

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



**ISSUE DATE:** March 09, 2021

**CASE NO(S):**

PL190361

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:	Slate Asset Management LP
Subject:	Proposed Official Plan Amendment No. OPA 95
Municipality:	City of Mississauga
LPAT Case No.:	PL190361
LPAT File No.:	PL190361
LPAT Case Name:	Slate Asset Management LP v. Mississauga (City)

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

Appellant:	Slate Asset Management LP
Subject:	By-law No. BL 0111-2019
Municipality:	City of Mississauga
LPAT Case No.:	PL190361
LPAT File No.:	PL190362

**Heard:** February 25, 2021 by video hearing

**APPEARANCES:**

**Parties**

Slate Asset Management LP

City of Mississauga

**Counsel**

Aaria Rahim on behalf of Johanna Shapiro

Michal Minkowski

**DECISION DELIVERED BY HELEN JACKSON AND ORDER OF THE TRIBUNAL**

[1] The City of Mississauga (“City”) adopted Official Plan Amendment No. 95 (“MOPA 95”) and passed Zoning By-law No. 0111-2019 (“ZBA 0111-2019”). These two planning instruments were initiated by the City on a City-wide basis to improve, among other things, the lived experience in the City.

[2] This is the first Case Management Conference (“CMC”) held with respect to appeals against these two instruments brought by Slate Asset Management LP (“Slate”). The Tribunal was satisfied that Notice of this CMC was given and made the affidavit of service Exhibit 1 to this CMC. No person attended the CMC to request status.

[3] Prior to the CMC, the City filed a Motion requesting an Order from the Tribunal to scope the appeals by Slate such that their appeals would apply only to their property, generally municipally known as 1250 South Service Road and 1490 Dixie Road, known as the Dixie Value Mall, and shown in the map provided as Attachment 1 to this Decision. The appeals also would apply only to certain specified portions of MOPA 95 and ZBA 0111-2019, as described in the Motion material and below:

- (a) MOPA 95 policies:
  - i. 11.2.5.6 (section 3 of MOPA 95)
  - ii. 11.2.6 (sections 4 to 11 of MOPA 95)
  - iii. 5.3.5.4 (section 2 of MOPA 95);
- (b) ZBA 0111-2019 section:
  - i. 4.1.15 (in its entirety);

[4] The Motion requests the Tribunal declare the un-appealed balance of MOPA 95 and ZBA 0111-2019 as having come into force and effect. Further, the Motion requests the matter be adjourned *sine die* to allow the parties the opportunity to further discuss and process Slate's development application for these lands, which is expected in the next few months. Slate advised that they consent to the Motion. In their motion material they indicate that it was always their intent to appeal these two instruments on a site-specific basis, not a City-wide basis.

[5] The Tribunal has reviewed the Motion Record (Exhibit 2) filed by the City, including the Affidavit of land use planner Lisa Christie, and her planning opinion therein which is supportive of the Motion, as well as the Response (Exhibit 3) provided by Slate. Based upon the submissions of the parties at the CMC, and the planning opinion of Ms. Christie, the Tribunal is satisfied that the relief granted by this Motion represents good land use planning and that it would be in the public interest to grant the relief requested.

## **ORDER**

[6] The Tribunal orders that:

- (a) The Appeal by Slate is scoped to the following MOPA 95 policies only:
  - i. 11.2.5.6 (section 3 of MOPA 95)
  - ii. 11.2.6 (sections 4 to 11 of MOPA 95)
  - iii. 5.3.5.4 (section 2 of MOPA 95);
- (b) the Appeal by Slate is scoped to the following ZBA 0111-2019 section only:
  - i. 4.1.15 (in its entirety);

- (c) The Appeals by Slate, as scoped in (a) and (b) above, shall only apply to the lands generally municipally known as 1250 South Service Road and 1490 Dixie Road, Mississauga, as shown on the map provided in Attachment 1;
- (d) The remainder of MOPA 95 is declared in force and effect;
- (e) The remainder of ZBA 0111-2019 is declared in force and effect;
- (f) The Appeals by Slate to MOPA 95 and to ZBA 0111-2019, as scoped, are adjourned *sine die* but may, at the request of the Parties, be brought back at any time for a further CMC upon notice by either Party on 15 days' notice.

[7] The Tribunal orders that no costs shall be awarded in connection with this Motion.

*"Helen Jackson"*

HELEN JACKSON  
MEMBER

If there is an attachment referred to in this document,  
please visit [www.olt.gov.on.ca](http://www.olt.gov.on.ca) to view the attachment in PDF format.

**Local Planning Appeal Tribunal**

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ATTACHMENT 1

