

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



ISSUE DATE: January 03, 2019

CASE NO(S): PL171219

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

Applicant and Appellant:	3355 The Collegeway G.P. Inc.
Subject:	Request to amend the Official Plan - Failure of the City of Mississauga to adopt the requested amendment
Existing Designation:	Mixed Use
Proposed Designation:	Residential Medium Density., Mixed uses and Convenience Commercial
Purpose:	To permit to permit 336 stacked townhouse units (horizontal multiple dwellings) within eleven (11) blocks with access from Colonial Drive as well as a two-story convenience commercial building with access from Ridgeway Drive
Property Address/Description:	3355 The Collegeway
Municipality:	City of Mississauga
Approval Authority File No.:	OZ 16/005 & OPA
OMB Case No.:	PL171219
OMB File No.:	PL171219
OMB Case Name:	3355 The Collegeway G.P. 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:	3355 The Collegeway G.P. Inc.
Subject:	Application to amend Zoning By-law No. 0225-2007 - Neglect of the City of Mississauga to make a decision

Existing Zoning:	C2-Neighbourhood Commercial
Proposed Zoning:	Site Specific (To be determined)
Purpose:	To permit 336 stacked townhouse units (horizontal multiple dwellings) within eleven (11) blocks with access from Colonial Drive as well as a two-storey convenience commercial building with access from Ridgeway Drive
Property Address/Description:	3355 The Collegeway
Municipality:	City of Mississauga
Municipality File No.:	OZ 16/005
OMB Case No.:	PL171219
OMB File No.:	PL171220

Heard: December 4, 2018 in Mississauga, Ontario

APPEARANCES:

Parties

Counsel

3355 The Collegeway G.P. Inc.

Adam Brown

City of Mississauga

Paul DeMelo

Regional Municipality of Peel

Rachel Godley

MEMORANDUM OF ORAL DECISION DELIVERED BY THOMAS HODGINS ON DECEMBER 4, 2018 AND ORDER OF THE TRIBUNAL

INTRODUCTION

[1] This Memorandum of Oral Decision and Order results from the second Pre-hearing Conference (“PHC”) on appeals by 3355 The Collegeway G.P. Inc. (“Appellant”) of the City of Mississauga’s (“City”) failure to make decisions on applications to amend the Official Plan and the Zoning By-law to permit the redevelopment of a property at 3355 The Collegeway (“Site”).

[2] The Memorandum of Oral Decision and Order from the first PHC was issued on August 31, 2018 and it serves to, amongst other matters: identify the Parties, identify one Participant, Muhammad Asief Javed, and schedule this second PHC, the purpose

of which is to provide the Tribunal with an update on any decision made by City Council in respect to the applications and appeals, to summarize any opposition to the proposal that was heard by City Council and, if necessary, to schedule a hearing.

THE PHC

[3] Counsel for each of the Parties appeared as referenced above.

[4] The previously identified Participant did not appear.

[5] There were no requests for Party or Participant status.

[6] Adam Brown advised that City staff recommended the approval of the applications to Council in June, 2018 but Council did not accept the staff recommendation. Mr. Brown requested that the Tribunal schedule a three-day hearing and advised that a Procedural Order ("PO") was not required in this instance.

[7] Paul DeMelo agreed that a three-day hearing was appropriate and that a PO was not necessary. Mr. DeMelo advised that opposition to the applications includes the following issues: density, over development of the Site, the retention of commercial space on the Site and circulation and access.

[8] Messrs. Brown and DeMelo advised that they would work together collegially to coordinate this matter and to organize the hearing.

[9] Rachel Godley reported that the Regional Municipality of Peel's ("Region") issues are minor and that the Region does not anticipate participating in the hearing.

ORDER

[10] The Tribunal orders as follows:

A. The hearing is scheduled for three days beginning **Wednesday, April 24,**

2019 at 10 a.m. and continuing April 25 and 26, 2019 at:

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

B. The Parties, Participant and Observer are to receive a copy of this Memorandum of Oral Decision and Order and no additional notice of the hearing is required; and

[11] This Member is not seized.

“Thomas Hodgins”

THOMAS HODGINS
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.

Local Planning Appeal Tribunal

A constituent tribunal of Environment and Land Tribunals Ontario
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