



# Corporate Report

Clerk's Files

Originator's  
Files FA.31 10/001W1

**PDC** JUN 14 2010

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**DATE:** May 25, 2010

**TO:** Chair and Members of Planning and Development Committee  
Meeting Date: June 14, 2010

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

**SUBJECT:** **Payment-in-Lieu of Off-Street Parking (PIL) Application**  
**3 Brant Avenue**  
**Northeast corner of Lakeshore Road East and Brant Avenue**  
**Owner: 1214536 Ontario Limited**  
**Applicant: Christopher M. Barre**

**Bill 51**

**Ward 1**

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**RECOMMENDATION:** That the Report dated May 25, 2010 from the Commissioner of Planning and Building recommending approval of the Payment-in-Lieu of Off-Street Parking (PIL) application under file FA.31 10/001 W1, 1214536 Ontario Limited, 3 Brant Avenue, northeast corner of Lakeshore Road East and Brant Avenue, be adopted in accordance with the following for "Lump Sum" agreements:

1. That the sum of \$2,675.00 be approved as the amount for the payment in lieu of one (1) 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 1214536 Ontario Limited for the proposed retail expansion.

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 4.

**Neighbourhood Context**

The subject site is located on the northeast corner of Lakeshore Road East and Brant Avenue on lands designated and zoned "Mainstreet Retail Commercial" which permit a mix of residential, commercial, and office uses.

The properties surrounding the subject site consist of a variety of uses including a detached dwelling to the north and a four storey office building to the east. On the west side of Brant Avenue there is a two storey building which contains a mix of retail and office uses. The south side of Lakeshore Road East is consistent with a mainstreet commercial built form, and comprises of multiple retail units at street level with residential units on the second floor.

**PIL Request**

In 2008, the applicant applied for a minor variance to permit one of the three required parking space to be located within the garage and in tandem to a parking space on the driveway. Additionally, a variance was requested for an aisle width of 6.10 m (20.01 ft.).

The Committee of Adjustment refused the requested variances, however, the application was subsequently appealed to the Ontario Municipal Board and the variances were granted.

The applicant is now proposing to expand the amount of space used for retail purposes by converting a room which had been previously indicated as being used for recycling, and therefore not contributing to the calculable gross floor area. As per the parking standards contained within the Zoning By-law, a retail store in a 'C4' Mainstreet Commercial zone category is required to provide 4.0 parking spaces per 100 m<sup>2</sup> (1,076.43 sq. ft.) of gross floor area (GFA). The proposed conversion of 15.3 m<sup>2</sup> (164.6 sq. ft.) will result in the requirement for one additional parking space bringing the total requirement to four (4) parking spaces for the site.

### **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 three (3) parking spaces provided on-site, numerous on-street parking spaces exists on Brant Avenue. Additionally, both the north and south sides of Lakeshore Road East have lay-by parking within the immediate vicinity of the subject site.

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

The subject retail store is contained within a converted one storey detached dwelling which continues to maintain a residential appearance, including a manicured side and front yard. Any expansion to the parking area along Brant Avenue would compromise the character of the site, and would not be in keeping with the residential character of the street. Also, given the

configuration of the site, no additional aisle space can be created to accommodate another parking space.

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

The proposed use is permitted within both Mississauga Plan and the Zoning By-law. The applicant is not proposing any increase to the floor area of the building and no changes are being proposed to the exterior of the building or the existing parking area.

The proposed use achieves the intent of the Port Credit District policies of Mississauga Plan.

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 \$2,675.00 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:

- there is on-street and lay-by parking opportunities in the immediate vicinity to offset the on-site shortfall of parking spaces;
- there are no appropriate opportunities to create additional parking on the subject property;
- the character of the lot will be maintained as there are no physical changes proposed to the site; and
- the proposed shortfall of one (1) on-site parking space is not expected to adversely impact the local area.

As of May 3, 2010, the balance of the Payment-in-Lieu of Off-Street Parking account for Port Credit was \$2,026,631.04 and with the incorporation of the monies from this payment in lieu application, the account will have a total of \$2,029,306.04.

**ATTACHMENTS:**

Appendix 1 - Site and Policy Histories  
Appendix 2 - Aerial Photograph  
Appendix 3 - Excerpt of Existing Land Use Map  
Appendix 4 - Site Plan

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Edward R. Sajecki  
Commissioner of Planning and Building

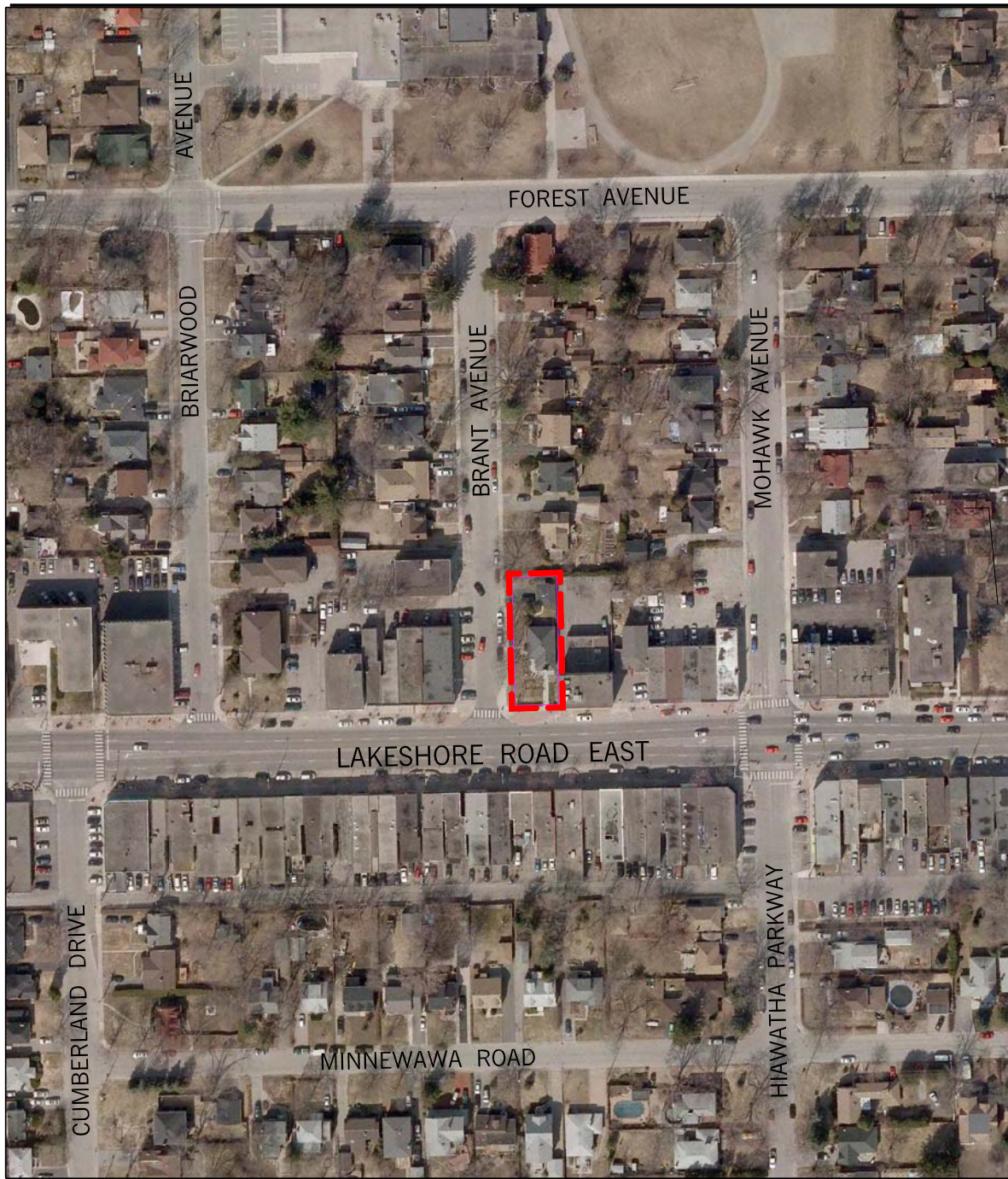
*Prepared By: David Breveglieri, Development Planner*

### Site History

- October 1985 - Committee of Adjustment refused a minor variance under file 'A' 506/85 W1 to permit the development of a two storey building with ground floor retail and residential units on the second floor;
- August, 2007 - Committee of Adjustment granted a minor variance under file 'A' 305/07 W1 to permit the main floor of the dwelling to be used for retail purposes, to permit a driveway aisle width of 6.0 m (19.7 ft.), and to permit no loading spaces on site;
- August, 2008 - Committee of Adjustment refused a minor variance under file 'A' 242/08 W1 to permit one of the three required parking spaces to be located within the detached garage and in tandem to one of the parking spaces on the driveway, however, the Committee did grant a variance to permit a reduced driveway aisle width of 3.1 m (10.2 ft.). The application was subsequently appealed to the Ontario Municipal Board by the applicant which granted both variances;
- July, 2009 - Site Plan Approval is granted for the conversion of a one storey dwelling to a retail store.

### 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:**

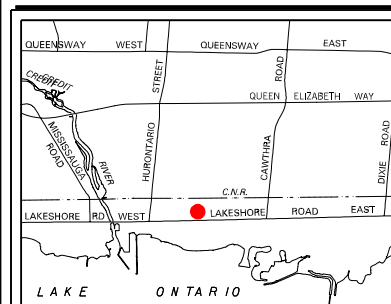


**SUBJECT LANDS**



**SUBJECT:**

**1214536 ONTARIO LTD.**



**FILE NO:**

**FA.31 10001 W**

**DWG. NO:**

**FA31 10001A**

**SCALE:**

**1:2000**

**PDC DATE:**

**2010 06 14**

**DRAWN BY:**

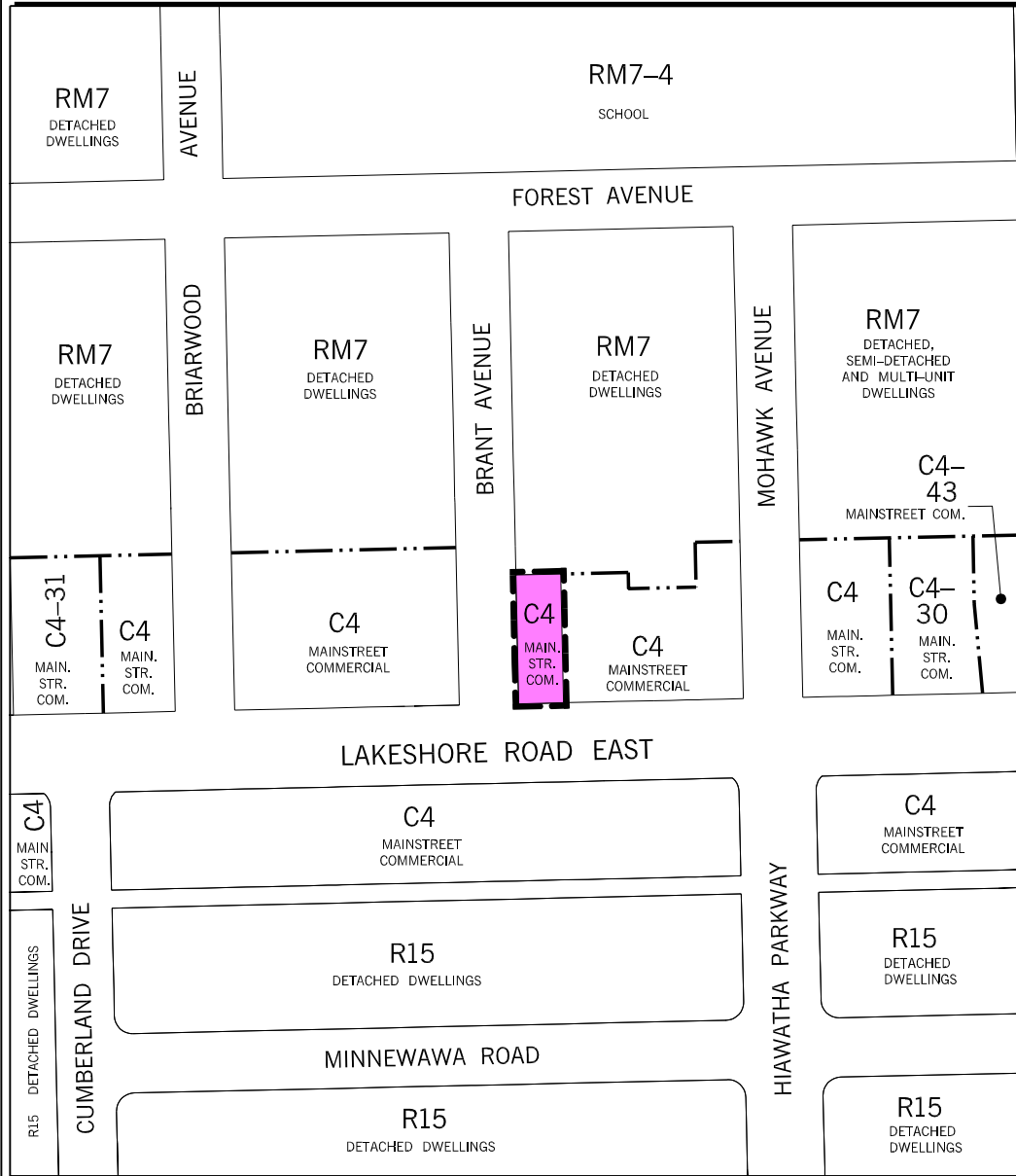
**B. KRUGER**

**MISSISSAUGA**  
Planning and Building

Produced by  
**T&W, Geomatics**

**APPENDIX 2**





**LEGEND:**

**SUBJECT LANDS**

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

**SUBJECT:**

**1214536 ONTARIO LTD.**

**FILE NO:**  
FA.31 10001 W

**DWG. NO:**  
FA31 10001R

**SCALE:**  
1:2000

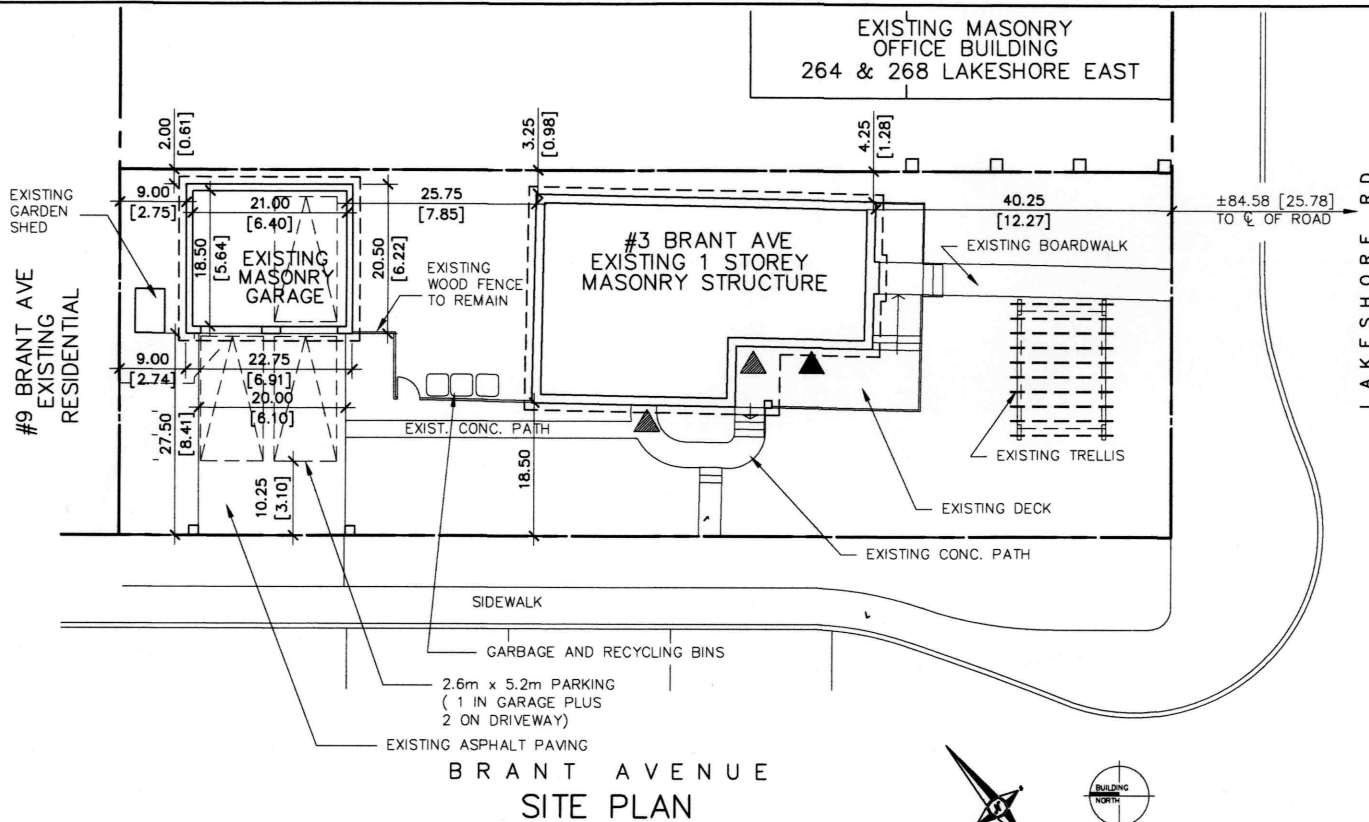
**PDC DATE:**  
2010 06 14

**DRAWN BY:**  
B. KRUGER

**MISSISSAUGA**  
Planning and Building

*Produced by*  
T&W, Geomatics

**APPENDIX 3**



## BRANT AVENUE SITE PLAN

### ZONING SUMMARY

ITEM	REQUIRED BY-LAW 0225-2007	PROJECT PROPOSED	% OF TOTAL
<b>ZONING</b>	C4	N/A	N/A
<b>LOT &amp; BLDG AREAS</b>	N/A	664.25sm / 7150sf (EXIST)	100%
- BLDG AREA/COVERAGE	N/A	107.95sm / 1164sf (EXIST)	16%
- HOUSE	N/A	43.01sm / 463sf (EXIST)	6.5%
- GARAGE	N/A	51.20sm / 550sf	8%
- PAVING	N/A	462.01sm / 4973sf	96%
- LANDSCAPING	N/A		
<b>GFA</b>	N/A	98.48sm / 1060sf	
- HOUSE	N/A	N/A	
- GARAGE	N/A	N/A	
<b>SETBACKS</b>	N/A	12.28m (EXIST)	
- SOUTH (LAKESHORE)	N/A	5.43m (EXIST)	
- WEST (BRANT)	N/A	8.43m (EXIST)	
- HOUSE	N/A	2.79m (EXIST)	
- GARAGE	N/A	0.98m (EXIST)	
- NORTH	N/A	0.57m (EXIST)	
- EAST	N/A		
- HOUSE	N/A		
- GARAGE	N/A		

NOTE: GFA Areas exclude Mechanical Rooms, Washrooms, Stairwells, Refuse and Recycling Rooms and Basement Storage Rooms.

### ZONING SUMMARY

ITEM	REQUIRED BY-LAW 0225-2007	PROJECT PROPOSED
<b>ZONING</b>	C4	N/A
<b>PARKING / LOADING</b>	3.9 (4/100sm)	3 (OMB PLO81160 to permit tandem)
- PARKING	0	0
- LOADING	0	0
HC REQ'D		
<b>aisle</b>	3.1m	3.1m (C of A - "A"242/08 WARD 1)
<b>BUILDING HEIGHT</b>	N/A	1 STOREY (EXIST)
<b>RETAIL USE</b>	PERMITTED ON GROUND FLOOR OF A MULTI-STOREY BLDG.	GROUND FLOOR OF EXISTING SINGLE STOREY BLDG

#### NOTES:

ALL AREAS THAT ARE UN-BUILT AND UNPAVED ARE TO BE LANDSCAPED

ALL DIMENSIONS ARE SHOWN IN FEET WITH METRIC DIMENSIONS IN PARENTHESES [ ]

### SURVEY REFERENCE

SURVEY INFORMATION TAKEN FROM  
PLAN OF TOPOGRAPHICAL SURVEY OF  
LOT 243 and PART OF LOT 242,  
REGISTERED PLAN F-12  
CITY OF MISSISSAUGA  
REGIONAL MUNICIPALITY OF PEEL  
PREPARED BY TARASICK, McMILLAN LIMITED  
JUNE 3, 1985

#### NOTES:

- I hereby certify that this drawing conforms in all respects to the site development plans as approved by the City of Mississauga under file number SP 07/159
- The City of Mississauga requires that all working drawings submitted to the Building Division as part of an application for the issuance of a building permit shall be certified by the designer as being in conformity with the site development plan as approved by the City of Mississauga.
- All exterior lighting will be directed onto the site and will not infringe upon the adjacent properties
- All exterior grades are existing
- All damaged areas are to be reinstated with topsoil and sod prior to release of securities.
- Signage shown on the development plans is for information only. All signs will be subject to provisions of sign By-law 0054-2002 as amended.
- Any new fencing adjacent to municipal lands to be located 15cm (6") inside the property line.

3 REV FOR PIL APPLICATION FEB 8,'10  
2 REV PARKING MAY 26,'09  
1 NOTES ADDED FEB 8,'08

**PROPOSED  
RETAIL CONVERSION  
3 BRANT AVE., PT. CREDIT**

**SITE PLAN**

**1**

SCALE 1/16"=1'  
DATE JUNE 4,'07  
DRAWN R.B.  
PROJ 0802