



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 28-79

A By-law to amend By-law 861, as amended by By-law 877 and as further amended, to prohibit or regulate the use of land and the erection, use, bulk, height and location of buildings on part of Lots 9 and 10, Concession 5, East of Hurontario Street, in the former Township of Chinguacousy now in the City of Brampton

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

1. Schedule A of By-law 861, as amended, being the Restricted Area By-law of the former Township of Chinguacousy, is hereby amended by changing the zoning designations of the lands shown outlined on Schedule A attached to this By-law from AGRICULTURAL (A1) to RESIDENTIAL R5C (R5C), RESIDENTIAL R5D (R5D), RESIDENTIAL R5D (HOLDING) (R5D (H)), RESIDENTIAL R4 (R4), RESIDENTIAL R5C-SECTION 204 (R5C-SECTION 204), RESIDENTIAL R5N-SECTION 205 (R5N-SECTION 205), RESIDENTIAL RMIN-SECTION 206 (RMIN-SECTION 206), RESIDENTIAL RMIC-SECTION 207 (RMIC-SECTION 207), COMMERCIAL C5A-SECTION 208 (C5A-SECTION 208) and CONSERVATION AND GREENBELT (G).
2. Schedules A-Keyplan, A-Sheet 1, A-Sheet 2, and A-Sheet 3 of this By-law are hereby attached to By-law 861 as part of Schedule A and form part of By-law 861.
3. By-law 861 is amended by adding the following sections:
  - "204. The lands designated R5C-SECTION 204 on Schedule A hereto attached:
    - 204.1 shall only be used for the purposes permitted in the R5C zone;
    - 204.2 shall be subject to the following requirements and restrictions:
      - (a) Minimum Side Yard
        - (1) Every lot shall have a large and small side yard;
        - (2) The small side yard shall be a minimum of 0.8 metres (2.6 feet); and
        - (3) The large side yard shall be a minimum of 2.8 metres (9.2 feet).

- (b) Minimum Distance between dwellings on adjacent lots
  - (1) 1.6 metres (5.2 feet) on the side of the small yards; and,
  - (2) 5.6 metres (18.4 feet) on the side of the large side yards.

204.3 shall also be subject to the requirements and restrictions relating to the R5C zone which are not in conflict with the ones set out in Section 204.2.

205.1 The lands designated R5N-SECTION 205 on Schedule A hereto attached:

205.1.1 shall only be used for single family detached dwellings and any other purpose permitted within an R5 zone. (The presence of a noise attenuation barrier which may link single family detached dwellings shall not preclude them from being considered to be single family detached dwellings)

205.1.2 shall be subject to the following requirements and restrictions:

- (a) Minimum Lot Area 445.9 square metres (4799.7 square feet). (The area of the landscaped buffer space in the rear yard shall not be considered in determining the minimum lot area).
- (b) Minimum Lot Width 12.2 metres (40.0 feet).
- (c) Minimum Outdoor Living Area 75 square metres (807.3 square feet) for each dwelling unit. (A maximum of 19 square metres (204.5 square feet of the roof area of the garage may be considered as part of this requirement if it has a noise level low enough to be considered as and is designed to be utilized as an outdoor living area).
- (e) Landscaped Buffer Space A strip of land not less than 6.1 metres (20.0 feet) in width abutting either the rear lot line or the side lot line, whichever is adjacent to Bovaird Drive or Bramalea Road, shall be used for no other purpose than landscaped buffer space.
- (f) Minimum Rear Yard 8.0 metres (26.2 feet).

(g) Minimum Side Yard

A side yard other than a side yard abutting a flanking street may be reduced to zero provided that:

- (1) the minimum distance between dwellings on adjacent lots shall not be less than 1.6 metres (5.2 feet);
- (2) when dwellings on adjacent lots are less than 2.4 metres (7.9 feet) apart, no opening shall be permitted except for windows to areas or rooms which are not habitable rooms;
- (3) the minimum sum of the widths of the two side yards on each lot shall be as follows:
  - (i) 3.0 metres (9.8 feet) on lots with dwellings of less than 2 storeys; and
  - (ii) 3.6 metres (11.8 feet) on lots with dwellings of two or more storeys.

(h) Minimum Side Yard Flanking A Street

3.0 metres (9.8 feet).

(i) Minimum Corner Lot Visibility Triangle

No part of any building on a corner lot shall be located closer than 4.6 metres (15.1 feet) to the intersection of street lines as projected.

(j) Corner Lot Yard

Where corner roundings or visibility triangles exit, width, depth and side yard requirements for a corner lot shall be measured from the point of intersection of the extension of the front and side lot lines.

(k) Maximum Coverage of lot by all Buildings

40% (excluding open swimming pools but including partially covered or completely covered permanent swimming pools, garages and carports).

(l) Minimum Floor Area of Dwelling Units

- (1) 111 square metres (1,194.8 square feet) for a 1½ storey or split level building; and
- (2) 120 square metres (1,292 square feet) for a building having two or more storeys.

- (m) Maximum Height of Building above Basement 10.6 metres (34.8 feet).
- (n) Minimum Height above Established Grade in Rear Yard 4.8 metres (15.7 feet).
- (o) Minimum Parking Spaces per Dwelling Unit 2, one of which must be located in a garage or carport.
- (p) Detached Garage
  - (1) A one-car garage detached from the dwelling may be constructed in the front yard in accordance with the following:
    - (i) It shall be constructed of the same exterior material and of the same architectural design as the dwelling which it is to serve;
    - (ii) The minimum setback from the front lot line shall be 7.0 metres (23.0 feet); and
    - (iii) It shall comply to the side yard provisions of sections 205.1.2 (g) and 205.1.2 (h) except that it may be constructed abutting a side lot line provided that it is constructed together with another one-car garage on an abutting lot as part of a double garage unit and a common wall on and along the side lot lines divides the garages.
  - (2) A two-car garage detached from the dwelling may be built in the front yard in accordance with the following:
    - (i) It shall comply to the side yard provisions of sections 205.1.2 (g) and 205.1.2 (h);
    - (ii) It shall be constructed of the same exterior material and of the same architectural design as the dwelling which it is to serve; and
    - (iii) The minimum setback from the front lot line shall be 7 metres (23 feet).

- (q) Accessory Buildings excluding a Detached Garage
- (1) Maximum floor area of 16 square metres (52.5 square feet);
  - (2) Maximum height of 2.2 metres (7.2 feet);
  - (3) Minimum setback from any lot line of 0.6 metres (2.0 feet);
  - (4) Permitted in a side yard;
  - (5) Permitted in that portion of a rear yard which is not designated as the landscaped buffer space; and
  - (6) Permitted in a front yard and a side yard flanking a street provided that the entire structure is totally screened from view at any location on the street.
- (r) Fencing (other than a Noise Attenuation Barrier)
- (1) Maximum height of 1.9 metres (6.2 feet) except as indicated in (2) below;
  - (2) Along the rear lot line and along the side lot lines a distance of 6.1 metres (20.0 feet) from the rear lot line, a chain link fence to a maximum height of 1.3 metres (4.3 feet) shall be the only fencing permitted; and
  - (3) In the front yard, within 7.0 metres (23.0 feet) of the front lot line, a fence constructed of bricks shall be the only fencing permitted.
- (s) Swimming Pools
- (1) The minimum distance of any in-ground and/or above-ground swimming pool from a lot line or easement shall be 1.2 metres (3.9 feet);
  - (2) The maximum coverage by the pool is not to exceed 50% of the area of the yard containing the in-ground and/or above-ground swimming pool; and
  - (3) If an above-ground swimming pool is located in the front yard it must be totally screened from view from the street, and such screening must comply with section 205.1.2 (r).

205.2 For the purposes of Section 205,

Habitable Room shall mean a kitchen, dining room, living room, family room, bedroom, den or finished recreation room.

Lot Width shall mean the minimum distance between the side lot lines. Where side lot lines are not parallel, the lot width shall be the straight-line distance between points on the side lot lines which are 7.0 metres (23.0 feet) back from the front lot line.

Landscaped Buffer Space shall mean an area on a lot which is used exclusively for the growth, maintenance and preservation of grass, flowers, trees, shrubs, and other landscaping.

Outdoor Living Area shall mean an uninterrupted, screened area immediately adjacent to and accessible from the dwelling unit which provides a quiet and private environment for a range of outdoor living activities, but does not include sideyards or parts of front yards which are less than 2.5 metres (8.2 feet) in width.

Noise Attenuation Barrier shall mean a physical structure placed between a noise source and a noise sensitive area where reduced noise levels are required.

206.1 The lands designated RMIN-SECTION 206 on Schedule A hereto attached:

206.1.1 shall only be used for

- (a) street townhouse dwelling units,
- (b) semi-detached dwelling units, and
- (c) any other purpose permitted within an RM zone;

206.1.2 shall, in respect of street townhouse dwelling units and semi-detached dwelling units, be subject to the following requirements and restrictions:

- (a) Minimum Lot Area 185.8 square metres (2000.0 square feet) for each dwelling unit.  
(The area of the landscaped buffer space in the rear yard shall not be considered in determining the minimum lot area).
- (b) Minimum Lot Width 6.1 metres (20.0 feet) for each dwelling unit.
- (c) Minimum Front Yard 7.0 metres (23.0 feet).

- (d) Minimum Outdoor Living Area 45 square metres (484 square feet) for each dwelling unit. (That portion of the roof of the garage which has a noise level low enough to be considered as and is designed to be utilized as an outdoor living area may be considered as part of this requirement).
- (e) Landscaped Buffer Space in Rear Yard A strip of land not less than 6.1 metres (20.0 feet) in width abutting the rear lot line shall be used for no purpose other than landscaped buffer space.
- (f) Minimum Rear Yard 8.0 metres (26.2 feet).
- (g) Minimum Side Yard for End Units 9.2 metres (3.9 feet) plus 0.6 metres (2.0 feet) for each additional storey above the first storey.
- (h) Minimum Side Yard Flanking a Street 3.0 metres (9.8 feet).
- (i) Minimum Corner Lot Visibility Triangle No part of any building on a corner lot shall be located closer than 4.6 metres (15.1 feet) to the intersection of street lines as projected.
- (j) Corner Lot Measurements Where corner roundings or visibility triangles exist, width, depth and side yard requirements for a corner lot shall be measured from the point of intersection of the front and side lot lines.
- (k) Minimum Floor Area of dwelling Units
  - (1) 98 square metres (1055 square feet) for a 1½ storey building;
  - (2) 103 square metres (1109 square feet) for a 2 storey building;
  - (3) 125 square metres (1346 square feet) for a 3 storey building.
- (l) Maximum Height of Building above Basement 10.6 metres (34.8 feet).
- (m) Minimum Parking spaces per dwelling Unit 2, one of which must be located in a garage or carport.

- (n) Maximum Coverage of lot by Buildings 60%
- (o) Direct Access Through Dwelling Unit
  - (1) Each street townhouse dwelling unit must have direct access from the front yard to the rear yard without passing through any habitable room; and
  - (2) Where a direct access passes through an unfinished basement, a door opening to the rear yard must be adjacent to either side-wall and directly opposite the door.
- (p) Accessory Buildings Not permitted
- (q) Swimming Pools Not Permitted
- (r) Fencing (other than a Noise Attenuation Barrier)
  - (1) Maximum height of 1.9 metres (6.2 feet) except as indicated in (2) below; and
  - (2) Along the rear lot line and along the side lot lines a distance of 6.1 metres (20.0 feet) from the rear lot line, a chain link fence to a maximum height of 1.3 metres (4.3 feet) shall be the only fencing permitted.

206.1.3 shall, in respect of any other purpose permitted within an RM zone, be subject to the requirements and restrictions relating to the RM zone.

206.2 For purposes of Section 206,

Dwelling, Street Townhouse shall mean one of three or more attached single family dwelling units, joined to one another horizontally in whole or in part above grade with not more than 10 dwelling units joined to form any one building.

Habitable Room shall mean a kitchen, dining room, family room, bedroom, den or finished recreation room.

Lot Width shall mean the minimum distance between the side lot lines. Where side lot lines are not parallel and converge toward the front lot line, the lot width shall be the straight line distance between points on the side lot lines which are 15.0 metres (49.2 feet) back from the front lot line.



Landscaped Buffer Space shall mean an area on a lot which is used exclusively for the growth, maintenance and preservation of grass, flowers, trees, shrubs and other landscaping.

Outdoor Living Area shall mean an uninterrupted, screened area immediately adjacent to and accessible from the dwelling unit which provides a quiet and private environment for a range of outdoor living activities but does not include sideyards or parts of front yards which are less than 2.5 metres (8.2 feet) in width.

Noise Attenuation Barrier shall mean a physical structure placed between a noise source and a noise sensitive area when reduced noise levels are required.

207.1 The lands designated as RMIC-SECTION 207 on Schedule A hereto attached:

207.1.1 shall only be used for the purposes permitted in the RMIC zone; and

207.1.2 shall be subject to the following requirements and restrictions:

- (a) Direct Access
- (1) Each street townhouse dwelling unit must have a direct access from the front yard to the rear yard without passing through any habitable room; and
  - (2) Where a direct access passes through an unfinished basement, a door opening to the rear yard must be adjacent to either sidewall and directly opposite the door.

207.1.3 shall also be subject to the requirements and restrictions relating to the RMIC zone which are not in conflict with the ones set out in section 204.2.

207.2 For the purposes of Section 207,

Lot Width shall mean the minimum distance between the side lot lines. Where side lot lines are not parallel and converge toward the front lot line, the lot width shall be the straight line distance between points on the side lot lines which are 15.0 metres (49.2 feet) back from the front lot line. Where side lot lines are not parallel and converge toward the rear lot line, the lot width shall be the straight line distance between points on the side lot line which are 7.0 metres (23.0 feet) back from the front lot line.

208. The lands designated as C5A-SECTION 208 on Schedule A hereto attached:

208.1 shall only be used for

- (a) an automobile service station,
- (b) a day care centre, and
- (c) any other purpose permitted within the C5A zone;

208.2 shall be subject to the following requirements and restrictions:

208.2.1 an automobile service station shall be subject to section 15 of this by-law;

208.2.2 a day care centre and all uses permitted within the C5A zone shall be subject to the following requirement:


- (a) Minimum Parking Spaces                      1 parking space for every 23 square metres (247.6 square feet) of gross floor area; and

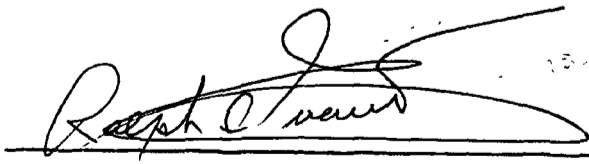
208.3 a day care centre and the uses permitted within the C5A zone shall also be subject to the requirements and restrictions relating to the C5A zone which are not in conflict with the ones set out in section 208.2."

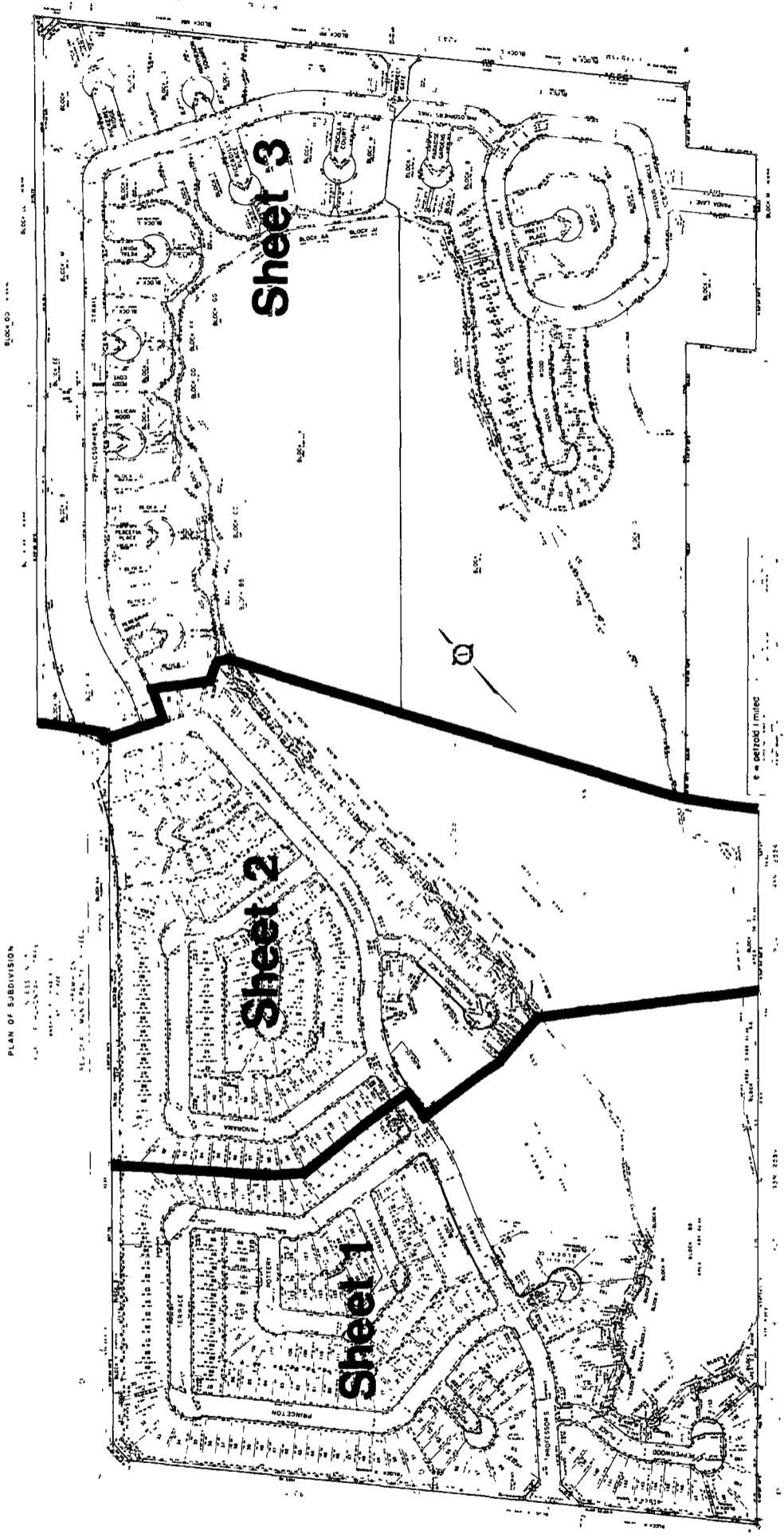
4. This by-law shall not come into force without the approval of the Ontario Municipal Board.

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

this                      12th                      day of                      February,                      1979

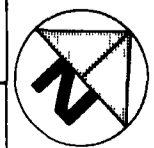
  
JAMES E. ARCHDEKIN, MAYOR

  
RALPH A. EVERETT, ~~DEPUTY~~ CITY CLERK  
af.



*PART LOT 10, CONCESSION 5 E.H.S.  
 BY-LAW 861, SCHEDULE A*

**BY-LAW 28-79 , SCHEDULE A - KEY PLAN**



**City of Brampton  
 Planning Department**

A4-12 AA

Drawn by: DVC

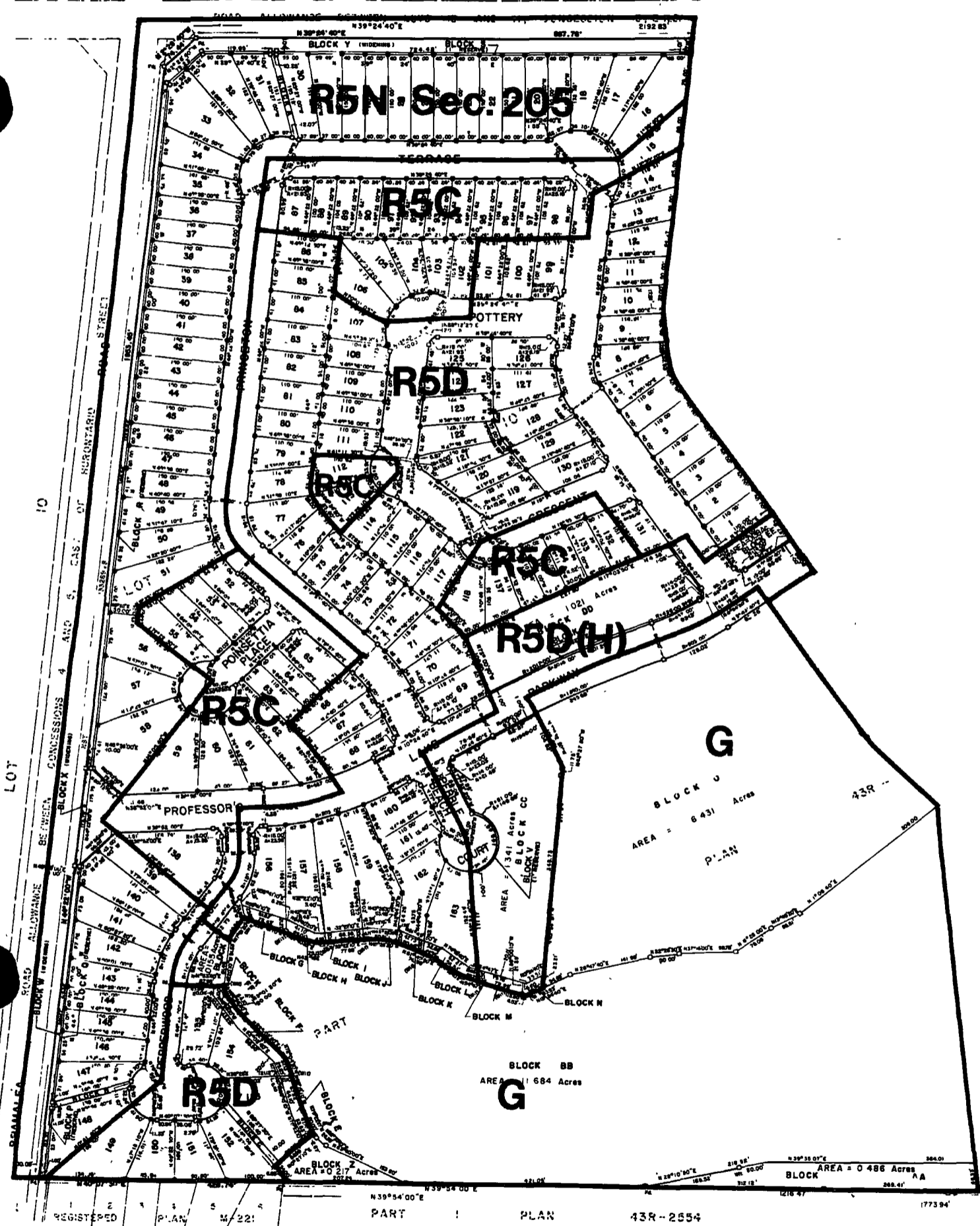
Date: 1979 02

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LOT

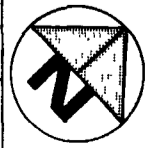
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LOT 9 CONCESSION 5, E.H.S.

**PART LOT 10, CONCESSION 5 E.H.S.  
BY-LAW 861, SCHEDULE A**

**BY-LAW 28-79, SCHEDULE A - SHEET 1**



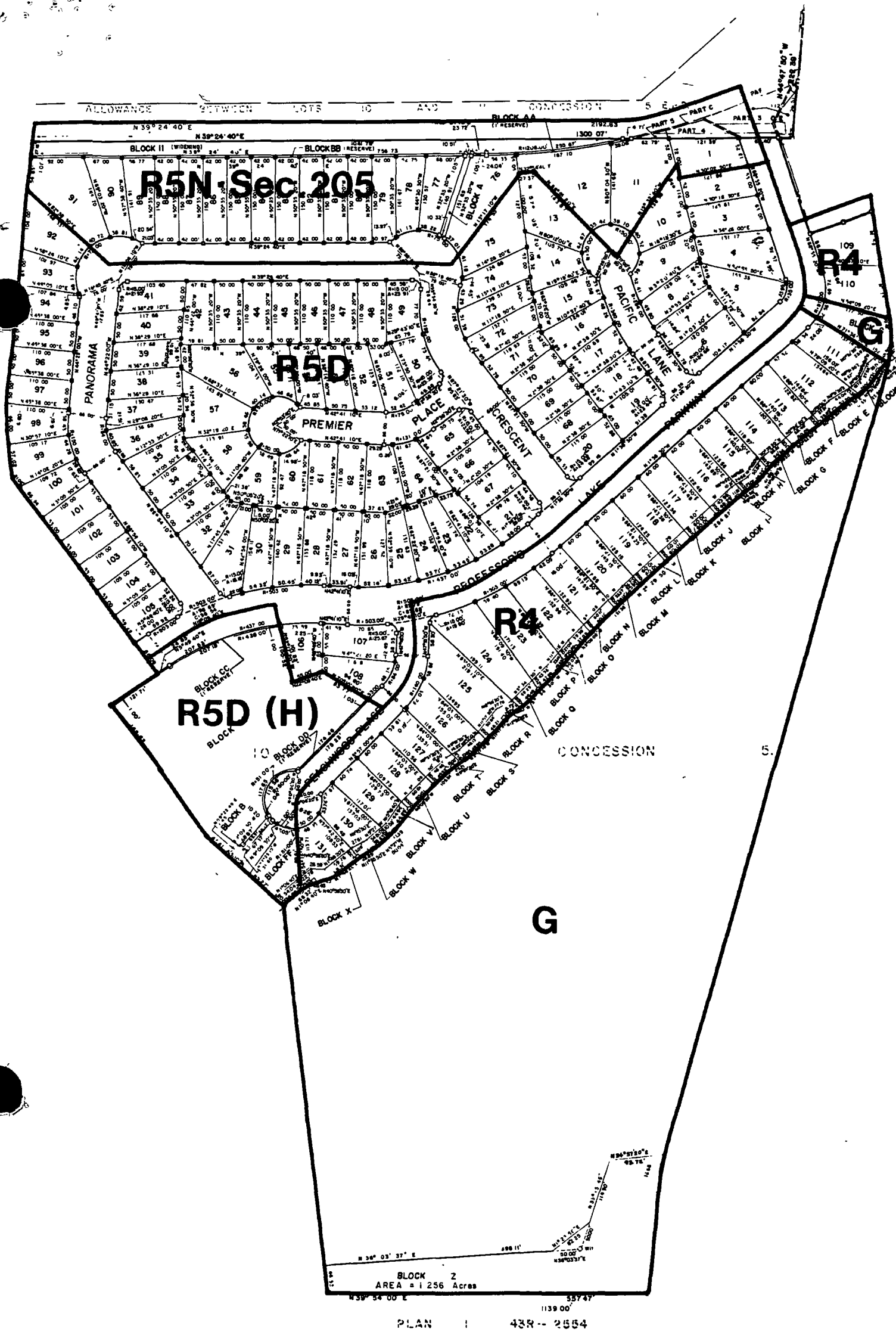
**City of Brampton  
Planning Department**

A4-12BB

Drawn by: D.V.C. Date: 1979 02

C5E101

**1:2676**



PART LOT 10, CONCESSION 5 E.H.S.  
 BY-LAW 861, SCHEDULE A

BY-LAW 28-79, SCHEDULE A - SHEET 2

A4-12CC

Drawn by: D.V.C.

Date: 1979 02

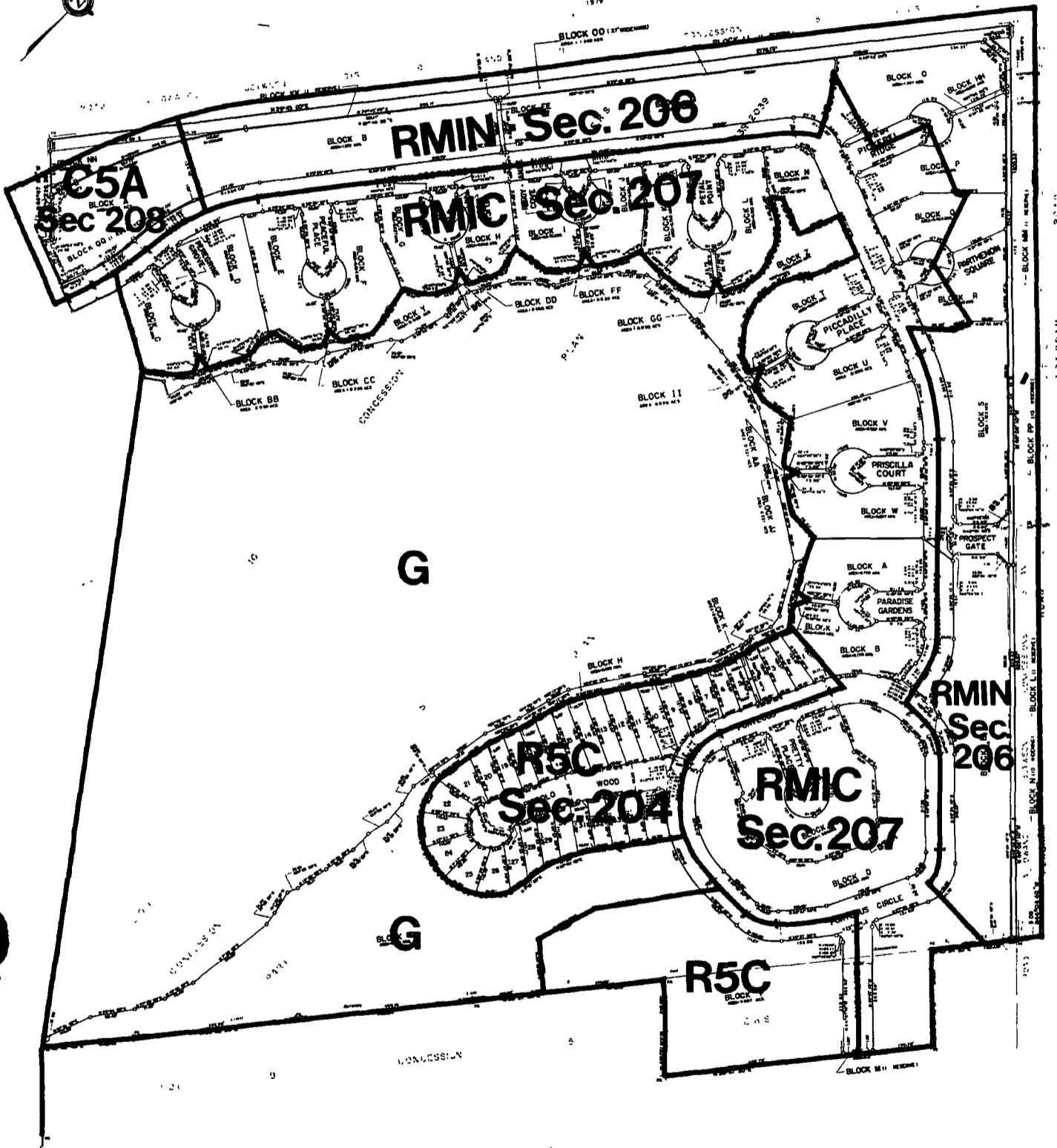
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1:2676

City of Brampton  
 Planning Department

PLAN OF SUBDIVISION  
 OF PART OF  
 LOT 10, CONCESSION 5  
 EAST OF HURONTARIO STREET  
 FORMERLY  
 TOWNSHIP OF CHINGUACOUSY  
 COUNTY OF PEEL  
 NOW IN THE  
 CITY OF BRAMPTON  
 REGIONAL MUNICIPALITY OF PEEL  
 SCALE 1 INCH = 100 FEET  
 A SKRAMDA OLS  
 1979



PART LOT 10, CONCESSION 5 E.H.S.  
 BY-LAW 861, SCHEDULE A

BY-LAW 28-79, SCHEDULE A - SHEET 3

A4-12 DD

Drawn by: D.V.C.

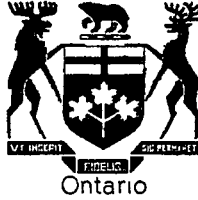
Date: 1979 02

C5E101



1:2676

City of Brampton  
 Planning Department



R 791306

Ontario Municipal Board

IN THE MATTER OF Section 35 of  
The Planning Act (R.S.O. 1970,  
c. 349),

- and -

IN THE MATTER OF an application  
by The Corporation of the City  
of Brampton for approval of  
its Restricted Area By-law 28-79

B E F O R E :

A.H. ARRELL, Q.C.  
Vice-Chairman

- and -

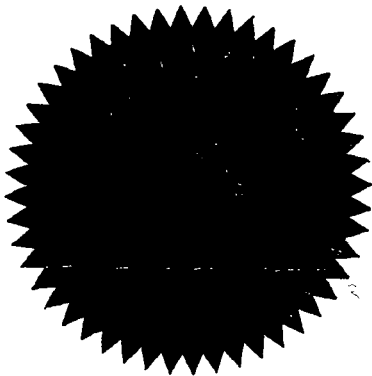
A.L. McCRAE  
Vice-Chairman

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Tuesday, the 17th day of  
April, 1979

No objections to approval having been received  
as required;

THE BOARD ORDERS that By-law 28-79 is  
hereby approved.



SECRETARY

ENTERED	
O. B. No....	R.79-2.....
Folio No....	288.....
APR 19 1979	
SECRETARY, ONTARIO MUNICIPAL BOARD	

PASSED FEBRUARY 12, 1979

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# BY-LAW

28-79

No. \_\_\_\_\_

A By-law to amend By-law 861, as amended by By-law 877 and as further amended, to prohibit or regulate the use of land and the erection, use, bulk, height and location of buildings on part of Lots 9 and 10, Concession 5, East of Hurontario Street, in the former Township of Chinguacousy now in the City of Brampton.