DATE:

2006/06/26

DRAWN BY:

N.Duszczyszyn

MISSISSAUGA
Planning and Building

Produced by
T&W, Geomatics

APPENDIX
1

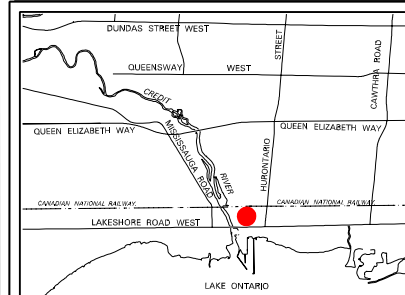


SUBJECT LANDS



SUBJECT:

NOELLE SPAZIANI

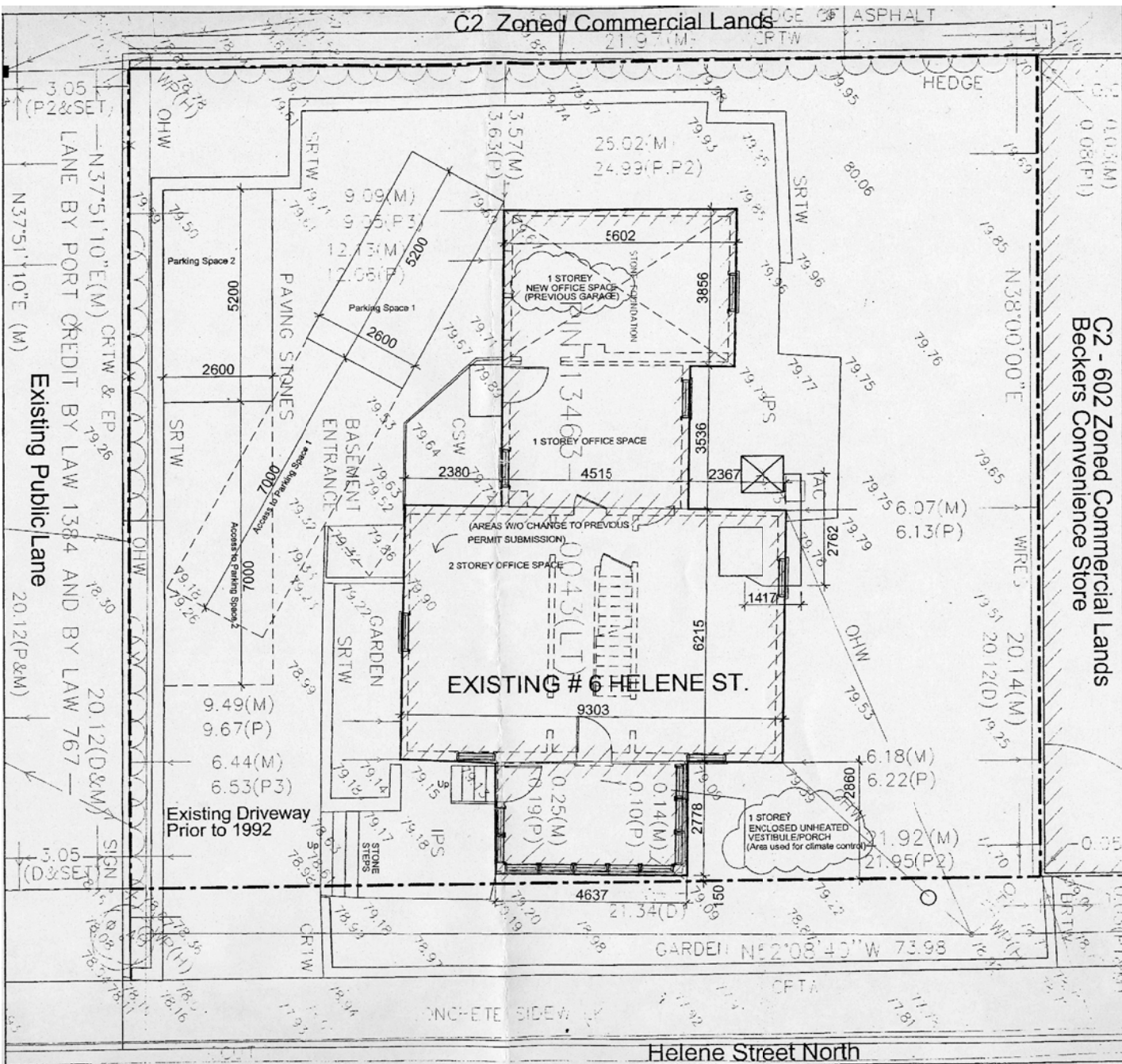


FILE NO:
FA.31 06001 W1
DWG. NO:
3106001A
SCALE:
NTS
PDC DATE:
2006/06/26
DRAWN BY:
N.Duszczyszyn

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APPENDIX 2



Noelle Spaziani

File: FA.31 06/001 W1

Policy History

- March 27, 1997 - Council adopted Recommendation PDC-43-97 approving a revised Payment-in-Lieu of Off-Street Parking Program;
- March 1998 - The firm of McCormick Rankin Corporation prepared the *City of Mississauga Commercial Areas Parking Strategy* to form the basis for the City's ongoing program of capital investment in parking improvement in the historic commercial areas of Clarkson, Cooksville, Port Credit and Streetsville. On September 30, 1998, the *Strategy* was endorsed by Council as a guide to parking-related matters;
- October 25, 2000 - Council adopted Recommendation PDC-0150-2000 which slightly revised the Payment-in-Lieu of Off-Street Parking Program concerning the approval process and the types of uses that are eligible for PIL.