



Corporate Report

Clerk's Files

Originator's
Files FA.31 08/003 W11

DATE: August 12, 2008

TO: Chair and Members of Planning and Development Committee
Meeting Date: September 2, 2008

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Payment-in-Lieu of Off-Street Parking (PIL) Application**
33 Pearl Street
Southeast Quadrant of Pearl Street and Broadway Street
Owner: Debbie Cosic and Mira Tomljenovic
Applicant: Planning and Engineering Initiatives Ltd. (PEIL)
Ward 11

RECOMMENDATION: That the Report dated August 12, 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 08/003 W11, Debbie Cosic and Mira Tomljenovic, 33 Pearl Street, southeast quadrant of Pearl Street and Broadway Street, be adopted in accordance with the following for "Lump Sum Payment Report" agreements:

1. That the sum of \$4,308.00 be approved as the amount for the payment-in-lieu of one (1) off-street parking space 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 the owner/occupants for a real estate office.

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 one (1) on-site parking space. 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 5 inclusive.

Neighbourhood Context

The subject lands currently contain a 176 m² (1,894.4 sq. ft.) detached dwelling that has been converted to an office use. Several of the detached dwellings to the north, east and south have been converted to office, service commercial and retail uses while a few remain as residential. To the west, across Broadway Street, is a municipal parking lot and the St. Lawrence and Hudson Railway.

The applicant is proposing to demolish the existing building and construct a three (3) storey office building with a gross floor area - non-residential of approximately 358 m² (3,853.6 sq. ft.). The building is proposed to be used for a real estate office (see Appendix 5).

PIL Request

Real estate offices are required to provide parking at a rate of 6.5 parking spaces per 100 m² (1,076.4 sq. ft.) under Zoning By-law 0225-2007 which translates into a requirement of twenty-three (23) parking spaces for this development. The proposed concept plan can accommodate seventeen (17) on-site parking spaces. The applicant submitted a parking utilization study that supports a reduction in parking to a rate of 3.41 spaces per 100 m² (1,076.4 sq. ft.) which translates into a requirement for

eighteen (18) parking spaces. Based upon the recommendations of this study, the applicant applied for and received a minor variance under file 'A' 154/08 to reduce the amount of required parking to this lower rate leaving an on-site parking deficiency of one (1) parking space. The applicant has applied for the payment-in-lieu of off-street parking for the one (1) parking space that they are now deficient.

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 proposed seventeen (17) on-site parking spaces, there are over sixty (60) on-street parking spaces that are available within walking distance in the area bounded by Queen Street South, Broadway Street, Pearl Street and Thomas Street (see Appendix 4).

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

The applicant could have sought to relocate the proposed building on-site and thereby provide the one (1) deficient parking space on-site. However, the applicant has maintained a 5.34 m front yard along Pearl Street in order to provide some landscaping and to respect the existing building setbacks along Pearl Street.

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

The subject lands are designated as Mainstreet Commercial within the Streetsville District policies of Mississauga Plan and are zoned "C4" (Mainstreet Commercial) under Zoning By-law 0225-2007. The proposed real estate office use is permitted under both the District policies and the Zoning By-law. The placement of the office building on the site maintains the character of the street with respect setbacks and landscaping.

Based on the foregoing, the proposed 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 one (1) parking space;
- a total payment of \$4,308.00 is required; and
- 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 Streetsville, 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 no opportunities to provide additional on-site parking without compromising the proposed landscaping and maintaining a building setback to Pearl Street that is consistent with other buildings fronting onto Pearl Street;
- there are sixty (60) on-street and municipal parking spots in close proximity to the subject property; and
- the proposed shortfall of one (1) on-site parking space is not expected to adversely impact the local area.

ATTACHMENTS:

Appendix 1 - Site and Policy Histories

Appendix 2 - Aerial Photograph

Appendix 3 - Excerpt of Existing Land Use Map

Appendix 4 - Survey Plan

Appendix 5 - Development Proposal

original signed by

Edward R. Sajecki

Commissioner of Planning and Building

Prepared By: Jeffrey Sondic, Development Planner

Site History

- November 2, 2006 - Council adopted Official Plan Amendment 49 which designated the subject lands as Mainstreet Commercial within the Streetsville District policies of Mississauga Plan.
- June 20, 2007 - Council approved Mississauga Zoning By-law 0225-2007 which changed the zoning of the subject lands, amongst others, from C1 under Streetsville Zoning By-law 65-30 to C4 under By-law 0225-2007.
- March 16, 2007 - Applicant submitted a site development application under file SP 07/064 W11 in support of their development proposal.
- May 29, 2008 - Committee of Adjustment approves minor variance 'A' 154/08 to reduce the parking rate from 6.5 spaces per 100 m² (1,076.4 sq.ft.) to 3.41 spaces per 100 m² (1,076.4 sq.ft.) reduce aisle width, provide parking in front of a building, reduced landscape buffers and increase the maximum front yard requirement along the Pearl Street frontage on the subject lands.

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.



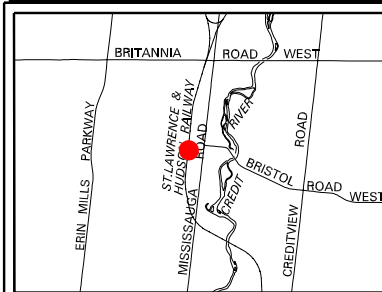
LEGEND:

- SUBJECT LANDS**
- 33 PEARL STREET**

DATE OF PHOTO: 03/2007



SUBJECT: DEBBIE COSIC AND MIRA TOMLJENOVIC



FILE NO: FA.3108003 W1	
DWG. NO: FA3108003A	
SCALE: N.T.S.	
PDC DATE: 2008 09 02	APPENDIX 2
DRAWN BY: K. PROKOP	

MISSISSAUGA
Planning and Building

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T&W, Geomatics



**PART OF STREETSVILLE DISTRICT LAND USE MAP
STREETSVILLE DISTRICT POLICIES OF MISSISSAUGA PLAN**

LAND USE DESIGNATIONS

- Residential – Low Density I
- Residential – Low Density II
- Residential – Med. Density I
- Residential – Med. Density II
- Residential – High Density I
- Mainstreet Commercial
- General Commercial
- Convenience Commercial
- Motor Vehicle Commercial
- Business Employment
- Public Open Space
- Private Open Space
- Greenbelt
- Utility

TRANSPORTATION LEGEND

- Provincial Highway and Interchange
- Arterial
- Major Collector
- Major Collector (Scenic Route)
- Minor Collector
- Local Road
- Existing Commuter Rail
- GO Transit Station

LAND USE LEGEND

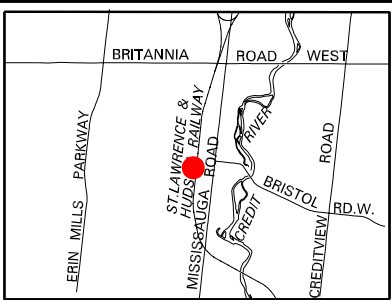
- LBPIA Operating Area Boundary- See Aircraft Noise Policies
- Node Boundary
- Cem - Cemetery
- 1996 NEP /2000 NEF Composite Noise Contours
- Planning District

SPECIAL SITE AREAS

- Special Site Areas (See Special Site Policies)

SUBJECT LANDS

SUBJECT: DEBBIE COSIC AND MIRA TOMLJENOVIC



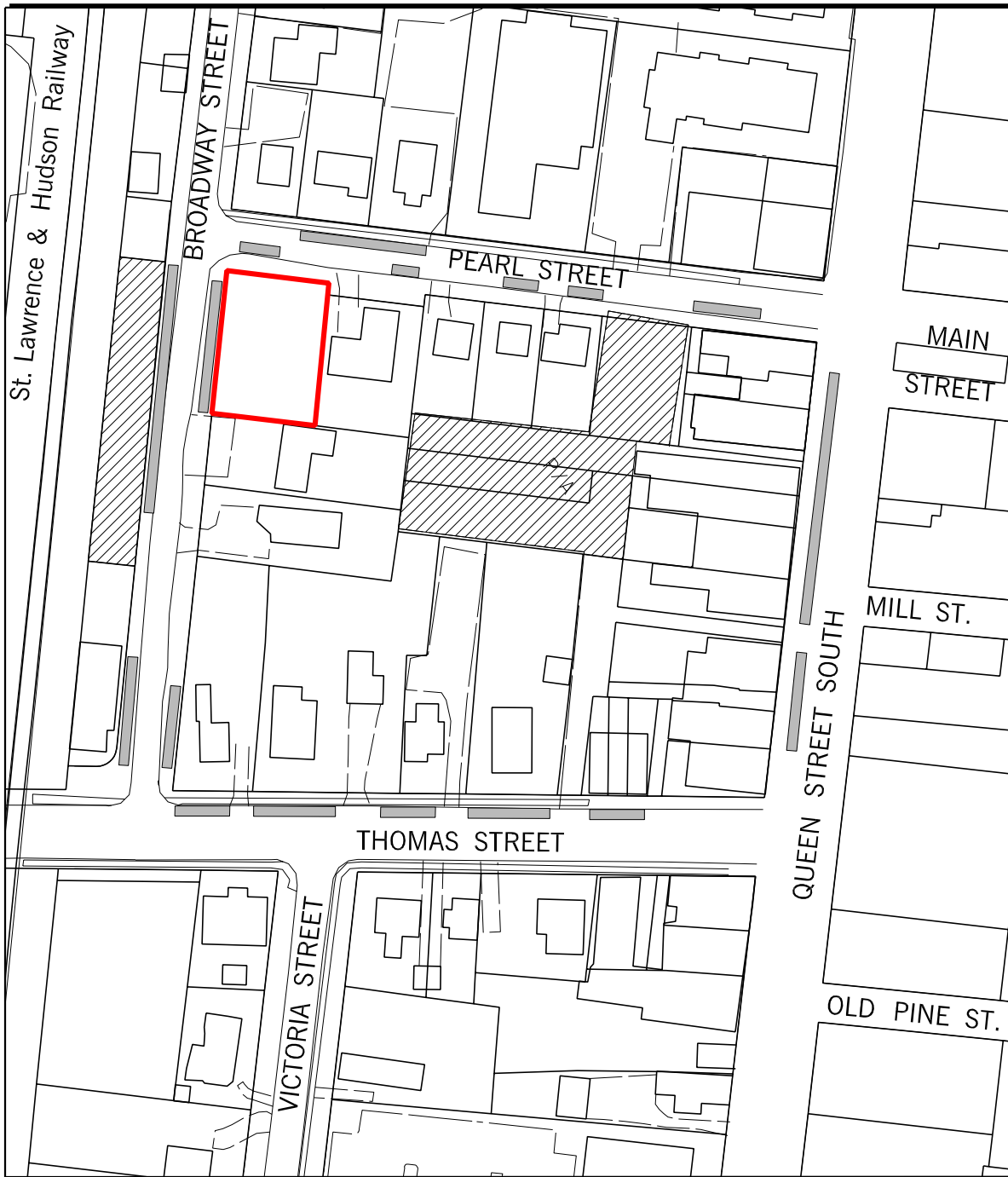
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SCALE:
NTS

PDC DATE:
2008 09 02

DRAWN BY:
K. PROKOP



LEGEND:



SUBJECT LANDS
33 PEARL STREET



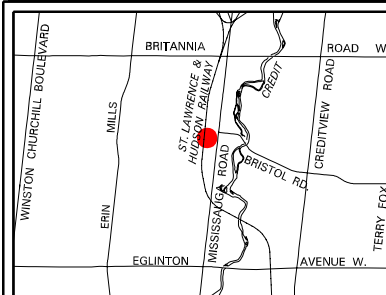
PUBLIC PARKING LOT



ON-STREET PARKING



SUBJECT: **DEBBIE COSIC AND
MIRA TOMLJENOVIC**



FILE NO:
FA.31 08003 W11

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PDC DATE:
2008 09 02

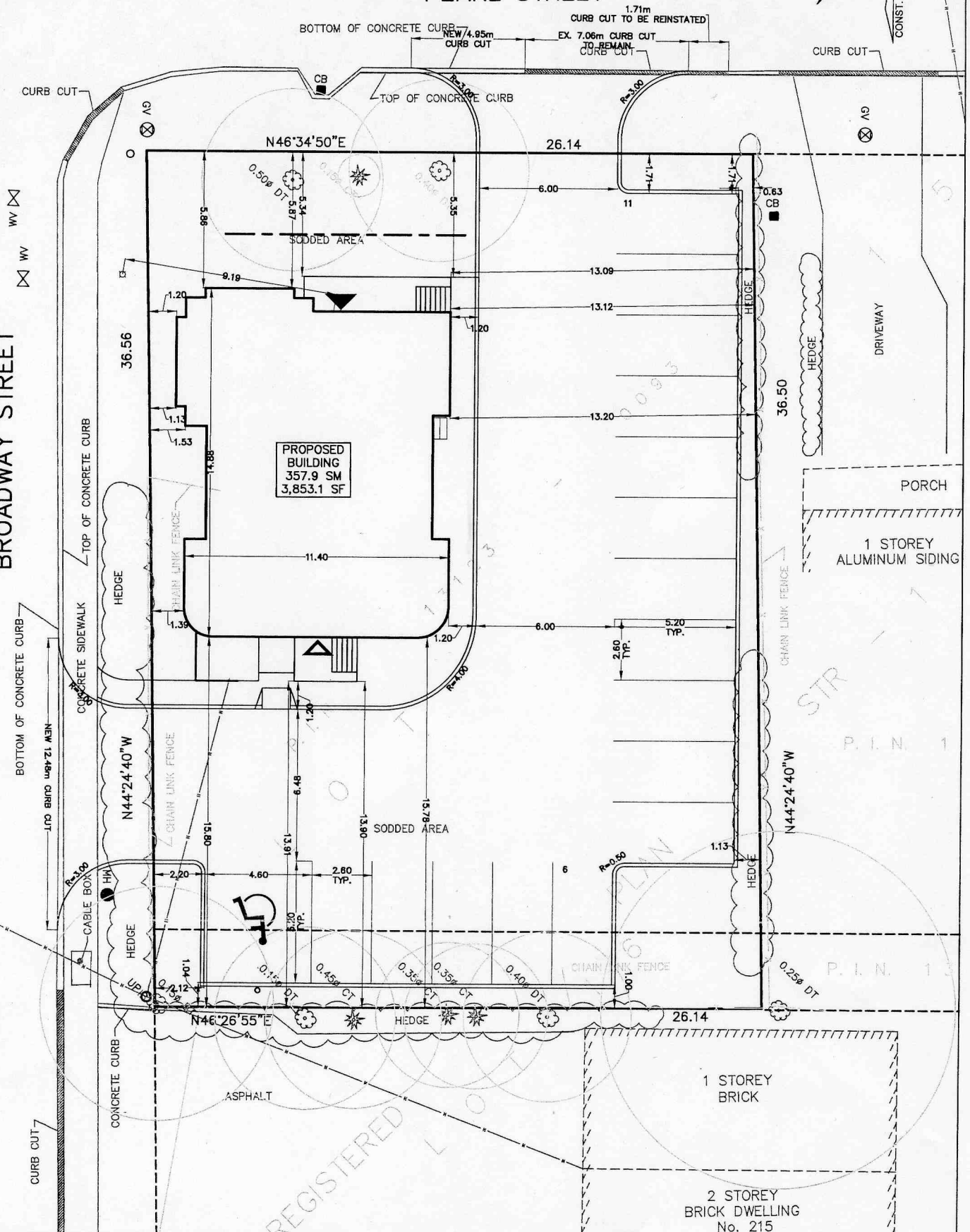
DRAWN BY:
K. PROKOP



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APPENDIX 4

BROADWAY STREET



SCALE: 1:150(m)