



Corporate Report

Clerk's Files

Originator's
Files OZ 07/002 W 10

DATE: May 24, 2007

TO: Chair and Members of Planning and Development Committee
Meeting Date: June 11, 2007

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Information Report**
Official Plan Amendment and Rezoning
To permit retail and service commercial uses
5530 Winston Churchill Boulevard
Southwest corner of Winston Churchill Boulevard and the
future extension of Thomas Street
Owner: 695658 Ontario Limited
Applicant: Freeman Planning Solutions
Bill 51

Public Meeting **Ward 10**

RECOMMENDATION: That the Report dated May 24, 2007, from the Commissioner of Planning and Building regarding the applications to amend the Official Plan from "Convenience Commercial" to "General Commercial" and to change the Zoning from "A" (Agricultural) to "DC-Special Section" to permit retail and service commercial uses under file OZ 07/002 W10, 695658 Ontario Limited, 5530 Winston Churchill Boulevard, southwest corner of Winston Churchill Boulevard and the future extension of Thomas Street be received for information.

BACKGROUND:

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

COMMENTS:

Details of the proposal are as follows:

Development Proposal	
Complete applications submitted:	March 7, 2007
Proposed Gross Floor Area:	3 089 m ² (33,250 sq. ft.)
Height:	1 storey
Lot Coverage:	28.5 %
Landscaped Area:	25.5 %
Parking Required:	167 spaces 5.4 spaces per 100 m ² gfa.
Parking Provided:	170 spaces
Supporting Documents:	Planning Justification Letter

Site Characteristics	
Frontage:	131 m (430 ft.) on Winston Churchill Boulevard 85 m (279 ft.) on Thomas Street
Depth:	100 m (328 ft.)
Net Lot Area:	1.08 ha (2.68 ac.)
Existing Use:	Agricultural use

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

Neighbourhood Context

The subject property is located in the Churchill Meadows Planning District which is a residential community with ancillary commercial and community uses. The lands are currently vacant

and are used for agricultural purposes. Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are described as follows:

- North: Vacant lands subject to an application for back-to-back townhouses, stacked townhouses and apartments, and a motor vehicle commercial use under files T-M94034 W10 and OZ 055/95 W10.
- East: Detached dwellings and a motor vehicle commercial use.
- South: Vacant lands subject to an application for a range of residential and open space uses under files T-M07001 W10 and OZ 07/003 W10.
- West: Vacant lands subject to an application for back-to-back townhouses, stacked townhouses and apartments under files T-M07001 W10 and OZ 07/003 W10.

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

"Convenience Commercial" which permits a range of retail and service commercial uses up to a maximum gross floor area of 2 000 m² (21,528 ft²).

The applications are not in conformity with the Official Plan because the proposal exceeds the gross floor area limits set out in the "Convenience Commercial" land use designation.

There are other policies in the Official Plan which also are applicable in the review of these applications, including:

The urban design policies of the Churchill Meadows District which identify the subject lands as being within "Community Focus (Character Area 1)". Commercial sites in this defined area should discourage parking and loading areas at the intersection of two streets in favour of built form. The concept plan submitted with these applications is not in conformity with this District Plan policy. The applicant will be required to revise the concept plan to be in compliance with the District Plan policies. The Commercial and Urban Design policies of Mississauga Plan will also be utilized in the evaluation of the proposal.

Criteria for Site Specific Official Plan Amendments

Section 5.3.2 of Mississauga Plan contains criteria to evaluate Official Plan Amendments to demonstrate the rationale for the proposed amendment as follows:

- the proposal would not adversely impact or destabilize the following: the overall intent, goals and objectives of the Official Plan; and the development and functioning of the remaining lands which have the same designation, or neighbouring lands;
- the proposed land use is suitable for the proposed uses, and compatible with existing and future uses of surrounding lands;
- there is adequate infrastructure and community services to support the proposed development.

Proposed Official Plan Designation and Policies

“General Commercial” which permits a range of retail and service commercial uses with a maximum gross floor area of 3 089 m² (33,250 ft²). While motor vehicle sales and motor vehicle commercial uses are permitted within the General Commercial land use designation, the applicant has indicated that these uses are not being requested.

Existing Zoning

"A" (Agricultural), which permits agricultural uses.

Proposed Zoning By-law Amendment

"DC – Special Section" (District Commercial), to permit a range of retail and service commercial uses outlined in Appendix I-7, page 1. The applicant has not requested any relief from the standard setback or parking provisions for the “DC-Special Section” zone. However, the 60 m (197 ft.) minimum separation distance between restaurant uses and residential lands has been requested to not apply to this site.

Draft Mississauga Zoning By-law

A final report on the new draft Zoning By-law was received by the Planning and Development Committee on April 30, 2007. A further addendum report was adopted by Council on May 23, 2007, with the exception of the Harris Farm. The implementing Zoning By-law is anticipated to be passed by Council on June 20, 2007.

The draft Zoning for this property is "D" (Development) which recognizes existing uses. In the event that the new Zoning By-law is passed by City Council and comes into force and effect, the application would be amended to request the "C3-Exception" zone as outlined in Appendix I-7, page 2.

The timing of the site specific Zoning By-law to permit the proposed development may be affected by the passage of the new Mississauga Zoning By-law. A recommendation will be included in the Supplementary Report to provide the details of the new zoning category in the new Mississauga Zoning By-law.

COMMUNITY ISSUES

No community meetings were held and no written comments were received by the Planning and Building Department. A Notice of Complete Application, as required by the recent Bill 51 amendments to the *Planning Act*, was mailed to the community on April 12, 2007. The following is a summary of issues raised by the Community through discussion with Planning and Building Department staff:

Comment

The owner of a business at the commercial plaza located at Thomas Street and Tenth Line was concerned with competition from the new businesses at the proposed commercial plaza.

Response

The subject lands have been designated for commercial uses since 1997 and are appropriate to meet the needs of the residents. The Planning and Building Department evaluates proposals on the basis of appropriateness of the land use and not on the basis of commercial competition. The applicant's request for an increase in the amount of permitted floor space will be evaluated in the Supplementary Report.

Comment

A resident was concerned that the commercial plaza could include take-out and convenience restaurants with drive-through facilities. The existing problem with litter from fast food restaurants would worsen if this commercial proposal was approved. The resident indicated that a restaurant where patrons are served at their tables would not be a concern.

Response

The applicant has included a concept plan for the proposed commercial plaza which does not illustrate a drive-through facility. However, the zoning request includes a convenience restaurant use which could include a drive-through facility. These concerns will be discussed with the applicant and refinements to the proposed permitted uses and zoning provisions will be outlined in the Supplementary Report.

DEVELOPMENT ISSUES

Agency comments are summarized in Appendix I-6. Based on the comments received and the applicable Mississauga Plan policies, a revised concept plan will be required to address the road cross-sections and access requirements of the Transportation and Works Department.

The revised concept plan must also address urban design concerns with the proposed building and parking layout since the concept plan attached as Appendix I-5 does not conform to the Churchill Meadows District policies.

An acoustic report is also required to address any mitigation measures necessary to ensure compatibility with the adjacent residential uses. The applicant is aware of these staff concerns and has expressed a willingness to work with staff to find an acceptable solution.

OTHER INFORMATION

Churchill Meadows Neighbourhood Concept Plan, Principles and Urban Design Guidelines

On July 16, 1997, City Council endorsed the Churchill Meadows Neighbourhood Concept Plan, Principles and Urban Design Guidelines. This Plan was prepared to provide direction to both the public and private sectors with respect to the design intent of the City for the development of the Churchill Meadows Planning District. It also elaborates on the conceptual land use plan in the Churchill Meadows District Policies and how the document will be used to review development applications.

As part of the Supplementary Report, the Planning and Building Department will evaluate whether the applications comply with these guidelines.

Development Requirements

In conjunction with the proposed development, there are certain other engineering and conservation matters with respect to site access, grading, servicing, pedestrian facilities and acoustic mitigation, which will require the applicant to enter into appropriate agreements with the City and the Region of Peel.

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 these applications.

ATTACHMENTS:

Appendix I-1 - Site History
Appendix I-2 - Aerial Photograph
Appendix I-3 - Excerpt of Churchill Meadows District Land Use
Map
Appendix I-4 - Excerpt of Existing Land Use Map
Appendix I-5 - Concept Plan
Appendix I-6 - Detailed Zoning Provisions
Appendix I-7 - Agency Comments
Appendix I-8 - General Context Map

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Michael Crechiolo, Development Planner

Site History

- Approximately 1900 to Present – The lands have been used for agricultural purposes.
- 1968 – Lands severed from the farm but remained vacant.
- March 1995 – Rezoning application submitted but subsequently withdrawn.
- October 7, 1996 – The Ministry of Municipal Affairs and Housing approved the Churchill Meadows Secondary Plan designating the lands Convenience Commercial.
- July 8, 1997 – Ministry of Municipal Affairs and Housing approved City Plan which re-adopted and re-titled the Churchill Meadows Secondary Plan as the Churchill Meadows District Plan (Amendment 103).
- July 16, 1997 – City Council endorsed the Churchill Meadows Neighbourhood Concept Plan, Principles and Urban Design Guidelines.
- June 23, 2000 – City Council adopted the Churchill Meadows District Policies (Amendment 16).
- May 5, 2003 – Mississauga Plan came into force and effect, except for those policies appealed to the Ontario Municipal Board, designating the subject lands as “Convenience Commercial”.
- May 15, 2006 – A concept plan for the McCracken farm was submitted to City and Region of Peel staff for review. The concept plan showed a potential lot addition to increase the lot area of the proposed commercial block.
- February 26, 2007 – Rezoning application submitted.
- April 27, 2007 – Consent application “B” 033/07 submitted to the Committee of Adjustment to sever lands totaling approximately 2 474 m² (26,631 ft²) from the Dottori property to the south and to add to the lands at 5530 Winston Churchill Boulevard to create a commercial lot with a land area of 1.08 ha. (2.68 ac.). The application is to be heard by the Committee of Adjustment on May 31, 2007.



LEGEND:



SUBJECT LANDS

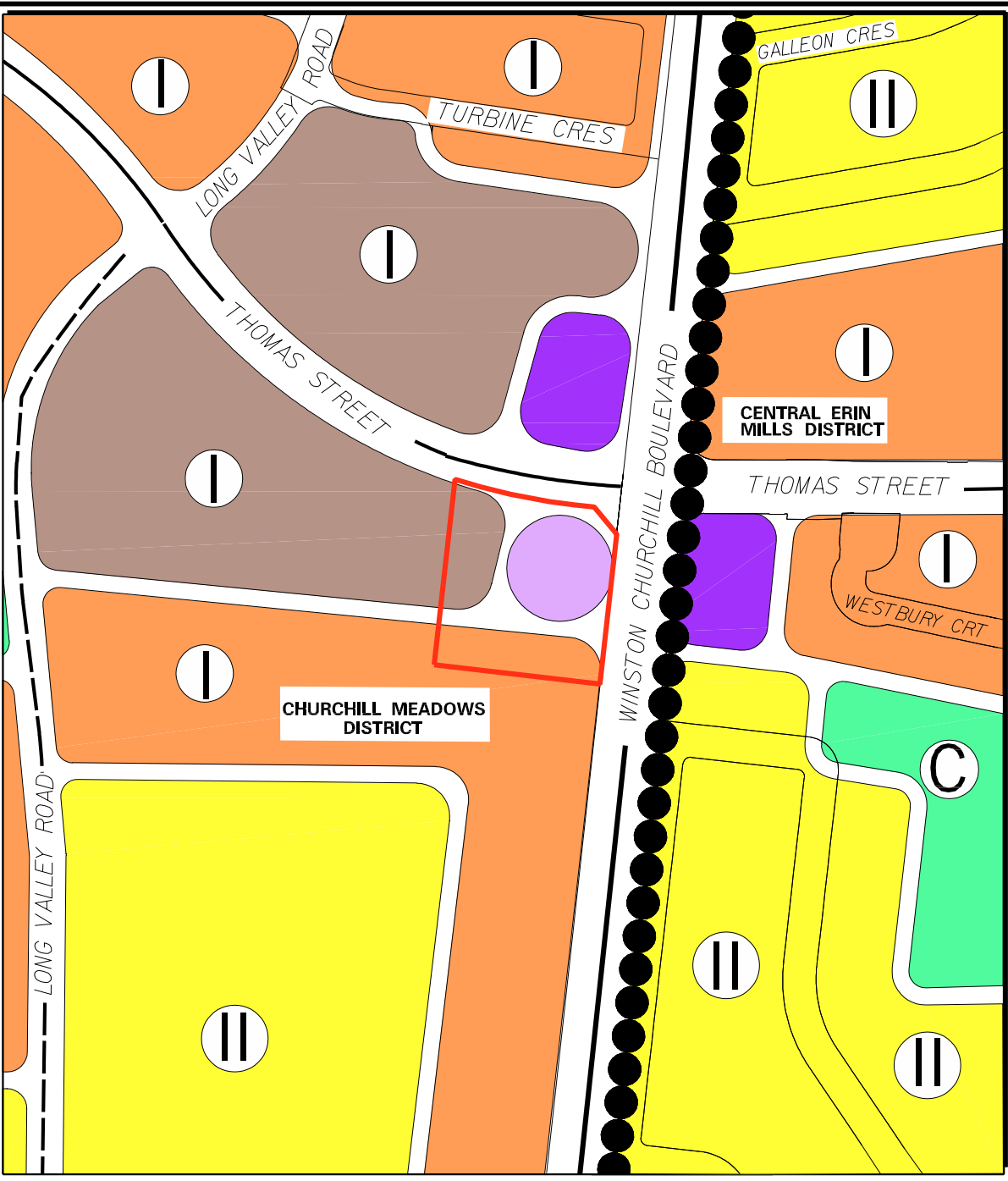
DATE OF AERIAL PHOTO: 2006



SUBJECT: 695658 ONTARIO LIMITED

	FILE NO: OZ 07002 W10
	DWG. NO: 07003A
	SCALE: 1:2500
	PDC DATE: 2007 06 11
	DRAWN BY: R.DICOSOLA

APPENDIX 1-2



**PART OF CHURCHILL MEADOWS DISTRICT LAND USE MAP
CHURCHILL MEADOWS 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
- General Commercial
- Convenience Commercial
- Motor Vehicle Commercial
- Office
- Open Space
- Greenbelt
- Institutional
- Parkway Belt West
- Utility

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

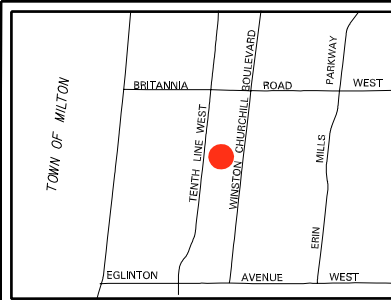
LAND USE LEGEND

- Node Boundary
- Community Park
- Hospital
- Existing Stormwater Management Facility
- Planning District

SUBJECT LANDS



SUBJECT:
695658 ONTARIO LIMITED



FILE NO: OZ 07002 W10	
DWG. NO: 07002L	
SCALE: 1:5000	
PDC DATE: 2007 06 11	APPENDIX 1-3
DRAWN BY: R.DICOSOLA	

MISSISSAUGA
Planning and Building

Produced by
T&W, Geomatics

A
AGRICULTURAL

FUTURE THOMAS STREET EXTENSION

A
AGRICULTURAL

RM5-2348
ROW, DWELLINGS

GALLEON CRES

R5-1695
DETACHED DWELLS.

RM5-2053
ROW DWELLINGS

THOMAS ST

AC4-2124
SERVICE STATION

RM2-2133
DETACHED DWELLS.

R3-1343
DETACHED DWELLINGS

WINSTON CHURCHILL BOULEVARD

QUARTERMAIN CRES

R3-1343
DETACHED DWELLINGS

LEGEND:



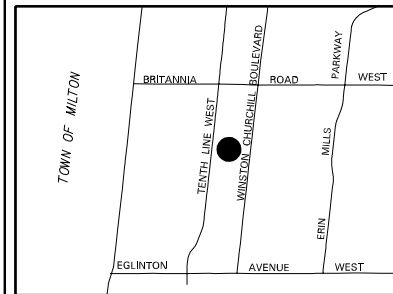
PROPOSED OFFICIAL PLAN AMENDMENT FROM "CONVENIENCE COMMERCIAL" TO "GENERAL COMMERCIAL" AND PROPOSED REZONING FROM "A" (AGRICULTURAL) TO "DC-SPECIAL SECTION (DISTRICT COMMERCIAL) OR TO "C3-EXCEPTION" (GENERAL COMMERCIAL) TO PERMIT RETAIL AND SERVICE COMMERCIAL USES.

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



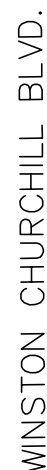
SUBJECT:

695658 ONTARIO LIMITED



FILE NO:
OZ 07/002 W10
DWG. NO:
07003R
SCALE:
1:2500
PDC DATE:
2007 06 11
DRAWN BY:
R.DICOSOLA

APPENDIX 14



CONCEPTUAL COMMERCIAL SITE PLAN

**Freeman Planning
Solutions Inc.**

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Mississauga, Ontario
L5N 3H3

T. 905-824-4375
F. 905-824-9833
C. 416-689-7290

695658 Ontario Limited

File: OZ 07/002 W10

Agency Comments

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

Agency / Comment Date	Comment
Region of Peel (March 27, 2007)	<p>No concern with the applications to amend the Zoning By-law and Official Plan. An amendment to the Regional Official Plan is not required.</p> <p>A future 300 mm (11.8 in.) diameter watermain and a future 250 mm (9.8 in.) diameter sanitary sewer are to be located on Thomas Street. The future municipal services have not been constructed and are currently being reviewed through the engineering submission under the Draft Plan of Subdivision File T-M94034. Connections will not be permitted until Regional staff have granted preliminary acceptance of these works. This will be required prior to site plan approval.</p> <p>The applicant is advised that private waste collection will be required through a private waste hauler.</p>
City Community Services Department – Planning, Development and Business Services Division (May 17, 2007)	<p>Prior to the issuance of building permits for each lot or block, cash-in-lieu of 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 the City's Policies and By-laws.</p>
City Transportation and Works Department (April 24, 2007)	<p>Prior to the preparation of the Supplementary Report, the applicant is to provide a Noise Report to determine any mitigative measures that may be required to the commercial plaza development to achieve compliance with the MOE Stationary Noise Guidelines for the proposed future residential receptor locations to the immediate west and south.</p> <p>In addition, the applicant is required to revise the submitted concept plan to illustrate the Thomas Street and Winston Churchill Boulevard cross-sections, including all existing and proposed points of access. The conceptual site plan is also to illustrate a right turn deceleration lane and island extension in support of the proposed Winston Churchill Boulevard access. Further comments will be provided pending the receipt and review of the above items.</p>

695658 Ontario Limited

File: OZ 07/002 W10

Agency / Comment Date	Comment
City Community Services Department – Fire and Emergency Services Division (May 15, 2007)	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.
Other City Departments and External Agencies	The following City Departments and external agencies offered no objection to these applications provided that all technical matters are addressed in a satisfactory manner: Canada Post Enersource Hydro Mississauga
	The following City Departments and external agencies were circulated the applications but provided no comments: Hydro One Networks Bell Canada

695658 Ontario Limited

File: OZ 07/002 W10

Requested DC-Special Section (District Commercial)

- art or antique shop
- bakery goods shop
- bank, financial institution or money lending agency
- barber shop or beauty parlour
- blueprinting, printing and copying establishment,
- business, professional or administrative office
- place of religious assembly
- clothes or furniture cleaning agency or pressing establishment
- private club
- commercial school
- dressmaking or tailoring establishment
- drugstore, pharmaceutical agency or dispensing druggist
- food store
- laundromat
- library
- newspaper office
- recreational establishment, fitness club
- restaurant, convenience and take-out restaurant with accessory outdoor patio
- shoe repair shop
- shop in which goods are sold at retail
- upholstering and furniture repair associated with a retail store
- pet store, pet grooming and boarding, veterinary clinic
- convenience store
- video store
- tanning salon
- convenience restaurant
- private school
- day nursery
- computer, watch and jewelry repair shop
- optical shop
- shop for repair of small goods and wares
- travel agency
- electronic and video sales and rental outlet
- photo processing and photo studios
- brew-on premises establishment
- mobile phone sales and services establishment

Notes:

1. The 60 m (197 ft.) minimum separation distance between restaurant uses and residential lands would not apply.
2. Detailed zoning provisions will be confirmed prior to the Supplementary Report. The applicant has not requested any relief from the parking or setback requirements.

695658 Ontario Limited

File: OZ 07/002 W10

**Proposed New Zoning
Requested “C3-Exception” (General Commercial)**

- Retail store
- Home furnishing store
- Restaurant, convenience restaurant and take-out restaurant with accessory outdoor patio
- Veterinary clinic
- Animal care establishment
- Personal service establishment
- Commercial school
- Financial institution
- Repair establishment
- Beverage/food preparation establishment
- Medical office
- Office
- Recreational establishment
- Entertainment establishment
- Private club

Notes:

1. The 60 m (197 ft.) minimum separation distance between restaurant uses and residential lands would not apply.
2. Schools, day care facilities, places of religious assembly, community centres, libraries and community recreation facilities are also permitted in the “C3” (General Commercial) zone.
3. Detailed list of permitted uses and zoning provisions will be confirmed prior to the Supplementary Report. The applicant has not requested any relief from the landscape buffer, parking or setback requirements.

GENERAL CONTEXT MAP

OZ 07/002 W10

APPENDIX I-8

