

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



**ISSUE DATE:** December 02, 2015

**CASE NO(S):** PL130360

**PROCEEDING COMMENCED UNDER** subsection 41(12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Referred by:	J. Sous
Subject:	Site Plan
Property Address/Description:	1484 Hurontario Street
Municipality:	City of Mississauga
OMB Case No.:	PL130360
OMB File No.:	PL130764
OMB Case Name:	Sous V. Mississauga (City)

**Heard:** November 26, 2015 by telephone conference call

**APPEARANCES:**

**Parties**

**Counsel**

City of Mississauga

Raj Kehar

Karl Say Investments Ltd.

Sarah Turney

**MEMORANDUM OF ORAL DECISION DELIVERED BY J. de P. SEABORN ON  
NOVEMBER 26, 2015 AND ORDER OF THE BOARD**

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[1] The matter before the Board was scheduled for a status hearing by way of telephone conference call. The purpose of the hearing event was to determine whether the Board's order, which has been withheld following a decision issued on March 18,

2014 can be finalized.

[2] By way of background, Mr. Kehar, counsel for the City of Mississauga ("City") explained that an application for both a zoning by-law amendment and a site plan referral were before the Board in 2014. The zoning appeal was resolved and while the Board's decision was issued, the order in respect of the site plan matter was withheld pending execution of a Development Agreement ("Agreement"). That Agreement remains outstanding as the property was sold by the original applicants, Mahmoud and Joanna Sous. That purchaser is now in the process of selling the property.

[3] Ms. Turney has been retained by the prospective purchaser of the property. The transaction is scheduled to close in early December, 2015. Ms. Turney advised that she will review the Agreement and advise the City of her client's position. Ms. Turney agreed that if her client's development proposal is substantially different than what is contained in the existing site plan, a new application will be required. At this stage the City is content to review the site plan details with Ms. Turney and her client, obtain their comments on the Agreement and determine if the Board's order may issue. Counsel will update the Board at a further hearing by way of telephone conference call. As a result, the Board's order with respect to the site plan remains outstanding.

[4] At the request of the parties and with their consent a further hearing by way of telephone conference call ("TCC") is scheduled for **9 a.m., Friday, February 12, 2016**. The parties should call **416-212-8012, CODE 4779874#**. Counsel will advise the Board at the TCC whether the matter is resolved. If a new application is required, the City will request that the outstanding site plan referral be dismissed and that the outstanding order not be issued. There shall be no further notice of the TCC and I am seized of the case management of the file.

*"J. de P. Seaborn"*

J. de P. SEABORN  
VICE CHAIR

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**Ontario Municipal Board**

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