

Detailed Information and Recommendation Report

Owner: City of Mississauga

46 William Street

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1. Proposed Development

The application is to extend the permission to allow the outdoor storage of refrigeration trailers for another three years.

A temporary use by-law application is required to permit the use. Since 1998, a minor variance, an official plan amendment, a rezoning, and temporary use by-laws have been approved by City Council and Committee of Adjustment to permit the storage of refrigeration trailers on the subject lands on a temporary basis. The most recent by-law approval expired on June 19, 2021. The applicant is now seeking a further three year extension for this same use.

Development Proposal	
Application submitted:	Received: June 29, 2022 Deemed complete: August 8, 2022
Owner:	City of Mississauga
Applicant:	Joe Ponzo (Quickchill Mobile Refrigeration Ltd.)
Proposed temporary use:	Outdoor storage of refrigeration trailers

Application Status

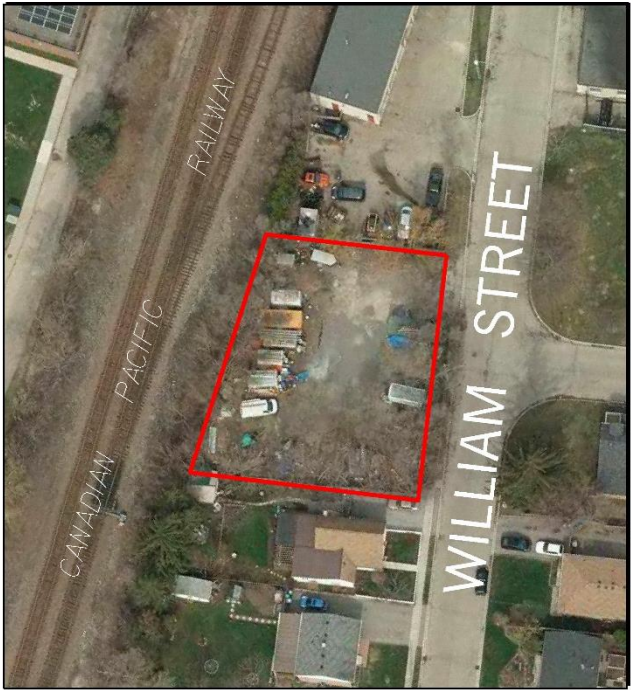
Upon deeming the application complete, the application materials were circulated to City departments and external agencies for review and comment. These comments are summarized in Section 8 of this appendix.



2. Site Description

Site Information

The property is located on the west side of William Street, at the end of Henry Street, in the Streetsville Community Node Character Area. The site abuts the CP Rail corridor. The site occupies a closed portion of Henry Street and contains a storm sewer easement. The property does not contain any buildings or structures and is currently used for the outdoor storage of refrigeration trailers.



Aerial Image of Subject Property

Property Size and Use	
Frontages:	35.9 m (117.8 ft.)
Depth:	29.9 m (98.1 ft.)
Gross Lot Area:	0.11 ha (0.27 ac.)
Existing Uses:	Outdoor storage of refrigeration trailers



Image of existing condition – facing west from William Street
(Source: Google Maps 2020)

Site History

- June 24, 1998 – Minor Variance Application 'A' 419/98 to permit the outdoor storage of refrigeration trailers for a period of a three year was approved by the Committee of Adjustment
- April 5, 2001 – Minor Variance application 'A' 162/01 to permit the outdoor storage of refrigeration trailers was refused by the Committee of Adjustment and appealed to the Ontario Municipal Board
- August 2, 2001 – The Ontario Municipal Board allowed the appeal and granted the variance for a period of five years.
- June 20, 2007 – Zoning By-law 0225-2007 came into force except for those sites which were not appealed and the subject lands were zoned "**D**" (Development)
- December 12, 2007 – Official Plan Amendment No. 80 and By-Law 0451-2007 were approved by Council to permit the temporary outdoor storage of refrigeration trailers for a three year period
- February 8, 2012 – By-law 0012-2012 was approved by Council to permit the temporary outdoor storage of refrigeration trailers for an additional three years with an expiry date of December 14, 2014
- November 14, 2012 – Mississauga Official Plan came into

force except for those site/policies which have been appealed. As no appeals have been filed the policies of the new Mississauga Official Plan apply. The subject lands are designated **Residential Medium Density – Exempt Site 3** in the Streetsville Community Node Area

- March 11, 2015 – By-law 0056-2015 was approved by Council to permit the temporary outdoor storage of refrigeration trailers for an additional three years with an expiry date of March 10, 2018
- June 20, 2018 – By-law 0128-2018 was approved by Council to permit the temporary outdoor storage of refrigeration trailers for an additional three years with an expiry date of June 19, 2021
- June 29, 2022 – Temporary use by-law application File T-OZ 22-015 W11 was received to extend the permission for the outdoor storage of refrigeration trailers for a period of three years

3. Site Context

Surrounding Land Uses

North: Automotive repair and commercial uses

East: Commercial (office) use and detached homes

South: Detached and semi-detached homes

West: CP Railway and Dolphin Senior Public School

Neighbourhood Context

The subject property is generally located west of Queen Street South and south of Britannia Road West, in the Streetsville Community Node Character Area.

The Streetsville Community Node area has evolved over centuries and became the Town of Streetsville in 1962. In 1974, the Town was amalgamated into the newly created City of Mississauga.

The immediate area is highly eclectic with commercial uses and residential uses abutting each other on local roads. Former industrial properties are located along the rail corridor. Newer residential and commercial infill developments are located along Queen Street South, Tannery Road, Joymar Road, Thomas Street, and Church Street.



Aerial image of 46 William Street

4. Summary of Applicable Policies, Regulations and Analysis

The *Planning Act* requires that Mississauga Official Plan be consistent with the Provincial Policy Statement and conform with the applicable provincial plans and Regional Official Plan. The policy and regulatory documents that affect this application have been reviewed and summarized in the table below. Only key policies relevant to the application have been included. The table should be considered a general summary of the intent of the policies and should not be considered exhaustive. In the sub-section that follows, the relevant policies of Mississauga Official Plan are summarized.

The *Provincial Policy Statement* (PPS) and the *Growth Plan for the Greater Golden Horseshoe* (Growth Plan) provide policy

direction on matters of provincial interest related to land use planning and development and directs the provincial government's plan for growth and development that supports economic prosperity, protects the environment and helps communities achieve a high quality of life.

Both the PPS and the Growth Plan recognize that the official plan is the most important vehicle for implementation of these policies as "comprehensive, integrated and long-term planning is best achieved through official plans". Under the *Planning Act*, all planning decisions must be consistent with the PPS and conform to the Growth Plan.

Policy Document	Legislative Authority/Applicability	Key Policies	Analysis
Provincial Policy Statement (PPS)	<p>The fundamental principles set out in the PPS apply throughout Ontario. (PPS Part IV)</p> <p>Decisions of the council of a municipality shall be consistent with PPS. (PPS 4.1)</p> <p>The Official Plan is the most important vehicle for implementation of the Provincial Policy Statement (PPS 4.6)</p>	<p>Settlement areas shall be the focus of growth and development. (PPS 1.1.3.1)</p> <p>Land use patterns within settlement areas will achieve densities and a mix of uses that efficiently use land, resources, infrastructure, public service facilities and transit. (PPS 1.1.3.2.a)</p> <p>Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment. (PPS 1.1.3.3)</p>	<p>The proposal seeks to extend the temporary land use permissions that have applied to the property since 1998. No additional buildings or changes are proposed as a result of this application. The application will extend the existing use for a period of three years. The requested extension is appropriate and efficiently uses the land within the city. As outlined in this report, the proposed extension is consistent with the general intent of the PPS.</p>

Policy Document	Legislative Authority/Applicability	Key Policies	Analysis
Growth Plan for the Greater Golden Horseshoe (Growth Plan)	The Growth Plan applies to the area designated as the Greater Golden Horseshoe growth plan area. All decisions made on or after May 16, 2019 in respect of the exercise of any authority that affects a planning matter will conform with this Plan, subject to any legislative or regulatory provisions providing otherwise. (Growth Plan 1.2.2)	<p>Within settlement areas, growth will be focused in delineated built-up areas; strategic growth areas; locations with existing or planned transit; and, areas with existing or planned public service facilities. (Growth Plan 2.2.1.2 c)</p> <p>Complete communities will feature a diverse mix of land uses; improve social equity and quality of life; provide a range and mix of housing options; provide convenient access to a range of transportation options, public service facilities, open spaces and parks, and healthy, local and affordable food options; provide a more compact built form; mitigate and adapt to climate change impacts; and, integrate green infrastructure. (Growth Plan 2.2.1.4)</p>	The proposed use extension conforms to the Growth Plan as it is contributing to the diverse range of commercial and employment uses within the City and utilizes a parcel with limited development potential given its proximity to the CP Railway.
Region of Peel Official Plan (ROP)	The Region of Peel approved MOP on September 22, 2011, which is the primary instrument used to evaluate development applications. The proposed application was circulated to the Region who has advised that they have no objection to the requested temporary use by-law extension.	<p>The ROP identifies the subject lands as being located within Peel's Urban System.</p> <p>General objectives of ROP, as outlined in Section 5.3, include conserving the environment, achieving sustainable development, establishing healthy complete communities, achieving intensified and compact form and mix of land uses in appropriate areas that efficiently use land, services, infrastructure and public finances, while taking into account the characteristics of existing communities and services, and achieving an urban form and densities that are pedestrian-friendly and transit supportive.</p>	The proposed use extension does not require an amendment to the Region of Peel Official Plan. The subject property is located within the Urban System of the Region of Peel.

5. Mississauga Official Plan

The policies of Mississauga Official Plan (MOP) implement provincial directions for growth. MOP is generally consistent with the PPS and conforms with the Growth Plan, and ROP. An update to MOP is currently underway to ensure MOP is consistent with and conform to changes resulting from the recently released Growth Plan, 2019 and Amendment No. 1 (2020).

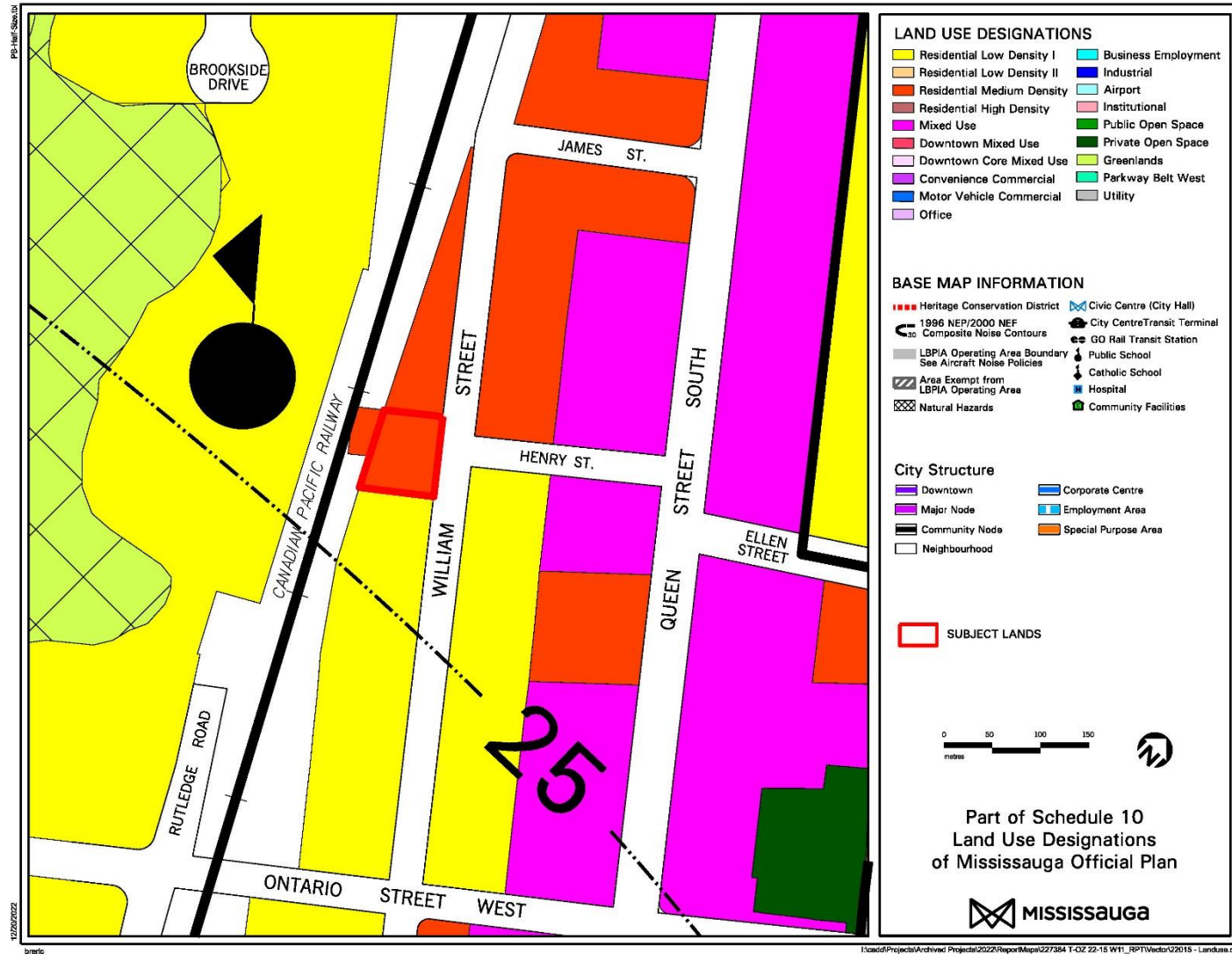
No amendment to MOP is required for this application.

Existing Land Use Designation

The lands are located within the Streetsville Community Node Character Area and are designated **Residential Medium Density** Exempt Site 3. The **Residential Medium Density** designation permits a variety of dwelling types for residential uses. The Exempt Site 3 permits the outdoor storage of refrigeration trailers on a temporary basis implemented through a temporary use by-law.

The subject property is not located within a Major Transit Station Area (MTSA).

Planning Staff have undertaken an evaluation of the relevant policies of the PPS, Growth Plan and MOP including those found in Section 19.9.1 against this application.



Excerpt of Streetsville Community Node Character Area

Relevant Mississauga Official Plan Policies

The following policies are applicable in the review of this application. In some cases the description of the general intent summarizes multiple policies.

	General Intent
Chapter 1 Introduction	There are sites in Mississauga identified in Part 3 as “exempt”. Exempt sites reflect unique circumstances that are not representative of the vision, direction and planning policies of the Plan, but nonetheless are recognized because they contain established land uses. Generally such uses will be encouraged to relocate to lands appropriately designated. “Exempt sites” will be reviewed during the preparation of local area reviews or other planning studies. It is intended that these lands will eventually be redeveloped in accordance with the underlying designation. In the interim, lands zoned to permit such uses or buildings are deemed to be in conformity with the provisions of the Plan. The lands may be developed in accordance with their land use designation and/or the uses permitted by the individual exempt site. (Section 1.1.4 g)
Chapter 5 Direct Growth	Community Nodes are Intensification Areas. (Section 5.3.3.3)
Chapter 9 Build A Desirable Urban Form	<p>Building and site design will be compatible with site conditions, the surrounding context and surrounding landscape of the existing or planned character of the area. (Section 9.5.1.1)</p> <p>An attractive and comfortable public realm will be created through the use of landscaping, the screening of unattractive views, protection for the elements, as well as buffering of parking, loading, and storage areas. (Section 9.5.4.2)</p> <p>Outdoor storage will not be located adjacent to, or be visible from city boundaries, the public realm or sensitive land uses by incorporating the use of appropriate setbacks, screening, landscaping and buffering. (Section 9.5.4.6)</p>
Chapter 10 Foster a Strong Economy	<p>Mississauga will encourage a range of employment opportunities reflective of the skills of the resident labour force. (Section 10.1.1)</p> <p>Mississauga will provide for a wide range of employment activities including office and diversified employment uses. To this end Mississauga will encourage the establishment of small innovative businesses and support their growth. (10.1.5.c)</p> <p>Mississauga will facilitate the operation and where appropriate, the expansion of existing businesses as permitted by this Plan. In some locations, alternative land uses may be identified to encourage the relocation of existing businesses to allow the lands to redevelop in accordance with the planning vision for the area. Development proponents may be required to submit satisfactory studies prior to development. (Section 10.1.6)</p>
Chapter 11 General Land Use Designations	<p>The following uses will be permitted in all land use designations, except Greenlands and Parkway Belt West unless specifically allowed: a. community infrastructure; b. community gardening; c. conservation; d. electric power distribution and transmission facility; e. flood control and/or erosion management; f. natural gas and oil pipeline; g. parkland; h. piped services and related facilities for water, wastewater and stormwater; i. telecommunication facility; transit facilities; and k. transportation infrastructure. (Section 11.2.1.1)</p> <p>Lands designated Residential Medium Density will permit the following uses: a. all forms of townhouse dwellings (Section 11.2.5.5)</p>

	General Intent
Chapter 14 Community Nodes	<p>Notwithstanding the Residential Medium Density Policies of this Plan, the following additional uses will be permitted: a. low-rise apartment dwellings. (Section 14.1.2.2 a)</p> <p>Development will be compatible and enhance the village character of Streetsville as a distinct established community by integrating with the surrounding area. (Section 14.10.1.1)</p> <p>The lands identified as Exempt Site 3 are located on the west side of William Street, south of James Street and are municipally known as 46 William Street. (Section 14.11.7.3.1)</p> <p>Notwithstanding the provisions of the Residential Medium Density designation, outdoor storage of refrigeration trailers may be permitted on a temporary basis by a Temporary Use By-law in accordance with the provisions of the Planning Act. (Section 14.11.7.3.2)</p>
Chapter 19 Implementation	<p>City Council may pass by-laws to authorize the temporary use of land for a purpose that is otherwise prohibited by the zoning by-law, as permitted by the provisions of the <i>Planning Act</i>. (Section 19.9.1)</p> <p>A temporary use which conforms to this Plan may be permitted by a temporary use by-law to allow: a. an unfamiliar use on a trial basis; c. the use of vacant land for a parking lot that would otherwise not be permitted. (Section 19.9.2)</p> <p>The following conditions will apply to all uses permitted by a temporary use by-law:</p> <ul style="list-style-type: none"> a. extensions of the period of temporary use may be permitted by subsequent by-laws but should generally not continue for more than a total of ten years for a temporary use of a garden suite and three years in all other cases as per the <i>Planning Act</i>; b. no new buildings or expansion of buildings, except for temporary or movable structures, will be permitted; c. the temporary use permitted must be compatible with adjacent land uses, or measures to mitigate any adverse impacts must be applied; d. no adverse impacts on traffic or transportation facilities in the area may result, and sufficient parking must be provided on-site; e. no adverse impact on community infrastructure; f. no adverse impacts on the assessment base; g. the temporary use will not jeopardize the eventual planned land use; (Section 19.9.3)

The following is an analysis of the key policies and criteria:

Directing Growth

The subject site is located in the Streetsville Community Node Character area and contains an existing longstanding employment use. The lands are constrained by easements and minimum railway setbacks. This application efficiently utilizes lands which would be challenging to develop given the site constraints.

Compatibility with the Community Node

The site is located within the Streetsville Community Node Character area, which is an Intensification Area in the City Structure. A range of uses are permitted in this character area, including residential and commercial uses. Historical industrial and employment uses are located in this area. Streetsville Community Node is a historic village with a variety of uses located in close proximity which predate the introduction of zoning and land-use planning. Maintaining the existing and longstanding use is compatible with the surrounding context.

Services and Infrastructure

Based on the comments received from the applicable City Departments and external agencies, the existing infrastructure is adequate to support the application.

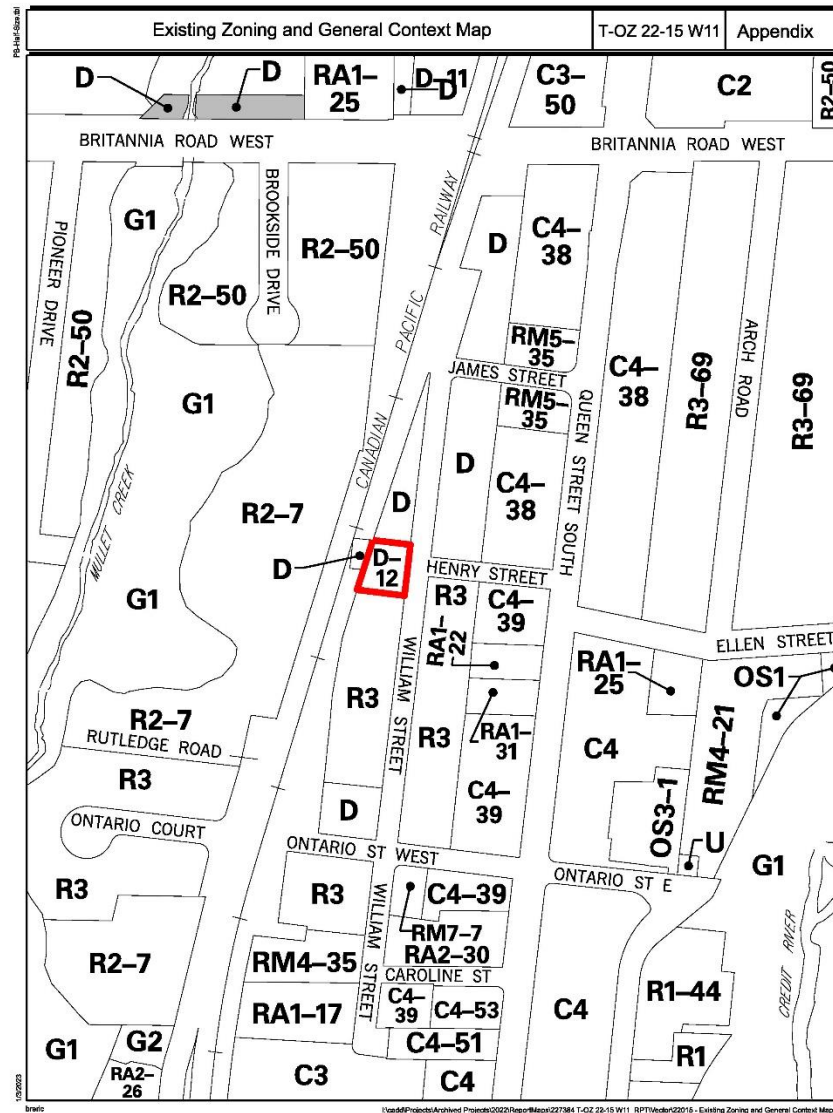
Implementation

The general intent of MOP's policies for a temporary use by-law is to allow an unfamiliar use on a trial basis for three years.

In this case, the use has been approved through a minor variance, an official plan amendment, rezoning and temporary use by-laws since 1998. Regarding Section 19.9.3:

- a. The requested extension exceeds the three year time period indicated in MOP, however, the policy specifies *generally* [emphasis added]. By including the term *generally*, the policy recognizes opportunities to respond to unique circumstances. In this instance, the lands have little redevelopment potential due to the easements and railway operations setback.
- b. No new buildings or expansions are permitted, and none are proposed.
- c. The temporary land use has co-existed with the surrounding mixed use area since 1998 with no adverse impacts to adjacent land uses.
- d. No adverse impacts on traffic or transportation have been reported during the temporary use period.
- e. No adverse impacts on community infrastructure have been identified during the temporary use period.
- f. No adverse impacts on the assessment base have materialized during the temporary use period.
- g. The planned function of the Streetsville Community Node and the lands designated Residential Medium Density have not experienced an adverse impact, and staff do not anticipate an extension will jeopardize the lands.

Previous approvals of the application do not justify future support for the continued use of the lands for outdoor storage. While the subject lands are constrained, MOP does not envision outdoor storage of refrigeration trailers in this location indefinitely.



Excerpt of Zoning Map 39E

6. Mississauga Zoning By-law

Existing Zoning

The subject property is currently zoned **D-12** (Development), which permits the outdoor storage of refrigeration trailers as a temporary use for a period of three years starting on June 20, 2018.

Proposed Zoning

The applicant is proposing to extend the temporary use by-law to permit the outdoor storage of refrigeration trailers on a temporary use for a further three year period. No changes to the permitted use or performance standards (setbacks, height, number of trailers, etc.) are proposed.

Existing Zoning Regulations to be Maintained

Zone Regulations	D-12 Zone Regulations	
12.3.3.12.1	Additional Permitted Use: Outdoor Storage of Refrigeration Trailers	
12.3.3.12.2	Notwithstanding Sentence 12.3.3.12.1 of this Exception, the outdoor storage of refrigeration trailers is permitted as a temporary use for the period of three years from the date of enactment and passing of this By-law (June 20, 2018*) in compliance with the following regulations:	
	*date to be updated	
(1)	maximum number of refrigeration trailers	10
(2)	minimum setback of refrigeration trailers from any lot line	3.0 m (9.84 ft.)
(3)	Maximum height of refrigeration trailers	2.4 m (7.87 ft.)
(4)	maximum length of refrigeration trailers	5.2 m (17.06 ft.)
(5)	no refrigeration unit shall be operated or maintained on the lot	
(6)	"Refrigeration Trailer" means a non self propelled boxed container on wheels with a refrigeration unit, attached thereto	

7. Community Engagement

A notice sign was placed on the subject lands advising of the proposed change. All property owners within 120 m (393 ft.) were notified of the application on August 16, 2022. No community meetings were held and no written comments were received by the Planning and Building Department.

8. Agency Comments

The application was circulated to all City departments and commenting agencies on August 8, 2022.

The following City Departments and external agencies offered no objection to the application provided that all technical matters are addressed in a satisfactory manner:

- Transportation and Works, Development Engineering
- Transportation and Works, Traffic
- Transportation and Works, Transit
- Community Services, Fire Prevention
- Community Services, Park Planning Section
- Region of Peel
- Realty Services

9. Community Benefits Charge

Community benefits charge is not applicable for this application as no official plan amendment or rezoning is required.

10. Development Issues

The *Planning Act* and the Mississauga Official Plan allow for temporary uses of land for a purpose that is otherwise prohibited in the Zoning By-law on a trial basis. Planning applications indicate the use has existed since 1998.

As Streetsville Community Node Character Area continues to evolve, the long-term feasibility and appropriateness of the outdoor refrigeration trailer use is undetermined.

Over the next three years, Realty Services in consultation with the Planning and Building Department will determine the feasibility of utilizing the subject lands for a use that aligns with the vision and general intent of the official plan policies for the Streetsville Community Node. Future extension requests may not be appropriate.

11. Conclusions

In conclusion, City staff have evaluated the application to permit the aforementioned temporary use against the *Provincial Policy Statement*, the *Growth Plan for the Greater Golden Horseshoe*, Region of Peel Official Plan and Mississauga Official Plan.

The application is seeking to extend an existing employment use on an underutilized and vacant parcel with the Streetsville Community Node Character Area. The proposal is compatible with adjacent uses and provides for employment opportunities in the character area.

Staff are of the opinion that the applications are consistent with and conform to the Provincial, Regional, and City planning instruments. Staff has no objection to the approval of this application, subject to the recommendations provided in the staff report.