

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement
local



ISSUE DATE: October 4, 2019

CASE NO(S): PL160192
PL130350

The Ontario Municipal Board (the “OMB”) is continued under the name Local Planning Appeal Tribunal (the “Tribunal”), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

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. 0225-2007 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. v. Mississauga (City)

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

PROCEEDING COMMENCED UNDER subsection 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	1077022 Ontario Inc. et al
Appellant:	Baif Developments Limited
Appellant:	Jason Properties Inc. and others
Subject:	Proposed Official Plan Amendment No. OPA 8
Municipality:	City of Mississauga
OMB Case No.:	PL130350
OMB File No.:	PL130350
OMB Case Name:	A & W Food Services of Canada Inc. v. Mississauga (City)

PROCEEDING COMMENCED UNDER subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	1077022 Ontario Inc. et al
Appellant:	Baif Developments Limited
Appellant:	Jason Properties Inc. and others
Subject:	By-law No. 0050-2013
Municipality:	City of Mississauga
OMB Case No.:	PL130350
OMB File No.:	PL130351

Heard: September 30, 2019 by telephone conference call ("TCC")

APPEARANCES:

Parties

City of Mississauga

Counsel

R. Kehar

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

J. Alati and A. Margaritis

**MEMORANDUM OF ORAL DECISION DELIVERED BY R.G.M. MAKUCH ON
SEPTEMBER 30, 2019 AND ORDER OF THE TRIBUNAL**

[1] The purpose of this TCC was to allow counsel to provide the Tribunal with a report of any progress made since January 9, 2018, when Vice-Chair de Avillar Schiller issued an order of the Tribunal approving a partial settlement of these matters in accordance with Minutes of Partial Settlement (“MOPS”), which outlined a framework for further work consisting mainly of additional technical requirements necessary to implement the MOPS.

[2] It is noted that significant progress has not been achieved since then.

[3] The parties now propose the following timetable and framework in order to achieve full settlement of these matters:

1. On or before **November 11, 2019** the Applicants will submit to the City and to the Public Utilities Coordinating Committee (“PUC”) Coordinator at the City a resubmission on their lifting of “H” Hold application that includes streetscape plans for Matthews Gate & Enfield Place that comply with:
 - a) the City Centre design and streetscape standards,
 - b) PUC requirements;
 - c) the partial minutes of settlement executed on June 2, 2017 marked as Exhibit 3 to these proceedings; and
2. On or before **December 11, 2019**, the City will provide its comments on the resubmission provided by the Applicants as in item no.1. The City will make best efforts to have utility service providers to also provide their comments on the streetscape plans through the PUC process by the same deadline. However, it is noted, that the City

does not directly control the timing of the utility service provider's comments.

3. Within **two (2) months** of the City's acknowledgement that the "H" Hold application re-submission is acceptable, Touchtone will file a revised site plan submission to the City.

[4] On consent of the parties, the Tribunal hereby orders that the above timetable and framework be followed by the parties.

[5] If further difficulties arise, the Tribunal may be spoken to.

[6] I am not seized.

"R.G.M. Makuch"

R.G.M. MAKUCH
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.

Local Planning Appeal Tribunal

A constituent tribunal of Tribunals Ontario - Environment and Land Division
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