



# Corporate Report

Clerk's Files

Originator's

Files FA.31 11/004 W1

**PDC** APR 16 2012

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**DATE:** March 27, 2012

**TO:** Chair and Members of Planning and Development Committee  
Meeting Date: April 16, 2012

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

**SUBJECT:** **Payment-in-Lieu of Off-Street Parking (PIL) Application**  
**215 Lakeshore Road East**  
**South side of Lakeshore Road East,**  
**east of Oakwood Avenue South**  
**Owner: Rosario Grande, Georgio Grande and Anna Cale**  
**Applicant: Marzena Wlodarczyk**

**Ward 1**

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**RECOMMENDATION:** That the Report dated March 27, 2012 from the Commissioner of Planning and Building recommending approval of the Payment-in-Lieu of Off-Street Parking (PIL) application under file FA.31 11/004 W1, Rosario Grande, Georgio Grande and Anna Cale, 215 Lakeshore Road East, south side of Lakeshore Road East, east of Oakwood Avenue South, be adopted in accordance with the following for "Lump Sum" agreements:

1. That the sum of \$5,350.00 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 Rosario Grande,

Georgio Grande and Anna Cale for the conversion of an existing unit for a take-out restaurant.

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 for the proposed use of a take-out restaurant within an existing unit in a multi-unit building. The subject ground floor unit had previously been used for a retail store. Four residential apartment units are also located within the building with two being located on the second storey, one in the basement and one additional unit on the ground floor. A minor variance was granted on August 11, 2011 under file 'A' 277/11 permitting the take-out restaurant within 60 m (197 ft.) of a residential zone. A subsequent minor variance was granted on January 19, 2012 under file 'A' 028/12 permitting the take-out restaurant with only two (2) parking spaces available on site and one (1) parking space required through PIL.

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 south side of Lakeshore Road East, east of Oakwood Avenue South and forms part of Port Credit's 'mainstreet' area. The site is part of a larger building which contains storefronts along the ground floor of Lakeshore Road East and residential units along the second storey. The site is currently designated and zoned for "Mainstreet Retail

Commercial" which permits a mix of residential, commercial and office uses.

The building, in which the subject unit is located, contains a variety of retail and service establishments along the ground floor including clothing retailers, hairdressers, pet supplies and other establishments of a retail and service nature. The properties surrounding the subject site consists of a two storey apartment building to the west and a one storey pharmacy to the east. Directly across Lakeshore Road East there are three storey apartment buildings and to the south of the subject site there are detached dwellings.

The City is in the process of implementing the Port Credit Culture Node Pilot Project within the Port Credit Business Improvement Area for 2012 to support cultural resources and activities within the neighbourhood. One of the programs intended to be part of the Pilot Project is the Outdoor Table Service Program which will allow patios to encroach onto sidewalks through the warm weather season. In cases where sidewalks are narrow, on-street parking may be utilized to maintain pedestrian circulation. It is anticipated that the implementation of the Pilot Project will not result in a significant reduction in the number of available on-street parking spaces.

### **PIL Request**

The applicant is seeking to permit an approximately 57 m<sup>2</sup> (614 sq. ft.) take-out restaurant within an existing unit of the building. The unit was previously occupied by an arts retail store. There are two (2) parking spaces available at the rear of the building which are accessed by a rear laneway which has access onto Cumberland Drive. Should the existing residential units be evaluated under the current Zoning By-law, their parking requirement would be four (4) spaces and the retail store would have added the need for two (2) additional parking spaces, however, given that the building and parking spaces predate the parking requirements, the current scenario is deemed to comply. The introduction of the take-out restaurant would generate a

requirement of three (3) new spaces as the 'grandfathered' requirement for two spaces would be lost with the introduction of a new use, however, through the assessment of the Parking Justification Report submitted with the PIL application and the granting of minor variance application 'A' 028/12, it is established that the proposed use is acceptable pending the approval of payment in lieu of one (1) off-street parking space.

### **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.**

On-street paid parking is available on both the north and south sides of Lakeshore Road East along this area. Seven spaces are provided directly in front of the subject site with many more available along Lakeshore Road East in both east and west directions. On street paid parking spaces are also available along Cumberland Drive and Oakwood Avenue South.

In the Parking Justification Report submitted, it was indicated that the peak operating times of the take-out restaurant would be between 11 a.m. and 2 p.m. on Thursdays and Fridays. It the surveys conducted through the study it was shown that on average 3 parking were available directly in front of the subject site within those time periods. When examining the broader on street parking area, it was indicated that parked vehicles represent 67% occupancy of nearby spaces. The Parking Justification Report concludes that existing on-street parking in the vicinity of the subject property has sufficient unused capacity to provide the additional parking required by the proposed take-out restaurant.

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

The site provides only a very limited area at the rear of the building to accommodate the existing two parking spaces. There is no opportunity to reconfigure the parking area in order to accommodate additional parking spaces.

**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 the existing Mississauga Plan (2003) and the new Mississauga Official Plan (2011) as well as the Zoning By-law. The proposal represents a change in use only for the ground floor of subject unit and no new floor area is proposed. Additionally, the proposed take-out restaurant is in keeping with the intended 'mainstreet' character along this part of Lakeshore Road East.

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 \$5,350.00 is required;
- payment has been made in one lump sum.

**FINANCIAL IMPACT:** As of March 27, 2012, the balance of the Payment-in-Lieu of Off-Street Parking account for Port Credit was \$2,296,455.77 and with the incorporation of the monies from this application, the account will have a balance of \$2,301,805.77.

**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 are on-street parking opportunities in the immediate vicinity to offset the on-site shortfall of one (1) parking space;
- there are no opportunities to create additional parking on the subject site;
- there are no significant changes proposed to the appearance or functionality of the site;
- 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 and Floor Plan

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Edward R. Sajecki

Commissioner of Planning and Building

*Prepared By: David Breveglieri, Development Planner*

**Rosario Grande, Georgio Grande  
and Anna Cale**

**File: FA.31 11/004 W1**

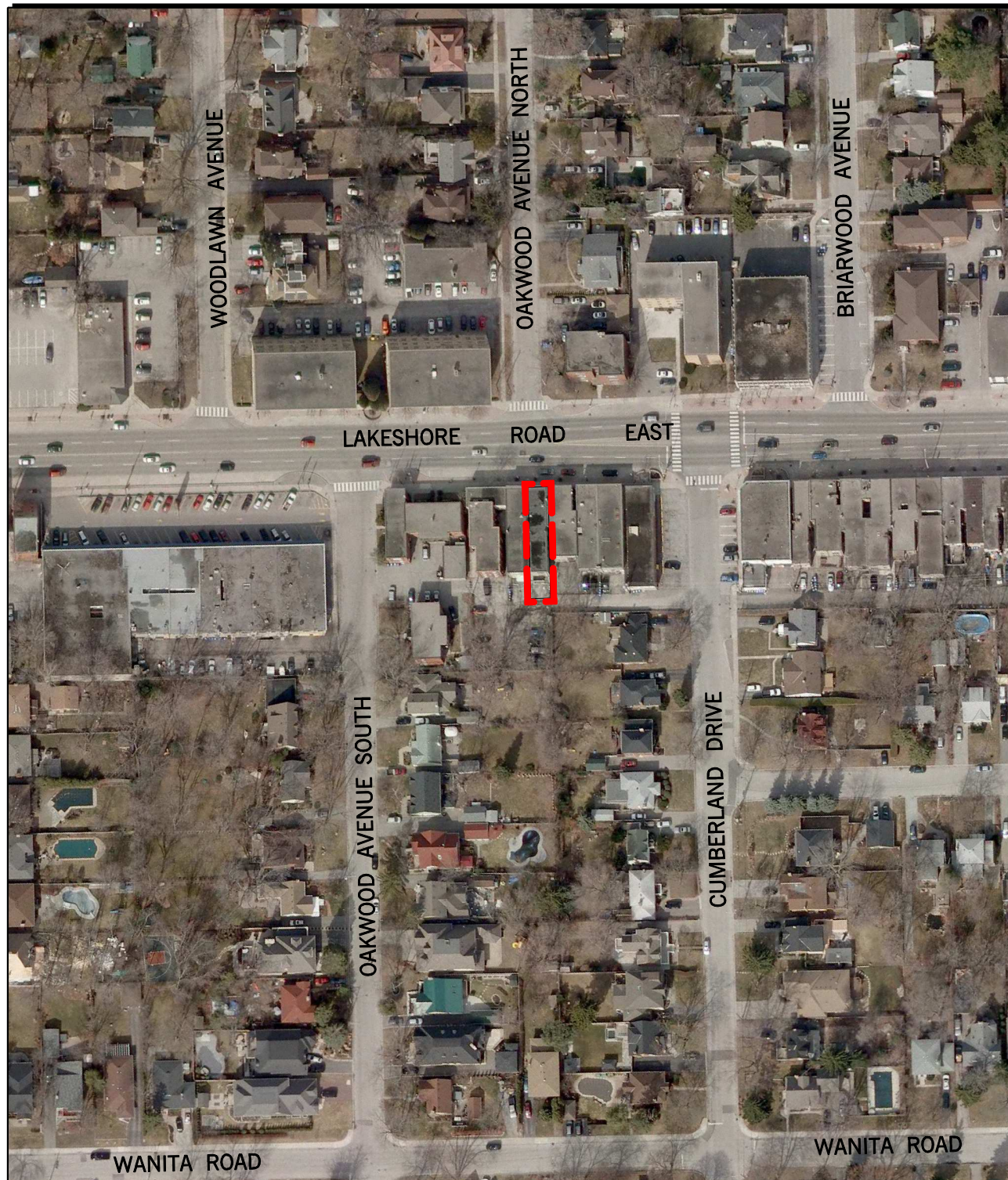
### **Site History**

- March 11, 2011 – Committee of Adjustment granted a minor variance under file ‘A’ 277/11 to permit the operation of a take-out restaurant within 60 m (197 ft.) of a Residential zone and to recognize the 0.0 m (0.0 ft.) aisle width;
- January 19, 2012 – Committee of Adjustment granted a minor variance under file ‘A’ 028/12 to permit the operation of a take-out restaurant providing only two on site parking spaces for the entire site provided that one additional space is provided through the Payment-in-Lieu of Off-Street Parking (PIL) program.

### **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:

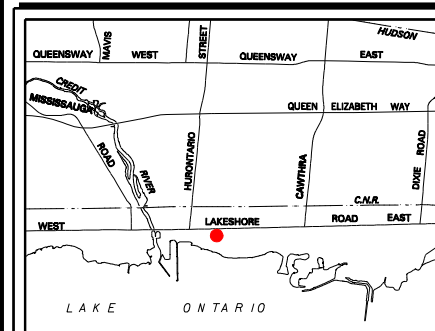


SUBJECT LANDS

NOTE: DATE OF AERIAL PHOTO - SPRING OF 2011



SUBJECT: **ROSARIO GRANDE**  
**GEORGIO GRANDE & ANNA CLAE**



FILE NO:  
**FA.31 11004 W1**

DWG. NO:  
**FA.31 11004A**

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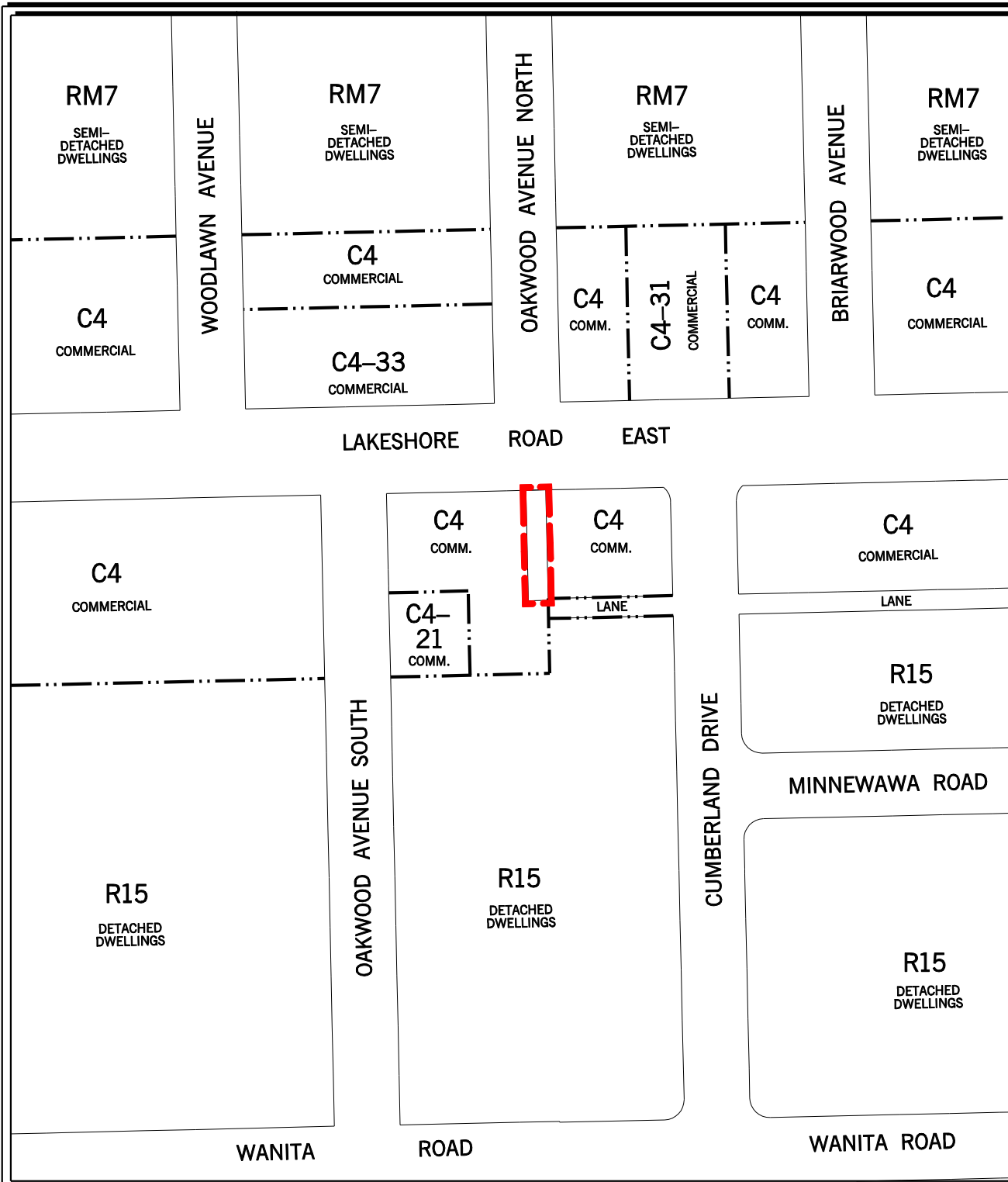
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**2012 04 16**

DRAWN BY:  
**B. KRUGER**

APPENDIX I-2

**MISSISSAUGA**  
Planning and Building

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**T&W, Geomatics**



**LEGEND:**

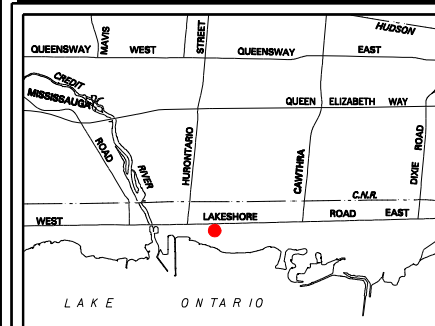


**SITE LOCATION**  
215 LAKESHORE ROAD EAST

THIS IS NOT A PLAN OF SURVEY.



**SUBJECT: ROSARIO GRANDE  
GEORGIO GRANDE & ANNA CLAE**



**FILE NO:**  
FA.31 11004 W1

**DWG. NO:**  
FA.31 11004

**SCALE:**  
1:1800

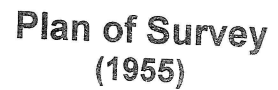
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**DRAWN BY:**  
B. KRUGER

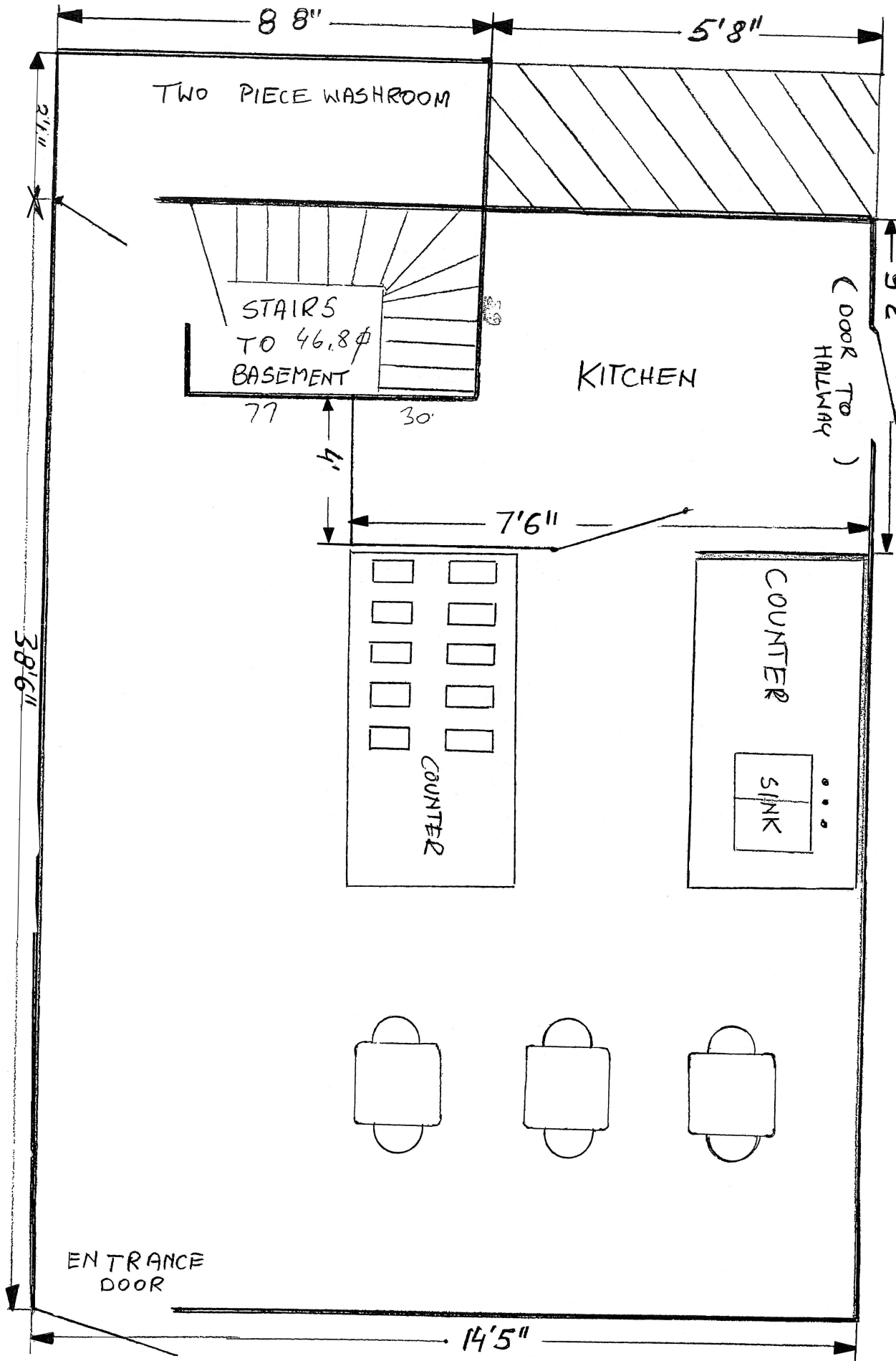
APPENDIX I-3

**MISSISSAUGA**  
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Floor Plan