Ontario Land Tribunal
Tribunal ontarien de l'aménagement du territoire

ISSUE DATE: July 22, 2025 **CASE NO(S).:** OLT-24-001248

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

Appellant:	2406876 Ontario Inc., 2391185 Ontario Inc., Vrancor Master GP, Oakville Wyecroft Hotel LP
Appellant:	Rowhedge Construction Limited, Star Oak Developments Ltd., Sixth Oak Inc, Melrose Investments Inc., Guglietti Brothers Investments Limited
Appellant:	bcIMC Realty Corporation
Appellant:	Cynthia Lynch
Subject:	Proposed Official Plan Amendment No.
Description:	To implement Town-initiated OPAs
Reference Number:	OPA 68
Property Address:	Town-wide
Municipality/UT:	Town of Oakville
OLT Case No.:	OLT-24-001248
OLT Lead Case No.:	OLT-24-001248
OLT Case Name:	2406876 Ontario Inc. et. al. v. Oakville (Town)

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

Appellant:	2406876 Ontario Inc. et. al.
Subject:	Proposed Official Plan Amendment No.
Description:	To implement Town-initiated OPAs
Reference Number:	OPA 332
Property Address:	Town-wide
Municipality/UT:	Town of Oakville
OLT Case No.:	OLT-24-001248

OLT Lead Case No.: OLT-24-001249

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

Appellant:	2406876 Ontario Inc. et. al.
Subject:	Proposed Official Plan Amendment No.
Description:	To implement Town-initiated OPAs
Reference Number:	OPA 333
Property Address:	Town-wide
Municipality/UT:	Town of Oakville
OLT Case No.:	OLT-24-001248
OLT Lead Case No.:	OLT-24-001250

Heard: July 16, 2025 by Video Hearing

APPEARANCES:

Parties	**Counsel/Representative***
bclMC Realty Corporation	Jonathan Cheng Patrick Duffy *(in absentia)*
2406876 Ontario Inc.	Nikolas A. Koschany Denise Baker *(in absentia)*
2391185 Ontario Inc.	Nikolas A. Koschany Denise Baker *(in absentia)*
Vrancor Master GP Inc./Oakville Wyecroft Hotel LP	Nikolas A. Koschany Denise Baker *(in absentia)*
Mel (Wyecroft) Inc.	Russell Cheeseman
Melrose Investment Inc.	Russell Cheeseman
Guglietti Brothers Investment Limited	Russell Cheeseman
Rowhedge Construction Limited	Russell Cheeseman

Star Oak Developments Limited	Russell Cheeseman
Sixth Oak Inc.	Russell Cheeseman
Cynthia Lynch	Signe Leisk
Town of Oakville	Jennifer Huctwich Nadia Chandra *(in absentia)*

MEMORANDUM OF ORAL DECISION DELIVERED BY MEMBER KURTIS SMITH ON JULY 16, 2025 AND ORDER OF THE TRIBUNAL

INTRODUCTION

[1] This was the first Case Management Conference ("CMC") held in relation to 13 appeals filed against three Town of Oakville ("Town") Council initiated Official Plan Amendments ("OPA") in their entirety. The OPA's were considered and adopted by Town Council as a response to Bill 97 in relation to employment lands in the Town.

[2] Below outlines the appeals relating to each OPA:

- OLT-24-001248 – By-law 2024-143, to adopt OPA 68 – Livable Oakville Plan ("LOP" / "OPA 68")
    i. 2391185 Ontario Inc.
    ii. 2406876 Ontario Inc.
    iii. bcIMC Realty Corporation
    iv. Vrancor Master GP Inc./ Oakville Wyecroft Hotel Lp
    v. Mel (Wyecroft) Inc.

vi. Melrose Investment Inc.

vii. Guglietti Brothers Investment Limited

- OLT-24-001249 – By-law 2024-144, to adopt OPA 332 – North Oakville East Secondary Plan (1984 Oakville Official Plan (“1984 OP”)) (“NAESP” / “OPA 332”)

  i. Rowhedge Construction Limited

  ii. Sixth Oak Inc.

  iii. Star Oak Developments Limited

- OLT-24-001250 – By-law 2024-145, to adopt OPA 333 – North Oakville West Secondary Plan (1984 OP) (“NAWSP” / “OPA 332”)

  i. bclMC Realty Corporation

  ii. Cynthia Lynch

[3] No Party or Participant Status request were received.

[4] The Tribunal marked the Affidavit of Service of the CMC as **Exhibit 1**. There were no issues with the notice, and as such, no further notice is required.

UPDATE FROM THE TOWN

[5] Ms. Huctwich, Counsel for the Town provided the Tribunal with the following updates regarding the appeals:

Ongoing Process, Possibility of Modifications, Mediation

[6] As noted above the Town adopted the OPAs in response to Bill 97 and each OPA has been appealed in their entirety. Ms. Huctwich communicated that modifications to the OPA's are likely required and as such the Town has arranged a process for direct communication with Town Counsel and Council, which participate in mediation leading up to the December 2025 Council meeting. At that Council meeting, it is anticipated that the Council may modify the amendments or adopt new amendments in their entirety, which would result in these Tribunal's Cases being a moot point. To allow the Council a "second kick at the can", the outlined process concludes at the January 19, 2026, Council meeting, which in the event there is a deferral/changes to the potential amendments during the December 2025 Council Meeting.

Status of North Oakville West Secondary Plan (1984 Official Plan) – OPA 333

[7] Ms. Huctwich communicated to the Tribunal that a Settlement Hearing (Case No. OLT-23-000290) came before the Tribunal on Friday, July 11, 2025. She explained that part of the Settlement included moving the North Oakville West Secondary Plan from the 1984 OP into the LOP, with the long-term goal of having each Secondary Plan part of the LOP and eliminating the 1984 OP.

[8] Ms. Huctwich then questioned whether the two OPA 333 appeals would still be "alive" or not following the Settlement Hearing, further stating "there would be no more west plan".

[9] Mr. Cheng, Counsel for bcIMC Realty Corporation communicated to the Tribunal that his client has appeals filed for both OPA 68 and OPA 333, which that they will await the Settlement Hearing Decision to review the decision and planning instruments to determine how they will proceed with their OPA 333 appeal.

[10] Cynthia Lynch is the other appellant for OPA 333, however, done so in error as explained below.

Irregularities in Lynch Appeal

[11] The Tribunal was informed by the Town and confirmed by Ms. Leisk, Counsel for Cynthia Lynch that the appeal filed should have been for OPA 332 instead of OPA 333. Ms. Huctwich further explained that the error references polices contained within OPA 333 and was not a humble numbering error. Concluding that it is a fundamental error.

[12] Ms. Leisk communicated that her primary concern is that the appeal would be "closed" due to the outcome of the Settlement Hearing mentioned above.

[13] Mr. Cheeseman, Counsel for the three appellants of OPA 332 suggested that Ms. Lynch seek Party Status in the OPA 332 appeals to ensure a "seat at the OPA 332 table".

[14] The Tribunal anticipates that a Motion will be sought by the Town or Ms. Leisk pertaining to the Lynch Appeal to be filed between now and the second CMC in accordance with Rule 10 of the Tribunal's *Rules of Practice and Procedure*.

[15] In the event that a Party Status request is submitted for OPA 332 by Ms. Lynch following the CMC, the Tribunal will consider the request at the second CMC.

NEXT CMC

[16] As a result of the process enacted by the Town, the Tribunal scheduled a second CMC to commence at **10 a.m.**, on **Monday, February 9, 2026**, by Video Hearing, and directed the Town to provide a fulsome update to the case coordinator on or before Friday, January 30, 2026.

[17] Parties and/or Participants and/or Observers are asked to log in to the event at least **15 minutes** before it begins to test their video and audio connections:

GoTo Meeting: https://global.gotomeeting.com/join/344779885

Access code: 344-779-885

[18] Parties and/or Participants 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 **GoTo Meeting** or a web application is available: https://app.gotomeeting.com/home.html

[19] Persons who experience technical difficulties accessing the GoTo Meeting application or who only wish to listen to the event can connect to it by calling in to an audio-only telephone line: **+1 (647) 497-9373 or (Toll Free) 1-888-299-1889**. The access code is: **344-779-885**.

[20] 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 event to ensure that they are properly connected at the correct time. Questions prior to the event may be directed to the Tribunal's Case Coordinator.

ORDER

[21] **THE TRIBUNAL ORDERS** as follows:

- The Town will provide an update to the Case Coordinator on or before **Friday, January 30, 2026**; and

- That a second Case Management Conference is scheduled for **Monday, February 9, 2026**, at **10 a.m.** by Video Hearing as set out above.

"Kurtis Smith"

KURTIS SMITH
MEMBER