



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

*Number* 42-89

To amend By-law 861 (part of Lot 1, Concession 6, E.H.S., in the geographic Township of Chinguacousy)

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

1. Schedule A to 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 AGRICULTURAL CLASS 1 (A1) to HIGHWAY COMMERCIAL TWO - SECTION 617 (HC2 - SECTION 617).
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 617 - 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:

"617.1 The lands designated HC2 - SECTION 617 on Schedule A to this by-law:

617.1.1 shall only be used for:

(1) a gas bar

(2) only in conjunction with a gas bar:

(a) a convenience store

(b) a motor vehicle washing establishment

(3) purposes accessory to the other permitted purposes.

617.1.2 shall be subject to the following requirements and restrictions:

- (1) all buildings shall be located within the areas shown as BUILDING AREA A, BUILDING AREA B and BUILDING AREA C on SECTION 617 - SITE PLAN
- (2) landscaped open space shall be provided and maintained in the areas shown as LANDSCAPED OPEN SPACE on SECTION 617 - SITE PLAN
- (3) the gross commercial floor area of all buildings and structures, with the exception of a gas bar canopy, shall not exceed 670 square metres
- (4) the gross commercial floor area devoted to a convenience store shall not exceed 205 square metres
- (5) vacuum island shall be located within the areas shown as VACUUM ISLAND on SECTION 617 - SITE PLAN
- (6) the area covered by a gas bar canopy shall not exceed 132 square metres and shall be located within the area shown as GAS BAR CANOPY on SECTION 617 - SITE PLAN
- (7) the maximum height of all buildings shall not exceed 1 storey
- (8) parking shall be provided in accordance with the following:
  - (a) each parking space shall be an angled parking space and an angled parking space shall be a rectangular area measuring not less than 2.70 metres in width and 5.4 metres in length
  - (b) where parking spaces are provided or required, the following requirements and restrictions shall apply:
    - (i) the parking spaces shall be provided and maintained on the same lot or parcel as the building or use for which they are required or intended

(ii) the width of a driveway leading to any parking area shall be a minimum width of 6.6 metres

(iii) each parking space, shall have unobstructed access to an aisle leading to a driveway or street

(c) parking spaces shall be provided and maintained in accordance with the following provisions:

<u>Use</u>	<u>Minimum parking spaces required</u>
gas bar, convenience store	1 parking space for each 23 square metres of gross commercial floor area or portion thereof

(d) parking spaces are not required for a coin operated motor vehicle washing establishment

(9) a loading space shall not be required, but if provided shall:

(a) have a minimum vertical clearance of 4.25 metres

(b) not be upon or partly upon any street or lane

(c) be accessible from a street or lane 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

(d) be a rectangular area measuring not less than 3.5 metres in width and 9 metres in length

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

(10) all garbage and refuse storage containers shall be located within an enclosure that screens the containers from view at all times and the enclosure shall be located between BUILDING AREA A and BUILDING AREA B as shown on SECTION 617 - SITE PLAN.

617.1.3 shall be subject to the requirements and restrictions relating to the HC2 zone and all general provisions of this by-law which are not in conflict with the ones set out in section 617.1.2.

617.2 For the purposes of section 617,

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 HEIGHT shall mean the vertical distance between the established grade and:

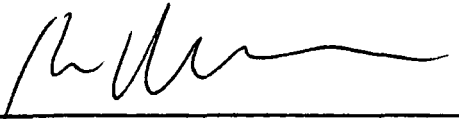
- (a) in the case of a flat roof, the highest point of the roof surface,
- (b) in the case of a mansard roof, the deck line, or
- (c) in the case of a peaked, gabled, hip or gambrel roof, the main height level between eaves and ridge.

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, any part of the building below established grade used for storage purposes or any part of the building used exclusively for refuse storage.

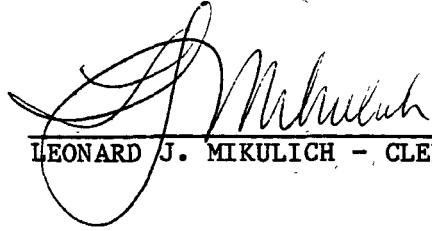
LANDSCAPED OPEN SPACE shall mean an unoccupied area of land which is used for the growth, maintenance and conservation of grass, flowers, trees and shrubs and other vegetation, and may include a surfaced walk, patio, screening, pool or similar visual amenity, but shall exclude any driveway, ramp, car parking or loading area, curb, retaining wall or any covered space beneath or within any building or structure.

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."

READ a FIRST, SECOND and THIRD TIME, and PASSED, in OPEN COUNCIL,  
this 13th day of February 1989.



KENNETH G. WHILLANS - MAYOR

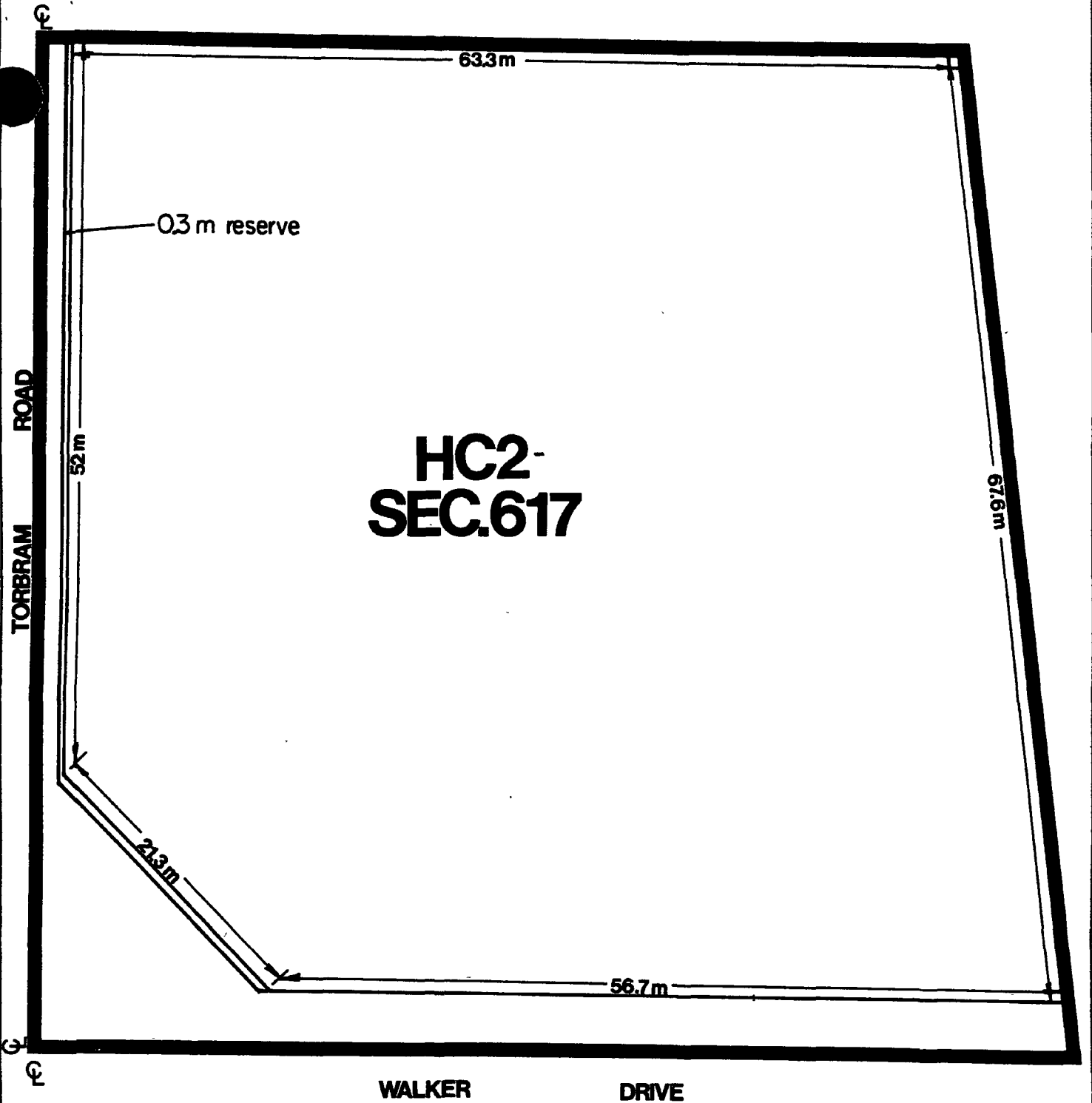


LEONARD J. MIKULICH - CLERK

108/87/11

APPROVED  
AS TO FORM  
LEONARD J. MIKULICH  
DATE: 11/11/89

BLOCK 21  
43 M-643



**—————** ZONE BOUNDARY

PART LOT 1, CON. 6, E.H.S. (CHING.)  
BY-LAW 861 SCHEDULE A

By-law 42-89 Schedule A



**CITY OF BRAMPTON**  
Planning and Development

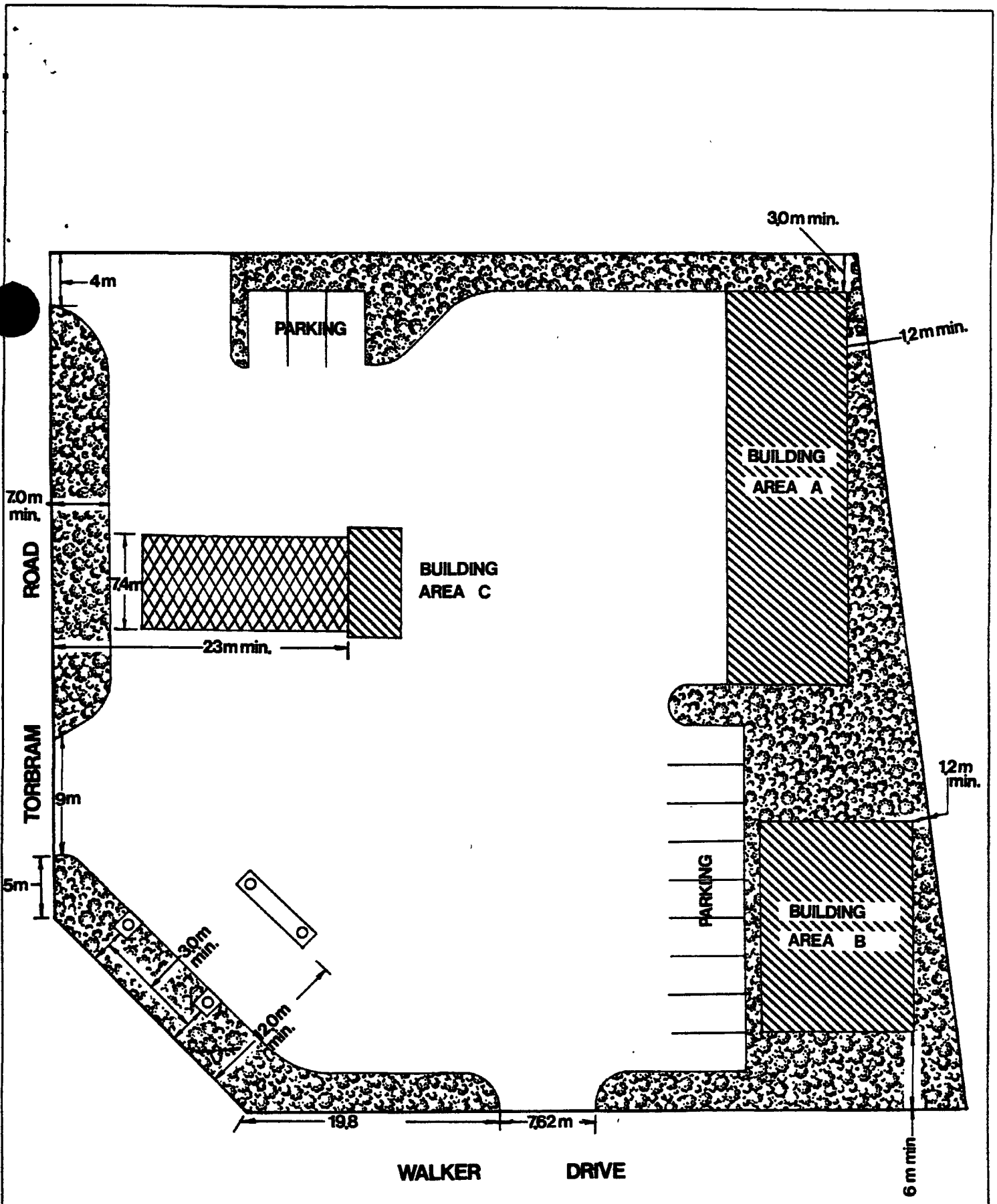
Date: 87.12.08







Drawn by: J.K.

File no. C6E11A

Map no. 65-4F

1:395




-  BUILDING AREA
-  GAS BAR CANOPY
-  VACUUM ISLAND
-  LANDSCAPED OPEN SPACE
-  METRE
-  MINIMUM

SECTION 617 — SITE PLAN  
 BY-LAW 861

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By-Law 42-89 Schedule B



1:397

**CITY OF BRAMPTON**  
 Planning and Development

Date: 87. 12 08 Drawn by: J.K.  
 File no. C6E1.1A Map no. 65-4D

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

AND IN THE MATTER OF the City of  
Brampton By-law 42-89.

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 41-89 which adopted Amendment Number  
155 was passed by the Council of the  
Corporation of Brampton at its meeting held on  
February 13th, 1989.
3. Written notice of By-law 42-89 as required by  
section 34 (17) of the Planning Act, 1983 was  
given on February 22nd, 1989, 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 March 20th,  
1989.
4. No notice of appeal under section 34 (18) of  
the Planning Act, 1983 has been filed with me  
on or before the last day for appeal.
5. Official Plan Amendment 156 was approved by  
the Ministry of Municipal Affairs on April  
28th, 1989.

DECLARED before me at the )  
City of Brampton in the )  
Region of Peel this 15th )  
day of May, 1989. )

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A Commissioner, etc. )

ROBERT D. TUFTS, a Commissioner,  
etc., Judicial District of Peel, for The  
Corporation of the City of Brampton.  
Expires May 25th, 1991.

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*Leonard J. Mikulich*