

ISSUE DATE:

October 27, 2011



MM110033

Ontario
Ontario Municipal Board
Commission des affaires municipales de l'Ontario

IN THE MATTER OF subsection 34(10.5) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Motion by: Consulate Management Limited
Purpose of Motion: Request for an Order determining the completeness of the application
Subject: Application for a Zoning By-law Amendment
Municipality: City of Mississauga
OMB Case No.: MM110033
OMB File No.: MM110033

APPEARANCES:

Parties

Consulate Management Limited

City of Mississauga

Counsel

G. Petch and Z. Sayeed

A. Wilson-Peebles and
D. Koehn, student-at-law

**MEMORANDUM OF ORAL DECISION DELIVERED BY SUSAN de
AVELLAR SCHILLER ON SEPTEMBER 29, 2011**

This was a motion brought by Consulate Management Limited [Consulate] to have the Board determine that its application for a zoning by-law amendment is complete. At the outset of the hearing the Board was advised that Consulate and the City of Mississauga [City] had reached agreement on a process for dealing with the application that may move matters forward without the need for the motion to be heard. To this end, the Board defers the hearing of the motion at this time.

The Board has set a teleconference and a further appearance to assist this process agreed to by the Parties. The teleconference is for the Board to be advised of the status of matters. If the agreed upon process, described below, results in the City agreeing that the application is complete, then the Parties will advise the Board at the

scheduled teleconference and the further appearance will not be needed. If the City continues to consider the application incomplete, then the further scheduled appearance will be used to hear the motion that is being deferred today.

Specifically, the Parties have agreed that:

1. The City will take the application today, found at exhibit K to the affidavit of Mr. Chee submitted by Consulate for this motion hearing, and circulate it to commenting departments and agencies for review on an expedited basis;
2. Consulate will submit the application fee not later than September 30 ;
3. The City will advise Consulate, not later than October 15, of the appropriate wording of the requisite sign to be posted on the property in the event that the City considers the application to be complete;
4. The City's development application review committee, known as DARC, will meet on October 26;
5. If DARC considers the application to be complete, then it will move to the next stage of review;
6. At this point, having received the necessary wording for the requisite sign to be posted on the property, Consulate will take the required picture of the sign and file it with the City;
7. If DARC considers the application to be incomplete, then the City will provide Consulate with written reasons, on or before October 28, that specifically detail what the City considers the deficiencies to be;
8. The teleconference is scheduled for November 9;
9. If the City considers the application to be complete by the time of the teleconference of November 9, then the Parties will, on consent, ask the Board to issue an Order that the application is complete;
10. If the City does not consider the application to be complete by the time of the teleconference of November 9, then the Parties will so advise the Board and

Consulate's motion will be heard at the two-day appearance scheduled to begin on December 15.

The teleconference is set for **8:30 a.m. on Wednesday, November 9, 2011**. The Board will advise Counsels separately regarding the call-in and access details for the teleconference.

The appearance is set for two days, commencing at **10:00 a.m. on Thursday, December 15, 2011, in the Hearing Room, Second Floor, 300 City Centre Drive, Mississauga**.

This Member remains seized for the teleconference on November 9 and for the motion hearing, if the motion hearing is required and if it proceeds on December 15.

No further Notice is required.

If difficulties arise, the Board may be spoken to.

This panel of the Board remains seized.

"Susan de Avellar Schiller"

SUSAN de AVELLAR SCHILLER
VICE CHAIR