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File No: 26137

October 21, 2026

By Email

Ms. Diana Rusnov, City Clerk
300 City Centre Drive
Mississauga, L5B 3C1
E: city.clerk@mississauga.ca

Dear Ms. Rusnov,

**Re: Appeals pursuant to Section 22(7) and 34(11) of the *Planning Act*
Appeals filed on behalf of 1995 Dundas GP Inc.
Proposed Official Plan Amendment and Zoning By-law Amendment Respecting 1995
Dundas Street East, Mississauga (the "Subject Lands")**

We are counsel for 1995 Dundas GP Inc. ("**Landeal**"), the registered owner of 1995 Dundas Street East in the City of Mississauga (the "**City**").

By way of this letter and on behalf of our client, we hereby appeal our client's site-specific Official Plan Amendment ("**OPA**") Application and Zoning By-law Amendment ("**ZBLA**") Application (collectively, the "**Applications**") to the Ontario Land Tribunal (the "**OLT**" or "**Tribunal**"), pursuant to section 22(7) and 34(11) of the *Planning Act*.

The Applications were deemed complete on March 14, 2025. Since then, there have been numerous meetings between Landeal and the City. However, 19 months have passed since the Applications were deemed complete and the City has not made a decision on the Applications. Accordingly, Landeal appeals the Applications to the Ontario Land Tribunal due to the City's failure to make a decision on the Applications within 120 days.

Background

The Subject Lands are approximately 1.17 hectares in size and are located at the northwest corner of Dundas Street East and Universal Drive, in the City of Mississauga. The Subject Lands are currently occupied by a single-storey commercial plaza accommodating a range of small scale commercial-retail uses, a private music school, a gym, and an automotive repair shop.

The Subject Lands are located in an area which is well-served by the MiWay Transit network and is within walkable distance of bus stops along Dundas Street East. The Subject Lands are also approximately 365 metres east of the planned Wharton Way Dundas BRT stop and located within the Wharton Protected Major Transit Station Area ("**PMTSA**").

On December 13, 2024, Bousfields Inc. filed the Applications on behalf of Landeal. An application for a Draft Plan of Subdivision was also submitted; however, it was subsequently determined that the Draft Plan of Subdivision application was not required. Accordingly, on June 13, 2025, the Draft Plan of Subdivision application was formally withdrawn.

In response to comments received from City staff on the Applications, on January 6, 2026, Bousfields filed a resubmission with respect to the Applications. Through the resubmission, Landeal proposes to redevelop the Subject Lands with a mixed-use complex, comprised of three buildings with heights of 12, 24 and 25 storeys that would be connected by a 3 storey base (the “**Proposed Development**”). The Proposed Development would have a total gross floor area of 56,819 square meters and contain 833 residential units.

After Landeal’s resubmission, on March 24, 2026, the Mississauga Official Plan 2025 (the “**2051 Official Plan**”) was approved with modifications by the Minister of Municipal Affairs and Housing. In the 2051 Official Plan, the redesignation of the Subject Lands from *Employment Area Mixed Use Limited* was carried through from Official Plan Amendment No. 142 to the former Mississauga Official Plan. The 2051 Official Plan also identifies the Subject Lands as being within the Applewood Neighbourhood District and establishes a minimum FSI of 1.0. Accordingly, much of the relief initially sought in Landeal’s Official Plan Amendment Application is now provided for through the 2051 Official Plan and the Official Plan Amendment Application is now only needed with respect to the maximum permitted height for the Proposed Development.

The Subject Lands continue to otherwise be zoned as C3-65 (Commercial 3, Exception 65) under Zoning By-law 0225-2007 (the “**Zoning By-law**”), which allows for various commercial uses and certain employment uses, but not residential uses. The proposed ZBLA would rezone the Subject Lands from C3-65 (Commercial 3, Exception 65) to RA5-XX (Residential Apartment, Exception X) and a portion of the Subject Lands as G1 (Greenlands 1), and set out site-specific permissions related to building height, density, massing, and other technical matters to allow for the Proposed Development.

Consistency with the Provincial Planning Statement, 2024 (“PPS”)

The Proposed Development is consistent with the PPS, including, among others, the following applicable policies:

- **Policy 2.1.6 & 2.2.1**, which provides that planning authorities should support the achievement of complete communities and shall provide for an appropriate range and mixing of housing options and densities to meet projected needs of current and future residents.
- **Policies 2.3.1.1, 2.3.1.2, 2.4.1., & 3.1.2**, which provide that strategic growth areas, such as major transit station areas, are to be the focus of growth and development and land use patterns within such should be based on densities and a mix of land uses which efficiently use land and resources; development should optimize existing and planned infrastructure and public service facilities; development should support active transportation and which be transit-supportive, as appropriate.

The Proposed Development will assist in the achievement of complete communities by providing housing options, while also allowing for appropriate non-residential uses which will support access to daily services and local employment opportunities, and contribute to a balanced mixed use environment that meets long-term community needs.

The Proposed Development is also located within a PMTSA and would establish a mix of residential and non-residential uses, supporting the efficient use of land and resources within a fully serviced urban context. The proposed overall density reflects a compact development form that is appropriate for the size, configuration, and location of the Subject Lands. Further, the Proposed Development will use existing and planned municipal infrastructure and public service facilities, including transportation, water, wastewater, and stormwater systems, and minimizes the need for infrastructure expansion or improvements.

Conformity with the Region of Peel Official Plan and City of Mississauga Official Plan 2051

The Proposed Development also conforms with the 2051 Official Plan, including, among others, the following applicable policies:

- **Policy 3.3.5.3**, which provides that growth is to be directed towards strategic growth areas and that the built form is to be in accordance with character area policies and PMTSA provisions.
- **Policy 8.2.2 & 8.2.3**, which provide that within Strategic Growth Areas, an urban form that promotes a diverse mix of uses and supports pedestrian movement, transit and active transportation modes will be required, and that redevelopment within Neighbourhoods will respect the local planning context.
- **Policies 15.1.1.4, & 15.1.1.6**, which provide that the City will support the provision of a full range of housing options, built forms and compatible uses within Neighbourhoods and that development should provide appropriate transitions in height, built form and density to the surrounding lands; protect existing local services that support complete communities, including compatible small-scale retail and service uses; and be sensitive to the existing and planned context.
- **Policy 15.1.1.8**, which provides development along Neighbourhood Arterials and Region of Peel Arterials adjacent to Neighbourhoods should be compact, transit friendly and appropriate to the context of the surrounding Neighbourhood.
- **Policy 15.2.1**, which provides that Dundas Street East is a higher order transit corridor and that lands along Dundas Street East have the potential to accommodate future growth within mixed use development.

The Subject Lands are located within an area specifically contemplated for redevelopment and intensification by the 2051 Official Plan. Although the Proposed Development would have a height greater than what is contemplated within the 2051 Official Plan, the Proposed Development is designed to be compatible with the existing and planned context by providing for an appropriate height, setback, and built form which will allow for adjacent properties to redevelop in a similar manner. Overall, the Proposed Development represents compact and

transit friendly intensification of an underutilized site, which will appropriately allow for residents to utilize the City's investment in local transit infrastructure.

It is also noted that while there are no applicable urban design guidelines with respect to the Subject Lands, the Proposed Development does provide for a 30-metre tower separation distance between the 24 and 25 storey towers, as recommended by the Downtown Core urban design guidelines (which are not technically applicable to the Subject Lands).

The Official Plan Amendment and Proposed Development are Good Planning and in the Public Interest

Overall, the Proposed Development will contribute to the delivery of new housing while also providing for non-residential uses on the Subject Lands. The intensification of the Subject Lands as proposed is good planning and in the public interest because the Subject Lands have been identified as an area in which growth is to be focused and the Proposed Development will turn an underutilized site into a transit-supportive community which will optimize the existing infrastructure while also enhancing the public realm.

Conclusion

For the forgoing reasons and the City's failure to make a decision on the Applications within the statutory timeframe, as well as others to be provided at the hearing of the appeal, our client appeals the Applications to the Ontario Land Tribunal. In support of the appeal, please find enclosed a completed OLT Appeal Form (A1).

Please contact the undersigned for payment of the OLT Appeal Fee by credit card, in the amount of \$2,200.00. Please also copy Matthew Rutledge (mrutledge@ksllp.ca) on all communications with respect to our client's appeal.

We request that the Ontario Land Tribunal schedule a Case Management Conference for our client's appeal for the first available date. Thank you.

Yours truly,

KAGAN SHASTRI DeMELO WINER PARK LLP



Jason Park
JP/MR

Enclos: Appeal Form (A1)

Cc: Client, MR
Bousfields Inc.



Ontario Land Tribunal

655 Bay Street, Suite 1500, Toronto, ON M5G 1E5
Tel: 416-212-6349 | 1-866-448-2248
Web Site: olt.gov.on.ca

Appeal Form (A1)

Municipal/Approval Authority Date Stamp RECEIVED REGISTRY NO. DATE OCT 21 2026 FILE No. CLERK'S DEPARTMENT	Receipt Number (OLT Office Use Only)	Date Stamp – Appeal Received by OLT
	OLT Case Number (OLT Office Use Only)	

You may be able to submit your appeal online using our new e-file service if:

- the approval authority you are submitting your appeal to is registered on e-file; or
- you are appealing directly to the Ontario Land Tribunal

Please visit our [e-file page](#) to learn more.

Please complete this Appeal Form by following the instructions in the companion document titled "Appeal Form Instructions". Please read **both** documents carefully to ensure you submit the correct information and complete this form correctly.

There are guides available for review on the Tribunal's [website](#) for different appeal types to assist you in filing an appeal.

Please review the notice of the decision you are appealing to determine the appeal deadline and the specific official with whom the appeal should be filed (e.g. Secretary-Treasurer, Clerk, Minister, Ontario Land Tribunal) prior to completing this Appeal Form. Relevant portions of the applicable legislation should also be reviewed before submitting this form. Your appeal must be filed with the appropriate authority within the appeal period as set out in the notice of the decision and applicable legislation.

Section 1 – Contact Information (Mandatory)

Applicant/Appellant/Objector/Claimant Information	
Last Name:	First Name:
Ji	Pierce
Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation):	
1995 Dundas GP Inc.	
Email Address:	

<u>pierce.ji@landealgroup.com</u>				
Daytime Telephone Number:			Alternative Telephone Number:	
905-475-2880	ext.			
Mailing Address				
Unit Number:	Street Number:	Street Name:		P.O. Box:
	3100	Steeles Avenue E		
City/Town:	Province:	Country:	Postal Code:	
Markham	Ontario	Canada	L3R 8T3	

Representative Information				
☒ I hereby authorize the named company and/or individual(s) to represent me				
Last Name:			First Name:	
Park			Jason	
Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation):				
Kagan Shastri DeMelo Winer Park LLP				
Email Address:				
ipark@ksllp.ca				
Daytime Telephone Number:			Alternative Telephone Number:	
416-645-4572	ext.			
Mailing Address				
Unit Number:	Street Number:	Street Name:		P.O. Box:
	188	Avenue Road		
City/Town:	Province:	Country:	Postal Code:	
Toronto	Ontario	Canada	M5R 2J1	
Note: If your representative is not licensed under the <i>Law Society Act</i>, please confirm that they have your written authorization, as required by the <i>OLT Rules of Practice and Procedure</i>, to act on your behalf and that they are also exempt under the Law Society's by-laws to provide legal services. Please confirm this by checking the box below.				
☐ I certify that I understand that my representative is not licensed under the <i>Law Society Act</i> and I have provided my written authorization to my representative to act on my behalf with respect to this matter. I understand that my representative may be asked to produce this authorization at any time along with confirmation of their exemption under the Law Society's by-laws to provide legal services.				

Location Information	
Are you the current owner of the subject property? ☒ Yes ☐ No	
Address and/or Legal Description of property subject to the appeal:	
1995 Dundas Street East	
Municipality:	
City of Mississauga	
Upper Tier (Example: county, district, region):	
Region of Peel	

Language Requirements	
Do you require services in French?	☐ Yes ☒ No

To file an appeal, please complete the section below. Complete one line for each appeal type			
Subject of Appeal		Type of Appeal (Act/Legislation Name)	Reference (Section Number)
Example	Minor Variance	<i>Planning Act</i>	45(12)
1	Official Plan Amendment	<i>Planning Act</i>	22(7)
2	Zoning By-law Amendment	<i>Planning Act</i>	34(11)
3			
4			
5			

Section 2 – Appeal Type (Mandatory)

Please select the applicable type of matter		
Select	Legislation associated with your matter	Complete Only the Section(s) Below
☒	Appeal of <i>Planning Act</i> matters for Official Plans and amendments, Zoning By-Laws and amendments and Plans of Subdivision, Interim Control By-laws, Site Plans, Minor Variances, Consents and Severances	3A
☐	Appeal of <i>Development Charges Act</i> , <i>Education Act</i> , <i>Aggregate Resources Act</i> , <i>Municipal Act</i> matters	3A
☐	Appeal of or objection to <i>Ontario Heritage Act</i> matters under subsections 29, 30.1, 31, 32, 33, 40.1 and 41	3A
☐	Appeal of <i>Planning Act</i> (subsections 33(4), 33(10), 33(15), 36(3)), <i>Municipal Act</i> (subsection 223(4)), <i>City of Toronto Act</i> (subsection 129(4)) and <i>Ontario Heritage Act</i> (subsections 34.1(1), 42(6)) matters	3A & 3B
☐	Appeal of <i>Clean Water Act</i> , <i>Environmental Protection Act</i> , <i>Nutrient Management Act</i> , <i>Ontario Water Resources Act</i> , <i>Pesticides Act</i> , <i>Resource Recovery and Circular Economy Act</i> , <i>Safe Drinking Water Act</i> , <i>Toxics Reduction Act</i> , and <i>Waste Diversion Transition Act</i> matters	4A
☐	Application for Leave to Appeal under the <i>Environmental Bill of Rights, 1993</i>	4B
☐	Appeal under the <i>Niagara Escarpment Planning and Development Act (NEPDA)</i>	5

☐	Appeal of <i>Conservation Authorities Act, Mining Act, Lakes and Rivers Improvement Act, Assessment Act, and Oil, Gas and Salt Resources Act</i> matters	6
☐	Legislation not listed above	Contact OLT before filing your appeal

Section 3A – Planning Matters

Appeal Reasons and Specific Information

Number of new residential units proposed:

833 residential units

Municipal Reference Number(s):

OZ/OPA 25-5 W3

List the reasons for your appeal:

Please see attached Appeal Cover Letter.

Has a public meeting been held by the municipality? ☒ Yes ☐ No

For appeals of Official Plans, Official Plan Amendments, Zoning By-laws and Zoning By-law Amendments, please indicate if you will rely on one or more of the following grounds:

A: A decision of a Council or Approval Authority is:

- ☐ Inconsistent with the Provincial Policy Statement issued under subsection 3(1) of the *Planning Act*
- ☐ Fails to conform with or conflicts with a provincial plan
- ☐ Fails to conform with an applicable Official Plan

And

B: For a non-decision or decision to refuse by council:

- ☒ Consistency with the provincial policy statement, issued under subsection 3(1) of the *Planning Act*

- | |
|--|
| ☐ Conformity with a provincial plan |
| ☒ Conformity with the upper-tier municipality's Official Plan or an applicable Official Plan |

If it is your intention to argue one or more of the above grounds, please explain your reasons:

Please see attached Appeal Cover Letter.

Oral/Written Submissions to Council
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Did you make your opinions regarding this matter known to council?
--

- | |
|--|
| ☐ Oral submissions at a public meeting of council |
| ☐ Written submissions to council |
| ☒ Not applicable |

Related Matters

Are there other appeals not yet filed with the Municipality?
--

☐ Yes ☒ No

Are there other matters related to this appeal? (For example: A consent application connected to a variance application).

☐ Yes ☒ No

If yes, please provide the Ontario Land Tribunal Case Number(s) and/or Municipal File Number(s) for the related matters:
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Section 3B – Other Planning Matters
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Appeal Specific Information (Continued)
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Date application submitted to municipality if known (yyyy/mm/dd):

Date municipality deemed the application complete if known (yyyy/mm/dd):
--

Please briefly explain the proposal and describe the lands under appeal:
--

There are required documents and materials to be submitted to the Ontario Land Tribunal (OLT) based on the type of legislation and section you are filing under. Please see the [Section 3B Checklist\(s\)](#) located [here](#) and submit all documents listed.

Section 4A – Appeals under Environmental Legislation

Appeal Specific Information

Outline the grounds for the appeal and the relief requested:

Reference Number of the decision under appeal:

Portions of the decision in dispute:

Date of receipt of Decision or Director's Order (yyyy/mm/dd):

Applying for Stay? ☐ Yes ☐ No

If Yes, outline the reasons for requesting a stay:

There are required documents and materials to be submitted to the Ontario Land Tribunal (OLT) based on the type of legislation and section you are filing under. Please see the [Section 4A Checklist\(s\)](#) located [here](#) and submit all documents listed on the checklist.

Section 4B – Environmental Application for Leave to Appeal

Are you filing an Application for Leave to Appeal under the *Environmental Bill of Rights, 1993*? ☐ Yes ☐ No

Identify the portions of the instrument you are seeking to appeal:

Identify the grounds you are relying on for leave to appeal. Your grounds should include reasons why there is good reason to believe that no reasonable person, having regard to the relevant law and to any government policies developed to guide decisions of that kind could have made the decision; and why the decision could result in significant harm to the environment:

Outline the relief requested:

There are required documents and materials to be submitted to the Ontario Land Tribunal (OLT) based on the type of legislation and section you are filing under. Please see the [Section 4B Checklist\(s\)](#) located [here](#) and submit all documents listed on the checklist.

Section 5 – Appeal regarding Development Permit Application under the *Niagara Escarpment Planning and Development Act*

Appeal Specific Information

Development Permit Application File No:

Address or legal description of the subject property:

Reasons for Appeal: Outline the nature and reasons for your appeal. Specific planning, environmental and/or other reasons are required. (The Niagara Escarpment Plan is available on the Niagara Escarpment Commission's website (www.escarpment.org))

Section 6 – Mining Claim and Conservation Matters

Appeal Specific Information

List the subject Mining Claim Number(s) (for unpatented mining claims) and accompanying Townships, Areas and Mining Division(s) where mining claims are situated. List all "Filed Only" Mining Claims, if appropriate: (This is to be completed for *Mining Act* appeals only.)

List the Parcel and the Property Identifier Numbers (PIN), if rents or taxes apply to mining lands, if appropriate (mining claims only):

Provide the date of the Decision of the Conservation Authority or the Provincial Mining Recorder, as appropriate:

Provide a brief outline of the reasons for your application/appeal/review. If other lands/owners are affected, please include that information in the outline being provided below:

Respondent Information

Conservation Authority:

Contact Person:			
Email Address:			
Daytime Telephone Number:		Alternative Telephone Number:	
	ext.		
Mailing Address or statement of last known address/general area they were living and name of local newspaper if address is not available			
Unit Number:	Street Number:	Street Name:	P.O. Box:
City/Town:	Province:	Country:	Postal Code:
There are required documents and materials to be submitted to the Ontario Land Tribunal (OLT) based on the type of legislation and section you are filing under. Please see the Section 6 Checklist(s) located here and submit all documents listed on the checklist.			

Section 7 – Filing Fee

Required Fee			
Please see the attached link to view the OLT Fee Chart .			
Total Fee Submitted: \$2,200			
Payment Method	☐	Certified Cheque	☐ Money Order ☐ Lawyer's general or trust account cheque
	☒	Credit Card	
If you wish to pay the appeal fee(s) by credit card, please check the box above and OLT staff will contact you by telephone to complete the payment process upon receipt of the appeal form. DO NOT INCLUDE YOUR CREDIT CARD INFORMATION ON THIS FORM. YOU WILL BE CONTACTED TO COMPLETE YOUR PAYMENT OVER THE PHONE.			
If a request for a fee reduction is being requested, please pay the minimum filing fee for each appeal and complete/submit the Fee Reduction request form .			
☐ Request for Fee Reduction form is attached (if applicable – see Appeal Form Guide for more information)			

Section 8 – Declaration (Mandatory)

Declaration

I solemnly declare that all the statements and the information provided, as well as any supporting documents, are true, correct and complete.

By signing this appeal form below, I consent to the collection of my personal information.

Name of Appellant/Representative	Signature of Appellant/Representative	Date (yyyy/mm/dd)
Jason Park		2026-10-21

Personal information or documentation requested on this form is collected under the authority of the *Ontario Land Tribunal Act* and the legislation under which the proceeding is commenced. All information collected is included in the Ontario Land Tribunal (OLT) case file and the public record in this proceeding. In accordance with the *Freedom of Information and Protection of Privacy Act* and section 9 of the *Statutory Powers Procedure Act*, all information collected is available to the public subject to limited exceptions.

We are committed to providing services as set out in the *Accessibility for Ontarians with Disabilities Act, 2005*. If you have any accessibility needs, please contact our Accessibility Coordinator at OLT.Coordinator@ontario.ca or toll free at 1-866-448-2248 as soon as possible.

Section 9 – Filing Checklists (Mandatory)

Filing/Submitting your form and documentation

You must file your Appeal Form with the appropriate authority(s) by the filing deadline.

If the completed Section is:	Refer to the relevant checklist and submit all documents listed on the checklist when filing your Appeal Form.
Section 3B	Review the Section 3B Checklist(s) and attach all listed documents.
Section 4A	Review the Section 4A Checklist(s) and attach all listed documents.
Section 4B	Review the Section 4B Checklist(s) and attach all listed documents.

If the completed Section is:	You must file with the following:
Section 3A	Municipality or the Approval Authority/School Board *If you are filing under the <i>Ontario Heritage Act</i> , including under s. 34.1(1) ,

	please carefully review the specific section of that legislation to determine if your appeal needs to be filed with the Tribunal <u>in addition</u> to the Municipality or Approval Authority.	
Section 3A & 3B or Section 4A or Section 4B or Section 6	Ontario Land Tribunal 655 Bay Street, Suite 1500 Toronto, ON M5G 1E5	Phone: 416-212-6349 1-866-448-2248 Website: www.olt.gov.on.ca
Section 5	For the Areas of: Dufferin County (Mono) Region of Halton Region of Peel Region of Niagara City of Hamilton File with: NIAGARA ESCARPMENT COMMISSION 232 Guelph Street, 3rd Floor Georgetown, ON L7G 4B1 Phone: 905-877-5191 Fax: 905-873-7452 Website: www.escarpment.org Email: necgeorgetown@ontario.ca	For the Areas of: Bruce County Grey County Simcoe County Dufferin County (Mulmur, Melancthon) File with: NIAGARA ESCARPMENT COMMISSION 1450 7th Avenue Owen Sound, ON N4K 2Z1 Phone: 519-371-1001 Fax: 519-371-1009 Website: www.escarpment.org Email: necowensound@ontario.ca

NOTE: Please review the notice of the decision you are appealing to determine the appeal deadline and the specific official with whom the appeal should be filed (e.g. Secretary-Treasurer, Clerk, Minister, Ontario Land Tribunal).

NOTE: Relevant portions of the applicable legislation should be reviewed before submitting this form. Please ensure that a copy of this Appeal Form is served in accordance with the requirements of the applicable legislation.