

Ontario Municipal Board
Commission des affaires municipales
de l'Ontario



ISSUE DATE: September 25, 2014

CASE NO(S): PL130670

PROCEEDING COMMENCED UNDER subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Credit Mills Development Corporation
Subject: Request to amend the Official Plan – failure of City of Mississauga to adopt the requested amendment

Existing Designation: Residential Density II
Proposed Designation: Residential Density, Mixed Use – Special site and Greenbelt

Purpose: To permit 5 commercial buildings and 11 detached dwellings

Property Address/Description: 5267 Mississauga Road
Municipality: City of Mississauga
Approval Authority File No.: OZ11/019 W11
OMB Case No.: PL130670
OMB File No.: PL130670

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Credit Mills Development Corporation
Subject: Application to amend Zoning By-law No. 0225-2007 – Refusal or neglect of City of Mississauga to make a decision

Existing Zoning: 'D' Development
Proposed Zoning: R4-Exception
Purpose: To permit detached dwellings along the southern edge of the site, to a 'C2-Exception' (Neighbourhood Commercial) zone to permit office and retail commercial development on the bulk of the site and to 'G1' and 'G2'-1 (Greenbelt – Natural Features) zone categories with respect to areas below top-of-bank of the Credit River and associated area with natural features

Property Address/Description: 5267 Mississauga Road
Municipality: City of Mississauga
OMB Case No.: PL130670
OMB File No.: PL130691

PROCEEDING COMMENCED UNDER subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	Credit Mills Development Corporation
Subject:	Proposed Plan of Subdivision – Failure of City of Mississauga to make a decision
Purpose:	To permit a proposed plan of subdivision
Property Address/Description:	5267 Mississauga Road
Municipality:	City of Mississauga
OMB Case No.:	PL130670
OMB File No.:	PL130672
Heard:	August 29, 2014 by telephone conference call

APPEARANCES:

Parties

Counsel

Credit Mills Development Corporation	Gerald Swinkin
City of Mississauga	Raj Kehar and Paul DeMelo
Metrolinx	Barnet Kussner
Mondelez Canada Inc.	Mary Bull

DECISION DELIVERED BY R. ROSSI ON AUGUST 29, 2014 AND ORDER OF THE BOARD

INTRODUCTION

[1] By way of an official plan amendment, a zoning by-law amendment and a draft plan of subdivision, Credit Mills Development Corporation (“Credit Mills”) has appealed to the Ontario Municipal Board (“Board”) the failure or neglect of the City of Mississauga (“City”) to permit development of its lands located at 5267 Mississauga Road for commercial and residential uses.

[2] On May 21, 2014, the Board heard and subsequently granted the City’s motion for a three-month adjournment of these matters so that 1) the City might consider

additional information from Metrolinx on whether there should be a Grade Separation between Mississauga Road and the Canadian Pacific Railway (CP) corridor (and the possible need for additional land) and so that 2) Metrolinx might complete its review.

[3] On today's call, Mr. Swinkin advised the Board that a preliminary drawing has been received from Mr. Kussner's client Metrolinx, in respect of conceptualized vehicular routing and which depicts certain land parcels for taking. As this is a 'preliminary preferred concept plan', further discussions between the parties and other entities will be required. Nevertheless, the parties are amenable to the Board establishing dates for a 10-day hearing in 2015. Subsequent to this call, the parties will provide to the Board a Procedural Order and consolidated Issues List to guide their steps to the full hearing.

ORDER

[4] On consent, the Board will schedule a **10-day hearing** of these appeals commencing **Monday, April 20, 2015 at 10 a.m. at:**

**City Hall (Mississauga)
300 City Centre Drive
Mississauga, ON L5B 3C1**

[5] No further notice will be given. The City will make arrangements to confirm the venue. This Member is not seized

"R. Rossi"

R. ROSSI
MEMBER

Ontario Municipal Board

A constituent tribunal of Environment and Land Tribunals Ontario
Website: www.elto.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248