



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 233-85

To amend By-law 861, (part of Lot 8,
Concession 3, 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 amended by changing the zoning designation of the lands shown outlined on Schedule A to this by-law from COMMERCIAL TWO (C2) to HIGHWAY COMMERCIAL TWO - SECTION 377 (HC2 - SECTION 377).
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 377 - 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:

"377.1 The lands designated HC2 - SECTION 377 on Schedule A to this by-law

377.1.1 shall only be used for:

(a) a gas bar, and,

(b) only in conjunction with a gas bar, a convenience store.

377.1.2 shall be subject to the following requirements and restrictions:

(1) all buildings shall be located within the areas shown as BUILDING AREAS on SECTION 377 - SITE PLAN:

- (2) landscaped open space shall be provided and maintained in the areas shown as LANDSCAPED OPEN SPACE on SECTION 377 - SITE PLAN;
- (3) the gross commercial floor area of a convenience store, not including the area used for garbage and refuse storage containers, shall not exceed 280 square metres;
- (4) the maximum height of a convenience store shall not exceed 5 metres;
- (5) the maximum height of a gas bar canopy shall not exceed 6 metres;
- (6) no amusement devices shall be permitted;
- (7) garbage and refuse storage containers shall be within a totally enclosed area and kept in the location shown on SECTION 377 - SITE PLAN;
- (8) a solid pre-cast concrete wall, 1.8 metres in height, shall be erected and maintained in the location shown on SECTION 377 - SITE PLAN;
- (9) no outside storage or display of goods shall be permitted;
- (10) a minimum of 17 parking spaces shall be provided;
- (11) (a) each parking space shall have unobstructed access to an aisle leading to a driveway or street, and shall be an angled parking space with a rectangular area measuring not less than 2.75 metres in width and 6 metres in length, and

(b) aisles leading to parking spaces and providing unobstructed access from each parking space shall have a minimum width of 6 metres.
- (12) any free-standing sign shall not exceed 5.5 metres in height.


377.1.3 shall be subject to the requirements and restrictions relating to the HC2 zone which are not in conflict with the ones set out in section 377.1.2.

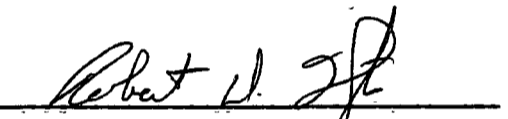
377.2 For the purposes of section 377,

AMUSEMENT DEVICE shall mean any machine, device or contrivance used for playing any game of chance or skill or of mixed chance or skill or which is used to afford entertainment or amusement to the operator, and, without limiting the generality of the foregoing, includes what is commonly known as a pinball game, an electronic game, and a video game.

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

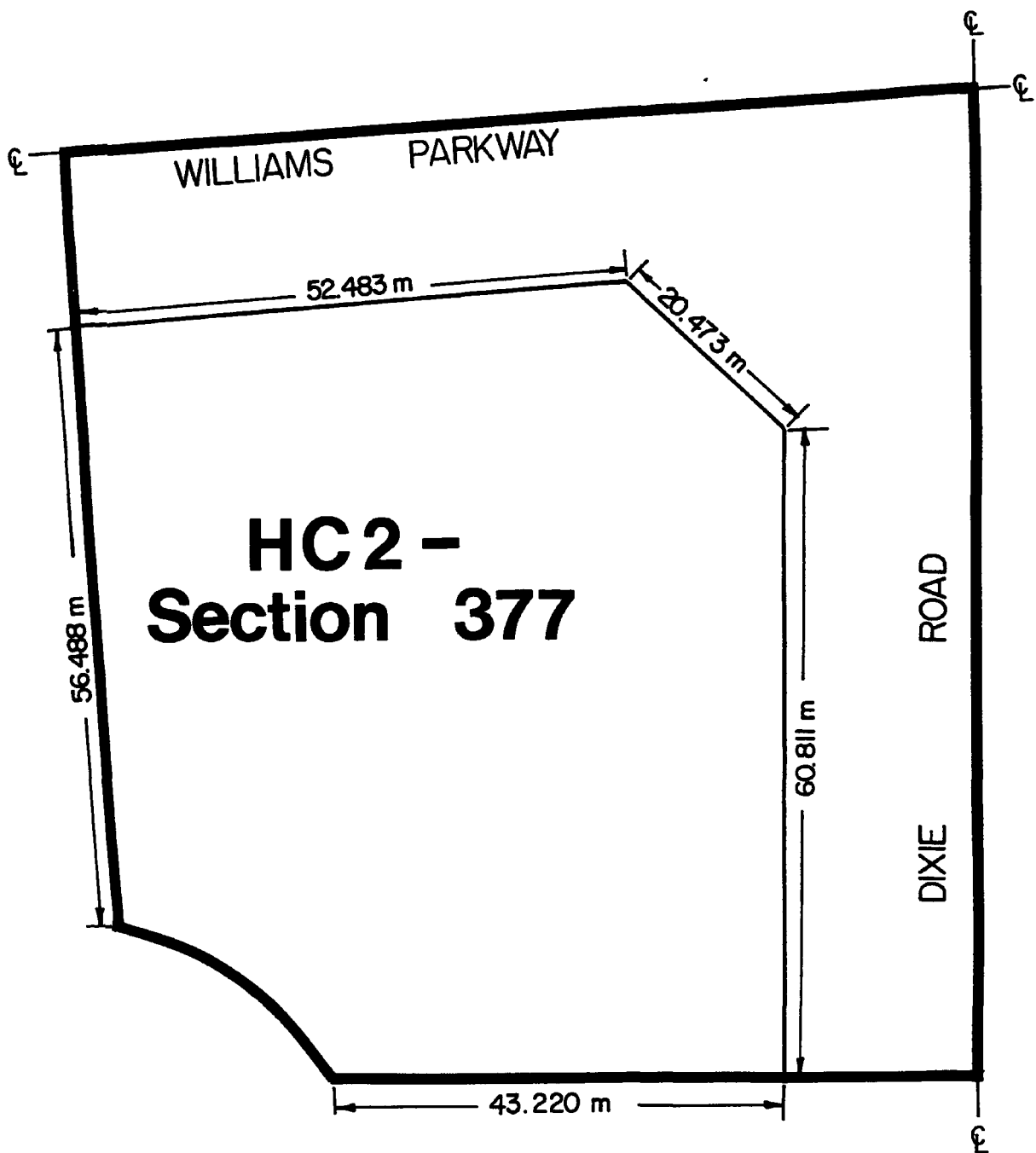
This 12th day of August, 1985.


KENNETH G. WHILLANS - MAYOR


ROBERT D. TUFTS - ACTING CLERK

APPROVED
AS TO FORM
LAW DEPT.
BRAMPTON

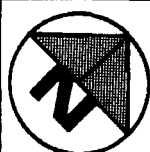
DATE 8/18/85



**HC2 -
Section 377**

— ZONE BOUNDARY

PART LOT 8, CONCESSION 3E.H.S.
BY LAW 861 SCHEDULE A



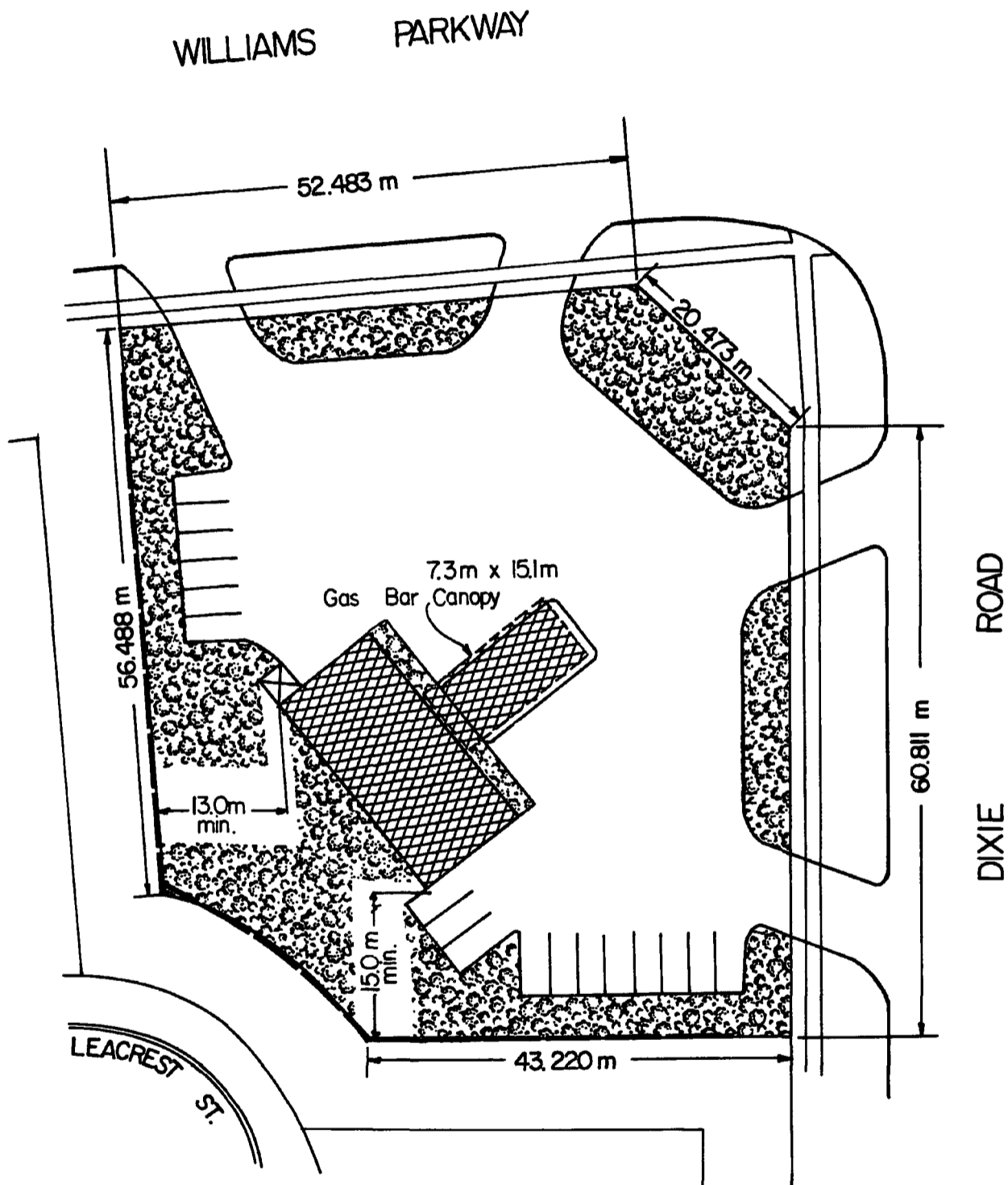
CITY OF BRAMPTON
Planning and Development





By-Law 233-85 Schedule A

1:600

Date: 83 12 22
File no. C3E7.4

Drawn by: RB
Map no. 45-19H



-  BUILDING AREA
-  LANDSCAPED OPEN SPACE
-  REFUSE STORAGE AREA
-  1.8m HIGH PRECAST CONCRETE WALL

SECTION 377 SITE PLAN
 BY-LAW 861

By-Law 233-85 Schedule B



1:600

CITY OF BRAMPTON
 Planning and Development

Date: 83 12 22 Drawn by: RB
 File no. C3E7.4 Map no. 45-19G



S 840037
O 840078

Ontario Municipal Board

**IN THE MATTER OF Section 34(11) of
The Planning Act, 1983**

**AND IN THE MATTER OF an appeal to
this Board by Shell Canada Limited
for an order directing an amendment
to By-law 861 of the City of Brampton
to change from Commercial Two (C2) to
Highway Commercial Two - Section 377
(HC2 - Section 377) the permitted use
of lands comprising Block A situate
at the southwest corner of Dixie
Road and Williams Parkway (Residential
7) in the City of Brampton to permit a
self-serve gas bar and convenience
food store
O.M.B. File S 840037**

**AND IN THE MATTER OF Section 22 of
The Planning Act, 1983**

**AND IN THE MATTER OF a referral to
this Board by the Honourable Claude
F. Bennett, Minister of Municipal
Affairs and Housing on a request by
Shell Canada Limited of an application
to amend the Official Plan for the
City of Brampton Planning Area to
permit the operation of a combination
self-serve gas bar and convenience
store on lands comprising Block A,
according to Registered Plan M-157,
in the City of Brampton, situate at
the southwest corner of Williams Parkway
and Dixie Road, such lands are presently
designated residential, this designation
does not permit self-serve gas bars or
convenience stores, but does permit
gasoline Stations, Minister's File
Number 21-OP-0031-A02
O.M.B. File O 840078**

B E F O R E :

**K.D. BINDHARDT
Member**

- and -

**D.W. MIDDLETON
Member**

]
]
]
]
]
]
]
]
]
]

**Wednesday, the 24th day
of April, 1985**

**THESE MATTERS having come on for public hearing and after
the hearing the Board having reserved its decision until
this day;**

Z 840037
O 840076

THE BOARD ORDERS that the council of the Corporation of the City of Brampton shall forthwith pass a by-law in the form of the draft by-law attached hereto as Schedule "A" to this order;

AND THE BOARD FURTHER ORDERS that council of the Corporation of the City of Brampton shall forthwith pass a by-law to adopt an amendment to the Official Plan and the Consolidated Official Plan of the City of Brampton Planning Area in the form attached hereto as Schedule "B" to this order.



SECRETARY

284-1
46
JUL 23 1985



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____

To amend By-law 861, (part of Lot 8,
Concession 3, 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 amended by changing the zoning designation of the lands shown outlined on Schedule A to this by-law from COMMERCIAL TWO (C2) to HIGHWAY COMMERCIAL TWO - SECTION 377 (HC2 - SECTION 377).
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 377 - 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:

"377.1 The lands designated HC2 - SECTION 377 on Schedule A to this by-law

377.1.1 shall only be used for:

- (a) a gas bar, and,
- (b) only in conjunction with a gas bar, a convenience store.

377.1.2 shall be subject to the following requirements and restrictions:

- (1) all buildings shall be located within the areas shown as BUILDING AREAS on SECTION 377 - SITE PLAN:

Secretary

Z 840037
SCHEDULE "A" TO THE ORDER OF THE
ONTARIO MUNICIPAL BOARD MADE ON
THE 24TH DAY OF APRIL, 1985

- (2) landscaped open space shall be provided and maintained in the areas shown as LANDSCAPED OPEN SPACE on SECTION 377 - SITE PLAN;
- (3) the gross commercial floor area of a convenience store, not including the area used for garbage and refuse storage containers, shall not exceed 280 square metres;
- (4) the maximum height of a convenience store shall not exceed 5 metres;
- (5) the maximum height of a gas bar canopy shall not exceed 6 metres;
- (6) no amusement devices shall be permitted;
- (7) garbage and refuse storage containers shall be within a totally enclosed area and kept in the location shown on SECTION 377 - SITE PLAN;
- (8) a solid pre-cast concrete wall, 1.8 metres in height, shall be erected and maintained in the location shown on SECTION 377 - SITE PLAN;
- (9) no outside storage or display of goods shall be permitted;
- (10) a minimum of 17 parking spaces shall be provided;
- (11) (a) each parking space shall have unobstructed access to an aisle leading to a driveway or street, and shall be an angled parking space with a rectangular area measuring not less than 2.75 metres in width and 6 metres in length, and

(b) aisles leading to parking spaces and providing unobstructed access from each parking space shall have a minimum width of 6 metres.
- (12) any free-standing sign shall not exceed 5.5 metres in height.

377.1.3 shall be subject to the requirements and restrictions relating to the HC2 zone which are not in conflict with the ones set out in section 377.1.2.

377.2 For the purposes of section 377,

AMUSEMENT DEVICE shall mean any machine, device or contrivance used for playing any game of chance or skill or of mixed chance or skill or which is used to afford entertainment or amusement to the operator, and, without limiting the generality of the foregoing, includes what is commonly known as a pinball game, an electronic game, and a video game.

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

This _____ day of _____, 198 .

Kenneth G. Whillans - MAYOR

Leonard J. Mikulich - CLERK



———— ZONE BOUNDARY

PART LOT 8, CONCESSION 3E.H.S.
BY LAW 861 SCHEDULE A



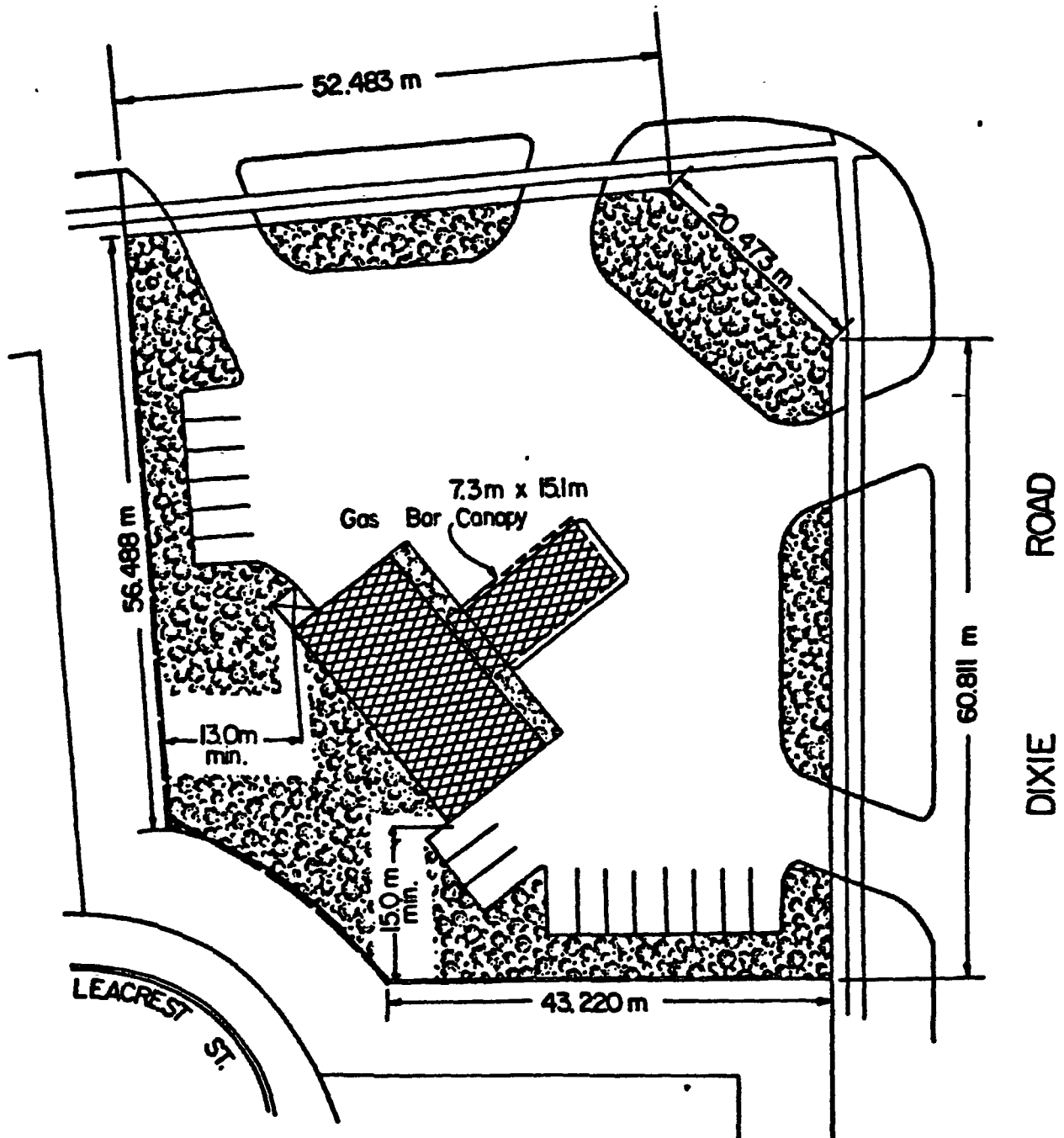
CITY OF BRAMPTON
Planning and Development





By-Law _____ Schedule A

1:600

Date: 83 12 22 Drawn by: RB
File no. C3E7.4 Map no. 45-19H

WILLIAMS. PARKWAY



-  BUILDING AREA
-  LANDSCAPED OPEN SPACE
-  REFUSE STORAGE AREA
-  1.8m HIGH PRECAST CONCRETE WALL

SECTION 377 SITE PLAN
BY-LAW 861



CITY OF BRAMPTON
Planning and Development

By-Law _____ Schedule B

1:600

Date: 83 12 22 Drawn by: RB
File no. C3E7.4 Map no. 45-19G

AND

1. Purpose

The purpose of this amendment is to change the land use designation of lands shown outlined on Schedule A to this amendment from Residential Low Density to Highway Commercial, and to provide supplemental principles for the development of the subject lands.

2. Location

The lands subject to this amendment are located at the southwest corner of Williams Parkway and Dixie Road, being part of Lot 8, Concession 3, E.H.S., geographic Township of Chinguacousy, in the City of Brampton.

3. Amendment and Policies Relative Thereto

(1) The document known as the Official Plan of the City of Brampton Planning Area is hereby amended by deleting subsection 7.2.7.10, and substituting therefor the following:

"7.2.7.10 AREA 10: WESTGATE

Chapter C34 of Section C of Part C, and Plate Number 20, of the Consolidated Official Plan of the City of Brampton Planning Area, as they apply to Secondary Plan Area Number 10, as amended by Official Plan Amendment Numbers 33 and 98, and by Amendment Number _____ A to the Consolidated Official Plan, are combined, and shall constitute the Westgate Secondary Plan."

(2) The document known as the Consolidated Official Plan of the City of Brampton Planning Area, as it relates to the Westgate Secondary Plan (being Chapter C34 of Section C of Part C, and Plate Number 20, of the Consolidated Official Plan of the City of Brampton Planning Area, as amended by Official Plan Amendment Numbers 33 and 98), is hereby amended:

(1) by changing, on Plate Number 20, the designation of lands shown outlined on Schedule A to this amendment, from Residential Low Density to Highway Commercial.

(11) by changing, on Plan Number 19, the chapter reference on the lands shown outlined on Schedule A to this amendment, from Chapter C34 to Chapter C72.

(111) by adding thereto, as Chapter C72, the following text:

Chapter C72

1.0 Purpose

The purpose of this chapter is to permit certain lands as identified in this chapter to be used for specific commercial purposes in accordance with the development principles set out in this chapter.

2.0 Location

The lands subject to this chapter are located at the southwest corner of Williams Parkway and Dixie Road, being part of Lot 8, Concession 3, East of Hurontario Street, in the geographic Township of Chinguacousy, now within the City of Brampton.

The parcel encompasses an area of 0.44 hectares, with a frontage of 52.6 metres along Williams Parkway and a frontage along Dixie Road of 60.8 metres.

3.0 Development Principles

The lands designated Highway Commercial by this chapter shall only be used for the purposes of a gas bar and a convenience store and shall be subject to the following development principles:

3.1 The design of buildings on the subject lands shall be as compatible as possible with the surrounding residences in respect of height, massing and visual appearance.

3.2 Provision shall be made for adequate landscaping, fencing, and buffering, to minimize the adverse influence of development upon adjacent residential uses and to enhance the appearance of the subject lands.

3.3 Adequate off-street parking spaces shall be provided in accordance with acceptable standards to satisfy the requirements of employees and customers, and the design of parking facilities shall have regard to the convenience of customers and employees.

3.4 The location and design of access ramps shall be to the satisfaction of the road authority having jurisdiction.

3.5 The illumination of parking and ancillary areas and the illumination of signs shall be controlled to minimize visual intrusion and glare upon the abutting residences.

3.6 Activities and accessory facilities that are likely to generate noise or odour shall be located away from residences and shall be minimized by the provision of barrier walls and other appropriate architectural and design techniques.

4.0 Implementation

4.1 This chapter will be implemented by an appropriate amendment to the zoning by-law to impose the appropriate zone classification and regulations in conformity with the development principles outlined in section 3.0.

4.2 The City may require the owners of the lands to enter into one or more agreements incorporating various aspects of site plan control pursuant to section 40 of the Planning Act, 1983."