

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: January 10, 2024

CASE NO.: OLT-22-004548

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

Applicant and Appellant: 30 Eglinton Avenue West Limited
Subject: Request to amend the Official Plan – Failure to adopt the requested amendment
Description: To permit the construction of three mixed-use high-rise buildings
Reference Number: OZ 21/002 W4
Property Address: 30 Eglinton Avenue West
Municipality/UT: Mississauga/Peel
OLT Case No.: OLT-22-004548
OLT Lead Case No.: OLT-22-004548
OLT Case Name: 30 Eglinton Avenue West Limited 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: 30 Eglinton Avenue West Limited
Subject: Application to amend the Zoning By-law – Refusal or neglect to make a decision
Description: To permit the construction of three mixed-use high-rise buildings
Reference Number: OZ 21/002 W4
Property Address: 30 Eglinton Avenue West
Municipality/UT: Mississauga/Peel
OLT Case No.: OLT-22-004549
OLT Lead Case No.: OLT-22-004548

BEFORE:

D. ARNOLD)
MEMBER)
) Tuesday, the 10th
) day of January, 2024

THESE MATTERS having initially come on for a public settlement hearing before the Tribunal on October 27, 2023;

AND THE TRIBUNAL having issued its Memorandum of Oral Decision and Interim Order on November 20, 2023, which allowed the appeals, in part, on an interim basis, and approved in principle amendments to the City of Mississauga Official Plan and Zoning By-law to facilitate the redevelopment of the property known municipally as 30 Eglinton Avenue West (the “Property”), with the Tribunal’s Final Order withheld contingent upon receipt of the final form of planning instruments to the satisfaction of the City’s Solicitor and Chief Planner (the “Interim Decision”);

AND THE TRIBUNAL having been provided with the final form of official plan and zoning by-law amendments and confirmation that the City and applicant are satisfied with same;

THE TRIBUNAL ORDERS, in accordance with the interim Decision, that:

- a) the appeals are allowed, in part;
- b) the City of Mississauga Official Plan is hereby amended in the form attached hereto as “Attachment 1”; and
- c) the City of Mississauga Zoning By-law No. 0225-2007 is hereby amended in the form attached hereto as “Attachment 2”.

“Euken Lui”

EUKEN LUI
ACTING REGISTRAR

Ontario Land Tribunal

Website: 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. 164

to

Mississauga Official Plan

Amendment No. 164
to
Mississauga Official Plan

The following text and Map "A" attached constitute Amendment No. 164.

PURPOSE

The purpose of this Amendment is to change the land use designation of the subject lands from Office to Residential High Density and to amend the Special Site Policies for the Uptown Major Node Character Area.

LOCATION

The lands affected by this Amendment are located on the southwest corner of Eglinton Avenue West and Hurontario Street. The subject lands are located in the Uptown 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 Ontario Land Tribunal.

The subject lands are designated Office, are permitted a maximum height of 25 storeys, and are within an area subject to Special Site Policies. The Office designation permits major office, secondary office and accessory uses and the Special Site Policies permit commercial uses and High Density Residential uses in combination with Office uses.

The proposed Amendment is required to permit three apartment dwellings with heights of 29, 31 and 36 storeys with grade related commercial uses.

DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

1. Section 13.4.9, Special Site Policies, Special Site 1, Uptown Major Node Character Area, of Mississauga Official Plan, is hereby amended by deleting Policy 13.4.9.1.3, and replacing it with the following:

13.4.9.1.3 Notwithstanding the policies of this Plan, the lands identified as Area A will permit the following uses:

- a. apartment dwellings with a maximum height of 36 storeys;
 - b. commercial school;
 - c. major office;
 - d. funeral establishment; and,
 - e. post-secondary education facility.
2. Schedule 10, Land Use Designations, of Mississauga Official Plan, is hereby amended by changing the land use designation of the subject lands from Office 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.

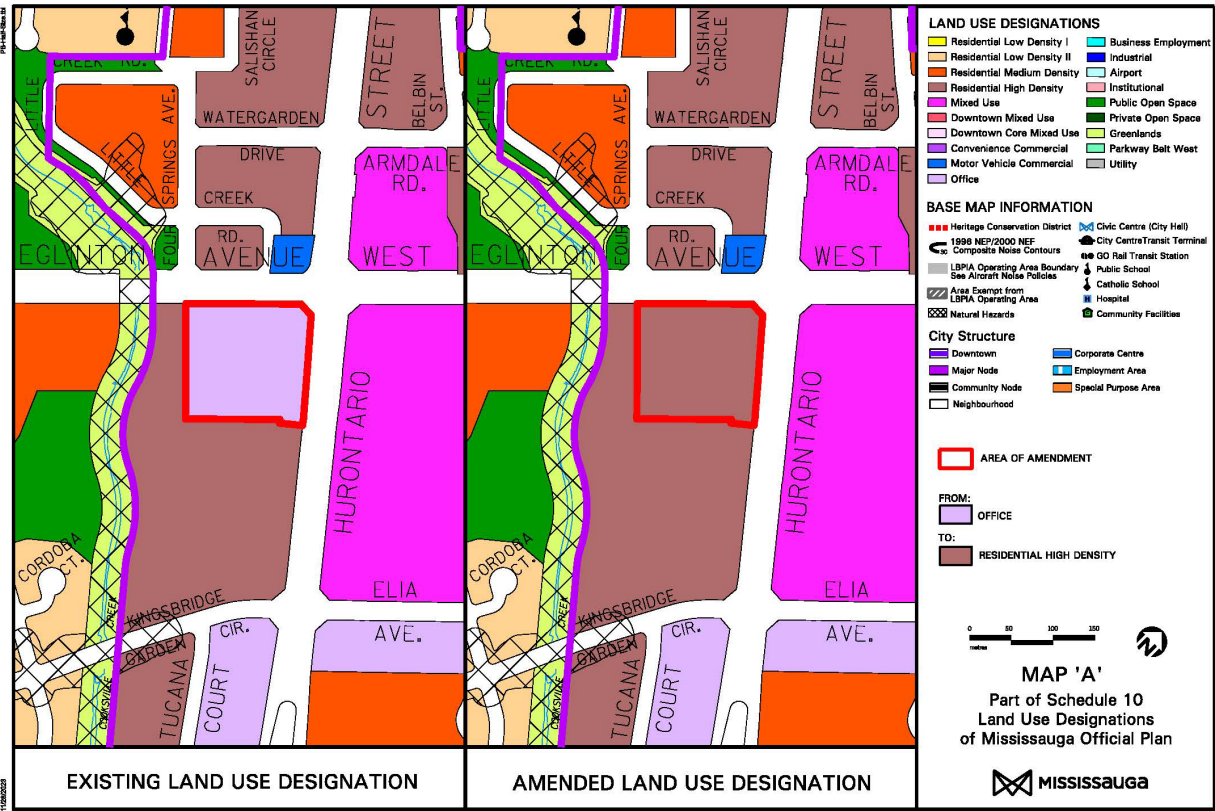
The lands will be rezoned as part of the same Tribunal Order.

This Amendment has been prepared based on the Office Consolidation of Mississauga Official Plan dated July 27, 2023.

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

BASE MAP INFORMATION

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

City Structure

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

AREA OF AMENDMENT

FROM: OFFICE

TO: RESIDENTIAL HIGH DENSITY

0 50 100 150
metres

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

MISSISSAUGA