



Corporate Report

Clerk's Files

Originator's

Files FA.31 12/003 W1

PDC JAN 7 2013

DATE: December 11, 2012

TO: Chair and Members of Planning and Development Committee
Meeting Date: January 7, 2013

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Payment-in-Lieu of Off-Street Parking (PIL) Application**
36-48 Lakeshore Road East
North side of Lakeshore Road East,
West of Stavebank Road
Owner: 2127557 Ontario Inc.
Applicant: W.E. Oughtred & Associates Inc.

Ward 1

RECOMMENDATION: That the Report dated December 11, 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 12/003 W1, 2127557 Ontario Inc., 36-48 Lakeshore Road East, north side of Lakeshore Road East, west of Stavebank Road, be adopted in accordance with the following for "Lump Sum" agreements:

1. That the sum of \$26,750.00 be approved as the amount for the payment-in-lieu of five (5) 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 2127557 Ontario Inc. for the expansion of the Pump House Grille Co. restaurant.

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 expansion of the existing restaurant into an adjacent unit with a deficiency of five (5) 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 five (5) on-site parking spaces for the proposed expansion of the Pump House Grille Co. restaurant into an adjacent unit to the west. 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.

Neighbourhood Context

The subject site is located on the north side of Lakeshore Road East, west of Stavebank Road and forms part of Port Credit's 'mainstreet' area. The development is part of two commercial buildings that are joined along one wall. The building currently occupied by the Pump House Grille Co., was constructed in the 1920's and the building where the expansion is proposed was constructed in 1963. The main entrances of both buildings face onto Lakeshore Road East. At the rear of the building there is a

small parking area which has direct access to Stavebank Road. The site is currently designated "Mixed Use" and zoned "C4" (Mainstreet Commercial) which permits a mix of residential, commercial and office uses.

The adjacent building to the west presently has offices on the lower, main and second floors. There is also a book store on the main floor abutting the restaurant. The properties surrounding the subject site consist of a variety of uses, including a restaurant to the west and a residential triplex to the north. Retail stores are located across Stavebank Road to the east, while a CIBC bank and the vacant former Port Credit Post Office are located on the south side of Lakeshore Road East.

PIL Request

The applicant is seeking to permit a restaurant expansion of approximately 92.70 m² (997.85 sq. ft.) by expanding into the unit currently occupied by the book store known as "Turtle Creek Books".

Details of the PIL Request are as follows:

Overview of Subject Site	
Existing GFA of Restaurant	253.46 m ² (2,728.31 sq. ft.)
Proposed GFA of Restaurant Expansion	92.70 m ² (997.85 sq. ft.)
Total GFA of Restaurant	346.16 m ² (3,726.16 sq. ft.)
Parking Spaces Required	31 spaces (9 spaces /100 m ²)
Parking Spaces Generated by Restaurant Expansion	8*
Total Parking Spaces permitted by Minor Variance application 'A' 468/12	16
• Parking Spaces On-Site	3
• Parking Spaces Previously Paid through PIL Program (2009)	8
• Parking Spaces under current PIL Application	5

* Three (3) parking spaces are recognized based on the last approved use of the book store unit as an office use, at a rate of 3.2 spaces per 100 m² (1,076.4 sq. ft.).

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.

There are three (3) metered parking spaces in front of the subject building and an additional three (3) on the south side of Lakeshore Road East in front of the former post office building.

Approximately eleven (11) metered on-street parking spaces exist along Stavebank Road between Lakeshore Road East and High Street. There are also approximately twenty-two (22) metered parking spaces along Lakeshore Road East between Stavebank Road and Elizabeth Street. In addition, parking is available at the Port Credit Library parking lot which provides 157 parking spaces.

The parking utilization study submitted by the applicant concluded that there is sufficient public parking in the vicinity of the subject site to accommodate the five (5) spaces required by the proposed restaurant expansion.

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

The site was constructed and has historically existed with a limited amount of space to accommodate parking. The building is situated at the street line and the available space at the rear can accommodate a maximum of three (3) parking spaces with no

driveway or aisle. No alternative parking configurations are feasible and numerous minor variances have been granted over the years to allow the current uses to operate with the limited parking available.

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 new Mississauga Official Plan (2011) as well as the Zoning By-law. The proposal represents a change in use only for the ground floor unit in which the book store is presently located and no new floor area is proposed.

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 five (5) parking spaces at a rate of \$5,350.00 per parking space;
- a total payment of \$26,750.00 is required;
- payment has been made in one lump sum.

FINANCIAL IMPACT: As of November 19, 2012, the balance of the Payment-in-Lieu of Off-Street Parking account for Port Credit was \$2,463,990.17 and with the incorporation of the monies from this application, the account will have a balance of \$2,490,740.17.

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 by means of 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 five (5) 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; and,
- the proposed shortfall of five (5) 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
- Appendix 5: Proposed Ground Floor Plan

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Sheena Harrington, Development Planner

Site History

- December 1974 – Subsequent to a Committee of Adjustment appeal, the Ontario Municipal Board allowed the conversion of 4 apartment units and 2 retail outlets to office space providing 9 parking spaces; whereas 16 spaces were required;
- September 1987 – Committee of Adjustment granted a temporary minor variance to permit an outdoor patio at the rear of the building ancillary to a restaurant;
- October 1993 – Committee of Adjustment granted a temporary minor variance to permit the expansion of the restaurant providing no parking spaces and being within 60 m (196.8 ft.) of a residential zone;
- April 1994 – Committee of Adjustment granted a temporary minor variance to permit continued use of the restaurant providing 3 parking spaces, no space for persons with disabilities, no loading space, no aisle, obstructed area in front of the garbage enclosure, and being within 60 m (196.8 ft.) of a residential zone;
- May 1996 – Committee of Adjustment granted a temporary minor variance to permit the continuation of the variances granted in April 1994;
- December 1999 – Committee of Adjustment granted a temporary minor variance to permit the continuation of the variances granted in May 1996;
- April 2003 – Committee of Adjustment granted a temporary minor variance to permit the continuation of the variances granted in December 1999;
- May 2008 – Committee of Adjustment granted a temporary minor variance to permit the expansion of the restaurant by 108.2 m² (212.0 sq. ft.) providing a reduced parking rate of 8.6 spaces per 100 m² (1,076.4 sq. ft.) for the expansion, no space for persons with disabilities, and being within 60 m (196.8 ft.) of a residential zone;
- July 2008 – Committee of Adjustment granted a minor variance permitting an addition to the restaurant of 19.7 m² (212.0 sq. ft.) providing a reduced parking rate of 8.6 spaces per 100 m² (1,076.4 sq. ft.) for the addition, no space for persons with disabilities, and being within 60 m (196.8 ft.) of a residential zone;

- January 21, 2009 – Council approved a Payment-in-Lieu of Off-Street Parking application on the subject lands for eight (8) spaces;
- November 2012 - Committee of Adjustment granted a minor variance permitting a 92.70 m² (997.85 sq. ft.) addition to the restaurant, with sixteen (16) parking spaces (comprised of three (3) parking spaces on site, eight (8) parking spaces previously paid through the Payment-in-Lieu of Off-Street Parking Program and five (5) parking spaces currently being paid through the Payment-in-Lieu of Off-Street Parking Program), no parking aisle width on-site, no space for persons with disabilities, no loading space on-site, one (1) parking space being situated in front of a garbage enclosure, and being within 60 m (196.8 ft.) of a residential zone.

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;
- February 11, 2009 – Council adopted Recommendation PDC-0014-2009 which revised the Payment-in-Lieu of Off-Street Parking Program including the addition of recommendations from the Parking Strategy for Mississauga City Centre.



LEGEND:

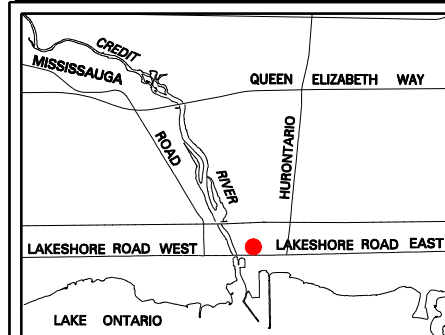


SUBJECT LANDS



SUBJECT:

2127557 ONTARIO INC.



FILE NO:

12003A

DWG. NO:

FA.31 12/003

SCALE:

1:2000

PDC DATE:

2013 01 07

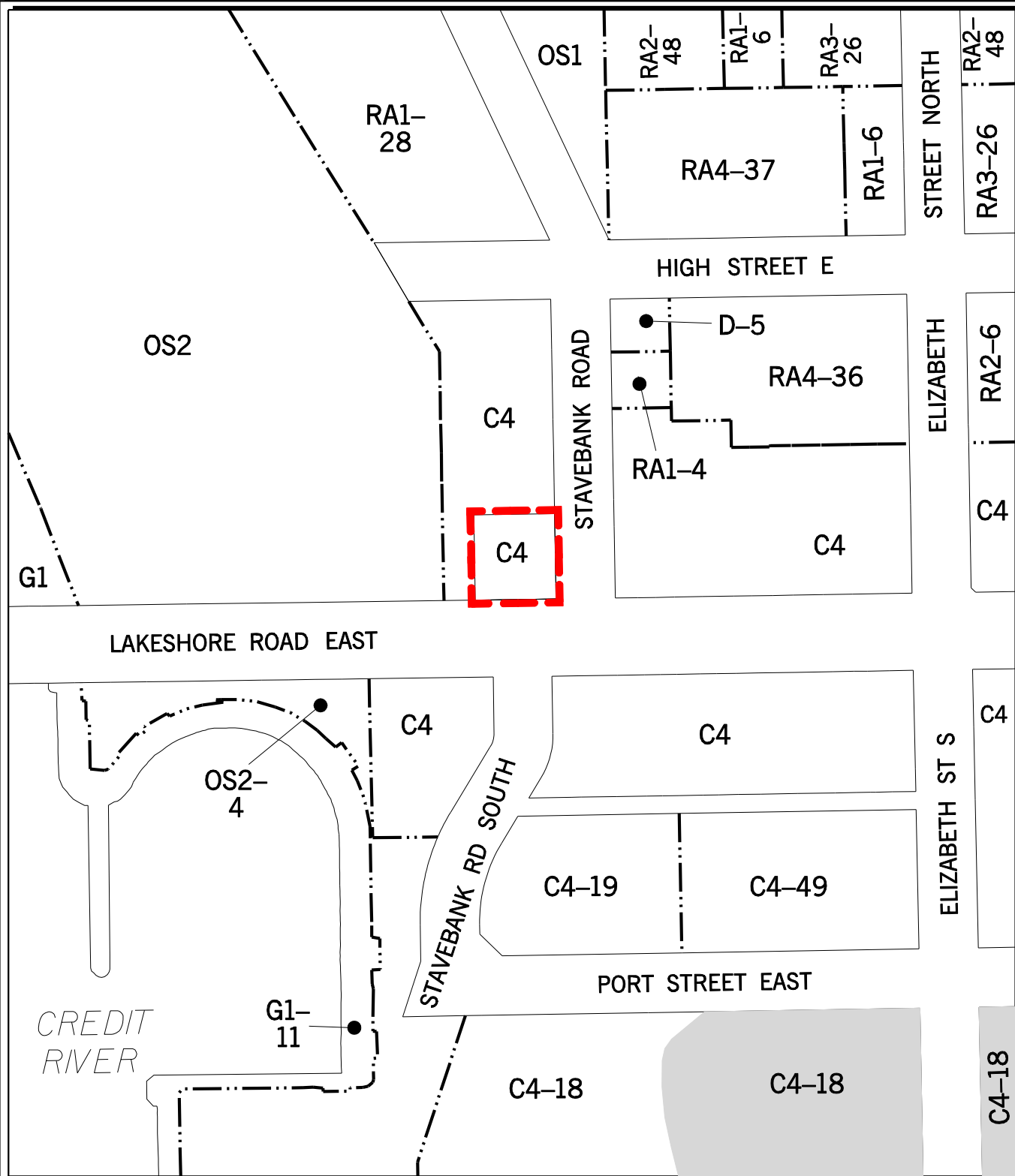
DRAWN BY:

B. KRUGER

APPENDIX 2

MISSISSAUGA
Planning and Building

Produced by
T&W, Geomatics



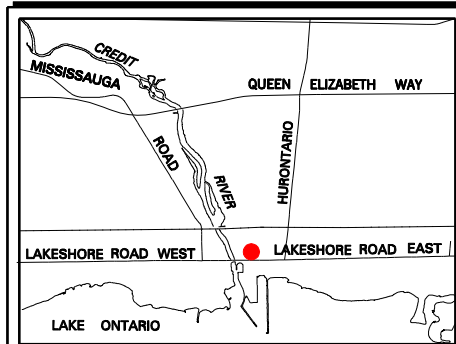
LEGEND:



SUBJECT LANDS



SUBJECT: 2127557 ONTARIO INC.



FILE NO: 12003R	
DWG. NO: FA.31 12/003	
SCALE: 1:2000	
PDC DATE: 2013 01 07	APPENDIX 3
DRAWN BY: B. KRUGER	

MISSISSAUGA
Planning and Building

Produced by
T&W, Geomatics



REFERENCE DRAWINGS:

INFORMATION ON THIS DRAWING TAKEN FROM:
RECONSTRUCTION AND RENOVATION OF EXISTING
BUILDING FOR CREDIT VALLEY INVESTMENTS LTD.

DRAWING: R1 - SITE PLAN
PROJECT NO: 59026
DATED: MARCH 1961

PREPARED BY DONALD E. SKINNER ARCHITECT
20 STAVEBANK ROAD,
PORT CREDIT, ONTARIO
L5G 2T4

ZONING C4
MAINSTREET COMMERCIAL
SITE DEVELOPMENT

MUNICIPAL ADDRESS

BUILDING USE
MULTI-TENANTS COMMERCIAL

BUILDING CLASSIFICATION

-OCCUPANCY: ASSEMBLY, GROUP A, DIVISION 2
-TWO STORY BUILDING, COMBUSTIBLE/NON-COMBUSTIBLE

NON-SPRINKLERED

-HAZARD INDEX OF EXISTING OFFICE	H=3
-HAZARD INDEX OF PROPOSED RESTAURANT	H=4
-CONSTRUCTION INDEX OF EXISTING BUILDING	C=1

-ADDITION TO COMPLY WITH TABLE 11.2.1.1.A. RATING FOR C4.
-FIRE ALARM SYSTEM TO EXPAND TO NEW ADDITION/EXPANSION.

-TOTAL FLOOR AREA (GROUND FLOOR) EXISTING RESTAURANT	= 253.46 s.m.
NEW EXPANSION	= 92.70 s.m.
-	= 346.16 s.m.

2

-OCCUPANT LOAD: EXISTING RESTAURANT:	187
EXISTING PATIO:	21
NEW RESTAURANT	62 - OBC TABLE 3.1.17.1.(1)(C)(i)
-TOTAL OCCUPANT LOAD:	270

-OCCUPANT LOAD (KITCHEN & NEW PREP AREA, 60.20m2/9.3m2 PLUS BASEMENT, 190.52/46m2) - EXISTING: 11 - OBC TABLE 3.1.17.1.

-WASHROOM PROVIDED (RESTAURANT): 8 - OBC TABLE 3.7.4.3.D

-WASHROOM REQUIRED (RESTAURANT): 8 - (INCLUDING 4 + 2 ADA EXISTING WASHROOMS)

-WASHROOM PROVIDED (KITCHEN & BSM): 2 - OBC TABLE 3.7.4.3.F.

-WASHROOM PROVIDED (KITCHEN): 2 - EXISTING W/C IN THE BASEMENT

PARKING SUBJECT TO MINOR VARIANCE DECISION - COMMITTEE OF ADJUSTMENT FILE NO. "A" 468/12



EXISTING
BUILDING

TWO STOREY COMMERCIAL BLOCK

PC-2

PROPOSED
EXPANSION

EXISTING
RESTAURANT

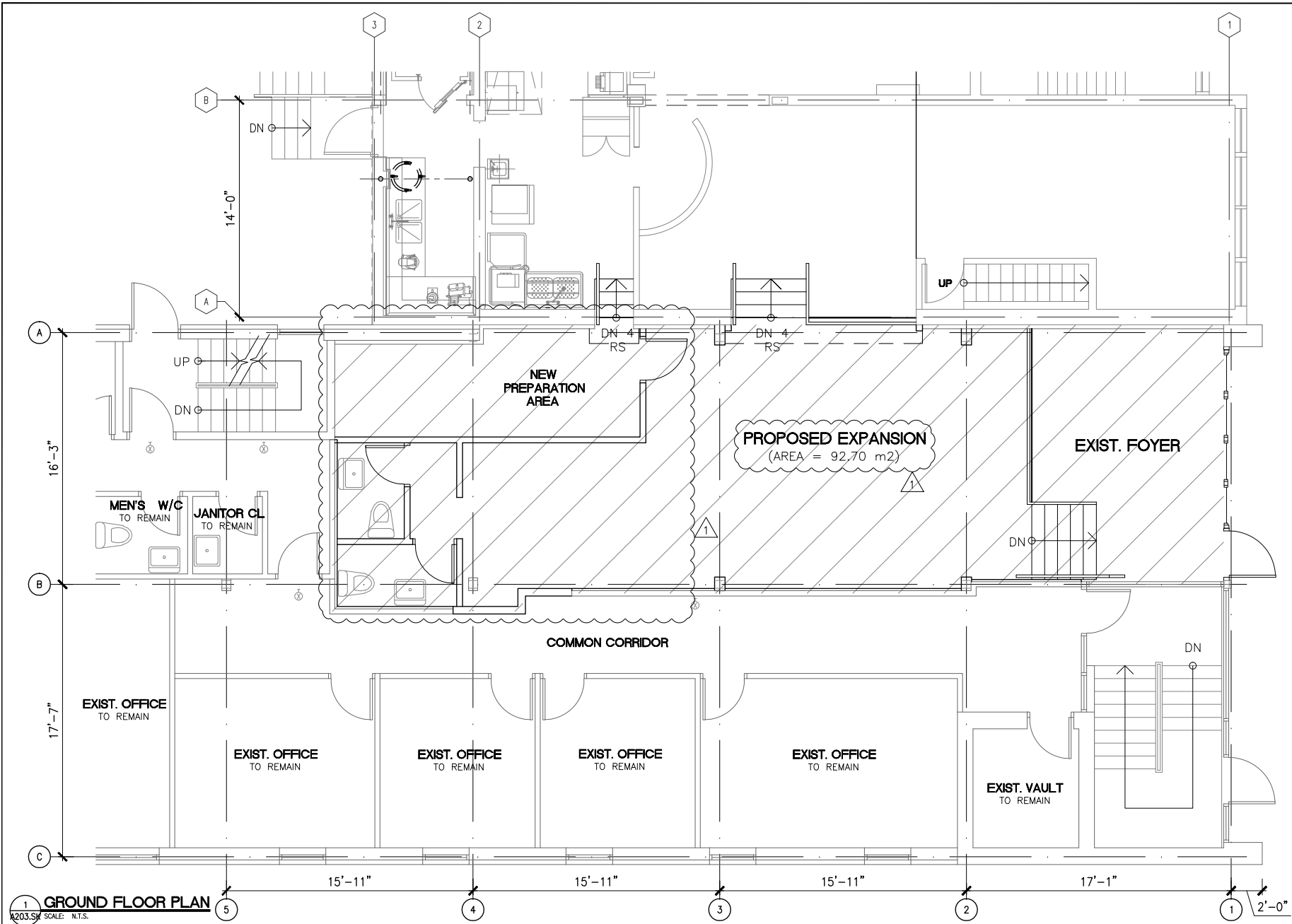
LAKESHORE ROAD EAST (FORMERLY TORONTO STREET)

PIN 13462-0064

1 SITE PLAN
A101 SCALE: 1:100 METRIC

NO.	DATE	TIME	LOCATION	DESCRIPTION	REMARKS
1	10/10/2010	08:00	Site 1	Initial survey	Good
2	10/10/2010	08:30	Site 2	Initial survey	Good
3	10/10/2010	09:00	Site 3	Initial survey	Good
4	10/10/2010	09:30	Site 4	Initial survey	Good
5	10/10/2010	10:00	Site 5	Initial survey	Good
6	10/10/2010	10:30	Site 6	Initial survey	Good
7	10/10/2010	11:00	Site 7	Initial survey	Good
8	10/10/2010	11:30	Site 8	Initial survey	Good
9	10/10/2010	12:00	Site 9	Initial survey	Good
10	10/10/2010	12:30	Site 10	Initial survey	Good
11	10/10/2010	13:00	Site 11	Initial survey	Good
12	10/10/2010	13:30	Site 12	Initial survey	Good
13	10/10/2010	14:00	Site 13	Initial survey	Good
14	10/10/2010	14:30	Site 14	Initial survey	Good
15	10/10/2010	15:00	Site 15	Initial survey	Good
16	10/10/2010	15:30	Site 16	Initial survey	Good
17	10/10/2010	16:00	Site 17	Initial survey	Good
18	10/10/2010	16:30	Site 18	Initial survey	Good
19	10/10/2010	17:00	Site 19	Initial survey	Good
20	10/10/2010	17:30	Site 20	Initial survey	Good
21	10/10/2010	18:00	Site 21	Initial survey	Good
22	10/10/2010	18:30	Site 22	Initial survey	Good
23	10/10/2010	19:00	Site 23	Initial survey	Good
24	10/10/2010	19:30	Site 24	Initial survey	Good
25	10/10/2010	20:00	Site 25	Initial survey	Good
26	10/10/2010	20:30	Site 26	Initial survey	Good
27	10/10/2010	21:00	Site 27	Initial survey	Good
28	10/10/2010	21:30	Site 28	Initial survey	Good
29	10/10/2010	22:00	Site 29	Initial survey	Good
30	10/10/2010	22:30	Site 30	Initial survey	Good
31	10/10/2010	23:00	Site 31	Initial survey	Good
32	10/10/2010	23:30	Site 32	Initial survey	Good
33	10/10/2010	00:00	Site 33	Initial survey	Good
34	10/10/2010	00:30	Site 34	Initial survey	Good
35	10/10/2010	01:00	Site 35	Initial survey	Good
36	10/10/2010	01:30	Site 36	Initial survey	Good
37	10/10/2010	02:00	Site 37	Initial survey	Good
38	10/10/2010	02:30	Site 38	Initial survey	Good
39	10/10/2010	03:00	Site 39	Initial survey	Good
40	10/10/2010	03:30	Site 40	Initial survey	Good
41	10/10/2010	04:00	Site 41	Initial survey	Good
42	10/10/2010	04:30	Site 42	Initial survey	Good
43	10/10/2010	05:00	Site 43	Initial survey	Good
44	10/10/2010	05:30	Site 44	Initial survey	Good
45	10/10/2010	06:00	Site 45	Initial survey	Good
46	10/10/2010	06:30	Site 46	Initial survey	Good
47	10/10/2010	07:00	Site 47	Initial survey	Good
48	10/10/2010	07:30	Site 48	Initial survey	Good
49	10/10/2010	08:00	Site 49	Initial survey	Good
50	10/10/2010	08:30	Site 50	Initial survey	Good
51	10/10/2010	09:00	Site 51	Initial survey	Good
52	10/10/2010	09:30	Site 52	Initial survey	Good
53	10/10/2010	10:00	Site 53	Initial survey	Good
54	10/10/2010	10:30	Site 54	Initial survey	Good
55	10/10/2010	11:00	Site 55	Initial survey	Good
56	10/10/2010	11:30	Site 56	Initial survey	Good
57	10/10/2010	12:00	Site 57	Initial survey	Good
58	10/10/2010	12:30	Site 58	Initial survey	Good
59	10/10/2010	13:00	Site 59	Initial survey	Good
60	10/10/2010	13:30	Site 60	Initial survey	Good
61	10/10/2010				

APPENDIX 4



1 GROUND FLOOR PLAN
 1/203.5" SCALE: N.T.S.

TRUE NORTH

CONSTRUCTION NORTH

REV	DESCRIPTION	DATE	BY
1	FLOOR PLAN REVISED / DOW. 1 CHANGED FROM 203 TO 203.5" SCALE	NOV 13, 2016	AF

A. FAZEL ARCHITECT
 203 LAKEHURON ROAD UNIT 101
 TORONTO • ONTARIO • M6H 1A6
 TEL: (416) 844-4488 • FAX: (416) 844-4488
 EMAIL: info@afazels.com

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PROJECT NAME: PROPOSED EXPANSION
 2 STOREY BRICK BUILDING
THE PUMP HOUSE GRILLE CO. PORT CREDIT
 203 LAKEHURON ROAD UNIT 101
 TORONTO, ONTARIO
 DATE: NOV 2016
 DRAWN BY: AF
 CHECKED BY: AF
 APPROVED BY: AF
 CLIENT'S JOB #: 00-0000
 PROJECT No.: AF1030