



Corporate Report

Clerk's Files

Originator's

Files OZ 03/029 W1
FA.31.05/001 W1

DATE: May 9, 2006

TO: Chair and Members of Planning and Development Committee
Meeting Date: May 29, 2006

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Rezoning and Payment-in-lieu of Off-Street Parking (PIL)**
Applications
To permit retail and service commercial uses including a
restaurant and outdoor patio
707 Lakeshore Road East
Northeast corner of Lakeshore Road East and Cawthra Road
Owner: 656731 Ontario Ltd.
Applicant: David Brown and Associates
Bill 20

Supplementary Report **Ward 1**

RECOMMENDATION: That the Report dated May 9, 2006, from the Commissioner of Planning and Building recommending approval of the applications under Files OZ 03/029 W1 and FA.31.05/001 W1, 656731 Ontario Ltd., 707 Lakeshore Road East, northeast corner of Lakeshore Road East and Cawthra Road, be adopted in accordance with the following:

1. That notwithstanding that subsequent to the public meeting, changes to the application has 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 the application to change the Zoning from "AC" (Automotive Commercial) to "DC-Special Section" (District Commercial) to permit retail and service commercial uses, including a restaurant and outdoor patio be approved in accordance with the proposed site specific development standards, as outlined in the Zoning section of this report and subject to the following conditions:
 - (a) That the Payment-in-Lieu of Off-Street Parking (PIL) application be approved and the applicant enter into the requisite PIL agreement;
 - (b) That the applicant agree to satisfy all the requirements of the City and any other official agency concerned with the development;
 - (c) That the decision of Council for approval of the rezoning application be considered null and void, and a new development application be required unless a zoning by-law is passed within 18 months of the Council decision.
3. In the event that the new Mississauga Zoning By-law is passed by City Council and comes into force and effect, the new draft Zoning By-law be amended from "C4" (Mainstreet Commercial) to "C4-Exception" (Mainstreet Commercial) subject to the conditions contained in recommendation 2.
4. That the Payment-in-Lieu of Off-Street Parking (PIL) application be approved in accordance with the following:
 - (a) That the sum of \$40,160.00 be approved as the amount for the payment-in-lieu of eight (8) 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;

- (b) 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 Payment-in-Lieu of Off-Street Parking agreement with 656731 Ontario Ltd. associated with the conversion of the subject lands to restaurant use for the property located at 707 Lakeshore Road East;
 - (c) That the execution of the PIL agreement and payment must be finalized within 90 days of the Council approval of the PIL application. If the proposed PIL agreement is not executed by both parties within 90 days of the 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.
5. That a Lakeview PIL reserve account be established to accommodate the subject application and any future PIL approvals within the Lakeview Planning District.

BACKGROUND:

A public meeting was held by the Planning and Development Committee on March 21, 2005, at which time a Planning and Building Department Information Report (Appendix S-1) and Addendum Report (Appendix S-2) were presented and received for information.

At the public meeting, the Planning and Development Committee passed Recommendation PDC-033-2005 which was subsequently adopted by Council and is attached as Appendix S-3.

Subsequent to the public meeting, the applicant has made revisions to the concept site plan to provide 13 parking spaces on-site, 3 of which are in a tandem configuration, whereas 11 spaces were previously depicted (see Appendix S-4).

The rezoning application has been amended to be consistent with the revisions made to the concept site plan by requesting the provision of 3 parking spaces in a tandem configuration. The increased number of on-site parking spaces does not result in a

change to the proposed parking standard, instead reducing the required number of PIL spaces from 10 to 8.

The rezoning application has been further amended to restrict the maximum number of seats in the proposed restaurant to 20, whereas 30 were previously requested and to request permitted uses which are the same as those contained in the proposed "C4" (Mainstreet Commercial) zone provisions of the new Mississauga Zoning By-law.

COMMENTS:

See Appendix S-1 - Information Report prepared by the Planning and Building Department.

COMMUNITY ISSUES**Comment**

Are traffic conflicts expected given the proximity of the driveway access to the intersection of Cawthra Road and Lakeshore Road East?

Response

Cawthra Road is under the jurisdiction of the Region of Peel. Based on their comments on the subject application, Regional staff is satisfied with the proposal subject to there being only one access to Cawthra Road at the most northerly limit of the site and this driveway to Cawthra Road being restricted to only right-in/right-out traffic movements.

Comment

What are the expected hours of operation for the proposed Pizza Restaurant?

Response

The applicant has indicated that the typical hours of operation are 11:00 a.m. to 11:00 p.m. on Sunday through Thursday and 11:00 a.m. to 2:00 a.m. on Friday and Saturday.

Comment

What efforts will be required to mitigate existing on-site contamination?

Response

The landowner has already removed contaminated soils from the site. The City is currently awaiting the submission of a Record of Site Condition which will confirm that the present condition of the site with respect to contamination levels meets the Ministry of Environment (MOE) standards.

Comment

How will deliveries and garbage collection be accommodated given the limited space on site devoted to vehicular movement?

Response

The applicant has indicated that deliveries are typically made outside of normal business hours and that the size of the delivery vehicle can be varied to accommodate site constraints. Garbage pick-up by a private waste hauler is typically undertaken with a front end load truck. Straight access to the garbage storage enclosure will facilitate this type of pick-up. The garbage truck will be required either to execute a multi-point turn or to back up onto Cawthra Road depending upon the vehicle size.

Comment

What will be the traffic impact on nearby residential roads such as Ebony Avenue and West Avenue?

Response

While some level of increased traffic may occur on Ebony and West Avenues given the right-in/right-out access restriction to the site from Cawthra Road, the volume of such traffic is expected to be minimal, resulting in no significant impacts.

Comment

Will noise generated on-site by customers and mechanical equipment adversely impact the abutting residential lands to the north?

Response

The applicant has provided a Noise Assessment Report which indicates that noise associated with mechanical equipment for the proposed restaurant will not exceed existing ambient noise level for road traffic in the area. As such, noise impacts on the adjacent residential lands will not exceed the MOE criteria for stationary noise. A 2.4 m (7.9 ft.) wood noise wall is proposed along the north property line to mitigate the impacts of nuisance noise sources such as vehicles and other on-site activities.

**UPDATED AGENCY AND CITY DEPARTMENT
COMMENTS**

Comments from the Region of Peel and the City Community Services Department, as contained in Appendix S-1, Information Report remain applicable.

City Transportation and Works Department

Comments updated on April 19, 2006, state that a satisfactory Noise Assessment Report was received which confirms that the site will not adversely impact the existing adjacent residential lands in accordance with the MOE criteria for stationary noise.

Should this application be approved by Council, the applicant will be required to gratuitously dedicate a 2.0 m (6.5 ft.) road widening along the Lakeshore Road East frontage of the site (including adjusting the existing sight triangle at the intersection with Cawthra Road). The applicant will also be required to make satisfactory arrangements with this Department for the implementation of on-site storm water management techniques into the design and construction of site works and services and for the reinstatement of the curbs, sidewalk and boulevard along the

Lakeshore Road East frontage, including any required boulevard/landscaping works.

In addition, the applicant is to provide sufficient securities for the installation of an acoustical barrier along the northerly property limit and provide a complete Record of Site Condition (RSC).

PLANNING COMMENTS

Official Plan

The proposal is in conformity with the Mississauga Plan Policies for the Lakeview District.

Zoning

The proposed "DC-Special Section" (District Commercial) zone is appropriate to implement the applicant's proposal to permit retail and service commercial uses, including a restaurant and outdoor patio, subject to the following site specific development standards:

- Permitted uses shall include: restaurant and outdoor patio, take-out restaurant, veterinary clinic, animal care establishment, funeral establishment, personal service establishment, commercial school, financial institution, repair establishment, office, medical office, overnight accommodation, recreational establishment, entertainment establishment, private club and parking lot;
- A restaurant shall be permitted within 60 m (197 ft.) of a residential zone with parking provided at a rate of 8.9 spaces/100 m² (1,076.42 sq. ft.) GFA, and with a maximum seating capacity of 20 persons.

Lands located within the block bounded by Lakeshore Road East, Cawthra Road, Ebony Avenue and West Avenue are designated "Mainstreet Commercial" in the Mississauga Plan Policies for the Lakeview District and are expected to develop similarly to the subject lands over time. In addition, the applicant will be required through the development agreement to provide a noise attenuation

barrier along the north property line to mitigate noise concerns associated with the proximity of the site to residential lands. There is not expected to be a significant impact in this context, associated with locating a restaurant within 60 m (197 ft.) of residential lands.

The applicant has provided a Parking Justification Report which has been reviewed and is acceptable to Planning staff that supports a reduced parking standard of 8.9 spaces/100 m² (1,076.42 sq. ft.) GFA for restaurant uses. This reduced parking standard is subject to a maximum seating capacity of 30 persons, however, to address concerns that demand for parking may exceed on-site supply given the limited supply of informal parking along Lakeshore Road East, the applicant has revised their application to restrict the maximum number of seats in the proposed restaurant to 20. According to the applicant, this restriction will result in more take-out and delivery and less dine-in customers for the restaurant, thereby reducing the demand for parking on-site and the average time vehicles are parked. Additional discussion of parking requirements is included in the Payment-in-Lieu of Off-Street Parking (PIL) section of this report.

New Mississauga Zoning By-law

The zoning for the subject lands under the new Mississauga Zoning By-law released in January 2005 is proposed to be "C4" (Mainstreet Commercial). This proposed zone is consistent with the permitted uses contained within the proposed "DC-Special Section" (District Commercial) zone. Should these applications be approved, a new "C4-Exception" (Mainstreet Commercial) zone would be required to reflect the site specific provisions sought through this rezoning application.

The timing of the site specific Zoning By-law to permit the proposed development is such that it may be affected by the passage of the new Mississauga Zoning By-law and potential appeals. In this regard, it is recommended that provisions be included in the recommendations of this report to amend the new Mississauga Zoning By-law to the zone category described above, in the event that the new By-law comes into force and effect. Alternatively, if there are appeals to the new Mississauga Zoning

By-law, arrangements can be made to amend Zoning By-law 5500, as amended, to permit the proposed zoning, as requested by the applicant.

Payment-in-Lieu of Off-Street Parking (PIL) Request

The applicant proposes through the concurrent rezoning application to convert the former retail space to a Pizza Pizza Restaurant which has an approximate floor area of 233 m² (2,500 sq. ft.). Parking is assessed at a rate of 16.0 spaces/100 m² (1,076.42 sq. ft.) GFA and requires a total of 37 parking spaces.

The applicant has provided a satisfactory Parking Justification Report, prepared by Marshall Macklin Monaghan, which supports a parking standard of 8.9 spaces/100 m² (1,076.42 sq. ft.) GFA, subject to a maximum seating capacity restriction, resulting in the requirement of 21 on-site parking spaces. Only 13 spaces can be accommodated on-site resulting in a deficiency of 8 spaces.

The PIL 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.

In addition to the 13 spaces provided on-site, there are a number of informal parking spaces along the north and south sides of Lakeshore Road East between the sidewalk and the edge of the road and on side streets adjacent existing commercial development in the general vicinity. This informal parking is not signed and has commonly been accepted as available parking in the area. There is capacity in the area for approximately 8 parking spaces between West Avenue and Westmount Avenue, to the east of the site, which represents a reasonable walking distance from the subject lands.

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

The proposed redevelopment of these lands includes the retention of the existing building. The location of the existing building in conjunction with road widening requirements/daylight triangle requirements impact the ability to provide the required number of parking spaces on-site while maintaining the existing building. Site access and visibility concerns have resulted in the need to prohibit on-street, informal boulevard parking or a driveway access on the Lakeshore Road East frontage of the site, further impacting the applicant's ability to provide the required number of on-site parking spaces.

3. The proposed use of the property, and whether there is any issue as to the overdevelopment of the site?

The need for additional parking results from a change in use to restaurant, and not a result of building expansion. The proposed restaurant use is permitted in the "Mainstreet Commercial" policies of Mississauga Plan. There is sufficient off-site parking in the general vicinity to accommodate any excess parking and as such this application will not result in 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 a 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. The agreement stipulates the following:

- (a) payment-in-lieu of off-street parking is provided for 8 parking spaces;

- (b) a total payment of \$40,160.00 is required;
- (c) payment will be made in one lump sum.

Corporate PIL policies are applicable to all non-residential land uses in the Residential Districts and the City Centre District of the City. To date, there has not yet been a PIL application outside of Clarkson, Port Credit, Streetsville and Cooksville. There is presently no PIL account available to accommodate payments made for lands outside of these four areas. Accordingly, a separate reserve account must be established to accommodate the required payment.

In establishing a new reserve account there are two options available. Establishing an account which deals with all other lands in the City or one which deals specifically with the Lakeview District. It is recommended that an account be established for the Lakeview District as the funds contributed could only be used to improve the availability of off-site parking supply in that general area, thereby addressing the intent of the PIL program.

Council's endorsement of the rezoning application should be made conditional upon the approval of the subject PIL application and the applicant entering into the requisite PIL agreement.

Site Plan Control

Revised concept site plan, elevation and landscape plan drawings are attached as Appendix S-4 through S-6. In lieu of a formal site plan approval process, these drawings will be attached to the required development agreement along with securities representing 100% of the value of all landscape works to ensure that building renovations and other site works are completed in accordance with the approved drawings. Future building additions or alterations will continue to be subject to site plan approval in accordance with the City's Site Plan Control By-law in effect at the time of application.

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.

As of May 9, 2006, there is no PIL account for the Lakeview District. With the creation of such an account and the approval of the subject PIL application, the balance of this new account would be \$40,160.00.

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 applicant's revisions involve increasing the number of parking spaces provided on-site, revising the list of permitted uses to be consistent with the new draft Zoning By-law, and reducing the maximum number of seats allowed in the proposed restaurant. Since the requested revisions are deemed to be minor, it is recommended that no further public meeting need be held regarding the proposed changes.

The proposed rezoning and PIL applications are acceptable from a planning standpoint and should be approved for the following reasons:

1. The proposal retail and service commercial uses, including a restaurant and outdoor patio conforms to the Mississauga Plan Policies for the Lakeview District.
2. The proposed rezoning is compatible with the surrounding land uses based on the existing mix of uses in the neighbourhood and the proposal will have minimal noise and traffic impacts on the abutting residential properties.
3. The requested "DC-Special Section" (District Commercial) zone is appropriate to accommodate the proposed uses and the site specific development standards.
4. The proposed PIL application has been reviewed by City Departments and agencies and is acceptable.

ATTACHMENTS:

Appendix S-1 - Information Report
Appendix S-2 - Addendum Report
Appendix S-3 - Recommendation PDC-033-2005
Appendix S-4 - Revised Concept Site Plan
Appendix S-5 - Concept Elevation Drawings
Appendix S-6 - Concept Landscape Plan

Edward R. Sajecki
Commissioner of Planning and Building



Corporate Report

Clerk's Files

Originator's
Files OZ 03/029 W1

DATE: March 1, 2005

TO: Planning and Development Committee
Meeting Date: March 21, 2005

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Information Report**
Rezoning Application
To permit retail and service commercial uses including a
restaurant and outdoor patio
707 Lakeshore Road East
Northeast corner of Lakeshore Road East and Cawthra Road
Owner: 656731 Ontario Limited
Applicant: David Brown, David Brown and Associates
Bill 20

Public Meeting **Ward 1**

ORIGIN: Rezoning application to permit retail and service commercial uses including a restaurant (Pizza Pizza) and accessory outdoor patio.

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

BACKGROUND: The existing building is proposed to be retained, subject to extensive interior and exterior renovations.

Details of the proposal are as follows:

Development Proposal	
Application Submitted:	August 1, 2003 (considered complete on September 23, 2003)
Existing/Proposed Gross Floor Area:	232.25 m ² (2,500 sq. ft.)
Height:	One storey – 6.02 m (19.75 ft.)
Lot Coverage:	25.7 %
Landscaped Area:	10.3 %
Parking Required:	37 spaces based on the required by-law rate of 16 spaces/100 m ² (1,076.42 sq. ft.) Gross Floor Area (GFA)
Parking Provided:	11 spaces * *An additional 10 required spaces proposed via Payment in Lieu of Off-Street Parking (PIL) application under file FA.31 05/001 W1
Supporting Documents:	<ul style="list-style-type: none"> - Planning Justification Report - Phase 1 and Phase 2 Environmental Site Assessment Reports - Parking Justification Report <p>The findings of the reports will be evaluated and responded to in the Supplementary Report.</p>

Site Characteristics

Frontage:	19.21 m (63.02 ft.) on Lakeshore Road East
Depth:	37.72 m (123.75 ft.)
Gross Lot Area:	0.097 ha (0.24 ac.)
Net Lot Area:	0.09 ha (0.22 ac.)
Existing Use:	Vacant one storey commercial building

Additional background information is provided in Exhibits I-1 to I-6.

Neighbourhood Context

The subject property is located at the intersection of two arterial roads within a linear commercial area along Lakeshore Road East. It should be noted that while the properties in the immediate vicinity, including those extending north to Ebony Avenue and east to West Avenue are designated "**Mainstreet Commercial**" in the Mississauga Plan policies for the Lakeview District and zoned "**AC**" (**Automotive Commercial**), a number of lots continue to be occupied by detached dwellings, including the one to the immediate north. Properties along Lakeshore Road East to the east are typified by one and two storey commercial buildings often with offices or residential units on the upper level. The subject property is generally flat, with little noteworthy vegetation. There is an existing concrete block building with a flat roof on the subject lands that is currently vacant and in a state of disrepair. The previous use of the building was for the retail sale of used goods (formerly Ye Olde "X" Shoppe).

The surrounding land uses are described as follows:

North: Detached dwelling on lands commercially zoned

East: Automotive repair garage

South: Retail plaza across Lakeshore Road East

West: Retail plaza across Cawthra Road

Current Mississauga Plan Designation and Policies for the Lakeview District (May 5, 2003)

"**Mainstreet Commercial**" which permits establishments for the sale of goods and services, recreation, entertainment and accommodation to the general public. Compatible development is encouraged which recognizes the scale and enhances the character of Mainstreet Commercial areas.

Urban Design Policies

The Lakeview District Policies indicate that the scale and character of all building and landscape designs will take into consideration the guidelines established in the Lakeshore Road Design Concept.

The general intent and purpose of the Lakeshore Road Design Concept is to reduce the automobile-oriented character of Lakeshore Road East and to develop a built form which creates an attractive pedestrian environment along both Lakeshore Road East and Cawthra Road between the railway tracks and Lakeshore Road East. Recognizing that the proposed restaurant use is being planned within the existing structure on the site which limits the opportunity to reorient the site features, the proposal generally meets the intent of the Lakeshore Road Design Concept in that the commercial building face is close to Lakeshore Road East making it pedestrian oriented and providing for the majority of the parking at the rear of the building.

The application is in conformity with the Mississauga Plan Policies for the Lakeview District.

Proposed Official Plan Designation and Policies

The applicant is not proposing any changes to the Official Plan.

Existing Zoning

"AC" (Automotive Commercial) which permits an automobile service station, which may include a convenience retail and service kiosk.

Proposed Zoning By-law Amendment

"DC-Special Section" (District Commercial) to permit retail and service commercial uses in accordance with the general "DC" (District Commercial) zone requirements, including a restaurant (Pizza Pizza) and outdoor patio within 60 m (197 ft.) of a residential zone. A reduced parking standard of 8.9 spaces/100 m² (1,076.42 sq. ft.) GFA is proposed for the restaurant and outdoor patio, providing for 21 on-site spaces. The proposed parking standard reduction is based on the applicant's Parking Utilization Study.

COMMUNITY ISSUES

A community meeting has been scheduled for March 10, 2005. Any issues raised at this meeting will be included in a subsequent Addendum Report. To date, no written comments have been received by the Planning and Building Department.

COMMENTS:**DEVELOPMENT ISSUES**

Agency comments are summarized in Exhibit I-6. Based on the comments received and the applicable Mississauga Plan policies, the following matters will have to be addressed.

Noise

A Noise Impact Study has been provided which is not specific in outlining the type and location of noise generating equipment on site. Instead, the study recommends that a 2.5 m (8.2 ft.) high noise fence is to be provided along the north property line to mitigate "nuisance type noise" for the adjacent residential properties. A revised study is required which outlines the location and type of specific equipment proposed for the subject lands and identifies potential alternatives which could reduce the height of the required noise fence to a height of 1.8 m (5.9 ft.), which is consistent with Planning and Building Department design guidelines for noise attenuation barriers.

Parking

The current zoning by-law requires a minimum of 37 parking spaces for the proposed restaurant. The applicant's parking utilization study and addendum report propose the provision of 21 on-site parking spaces.

The concept site plan drawing attached as Exhibit I-4 demonstrates the provision of 11 on-site parking spaces, resulting in a parking deficiency of 10 spaces. Accordingly, the applicant has submitted a Payment in Lieu of Off-Street Parking (PIL) application under file FA.31 05/001 W1.

Recommendations contained in the Parking Utilization Study and Addendum Report support the proposed parking standard reduction, subject to a maximum seating capacity of 30 persons and the approval of a PIL application for the 10 deficient parking spaces.

A detailed review of the PIL application has not yet been completed. Recommendations regarding the Rezoning and PIL applications will be made at the time of the Supplementary Report.

OTHER INFORMATION

Development Requirements

In conjunction with the proposed development, there are certain engineering matters with respect to noise mitigation measures, the conveyance of road widening and daylight triangle adjustments and environmental site clean-up, which will require the applicant to enter into appropriate agreements with the City.

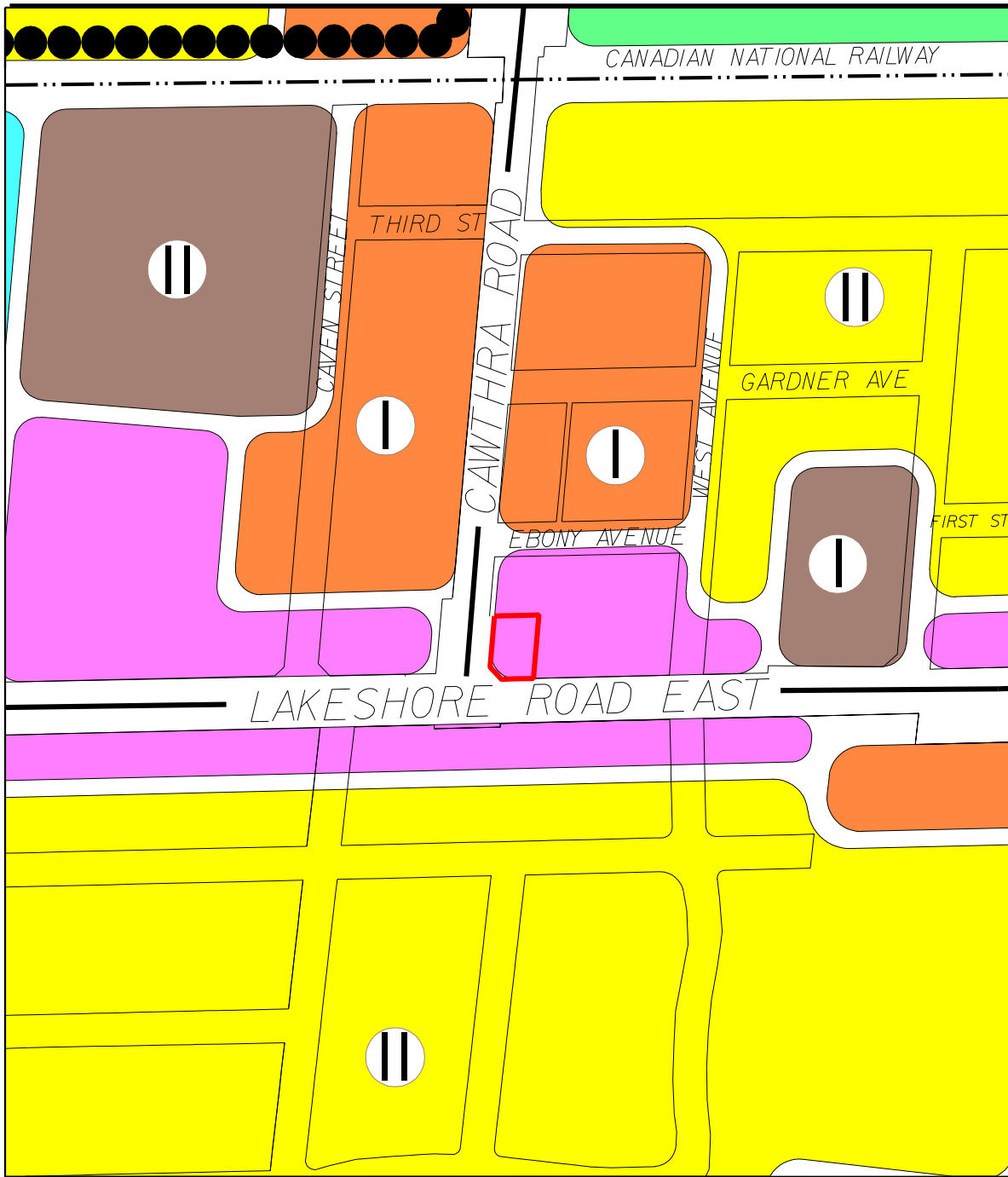
Financial Considerations

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 outstanding issues are resolved, the Planning and Building Department will be in a position to make a recommendation regarding this application.

RECOMMENDATION: That the Report dated March 1, 2005, from the Commissioner of Planning and Building regarding the application to change the Zoning from "AC" (Automotive Commercial) to "DC-Special Section" (District Commercial) under file OZ 03/029 W1, 656731 Ontario Limited, 707 Lakeshore Road East, northeast corner of Lakeshore Road East and Cawthra Road, be received for information.

Edward R. Sajecki
Commissioner of Planning and Building



**PART OF LAKEVIEW DISTRICT LAND USE MAP
LAKEVIEW DISTRICT POLICIES OF MISSISSAUGA PLAN**

LAND USE DESIGNATIONS

- Residential - Low Density I
- Residential - Low Density II
- Residential - Medium Density I
- Residential - High Density I
- Residential - High Density II
- Business Employment
- Mainstreet Commercial
- General Commercial
- Open Space
- Private Open Space
- Greenbelt
- Utility

TRANSPORTATION LEGEND

- Highway and Interchange
- Arterial
- Major Collector
- Major Collector (Scenic Route)
- Minor Collector
- Local Road
- Existing Commuter Rail
- GO Transit Station

LAND USE LEGEND

- Regulatory Floodplain
- City Park
- Community Park
- Golf Course
- Proposed Stormwater Management Facility
- Planning District

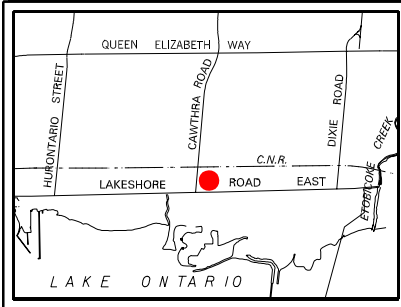
6# *Appealed to the
Ontario Municipal Board*



SUBJECT LANDS



SUBJECT:
656731 ONTARIO LIMITED



FILE NO:
OZ 03029 W1

DWG. NO:
03029LM

SCALE:
NTS

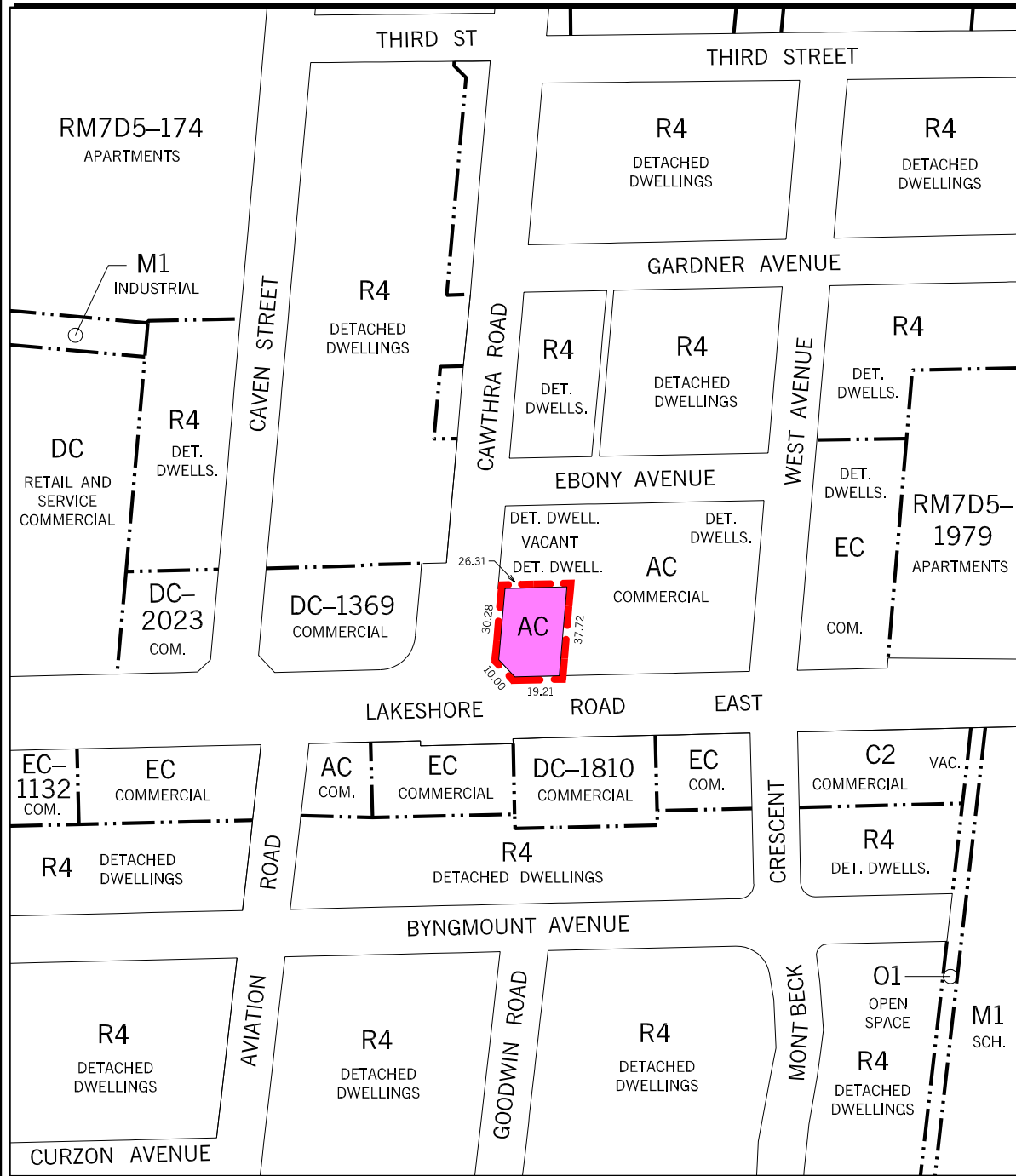
PDC DATE:
2005 03 21

DRAWN BY:
W. FINLAY

EXHIBIT I-1



MISSISSAUGA
Planning and Building



LEGEND:



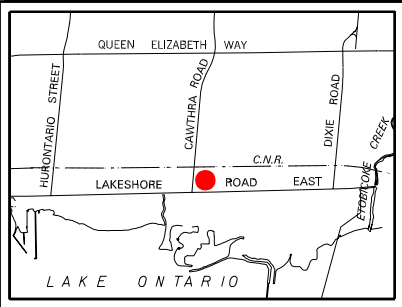
PROPOSED REZONING FROM "AC" (AUTOMOTIVE COMMERCIAL) TO "DC-SPECIAL SECTION" (DISTRICT COMMERCIAL) TO PERMIT RETAIL AND SERVICE COMMERCIAL USES INCLUDING A RESTAURANT AND OUTDOOR PATIO.

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



SUBJECT:

656731 ONTARIO LIMITED



FILE NO:
OZ 03029 W1

DWG. NO:
03029R

SCALE:
1:2500

PDC DATE:
2005 03 21

DRAWN BY:
W. FINLAY

EXHIBIT I-2



MISSISSAUGA
Planning and Building



LEGEND:



SUBJECT LANDS

DATE OF AERIAL PHOTO: MARCH 2004



SUBJECT:

656731 ONTARIO LIMITED



FILE NO:
OZ 03029 W1

DWG. NO:
03029A

SCALE:
1:2500

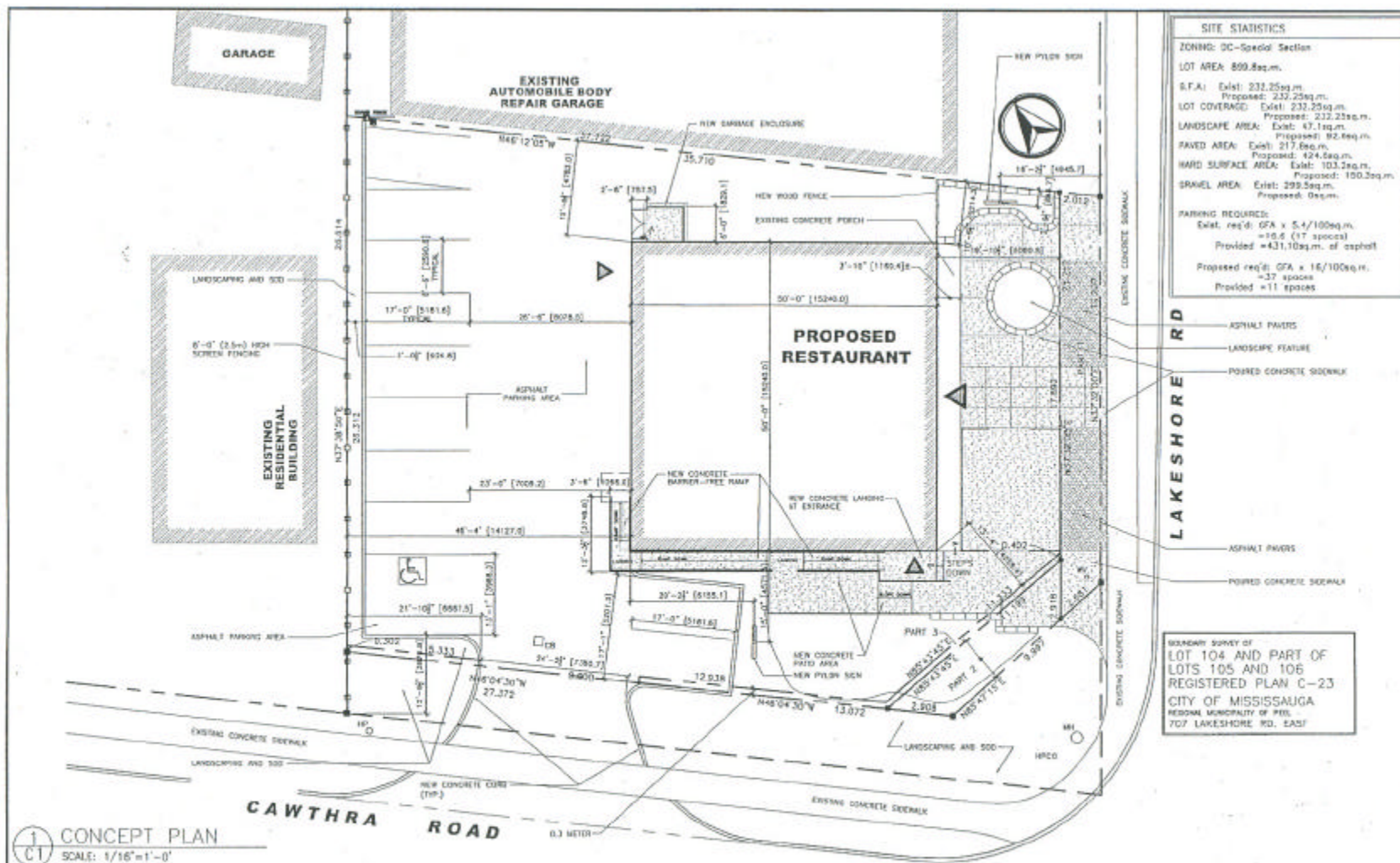
DATE:
2005 03 21

DRAWN BY:
W. FINLAY

EXHIBIT I-3



MISSISSAUGA
Planning and Building



General Notes DRAWINGS MUST NOT BE SCALED. CONTRACTOR MUST CHECK AND SITE VERIFY ALL DIMENSIONS AND REPORT ANY DISCREPANCIES TO THE DESIGNER PRIOR TO PROCEEDING WITH THE WORK. ALL WORK SHALL COMPLY WITH THE LAWS AND REGULATION OF AUTHORITIES HAVING JURISDICTION TO THIS SITE. ALL WORK SHALL CONFORM TO PIZZA PIZZA SPECIFICATIONS FOR GENERAL CONDITIONS, MATERIALS AND WORKMANSHIP. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER DRAWINGS AND THE TENANT/UNLOADED AGREEMENT WITH REFERENCE TO THIS STORE.	No.	Date	Description	Seal	 580 Jarvis Street Toronto, Ontario M4Y 2H9 Tel. (416) 967-1010 Fax. (416) 967-6449	Designed by: CHRIS DAWOOD	Checked by: HOWARD TUCHMAN	Scale: AS SHOWN	Store Area (Gross):	Store Area (Net):	Date: JAN. 24, 2005	Project Name PIZZA PIZZA #93A	Project Location 707 LAKESHORE RD. E. MISSISSAUGA, ONTARIO	Sheet No. C1
	1	JAN. 27, 2005	FOR ZONING APPROVAL											

656731 Ontario Limited

File: OZ 03/029 W1

History
<ul style="list-style-type: none">January 28, 1965 - Committee of Adjustment approved a minor variance application to permit the sale of used goods under file 'A' 001/65 on a two (2) year temporary basis. Subsequently, 15 similar variance applications were approved on temporary basis up until 1998 to permit the continuation of the same establishment;January 8, 1999 – Region of Peel approved the Lakeview District Policies of City Plan, which designated the subject lands “Retail and Service Commercial – Mixed Commercial”;May 5, 2003 – Region of Peel approved the Lakeview District Policies of Mississauga Plan, which designates the subject lands “Mainstreet Commercial”;January 4, 2005 – A Payment in Lieu of Off-Street Parking (PIL) application was submitted by the applicant under file FA.31 05/001 W1.

656731 Ontario Limited

File: OZ 03/029 W1

AGENCY AND CITY DEPARTMENT COMMENTS

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

Agency	Comment
<p>Region of Peel November 5, 2003 and revised on February 2, 2005</p>	<p>There is a 300 mm (12 in.) diameter watermain and a 250 mm (10 in.) diameter sanitary sewer on Lakeshore Road East. On-site waste collection will be required through a private waste hauler.</p> <p>The Region will require being a party to the development agreement as a condition of zoning approval for the subject rezoning application.</p> <p>The Region does not object to site plan approval not being required provided the following conditions are included in the development agreement:</p> <ol style="list-style-type: none"> 1. The Region will require the gratuitous dedication of a 0.3 m (1 ft.) reserve along the Cawthra Road frontage of the property. The reserve is to be lifted at the approved access point. 2. The Region will require the gratuitous dedication of an 8.4 m x 8.4 m (27.6 ft. x 27.6 ft.) daylight triangle on Cawthra Road with a 0.3 m (1 ft.) reserve behind the triangle. 3. One access to Cawthra Road will be permitted at the most northerly limit of the property. 4. Right-in/out will only be permitted to Cawthra Road from this site. <p>All land dedicated to the Region must be clear and free of all encumbrances.</p>
<p>City Community Services Department - Planning and Administration Division October 31, 2003 and updated on January 25, 2005</p>	<p>Should this application be approved, prior to the enactment of the implementing zoning by-law, a cash contribution will be required for street tree planting on Lakeshore Road East.</p>

656731 Ontario Limited

File: OZ 03/029 W1

Agency	Comment
<p>City Transportation and Works Department November 24, 2003 and updated on January 27, 2005</p>	<p>Prior to the Supplementary Report proceeding, the applicant will be required to submit a revised Noise Impact Study to address the impact of the proposed development on the adjacent residential land uses and a letter of reliance from the applicant's Geotechnical Consultant allowing the City to rely on the findings of the Phase 1 and 2 Environmental Site Assessments.</p> <p>In the event this application is approved by Council, the applicant will be required to make satisfactory arrangements for the gratuitous conveyance of a 2.0 m (6.5 ft.) widening on the north side of Lakeshore Road East and the appropriate adjustments to the site triangle at the intersection of Lakeshore Road East and Cawthra Road. As there are site exceedances of the applicable Ministry of the Environment (MOE) guidelines for petroleum hydrocarbons and metals, a site clean-up report and a Record of Site Condition will be required to be submitted to the satisfaction of this Department.</p>
<p>Other City Departments and External Agencies</p>	<p>The following City Departments and external agencies offered no objection to the application provided that all technical matters are addressed in a satisfactory manner:</p> <p>City Manager's Office – Economic Development Office Enersource Hydro Mississauga Community Services Department - Realty Services, Heritage and Fire Prevention Canada Post Corporation</p>
	<p>The following City Departments and external agencies were circulated the applications but provided no comments:</p> <p>Transportation & Works Department - Mississauga Transit Hydro One Networks Planning and Building Department - Development Services Section</p>

OZ 03/029 W1



CORPORATE REPORT ADDENDUM



DATE: March 18, 2005 **PDC MARCH 21, 2005**

TO: Planning and Development Committee
Meeting Date: March 21, 2005

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Rezoning Application - OZ 03/029 W1**
To permit retail and service commercial uses including a
restaurant and outdoor patio
707 Lakeshore Road East
Northeast corner of Lakeshore Road East and Cawthra Road
Owner: 656731 Ontario Limited
Information Report - Addendum
Bill 20

Public Meeting **Ward 1**

The report from the Commissioner of Planning and Building dated March 1, 2005, was prepared and finalized in advance of a residents' meeting held on March 10, 2005. The comments made by the area residents with regard to the subject application are as follows:

- traffic conflicts given the proximity of the site access to the intersection of Lakeshore Road East and Cawthra Road;
- expected hours of operation for the proposed Pizza Pizza restaurant;
- what efforts will be required to mitigate existing on-site contamination;
- how will deliveries and garbage collection be accommodated given the limited space on site devoted to vehicular movement;
- traffic will increase on nearby residential roads such as Ebony Avenue and West Avenue;

- noise generated on site by equipment and customers will impact the northerly abutting residential homes.

The comments raised at the community meeting and at the Public Meeting scheduled for March 21, 2005, will be taken into consideration and reported along with agency and City department comments in the supplementary report.

Edward R. Sajecki
Commissioner of Planning and Building

656731 Ontario Limited

**File: OZ 03/029 W1
FA.31.05/001 W1**

Recommendation PDC-033-2005

- PDC-033-2005
1. That the Report dated March 1, 2005, from the Commissioner of Planning and Building regarding the application to change the Zoning from “AC” (Automotive Commercial) to “DC-Special Section” (District Commercial) under file OZ 03/029 W1, 656731 Ontario Limited, 707 Lakeshore Road East, northeast corner of Lakeshore Road East and Cawthra Road, be received for information.
 2. That the Addendum Report dated March 18, 2005, from the Commissioner of Planning and Building with respect to Rezoning Application – 656731 Ontario Limited, 707 Lakeshore Road East, OZ 03/029 W1, Ward 1 be received.

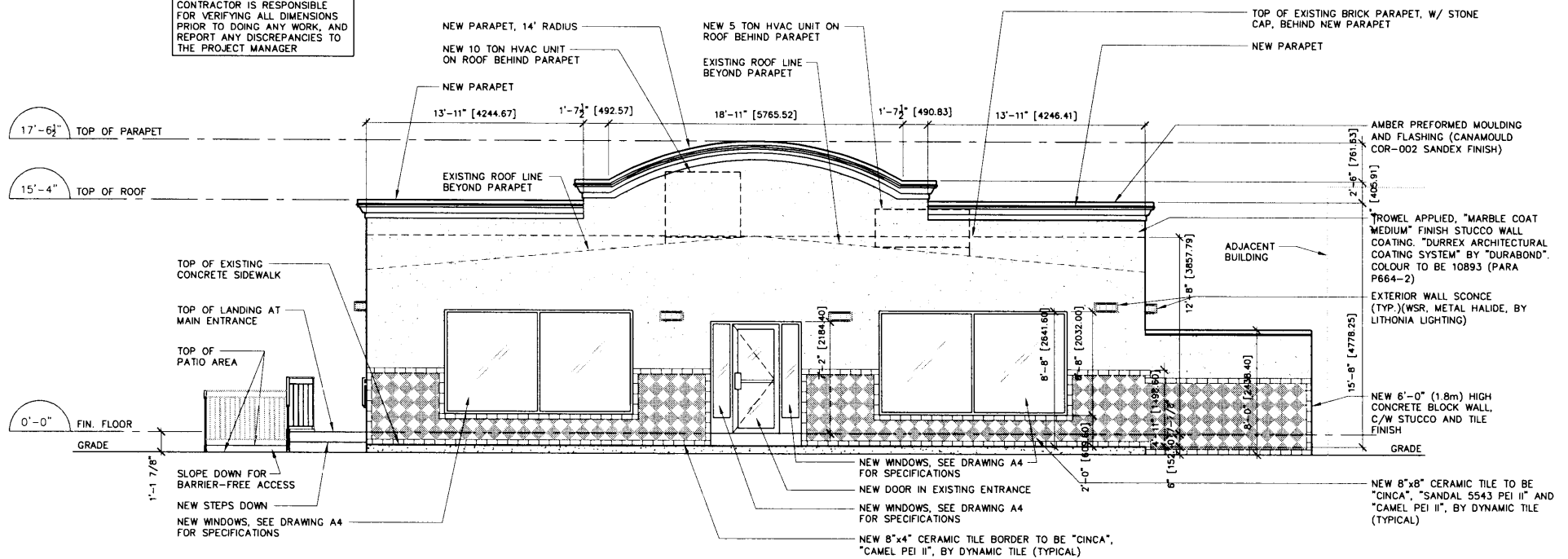
The above recommendation was adopted by Council at its meeting of March 30, 2005.



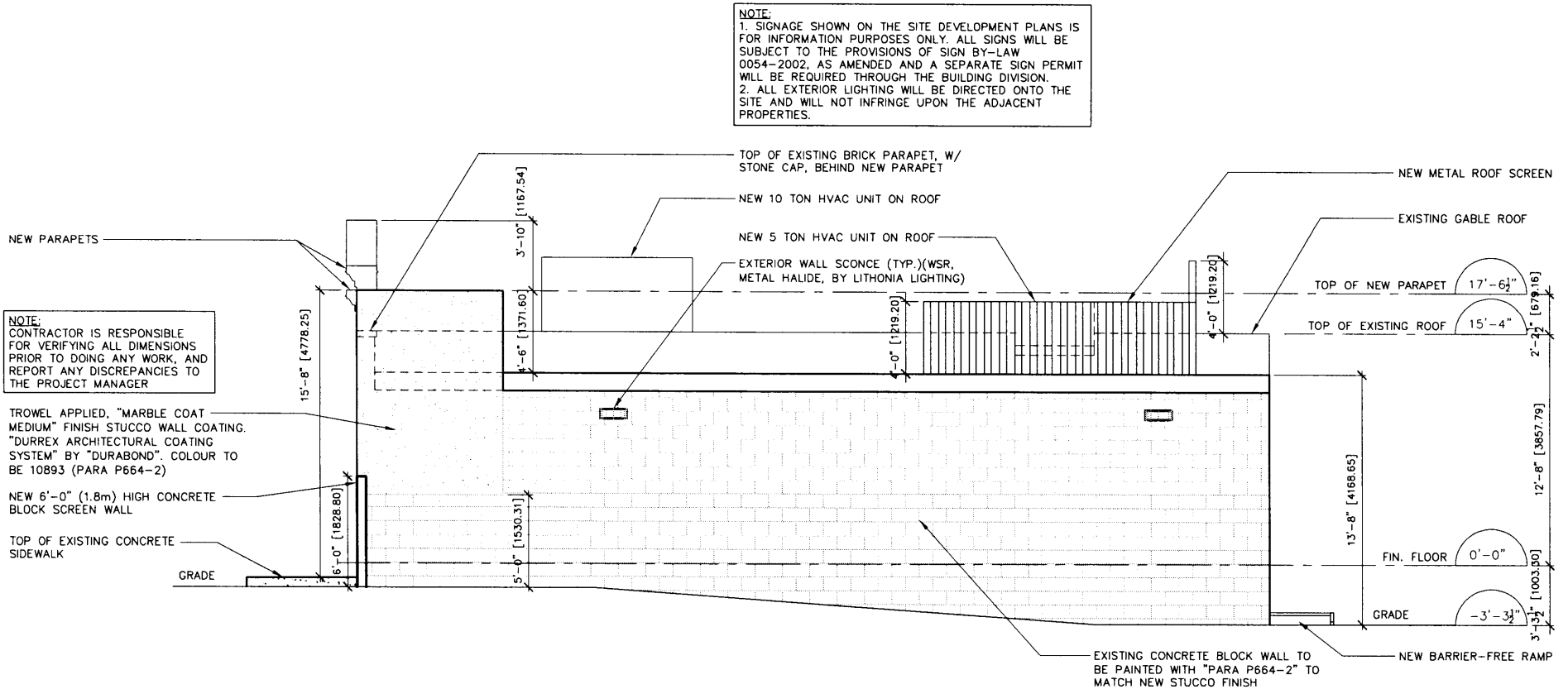
SOUTH ELEVATION

NOTE:
1. SIGNAGE SHOWN ON THE SITE DEVELOPMENT PLANS IS FOR INFORMATION PURPOSES ONLY. ALL SIGNS WILL BE SUBJECT TO THE PROVISIONS OF SIGN BY-LAW 0054-2002, AS AMENDED AND A SEPARATE SIGN PERMIT WILL BE REQUIRED THROUGH THE BUILDING DIVISION.
2. ALL EXTERIOR LIGHTING WILL BE DIRECTED ONTO THE SITE AND WILL NOT INFRINGE UPON THE ADJACENT PROPERTIES.

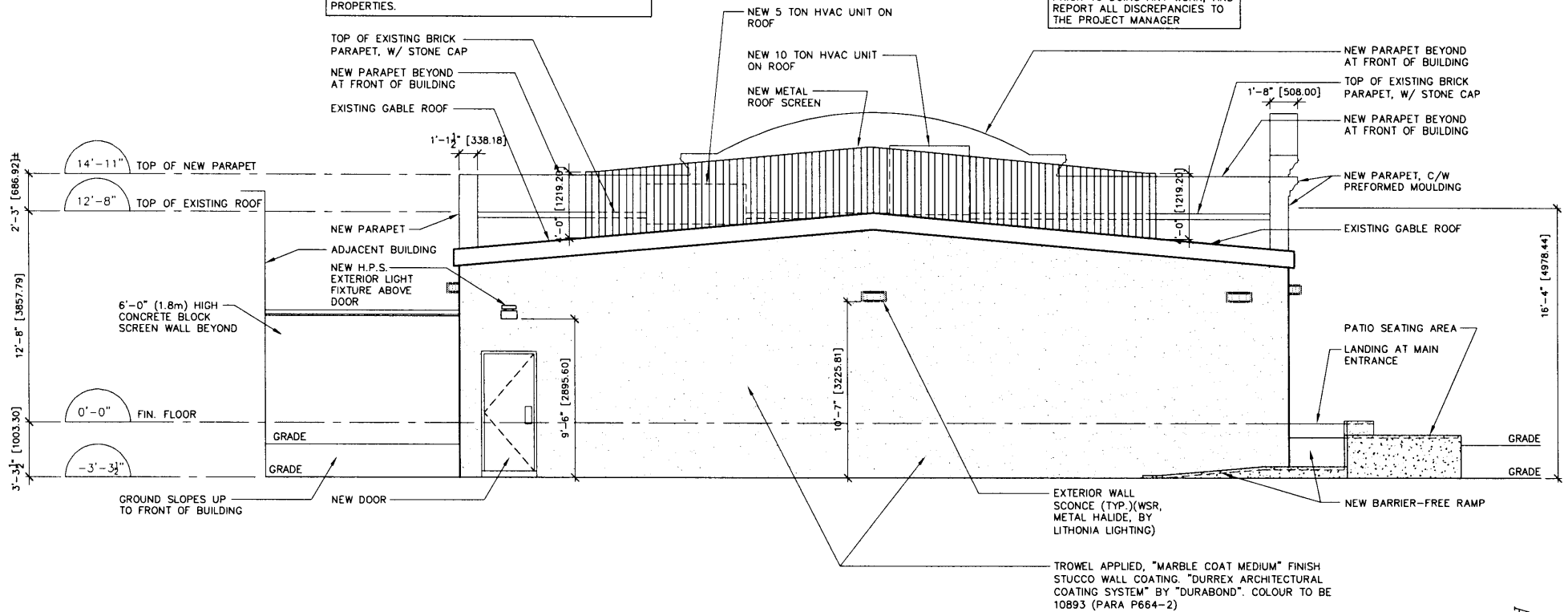
NOTE:
CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL DIMENSIONS PRIOR TO DOING ANY WORK, AND REPORT ANY DISCREPANCIES TO THE PROJECT MANAGER



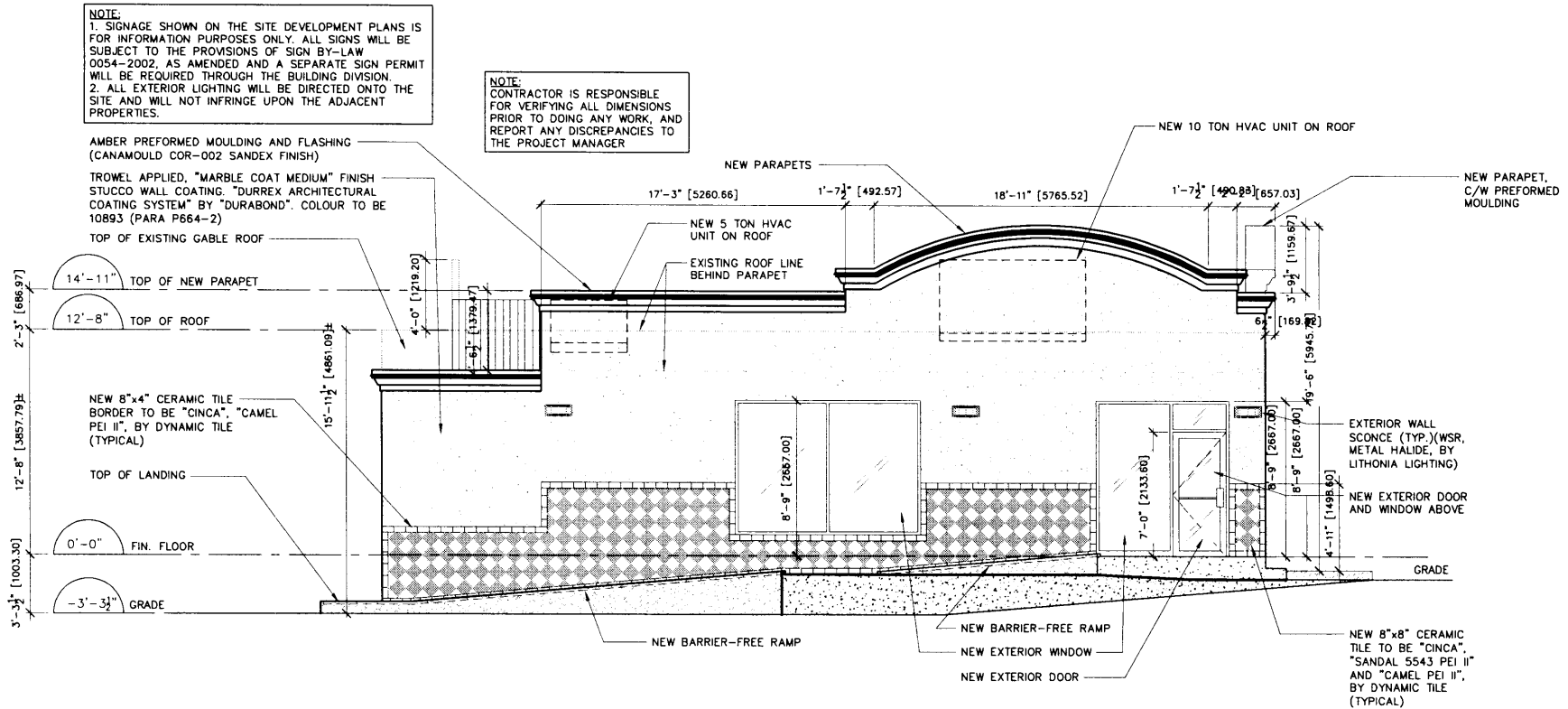
EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



APPENDIX S-6

