



Corporate Report

Clerk's Files

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Files FA.31 12/001 W1

PDC SEP 04 2012

DATE: August 14, 2012

TO: Chair and Members of Planning and Development Committee
Meeting Date: September 4, 2012

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Payment-in-Lieu of Off-Street Parking (PIL) Application**
241 Lakeshore Road East
South side of Lakeshore Road East,
east of Cumberland Drive
Owner: 1438864 Ontario Inc.
Applicant: Shawn Jajarmi

Bill 51

Ward 1

RECOMMENDATION: That the Report dated August 14, 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 12/001 W1, 1438864 Ontario Inc., 241 Lakeshore Road East, south side of Lakeshore Road East, east of Cumberland Drive, be adopted in accordance with the following for "Lump Sum" agreements:

1. That the sum of \$10,700.00 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 1438864 Ontario Inc. for the conversion of an existing unit for a medical office.

3. That the execution of the PIL agreement and payment 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.

**REPORT
HIGHLIGHTS:**

- The application has been made in order to allow the operation of medical office within an existing unit of a multi-unit building with a deficiency of two (2) parking spaces;
- The proposal has been evaluated against the criteria contained in the Corporate Policy and Procedure on Payment-in-Lieu of Off-Street Parking (PIL).
- The request can be supported subject to the execution of a PIL Agreement and payment of the required “lump sum” amount by the owner/occupant.

BACKGROUND:

An application has been filed requesting payment-in-lieu of providing two (2) on-site parking spaces for the proposed use of a medical office within an existing unit in a multi-unit building. The subject ground floor unit was previously occupied by a furniture and décor retail store. A residential apartment unit is located on the second floor above the subject space. A minor variance was granted on April 19, 2012 under file 'A' 159/12 permitting the medical office use in conjunction with the existing residential apartment with only two (2) parking spaces available on site provided that two (2) parking spaces be approved 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 Cumberland Drive and forms part of Port Credit's 'mainstreet' area. The site is part of a larger retail strip which contains storefronts along the ground floor of Lakeshore Road East and residential above. The site is currently designated and zoned for "Mainstreet Retail Commercial" which permits a mix of residential, commercial and office uses.

The retail strip in which the subject unit is located contains a variety of retail and service establishments including clothing retailers, restaurants, barbers and other establishments of a retail and service nature. The entire block along the south side of Lakeshore Road East from Cumberland Drive to Hiawatha Parkway contains this type of 'mainstreet' built form while directly across the road there is two storey residential apartment building as well as two and three storey mixed use buildings. To the south of the subject site there are detached dwellings.

PIL Request

The applicant is seeking to permit an approximately 92.3 m² (993.5 sq. ft.) medical office within the ground floor of the building. The approved minor variance reduced the parking requirement for the combined medical office and apartment uses from seven (7) parking spaces to four (4) parking spaces. Given that two (2) parking spaces exist on-site at the rear of the property, the applicant is seeking to address the remaining deficiency through a PIL payment of two (2) spaces.

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, with spaces directly in front of the subject site. On-street paid parking spaces is also available along Cumberland Drive and Hiawatha Parkway.

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

Given the built form along this area of Lakeshore Road East, the subject site provides only a very limited area at the rear of the building to accommodate the existing two parking spaces which are accessible by a rear laneway. 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 and no new floor area is proposed. The medical office will not be of a 'walk-in' nature but rather by appointment. The use is in keeping with the intended 'mainstreet' character along this part of Lakeshore Road East.

Based on the foregoing, the proposed development is considered reasonable 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 \$10,700.00 is required; and
- payment has been made in one lump sum.

FINANCIAL IMPACT:

As of July 20, 2012, the balance of the Payment-in-Lieu of Off-Street Parking account for Port Credit was \$2,302,505.77 and with the incorporation of the monies from this application, the account will have a balance of \$2,313,205.77.

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 two (2) parking spaces;
- 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 two (2) on-site parking spaces 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

Edward R. Sajecki

Commissioner of Planning and Building

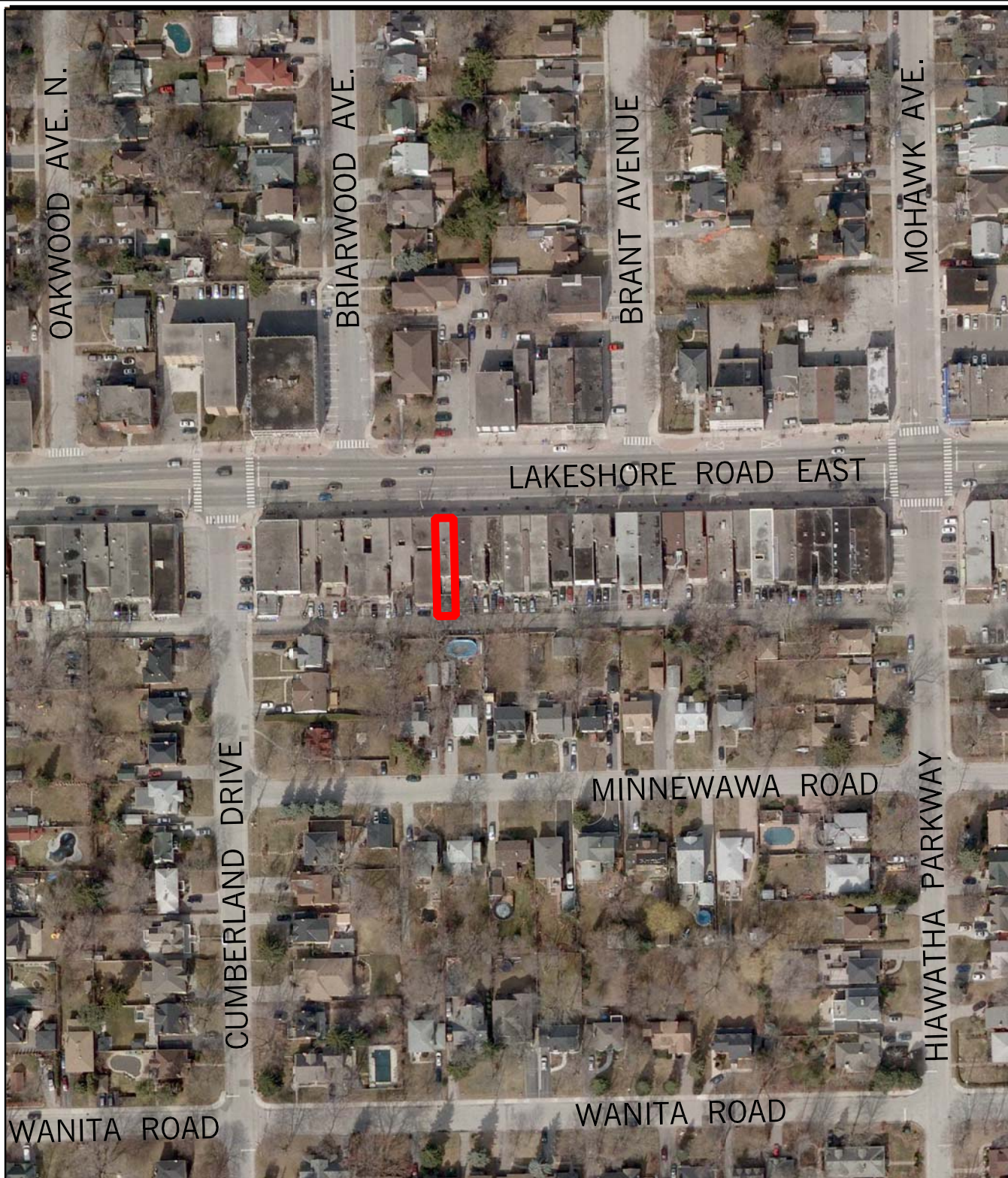
Prepared By: David Breveglieri, Development Planner

Site History

- April 19, 2012 – Committee of Adjustment granted a minor variance under file ‘A’ 159/12 to permit the operation of a medical office within the building providing a total of two (2) parking spaces on-site and two (2) parking spaces 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:



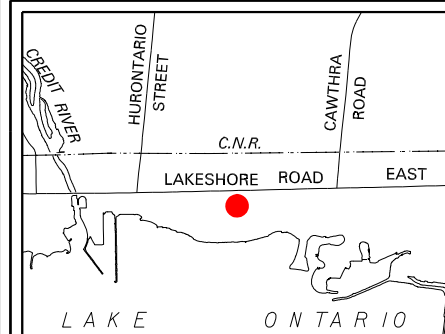
241 LAKESHORE ROAD EAST

DATE OF AERIAL PHOTO: 03 2011



SUBJECT:

1438864 ONTARIO INC.



FILE NO:

FA.31 12 001 W1

DWG. NO:

12001A

SCALE:

1:2000

PDC DATE:

2012 06 25

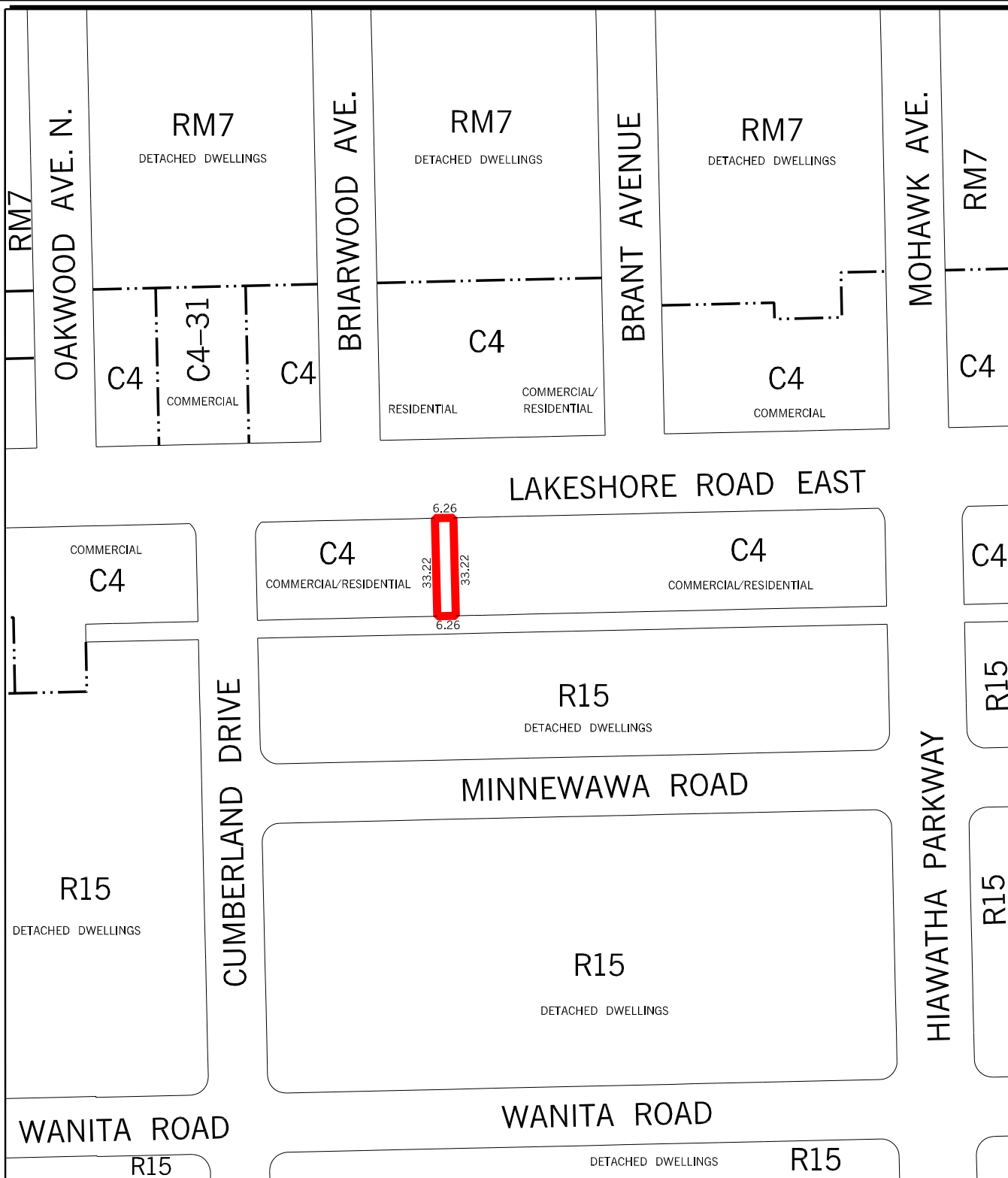
DRAWN BY:

K. PROKOP

APPENDIX 2

MISSISSAUGA
Planning and Building

Produced by
T&W, Geomatics



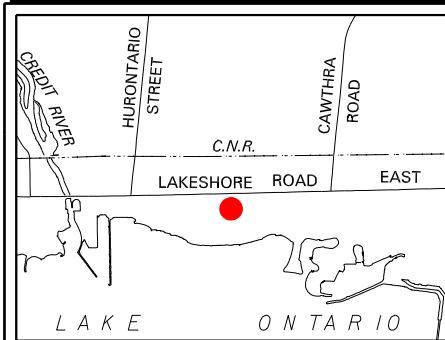
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 241 LAKESHORE ROAD EAST

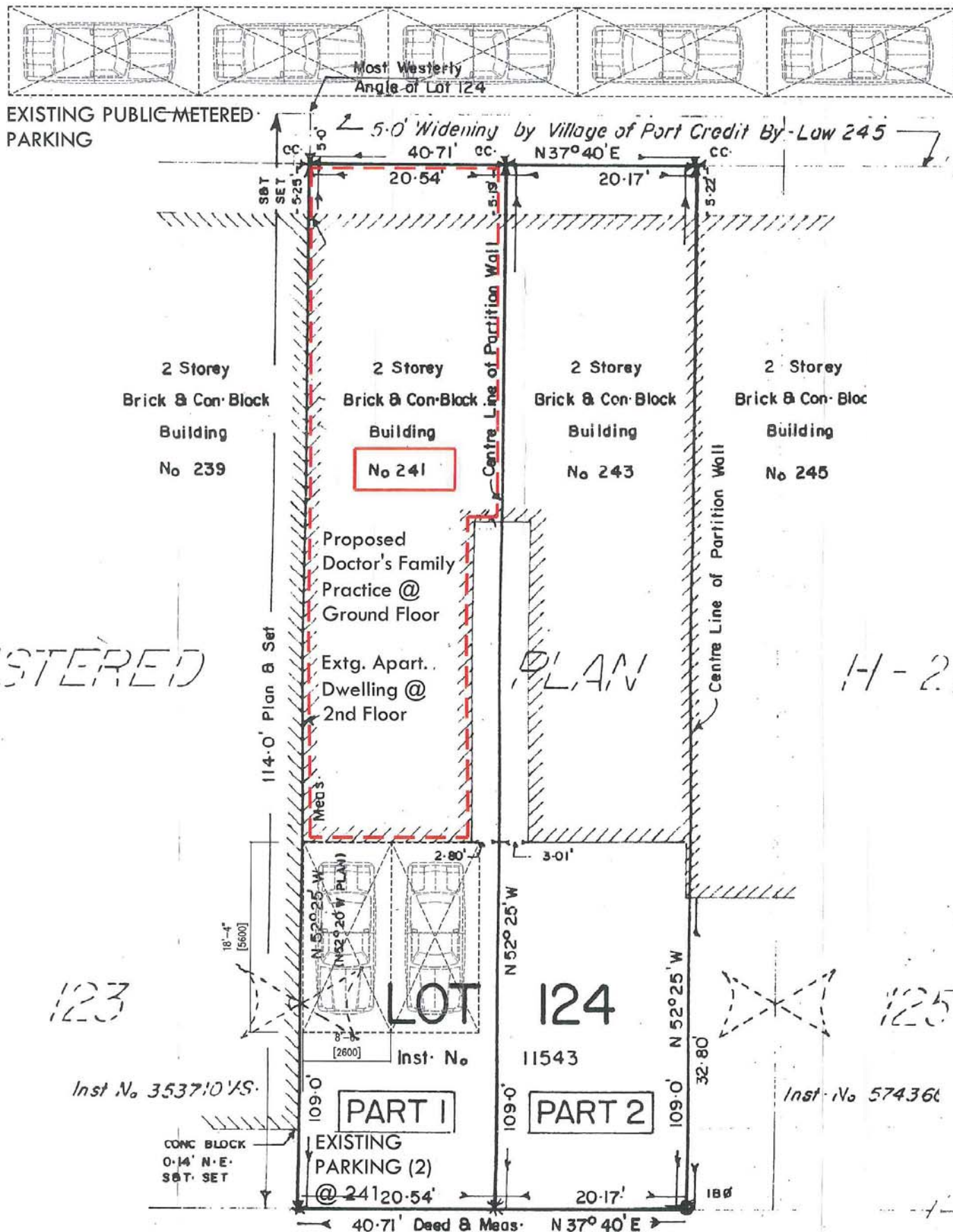
**NOTE: EXISTING ZONING DELINEATED ON THE PLAN
PROPOSED ZONING INDICATED BY SHADING WITHIN
THE APPLICATION AREA.**

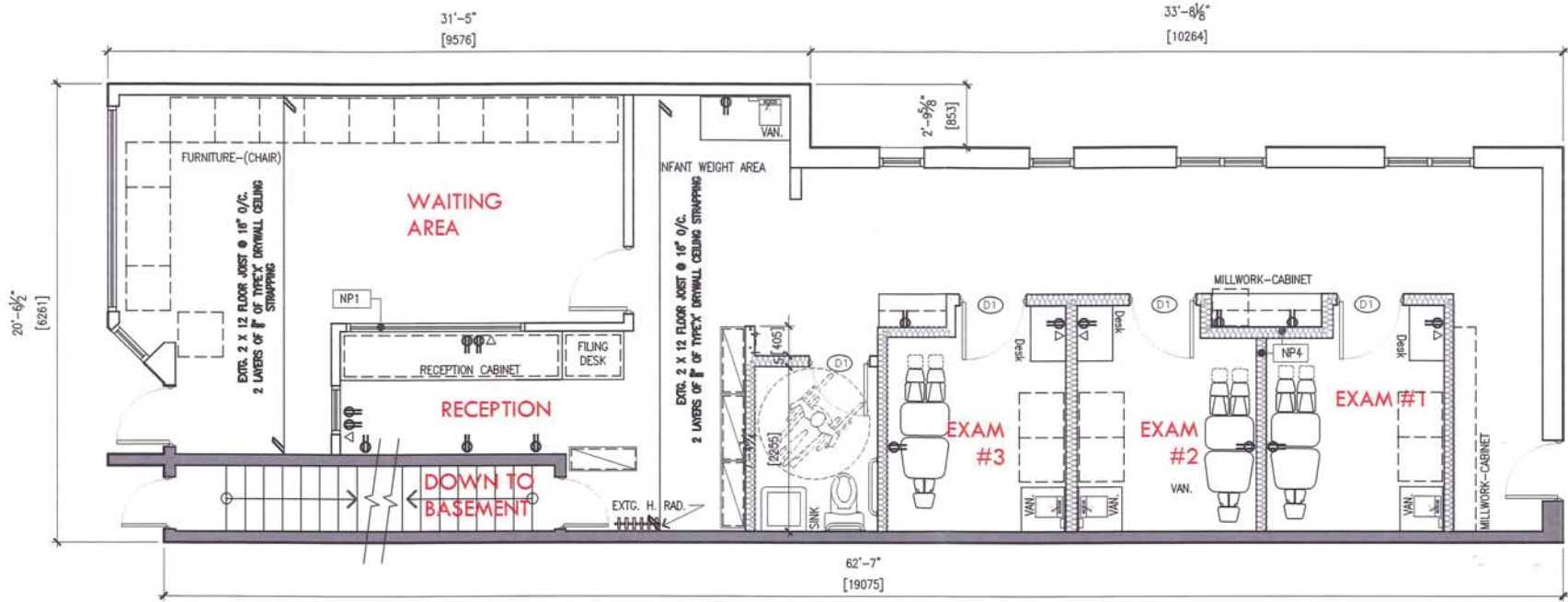


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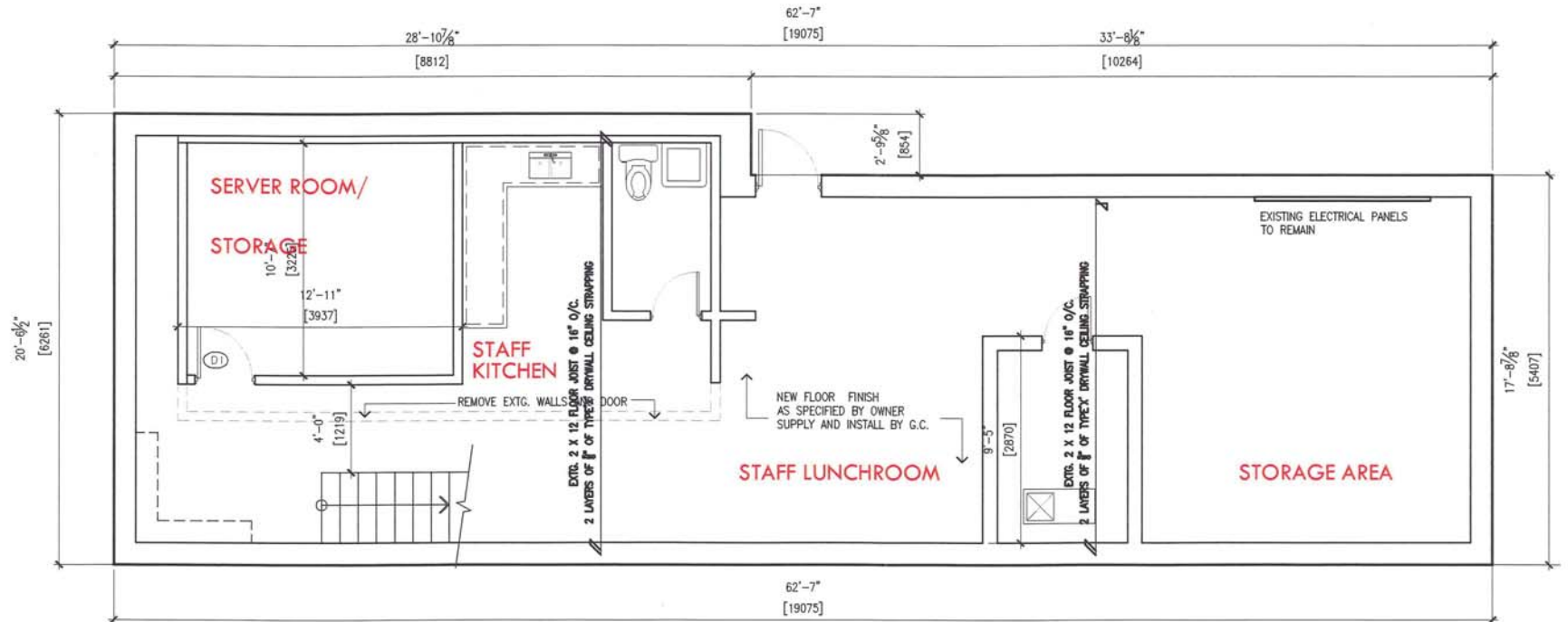
FILE NO: FA.31 12 001 W1	
DWG. NO: 12001R	
SCALE: 1:2000	
PDC DATE: 2012 06 25	APPENDIX 3
DRAWN BY: K. PROKOP	





1 CONSTRUCTION LAYOUT-GROUND FLOOR

SCALE: 1/4"=1'-0"



2 CONSTRUCTION LAYOUT-BASEMENT

SCALE: 1:100