

Ontario Municipal Board
Commission des affaires municipales
de l'Ontario



ISSUE DATE: November 04, 2016

CASE NO(S): PL151224

PROCEEDING COMMENCED UNDER subsection 36(3) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant: 675553 Ontario Limited
Subject: Removal of Holding Symbol: Zoning By-law No. 0225-2007 - Failure of the City of Mississauga to announce a decision on the application
Property Address/Description: 90, 100, 110 Dundas Street West
Municipality: City of Mississauga
OMB Case No.: PL151224
OMB File No.: PL151224
OMB Case Name: 675553 Ontario Ltd v. Mississauga (City)

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

Applicant and Appellant: 675553 Ontario Limited
Subject: Proposed Plan of Subdivision - Failure of the City of Mississauga to make a decision
Purpose: To permit the development of 140 units, comprising of 120 residential townhouse units and 20 live/work units
Property Address/Description: 90, 100, 110 Dundas Street West
Municipality: City of Mississauga
Municipality File No.: T-M15002 W7
OMB Case No.: PL151224
OMB File No.: PL160092

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

Referred by: 675553 Ontario Limited
Subject: Site Plan
Property Address/Description: 90, 100, 110 Dundas Street West
Municipality: City of Mississauga

OMB Case No.: PL151224
 OMB File No.: PL151225

Board Rule 107 states:

107. Effective Date of Board Decision A Board decision is effective on the date that the decision or order is issued in hard copy, unless it states otherwise.

Pursuant to Board Rule 107, this decision takes effect on the date that it is e-mailed by Board administrative staff to the clerk of the municipality where the property is located.

Heard: October 26, 2016 in Mississauga, Ontario

APPEARANCES:

Parties

Counsel

City of Mississauga

Michal Minkowski

675553 Ontario Limited

John Alati and Andy Margaritis

MEMORANDUM OF ORAL DECISION DELIVERED BY J. de P. SEABORN AND M. BELLEMARE ON OCTOBER 26, 2016 AND ORDER OF THE BOARD

[1] The matters before the Board were scheduled for a pre-hearing conference, notice of which was given and the requisite affidavit of service was filed (Exhibit 1). Mr. Alati, counsel for 675553 Ontario Limited (“Applicant”) explained that the matters include: an appeal relating to removing a holding symbol from Zoning By-law No. 0225-2007; a proposed plan of subdivision; and site plan referral. The Applicant had previously obtained approval for its project and a decision of the Board (PL081064) was issued in August 2013 and amended in January 2015. That decision (as amended) approved an official plan amendment and zoning by-law amendment for a 2.8 hectare site at 90, 100 and 110 Dundas Street West (corner of Dundas Street West and Confederation Parkway), in the City of Mississauga (“City”).

[2] In addition to the City and the Applicant, Betty Leardi, a property owner close to the site, appeared. Ms. Leardi attended in response to the notice of hearing and requested further information about the project (at the break she was assisted by the

planner for the City). Ms. Leardi will be listed as a Participant and receive notice of the next hearing event by way of a copy of this decision.

[3] The Applicant's project involves 140 units, comprising 120 residential townhouse units and 20 live/work units. Mr. Minkowski confirmed that City Staff continue to work with the Applicant to finalize several details of the project. In particular, the conditions required to lift the hold on the zoning are being resolved (eight matters are outstanding) and the parties are also clearing the conditions associated with the draft plan of subdivision and the site plan. The applications will go to Committee and to City Council (January 2017) for its consideration. As a result, counsel requested that a further pre-hearing be scheduled for late January, 2017. At that time, the hope is to present a complete settlement.

[4] At the request of counsel and with their consent, a second pre-hearing conference is scheduled for **Thursday, January 26, 2017 at 10 a.m. at:**

**Committee Room B
City of Mississauga
300 City Centre Drive
Mississauga, ON L5B 3C1**

[5] There shall be no further notice and this Panel of the Board is not seized. If any difficulties arise or counsel require a conversion to a hearing by way of telephone conference call, the Case Coordinator should be contacted.

"J. de P. Seaborn"

J. de P. SEABORN
VICE-CHAIR

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

A constituent tribunal of Environment and Land Tribunals Ontario
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