

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: August 7, 2024

CASE NO(S): OLT-22-004125

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

Applicant/Appellant Augend 189 Dundas West Village Properties Ltd. c/o Augend Investments Ltd.
Subject: Request to amend the Official Plan – Failure to adopt the requested amendment
Reference Number: OZ/OPA 21 9
Property Address: 189 Dundas Street West
Municipality/UT: Mississauga/Peel
OLT Case No: OLT-22-004125
OLT Lead Case No: OLT-22-004125
OLT Case Name: Augend 189 Dundas West Village Properties Ltd. v Mississauga (City)

PROCEEDING COMMENCED UNDER section 34(11) of the *Planning Act, R.S.O. 1990, c. P. 13, as amended.*

Subject: Application to amend the Zoning By-law – Refusal or neglect to make a decision
Reference Number: OZ/OPA 21 9
Property Address: 189 Dundas Street West
Municipality/UT: Mississauga/Peel
OLT Case No: OLT-22-004126
OLT Lead Case No: OLT-22-004125

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

Applicant/Appellant Augend 189 Dundas West Village Properties Ltd.
Subject: Request to amend the Official Plan – Refusal of request
Reference Number: OZ/OPA 21-9 W7
Property Address: (Various Addresses) (189 Dundas Street West and 3061 Parkerhill Road)
Municipality/UT: Mississauga/Peel
OLT Case No: OLT-23-000172

OLT Lead Case No: OLT-22-004125
 OLT Case Name: Augend 189 Dundas West Village Properties Ltd. v
 Mississauga (City)

PROCEEDING COMMENCED UNDER section 34(11) of the *Planning Act, R.S.O. 1990, c. P. 13, as amended.*

Subject: Application to amend the Zoning By-law – Refusal of application
 Reference Number: OZ/OPA 21-9 W7
 Property Address: (Various Addresses) (189 Dundas Street West 3061
 Parkerhill Road)
 Municipality/UT: Mississauga/Peel
 OLT Case No: OLT-23-000173
 OLT Lead Case No: OLT-22-004125

S. GOPIKRISHNA) Wednesday, the 7th
 MEMBER

STEVEN T. MASTORAS) day of August, 2024
 MEMBER

THESE MATTERS HAVING COME BEFORE THE TRIBUNAL and the Tribunal's Interim Decision dated January 19, 2024, having been withheld the issuance of its Final Order on the Official Plan Amendment and the Zoning By-law Amendment contingent upon confirmation of the City Solicitor of the pre-requisite matters included in paragraph 33 (3) of the Decision;

AND THE TRIBUNAL having been advised that the pre-requisite matters in paragraph 33 (3) of the Decision had been completed and the Tribunal having issued its final Order on July 24, 2024;

AND THE TRIBUNAL having been notified that the maps in the attachment to the Order were not clear;

The TRIBUNAL ORDERS that the appeals are allowed and the revised attachments for the final Official Plan Amendment (Attachment 1) and draft Zoning By-law Amendment (Attachment 2) are attached to the Order.

“Euken Lui”

EUKEN LUI
ACTING REGISTRAR

Ontario Land Tribunal

Website: www.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. 168
to
Mississauga Official Plan**

Amendment No. 168
to
Mississauga Official Plan

The following text and Map "A" attached constitute Amendment No. 168.

PURPOSE

The purpose of this Amendment is to change the land use designation on a portion of the subject lands from Residential Low Density I to Residential High Density and to add a Special Site policy.

LOCATION

The lands affected by this Amendment are located on the north side of Dundas Street West, east of Parkerhill Road and west of Confederation Parkway with one contiguous lot that has frontage on Parkerhill Road. The subject lands are located in the Cooksville 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.

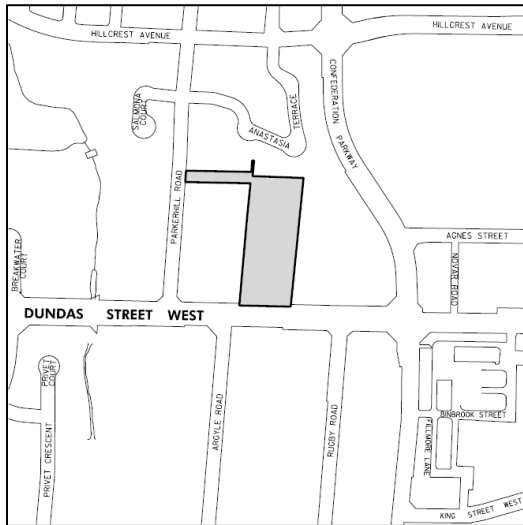
The subject lands are designated Residential Low Density I which permits detached dwellings, semi-detached dwellings and duplexes, and Residential High Density which permits apartment dwellings and some convenience commercial uses at grade.

An Official Plan Amendment is required to change the land use designation on a portion of the subject lands from Residential Low Density I to Residential High Density and to add a Special Site to permit the increased building heights and floor space index.

DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

1. Section 16.6, Cooksville Neighbourhood Character Area, of Mississauga Official Plan, is hereby amended by adding Special Site 11 on Map 16-6: Cooksville Neighbourhood Area in accordance with the changes to the Special Site Policies and by removing the **floor space index (FSI)** range from the subject site.
2. Section 16.6.5, Special Site Policies, Cooksville Neighbourhood Character Area, of Mississauga Official Plan, is hereby amended by adding the following:

16.6.5.11 Site 11



16.6.5.11.1 The lands identified as Special Site 11 are located on the north side of Dundas Street West, east of Parkerhill Road and west of Confederation Parkway with one contiguous lot that has frontage on Parkerhill Road.

16.6.5.11.2 Notwithstanding the policies of this Plan, an apartment dwelling with a maximum height of 25 storeys and a maximum **floor space index (FSI)** of 3.8 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 I 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.

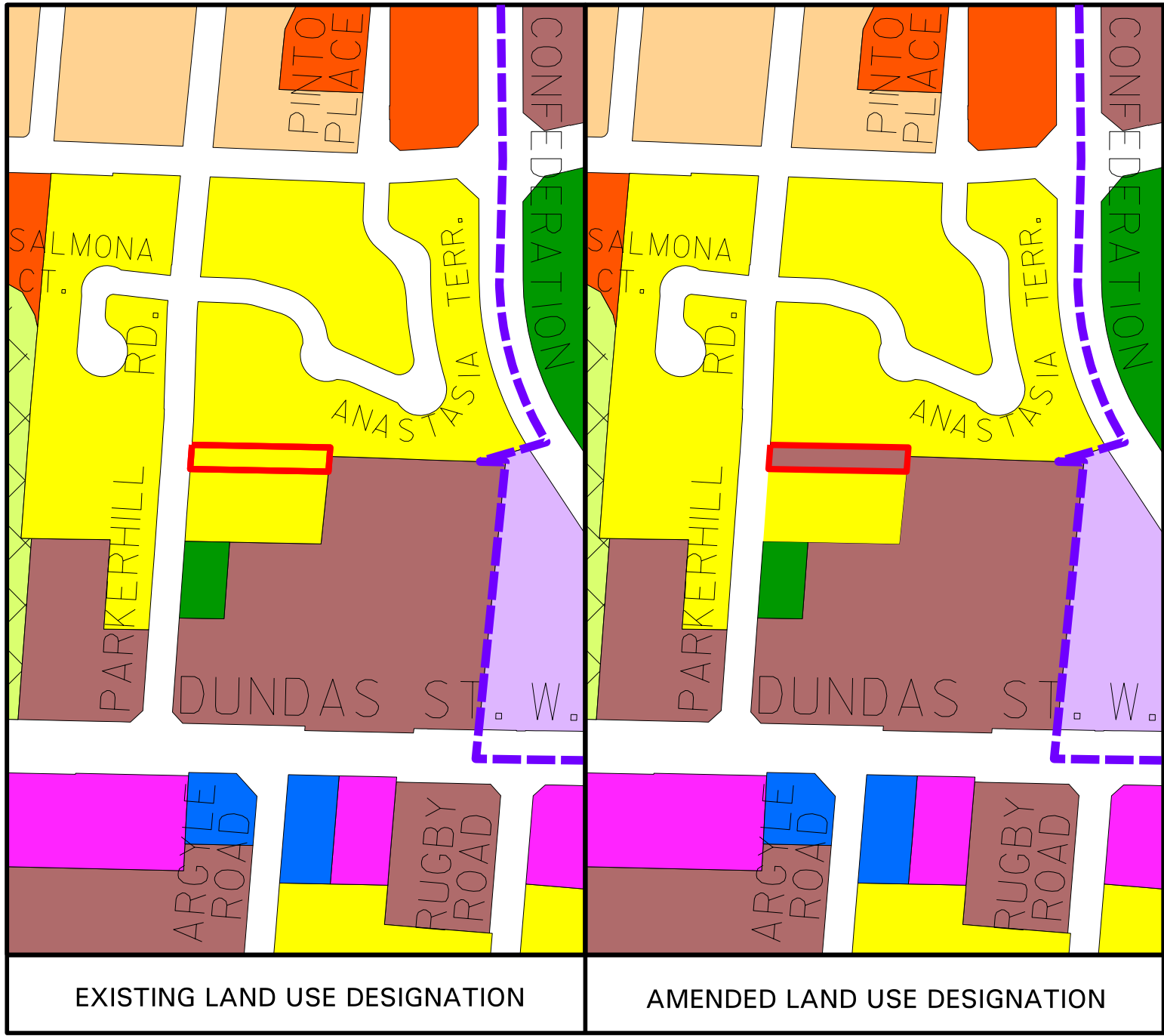
The lands will be rezoned as part of the same Tribunal Order.

This Amendment has been prepared based on the Office Consolidation of Mississauga Official Plan dated March 4, 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.



- ### LAND USE DESIGNATIONS
- Residential Low Density I
 - Residential Low Density II
 - Residential Medium Density
 - Residential High Density
 - 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
 - 1996 NEP/2000 NEF Composite Noise Contours
 - LBPIA Operating Area Boundary See Aircraft Noise Policies
 - Area Exempt from LBPIA Operating Area
 - Natural Hazards
 - Civic Centre (City Hall)
 - City Centre Transit Terminal
 - GO Rail Transit Station
 - Public School
 - Catholic School
 - Hospital
 - Community Facilities

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

- AREA OF AMENDMENT**
- FROM: RESIDENTIAL LOW DENSITY I
- TO: RESIDENTIAL HIGH DENSITY



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



EXISTING LAND USE DESIGNATION

AMENDED LAND USE DESIGNATION