

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



ISSUE DATE: March 18, 2021

CASE NO.:

PL180262

The Ontario Municipal Board (the “OMB”) is continued under the name Local Planning Appeal Tribunal (the “Tribunal”), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

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

Applicant and Appellant:	Daniels HR Corporation
Subject:	Request to amend the Official Plan – Failure of City of Mississauga to adopt the requested amendment
Existing Designation:	“Residential High Density” and “Greenlands”
Proposed Designation:	“Residential High Density – Special Site”
Purpose:	To permit Mixed Use Development
Property Address/Description:	2475 Eglinton Avenue West
Municipality:	City of Mississauga
Municipality File No.:	OPA/OZ 16/003
OMB Case No.:	PL180262
OMB File No.:	PL180262
OMB Case Name:	Daniels HR Corporation 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:	Daniels HR Corporation
Subject:	Application to amend Zoning By-law No. 0225-2007 – Neglect of the City of Mississauga to make a decision
Existing Zoning:	“RA5-37 Density – Apartment Dwellings”
Proposed Zoning:	“RA5 – Exception Apartment Dwellings”
Purpose:	To permit Mixed Use Development
Property Address/Description:	2475 Eglinton Avenue West
Municipality:	City of Mississauga
Municipality File No.:	OPA/OZ 16/003
OMB Case No.:	PL180262
OMB File No.:	PL180263

BEFORE:

M. A. Sills)	Thursday the 18th day of
)	
VICE-CHAIR)	March, 2021

THIS MATTER having come on for a public hearing and after the hearing, the Tribunal in its Decision issued on July 26, 2019 (the “Decision”), granted approval to the application, but withheld its Final Order subject to the fulfilment of the condition(s) as set out in the Decision;

THE TRIBUNAL ORDERS that the appeals are allowed in part and the Official Plan for the City of Mississauga’s Official Plan is modified as set out in Attachment 1 to this Order, and as modified is approved.

THE TRIBUNAL FURTHER ORDERS that Zoning By-law No. 0225-2007 is amended in the manner as set out in Attachment 2 attached hereto and forming part of this order.

The City is hereby authorized to assign the appropriate numbers to these documents for record-keeping purposes.

This is the Order of the Tribunal.

“Becky Fong”

Becky Fong
Registrar

If there is an attachment referred to in this document,
please visit www.elto.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.elto.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

Amendment No. 96
to
Mississauga Official Plan

Amendment No. 96

to

Mississauga Official Plan

The following text and Maps "A", "B", "C", "D" and "E" attached constitutes Amendment No. 96.

PURPOSE

The purpose of this Amendment is to amend the Residential High Density and Greenlands land use designation boundaries to reflect the existing zoning and property lines, and to delete the floor space index limit from the subject lands.

LOCATION

The lands affected by this Amendment are located at the northeast corner of Erin Mills Parkway and Eglinton Avenue West in the City of Mississauga. The subject lands are located in the Central Erin Mills Major Node 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 High Density and Greenlands which permits apartment dwellings with a maximum height of 25 storeys, and conservation, flood and/or erosion control, and essential infrastructure and passive recreation, respectively. The Character Area policies permit a maximum floor space index of 2.5.

A maximum floor space index of 3.4 is proposed.

1. The proposal meets the intent, goals and objectives of Mississauga Official Plan.
2. The site is well served by a variety of public transportation options, community services and schools, as well as retail commercial uses and restaurants.
3. The lands are suitable for the proposed uses and are compatible with existing and future uses. The main land use will not change, as the residential use will be maintained on the site at higher densities. The lands are located in an area identified for intensification in Mississauga Official Plan.
4. An appropriate transition in heights that respects the surrounding context will be achieved, through the construction of buildings ranging from 11 to 25 storeys.

DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

1. Section 13.2, Central Erin Mills Major Node Character Area, of Mississauga Official Plan, is hereby amended by removing the **floor space index (FSI)** range from the subject site on Map 13-2: Central Erin Mills Major Node Character Area.
2. Schedule 1, Urban System, of Mississauga Official Plan, is hereby amended by removing portions of land from the Green System, as shown on Map "A" of this Amendment.
3. Schedule 1a, Urban System - Green System, of Mississauga Official Plan, is hereby amended by removing portions of land from the Green System as shown on Map "B" of this Amendment.
4. Schedule 3, Natural System, of Mississauga Official Plan, is hereby amended by adjusting the Natural Hazards boundary line, as shown on Map "C" of this Amendment.
5. Schedule 4, Parks and Open Spaces, of Mississauga Official Plan, is hereby amended by removing portions of land from the Public and Private Open Spaces, as shown on Map "D" of this Amendment.
6. Schedule 10, Land Use Designations, of Mississauga Official Plan, is hereby amended by changing a portion of the subject lands from Greenlands to Residential High Density, as shown on Map "E" 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.

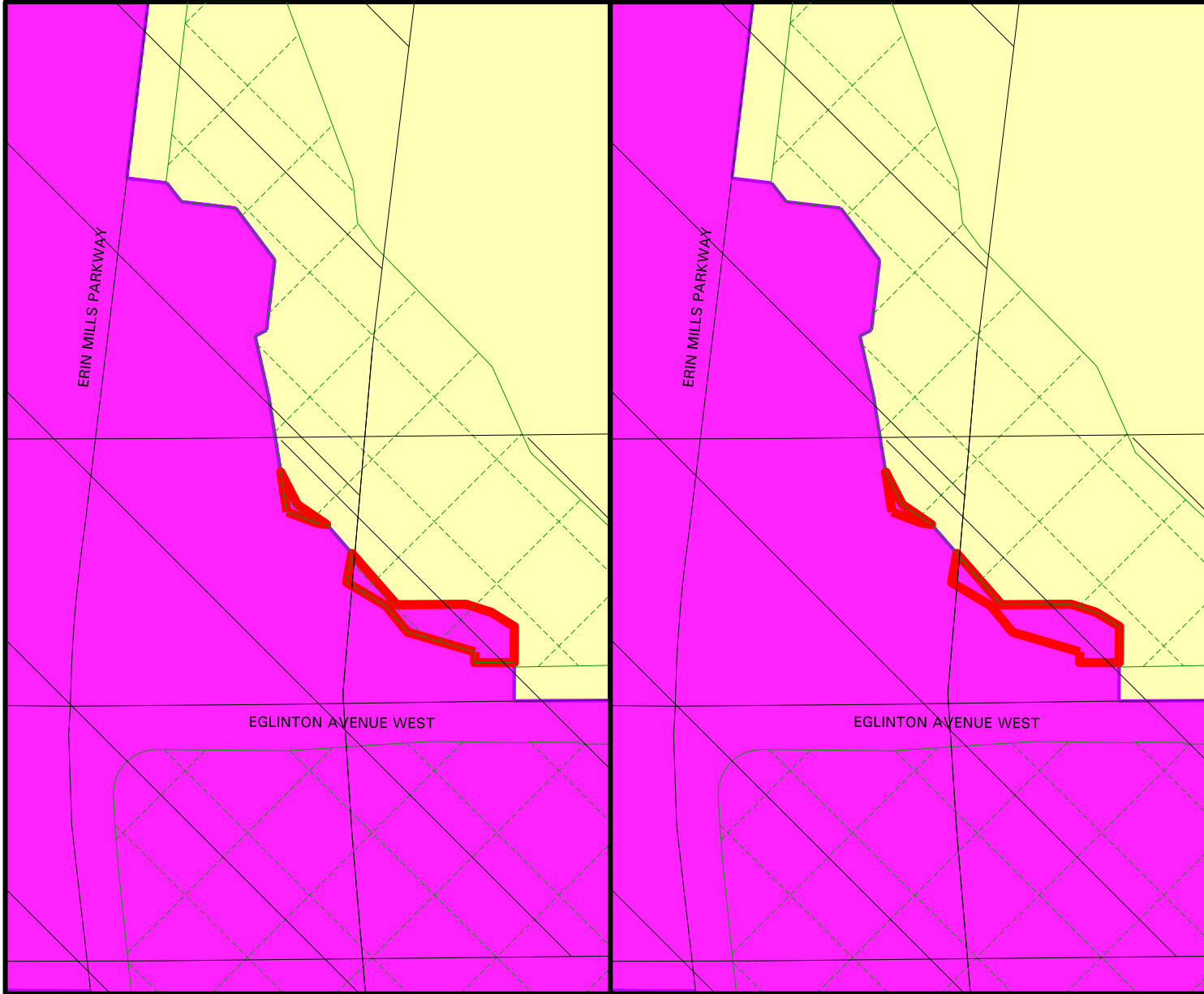
The lands will be rezoned as part of the same Tribunal Order.

This Amendment has been prepared based on the Office Consolidation of Mississauga Official Plan November 22, 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.



LEGEND

GREEN SYSTEM

Green System

CITY STRUCTURE

Downtown

Major Node

Community Node

Neighbourhood

Corporate Centre

Employment Area

Special Purpose Area

CORRIDORS

Corridor

Intensification Corridor

AREA OF AMENDMENT

Note:

Base map information (eg. roads, highways, railways, watercourses), including any lands or bodies of water outside the city boundaries, is shown for information purposes only.



MAP 'A'
 Part of
 Schedule 1-Urban System
 of Mississauga Official Plan




EXISTING

AMENDED

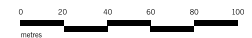


LEGEND:

 AREA OF AMENDMENT

Note:

Base map information (eg. roads, highways, railways, watercourses), including any lands or bodies of water outside the city boundaries, is shown for information purposes only.



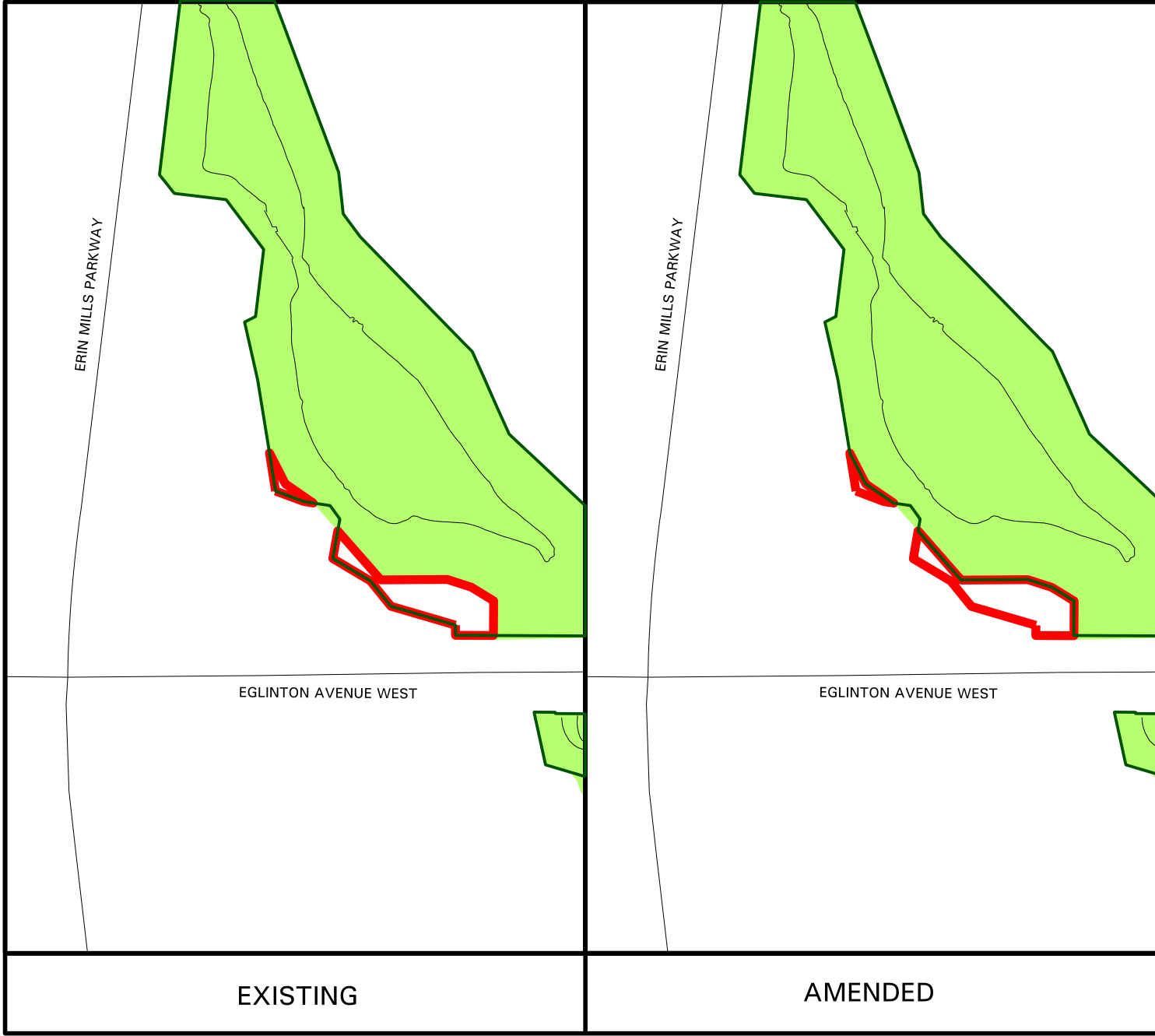
MAP 'B'

Part of Schedule 1a
Urban System - Green System
of Mississauga Official Plan



EXISTING

AMENDED

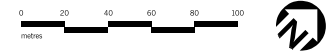


LEGEND

- Natural Heritage System:**
- Significant Natural Areas and Natural Green Spaces
 - Special Management Areas
 - Linkages
 - Residential Woodlands
 - Provincially Significant Wetlands
 - Other Wetlands
 - * Areas of Natural and Scientific Interest Provincial Significance
 - ◆ Areas of Natural and Scientific Interest Regional Significance

- Natural Hazards:**
- Natural Hazards
 - Two Zone Floodplain Regulations
 - Special Policy Area Floodplain
 - AREA OF AMENDMENT

- Notes:**
1. The entire Green System is shown on Schedule 1a.
 2. Base map information (eg. roads, highways, railways, watercourses), including any lands or bodies of water outside the city boundaries, is shown for information purposes only.
 3. The limits of the Natural Hazards shown on this Schedule are for illustrative purposes only. The appropriate Conservation Authority should be consulted to determine their actual location.



MAP 'C'
 Part of Schedule 3
 Natural System
 of Mississauga Official Plan








EXISTING

AMENDED

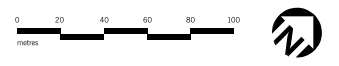


LEGEND

-  Public and Private Open Spaces
-  Parkway Belt West
-  Educational Facilities
-  Utilities
-  AREA OF AMENDMENT

Notes:

1. The entire Green System is shown on Schedule 1a.
2. Base map information (eg. roads, highways, railways, watercourses), including any lands or bodies of water outside the city boundaries, is shown for information purposes only.
3. The Public and Private Open Spaces identified on this Schedule include lands designated Public Open Space, Private Open Space and Greenbelt as shown on Schedule 10.

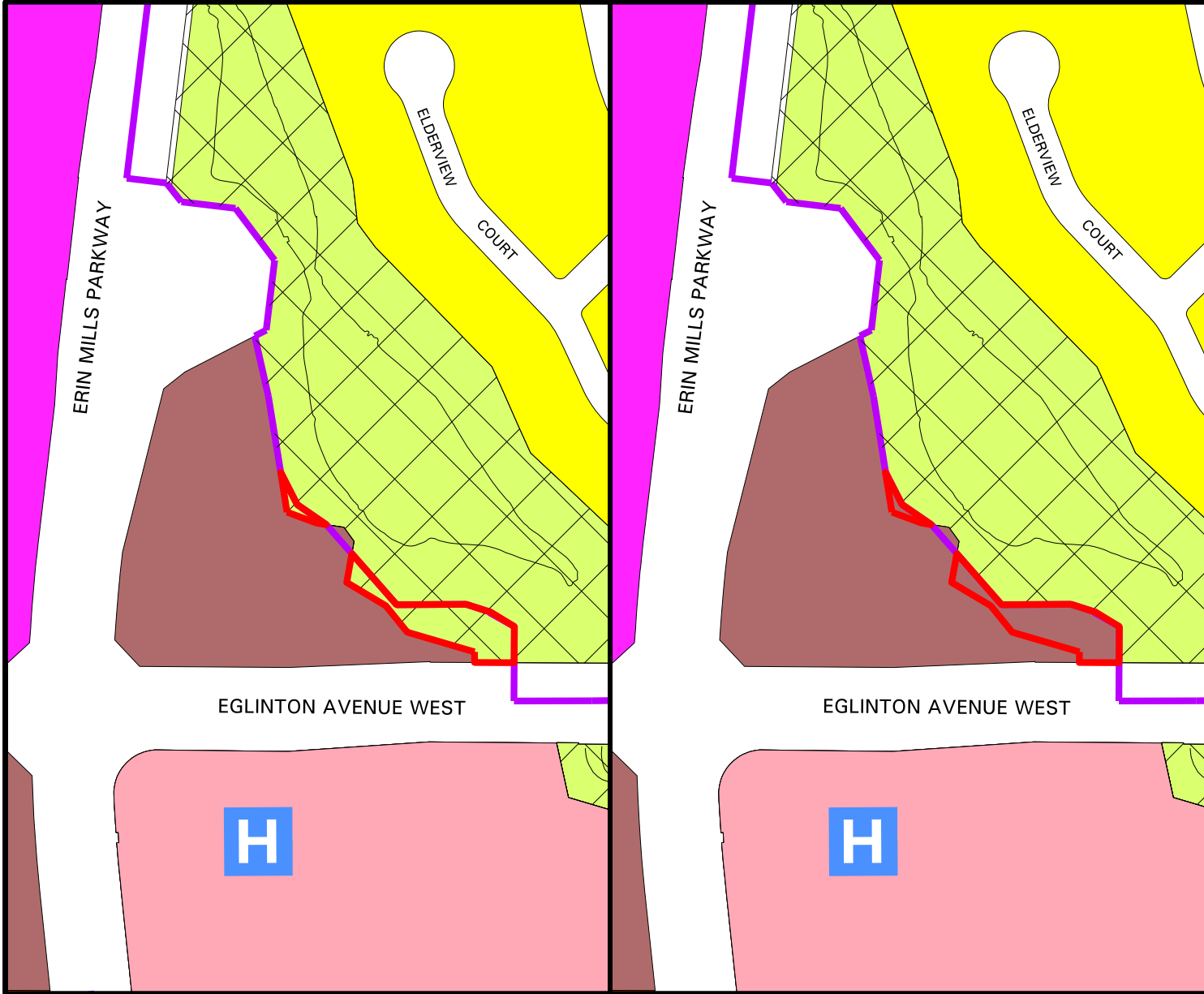


MAP 'D'
 Part of Schedule 4
 Parks and Open Spaces
 of Mississauga Official Plan



EXISTING

AMENDED



EXISTING LAND USE DESIGNATION

AMENDED LAND USE DESIGNATION

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

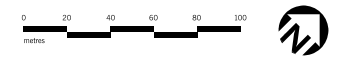
City Structure

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

AREA OF AMENDMENT

FROM:
 GREENLANDS

TO:
 RESIDENTIAL HIGH DENSITY



MAP 'E'
 Part of Schedule 10
 Land Use Designations
 of Mississauga Official Plan

