

## Ontario Land Tribunal

655 Bay Street, Suite 1500  
Toronto ON M5G 1E5  
Telephone: (416) 212-6349  
Toll Free: 1-866-448-2248  
Website: olt.gov.on.ca

## Tribunal ontarien de l'aménagement du territoire

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Sans Frais: 1-866-448-2248  
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July 12, 2021

Clerk, City of Oakville  
1225 Trafalgar Road  
Oakville, ON L6H 0H3  
townclerk@oakville.ca

### Subject:

OLT Case Number(s): PL171084, PI171085, PL171086, PL171167, PL180034,  
PL180158, PL180159, PL180580, PL180581, MM180022,  
MM170004  
OLT Lead Case Number: PL171084  
Municipality/Upper Tier: Town of Oakville  
Subject Property: 1333 Dorval Drive  
RE: Withdrawal of Appeals by Clublink Corporation ULC and Clublink Holdings Ltd.

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

Applicant and Appellant: Clublink Corporation ULC and Clublink Holdings Ltd.  
Subject: Request to amend the Official Plan - Refusal of request by  
the Town of Oakville  
Existing Designation: Private Open Space and Natural Area  
Proposed Designated: Site Specific (to be determined)- including Residential,  
Mixed Use and Community Commercial  
Purpose: To permit the redevelopment of the Subject Lands for a mix  
of residential, commercial and open space uses  
Property Address/Description: 1333 Dorval Drive  
Municipality: Town of Oakville  
Approval Authority File No.: OPA.1519.09  
OMB Case No.: PL171084  
OMB File No.: PL171084  
OMB Case Name: Clublink Corporation ULC v. Oakville (Town)

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

Applicant and Appellant: Clublink Corporation ULC and Clublink Holdings Ltd.  
Subject: Application to amend Zoning By-law No. 2014-014  
- Refusal of Application by the Town of Oakville  
Existing Zoning: Private Open Space (O2), Private Open Space- Special (O2- Sp.114), and Natural Area (N)  
Proposed Zoning: Site Specific (to be determined)  
Purpose: To permit the redevelopment of the Subject Lands for a mix of residential, commercial and open space uses  
Property Address/Description: 1333 Dorval Drive  
Municipality: Town of Oakville  
Municipality File No.: Z.1519.09  
OMB Case No.: PL171084  
OMB File No.: PL171085

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

Applicant and Appellant: Clublink Corporation ULC and Clublink Holdings Ltd.  
Subject: Proposed Plan of Subdivision - Failure of the Town of Oakville to make a decision  
Purpose: To permit the redevelopment of the Subject Lands for a mix of residential, commercial and open space uses  
Property Address/Description: 1333 Dorval Drive  
Municipality: Town of Oakville  
Municipality File No.: 24T-17003/1519  
OMB Case No.: PL171084  
OMB File No.: PL171086

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

Applicant and Appellant: Clublink Corporation ULC and Clublink Holdings Ltd.  
Subject: Proposed Plan of Subdivision - Failure of the Town of Oakville to make a decision  
Purpose: To permit the redevelopment of the Subject Lands for a mix of residential, commercial and open space uses  
Property Address/Description: 1333 Dorval Drive  
Municipality: Town of Oakville  
Municipality File No.: 24T-17003/1519  
OMB Case No.: PL171084  
OMB File No.: PL171167

**PROCEEDING COMMENCED UNDER** subsection 51(39) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: Clublink Corporation ULC and Clublink Holdings Ltd.  
Subject: Proposed Plan of Subdivision  
Property Address/Description: 1333 Dorval Drive  
Municipality: Town of Oakville  
Municipal File No.: 24T-17003/1519  
OMB Case No.: PL171084  
OMB File No.: PL180034

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

Appellant: ClubLink Corporation ULC & ClubLink Holdings Ltd.  
Subject: Proposed Official Plan Amendment No. 24  
Municipality: Town of Oakville  
Tribunal Case No.: PL180158  
Tribunal File No.: PL180158  
Tribunal Case Name: ClubLink Corporation ULC et al. v. Oakville (Town)

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

Appellant: ClubLink Corporation ULC & ClubLink Holdings Ltd.  
Subject: By-law No. 2018-016  
Municipality: Town of Oakville  
Tribunal Case No.: PL180158  
Tribunal File No.: PL180159

**PROCEEDING COMMENCED UNDER** subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: ClubLink Corporation ULC & ClubLink Holdings Ltd  
Subject: Proposed Official Plan Amendment No. OPA 15  
Municipality: Town of Oakville  
LPAT Case No.: PL180580  
LPAT File No.: PL180580  
LPAT Case Name: Clublink Corporation ULC v. Oakville (Town)

**PROCEEDING COMMENCED UNDER** subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amendedz

Appellant: ClubLink Corporation ULC & ClubLink Holdings Ltd  
Subject: Proposed Official Plan Amendment No. OPA 16  
Municipality: Town of Oakville  
LPAT Case No.: PL180580  
LPAT File No.: PL180581

**PROCEEDING COMMENCED UNDER** subsection 69(3) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: ClubLink Corporation ULC & ClubLink Holdings Ltd  
Subject: Protest the levying of fees in relation to an application for approval of a draft plan of subdivision, Official Plan Amendment and Zoning By-law Amendment  
Property Address/Description: 1333 Dorval Drive  
Municipality: Town of Oakville  
LPAT Case No.: MM170004  
LPAT File No.: MM170004  
LPAT Case Name: ClubLink Corporation ULC v. Oakville (Town)

**PROCEEDING COMMENCED UNDER** subsection 34.1(1) of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, as amended

Appellant: ClubLink Corporation ULC & ClubLink Holdings Ltd  
Subject: Appeal of the Decision of Council on an application to demolish or remove a building or structure  
Property Address/Description: 1313 & 1333 Dorval Dr  
Municipality: Town of Oakville  
LPAT Case No.: MM180022  
LPAT File No.: MM180022  
LPAT Case Name: Clublink Corporation ULC et al v. Oakville (Town)

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Subsection 17(30) of the *Planning Act* provides;

(30) If all appeals under subsection (24) in respect of all or part of the decision of council are withdrawn and the time for filing appeals has expired, the Tribunal shall notify the clerk of the municipality that made the decision and,

(a) the decision or the part of the decision that was the subject of an appeal is final; and

(b) the plan or part of the plan that was adopted and in respect of which all appeals have been withdrawn comes into effect as an official plan or part of an official plan on the day the last outstanding appeal has been withdrawn.  
1996, c. 4, s. 9; 2017, c. 23, Sched. 5, s. 82.

and Subsection 17(39) of the *Planning Act* provides;

(39) If all appeals made under subsection (36) in respect of all or part of the decision of the approval authority are withdrawn and if the time for filing notice of appeal has expired, the secretary of the Municipal Board shall notify the approval authority that made the decision and,

- (a) the decision or that part of the decision that was the subject of the appeal is final; and
- (b) the plan or part of the plan that was approved and in respect of which all the appeals have been withdrawn comes into effect as an official plan or part of an official plan on the day the last outstanding appeal has been withdrawn. 1996, c. 4, s. 9.

and subsection 22(12) of the *Planning Act* provides;

(12) If all appeals under subsection (7) brought in accordance with paragraph 1 or 2 of subsection (7.0.2) are dismissed by the Tribunal without holding a hearing or are withdrawn, the Tribunal shall notify the council or the planning board and the council or the planning board may proceed to give notice of the public meeting or adopt or refuse to adopt the requested amendment, as the case may be.

and subsection 34(11.1) of the *Planning Act* provides;

(11.1) If all appeals under subsection (11) are withdrawn, the Tribunal shall notify the clerk of the municipality and the decision of the council is final and binding or the council may proceed to give notice of the public meeting or pass or refuse to pass the by-law, as the case may be. 1999, c. 12, Sched. M, s. 25 (1); 2017, c. 23, Sched. 5, s. 82.

and subsection 34(23.1) of the *Planning Act* provides;

(23.1) If all appeals to the Tribunal under subsection (19) are withdrawn and the time for appealing has expired, the Tribunal shall notify the clerk of the municipality and the decision of the council is final and binding. 2017, c. 23, Sched. 5, s. 93 (3).

and subsection 51(36) of the *Planning Act* provides;

(36) If an appeal under subsection (34) is withdrawn, the Tribunal shall notify the approval authority and the approval authority may proceed to make a decision under subsection (31).

and subsection 51(51) of the *Planning Act* provides;

(51) If all appeals under subsection (39) or (48) are withdrawn and the time for appealing has expired or if all appeals under subsection (43) are withdrawn, the Tribunal shall notify the approval authority and the decision of the approval authority shall be deemed to have been made on the day after the day all appeals have been withdrawn, subject to any other right of appeal that may be exercised under this section and subject to subsection (44).

I am writing to advise that the appeals by ClubLink Corporation ULC & ClubLink Holdings Ltd were withdrawn by letter dated July 9, 2021.

All Tribunal hearings have been cancelled.

There are no outstanding appeals in this matter, and our files are closed.

Yours truly,

*Becky Fong*

Registrar, OLT