

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



**ISSUE DATE:** SEPTEMBER 24, 2021

**CASE NO.:** PL171205

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

Applicant and Appellant: 4005 Hickory Drive Limited  
Subject: Application to amend Zoning By-law No. 0225-2007 - Neglect of the City of Mississauga to make a decision O Zone (Office)  
Existing Zoning: O Zone (Office)  
Proposed Zoning: RM9-XX with site specific exemptions  
Property Address/Description: 4005 Hickory Drive  
Municipality: City of Mississauga  
Municipal File No.: OZ 17/006  
OLT Case No.: PL171205  
OLT File No.: PL171205  
OLT Case Name: 4005 Hickory Drive Limited v. Mississauga (City)

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

Applicant and Appellant: 4005 Hickory Drive Limited  
Subject: Request to amend the Official Plan - Failure of the City of Mississauga to adopt the requested amendment  
Existing Designation: Office and accessory uses  
Proposed Designation: Residential Medium Density  
Property Address/Description: 4005 Hickory Drive  
Municipality: City of Mississauga  
Approval Authority File No.: OPA 17/006  
OLT Case No.: PL171205  
OLT File No.: PL171300

BEFORE:

JATINDER BHULLAR ) Thursday, the 23rd  
)  
MEMBER ) day of September, 2021

**THIS MATTER** having come on for a public hearing and after the hearing, the Tribunal in its Decision issued on May 19, 2021 (the “Decision”), granted approval to the application, but withheld its Final Order subject to the fulfilment of the conditions as set out in the Decision;

**THE TRIBUNAL ORDERS** that the City of Mississauga’s Official Plan is amended in the manner set out in Attachment 1.

**THE TRIBUNAL FURTHER ORDERS** that Zoning By-law No. 0225-2007 is amended in manner set out Attachment 2. The City is hereby authorized to assign the appropriate numbers to these documents for record-keeping purposes.

*“Euken lui”*

EUKEN LUI  
REGISTRAR

**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.

Attachment 1

**Amendment No. 129**  
**to**  
**Mississauga Official Plan**

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**Mississauga Official Plan**

The following text and Map "A" attached constitute Amendment No. 129.

## **PURPOSE**

The purpose of this Amendment is to change the land use designation of the subject lands from Office to Residential Medium Density.

## **LOCATION**

The lands affected by this Amendment are located at the northeast corner of Hickory Drive and Burnhamthorpe Road East. The subject lands are located in the Rathwood-Applewood Community Node Character Area, as identified in Mississauga Official Plan.

## **BASIS**

Mississauga Official Plan came into effect on November 14, 2012, save and except for the outstanding site specific appeals to the Ontario Land Tribunal.

The subject lands are designated Office which permits office and accessory uses.

The proposed Amendment is required to redesignate the subject lands from Office to Residential Medium Density to permit 102 townhouse dwellings with an internal courtyard, driveway and an underground parking garage.

## **DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO**

1. Schedule 10, Land Use Designations, of Mississauga Official Plan, is hereby amended by changing the land use designation of the subject lands from Office to Residential Medium Density, as shown on Map "A" of this Amendment.

## **IMPLEMENTATION**

Upon receipt of the Ontario Land Tribunal's Final Order, Mississauga Official Plan will be amended in accordance with the Order.

The lands will be rezoned as part of the same Tribunal Order.

This Amendment has been prepared based on the Office Consolidation of Mississauga Official Plan April 8, 2021.

## **INTERPRETATION**

The provisions of Mississauga Official Plan, as amended from time to time regarding the interpretation of that Plan, will apply in regard to this Amendment.

This Amendment supplements the intent and policies of Mississauga Official Plan.

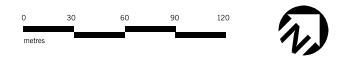


- ### LAND USE DESIGNATIONS
- Residential Low Density I
  - Residential Low Density II
  - Residential Medium Density
  - Residential High Density
  - Mixed Use
  - Convenience Commercial
  - Motor Vehicle Commercial
  - Office
  - Business Employment
  - Industrial
  - Airport
  - Institutional
  - Public Open Space
  - Private Open Space
  - Greenlands
  - Parkway Belt West
  - Utility

- ### BASE MAP INFORMATION
- Heritage Conservation District
  - 1996 NEP/2000 NEF Composite Noise Contours
  - LBPIA Operating Area Boundary See Aircraft Noise Policies
  - Area Exempt from LBPIA Operating Area
  - Natural Hazards
  - Civic Centre (City Hall)
  - City Centre Transit Terminal
  - GO Rail Transit Station
  - Public School
  - Catholic School
  - Hospital
  - Community Facilities

- ### City Structure
- Downtown
  - Major Node
  - Community Node
  - Neighbourhood
  - Corporate Centre
  - Employment Area
  - Special Purpose Area

- AREA OF AMENDMENT
- FROM:  OFFICE
- TO:  RESIDENTIAL MEDIUM DENSITY



**MAP 'A'**  
Part of Schedule 10  
Land Use Designations  
of Mississauga Official Plan



EXISTING LAND USE DESIGNATION

PROPOSED LAND USE DESIGNATION