

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



**ISSUE DATE:** March 13, 2025

**CASE NO.:** OLT-22-004843

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

Applicant and Appellant: Edenshaw Queen Developments Limited  
Subject: Request to amend the Official Plan – Failure to adopt the requested amendment  
Description: To permit the construction of two mixed-use residential buildings of 40 and 42 storeys  
Reference Number: OZ/OPA 22-10 W1  
Property Address: 88 Park Street E  
Municipality/UT: Mississauga/Peel  
OLT Case No.: OLT-22-004843  
OLT Lead Case No.: OLT-22-004843  
OLT Case Name: Edenshaw Queen Developments 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: Edenshaw Queen Developments Limited  
Subject: Application to amend the Zoning By-law – Refusal or neglect to make a decision  
Description: To permit the construction of two mixed-use residential buildings of 40 and 42 storeys  
Reference Number: OZ/OPA 22-10 W1  
Property Address: 88 Park Street E  
Municipality/UT: Mississauga/Peel  
OLT Case No.: OLT-22-004844  
OLT Lead Case No.: OLT-22-004843

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

Applicant and Appellant: Edenshaw Queen Developments Limited  
Subject: Proposed Plan of Subdivision – Failure of Approval Authority to make a decision  
Description: To permit the construction of two mixed-use residential buildings of 40 and 42 storeys

Reference Number: TM 22/02 W1  
 Property Address: 88 Park Street E  
 Municipality/UT: Mississauga/Peel  
 OLT Case No.: OLT-22-004845  
 OLT Lead Case No.: OLT-22-004843

BEFORE:

WILLIAM R. MIDDLETON                    )  
 VICE-CHAIR                                )  
   )     Wednesday, the 12<sup>th</sup>  
   )     day of March, 2025

**WHEREAS THESE APPEALS** of applications for an official plan amendment and a zoning by-law amendment in respect of the lands municipally known as 88 Park Street East, Mississauga (the “**Subject Property**”), came before the Ontario Land Tribunal (the “**Tribunal**”) for a public hearing on April 25, 2024.

**AND THE TRIBUNAL** having received uncontroverted expert land use planning opinion evidence from David Sajecki, MCIP, RPP, in the form of an affidavit sworn on April 24, 2024 and oral evidence at the hearing, in support of a settlement between the applicant and the City of Mississauga, which was not opposed by the other party to this proceeding, Metrolinx (collectively, the “**Parties**”), or the Region of Peel, a participant to this proceeding.

**AND THE TRIBUNAL** having issued a Decision and Interim Order on May 6, 2024 that allowed the appeal by Edenshaw Queen Developments Limited, in part, and approved in principle, on an interim basis, the Amendment to the Zoning By-law and the Amendment to the Official Plan of the City of Mississauga, both appended to that Interim Order, subject to the satisfaction and confirmation of the pre-requisite matters set out in paragraph 9(b) of the Interim Order.

**AND THE TRIBUNAL** having been advised by the Solicitor for the City of Mississauga that the pre-requisite matters set out in paragraph 9(b) of the Interim Order have been satisfied.

**THE TRIBUNAL ORDERS THAT:**

1. The appeals of Edenshaw Queen Developments Limited pursuant to subsections 22(7) and 34(11) of the *Planning Act* are allowed in part;
2. The City of Mississauga Official Plan is amended as set out in **Attachment 1** to this Order; and
3. The City of Mississauga Zoning By-law 0225-2007 is amended as set out in **Attachment 2** 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. 187**

**to**

**Mississauga Official Plan**

**Amendment No. 187**  
**to**  
**Mississauga Official Plan**

The following text and Map "A" attached constitute Amendment No. 187.

**PURPOSE**

The purpose of this Amendment is to amend Special Site 12 policies of the Port Credit Local Area Plan to permit a 36 and 29 storey apartment building with commercial and office space within the first three storeys and a pedestrian plaza.

**LOCATION**

The lands affected by this Amendment are located west of Hurontario Street, south of the Canadian National Railway and Queen Street East, east of Ann Street and north of Park Street East. The subject lands are located in the Port Credit Community 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 Mixed Use which permits a combination of residential and non-residential uses and are within an area subject to Special Site policies. The Special Site policies prescribe non-residential floor space requirements and building performance standards.

An Official Plan Amendment is required to amend Schedule 2B, Port Credit Community Node Height Limits, to permits heights at 36 and 29 storeys, in addition to amending applicable Special Site 12 policies.

**DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO**

1. Section 13.1.12, Special Site 12, Port Credit Local Area Plan, of Mississauga Official Plan, is hereby amended by adding the following policy:

13.1.12.3 Notwithstanding policy 13.1.12.2, Block 1 is permitted to contain building heights of 36 and 29 storeys and a one storey stand alone commercial building.
2. Section 13.1.12, Special Site 12, Port Credit Local Area Plan, of Mississauga Official Plan, is hereby amended by deleting policy 13.1.12.2.c and replacing it with the following:
  - c. Blocks 2, 3 and 4, a minimum of 30 metres will be provided between any portion of a building that is eight storeys or higher to another building that is eight storeys or higher. Block 1, a minimum of 25 metres will be provided between any two buildings, for any portion of a building that is nine storeys or higher to another portion of a building that is nine storeys or higher;
3. Section 13.1.12, Special Site 12, Port Credit Local Area Plan, of Mississauga Official Plan, is hereby amended by deleting policy 13.1.12.2.d and replacing it with the following:
  - d. Blocks 2, 3 and 4, the maximum size of residential floor plates beyond the 15th storey will generally be 800 square metres or less. Block 1, the maximum size of residential floor plates beyond the 15th storey will be 900 square metres.
4. Section 13.1.12, Special Site 12, Port Credit Local Area Plan, of Mississauga Official Plan, is hereby amended by deleting policy 13.1.12.2.h and replacing it with the following:
  - h. The following minimum gross floor area (GFA) of employment generating uses will be required as part of future comprehensive block redevelopments:
    - Block 1: 3 250 square metres
    - Block 2: 1 400 square metres
    - Block 4: 250 square metres
5. Schedule 2B, Port Credit Community Node Height Limits, of Mississauga Official Plan, is hereby amended by changing the height limits, as shown on Map "A" of this Amendment for lands north of Park Street East, east of Ann Street, from "2 to 22" to "1 to 36" and "1 to 29".

**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.

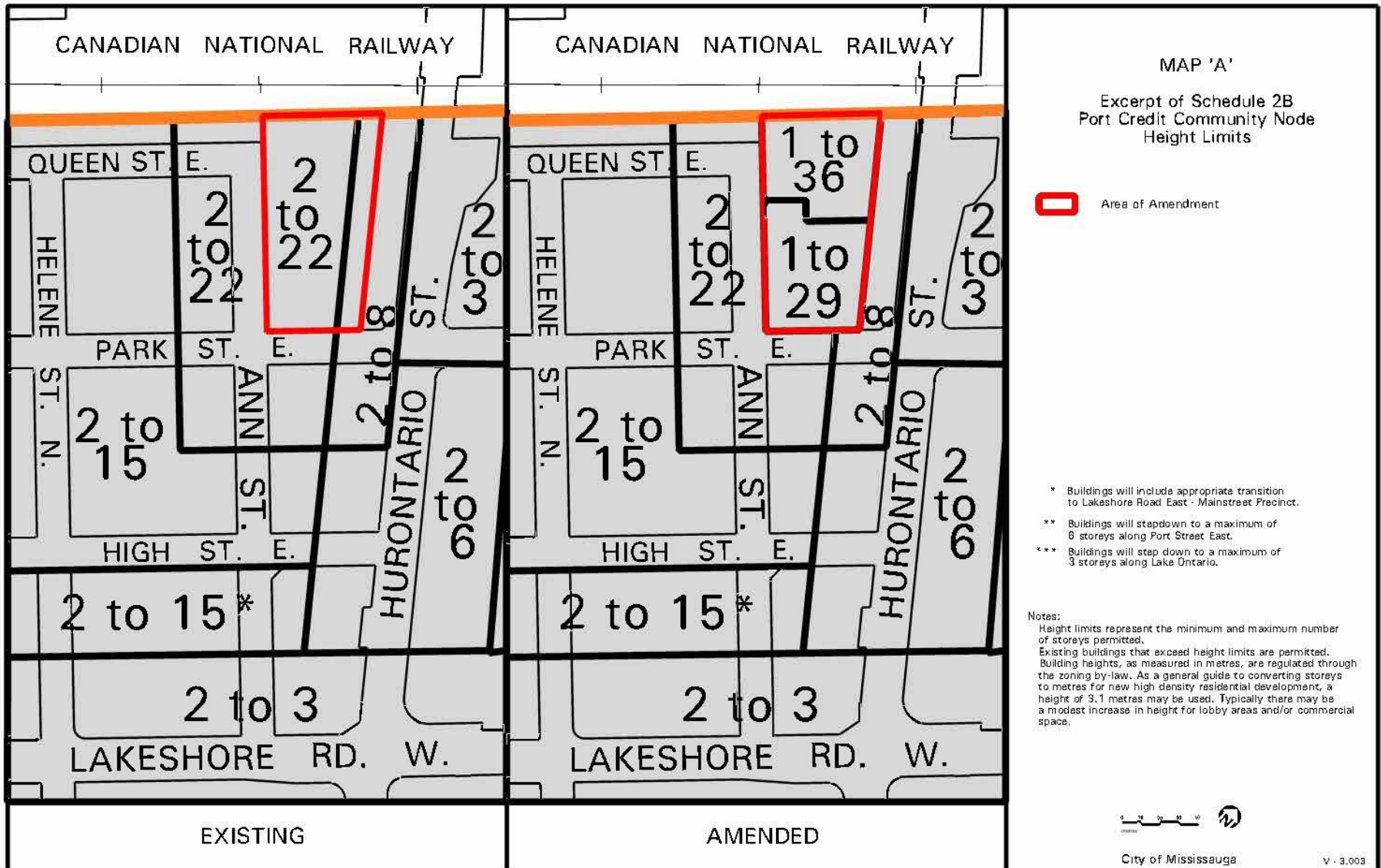
This Amendment has been prepared based on the Office Consolidation of Mississauga Official Plan dated August 7, 2024.

**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.





## ATTACHMENT 2

ONTARIO LAND TRIBUNAL

OLT Lead Case No. OLT-22-004843

ORDER DATED \_\_\_\_\_

OLT Case No. OLT-22-004844

Edenshaw Queen Developments Limited

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

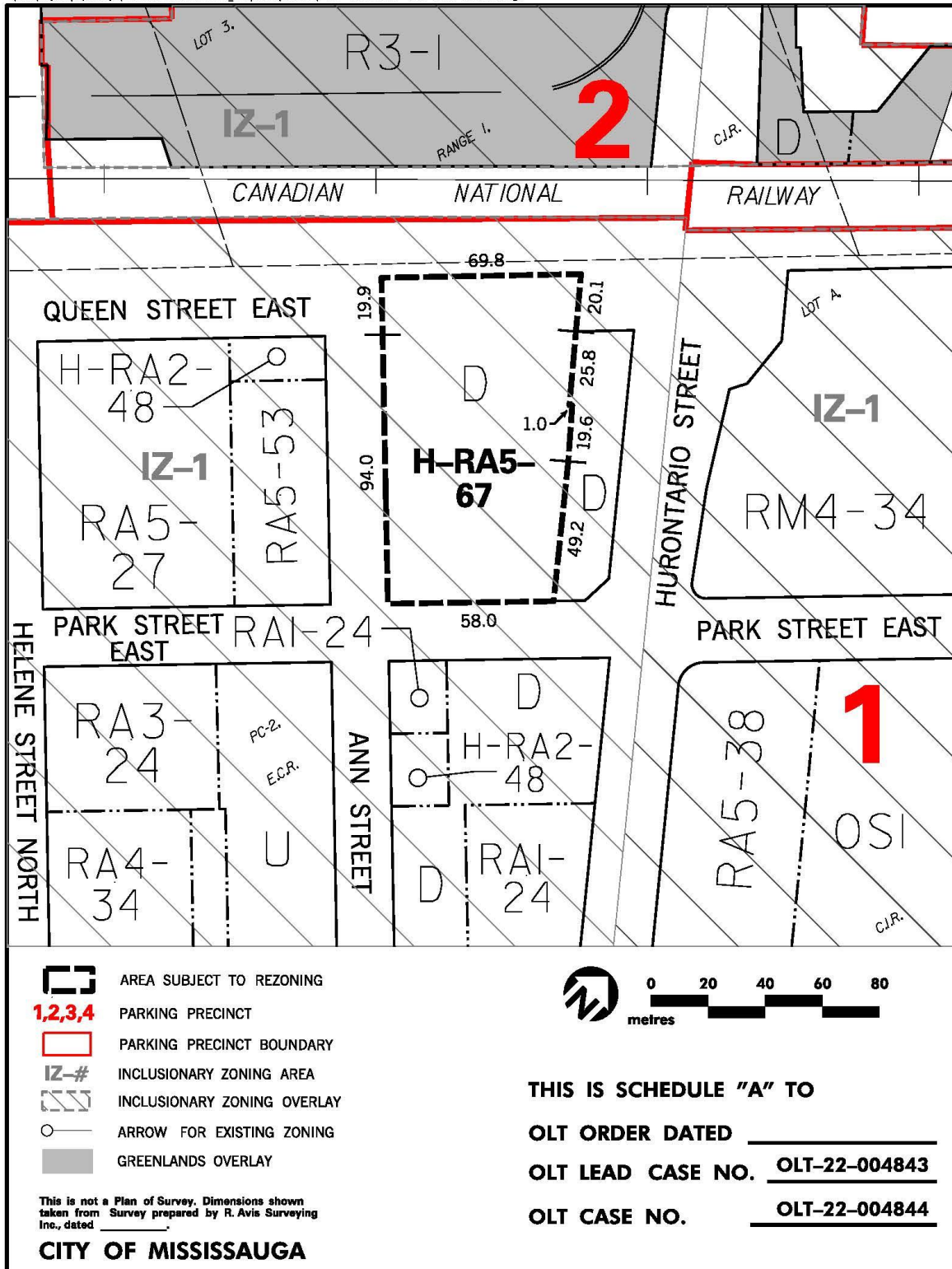
4.15.6.67	Exception: RA5-67	Map # 08	By-law:
In a RA5-67 zone the permitted uses and applicable regulations shall be as specified for a RA5 zone except that the following uses/regulations shall apply:			
<b>Additional Permitted Use</b>			
4.15.6.67.1	(1)	Uses permitted in a C4 zone as contained in Table 6.2.1 of this By-law	
<b>Regulations</b>			
4.15.6.67.2	The provisions contained in Subsections 2.1.14 and 4.1.7, Sentences 3.1.1.4.3 and 3.1.1.4.4 and the regulations of Lines 4.0, 5.0, 13.5 and 15.6 contained in Table 4.15.1 of this By-law shall not apply		
4.15.6.67.3	Maximum gross floor area - apartment zone		73 766 m <sup>2</sup>
4.15.6.67.4	Minimum gross floor area - non-residential		3 250 m <sup>2</sup>
4.15.6.67.5	Maximum gross floor area - apartment zone per storey for each storey up 15 storeys		1 405 m <sup>2</sup>
4.15.6.67.6	Maximum gross floor area - apartment zone per storey for each storey above 15 storeys		900 m <sup>2</sup>
4.15.6.67.7	Minimum setback of a public school, private school, day care or public walkway from a railway right-of-way		4.5 m
4.15.6.67.8	Notwithstanding Sentence 4.15.6.67.17 of this Exception, maximum projection of a balcony located above the first storey measured from the outermost face or faces of the building from which the balcony projects		2.5 m
4.15.6.67.9	Notwithstanding Sentence 4.15.6.67.17 of this Exception, maximum projection of an architectural feature measured from the outermost face or faces of a building		3.0 m
4.15.6.67.10	Notwithstanding Sentence 4.15.6.67.17 of this Exception, minimum above grade separation distance between the exterior of the towers in Buildable Areas 'A', 'B' and 'C' identified on Schedule RA5-67 of this Exception, for that portion of the building above eight storeys		25.0 m
4.15.6.67.11	Minimum number of bicycle parking spaces - class b		0.05 per unit
4.15.6.67.12	Minimum landscaped area		24% of the lot area
4.15.6.67.13	An accessibility ramp, shoring, wind mitigation infrastructure, stairs and walkways, concrete pad, transformer, signage, gas meter, utility easement and lighting shall be permitted to encroach within the landscaped area		

4.15.6.67	Exception: RA5-67	Map # 08	By-law:
4.15.6.67.14	Minimum depth of a <b>landscaped buffer</b> abutting any lot line		0.0 m
4.15.6.67.15	Minimum <b>amenity area</b>		3.0 m <sup>2</sup> per dwelling unit
4.15.6.67.16	Minimum percentage of total required <b>amenity area</b> to be provided in one contiguous area		15%
4.15.6.67.17	All site development plans shall comply with Schedule RA5-67 of this Exception		
<b>Holding Provision</b>			
<p>The holding symbol H is to be removed from the whole or any part of the lands zoned H-RA5-67 by further amendment to Map 08 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 Development Agreement in a form and on terms satisfactory to The Corporation of the City of Mississauga ("City"), and the Region of Peel ("Region");</li><li>(2) submission of an updated Rail Safety Report satisfactory to Metrolinx;</li><li>(3) submission of a Quantitative Wind Study satisfactory to the City's Planning and Building Department;</li><li>(4) submission of an updated Grading and Servicing Plan and Functional Servicing Report satisfactory to the City and the Region;</li><li>(5) satisfactory arrangements with the City regarding the required land dedications;</li><li>(6) enter into a Servicing Agreement with the Region regarding wastewater servicing whereby the owner provides an indemnity and release to the Region with respect to the commencement of construction prior to the full availability of servicing infrastructure to accommodate the development, or an initial phase thereof, and releases the Region from any liability if wastewater servicing is not available to service the development at the time that the development would otherwise be available for first occupancy. The owner acknowledges and agrees that the wastewater servicing connection required for occupancy will not be available until the required capital projects to support servicing are complete and that the required projects have not commenced as of December 2024;</li><li>(7) submission of a Streetscape Feasibility Study to the satisfaction of the City's Planning and Building and Transportation and Works Departments, including a satisfactory Utility Plan and associated Cross Sections as per the City's Terms of Reference.</li></ol>			

2. Map Number 08 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 "D" to "H-RA5-67", the zoning of Lot 2 and Part of Lot 1, Port Credit-2, East of Credit River, in the City of Mississauga, PROVIDED HOWEVER THAT the "H-RA5-67" 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 "H-RA5-67" zoning indicated thereon.
3. This By-law shall not come into force until Mississauga Official Plan Amendment Number 187 is in full force and effect.

<http://teamsites.mississauga.ca/sites/18/bylaws/oz-opa-22-10-w1-by-law-olt.dfjmcc.docx>

I:\padd\Projects\ReportMaps\227324 OZ OPA 22-10 W1\_RPT\Vector\Nov2024\22010 - Schedule A - with Queen St Inclusion.dgn



QUEEN STREET EAST

ANN STREET

HURONTARIO STREET

PARK STREET EAST

'A'

104.8m and 29 Storeys

'B'

62.5m and 15 Storeys

'C'

23.0m and 3 Storeys

15.0m and 1 Storey

55.5m and 15 Storeys

21.0m and 2 Storeys

131.5m and 38 Storeys

49.5m and 11 Storeys

25.5m and 4 Storeys

15.5m and 2 Storeys

34.0m and 8 Storeys

34.0m and 8 Storeys

2.0

2.5

2.0

25.0

26.0

20.5

34.0m and 8 Storeys

39.7

26.5

11.6

11.9

3.7

10.0

17.0

30.0

6.0

2.5

7.0

10.7

6.4

3.8

0.0

31.0

0.0

1.0

0.0

3.0

1.8

0.0

5.0

5.0

5.5

3.0

1.5

Note:

All measurements are in metres and are minimum setbacks or dimensions, unless otherwise noted. All heights are maximums, unless otherwise noted.

This is not a Plan of Survey.

— BUILDABLE AREA

- - - ZONE BOUNDARY

THIS IS SCHEDULE "RA5-67" TO

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

OLT LEAD CASE NO. OLT-22-004843

OLT CASE NO. OLT-22-004844