



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 159-79

Being a By-law to prohibit or regulate the use of lands and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures situated on Parts of Lot 1, Concession 1, west of Hurontario Street (S.E. corner of McMurphy Avenue and Charolais Boulevard)

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

1.0 DEFINITIONS

For the purpose of this By-law

"accessory use" shall mean a use which is incidental, subordinate and exclusively devoted to the principal use of the lot and buildings thereon.

"dwelling apartment" shall mean a building containing six or more dwelling units which have a common entrance from the street level, and the occupants of which have the right to use common elements.

"dwelling unit" shall mean one or more habitable rooms designed or intended for use by one or more individuals as an independent and separate house-keeping establishment in which a separate kitchen and sanitary facilities are provided for the use of such individual or individuals, with a private entrance from outside the building or from a common hallway or stairway inside the building.

"landscaped open space" shall mean an unoccupied area of land open to the sky, which is used for the growth maintenance and conservation of grass, flowers, trees and shrubs and other vegetation and may include a surfaced walk, patio, screening, pool or similar visual amenity, but shall exclude any driveway, ramp, car parking or loading area, curb, retaining wall or any covered space beneath or within any building or structure.

"parking space" shall mean an area of not less than seventeen (17) square metres (183 square feet) and a width of not less than 2.9 metres (9.5 feet) which is readily accessible at all times for the parking and removal of a motor vehicle without the necessity of moving any other motor vehicle.

1.0 DEFINITIONS (cont'd)

"set back" shall mean the minimum distance measured at right angles between a lot line and the nearest main wall of any building or structure.

"storey" shall mean that portion of a building other than a cellar or a basement, between the surface of any floor and the surface of the floor next above it, if there be no floor above it, that portion between the surface of such floor and the ceiling above it.

"tandem parking space" means an area of not less than seventeen (17) square metres (183 square feet) and a width of not less than 2.9 metres (9.5 feet) which is not readily accessible at all times and it may be necessary to move another motor vehicle for the parking and removal of a motor vehicle on this space.

2.1 The lands shown outlined on Schedule A attached hereto

- (1) and designated as Parcel A thereon, shall only be used for an apartment dwelling containing no more than 270 dwelling units and having a maximum height of 20 storeys.
- (2) and designated as Parcel B thereon, shall only be used for an apartment dwelling containing no more than 285 dwelling units and having a maximum height of 21 storeys.
- (3) and designated as Parcel C thereon, shall only be used for an apartment dwelling containing no more than 270 dwelling units, and having a maximum height of 20 storeys.
- (4) and designated as Parcel D thereon, shall only be used for an apartment dwelling containing no more than 285 dwelling units, and having a maximum height of 21 storeys.
- (5) and designated as Parcel E thereon, shall only be used for a recreational centre building.
- (6) and designated as Parcel F thereon, shall only be used for
 - (a) a public park,
 - (b) a recreation centre,
 - (c) a day-care centre,
 - (d) a public library, or
 - (e) uses accessory to the above.

2.2 Floors accommodating mechanical and parking facilities for an apartment dwelling shall not be counted in determining the number of storeys of each apartment dwelling.

3. The lands shown outlined on Schedule A attached hereto shall be subject to the following requirements and restrictions:

3.1 (1) None of the apartment dwellings shall contain a dwelling unit with more than 3 bedrooms.

(2) The total number of 3 bedroom dwelling units in any one apartment dwelling shall not exceed 2.

(3) No more than 45% of the total number of dwelling units in any one apartment dwelling shall be 2 bedroom dwelling units.

3.2 (1) The minimum setbacks from parcel boundaries for all parts of each apartment dwelling that are above grade, excluding the parking structure, balconies, the elevator motor rooms, tank rooms and similar service facilities, shall be as shown on Schedule A.

(2) The minimum distance between the apartment dwellings on Parcels A, B, C and D shall be as shown on Schedule A.

(3) The parking structure for each apartment dwelling shall be constructed within the parking structure limits and with the minimum setbacks shown on Schedule A for each parcel.

3.3 (1) Parking spaces shall be provided for each apartment dwelling, within the parking structure for that apartment dwelling, at the rate of 1.25 parking spaces for each dwelling unit contained in that apartment dwelling.

(2) A maximum of 6% of the total number of parking spaces required for each apartment dwelling may be tandem parking spaces.

(3) On each of Parcel A, B, C and D, there shall be provided, either within the apartment dwelling's parking structure or on the grounds within the parcel boundaries for that apartment dwelling, surface level parking spaces for visitors at the rate of 1 parking space for every four dwelling units contained within that apartment dwelling.

(4) All areas containing parking spaces for visitors shall be designated by signs stating "Visitors' Parking Only".

- 3.4 (1) At least 50% of the area of each of Parcel A, Parcel B, Parcel C, and Parcel D shall be occupied by landscaped open space.
- (2) At least 65% of the total area of all land included in Parcels A, B, C, D, and E shall be occupied by landscaped open space, recreational facilities and areas, and buildings accessory to the recreational facilities and areas.
- 3.5 (1) Vehicular access to the lands shown outlined on Schedule A shall be limited to the entrances and driveways located as shown on Schedule A.
- (2) All areas reserved for the collection of garbage and for the storage of garbage collection devices shall be completely screened from view.
- (3) There shall be no incineration of garbage or refuse on the lands to which this by-law applies, or in any of the buildings thereon.
- (4) Garbage and refuse shall be stored within each apartment dwelling in temperature-controlled areas, and garbage compactors shall be used.
- 3.6 (1) The recreational centre building on Parcel E shall be constructed and completed at the same time as the first apartment dwelling to be built on any of the lands to which this by-law applies.
- (2) Within the recreational centre dwelling on Parcel E, at least the following facilities, with all necessary equipment and furniture, shall be provided:
- (a) a swimming pool with a water surface area of at least 210 square metres (2260 square feet).
 - (b) two regulation size squash courts and one handball court.
 - (c) a gymnasium or exercise room with a floor area of at least 60 square metres (645 square feet).
 - (d) a lounge or meeting room.
 - (e) a children's nursery room.
 - (f) two saunas.

- (3) Upon the lands designated as Parcel E, the following facilities shall be constructed and completed, and thereafter maintained, at the same time as the first apartment dwelling to be built on any of the lands to which this by-law applies:
- (a) A children's outdoor play area with a minimum area of 300 square metres (10,600 square feet).
 - (b) At least four tennis courts, of which at least two must be floodlit.
 - (c) An outdoor wading pool with a water surface area of at least 95 square metres (1022 square feet).
- (4) A sheltered and enclosed pedestrian walkway, from each of the apartment dwellings erected on the lands to which this by-law applies, to the recreational centre building on Parcel E, shall be provided.
- (5) A children's outdoor play area with a minimum area of 95 square metres (1,020 square feet) shall be provided and maintained at the rear of each of the apartment dwellings erected on the lands to which this by-law applies.
- (6) A lounge, a hobby room, a children's play room and a meeting room, with a total floor area of at least 150 square metres (1,650 square feet) shall be provided within each of the apartment dwellings erected on the lands to which this by-law applies.

4.1 This by-law shall be administered by the Commissioner of Buildings and By-law Enforcement and such other persons as may from time to time be appointed by resolution or by-law of Council.

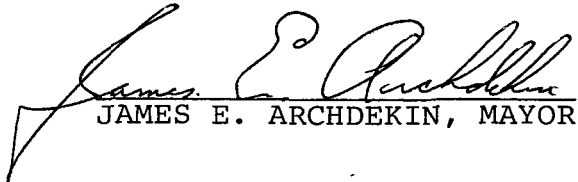
4.2 Every person who contravenes any of the provisions of this by-law is guilty of an offence and liable, upon summary conviction, to a penalty not exceeding \$1,000.00, exclusive of costs, for each and every such offence.

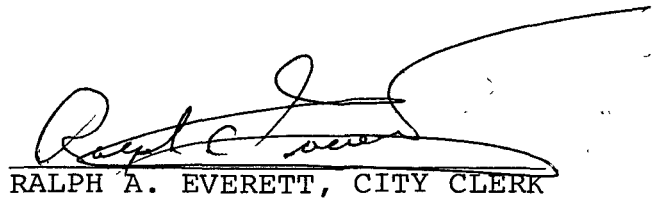
5.1 By-law 1827 of the former Town of Brampton and By-law 25-79 of the City of Brampton no longer apply to the lands to which this by-law applies.

5.2 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 25th day of June 197 9


JAMES E. ARCHDEKIN, MAYOR


RALPH A. EVERETT, CITY CLERK

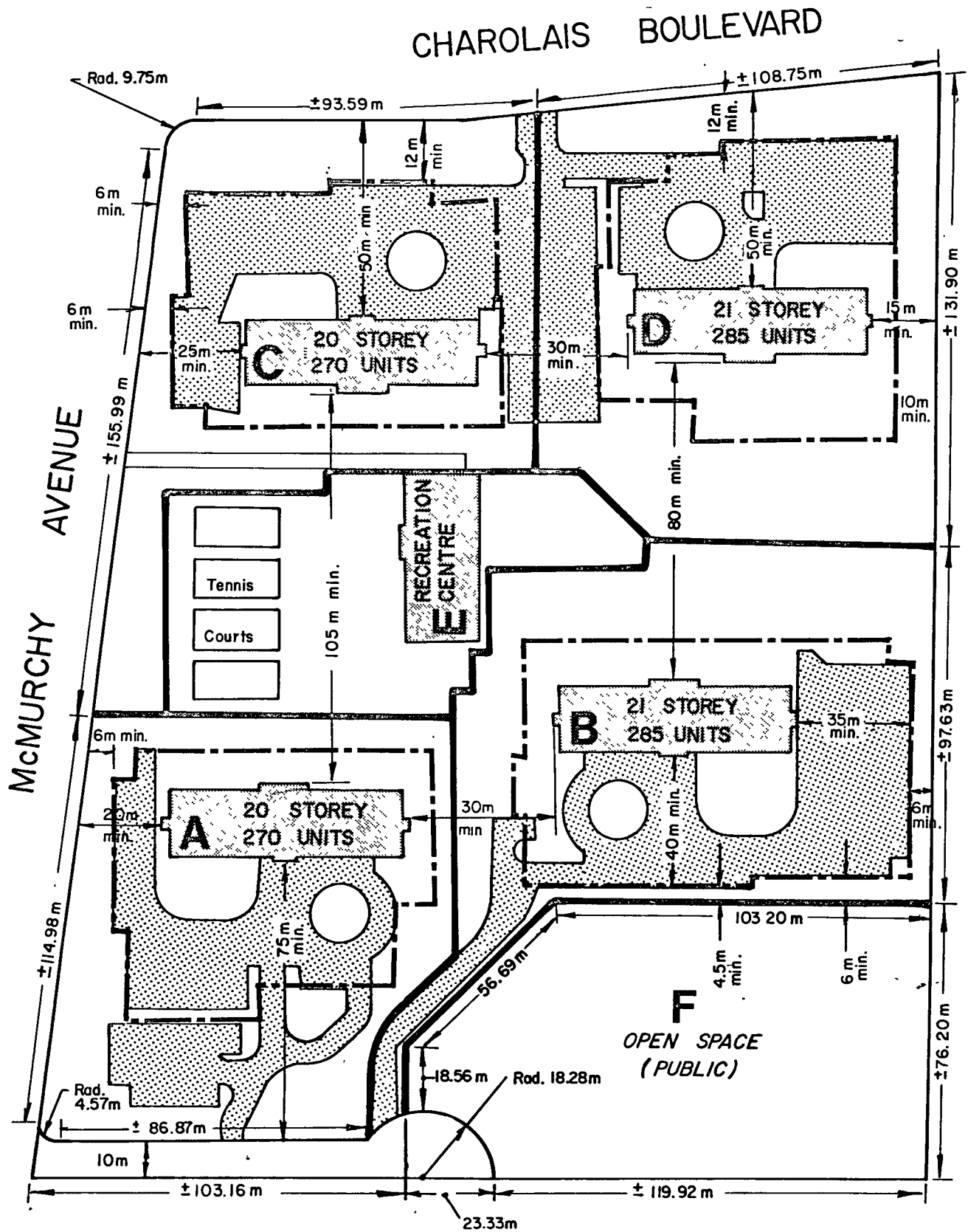
PASSED June 25, 1979

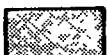

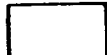



BY-LAW

No. 159-79

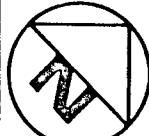
Being a By-law to prohibit or regulate the use of lands and the erection, use, bulk, height spacing of and other matters relating to buildings and structures situated on Parts of Lot 1, Concession 1, West of Hurontario Street (S.E. Corner of McMurchy Avenue and Charolais Boulevard)



-  BUILDING AREA
-  PARKING & DRIVEWAY AREA
-  LANDSCAPED OPEN SPACE
-  LIMIT OF PARKING STRUCTURE (UNDERGROUND)

CONCESSION I WEST
LOT 1, EAST 1/2

BY-LAW No. 159-79
Schedule A



1:1560

CITY OF BRAMPTON
Planning and Development

Date: JUNE 21, 79 Drawn by: C.K.
File no. CIWI.2 Map no. 59-191



R 793378

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 159-79

B E F O R E :

A.L. McCRAE)
Vice-Chairman)

- and -)

D.S. COLBOURNE)
Vice-Chairman)

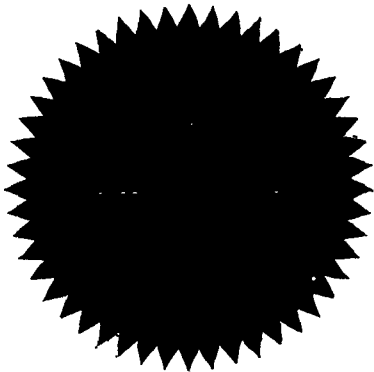
Monday, the 17th day

of December, 1979

The objectors to approval of the said by-law
having withdrawn their objections;

THE BOARD ORDERS that By-law 159-79 is hereby
approved.

SECRETARY



ENTERED	
O. B. No.....	R 79-8
Folio No.....	98
DEC 20 1979	
SECRETARY - MUNICIPAL BOARD	

Dec 27/79