



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 197-86

To amend By-law 861 for part of Lots
6, 7 and 8, Concession 6, E.H.S.
(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 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 INDUSTRIAL M5S - SECTION 476.1 (M5S - SECTION 476.1), INDUSTRIAL M5S SPECIAL RESERVE - SECTION 476.2 (M5S SPECIAL RESERVE - SECTION 476.2), INDUSTRIAL M5S - SECTION 476.3 (M5S - SECTION 476.3), INDUSTRIAL M5 - SECTION 476.4 (M5 - SECTION 476.4), CONSERVATION AND GREENBELT (G), and GREENBELT HAZARD (GH), such lands being part of Lots 6, 7 and 8, Concession 6, E.H.S., of the geographic Township of Chinguacousy, now in the City of Brampton.
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 is hereby further amended by adding the following sections:

"476.1 The lands designated M5S - SECTION 476.1 on Schedule A to this by-law:

476.1.1 shall only be used for the following purposes:

A. Non-Obnoxious Industrial Uses:

- (1) warehousing and storage of goods and products and materials within enclosed structures;
- (2) the manufacture and assembly of products such as:
 - (a) apparel and finished textile or fabric products;

- (b) printing, bookbinding and lithographing;
- (c) die castings involving the use of plastics and light metals including aluminium and zinc;
- (d) light manufacturing activities such as tubing, pipes, tools and instruments electrical components, building hardware, telephone, television, radio and electronic components, drugs and pharmaceutical products, cosmetics and associated products;
- (3) manufacturing, assembling, storage and distribution of semi-finished and finished products;
- (4) shops for the repair or manufacturing of small goods and wares; and,
- (5) research and development facilities.

B. Non-Industrial Uses

- (1) business offices; and,
- (2) radio and television broadcasting and transmission facilities.

C. Accessory Uses

- (1) an associated educational purpose;
- (2) an associated office;
- (3) one dwelling unit, as part of an industrial building, only for the use of a caretaker or night watchman employed in connection therewith;
- (4) a retail outlet operated in conjunction with a particular use permitted by section 476.1.1.A provided that the total gross floor area of the retail outlet is not more than 15% of the total gross floor area of the particular industrial use; and,
- (5) purposes accessory to the other permitted purposes.

476.1.2 shall be subject to the following requirements and restrictions:

- (1) Minimum lot area - 2,000 square metres
- (2) Minimum front yard
 - (a) for a building not exceeding 8.0 metres in height - 15.0 metres
 - (b) for a building not exceeding 9.1 metres in height - 18.0 metres
- (3) Minimum exterior side yard - 12.0 metres
- (4) Minimum interior side yard - 7.6 metres except where:
 - (a) the side lot line abuts the Torbram Road right-of-way, in which case 22.6 metres shall be required; and,
 - (b) the side lot line abuts the Williams Parkway right-of-way, in which case 19.6 metres shall be required.
- (5) Minimum rear yard - 7.6 metres except where:
 - (a) the rear lot line abuts the Torbram Road right-of-way, in which case 22.6 metres shall be required; and,
 - (b) the rear lot line abuts the Williams Parkway right-of-way, in which case 19.6 metres shall be required.
- (6) Maximum building height - 9.1 metres
- (7) Maximum coverage of buildings or structures - 50% of lot area
- (8) Minimum landscaped open space
 - (a) for a corner lot, 50% of the following:
 - (i) required front yard;
 - (ii) required rear yard; and,

- (iii) required exterior side yard.
- (b) for an interior lot, 50% of the following:
- (i) required front yard;
 - (ii) required rear yard; and,
 - (iii) one required side yard, and none for the other side yard.
- (9) no outdoor truck loading facilities shall be permitted in any yard abutting Torbram Road;
- (10) a landscaped buffer area with a minimum width of 15.0 metres shall be provided and maintained adjacent to Torbram Road;
- (11) a landscaped buffer area with a minimum width of 12.0 metres shall be provided and maintained adjacent to Williams Parkway;
- (12) outside storage of goods and materials and equipment shall not be permitted;
- (13) a 1.8 metre high chain link fence shall be provided and maintained where any lot line abuts a GREENBELT HAZARD (GH) zone;
- (14) where any portion of a lot is designated M5S - SECTION 476.1 on Schedule A to this by-law, the entire lot shall be deemed to be designated M5S - Section 476.1.;
- (15) parking spaces are required to be provided and maintained on a lot in accordance with the following provisions:
- (a) Manufacturing, cleaning, packaging, processing, repairing, assembling, or printing operation
1 parking space for each 45 square metres of gross industrial floor area, plus 1 parking space for each 31 square metres of gross floor area devoted to accessory office, retail or educational uses.
 - (b) Warehouse
1 parking space for each 91 square metres of gross floor area devoted to warehousing, plus 1 parking space for each 31 square metres of gross floor area devoted to accessory office use.

(c) Mixed use industrial building
1 parking space for each 45 square metres of gross industrial floor area or portion thereof.

(d) Non-industrial uses

(i) Business office - 1 parking space for each 31 square metres of gross commercial floor area or portion thereof.

(ii) Radio or television broadcasting establishment - 1 parking space for each 31 square metres of gross commercial floor area or portion thereof.

(16) loading spaces are required to be provided and maintained on a lot in accordance with the following provisions:

(a) Gross industrial floor area of building in square metres	Number of loading spaces
280 or less	1 loading space
over 280 up to 7450	2 loading spaces
over 7450 up to 14000	3 loading spaces
over 14000	4 loading spaces, plus 1 additional loading space for each 9300 square metres of gross industrial floor area or part thereof in excess of 14000 square metres

(b) Each loading space shall:

(i) be a rectangular area measuring not less than 3.7 metres in width and 9 metres in length;

(ii) have a minimum vertical clearance of 4.25 metres; and

(iii) have an unobstructed ingress and egress of not less than 6 metres in width to and from a street 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.

(17) Accessory buildings or structures -

- (a) shall not be used for human habitation;
- (b) shall not exceed 4.5 metres in height;
- (c) shall not have a floor area in excess of 100.0 square metres;
- (d) shall be at least 3.0 metres from any lot line;
- (e) except for a gatehouse, shall not be constructed in a minimum required front yard or minimum required exterior side yard; and,
- (f) in the case of an office, the gross commercial floor area, shall not exceed the gross industrial floor area of the primary building.

476.1.3 shall also be subject to the restrictions and requirements relating to the M5S zone which are not in conflict with the ones set out in section 476.1.2.

476.2 The land designated as M5S SPECIAL RESERVE - SECTION 476.2 on Schedule A to this by-law:

476.2.1 shall only be used for the following purposes:

- (1) landscaped buffer area; and,
- (2) purposes permitted by Section 476.1.1., but only after the abutting lands which are used for residential purposes have been rezoned for industrial purposes consistent with those permitted by section 476.1.1.

476.2.2 shall be subject to the following requirements and restrictions:

- (1) a landscaped buffer area shall be provided and maintained and shall:
 - (a) be located adjacent to the lands used for residential purposes:
 - (b) have a minimum width of 30.0 metres; and,

(c) be landscaped to screen the lands used for residential purposes from the industrial uses.

476.2.3 shall also, once the abutting lands have been rezoned to permit the purposes set out in section 476.1.1., be subject to the requirements and restrictions relating to the M5S - SECTION 476.1 zone.

476.3 The land designated as M5S - SECTION 476.3 on schedule A to this by-law:

476.3.1 shall only be used for the purposes permitted by section 476.1.1;

476.3.2 shall be subject to the following requirements and restrictions:

(1) Minimum lot area - 2,000 square metres

(2) Minimum front yard

(a) for a building 8.0 metres or less in height - 12.0 metres;

(b) for a building 10.0 metres or less in height, but greater than 8.0 metres in height - 15.0 metres;

(c) for a building 12.0 metres or less, but greater than 10.0 metres in height - 18.0 metres; and,

(d) for a building 15.0 metres or less, but greater than 12.0 metres in height - 21.0 metres;

(3) Minimum exterior side yard - 12.0 metres

(4) Minimum interior side yard - 7.6 metres except where the side lot line abuts the Airport Road or Williams Parkway right-of-way in which case 19.6 metres shall be required.

(5) Minimum rear yard - 7.6 metres except where the rear lot line abuts the Airport Road or Williams Parkway right-of-way in which case 19.6 metres shall be required.

(6) Maximum building height - 15.0 metres

(7) Maximum coverage of buildings or structures - 50% of lot area

(8) Minimum landscaped open space

(a) for a corner lot, 50% of the following:

(i) required front yard;

(ii) required rear yard; and,

(iii) required exterior side yard.

(b) for an interior lot, 50% of the following:

(i) required front yard;

(ii) required rear yard; and,

(iii) one required side yard, and none for the other side yard.

(9) no outdoor truck loading facilities shall be permitted in any yard abutting Airport Road;

(10) outside storage of goods and materials and equipment shall not be permitted;

(11) a 1.8 metre high chain link fence shall be provided and maintained where any lot line abuts a GREENBELT HAZARD (GH) zone;

(12) a landscaped buffer area, with a minimum width of 12.0 metres shall be provided and maintained adjacent to Airport Road;

(13) a landscape buffer area with a minimum width of 12.0 metres shall be provided and maintained adjacent to Williams Parkway;

(14) where any portion of a lot is designated M5S - SECTION 476.3 on Schedule A to this by-law, the entire lot shall be deemed to be designated M5S - SECTION 476.3; and,

(15) for the purposes permitted by section 476.3.1 the parking and loading requirements set out in section 476.1.2.(15) and 476.1.2.(16) shall apply.

476.3.3 shall also be subject to the requirements and restrictions relating to the M5S zone and the general provisions of this by-law which are not in conflict with the ones set out in section 476.3.2.

476.4 The lands designated M5 - SECTION 476.4 on Schedule A to this by-law:

476.4.1 shall only be used for the purposes permitted by section 476.1.1. together with the following:

A. Industrial Uses

- (1) a builder's supply yard or a contractor's yard including a repair and assembly shop, but excluding any scrap metal storage or salvage yard.

B. Non-Industrial Uses

- (1) dry cleaning and laundry establishment;
- (2) a dairy;
- (3) a bakery;
- (4) a motor vehicle repair shop;
- (5) a motor vehicle body shop; and,
- (6) a radio or television broadcasting studio.

476.4.2 shall be subject to the following requirements and restrictions:

(1) Minimum lot area - 2,000 square metres

(2) Minimum front yard depth

- (a) for a building 8.0 metres or less in height - 12.0 metres;
- (b) for a building 10.0 metres or less in height, but greater than 8.0 metres in height - 15.0 metres;
- (c) for a building 12.0 metres or less in height, but greater than 10.0 metres in height - 18.0 metres; and,
- (d) for a building 15.0 metres or less, but greater than 12.0 metres in height - 21.0 metres;

(3) Minimum exterior side yard - 12.0 metres

(4) Minimum interior side yard - 7.6 metres except where the

side lot line abuts the Williams Parkway right-of-way in which case 19.6 metres shall be required.

- (5) Minimum rear yard depth - 7.6 metres except where the rear lot line abuts the Williams Parkway right-of-way in which case 19.6 metres shall be required.
- (6) Maximum building height - 15.0 metres
- (7) Minimum landscaped open space
 - (a) for a corner lot:
 - (i) 50% of the required front yard;
 - (ii) 50% of the required exterior side yard; and,
 - (iii) none required for an interior side yard.
 - (b) for an interior lot:
 - (i) 50% of the required front yard; and,
 - (ii) 50% of one required side yard, and none for the other side yard.
- (8) truck loading facilities may be located in the side or rear yard, provided that the landscape requirements of section 476.4.2.(7) are complied with;
- (9) outside storage of goods and materials and equipment is permitted subject to the following conditions:
 - (i) the storage area shall not be located in the front yard, or in any exterior side yard, or on any portion of the lot required for parking, and shall not be closer to any side lot line, except in the rear yard, than the required set back for a building, provided, however, that where the rear yard abuts a street, the storage area shall not be located closer to any rear lot line than the required setback for a building from the rear lot line;
 - (ii) the storage area shall be enclosed by a fence or wall not less than 2.0 metres in height, constructed of metal, wood or masonry which is effective in screening the storage area from the street; and,

(iii) in addition to the requirements of section 476.4.2.(7), where the storage area abuts a street, landscaped open space, 3.0 metres in width, containing plant material with suitable screening characteristics, shall be provided and maintained along the affected lot lines.

(10) a 1.8 metre high chain link fence shall be provided and maintained where any lot line abuts a GREENBELT HAZARD (GH) zone;

(11) a landscape buffer area, with a minimum width of 12.0 metres shall be provided and maintained adjacent to Williams Parkway;

(12) for the purposes permitted by section 476.4.1. the parking and loading requirements set out in section 476.1.2.(15) and 476.1.2.(16) shall apply, in addition to the following:

(a) Motor vehicle repair shop and motor vehicle body shop - 1 parking space for each 18 square metres of gross commercial floor area or portion thereof, of which 50 percent of the required spaces may be tandem parking spaces;

(b) Other retail uses not specifically mentioned in this section - 1 parking space for each 19 square metres of gross commercial floor area or portion thereof; and,

(c) Other commercial uses not specifically mentioned in this section - 1 parking space for each 23 square metres of gross commercial floor area or portion thereof.

476.4.3 shall also be subject to the requirements and restrictions relating to the M5 zone and the general provisions of this by-law which are not in conflict with the ones set out in section 476.4.2.

4. For the purposes of section 476:

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 shall mean any structure, whether temporary or permanent, used or erected for the shelter, accommodation or enclosure of persons, animals, materials or equipment.

BUILDING HEIGHT shall mean the vertical distance between the established 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.

BUILDING, MAIN shall mean the building in which is carried on the principal purpose for which the lot is used.

COMMERCIAL USE shall mean the use of land, buildings or structures for the purposes of buying and selling of commodities and supplying of services, as distinguished from the manufacturing, assembling or storage of goods.

COVERAGE shall mean that percentage of the land or lot area covered by the main building and accessory buildings.

DRY CLEANING AND LAUNDRY ESTABLISHMENT shall mean a building or place where dry cleaning, dry-dying, cleaning or pressing of articles or goods or fabrics is carried on.

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 INDUSTRIAL shall mean the aggregate of the area of all floors in a building, whether 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 related to the operation or maintenance of the building, stairwells or elevators.

HABITABLE ROOM means any room in a dwelling unit used or intended to be used for purposes of living, sleeping, cooking or eating.

LANDSCAPED BUFFER AREA shall mean open space in a rear 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 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, 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, INTERIOR shall mean a lot other than a corner lot.

LOT LINE shall mean any boundary of any 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.

MOTOR VEHICLE BODY SHOP shall mean a building or place used for the repair, rebuilding and painting of the exterior portions of motor vehicles.

MOTOR VEHICLE REPAIR SHOP shall mean a building or structure used for the repair and servicing of motor vehicles, but shall not include a motor vehicle body shop as a principal use, a motor vehicle sales establishment, or a service station.

OBNOXIOUS INDUSTRIAL USE shall mean a use which, from its nature of operation, creates a nuisance or is liable to become a nuisance or offensive by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust, glare or objectionable odour, or by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste or other materials, and, without limiting the generality of the foregoing, shall include any uses which, under the Public Health Act and regulations made thereunder, are declared by the Peel Regional Department of Health to be an obnoxious or offensive trade, business or manufacture.

OFFICE shall mean any building or place in which one or more persons are employed in the management, direction or conduct of an agency, profession, business or brokerage, but shall exclude any office of a veterinary surgeon, a social organization or a community club.

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.

RETAIL ESTABLISHMENT shall mean a building or place where goods and materials are sold or kept for sale to the general public.

STRUCTURE shall mean anything that is erected, built, or constructed, the use of which requires location on the ground or attachment to something having location on the ground, but shall not include fences.

USE OR TO USE shall include anything that is done or permitted by the owner or occupant of any land, building or structure directly or indirectly or by or through any trustee, tenant, servant or agent acting for or with the knowledge.

WAREHOUSE shall mean a building or part thereof, of which the principal use is the storage of goods and materials.

YARD shall mean an open portion of the land on the same lot with the main building or structure, unoccupied and unobstructed except as specifically permitted elsewhere in this By-law, and located between the main building and one of the lot lines of the said lot.

YARD, FRONT shall mean a yard extending across the full width of a lot between the front lot line and the nearest main wall of any building or structure on the lot.

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, 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.


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

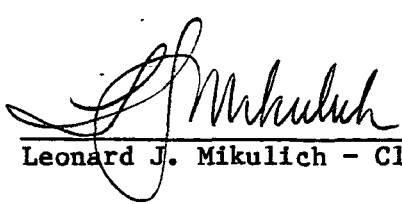
of any building or structure on the lot.

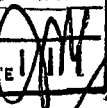
ZONE shall mean an area of land designated for certain uses by this by-law."

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

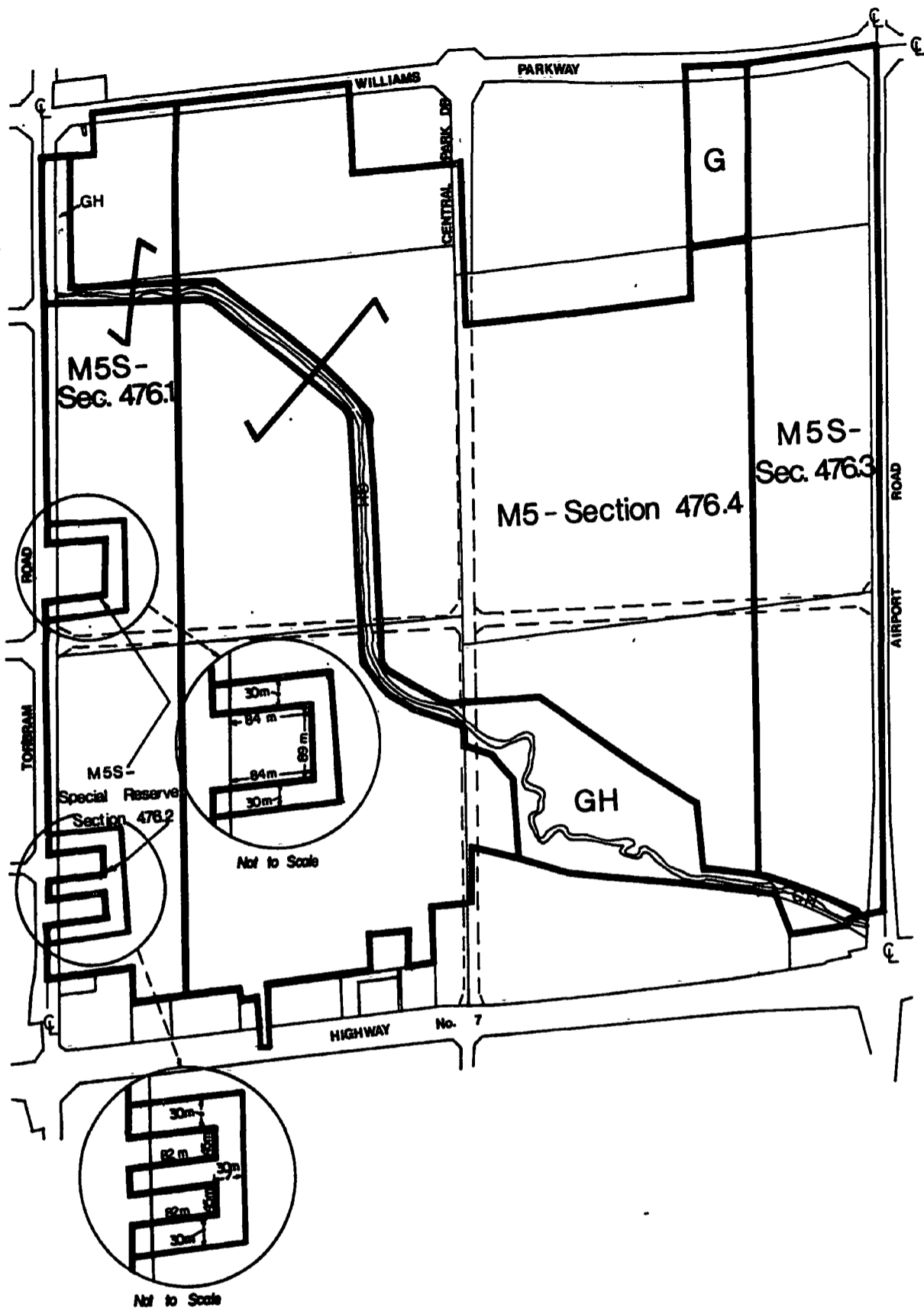
this 14th day of July, 1986


Kenneth G. Whillans - Mayor


Leonard J. Mikulich - Clerk

APPROVED
AS TO FORM
LAW DEPT.
BRAMPTON

DATE

12-86/1



PART LOTS 6,7 and 8 Concession 6 E.H.S.
 By-Law 861 Schedule A (Chinguacousy)

By-Law 197-86 Schedule A



1:9500

CITY OF BRAMPTON
 Planning and Development

Date: 86 06 03 Drawn by: RB
 File no. C6E6.7 Map no. 48-11H

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

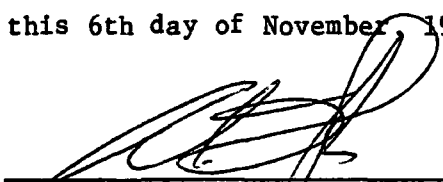
AND IN THE MATTER OF the City of
Brampton By-law 197-86.

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 196-86 which adopted Amendment Number 96
was passed by the Council of the Corporation of
the City of Brampton at its meeting held on
July 14th, 1986.
3. By-law 197-86 was passed by the Council of the
Corporation of the City of Brampton at its
meeting held on July 14th, 1986.
4. Written notice of By-law 197-86 as required by
section 34 (17) of the Planning Act, 1983 was
given on July 25th, 1986, 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 August 18th, 1986.
5. 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.
6. Official Plan Amendment 96 was approved by the
Ministry of Municipal Affairs on October 23rd,
1986.

DECLARED before me at the City of)
Brampton in the Region of Peel)
this 6th day of November, 1986.)


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.

