

ISSUE DATE:

AUGUST 31, 2011



PL120278

Ontario Municipal Board

Commission des affaires municipales de l'Ontario

Shaitel International Inc. 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 neglect to enact a proposed amendment to Zoning By-law 225-2007 of the City of Mississauga to rezone lands respecting 290 Derry Road West from "D" Development to "E2" Exception (Employment) to permit a hotel and accessory commercial uses

OMB Case No. PL120278

OMB File No. PL120278

IN THE MATTER OF subsection 41(12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Referred by:	Shaitel International Inc.
Subject:	Site Plan
Property:	290 Derry Road West
Address/Description:	Part of Lot 10, Concession 1 WHS
Municipality:	City of Mississauga
OMB Case No.:	PL120278
OMB File No.:	PL120174

APPEARANCES:

Parties

City of Mississauga

Shaitel International Inc.

Counsel

K. Yerxa

C. Piersanti

DECISION DELIVERED BY C. CONTI AND ORDER OF THE BOARD

This is a pre-hearing conference for an appeal by Shaitel International Inc. ("Appellant") against the failure of the City of Mississauga to make a decision regarding an application for a Zoning By-law Amendment to permit the development of a hotel and associated commercial uses on a property at 290 Derry Road, Mississauga.

The Board heard that the parties are having discussions and are making progress on resolving outstanding issues. Some site planning matters have not been resolved, but the parties indicated that with additional time they may be able to present the Board with a settlement. They requested that the Board schedule another pre-hearing conference

by telephone conference call for a date in October in order to track progress in the appeal.

Four residents of the area in vicinity to the subject property attended the pre-hearing conference and none expressed opposition to the proposal. Only one, Eugene Hutka, requested participant status and he requested that he be allowed to make a statement in support of the proposal. The Board granted participant status and heard Mr. Hutka's statement that he believes the proposal will be positive for the area.

After hearing from the parties, the Board determined that there would be benefit in scheduling another pre-hearing conference by telephone conference call as requested. The Board scheduled the telephone conference call for October 3, 2012 at 9 a.m. The telephone number is 416-212-8012 or 1-866-633-0848. The access code is 4779874#. The Member is not seized and will continue case management of this appeal subject to the requirements of the Board's hearing calendar. The Member can be spoken to if necessary.

No further notice is required.

So Orders the Board.

"C. Conti"

CHRIS CONTI
MEMBER