

**Ontario Land Tribunal**  
Tribunal ontarien de l'aménagement  
du territoire



**ISSUE DATE:** October 13, 2021

**CASE NO(S):** PL210032

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

Appellant: 4005 Hickory Drive Ltd.  
Appellant: Calloway REIT (Mississauga) Inc.  
Appellant: Choice Properties REIT  
Appellant: First Capital (Meadowvale) Corporation;  
and others  
Subject: Proposed Official Plan Amendment No. CD.03-  
REI - OPA 115  
Municipality: City of Mississauga  
LPAT Case No.: PL210032  
LPAT File No.: PL210032  
LPAT Case Name: Calloway REIT (Mississauga) Inc. v. Mississauga  
(City)

**Heard:** July 23, 2021 by teleconference call

**APPEARANCES:**

**Parties**

**Counsel**

Sheridan Retail Inc.	Luke Johnston
Calloway REIT (Mississauga) Inc.	David Bronskill
First Capital (Meadowvale) Corporation	David Bronskill
4005 Hickory Drive Ltd.	Max Laskin
Prime Real Estate Group Inc.	Daniel Artenosi
Choice Properties REIT	Katarzyna Sliwa

The Children's Centre South  
Common Court Inc.

Paul Bottos

City of Mississauga

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**MEMORANDUM OF ORAL DECISION DELIVERED BY JATINDER BHULLAR ON  
JULY 23, 2021 AND ORDER OF THE TRIBUNAL**

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[1] This was the first Case Management Conference ("CMC") in this matter. The parties have appealed enactment of Official Plan Amendment No. 115 ("OPA 115") by the City of Mississauga (the "City") under s. 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended (the "Act"). The purpose and effect of OPA 115 is to revise policies pertaining to the Central Erin Mills Node and the Community Nodes that are mall-based and to add definitions for 'podium' and 'tactical urbanism'. The lands affected by this Amendment are located city-wide (for general policy changes regarding definitions); the Central Erin Mills Major Node Character Area; and the Malton, Meadowvale, Rathwood-Applewood, Sheridan and South Common Community Node Character Areas, as identified in the City Official Plan.

[2] The Tribunal marked as Exhibit 1, the affidavit of service for this CMC.

**PARTIES AND PARTICIPANTS**

[3] The Children's Centre South Common Court Inc. requested party status having properties in the vicinity of some of the affected lands. Their request was unopposed. Paul Bottos informed the Tribunal that they will bring a land use planner to provide evidence should a merit based hearing be set in the future. After due consideration, the Tribunal granted party status to The Children's Centre South Common Court Inc.

**UPDATES**

[4] The City informed the Tribunal that not all parties have provided a detailed analysis or identification of the parts and policies in OPA 115 that they are appealing. All

parties committed to work towards identifying their specific policies under appeal and provide the same to the City by August 13, 2021. The parties agreed to have a draft consolidated issues list produced through the City by September 3, 2021. The City identified that they would create a draft Procedural Order by September 10, 2021.

[5] The parties further discussed possible engagement of experts to make their cases. All parties stated that as a minimum they will engage a professional land use planner to bring forth expert opinion evidence in the area of land use planning.

[6] Luke Johnston stated that they are planning to additionally call an economist plus an urban designer.

[7] David Bronskill stated that they will call an urban designer, a land use economist, and a transportation engineer.

[8] Daniel Artenosi stated that they plan to call an urban designer and an economist.

[9] Katarzyna Sliwa stated that they will be calling an urban designer and an economist.

[10] The City stated that they may bring forth a motion based on the undisputed portion of the OPA 115 to have these approved.

[11] The parties collectively requested that while they continue to engage, they would like to participate in a second CMC to review a possible Procedural Order as well as set up plans for a possible hearing.

[12] The Tribunal set a second CMC for **Thursday, October 14, 2021** to commence at **10 a.m.** to be conducted using video.

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

<https://global.gotomeeting.com/join/539084781>

**Access code:** 539-084-781

[14] Parties and 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 [GoToMeeting](https://gotomeeting.com) or a web application is available:

<https://app.gotomeeting.com/home.html>

[15] 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 into an audio-only telephone line: **+1 (647) 497-9391 or (Toll Free) 1 888 455-1389**. The **access code** is **539-084-781**.

[16] 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 hearing by video 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.

[17] There will be no further notice.

[18] This Member is not seized.

[19] This Member may be contacted for case management purposes.

[20] The directions in this Decision are so ordered.

*“Jatinder Bhullar”*

JATINDER BHULLAR  
MEMBER

**Ontario Land Tribunal**

Website: [olt.gov.on.ca](http://olt.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248

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