



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

*Number* 190 - 85

To amend By-law 187-82 (part of Lot 15, Concession 2, 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 187-82, as amended by By-laws 213-82, 215-82, 101-84 and 280-84, is hereby further amended:

- (1) by adding to section 5 the following definitions:

"ADULT ENTERTAINMENT" shall mean a trade, calling, business or occupation, acts or services which appeal to or are designed to appeal to erotic and sexual appetites or inclinations.

ADULT ENTERTAINMENT PARLOUR shall mean any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, acts or services which appeal to or are designed to appeal to erotic and sexual appetites or inclinations.

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 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.

GAS BAR shall mean a building or place where fuels or other minor parts, supplies and accessories for motor vehicles are kept for sale at retail, but where no repairs or other automotive services are performed.

SERVICE SHOP shall mean a building or place used primarily for the repair, servicing, or incidental sales of articles or materials, but shall not include a building or place where articles or materials are assembled or manufactured, or where internal combustion engines or motor vehicles are repaired.

SHOPPING CENTRE shall mean the premises upon which a group of at least five separate commercial uses have been developed and are managed as a unit by a single owner or tenant, or by a group of owners or tenants.

SUPERMARKET shall mean a retail establishment engaged in the business of selling groceries, meat, fruit and vegetables to the general public and occupying premises having a gross commercial floor area of at least 600 square metres."

- (2) by deleting from section 5 the definition of "RESTAURANT, DINING ROOM", and substituting therefor the following:

"RESTAURANT, DINING ROOM shall mean a building or place where food and drink are prepared and offered for sale to the public, to be served by a restaurant employee at the same table or counter where the food and drink were ordered and are to be consumed, and where take-out food services are not available."

- (3) by deleting from section 5 the definition of "RESTAURANT, MIXED SERVICE", and substituting therefor the following:

"RESTAURANT, FAST FOOD shall mean a building or place having more than 10 seats for customers, which is designed for the preparation and offering for sale of a high volume of food from a limited and standardized menu to the public, primarily for consumption within the same building or place, and where the customers do not eat at the same table or counter at which the food is ordered and obtained.

RESTAURANT, STANDARD shall mean a building or place having more than 10 seats for customers, where food and drink are prepared, offered for sale and served to the public, primarily for consumption within the same building or place, but shall not include a fast food restaurant."

- (4) by deleting from section 5 the definition of "RESTAURANT, TAKE-OUT", and substituting therefor the following:

"RESTAURANT, TAKE-OUT shall mean a building or place having less than 11 seats for customers, where food and drink are prepared and offered for sale to the public primarily to be taken-out or delivered for consumption off the premises."

- (5) by adding to subsection 8.2 (Parking Spaces), after the parking provisions for dining room restaurants, the following:

"Standard restaurant	1 space per 6.0 square metres of gross commercial floor area or portion thereof
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Fast food restaurant. 1 space per 4.6 square metres  
of gross commercial floor  
area or portion thereof

Take-out restaurant 1 space per 6.6 square metres  
of gross commercial floor  
area or portion thereof"

(10) by adding thereto, as part of Schedule A, Schedule A to this by-law

(11) by adding to subsection 1 of section 4 (Zones and Schedules) the following zone classifications and zone symbols:

"Commercial Two C2"

"Highway Commercial Two HC2"

(12) by adding thereto, after section 16 (Service Commercial Zone), the following, as sections 16A and 16B:

"16A The lands designated as C2 on Schedule A to this by-law:

16A.1 shall only be used for the following purposes:

(a) Commercial

- (1) a retail establishment having no outside storage
- (2) a supermarket
- (3) a service shop
- (4) a personal service shop
- (5) a bank, trust company and finance company
- (6) an office
- (7) a dry cleaning and laundry distribution station
- (8) a laundromat
- (9) a parking lot
- (10) a dining room restaurant, a fast food restaurant, a standard restaurant, a take-out restaurant
- (11) a printing or copying establishment
- (12) a garden centre sales establishment
- (13) a community club
- (14) a tavern
- (15) a custom workshop

(b) Accessory

- (1) purposes accessory to the other permitted purposes

16A.2 shall be subject to the following requirements and restrictions:

- (a) Minimum Front Yard Depth 21 metres
- (b) Minimum Interior Side 3 metres, except that where the interior side yard abuts a residential or institutional zone, the minimum interior side yard width shall be 18 metres
- (c) Minimum Exterior Side Yard Width 18 metres
- (d) Minimum Rear Yard Depth 6 metres, except that:
  - (1) where the rear yard abuts a residential or institutional zone, 18 metres
  - (2) where rear yard abuts a 0.3 metre reserve or a street, 21 metres
- (e) Maximum Building Height 1 storey
- (f) Minimum Landscaped Open Space
  - (i) 10 percent of the lot area
  - (ii) minimum width abutting a residential zone - 3 metres
  - (iii) minimum width abutting a road allowance - 3 metres
- (g) A masonry wall, 1.8 metres in height, shall be erected along the lot lines which abut a residential zone
- (h) Minimum distance separation between a restaurant and a residential zone - 50 metres
- (i) Garbage and refuse containers for a restaurant shall be located within a climate-controlled area within the building

- (j) Garbage and refuse containers for all other uses shall be completely enclosed and shall not be located closer than 9 metres to any residential zone
- (k) An adult entertainment parlour shall not be permitted
- (l) No amusement devices shall be permitted
- (m) No outside storage or display of goods shall be permitted

16B The lands designated as HC2 on Schedule A to this by-law:

16B.1 shall only be used for the following purposes:

- (a) gas bar
- (b) purposes accessory to the other permitted purposes

16B.2 shall be subject to the following requirements and restrictions:

- (a) Minimum Lot Width 45 metres
- (b) Minimum Lot Depth 45 metres
- (c) Minimum Front Yard Depth 15 metres
- (d) Minimum Interior Side 3 metres  
Yard Width
- (e) Minimum Exterior Side 6 metres  
Yard Width
- (f) Minimum Rear Yard Depth 6 metres
- (g) Maximum Building Height 1 storey
- (h) (i) All gasoline pump islands and related canopies shall be located a minimum of 6 metres from any street line. In the case of a corner property, the gasoline pump islands shall be located at a minimum distance of 3 metres back from a straight line between two points, each on a lot line abutting a street, and each such point being 15 metres back from the actual or projected intersection of the said lot lines.
- (ii) Entrance and exit ramps shall be a minimum of 7.5 metres in width, measured perpendicular

to the centre line of the ramp, and all entrance and exit ramps shall be located a minimum of 15 metres from any intersecting road right-of-way and a minimum of 6 metres from the side or rear lot lines. The minimum distance between ramps shall be 10.5 metres.

(iii) On-site waiting spaces behind the fuelling area shall be provided in the ratio of 1 waiting space for every 2 fuelling hoses, and in any event a minimum of 4 waiting spaces shall be provided. All waiting spaces shall be arranged in such a way that any vehicle which enters the site to be fuelled can move in a continuous forward direction until it leaves the lot.

(iv) The minimum size of a waiting space shall be 2.75 metres by 6 metres.

(v) Open space of land located between ramps or between a ramp and a front or side lot line shall be planted and maintained with grass, ornamental shrubs, flowering shrubs, flower beds or a combination thereof, to produce an ornamental surface treatment, provided no such plantings shall obstruct the view of automobile drivers travelling on adjacent streets or entering or leaving the lot."

(13) by adding thereto the following section:

"103.1 The lands designated R1D-SECTION 103 on Schedule A to this by-law:

103.1.1 shall only be used for the purposes permitted by section 9.1

103.1.2 shall be subject to the following requirements and restrictions:

(a) Minimum interior side yard width shall be 1.2 metres on one side, and 0.6 metre on the other side, provided that:


(i) the width of the side yard abutting a walkway or an OS zone shall always be at least 1.2 metres

- (ii) the side yard with a minimum width of 1.2 metres shall be located on the side of the lot abutting the side yard (of an adjacent lot) which is 1.2 metres or greater in width
- (iii) the minimum distance between two detached buildings shall not be less than 1.2 metres
- (iv) where the distance between the walls of two dwellings is less than 2.4 metres, no door or no window below grade will be permitted in any such wall
- (v) where an interior side yard width is less than 0.9 metres, the distance that the structures listed in Table 6.12(b) may project into the yard shall not exceed 35 centimetres

103.1.3 shall also be subject to the requirements and restrictions relating to the R1B zone which are not in conflict with the ones set out in section 103.1.2."

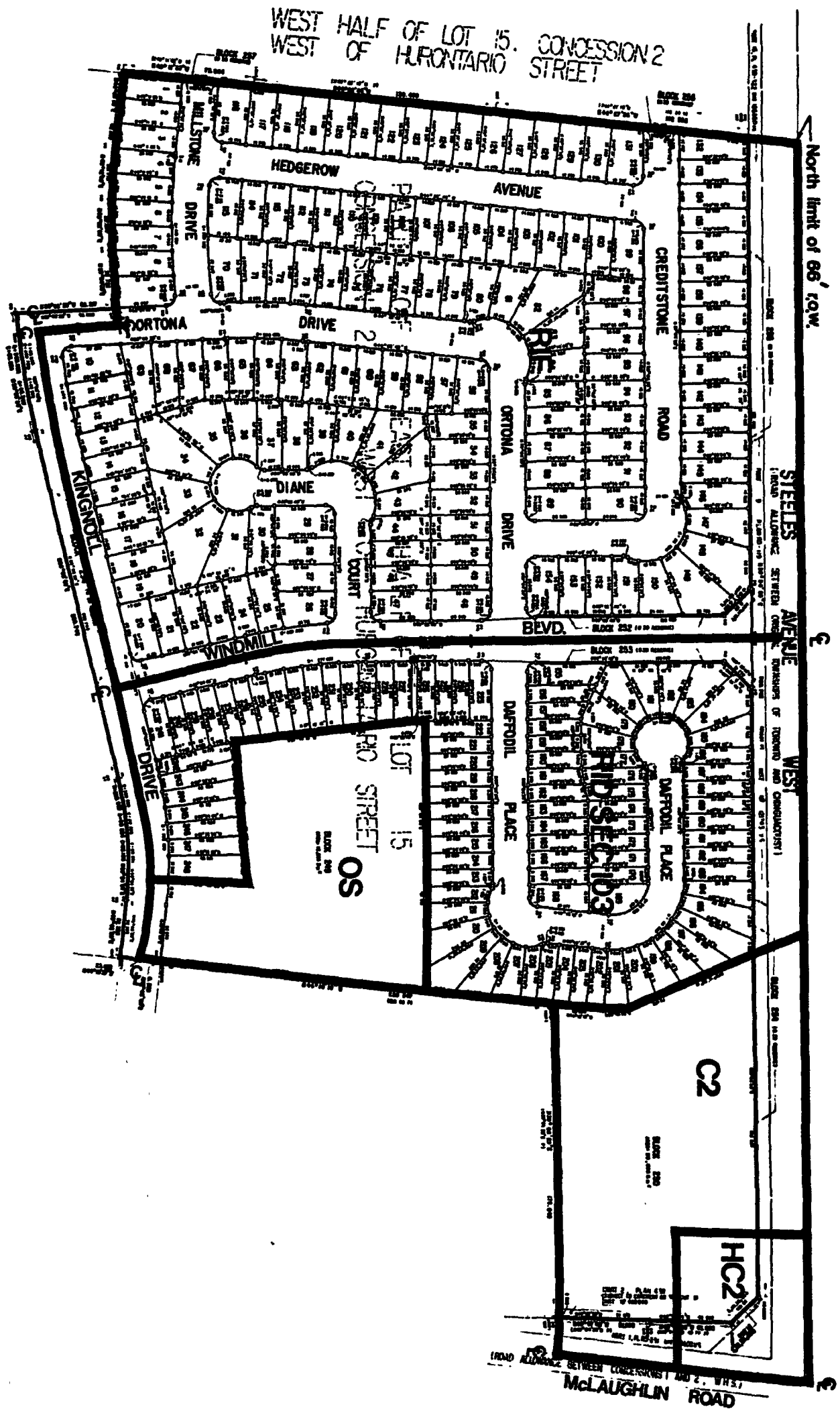
READ a FIRST, SECOND and THIRD TIME and Passed in Open Council

This EIGHTH day of JULY, 1985.

  
KENNETH G. WHILLANS - MAYOR

  
LEONARD J. MIKULICH - CLERK

APPROVED  
AS TO FORM  
LAW DEPT.  
BRAMPTON  
DATE 8/1/85



— ZONE BOUNDARY

SCHEDULE A SHEET 6  
BY-LAW 187-82

BY-LAW 190-85 SCHEDULE A



1:2750

CITY OF BRAMPTON  
Planning and Development

Date: 85.07 08 Drawn by: J.K.  
File no. T2WI5.3 Map no. 74-3D





Ontario

R 850346

Ontario Municipal Board

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

**AND IN THE MATTER OF appeals by  
Dianne Homiak, John Homiak,  
D. David Rose and Jean C. Rose  
in respect of Zoning By-laws  
190-85 and 191-85 of the Corporation  
of the City of Brampton**

**B E F O R E :**

**P.M. BROOKS  
Vice-Chairman**

**- and -**

**S.R. COLE  
Member**

Thursday, the 19th day  
of September, 1985

**THESE APPEALS having been withdrawn;**

**THE BOARD ORDERS that the said appeals are hereby  
dismissed.**

**ACTING SECRETARY**

FILE NO.	R85-1
FILE NO.	186
DATE	SEP 24 1985

**RECEIVED  
CLERK'S DEPT.**

**SEP 26 1985**

REG. N.  
FILE NO.

5070  
7.1.6  
T22W15.3