

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: November 7, 2025

CASE NO.: OLT-24-001170

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

Applicant and Appellant: NYX Tannery LP
Subject: Request to amend the Official Plan – Failure to adopt the requested amendment
Description: To permit development of 12 and 14-storey buildings connected by 6-level podium, with 633 residential units
Reference Number: OPA OZ 24-7
Property Address: 51 & 57 Tannery Street, and 208 Emby Drive
Municipality/UT: Mississauga
OLT Case No.: OLT-24-001170
OLT Lead Case No.: OLT-24-001170
OLT Case Name: NYX Tannery LP 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: NYX Tannery LP
Subject: Application to amend the Zoning By-law – Refusal or neglect to make a decision
To permit development of 12 and 14-storey buildings connected by 6-level podium, with 633 residential unit
Reference Number: OPA OZ 24-7
Property Address: 51 & 57 Tannery Street, and 208 Emby Drive
Municipality/UT: Mississauga
OLT Case No.: OLT-24-001169
OLT Lead Case No.: OLT-24-001170
OLT Case Name:

BEFORE:

GREGORY J. INGRAM
MEMBER

) Friday, the 7th day of
)
) November, 2025

THE MATTER, having come before the Tribunal for a hearing, in writing, on September 22, 2025, and for a Case Management Conference on March 4, 2025.

THE TRIBUNAL appeal process was launched by NYX Tannery LP under “Applicant/Appellant”) under subsection 22(7) (the “OPA Appeal”) and subsection 34(11) (the “ZBA Appeal”) of the Planning Act (“Act”) regarding the lands at 51 Tannery St, 57 Tannery St, and 208 Emby Dr. (“Subject Lands”), against the City of Mississauga (“City”) due to their failure to make decisions on the planning applications for amendments to the City’s Official Plan (“COP”) and Zoning By-law (“ZBL”).

THE TRIBUNAL heard that the applications, if approved, would permit the redevelopment of the Subject Lands with a 12- storey building and a 14-storey building connected by a 6-level podium, resulting in approximately 633 new dwelling units (“Proposed Development”). The Subject Lands are designated as residential High Density and Green lands, as identified in the Streetsville Community Node Character Area and subject to certain special site policies in the Official Plan.

THE TRIBUNAL having been advised by the Parties, that a full settlement agreement has been reached and granted the request to convert the 10-day Merit Hearing scheduled to commence on October 10, 2025, to a settlement hearing and directed the Parties to file all settlement materials on or before September 12, 2025. The City provided a copy of their Resolution, dated July 30, 2025, in support of the settlement.

AND THE TRIBUNAL, having accepted the uncontradicted planning opinion evidence of Jim Levac, who based on his experience and knowledge as a Registered Professional Planner and Member of the Canadian Institute of Planners, provided expert opinion evidence in the field of Land Use Planning, with respect to the revisions to the agreed upon OPA and draft ZBA for the Subject Lands.

AND THE TRIBUNAL also having received and considered material from the Parties, including but not limited to:

- i. Uncontested Written Settlement Draft Order PD – Oct. 2025 Final
- ii. Draft Official Plan Amendment

AND THE TRIBUNAL finding that they are consistent with, conform to, and are in keeping with applicable policies and guidelines of the Province of Ontario and the City including:

- i. The *Planning Act*, R.S.O. 1990, c. P.13;
- ii. The Provincial Planning Statement, 2024;
- iii. Region of Peel Official Plan (“ROP”)
- iv. The City of Mississauga Official Plan (“COP”)

AND THE TRIBUNAL having considered the opinion evidence in the Affidavit of Jim Lavac and determined that the OPA Appeal and the ZBA Appeal be allowed, in part; given that the Proposed Development:

- Has regard for Section 2 of the Planning Act, as it is in a settlement area with access to a full range of existing schools, health care facilities and community services. It also creates an opportunity to develop an underutilized site with increased housing intensification that is well serviced by transit and other municipal services.
- Is consistent with the PPS 2024 emphasis on building more housing while addressing the policy of providing a range of housing and increased density of housing. The Proposed Development represents an opportunity for redevelopment of an underutilized site that will support increased use of transit and services in the area.
- Conforms with the ROP as it results in intensification through the construction of an “efficient and compact” built form while optimizing existing infrastructure.
- Conforms with the COP given its attention to design and massing that respects the Streetsville Mainstreet which is designated as a Heritage Conservation District.

The proposed building design represents a lower height and density than would typically be seen in other transit-based Community Nodes.

AND THE TRIBUNAL finding that, based on the above and on the material submitted and based on the agreed upon settlement agreement, warrants approval.

NOW THEREFORE,

THE TRIBUNAL ORDERS THAT

1. the Official Plan Amendment Appeal is allowed, in part, and the Official Plan of the City of Mississauga, as amended, is hereby amended in the manner as set out in Attachment “1” to this Order;
2. the Zoning By-law Amendment Appeal is allowed, in part, but the Tribunal’s final order is withheld until such time as the Tribunal receives confirmation from the City of Mississauga that the proposed zoning bylaw amendment is in a form satisfactory to the City of Mississauga Solicitor, including any hold conditions pursuant to subsection 36 of the *Planning Act* that remain unresolved prior to finalizing the form of the proposed zoning by-law amendment; and,
3. the Tribunal may be spoken to if any issues arise as part of satisfying the condition in paragraph 2 above.

“Matthew D.J. Bryan”

MATTHEW D.J. BRYAN
REGISTRAR

Ontario Land Tribunal

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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 TO THE OFFICIAL PLAN OF THE
CITY OF MISSISSAUGA**

Amendment No. 208
to
Mississauga Official Plan

The following text attached constitutes Amendment No. 208.

PURPOSE

The purpose of this Amendment is to amend the policies regarding the subject lands within Special Site 2 in the Streetsville Community Node Character Area to increase the permitted floor space index (FSI) to a maximum of 3.05 and to permit a maximum height of 12 storeys.

LOCATION

The lands affected by this Amendment are located on the south side of Tannery Street, east of Joymar Drive. The subject lands are located in the Streetsville 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.

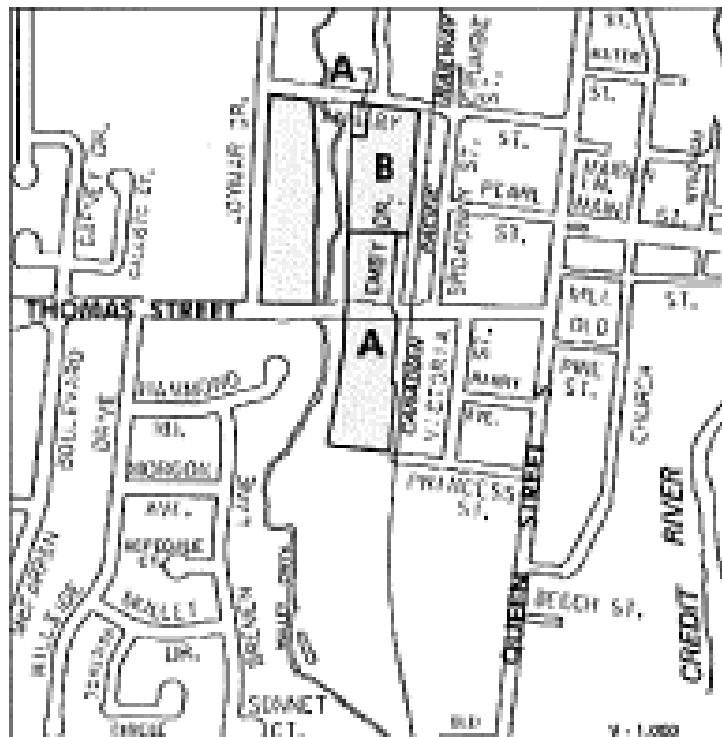
The subject lands are designated Residential High Density and Greenlands. The Residential High Density permits apartment buildings with accessory at grade Convenience Commercial designation uses (except for commercial parking facilities, gas bars, and drive-through facilities) and townhouses, with a maximum floor space index (FSI) of 1.8 and a height range of three storeys near Mullet Creek to six storeys near the railway tracks.

An Official Plan Amendment is required to amend the Special Site 2 policies to permit an apartment building with a maximum height of 12 storeys and a maximum FSI of 3.05 on the subject lands.

DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

1. Section 14.10, Streetsville Community Node Character Area, of Mississauga Official Plan, is hereby amended by removing the floor space index (FSI) range from the subject lands on Map 14-10, Streetsville Community Node Character Area.
2. Section 14.10.6.2, Special Site Policies, Special Site 2, Streetsville Community Node Character Area, of Mississauga Official Plan, is hereby amended by deleting the Special Site 2 map and replacing it with the following:

14.10.6.2 Site 2



3. Section 14.10.2, Special Site 2, Streetsville Community Node Character Area, of Mississauga Official Plan, is hereby amended by:
 - a. deleting policy 14.10.6.2.2.b.
 - b. deleting policy 14.10.6.2.3 and replacing it with the following:

14.10.6.2.3 Redevelopment of Area A and Area B should include provision for a road connecting Thomas Street and Tannery Street west of the railway right-of-way.

c. deleting policy 14.10.6.2.4 and replacing it with the following:
14.10.6.2.4 Notwithstanding the policies of this Plan, the lands identified as Area A and Area B will also permit townhouse dwellings not accessory to an apartment building.

d. adding the following policies:

14.10.6.2.5 Notwithstanding the policies of the Streetsville Community Node Character Area, an apartment building with a maximum height of 12 storeys will be permitted on the lands identified as Area B.

14.10.6.2.6 Notwithstanding the policies of the Streetsville Community Node Character Area, an apartment building with a maximum density of 3.05 FSI will be permitted on the lands identified as Area B.

IMPLEMENTATION

Upon receipt of the Ontario Land Tribunal's Final Order for OL T Case No. OL T-24-001170, Mississauga Official Plan will be amended in accordance with the Order.

Upon receipt of the Ontario Land Tribunal's Final Order for OL T Case No. OL T-24-001169, City of Mississauga Zoning By-law 0225-2007 as amended, will be amended in accordance with the Order.

This Amendment has been prepared based on the Office Consolidation of Mississauga Official Plan dated May 15, 2025.

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.