



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 289-87

To amend By-law 861 (Part of Lot
6, 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 to By-law 861, as amended, is hereby further amended by changing the zoning designation of the lands shown outlined on Schedule A to this by-law from AGRICULTURAL - CLASS 1 (A1) to HIGHWAY COMMERCIAL ONE - SECTION 611 (HC - SECTION 611).
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. Schedule B to this by-law is hereby attached to By-law 861 as SECTION 611 - SITE PLAN, and forms part of By-law 861.
4. By-law 861, as amended, is hereby further amended by adding thereto the following section:

"611.1 The lands designated HC1 - SECTION 611 on Schedule A to this by-law:

611.1.1 shall only be used for:

- (1) a fastfood restaurant with drive-through facilities,
and
- (2) purposes accessory to other permitted purposes.

611.1.2 shall be subject to the following requirements and restrictions:

- (1) all buildings shall be located within the area shown as BUILDING AREA on SECTION 611 - SITE PLAN;

- (2) the minimum depth of front and rear yards, and the minimum width of side yards, shall be as shown on SECTION 611 - SITE PLAN;
- (3) the building shall not exceed a height of one storey;
- (4) landscaped open space shall be provided and maintained in the locations shown as LANDSCAPED OPEN SPACE on SECTION 611 - SITE PLAN, and
- (5) all the required parking spaces shall be located within the area shown as PARKING AND DRIVEWAY AREA on SECTION 611 - SITE PLAN.
- (6) Parking spaces shall be provided in accordance with the following:
 - (a) Each parking space shall be angled parking space or a parallel parking space, and
 - (i) an angled parking space shall be a rectangular area measuring not less than 2.7 metres in width and 5.4 metres in length, and
 - (ii) a parallel parking space shall be a rectangular area measuring not less than 2.75 metres in width and 6.5 metres in length, the long side of which is parallel to an aisle.
 - (b) Where parking spaces are provided or required, the following requirements and restrictions shall apply:
 - (i) the parking spaces shall be provided or maintained on the same lot or parcel as the building or use for which they are required or intended,
 - (ii) the width of a driveway leading to any parking area shall be a minimum width of 3 metres for one-way traffic, and a minimum width of 6 metres for two-way traffic,
 - (iii) each parking space shall have unobstructed access to an aisle leading to a driveway or street, and

(iv) aisles leading to parking spaces and providing unobstructed access from each parking space to a driveway shall be established in accordance with the following:

<u>Angle of parking</u>	<u>Minimum aisle width</u>
(A) up to 50 degrees	4 metres
(B) 50 degrees up to 70 degrees	5.75 metres
(C) 70 degrees up to and including 90 degrees	6.6 metres

(c) Parking spaces shall be provided and maintained on the basis of 1 parking space per 6 square metres of gross commercial floor area or portion thereof.

(7) A drive-through facility shall comply with the following requirements:

- (a) the drive-through facility must be effectively separated from the parking area;
- (b) the stacking lane leading to the pick-up windows must accommodate a minimum of 10 cars;
- (c) the stacking lane must be clearly identified;
- (d) the entrance to a stacking lane must be not less than 6 metres from the street line, and
- (e) the access points to a stacking lane must be located so as to minimize the impact of the stacking lane on the internal traffic circulation.

(8) Loading Spaces

No persons shall erect, alter or use any building, structure or land in any commercial zone for any purpose involving the movement of goods unless loading spaces are provided and maintained in accordance with the following requirements and restrictions:

(a) no loading space shall be within the front yard or within the exterior side yard of a lot; and

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

611.1.3 shall also be subject to the requirements and restrictions relating to the HIGHWAY COMMERCIAL ONE ZONE - HC1 and all general provisions of this by-law, which are not in conflict with the provisions set out in Section 611.1.2.

611.2 For the purposes of Section 611.

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.

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.

LANDSCAPED OPEN SPACE shall mean an unoccupied area of land which is used for the growth, maintenance and conservation of grass, flowers, trees and shrubs 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 motor vehicle while such vehicle is being loaded or unloaded.

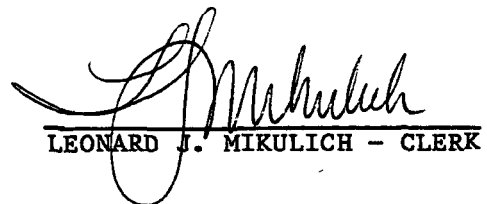
PARKING SPACE shall mean an area accessible from a street or a lane for the parking or temporary storage of one motor vehicle but shall not include any part of a driveway or aisle and does not include any area used by a motor vehicle manufacturer or motor vehicle sales establishment for the storage of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

RESTAURANT, 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, 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."

READ a FIRST, SECOND and THIRD TIME, and PASSED, in OPEN COUNCIL,
this 23rd day of November 1987.


KENNETH G. WHILLANS - MAYOR

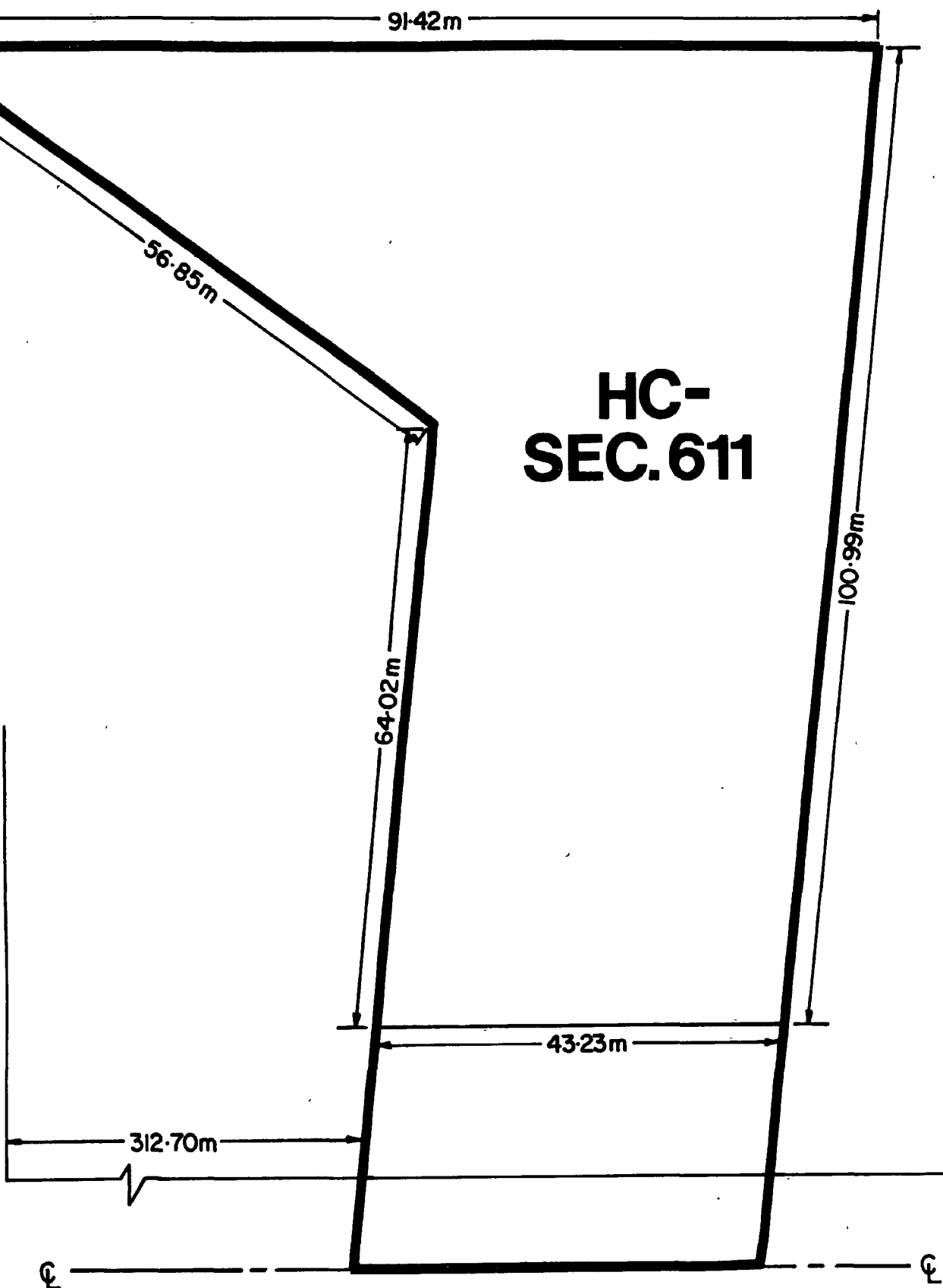

LEONARD J. MIKULICH - CLERK

96/87/11

APPROVED
AS TO FORM
LAW DEPT.
DRAUGHTON
WCC
DATE 10/1/87

TORBRAM ROAD

HC-
SEC. 611



HIGHWAY No.7

PART LOT 6 CON. 6 E.H.S. (CHING)
BY-LAW 861 SCHEDULE A

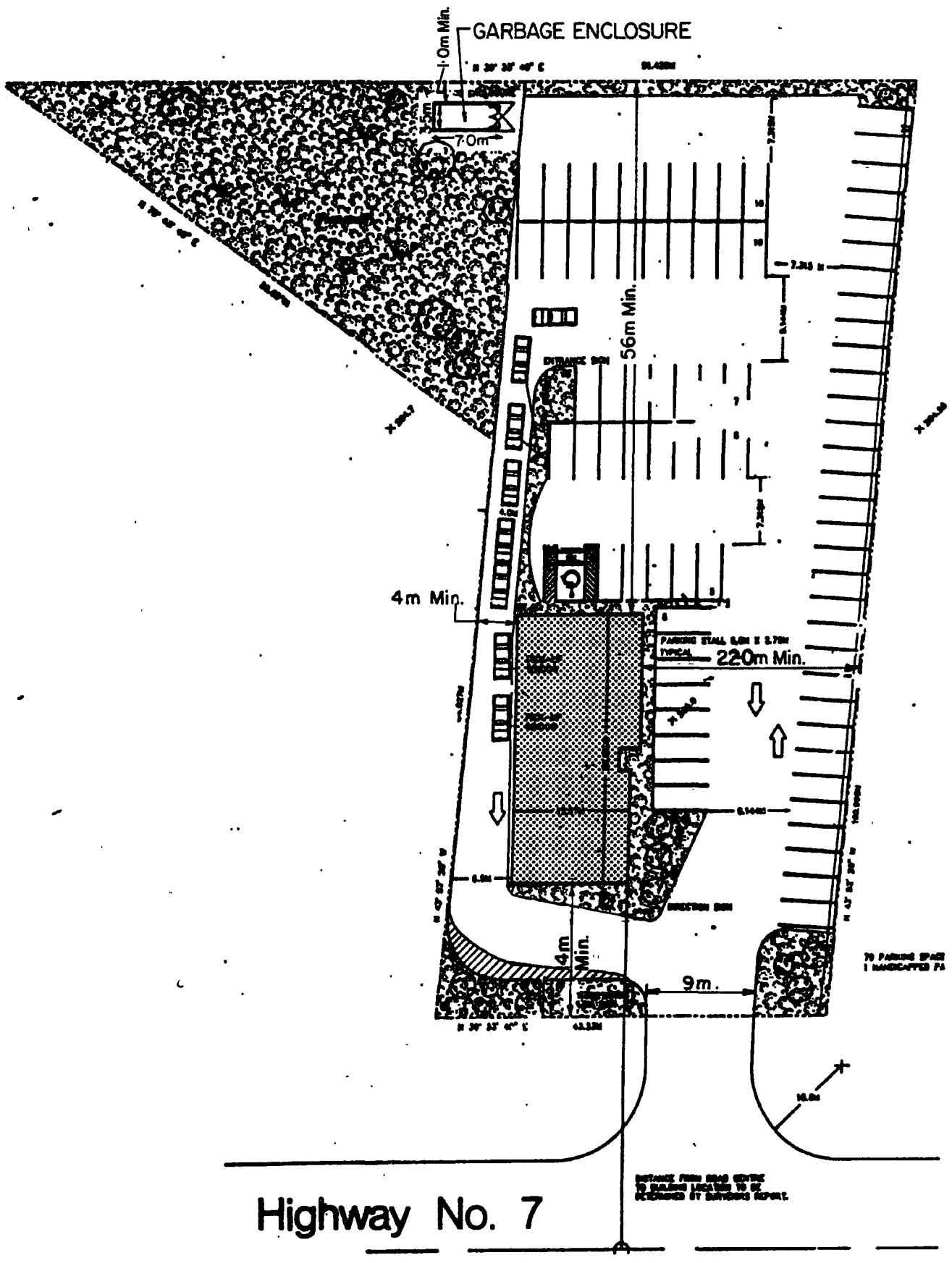
By-Law 289-87 Schedule A







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CITY OF BRAMPTON
Planning and Development

Date: 1987 10 19 Drawn by: C.R.E.
File no. C6E6-18 Map no. 48-18F



Highway No. 7

-  BUILDING AREA
-  LANDSCAPED OPEN SPACE
-  PARKING AND DRIVEWAY AREA
-  PICK UP WAITING AREA
- min. MINIMUM
- m METERS

SECTION 611 - SITE PLAN
BY-LAW 861

By - Law 289-87 Schedule B



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CITY OF BRAMPTON
Planning and Development

Date: 1987 10 19 Drawn by: C.R.E.
File no. C6E6-18 Map no. 48-18E

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

AND IN THE MATTER OF the City of
Brampton By-law 289-87.

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 288-87 which adopted Amendment Number 131
was passed by the Council of the Corporation of
the City of Brampton at its meeting held on
November 23rd, 1987.
3. Written notice of By-law 289-87 as required by
section 34 (17) of the Planning Act, 1983 was
given on December 2nd, 1987, in the manner and in
the form and to the persons and agencies
prescribed by the Planning Act, 1983, the last
day for appeal being December 28th, 1987.
4. No notice of appeal under section 34(18) of the
Planning Act, 1983 was filed with me on or before
the last day for appeal.
5. Official Plan Amendment 131 was approved by the
Ministry of Municipal Affairs on January 13th,
1988.

DECLARED before me at the City of)
Brampton in the Region of Peel)
this 25th day of January, 1988.)



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.

