



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 211-91

To amend By-law 139-84, as amended,  
(part of Lot 15, Concession 2, E.H.S.,  
geographic Township of Toronto)

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

1. By-law 139-84, as amended, is hereby further amended:

(1) by changing, on Sheet 8 of Schedule 'A' thereto, the zoning designation of the lands shown outlined on Schedule 'A' to this by-law from AGRICULTURAL (A) to INDUSTRIAL FOUR-SECTION 700 (M4-SECTION 700) and INDUSTRIAL FOUR-SECTION 701 (M4-SECTION 701), such lands being part of Lot 15, Concession 2, East of Hurontario Street, in the geographic Township of Toronto.

(2) by adding thereto the following sections:

700.1 The lands designated M4-SECTION 700 on Sheet 8 of Schedule 'A' to this by-law:

700.1.1 shall only be used for:

(a) Industrial

(1) the manufacturing, cleaning, packaging, processing, repairing or assembly of goods, foods or materials within an enclosed building, but excluding a motor vehicle repair shop and a motor vehicle body shop as a principal or accessory use;

(2) a printing establishment;

(3) a warehouse; and

(4) a parking lot.

(b) Non-Industrial

(1) a radio or television broadcasting and transmission establishment;

(2) a recreational facility or structure operated by a public authority; and

(3) a community club.

(c) Commercial

(1) offices, not including offices for doctors, dentists or drugless practitioners;

(2) a service shop;

(3) a bank, trust company, finance company;

(4) a dry cleaning and laundry distribution station;

(5) a dining room restaurant, a standard restaurant, a fast food restaurant;

(6) a printing or copying establishment;

(7) a garden centre sales establishment;

(8) a custom workshop;

(9) a hotel or motel;

(10) banquet facilities;

(11) a tool and equipment rental establishment;

- (12) a motor vehicle or boat sales, rental, leasing or service establishment, and a motor vehicle or boat parts and accessories sales establishment, but excluding a motor vehicle repair shop which is not an accessory use and a motor vehicle body shop;
- (13) a motor vehicle parts retail outlet or combination motor vehicle parts/motor vehicle repair/accessories/sporting goods/hardware store;
- (14) a home furnishings and home improvement retail warehouse; and
- (15) a retail warehouse, excluding food or pharmaceutical related sales, and excluding a supermarket.

(d) Accessory

- (1) an associated educational use;
- (2) an associated office;
- (3) a retail outlet operated in connection with a particular purpose permitted by sections 700(a)(1) and 700(a)(2), provided that the total gross commercial floor area of the retail outlet is not more than 15 percent of the total gross industrial floor area of the particular industrial use; and
- (4) purposes accessory to the other permitted purposes.

700.1.2 shall be subject to the following requirements and restrictions:

- (a) minimum gross leasable floor area of a retail warehouse shall be 465.0 square metres;
- (b) a retail warehouse shall primarily permit retailing of goods and materials to the general public, but shall not include a supermarket or any other food or pharmaceutical sales;
- (c) maximum total gross leasable floor to be devoted to all retail warehouse purposes shall not exceed 15,282.0 square metres;
- (d) all garbage and refuse storage areas, including any containers for recyclable materials, shall be located within a building;
- (e) except for driveway locations, landscaped open space shall be provided as follows:
  - a minimum 12.0 metre wide strip abutting Steeles Avenue East, and
  - a minimum 9.0 metre wide strip abutting Kennedy Road South;
- (f) the maximum aggregate gross floor area shall not exceed 33,500 square metres;
- (g) no outside storage of goods, materials or machinery shall be permitted;
- (h) minimum front yard depth: 9 metres, except that where it abuts a 0.3 metre reserve, the minimum requirement is 15 metres; and,

- (k) minimum rear yard depth: 7 metres, except that where it abuts a street, 0.3 metre reserve, or a lot in a residential or institutional zone, the minimum requirement is 15 metres.

700.1.3 shall also be subject to the requirements and restrictions relating to the M4 zone and all general provisions of this by-law which are not in conflict with the ones set out in section 700.1.2.

700.2 For the purposes of Section 700, RETAIL WAREHOUSE shall mean a building or structure, or a part of a building or structure, where a single user occupies a minimum gross leasable floor area of 465.0 square metres, and where the principal use is warehousing and retailing of goods and materials to the general public.

701.1 The lands designated M4-SECTION 701 on Sheet 8 of Schedule 'A' to this by-law:

701.1.1 shall only be used for:

(a) Industrial

- (1) the manufacturing, cleaning, packaging, processing, repairing or assembly of goods, foods or materials within an enclosed building, but excluding a motor vehicle repair shop and a motor vehicle body shop as a principal or accessory use;
- (2) a printing establishment;
- (3) a warehouse; and
- (4) a parking lot.

(b) Non-Industrial

- (1) a radio or television broadcasting and transmission establishment;

(2) a recreational facility or structure operated by a public authority; and

(3) a community club.

(c) Commercial

(1) offices, not including offices for doctors, dentists or drugless practitioners;

(2) a service shop;

(3) a bank, trust company, finance company;

(4) a dry cleaning and laundry distribution station;

(5) a dining room restaurant, a standard restaurant, a fast food restaurant;

(6) a printing or copying establishment;

(7) a garden centre sales establishment;

(8) a custom workshop;

(9) a hotel or motel;

(10) banquet facilities;

(11) a tool and equipment rental establishment;

(12) a motor vehicle or boat sales, rental, leasing or service establishment, and a motor vehicle or boat parts and accessories sales establishment, but excluding a motor vehicle repair shop which is not an accessory use and a motor vehicle body shop;

- (13) a motor vehicle parts retail outlet or combination motor vehicle parts/motor vehicle repair/accessories/sporting goods/hardware store;
- (14) a home furnishings and home improvement retail warehouse;
- (15) only one large retail warehouse, and
- (16) a retail warehouse excluding food or pharmaceutical related sales, and excluding a supermarket.

(d) Accessory

- (1) an associated educational use;
- (2) an associated office;
- (3) a retail outlet operated in connection with a particular purpose permitted by sections 701(a)(1) and 701(a)(2), provided that the total gross commercial floor area of the retail outlet is not more than 15 percent of the total gross industrial floor area of the particular industrial use;
- (4) purposes accessory to the other permitted purposes.

701.1.2 shall be subject to the following requirements and restrictions:

- (a) the predominant use within the large retail warehouse shall be warehousing and associated sales of goods;
- (b) the minimum gross leasable floor area of a large retail warehouse shall be 9,290 square metres;

- (c) the large retail warehouse shall only be occupied by one (1) occupancy;
- (d) minimum gross leasable floor area of a retail warehouse shall be 465.0 square metres;
- (e) a retail warehouse shall primarily permit retailing of goods and materials to the general public, but shall not include a supermarket or any other food or pharmaceutical sales;
- (f) maximum total gross leasable floor to be devoted to all retail warehouses shall not exceed 15,282.0 square metres;
- (g) all garbage and refuse storage areas, including any containers for recyclable materials, shall be located within a building;
- (h) all restaurant refuse storage shall be enclosed in a climate controlled area within a building;
- (i) except for driveway locations, landscaped open space shall be provided as follows:
  - a minimum 12.0 metre wide strip abutting Steeles Avenue East, and
  - a minimum 12.0 metre wide strip abutting either the Highway Number 410 right-of-way or lands zoned for Open Space purposes;
- (j) the maximum aggregate gross floor area permitted shall not exceed 40,750 square metres;
- (k) no outside storage of goods, materials or machinery shall be permitted;



- (l) minimum front yard depth: 9 metres, except that where it abuts a 0.3 metre reserve, the minimum requirement is 15 metres; and,
- (m) minimum rear yard depth: 7 metres, except that where it abuts a street, 0.3 metre reserve, or a lot in a residential or institutional zone, the minimum requirement is 15 metres.

701.1.3 shall also be subject to the requirements and restrictions relating to the M4 zone and all general provisions of this by-law which are not in conflict with the ones set out in section 701.1.2.

701.2 For the purposes of Section 701, LARGE RETAIL WAREHOUSE shall mean a building or structure having a minimum gross leasable floor area of 9,290 square metres, provided that the entire building or structure is occupied by a single user. The predominant use permitted shall be warehousing, with associated retailing of food and non-food related products. The total gross leaseable floor area devoted to the sale of food products, shall not exceed 45 percent of the total gross floor area of the entire building to a maximum of 5017 square metres.

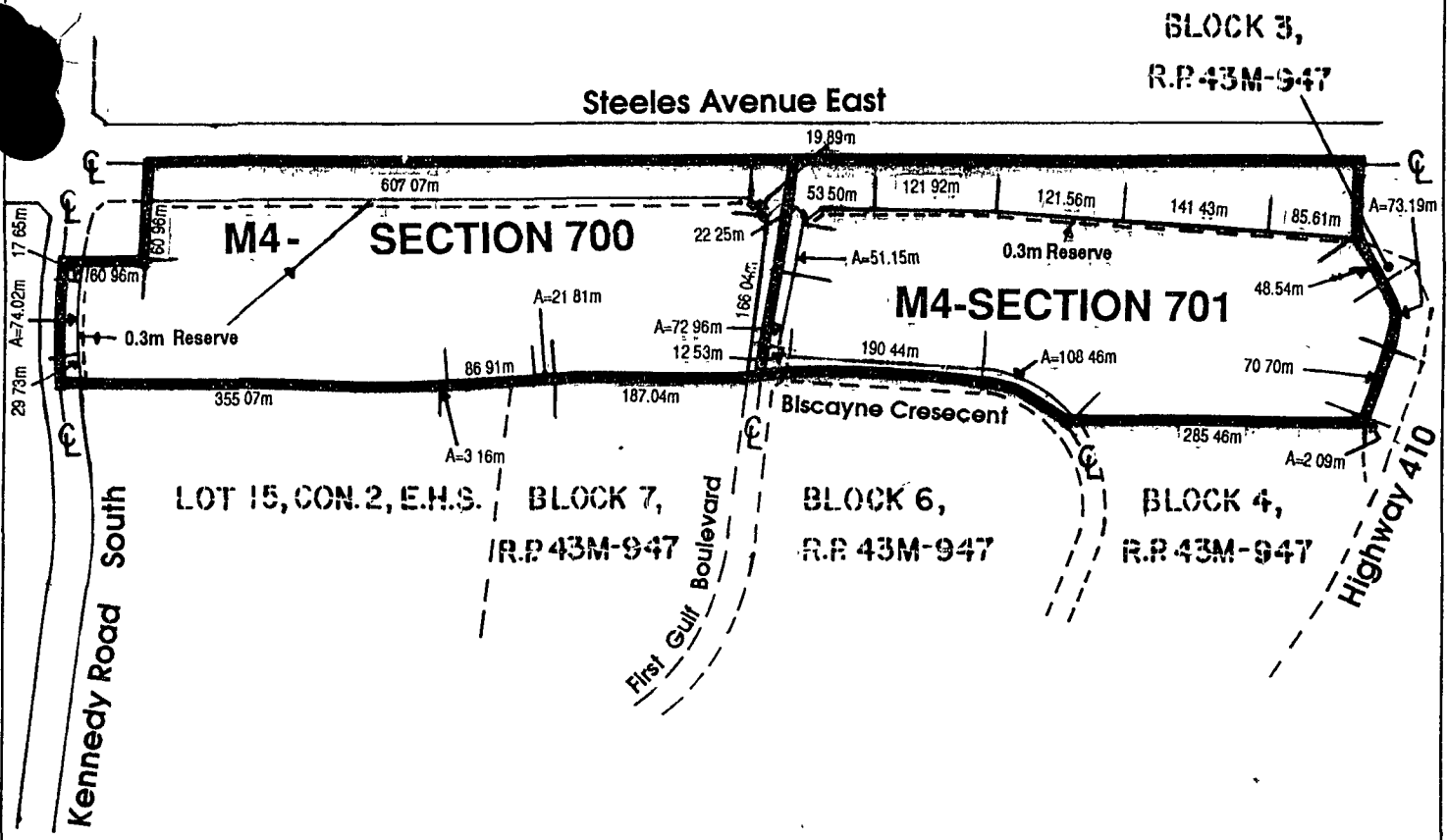
RETAIL WAREHOUSE shall mean a building or structure, or part of a building or structure, where a single user occupies a minimum gross leasable floor area of 465.0 square metres, and where the principal use is warehousing and retailing of goods and materials to the general public."

READ a FIRST, SECOND and THIRD TIME, and PASSED, in OPEN COUNCIL, this 23rd day of September 1991.

*[Handwritten Signature]*  
 \_\_\_\_\_  
 PAUL BEISEL - MAYOR

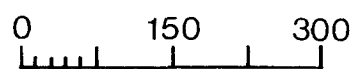
*[Handwritten Signature]*  
 \_\_\_\_\_  
 LEONARD J. MIKULICH - CITY CLERK

APPROVED AS TO FORM AND LAW BY CLERK  
*[Handwritten Signature]*  
 DATE



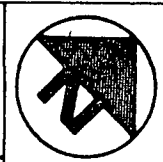
**LEGEND**

- Zone Boundary
- ⊕ Centreline of Original Road Allowance
- m Metres



Scale in Metres

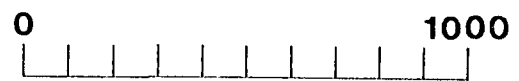
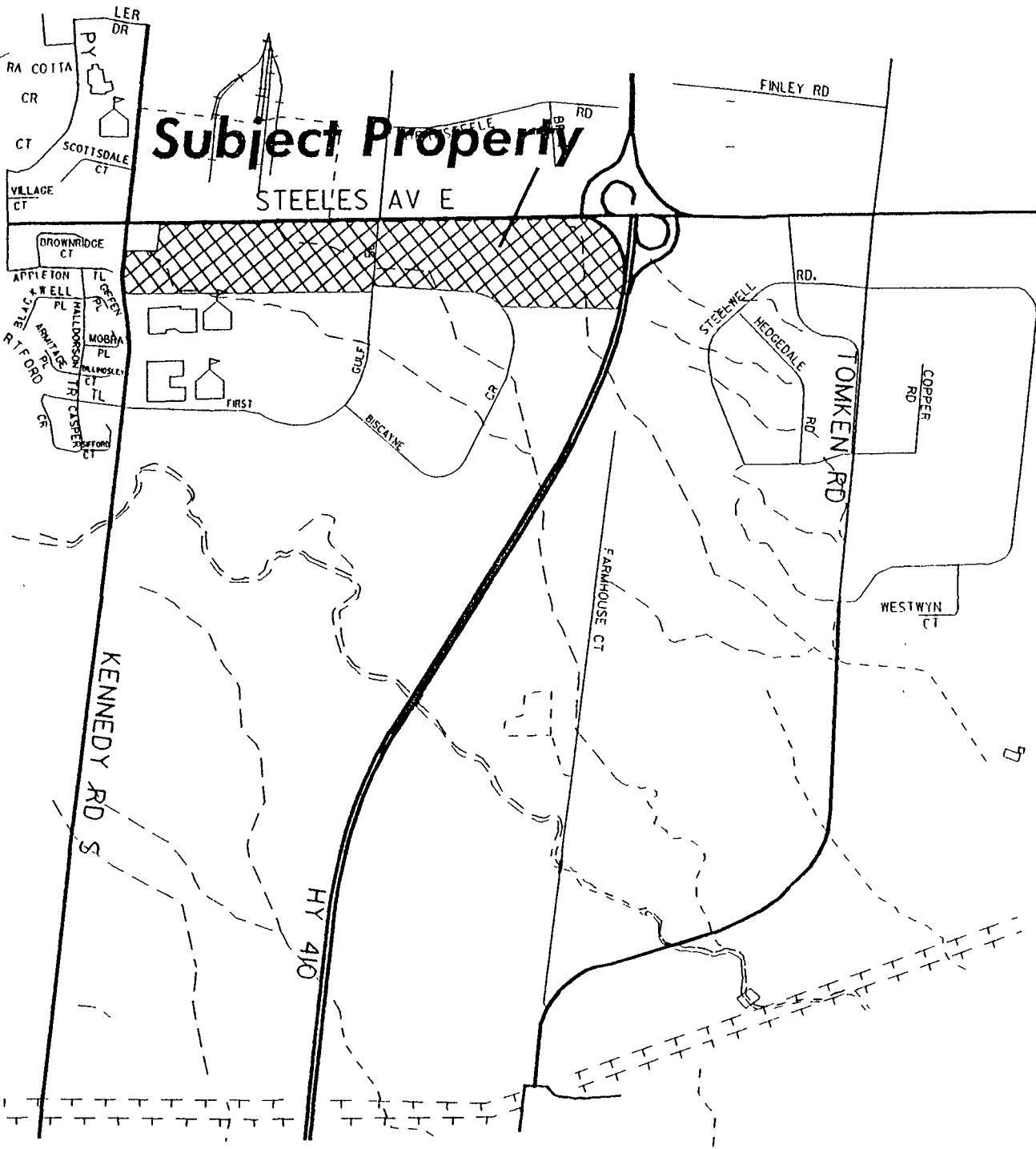
PART LOT 15, CON.2 E.H.S.(TOR.)  
 BY-LAW 139-84 SCHEDULE A



**CITY OF BRAMPTON**  
 Planning and Development

By-Law 211-91 Schedule A

Date: 1991 07 23 Drawn by: CJK  
 File no. T2E15.3 Map no. 77-12D



Scale in Metres

**FIRST GULF BUSINESS  
PARKS INC.**

**KEY MAP BY-LAW 211-91**



**CITY OF BRAMPTON**  
Planning and Development

Date: 91 09 25      Drawn by: SEJ  
File no. T2E15.3      Map no. 77-12F

IN THE MATTER OF the *Planning Act*, 1983,  
section 17(11);

AND IN THE MATTER OF Amendment 208 to  
the 1984 Official Plan for the City of Brampton  
(P25-208)

IN THE MATTER OF the *Planning Act*, 1983,  
section 34(18);


AND IN THE MATTER OF the City of  
Brampton By-law 211-91 being a by-law to  
amend comprehensive zoning By-law 139-84,  
as amended (First Gulf Business Parks Inc -  
T2E15.3)

DECLARATION

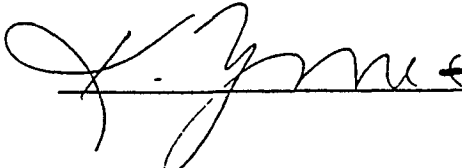
I, KATHRYN ZAMMIT, of the Village of Erin, in the County of Wellington, DO  
SOLEMNLY DECLARE THAT:

1. I am the Deputy Clerk of The Corporation of the City of Brampton and as such have knowledge of the matters herein declared.
2. By-law 210-91 was passed by the Council of the Corporation of the City of Brampton at its meeting on the 23rd day of September, 1991, to adopt Amendment Number 208 to the 1984 Official Plan of the City of Brampton Planning Area.
3. By-law 211-91 was passed by the Council of the Corporation of the City of Brampton at its meeting on the 23rd day of September, 1991, to amend comprehensive zoning by-law 139-84, as amended.
4. By Decision/ Order dated the 22nd day of December, 1993, under Files O9100173 and R9100553, the Ontario Municipal Board has approved Amendment 208 to the 1984 Official Plan of the City of Brampton Planning Area and By-law 211-91, as in Schedules A and B, respectively, to the Decision/ Order.

CERTIFIED A TRUE COPY

  
\_\_\_\_\_

Deputy Clerk  
City of Brampton

  
\_\_\_\_\_ Aug 4 19 94

DECLARED before me at the )  
City of Brampton in the )  
Region of Peel this )  
March 21, 1994 )

  
Eileen Margaret Collier, a Commissioner etc,  
Regional Municipality of Peel, etc.

The Corporation of The City of Brampton

Expires March 23, 1996



Ontario

Ontario Municipal Board

Commission des affaires municipales de l'Ontario

O 910173  
R 910553

SCHEDULE "B"

THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 211-91

To amend By-law 139-84, as amended (part of Lot 15, Concession 2, E.H.S., geographic Township of Toronto)

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

1. By-law 139-84, as amended, is hereby further amended:

(1) by changing on Sheet 8 of Schedule "A" thereto, the zoning designation of the lands shown outlined on Schedule "A" to this by-law from AGRICULTURAL (A) to INDUSTRIAL FOUR-SECTION 700 (M4-SECTION 700) and INDUSTRIAL FOUR-SECTION 701 (M4-SECTION 701), such lands being part of Lot 15, Concession 2, East of Hurontario Street, in the geographic Township of Toronto.

(2) by adding thereto the following sections:

700.1 The lands designated M4-SECTION 700 on Sheet 8 of Schedule 'A' to this by-law:

700.1.1 shall only be used for:

(a) Industrial

(1) the manufacturing, cleaning, packaging, processing, repairing or assembly of goods, foods or materials within an enclosed building, but excluding a motor vehicle repair shop and a motor vehicle body shop as a principal or accessory use;

(2) a printing establishment;

(3) a warehouse; and

CERTIFIED A TRUE COPY

  
Deputy Clerk  
City of Brampton

Aug 4 19 94

(4) a parking lot.

(b) Non-Industrial

- (1) a radio or television broadcasting and transmission establishment;
- (2) a recreational facility or structure operated by a public authority; and
- (3) a community club.

(c) Commercial

- (1) offices, not including offices for doctors, dentists or drugless practitioners;
- (2) a service shop;
- (3) a bank, trust company, finance company;
- (4) a dry cleaning and laundry distribution station;
- (5) a dining room restaurant, a standard restaurant, a fast food restaurant;
- (6) a printing or copying establishment;
- (7) a garden centre sales establishment;
- (8) a custom workshop;
- (9) a hotel or motel;
- (10) banquet facilities;
- (11) a tool and equipment rental establishment;
- (12) a motor vehicle or boat sales, rental, leasing or service establishment, and a motor vehicle or boat parts and accessories sales establishment, but excluding a motor vehicle repair shop which is not an accessory use and a motor vehicle body shop;

- (13) a motor vehicle parts retail outlet or combination motor vehicle parts/motor vehicle repair/accessories/sporting goods/hardware store;
- (14) a home furnishings and home improvement retail warehouse; and
- (15) a retail warehouse.

(d) Accessory

- (1) an associated educational use;
- (2) an associated office;
- (3) a retail outlet operated in connection with a particular purpose permitted by sections 700(a)(1) and 700(a)(2), provided that the total gross commercial floor area of the retail outlet is not more than 15 percent of the total gross industrial floor area of the particular industrial use; and
- (4) purposes accessory to the other permitted purposes.

700.1.2 shall be subject to the following requirements and restrictions:

- (a) the maximum total gross floor area to be devoted to retail warehouse uses, excluding home furnishings and home improvement retail warehouses, shall not exceed 14,167 square metres;
- (b) all garbage and refuse storage areas, including any containers for recyclable materials, shall be located within a building;
- (c) except for driveway locations, landscaped open spaces shall be provided as follows:
  - a minimum 12.0 metre wide strip abutting Steeles Avenue East, and
  - a minimum 9.0 metre wide strip abutting Kennedy Road South;
- (d) the maximum aggregate gross floor area shall not exceed 32,550 square metres for all uses;

- (e) no outside storage of goods or materials or machinery shall be permitted;
- (f) minimum front yard depths: 9 metres, except that where it abuts a 0.3 metre reserve, the minimum requirement is 15 metres; and,
- (g) minimum rear yard depth: 7 metres, except that where it abuts a street, 0.3 metre reserve, or a lot in a residential or institutional zone, the minimum requirement is 15 metres.

700.1.3 shall also be subject to the requirements and restrictions relating to the M4 zone and all general provisions of this by-law which are not in conflict with the ones set out in section 700.1.2.

700.2 For the purpose of Section 700:

RETAIL WAREHOUSE shall mean a building or structure, or a part of a building or structure, where a single user occupies a minimum gross floor area of 465.0 square metres and shall not exceed a maximum gross floor area of 8360.0 square metres, and where the principal use is the sale of products displayed and stored in a warehouse format and where such products shall not include food and pharmaceutical products.

HOME FURNISHINGS AND HOME IMPROVEMENT RETAIL WAREHOUSE shall mean a building or part thereof where home furnishings and home improvement products, of which at least 80 per cent are new, are displayed, stored or sold in a warehouse format. Such products may include furniture, appliances, electrical fixtures, building supplies, carpets and floor coverings, landscape and garden supplies and plumbing fixtures.

700.1 The lands designated M4-SECTION 701 on Sheet 8 of Schedule "A" to this by-law:



701.1.1. shall only be used for:

(a) Industrial

- (1) the manufacturing, cleaning, packaging, processing, repairing or assembly of goods, foods or materials within an enclosed building, but excluding a motor vehicle repair shop and a motor vehicle body shop as a principal or accessory use;
- (2) a printing establishment;
- (3) a warehouse; and
- (4) a parking lot.

(b) Non-Industrial

- (1) a radio or television broadcasting and transmission establishment;
- (2) a recreational facility or structure operated by public authority; and
- (3) a community club.

(c) Commercial

- (1) offices, not including offices for doctors, dentists or drugless practitioners;
- (2) a service shop;
- (3) a bank, trust company, finance company;
- (4) a dry cleaning and laundry distribution station;
- (5) a dining room restaurant, a standard restaurant, a fast food restaurant;
- (6) a printing or copying establishment;
- (7) a garden centre sales establishment;

- (8) a custom workshop;
- (9) a hotel or motel;
- (10) banquet facilities;
- (11) a tool and equipment rental establishment;
- (12) a motor vehicle or boat sales, rental, leasing or service establishment and a motor vehicle or boat parts and accessories sales establishment, but excluding a motor vehicle repair shop which is not an accessory use and a motor vehicle body shop;
- (13) a motor vehicle parts retail outlet or combination motor vehicle parts/motor vehicle repair/accessories/sporting goods/hardware store;
- (14) a home furnishings and home improvement retail warehouse;
- (15) only one large retail warehouse; and
- (16) a retail warehouse.

(d) Accessory

- (1) an associated educational use;
- (2) and associated office;
- (3) a retail outlet operated in connection with a particular purpose permitted by sections 701(a)(1) and 701(a)(2), provided that the total gross commercial floor area of the retail outlet is not more than 15 percent of the total gross industrial floor area of the particular industrial use;
- (4) purposes accessory to the other permitted purposes.

701.1.2

shall be subject to the following requirements and restrictions:

- (a) the maximum total gross floor area to be devoted to retail warehouse uses, excluding the large retail warehouse and home furnishings and home improvement retail warehouses, shall not exceed 14,167.0 square metres.
- (b) all garbage and refuse storage areas, including any containers for recyclable materials, shall be located within a building;
- (c) all restaurant refuse storage shall be enclosed in a climate controlled area within the building;
- (d) except for driveway locations, landscaped open space shall be provided as follows:
  - a minimum 12.0 metre wide strip abutting Steeles Avenue East, and
  - a minimum 12.0 metre wide strip abutting either the Highway Number 410 right-of-way or lands zoned for Open Space purposes;
- (e) the maximum aggregate gross floor area permitted shall not exceed 26,770 square metres for all uses;
- (f) no outside storage of goods, materials or machinery shall be permitted;
- (g) minimum front yard depth; 9 metres, except that where it abuts a 0.3 metre reserve, the minimum requirement is 15 metres;
- (h) minimum rear yard depth: 7 metres, except that where it abuts a street, 0.3 metre reserve, or a lot in a residential or institutional zone, the minimum requirement is 15 metres; and,
- (i) parking for the purposes of the large retail warehouse shall be provided on the basis of a minimum of 1 space per 17.2 square metres of gross floor area.

701.1.3 shall also be subject to the requirements and restrictions relating to the M4 zone and all general provisions of this by-law which are not in conflict with the ones set out in section 701.1.2.

701.2 For the purpose of Section 701:

LARGE RETAIL WAREHOUSE shall mean a building or structure occupied by a single user and having a minimum gross floor area of 9,290 square metres. The predominant use permitted shall be for the sale of food and non-food products displayed and stored in a warehouse format. The total gross floor area devoted to the preparation, storage and display of food products shall not exceed 45 percent of the total gross floor area of the entire building to a maximum of 5,017 square metres.

RETAIL WAREHOUSE shall mean a building or structure, or part of a building or structure, where a single user occupies a minimum gross floor area of 465.0 square metres, and shall not exceed a maximum gross floor area of 8360.0 square metres, and where the principal use is the sale of products displayed and stored in a warehouse format and where such products shall not include food and pharmaceutical products.

HOME FURNISHINGS AND HOME IMPROVEMENT RETAIL WAREHOUSE shall mean a building or part thereof where home furnishings and home improvement products, of which at least 80 per cent are new, are displayed, stored or sold in a warehouse format. Such products may include furniture, appliances, electrical fixtures, building supplies, carpets and floor coverings, landscape and garden supplies and plumbing fixtures.

READ a FIRST, SECOND AND THIRD TIME, and PASSED, in OPEN COUNCIL, this 23rd day of September, 1991.

**Summary and Decision**

The decision of the Board is that with certain modifications and amendments, OPA 208 will be approved and the by-law will come into effect. The Board rules that there is no merit to the assertion that the Board does not have jurisdiction to consider the Official Plan and zoning by-law amendments.

On the planning issues as these have been informed by the evidence of marketing and traffic experts, the Board finds no reason to deny these applications. There was overwhelming evidence to satisfy the Board of the merits of the amendments after considering the public interest, the City's prevailing planning policy and generally accepted principles of good planning.

As to the issues identified in the pre-hearing directions, the Board has reflected upon these and addressed them in detail in the course of this decision.

Therefore, for these reasons and on the basis of the evidence and argument reviewed throughout this decision, the Board orders as follows:

- 1) Official Plan Amendment No. 208 of the City of Brampton is modified and, as amended, is approved in accordance with Schedule 'A' attached; and
- 2) the appeal of City of Brampton By-law 211-91 is allowed in part in order to make certain amendments in accordance with Schedule 'B' attached; in all other respects, the appeal is dismissed.