

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



**ISSUE DATE:** May 18, 2022

**CASE NO(S):** OLT-21-001273

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

Applicant and Appellant: Stylux Caledon Inc.  
Subject: Request to amend the Official Plan - Failure of Town of Caledon to adopt the requested amendment  
Existing Designation: Low density residential  
Proposed Designated: Medium density residential  
Purpose: To permit residential development  
Property Address/Description: 6098, 6110, 6112, 6114, 6122, 6124, 6126 and 6142 Old Church Road  
Municipality: Town of Caledon  
Approval Authority File No.: POPA 2020-0002  
OLT Case No.: OLT-21-001273  
OLT File No.: OLT-21-001273  
OLT Case Name: Stylux Caledon Inc. v. Caledon (Town)

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

Applicant and Appellant: Stylux Caledon Inc.  
Subject: Application to amend Zoning By-law No. 2006-50 Refusal or neglect of Town of Caledon to make a decision  
Existing Zoning: Rural Residential (RR)  
Proposed Zoning: Residential One – Exception XX (R1-XX) and Townhouse Residential -Exception XX (RT-XX)  
Purpose: To permit residential development  
Property Address/Description: 6098, 6110, 6112, 6114, 6122, 6124, 6126 and 6142 Old Church Road  
Municipality: Town of Caledon  
Municipality File No.: RZ 2020-0006  
OLT Case No.: OLT-21-001273  
OLT File No.: OLT-21-001274

**PROCEEDING COMMENCED UNDER** subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	Stylux Caledon Inc.
Subject:	Proposed Plan of Subdivision - Failure of Town of Caledon to make a decision
Purpose:	To permit residential development
Property Address/Description:	6098, 6110, 6112, 6114, 6122, 6124, 6126 and 6142 Old Church Road
Municipality:	Town of Caledon
Municipality File No.:	No. 21T-20003C
OLT Case No.:	OLT-21-001273
OLT File No.:	OLT-21-001275

**Heard:** May 02, 2022 via video hearing

#### **APPEARANCES:**

##### **Parties**

Stylux Caledon Inc.

Town of Caledon

Region of Peel

##### **Counsel**

M. Flowers  
S. Lampert

R. Kehar  
A. Vandervoot

A. Sanichara

#### **MEMORANDIUM OF ORAL DECISION DELIVERED BY STEVEN COOKE ON MAY 2, 2022 AND ORDER OF THE TRIBUNAL**

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[1] This was the first Case Management Conference (“CMC”) for the appeals made by Stylux Caledon Inc. (“Stylux”) for the failure of the Town of Caledon (“Town”) to make a decision within the legislative time frame for s. 22(7) on an application to amend the Official Plan (“OPA”), s. 34(11) amendment to the Zoning By-law (“ZBA”), and s. 51(34) Plan of Subdivision of the *Planning Act* (“Act”).

[2] Stylux proposes to construct 12 single detached lots, 25 townhome units, with a future development lot. The subject site is 1.8 hectares that encompasses Russell Mason Court in its entirety, and 6098, 6110, 6112, 6114, 6122, 6124, 6126, and 6142 Old Church Road.

[3] The Affidavit of Service of the Notice of CMC attesting that the Notice had been served on April 1, 2022 was marked as Exhibit "1".

### **PARTY STATUS**

[4] The Region of Peel ("Peel") requested party status on the grounds that they share a number of the same issues identified by the Town. Both the Town and Stylux supported the request for party status. Peel was granted Party Status by the Tribunal.

### **REQUEST OF THE PARTIES**

[5] The Parties requested that the Tribunal set aside 10 days mid to late February 2023 for a hearing of the merits. It is the intentions of the Parties to scope the Issues List and resolve some of the issues to reduce the time required for the hearing.

[6] The hearing of the merits will begin on **Tuesday, February 21, 2023 at 10 a.m. through to Friday, March 3, 2023.**

[7] The Parties also requested a second CMC be conducted in September 2022. The Tribunal was informed that the discussion between the parties have been ongoing, and that Stylux has submitted a refined proposal to the Town for Council to consider. Should the Town Council approve the new proposal the Parties have indicated that it would be their desire to convert the CMC into a settlement hearing.

[8] The next CMC is scheduled to occur on **Friday, September 16, 2022 at 10 a.m.**

**DRAFT PROCEDURAL ORDER**

[9] The Parties presented the Tribunal with a joint Draft Procedural Order (“DPO”). The Parties agreed that once they had dates for the request hearing and the next CMC they would be working together to finalize a refined Issues List, and confirm the dates indicated throughout the DPO.

[10] The Parties have been instructed to return the DPO to the Tribunal on or before the end of business day on **Tuesday, May 31, 2022**.

[11] The hearings are scheduled to proceed by video as follows:

**Tuesday, February 21, 2023 at 10 a.m. (nine days)**

**GoTo Meeting:** <https://meet.goto.com/519389173>

**Access code:** 519-389-173

**Audio-only telephone line:** [+1 \(647\) 497-9373](tel:+16474979373)

**Audio-only access code:** 519-389-173

**Friday, September 16, 2022 at 10 a.m.**

**GoTo Meeting:** <https://global.gotomeeting.com/join/709076365>

**Access code:** 709-076-365

**Audio-only line:** [+1 \(647\) 497-9373](tel:+16474979373)

**Audio-only access code:** 709-076-365

[12] 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.

[13] 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://www.gotomeeting.com) or a web application is available:

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

[14] 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.

[15] 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.

[16] No further notice is given

[17] The Member is not seized.

[18] So Orders the Tribunal.

*"Steven Cooke"*

STEVEN COOKE  
MEMBER

**Ontario Land Tribunal**

Website: [olt.gov.on.ca](http://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.