



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 108-2003

To amend By-law 56-83, as amended

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

1. By-law 56-83, as amended, is hereby further amended:
 - (1) by changing on Sheet 19 of Schedule A thereto, the zoning designation of the lands shown outlined on Schedule A to this by-law from AGRICULTURAL (A) to HIGHWAY COMMERCIAL TWO – SECTION 797 (HC2 – SECTION 797), and AGRICULTURAL – SECTION 798 (A – SECTION 798);
 - (2) by adding thereto, the following sections:

“797.1 The lands designated HC2 - SECTION 797 on Sheet 19 of Schedule A to this by-law:

797.1.1 shall only be used for the following purposes:

 - (a) a gas bar;
 - (b) a service station;
 - (c) a motor vehicle washing establishment;
 - (d) a dining room restaurant, a convenience restaurant, a take-out restaurant;
 - (e) only in conjunction with a gas bar or service station, a convenience store; and,
 - (f) purposes accessory to the other permitted purposes.

797.1.2 shall be subject to the following requirements and restrictions:

 - (a) Minimum Lot Width: 35.0 metres;
 - (b) for the purposes of this section, the lot line abutting Goreway Drive shall be considered the front lot line and the lot line abutting Intermodal Drive shall be considered the flankage lot line,
 - (c) the minimum building setback to an Agricultural Zone shall be 1.5 metres;
 - (d) except at approved access locations, landscaped open space areas shall be provided as follows:
 - (1) a minimum 6.0 metre wide strip abutting Goreway Drive; and,

- (2) a minimum 3.0 metre wide strip abutting Intermodal Drive and Deerhurst Drive;
- (e) for the purposes of this section, all or a portion of the parking required in connection with a particular purpose permitted by section 797.1.1 may be provided off-site on abutting lands zoned AGRICULTURAL - SECTION 798 (A - SECTION 798);
- (f) a maximum of two (2) restaurants shall be permitted; and the combined gross leaseable floor area devoted to the restaurants shall be limited to 929.0 square metres in total, with no individual restaurant exceeding a gross leaseable floor area of 465.0 square metres;

(g) Loading Doors:

No overhead doors shall be permitted on a building wall that faces:

- (1) Goreway Drive;
- (2) Intermodal Drive; or,
- (3) Deerhurst Drive, unless screened from a public road(s);

(h) Waste Disposal:

(1) No opening for waste disposal facilities shall be permitted on a building wall that faces:

- (i) Goreway Drive;
- (ii) Intermodal Drive; or,
- (iii) Deerhurst Drive, unless screened from a public road(s);

(2) refuse storage for restaurant purposes, including any containers for the storage of recyclable materials, shall be contained in a climate controlled area within a building; and,

(3) all garbage and refuse storage other than for a restaurant, including any containers for the storage of recyclable materials, shall be located within a building;

(i) no outdoor display and/or sales or storage shall be permitted.

797.1.3 shall also be subject to the requirements and restrictions relating to the HC2 zone and all the general provisions of this by-law which are not in conflict with the ones set out in section 797.1.2.

797.2 For the purpose of this section:

- (a) a building wall, or portion thereof, shall be deemed to face a public road if, within a distance of 200.0 metres, a line drawn perpendicular to the alignment of the road in question intersects with the face of the particular building wall without being obstructed by an intervening building; and,
- (b) a building wall, or portion thereof, shall be deemed to be screened from a public road if an intervening building, structure, berm, wall, fence or landscaped buffer functions as an opaque barrier which obstructs direct view of the building wall, or portion thereof, from the particular public road.

798 The lands designated A - SECTION 798 on Sheet 19 of Schedule A to this by-law:

- 798.1 shall only be used for the following purposes:
- (a) agricultural purposes;
 - (b) a driveway access(es) in conjunction and association with the uses permitted by an abutting HC2 – SECTION 797 zone;
 - (c) a surface parking lot in conjunction and association with the uses permitted by an abutting HC2 – SECTION 797 zone;
 - (d) purposes accessory to the other permitted purposes.
- 798.2 shall be subject to the following requirements and restrictions:
- (a) Minimum Lot Area: 0.2 hectares;
 - (b) Minimum Lot Width: 80.0 metres;
 - (c) for the purposes of this section, the lot line abutting Intermodal Drive shall be considered the front lot line and the lot line abutting Deerhurst Drive shall be considered the flankage lot line;
 - (d) except at approved access locations, a minimum 3.0 metre wide landscaped open space strip shall be provided abutting Intermodal Drive and Deerhurst Drive;
 - (e) a surface parking lot permitted under section 798.1(c) shall functionally serve as parking provided specifically for and accessory to the uses permitted by an abutting HC2 – SECTION 797 zone;
 - (f) no buildings or structures shall be permitted;
- 798.3 shall also be subject to the requirements and restrictions relating to the A zone and all the general provisions of this by-law which are not in conflict with the ones set out in section 798.2.”

READ a FIRST, SECOND and THIRD TIME and PASSED in OPEN COUNCIL, this
28th day of April 2003.

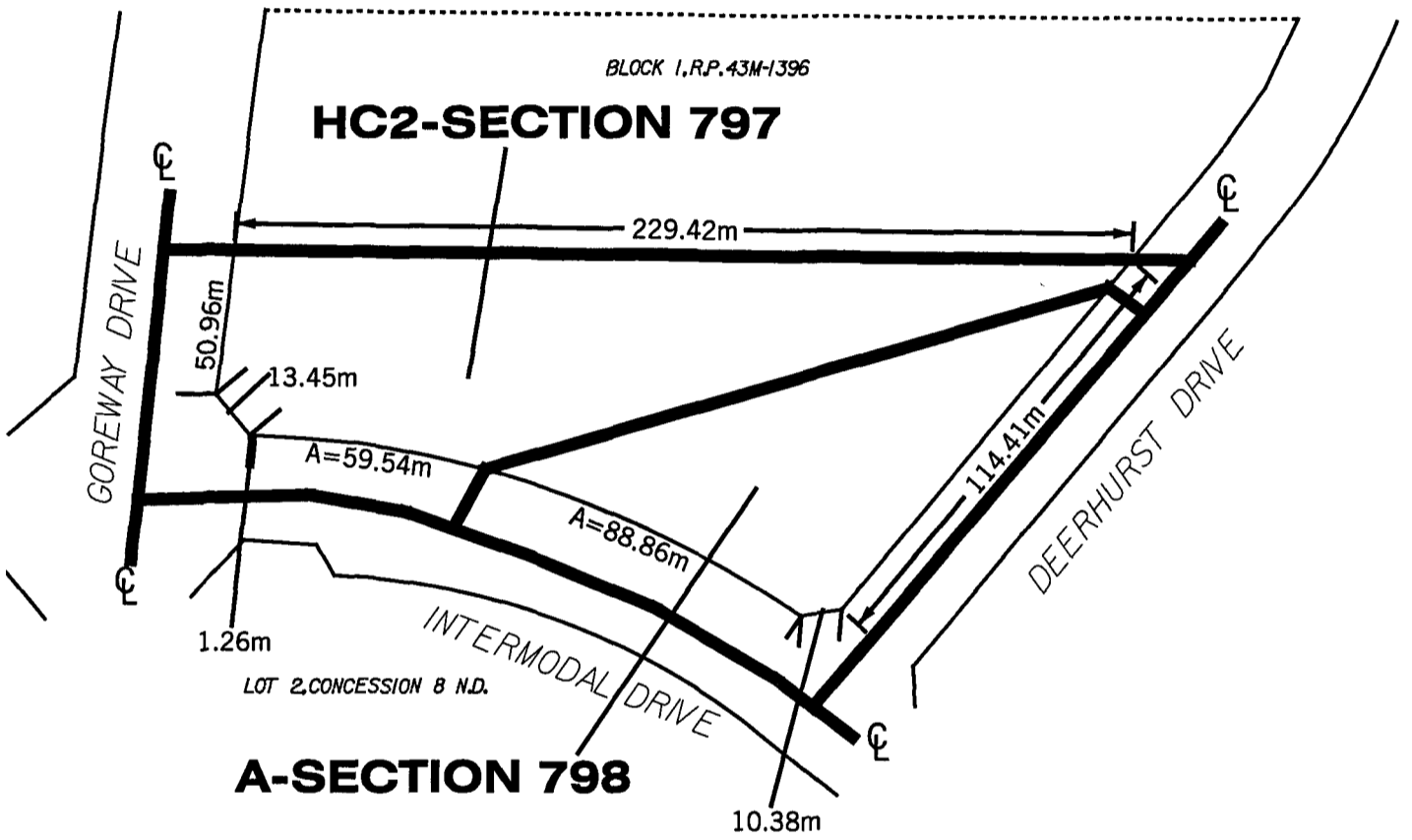

SUSAN FENNELL - MAYOR


LEONARD J. MIKULICH - CITY CLERK

Approved as to content:


John B. Corbett, M.C.P., R.P.P.
Director, Planning and Land Development Services





LEGEND

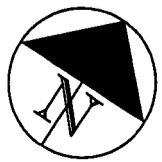
- ZONE BOUNDARY
- CENTRELINE OF ORIGINAL ROAD ALLOWANCE
- m METRES



PART LOT 2, CONCESSION 8 N.D.

BY-LAW 56-83 **SCHEDULE A**

By-Law 108-2003 **Schedule A**



CITY OF BRAMPTON
 Planning, Design and Development

Date: 2003 04 14 Drawn by: CJK

File no. C8E2.9 Map no. 67-27T

IN THE MATTER OF the *Planning Act*,
R.S.O. 1990, as amended, section 34;

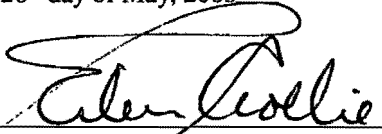
AND IN THE MATTER OF the City of Brampton By-law 108-2003
being a by-law to amend Comprehensive Zoning By-law 56-83 as amended
(GIAMPAOLO INVESTMENTS LIMITED) File C8E2.9

DECLARATION

I, LEONARD JOSEPH MIKULICH, of the City of Brampton, in the Regional Municipality of Peel, DO
SOLEMNLY DECLARE THAT:

1. I am the City Clerk of The Corporation of the City of Brampton and as such have knowledge of the matters herein declared.
2. By-law 108-2003 passed by the Council of The Corporation of the City of Brampton at its meeting held on the 26th day of May, 2003.
3. Written notice of By-law 108-2003 as required by section 34(18) of the *Planning Act* was given on the 6th day of May, 2003, in the manner and in the form and to the persons and agencies prescribed by the *Planning Act*, R.S.O. 1990 as amended.
4. No notices of appeal were filed under section 34(19) of the *Planning Act* on or before the final date for filing objections.

DECLARED before me at the)
City of Brampton in the)
Region of Peel this)
28th day of May, 2003)


A Commissioner, etc.

**EILEEN MARGARET COLLIE, A Commissioner
etc., Regional Municipality of Peel for
The Corporation of The City of Brampton
Expires March 23, 2005.**