



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 91-77

A By-law to prohibit or regulate the use of land and the erection, use, bulk, height and location of buildings located on Part of West Half of Lot 3, Concession 1, West of Hurontario Street.

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 and ramps.
- 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.
- 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 midpoint 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 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.
- 1.23 Parking Space means a space within a parking area exclusive of driveways, aisles or landscaped open space for the temporary parking of a vehicle.
- 1.24 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.
- 1.25 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

- 1.26 Rear Lot Line means the lot lines opposite the front lot line.
- 1.27 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.
- 1.28 Reversed Corner Lot means a corner lot whose flankage lot line is substantially a continuation of the front lot line of a key lot.
- 1.29 Semi-detached Dwelling shall mean a detached building that is divided vertically into two dwelling units each of which has an independent entrance either directly or through a common vestibule.
- 1.30 Side Lot Line means a lot line other than a front or rear lot line.
- 1.31 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.
- 1.32 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.
- 1.34 Through Lot means an interior lot having lot lines on two streets.

Section 2.0 - Designations

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

<u>Zone Designation</u>	<u>Zone Symbol</u>
Residential One-Family	R1
Residential Two-Family	R2
Open Space	OS

2.2 Where the boundary of a zone is shown on the Schedule 'A'

- (1) as following a street or lane, the centre line of the street or lane is the boundary, or
- (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 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.

4.3 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 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,
 - (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.

4.4 Building Heights

- (a) No building shall exceed a height of twenty-five (25) feet provided that the rear or side main wall of either a single family detached dwelling or semi-detached dwelling adjacent to McLaughlin Road South does not exceed a height of one storey.

- (b) No accessory building in a Residential One Family or in a Residential Two Family 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.

4.5 Through Lots

At each end of a through lot there shall be a front yard of the depth required by this By-law but one of the front yards may serve as a required rear yard.

4.6 Landscaped Open Space

Adjacent to McLaughlin Road South a strip of land of not less than twenty (20) feet in width shall be maintained as landscaped open space and the landscaped open space shall not be considered for purposes of computing lot area, lot depth, lot width, rear yard depth and side yard width.

4.7 Yards For Non-Residential Buildings

A recreational, institutional 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 Lot.

- 4.8 Notwithstanding the presence of a one foot reserve abutting the flanking lot line of Lots 58 and 59 as shown on Schedule 'A' hereto attached, Lots 58 and 59 shall be deemed to be interior lots.

Section 5.0 - Parking

- 5.1 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, one of which shall be located in a private garage or carport whereas the other may be located in a driveway provided that:

- (i) no driveway shall be less than ten (10) feet in width;
- (ii) that no driveway shall be less than twenty-three (23) feet in length between street lot line to the nearest vehicle entrance of a carport or garage.
- (iii) that all driveways shall be usable in all seasons and finished with a stable dustless (surface).
- (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.

- (b) for each arena, auditorium, stadium, church hall, and similar place of public assembly one parking space for every four (4) fixed seats or then (10) feet of bench space or where there are no fixed seats or benches one parking space for each one hundred square feet of floor area;
- (c) for each nursery school, public, separate or private school, one parking space for each classroom.

5.2 Where parking facilities are required or permitted for uses other than single family detached dwellings or semi-detached dwellings for the following shall apply:

- (a) Parking facilities shall be located on the same lot as the main use.
- (b) Parking facilities shall be so arranged that vehicles may enter and leave the property in forward motion.
- (c) Each parking space shall have unobstructed access to an aisle leading to a driveway.
- (d) All parking spaces shall be rectangular and shall have the following minimum dimensions:

Arrangement of Parking Space to Aisle	Minimum Width of Parking Space	Minimum Length of Parking Space
Parallel	9 feet	23 feet
Angled	9.5 feet	19 feet

- (e) Aisles providing unobstructed access from each parking space to a driveway shall be provided as follows:

<u>Angle of Parking</u>	<u>Minimum Aisle Width</u>
0° to less than 55°	13 feet
55° to less than 75°	18 feet
75° to 90°	21 feet

- (f) Driveways providing unobstructed access to a public street or lane shall be provided as follows:

<u>Number of Vehicles In Parking Area</u>	<u>Minimum Number of Driveways</u>	<u>Minimum Width of Driveway</u>
Less than 20 vehicles	1	12 feet
20 or more vehicles	2	12 feet
OR		
20 or more vehicles	1	22 feet

- (g) No driveway shall be located closer than thirty (30) feet to an intersection of a front lot line and an exterior side lot line.
- (h) All parking spaces, aisles and driveways shall be usable in all seasons and finished with a stable dustless surface.
- (i) The lighting facilities of a parking area located within or adjacent to a Residential Zone shall be arranged so as to direct the light away from adjacent residential properties.

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 a rear yard and,

- (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.

Section 6.0 - Residential Single Family (RI)

6.1 In a Residential Single Family (RI) 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.

(b) Public

- (i) 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;
- (ii) the public uses as set out in Section 3.0:

6.3 Lot Requirement

In the RI 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 one hundred (100) 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

- (a) The depth of a front yard shall not be less than twenty (20) feet.

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-three (23) feet measured from the front yard.

- (b) The width of an exterior side yard shall not be 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 contiguous 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 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.

6.8 Parking

Parking shall be provided in accordance with the provisions of Section 5.

6.9 Landscaped Open Space

Not less than seventy (70) per cent of the required front yard shall be maintained as landscaped open space provided that where a two (2) car garage is constructed the area shall be sixty (60) per cent.

Section 7.0 - Residential Two Family (R2)

7.1 In a Residential Two Family (R2) Zone no land shall be used and no building or structure shall be erected or used except in conformity with the provision of this section.

7.2 Permitted Uses

(a) Residential

- (i) Residential uses allowed in an R1 Zone as specified in paragraph (a) of Section 6.2;
- (ii) a semi-detached dwelling;
- (iii) a building or use accessory to the above, provided that the building is not used for human habitation.

(b) Public

The public uses set out in paragraph (b) of Section 6.2.

7.3 Lot Requirement

(a) In the R2 Zone a single family detached dwelling shall be located on lot that has:

- (i) a minimum lot width of fifty (50) feet for an interior lot or sixty (60) feet for an exterior lot;
- (ii) a minimum lot depth of one hundred (100) feet;
- (iii) 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.

(b) A semi-detached dwelling shall be located on a lot that has:

- (i) a minimum lot width of sixty (60) feet for an interior lot or seventy (70) feet for an exterior lot with a minimum width of thirty (30) feet for an exterior part of a lot;

- (ii) a minimum lot depth of one hundred (100) feet;
- (iii) a minimum lot area of six thousand (6,000) square feet for an interior lot and seven thousand (7,000) square feet for an exterior lot with a minimum area of three thousand (3,000) square feet for an interior part of a lot and four thousand (4,000) square feet for an exterior part of a lot.

7.4 Front Yard

The depth of a front yard shall not be less than twenty (20) feet.

7.5 Side Yard

The side yard requirements of Section 6.5 shall apply to single family and semi-detached dwellings except that in the case of a semi-detached dwelling a side yard is not required for the party wall of a semi-detached dwelling unit.

7.6 Rear Yard

In the R2 Zone:

- (a) a rear yard in accordance with Section 6.6 shall be required for a single family detached dwelling and,
- (b) a rear yard not less than thirty (30) feet in depth shall be provided for a semi-detached building.

7.7 Public Use Yard

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.

7.8 Building Requirement

- (a) A single family detached dwelling shall have a minimum gross floor area of nine hundred (900) square feet.
- (b) Each dwelling unit in a semi-detached dwelling shall have a minimum gross floor area of eight hundred (800) square feet.
- (c) The building area shall not exceed thirty-three and one-third (33 1/3) per cent of the lot area.

7.9 Parking

Parking shall be provided in accordance with the provisions of Section 5.

Section 8.0 - Open Space Zone (OS)

8.1 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.

8.2 Permitted Uses

(a) Recreational:

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.

8.3 Yards

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

8.4 Lot Requirement

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

8.5 Building Requirement

In the Open Space Zone no minimum gross floor area or maximum building area to lot area ratio shall apply.

8.6 Parking

(a) Parking shall be provided in accordance with the provisions of Section 5.

- (b) A parking area may occupy any open space on a lot other than a required front, or required rear yard.

Section 9.0 - Administration

9.1 Administration and Enforcement

This By-law shall be administered by the Zoning and Building Co-ordinator and such other persons as may from time to time be appointed by resolution of Council.

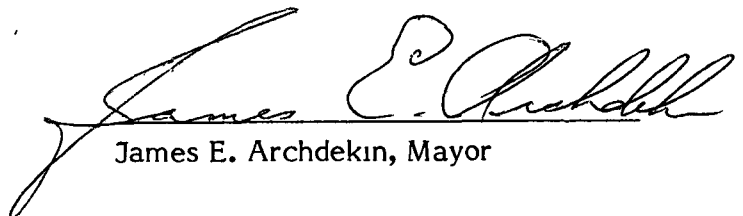
9.2 Violation and Penalty

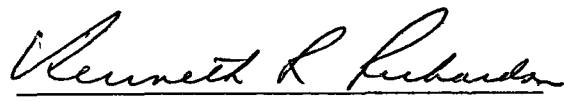
Every person who contravenes this By-law is guilty of an offence and liable upon summary conviction to a penalty not exceeding One Thousand Dollars (\$1,000.00) exclusive of costs for each and every such offence and every fine is recoverable under The Summary Convictions Act. A Provincial Court Judge or a Justice of the Peace are hereby authorized to hear and determine prosecutions under this By-law.

- 9.3 This By-law shall not come into force and effect unless and until approval by the Ontario Municipal Board.

PASSED BY THE COUNCIL OF THE CORPORATION OF THE CITY OF BRAMPTON.

This 9th day of May, 1977.


James E. Archdekin, Mayor


K. R. Richardson, Clerk

PASSED May 9 19 77



BY-LAW

No. 91-77

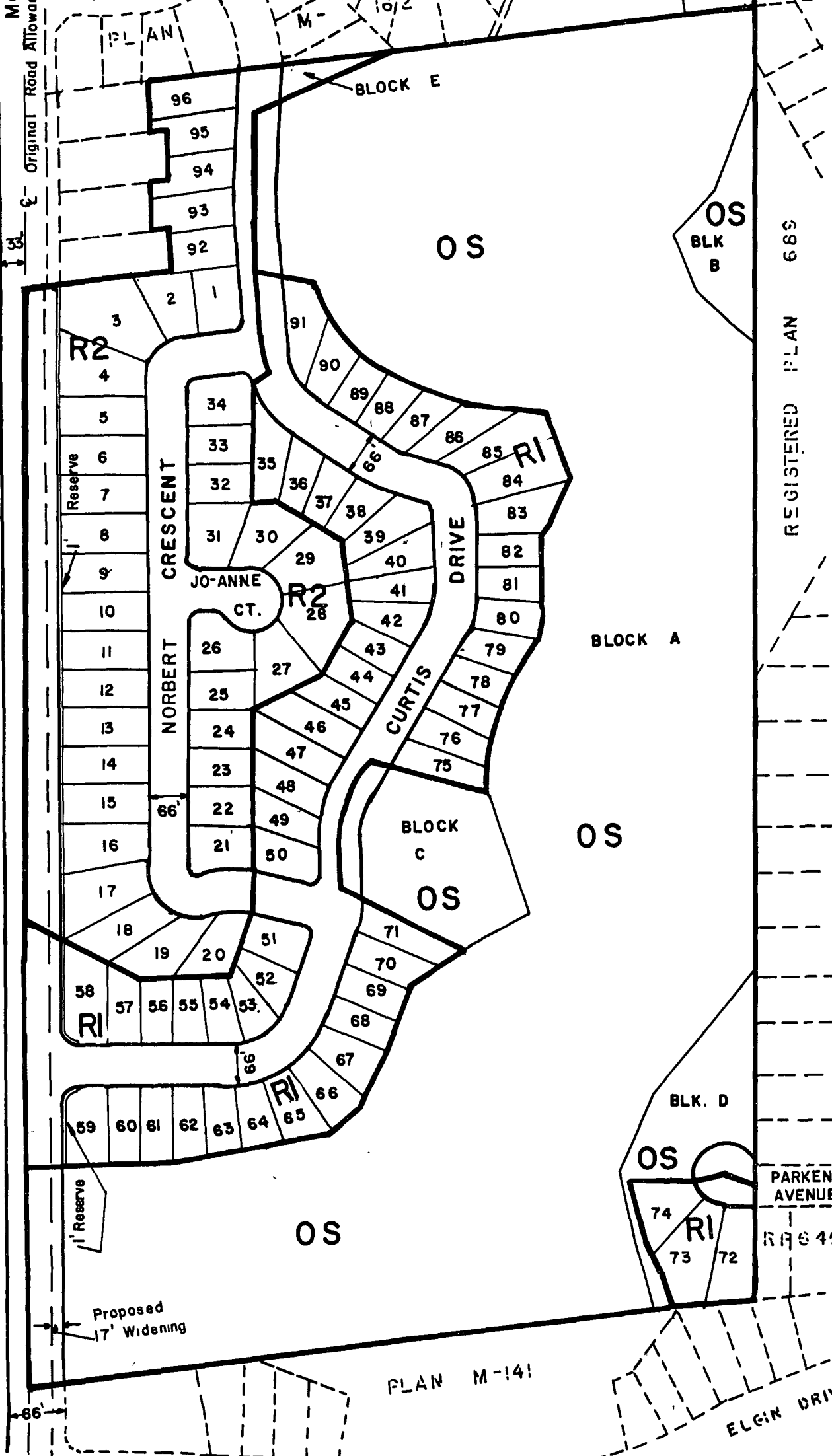
A By-law to prohibit or regulate the use of land and the erectio, use, bulk, height and location of buildings located on Part of West Half of Lot 3, Concession 1, West of Hurontario Street.

MCLAUGHLIN ROAD
Original Road Allowance

HAROLD STREET

REGISTERED PLAN 910

Ridgeway Drive

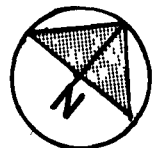


LEGEND:

— ZONE BOUNDARY

BY-LAW NO. 91-77
Schedule 'A'

CITY OF BRAMPTON PLANNING DEPARTMENT



DRAWN: b.k
DATE: April 4, 1977
FILE: CIW3.1



R 772038

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 91-77

B E F O R E :

A.L. McCRAE,
Vice-Chairman

- and -

D.D. DIPLOCK, Q.C.,
Vice-Chairman

] Tuesday, the 16th day
] of August, 1977

No objections to approval having been received
as required;

THE BOARD ORDERS that By-law 91-77 is hereby
approved.



H. Andrew
SECRETARY

ENTERED
O. B. No. 97-3
Folio No. 332
AUG 18 1977
H. Andrew
SECRETARY, ONTARIO MUNICIPAL BOARD