

ISSUE DATE:

March 6, 2013



Ontario

Ontario Municipal Board
Commission des affaires municipales de l'Ontario

PL111148

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

Appellant:	2333 NSW Inc. (Marland Management Services Inc.)
Appellant:	A&W Food Services of Canada Inc.
Appellant:	Antorisa Investments (Ralph Chiodo)
Appellant:	Azuria Group; and others
Subject:	New City of Mississauga Official Plan
Municipality:	City of Mississauga
OMB Case No.:	PL111148
OMB File No.:	PL111148

APPEARANCES:

Parties

Counsel

City of Mississauga

K. Y. Yerxa

Daraban Holdings Ltd.
White Elm Investments Ltd.

R. Kehar

Quick Service Restaurants
McDonalds Restaurants of Canada
Limited
A & W Food Services Canada Inc.
Wendy's Restaurants of Canada
TDLGroup Corporation
Ontario Restaurant Hotel and
Motel Association

D. Baker

2188101 Ontario Inc.
1615242 Ontario Inc.
2187308 Ontario Inc.

S. Zakem

**MEMORANDUM OF ORAL DECISION DELIVERED BY R. ROSSI ON
FEBRUARY 25, 2013 AND ORDER OF THE BOARD**

[1] This was the fifth prehearing conference ("PHC") to deal with procedural matters pertaining to a series of appeals to the City of Mississauga's new Official Plan ("MOP"), which was adopted on September 29, 2010. At a previous February 2013 hearing, the Board provided its decisions in respect of some of the Orlando Corporation appeals, who remains a possible appellant to other MOP policies.

[2] For administrative purposes, Kelly Yerxa, counsel for the City of Mississauga ("City"), informed the Board that a number of the parties have site-specific applications before the City that might trigger further appeals. In these instances, with particular reference to the appeals of Latiq Qureshi, Derry-Ten Limited and White Elm Investments Ltd., the appellants have agreed to consolidate those appeals with the in-progress appeals of MOP.

[3] The appellants' counsels in attendance requested a number of dates from the Board in respect of these appeals. On consent, the Board will hold a further PHC call to update the Board on the progress of these matters on:

**Tuesday, April 25, 2013 at 9 a.m.
Dial 416-212-8012 or 1-866-633-0848; Code: 4779874#.**

This Member remains seized for administrative carriage of the file.

[4] On consent, the Board sets a four-week hearing for a number of these appeals. The Board has set aside four weeks – beginning at :

**10 a.m. on Tuesday, October 15, 2013
Concluding on or before Friday, November 8, 2013
City of Mississauga**

The first two weeks of this hearing will be devoted to the appeals of the Quick Service Restaurants (parties listed above individually). The latter two weeks will process the appeals of Daraban Investments Ltd. and Lowes Companies Canada ULC.

[5] On consent, the Board next sets a three-day hearing for the appeals of Steven Zakem's clients, the numbered companies, beginning at :

**10 a.m. on Tuesday, November 12, 2013
Concluding on or before Thursday, November 14, 2013
City of Mississauga**

No further notice of these matters will be given and this Member is not seized of the full-hearing processes.

[6] At the request of the City, the appeals of Latiq Qureshi, Derry-Ten Limited and White Elm Investments Ltd. remain active and will be dealt with at a later date as these matters progress.

“R. Rossi”

R. ROSSI
MEMBER