



# Corporate Report

Clerk's Files

Originator's  
Files OZ 05/013 W6

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**DATE:** November 14, 2006

**TO:** Chair and Members of Planning and Development Committee  
Meeting Date: December 5, 2006

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

**SUBJECT:** **Official Plan Amendment and Rezoning Applications**  
**To permit a WalMart store with an accessory automobile**  
**repair garage and to expand the area to which retail and**  
**service commercial uses apply**  
**800 Matheson Boulevard**  
**West of Mavis Road between Plymouth Drive and**  
**Matheson Boulevard West**  
**Owners: Orlando Corporation**  
**Applicant: Goldberg Group**  
**Bill 20**

**Supplementary Report**

**Ward 6**

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**RECOMMENDATION:** That the Report dated November 14, 2006, from the Commissioner of Planning and Building recommending approval of the applications under File OZ 05/013 W6, Orlando Corporation, 800 Matheson Boulevard, West of Mavis Road between Plymouth Drive and Matheson Boulevard West, be adopted in accordance with the following recommendations:

1. That notwithstanding that subsequent to the public meeting, changes to the applications 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 the application to amend Mississauga Plan from "Business Employment" to "General Commercial" be approved.
3. That the application to change the Zoning from "M1-2528" and DC-2683" to "DC - Special Section" to permit a department store with an accessory automobile repair garage in addition to the retail and service commercial uses listed in Appendix S-1, be approved subject to the following conditions:
  - (a) That the implementing zoning by-law include the development standards identified in Appendix S-6;
  - (b) That the applicant agree to satisfy all the requirements of the City and any other official agency concerned with the development.
4. That as part of site plan approval the applicant be required to submit upgraded building details for the east and south building elevations and include upgraded building materials and a pedestrian connection to Matheson Boulevard West to the satisfaction of the City.
5. In the event that the new Mississauga Zoning By-law is passed by City Council and comes into force and effect, the new Mississauga Zoning By-law be amended from "E2-56" (Employment) and "C3-28" (General Commercial) to "C3 - Exception" (General Commercial) subject to conditions contained in Recommendation 3.
6. 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.

**BACKGROUND:**

A public meeting was held by the Planning and Development Committee on June 26, 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-070-2006 which was subsequently adopted by Council (Appendix S-2).

Subsequent to the Public Meeting, the applicant submitted a revised concept plan which proposes to increase a portion of the landscaped area along the Matheson Boulevard West frontage to 15 m (49.2 ft.) opposite the existing residential uses. This adjustment has been achieved by making minor changes to the parking area layout.

It should also be noted that an application for site plan approval has been submitted under File SP 06/213 W6 which is currently in circulation to various departments and agencies for comments.

## **COMMENTS:**

## **COMMUNITY ISSUES**

### **Comment**

The subject lands were part of a previous Ontario Municipal Board Hearing and only the portion of the site was agreed to be commercial.

### **Response**

On June 13, 2001, Council passed Zoning By-law 0287-2001 to implement an Ontario Municipal Board (OMB) decision, dated February 13, 2001. This By-law in part rezoned Parcel 2 of the subject lands from "A" (Agricultural) to "DC-2544" (District Commercial) to permit various retail and service commercial uses subject to specific standards. The OMB decision was based on evidence that a settlement was reached between the Orlando Corporation and OMERS Realty Management Corporation, concerning the development of various parcels in the Heartland Centre. This involved a Memorandum of Understanding and an Agreement between the affected private parties. The Memorandum of Understanding did not involve the City and the City was not a signatory to the Agreement.

The City is required to process and consider the subject applications and cannot allow its legislative discretion to be restrained by any private agreement.

**Comment**

An inquiry was made regarding the location of the proposed accessory auto repair garage, truck traffic and driveway access for the proposed store.

**Response**

The proposed accessory auto repair garage is located on the north side of the building facing Plymouth Drive far from the existing residents on the south side of Matheson Boulevard. With respect to truck traffic the proposed department store will generate less truck traffic on Matheson Boulevard West than a typical industrial warehouse use. Customers of the proposed department store will use the existing access driveways located on Mavis Road, Matheson Boulevard and Plymouth Drive. There are no additional new access driveways being proposed other than the service access from Matheson Boulevard West.

**Comment**

Concerns were expressed that the proposal will have an impact on property values, that traffic on Heatherleigh Avenue will increase and that shopping carts will be left outside the store property.

**Response**

Official Plan Amendment and rezoning applications are evaluated based on good planning principles and land use compatibility. The proposed development will be evaluated against the City's long term vision and established policies and not property assessment. Property value and assessment is an independent process undertaken by the Municipal Property Assessment Corporation which functions under the Ministry of Revenue.

With respect to the traffic concern, subsequent to the public meeting the applicant has submitted an updated traffic study with

information on the traffic condition at the intersection of Matheson Boulevard West and Heatherleigh Avenue. The Transportation and Works Department is satisfied with its findings and conclusions of the study.

To help reduce existing truck traffic on Matheson Boulevard West independent of the subject applications, the applicant has submitted a site plan revision application under File SP 06/212 W6 to relocate the existing main truck access from Matheson Boulevard West to Plymouth Drive for the existing Electrolux warehouse building at the west end of Matheson Boulevard West.

With respect to the comment of abandoned shopping carts, there are various cart corals being proposed in the parking lot. Wal Mart is also encouraged to add a security feature to restrict the use of the shopping carts outside their property.

## **UPDATED AGENCY AND CITY DEPARTMENT COMMENTS**

### **City Transportation and Works Department**

Comments updated October 26, 2006, state that this Department is in general agreement with the findings of the Traffic Impact Study which indicates that the proposed development can be supported by the existing transportation infrastructure.

It was also indicated that satisfactory arrangements have been made with the applicant regarding the preparation and submission of an updated Noise Impact Study through the detailed site plan review process.

Should these applications be approved by Council, the applicant will be required to make satisfactory arrangements with the City to update the existing Development Agreements on title for subject lands.

## **PLANNING COMMENTS**

### **Provincial Policy Statement**

On March 1, 2005, a new Provincial Policy Statement (PPS) came into effect. Section 1.3 states that Planning authorities shall promote economic development and competitiveness by:

- providing for an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long-term needs;
- providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses; and
- planning, protecting and preserving employment areas.

The PPS defines "employment area" as areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities. The proposal is an employment use and is in keeping with the new PPS objectives.

### **Official Plan**

#### **Commercial Policies**

Since the evolution of the Heartland Centre area, the City has taken a new and broader approach to commercial development in the City. The retail commercial policies in Mississauga Plan are less structured compared to the previous City Plan. The retail hierarchy was consolidated to provide simplicity and flexibility. The policy restriction that previously precluded supermarkets and department stores in the Heartland Centre has been removed. The gross leasable area restrictions which applied to certain parcels in the Centre including the easterly portion of the subject lands, have also been deleted. From a policy perspective these changes have

the effect of allowing a much broader spectrum of retail commercial uses through development or redevelopment.

### **Site Specific Amendment (Section 5.3.2)**

Mississauga Plan contains policies that provide direction for making decisions about site specific Official Plan Amendments. The criteria governing the merit of a proposed amendment is outlined below followed by a discussion regarding the ability of the proposal to achieve the criteria's intent.

#### **Overall intent of Mississauga Plan**

Section 3.5.2.4 of Mississauga Plan directs commercial development to designated commercial areas while Section 3.5.2.5 discourages the expansion of retail uses beyond designated areas. These policies, although presently approved, were not in full force and effect when the subject applications were originally submitted and as such, the comparable City Plan policy under Section 5.2.4.4 applies. Section 5.2.4.4, similar to the Mississauga Plan policies discourages the expansion of retail uses beyond retail and service commercial areas. Both Plans have similar intent and achieve the same objective. The proposed amendment is not introducing commercial uses into a new area but rather moving the boundary of a well established commercial area. The adjoining commercial lands to the east will allow the site to benefit from existing accesses and parking areas and the development will function as a commercial campus.

Other policies in Mississauga Plan state that the City will develop in a compact and orderly urban form (Section 2.2.1.1), provide flexibility in land use and building form to address development (Section 2.2.2.7), and accommodate changing conditions for development and employment needs (Section 2.3.2.4). The proposal represents an orderly form of development which maximizes commercial opportunities by concentrating them in an already established commercial area while at the same time maintaining an employment base.

### Impact on Remaining Lands

Mississauga Plan requires that the proposed redesignation does not adversely impact or destabilize the development or functioning of the remaining lands under the same designation. Based on the applicant's master plan, the vacant business employment parcel to the west of the subject lands (also owned by the applicant) is proposed to be developed for an industrial use. These lands are narrow and elongated in shape and can be developed with separate access to minimize traffic conflict.

Additionally, there will be limited impact on the City's supply of viable "Business Employment" designated lands as the portion of the subject lands to be redesignated has an area of approximately 5 ha (12.3 ac). This area is relatively modest in size, compared to the City's current large vacant "Business Employment" land inventory estimated at 1 200 ha (2,965 ac) in the City's recent report entitled "2006 Vacant Employment Lands" received by Council on March 29, 2006.

### Suitability and Compatibility with Surrounding Uses

Large format retail development already exists in the Heartland Centre. Appendix S-3 is a composite plan showing the extent of commercially designated lands in the area. Within this area, there are major retail stores such as Canadian Tire, Rona and Best Buy and the recently constructed Home Depot and many other retail and service commercial uses. These uses have over time established a recognizable major retail commercial focus and the proposed department store will be in keeping with the overall retail business theme established in this area.

From a land use compatibility perspective, the proposal is considered to be compatible and can co-exist with the surrounding established uses taking advantage of shared accesses and parking areas. The amendment represents an acceptable boundary adjustment primarily due to the fact that the easterly portion of the site has already been designated and zoned, and the lands to the east are occupied by retail and service commercial uses, making the proposed expansion a logical extension and completion of a retail block.



### Planning Justification

A planning justification report dated May 4, 2005, with additional background dated August 9, 2006, has been prepared by Goldberg Group.

The report states that the amendment will have the effect of expanding commercial to the west by approximately 185 m (600 ft.), with little impact on the supply of "Business Employment" lands in the City. It states that the proposal will continue to enable the development of the remaining employment lands to the west to develop for industrial purposes and effectively round out and complete the retail commercial boundary in an area. It also states that because of the location and substantially built-up nature of the area, there is no valid planning reason to initiate a comprehensive land use review as a result of the subject applications.

### Adequate Infrastructure

The surrounding road network provides the site with a high degree of both visibility and accessibility from its location on Mavis Road and proximity to Britannia Road West. These are major arterial roads with minimum rights-of-way of 40 m (131.2 ft.) with turning lanes and traffic signals that provide accessibility to the subject property. The Transportation and Works Department has confirmed that the submitted traffic study demonstrates that the proposal would function in a satisfactory manner. As indicated in the Information Report (Appendix S-1), there are adequate municipal services such as watermains and sanitary sewers on Matheson Boulevard West and Plymouth Drive to service the subject property.

### Comprehensive Land Use Review

A comprehensive review of the City's Official Plan is not warranted at this time, as the review that resulted in Mississauga Plan was completed in 2003 and development in the area is nearly complete.

### **Summary**

Based on the preceding evaluation, the redesignation of the westerly portion of the subject lands from "Business Employment" to "General Commercial" is appropriate from a planning perspective for the following reasons:

- the proposed development is compatible and can co-exist with the surrounding established land uses;
- the requested land use conversion will not negatively impact the remaining "Business Employment" lands in the area or destabilize the inventory of vacant "Business Employment" lands in the City;
- the proposed amendment represents an acceptable adjustment to the commercial land use boundary; and
- the proposed department store will be in keeping with the overall retail business theme established in this area.

### **Concept Plan**

The revised concept plan (Appendix S-4) does not include a walkway connection from the proposed building to Matheson Boulevard West and the south building elevation (Appendix S-5) which is the most visible façade to the residents on the south side of Matheson Boulevard West appear as a blank wall. Also, the east (front) elevation should include upgraded building material. To address the above the applicant will be required to provide the following through the site plan approval process: a safe and prominent walkway connection from the front of the building to Matheson Boulevard West; and upgraded building elevation treatments which should include features such as windows and signs, and upgraded building materials.

The loading area is located at the mid point on the west side of the department store. The applicant's noise report states that additional physical mitigation measures for the south loading bays may be required. In a letter dated October 30, 2006, Wal Mart and Orlando Corporations have confirmed that food deliveries by

refrigerated trucks will be restricted to the north facing loading area and that the stationary noise from the south loading bays will meet the MOE requirements. Staff has received an addendum to the noise report dated November 20, 2006, from the applicant's noise consultant which indicates that a 5 m (16.4 ft.) high partial enclosure will be required to mitigate noise from the south loading area. An updated noise report will be submitted during the processing of the site plan application to be reviewed by the Transportation and Works Department and the Planning and Building Department to ensure that all noise concerns are satisfied prior to any site plan approval.

### **Zoning**

The proposed "DC - Special Section" (District Commercial) zone is appropriate to accommodate the proposed department store with an accessory auto repair garage and the range of uses listed in Appendix S-1.

Appendix S-6 identifies the various development standards that typically apply to commercial lands in the Heartland Centre. The site plan submitted by the applicant shows an increase of 37.6 m<sup>2</sup> (405 sq. ft) in total gross floor area of 20 099 m<sup>2</sup> (216,351 sq. ft.). The landscaped area along Plymouth Drive has been adjusted from 3 m (9.8 ft) to 2.8 m (9.2 ft.) along Plymouth Drive and 8.2 m (26.9 ft.) from 9 m (29.5 ft.) along Matheson Boulevard West except for the area across the residential uses on the south side of the Boulevard where the landscaped width has been increased to 15 m (49.2 ft.). Appendix 6 also includes minimum building setback requirements of 45 m (148 ft.) from Matheson Boulevard West and 15 m (49 ft.) from Plymouth Drive. The implementing zoning by-law will address the above.

### **Parking Requirement**

The Zoning By-law requires that parking for a department store be based on a ratio of 5.4 spaces per 100 m<sup>2</sup> (1076.4 sq. ft.) in gross floor area and that 1 percent of the required parking be applied for handicapped parking spaces.

There are 11 handicapped parking spaces proposed which satisfy the Zoning By-law requirement. The proposed gross floor area of 20 099 m<sup>2</sup> (216,351 sq. ft.) would require 1085 parking spaces. The revised concept plan shows 1046 parking spaces are being provided which translate to a shortfall of 39 spaces. Orlando Corporation has confirmed that they will continue to own the subject lands along with the adjoining lands to the east zoned as "DC-2683" (District Commercial) which are currently occupied by four retail and service commercial uses. The required parking for the existing commercial uses is 129 spaces whereas 243 spaces are provided. The 114 spaces above the required minimum can cover the parking shortfall for the proposed department store. The implementing zoning by-law will include a specific provision to allow the subject lands to utilize the extra parking from the adjoining lands to the east zoned as "DC-2683" (District Commercial).

**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. Since the Department's recommended revisions to the applications affect changes that are internal to the subject lands, it is recommended that no further public meeting need be held regarding the proposed changes.

The proposed Official Plan Amendment and rezoning are acceptable from a planning standpoint and should be approved for the following reasons:

1. The proposed Official Plan and Zoning By-law Amendment meet the overall intent of Mississauga Plan and represents an acceptable adjustment to the commercial land use boundary.
2. The proposed development is compatible and can co-exist with the surrounding established land uses.

3. The proposed land use conversion will not negatively impact the remaining "Business Employment" lands in the area and destabilize the City's inventory of vacant "Business Employment" lands.
4. The proposed department store will be in keeping with the overall retail business theme established in the Heartland Centre.
5. The proposed zoning and recommended standards are appropriate to accommodate the requested uses subject to the provisions in Schedule S-6.

**ATTACHMENTS:**

Appendix S-1 - Information Report  
Appendix S-2 - Recommendation PDC-0070-2006  
Appendix S-3 - Composite Land Use Map  
Appendix S-4 - Revised Concept Plan  
Appendix S-5 - Proposed Building Elevations  
Appendix S-6 - Proposed Zoning Standards

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Edward R. Sajecki  
Commissioner of Planning and Building

*Prepared By: Haig Yeghouchian, Development Planner*



# Corporate Report

Clerk's Files

**APPENDIX S-1**

Originator's

Files OZ 05/013 W6

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**DATE:** June 6, 2006

**TO:** Chair and Members of Planning and Development Committee  
Meeting Date: June 26, 2006

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

**SUBJECT:** **Information Report**  
**Official Plan Amendment and Rezoning Applications**  
**To permit a Wal Mart Store with an accessory automobile**  
**repair garage and to expand the area to which retail and**  
**service commercial uses apply**  
**800 Matheson Boulevard**  
**West of Mavis Road between Plymouth Drive and**  
**Matheson Boulevard West**  
**Owners: Orlando Corporation**  
**Applicant: Goldberg Group**  
**Bill 20**

**Public Meeting** **Ward 6**

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**RECOMMENDATION:** That the Report dated June 6, 2006, from the Commissioner of Planning and Building regarding the applications to amend the Official Plan from "Business Employment" to "General Commercial" and to change the Zoning from "M1-2528" (Industrial) and "DC-2683" to "DC - Special Section" (District Commercial) to permit retail and service commercial uses including a department store (Wal Mart) with accessory automobile repair garage under file OZ 05/013 W6, Orlando Corporation, 800 Matheson Boulevard West, be received for information.

**BACKGROUND:**

In addition to the Wal Mart store, the applicant has also requested other retail and service commercial uses (see Appendix I-7) that are currently permitted on other lands in the Heartland Centre in order to provide flexibility for future uses and tenants.

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

**COMMENTS:**

Details of the proposal are as follows:

The proposal is to develop the subject lands for a department store with accessory automobile repair garage.

<b>Development Proposal</b>	
Complete Applications Submitted:	June 20, 2005
Total Gross Floor Area:	20 061 m <sup>2</sup> (215,941 sq. ft.)
Minimum Landscaped Width:	9.0 m (29.5 ft.) along Matheson Boulevard West; 3.0 m (9.8 ft.) along Plymouth Drive
Proposed Building Setback:	45 m (148 ft.) from Matheson Boulevard West; 15 m (49 ft.) from Plymouth Drive
Parking Required:	5.4 spaces/100 m <sup>2</sup> (5.4 spaces/1076 sq. ft.) 1084 spaces
Parking Provided:	1054 spaces
Supporting Documents:	Planning Justification Report Archaeological Assessment Report Traffic Study Environmental Noise Analysis

<b>Site Characteristics</b>	
Frontage:	232.5 m (763 ft.) on Plymouth Drive; 211.5 m (694 ft.) on Matheson Boulevard West
Gross Lot Area:	6.6 ha (16.3 ac.)
Existing Use:	Parcel 1 - Vacant Parcel 2 – Vacant (westerly part); Parking Area (easterly part)

Additional information is provided in Appendices I-1 to I-8.

### **Neighbourhood Context**

The subject lands are located in the Heartland Centre which generally consists of mixed retail and service commercial uses, retail warehouses and automobile sales and services uses. There are no special features or topographical irregularities on the property.

Information regarding the history of the site may be found in Appendix I-1.

The surrounding land uses are described as follows:

- North: Across Plymouth Drive the lands fronting onto Latimer Drive are vacant and proposed for retail and service commercial uses and automobile body shop subject to Official Plan Amendment and Rezoning Applications under file OZ 05/033 W6, Orlando Corporation. Adjacent to Mavis Road are commercial uses and the tenants include Staples Business Depot, Future Shop and Krispy Kreme.
- East: Retail and service commercial uses and the tenants include the Bank of Montreal, Compusmart, Baton Rouge restaurant and A & W fast food restaurant.
- South: Across Matheson Boulevard West is a commercial plaza and semi-detached dwellings.
- West: Vacant lands which are designated - "Business Employment".



### **Current Mississauga Plan Designation and Policies for the East Credit District (May 5, 2003)**

Parcel 1: "**Business Employment**", which permits industrial uses, including manufacturing, assembling, processing, fabricating, research and development, sales and service, warehousing, distribution and wholesaling; uses accessory to the permitted uses; outdoor storage and display areas to the permitted uses; offices; community uses; entertainment, recreation and sports facilities; broadcasting, communication, and utility rights-of-way; hotels, motels and conference centres; financial institutions; all types of restaurants including banquet halls and motor vehicle rental facilities. The East Credit District Policies of Mississauga Plan does not permit waste processing or transfer stations and composting facilities; trucking terminals and transportation depots; motor vehicle body repair facilities; and motor vehicle repair garages.

Parcel 2: To remain "**General Commercial**" which permits commercial uses generally defined as establishments for the sale of goods and services and refers to development which will be encouraged through infilling to consolidate the potential of these areas and to restrict their linear extension into stable, non-commercial areas.

The application is not in conformity with the Business Employment land use designation as the requested retail and service commercial uses including a department store with accessory auto repair garage, are not permitted uses.

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

Parcel 1: "**General Commercial**" to permit retail and service commercial uses including a department store with accessory automobile repair garage.

### **Existing Zoning**

Parcel 1: "**M1-2528 (Industrial)**", which permits various industrial related uses such as manufacturing within enclosed buildings, storage warehouses and research establishments.

Parcel 2: **"DC-2683" (Commercial)** which permits the uses listed in Appendix I-7.

### **Proposed Zoning By-law Amendment**

Parcels 1 and 2: "DC – Special Section" (District Commercial) to permit the uses allowed under the "DC-2683" (District Commercial) zone, attached as Appendix I-7, and to permit an automobile repair garage accessory to a department store (Wal Mart).

### **Draft Mississauga Zoning By-law**

A new Draft Zoning By-law has been prepared and was presented at a public meeting of the Planning and Development Committee on January 9, 2006. Under this Draft Zoning By-law, Parcel 1 is proposed to be zoned "E2-56" (Employment). The zoning for Parcel 2 is proposed to be zoned "C3-28" (General Commercial).

The proposed "E2-56" (Employment) zone for Parcel 1 is consistent with the permitted uses and regulations contained within the existing "M1-2528" (Industrial) zone. The proposed "C3-28" (General Commercial) zone for Parcel 2 is consistent with the permitted uses and regulations contained within the existing "DC-2683" (District Commercial) zone. Should the applications be approved a new "C3-Exception" (General Commercial) zone would be required to reflect the site specific provisions sought through these applications.

### **COMMUNITY ISSUES**

A community meeting was held on May 31, 2006, which was attended by the Ward Councillor, representatives from the Orlando Corporation and Wal Mart, the applicant and consultants and staff from the Planning and Building and the Transportation and Works Departments. Approximately 15 residents attended the meeting and although comments were made that an industrial building may be preferred, the residents were generally satisfied with the proposed Wal Mart department store and the concept plan that was displayed at the meeting. However, the residents expressed concern regarding the following:

- truck traffic on Matheson Boulevard West between Mavis Road and Terry Fox Way is too high;
- trucks park on Matheson Boulevard West for an extended period and often remain parked overnight;
- Heatherleigh Avenue is being used as an alternate cut through road in lieu of Mavis Road and Terry Fox Way;
- there are no stop signs on Matheson Boulevard West between Mavis Road and Terry Fox Way to control traffic;
- car traffic will increase on Matheson Boulevard West and Heatherleigh Avenue as a result of the Wal Mart store;
- cut through traffic on Heatherleigh Avenue will increase as a result of the proposed development;
- Heatherleigh Avenue will be used for overflow on-street parking during peak shopping seasons by Wal Mart customers;
- the delivery trucks located in the loading spaces on the west side of the proposed building will idle and generate noise and that there will be merchandise delivery during the late evening hours; and
- the applicant's traffic study does not include a detailed traffic analysis on Heatherleigh Avenue.

## **DEVELOPMENT ISSUES**

Agency comments are summarized in Appendix I-5. Based on the comments received and the applicable Mississauga Plan Policies, a review will be carried out prior to the completion of the Supplementary Report. The following additional information will also be required from the applicant prior to the completion of the Supplementary Report:

- an updated noise report to address outstanding comments related to access and location of the loading area;
- a parking utilization study to justify shortfall in parking;
- a minimum 15 m (49 ft.) landscaped area along the north side of Matheson Boulevard West, similar to lands to the west and the extent of landscaped area to be provided on the south side of Plymouth Drive; and
- the location, dimensions and type of any easements.

## **OTHER INFORMATION**

### **Concept Plan**

In support of the applications, a concept plan has been submitted showing the location of the proposed building, parking area, access driveways and landscaped area.

### **Development Requirements**

In conjunction with the proposed development, there are certain other engineering matters such as road improvements, boulevard improvements/reinstatement and utility relocation, which, if necessary, 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 outstanding issues are addressed, the Planning and Building Department will be in a position to make a recommendation regarding these applications.

### **ATTACHMENTS:**

Appendix I-1 - Site History  
Appendix I-2 - Excerpt of East Credit District Land Use Map  
Appendix I-3 - Excerpt of Existing Land Use Map  
Appendix I-4 - Aerial Photograph  
Appendix I-5 - Agency Comments  
Appendix I-6 - Concept Plan

Appendix I-7 - Permitted Uses in the "DC-2683" zone  
Appendix I-8 - General Context Map

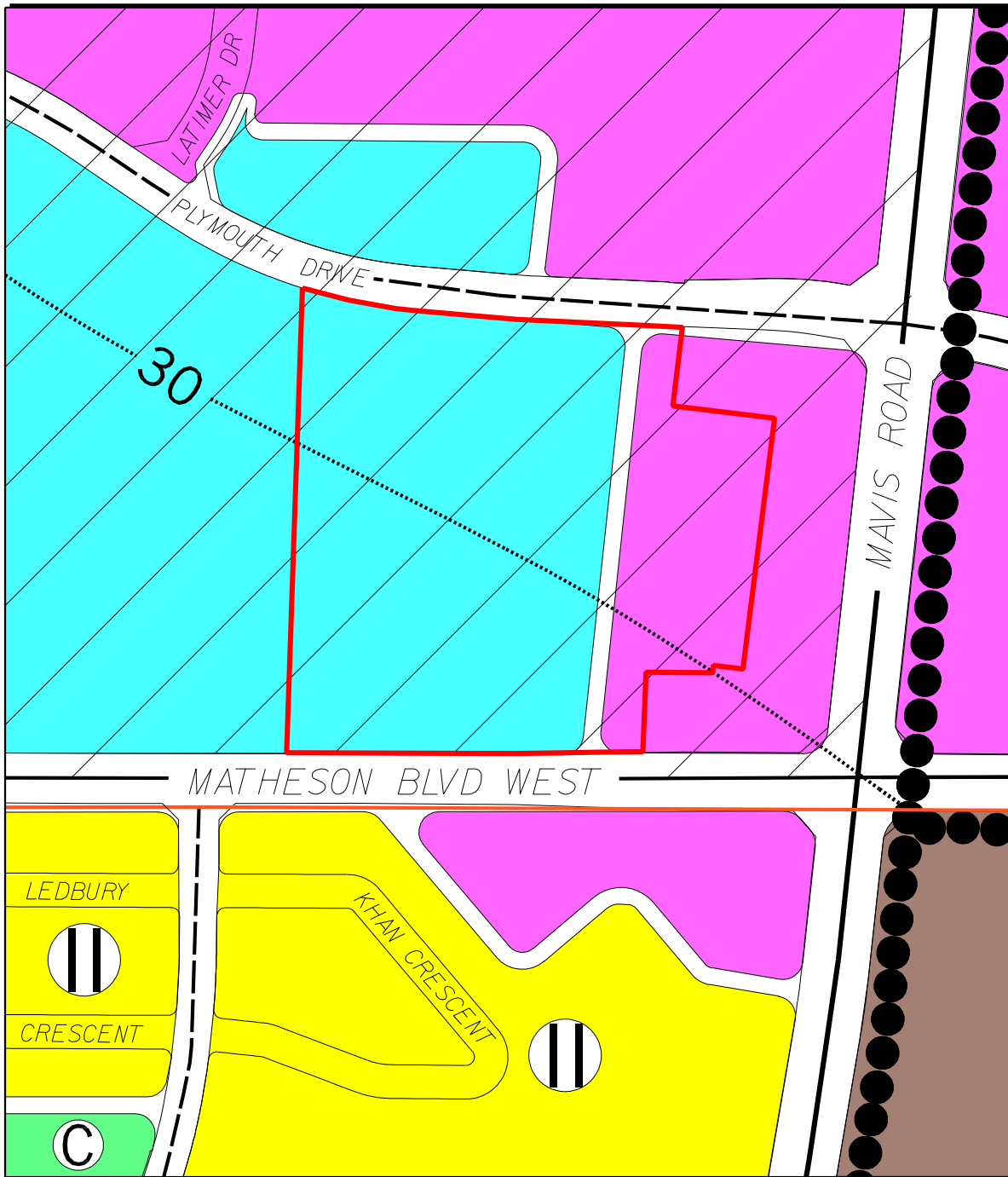
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Edward R. Sajecki  
Commissioner of Planning and Building

Prepared by: Haig Yeghouchian, Planner, Development and  
Design Division

**Site History**

- June 28, 2000 – Council approved the East Credit District Policies of City Plan, which designated Parcel 1 as "Business Employment".
- May 9, 2001 – Council passed Zoning By-law 0239-2001 which rezoned Parcel 1 from "A" (Agricultural) to M1-2528 (Industrial) in accordance with rezoning application OZ 00/061 W6. Council also approved Official Plan Amendment and Rezoning applications under file OZ 99/072 W5/W6, which among other things amended the land use designation of Parcel 2 from "General Industrial" to "Special Purpose Commercial – Special Site" and changed the zoning from "A" (Agricultural) to "DC – Special Section" (District Commercial).
- June 13, 2001 – Council passed Zoning By-law 0287-2001 which rezoned Parcel 2 and other lands to DC-2543" (District Commercial) to permit retail commercial uses in accordance with application OZ 99/072 W5/W6.
- May 5, 2003 – Mississauga Plan with the exception of certain policies that were appealed to the Ontario Municipal Board came into full force and effect.
- September 15, 2004 – Council passed Zoning By-law 0399-2004 which rezoned Parcel 2 and other lands to DC-2683" (District Commercial) to permit retail commercial uses in accordance with application OZ 03/041 W5/W6.



**PART OF EAST CREDIT DISTRICT LAND USE MAP  
EAST CREDIT DISTRICT POLICIES OF MISSISSAUGA PLAN**

**LAND USE DESIGNATIONS**

- Residential – Low Density I
- Residential – Low Density II
- Residential – Medium Density I
- Residential – High Density I
- General Commercial
- Convenience Commercial
- Motor Vehicle Commercial
- Business Employment
- Open Space
- Private Open Space
- Greenbelt
- Parkway Belt West

**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.

**TRANSPORTATION LEGEND**

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

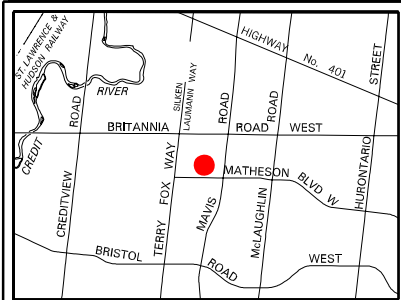
**LAND USE LEGEND**

- LBPIA Operating Area Boundary – See Aircraft Noise Policies
- Area Exempt From LBPIA Operating Area
- Community Park
- Community Centre
- Cemetery
- Golf Course
- Existing Stormwater Management Facility
- 1996 NEP/NEF Composite Noise Contours
- Planning District

**SUBJECT LANDS**



**SUBJECT: ORLANDO CORPORATION**



**FILE NO:**  
OPA/OZ 05013 W6

**DWG. NO:**  
OPA05013LM

**SCALE:**  
NTS

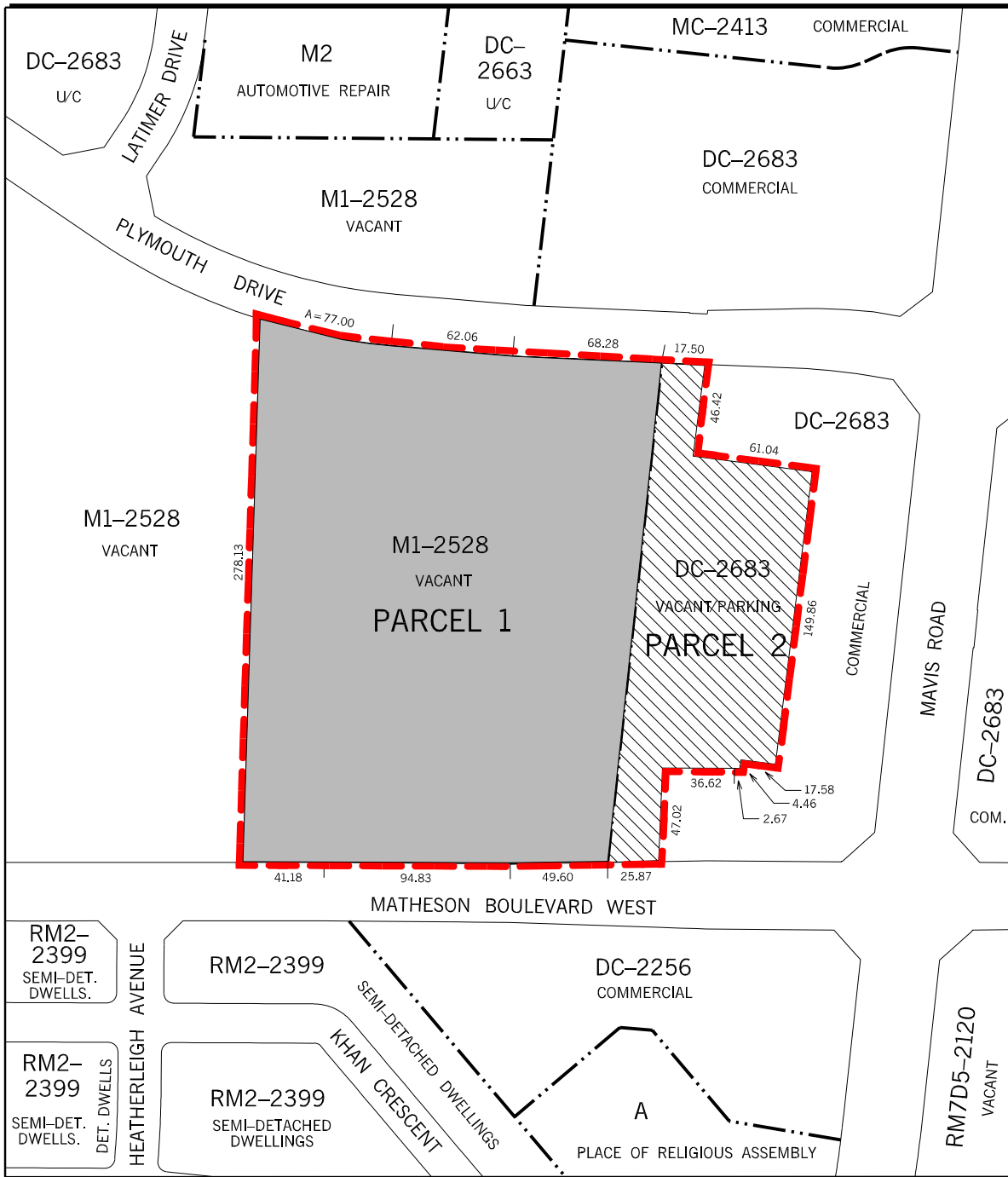
**PDC DATE:**  
2006 06 26

**DRAWN BY:**  
W. FINLAY


**APPENDIX I-2**


**MISSISSAUGA**  
Planning and Building

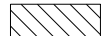
*Produced by*  
**T&W, LIS**




**LEGEND:**

 **SUBJECT LANDS**

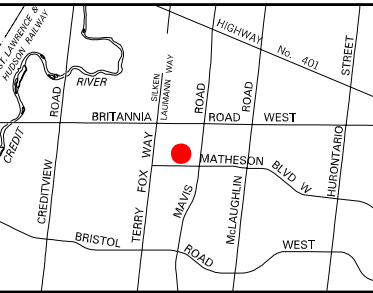

 **PROPOSED OFFICIAL PLAN AMENDMENT FROM "BUSINESS EMPLOYMENT" TO "GENERAL COMMERCIAL" AND PROPOSED REZONING FROM "M1-2528" (INDUSTRIAL) TO "DC-SPECIAL SECTION" (COMMERCIAL) TO PERMIT A WAL MART STORE WITH AN ACCESSORY AUTOMOBILE REPAIR GARAGE AND TO EXPAND THE AREA TO WHICH RETAIL AND SERVICE COMMERCIAL USES APPLY.**

 **PROPOSED REZONING FROM "DC-2683" TO "DC-SPECIAL SECTION" (COMMERCIAL) TO PERMIT A WAL MART STORE WITH AN ACCESSORY AUTOMOBILE REPAIR GARAGE.**

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



**SUBJECT: ORLANDO CORPORATION**

	<b>FILE NO:</b> OZ 05013 W6
	<b>DWG. NO:</b> 05013R
	<b>SCALE:</b> 1:3000
	<b>PDC DATE:</b> 2006 06 26
	<b>DRAWN BY:</b> W. FINLAY
 <b>Produced by</b> T&W, LIS	
<b>APPENDIX 1-3</b>	





**LEGEND:**



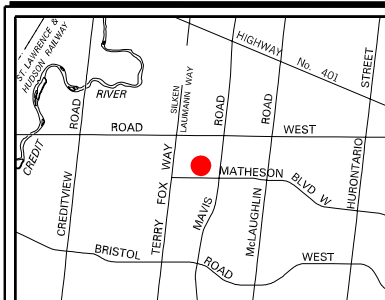
**SUBJECT LANDS**

**DATE OF AERIAL PHOTO: MARCH 2005**



**SUBJECT:**

**ORLANDO CORPORATION**



**FILE NO:**  
OPA/OZ 05013 W6  
**DWG. NO:**  
V8OPA05013A  
**SCALE:**  
1:3000  
**PDC DATE:**  
2006 06 26  
**DRAWN BY:**  
W. FINLAY

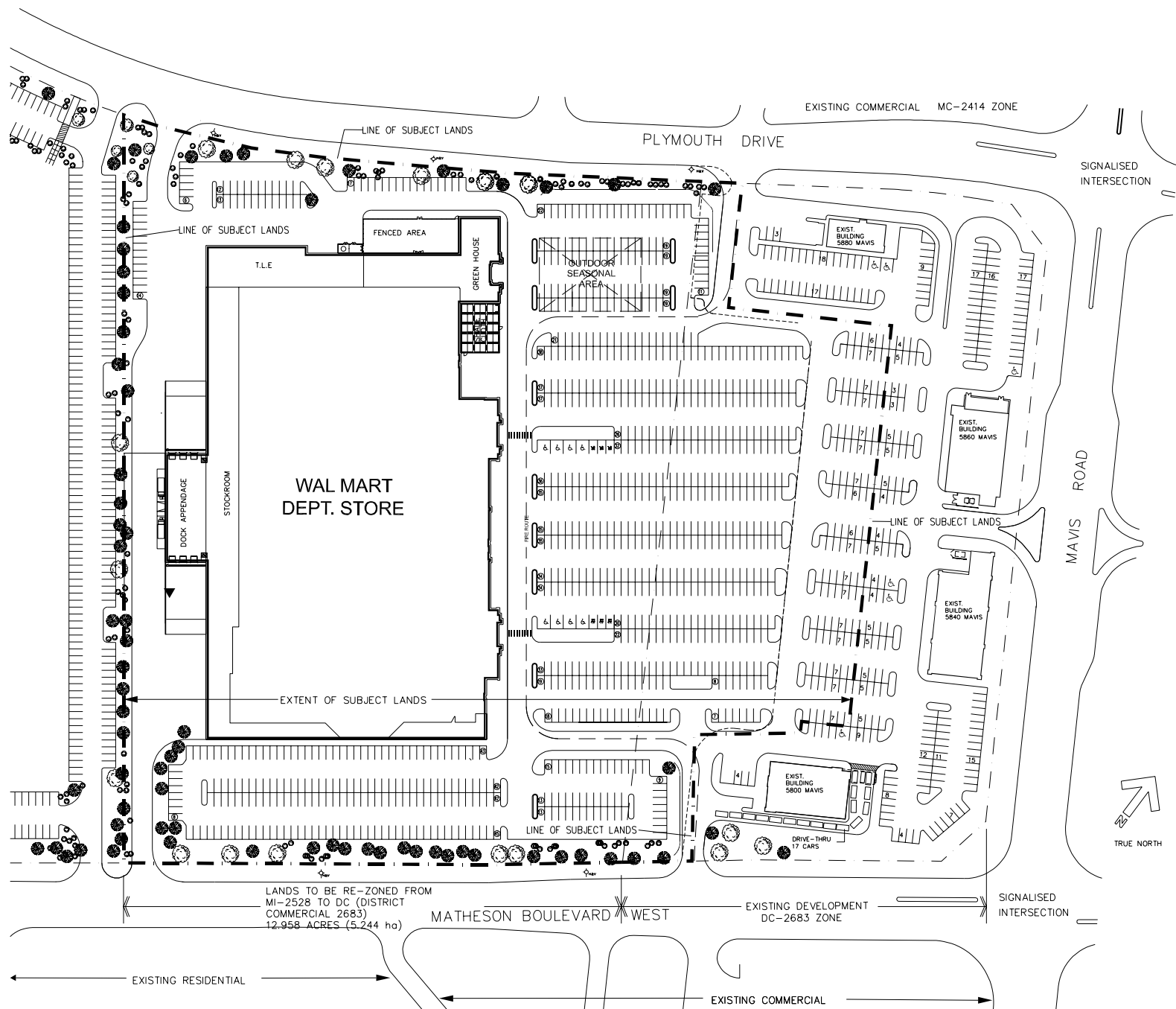
**APPENDIX I-4**

**Agency Comments**

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

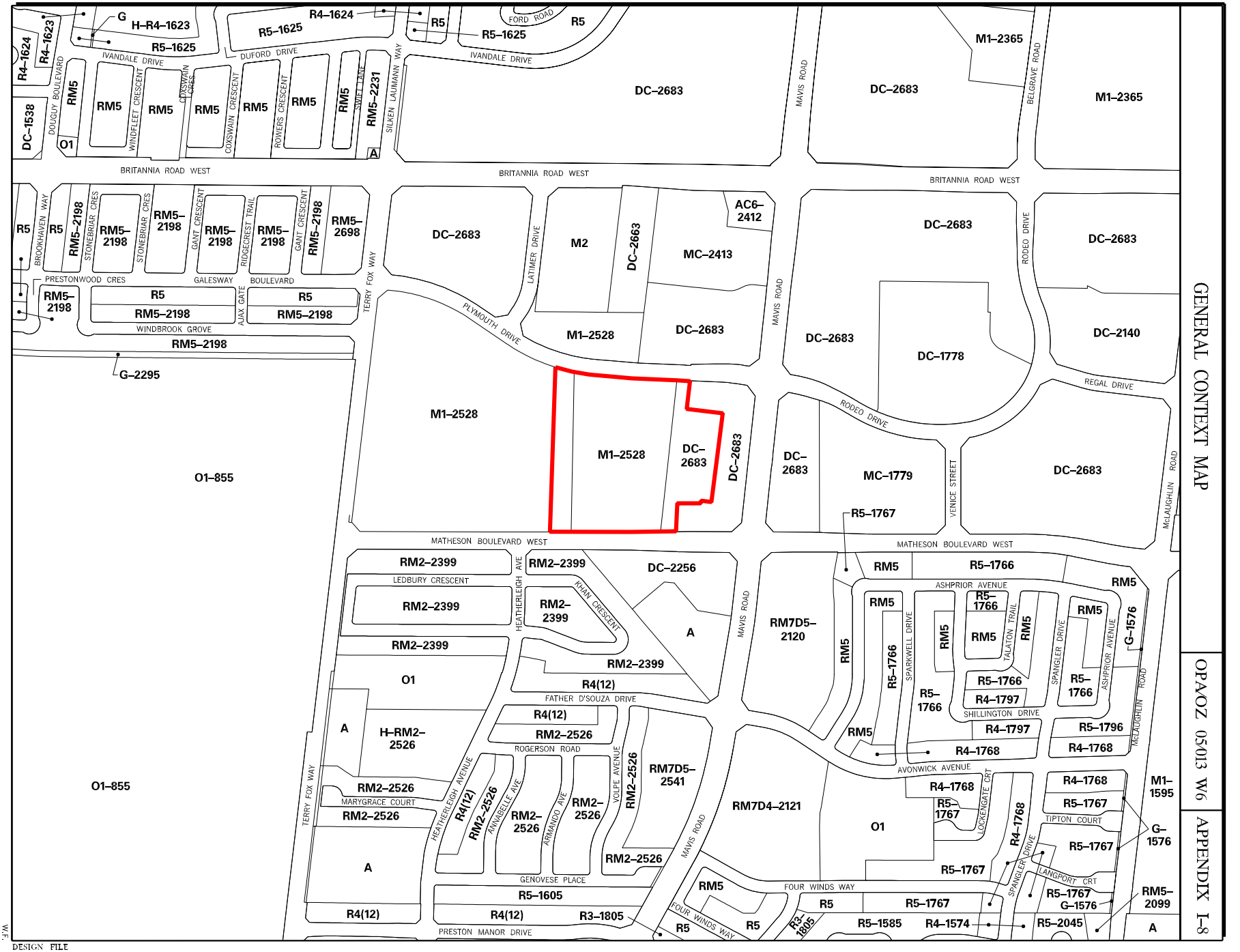
<b>Agency / Comment Date</b>	<b>Comment</b>
Region of Peel (July 14, 2005) (April 24, 2006)	<p>Municipal services consist of a 300 mm (11.8 in.) diameter watermain and a 250 mm (9.8 in.) diameter sanitary sewer on Plymouth Drive and Matheson Boulevard West.</p> <p>There is an existing easement running through the subject land which must be kept clear of buildings, structures or obstructions. The permitted uses on the easement are lawn, flower bed, roadway, driveway or parking area which cannot be paved with a hard concrete surface.</p> <p>On-site waste collection will be required through private waste haulage. The property is in the vicinity of the Britannia Sanitary Landfill which has been closed since June 29, 2002. The site is currently undergoing rehabilitation in sections that are closed.</p>
City Community Services Department – Planning and Administration Division. (July 18, 2005) (March 16, 2006)	Prior to the issuance of building permits for each lot or block, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with City's Policies and By-laws.
City Transportation and Works Department (September 7, 2005) (May 16, 2006)	A supporting Traffic Impact Study has been submitted which is currently under review by staff. Prior to the preparation of the Supplementary Report, the applicant is to provide an updated Noise Impact Study for review. Comments on the above items will be finalized prior to the Supplementary Report.
Greater Toronto Airport Authority (July 14, 2005) (March 29, 2006)	Development elevations on the subject property are affected by the Approach Surface for Runway 06L and the Approach Surface for Runway 06R. The maximum allowable development elevation under the greater restriction (Approach Surface for Runway 06R) ranges from approximately 318 m (1043 ft.) A.S.L. (Above Sea Level) at the eastern boundary to approximately 322 m (1,056 ft.) A.S.L. at the western boundary.
Bell Canada (July 19, 2005) (May 16, 2006)	An easement may be required to service the subject property when detailed drawings are reviewed during the site plan approval process.
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>City Economic Development Office</p>

Agency / Comment Date	Comment
	<p>Community Services Department – Fire and Emergency Services Division Enersource Hydro Mississauga Canada Post Enbridge Gas Rogers Cable</p> <p>The following City Department and external agency were circulated the applications but provided no comments: Community Services Department – Realty Services Division Hydro One</p>



**Permitted Uses under DC-2683 Zone**

1. art or antique shop;
2. bakery goods shop;
3. bank, financial institution or money lending agency;
4. barber shop or beauty parlour;
5. blueprinting establishment;
6. business, professional or administrative office;
7. place or religious assembly;
8. clothes or furniture cleaning agency or pressing establishment;
9. private club;
10. commercial school;
11. dressmaking or tailoring establishment;
12. diaper supply service;
13. drugstore;
14. food store;
15. garage for storage of commercial or private vehicles incidental to use of premises;
16. locker establishment for cold storage;
17. laundromat;
18. library;
19. motor vehicle sales room;
20. newspaper office, but not a newspaper printing establishment;
21. parking lot;
22. pharmaceutical agency or dispensing druggist;
23. restaurant;
24. show repair shop;
25. shop in which goods are sold at retail;
26. taxi business office;
27. upholstering and furniture repairing in connection with a retail store;
28. shop in which household pets are sold at retail;
29. take-out restaurant;
30. convenience store;
31. video store;
32. tanning salon;
33. convenience restaurant;
34. funeral establishment;
35. automobile retail store, which may include an accessory thereto an automobile repair garage;
36. motor vehicle sales centre;
37. garden centre;
38. equipment rental;
39. retail warehouse;
40. outdoor patio accessory to a restaurant or a convenience restaurant;
41. entertainment, recreation and sports-facilities, including but not limited to a cinema or theatre, billiard hall, bowling alley, batting cage, miniature golf, arena, curling rink, or a stadium, provided that any such facilities are located within a building or structure.



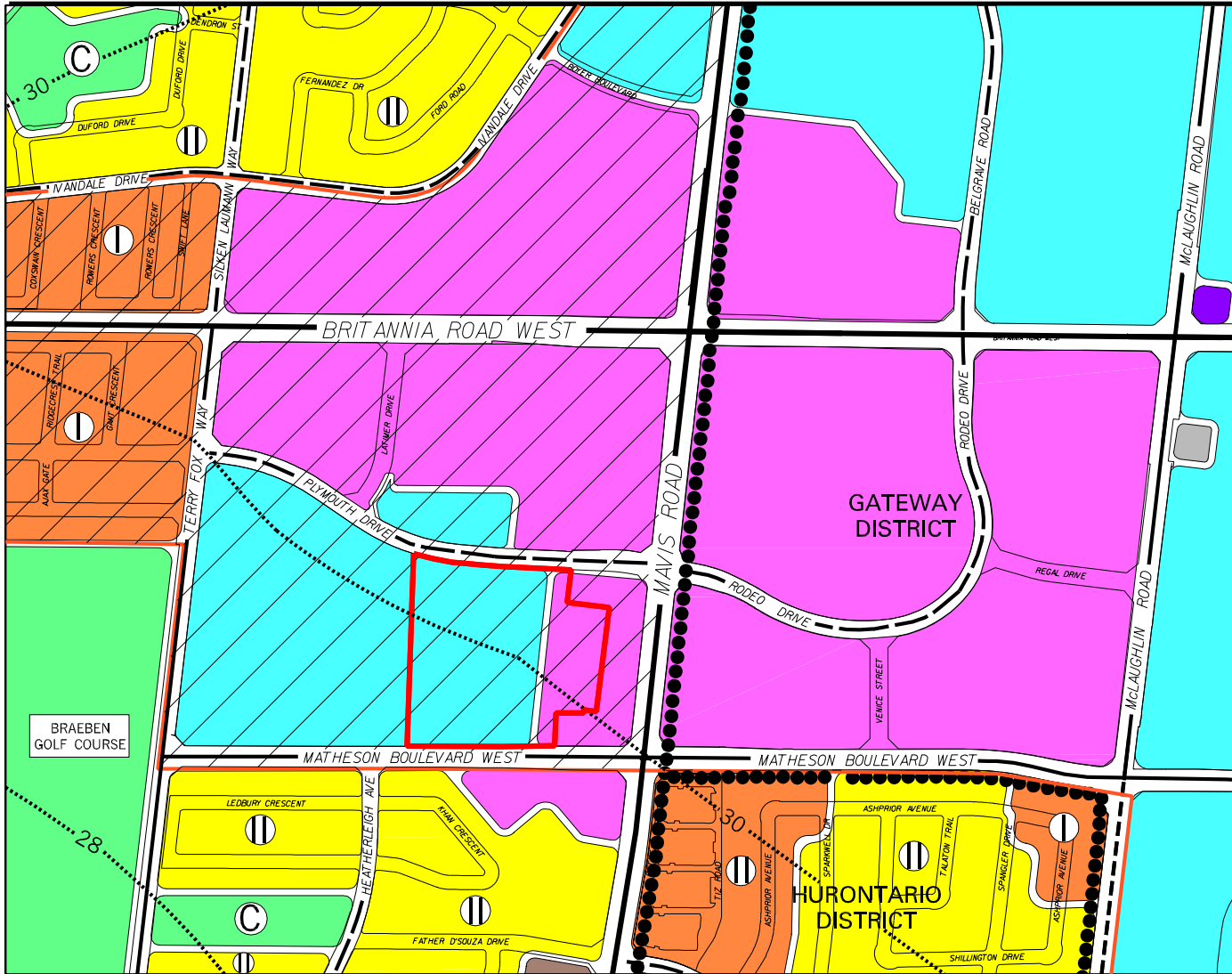
**Orlando Corporation**

**File: OZ 05/013 W6**

**June 26, 2006 PDC Recommendation as adopted by Council on July 5, 2006**

PDC-0070-2006      That the Report dated June 6, 2006, from the Commissioner of Planning and Building regarding the applications to amend the Official Plan from "Business Employment" to "General Commercial" and to change the Zoning from "M1-2528" (Industrial) and "DC-2683" to "DC - Special Section" (District Commercial) to permit retail and service commercial uses including a department store (Wal Mart) with accessory automobile repair garage under file OZ 05/013 W6, Orlando Corporation, 800 Matheson Boulevard West, be received for information.



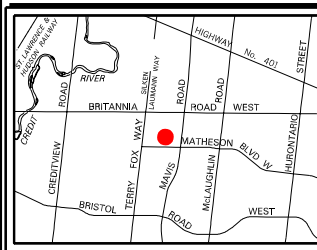


**PART OF EAST CREDIT DISTRICT LAND USE MAP**  
**EAST CREDIT DISTRICT POLICIES OF MISSISSAUGA PLAN**

- LAND USE DESIGNATIONS**
- Residential - Low Density I
  - Residential - Low Density II
  - Residential - Medium Density I
  - Residential - High Density I
  - General Commercial
  - Convenience Commercial
  - Motor Vehicle Commercial
  - Business Employment
  - Open Space
  - Private Open Space
  - Greenbelt
  - Parkway Belt West
- TRANSPORTATION LEGEND**
- Provincial Highway and Interchange
  - Arterial
  - Major Collector
  - Major Collector (Scenic Route)
  - Minor Collector
  - Local Road
  - Existing Commuter Rail
  - GO Transit Station
  - Transitway
  - Transitway Station
  - Major Transit Corridor
- LAND USE LEGEND**
- LBPIA Operating Area Boundary - See Aircraft Noise Policies
  - Area Exempt From LBPIA Operating Area
  - C - Community Park
  - Com - Community Centre
  - Cem - Cemetery
  - G - Golf Course
  - Existing Stormwater Management Facility
  - 1996 NEP2000 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 this 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: ORLANDO CORPORATION**



**FILE NO:**  
OZ 05013 W6

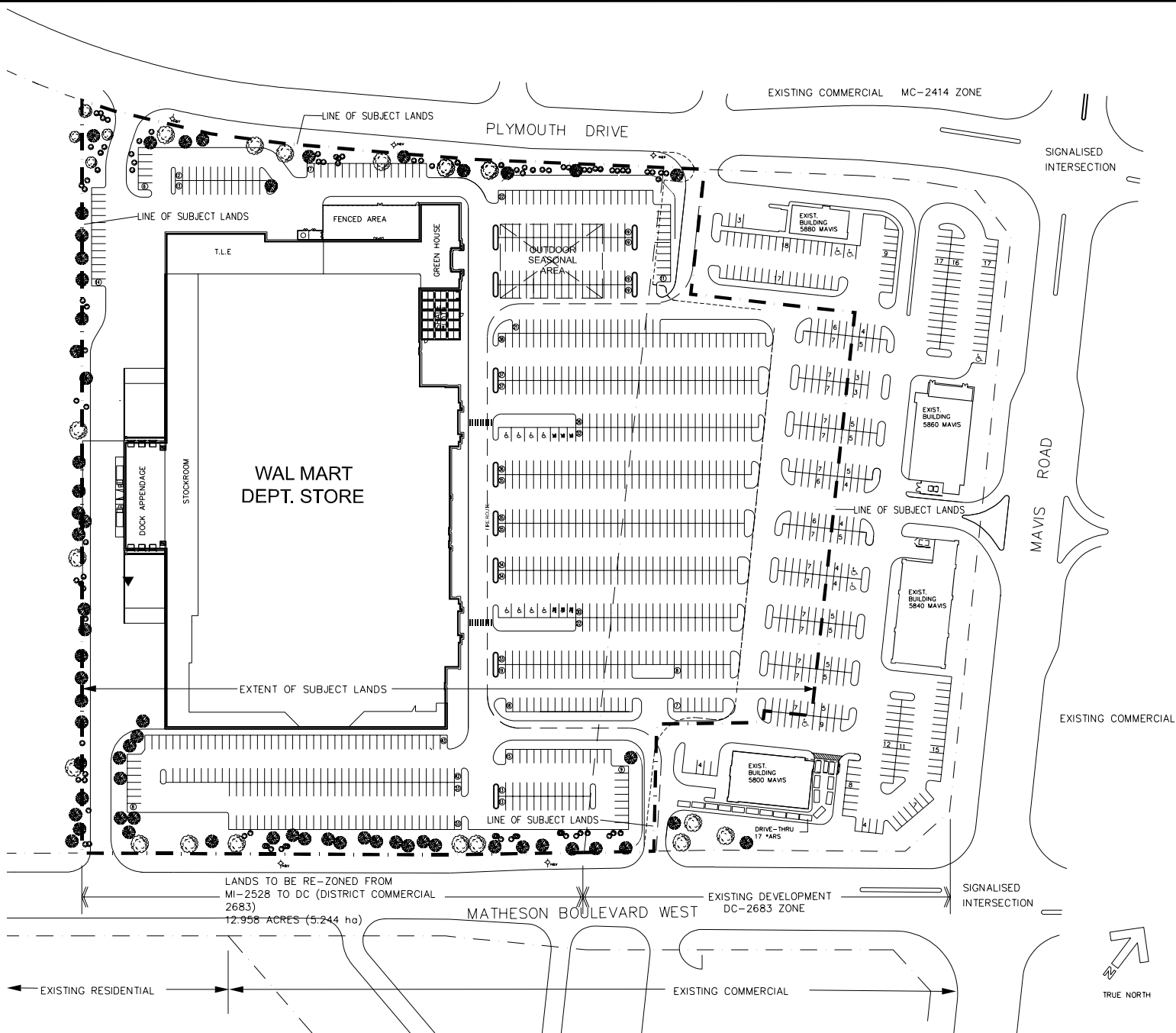
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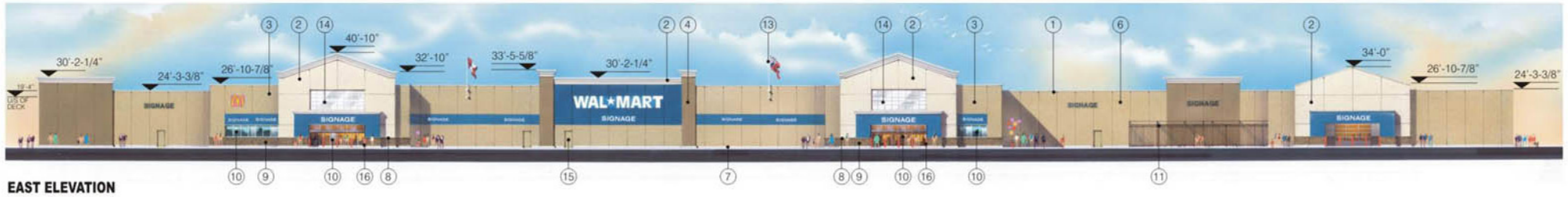
**SCALE:**  
NTS

**PDC DATE:**  
2006 12 05

**DRAWN BY:**  
W. FINLAY







- LEGEND:**
- 1- PREFINISHED METAL FLASHING - VW.6162 - ANTIQUE LINEN
  - 2- E.I.F.S. - SW.0046 - WHITE MYACINTH
  - 3- E.I.F.S. - SW.6122 - CAMELBACK
  - 4- E.I.F.S. - SW.6102 - PORTABELLO
  - 5- E.I.F.S. - SW.1504 - NOBILITY BLUE
  - 6- INSULATED PRECAST CONCRETE PANEL
  - 7- CONCRETE CURB
  - 8- PRECAST CONCRETE SILL
  - 9- ARCHITECTURAL SPLIT FACE CONCRETE BLOCKS - SW.6102
  - 10- GLAZING IN CLEAR ANODIZED ALUMINUM FRAME
  - 11- DECORATIVE METAL FENCE - BROWN
  - 12- CHAIN-LINK FENCE
  - 13- FLAG POLE
  - 14- STRUCTURALLY REINFORCED TRANSLUCENT PANEL
  - 15- HOLLOW METAL DOOR - PAINTED
  - 16- PAINTED PIPE BOLLARD

Orlando Corporation

File: OZ 05/013 W6

**Proposed Zoning Standards**

The following standards be introduced for the "DC-Special Section" (District Commercial) zone.

- (a) the following provisions of By-law 5500, as amended not apply;
  - section 21 which requires a minimum centre line setback;
  - section 53 respecting corner lots abutting residential zones;
  - Section 58 respecting usage of lands for a service station or garage;
  - Section 59A respecting distance separation between restaurants and residential uses;
  - section 84 respecting restrictions on shopping centres on a lot of 0.8 ha (1.9 acres) or more;
  - section 87 respecting general standards for shopping centre development including various setbacks; and
  - subsection 20(1) respecting barriers between parking lots and adjacent uses.
- (b) definitions to be added for the following uses: department store; interior mall; mixed use development and motor vehicle sales centre;
- (c) maximum gross floor area of 20 099 m<sup>2</sup> (216,351 sq. ft.);
- (d) minimum building setback of 45 m (148 ft.) from Matheson Boulevard West and 15 m (49 ft.) from Plymouth Drive;
- (e) minimum of 8.2 m (26.9 ft.) wide landscaped area along Matheson Boulevard West except for the portion across the existing residential uses on the south side of the Boulevard where a minimum of 15 m (49.2 ft.) is required;
- (f) a minimum of 2.8 m (9.2 ft.) wide landscaped area along Plymouth Drive;
- (g) a provision that minimum parking shall be based on 5.4 spaces per 100 m<sup>2</sup> (1,076 sq. ft.);
- (h) the addition of a provision that would allow the subject lands to use the excess parking on the adjoining lands to the east zoned as "DC-2683" (District Commercial);
- (i) the addition of provisions respecting the location and height of the outdoor display and sales of materials; and
- (j) the addition of provisions respecting motor vehicle parking requirements specific to retail-warehouses, accessory automotive repair garages, all forms of restaurants, and garden centres, in addition to arrangements for shared parking arrangements for a mixed use development (percent of peak period).