

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



ISSUE DATE: December 31, 2019

CASE NO(S): PL170674
PL170675
PL170678 PL170676
PL170865 PL170677

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

Appellant: Northwest Brampton Landowners Group Inc.
Subject: Proposed Official Plan Amendment No. OPA 126
Municipality: City of Brampton
OMB Case No.: PL170674
OMB File No.: PL170674
OMB Case Name: Brampton Areas 52, 53 Landowners Group Inc. v. Brampton (City)

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

Appellant: Brampton Areas 52, 53 Landowners Group Inc.
Appellant: Northwest Brampton Landowners Group Inc.
Subject: Proposed Official Plan Amendment No. OPA 127
Municipality: City of Brampton
OMB Case No.: PL170675
OMB File No.: PL170675
OMB Case Name: Brampton Areas 52, 53 Landowners Group Inc. v. Brampton (City)

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

Appellant: Northwest Brampton Landowners Group Inc.
Subject: Proposed Official Plan Amendment No. OPA 128

Municipality: City of Brampton
 OMB Case No.: PL170676
 OMB File No.: PL170676
 OMB Case Name: Brampton Areas 52, 53 Landowners Group Inc.
 v. Brampton (City)

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

Appellant: Northwest Brampton Landowners Group Inc.
 Subject: Proposed Official Plan Amendment No. OPA
 129

Municipality: City of Brampton
 OMB Case No.: PL170677
 OMB File No.: PL170677
 OMB Case Name: Brampton Areas 52, 53 Landowners Group Inc.
 v. Brampton (City)

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

Appellant: Northwest Brampton Landowners Group Inc.
 Appellant: TACC Holborn Corp.
 Subject: Proposed Official Plan Amendment No. OPA
 130

Municipality: City of Brampton
 OMB Case No.: PL170678
 OMB File No.: PL170678
 OMB Case Name: Brampton Areas 52, 53 Landowners Group Inc.
 v. Brampton (City)

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

Appellant: Northwest Brampton Landowners Group Inc.
 Subject: Proposed Official Plan Amendment No.
 OP2006-133

Municipality: City of Brampton
 OMB Case No.: PL170865
 OMB File No.: PL170865
 OMB Case Name: Brampton Areas 52, 53 Landowners Group Inc.
 v. Brampton (City)

Heard: December 11, 2019 by telephone conference
 call ("TCC")

APPEARANCES:

<u>Parties</u>	<u>Counsel</u>
City of Brampton (“City”)	B. Kussner
Region of Peel (“Region”)	R. Godley
TACC Holborn Corporation	I. Kagan K. Jennings
Northwest Brampton Landowners Group Inc. (“Appellant”)	S. Kaufman
Forestside Estates Inc. (“Royal Pine”)	A. Lusty
Alpha Stone Inc.	C. Tanzola N. Ast
69 Bramalea Holdings Limited	J. Shapira
Ouray Developments Inc.	A. Lusty

**MEMORANDUM OF ORAL DECISION BY BLAIR S. TAYLOR ON
DECEMBER 11, 2019 AND ORDER OF THE TRIBUNAL**

INTRODUCTION

[1] On November 26, 2019, the Tribunal held a Prehearing with regards to anticipated motions for party status and consideration of a draft Procedural Order, Issues List, and Hearing Plan.

[2] At that time the motions for party status did not materialize and while there was initially an impasse among the parties on the approach to the hearing, the parties were able to resolve their concerns and reached an agreement with regards to a phased hearing.

[3] The Tribunal had directed the parties to prepare and submit a revised draft Procedural Order, Issues List and Hearing Plan for consideration at this TCC.

[4] The Tribunal received the draft Procedural Order, Issues List and Hearing Plan and heard submissions with regard to the timing of Opening Statements, gave direction with regard to refinements to the draft Procedural Order and set a four-week hearing to commence on **Monday, November 9, 2020**, all for the reasons set out below.

DECISION

[5] The parties were in substantial agreement with regards to the draft Procedural Order, Issues List, and Hearing Plan except for the matter of Opening Statements.

[6] Counsel for the Appellant submitted that the Tribunal should direct that all parties should make their Opening Statements at the start of the hearing as this would be the most efficient way to proceed, that there would be no prejudice to the other parties (who all opposed her client's appeals), and that her client would be prejudiced if the other parties were able to defer their Opening Statements until after the Appellant's case was fully in.

[7] All the other parties (save for the Region who took no position), opposed this. These counsel submitted that there was nothing specific in the Tribunal's *Rules of Practice and Procedure* on this point, that it was a matter of Tribunal preference, that in the ordinary course counsel were put to their election as to whether to make their Opening Statement at the outset of the hearing, or defer it to later, that there would be no surprise to the Appellant as all the issues had been identified, witness statements would have been exchanged and that the efficiency of the hearing would be unaffected.

[8] The Tribunal found that as this hearing would be for four weeks and governed by a Procedural Order and Issues list that *inter alia* set out all the issues for the hearing, mandated the meetings of like experts and the preparation of experts' agreed statements of fact, there would be no surprise as to the issues or the evidence that would be called.

[9] In these circumstances it did not appear appropriate for the Tribunal to depart from the normal hearing process of allowing responding counsel to determine whether

they wished to make their Opening Statement at the outset of the hearing or defer it, and the Tribunal declined to make such a direction.

[10] With regards to the draft Procedural Order, Issues List and Hearing Plan, the Tribunal and counsel reviewed same and certain modifications were directed in light of the Tribunal ruling, and with regard to the finalization of the hearing date.

[11] The Tribunal set the Phase 1 hearing for four weeks commencing on **Monday, November 9, 2020 at 10 a.m.** The Tribunal will not sit on November 11, 2020 (Remembrance Day), and November 23, 2020. The hearing, if it proceeds for all four weeks will conclude on December 8, 2020.

[12] Counsel for the City will forthwith confirm the hearing venue to the Case Coordinator and the other parties and participants.

[13] Counsel for the Appellant was directed to finalize the draft Procedural Order, Issues List, and Hearing Plan and with the consent of the other parties provide same to the Case Coordinator for consideration and issuance by the Tribunal.

[14] The Procedural Order as amended has been received and it is appended to this decision as Attachment 1 and forms part of this decision.

[15] There will be no further notice.

[16] I am not seized.

[17] Scheduling permitting, I may be available for case management purposes.

[18] This is the Order of the Tribunal.

“Blair S. Taylor”

BLAIR S. TAYLOR
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 Tribunals Ontario - Environment and Land Division
Website: www.elto.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

ATTACHMENT 1

Local Planning Appeal Tribunal

Tribunal d'appel de l'aménagement local

ISSUE DATE:

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

Appellant: Northwest Brampton Landowners Group Inc.
Subject: Proposed Official Plan Amendment No. OPA 126
Municipality: City of Brampton
L.P.A.T. Case No.: PL170674
L.P.A.T. File No.: PL170674
L.P.A.T. Case Name: *Brampton Areas 52, 53 Landowners Group Inc.
v. Brampton (City)*

AND SEE ATTACHMENT 1

PROCEDURAL ORDER

The Tribunal orders that:

1. The Tribunal may vary or add to these rules at any time, either on request or as it sees fit. It may alter this Order by an oral ruling, or by another written Order.

Organization of the Hearing

2. The Hearing will take place in two Phases. The Tribunal's Decision on Phase 1 will determine whether Phase 2 will proceed, and if so, how.
3. The Phase 1 Hearing will address the Issues set out in **Attachment 2** as they apply to the proposed Official Plan Amendments (OPAs) globally. Site specific/OPA specific issues will not be addressed in Phase 1. The Phase 1 Hearing will begin on **Monday, November 9th, 2020 at 10 a.m.** at the West Tower (Brampton), 41 George Street South, Brampton, Ontario, L6Y 2E1. The Tribunal will not sit on **Wednesday, November 11th or Monday, November 23rd**. No further notice shall be required.
4. The length of the Phase 1 Hearing will be about 20 **(twenty) days**. The length of the Phase 1 Hearing may be shortened if settlement is achieved.
5. The Phase 2 Hearing, if necessary, will address each proposed OPA on a site specific basis only.

6. The length, commencement date, issues and procedural order of the Phase 2 Hearing will be determined following the release of the Phase 1 Decision. The findings of a Phase 1 issue may be determinative of site specific issues in Phase 2.
7. The Parties and Participants identified at the case management conference are set out in **Attachment 3** (see **Attachment 4** for the meaning of these terms).
8. The Issues are set out in the Issues List attached as **Attachment 2**. There will be no changes to this list unless the Tribunal permits, and a party who asks for changes may have costs awarded against it.
9. The order of evidence shall be as set out in **Attachment 5** to this Order. The Tribunal may limit the amount of time allocated for opening statements, direct evidence (including the qualification of witnesses), cross examination, evidence in reply and final argument. The length of written argument, if any, may be limited either on consent or by Order of the Tribunal.

Requirements Before the Phase 1 Hearing

10. The Parties intend to call expert witnesses as set out in **Attachment 6**. A Party who intends to vary the expert witnesses, their area of expertise, and/or the order in which they are to be called, as set out in **Attachment 6**, shall provide notice of any changes to the Tribunal and the other Parties on or before **Tuesday, June 9, 2020**.
11. Expert witnesses in the same field shall have a meeting on or before **Friday, July 24, 2020** to try to resolve or reduce the issues for the Hearing. The experts must prepare an agreed statement of facts. This shall be provided to all of the Parties and filed with the Tribunal on or before **Monday, August 10, 2020**.
12. An expert witness shall prepare an expert witness statement, which shall list any reports prepared by the expert, or any other reports or documents to be relied on at the Hearing. Copies of this must be provided as in section 14. Instead of a witness statement, the expert may file his or her entire report if it contains the required information. If this is not done, the Tribunal may refuse to hear the expert's testimony.
13. Expert witnesses who are under summons but not paid to produce a report do not have to file an expert witness statement; but the Party calling them must file a brief outline of the expert's evidence, as in section 14. A Party who intends to call a witness who is not an expert must file a brief outline of the witness' evidence, as in section 14.
14. On or before **Wednesday, September 9, 2020**, the Parties shall provide copies of their expert witness statements to the other Parties.

15. On or before **Wednesday, September 9, 2020**, a Participant shall provide copies of their written participant statement to the other Parties. A Participant cannot present oral submissions at the Hearing on the content of their written statement, unless ordered by the Tribunal.
16. Parties may provide to all other Parties a written reply to any witness or expert witness statement, provided that such reply is circulated to all other Parties on or before **Friday, October 9, 2020**.
17. On or before **Friday, October 30, 2020**, the parties shall provide copies of their visual evidence to all of the other Parties. If a model will be used, all Parties must have a reasonable opportunity to view it before the Hearing.
18. A person wishing to change written evidence, including witness statements, must make a written motion to the Tribunal in accordance with the Tribunal's Rules.

See Rule 10 of the Tribunal's Rules with respect to Motions, which requires that the moving party provide copies of the motion to all other parties 15 days before the Tribunal hears the motion.
19. A Party who provides written evidence of a witness to the other Parties must have the witness attend the Hearing to give oral evidence, unless the Party notifies the Tribunal on or before **Monday, November 2, 2020** that same is not part of their record.
20. The Parties shall prepare a Joint Document Book on or before **Tuesday, October 20, 2020**, the reasonable cost of which shall be shared by the Parties, and which will be filed with the Tribunal on the first day of the Hearing. A paper copy of any document proposed to be entered into evidence or relied upon shall be provided at the Hearing unless ordered otherwise by the presiding Member.
21. The Parties have prepared a Hearing Plan as set out in **Attachment 7**. The Parties are expected to ensure that the Hearing proceeds in an efficient manner and in accordance with the Hearing Plan. The Tribunal may, at its discretion, change or alter the Hearing Plan at any time.
22. Documents may be delivered by personal delivery, facsimile or registered or certified mail or email, or otherwise as the Tribunal may direct. The delivery of documents by fax and email shall be governed by the Tribunal's Rules (Rule 7) on this subject. Material delivered by mail shall be deemed to have been received five business days after the date of registration or certification.
23. No adjournments or delays will be granted before or during the Hearing except for serious hardship or illness. The Tribunal's Rule 17 applies to such requests.

This Member is [not] seized.

So Orders the Tribunal.

BEFORE:

Name of Member)	Date:
)	
)	

TRIBUNAL REGISTRAR

SUMMARY OF KEY DATES – PHASE 1

Date	Hearing Event
Tuesday, June 9, 2020	Deadline to confirm expert witness
Friday, July 24, 2020	Meeting of like experts
Monday, August 10, 2020	Exchange and file Agreed Statement of Facts
Wednesday, September 9, 2020	Exchange of expert reports/expert witness statements/written evidence, evidence outlines for witnesses under summons
Wednesday, September 9, 2020	Exchange of Participant Statements
Friday, October 9, 2020	Exchange of Reply Evidence/Statements
Tuesday, October 20, 2020	Completion of Joint Document Book
Friday, October 30, 2020	Exchange of Visual Evidence
Monday, November 2, 2020	Notification to Tribunal and Parties if witness not to provide oral evidence
Monday, November 9, 2020	LPAT hearing commences

ATTACHMENT 1 – TITLE OF PROCEEDING

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

Appellant: Northwest Brampton Landowners Group Inc.
Subject: Proposed Official Plan Amendment No. OPA 127
Municipality: City of Brampton
L.P.A.T. Case No.: PL170675
L.P.A.T. File No.: PL170675
L.P.A.T. Case Name: *Brampton Areas 52, 53 Landowners Group Inc.*
v. Brampton (City)

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

Appellant: Northwest Brampton Landowners Group Inc.
Subject: Proposed Official Plan Amendment No. OPA 128
Municipality: City of Brampton
L.P.A.T. Case No.: PL170676
L.P.A.T. File No.: PL170676
L.P.A.T. Case Name: *Brampton Areas 52, 53 Landowners Group Inc.*
v. Brampton (City)

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

Appellant: Northwest Brampton Landowners Group Inc.
Subject: Proposed Official Plan Amendment No. OPA 129
Municipality: City of Brampton
L.P.A.T. Case No.: PL170677
L.P.A.T. File No.: PL170677
L.P.A.T. Case Name: *Brampton Areas 52, 53 Landowners Group Inc.*
v. Brampton (City)

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

Appellant: Northwest Brampton Landowners Group Inc.
Appellant: TACC Holborn Corp.
Subject: Proposed Official Plan Amendment No. OPA 130
Municipality: City of Brampton
L.P.A.T. Case No.: PL170678
L.P.A.T. File No.: PL170678
L.P.A.T. Case Name: *Brampton Areas 52, 53 Landowners Group Inc.*
v. Brampton (City)

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

Appellant: Northwest Brampton Landowners Group Inc.
Subject: Proposed Official Plan Amendment No. OPA 133
Municipality: City of Brampton
L.P.A.T. Case No.: PL170865
L.P.A.T. File No.: PL170865
L.P.A.T. Case Name: *Brampton Areas 52, 53 Landowners Group Inc.*
v. Brampton (City)

ATTACHMENT 2 – ISSUES LIST – PHASE 1

Note 1: *The identification of an issue on this list does not mean that all Parties agree that the issue, or the manner in which it is expressed, is appropriate for or relevant to the proper determination of the appeals. The extent of the appropriateness and/or relevance of the issue may be a matter of evidence and/or argument at the Hearing.*

Any Party may call or not call evidence on any issue; however, no Party is obligated to call evidence on any particular issue, or every issue.

Note 2: *When a policy number is referenced below, that reference is inclusive of all sub-sections of that policy.*

No.	Issue
	Growth Plan for the Greater Golden Horseshoe (2006)
1.	Do the proposed employment land conversions and official plan amendments conform with the Provincial Growth Plan (2006) Employment Lands Policies (2.2.6)?
2.	Will the proposed employment land conversions and official plan amendments leave the City with an adequate supply of lands providing locations for a variety of employment uses to accommodate growth forecasts? Can this be determined in advance of the confirmation of employment and employment lands to be allocated to the Heritage Heights Secondary Plan Area (“Heritage Heights”?) (2.1, 2.2.6.1)
3.	Will the proposed employment land conversions and official plan amendments maintain a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses? Can this be determined in advance of the confirmation of employment and employment lands to be allocated to Heritage Heights? (2.2.6.2)
4.	Do the proposed employment land conversions and official plan amendments meet the tests for a conversion of lands within employment areas to non-employment uses? Can this be determined in advance of the confirmation of employment/residential and employment/residential lands to be allocated to Heritage Heights? (2.2.6.5)
5.	Did the City of Brampton conduct a <i>Municipal Comprehensive Review</i> , particularly given the assumptions about employment generation from Heritage Heights despite the lack of confirmation of employment and employment lands within Heritage Heights?

	Provincial Policy Statement, 2014
6.	Will the proposed employment land conversions and official plan amendments leave the City with sufficient and appropriately located employment lands to accommodate a range and mix of employment uses to meet long-term needs? Can this be determined in advance of the confirmation of employment and employment lands to be allocated to Heritage Heights? (Policy 1.1.1)
7.	Are the proposed employment land conversions and official plan amendments consistent with the promotion of economic development and competitiveness for the City through an appropriate mix and range of employment uses and maintenance of a range and choice of suitable sites for employment uses which take into account the needs of existing and future businesses? Can this be determined in advance of the confirmation of employment and employment lands to be allocated to Heritage Heights? (Policy 1.3.1 & 1.3.2)
8.	Do the proposed employment land conversions and official plan amendments meet the requirements for the conversion of lands within employment areas to non-employment uses? Can this be determined in advance of the confirmation of employment/residential and employment/residential lands to be allocated to Heritage Heights? (Policy 1.3.2.2)
9.	Did the City conduct a <i>Comprehensive Review</i> in support of the employment conversions and official plan amendments, particularly where this work was completed in advance of the confirmation of employment and employment lands to be allocated to Heritage Heights? (Policy 1.3.2.2)
	Region of Peel Official Plan
10.	Will the employment conversions and official plan amendments allow the Region to meet the policies, tables and schedules of the Regional Official Plan targeted to employment forecasts and growth projections? Can this be determined in advance of the confirmation of employment and employment lands to be allocated to Heritage Heights? (ss 4.1, 4.2, Table 3, 5.5.1.4)
11.	Will the proposed employment land conversions and Official Plan Amendments conform with the Employment Areas objectives and policies of the Regional Official Plan? Will the conversions leave the Region (and the City) with an adequate supply of employment lands and employment types with the necessary supports to succeed? Can this be determined in advance of the confirmation of employment and employment lands to be allocated to Heritage Heights? (Sections 5.6, 5.6.1, 5.6.2)
12.	Will the conversions impact the Region of Peel's ability to meet the 2021 and 2031 employment forecasts from Table 3? How will they affect the City of Brampton's employment forecasts in Table 3?

13.	Will the employment land conversions and official plan amendments affect the objectives for the North West Brampton Urban Development Area? Can this be determined in advance of the confirmation of employment and employment lands to be allocated to Heritage Heights? (Policy 5.3.4)
14.	Do the employment land conversions and official plan amendments comply with the tests for the conversion of lands within employment areas to non-employment uses? Can this be determined in advance of the confirmation of employment and employment lands to be allocated to Heritage Heights? (Policy 5.6.2.8)
15.	Did the City conduct a <i>Municipal Comprehensive Review</i> ?
	City of Brampton Official Plan
16.	Do the employment land conversions and Official Plan Amendments conform with the policies and schedules of the City of Brampton Official Plan with respect to growth pressure and employment land demands and meeting economic and employment related objectives and employment area policies? (s. 2.0, 2.3, 2.5.2, 3.1, 3.2.7, 4.4, 4.4.1, 4.4.2 and 4.14.3.13.4)
17	How will the conversions impact the ability of the City to achieve the employment forecasts in the Official Plan? (Sections. 2.0, 4.15.8 and 4.15.11)
18.	Do the employment land conversions and official plan amendments conform with the requirements for the conversion of employment lands in the City's Official Plan? Can this be determined in advance of the confirmation of employment and employment lands to be allocated to Heritage Heights? (Section 4.4.1.8 and 4.4.2.18)
	General
19.	Are the employment land conversions and official plan amendments premature prior to the confirmation of employment and employment lands to be allocated to Heritage Heights.
20.	Do the employment land conversions and official plan amendments have regard to the adequate provision of employment opportunities as per Section 2 of the <i>Planning Act</i> ?

ATTACHMENT 3 – PARTIES AND PARTICIPANTS

Parties

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ATTACHMENT 4 – TERMS AND INFORMATION

Meaning of Terms Used in the Procedural Order

Party is an individual or corporation permitted by the Tribunal to participate fully in the hearing by receiving copies of written evidence, presenting witnesses, cross-examining the witnesses of the other parties, and making submissions on all of the evidence. If an **unincorporated group** wishes to become a party, it must appoint one person to speak for it, and that person must accept the other responsibilities of a party as set out in the Order. Parties do not have to be represented by a lawyer, and may have an agent speak for them. The agent must have written authorisation from the party.

NOTE that a person who wishes to become a party before or at the hearing, and who did not request this at the case management conference (CMC), must ask the Tribunal to permit this.

A **participant** is an individual, group or corporation, whether represented by a lawyer or not, who may make a written submission to the Tribunal. A participant cannot make an oral submission to the Tribunal or present oral evidence (testify in-person) at the hearing (only a party may do so). Subsection 33.2 of the Local Planning Appeal Tribunal Act states that a person who is not a party to a proceeding may only make a submission to the Tribunal in writing. The Tribunal may direct a participant to attend a hearing to answer questions from the Tribunal on the content of their written submission, should that be found necessary by the Tribunal. A participant may also be asked questions by the parties should the Tribunal direct a participant to attend a hearing to answer questions on the content of their written submission.

A participant must be identified and be accorded participant status by the Tribunal at the CMC. A participant will not receive notice of conference calls on procedural issues that may be scheduled prior to the hearing, nor receive notice of mediation. A participant cannot ask for costs, or review of a decision, as a participant does not have the rights of a party to make such requests of the Tribunal.

Written evidence includes all written material, reports, studies, documents, letters and witness statements which a party or participant intends to present as evidence at the hearing. These must have pages numbered consecutively throughout the entire document, even if there are tabs or dividers in the material.

Visual evidence includes photographs, maps, videos, models, and overlays which a party or participant intends to present as evidence at the hearing.

A **witness statement** is a short written outline of the person's background, experience and interest in the matter; a list of the issues which he or she will discuss and the witness' opinions on those issues; and a list of reports that the witness will rely on at the hearing.

An **expert witness statement** should include his or her (1) name and address, (2) qualifications, (3) a list of the issues he or she will address, (4) the witness' opinions on those issues and the complete reasons for the opinions and (5) a list of reports that the witness will rely on at the hearing.

A **participant statement** is a short written outline of the person's or group's background, experience and interest in the matter; a list of the issues which the participant wishes to address and the submission of the participant on those issues; and a list of reports, if any, which the participant wishes to refer to in their statement.

Additional Information

Summons: A party must ask a Tribunal Member or the senior staff of the Tribunal to issue a summons. This request must be made before the time that the list of witnesses is provided to the Tribunal and the parties. (See Rule 13 on the summons procedure.) If the Tribunal requests it, an affidavit must be provided indicating how the witness' evidence is relevant to the hearing. If the Tribunal is not satisfied from the affidavit, it will require that a motion be heard to decide whether the witness should be summoned.

The order of examination of witnesses: is usually direct examination, cross-examination and re-examination in the following way:

- direct examination by the party presenting the witness;
- direct examination by any party of similar interest, in the manner determined by the Tribunal;
- cross-examination by parties of opposite interest;
- re-direct by the party presenting the witness; or
- another order of examination mutually agreed among the parties or directed by the Tribunal.

ATTACHMENT 5 – ORDER OF EVIDENCE – PHASE 1

Order of Evidence

1. City of Brampton - Overview only
2. Northwest Brampton Landowners Group Inc.
3. Conversion Landowners
4. City of Brampton
5. Region of Peel
6. Reply by Northwest Brampton Landowners Group Inc

ATTACHMENT 6 – CONSOLIDATED WITNESS LIST – PHASE 1

Note 1: *Before any witness panel testifies, the Tribunal will establish the rules for the panel.*

Northwest Brampton Landowners Group Inc.

1. Audrey Jacob (Land Economist) and Robyn Brown (Land Economist) as a panel
2. Emma West (Land Use Planner)

Conversion Landowners

1. Daryl Keleher (Land Economist)
2. Lauren Capilongo (Land Use Planner)

City of Brampton

1. Claudia LaRota (City Planner)

Region of Peel

1. TBD (Regional Planner)

ATTACHMENT 7 – HEARING PLAN – PHASE 1

Monday	Tuesday	Wednesday	Thursday	Friday
<p>Day 1</p> <p>Preliminary</p> <ul style="list-style-type: none"> • Tribunal Updates • Filing Exhibits <p>Preliminary Evidence</p> <ul style="list-style-type: none"> • C. LaRota (Overview Only) 	<p>Day 2</p> <p>Opening Statements</p> <ul style="list-style-type: none"> • NWBLG <p>Evidence of NWBLG</p> <ul style="list-style-type: none"> • A. Jacob / R. Brown (Direct) 	<p>Day 3</p> <ul style="list-style-type: none"> • A. Jacob / R. Brown (Direct) 	<p>Day 4</p> <ul style="list-style-type: none"> • A. Jacob / R. Brown (Direct) • A. Jacob / R. Brown (Cross) 	<p>Day 5</p> <ul style="list-style-type: none"> • A. Jacob / R. Brown (Cross) • A. Jacob / R. Brown (Re-direct)
<p>Day 6</p> <ul style="list-style-type: none"> • E. West (Direct)* <p>*In light of cumulative time for planners for the conversion landowners and municipalities, the time allotted to Ms. West will be more flexible.</p>	<p>Day 7</p> <ul style="list-style-type: none"> • E. West (Direct) • E. West (Cross) 	<p>Day 8</p> <ul style="list-style-type: none"> • E. West (Cross) • E. West (Re-direct) 	<p>Day 9</p> <p>Opening Statements</p> <ul style="list-style-type: none"> • Conversion Landowners <p>Evidence of Conversion Landowners</p> <ul style="list-style-type: none"> • D. Keleher (Direct) 	<p>Day 10</p> <ul style="list-style-type: none"> • D. Keleher (Direct)

<p>Day 11</p> <ul style="list-style-type: none"> • D. Keleher (Direct) • D. Keleher (Cross) 	<p>Day 12</p> <ul style="list-style-type: none"> • D. Keleher (Cross) • D. Keleher (Re-direct) 	<p>Day 13</p> <ul style="list-style-type: none"> • L. Capilongo (Direct) 	<p>Day 14</p> <ul style="list-style-type: none"> • L. Capilongo (Direct) • L. Capilongo (Cross) 	<p>Day 15</p> <ul style="list-style-type: none"> • L. Capilongo (Cross) • L. Capilongo (Re-direct)
<p>Day 16</p> <p>Opening Statement</p> <ul style="list-style-type: none"> • City <p>Evidence</p> <ul style="list-style-type: none"> • C. LaRota (Direct) • C. LaRota (Cross) • C. LaRota (Re-direct) 	<p>Day 17</p> <p>Opening Statement</p> <ul style="list-style-type: none"> • Region <p>Evidence</p> <ul style="list-style-type: none"> • TBD (Direct) • TBD (Cross) • TBD (Re-direct) 	<p>Day 18</p> <p>Reply</p> <ul style="list-style-type: none"> • NWBLG 	<p>Day 19</p> <p>Closing Statements</p> <ul style="list-style-type: none"> • NWBLG • Conversion Landowners • City • Region 	<p>Day 20</p> <p>Closing Statements</p> <ul style="list-style-type: none"> • Conversion Landowners • City • Region <p>Reply</p> <ul style="list-style-type: none"> • NWBLG