



# Corporate Report

Clerk's Files

Originator's  
Files OZ 05/040 W9

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**DATE:** April 25, 2006

**TO:** Chair and Members of Planning and Development Committee  
Meeting Date: May 15, 2006

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

**SUBJECT:** **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**  
**Southeast corner of Argentia Road and Tenth Line West**  
**Owner/Applicant: W.C.-401 Developments Limited**  
**Bill 20**

**Supplementary Report** **Ward 9**

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**RECOMMENDATION:** That the Report dated April 25, 2006, from the Commissioner of Planning and Building regarding the application under File OZ 05/040 W9, W.C.-401 Developments Limited, 3110 – 3140 Argentia Road, southeast corner of Argentia Road and Tenth Line West, be adopted in accordance with the following:

1. That notwithstanding that subsequent to the public meeting, changes to the application have been proposed, Council considers that the changes do not require further notice and, therefore, pursuant to the provisions of subsection 34(17) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, any further notice regarding the proposed amendment is hereby waived.

2. That City Council direct Legal Services and representatives from the appropriate City Departments to attend the Ontario Municipal Board (OMB) hearing respecting the applicant's appeal of certain portions of Mississauga Plan and any related prehearing conferences and to retain expert witnesses, if necessary, to support the official plan changes recommended in this report.
3. That the application to change the Zoning from "H-M1-1817" (Industrial) to "DC-Special Section" (District Commercial) to permit retail commercial uses be approved subject to the following conditions:
  - (a) That the official plan changes recommended in this report are approved through the OMB appeal process.
  - (b) That the permitted uses and standards shall conform to those outlined in Appendix S-3, with the exception that a minimum 4.5 m (14.8 ft.) wide landscape strip be provided abutting Tenth Line West and Argentia Road.
  - (c) That the applicant agree to satisfy all the requirements of the City and any other official agency concerned with the development.
4. That a new "C3-Exception" (Commercial) zone reflecting the conditions noted in Recommendation 3 of this report be approved as an alternative zone should the City's new Zoning By-law be passed by Council prior to the resolution of the Mississauga Plan land use designation through the OMB appeal process.
5. That Planning and Building Department staff be delegated the authority to determine if any further modifications will be required in relation to both the Mississauga Plan land use designation and the Zoning By-law regarding the applicant's appeal of certain portions of Mississauga Plan to the OMB.

**BACKGROUND:**

A public meeting was held by the Planning and Development Committee on February 27, 2006, at which time a Planning and Building Department Information Report (Appendix S-1) was presented and received for information.

At the public meeting, the Planning and Development Committee passed Recommendation PDC-0023-2006 which was subsequently adopted by Council and is attached as Appendix S-2.

On March 29, 2006, the applicant made modifications to uses and provisions in response to staff's comments. The changes are attached as Appendix S-3 and are summarized below:

- business, professional or administrative office has been added as a proposed use;
- the following uses have been deleted: garage for storage of commercial or private vehicles incidental to use of premises; locker establishment for cold storage; motor vehicle sales room; medical office; shoe repair;
- removing additional setback requirements from Tenth Line West and Argentia Road;
- adding a provision indicating the lot is to be considered as one regardless of any future land division.

**COMMENTS:****COMMUNITY ISSUES**

At the community meeting held by Councillor Saito on January 24, 2006, a number of issues were raised by area residents. The Planning and Development Committee and the public also provided comments at the February 27, 2006 public meeting. Listed below is a summary of the comments received and responses from staff.

**Comment**

The proposal will increase traffic congestion on Winston Churchill Boulevard, Argentia Road and Tenth Line West, especially during evenings and weekends. Business Employment uses would be less disruptive to the residential neighbourhood, as peak traffic is generated during the day when most residents are not at home.

**Response**

Winston Churchill Boulevard is designated as an arterial road and is designed to accommodate high volumes of traffic. Argentia Road and Tenth Line West are designated as major collector roads and function as an integral part of the arterial road network for this district. These roads are designed to channel traffic to and from the community, thereby handling significant volumes of traffic. As the City matures, increases in traffic volumes are anticipated.

The Transportation and Works Department has indicated that while Business Employment uses may have a lesser impact on the residential neighbourhood during off-peak hours, the proposed retail development generally would not generate high volumes of traffic during peak hours and therefore overall would not have a significant impact on the surrounding road network.

**Comment**

The proposed Go Transit Station immediately to the west of the subject property needs to be factored into the traffic analysis of the area.

**Response**

The Traffic Impact Study has included the proposed GO Transit Station data. The study has been evaluated by the Transportation and Works Department and detailed comments are provided on Pages 6 and 7 of this report under Updated Transportation and Works Department Comments.

**Comment**

There are traffic issues specific to Tenth Line West that need to be addressed, including site access, the proposed grade separation at the railway crossing and the implications of future road improvements.

**Response**

In addition to the submitted Traffic Impact Study dated September 2005, the applicant's traffic consultant (iTRANS) provided a separate Tenth Line West Traffic Study (dated December 16, 2005), which revealed that traffic generated by the proposed development will have a relatively minor impact on Tenth Line West. Furthermore, the traffic volume is expected to decrease considerably once Argentia Road is extended from Tenth Line West to Ninth Line.

There are no immediate plans for Tenth Line West improvements nor has it been included in the City's ten year capital budget and forecast. Nevertheless, upon development of the anticipated GO Transit Station the City will review the need for any road improvements/widening. The Capital Works road programme is reviewed annually and the timing of road projects can be advanced if warranted. Construction of the Lisgar Go Transit Station and the overall development in the area suggests that the widening of Tenth Line West to a four lane cross-section between Derry Road West and Argentia Road should be considered in the ten year Capital Budget.

With reference to anticipated Tenth Line West and railway grade separations, although there is currently no funding available, the Transportation and Works Department recognizes the above as expected, therefore appropriate measures have been undertaken to protect for this likelihood (i.e. access prohibition, right-of-way acquisition). Accordingly, the applicant has removed the previously depicted Tenth Line West access from their Option A concept plan (Appendix S-4).

**Comment**

The proposal will result in increased car and truck traffic infiltration into the nearby residential neighbourhood.

**Response**

Currently, there is a tractor trailer prohibition in effect on Tenth Line West. Furthermore, the proposed retail commercial

development will have no direct vehicular access to Tenth Line West. The Transportation and Works Department has indicated that traffic infiltration into the nearby residential neighbourhood is expected to be nominal if any at all.

**Comment**

The timing of traffic signals needs to be improved at nearby intersections in order to aid traffic movement.

**Response**

This request is currently being reviewed by the City's Traffic Signals Section.

**Comment**

There are enough retail commercial uses in the area.

**Response**

Market demand is not considered in determining whether or not proposed land uses are appropriate. The Planning Comments section of this report evaluates the suitability of the proposed uses for the subject property.

**UPDATED AGENCY AND CITY DEPARTMENT  
COMMENTS****Transportation and Works Department**

Comments updated April 21, 2006 state that this department has completed their review of the supporting Traffic Impact Study dated April 2006 by iTRANS and are in general agreement with the findings, which indicate that the differences in traffic generation between the current permitted and proposed uses would be nominal. Furthermore the Traffic Impact Study reflects prohibition of any access to Tenth Line West due to the anticipated CP Railway/Tenth Line grade separation.

This department has also reviewed a Noise Report which confirms that with the incorporation of the recommended noise abatement measures, including acoustical screening of rooftop AC units and an acoustical barrier to mitigate noise from the loading area, the impact of the stationary noise from the proposed development will comply with MOE guidelines for stationary noise sources for the adjacent residential receptor locations. In addition, the acoustical consultant has confirmed that the impact of reflected rail noise off the proposed building on the adjacent residential community to the south is not expected to be significant due to the existing berm/fence noise barriers on the adjacent lots. Notwithstanding the foregoing, prior to site plan approval, when selection of the mechanical ventilation equipment for the proposed building has been finalized, the noise report is to be updated and finalized to the satisfaction of the City. It was also indicated all other site specific engineering details will be addressed through the processing of the site plan application.

In the event this application is approved by Council, the owner is to make satisfactory arrangements with the Transportation and Works Department for the appropriate improvements to Argentia Road in support of access to this development.

## **PLANNING COMMENTS**

### **Official Plan**

As discussed in the Information Report, the 1981 Official (Primary) Plan “Prestige Industrial” designation and policies apply to the subject lands because of the applicant’s current Ontario Municipal Board (OMB) appeal of the property’s “Business Employment” designation under Mississauga Plan. The applicant’s proposal does not conform to either the “Business Employment” designation under Mississauga Plan nor the “Prestige Industrial” designation under the Official (Primary) Plan.

While Section 5.3.2 of Mississauga Plan provides criteria to evaluate the appropriateness of amendments to the Plan, the policy states that these criteria apply to site-specific Official Plan Amendment applications. The proponent has not submitted an Official Plan Amendment application in conjunction with the

subject rezoning application, but instead appealed portions of Mississauga Plan after its initial Council approval. Consequently, Section 5.3.2 of Mississauga Plan, "Criteria for Site Specific Official Plan Amendments", does not apply to the subject rezoning application.

The suitability of the "General Commercial" designation proposed by the applicant through the OMB appeal process still needs to be evaluated in order to assess the appropriateness of the requested rezoning application.

### Official Plan Policies

The currently applicable "Prestige Industrial" designation under the Official (Primary) Plan permits a range of uses, including commercial uses that directly serve the District, as well as highway commercial uses. The proposed "Business Employment" designation of Mississauga Plan would remove the existing limited retail commercial permissions of the Prestige Industrial designation on the subject lands.

Section 3.5.2.4 of Mississauga Plan directs commercial development to designated commercial areas and Section 3.5.2.5 discourages the expansion of retail uses beyond designated commercial areas. As both of these policies have been appealed to the OMB, the comparable policy under City Plan (Section 5.2.4.4) applies. This policy is similar to Section 3.5.2.5 of Mississauga Plan, as it discourages the dispersion of retail uses beyond designated retail and service commercial areas. Notwithstanding, Mississauga Plan and City Plan have policies which encourage flexibility in land use and building form to address development and changing development needs. Although the property does not have a retail commercial designation, retail uses that serve the District are currently permitted within the applicable "Prestige Industrial" designation. As discussed later within the Planning Comments section, a number of factors indicate that the subject lands are suitable for General Commercial land uses.

Mississauga Plan design policies related to built form, scale, massing, orientation, parking and streetscape will have to be achieved prior to any City approval of a future site plan



application. Although two concept plans were submitted with the rezoning application (Appendix S-1, I-8 & I-9), a formal site plan application has not been submitted. The applicant has been advised that, should the subject application be approved, the ultimate site layout is to achieve the following:

- enhanced main entrance feature oriented towards the street corner;
- projected portion of the building containing the main entrances forward towards the intersection;
- enhanced landscape treatment at the intersection;
- a strong connection from the main building entrances to the municipal sidewalk, incorporating a defined pedestrian path of movement from the parking areas;
- relocated and integrated loading area that is not visible from the streets or other public areas of the site.

These Mississauga Plan design policies and site specific layout requirements can be achieved under the “General Commercial” land use designation.

#### Compatibility and Suitability

Lands surrounding the subject property have become a retail commercial centre. Large format retailers (Walmart, Rona, Home Depot, Real Canadian Superstore), other retail commercial businesses and free-standing restaurants have established this retail commercial centre immediately north and east of the subject property over the past several years. “Business Employment” uses such as offices and industrial facilities have not emerged along Argentia Road between Tenth Line West and Winston Churchill Boulevard. In contrast, relatively recent office development within the Meadowvale Business Park District has been centred primarily near the established office node at the Highway 401/Mississauga Road interchange.

Given the retail commercial character of the immediate area, a “General Commercial” land use designation is appropriate for the subject lands. The proposed retail commercial uses are the same or similar to those permitted on lands to the east and north, which have a “General Commercial” designation. Although designated

“Business Commercial”, the lands to the west will be developed as a Go Transit station, which would support the proposed uses on the subject site. The railway tracks provide a well-defined separator between the subject lands and the residential neighbourhood to the south.

A “General Commercial” designation on the subject property would act to complete a well-defined block of commercially designated properties bounded by the railway tracks to the south, Winston Churchill Boulevard to the east, the Parkway Belt West/Highway 401 lands to the north and Tenth Line West to the west. There is limited opportunity for other “Business Employment” designated properties in the District to be destabilized or otherwise negatively impacted by a “General Commercial” designation on the subject property.

Concentrating retail commercial uses at an established retail commercial centre will help maintain the non-retail commercial nature of “Business Employment” designated lands further to the east and elsewhere in the Meadowvale Business Park District. Should there be future demand for office or industrial development on this property, an Official Plan Amendment will not be required, as the “General Commercial” designation permits “Business Employment” uses in an Employment District.

#### Infrastructure

The surrounding road network as well as the proposed Go Transit station to the west provides the site with a high degree of accessibility. The Transportation and Works Department has confirmed that the Traffic Impact Study demonstrates that the proposed retail commercial uses would function satisfactorily in regards to traffic access, circulation and traffic volumes.

On the basis of relevant Official Plan policies, compatibility, suitability and infrastructure, it is recommended that a “General Commercial” land use designation apply to the subject lands.

## **Zoning**

The proposed “DC-Special Section” zone as outlined in Appendix S-3 is appropriate to accommodate the requested uses. The proposed commercial uses are compatible with the existing and permitted land uses surrounding the subject property. The proposed development setbacks will accommodate potential buildings as depicted in the applicant’s two development scenarios and are consistent with staff’s recommended modifications to the concept plans. The proposed parking standard of 5.4 spaces per 100 m<sup>2</sup> (1,076.4 sq. ft.) of gross leasable area (GLA) is appropriate, as it is consistent with the City’s current parking standard for retail commercial centres.

The applicant has requested a minimum 2.0 m (6.6 ft.) wide landscape area adjacent to Tenth Line West and Argentia Road. It is recommended that a minimum 4.5 m (14.8 ft.) wide landscape area be provided. This increased standard would be consistent with the City’s landscape requirements on all other properties between Tenth Line West and Winston Churchill Boulevard that front on either side of Argentia Road, including the Real Canadian Superstore and Walmart. Additional landscaping would assist in promoting a higher quality image for the development.

### **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:**

In accordance with subsection 34(17) of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, Council is given authority to determine if further public notice is required. The modified zoning standards requested by the applicant and recommended by staff are minor in nature, and therefore, it is recommended that no further public meeting need be held regarding the proposed changes.

The Official Plan designation proposed through the OMB appeal process and the proposed rezoning are acceptable from a planning standpoint and should be approved for the following reasons:

1. The “General Commercial” designation is appropriate to accommodate the proposed retail commercial uses on the subject lands based on the compatibility with the surrounding area, the non-destabilizing effect on adjacent “Business Employment” designated lands, and the adequacy of transportation infrastructure to service the site.
2. The proposal to permit retail commercial uses is compatible with the surrounding land uses based on the emergence of a significant retail commercial centre on adjacent lands.
3. The proposed zoning standards are appropriate to accommodate the requested uses based on the compatibility of the proposed uses with the surrounding area, the proposed layout of the buildings and the conclusions of the Traffic Impact Study submitted in support of the application.

**ATTACHMENTS:**

Appendix S-1 - Information Report

Appendix S-2 - Recommendation PDC-0023-2006

Appendix S-3 - Proposed Zoning By-law Standards – Amended  
March 29, 2006

Appendix S-4 – Revised Option ‘A’

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Edward R. Sajecki

Commissioner of Planning and Building



# Corporate Report

Clerk's Files

Originator's  
Files OZ 05/040 W9

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**DATE:** February 7, 2006 **PDC FEB 27 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.



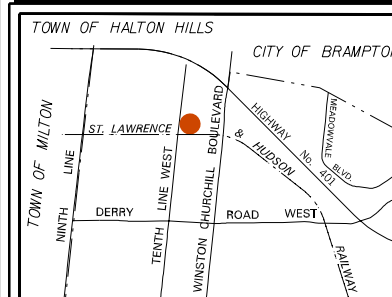
**PART OF SCHEDULE 11  
LAND USE LONG TERM CONCEPT  
THE OFFICIAL (PRIMARY) PLAN  
OF THE CITY OF MISSISSAUGA  
PLANNING AREA  
SEPTEMBER 1997**

-  **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 - 1996 NEP/2000 NEF Composite Noise Contours
- PD - Planning District

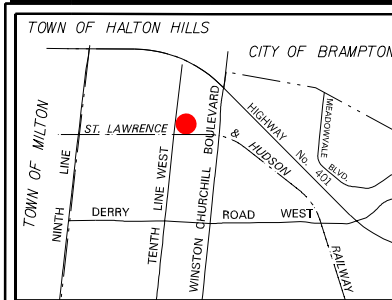
*"Land Use Designation/Policies  
governed by previous approved  
District Plan and Official Plan"*

**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:**

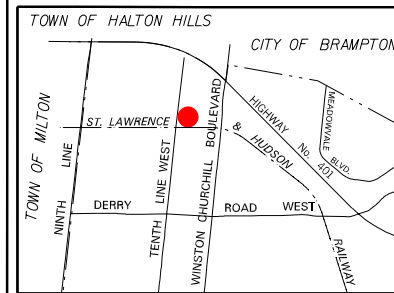
The 1996 Noise Exposure Projection (NEP)/2000 Noise Exposure Forecast (NEF) Composite Noise Contours are shown for information purposes only and are not part of the District Land Use Map. These contours will change from time to time as new information becomes available.

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

 **SUBJECT LANDS UNDER APPEAL**



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



**FILE NO:**  
OZ 05040 W9

**DWG. NO:**  
05040LM

**SCALE:**  
NTS

**PDC DATE:**  
2006 02 27

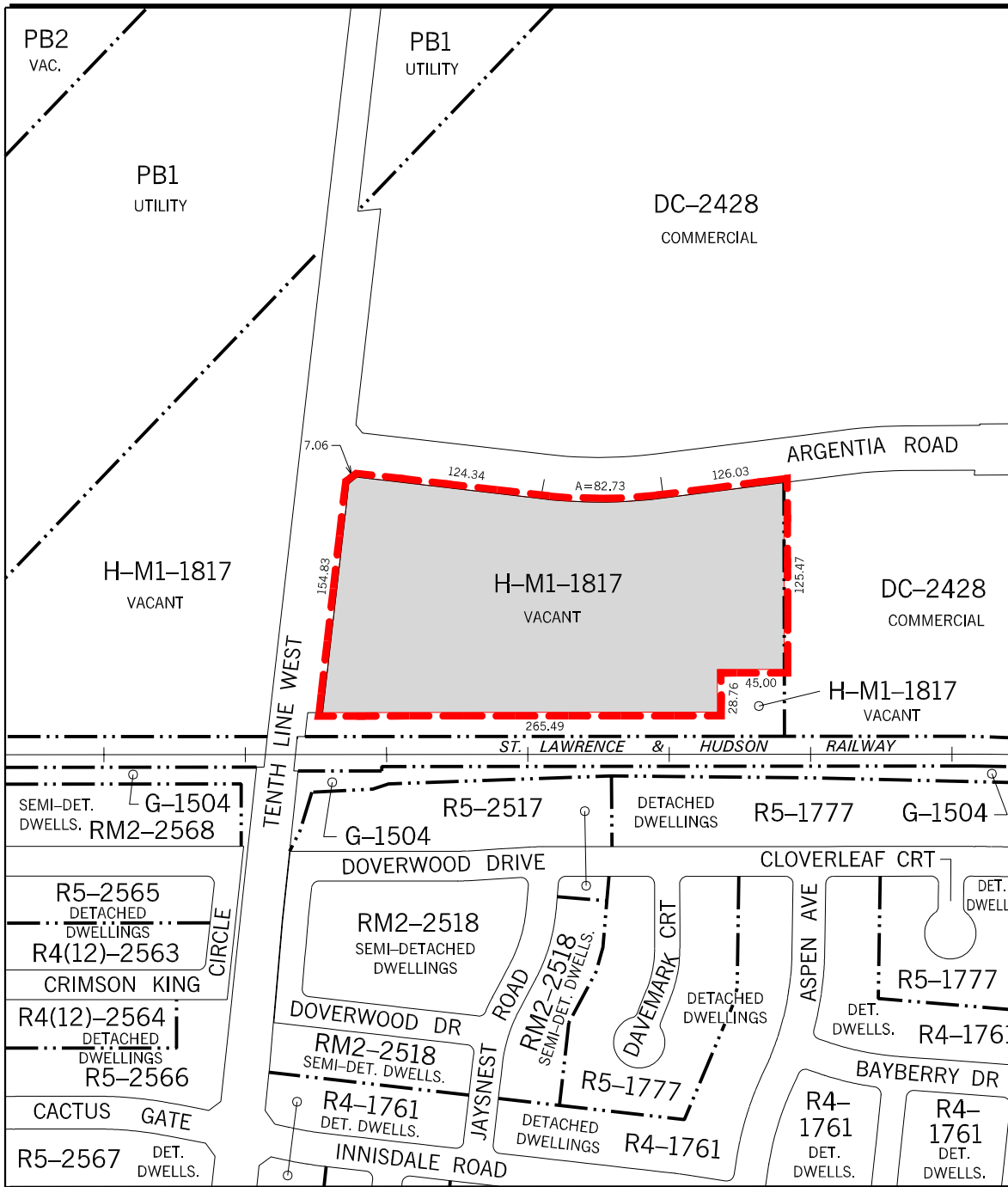
**DRAWN BY:**  
W. FINLAY

**APPENDIX I-4**

**MISSISSAUGA**  
Planning and Building

Produced by  
T&W, Geomatics





**LEGEND:**



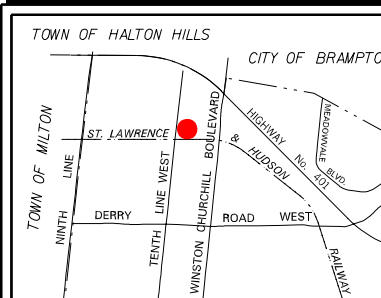
PROPOSED REZONING FROM "H-M1-1817" TO "DC-SPECIAL SECTION" TO PERMIT RETAIL COMMERCIAL USES, SUCH AS A RETAIL WAREHOUSE CLUB STORE, A DEPARTMENT STORE, A GARDEN CENTRE, PERSONAL SERVICE SHOPS, RESTAURANTS AND/OR RETAIL STORES.

**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:**

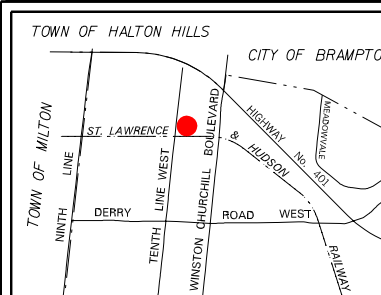


**SUBJECT LANDS**

**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.

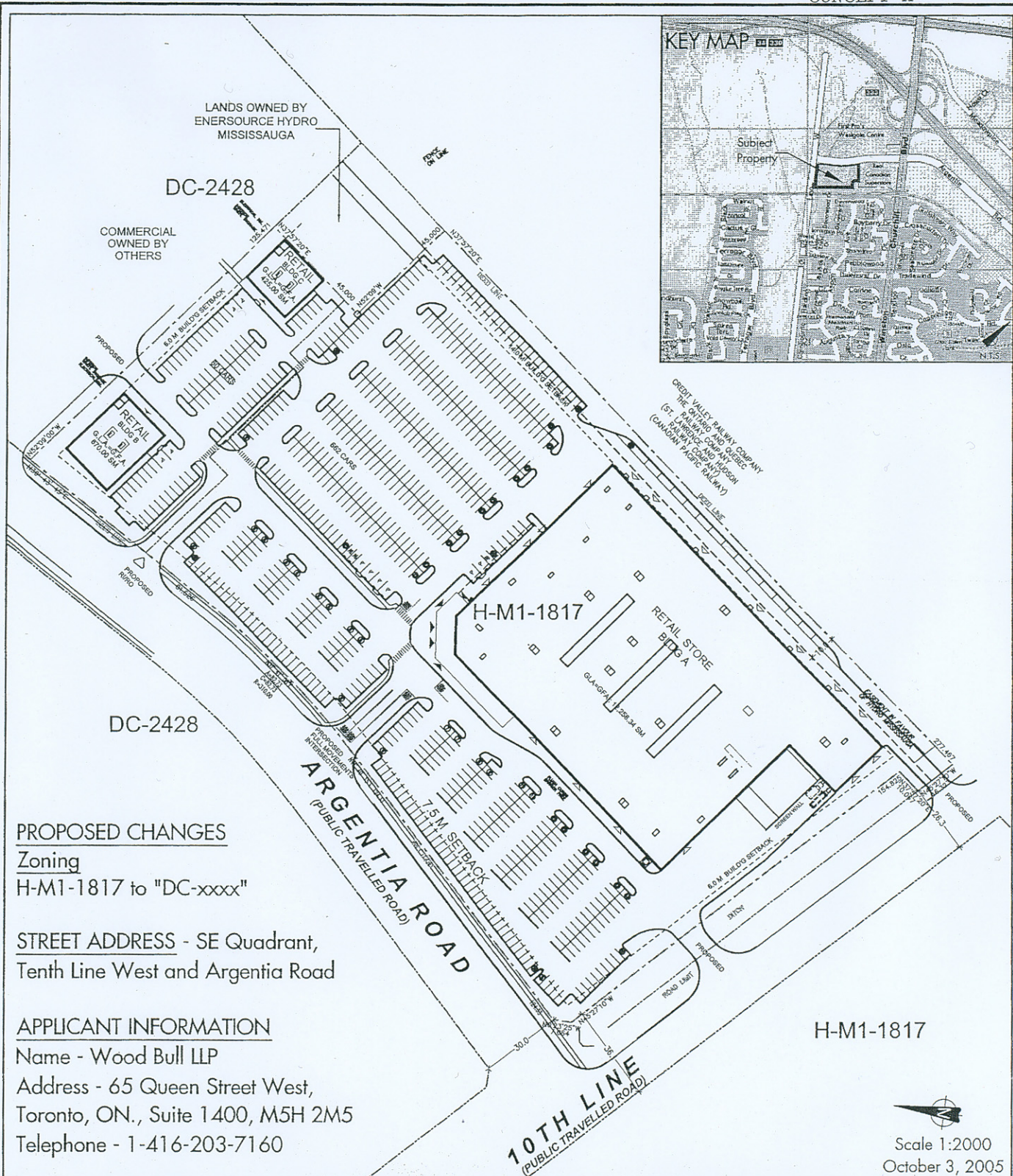
<b>Agency / Comment Date</b>	<b>Comment</b>
Ministry of Transportation (December 16, 2005)	<p>The proposed development is outside their jurisdiction of 396 m (1,299 ft.) from a Ministry intersection, therefore Building and Land Use permits will not be required.</p> <p>The Traffic Office is currently 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>

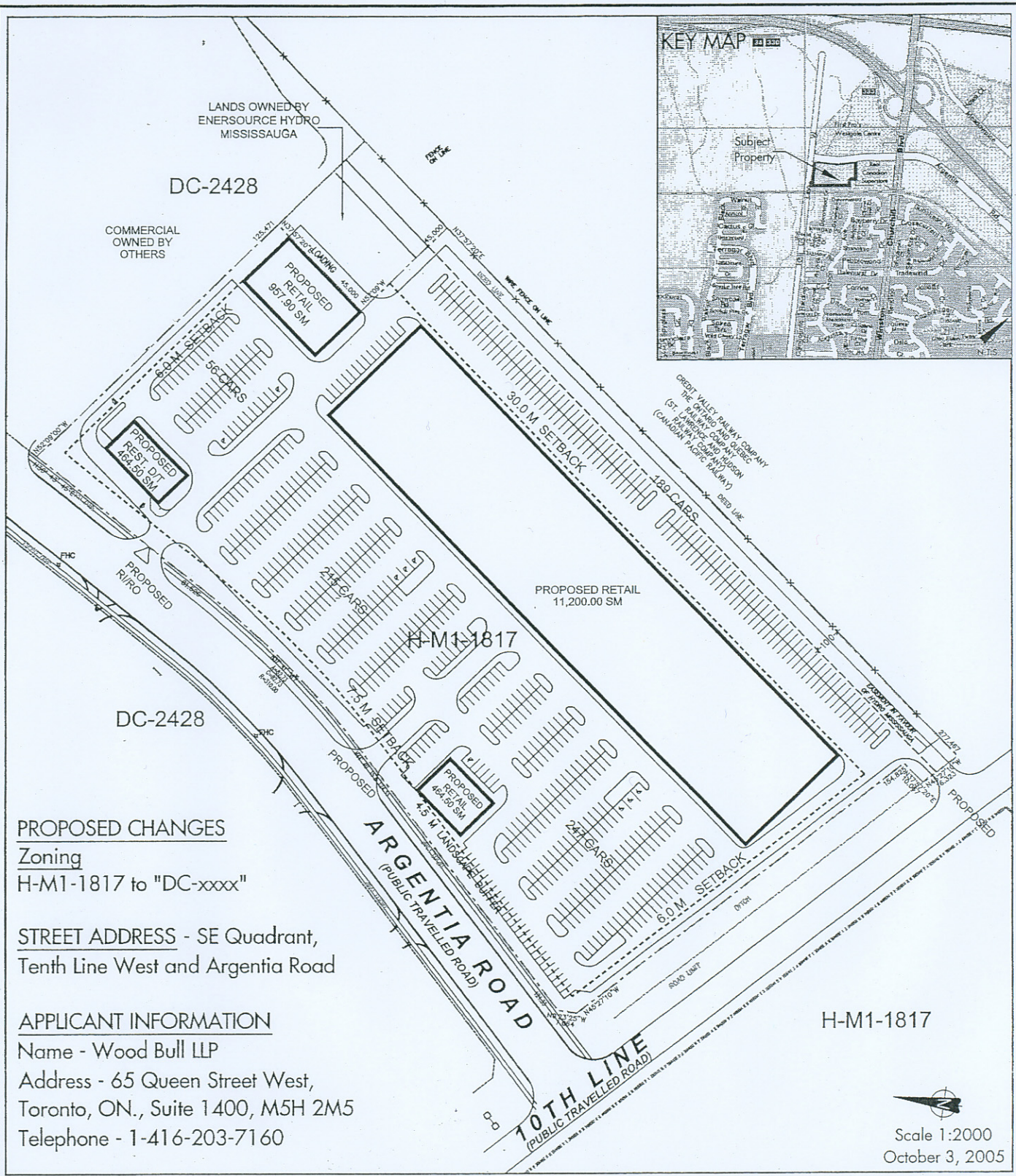




# CONTEXT MAP

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.

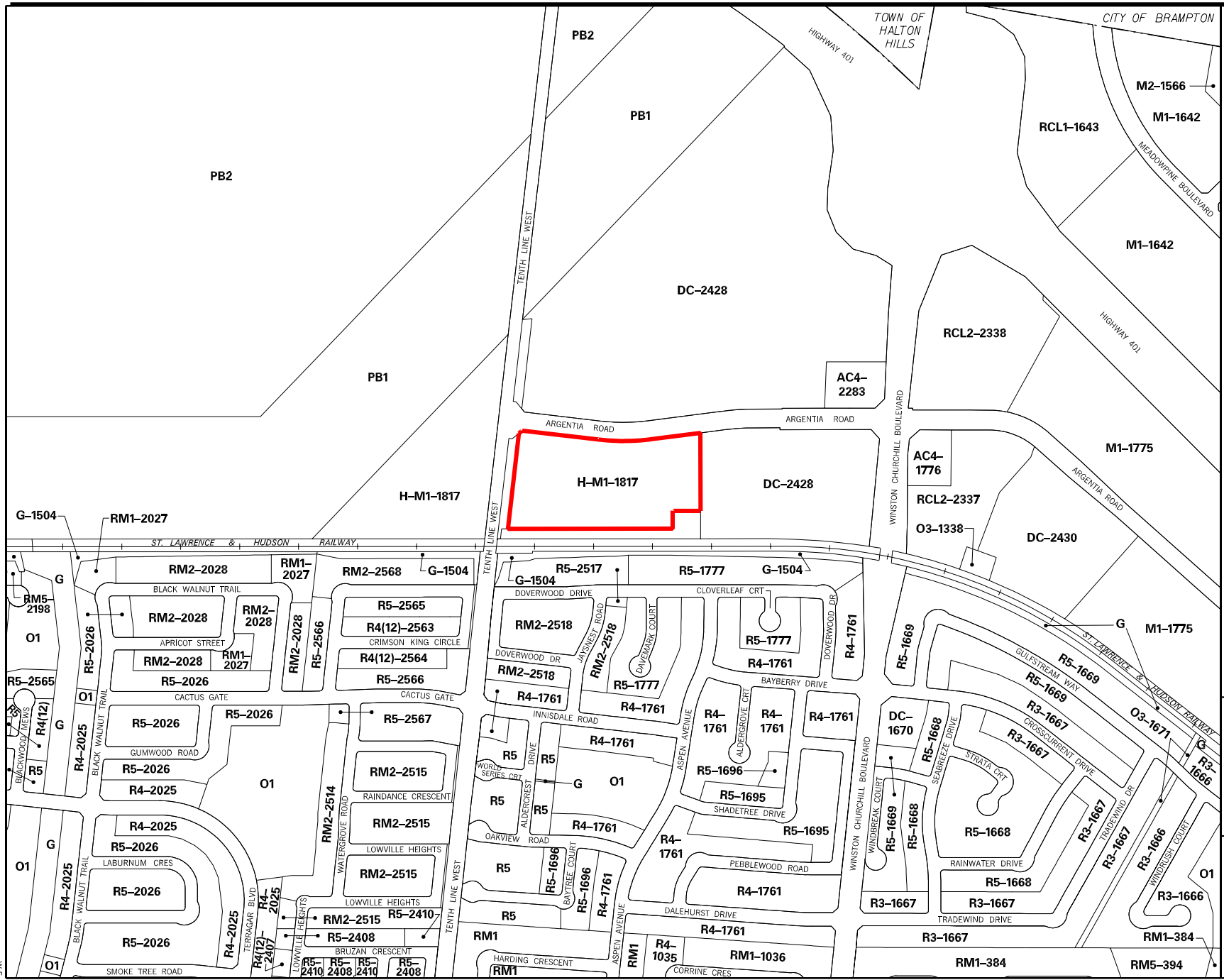
9. Parking and Loading Standards

	<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





**W.C.-401 Developments Limited**

**File: OZ 05/040 W9**

**Recommendation PDC-0023-2006**

- PDC-0023-2006
1. 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, 3100 – 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.
  2. That the e-mail from Dan Grossi c/o Sobeys National Market Research & customer Insight Group with respect to the above application, be received.

Proposed Zoning By-law Standards – **Amended March 29, 2006**

- Words in strike-out are no longer being requested by the applicant
- Words in bold are new requests from the applicant

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

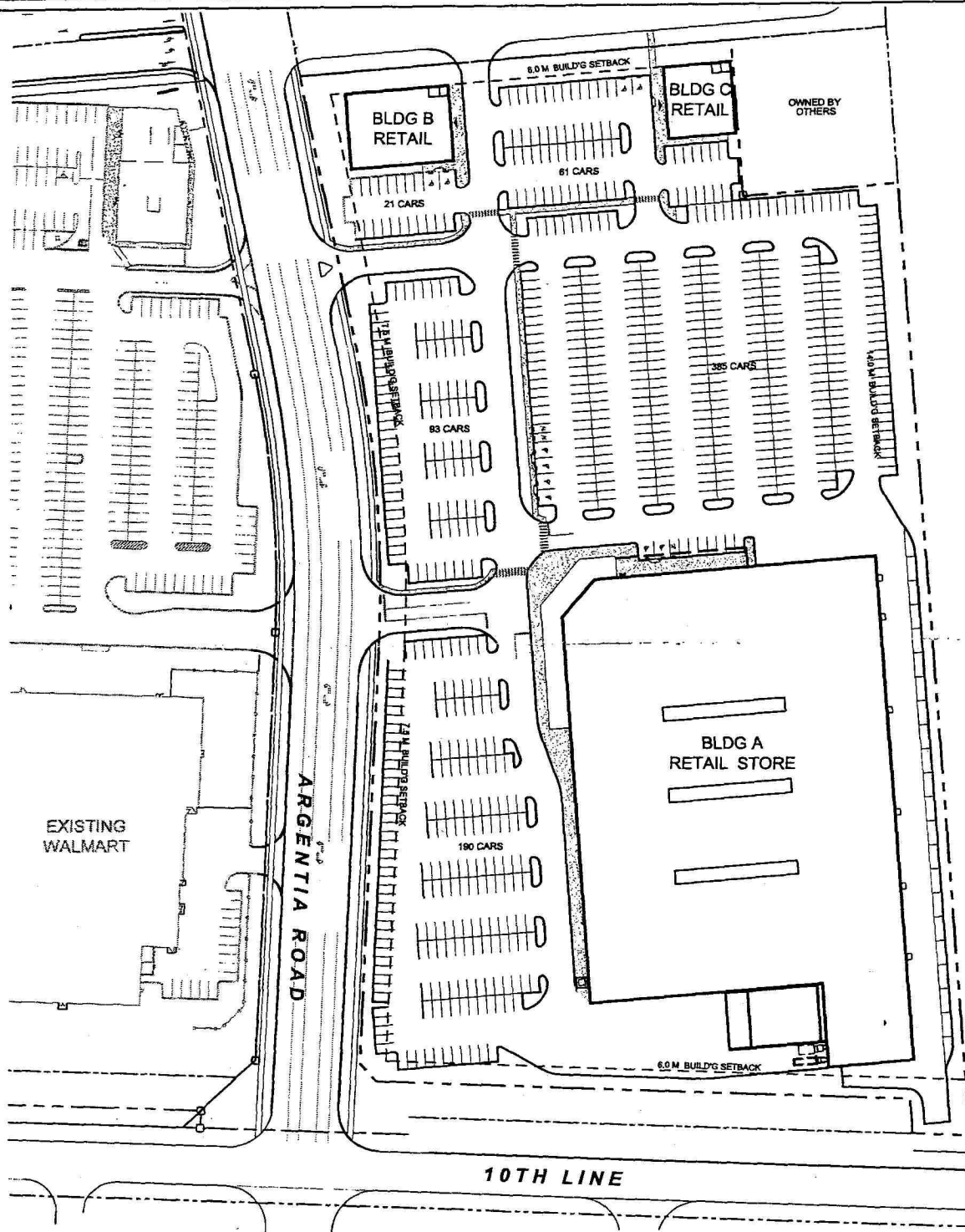
1. The provisions of clauses ~~83(6) (business, professional or administrative office)~~, 86 (14) (food store), **83 (15) (garage for storage of commercial or private vehicles incidental to use of premises)**, **83 (16) (locker establishment for cold storage)**, **83 (17) (motor vehicle sales room)**, 83 (35) (funeral establishment) and **Sections 21 (setbacks from arterial roads)** and 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.
8. Loading or service facilities shall not be permitted between the main front wall and Argentia Road.
9. **The permitted uses, gross leasable area, setback, frontage, parking and landscape provisions of this By-law apply to all lands with this zone as if it were one lot, regardless of any future land division.**
10. 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



Scale 1:1750  
March 28, 2006



## FIGURE 4A DEVELOPMENT CONCEPT PLAN

Source: Site Plan provided by Petroff Partnership Architects