

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: December 20, 2023 **CASE NO(S).:** OLT-22-004584

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

Applicant and Appellant: Lightpoint (170 Lakeshore Road East Port Credit)
Inc.
Subject: Request to amend the Official Plan – Failure to
adopt the requested amendment
Description: To permit the development of a 15-storey mixed-use
building, including a 6-storey podium, with 147
purpose-built residential rental units
Reference Number: OPA 21/16 W1
Property Address: 170 Lakeshore Road East
Municipality/UT: City of Mississauga/ Regional Municipality of Peel
OLT Case No.: OLT-22-004584
OLT Lead Case No.: OLT-22-004584
OLT Case Name: Lightpoint (170 Lakeshore Road East Port Credit) v.
Mississauga (City)

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

Applicant/Appellant: Lightpoint (170 Lakeshore Road East Port Credit)
Inc.
Subject: Application to amend the Zoning By-law – Neglect to
make a decision
Description: To permit the development of a 15-storey mixed-use
building, including a 6-storey podium, with 147
purpose-built residential rental units
Reference Number: OZ 21/16 W1
Property Address: 170 Lakeshore Road East
Municipality/UT: City of Mississauga/ Regional Municipality of Peel
OLT Case No.: OLT-22-004584
OLT Lead Case No.: OLT-22-004585

Heard: November 30, 2023 by telephone conference call

APPEARANCES:

Parties

Counsel

Lightpoint (170 Lakeshore
Road East Port Credit) Inc.
("Applicant/Appellant")

David Bronskill

City of Mississauga ("City")

Raj Kehar

**MEMORANDUM OF ORAL DECISION DELIVERED BY D. CHIPMAN ON
NOVEMBER 30, 2023 AND ORDER OF THE TRIBUNAL**

INTRODUCTION

[1] The Tribunal convened a status update telephone conference call in respect of an appeal filed pursuant to subsections 22(7) and 34(11) of the *Planning Act* ("Act") by Lightpoint (170 Lakeshore Road East Port Credit) Inc. ("Applicant/Appellant") against the City of Mississauga ("City") on its failure to make a decision on applications for approval of an Official Plan Amendment ("OPA") and a Zoning By-law Amendment ("ZBA") within the timeframe prescribed by the Act.

[2] The lands that are the subject of the application are known municipally as 170 Lakeshore Road East (the "Subject Lands"). The Appellant proposed to redevelop the Subject Lands with a 15-storey mixed-use building, including a 6-storey podium with 147 purpose-built residential rental units. A revised proposal was the topic of discussion at this status update meeting.

[3] Mr. Bronskill advised the Tribunal through without prejudice discussions the Application has been revised. Both Parties agreed a new application process was not necessary as the continued discussions surrounding the revisions are positive.

[4] The Tribunal inquired as to the whether Tribunal-led mediation would assist in resolving any or all of the issues still outstanding. Both Parties indicated that they had spent significant time scoping the issues pertaining to the revised proposed development but felt a hearing would be needed to bring this matter to a resolve. The Tribunal informed the Parties that Tribunal-led mediation can be obtained at any point through the Case Coordinator.

[5] The Tribunal tasked Mr. Bronskill to provide the Tribunal with a draft Procedural Order (“PO”) with an Issues List (“IL”), for consideration and approval, on or before **Friday, January 5, 2024**, so that dates for the exchange of documents and meetings of the expert witnesses could be set within the appropriate timelines.

[6] The Tribunal agreed that based on the number of witnesses expected to be providing evidence, a six (6) day hearing would be in order. A hearing will commence on **Monday, April 15, 2024, at 10 a.m. by video hearing.**

[7] Parties are asked to log in to the video hearing at least 15 minutes before the start of the event to test their video and audio connections:

<https://meet.goto.com/357283957>

Access Code: 357-283-957

[8] Parties are asked to access and set up the application well in advance of the event to avoid unnecessary delay. The desktop application can be downloaded at GoToMeeting or a web application is available: <https://app.gotomeeting.com/home.html>

[9] Persons who experience technical difficulties accessing the GoToMeeting application or who only wish to listen to the event can connect to the event by calling in to an audio-only telephone line: **Toll-Free 1-888-455-1389 or +1 (647) 497-9391**. The Access Code is indicated above.

[10] Individuals are directed to connect to the event on the assigned date at the correct time. It is the responsibility of the persons participating in the Video Hearing to ensure that they are properly connected to the event at the correct time. Questions prior to the hearing event may be directed to the Tribunal's Case Coordinator having carriage of this case.

[11] The Tribunal inquired as to whether there were any other matters to be addressed which might assist in the fair, just and expeditious resolution of this matter. The Parties indicated that there were none.

ORDER

[12] **THE TRIBUNAL ORDERS** that:

[13] The draft Procedural Order and Issues List be provided to the Tribunal on or before **Friday, January 5, 2024**.

[14] A six day hearing will commence **Monday, April 15, 2024, at 10 a.m. by video hearing**.

[15] This Member is not seized but will continue to manage this file.

[16] This Member remains available through the Case Coordinator should the need arise.

[17] No further notice is required.

"D. Chipman"

D. CHIPMAN
MEMBER

Ontario Land Tribunal

Website: www.olt.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal ("Tribunal"). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.