



# Corporate Report

Clerk's Files

Originator's  
Files OZ 05/040 W9

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**DATE:** February 7, 2006

**TO:** Chair and Members of Planning and Development Committee  
Meeting Date: February 27, 2006

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

**SUBJECT:** **Information Report**  
**Rezoning Application**  
**To permit retail commercial uses such as a retail warehouse**  
**club store, a department store, a garden centre, personal**  
**service shops, restaurants and/or retail stores**  
**3110 - 3140 Argentia Road**  
**Part of Lot 13, Concession 11, Reference Plan 43R-25620**  
**Southeast corner of Argentia Road and Tenth Line West**  
**Owner/Applicant: W.C.-401 Developments Limited**  
**Bill 20**

**Public Meeting** **Ward 9**

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**RECOMMENDATION:** That the Report dated February 7, 2006, from the Commissioner of Planning and Building regarding the application to change the Zoning from "H-M1-1817" to "DC-Special Section" to permit retail commercial uses under file OZ 05/040 W9, W.C.-401 Developments Limited, 3110 – 3140 Argentia Road, Part of Lot 13, Concession 11, Reference Plan 43R-25620, southeast corner of Argentia Road and Tenth Line West, be received for information.

**BACKGROUND:** A rezoning application has been filed to permit retail commercial uses as outlined in Appendix I-10.

Mississauga Plan proposed a "Business Employment" designation for the lands, however, on May 1, 2003, the applicant appealed the "Business Employment" designation to the Ontario Municipal Board (OMB). Through the OMB process, the applicant is proposing a "General Commercial" designation for the subject lands. In preparation for the upcoming OMB hearing dealing with the Mississauga Plan appeal, the subject rezoning application has been filed requesting uses that conform with the proposed "General Commercial" designation. Pre-hearings are scheduled for March 10, 2006 and May 26, 2006 with the OMB hearing scheduled for October 2, 2006.

The purpose of this report is to provide preliminary information on the above-noted rezoning application and to seek comments from the community.

**COMMENTS:**

Details of the proposal are as follows:

Two concept plans have been submitted in support of the application, Option A (Exhibit I-8) proposes one large single tenant building with two smaller free-standing restaurant/retail buildings, while Option B (Exhibit I-9) proposes one large multi-tenant building with three smaller free-standing restaurant/retail buildings.

<b>Development Proposal</b>	
Application submitted:	October 4, 2005
Application complete:	November 15, 2005
Height:	1 storey
Lot Coverage:	Option A - 13.27% Option B - 26.24%
Landscaped Area:	Option A - 15.79% Option B - 18.88%
Gross Floor Area:	Option A - 13 353.3 m <sup>2</sup> (143,738.9 sq. ft.) Option B - 13 086.9 m <sup>2</sup> (140,870.8 sq. ft.)

Parking Provided:	Option A - 722 Option B – 707
Supporting Documents:	Concept A - Petroff Architects Concept B - McCarthy Tetraault Survey Planning Report - GSP Group (September 2005) Economic Review of Retail Proposal - Clayton Research (September 21, 2005) Traffic Study- itrans (September 29, 2005) Environmental Noise Analysis-Jade Acoustics (September 21, 2005) Counterpoint Engineering Inc. Servicing Review Letter (February 11, 2004)

<b>Site Characteristics</b>	
Frontages:	292.67 m (960.2 ft.) on Argentia Road 154.83 m (508 ft.) on Tenth Line West
Depth:	154.83 m (508 ft.)
Gross Lot Area:	4.78 ha (11.8 ac.)
Existing Use:	Vacant

Additional information is provided in Appendices I-1 to I-11.

### **Neighbourhood Context**

The subject property is located north of an existing residential neighbourhood and is physically separated from that neighbourhood by the Canadian Pacific Railway line. Over the last six years, the lands located immediately to the east and north have been developed for commercial uses, while this property has remained vacant and undeveloped. Up until 2005, GO Transit had reserved these lands for a future GO Transit station, however, the station is now proposed to be relocated on the west side of Tenth Line West. Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are described as follows:

- North: across Argentia Road, Westgate Centre, consisting of Walmart, Rona, restaurants, and other retail commercial uses
- East: Great Canadian Super Store
- South: railway line and residential land uses
- West: across Tenth Line West, vacant lands proposed for a GO Transit station

## **OFFICIAL PLAN**

### **Designation**

Given that the "Business Employment" land use designation proposed by Mississauga Plan was appealed to the OMB, the land use designation of City Plan is applicable for this site. The City Plan policies for the Meadowvale Business Park District Map denotes that the "Land Use Designation/Policies governed by previous approved District Plan and Official Plan" apply to these lands. Therefore, the 1981 Official (Primary) Plan "Prestige Industrial" land use designation applies to the subject lands.

**"Prestige Industrial"** permits industrial uses within enclosed buildings including manufacturing, assembling, processing, fabricating, repairing, warehousing, wholesaling and offices, public and institutional uses, commercial uses that directly service the district, hotels, motels, conference centres, sports facilities, and highway commercial uses.

Although under appeal, Mississauga Plan proposed a Business Employment designation for the lands. "Business Employment" permits industrial uses, manufacturing, processing, fabricating, research and development, sales and service, warehousing, distributing, wholesaling, offices, community uses, entertainment, transportation facilities, waste processing or transfer stations and composting facilities, trucking terminals, broadcasting, communication, utility rights-of-way, hotels, motels, conference centres, financial institutions, restaurants, banquet halls, motor vehicle body repair facilities, motor vehicle repair facilities and motor vehicle commercial uses.

### **Urban Design Policies**

The other policies of Mississauga Plan are in effect and are applicable in the review of this application. Section 3.2.3.2 of Mississauga Plan indicates that design issues related to built form, scale, massing, orientation, and parking will be priorities in assessing the merits of this development. Section 3.15 of Mississauga Plan provides for a number of policies which address the need for appropriate built form and scale, streetscape and context and compatibility with the surrounding built form

The subject application is not in conformity with either the intent of the "Business Employment" designation in Mississauga Plan nor the "Prestige Industrial" designation of the Official (Primary) Plan (1981). The appropriate lands use designation for the site will be dealt with through the upcoming OMB hearings.

### **Proposed Official Plan Designation and Policies**

In the applicant's appeal to the Mississauga Plan "Business Employment" designation, they requested a retail designation for the subject lands. Although an Official Plan Amendment application has not been submitted, the applicant has proposed that the "General Commercial" designation be applied to the lands through the OMB process.

**"General Commercial"** permits establishments for the sale of goods and services, recreation, and entertainment. Residential, community and office uses are also permitted.

### **Existing Zoning**

**"H-M1-1817" (Industrial)**, which permits manufacturing, industrial undertakings that are conducted within enclosed buildings including storage warehouses, research establishments, automobile repair garages in which no automobile repair garages are performed, but, not including bulk storage yards, truck terminals, waste processing stations or composting facilities. Only offices which are accessory to the principle use are permitted.

**Proposed Zoning By-law Amendment**

**"DC-Special Section" (Retail Commercial)**, to permit retail commercial uses in accordance with the provisions outlined in Appendix I-10.

**Draft Mississauga Zoning By-law**

The zoning for the subject lands under the new draft zoning by-law released in January 2005 is proposed to be "D" (Development). Should this application be approved, a new "C3-Exception" (Commercial) zone would be required to reflect the site specific provisions sought through this application.

**COMMUNITY ISSUES**

A community meeting was held by Ward Councillor Pat Saito on January 24, 2006 and the following comments and concerns were raised:

- questioning the need for additional retail commercial space in the area;
- increased traffic congestion on Winston Churchill Boulevard, Argentia Road and Tenth Line West;
- increased traffic infiltration into the local neighbourhood;
- impact of truck traffic on local roads and surrounding residential neighbourhood;
- the need for improved timing of signalization of traffic lights in the area to improve traffic movement;
- the need to prohibit access to proposed commercial uses from Tenth Line.

**DEVELOPMENT ISSUES**

Agency comments are summarized in Appendix I-5. Based on the comments received and the applicable Mississauga Plan policies, the following matters will have to be addressed:

- the traffic report and concept plan must be updated to restrict access onto Tenth Line West due to the proposed Tenth Line West underpass;
- the orientation and location of the proposed buildings must have regard for the urban design policies of Mississauga Plan, including the provision of appropriate landscape areas;
- noise mitigation requirements;
- storm water management.

## **OTHER INFORMATION**

### **Development Requirements**

In conjunction with the proposed development, there are certain other engineering and conservation matters with respect to noise, access, storm water management, hydro easements, land dedications which will require the applicant to enter into appropriate agreements with the City.

### **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:**

Most agency and City department comments have been received and after the public meeting has been held and all issues are resolved, the Planning and Building Department will be in a position to make a recommendation regarding this application.

**ATTACHMENTS:**

Appendix I-1 - Site History  
Appendix I-2 - Excerpt from the Land Use - Long Term Concept  
of the Official (Primary) Plan;  
Appendix I-3 - Excerpt of Meadowvale Business Park Land Use  
Map from City Plan;  
Appendix I-4 - Excerpt of Meadowvale Business Park Land Use  
Map from Mississauga Plan;  
Appendix I-5 - Excerpt of Existing Land Use Map  
Appendix I-6 - Aerial Photograph  
Appendix I-7 - Agency Comments  
Appendix I-8 - Concept Plan A  
Appendix I-9 – Concept Plan B  
Appendix I-10 – Proposed Zoning By-law Standards  
Appendix I-11 - General Context Map

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Edward R. Sajecki  
Commissioner of Planning and Building



**W.C.-401 Developments Ltd.**




**File: OZ 05/040 W9**


### **Site History**

- April 16, 1981 – Ministry of Housing approved the Official (Primary) Plan for the City of Mississauga which designated the subject lands "Prestige Industrial";
- May 10, 1990 – Rezoning and Subdivision applications, under Files OZ 37/90 W9 and T-M90019 W9, respectively, were submitted requesting that the subject and surrounding lands be developed for office commercial, prestige industrial and highway commercial uses. The applications were closed in December 1998;
- August 11, 1998 – The Meadowvale Business Park District policies, Section 6.23 of City Plan were approved by the Region of Peel and referred the land use designation for these lands back to the Official (Primary) Plan;
- May 1, 2003 – McCarthy Tetrault, Solicitors for W.C.-401 Developments Limited appealed the following policies of Mississauga Plan to the OMB: the land use designation and node boundary as they related to the subject lands ; Section 5.3.2. and the commercial policies. All of the appeals, with exception to the land use designation have been dealt with by the OMB;
- May 5, 2003 – Mississauga Plan with the exception of certain policies that were appealed to the Ontario Municipal Board (OMB), came into full force and effect.



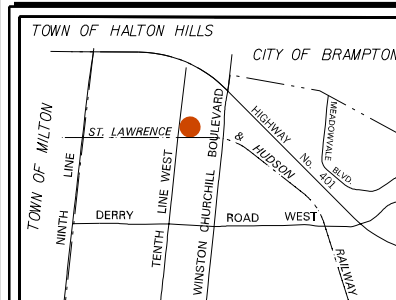
**PART OF SCHEDULE 11  
LAND USE LONG TERM CONCEPT  
THE OFFICIAL (PRIMARY) PLAN  
OF THE CITY OF MISSISSAUGA  
PLANNING AREA  
SEPTEMBER 1997**

-  **Residential**
-  **Prestige Industrial**
-  **Parkway Belt West**

 **SUBJECT LANDS**



**SUBJECT: WC-401 DEVELOPMENTS LTD.**



**FILE NO:**  
OZ 05040 W9

**DWG. NO:**  
PARTSCHED11\_97

**SCALE:**  
NTS











**PDC DATE:**  
2006 02 27

**DRAWN BY:**  
W. FINLAY









**APPENDIX I-2**

**PART OF MEADOWVALE BUSINESS PARK DISTRICT, LISGAR DISTRICT AND MEADOWVALE DISTRICT LAND USE MAPS  
MEADOWVALE BUSINESS PARK DISTRICT, LISGAR DISTRICT  
AND MEADOWVALE DISTRICT POLICIES OF CITY PLAN**

**LAND USE DESIGNATIONS**

-  Residential - Low Density II
-  Retail and Service Commercial
-  Automotive Service Commercial
-  Business Employment
-  Industrial
-  Secondary Office Centre
-  Open Space
-  Greenbelt
-  Parkway Belt West
-  Utility

**TRANSPORTATION LEGEND**

-  Highway and Interchange
-  Arterial
-  Major Collector
-  Minor Collector
-  Local Road
-  Existing Commuter Rail
-  GO Transit Station
-  Future Commuter Rail Station

**B#** Appealed to the  
Ontario Municipal Board

**LAND USE LEGEND**

- AC - Arterial Commercial
- EC - Employment Commercial
- SPC - Special Purpose Commercial
- CP - City Park
- C - Community Park
- \* - Stormwater Management Facility
- OH - Ontario Hydro Transformer Station
- SS - Secondary Separate School
- NEP/2000 NEF Composite Noise Contours
- Planning District

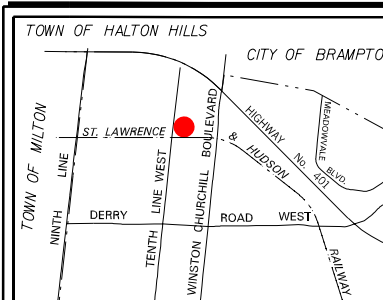
**Note:**

The 1996 Noise Exposure Projection (NEP/2000 Noise Exposure Forecast (NEF) Composite Noise Contours are shown for information purposes only and are not part of the District Land Use Map. These contours will change from time to time as new information becomes available. For accurate reference the composite NEP/NEF map produced by Transport Canada at a scale of 1:50 000 should be consulted.



**SUBJECT LANDS**

**SUBJECT: WC-401 DEVELOPMENTS LTD.**



**FILE NO:**  
OZ 05040 W9

**DWG. NO:**  
05040L

**SCALE:**  
NTS

**PDC DATE:**  
2006 02 27

**DRAWN BY:**  
W. FINLAY











**APPENDIX 1-3**

**MISSISSAUGA**  
Planning and Building

Produced by  
T&W, Geomatics








**PART OF MEADOWVALE BUSINESS PARK DISTRICT, LISGAR DISTRICT AND MEADOWVALE DISTRICT LAND USE MAPS  
MEADOWVALE BUSINESS PARK DISTRICT, LISGAR DISTRICT  
AND MEADOWVALE DISTRICT POLICIES OF MISSISSAUGA PLAN**

**LAND USE DESIGNATIONS**

-  Residential - Low Density II
-  General Commercial
-  Motor Vehicle Commercial
-  Business Employment
-  Industrial
-  Open Space
-  Greenbelt
-  Parkway Belt West
-  Utility
-  Node Boundary

 *Appealed to the Ontario Municipal Board*

**TRANSPORTATION LEGEND**

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


**LAND USE LEGEND**

- CP - City Park
- C - Community Park
- \* - Existing Stormwater Management Facility
- \* - Proposed Stormwater Management Facility
- - 1996 NEP/2000 NEF Composite Noise Contours
- .... - Planning District

**Note:**

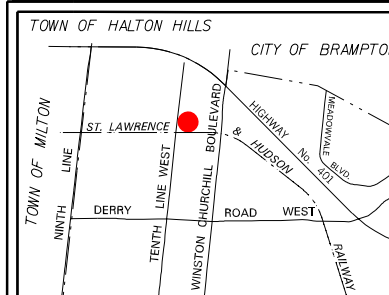
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For accurate reference the composite NEP/NEF map produced by Transport Canada at a scale of 1:50 000 should be consulted.

 **SUBJECT LANDS UNDER APPEAL**



**SUBJECT: WC-401 DEVELOPMENTS LTD.**



**FILE NO:**  
OZ 05040 W9

**DWG. NO:**  
05040LM

**SCALE:**  
NTS

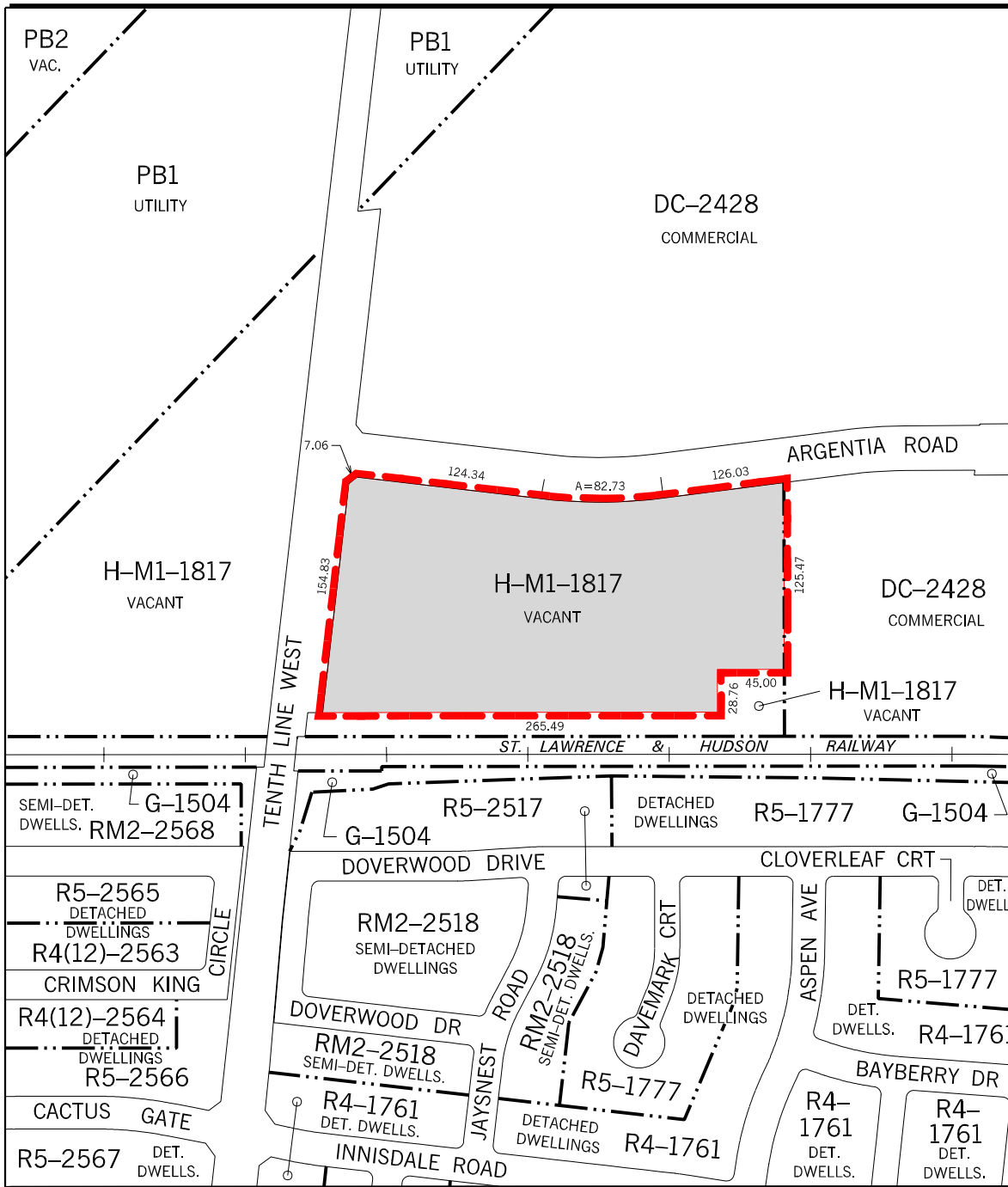
**PDC DATE:**  
2006 02 27

**DRAWN BY:**  
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**APPENDIX I-4**

**MISSISSAUGA**  
Planning and Building

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# LEGEND:



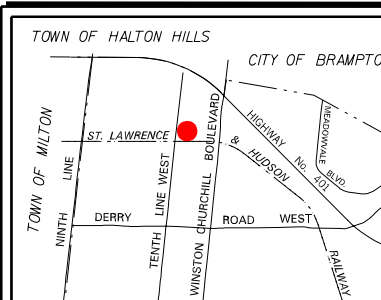
PROPOSED REZONING FROM "H-M1-1817" TO "DC-SPECIAL SECTION" TO PERMIT RETAIL COMMERCIAL USES, SUCH AS A RETAIL WAREHOUSE CLUB STORE, A DEPARTMENT STORE, A GARDEN CENTRE, PERSONAL SERVICE SHOPS, RESTAURANTS AND/OR RETAIL STORES.

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



## SUBJECT:

**WC-401 DEVELOPMENTS LTD.**



FILE NO:  
OZ 05040 W9  
DWG. NO:  
05040R  
SCALE:  
1:4000  
PDC DATE:  
2006 02 27  
DRAWN BY:  
W. FINLAY

APPENDIX 1-5

**MISSISSAUGA**  
Planning and Building

Produced by  
T&W, Geomatics





**LEGEND:**

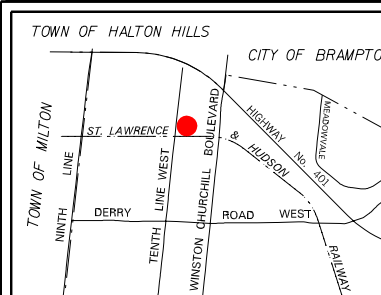


**SUBJECT LANDS**

**DATE OF AERIAL PHOTO: MARCH 2005**



**SUBJECT: WC-401 DEVELOPMENTS LTD.**



**FILE NO:**  
OZ 05040 W9  
**DWG. NO:**  
V805040A  
**SCALE:**  
1:4000  
**PDC DATE:**  
2006 02 27  
**DRAWN BY:**  
W. FINLAY

**APPENDIX I-6**

**MISSISSAUGA**  
Planning and Building

*Produced by*  
**T&W, Geomatics**

W.C. - 401 Developments Ltd.

File OZ 05/040 W9

**Agency Comments**

The following is a summary of comments from agencies and departments regarding the application.

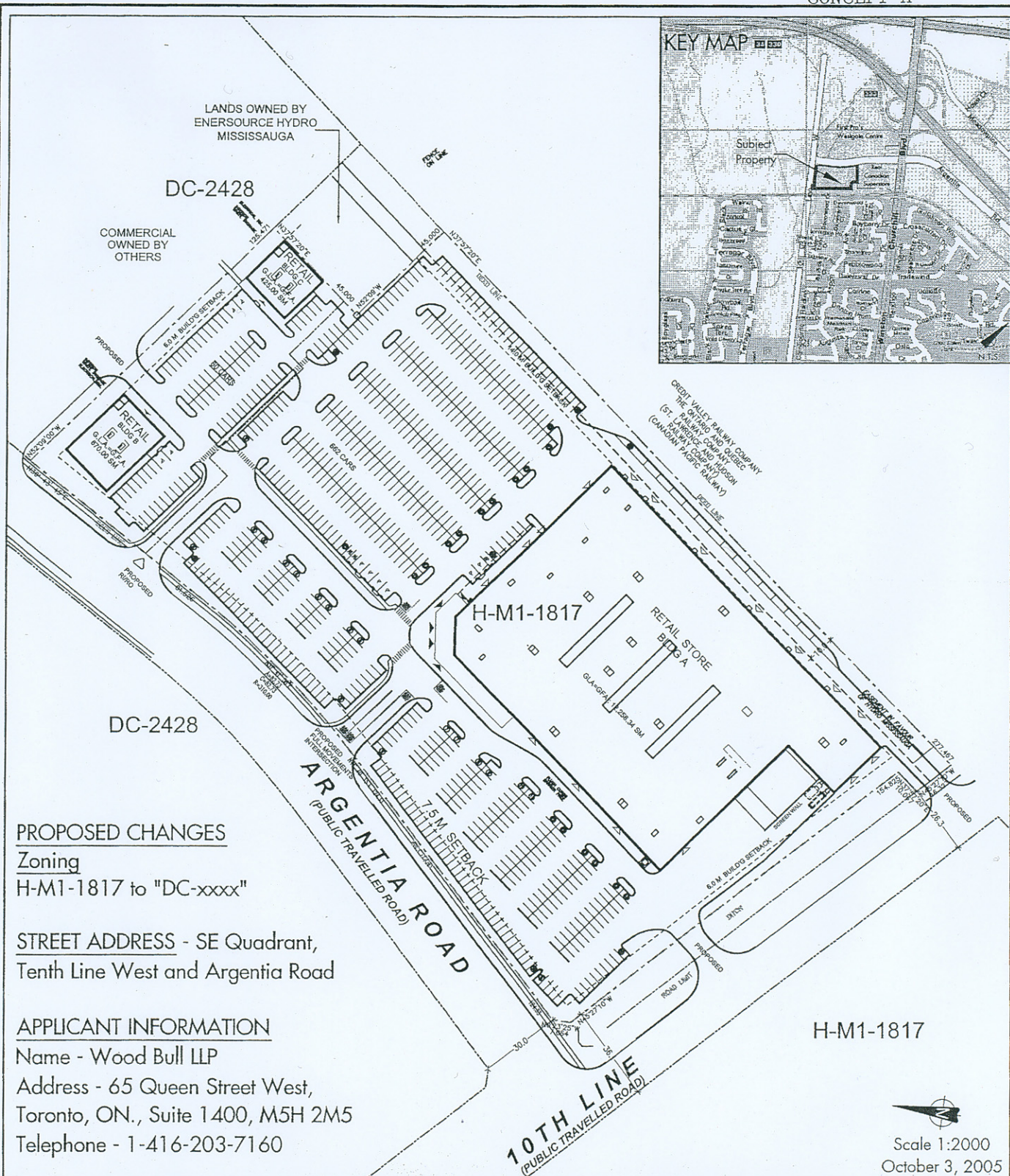
<b>Agency / Comment Date</b>	<b>Comment</b>
Ministry of Transportation (December 16, 2005)	<p>The proposed development is outside their jurisdiction of 396 m (1,299 ft.) from a Ministry intersection, therefore Building and Land Use permits will not be required.</p> <p>The Traffic Office is currently reviewing the Traffic Impact Study and will provide comments if there are any potential impacts to the highway system.</p>
Region of Peel (December 21, 2005)	There are no impacts on Regional Roads. Existing services are to be utilized to service the site. On-site waste collection will continue through a private waste hauler.
Halton Region Conservation Authority (January 11, 2006)	The North Sixteen District Scoped Subwatershed Study and Ninth Line District Flood Plain Mapping report, prepared by Philips Engineering dated December 2004, may not apply to the subject property. The applicant, through a Storm Water Management Brief, is to confirm that both the major and minor flows are being redirected to Credit Valley Conservation jurisdiction.
Enersource Hydro Mississauga (December 21, 2005)	The applicant must make provisions for a right-of-entry from Argentia Road to the proposed substation site for Enersource Hydro personnel and vehicles, including heavy cranes, as well as a 3 m (9.8 ft.) easement for cable egress from the proposed substation to Argentia Road.
City Community Services Department – Planning and Administration Division (December 12, 2005)	In the event that the application is approved, prior to the issuance of building permits for each block, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the <i>Planning Act</i> (R.S.O. 1990, c.P. 13, as amended) and in accordance with the City's policies and By-laws.
City Community Services Department – Fire and Emergency Services Division (December 9, 2005)	Fire has reviewed the rezoning application from an emergency response perspective and has no concerns. Emergency response time to the site and water supply available are acceptable. Prior to the issuance of any building permit, a fully detailed site development plan, depicting compliance with both the Ontario Building Code and By-law 1036-81 will be required.
City Transportation and Works Department (January 10, 2006)	Prior to the Supplementary Report proceeding to Council, the applicant is to revise the submitted Traffic Impact Study recognizing prohibition of any access to Tenth Line West due to the anticipated CP Railway/Tenth Line grade separation.

W.C. - 401 Developments Ltd.

File OZ 05/040 W9

Agency / Comment Date	Comment
	<p>The noise report is to be updated to address the impact of reflected rail noise off the proposed building on the adjacent residential community to the south. A vibration study is also required.</p> <p>The applicant has also been requested to revise the site plan to include additional details of municipal works and related improvements to Argentia Road.</p> <p>Further detailed comments and conditions will be provided prior to the Supplementary Meeting pending the review of the above noted information</p>
Other City Departments and External Agencies	<p>The following City Departments and external agencies offered no objection to these applications provided that all technical matters are addressed in a satisfactory manner:</p> <p>Canadian Pacific Railway</p> <p>Economic Development Office</p>
	<p>The following City Departments and external agencies were circulated the applications but provided no comments:</p> <p>Bell Canada</p> <p>Canada Post Corporation</p> <p>City of Brampton</p> <p>Enbridge Gas Distribution Inc.</p> <p>Go Transit</p> <p>Realty Services</p> <p>Rogers Cable</p> <p>Town of Halton Hills</p> <p>TransCanada Pipelines Ltd.</p>

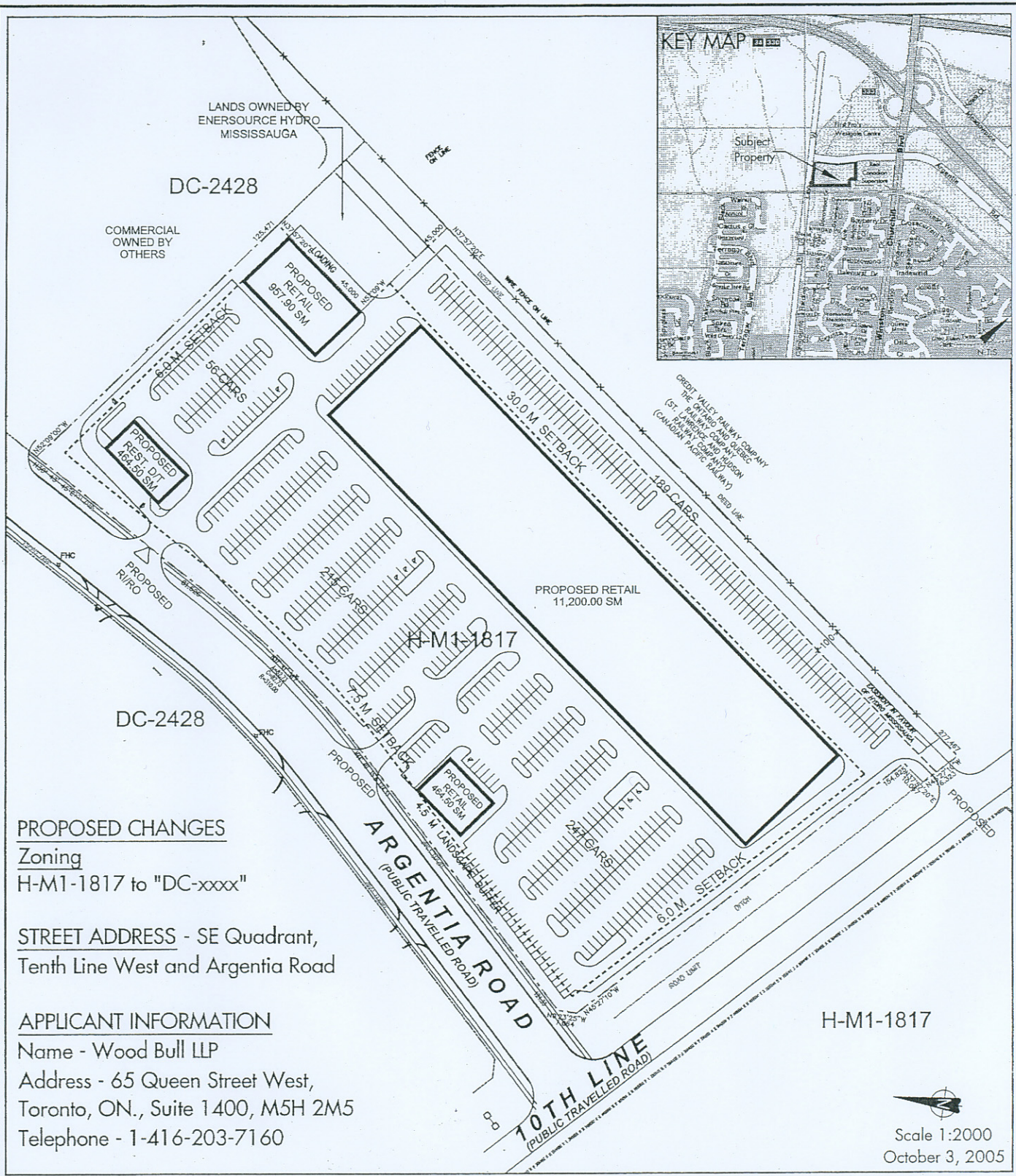




# CONTEXT MAP

Source: Site Plan provided by Petroff Partnership Architects





**PROPOSED CHANGES**

Zoning

H-M1-1817 to "DC-xxxx"

STREET ADDRESS - SE Quadrant,  
Tenth Line West and Argentia Road

**APPLICANT INFORMATION**

Name - Wood Bull LLP

Address - 65 Queen Street West,  
Toronto, ON., Suite 1400, M5H 2M5

Telephone - 1-416-203-7160

H-M1-1817



Scale 1:2000  
October 3, 2005



# CONTEXT MAP

Source: Site Plan provided by Petroff Partnership Architects

**W.C. - 401 Developments Ltd.**

**File OZ 05/040 W9**

Proposed Zoning By-law Standards

The "DC-Special Section" shall be used in compliance with "DC" Zone except that:

1. The provisions of clauses 83(6)(business, professional or administrative office), 86 (14) (food store), 83 (35) (funeral establishment) and Section 87 (standards for development) shall not apply.
2. The following uses shall also be permitted:
  - (a) department store;
  - (b) garden centre;
  - (c) rental equipment outlet;
  - (d) retail- warehouse;
  - (e) general retail- warehouse;
  - (f) medical offices;
  - (g) photo processing;
  - (h) shoe repair;
  - (i) establishment for the sale of business equipment, office supplies and furnishings;
  - (j) establishment for sale of sporting goods;
  - (k) warehouse store.
3. Maximum gross leasable area of all buildings and structures shall be 13 355 m<sup>2</sup> (143,757 sq. ft.).
4. For the purpose of this section, "Warehouse Store" means a building or structure or part thereof in which goods and food are sold at retail and/or wholesale in a configuration in which the floor area devoted to sales is integrated with the storage of goods sold and is accessible to patrons, and shall include the installation and servicing of automobile products sold on the premises; and may include accessory uses thereto including a restaurant, a takeout restaurant, a dry cleaning establishment, personal service uses, a garden centre including an outdoor sales and display area, photo finishing and processing, optical sales and service, a hearing aid dispensary, a pharmacy and an outdoor propane dispensing facility.
5. The minimum setback of any building or structure from the property line abutting the Argentia Road and Tenth Line West rights-of-way shall be 6.0 m (20 ft.)<sup>1</sup>.
6. A landscape area having a minimum depth of 2 m (6.56 ft.) shall be provided along the entire length of the property line abutting the Argentia Road or Tenth Line West rights-of-way<sup>2</sup>.
7. Where a minimum setback is provided under subsection (6) of this section, a driveway, aisle or other paved area shall not be permitted between the exterior wall of any building or structure and the property line abutting the Argentia Road or Tenth Line West rights-of-way.

**W.C. - 401 Developments Ltd.****File OZ 05/040 W9**

8. Loading or service facilities shall not be permitted between the main front wall and Argentia Road.
9. Parking and Loading Standards

	<b>Required Zoning By-law Standard</b>	<b>Proposed Standard</b>
Parking		
- commercial	5.4 spaces/100 m <sup>2</sup>	Overall standard of 5.4 spaces/100 m <sup>2</sup>
restaurants	16 spaces/100 m <sup>2</sup>	
- medical office, bank	6.5 spaces/100 m <sup>2</sup>	
- general/ retail warehouse	3.2 spaces/100 m <sup>2</sup>	
Loading	3 spaces	2 spaces

<sup>1</sup> By-law 5500 requires a minimum setback of 7.5 m (24.6 ft.) to any building or structure from Argentia Road

<sup>2</sup> A minimum landscape area depth of 4.5 m (14.7 ft.) is required along the balance of Argentia Road between Winston Churchill Boulevard and Tenth Line West



## APPENDIX I-II

