

City of Mississauga Department Comments

Date Finalized: 2022-07-20	File(s): A342.22
To: Committee of Adjustment	Ward: 7
From: Committee of Adjustment Coordinator	Meeting date:2022-07-28 3:00:00 PM

Consolidated Recommendation

The City recommends that the application be refused. Should the Committee see merit in the application, staff recommend a condition be imposed limiting what can be stored on the property.

Application Details

The applicant requests the Committee to approve a minor variance to allow an existing outdoor storage in a C4 Zone (Commercial) whereas By-law 0225-2007, as amended, requires all uses on a property in a C4 Zone (Commercial) to be located wholly with a building, structure or part thereof in this instance.

Background

Property Address: 51-57 Dundas St W

Mississauga Official Plan

Character Area: Downtown Cooksville
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4 - Commercial

Other Applications: None

Site and Area Context

The subject property is located on the north-west corner of the Dundas Street West and Cook Street intersection in Cooksville. It currently contains a multi-unit commercial building with associated parking at the rear. Limited vegetative elements are present on the subject property. The surrounding area context consists of a mix of commercial and residential uses with varying built forms and lot sizes.

The applicant is proposing outdoor storage on the subject property, requiring a variance for the use.



Comments

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to grant relief from the requirements of a municipal zoning by-law. Approval of applications must meet the requirements set out under 45(1) and/or 45(2) (a) or (b) in the *Planning Act*.

Staff comments concerning the application of the four tests to this minor variance request are as follows:

The subject property is located in the Downtown Cooksville Character Area and is designated Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP). The Mixed Use designation permits a variety of commercial uses, however it does not permit outdoor storage.

The intent and purpose of the zoning by-law is to limit outdoor storage in C4 zones to maintain a downtown/main street environment. While the proposed storage is located to the rear of the property and away from Dundas Street West, staff are concerned with the visual impacts to the abutting residential properties and the Cook Street right of way.

Staff are of the opinion that the intent and purpose of the official plan and zoning by-law are not maintained by permitting a use not contemplated by the zone category, and that the four tests of a minor variance are not met in this instance.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are enclosing for Committee's information some photos of the subject property and note that we have no objections to the request.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

In the absence of a development application we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed. The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Andrew Wemekamp, Zoning Examiner.