

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement
local



ISSUE DATE: June 1, 2020

CASE NO.: PL171169

PROCEEDING COMMENCED UNDER subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: 2517015 Ontario Inc. (Format Group Inc.)
Subject: Request to amend the Official Plan - Failure of the City of Mississauga to adopt the requested amendment
Existing Designation: Low Density 1
Proposed Designated: Low Density II and Special Site policy
Purpose: To permit 2 detached dwellings units, 6 semi-detached dwelling units and 6 townhouse dwelling units.
Property Address/Description: 1190 & 1200 Lorne Park Road
Municipality: City of Mississauga
Approval Authority File No.: OZ 16/014 WZ
OMB Case No.: PL171169
OMB File No.: PL171169
OMB Case Name: 2517015 Ontario Inc. (Format Group Inc.) v. Mississauga (City)

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: 2517015 Ontario Inc. (Format Group Inc.)
Subject: Application to amend Zoning By-law No.0225-2007 - Refusal or neglect of the City of Mississauga to make a decision
Existing Zoning: R2-4
Proposed Zoning: Site Specific (To be determined)
Purpose: To permit 2 detached dwellings units, 6 semi-detached dwelling units and 6 townhouse dwelling units.
Property Address/Description: 1190 & 1200 Lorne Park Road
Municipality: City of Mississauga
Municipality File No.: OZ 16/014 W2
OMB Case No.: PL171169
OMB File No.: PL171170

B E F O R E:

SHARYN VINCENT) Friday, the 29th
)
VICE-CHAIR) day of May, 2020

THESE MATTERS having come on for a public hearing and after the hearing, the Tribunal in its Decision issued on September 24, 2019 (the “Decision”), granted approval to the applications, subject to the City of Mississauga advising that the Official Plan and Zoning By-law have been finalized;

AND THE TRIBUNAL having been notified that the conditions having been satisfied;

THEREFORE THE TRIBUNAL ORDERS that the appeal is allowed in part and the Official Plan for the City of Mississauga is modified as set out in Attachment “A” to this Order, and as modified is approved.

THE TRIBUNAL FURTHER ORDERS that the appeal to Zoning By-law 0225-2007 is allowed in part and is hereby amended as set out in Attachment “B” attached hereto and forming part of this order. The municipality is hereby authorized to assign a By-law or other number to this document for record-keeping purposes.

“Evelyn Dawes”

EVELYN DAWES

DEPUTY REGISTRAR

If there is an attachment referred to in this document,
please visit www.elfto.gov.on.ca to view the attachment in PDF format.

Local Planning Appeal Tribunal

A constituent tribunal of Tribunals Ontario - Environment and Land Division
Website: www.elfto.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

Amendment No. 100
to
Mississauga Official Plan

Amendment No. 100
to
Mississauga Official Plan

The following text and Map "A" attached constitute Amendment No. 100.

PURPOSE

The purpose of this Amendment is to change the land use designation of the subject lands from Residential Low Density I to Residential Low Density II and to amend Special Site 1.

LOCATION

The lands affected by this Amendment are located on the south side of Lorne Park Road, east of Garden Road. The subject lands are located in the Clarkson-Lorne Park Neighbourhood Character Area, as identified in Mississauga Official Plan.

BASIS

Mississauga Official Plan came into effect on November 14, 2012, save and except for the outstanding site specific appeals to the Local Planning Appeal Tribunal.

The subject lands are designated Residential Low Density I which permits detached dwellings and are within an area subject to Special Site Policies. The policies relate to streetscape and urban design, as well as special permissions for semi-detached and townhouse dwellings on one small part of the larger site.

An amendment to the Official Plan for a Residential Low Density II designation and to amend the Special Site 1 Policies is required to permit a condominium development consisting of semi-detached and townhouse dwellings with underground parking.

DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

1. Section 16.5.5, Special Site Policies, Clarkson-Lorne Park Character Area, of Mississauga Official Plan, is hereby amended by deleting and replacing the Site 1 Map with the following:

16.5.5.1 Site 1



2. Section 16.5.5, Special Site Policies, Clarkson-Lorne Park Character Area, of Mississauga Official Plan, is hereby amended by adding the following to Site 1:

16.5.5.1.4 Notwithstanding the provisions of the Residential Low Density II designation, on lands identified as B, the subject lands may only be developed for four semi-detached and six townhouse dwellings.

3. Schedule 10, Land Use Designations, of Mississauga Official Plan, is hereby amended by changing the land use designation of the subject lands from Residential Low Density I to Residential Low Density II, as shown on Map "A" of this Amendment.

IMPLEMENTATION

Upon receipt of the Local Planning Appeal Tribunal's Final Order, Mississauga Official Plan will be amended in accordance with the Order.

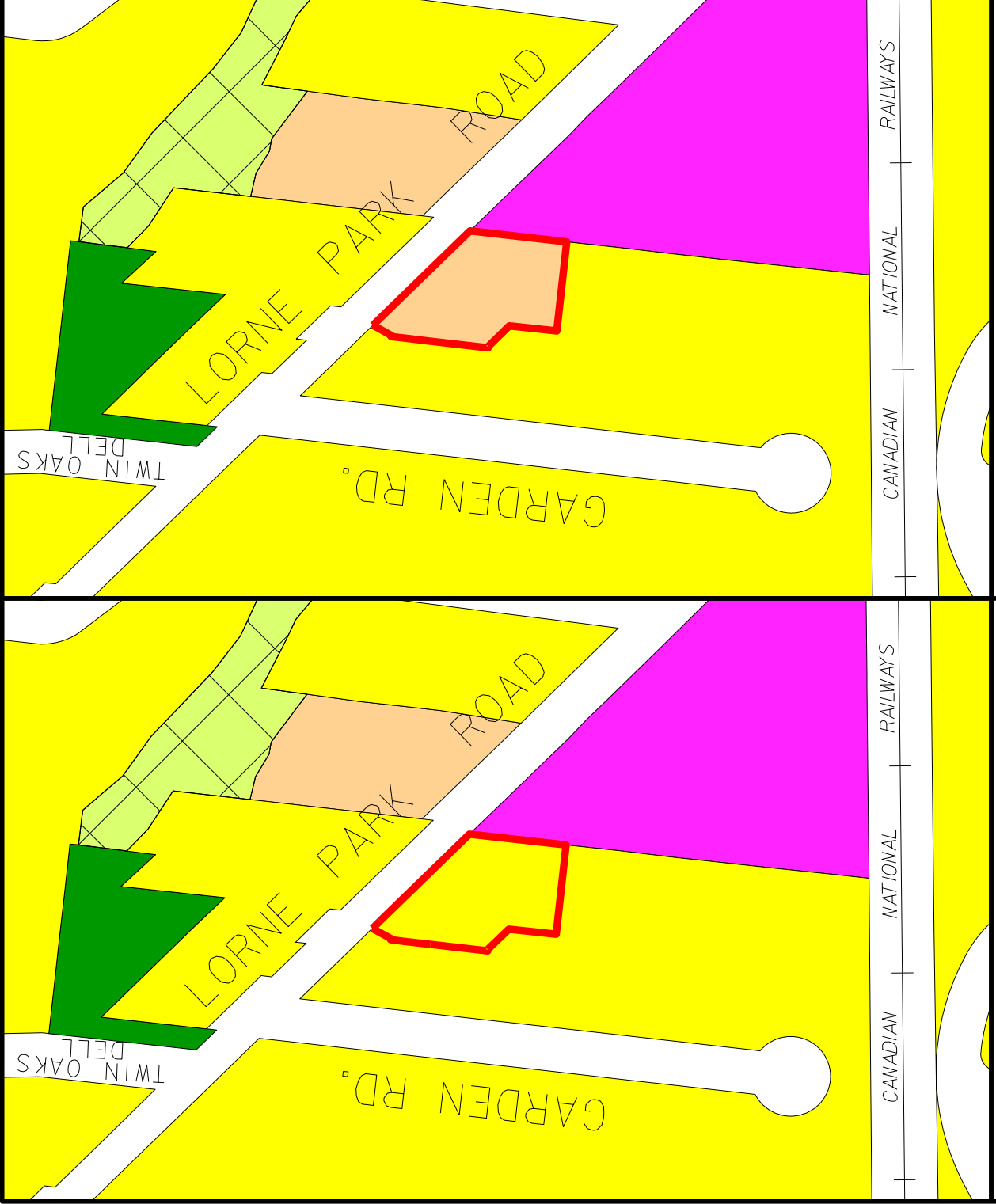
The lands will be rezoned as part of the same Tribunal Order.

This Amendment has been prepared based on the Office Consolidation of Mississauga Official Plan March 13, 2019.

INTERPRETATION

The provisions of Mississauga Official Plan, as amended from time to time regarding the interpretation of that Plan, will apply in regard to this Amendment.

This Amendment supplements the intent and policies of Mississauga Official Plan.

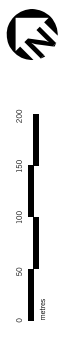


- LAND USE DESIGNATIONS**
- Residential Low Density I
 - Residential Low Density II
 - Residential Medium Density
 - Residential High Density
 - Mixed Use
 - Convenience Commercial
 - Motor Vehicle Commercial
 - Office
 - Business Employment
 - Industrial
 - Airport
 - Institutional
 - Public Open Space
 - Private Open Space
 - Greenlands
 - Parkway Belt West
 - Utility
 - Special Waterfront
 - Partial Approval Area

- BASE MAP INFORMATION**
- Heritage Conservation District
 - 1996 NEP/2000 NEF
 - Composite Noise Contours
 - LBPIA Operating Area Boundary
 - See Aircraft Noise Policies
 - Area Exempt from LBPIA Operating Area
 - Natural Hazards
 - Civic Centre (City Hall)
 - City Centre Transit Terminal
 - GO Rail Transit Station
 - Public School
 - Catholic School
 - Hospital
 - Community Facilities

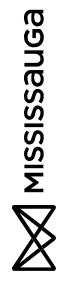
- City Structure**
- Downtown
 - Major Node
 - Community Node
 - Neighbourhood
 - Corporate Centre
 - Employment Area
 - Special Purpose Area

- AREA OF AMENDMENT**
- FROM: RESIDENTIAL LOW DENSITY I
- TO: RESIDENTIAL LOW DENSITY II



MAP 'A'

Part of Schedule 10
Land Use Designations
of Mississauga Official Plan



AMENDED LAND USE DESIGNATION

EXISTING LAND USE DESIGNATION

LOCAL PLANNING APPEAL TRIBUNAL

LPAT Case No. PL171169

ORDER DATED _____

LPAT File No. PL171170

2517015 Ontario Inc. (Format Group Inc.)

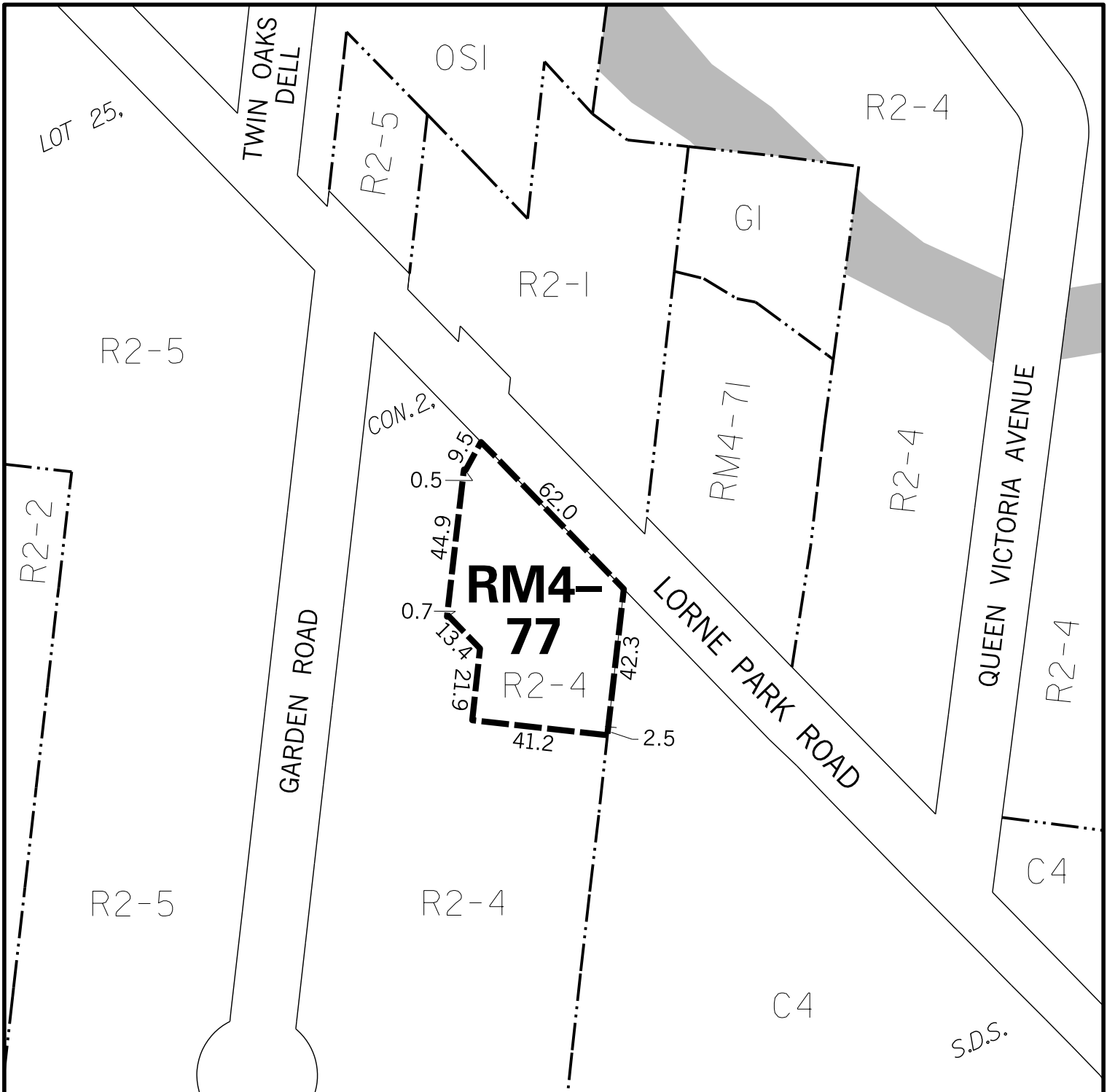
1. By-law Number 0225-2007, as amended, being a City of Mississauga Zoning By-law, is amended by adding the following Exception Table:

4.10.2.77	Exception: RM4 -77	Map # 09	By-law:
In a RM4-77 zone the permitted uses and applicable regulations shall be as specified for a RM4 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
4.10.2.77.1	(1)	Semi-Detached	
Regulations			
4.10.2.77.2	Maximum number of semi-detached dwelling units in Buildable Area 'A' identified on Schedule RM4-77 of this Exception		4
4.10.2.77.3	Maximum number of townhouse dwelling units in Buildable Area 'B' identified on Schedule RM4-77 of this Exception		6
4.10.2.77.4	Minimum lot area per dwelling unit		142 m ²
4.10.2.77.5	Minimum landscaped area		50%
4.10.2.77.6	Maximum height - highest ridge of a semi-detached: sloped roof		9.0 m
4.10.2.77.7	Maximum height - highest ridge of a townhouse: sloped roof		10.25 m
4.10.2.77.8	Flats roofs shall not be permitted on all lands zoned RM4-77		
4.10.2.77.9	Minimum setback of a dwelling wall to an internal walkway		1.0 m
4.10.2.77.10	Minimum setback of a driveway to a residential lot line		0.6 m

4.10.2.77	Exception: RM4 -77	Map # 09	By-law:
4.10.2.77.11	Minimum setback of a parking structure constructed below or partially above finished grade to any lot line		0.5 m
4.10.2.77.12	Minimum width of a driveway and aisle		6.0 m
4.10.2.77.13	Minimum width of an internal walkway		1.8 m
4.10.2.77.14	All site development plans shall comply with Schedule RM4-77 of this Exception		

2. Map Number 09 of Schedule "B" to By-law Number 0225-2007, as amended, being a City of Mississauga Zoning By-law, is amended by changing thereon from "R2-4" to "RM4-77", the zoning of Part of Lot 25, Concession 2, South of Dundas Street, in the City of Mississauga, PROVIDED HOWEVER THAT the "RM4-77" zoning shall only apply to the lands which are shown on the attached Schedule "A", which is deemed to be an integral part of this By-law, outlined in the heaviest broken line with the "RM4-77" zoning indicated thereon.

3. This By-law shall not come into force until Mississauga Official Plan Amendment Number 100 is in full force and effect.



This is not a Plan of Survey. For accurate boundary information refer to Registered Plan 335 and Plan 43R-32578, and site plan provided by Hicks Design Studio dated May 4, 2019.

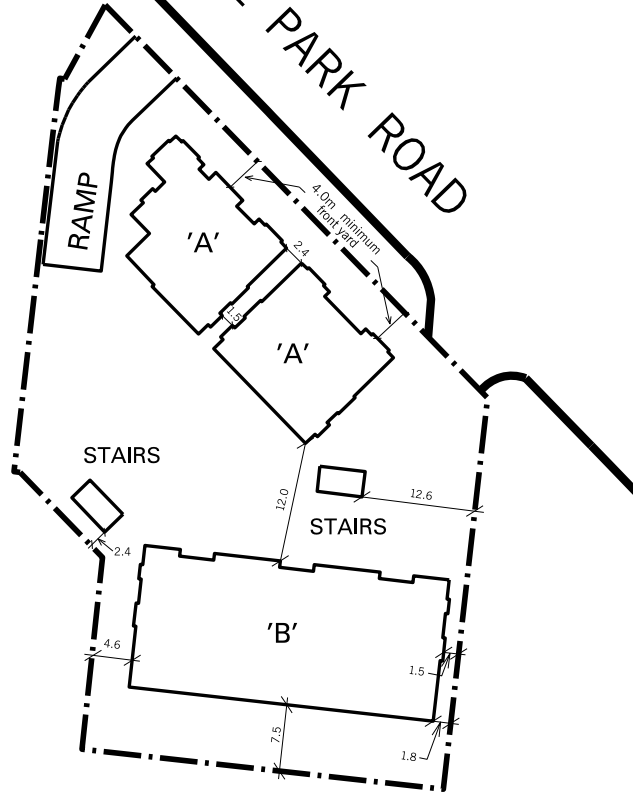
 GREENLANDS OVERLAY


THIS IS SCHEDULE "A" TO
LPAT ORDER DATED _____
LPAT CASE NO. PL171169
LPAT FILE NO. PL171170

CITY OF MISSISSAUGA

GARDEN ROAD

LORNE PARK ROAD



 PHASE I DEVELOPMENT

 BUILDABLE AREAS



Note:
All measurements are in metres
and are minimum setbacks,
unless otherwise noted.

This is not a Plan of Survey.

**THIS IS SCHEDULE "RM4-77" TO
LPAT ORDER DATED _____**

LPAT CASE NO. PL171169

LPAT FILE NO. PL171170

LPAT ORDER DATED _____

LPAT Case No. PL171169

LPAT File No. PL171170

Explanation of the Purpose and Effect of the By-law

The purpose of this By-law is to permit a condominium development consisting of semi-detached and townhouses with an underground garage.

This By-law amends the zoning of the property outlined on the attached Schedule "A" from "R2-4" (Detached Dwellings - Typical Lots - Exception) to "RM4-77" (Townhouses - Exception).

"R2-4" permits detached dwellings subject to the "R2" infill exception regulations.

"RM4-77" permits semi-detached and townhouse dwelling units.

Location of Lands Affected

South side of Lorne Park Road, east of Garden Road, in the City of Mississauga, as shown on the attached Map designated as Schedule "A".

Further information regarding this By-law may be obtained from David Ferro of the City Planning and Building Department at 905-615-3200 ext. 4554.

http://teamsites.mississauga.ca/sites/18/Bylaws/OZ_16_014_W2.by-law_LPAT.df.jmcc.docx