



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 363-2009

To amend By-law 270-2004, as amended

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

1. By-law 270-2004, as amended, is hereby further amended:

(1) by changing Schedule A thereto, the zoning designation of the lands as shown outlined on Schedule A to this by-law:

From:	To:
AGRICULTURAL (A)	HIGHWAY COMMERCIAL TWO – 1489 (HC2 – 1489); INDUSTRIAL FOUR – 1488 (M4 – 1488); OFFICE COMMERCIAL – 1487 (OC – 1487); FLOODPLAIN (F),and; OPEN SPACE

(2) by adding thereto, the following sections:

“1489 The lands designated HC2-1489 on Schedule A to this by-law shall be subject to the following requirements and restrictions:

- i. No buildings shall be located within 6.0 metres of an “OS” Zone.

1488 The lands designated M4 – 1488 on Schedule A to this by-law shall only be used for the following purposes:

a. Industrial

- i. The manufacturing, cleaning, packaging, processing, repairing or assembly of goods, foods or materials within an enclosed building, but excluding a motor vehicle repair shop as a principal use and a motor vehicle body shop as a principal or accessory use;
- ii. A utility installation;
- iii. A printing establishment.

b. Non-Industrial

- i. A day nursery;
- ii. A recreation facility or structure;
- iii. An office;
- iv. A retail establishment;
- v. A supermarket;
- vi. A dining room restaurant or a take-out restaurant;
- vii. A drive through facility associated with a bank;
- viii. A motor vehicle sales establishment;
- ix. A service shop;
- x. A banquet hall;
- xi. A community club;
- xii. A bank, trust company and finance company;
- xiii. A dry cleaning establishment;
- xiv. A health centre or fitness centre; and,
- xv. A commercial, technical or recreational school.

c. Accessory

- i. Purposes accessory to the other permitted purposes.

1488 .1 shall be subject to the following requirements and restrictions:

a. Setback of Building(s):

- i. Industrial Uses: A minimum setback of 18.0 metres for all buildings from Queen Street and Ebenezer;
- ii. Non-Industrial Uses: The minimum building setback shall be 3.0 metres from Cherrycrest Drive, except for buildings along Queen Street

and Ebenezer Road, in which case the minimum building setback shall be 6.0 metres;

- iii. No building shall be located within 6.0 metres of an "OS" Zone.
- b. Minimum Landscaped Open Space, (except at approved driveway locations):
 - i. Industrial Uses: 9.0 metres along Ebenezer Road, Queen Street;
 - ii. Non-Industrial Uses: 6.0 metres along Ebenezer Road and Queen Street;
 - iii. Along all other public roads, and lands zoned "Open Space (OS)": 3.0 metres;
- c. Outside Storage: No outside storage shall be permitted, except for:
 - i. motor vehicles for sale in association with a motor vehicle sales establishment; or,
 - ii. seasonal goods associated with a Non-Industrial Use is permitted but such storage shall not be located within a yard abutting Ebenezer Road, Queen Street, or an "Open Space (OS)" Zone; and
 - iii. notwithstanding the above, such storage shall not occupy any required parking space or landscaped area.
- d. Minimum Building Area: Non-Industrial buildings, excluding a specialty food or and grocery stores, shall be restricted to a minimum building area of 697 square metres (7,500 square feet).
- e. Minimum Gross Leasable Commercial Floor Area: Units within those non-industrial buildings shall have a minimum Gross Leasable Commercial Floor Area of 232 square metres (2,500 square feet).
- f. Minimum Lot Area: 0.30 hectares;
- g. Maximum Building Height:
 - i. Industrial Uses: 1 storey, except for an ancillary office building in which case the maximum building height shall be 3 storeys;
 - ii. Non-Industrial Uses: 3 storeys;

- h. **Loading Doors:** Buildings that abut Ebenezer Road shall not have overhead doors on a building wall facing Ebenezer Road. Buildings that abut Queen Street shall not have overhead doors on a building wall facing Queen Street. All overhead doors shall be adequately screened;
- i. **Screening:**
- i. All waste disposal facilities, including containers for recyclable materials, shall be screened from Ebenezer Road, Queen Street, and an "Open Space (OS)" zone;
 - ii. All rooftop units shall be screened in their entirety;
- j. All restaurant refuse storage shall be enclosed in a climate-controlled area within the building; and
- k. An adult entertainment parlour, an adult video store or an adult bookstore shall not be permitted;

1487 The lands designated OC-1487 on Schedule A to this by-law shall only be used for the following purposes:

- a. An office;
- b. A hotel or motel;
- c. Purposes accessory to the other permitted purposes.

1487.1 shall be subject to the following requirements and restrictions:

- a. **Setback of Building(s):**
The minimum building setback shall be 3.0 metres from McVean Drive, except for buildings along Queen Street and Ebenezer Road, in which case the minimum building setback shall be 6.0 metres;
- b. **Minimum Landscaped Open Space, (except at approved driveway locations):**
 - i. 3.0 metres along McVean Drive;
 - ii. 6.0 metres along Queen Street and Ebenezer Road;
- c. **Minimum Lot Area:** 0.30 hectares;
- d. **Maximum Building Height:** 8 storeys;
- e. **Minimum Building Height:** 4 storeys;
- f. **Loading Doors:**

For all uses, there shall be no overhead doors on a building wall that faces Ebenezer Road, McVean Drive, Queen Street unless screened;

g. Screening:

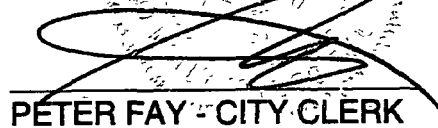
- i. All waste disposal facilities, including containers for recyclable materials, shall be screened from Ebenezer Road, McVean Drive, Queen Street, and an "Open Space (OS)" zone;
- ii. All rooftop units shall be screened in their entirety; and
- iii. All restaurant refuse storage shall be enclosed in a climate controlled area within the building."

READ a FIRST, SECOND and THIRD TIME, and PASSED in OPEN COUNCIL,

this 9th day of December 2009



SUSAN FENNELL - MAYOR



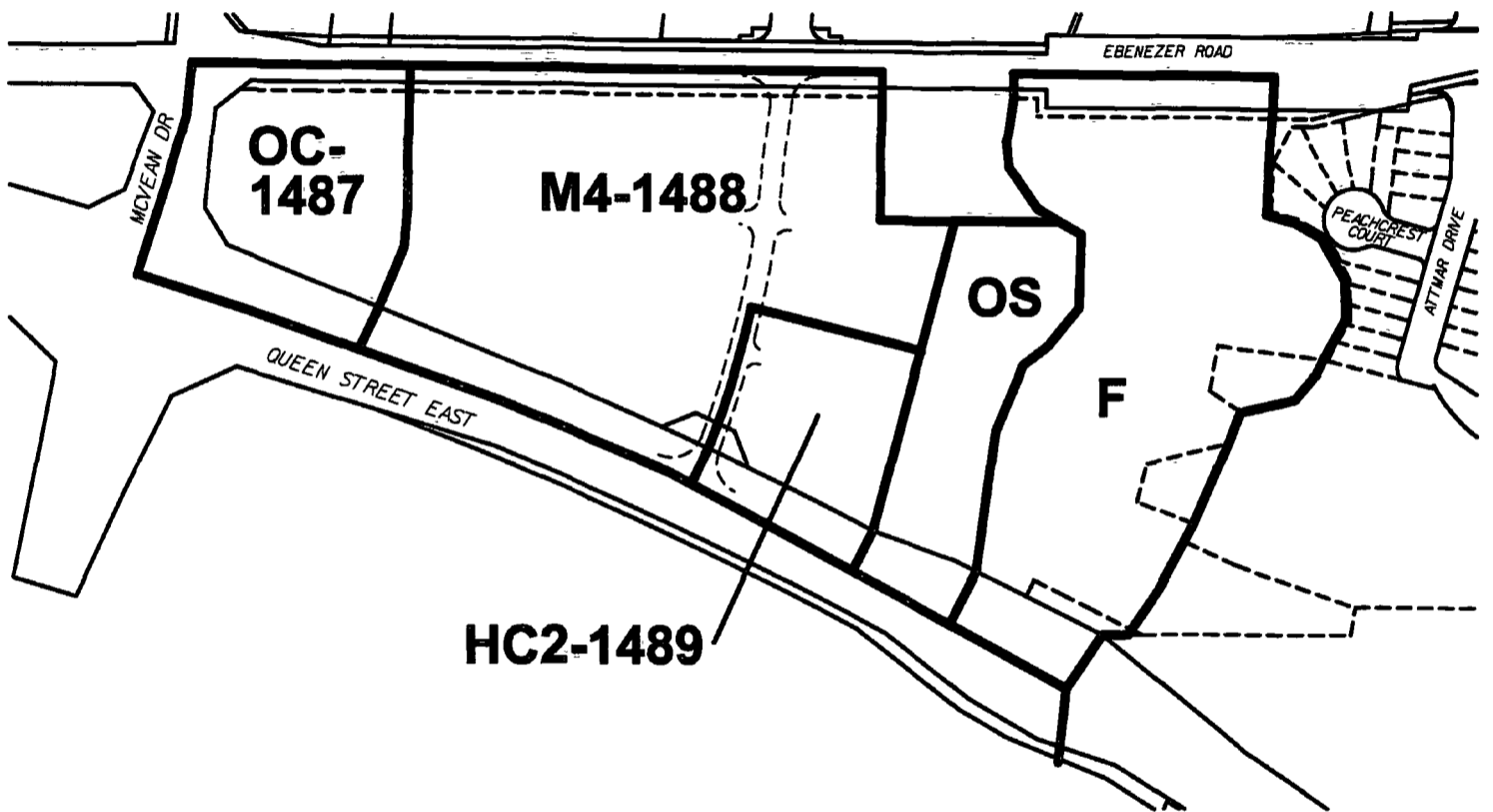
PETER FAY - CITY CLERK

Approved as to Content:



Adrian Smith, M.C.I.P., R.P.P
 Director, Planning and Land Development
 Services

APPROVED AS TO FORM LAW DEPT BRAMPTON		
<i>M. Ken</i>		
DATE	27	11 09



LEGEND

 ZONE BOUNDARY

PART LOT 5, CONCESSION 9 N.D.



CITY OF BRAMPTON
 Planning, Design and Development

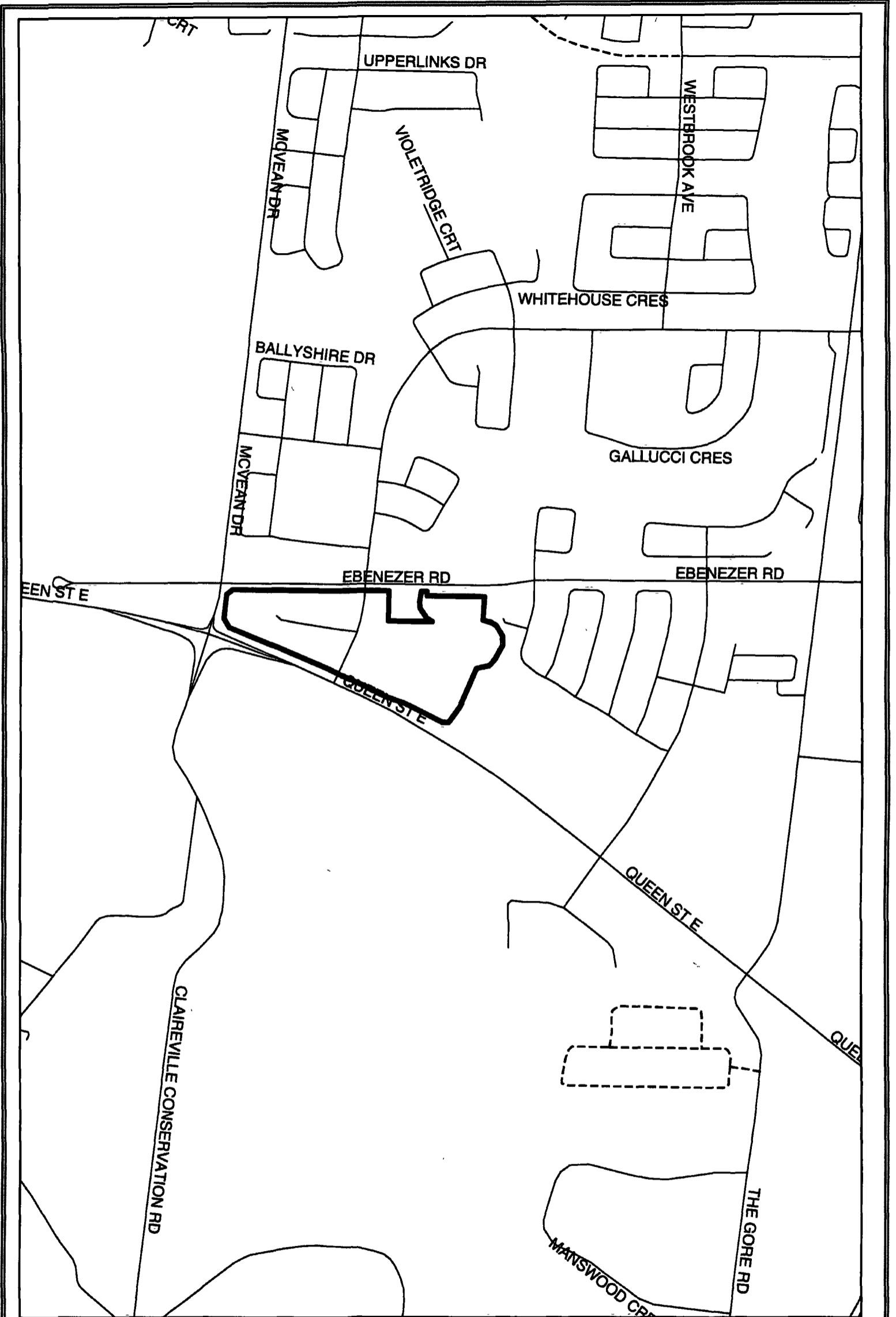
Date: 2009 11 13

Drawn by: CJK

By-Law 363-2009

Schedule A

File no. C09E05.020zbla



SUBJECT LANDS



PROPOSED STREETS



FLOWER CITY
 PLANNING,
 DESIGN &
 DEVELOPMENT



BRAMPTON.CA

Date: 2009/11/13 Drawn By: CJK

File: C09E05.020zkm

Key Map By-Law 363-2009

In the matter of the *Planning Act, R.S.O. 1990*, as amended, sections 17 and 34:

And in the matter of the City of Brampton By-law 362-2009 being a by-law to adopt Official Plan Amendment OP2006-034 and By-law 363-2009 to amend Zoning By-law 270-2004 as amended – Candevcon Limited - Woodspring Homes Ltd File C09E05.020)

DECLARATION

I, Earl Evans, of the City of Brampton, in the Region of Peel, hereby make oath and say as follows:

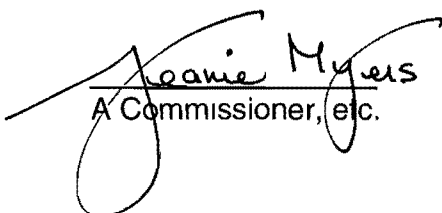
1. I am the Deputy Clerk of The Corporation of the City of Brampton and as such have knowledge of the matters herein declared.
2. By-law 362-2009 was passed by the Council of the Corporation of the City of Brampton at its meeting on the 9th day of December, 2009, to adopt Amendment Number OP2006-034 to the City of Brampton Planning Area ;
3. By-law 363-2009 was passed by the Council of the Corporation of the City of Brampton at its meeting held on the 9th day of December, 2009, to amend Zoning By-law 270-2004, as amended
4. Written notice of By-law 362-2009 as required by section 17(23) and By-law 363-2009 as required by section 34(18) of the *Planning Act* was given on the 23rd day of December, 2009, in the manner and in the form and to the persons and agencies prescribed by the *Planning Act, R.S.O. 1990* as amended
5. No notice of appeal was filed under section 17(24) and section 34(19) of the *Planning Act* on or before the final date for filing objections.
6. In all other respect the Official Plan Amendment and Zoning By-law have been processed in accordance with all of the *Planning Act* requirements including regulations for notice
7. OP2006-034 is deemed to have come into effect on the 13th day of January, 2010, in accordance with Section 17(27) of the *Planning Act, R.S.O. 1990*, as amended.
8. Zoning By-law 363-2009 is deemed to have come into effect on the 9th day of December, 2009, in accordance with Section 34(19) of the *Planning Act, R.S.O. 1990*, as amended.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

DECLARED before me at the)
City of Brampton in the)
Region of Peel this)
22nd day of January, 2010)



Earl Evans


A Commissioner, etc.

Joanie Cecilia Myers, a Commissioner, etc.,
Province of Ontario, for the
Corporation of the City of Brampton.
Expires April 8, 2012.