



# Corporate Report

Clerk's Files

Originator's  
Files OZ 07/014 W4

---

**DATE:** August 26, 2008

**TO:** Chair and Members of Planning and Development Committee  
Meeting Date: September 15, 2008

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

**SUBJECT:** **Information Report**  
**Official Plan Amendment and Rezoning Applications**  
**To permit a convenience commercial development**  
**500 and 520 Eglinton Avenue West**  
**Southeast corner of Eglinton Avenue West and**  
**Confederation Parkway**  
**Owner: Joseph Madill**  
**Applicant: Lethbridge and Lawson Inc.**  
**Bill 51**

**Public Meeting** **Ward 4**

---

**RECOMMENDATION:** That the Report dated August 26, 2008, from the Commissioner of Planning and Building regarding the applications to amend the Official Plan from "Convenience Commercial" to "Convenience Commercial - Special Site" and to change the Zoning from "C1-18" (Convenience Commercial) to "C1 - Exception" (Convenience Commercial) and "B - Exception" (Buffer) in By-law 0225-2007, to permit convenience commercial uses and commercial school with a maximum gross floor area of 2 770 m<sup>2</sup> (29,817 sq. ft.) and an entryway feature, respectively, under file OZ 07/014 W4, Joseph Madill, 500 and 520 Eglinton Avenue West, be received for information.

**BACKGROUND:**

In a previous application under file OZ 04/004 W4 which was formally cancelled on August 24, 2007, the owner had proposed to develop the subject lands for two convenience restaurants with drive-throughs, a car wash and a gas bar. The current proposal does not include these uses.

**COMMENTS:**

Details of the proposal are as follows:

<b>Development Proposal</b>	
Applications submitted:	July 13, 2007
Applications complete:	September 10, 2007
Gross Floor Area:	2 770 m <sup>2</sup> (29,817 sq. ft.)
Height:	1 storey
Lot Coverage:	27.3%
Landscaped Area:	27.9%
Parking Required:	150 spaces
Parking Provided:	153 spaces
Supporting Documents:	Environmental Noise Analysis Traffic Analysis - Site Access Investigation Environmental Site Assessment - Phase 1 Planning Justification Report

<b>Site Characteristics</b>	
Frontages:	88.5 m (290.3 ft.) on Eglinton Avenue West 77.8 m (255.2 ft.) on Confederation Parkway
Depth:	104.0 m (341.2 ft.)
Net Lot Area:	1.0 ha (2.5 ac.)
Existing Use:	Vacant except for a hydro transformer

Additional information is provided in Appendices I-1 to I-9.

### **Neighbourhood Context**

The subject property is located within the Hurontario Planning District in proximity to City Centre. The site is characterized by a flat topography, free of any woodlots and environmental features. The existing hydro transformer is located at the southwest corner of the site.

Additional information regarding the history of the site has been included in Appendix I-1.

The surrounding land uses are described as follows:

- North: Street townhouse dwellings and detached dwellings on the north side of Eglinton Avenue West and a gas bar with motor vehicle service station at the northeast corner of Eglinton Avenue West and Confederation Parkway
- East: Street townhouse dwellings
- South: Detached dwellings under construction
- West: Proposed detached and semi-detached dwellings subject to a rezoning and draft plan of subdivision under files OZ 08/005 W4, T-M08001 W4, respectively, approved by Council on August 6, 2008.

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

"**Convenience Commercial**" refers to development in designated commercial areas, not exceeding 2 000 m<sup>2</sup> (21,528.5 sq. ft.) in gross floor area. Motor vehicle commercial uses, motor vehicle body repair uses, motor vehicle wrecking, truck washes and motor vehicle sales and rentals will not be permitted, except for gas bars, provided they are adjacent to an arterial road. The applications are not in conformity with the Official Plan policies with respect to the maximum gross floor area permitted for a convenience commercial development and an amendment to the Plan has been proposed.

There are urban design policies in the Official Plan which also apply in the review of these applications. A list of these policies has been included in Appendix I-8.

**Proposed Official Plan Designation and Policies**

"**Convenience Commercial - Special Site**" to permit a convenience commercial development with a maximum gross floor area of 2 770 m<sup>2</sup> (29,817 sq. ft.).

**Existing Zoning**

"**C1-18 (Convenience Commercial)** which permits retail stores up to 600 m<sup>2</sup> (6,458.5 sq. ft.) of gross floor area - non-residential, office, medical office, private club, commercial school and all restaurants. The existing zoning restricts the gross floor area of the proposed development to 2 000 m<sup>2</sup> (21,528.5 sq. ft.) and exempts restaurants from the 60.0 m (196.8 ft.) minimum separation distance requirement from a Residential Zone.

**Proposed Zoning By-law Amendment**

"**C1 - Exception (Convenience Commercial)** to permit convenience commercial uses and commercial school with a maximum gross floor area - non-residential of 2 770 m<sup>2</sup> (29,817 sq. ft.). The exemption from the 60.0 m (196.8 ft.) distance separation between restaurants and take-out restaurants to Residential Zones is requested to be retained. The applicant has agreed to remove the existing convenience restaurant permission.

"**B - Exception (Buffer)** to permit an entryway feature at the southeast corner of Eglinton Avenue West and Confederation Parkway. The lands containing the proposed entryway feature will be dedicated to the City.

As part of the rezoning, the applicant is proposing that the following standards be applied:

	<b>Required Zoning By-law Standard</b>	<b>Proposed Standard</b>
Maximum Gross Floor Area - Restaurant	None	500 m <sup>2</sup> (5,382 sq. ft.)
Minimum Landscaped Buffer abutting a Buffer Zone	3.0 m (9.8 ft.)	None

## **COMMUNITY ISSUES**

A community meeting was held by Ward 4 Councillor, Frank Dale on May 22, 2008, at which time no members of the public raised any concerns with the proposed development.

## **DEVELOPMENT ISSUES**

Agency comments are summarized in Appendix I-7. Based on the comments received and the applicable Mississauga Plan policies, an analysis of the following matters will be carried out prior to the completion of the Supplementary Report:

- building location;
- entryway feature and land dedication;
- noise attenuation;
- site grading and utilities; and
- easement requirements.

## **OTHER INFORMATION**

### **Development Requirements**

The documents listed in the comment section of this report submitted in support of the applications have been reviewed and comments have been provided to the applicant. Prior to the finalization of the Supplementary Report, all outstanding matters will have to be addressed.

In conjunction with the proposed development, there are certain engineering matters such as land dedication, access restrictions, road improvement and securities which will require the applicant to enter into appropriate agreements with the City.

**FINANCIAL IMPACT:** Development charges will be payable in keeping with the requirements of the applicable Development Charges By-law of the City as well as financial requirements of any other official agency concerned with the development of the lands.

**CONCLUSION:** Most agency and City department comments have been received and after the public meeting has been held and all outstanding concerns 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 Hurontario District Land Use Map  
Appendix I-4 - Excerpt of Existing Land Use Map  
Appendix I-5 - Concept Plan  
Appendix I-6 - Elevations  
Appendix I-7 - Agency Comments  
Appendix I-8 - Relevant Mississauga Plan Policies  
Appendix I-9 - General Context Map

*original signed by*

\_\_\_\_\_  
Edward R. Sajecki  
Commissioner of Planning and Building

*Prepared By: Haig Yeghouchian, Development Planner*

Joseph Madill

File: OZ 07/014 W4

### Site History

- January 28, 1988 - Draft Plan of Subdivision, under file 21T-M86088 W4 comprised primarily of street related residential uses and the subject commercial lands was approved subject to conditions by the Region of Peel.
- October 11, 1988 - City Council approved a rezoning application under file OZ 86/134 W4 to rezone the subject lands as a convenience commercial centre in accordance with the above referenced draft approved plan of subdivision.
- May 5, 2003 - The Region of Peel approved the Mississauga Plan Policies for the Hurontario District which came into full force and effect, except for matters under appeal to the Ontario Municipal Board. The appeals were unrelated to the subject lands, therefore, the new policies in Mississauga Plan applied to the subject lands.
- November 20, 2003 - The Committee of Adjustment granted a consent application under file 'B' 86/03 which created a block of land comprised of the subject lands and the residential lands to the south, on the east side of Confederation Parkway.
- February 6, 2004 - Official Plan Amendment and Rezoning applications were submitted to the City under file OZ 04/004 W4, to permit two convenience restaurants with separate drive throughs, a gas bar and a car wash facility. Based on the owner's request these files were subsequently cancelled on August 24, 2007.
- August 17, 2006 - The Committee of Adjustment approved a consent application under file 'B' 78/06 which severed the subject lands from the residential block to the south.
- June 20, 2007 - Zoning By-law 0225-2007 came into force and effect except for those sites which have been appealed. As no appeals have been filed for the subject property, the provisions of the new By-law apply. The subject lands are zoned "C1-18" (Convenience Commercial).



**BY-LAW 0225-2007**

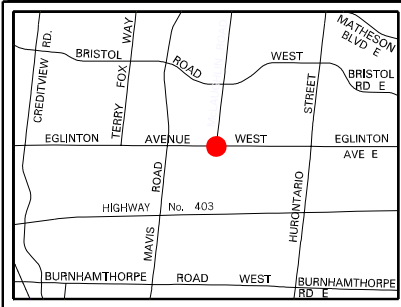
**LEGEND:**



DATE OF AERIAL PHOTO: SPRING 2008



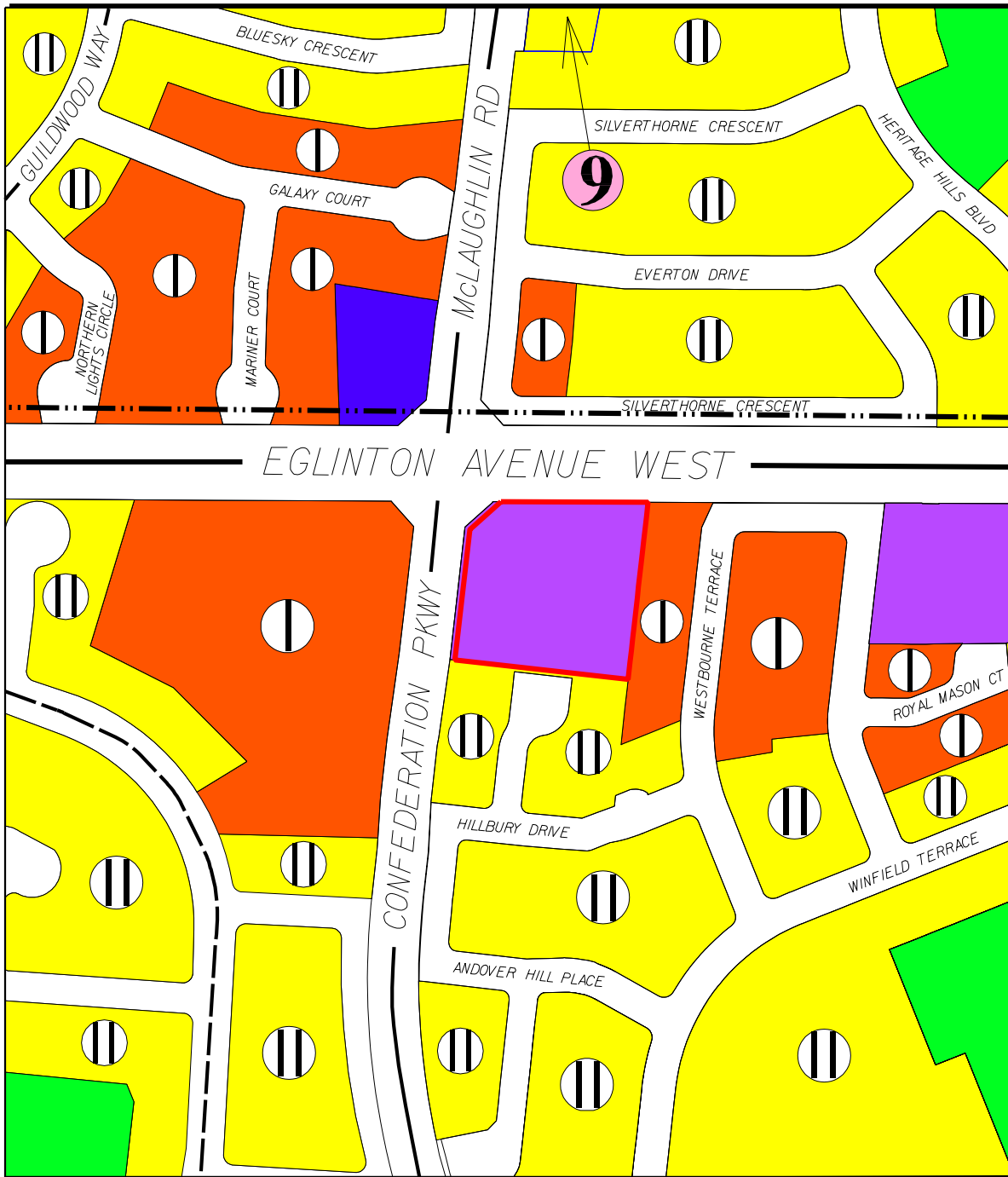
**SUBJECT: JOSEPH MADILL**



FILE NO:  
OZ 07/014 W4  
DWG. NO:  
V807014A  
SCALE:  
1:2500  
PDC DATE:  
2008 09 15  
DRAWN BY:  
W. FINLAY

APPENDIX I-2





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

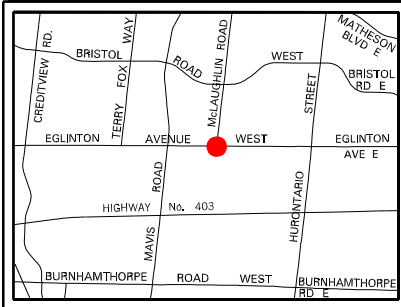
- LAND USE DESIGNATIONS**
- Residential - Low Density I
  - Residential - Low Density II
  - Residential - Medium Density I
  - Residential - Medium Density II
  - Residential - High Density I
  - Residential - High Density II
  - General Commercial
  - Convenience Commercial
  - Motor Vehicle Commercial
  - Office
  - Institutional
  - Public Open Space
  - Private Open Space
  - Greenbelt
  - Parkway Belt West
  - Utility
- TRANSPORTATION LEGEND**
- Provincial Highway and Interchange
  - Arterial
  - Major Collector
  - Major Collector (Scenic Route)
  - Minor Collector
  - Local Road
  - Bus Rapid Transit Corridor
  - Bus Rapid Transit Station
  - City Centre Transit Terminal
  - Major Transit Corridor
  - Proposed Grade Separation
- LAND USE LEGEND**
- Regulatory Floodplain
  - Node Boundary
  - 1996 NEP /2000 NEF Composite Noise Contours
  - Golf Course
  - Planning District
  - Special Site Areas (See Special Site Policies)

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

**SUBJECT LANDS**



**SUBJECT: JOSEPH MADILL**



**FILE NO:**  
OZ 07/014 W4

**DWG. NO:**  
07014LM

**SCALE:**  
NTS

**PDC DATE:**  
2008 09 15

**DRAWN BY:**  
W. FINLAY

APPENDIX I-3

**BY-LAW 0225-2007**

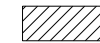
**LEGEND:**



**SUBJECT LANDS**



**PROPOSED OFFICIAL PLAN AMENDMENT FROM "CONVENIENCE COMMERCIAL" TO "CONVENIENCE COMMERCIAL - SPECIAL SITE" AND PROPOSED REZONING FROM "C1-18" (CONVENIENCE COMMERCIAL) TO "C1-EXCEPTION" (CONVENIENCE COMMERCIAL) TO PERMIT CONVENIENCE COMMERCIAL USES AND COMMERCIAL SCHOOL WITH A MAXIMUM GROSS FLOOR AREA OF 2770 m<sup>2</sup> (29,817 SQ. FT.)**



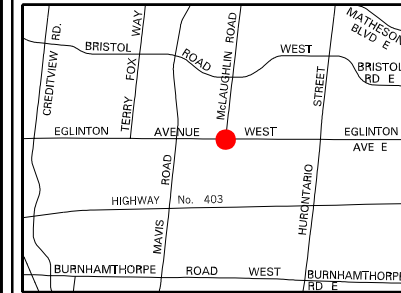
**PROPOSED OFFICIAL PLAN AMENDMENT FROM "CONVENIENCE COMMERCIAL" TO "CONVENIENCE COMMERCIAL - SPECIAL SITE" AND PROPOSED REZONING FROM "C1-18" (CONVENIENCE COMMERCIAL) TO "B-EXCEPTION" (BUFFER) TO PERMIT AN ENTRYWAY FEATURE**

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



**SUBJECT:**

**JOSEPH MADILL**



**FILE NO:  
OZ 07/014 W4**

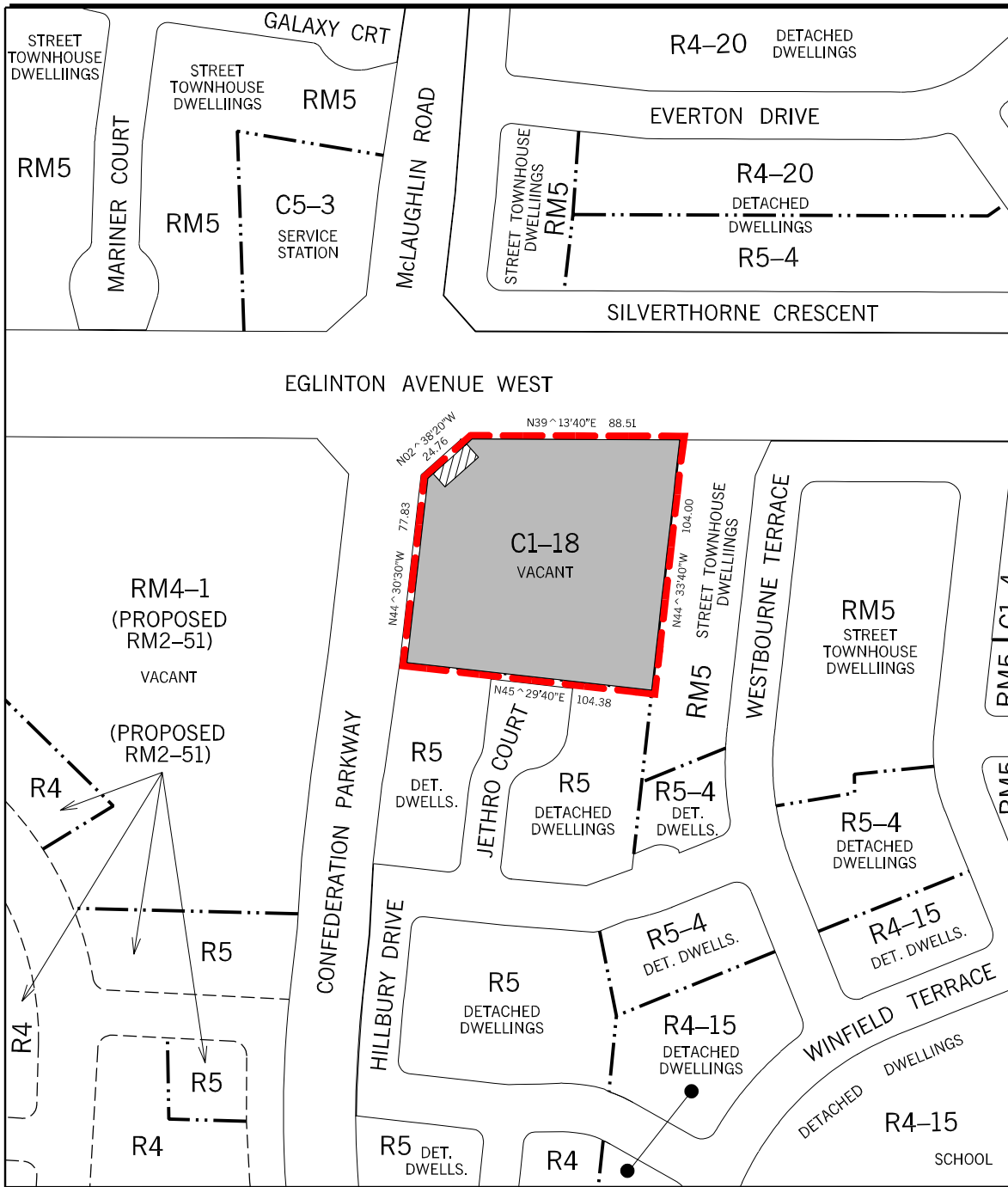
**DWG. NO:  
07014R**

**SCALE:  
1:2500**

**PDC DATE:  
2008 09 15**

**DRAWN BY:  
W. FINLAY**

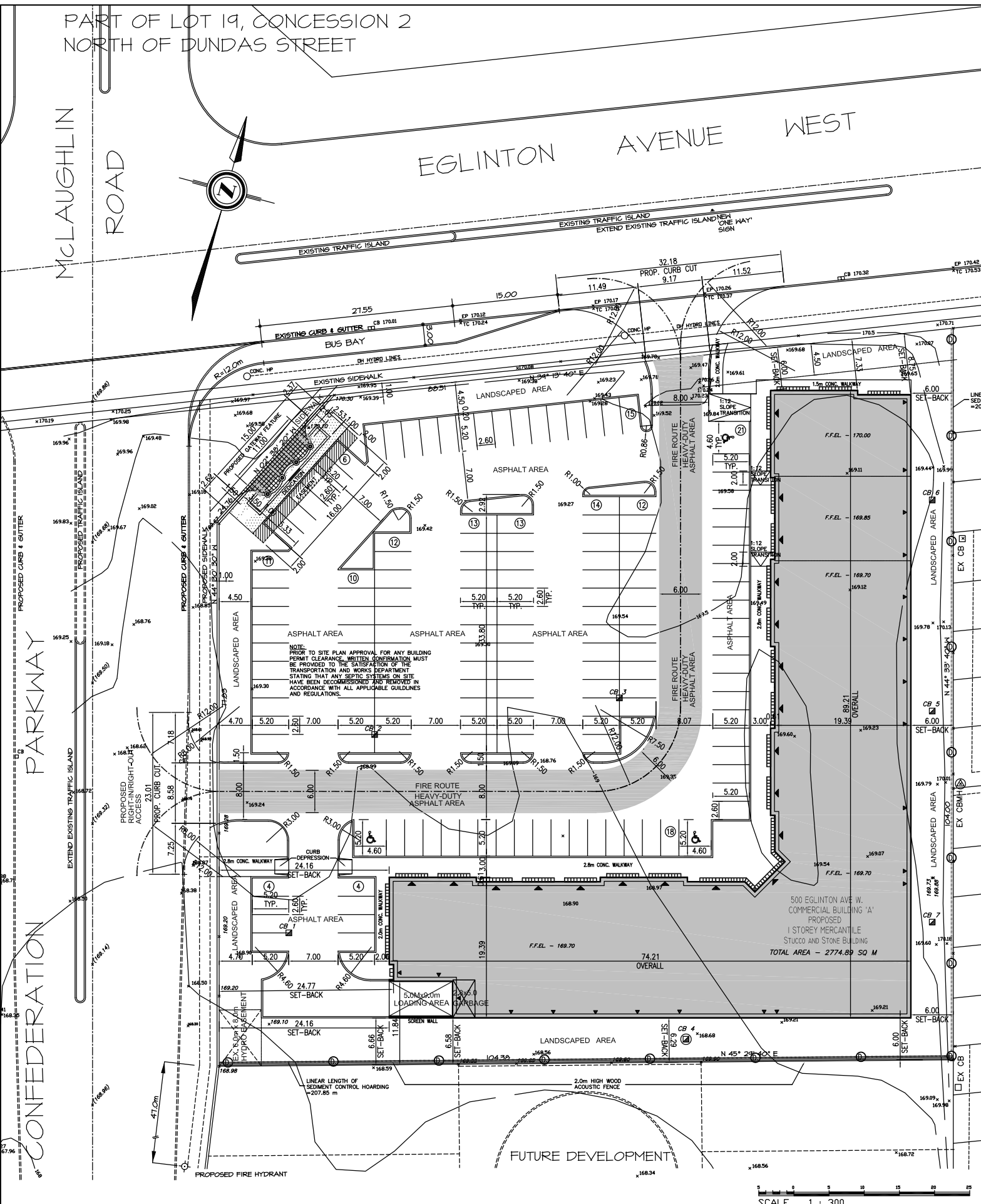
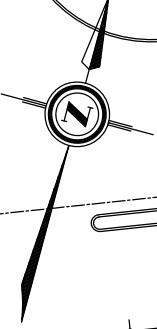
**APPENDIX I-4**



PART OF LOT 19, CONCESSION 2  
NORTH OF DUNDAS STREET

MCLAUGHLIN  
ROAD

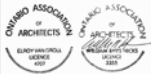
EGLINTON AVENUE WEST



NOTE:  
PRIOR TO SITE PLAN APPROVAL FOR ANY BUILDING PERMIT CLEARANCE, WRITTEN CONFIRMATION MUST BE PROVIDED TO THE SATISFACTION OF THE TRANSPORTATION AND WORKS DEPARTMENT STATING THAT ANY SEPTIC SYSTEMS ON SITE HAVE BEEN DECOMMISSIONED AND REMOVED IN ACCORDANCE WITH ALL APPLICABLE GUIDELINES AND REGULATIONS.

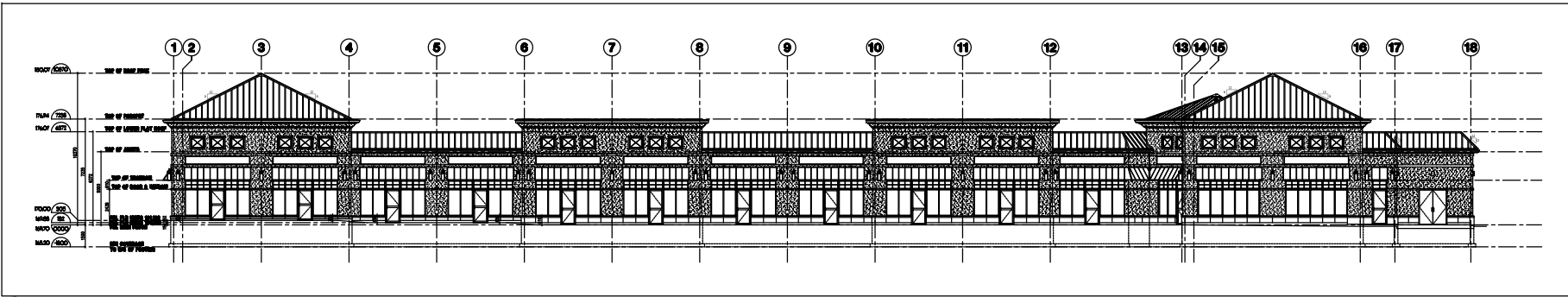
500 EGLINTON AVE W.  
COMMERCIAL BUILDING 'A'  
PROPOSED  
1 STOREY MERCANTILE  
STUCCO AND STONE BUILDING  
TOTAL AREA - 2774.89 SQ M

SCALE 1 : 300

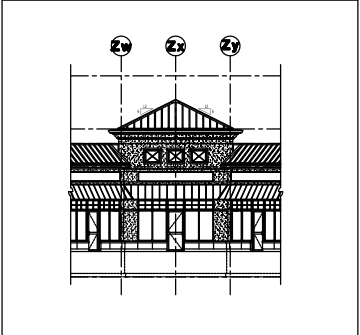


DRAWINGS MUST NOT BE SCALED.  
CONTRACTOR MUST CHECK AND VERIFY  
ALL DIMENSIONS, SPECIFICATIONS AND  
LOADINGS ON SITE AND REPORT ANY  
DISCREPANCIES TO THE ARCHITECT PRIOR  
TO PROCEEDING WITH ANY OF THE WORK.

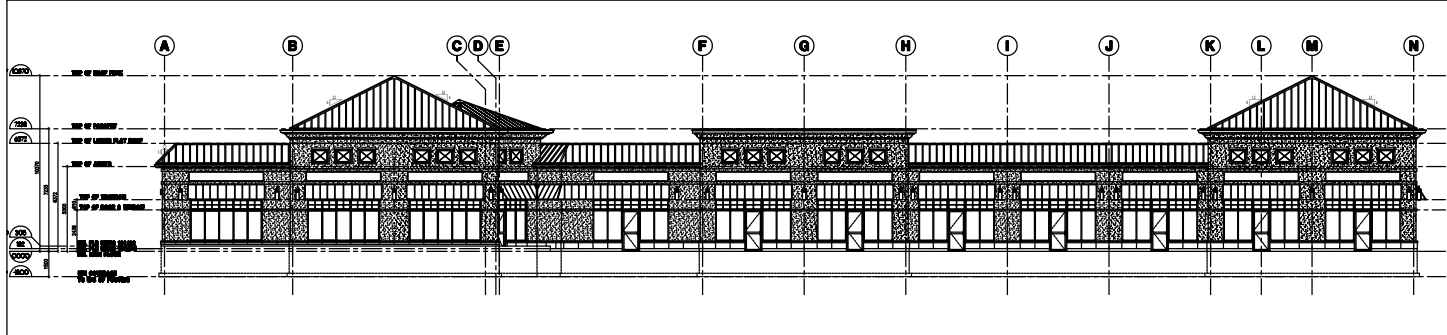
PRELIMINARY,  
NOT FOR  
CONSTRUCTION



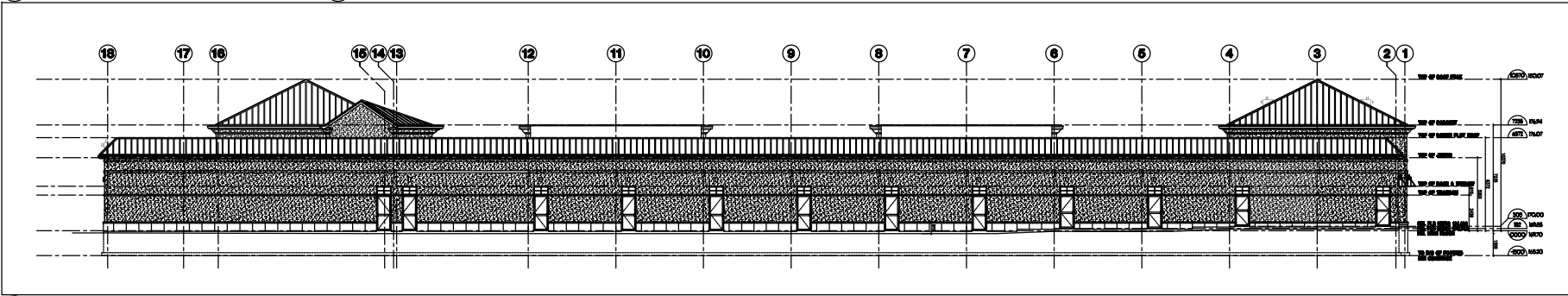
1 WEST ELEVATION  
AS SHOWN



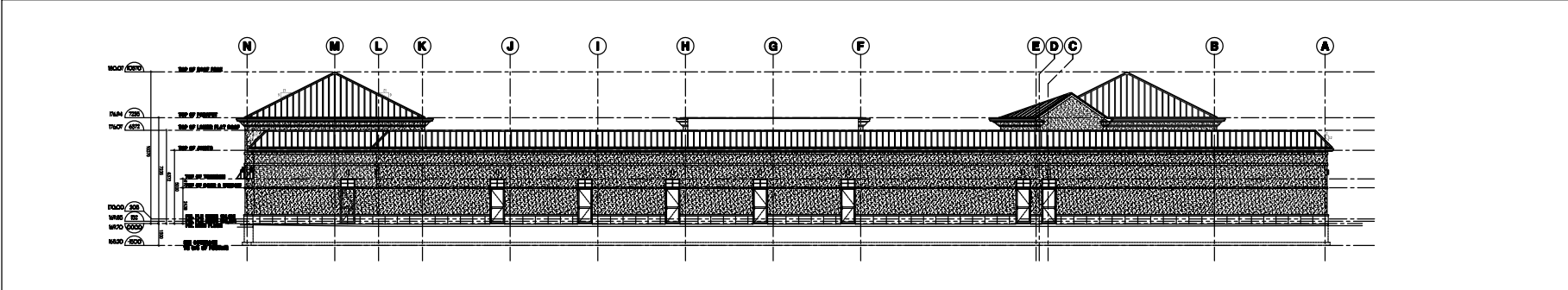
2 INTERIOR CORNER ELEVATION  
AS SHOWN



3 NORTH ELEVATION  
AS SHOWN



4 EAST ELEVATION  
AS SHOWN



5 SOUTH ELEVATION  
AS SHOWN

1	10.20.00	ISSUED FOR PERMITS
2	10.20.00	ISSUED FOR PERMITS
3	01.18.00	REV. AS PER COMMENTS
4	01.18.00	ISSUED FOR REVIEW
5	01.18.00	ISSUED FOR REVIEW
6	01.18.00	ISSUED FOR REVIEW
7	01.18.00	ISSUED FOR REVIEW
8	01.18.00	ISSUED FOR REVIEW
9	01.18.00	ISSUED FOR REVIEW
10	01.18.00	ISSUED FOR REVIEW
11	01.18.00	ISSUED FOR REVIEW
12	01.18.00	ISSUED FOR REVIEW
13	01.18.00	ISSUED FOR REVIEW
14	01.18.00	ISSUED FOR REVIEW
15	01.18.00	ISSUED FOR REVIEW
16	01.18.00	ISSUED FOR REVIEW
17	01.18.00	ISSUED FOR REVIEW
18	01.18.00	ISSUED FOR REVIEW



CLIENT  
**MADILL SHOPPIN  
CENTER**  
ADDRESS 5000 SELAVON AVE NE  
CITY: MESSESSA, OR  
DRAWING TITLE  
**BUILDING ELEVATION**  
02 File 07/21/14/14  
DRAWN BY: [Name] QDAID  
DATE: APRIL 2007 HOD  
JOB NO. 1461-06 SHEET NO. 1

Joseph Madill

File: OZ 07/014 W4

### Agency Comments

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

Agency / Comment Date	Comment
Greater Toronto Airport Authority (October 12, 2007) (May 9, 2008)	<p>The subject property lies within the 28-30 NEF/NEP of the composite contour map for Toronto Pearson International Airport. Noise contours depicting the Noise Exposure Forecast (NEF) and Noise Exposure Projection (NEP) are produced to encourage compatible land use planning in the vicinity of airports. Acoustic design features should be incorporated into the building components to the satisfaction of the City of Mississauga.</p> <p>According to the Airport Zoning Regulations for Toronto Pearson International Airport, development elevations on the property are not affected by any airport restrictions related to obstacle zoning or aeronautical facilities.</p>
City Transportation and Works Department (March 10, 2008) (July 18, 2008)	<p>The applicant is required to submit documentation agreeing to the restriction of the existing access points resulting from the Confederation Parkway island extension.</p> <p>The noise report which addresses the impact of on-site stationary noise on the adjacent residential uses is currently under review. Further comments and/or conditions will be provided prior to the finalization of the Supplementary Report.</p>
Other City Departments and External Agencies	<p>The following City Departments and external agencies offered no objection to these applications provided that all technical matters are addressed in a satisfactory manner:</p> <p>City Economic Development Office;            City Community Services Department - Planning;            Development and Business Services Division;            City Community Services Department - Fire and Emergency Services Division;            City Corporate Services Department - Realty Services;            Mississauga Transit;</p>

**Joseph Madill****File: OZ 07/014 W4**

<b>Agency / Comment Date</b>	<b>Comment</b>
	Region of Peel; Enersource Hydro Mississauga; Canada Post; Bell Canada; Hydro One.
	The following external agency was circulated the applications but provided no response:  Rogers Cable

Joseph Madill

File: OZ 07/014 W4

### Relevant Mississauga Plan Policies

#### Urban Design Policies (Section 3.18)

3.18.2.6 - Building, landscaping and site design will minimize the effects of noise, unattractive views, other negative impacts and will buffer *adjacent land* uses.

3.18.3.3 - Special attention should be given to major intersections to create a sense of enclosure and identity, as well as heightened architectural interest. Enclosure means having built form along the street edge to heights appropriate to the context of the intersection. (*Appeal B18 -OMB Order No. 1169*)

3.18.3.5 - High quality prestigious *development* should be located at points of entry to provide distinctive gateways for communities.

3.18.5.2 - Buildings should address the street with main entrances facing the street, with strong pedestrian connections and landscape treatments that connect buildings to the street.

3.18.5.6 - Buildings with direct exposure to Provincial Highways and major roads will be subject to special design controls in order to ensure upgraded building elevations and landscaping.

3.18.5.10 - Building and site designs will locate and design parking, loading and storage areas to minimize their presence from the street.

3.18.5.13 - Loading, service and garbage storage areas should not be exposed to the street or to adjacent outdoor amenity areas. Adverse effects on adjacent properties should be minimized by the location and orientation of functions and by adequate buffering through spatial separation, berming and landscape buffering.

3.18.7.3 - Building and site designs should create a sense of enclosure, pedestrian scale and identity. Enclosure means having built form along the street edge with heights appropriate to its context.

