

ISSUE DATE:

February 16, 2012



PL110579

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

IN THE MATTER OF subsection 38(4) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Appellant: Morguard Investments Ltd.
Appellant: OMERS Realty Management Corporation
Appellant: The Great-West Life Assurance Company, et al
Appellant: Whiterock Acquisitions Corporation
Subject: Interim Control By-law No. 0046-2011
Municipality: City of Mississauga
OMB Case No.: PL110579
OMB File No.: PL110579

APPEARANCES:

Parties

Counsel

Morguard Investments Ltd.

Dennis H. Wood

OMERS Realty Management Corporation

David Bronskill

The Great-West Life Assurance Company,
et al

Tim Bermingham

Whiterock Acquisitions Corporation

Nicholas Staubitz

City of Mississauga

Robert Doumani and Andrea Wilson-
Peebles

**MEMORANDUM OF ORAL DECISION DELIVERED BY R. ROSSI ON
FEBRUARY 7, 2012 AND ORDER OF THE BOARD**

This is the second Pre-hearing Conference in respect of various Parties' appeals to Interim Control By-law 0046-2011 of the City of Mississauga dated March 9, 2011, as further amended by Interim Control By-law (ICBL) 0080-2011 on March 30, 2011 (both of these ICBLs were consolidated at the first Pre-hearing Conference on December 2, 2011). The purpose of these ICBLs is to restrict development in a portion of the City of

Mississauga as set out in Schedule A to the By-law being an area bounded on the south by Webb Drive, on the east by Hurontario Street, on the north by Rathburn Road West and City View Drive, and on the west by Confederation Parkway, Rathburn Road West and Duke of York Boulevard.

At the previous conference call, Mr. Doumani for the City advised the Board that the Municipality was proceeding with studies of the area under interim control and he anticipated that the studies would eventually result in Official Plan and Zoning By-law Amendments (not before the Board at this matter).

Counsel advised the Board at that time that settlement talks were ongoing between the City and the Appellants in order to establish procedures such that the operational requirements of the Appellants would not be affected negatively by the ICBL. The Counsels advised the Board that the Parties require additional time to work through the details of that process.

The purpose of today's conference call was to advise the Board of progress made since the first Pre-hearing Conference. Mr. Doumani advised the Board that the City of Mississauga has reached settlements in principle with three of these four Parties: with Morguard, Great-West and Whiterock. He further advised that good progress is being made with OMERS toward a possible settlement of its matters. Reports on these proposed and possible settlements and an extension of the ICBL will be presented to the City's Planning and Development Committee on February 27 with recommendations to go to City Council on March 7.

On consent, the Board will arrange for a further teleconference call to hear of Council's decision on these matters and for the Parties to provide details of these settlement matters. The Board sets Monday, March 19, 2012 at 9:30 a.m. for a further teleconference call between the Board and the Parties. The call-in number is (416) 212-8012 and the access code is 4779874.

This Member is not seized. No further notice will be given.

So orders the Board.

"R. Rossi"

R. ROSSI
MEMBER