



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 87-87

To amend By-law 861 (part of
Lot 8, Concession 6, E.H.S.,
in the geographic Township of
Chinguacousy)

The council of The Corporation of the City of Brampton ENACTS as follows:

1. Schedule A of By-law 861, as amended, is hereby amended by changing the zoning designation of the land shown outlined on Schedule A to this by-law from AGRICULTURAL CLASS 1 (A1) to COMMERCIAL CLASS 1 - SECTION 505 (C1 - SECTION 505).
2. Schedule A to this by-law is hereby attached to By-law 861 as part of Schedule A, and forms part of By-law 861.
3. By-law 861, as amended, is hereby further amended by adding thereto the following section:

"505.1 The lands designated C1 - SECTION 505 on Schedule A to this by-law:

505.1.1 shall only be used for:

- (1) a dining room restaurant
- (2) a standard restaurant
- (3) a fast food restaurant
- (4) a take-out restaurant
- (5) a fast food restaurant with drive-through facility
- (6) a bank, trust company or financial institution
- (7) a union hall
- (8) a printing or copy establishment

All other commercial uses not mentioned in this section shall have 1 parking space for each 23 square metres of gross commercial floor area or portion thereof

- (15) Drive-through facilities of fast food restaurants shall comply with the following:
- (i) the drive-through facility must be effectively separated from the parking area,
 - (ii) the stacking lane must be clearly identified,
 - (iii) the stacking lane must be located behind the pick-up windows and must accommodate a minimum of 10 cars,
 - (iv) the width of the pavement where the stacking lane and driveway meet must be a minimum width of 7.3 metres, and
 - (v) the access points must be properly located to minimize the impact of the stacking lane on the internal traffic circulation.
- (16) Loading spaces - loading spaces shall be provided on the basis of the following:
- (a) Each loading space shall:
 - (i) have a minimum vertical clearance of 4.25 metres;
 - (ii) not be upon or partly upon any street or lane, and
 - (iii) be accessible from a street or lane by means of driveways, aisles, manoeuvring or similar areas, no part of which shall be used for the parking or temporary storage of motor vehicles.
 - (b) A loading space shall be a rectangular area measuring not less than 3.5 metres in width and 9 metres in length.

(c) Loading spaces shall be provided and maintained in accordance with the following provisions:

<u>Gross leasable commercial floor area of commercial uses in square metres</u>	<u>Number of loading spaces</u>
2350 or less	1
over 2350 up to 7450	2
over 7450	3

(d) No loading space shall be provided within the front yard or within the exterior side yard of a lot.

(e) Each loading space shall have an unobstructed ingress and egress of not less than 6 metres in width to and from a street or lane.

(17) Accessory buildings or structures are permitted subject to the requirements and restrictions of this section and the following:

(a) be used for the purposes of parking motor vehicles, or the storage of garbage, and

(b) not be permitted in an exterior side yard or front yard.

(18) The following shall apply to reserves:

(a) Any front yard, rear yard or side yard that is separated from a street by a reserve of less than 1 metre in width, owned by the City of Brampton, shall be deemed to directly abut that street for the purposes of this by-law, except where the context of a specific section requires otherwise.

(b) Any reserve of 1 metre or less owned by the City of Brampton may be considered as part of the required front yard, rear yard or side yard.

505.1.3 shall also be subject to the requirements and restrictions relating to the C1 Zone and all the general provisions of this by-law which are not in conflict with the ones set out in section 505.1.2.

505.2 For the purposes of section 505.

ACCESSORY BUILDING shall mean a detached building located on the same lot and used for a purpose which is incidental, subordinate and exclusively devoted to the principal use of the lot and buildings thereon, and shall include garages, sheds, barns and similar storage facilities.

ACCESSORY PURPOSE OR USE shall mean a purpose or use which is incidental, subordinate and exclusively devoted to the principal use of the lot and buildings thereon.

BUILDING HEIGHT shall mean the vertical distance between the established grade and:

- (1) in the case of a flat roof, the highest point of the roof surface,
- (2) in the case of a mansard roof, the deck line, or
- (3) in the case of a peaked, gabled, hip or gambrel roof, the mean height level between eaves and ridge.

FLOOR AREA, GROSS COMMERCIAL shall mean the aggregate of the areas of each storey, at, above, or below established grade, measured from the exterior of the outside walls, but excluding any parts of the building used for mechanical equipment, stairwells, elevators, or any part of the building below established grade used for storage purposes.

FLOOR AREA, GROSS LEASABLE COMMERCIAL shall mean the aggregate of the areas of each storey, at, above or below established grade, measured from the centre line of joint interior partitions and from the exteriors of outside walls, and used or capable of being used for commercial purposes, such as sales, display, storage and offices, but excluding storage areas below established grade.

LANDSCAPED BUFFER AREA shall mean open space in a front yard or exterior side yard which is used exclusively for the growth, maintenance and conservation of grass, flowers, trees and shrubs and other vegetation.

LANDSCAPED OPEN SPACE shall mean an unoccupied area of land open to the sky, which is used for the growth, maintenance and conservation of grass, flowers, trees and shrubs and other vegetation and may include a surfaced walk, patio, screening, pool or similar visual amenity,

but shall exclude any driveway, ramp, car parking or loading area, curb, retaining wall or any covered space beneath or within any building or structure.

LOADING SPACE shall mean an unobstructed area of land upon the same lot or lots upon which the principal use is located, for use in connection with that principal use, which area is provided for the parking of one commercial motor vehicle while such vehicle is being loaded or unloaded.

LOT shall mean a parcel of land which fronts on or abuts a street and which is permitted to be conveyed by section 49 of the Planning Act, 1983.

LOT, CORNER shall mean a lot situated at the intersection of two or more streets, or at the intersection of two parts of the same street, which parts have an interior angle of intersection of not more than 135 degrees.

LOT AREA shall mean the total horizontal area enclosed within the lot lines of a lot, excluding the horizontal area covered by water, marsh or flood plain, or between the top and toe of a cliff or embankment having a slope of thirty degrees or more from the horizontal.

LOT DEPTH shall mean the straight line distance from the mid-point of the front lot line to the mid-point of the rear lot line of the same lot.

LOT WIDTH shall mean the least distance, measured in a straight line, between the side lot lines, where the side lot lines are parallel, and

- (a) where such lot lines are not parallel but converge towards the front lot line, the lot width shall be the straight line distance between points on the side lot lines measured on a line 6 metres back from the front lot line, or
- (b) where such lot lines are not parallel but converge towards the rear lot line, the lot width shall be the straight line distance between points on the side lot lines measured on a line 18 metres back from the front lot line, or
- (c) in the case of a corner lot having a street line rounding at the corner of a radius of 7.5 metres or

less, the lot width of such lot shall be calculated as if the lot lines were produced to their point of intersection.

LOT LINE shall mean any boundary of any lot.

LOT LINE, FLANKAGE shall mean the longer lot line which abuts the street on a corner lot.

LOT LINE, FRONT shall mean the line that divides a lot from the street, provided that in a case of a corner lot, the shorter lot line that abuts a street shall be deemed to be the front lot line and the longer lot line that abuts a street shall be deemed to be the flankage lot line.

LOT LINE, REAR shall mean the lot line opposite the front lot line.

LOT LINE, SIDE shall mean a lot line other than a front or rear lot line.

PARKING SPACE shall mean an area accessible from a street or a lane for the parking or temporary storage of one motor vehicle but shall not include any part of a driveway or aisle and does not include any area used by a motor vehicle manufacturer or motor vehicle sales establishment for the storage of motor vehicles.

RESTAURANT, DINING ROOM shall mean a building or place where food and drink are prepared and offered for sale to the public, to be served by a restaurant employee at the same table or counter where the food and drink were ordered and are to be consumed, and where take-out services are not available.

RESTAURANT, DRIVE-IN shall mean a building or place where food and drink are prepared, offered for sale and served to the public primarily for consumption in motor vehicles.

RESTAURANT, STANDARD shall mean a building or place having more than 10 seats for customers, where food and drink are prepared, offered for sale and served to the public, primarily for consumption within the same building or place, but shall not include a fast food restaurant.

RESTAURANT, FAST FOOD shall mean a building or place having more than 10 seats for customers, which is designed

for the preparation and offering for sale of a high volume of food from a limited and standardized menu to the public, primarily for consumption within the same building or place, and where the customers do not eat at the same table or counter at which the food is ordered and obtained.

RESTAURANT, TAKE OUT shall mean a building or place having less than 11 seats for customers, where food and drink are prepared and offered for sale to the public primarily to be taken-out or delivered for consumption off the premises.

YARD, REAR shall mean, in the case of an interior lot, a yard extending across the full width of the lot between the rear lot line and the nearest main wall of any building or structure on the lot, or in the case of a corner lot, a yard extending from a side lot line to an exterior side yard, and between the rear lot line and the nearest main wall of any building or structure on the lot.

YARD, EXTERIOR SIDE shall mean a yard extending from the front yard to the rear lot line between the flankage lot line and the nearest main wall of any building or structure on the lot.

YARD, INTERIOR SIDE shall mean a yard, other than an exterior side yard, extending from the front yard to the rear yard of a lot between a side lot line and the nearest main wall of any building or structure on the lot."

READ a FIRST, SECOND and THIRD TIME and PASSED, IN OPEN COUNCIL,

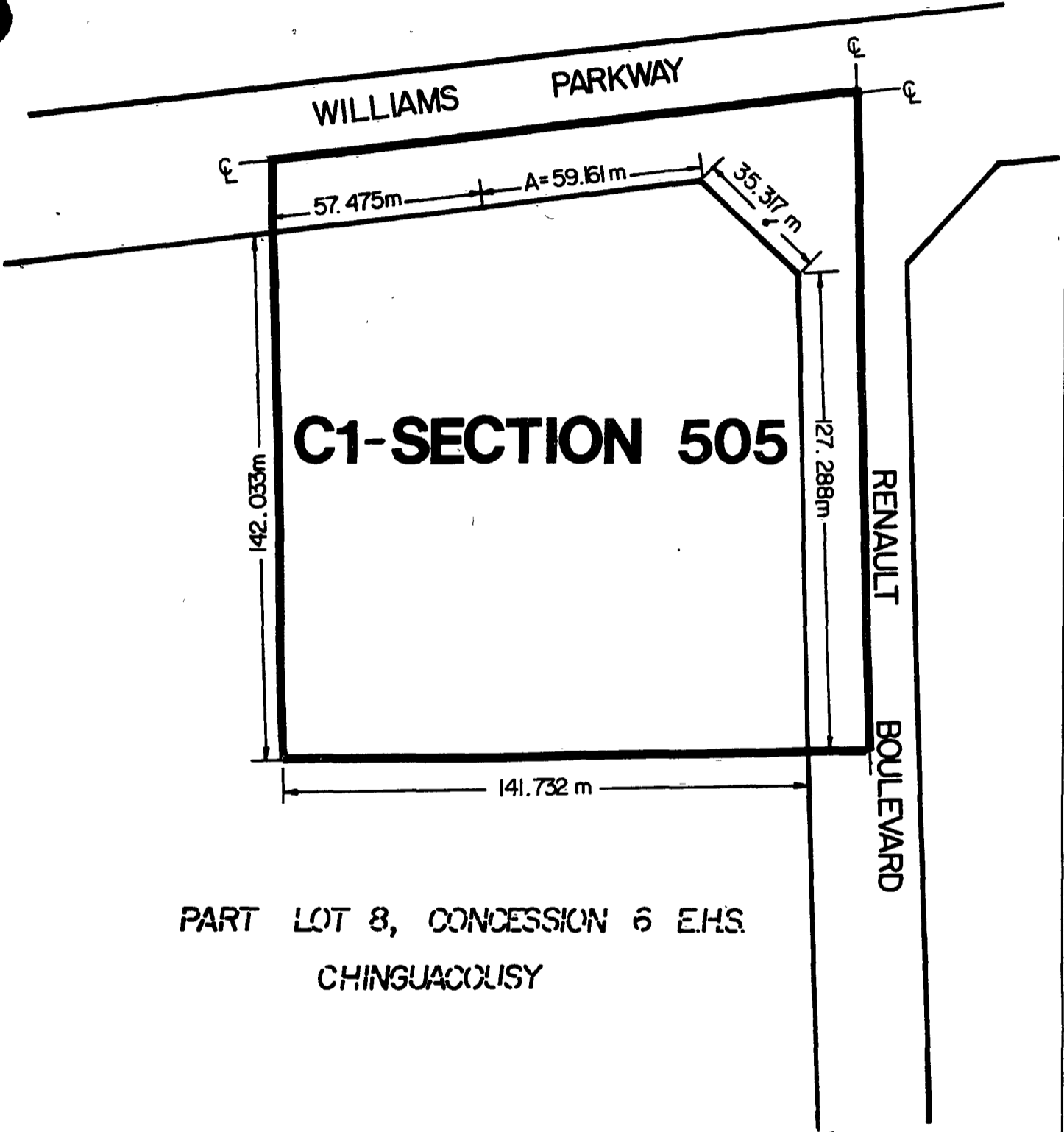
this 14th day of April 1987.

APPROVED
AS TO FORM
LAW DEPT.
BRAMPTON
[Signature]
DATE

[Signature]
KENNETH G. WHILLANS - MAYOR

[Signature]
LEONARD J. MIKULICH - CLERK

30/87/7



PART LOT 8, CONCESSION 6 E.H.S.
CHINGUACOLISY

 Zone Boundary

Part of Lot 8, Con. 6 E.H.S. (Ching.)
By-law 861 Schedule A
BY-LAW 87-87 SCHEDULE A



CITY OF BRAMPTON
Planning and Development
Date: 87 04 09 Drawn by: RB
File no. C6E8.4 Map no. 48-15D

IN THE MATTER OF the Planning Act,
1983, section 34;

AND IN THE MATTER OF the City of
Brampton By-law 87-87.

DECLARATION

I, LEONARD J. MIKULICH, of the City of Brampton, in the
Region of Peel, DO SOLEMNLY DECLARE THAT:

1. I am the Clerk of The Corporation of the
City of Brampton and as such have knowledge
of the matters herein declared.
2. By-law 87-87 was passed by the Council of
the Corporation of the City of Brampton at
its meeting held on April 14th, 1987.
3. Written notice of By-law 87-87 as required
by section 34 (17) of the Planning Act, 1983
was given on April 29th, 1987, in the manner
and in the form and to the persons and
agencies prescribed by the Planning Act,
1983.
4. No notice of appeal under section 34(18) of
the Planning Act, 1983 has been filed with
me to the date of this declaration.

DECLARED before me at the City of)
Brampton in the Region of Peel)
this 25th day of May, 1987.)


A commissioner, etc.



ROBERT D. TUFTS, a Commissioner,
etc., Judicial District of Peel, for The
Corporation of the City of Brampton.
Expires May 25th, 1988.