

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



**ISSUE DATE:** August 30, 2016

**CASE NO(S):** PL160192

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

Applicant and Appellant: Armdale Estates Inc., Touchtone Constructions Ltd. and 1077022 Ontario Inc.  
Subject: Removal of Holding Symbol: Zoning By-law No. - Failure of the City of Mississauga to announce a decision on the application  
Property Address/Description: 0 Enfield Place  
3600, 2606 and 3618 Hurontario Street  
Municipality: City of Mississauga  
OMB Case No.: PL160192  
OMB File No.: PL160192  
OMB Case Name: Armdale Estates Inc.

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

Referred by: 1077022 Ontario Inc. and Touchtone Construction Ltd.  
Subject: Site Plan  
Property Address/Description: 0 Enfield Place and 3618 Hurontario Street  
Municipality: City of Mississauga  
OMB Case No.: PL160192  
OMB File No.: PL160146

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

Referred by: Armdale Estates Inc.  
Subject: Site Plan  
Property Address/Description: 3600 & 3606 Hurontario Street  
Municipality: City of Mississauga  
OMB Case No.: PL160192  
OMB File No.: PL160147

**Heard:** August 3, 2016 in Mississauga, Ontario

**APPEARANCES:**

**Parties**

**Counsel**

1077022 Ontario Inc., Touchtone  
Constructions Ltd., and Armadale  
Estates Inc.

R. Kehar and  
Ashley Bridgeman (student-at-law)

City of Mississauga

J. Alati

**MEMORANDUM OF ORAL DECISION DELIVERED BY H. JACKSON ON AUGUST 3,  
2016 AND ORDER OF THE BOARD**

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[1] This was the first prehearing conference (“PHC”) for the appeal by the above noted (the “Applicants”) who filed an application to the City of Mississauga (the “City”) for a Zoning By-law Amendment to remove a Holding symbol, and Site Plan approval for two site plans. The applications are to permit the construction of two towers on two separate sites on lands municipally known as 0 Enfield Place, 3600, 3606, 3618 Hurontario Street (the “subject lands”). The development on the south portion of the subject lands at 3600 and 3606 Hurontario Street is to consist of a 43 storey tower and a five storey podium. The north portion of the subject lands is to consist of a 50 storey tower and a five storey podium. The total site size is 0.71 hectare. The separate parcels will appear as one when developed. The Applicant appealed from the City’s failure to make a decision on the applications within the statutory timeframe.

[2] Mr. Alati explained that the lifting of the Holding symbol required the provision of statutory notice; whereas, the two site plans do not require notice. He explained that the area is a designated mixed use area and is zoned for the proposed uses. He indicated that the zoning is in place but for the Holding symbol removal. Mr. Kehar indicated that the removal is related to the technical and servicing agreement with the City that is not yet in place. This agreement relates to built form, street scape landscaping, etc.

[3] Official Plan Amendment (“OPA”) #8, an amendment related to the Downtown Local Plan for built form standards, was adopted by the City in March 2013. The Applicants have separately appealed this OPA with respect to the subject lands, due to the advanced progress of the site plans for the subject lands. Mr. Alati requested that the Applicants’ appeal in relation to OPA #8 (under PL130350) be consolidated with this appeal. The City had no objection to that request, and Board is satisfied that hearing the site specific appeal of the Applicants’ lands with respect to OPA #8 and the current matter are efficiently heard together. The Board directs that the site specific appeal for the subject lands under PL130350 be heard together with the appeals under PL160192.

[4] Mr. Alati indicated that the Applicant and the City have had productive discussions and are working to narrow the issues to those that require adjudication for a hearing. The parties jointly requested that the Board schedule another PHC in November to provide the Board with an update in the matter and requested a hearing date in February 2017.

[5] There were many residents of the nearby condominium towers who attended at this PHC and requested participant status. The residents are concerned about a number of issues, in particular the height and locational position of the proposed two new towers. Participant status was granted to the residents as listed in Attachment 1. The Board advised the Participants that they should attempt to organize themselves in order to present their common concerns in an organized fashion at the hearing. The Board member advised the participants that it is not necessary to repeat the same concern numerous times at the hearing.

[6] The next PHC is scheduled to be held on **Monday, November 7, 2016, at 10 a.m.**

[7] The Hearing is to be held **February 21, 2017 to February 23, 2017** inclusive. Please note that at this PHC I indicated the Hearing was to begin on February 20, 2017; however, that date is Family Day, a statutory holiday, and not available for a hearing.

[8] The PHC and Hearing will be held at:

**City Hall  
Municipal Hearing Room  
300 City Centre Drive  
Mississauga, ON  
L5B 3C1**

[9] No further notice will be given.

[10] This Member is not seized.

[11] 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.

[12] 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.

*"H. Jackson"*

H. JACKSON  
MEMBER

If there is an attachment referred to in this document,  
please visit [www.elto.gov.on.ca](http://www.elto.gov.on.ca) to view the attachment in PDF format.

**Ontario Municipal Board**

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

**ATTACHMENT 1**

Raymond Levert

Andy Afrouz

Marcia Faulkovic

Theresa Jenkins

Gordana Djuricic

Rita Srinivas

Mary Naini

Chris Marshall

Coney Pereira

Lakshmir Vellanky

Dee Esposito

Mathilda Greiss

Larissa Maryniuk

Rakesh Sharma

Mahendra Patel

Chung Hin Ho

Sona Mooliyil

Aaron Dalal

Heather Main

Sheg Tseng