

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: July 10, 2025

CASE NO.: OLT-23-000684

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

Applicant and Appellant: 70 Park Street East Inc.
Subject: Request to amend the Official Plan – Failure to adopt the requested amendment
Description: To permit a 38-storey mixed use tower with 530 residential units
Reference Number: OZ/OPA 23-3 W1
Property Address: 23, 25, 27, 29 and 31 Helen Street North, 53 Queen Street East and 70 Park Street East
Municipality/UT: Mississauga / Mississauga
OLT Case No.: OLT-23-000684
OLT Lead Case No.: OLT-23-000684
OLT Case Name: 70 Park Street East 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: 70 Park Street East Inc.
Subject: Application to amend the Zoning By-law – Refusal or neglect to make a decision
Description: To permit a 38-storey mixed use tower with 530 residential units
Reference Number: OZ/OPA 23-3 W1
Property Address: 23, 25, 27, 29 and 31 Helen Street North, 53 Queen Street East and 70 Park Street East
Municipality/UT: Mississauga / Mississauga
OLT Case No.: OLT-23-000685
OLT Lead Case No.: OLT-23-000684

BEFORE:

STEVEN COOKE) Thursday, the 10th
VICE-CHAIR)
) day, of July, 2025

THESE MATTERS, in respect of the lands at 23, 25, 27, 29 and 31 Helen Street North, 53 Queen Street East and 70 Park Street East (collectively the “Lands”) in the City of Mississauga, having come for a Case Management Conference May 15, 2024 before the Ontario Land Tribunal (“Tribunal”) and the Tribunal having issued a Decision/Order on May 22, 2025 and subsequent Procedural Order on June 10, 2024; and

THE TRIBUNAL having been advised by the Parties on July 7, 2025 that a full uncontested settlement had been reached, on consent;

AND THE TRIBUNAL HAVING BEEN ADVISED that City Council accepted the settlement offer submitted by 70 Park Street East Inc. (the “Applicant”) to the City, per Council Resolution 0157-2024 dated July 31, 2024, attached as Exhibit “F” to the Affidavit of David Sajecki affirmed May 28, 2025 (the “Sajecki Affidavit”);

AND THE TRIBUNAL HAVING CONSIDERED expert opinion evidence in the area of land use planning that the Appeals should be allowed in part and that the proposed redevelopment of the Lands should be approved, in accordance with the plans attached as Exhibit “G” to the Sajecki Affidavit;

AND THE TRIBUNAL being satisfied that the settlement has appropriate regard for matters of provincial interest, is consistent with the Provincial Planning Statement (2024), conforms with the Region of Peel Official Plan, conforms with the City of Mississauga Official Plan, represents good planning, and is in the public interest;

NOW THEREFORE

THE TRIBUNAL ORDERS:

1. That the official plan amendment appeal is allowed, and the Official Plan for the City of Mississauga is amended as set out in Attachment “1” (Exhibit “H” to the Sajecki Affidavit) to this Order, and as amended is approved; and

2. That the zoning by-law amendment appeal is allowed, and Bylaw 0225-2007 is hereby amended in the manner set out in Attachment “2” (Exhibit “1” to the Sajecki Affidavit) to this Order. The Tribunal authorizes the municipal clerk to assign a number to this by-law for record keeping purposes.

“Matthew D.J. Bryan”

MATTHEW D.J. BRYAN
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. 199
to
Mississauga Official Plan**

Amendment No. 199
to
Mississauga Official Plan

The following text and Map "A" attached constitute Amendment No. 199.

PURPOSE

The purpose of this Amendment is to amend the Port Credit Local Area Plan Height Limits Schedule 2B to permit a new 33 storey apartment building with ground floor commercial and day care uses.

LOCATION

The lands affected by this Amendment are located west of Hurontario Street, south of the Canadian National Railway and Queen Street East, west of Helene Street and north of Park Street East. The subject lands are located in the Port Credit Community Node Character Area, as identified in the Port Credit Local Area Plan of 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 High Density which permits apartment buildings.

An Official Plan Amendment is required to amend Schedule 2B, Port Credit Community Node Height Limits, to permit a new apartment building with a height of 33 storeys on the subject lands.

DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

1. Schedule 2B, Port Credit Community Node Height Limits, of Mississauga Official Plan, is hereby amended by changing the height limits for the subject lands located north of Park Street East, east of Ann Street and south of Queen Street, from "2 to 15" to "2 to 28" and "2 to 33", 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.

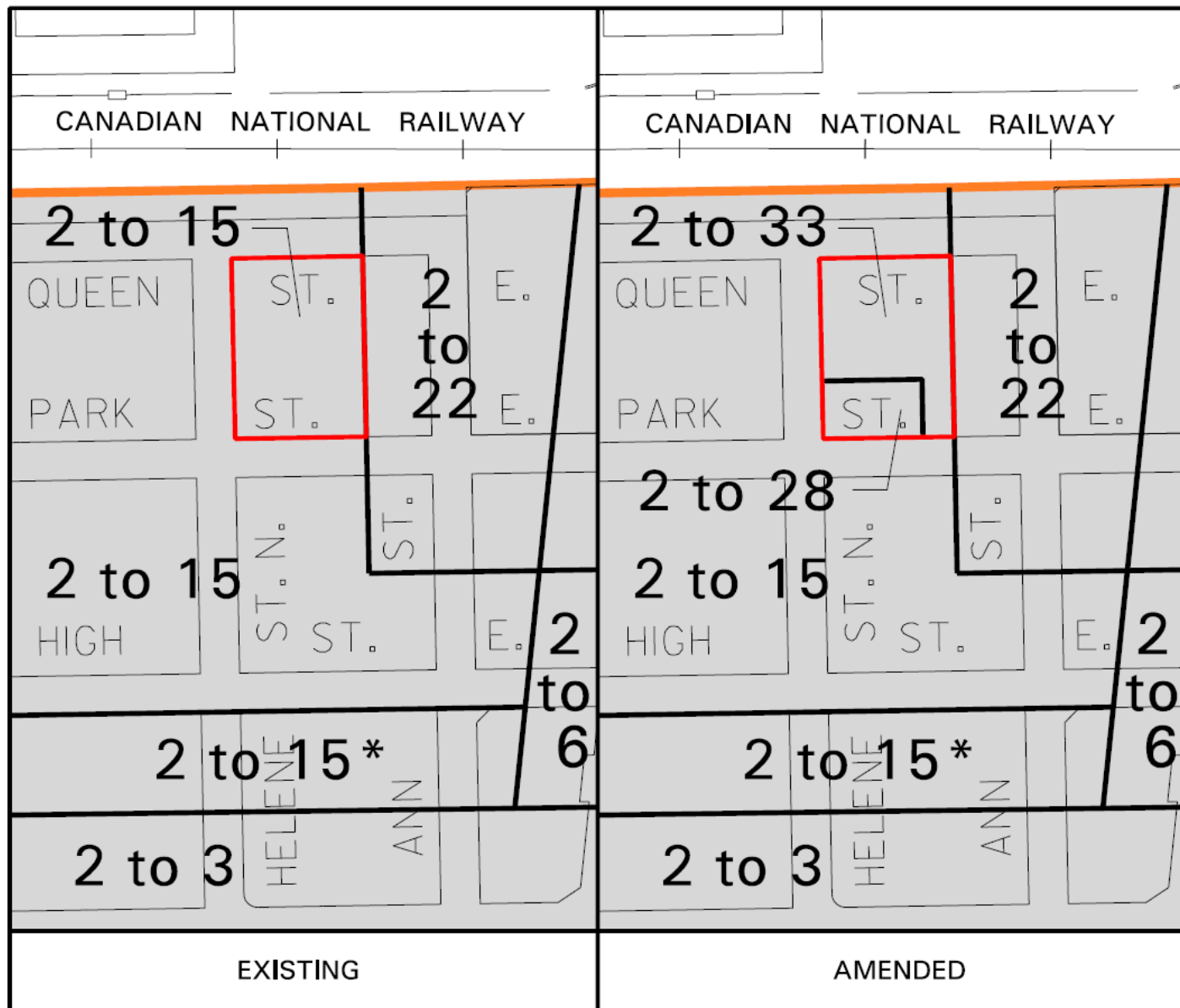
The lands will be rezoned as part of the same Tribunal Order.

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



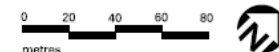
MAP 'A'

Excerpt of Schedule 2B Port Credit Community Node Height Limits

Area of Amendment

- * Buildings will include appropriate transition to Lakeshore Road East - Mainstreet Precinct,
- ** Buildings will stepdown to a maximum of 6 storeys along Port Street East.
- *** Buildings will step down to a maximum of 3 storeys along Lake Ontario.

Notes:
Height limits represent the minimum and maximum number of storeys permitted. Existing buildings that exceed height limits are permitted. Building heights, as measured in metres, are regulated through the zoning by-law. As a general guide to converting storeys to metres for new high density residential development, a height of 3.1 metres may be used. Typically there may be a modest increase in height for lobby areas and/or commercial space.



City of Mississauga

V - 3,003

Attachment 2

ONTARIO LAND TRIBUNAL
ORDER DATED _____

OLT Lead Case No. OLT-23-000684
OLT Case No. OLT-23-000685
70 Park Street East Inc.

1. By-law Number 0225-2007, as amended, being a City of Mississauga Zoning By-law, is amended by deleting Exception Table 4.15.6.27 and substituting the following therefor:

4.15.6.27	Exception: RA5-27	Map # 08	By-law:
In a RA5-27 zone the permitted uses and applicable regulations shall be as specified for a RA5 zone except that the following uses /regulations shall apply:			
Additional Permitted Use			
4.15.6.27.1	(1)	Uses permitted in a C4 zone as contained in Table 6.2.1 of this By-law	
Regulations			
4.15.6.27.2	Maximum floor space index - apartment zone		9.2
4.15.6.27.3	Minimum gross floor area - non-residential for Area 'A2' identified on Schedule RA5-27 of this Exception		770 m ²
4.15.6.27.4	For the purposes of this By-law, a mezzanine shall be considered part of the first storey		
4.15.6.27.5	Notwithstanding any other provisions of this By-law, the calculation of height for apartment, long-term care and retirement buildings shall be exclusive of mechanical or architectural appurtenances such as mechanical equipment, mechanical penthouse, elevator machine rooms, telecommunication equipment and enclosures, parapets , turrets, cupolas, and elevator and stair enclosures, located on the roof of a dwelling provided that the maximum height of the top of such elements is no higher than 7.5 m above the height limit otherwise applicable		

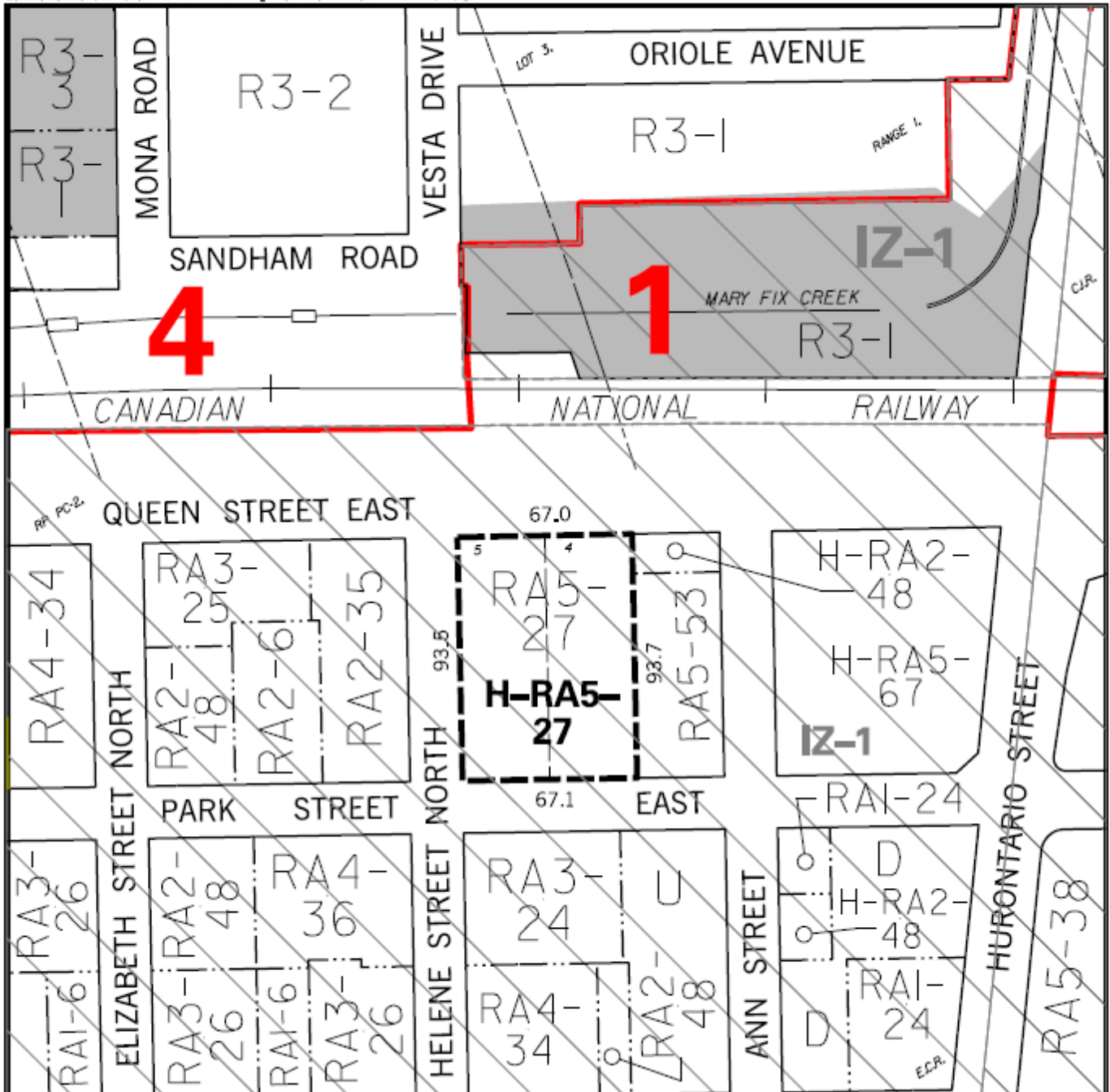
4.15.6.27	Exception: RA5-27	Map # 08	By-law:
4.15.6.27.6	Maximum projection of a balcony or architectural feature, beyond the buildable area , located above the first storey measured from the outermost face or faces of the building from which the balcony or architectural feature projects	2.0 m	
4.15.6.27.7	Notwithstanding Sentences 3.1.1.4.3 and 3.1.1.4.4 of this By-law, minimum width of a parking space	2.6 m	
4.15.6.27.8	Minimum setback from a parking structure completely below finished grade, inclusive of external access stairwells, to any lot line	0.0 m	
4.15.6.27.9	Minimum number of loading spaces in Areas 'A1' and 'A2' identified on Schedule RA5-27 of this Exception	1	
4.15.6.27.10	Minimum landscaped area in Area 'A1' identified on Schedule RA5-27 of this Exception	25% of Area 'A1'	
4.15.6.27.11	Minimum landscaped area in Area 'A2' identified on Schedule RA5-27 of this Exception	15% of Area 'A2'	
4.15.6.27.12	Minimum amenity area in Area 'A1' identified on Schedule RA5-27 of this Exception	1.2 m ² per dwelling unit	
4.15.6.27.13	Minimum amenity area in Area 'A2' identified on Schedule RA5-27 of this Exception	4.0 m ² per dwelling unit	
4.15.6.27.14	Minimum percentage of total required amenity area to be provided in one contiguous area in Area 'A1' identified on Schedule RA5-27 of this Exception	25%	
4.15.6.27.15	Minimum percentage of total required amenity area to be provided in one contiguous area in Area 'A2' identified on Schedule RA5-27 of this Exception	15%	
4.15.6.27.16	Minimum amenity area in Area 'A1' to be provided outside at grade identified on Schedule RA5-27 of this Exception	70 m ²	
4.15.6.27.17	All site development plans shall comply with Schedule RA5-27 of this Exception		

4.15.6.27	Exception: RA5-27	Map # 08	By-law:
Holding Provision			
<p>The holding symbol H is to be removed from the whole or any part of the lands zoned H-RA5-27 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"> (1) delivery of an executed Development Agreement in a form and on terms satisfactory to The Corporation of the City of Mississauga ("City"); (2) 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; (3) submission of an updated Functional Servicing Report satisfactory to the City's Transportation and Works Department and the Region of Peel ("Region"); (4) The Owner/Applicant will enter into a Servicing Agreement with the Region regarding wastewater servicing, including an indemnity and release with respect to the commencement of construction prior to the full availability of servicing infrastructure, upon the Region, acting reasonably, providing written confirmation that the necessary capital projects have progressed to a stage satisfactory to the Region such that their preliminary acceptance is anticipated prior to the occupancy of the development. 			

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 "RA5-27" to "H-RA5-27", the zoning of Part of Lots 4 and 5, Port Credit 2, East of Credit River, in the City of Mississauga, PROVIDED HOWEVER THAT the "H-RA5-27" 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-RA5-27" zoning indicated thereon.

3. This By-law shall not come into force until Mississauga Official Plan Amendment Number 199 is in full force and effect.

<http://teamsites.mississauga.ca/sites/18/Bylaws/OZ-OPA 23-3 W1.by-law OLT.df.jmcc.docx>



AREA SUBJECT TO REZONING

1,2,3,4

PARKING PRECINCT



PARKING PRECINCT BOUNDARY

IZ-#

INCLUSIONARY ZONING AREA



INCLUSIONARY ZONING OVERLAY



ARROW FOR EXISTING ZONING



GREENLANDS OVERLAY

This is not a Plan of Survey. Dimensions shown taken from Survey prepared by J.D. Barnes Ltd., dated September 27, 2022.

CITY OF MISSISSAUGA



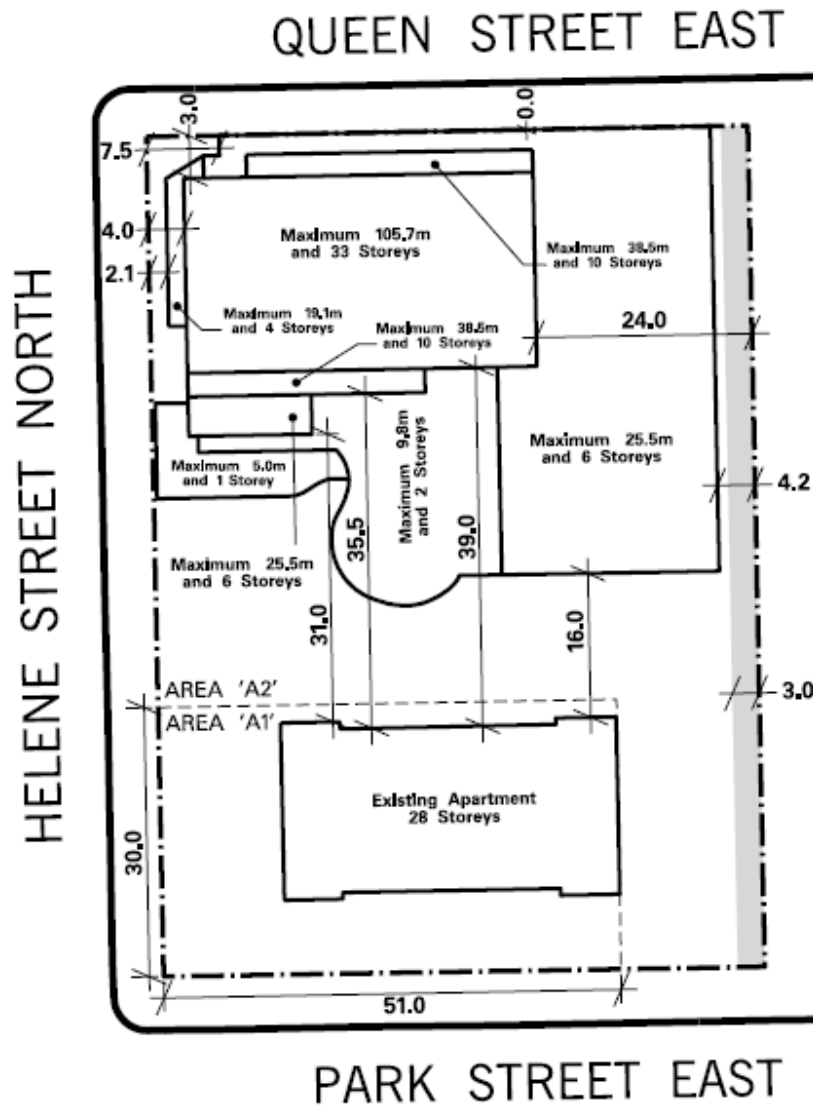
0 25 50 75 100
metres

THIS IS SCHEDULE "A" TO

OLT ORDER DATED _____





OLT LEAD CASE NO. OLT-23-000684

OLT CASE NO. OLT-23-000685



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
-  LANDSCAPED BUFFER
-  AREA 'A1'/'A2' BOUNDARY

THIS IS SCHEDULE "RA5-27" TO
OLT ORDER DATED _____
OLT LEAD CASE NO. OLT-23-000684
OLT CASE NO. OLT-23-000685