

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2026-04-30	File(s): A91.26
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:5/7/2026 1:00:00 PM

Consolidated Recommendation

The City has no objection to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow additional mechanical penthouse space proposing:

1. A maximum height of mechanical or architecture elements of 11.50m (approx. 37.73ft) whereas By-law 0225-2007, as amended, permits a maximum height of mechanical or architecture elements of 6.00m (approx. 19.69ft) in this instance;
2. A minimum setback of 1.50m (approx. 4.92ft) from the rooftop amenity to the edge of the building whereas By-law 0225-2007, as amended, requires a minimum setback of 3.00m (approx. 9.84ft) from the rooftop amenity to the edge of the building in this instance;
3. A maximum height of a rooftop amenity element of 5.30m (approx. 17.39ft) whereas By-law 0225-2007, as amended, permits a maximum height of a rooftop amenity element of 5.00m (approx. 16.40ft) in this instance;
4. A structure providing physical services and utilities of 7.25sq.m (approx. 78.04sq.ft) whereas By-law 0225-2007, as amended, permits a maximum structure providing physical services and utilities of 5.00sq.m (approx. 53.82sq.ft) in this instance; and
5. A minimum amenity area of 3.50sq.m (approx. 37.67sq.ft) per dwelling unit whereas By-law 0225-2007, as amended, requires a minimum amenity area of 4.00sqm (approx. 43.06sq.ft) per dwelling unit in this instance.

Background

Property Address: 42 to 46 Park St E & 23 Elizabeth St N

Mississauga Official Plan

Character Area: Port Credit Growth Node
Designation: Residential High-Rise

Zoning By-law 0225-2007

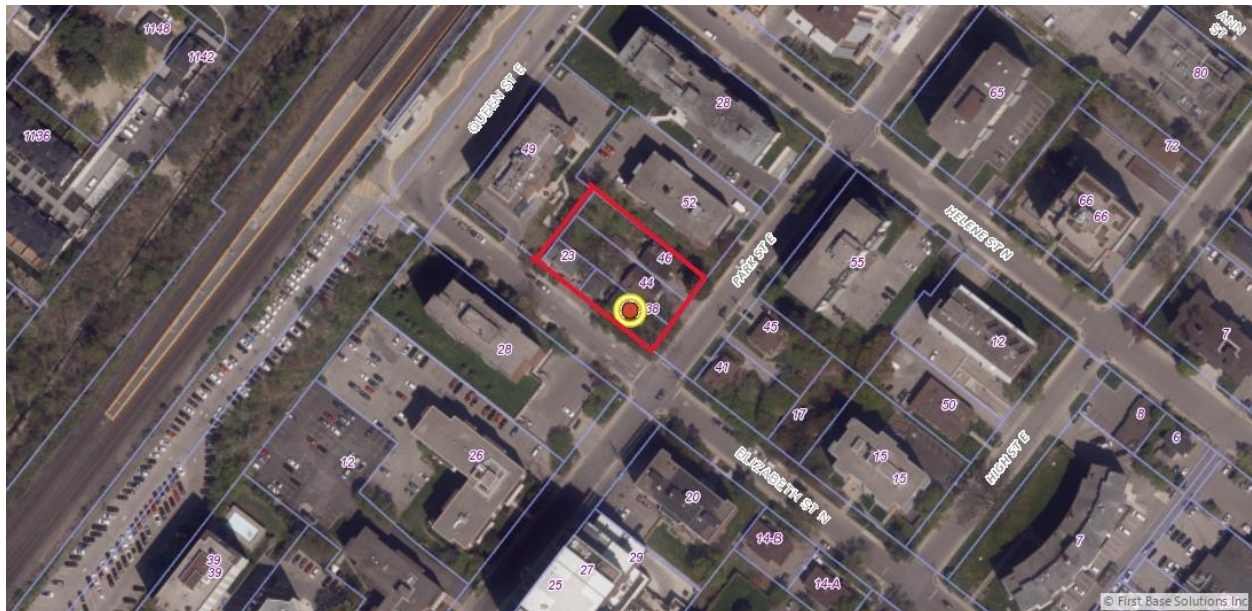
Zoning: H-RA5-78 - Residential

Other Applications: OZ/OPA-25/10 and SP-25/10

Site and Area Context

The subject property is located within the Port Credit Growth Node Character Area, located north-east of Park Street East and Elizabeth Street North intersection. The subject lands are a corner parcel and currently contain 4 detached dwellings. It has a frontage of approximately 33.62m (110.3ft) along Park Street East, and 53.34m (175ft) along Elizabeth Street North. The neighboring context consists of residential uses in the immediate are primarily in the form of apartment buildings. The Port Credit Go station is in close vicinity to the subject lots.

The applicant is proposing a thirty-storey residential building requiring variances for maximum height of mechanical or architectural elements and rooftop amenity element, minimum setback from rooftop amenity to the edge of the building, size of structure providing physical services and utilities and minimum amenity area per dwelling unit.



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 lands were approved for Official Plan Amendment and Rezoning applications OZ/OPA 25-10 W1 & H-OZ 26-2 W1 by Council on December 18th, 2025.

The Official Plan Amendment revised the height limits within the Port Credit Growth Node and the Port Credit Protected Major Transit Station Area (PMTSA) to permit a maximum building height of 30 storeys. Concurrently, the Zoning By-law was amended to introduce a site-specific exception zoning of H- RA5- 78.

The approvals permit a 30-storey residential building containing 315 dwelling units, subject to the application of an H (Holding) Symbol. Following Council approval, applications for Site Plan Approval (SPA-25/10) and Removal of the Holding Symbol were submitted and are currently under review.

Through a review of the detailed drawings under the SPA, the requested variances have been identified. The proposal that formed the OPA and ZBA is functionally the same proposal under the current application. Staff are satisfied that the proposed variances do not undermine the objectives of the Official Plan, which have been addressed through the previously approved OPA.

Variance #1 seeks permission for an increase in the height of the mechanical element. Variance #2 requests a reduction in the setback between the rooftop amenity area and the edge of the building. Variance #3 proposes an increase in the height of a rooftop amenity element. The proposed mechanical penthouse is designed as a two-storey component, housing all required mechanical and electrical functions. The applicant is proposing to meet Canada Mortgage and Housing Corporation (CMHC) guidelines with respect to energy efficiency standards, which result in additional mechanical infrastructure required to support the development.

To accommodate this required infrastructure, an increase to the height of the mechanical penthouse is proposed. Without this increase, the rooftop amenity area would need to be eliminated to accommodate the mechanical systems. Staff are of the opinion that the increased mechanical penthouse height does not result in additional adverse impacts on sky views and remains consistent with the planned gradual transition of building heights toward the Port Credit GO Station, as envisioned within the Port Credit Growth Node.

Additionally, staff are satisfied that the reduction in the amenity area setback to the rooftop edge and the 30cm increase from 5m (16.4ft) to 5.3m (17.39ft) to the amenity space represent minor and technical deviations. Staff note the site plan application is currently under review by the development planning, landscape architecture and urban design staff members, none of whom have raised concerns with these variances.

Variance #4 pertains to area of structure providing physical services/utilities. The variance pertains to the transformer located in the northeast corner of the site along Elizabeth St N. Planning staff note the proposed transformer pad corresponds to Alectra's transformer standards and specifications and is ultimately required to facilitate service on the subject property.

Variance #5 pertains to minimum amenity area per dwelling unit. On February 23, 2026, the Planning and Development Committee (PDC) supported a recommendation report proposing amendments to the Urban Apartment Zones and amenity area requirements for all Apartment Zones. The report recommends reducing the minimum amenity area requirement for Zones RA1 to RA7 to 3.0 m² per dwelling unit. The report will be presented to Council for formal adoption in the coming months.

The proposed reduction in amenity space is consistent with the recent PDC direction with regards to reduced amenity area. As such, the proposal continues to provide a greater amenity space ratio exceeding the numbers endorsed by PDC. Furthermore, staff note that while the co-working space and pet wash are not technically classified as recreational amenity space under the by-law definition, they will provide amenity area benefits to future residents.

Given the above, staff are of the opinion that the proposal is desirable and appropriate in nature. Staff are satisfied that the proposal meets the overall goals envisioned by the official plan policies and the general intent and purpose of the zoning by-law.

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Development Engineering & Construction

We are noting for Committee's information that this Department has commented on a number of applications for this property (Files: OZ/OPA-25/10 and SP-25/10) where all of our conditions are being addressed.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning

The Building Department is currently processing Site Plan Application under file SP 25-10. Based on review of the information currently available in this permit application, the variances, as requested are correct.

Staff note that additional information was requested as well as other non-compliances that have not been addressed through a resubmission. If the applicant has not corrected these non-compliances or if others are discovered through the requested information another minor variance application may 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: Tage Crooks, Planner Zoning Examination

Appendix 3 – Parks, Forestry & Environment

Forestry Comments

The Forestry Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree injury or removal is required, a permit must be issued as per By-law 0020-2022.

2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

An Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Rita Di Michele, Forestry ByLaw Officer, Forestry Section, Community Services Department at 905-615-3200 ext. 5872 or via email rita.dimichele@mississauga.ca.

Comments Prepared by: Rita Di Michele, Forestry ByLaw Officer

Appendix 4 – Metrolinx

Please be advised that Metrolinx is a stakeholder that has provided comments on application SP 25-10 W1 for the subject lands 42-46 Park Street E + 23 Elizabeth Street (A91.26). Any previous comments/requirements provided by Metrolinx and/or our technical advisors are applicable.

Comments Prepared by: Jenna Auger, Project Analyst