

THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW NUMBER 58-75

A By-law to regulate the use of land and the erection, use, bulk, height and location of buildings located on Part of the West Half of Lot 2, Concession 1, W.H.S. City of Brampton Region of Peel.

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

SECTION 1.0 DEFINITIONS

In this By-law:

- 1.1 Accessory means naturally and normally incidental, subordinate and exclusively devoted to the principal use, building or structure located on the same lot.
- 1.2 Building Area means the maximum area of a building at grade measured to the centre of party walls and to the outside of other walls. Building Area includes airwells and all other spaces within the building, but excludes porches, verandahs, steps, cornices, chimney breasts, fire-escapes, exterior stairways, breezeways, detached accessory buildings, ramps, and open loading platforms.
- 1.3 Carport means an accessory building or a portion of a main building designed or used for the sheltering of vehicles which has more than forty (40) per cent of its total perimeter open and unobstructed.
- 1.4 Corner Lot means a lot situated at the intersection of two or more streets, or at the intersection of two parts of the same street having an angle of intersection of less than one hundred and thirty-five (135) degrees.
- 1.5 Dwelling Unit means one or more habitable rooms, connected together to form a separate unit which constitutes an independent housekeeping unit for one family to sleep, cook, and eat and which includes its own sanitary facilities.

- 1.6 Exterior Lot means a corner or reversed corner lot.
- 1.7 Exterior Side Yard means the side yard of an exterior lot which extends from the front yard to the rear lot line between the flankage lot line and the nearest main wall of the main building or structure.
- 1.8 Family means (a) an individual; or (b) two or more persons who are related by consanguinity, marriage or legal adoption; and not more than two (2) persons who receive their lodging and/or board for compensation; or (c) a group of not more than five (5) unrelated persons.
- 1.9 Flankage Lot Line means the longer lot line which abuts the street on an exterior lot.
- 1.10 Front Lot Line means the lot line that divides the lot from the street. In the case of an exterior lot, the shorter lot line that abuts a street is considered the front lot line.
- 1.11 Front Yard means a yard extending across the full width of the lot between the front lot line and the nearest main wall of the main building or structure on the lot.
- 1.12 Height of Building means the vertical distance from grade to the highest point of the roof surface in the case of a flat roof, to the mean height level between the eaves and ridge of a gable, hip or gambrel roof, or to the deck line of a mansard roof.
- 1.13 Interior Lot means a lot other than an exterior lot.
- 1.14 Key Lot means an interior lot in the rear of and adjoining a reversed corner lot but not separated from the corner lot by a lane.
- 1.15 Lot means a parcel of land that is not less than:
(a) a whole lot on a registered plan of subdivision or,
(b) a parcel of land which complies with the provisions of Section 29 (2) or Section 29 (4) of The Planning Act, R.S.O. 1970, Chapter 349 as amended.
- 1.16 Lot Area means the total horizontal area within the lot lines of a lot; excluding the horizontal area of the lot usually covered by water or marsh, or below the

rim of a river bank or watercourse, or between the top and toe of a cliff or embankment, or having a slope of twenty-five (25) per cent or more.

- 1.17 Lot Depth means the horizontal distance between the front and rear lot lines, measured along a line midway between the side lot lines.
- 1.18 Lot Line means any boundary of a lot.
- 1.19 Lot Width means the shortest horizontal distance between the side lot lines measured twenty (20) feet back from the mid-point of the front lot line.
- 1.20 Main Building means the building designed or used for the principal use on the lot.
- 1.21 Main Wall means any exterior wall of a building, but shall be construed to mean the structural members essential to the support of a roof, where they are nearer to a lot line than the main wall.
- 1.22 Open Space means an unoccupied parcel of land open to the sky but not including such land as is used or required for parking purposes by this By-law.
- 1.23 Parking Area means an open area or a structure, other than a street, used for the temporary parking of one or more vehicles and available for use by employees or residents.
- 1.24 Parking Space means a space within a parking area exclusive of driveways, aisles or landscaped open space for the temporary parking of a vehicle.
- 1.25 Private Garage means an accessory building or a portion of a dwelling which is designed or used for the sheltering of one or more vehicles and the storage of household equipment incidental to the residential occupancy of the dwelling.
- 1.26 Public Utility Installation means any building, structure, plant or equipment essential to the operation of a public utility including any of the following:
- Bell Telephone Company of Canada
 - Canadian Pacific Railway Company
 - Canadian National Railway Company
 - Consumers Gas Company

Hydro Electric Commission of Brampton

- 1.27 Rear Lot Line means the lot line opposite the front lot line.
- 1.28 Rear Yard means a yard extending across the full width of the lot between the rear lot line and the nearest main wall of the main building.
- 1.29 Side Lot Line means a lot line other than a front or rear lot line.
- 1.30 Side Yard means a yard between the main wall of the main building or structure and the side lot line extending from the front yard to the rear yard.
- 1.31 Single Family Dwelling means a detached building containing one dwelling unit.
- 1.32 Street means a public highway.
- 1.33 Street Setback means the distance between the centre line of a street allowance and the main wall of a building.

SECTION 2.0 - DESIGNATIONS

2.1 Use Zoning

For the purpose of this By-law the land is divided into the following zones:

<u>Zone Designation</u>	<u>Zone Symbol</u>
Residential Single Family	R1
Open Space	OS

2.2 Zoning Map

(a) The zones and the boundaries of the zones are shown on Schedule "A" which forms part of this by-law and which is referred to as the Zoning Map,

(b) where the boundary of a zone is shown on the Zoning Map,

(1) as following a street, lane, railway right-of-way, transmission line or watercourse, the centre-line of the street, lane, railway right-of-way, transmission line or watercourse is the boundary.

(2) as following lot lines on a registered plan of subdivision, the lot lines are the boundary.

SECTION 3.0 - PUBLIC USES PERMITTED

3.1 The provisions of this By-law shall not apply to the use of any land or to the erection or use of any building or structure for the purposes of the Corporation of the City of Brampton or for the purposes of any local Board thereof as defined by The Municipal Affairs Act, R.S.O. 1970, Chapter 118, provided that:

(1) The lot coverage, yard and parking requirements are complied with for the zone in which the land, building or structure is located and,

(2) no goods, material or equipment are stored in the open in a Residential Zone.

SECTION 4.0 - GENERAL PROVISIONS

4.1 Yards

Every part of a required yard shall be open and unobstructed from the ground to the sky, except as permitted by this by-law.

4.2 Permitted Encroachments Into Required Yards

The structures listed in the following schedule shall be permitted to project into a required yard.

Schedule 4.2

Structure	Yards in which projections are permitted	Maximum projection from main wall permitted
Sill, belt course, cornice, eave, gutter, chimney or pilaster.	any yard	18 inches
Fire escape and exterior staircase.	Front, rear and exterior side yards only	5 feet
Window Bay	Front, rear and exterior side yards only	3 feet over a maximum width of 10 feet
Balcony	Front, rear and exterior side yards only	5 feet
Open or roofed porch not exceeding one storey in height	Rear yard only	8 feet including eaves and cornices

4.3 No porch or terrace permitted by Section 4.2 shall extend above the level of the ground floor of the building exclusive of roof supports; but this shall not prohibit the erection of latticing, screening or a similar structure which permits the free passage of air at all time.

4.4 Lot Coverage Accessory Uses

The building area of all accessory buildings and structures, including a swimming pool covered or enclosed by a permanent structure, shall not exceed ten (10) per cent of the lot area.

4.5 Swimming Pools

(a) A private uncovered or unenclosed swimming pool constructed in a Residential Zone shall be located no closer than five (5) feet to any rear or side lot line, and no closer than ten (10) feet to any rear lot line which abuts the side lot line of another lot.

(b) A building for a covered or enclosed swimming pool may be located in the side or rear yard of a lot in a Residential Zone provided that it is:

(i) no closer than four (4) feet to a side lot line, if in an interior side yard and,

(ii) no closer than two (2) feet to an interior side or a rear lot line, if in a rear yard and,

(iii) no closer to a street than the required setback for a main building.

4.6 Building Heights

(a) A single family detached dwelling shall not exceed a height of thirty-five (35) feet.

(b) No accessory building in a residential zone shall exceed a height of fifteen (15) feet, and in any other zone no accessory building shall exceed a height of twenty (20) feet.

(c) The height limitations of this by-law shall not apply to church spires, water tanks, elevator enclosures, flag poles, television or radio antennae, ventilators or skylights or chimneys.

4.7 Yards for Non-Residential Buildings

A recreational, or public building in any Residential or Open Space Zone shall be located no closer than one-half the height of the building or twenty-five (25) feet, whichever is the greater, to any lot line of the site on which the building is located where the site abuts a Residential Zone. No front yard shall be less than that indicated in Section 6.4 of the R1 Zone.

4.8 Fences or Hedges

No fence or hedge

- (i) within a front yard shall exceed three (3) feet in height,
- (ii) within an exterior side yard shall exceed four (4) feet in height and,
- (iii) within any other required yard shall exceed six (6) feet in height except that a chain link fence for a school or park may exceed these permitted heights.

SECTION 5.0 - PARKING

5.1 Parking Accommodation

For every building or property erected, occupied or used minimum off-street automobile parking accommodation located on the same lot with the building or use shall be provided as follows:

- (a) For each dwelling unit in a single family or semi-detached building, two parking spaces which may be located in a driveway;

5.2 Parking Area - Regulations

- (a) Where parking facilities are required or permitted for single family detached dwellings:
 - (i) parking spaces shall be located on the same lot as the principal use,
 - (ii) no area may be constructed or used for parking or storage within a required front yard or required exterior side yard, however the parking of one passenger vehicle in a driveway in the required yard is permitted,

- (iii) no driveway shall be less than ten (10) feet in width,
- (iv) no driveway shall be located closer than thirty (30) feet to an intersection of a front lot line and an exterior side lot line, and
- (v) all parking spaces, aisles and driveways shall be usable in all seasons and finished with a stable dustless surface.

5.3 Detached Private Garage or Carport

(a) A detached private garage or carport as an accessory building may be located in the side or rear yard of a lot in a Residential Zone provided that it is:

- (i) no closer than four (4) feet to a main building and,
- (ii) no closer than four (4) feet to a side lot line, if in an interior side yard or two (2) feet to an interior side or a rear lot line, if in a rear yard and,
- (iii) no closer to a street than the required setback for a principal building.

(b) A detached private garage or carport may be erected against a lot line in a side or rear yard if;

- (i) the garages for both lots are designed as one (1) building and,
- (ii) a common wall, on and along the side or rear lot line divides the garages and,
- (iii) the garages for both lots are constructed or reconstructed simultaneously.

5.4 Trailers and Commercial Vehicles

A house trailer or a commercial vehicle not exceeding 6,000 pounds Gross Vehicle Weight may be stored or parked in a Residential Zone provided that the house trailer or commercial vehicle:

- (a) Is not parked closer to a lot line than a detached private garage is permitted by this by-law;

- (b) is owned by the occupant of the premises and;
- (c) is not used for human habitation.

SECTION 6.0 - RESIDENTIAL SINGLE FAMILY (R1)

6.1 In a Residential Single Family (R1) Zone no land shall be used, and no building or structure shall be erected, or used, except in conformity with the provisions of this section.

6.2 Permitted Uses

(a) Residential

- (i) A single family detached dwelling,
- (ii) a building or use accessory to the above, provided that the building is not used for human habitation,
- (iii) public utility installation excluding any uses which are primarily of an administrative, maintenance or storage nature provided that no goods, materials, or equipment are stored in the open,
- (iv) the public uses as set out in Section 3.0

6.3 Lot Requirement

In the R1 Zone, a single family detached dwelling shall be located on a lot that has:

- (a) a minimum lot width of fifty (50) feet for an interior lot or sixty (60) feet for an exterior lot;
- (b) a minimum lot depth of ninety-four (94) feet;
- (c) a minimum lot area of five thousand (5,000) square feet for an interior lot or six thousand (6,000) square feet for an exterior lot.

6.4 Front Yard

In the R1 Zone:

- (a) The minimum depth of the front yard, except in the case of a key lot, shall be fifty-eight (58) feet from the original centre line of the street and in no case less than twenty (20) feet from the front lot line;
- (b) in the case of a key lot the minimum depth of

a front yard shall be the average of the required front yard depth for the adjoining interior lot and the required exterior side yard width.

6.5 Side Yard

(a) The width of an interior side yard shall not be less than four (4) feet for a one (1) storey dwelling and an additional two (2) feet for each additional storey or part adjacent to the side yard except as follows:

(i) Where there is no attached garage or carport the width of one (1) side yard shall not be less than ten (10) feet for a distance of twenty-two (22) feet measured from the front yard.

(b) the minimum width of an exterior side yard on a corner or reversed corner lot shall be not less than ten (10) feet.

6.6 Rear Yard

(a) An interior lot shall have a rear yard not less than thirty-five (35) feet in depth except as follows:

the rear yard may be occupied by a portion of a main building located not less than twenty-five (25) feet from the rear lot line provided that the main building does not occupy more than fifty-five (55) per cent of the rear yard width and that at least thirty-five (35) per cent of the rear yard area is maintained in one continuous unit with a depth of at least thirty-five (35) feet;

(b) an exterior lot shall have a rear yard not less than twenty-five (25) feet in depth.

6.7 Public Uses Yards

Except in the case of an underground public utility installation or an installation contained in a residential type building, the provisions of Section 4.8 shall apply to a building containing a permitted public use.

6.8 Building Requirement

- (a) A single family building shall have a minimum gross floor area of nine hundred (900) square feet;
- (b) the building area shall not exceed thirty-three and one-third (33 1/3) per cent of the lot area.

6.9 Parking

- (a) The parking shall be provided in accordance with the provisions of Section 5.

SECTION 7.0 - Open Space Zone (OS)

7.1 In an Open Space (OS) Zone no land shall be used and no building or structure shall be erected, or used except in conformity with the provisions of this section.

7.2 Permitted Uses

(a) Recreational

- (i) A park or playground

(b) Public

Public utility installation excluding any uses which are primarily of an administrative, maintenance or storage nature provided that no goods, material, or equipment are stored in the open;

- (c) a use accessory to the above.

7.3 Yards

In the OS Zone, except for underground public utility installations or where the OS Zone does not abut residential uses, the provisions of Section 4.8 shall apply.

7.4 Lot Requirement

In the OS Zone no minimum lot width, depth or area shall apply.

7.5 Building Requirement

In the OS Zone no minimum gross floor area shall apply.

SECTION 8.0 - ADMINISTRATION

8.1 Administration and Enforcement

This by-law shall be administered by the Building Inspector and such other persons as may from time to

time be appointed by resolution of Council.

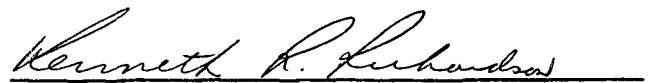
8.2 Violation and Penalty

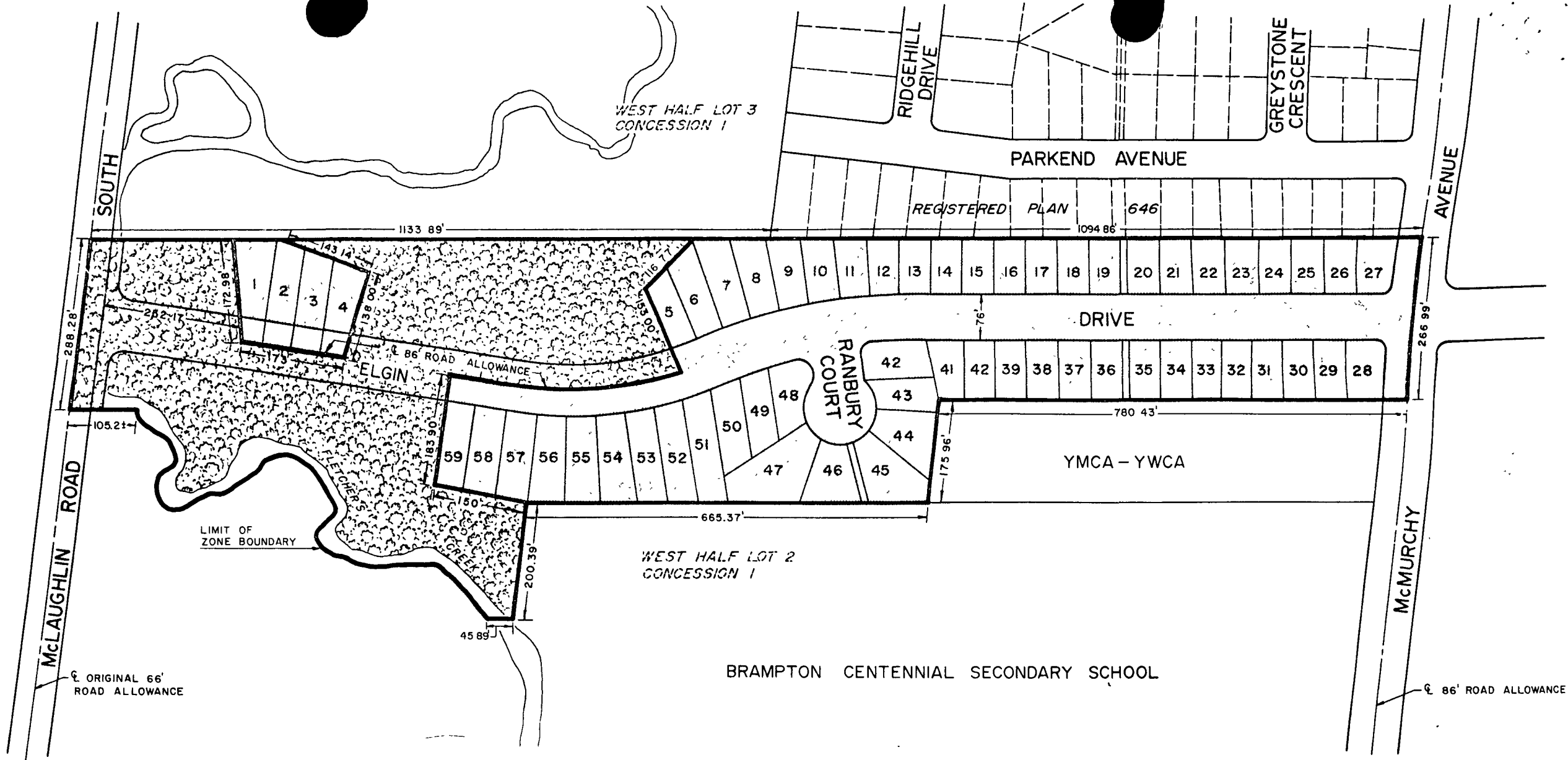
Every person who contravenes this by-law is guilty of an offense and upon conviction of a breach of any of the provisions of this by-law shall be liable for each offense to a fine of not more than One Thousand Dollars (1,000.00) exclusive of costs.

8.3 This by-law shall come into force upon approval by the Ontario Municipal Board and shall take effect on the date of the final passing thereof.

PASSED BY THE COUNCIL OF THE CORPORATION OF THE CITY OF
BRAMPTON THIS 21st DAY OF April 1975.


James E. Archdekin, Mayor


Kenneth R. Richardson, Clerk

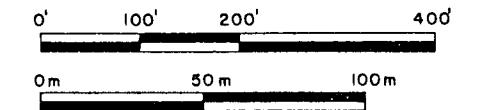
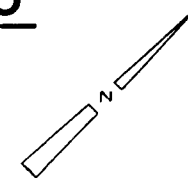


CITY OF BRAMPTON BY-LAW NO. 58-75 SCHEDULE 'A'

- RESIDENTIAL R-1
- OPEN SPACE

DATE: DECEMBER 30th, 1974

DRAWN BY m o





R 752512

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 58-
75

B E F O R E :

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

- and -

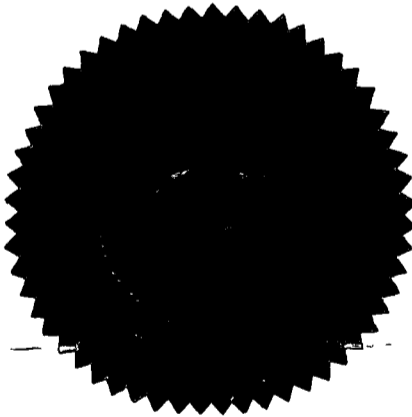
H. E. STEWART,
Member

)
)
) Monday, the 19th day of

)
)
) January, 1976

No objections to approval having been received
as required;

THE BOARD ORDERS that By-law 58-75 is hereby
approved.



C. Saruyama

C. SARUYAMA
ACTING SECRETARY

ENTERED
O. B. No. <u>R 75-4</u>
Folio No. <u>367</u>
JAN 27 1976
<i>H. Birdwell</i>
SECRETARY, ONTARIO MUNICIPAL BOARD

DATE <u>Jan 28/76</u>
REF. NO. <u>378</u>
FILE NO.