

ISSUE DATE:

**February 29, 2012**



PL101408

Ontario Municipal Board  
Commission des affaires municipales de l'Ontario

IN THE MATTER OF subsection 17(40) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: City of Mississauga  
Appellant: Region of Peel  
Appellant: Solmar Development Corporation  
Subject: Failure of the Minister of the Municipal Affairs and Housing to announce a decision respecting Proposed Official Plan Amendment No. 24  
  
Municipality: Regional Municipality of Peel  
OMB Case No.: PL101408  
OMB File No.: PL101408

IN THE MATTER OF subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: Solmar Development Corporation  
Subject: Proposed Official Plan Amendment No. 20  
Municipality: Regional Municipality of Peel  
OMB Case No.: PL101408  
OMB File No.: PL091170

IN THE MATTER OF subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: Solmar Development Corporation  
Subject: Proposed Official Plan Amendment No. 22  
Municipality: Regional Municipality of Peel  
OMB Case No.: PL101408  
OMB File No.: PL101063

IN THE MATTER OF subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: Gemini Urban Design (Cliff) Corp.  
Appellant: Orlando Corporation  
Subject: Proposed Official Plan Amendment No. 95  
Municipality: City of Mississauga  
OMB Case No.: PL101408  
OMB File No.: PL100111

IN THE MATTER OF subsection 17(40) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: Solmar Development Corporation  
Subject: Failure of The Regional Municipality of Peel to announce a decision respecting Proposed Official Plan Amendment No. 226  
  
Municipality: Town of Caledon  
OMB Case No.: PL101408  
OMB File No.: PL110195

**APPEARANCES:**

<b><u>Parties</u></b>	<b><u>Counsel*/Agent</u></b>
Regional Municipality of Peel	S. R. Garrod*
Ministry of Municipal Affairs and Housing	C. Young* B. Boxma* (in absentia)
Town of Caledon	C. Barnett* L. Bissett*
City of Mississauga	M. Joblin* Q. M. Annibale* (in absentia) K. Yerxa*(in absentia)
City of Brampton	B. Kussner*
Solmar Development Corporation	J. W. Harbell* J. Meader* L. Townsend (in absentia)
Azuria Group	S. A. Zakem*
Gemini Urban Design (Cliff) Corp.	M. R. Flowers*
Orlando Corporation	L. F. Longo*
Mayfield West Developers Groups Inc.	M. R. Flowers*
Osmington Inc.; Heathwood Homes (Brampton) Ltd.	K. Sliwa*
Mayfield Station Developments Inc.; Mayfield McLaughlin Developments Inc.; Caledon Development LP; Ben-Ted Construction Ltd.; Caledon 410 Development Limited; A-Major Homes (Ontario) Inc.; Lormel Joint Venture Inc.; (collectively, the Mayfield West Phase 2 Landowners Group)	S. A. Zakem*
Northwest Brampton Landowners Group Ltd.	S. Snider*

James Dick Construction Ltd.	R. Uukkivi* J. Buhlman* (in absentia)
Hopewell Development (Ontario) Inc.;	R. D. Howe*
M-J-J-J Developments Inc.	R. D. Howe*
1096288 Ontario Limited	C. Riepma
Lafarge Canada	M. Wensierski
Brampton Brick Limited	R. K. Webb, Q.C.*

**Participants**

Toronto Region Conservation Authority	Q. Hanchard
Domenic and Antonetta Scida; POD Lift Equipment Ltd.; Giuseppe Scenna and Marco Scida	C. B. John-Baptiste
Caledon Chamber of Commerce	K. Darnley (in absentia)
Labourers' International Union of North America, Local 183	A. N. Black* J. R. Evans* (in absentia)

**MEMORANDUM OF ORAL DECISION BY JAMES R. McKENZIE ON FEBRUARY 3, 2012, AND ORDER OF THE BOARD**

This was a fifth Pre-Hearing Conference (PHC) to deal with the status of appeals relating to the Regional Municipality of Peel Official Plan Amendment Nos. 20, 22, and 24; City of Mississauga Official Plan Amendment No. 95; and, Town of Caledon Official Plan Amendment No. 226.

On consent, a further PHC is scheduled for Wednesday, March 7, 2012, at 10:30 a.m. at the Provincial Offence Court, Court Room B7, 5 Ray Lawson Boulevard, Brampton, Ontario. That proceeding will finalize a Procedural Order and Issues List for the hearing to commence on June 25, 2012.

Brampton Brick Limited is granted Party Status. Mr. Webb indicated that Brampton Brick will defend the existing policy regime that allows a quarry on its lands located on the west side of Winston Churchill Boulevard, north of Bovaird Drive, and will

not raise issues not identified in previous proceedings concerning the matters before the Board. On that basis, Mr. Garrod and Mr. Kussner each consented. Mr. Garrod further indicated that the Government Settlement redesignates and removes Brampton Brick's lands from within the urban boundary. He clarified that Brampton Brick would retain its right to challenge those proposed modifications in the event they are determined to be disadvantageous to its interests.

Finally, Mr. Kussner advised the Board that the City of Brampton has adopted OPA No. 2006-043, which has been appealed pursuant to subsection 17(40) of the *Planning Act*. The Board has received that appeal and has assigned it, File No. PL120151. He requested that it be administratively consolidated with these matters. The Board notes this request. Because notice has not yet been directed for a first hearing event with respect to the appeal of OPA No. 2006-043, the request for consolidation will be deferred to that hearing event once scheduled.

This is the Order of the Board.

"James R. McKenzie"

JAMES R. McKENZIE  
VICE-CHAIR