



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 90-91

To amend By-law 139-84 (part of  
Lots 13 and 14, Concession 1, W.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 6 of Schedule A thereto, the zoning designation of the lands shown outlined on Schedule A to this by-law from AGRICULTURAL (A) to SERVICE COMMERCIAL ONE - SECTION 694 (SC1-SECTION 694), such lands being part of Lots 13 and 14, Concession 1, West of Hurontario Street, in the geographic Township of Toronto;

(2) by adding thereto, as SCHEDULE C - SECTION 694, Schedule B to this by-law;

(3) by adding to section 3.2 thereof, as a plan to be included in Schedule C, the following:

"Schedule C - Section 694"

(4) by adding thereto, the following section:

"694 The lands designated SC1-SECTION 694 on Sheet 6 of Schedule A to this by-law:

694.1 shall only be used for the following purposes:

(1) an office;

(2) a hotel;

(3) only in conjunction with an office or hotel:

- (a) a bank, trust company or financial institution;
  - (b) a retail establishment having no outside storage;
  - (c) a personal service shop;
  - (d) a dry cleaning and laundry establishment;
  - (e) a community club;
  - (f) a recreation facility;
  - (g) a standard restaurant;
  - (h) a dining room restaurant, and
- (4) purposes accessory to the other permitted purposes.

694.2 shall be subject to the following requirements and restrictions:

- (1) the maximum gross floor areas shall be as follows:

either

(a) an office: 49,580 square metres

and

a hotel: 12,587 square metres

or

(b) only an office: 59,021 square metres

(c) purposes permitted by section 694.1(3) shall not exceed 10 percent of the total gross floor area of the hotel and office.

- (2) the minimum lot area shall be 3.2 hectares;
- (3) the minimum front yard depth, side yard width and rear yard depth shall be as shown on SCHEDULE C - SECTION 694;
- (4) all buildings shall be located only within BUILDING AREA A, B, C and D as shown on SCHEDULE C-SECTION 694
- (5) the maximum height of all buildings within BUILDING AREA A on SCHEDULE C-SECTION 694 shall not exceed 6 storeys;
- (6) the maximum height of all buildings within BUILDING AREA B on SCHEDULE C-SECTION 694 shall not exceed 10 storeys;
- (7) the maximum height of all buildings within BUILDING AREA C on SCHEDULE C-SECTION 694 shall not exceed 12 storeys;
- (8) the maximum height of all buildings within BUILDING AREA D on SCHEDULE C - SECTION 694 shall not exceed 14 storeys;
- (9) the purposes permitted by section 694.1(3) shall only be permitted in BUILDING AREAS B, C and D on SCHEDULE C-SECTION 694;
- (10) the purpose permitted by section 694.1(2) shall only be permitted in BUILDING AREA C on SCHEDULE C - SECTION 694;
- (11) all garbage and refuse containers including those for recyclable materials, shall be enclosed within the main building;
- (12) all garbage and refuse containers for restaurant uses shall be provided within a climate controlled area within the building;

- (13) a 1.8 metre high masonry wall shall be provided and maintained in the location as shown on SCHEDULE C - SECTION 694;
- (14) landscaped open space areas shall be provided and maintained in the locations shown as LANDSCAPED OPEN SPACE on SCHEDULE C-SECTION 694;
- (15) parking requirements for those purposes permitted by section 694.1(1) and (3) shall be calculated as follows:

The parking requirements for each use contained within the development shall be calculated as if these uses were free-standing buildings in accordance with Section 20.3 of this by-law. The parking requirement for each use shall then be multiplied by the percent of the peak period for each time period contained below. Each column shall be totalled for weekdays and weekends. The maximum figure obtained from all the periods shall become the parking requirement.

PERCENT OF PEAK PERIOD  
Percent of Peak Period (Weekday)

<u>Land Use</u>	<u>Morning</u>	<u>Noon</u>	<u>Afternoon</u>	<u>Evening</u>
Office	100	90	95	10
Retail	80	65	100	100
Restaurants	20	100	30	100

Percent of Peak Period (Weekend)

<u>Land Use</u>	<u>Morning</u>	<u>Noon</u>	<u>Afternoon</u>	<u>Evening</u>
Office	10	10	10	10
Retail	80	100	100	30
Restaurants	20	100	50	100

(16) no above ground parking structure shall be permitted.

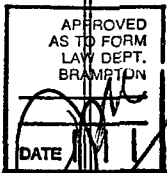
694.3 shall also be subject to the requirements and restrictions relating to the SC1 zone and all the general provisions of this by-law which are not in conflict with the ones set out in section 694.2."

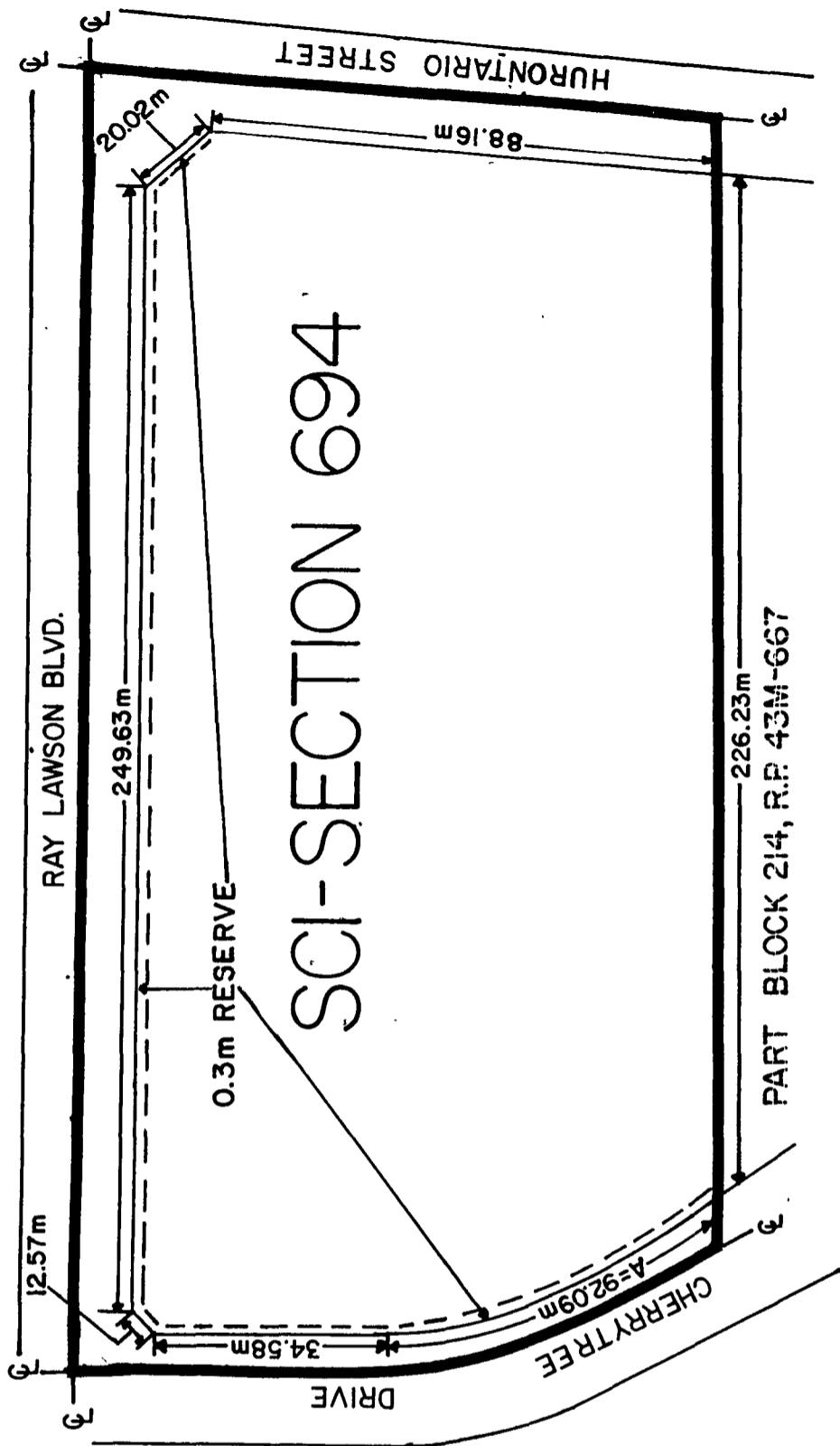
READ a FIRST, SECOND and THIRD TIME, and PASSED, in OPEN COUNCIL, this 13th day of May 1991.

~~PAUL REUSEL - MAYOR~~


*L. Mikulich*  
LEONARD J. MIKULICH - CLERK

77/90





LEGEND

-  ZONE BOUNDARY
- m METRES
-  CENTRELINE OF ORIGINAL ROAD ALLOWANCE

PART LOTS 13&14, CON. I, W.H.S (TOR.)

BY-LAW 139-84

SCHEDULE A

By-Law 90-91

Schedule A

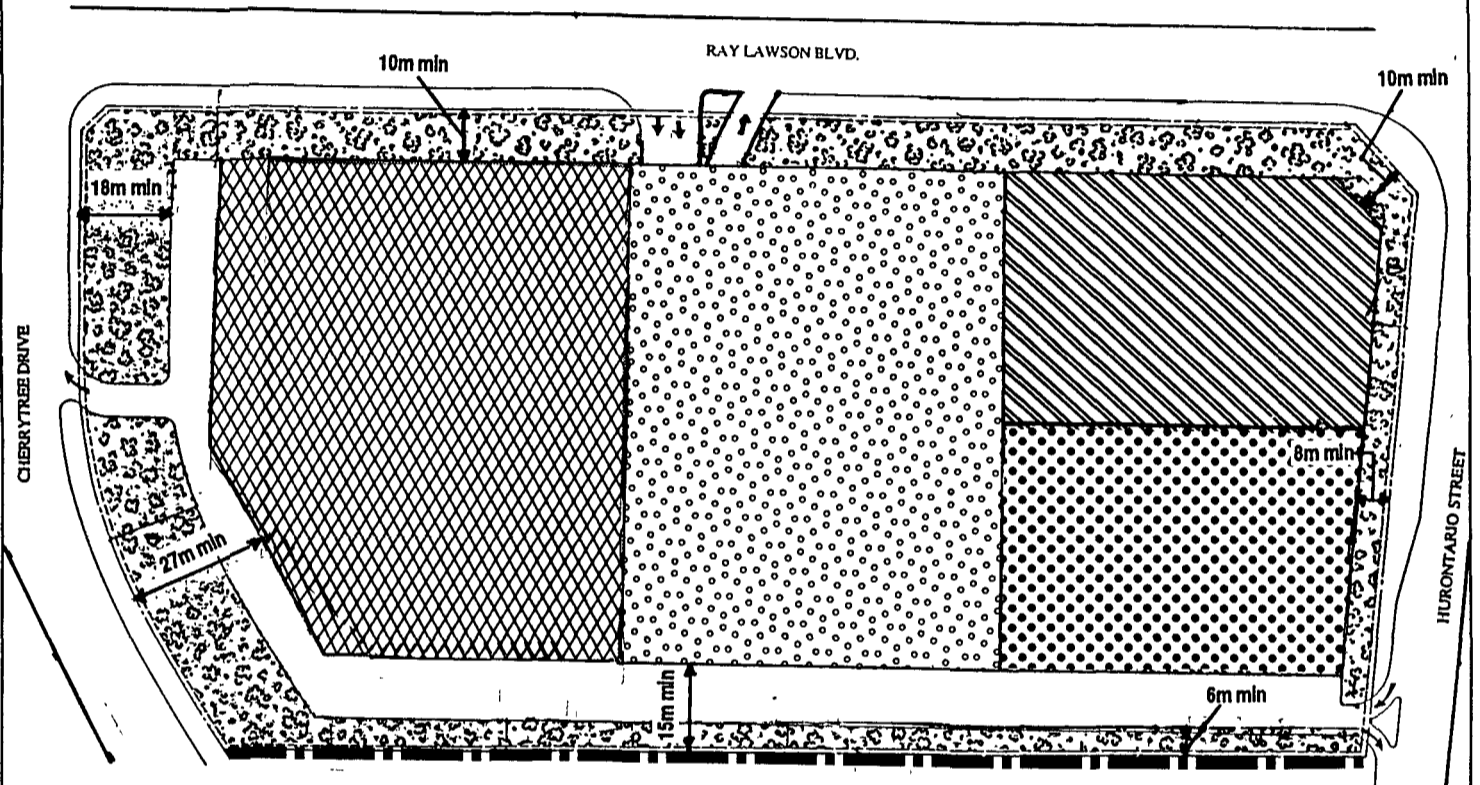


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**CITY OF BRAMPTON**  
Planning and Development

Date: 1990 11 28 Drawn by: CJK






File no. TIWI3.8 Map no. 75-27U



**LEGEND**

m METRES  
min MINIMUM

— — — 1.8 METRE HIGH MASONRY WALL

-  BUILDING AREA A
-  BUILDING AREA B
-  BUILDING AREA C
-  BUILDING AREA D
-  LANDSCAPED OPEN SPACE

**SCHEDULE C-SECTION 694  
BY-LAW 139-84**

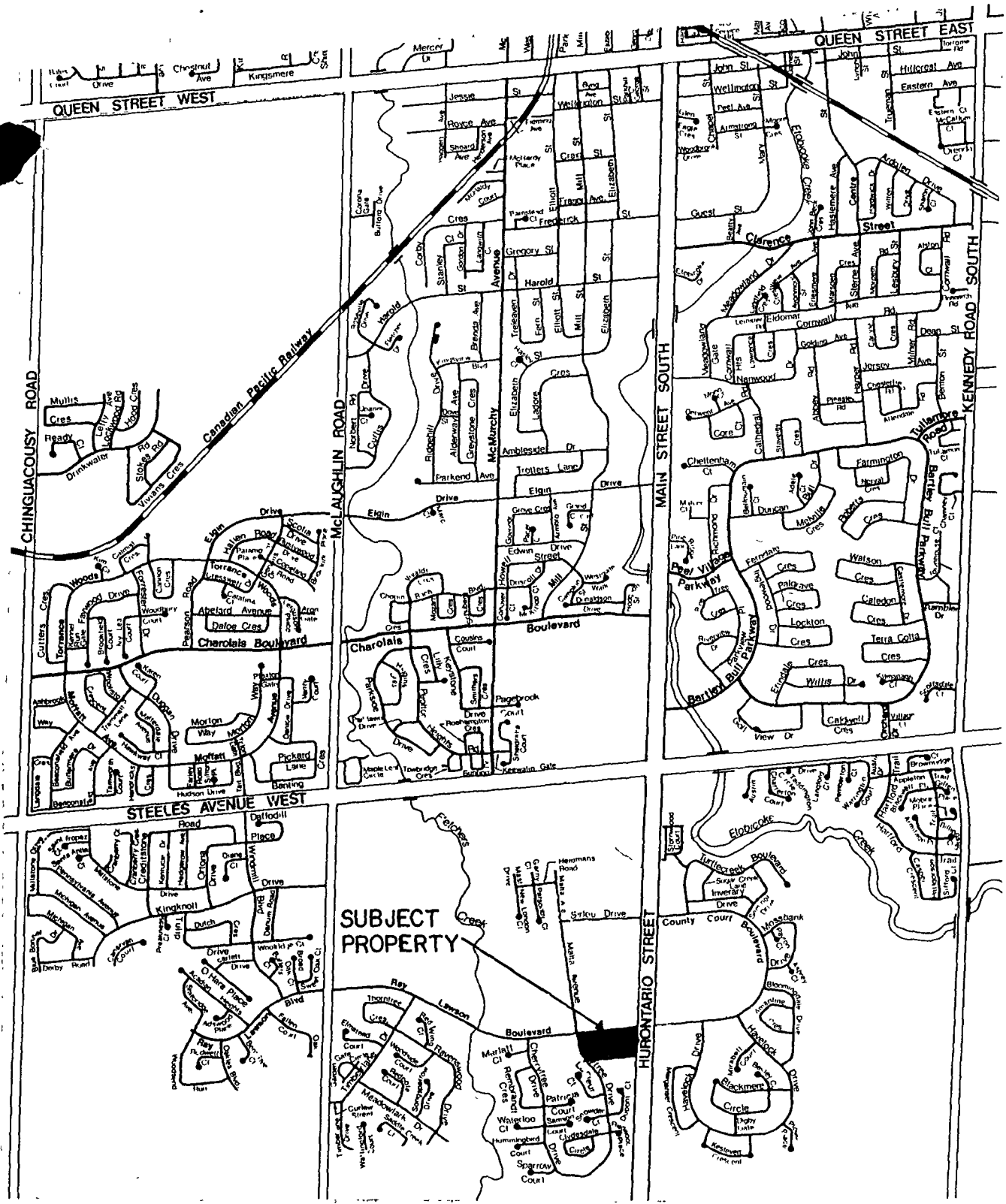


**CITY OF BRAMPTON**  
Planning and Development

By-Law 90-91 Schedule B

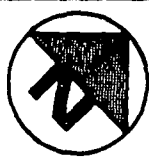
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Date: 1990 11 28 Drawn by: CJK  
File no. TIW13.8 Map no. 75-27V



ALLAN KERBEL INVESTMENTS

Key Map By-law 90-91



1:25000

**CITY OF BRAMPTON**  
 Planning and Development

Date: 1991 05 21

Drawn by: CJK

File no. T1W13.8

Map no. 75-27V



IN THE MATTER OF the Planning Act,  
R.S.O. 1990, as amended, section 34;

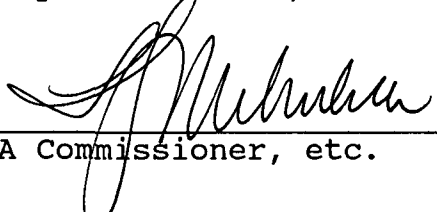
AND IN THE MATTER OF the City of  
Brampton By-law 90-91 being a by-law  
to amend comprehensive zoning  
By-law 139-84, as amended, pursuant  
an application by Allan Kerbel Invest-  
ments Limited (File T1W13.8)

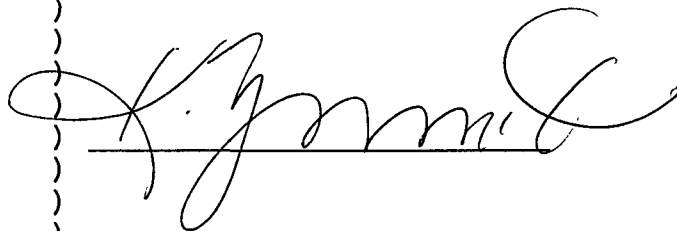
DECLARATION

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 90-91 was passed by the Council of the  
Corporation of the City of Brampton at its meeting  
held on the 13th day of May, 1991.
3. Pursuant to appeals against the by-law in  
accordance with section 34(18) of the Planning Act,  
R.S.O. 1990 c.P.13 as amended, the matter was  
referred to the Ontario Municipal Board.
4. The Ontario Municipal Board in its oral decision  
and order dated November 19, 1992, under File  
R910370, granted the appeal in part and amended the  
by-law, as attached.

DECLARED before me at the )  
City of Brampton in the )  
Region of Peel this 14th )  
day of December, 1992 )

  
\_\_\_\_\_  
A Commissioner, etc.

  
\_\_\_\_\_

DB#	94	FOLIO#	315
ORDER ISSUED DATE			
DEC - 4 1992			
DB#	R91-1	FOLIO#	364



Ontario  
Ontario Municipal Board  
Commission des affaires municipales de l'Ontario

R 910370

*noted + copies to  
Deputy Clerk +  
Commissioner of Planning  
J. Mulvihill  
1992-12-07*

IN THE MATTER OF Section (18) of the  
Planning Act, 1983

AND IN THE MATTER OF an appeal by  
G.M. Thompson, Nicola Bongiovanni,  
Bruce Robinson and Desmond Winders  
against Zoning By-law 90-91 of the  
Corporation of the City of Brampton

**RECEIVED**  
CLERKS DEPT.

DEC 0 7 1992

REG. No:  
FILE No:

*0080 92*  
308

*T/W 13-8*

**C O U N S E L :**

Clay Connor	- for	City of Brampton
Neil Davis	- for	Allan Kerbel Investments Limited

MEMORANDUM OF ORAL DECISION delivered by D.W. MIDDLETON  
on November 19, 1992 and ORDER OF THE BOARD

Between the time that the appeal had been entered with respect to By-law 90-91 of the Corporation of the City of Brampton and the date of this hearing there had been considerable negotiations between the appellants, the Municipality and the proponents. Those negotiations had resulted in certain agreements between the parties that resulted in a reduction of the gross floor space index from 2.13 to 1.8. This reduction was achieved as set out in Exhibit 3. Certain undertakings were made by agreement between the proponent and the City and an amended by-law was presented to the Board in the hearing.

The Board heard the uncontested planning evidence of David Ross that this by-law was in conformity with the Official Plan and the Secondary Plan. The Board is satisfied from the evidence of the planner and the comments as expressed by and on behalf of the appellants that the by-law before the Board in Exhibit 4 is appropriate and represents good planning. The Board therefore will

grant the appeal in part and will amend By-law 90-91 in the form of Exhibit 4, attached to the Board's decision/Order as Schedule "A".  
The Board so orders.

"D.W. Middleton"

D.W. MIDDLETON  
MEMBER



R 910370

Ontario Municipal Board  
Commission des affaires municipales de l'Ontario



THE CORPORATION OF THE CITY OF BRAMPTON

SCHEDULE "A"

**BY-LAW**

Number \_\_\_\_\_

To amend By-law 139-84, (Part of  
Lots 13 and 14, Concession 1, W.H.S.,  
in the 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 6 of Schedule 'A' thereto, the zoning designation of the lands shown outlined on Schedule A to this by-law from AGRICULTURAL (A) to SERVICE COMMERCIAL ONE - SECTION 694 (SC1-SECTION 694), such lands being part of Lots 13 and 14, Concession 1, West of Hurontario Street, in the geographic Township of Toronto;
- (2) by adding thereto, as SCHEDULE C - SECTION 694, Schedule B to this by-law;
- (3) by adding to section 3.2 thereof, as a plan to be included in Schedule C, the following:

"Schedule C - Section 694"

- (4) by adding thereto, the following section:

"694 The lands designated SC1-SECTION 694 on Sheet  
6 of Schedule A to this by-law:

694.1 shall only be used for the following purposes:

- (1) an office;
- (2) a hotel;
- (3) only in conjunction with an office or hotel:

- (a) a bank, trust company or financial institution;
  - (b) a retail establishment having no outside storage;
  - (c) a personal service shop;
  - (d) a dry cleaning and laundry establishment;
  - (e) a community club;
  - (f) a recreation facility;
  - (g) a standard restaurant;
  - (h) a dining room restaurant, and
- (4) purposes accessory to the other permitted purposes.

694.2 shall be subject to the following requirements and restrictions:

- (1) the maximum gross floor areas shall be as follows:

either

(a) (i) an office: 42,256 square metres

and

a hotel: 10,730 square metres

or

(ii) only an office: 50,304 square metres

- (b) purposes permitted by section 694.1(3) shall not exceed 10 percent of the total gross floor area of the hotel and office.
- (2) the minimum lot area shall be 3.2 hectares;
- (3) the minimum front yard depth, side yard width and rear yard depth shall be as shown on SCHEDULE C - SECTION 694;
- (4) all buildings shall be located only within BUILDING AREA A, B, C and D as shown on SCHEDULE C - SECTION 694;

- (5) the maximum height of all buildings within BUILDING AREA A on SCHEDULE C - SECTION 694 shall not exceed 6 storeys;
- (6) the maximum height of all buildings within BUILDING AREA B on SCHEDULE C - SECTION 694 shall not exceed 10 storeys;
- (7) the maximum height of all buildings within BUILDING AREA C on SCHEDULE C - SECTION 694 shall not exceed 14 storeys;
- (8) the maximum height of all buildings within BUILDING AREA D on SCHEDULE C - SECTION 694 shall not exceed 12 storeys;
- (9) the purposes permitted by section 694.1(3) shall only be permitted in BUILDING AREAS B, C and D on SCHEDULE C - SECTION 694;
- (10) the purpose permitted by section 694.1(2) shall only be permitted in BUILDING AREA C on SCHEDULE C - SECTION 694;
- (11) all garbage and refuse containers including those for recyclable materials, shall be enclosed within the main building;
- (12) all garbage and refuse containers for restaurant uses shall be provided within a climate controlled area within the building;
- (13) a 2.5 metre high masonry wall shall be provided and maintained in the location as shown on SCHEDULE C - SECTION 694;
- (14) landscaped open space areas shall be provided and maintained in the locations shown as LANDSCAPED OPEN SPACE on SCHEDULE C - SECTION 694;
- (15) parking requirements for those purposes permitted by section 694.1(1) and (3) shall be calculated as follows:

The parking requirements for each use contained within the development shall be calculated as if these uses were free-standing buildings in accordance with Section 20.3 of this by-law. The parking requirement for each use shall then be multiplied by the percent of the peak period for each time period contained below. Each column shall be totalled for weekdays and weekends. The maximum figure obtained from all the periods shall become the parking requirement.

PERCENT OF PEAK PERIOD  
Percent of Peak Period (Weekday)

<u>Land Use</u>	<u>Morning</u>	<u>Noon</u>	<u>Afternoon</u>	<u>Evening</u>
Office	100	90	95	10
Retail	80	65	100	100
Restaurants	20	100	30	100

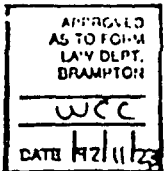
Percent of Peak Period (Weekend)

<u>Land Use</u>	<u>Morning</u>	<u>Noon</u>	<u>Afternoon</u>	<u>Evening</u>
Office	10	10	10	10
Retail	80	100	100	30
Restaurants	20	100	50	100

(16) no above ground parking structure shall be permitted.

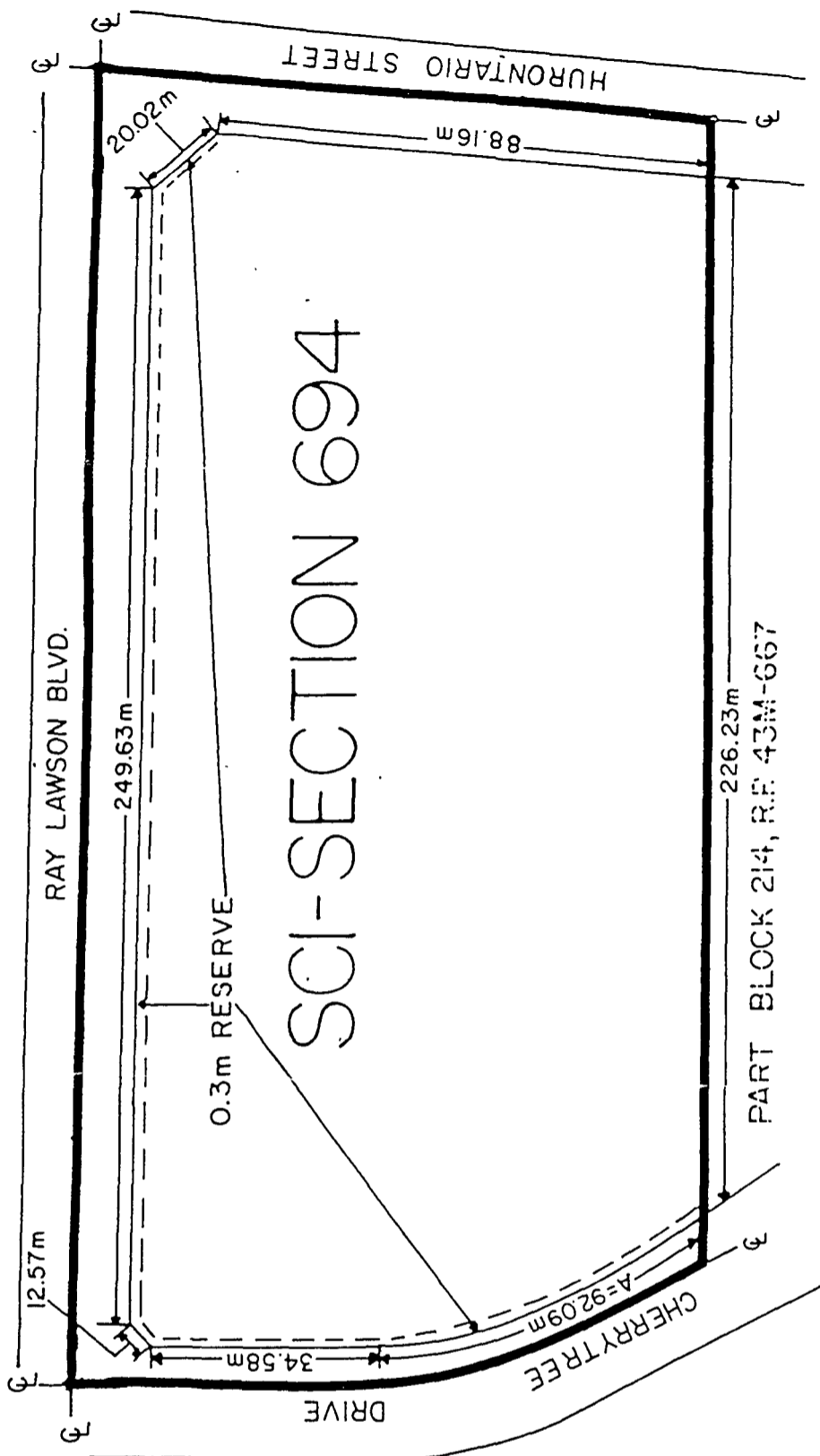
694.3 shall also be subject to the requirements and restrictions relating to the SC1 zone and all the general provisions of this by-law which are not in conflict with the ones set out in section 694.2."

READ a FIRST, SECOND and THIRD TIME, and PASSED, in OPEN COUNCIL, this day of 19 .






PETER ROBERTSON - MAYOR

LEONARD J. MIKULICH-  
CITY CLERK



LEGEND

-  ZONE BOUNDARY
-  METRES
-  CENTRELINE OF ORIGINAL ROAD ALLOWANCE

PART LOTS 138, 14, CON. 1, W.H.S (TOR.)

BY-LAW 139-84

SCHEDULE A

Rv-Law

Schedule A



**CITY OF BRAMPTON**  
Planning and Development

Date: 1990 11 28

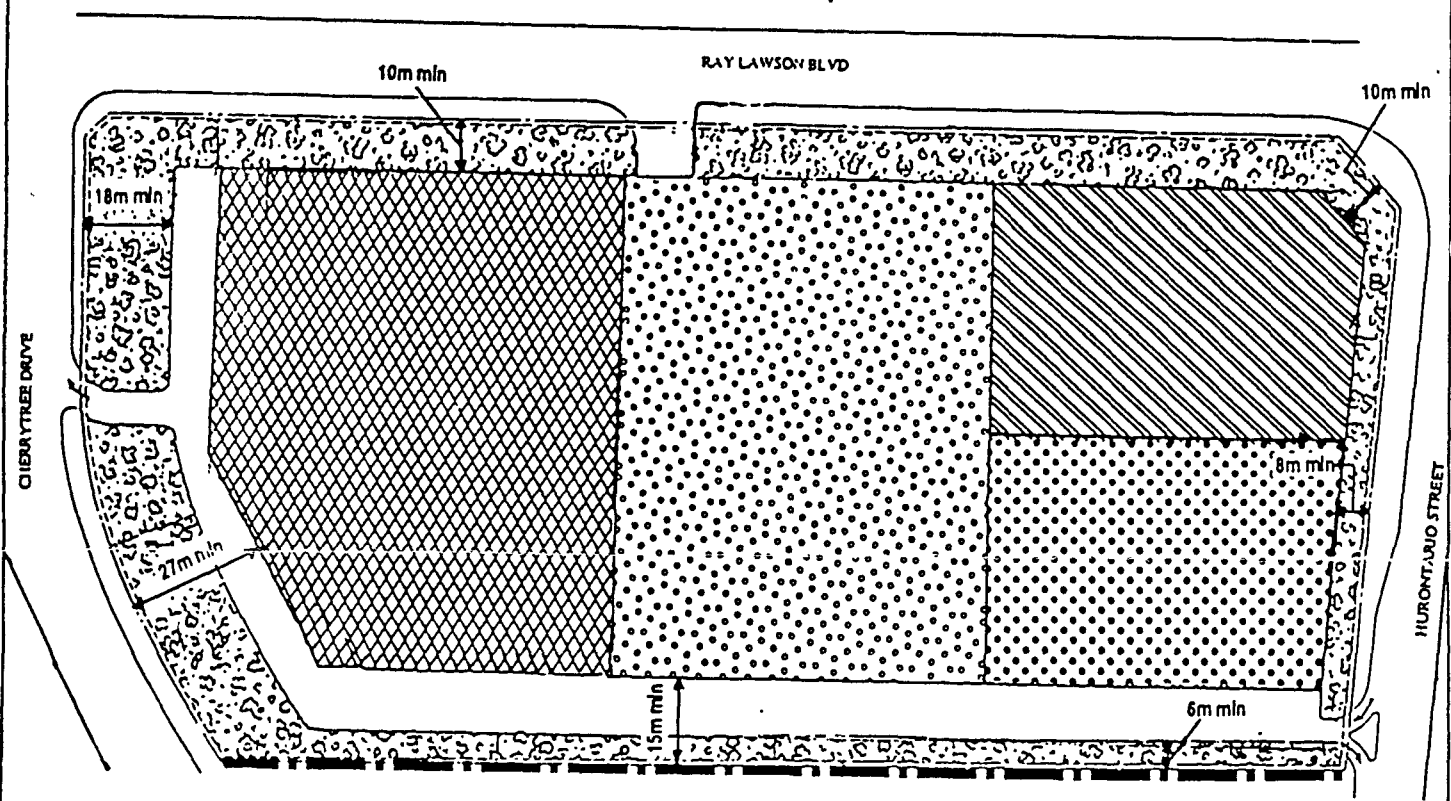
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File no T1W13 P






Map no. 75-2711


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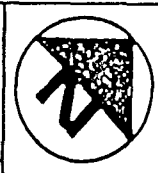


**LEGEND**

- m METRES
- min MINIMUM
-  BUILDING AREA A
-  BUILDING AREA B
-  BUILDING AREA C
-  BUILDING AREA D
-  LANDSCAPED OPEN SPACE

 2.5 METRE HIGH MASONRY WALL

SCHEDULE C, SECTION 694  
BY-LAW 139-84



**CITY OF BRAMPTON**  
Planning and Development

By-Law \_\_\_\_\_ Schedule B

1:1500

Date: 1990 11 28 Drawn by: CJK  
File no. TIW13.8 Map no. 75-27V