

Ontario Municipal Board
Commission des affaires municipales
de l'Ontario



ISSUE DATE: April 14, 2016

CASE NO(S): PL151083

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

Applicant and Appellant: Carlyle Communities (Crestview) Inc.
Subject: Request to amend the Official Plan - Failure of the City of Mississauga to adopt the requested amendment

Existing Designation: Convenience Commercial
Proposed Designated: Medium Density Residential
Purpose: To permit 26 common elements, 3 storey condominium townhouses

Property Address/Description: 1640 Crestview Avenue
Municipality: City of Mississauga
Approval Authority File No.: OPA/OZ 14/004
OMB Case No.: PL151083
OMB File No.: PL151083
Omb Case Name: Carlyle Communities (Crestview) Inc. v. Mississauga (City)

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

Applicant and Appellant: Carlyle Communities (Crestview) Inc.
Subject: Application to amend Zoning By-law No. 0225-2007 - Neglect of The City of Mississauga to make a decision

Existing Zoning: C1 (Convenience Commercial)
Proposed Zoning: RM7-Exception
Purpose: To permit 26 common elements, 3 storey condominium townhouses

Property Address/Description: 1640 Crestview Avenue
Municipality: City of Mississauga
Municipality File No.: OZ-14/004
OMB Case No.: PL151083
OMB File No.: PL151084

Heard: April 6, 2016 in Mississauga, Ontario

APPEARANCES:

Parties

Counsel

Carlyle Communities (Crestview) Inc. Mary Flynn-Guglietti

City of Mississauga Michael Minkowski

MEMORANDUM OF ORAL DECISION DELIVERED BY J. de P. SEABORN AND M. VALIANTE ON APRIL 6, 2016 AND ORDER OF THE BOARD

[1] The matter before the Board is an appeal by Carlyle Communities (Crestview) Inc. (“Applicant”) from City of Mississauga (“City”) Council’s neglect to make a decision with respect to an application for an Official Plan Amendment (“OPA”) and Zoning By-law Amendment (“By-law”). In accordance with directions from the Board, notice of the proceedings was given and the requisite affidavit of service (Exhibit 1) filed at the outset of the pre-hearing conference.

[2] The Applicant seeks approval to re-designate its lands and develop the property with 23 four-storey residential townhouses, configured in four blocks. The property is located just south of the QEW, on the southwest corner of Crestview Avenue and the South Service Road and is a predominantly vacant commercial plaza. The City indicated that it does not oppose the proposed re-designation (from “Convenience Commercial” to “Medium Density Residential”) *per se*, but has several concerns with respect to the configuration of the townhouse project and the height and density, as currently proposed. There have been changes made to the proposal since the original application was filed and a reduction in the number of units. Nevertheless, the City has outstanding issues that require further exploration.

[3] In addition to the Applicant and the City, identified as parties, four individuals requested and were given Participant status, as follows: Colonial Woods Condominium (represented by a Director, Chris Roach); Tim Treacy; Bill Hotson; and Sat Pal Gupta. Each is added to the Board's mailing list.

[4] A joint request was made by Mr. Minkowski and Ms. Flynn-Guglietti that a date be set for Mediation and a subsequent date be arranged for a further pre-hearing conference. With respect to Mediation, Counsel is directed to make a request, in writing, to the attention of the Case Coordinator. Thereafter, an assessment will be arranged to determine whether Mediation would assist the parties.

[5] A second pre-hearing conference is scheduled to commence **on Monday, September 26, 2016 at 10 a.m. at:**

**City of Mississauga
Municipal Hearing Room
300 City Centre Drive
Mississauga, ON**

[6] If Mediation is deemed feasible and an agreement is reached, the evidence in support of any settlement may be presented at the pre-hearing. Following the evidence of the Parties, the Participants may testify. If there is no settlement, a draft Procedural Order will be finalized at the pre-hearing conference. In either case, Counsel should keep the Participants advised. There will be no further notice of the pre-hearing conference and this panel of the Board is not seized.

"J. de P. Seaborn"

J. de P. SEABORN
VICE-CHAIR

"Marcia Valiante"

MARCIA VALIANTE
MEMBER

If there is an attachment referred to in this document,
please visit www.elto.gov.on.ca to view the attachment in PDF format.

Ontario Municipal Board

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