

**Ontario Land Tribunal**  
Tribunal ontarien de l'aménagement  
du territoire



**ISSUE DATE:** July 25, 2022

**CASE NO.:** OLT-22-002160

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

Applicant and Appellant: City Park (McLaughlin) Inc.  
Subject: Request to amend the Official Plan - Failure of  
the City of Mississauga to adopt the requested  
amendment

Existing Designation: Residential Low Density II  
Proposed Designated: Residential High Density  
Purpose: To permit residential developments  
Property Address/Description: 6616 McLaughlin Road  
Municipality: City of Mississauga  
Approval Authority File No.: OPA 20/014  
OLT Case No.: OLT-22-002160  
Legacy Case No.: PL210033  
OLT Lead Case No.: OLT-22-002160  
Legacy Lead Case No.: PL210033  
OLT Case Name: City Park (McLaughlin) 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: City Park (McLaughlin) Inc.  
Subject: Application to amend Zoning By-law No. 0225-  
2007 - neglect of the City of Mississauga to  
make a decision

Existing Zoning: Residential one - R1  
Proposed Zoning: RA2- XX and the open space area to OS1  
Purpose: To permit a six storey residential condominium  
and five detached residential lots

Property Address/Description: 6616 McLaughlin Road  
Municipality: City of Mississauga  
Municipality File No.: OZ 20/014  
OLT Case No.: OLT-22-002162  
Legacy Case No.: PL210034

OLT Lead Case No.: OLT-22-002160  
Legacy Lead Case No.: PL210033

**PROCEEDING COMMENCED UNDER** subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: City Park (McLaughlin) Inc.  
Subject: Proposed Plan of Subdivision - Failure of the City of Mississauga to make a decision  
Purpose: To permit six storey residential condominium and five detached residential lots  
Property Address/Description: 6616 McLaughlin Road  
Municipality: City of Mississauga  
Municipality File No.: T-M 20003 W11  
OLT Case No.: OLT-22-002163  
Legacy Case No.: PL210035  
OLT Lead Case No.: OLT-22-002160  
Legacy Lead Case No.: PL210033

BEFORE:

WILLIAM R. MIDDLETON ) Monday, the 25<sup>th</sup>  
)  
MEMBER ) day of July, 2022

**THIS MATTER** having been heard by the Tribunal, on March 24, 2022;

**AND THE TRIBUNAL**, in its Decision issued April 14, 2022 (the “**Interim Decision**”) and an amended Decision issued on May 6, 2022, having allowed the appeals in part, and having withheld its final Order until receiving agreed upon final form and content of the OPA, ZBA and draft plan of subdivision from the parties;

**AND THE TRIBUNAL** having received written confirmation from the City Solicitor on June 10, 2022 that that the conditions of the Interim Decision have been satisfactorily addressed;

**THE TRIBUNAL ORDERS THAT**

1. The Tribunal hereby approves the Official Plan Amendment attached hereto as Attachment 1 to this Order;
2. The Tribunal hereby approved the Zoning By-law Amendments attached hereto as Attachments 2 to this Order; and
3. The Tribunal hereby approved the plan of subdivision attached hereto as Attachments 3 to this Order

*“Euken Lui”*

EUKEN LUI  
ACTING REGISTRAR

**Ontario Land Tribunal**

Website: [olt.gov.on.ca](http://olt.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal (“Tribunal”). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.

**ATTACHMENT 1**

**Amendment No. 137**

**to**

**Mississauga Official Plan**

**Amendment No. 137**  
**to**  
**Mississauga Official Plan**

The following text and Map "A" attached constitute Amendment No. 137.

## **PURPOSE**

The purpose of this Amendment is to change the land use designation of the subject lands from Residential Low Density II to Residential High Density and to add a Special Site to permit a six storey apartment dwelling.

## **LOCATION**

The lands affected by this Amendment are located on the west side of McLaughlin Road, north of Navigator Drive. The subject lands are located in the Meadowvale Village 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 Ontario Land Tribunal.

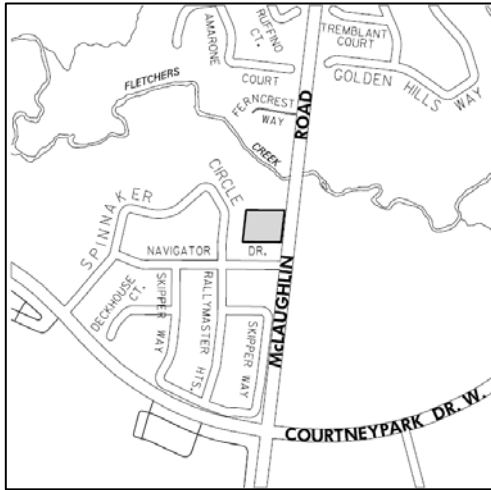
The subject lands are designated Residential Low Density II which permits detached, semi-detached and duplex dwellings, as well as triplexes, street townhouses and other forms of low-rise dwellings with individual frontages.

The proposed Amendment is required to redesignate the subject lands to Residential High Density to permit a six storey apartment dwelling.

## DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

1. Section 16.17, Meadowvale Village Neighbourhood Character Area, of Mississauga Official Plan, is hereby amended by adding Special Site 14 on Map 16-17: Meadowvale Village Neighbourhood Character Area, in accordance with the Special Site Policies.
2. Section 16.17.5, Special Site Policies, Meadowvale Village Neighbourhood Character Area, of Mississauga Official Plan, is hereby amended by adding the following:

### 16.17.5.14 Site 14



16.17.5.14.1 The lands identified as Special Site 14 are located on the west side of McLaughlin Road, north of Navigator Drive.

16.17.5.14.2 Notwithstanding the policies of this Plan, an apartment dwelling with a maximum height of six storeys will be permitted.

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

## **IMPLEMENTATION**

Upon receipt of the Ontario Land 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.

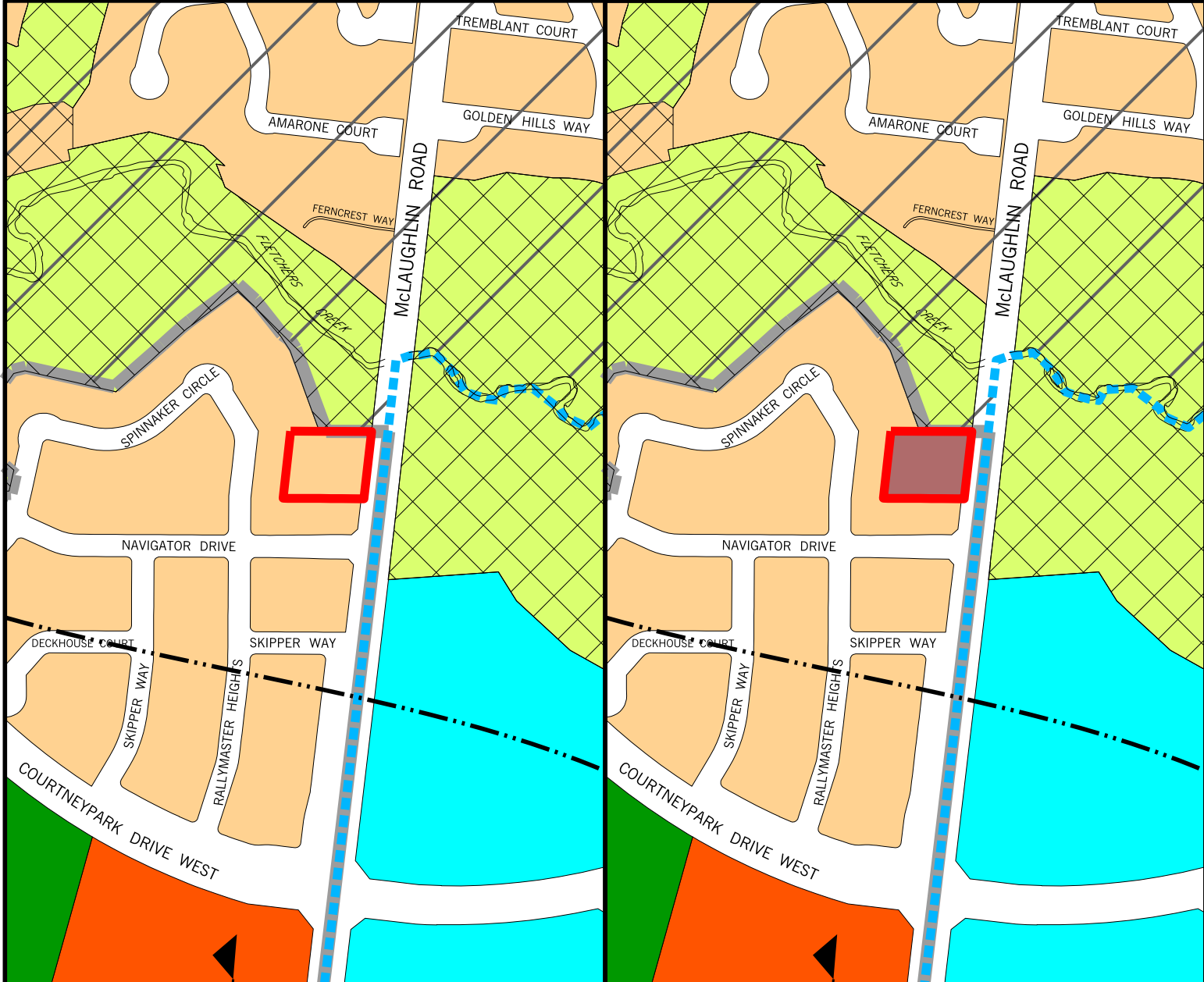
This Amendment has been prepared based on the Office Consolidation of Mississauga Official Plan October 21, 2021.

## **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.





EXISTING LAND USE DESIGNATION

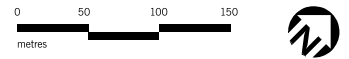
AMENDED LAND USE DESIGNATION

- ### LAND USE DESIGNATIONS
- Residential Low Density I
  - Residential Low Density II
  - Residential Medium Density
  - Residential High Density
  - Mixed Use
  - Downtown Mixed Use
  - Downtown Core Mixed Use
  - Convenience Commercial
  - Motor Vehicle Commercial
  - Office
  - Business Employment
  - Industrial
  - Airport
  - Institutional
  - Public Open Space
  - Private Open Space
  - Greenlands
  - Parkway Belt West
  - Utility

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

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

- AREA OF AMENDMENT
- FROM:  RESIDENTIAL LOW DENSITY II
- TO:  RESIDENTIAL HIGH DENSITY



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



**ATTACHMENT 2**

ONTARIO LAND TRIBUNAL  
ORDER DATED \_\_\_\_\_

OLT Lead Case No. OLT 22-002160  
OLT Case No. OLT 22-002162  
City Park (McLaughlin) 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:

4.4.4.11	Exception: R10-11	Map #44W	By-law:
In a R10-11 zone the permitted <b>uses</b> and applicable regulations shall be as specified for a R10 zone except that the following <b>uses/regulations</b> shall apply:			
<b>Regulations</b>			
4.4.4.11.1	Minimum <b>lot area - interior lot</b>		345 m <sup>2</sup>
4.4.4.11.2	Maximum <b>lot coverage</b>		48%
4.4.4.11.3	Minimum setback to <b>garage face - interior lot</b>		5.3 m
4.4.4.11.4	Minimum <b>interior side yard - interior lot</b>		1.2 m on one side of the <b>lot</b> and 0.6 m on the other side

2. By-law Number 0225-2007, as amended, is further amended by adding the following Exception Table:

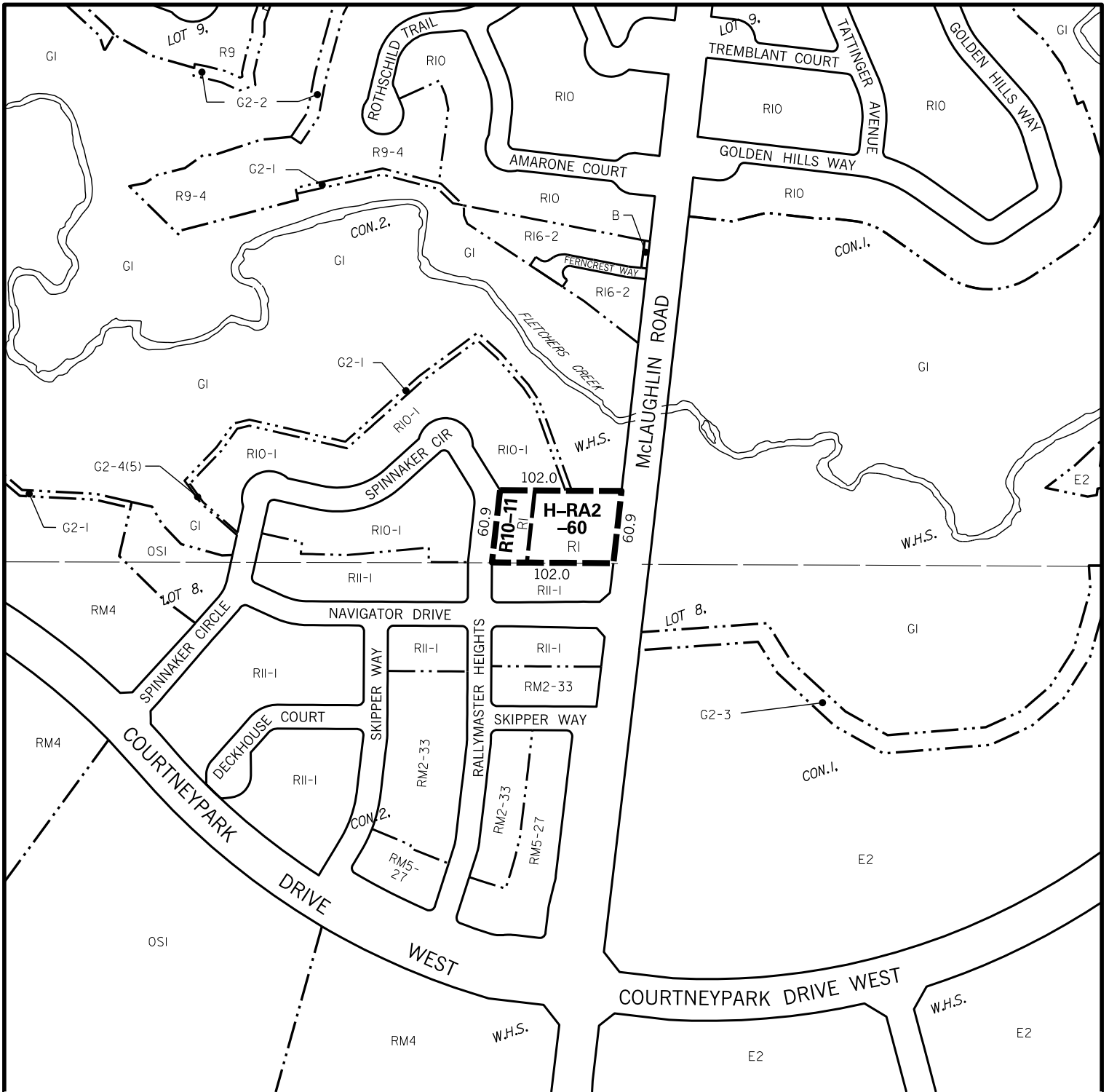
4.15.3.60	Exception: RA2-60	Map #44W	By-law:
In a RA2-60 zone the permitted <b>uses</b> and applicable regulations shall be as specified for a RA2 zone except that the following <b>uses/regulations</b> shall apply:			
<b>Regulations</b>			
4.15.3.60.1	The provisions contained in Subsections 2.1.14 and 2.1.30 and the regulations of Lines 13.6 and 13.7 contained in Table 4.15.1 of this By-law shall not apply		
4.15.3.60.2	Maximum <b>floor space index - apartment zone</b>		2.1

4.15.3.60	Exception: RA2-60	Map #44W	By-law:
4.15.3.60.3	Maximum <b>height</b>		21.5 m and 6 <b>storeys</b>
4.15.3.60.4	Minimum <b>front yard</b>		2.3 m
4.15.3.60.5	Notwithstanding Sentence 4.15.3.60.4 of this Exception, minimum <b>front yard</b> to an underground <b>parking structure</b>		1.7 m
4.15.3.60.6	Minimum southerly <b>interior side yard</b> for that portion of the dwelling with a <b>height</b> less than or equal to 15.2 m		15.4 m
4.15.3.60.7	Minimum southerly <b>interior side yard</b> for that portion of the dwelling with a <b>height</b> greater than 15.2 m		20.0 m
4.15.3.60.8	Minimum <b>rear yard</b> for that portion of the dwelling with a <b>height</b> less than or equal to 11.8 m		7.3 m
4.15.3.60.9	Minimum <b>rear yard</b> for that portion of the dwelling with a <b>height</b> greater than 11.8 m		13.1 m
4.15.3.60.10	Minimum number of resident <b>parking spaces</b> per <b>dwelling unit</b>		1.0
4.15.3.60.11	Minimum setback from a <b>parking structure</b> above or partially above finished grade, inclusive of stairs and ventilation shafts, to any <b>lot line</b> abutting lands with a Residential Zone		3.0 m
4.15.3.60.12	Minimum setback from a <b>parking structure</b> above or partially above finished grade, inclusive of stairs and ventilation shafts, to any <b>lot line</b> abutting lands with a Greenlands Zone		4.8 m
4.15.3.60.13	Minimum depth of a <b>landscaped buffer</b> abutting McLaughlin Road		2.3 m
4.15.3.60.14	Bicycle parking and/or transformer on a hard surfaced area is permitted within a <b>landscaped buffer</b> abutting McLaughlin Road		
4.15.3.60.15	Minimum depth of a <b>landscaped buffer</b> abutting lands with a Residential Zone		3.0 m
4.15.3.60.16	Minimum depth of a <b>landscaped buffer</b> abutting lands with a Greenlands Zone		4.8 m

4.15.3.60	Exception: RA2-60	Map #44W	By-law:
4.15.3.60.17	Minimum <b>amenity area</b>		1.8 m <sup>2</sup> per <b>dwelling unit</b>
4.15.3.60.18	Minimum <b>amenity area</b> to be provided outside		160 m <sup>2</sup>
<b>Holding Provision</b>			
<p>The holding symbol H is to be removed from the whole or any part of the lands zoned H-RA2-60 by further amendment to Map 44W of Schedule B contained in Part 13 of this By-law, as amended, upon satisfaction of the following requirements:</p> <ol style="list-style-type: none"> <li>(1) delivery of an executed agreement for the provision of certain facilities, services or matters, pursuant to section 37 of the <i>Planning Act</i>, as it read on the day before section 9 of Schedule 12 to the <i>More Homes, More Choices Act, 2019</i> came into force, in a form and on terms satisfactory to the City of Mississauga ("City");</li> <li>(2) submission of satisfactory grading and servicing drawings to City standards and specifications;</li> <li>(3) submission of a satisfactory Traffic Impact Study, including any Functional Design Plans for any road improvements to City standards and specifications;</li> <li>(4) delivery of an executed Development Agreement in a form and on terms satisfactory to the City to capture the obligations to complete the required municipal infrastructure works in support of the proposed development;</li> <li>(5) the submission of a satisfactory Functional Servicing Report to City standards and specifications;</li> <li>(6) arrangements for the registration of an easement between Lots 2 and 3 to the satisfaction of the Region of Peel.</li> </ol>			

2. Map Number 44W 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 "R1" to "R10-11" and "H-RA2-60", the zoning of Part Lot 9, Concession 2, West of Hurontario Street, in the City of Mississauga, PROVIDED HOWEVER THAT the "R10-11" and "H-RA2-60" 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 "R10-11" and "H-RA2-60" zoning indicated thereon.
  
3. This By-law shall not come into force until Mississauga Official Plan Amendment Number 137 is in full force and effect.

[http://teamsites.mississauga.ca/sites/18/Bylaws/OZ 20 014 W11.by-law to OLT.ad.jmcc.docx](http://teamsites.mississauga.ca/sites/18/Bylaws/OZ%20014%20W11.by-law%20to%20OLT.ad.jmcc.docx)



● ——— Arrow for Existing Zoning

This is not a Plan of Survey.  
 The dimensions shown hereon were taken from  
 Registered Plan 43M-1477 and Plan 43R-24385

**CITY OF MISSISSAUGA**

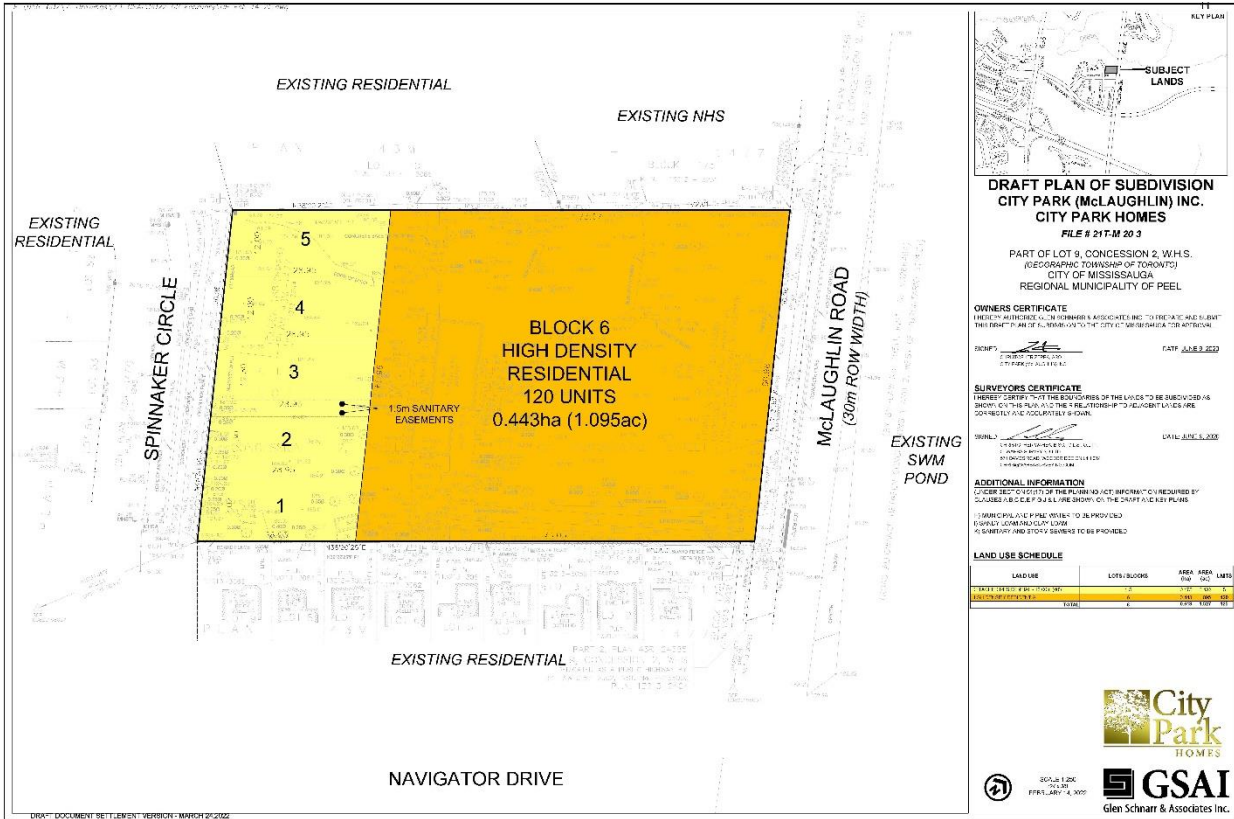
**THIS IS SCHEDULE "A" TO**

**OLT ORDER DATED** \_\_\_\_\_

**OLT LEAD CASE NO.** OLT-22-002160

**OLT CASE NO.** OLT-22-002162

# ATTACHMENT 3



**DRAFT PLAN OF SUBDIVISION  
CITY PARK (McLAUGHLIN) INC.  
CITY PARK HOMES  
FILE # 21M 20 3**

PART OF LOT 8, CONCESSION 2, W.H.S.  
(GEOGRAPHIC TOWNSHIP OF TORONTO)  
CITY OF MISSISSAUGA  
REGIONAL MUNICIPALITY OF PEELE

**OWNERS CERTIFICATE**  
I, THE UNDERSIGNED, CLIVE SPINNAKER & ASSOCIATES INC., TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS DRAFT PLAN OF SUBDIVISION IS TRUE AND CORRECT AND ACCURATELY REPRESENTS THE REALITY OF THE LANDS DESCRIBED HEREIN.

DATE: 2021.03.03

**SURVEYORS CERTIFICATE**  
I, THE UNDERSIGNED, CLIVE SPINNAKER & ASSOCIATES INC., TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS DRAFT PLAN OF SUBDIVISION IS TRUE AND CORRECT AND ACCURATELY REPRESENTS THE REALITY OF THE LANDS DESCRIBED HEREIN.

DATE: 2021.03.03

**ADDITIONAL INFORMATION**  
I, THE UNDERSIGNED, CLIVE SPINNAKER & ASSOCIATES INC., TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS DRAFT PLAN OF SUBDIVISION IS TRUE AND CORRECT AND ACCURATELY REPRESENTS THE REALITY OF THE LANDS DESCRIBED HEREIN.

**LAND USE SCHEDULE**

LAND USE	AREA (sq. m)	AREA (sq. ft)	LIMITS
RESIDENTIAL HIGH DENSITY	1,095,000	249,000	100%
TOTAL	1,095,000	249,000	100%

Glen Schnarr & Associates Inc.

DATE: 2021.03.03