



Corporate Report

Clerk's Files

Originator's
Files OZ 00/014 W5

DATE: October 14, 2008

TO: Chair and Members of Planning and Development Committee
Meeting Date: November 3, 2008

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Proposed Amendments to By-law 0225-2007**
7351 Bramalea Road
East side of Bramalea Road, north of Drew Road
Owner: Malkit Dhaliwal
Applicant: Malkit Dhaliwal
Bill 20

Addendum Report

Ward 5

RECOMMENDATION: That the Report dated October 14, 2008, from the Commissioner of Planning and Building recommending approval of the amendments to By-law 0225-2007 under File OZ 00/014 W5, Malkit Dhaliwal, 7351 Bramalea Road, east side of Bramalea Road, north of Drew Road, be adopted in accordance with the following:

1. That the application to change the Zoning from "D" (Development) to "E2" (Employment) and "G1" (Greenbelt) to permit industrial employment and greenbelt uses, be approved subject to the following conditions:
 - (a) That the applicant agree to satisfy all the requirements of the City and any other official agency concerned with the development.
2. That the decision of Council for approval of the rezoning application be considered null and void, and a new

development application be required unless a zoning by-law is passed within 18 months of the Council decision.

BACKGROUND:

On September 5, 2006, the Planning and Development Committee considered a Supplementary Report for the proposed rezoning of the subject lands to permit industrial uses, including a truck driving school, truck car wash and truck repair centre, and greenbelt. The recommendation for approval was subsequently adopted by Council on September 13, 2006 (see Appendix S-1). Since that time, the applicant has been in the process of resolving outstanding conditions, including the conveyance of greenbelt lands to the City, and is close to having an implementing zoning by-law appear before Council.

On June 20, 2007, City Council passed By-law 0225-2007, a new comprehensive Zoning By-law for the City. As a result of the Ontario Municipal Board decision issued on September 10, 2007, the By-law is now in force except for site specific appeals to certain portions of the document. The subject lands are not impacted by the appeals.

Full notice was given to the public for the above amendments to the former comprehensive Zoning By-law (By-law 5500), in advance of the September 5, 2006 Public Meeting. In addition, the Supplementary report recommendation included a clause which spoke to the adoption of the new By-law, and the applicable zoning categories that would apply (see Appendix S-1).

Notwithstanding, it was determined that a new notice and public hearing is required, specifically advising of the proposed changes to By-law 0225-2007.

COMMENTS:

The purpose of this report is to inform the public and the Planning and Development Committee that this application is no longer being considered under By-law 5500, and will be subject to By-law 0225-2007. The revised proposal is to change the Zoning from "D" (Development) to "E2" (Employment) and "G1" (Greenbelt) to permit industrial employment and greenbelt uses (see Appendix S-3). The greenbelt lands will be conveyed to the City. The above notification process is an administrative matter, as

there has been no change to the previous proposal for the development of the lands for industrial employment and greenbelt uses.

The original recommendation had provided for truck and car wash, truck repair and inspection garage, and truck weigh scales as permitted uses within the proposed "M2-Special Section" zone, in conjunction with a 4.5 m (14.7 ft.) landscape strip along Bramalea Road. The new general "E2" zone already captures these uses and landscape requirements.

FINANCIAL IMPACT: Development charges will be payable in keeping with the requirements of the applicable Development Charges By-law of the City as well as financial requirements of any other official agency concerned with the development of the lands.

CONCLUSION: This report provides the public and members of the Planning and Development Committee an opportunity to provide comments on the revised amendments to the proposal, under By-law 0225-2007, in accordance with the regulations of the *Planning Act*.

ATTACHMENTS: Appendix S-1 - Recommendation PDC-0074-2006
Appendix S-2 - Official Plan Map
Appendix S-3 - Zoning Map
Appendix S-4 - Aerial Map

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Rob Hughes, Development Planner

Malkit Dhaliwal

File: OZ 00/014 W5

Recommendation PDC-074-2006

PDC-074-2006 That the Report dated August 15, 2006, from the Commissioner of Planning and Building recommending approval of the application under File OZ 00/014 W5, Malkit Dhaliwal (New Way Trucking), 7351 Bramalea Road, east side of Bramalea Road, north of Drew Road, be adopted in accordance with the following:

1. That notwithstanding that subsequent to the public meeting, changes to the application have been proposed, Council considers that the changes do not require further notice and, therefore, pursuant to the provisions of subsection 34(17) of the Planning Act, R.S.O. 1990, c.P.13, as amended, any further notice regarding the proposed amendment is hereby waived.
2. That the application to change the Zoning from "A" (Agricultural) to "M1-Special Section" (Industrial) and "G" (Greenbelt) to permit business employment uses in accordance with the proposed zoning standards described in the subject Supplementary Report, be approved subject to the applicant agreeing to satisfy all the requirements of the City and any other official agency concerned with the development.
3. In the event that the new Mississauga Zoning By-law is passed by City Council and comes into force and effect, the new Mississauga Zoning By-law be amended from "D"(Development) to "E2" (Employment) and "G1" (Greenbelt) subject to conditions contained in Recommendation No. 2.
4. That the decision of Council for approval of the rezoning application be considered null and void, and a new development application be required unless a zoning by-law is passed within 18 months of the Council decision.
5. That letter dated August 14, 2006 from Caber Management Services Inc. objecting to the above development application, be received.
6. That letter dated August 31, 2006 from Favaro Holdings Inc. expressing concerns with the current operation at 7351 Bramalea Road, be received.









Malkit Dhaliwal

File: OZ 00/014 W5










7. That the e-mail dated September 1, 2006 from Dean Edwards, President, Avocet Aviation (Canada) Ltd. with respect to the maintenance of 7351 Bramalea Road, be received.

**PART OF NORTHEAST DISTRICT LAND USE MAP 2 OF 2
NORTHEAST DISTRICT POLICIES OF MISSISSAUGA PLAN**





LAND USE DESIGNATIONS

-  General Commercial
-  Business Employment
-  Industrial
-  Public Open Space
-  Greenbelt
-  Parkway Belt West
-  Airport
-  Utility

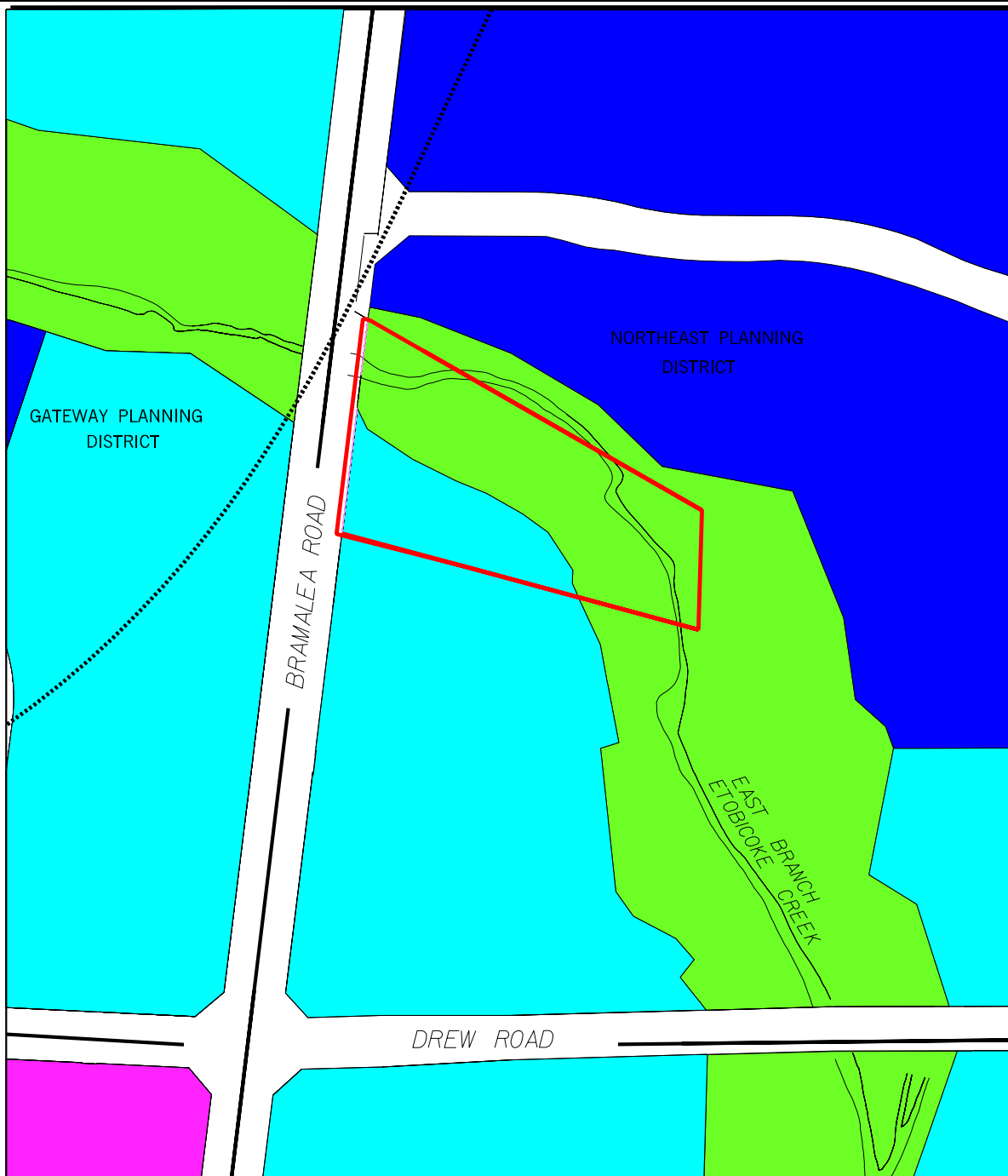
TRANSPORTATION LEGEND

-  Provincial Highway and Interchange
-  Arterial
-  Future Arterial
-  Major Collector
-  Minor Collector
-  Local Road
-  Existing Commuter Rail
-  GO Transit Station
-  Transit Airport Connections

LAND USE LEGEND

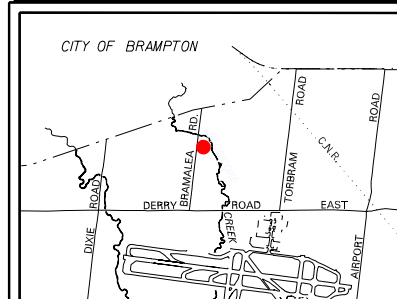
-  LBPIA Operating Area Boundary – See Aircraft Noise Policies
Note: In Northeast, this includes all lands indicated on map 2 of 2
-  Cem – Cemetery
-  - 1996 NEP /2000 NEF Composite Noise Contours
-  Planning District

 **SUBJECT LANDS**



SUBJECT:

M.DHALIWAL



FILE NO:
OZ 00014 W5

DWG. NO:
00014L

SCALE:

1:5000

PDC DATE:
2008 11 03

DRAWN BY:
R.DICOSOLA

APPENDIX S-2

BY-LAW 0225-2007

LEGEND:



SUBJECT LANDS



PROPOSED REZONING FROM "D" (DEVELOPMENT) TO "E2" (EMPLOYMENT) TO PERMIT EMPLOYMENT USES.



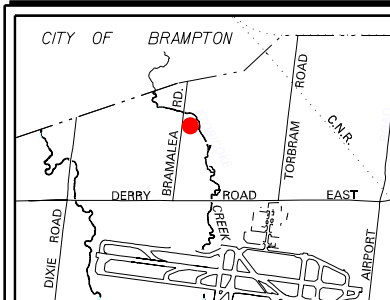
PROPOSED REZONING FROM "D" (DEVELOPMENT) TO "G1" (GREENBELT).

NOTE: EXISTING ZONING DELINEATED ON THE PLAN
PROPOSED ZONING INDICATED BY SHADING WITHIN
THE APPLICATION AREA.



SUBJECT:

M.DHALIWAL



FILE NO:
OZ 00014 W5

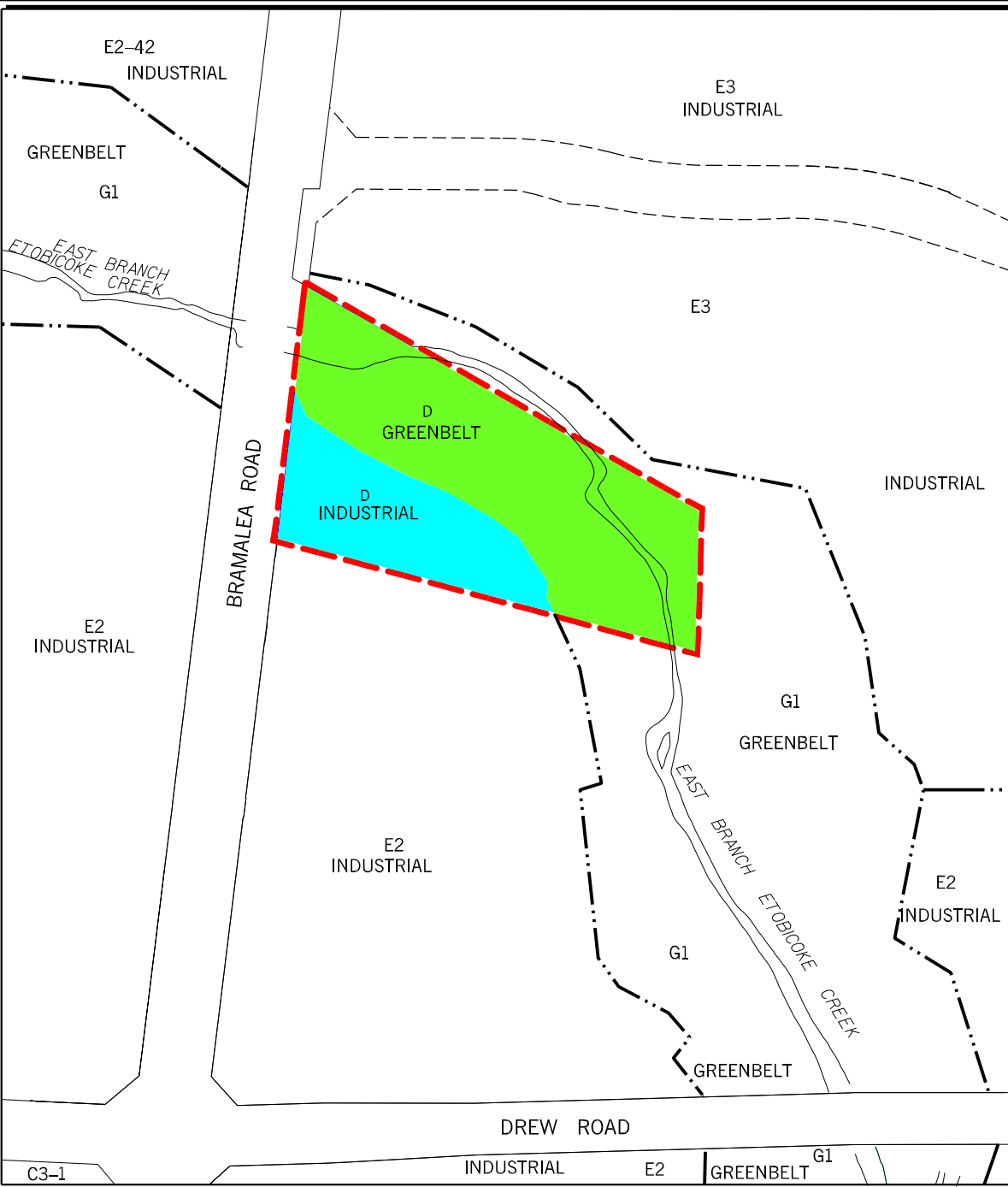
DWG. NO:
00014R

SCALE:
1:3000

PDC DATE:
2008 11 03

DRAWN BY:
R.DICOSOLA

APPENDIX S-3



LEGEND:



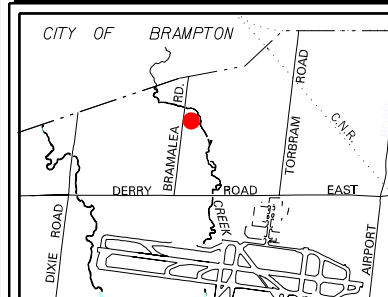
SUBJECT LANDS

DATE OF AERIAL PHOTO: APRIL 2008



SUBJECT:

M.DHALIWAL



FILE NO:
OZ 00014 W5

DWG. NO:
00014A

SCALE:
NTS

PDC DATE:
2008 11 03

DRAWN BY:
R.DICOSOLA

APPENDIX S-4