

ISSUE DATE:

March 9, 2012



PL081064

Ontario Municipal Board
Commission des affaires municipales de l'Ontario

675553 Ontario Ltd. has appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from Council's refusal or neglect to enact a proposed amendment to Zoning By-law 0225-2007 of the City of Mississauga to rezone lands respecting 90 and 100 Dundas Street West from "C4-9" (Commercial) to "C4 – Exception (Commercial) and RM6 – Exception" (Townhouse Dwellings on a CEC – Private Street to permit the development of an 18-storey, 310 Condominium apartment building with 1,395 square metres of ground floor retail; eighty-eight (88) townhouse unit and four (4) detached units
OMB File No. PL081064

675553 Ontario Ltd. has appealed to the Ontario Municipal Board under subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from Council's refusal or neglect to enact a proposed amendment to the Official Plan for the City of Mississauga to retain the "Main Street Commercial - Special Site 12" along the Dundas Street West frontage on the site and to redesignate the balance of the site to "Residential Medium Density"

Approval Authority File No. OZ 07/22 W7
OMB File No. PL081067

APPEARANCES:

Parties

675553 Ontario Ltd.

City of Mississauga

Regional Municipality of Peel

Counsel

J. Alati

A. Wilson-Peebles

R. Maciver

**MEMORANDUM OF ORAL DECISION BY JAMES R. McKENZIE ON
FEBRUARY 16, 2012 AND ORDER OF THE BOARD**

This proceeding was a first Pre-Hearing Conference (PHC) to deal with two matters that were appealed to this Board in 2008.

675553 Ontario Ltd., known as Viewmark Homes (Viewmark), owns 90 and 100 Dundas Street West. It applied for amendments to the Official Plan and Zoning By-law No. 0225-2007 to permit a mixed-use development consisting of at-grade retail, service, and office commercial with residential dwelling units above, as well as townhouses. On the basis of Council's refusal or neglect to amend the Official Plan and Zoning By-law, Viewmark appealed under subsection 22(7) and 34(11) of the *Planning Act*.

Viewmark, the Town, and the Region, through their respective professionals, continue addressing issues. Counsel have agreed to a timetable and additional technical submissions to facilitate that process.

On consent, the Board orders that:

1. the Regional Municipality of Peel is granted Party status;
2. Helena Sroslak and Anna Estella Iglesias are each granted Participant status;
and,
3. a second PHC is scheduled for Tuesday, June 12, 2012, at 10 a.m. at the Mississauga City Hall, Municipal Hearing Room, 300 City Centre Drive.

No further notice is required.

In the event that the parties resolve all outstanding matters, the June 12th proceeding may be converted to a settlement hearing, and the parties are directed to advise the Board as well as Ms. Sroslak and Ms. Iglesias no later than June 8th of that change of purpose.

This is the order of the Board.

“James R. McKenzie”

JAMES R. McKENZIE
VICE-CHAIR