



Corporate Report

Clerk's Files

Originator's
Files FA.31 07/003 W2

DATE: January 29, 2008

TO: Chair and Members of Planning and Development Committee
Meeting Date: February 19, 2008

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Payment-in-Lieu of Off-Street Parking (PIL) Application**
1699-1701 Lakeshore Road West
North side of Lakeshore Road West, east of Clarkson Road
North
Owner: Jabol Holdings Limited
Applicant: Beacon Planning Limited, Dirk Blyleven
Ward 2

RECOMMENDATION: That the Report dated January 29, 2008 from the Commissioner of Planning and Building recommending approval of the Payment-in-Lieu of Off-Street Parking (PIL) application under file FA.31 07/003 W2, Jabol Holdings Limited, 1699-1701 Lakeshore Road West, north side of Lakeshore Road West, east of Clarkson Road North, be adopted in accordance with the following for "Lump Sum" agreements:

1. That the sum of \$25,040.00 be approved as the amount for the payment in lieu of four (4) 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 Jabol Holdings Limited for two retail uses and one office use.

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 four (4) on-site parking spaces. The purpose of this report is to provide comments and recommendations with respect to the application.

COMMENTS:

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

Neighbourhood Context

The subject property is located within a block of various main street commercial properties fronting onto the north side of Lakeshore Road West, east of Clarkson Road North in Clarkson Village. Buildings along the north side of Lakeshore Road West are generally located close to the street edge with parking provided at the rear of the properties. Several properties have entered into leases with the City to provide a free shared public parking area.

The subject property contains a two-storey commercial building which is used as a bridal salon on the ground floor, medical sales on the basement level and a Re/Max real estate office on the second floor. A mutual right-of-way is shared with the neighbouring properties in order to provide access to the rear parking area known as the Clarkson Municipal Parking Lot. Although the parking area is technically "shared", most establishments have an allocated number of parking spaces that are attributed to them for the purpose of conformity with Zoning By-law requirements. Immediately to the north of the property is the Turtle Creek greenbelt corridor.

Directly across from the property on the south side of Lakeshore Road West is a contemporary one-storey retail plaza with parking fronting onto Lakeshore Road West between the buildings.

PIL Request

The applicant is proposing to permit the existing operation to continue comprising of a real estate office on the second floor consisting of 207.04 m² (2,229 sq. ft.) and retail uses on the main and basement levels consisting of 348.74 m² (3,754 sq. ft.). Zoning By-law 0225-2007, as amended requires parking to be provided at a rate of 4.0 spaces per 100 m² (1,076.42 sq. ft.) gross floor area (gfa) for the retail uses and a rate of 6.5 spaces per 100 m² (1,076.42 sq. ft.) gfa for the real estate office. Based on these standards, the total parking required is twenty-seven (27) parking spaces.

The applicant is able to provide sixteen (16) parking spaces, as follows:

- Six (6) on-site parking spaces are provided at the rear of the property;
- The Committee of Adjustment on January 10, 2008 granted a minor variance under file 'A' 025/08 to permit a reduction in the required parking from twenty-seven (27) to ten (10) spaces.

Based on the information provided by the applicant and a review by City staff, four (4) additional parking spaces are required to accommodate the current uses.

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 existing six (6) parking spaces provided on site, there are approximately eight (8) metered parking spaces along the Lakeshore Road West frontage of the subject and adjacent properties. The shared parking arrangement at the rear provides for additional parking for the uses.

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

Approximately one fifth of the site is located within the greenbelt which does not permit development including parking, while the balance of the site contains the existing building footprint which will remain the same along with the existing parking areas. Therefore, there is no opportunity to create any additional parking on the site.

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

The established uses are permitted and meet the intent of the Mississauga Plan and Zoning By-law. The need for additional parking is a result of site constraints due to the greenbelt restrictions abutting Turtle Creek and not due to an additional building expansion. Based on the foregoing, the proposed development will not constitute an 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 four (4) parking spaces;
- a total payment of \$25,040.00 is required;
- payment has been 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 Clarkson Village 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:

- there are currently no opportunities to create additional parking on the subject property;
- there are ample on-street parking opportunities in the immediate vicinity to off-set the on-site shortfall of four (4) parking spaces;
- the proposed shortfall of four (4) on-site parking spaces is not expected to adversely impact the local area.

As of January 29, 2008, the balance of the PIL account for Clarkson was \$152,229.33 and with the incorporation of the monies from this PIL application, the account will have a total of \$177,269.33.

ATTACHMENTS:

- Appendix 1 - Excerpt of Land Use Map: Mississauga Zoning By-Law 0225-2007
- Appendix 2 - Aerial Photograph
- Appendix 3 - Policy/Site History
- Appendix 4 - Site Plan

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Erica Pallotta, Development Planner

BY-LAW 0225-2007

LEGEND:



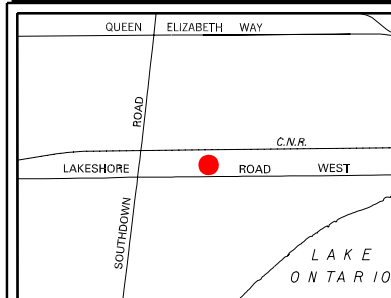
SUBJECT LANDS
1699-1701 LAKESHORE ROAD WEST

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



SUBJECT:

JABOL HOLDINGS LIMITED



FILE NO:
FA.31 07/003 W2

DWG. NO:
FA3107003R

SCALE:
1:2000

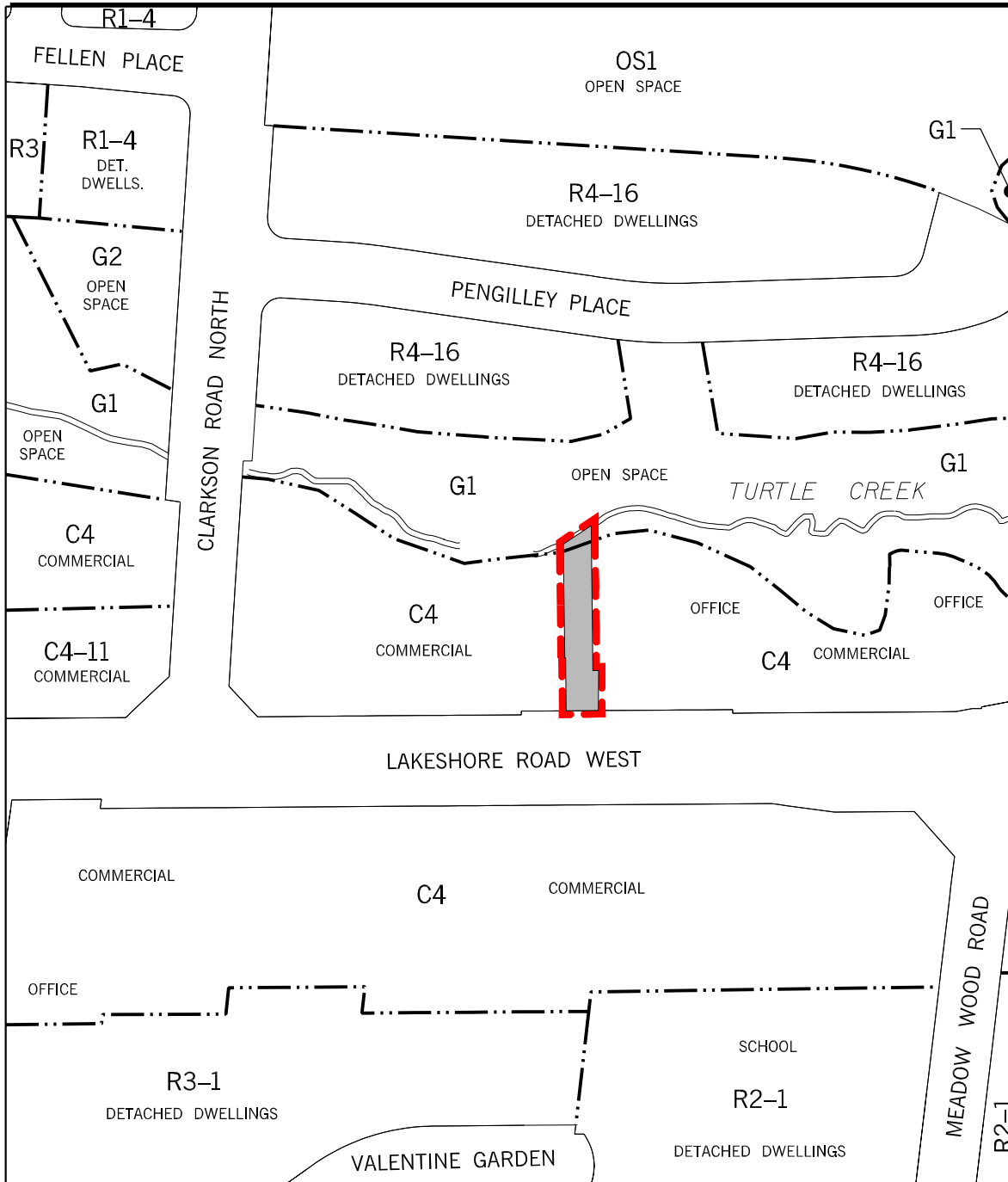
PDC DATE:
2008 02 19

DRAWN BY:
W. FINLAY

MISSISSAUGA
Planning and Building

Produced by
T&W, Geomatics

APPENDIX 1





BY-LAW 0225-2007

LEGEND:



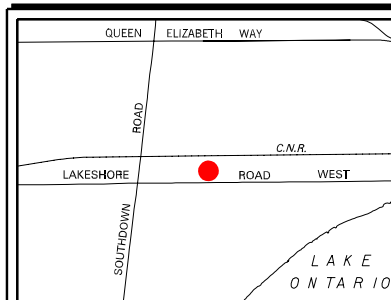
SUBJECT LANDS
1699-1701 LAKESHORE ROAD WEST

DATE OF AERIAL PHOTO: SPRING 2007



SUBJECT:

JABOL HOLDINGS LIMITED



FILE NO:
FA.31 07/003 W2
DWG. NO:
FA3107003A
SCALE:
1:2000
PDC DATE:
2008 02 19
DRAWN BY:
W. FINLAY

APPENDIX 2

MISSISSAUGA
Planning and Building

Produced by
T&W, Geomatics

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.

Site History

- May 17, 2007 - Committee of Adjustment approved a minor variance application under file 'A' 175/07 to permit the operation of a real estate office on the second floor and retail uses on the main and basement levels, providing a total of ten (10) parking spaces for all the uses on site; whereas By-law 5500, as amended, requires parking to be provided at a rate of 4.5 parking spaces per 100.00 m² (1,076.42 sq. ft.) gross floor area for a real estate office and 4.0 parking spaces per 100.00 m² (1,076.42 sq. ft.) gross floor area for retail uses or a total of twenty-three (23) parking spaces for all the uses on site in this instance. A Parking Utilization Study was prepared demonstrating the feasibility of a parking reduction from twenty-three (23) to ten (10) parking spaces;
- January 10, 2008 - Committee of Adjustment approved a minor variance application under file 'A' 025/08 to permit the operation of office and retail uses on the subject property providing a total of ten (10) parking spaces for all the uses on site; whereas By-law 0225-2007, as amended, requires parking to be provided at a rate of 6.5 parking spaces per 100.00 m² (1,076.42 sq. ft.) gross floor area for a real estate office and 4.0 parking spaces per 100.00 m² (1,076.42 sq. ft.) gross floor area for retail uses, or a total of twenty-seven (27) parking spaces for all the uses on site in this instance. A Parking Utilization Study had previously been prepared demonstrating the feasibility of a parking reduction to ten (10) parking spaces. The Committee's decision is subject to an appeal period ending on February 6, 2008.

Site Plan

S I T E P L A N

1750