



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

*Number* 123-83  
To amend By-law 861, of the  
former Township of Chinguacousy,  
now in the City of Brampton  
(part of Lot 5, Concession 5,  
East of Hurontario Street)

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

1. Schedule A to By-law 861 is hereby amended by changing the zoning classification of the lands shown outlined on Schedule A hereto attached from COMMERCIAL SPECIAL - MOTEL to COMMERCIAL CLASS 1-SECTION 313 (C1-SECTION 313).
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 313 - SITE PLAN, and forms part of By-law 861.
4. By-law 861 is hereby amended by adding thereto the following section:

"313. The lands shown as COMMERCIAL CLASS 1-SECTION 313 on Schedule A hereto attached:

313.1.1 shall be used only for the following purposes:

- (1) one antique store
- (2) one art gallery
- (3) one automotive parts store
- (4) one bake shop but not including a doughnut shop
- (5) one of either a bank, trust or financial institution
- (6) one beauty supply store
- (7) one book store
- (8) business or professional offices
- (9) one card store
- (10) one catalogue store

- (11) one of each of a children's, men's or women's clothing store
- (12) one delicatessen
- (13) one dining room restaurant
- (14) one drapery store
- (15) one of either a drug store or pharmacy
- (16) one florist
- (17) one fruit and vegetable store
- (18) one furniture and housewares store
- (19) one gift shop
- (20) one grocery store
- (21) one hardware store
- (22) one ice cream store
- (23) one jewellery store
- (24) one lighting and home improvement store
- (25) one luggage and leather goods sales and service store
- (26) one meat store
- (27) one musical instrument sales and service store
- (28) one optical store
- (29) one paint and wallpaper store
- (30) one picture framing and artist supplies store
- (31) one photographic equipment store
- (32) one record or tape music store
- (33) one rental service store
- (34) one of each of the following service stores:
  - (a) barber
  - (b) beauty parlour and hair dresser
  - (c) dry cleaning and laundry distribution depot
  - (d) jewellery and watch sales, repair and service
  - (e) photographer
  - (f) shoe repair
  - (g) tailor or dressmaker
  - (h) television, radio, appliance or electrical repair and service
- (35) one stationary and card shop
- (36) one shoe store
- (37) one textile supply store
- (38) one toy store
- (39) one of either a variety or tobacco store
- (40) one wine store

313.1.2 shall be subject to the following requirements and restrictions:

- (1) minimum lot frontage: 106.6 metres
- (2) minimum lot depth: 53.0 metres
- (3) minimum lot area: 5870.0 square metres

- (4) all buildings shall be located within the areas shown as BUILDING AREAS A and B on SECTION 313 - SITE PLAN
- (5) minimum front yard depth, rear yard depth and sideyard width shall be as shown on SECTION 313-SITE PLAN
- (6) the gross floor area of the buildings shall not exceed 1650.0 square metres
- (7) maximum building height shall not exceed one storey nor 4.6 metres
- (8) basement and cellar areas shall be used only for the location of mechanical and maintenance equipment and shall not be used for retail, office or accessory purposes
- (9) a dining room restaurant shall be located only within an area shown as BUILDING AREA B on SECTION 313-SITE PLAN, and the gross floor area of the dining room restaurant shall not exceed 464.5 square metres
- (10) no entertainment appealing to, or designed to appeal to, erotic or sexual appetites or inclinations shall be permitted in a dining room restaurant
- (11) offices for not more than 5 medical, dental or drugless practitioners shall be permitted
- (12) garbage and refuse containers shall be located only within a building
- (13) garbage and refuse containers for a dining room restaurant shall be located within a climate controlled area within the building
- (14) no outside storage or display of goods shall be permitted
- (15) a solid screen fence composed of brick, architectural block, decorative concrete panel or similar material, and not less than 2.44 metres in height above finished grade, shall be provided adjacent to the property boundaries in the location shown as WALL on SECTION 313 - SITE PLAN
- (16) chain link fencing, with a height above finished grade of not less than 1.2 metres, shall be provided adjacent to the property boundaries in the location shown as FENCE on SECTION 313 - SITE PLAN
- (17) landscaped open space shall be provided and maintained in the areas shown as LANDSCAPED OPEN SPACE on SECTION 313 - SITE PLAN
- (18) no outdoor speaker system shall be permitted
- (19) notwithstanding any provisions contained in this

by-law, a dining room restaurant may provide take-out or packaged fast food services, provided that a separate customer serving area is maintained within the dining room restaurant and the customer serving area does not exceed 1.5 percent of the gross floor area of the dining room restaurant.

(20) not less than 102 parking spaces shall be provided and maintained

(21) each parking space shall have unobstructed access to an aisle leading to a driveway or street and shall be either:

(a) an angled parking space with a rectangular area measuring not less than 2.75 metres in width and 6 metres in length, or

(b) a parallel parking space with 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.

(22) Aisles leading to parking spaces and providing unobstructed access from each parking space to a driveway shall be established on the following basis:

	Angle of Parking	Minimum Aisle Width
(1)	up to 50 degrees	4 metres
(2)	50 degrees up to 70 degrees	5.75 metres
(3)	70 degrees up to and including 90 degrees	6 metres

(23) no off-street loading spaces shall be required

313.1.3 shall also be subject to the requirements and restrictions relating to the COMMERCIAL CLASS 1 zone which are not in conflict with those set out in section 313.1.2.

313.2 For the purposes of SECTION 313,

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

(a) in the case of a flat roof, the highest point of the roof surface;

(b) in the case of a mansard roof, the deck line; or

(c) in the case of a peaked, gabled, hip or gambrel roof, the mean height level between eaves and ridge.

DOUGHNUT SHOP shall mean a building or place where mainly doughnuts and other baked goods are prepared and offered for sale to the public either for consumption within the same building or place, or elsewhere.

ESTABLISHED GRADE OR FINISHED GRADE shall mean the average finished surface elevation at the outside walls of any building or structure which is arrived at by taking the arithmetic mean of the levels of the finished ground surface at the midpoint of each of the outside walls.

GROCERY STORE shall mean a retail establishment engaged in the business of selling groceries, meat, fruit and vegetables to the general public and occupying premises having a gross commercial floor area of less than 600 square metres.

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 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.

DINING ROOM RESTAURANT 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 where the food and drink are to be consumed, and where drive-in, take-out or packaged fast food services are not available.

DRIVE-IN RESTAURANT 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.

MIXED SERVICE RESTAURANT shall mean a building or place where food and drink are prepared, offered for sale and served to the public, primarily for consumption within the same building or place.

TAKE-OUT RESTAURANT shall mean a building or place 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."

READ a FIRST, SECOND and THIRD TIME and Passed in Open Council.

This 25th day of April, 1983.



KENNETH G. WHILLANS - MAYOR



RALPH A. EVERETT - CLERK

APPROVED  
AS TO FORM  
LAW DEPT.  
BRAMPTON  
DATE 8/14/21

WEST HALF OF LOT 6 CONCESSION 5 E.H.S.

ROAD ALLOWANCE BETWEEN LOTS 5 & 6

HIGHWAY No. 7

Q of Original Road Allowance

# C1 Section 313

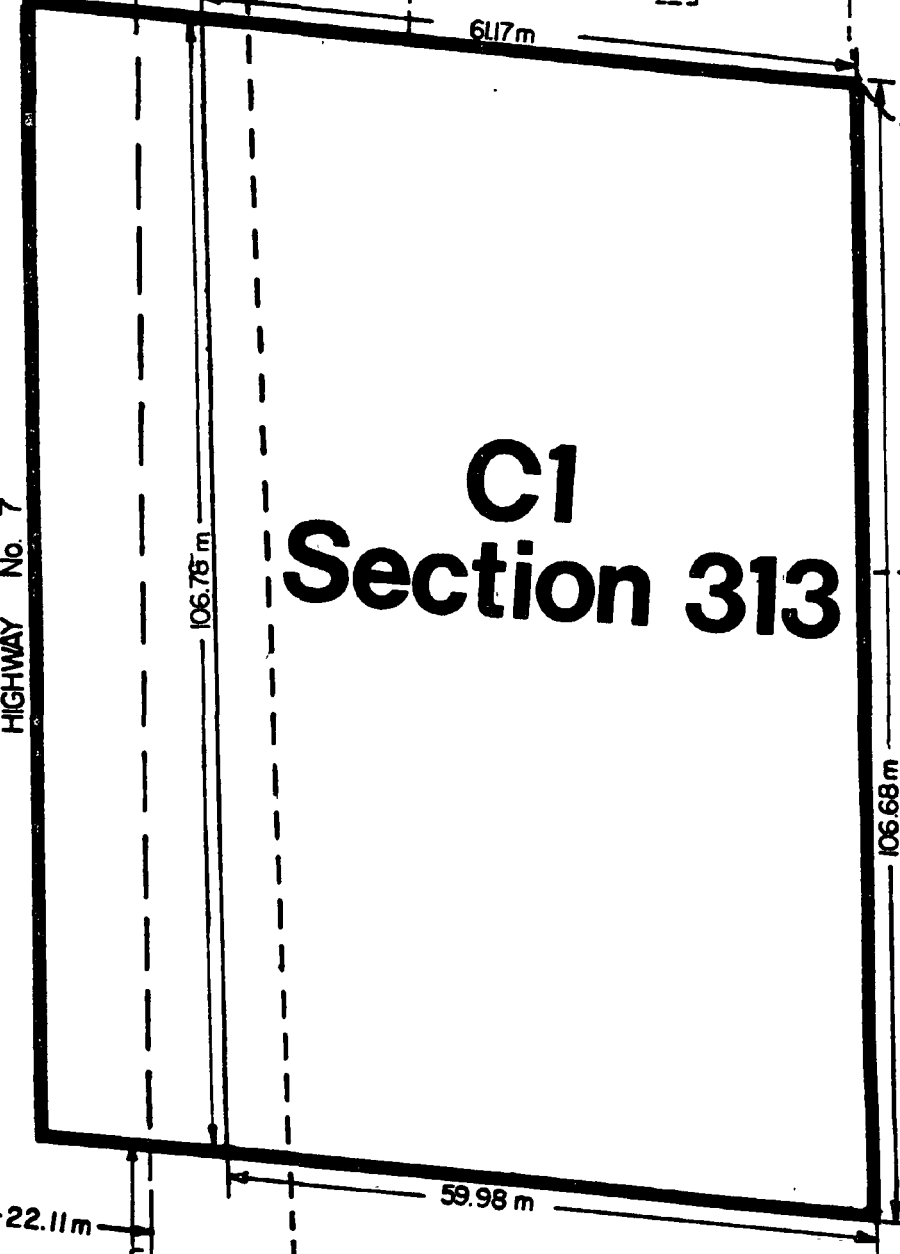
BLOCK 'C'

LOT 514

FALLINGDALE CRES.

LOT 478

BLOCK 'B' REG. PLAN 812



22.11m

182.88m

Road Widening

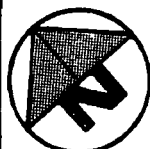
BRAMALEA ROAD

Road Widening

— Zone Boundary

Part Lot 5 Concession 5 E.H.S.  
By-Law 861 Schedule A

BY-LAW 123-83 SCHEDULE A



**CITY OF BRAMPTON**  
Planning and Development

Date: 82 10 15  
File no. C5E5.2

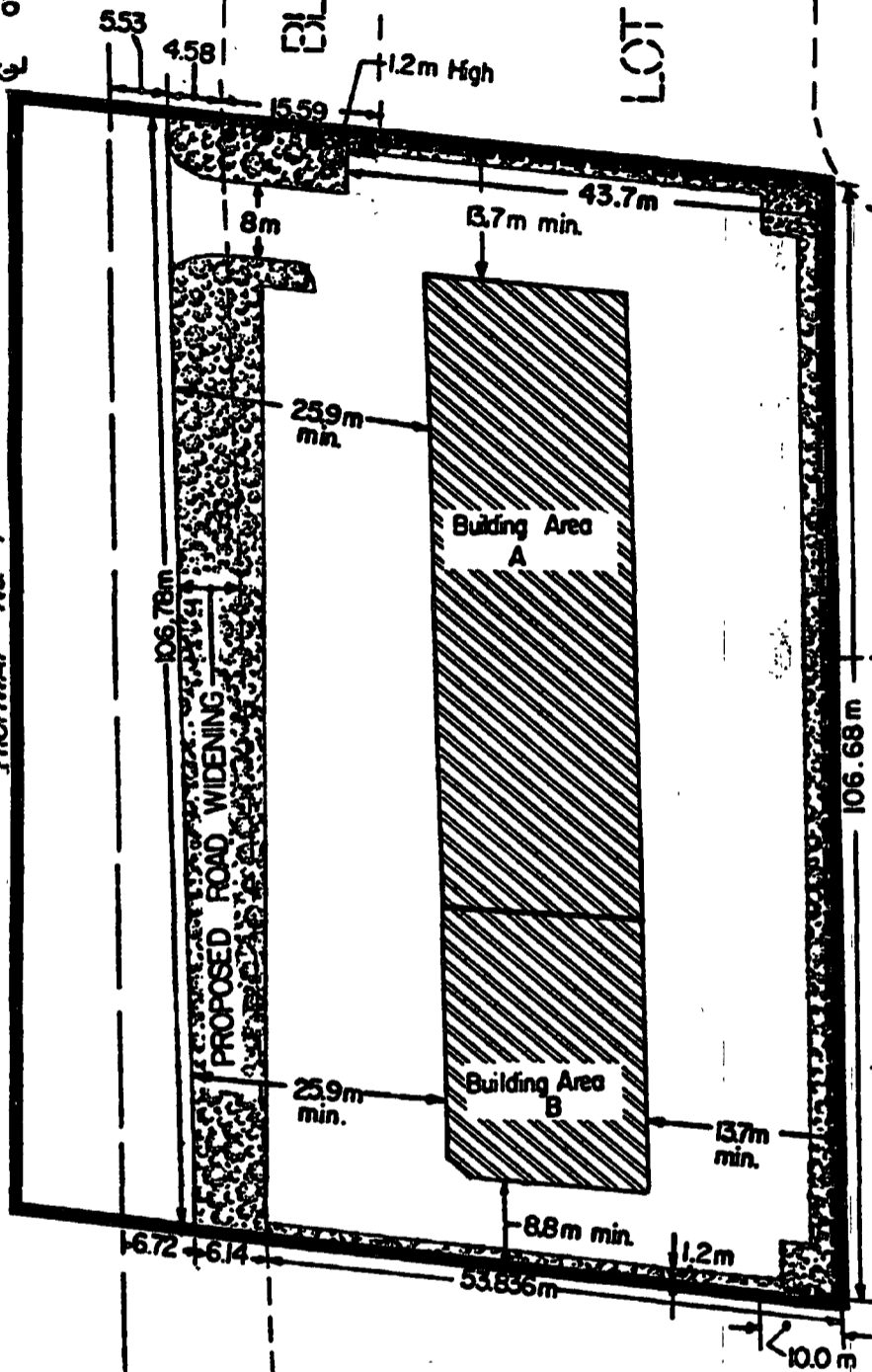
Drawn by: RB  
Map no. 64-1K

1 700

WEST HALF OF LOT 6 CONCESSION 5 E.H.S.  
ROAD ALLOWANCE BETWEEN LOTS 5 & 6

HIGHWAY No 7

☐ of Original Road Allowance



BLOCK C

LOT 514

FALLINGDALE CRES.

LOT 478

BLOCK 'B' REG PLAN 812

LEGEND

- LANDSCAPED OPEN SPACE
- BUILDING AREA
- WALL
- CHAIN LINK FENCE
- MINIMUM - MIN
- ZONE BOUNDARY

BRAMALEA ROAD

PART LOT 5, CON. 5 E.H.S.  
BY-LAW 861 SCHEDULE B

By-Law 123-83 Schedule B  
Section 313 Site Plan



1:700

CITY OF BRAMPTON  
Planning and Development

Date: 83 04 15 Drawn by: RB  
File no. C5E5.2 Map no. 64-1L





R 80271

Ontario Municipal Board

IN THE MATTER OF Section 35 (22) of The Planning Act (R.S.O. 1970 c. 349),

- and -

IN THE MATTER OF an appeal by Few-Pet Limited for an order directing an amendment to By-law 305-73 of the former Township of Chingacousy, now the City of Brampton, to change from Commercial Special-Motel to General Commercial (C2) the permitted use of lands comprising part of the west half of Lot 5, Concession 5, East of Hurontario Street, in the City of Brampton to permit the said lands to be used for a convenience commercial centre and apartment units or office uses on the second floor

BEFORE :

D.H. McROBB  
Vice-Chairman

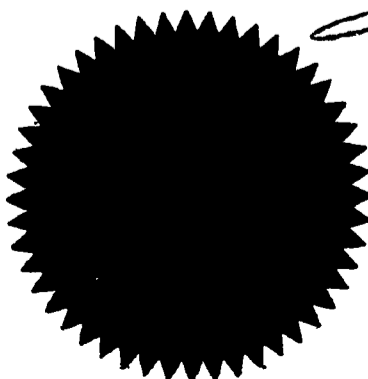
- and -

A.J.L. CHAPMAN, Q.C.  
Member

Friday the 23rd day  
of September, 1983

THIS APPEAL having come on for public hearing and after the hearing of the appeal it appearing that the council of the Corporation of the City of Brampton on the 25th day of April, 1983 passed By-law 123-83 amending By-law 861 and incorporating the amendments requested by the appellant Few-Pet Limited and having caused a certified copy thereof to be filed and the Board having dispensed with notice and hearing of By-law 123-83;

THE BOARD ORDERS that By-law 123-83 is hereby approved.



*[Handwritten signature]*

SECRETARY

ENTERED
O. B. No. .... R.80-7.
Folio No. .... 257...
NOV 3 1983
<i>[Handwritten signature]</i>
SECRETARY OF THE MUNICIPAL BOARD