



# Corporate Report

Clerk's Files

Originator's  
Files FA.31 08/001 W1

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**DATE:** May 6, 2008

**TO:** Chair and Members of Planning and Development Committee  
Meeting Date: May 26, 2008

**FROM:** Edward R. Sajecki  
Commissioner of Planning and Building

**SUBJECT:** **Payment-in-Lieu of Off-Street Parking (PIL) Application**  
**50 Port Street East**  
**Northwest corner of Port Street East and Helene Street South**  
**Owner: Napev Construction Limited**  
**Applicant: Uri Salmona, Salmona Tregunno Inc. Ward 1**

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**RECOMMENDATION:** That the Report dated May 6, 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 08/001 W1, Napev Construction Limited, 50 Port Street East, northwest corner of Port Street East and Helene Street South, be adopted in accordance with the following for "Lump Sum" agreements:

1. That the sum of \$17,232.00 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 Napev Construction Limited for the increase in residential dwelling units from the originally proposed twelve (12) to sixteen (16) units for the condominium apartment.

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 comments and recommendations with respect to the application.

**COMMENTS:**

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

**Neighbourhood Context**

The subject site is located on the northwest corner of Port Street East and Helene Street South, one block south of Lakeshore Road East within an area designated in the Official Plan and zoned as “Mainstreet Commercial” which permits a mix of residential, commercial, and office uses.

The properties surrounding the subject property consist of a variety of uses including a veterinarian clinic abutting the property on the west side and a dance school abutting the property on the north side. A chiropractic clinic and a residential dwelling are located directly across Helene Street South, while the south side of Port Street East contains a marina.

The main entrance of the building faces onto Helene Street South while the underground parking of the building is accessed by a driveway on Port Street East. An additional driveway on Helene Street South provides access to the service area of the building as well as to the surface parking spaces.

### **PIL Request**

The applicant has requested Payment-in-Lieu of Off-Street Parking as a result of increasing the number of units contained within the condominium apartment building from 12 to 16. The owner has increased the number of units by dividing some of the larger units. There have been no building additions, and none are proposed. The Zoning By-law requires parking to be provided at a rate of 1.25 parking spaces for one bedroom units and 1.40 parking spaces for two bedroom units. Visitor parking is calculated at 0.25 parking spaces per unit. Based on the building's existing seven (7) - 1 bedroom units and nine (9) - 2 bedroom units, twenty-five (25) parking spaces are required. The property can accommodate a total of twenty (20) parking spaces, seventeen (17) of which are underground and three (3) of which are surface parking spaces.

A minor variance was granted by the Committee of Adjustment under file 'A' 544/07 to reduce the number of required parking spaces to twenty-two (22) subject to the applicant addressing the two (2) parking space deficiency through a PIL application and the existing twenty (20) parking spaces being arranged such that nineteen (19) parking spaces be dedicated for residents and the remaining one (1) parking space be dedicated for visitor parking.

### **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 twenty (20) parking spaces provided on-site, there are approximately thirteen (13) metered parking spaces along the north and south side of Port Street East between Elizabeth Street South and Helene Street South. An additional eight (8) metered and thirteen (13) unmetered parking spaces exist on the west and east sides of Helene Street South. A significant number of metered parking spaces also exist on both the north and

south side of Port Street East, west of Elizabeth Street South and east of Helene Street South.

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

The existing building originally received Site Plan approval to permit a 12-unit condominium apartment building which required and provided twenty (20) parking spaces. During the construction process, the number of units was increased to 16 by dividing some of the units, however, additional parking was not provided to accommodate the increase in units. The existing site layout, including the underground and surface parking areas and landscaped areas, do not provide the opportunity to add any additional parking spaces.

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

Official Plan Amendment and Rezoning applications were approved under file OZ 02/013 W1 to permit a 5-storey, 12 unit condominium apartment building. The applicant subsequently requested and was granted a minor variance under file 'A' 544/07 to allow the building to contain 16 units and provide twenty-two (22) parking spaces, two (2) of which would have to be addressed through a PIL application. The need for additional parking is a result of additional apartment units being created within the building. There was no expansion of the building, therefore, the footprint has remained the same.

The existing development achieves the intent of the Port Credit District policies of City Plan.

Based upon the foregoing, the existing development is considered desirable and does 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 two (2) parking spaces;
- a total payment of \$17,232.00 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 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:

- the deficiency in parking can be primarily attributed to visitor parking;
- there are on-street opportunities in the immediate vicinity to offset the on-site shortfall of parking spaces;

- there are no feasible 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 May 6, 2008, the balance of the Payment-in-Lieu of Off-Street Parking account for Port Credit was \$1,579,557.00 and with the incorporation of the monies from this payment in lieu application, the account will have a total of \$1,596,789.00.

**ATTACHMENTS:**

Appendix 1 - Site and Policy Histories

Appendix 2 - Aerial Photograph

Appendix 3 - Excerpt of Land Use Map: Mississauga Zoning

By-Law 0225-2007

Appendix 4 - Site Plan

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Edward R. Sajecki

Commissioner of Planning and Building

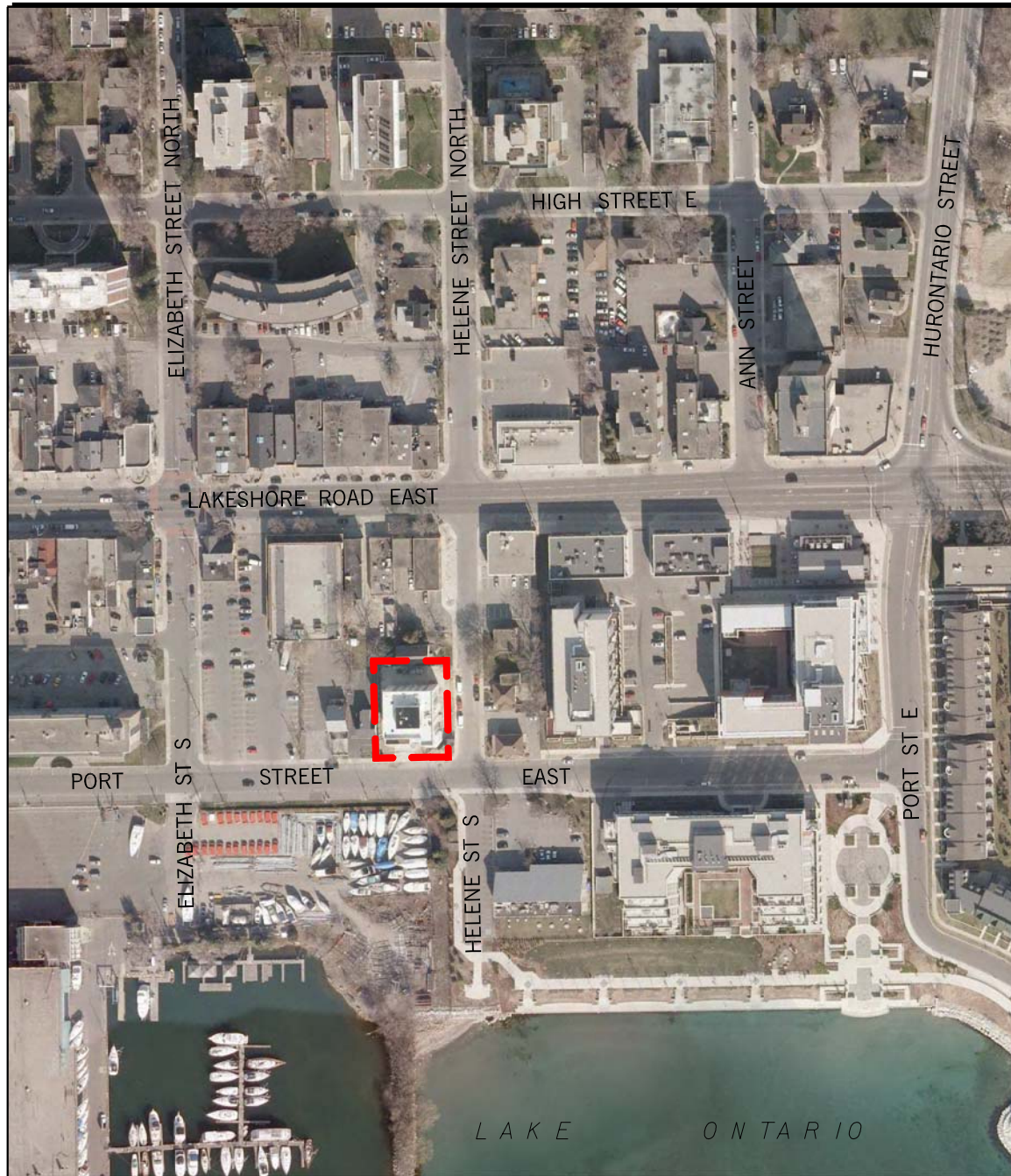
*Prepared By: David Breveglieri, Development Planner*

### **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**

- November 2004 – Council approves Official Plan Amendment and Rezoning applications under file OZ 02/013 W1 which permit a 5-storey, 12-unit condominium apartment building on the subject property;
- January 4, 2007 – Site Plan Approval is granted for the development of a 5-storey, 12-unit condominium apartment building on the subject property;
- January 24, 2008 - Committee of Adjustment granted a minor variance to permit 16 residential units within the subject building providing a total of 22 parking spaces subject to the applicant receiving City Council approval for a Payment-in-Lieu of Off-Street Parking application for 2 parking spaces and subject to the 20 parking spaces provided on site being configured to provide 19 resident parking spaces and 1 visitor parking space.



LEGEND:

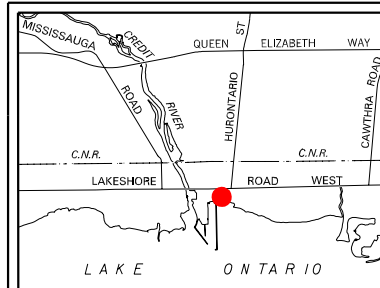


SUBJECT LANDS

DATE OF AERIAL PHOTO: 2007



SUBJECT: **NAPEV CONSTRUCTION LTD.**



FILE NO:

**FA.31 08001 W1**

DWG. NO:

**08001A**

SCALE:

**1:2500**

DATE:

**2008 05 26**

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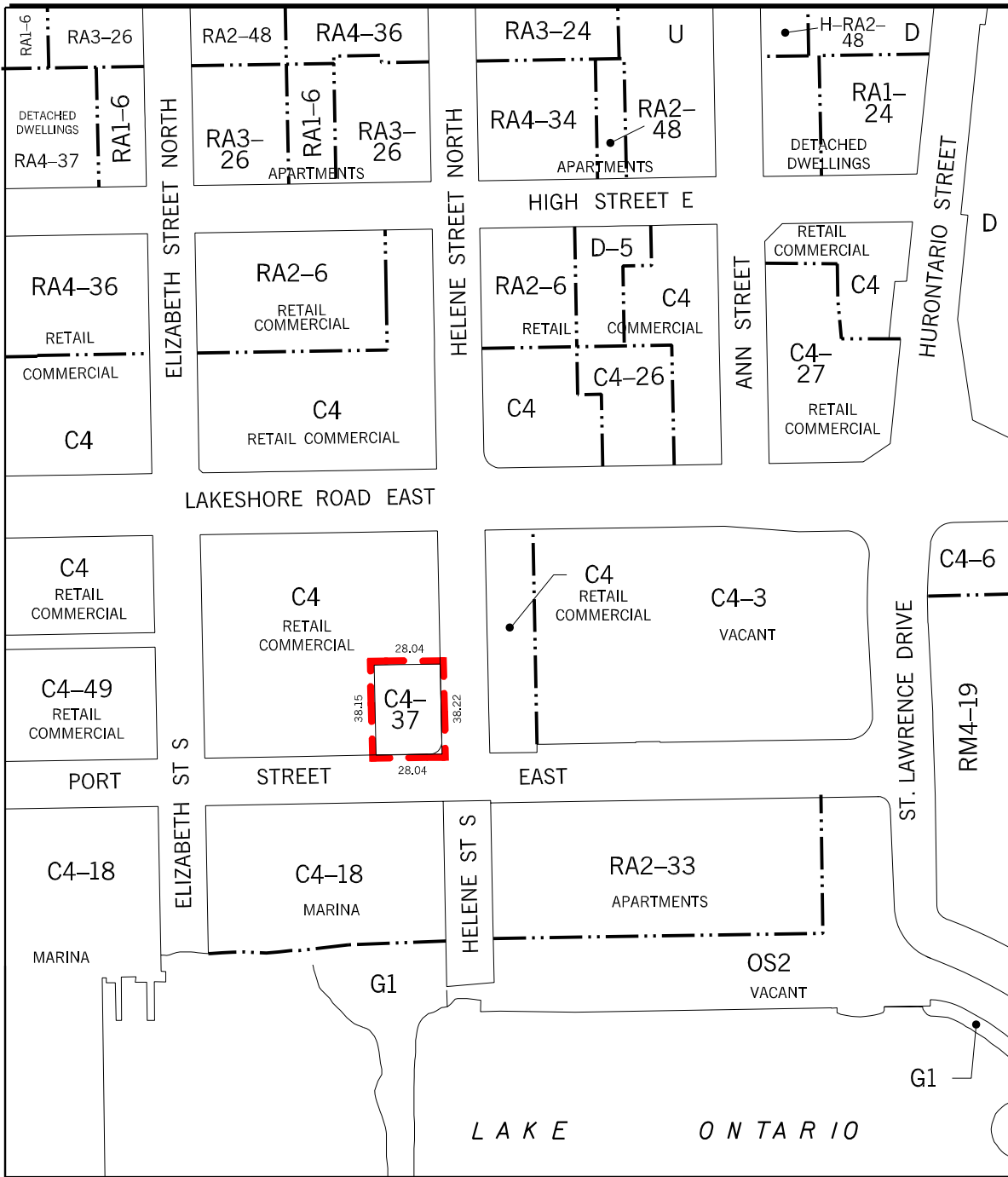
**K. PROKOP**

APPENDIX 2

**MISSISSAUGA**  
Planning and Building

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**T&W, Geomatics**





**LEGEND:**

**SUBJECT LANDS**

**SUBJECT:** **NAPEV CONSTRUCTION LTD.**

**FILE NO:**  
FA.31 08001 W1

**DWG. NO:**  
08001R

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**DRAWN BY:**  
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**APPENDIX 3**

## SITE PLAN

