

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-03-31	File(s): A106.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-04-08 1:00 PM

## Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45 (1) of the Planning Act.

## Application Details

The applicant requests the Committee to approve a minor variance to allow a building canopy proposing a canopy projection (15th storey facing Park Street East) of 6.00m (approx. 19.69ft) whereas By-law 0225-2007, as amended, permits a maximum canopy projection of 2.20 (approx. 7.22ft) in this instance.

## Background

**Property Address:** 28 Ann Street

### Mississauga Official Plan

Character Area: Port Credit Community Node  
Designation: Mixed Use

### Zoning By-law 0225-2007

**Zoning:** H-RA5-53 (Residential)

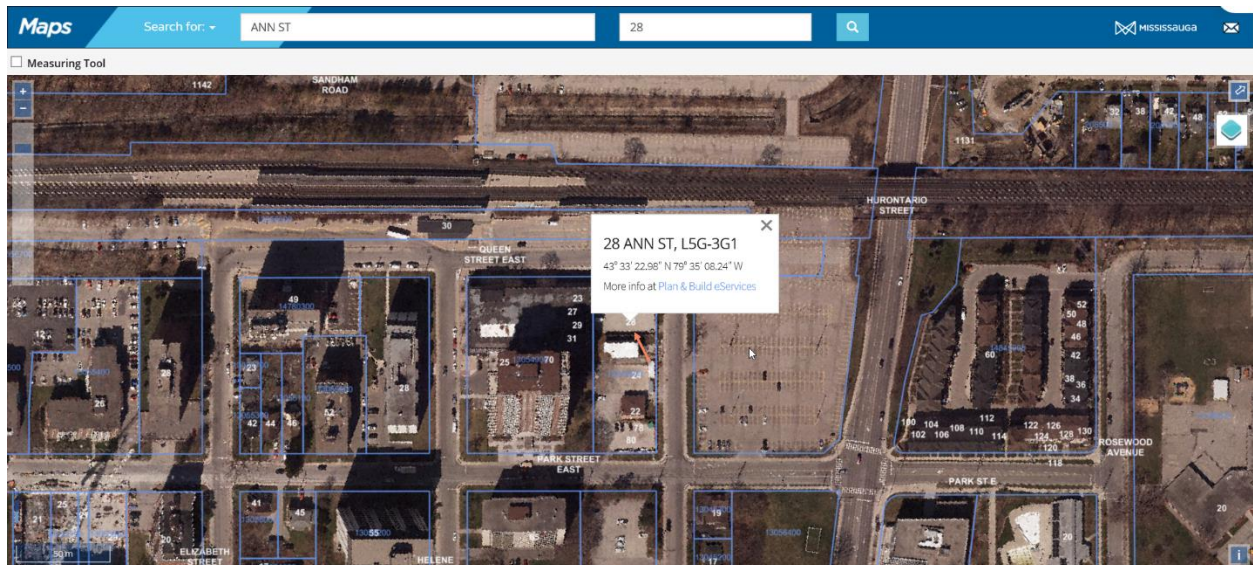
### Other Applications:

Building Permit: 20-3380  
Site Plan Application: 20-51

## Site and Area Context

The subject property is located within the Port Credit Community Node Character Area, northwest of Hurontario Street and Lakeshore Road East. The subject property is also located within a Major Transit Station Area (MTSA). The immediate area contains the Port Credit Go Station, commercial uses, parking structures and high rise apartment buildings. On February 24, 2020 the subject property received Zoning by-law Amendment approval for a 22 storey condominium.

The subject property is currently undergoing the site plan approval process. Through the site plan process it was identified that a variance is required for a canopy projection.



## 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 are as follows:

The subject property is currently undergoing a site plan review process for the plans that supported the Zoning By-law Amendment approved by Council. Through the site plan process,

additional details regarding the proposed plans were submitted which identified additional deficiencies that were not captured through the zoning process.

The proposed canopy projection is due to the design of the condominium and is only located on the 15<sup>th</sup> storey. While the canopy projection faces Park Street East, it will not have an impact on the streetscape and public realm because of the building design. The floors below the 15<sup>th</sup> storey project further out, minimizing any potential negative impact the canopy projection would have on the public realm. As such, staff is of the opinion that the application is appropriate to be handled through the minor variance process and further, raise no concerns of a planning nature.

## Conclusion

The Planning and Building Department recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45 (1) of the Planning Act.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for the proposed development are being addressed through the Site Plan Application SP-20/051 and Lifting of the 'H' application 'H'-OZ-20/001 for this development.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a site plan application under file SP 20-51 W1. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Brian Bonner, Zoning Examiner

### Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner