



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 213-78

A By-law to regulate and permit the use of land and the erection, use, bulk, height, and location of buildings on part of Lot 9, Concession 4, East of Hurontario Street in the City of Brampton.

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

## Section 1.0 - Definitions

In this By-law:

- 1.1 Building shall mean any structure, whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, material or equipment.
- 1.2 Building Area shall mean the maximum projected horizontal area of a building at established grade measured to the centre of party walls and to the outside of other walls including airwells and all other spaces within the building, but excluding porches, verandahs, steps, cornices, chimney breasts, fire escapes exterior stairways, breeze-ways, detached accessory buildings, ramps and open loading platforms.
- 1.3 Commissioner of Building, Zoning and Licensing shall mean an official of the Corporation of the City of Brampton who is charged from time to time with the duty of enforcing the Ontario Building Code.
- 1.4 Building Height shall mean the vertical distance between the established grade and:
  - 1.4.1 in the case of a flat roof, the highest point of the roof surface; or,
  - 1.4.2 in the case of a mansard roof, the deck line; or,
  - 1.4.3 in the case of a gabled, hip or gambrel roof, the mean height level between eaves and ridge.

A roof structure which is used only as an ornament or to house the mechanical equipment of any building shall be disregarded in calculating the height of the building.

- 1.5 Commercial Use shall mean the use of land, building or structure for the purposes of buying and selling of commodities and supplying of services, as distinguished from manufacturing or assembling of goods, or storage of goods.
- 1.6 Community Centre shall mean a building or part thereof used for community activities of a social, cultural or recreational character and which is not operated for profit.
- 1.7 Day Nursery shall mean a day nursery within the meaning of The Day Nurseries Act of Ontario (R.S.O. 1976, Chapter 104, as amended).
- 1.8 Dry- Cleaning and Laundry Distribution Station shall mean a building used for the purpose of receiving and distributing articles or goods or fabrics to be dry cleaned, dry dyed, cleaned or pressed off the premises.
- 1.9 Erect shall mean to build, construct, reconstruct, alter and relocate and, without limiting the generality of the foregoing, shall be taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, structurally altering any existing building or structure by an addition, deletion, enlargement or extension.
- 1.10 Floor Area, Gross shall mean the aggregate of the area of all floors at or above established grade, measured between the exterior walls of the building and excluding any floor area at or above established grade used only for the parking of motor vehicles, for building maintenance or service equipment, for loading, or for garbage storage facilities.
- 1.11 Grade, Established shall mean the average finished surface elevation at the outside walls of any building or structure which is arrived at by taking the arithmetic mean of the levels of the finished ground surface at the midpoint of each of those outside walls of the building or structure.
- 1.12 Loading Space shall mean an unencumbered area of land which is provided and maintained upon the same lot or lots upon which the principal use is located and which area
- 1.12.1 is provided for the temporary parking of one (1) commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicle;

- 1.12.2 consists of a space measuring a minimum of 7.5 metres (24.6 feet) long and 3.6 metres (11.8 feet) wide and having a minimum vertical clearance of 4.3 metres (14.1 feet);
- 1.12.3 is not upon or partly upon any street or lane;
- 1.12.4 is accessible from a street or lane by means of driveways, aisles, manoeuvring areas or similar areas, no part of which shall be used for the temporary parking or storage of one (1) or more motor vehicles.
- 1.13 Lot shall mean an area of land described as an individual parcel of land in a registered plan of subdivision or described by metes and bounds in a registered deed and which complies with the provisions of Section 33 of The Planning Act where such lands is subject to subdivision control and which land, in all cases, fronts or abuts on a street.
- 1.14 Lot Area shall mean the total horizontal area enclosed within the lot lines of a lot. In the case of a corner lot having a street line rounding at the corner of a radius of 7.5 metres (24.6 feet) or less, the lot area of such lot shall be calculated as if the lot lines were produced to their point of intersection.
- 1.15 Lot Line shall mean any boundary of any lot.
- 1.16 Lot Line, Front shall mean, in the case of a corner lot, the shorter lot line that abuts a street.
- 1.17 Office shall mean any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business, brokerage, labour or fraternal organization, and shall exclude such uses as retail sales, manufacture, assembly or storage of goods, or places of assembly and amusement.
- 1.18 Parking Space,
- 1.18.1 Parallel Outdoor shall mean a rectangular area of not less than 17.81 square metres (191.7 square feet) measuring two and seven tenths (2.7) metres (9.0 feet) by Six and Five tenths (6.5) metres (21.3 feet), exclusive of driveways or aisles, for the temporary parking or storage of motor vehicles, and which is accessible from a street or lane.

- 1.18.2 Angled Outdoor shall mean a rectangular area of not less than 16.8 square metres (181.0) square feet measuring not less than two and nine tenths (2.9) metres (9.5 feet) in width and five and eight-tenths (5.8) metres in length exclusive of driveways or aisles for the temporary parking or storage of motor vehicles and which is accessible from a street or lane.
- 1.19 Person shall include any association, partnership, corporation, municipal corporation, agent or trustee and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.
- 1.20 Recreational Area shall mean an area set aside for recreational purposes, and without limiting the generality of the foregoing may include playgrounds, golf courses, tennis courts, lawn bowling greens, indoor or outdoor skating and hockey rinks, picnic areas, athletic fields, swimming pools, day camps, community centres and similar uses.
- 1.21 Restaurant shall mean a building or structure or part thereof where food and drink are served to the public for consumption within the building or structure, on the same premises.
- 1.22 Restaurant, Take-Out shall mean a building or structure or part thereof where food is prepared and offered for sale to the public primarily to be taken out or delivered for consumption off the premises.
- 1.23 Sign shall mean a name, identification, description, device, display or illustration which is affixed to or represented directly or indirectly upon a building, structure or lot and which directs attention to an object, product, place, activity, person, institution, organization or business.
- 1.24 Street shall mean a highway as defined by The Highway Traffic Act (R.S.O. 1970, Chapter 202) and The Municipal Act (R.S.O. 1970, Chapter 284) and shall not include a public lane.
- 1.25 Structure shall mean anything that is erected, built or constructed of parts formed together, the use of which requires location on the ground or attached to something having location on the ground, but shall not include fences which do not exceed 1.8 metres (5.9 feet) in height.
- 1.26 Swimming Pool shall mean an artificial body of water of more than ten (10) square metres (107.6 square feet), used and maintained for the purpose of swimming, wading, diving or bathing.

- 1.27 Use or To Use shall include anything that is done or permitted by the owner or occupant of any land, building or structure directly or indirectly or by or through any trustee, tenant, servant or agent acting for or with the knowledge or consent of such owner or occupant for the purpose of making use of the said land, building or structure.
- 1.28 Yard shall mean an open portion of the land on the same lot with the main building or structure, unoccupied and unobstructed except as specifically permitted elsewhere in this By-law, and located between the main building and one of the lot lines of the said lot.
- 1.29 Yard, Front shall mean a yard extending across the full width of a lot between the front lot line and the nearest main wall of any building or structure on the lot.
- 1.30 Yard, Rear shall mean a yard extending across the full width of a lot between the rear lot and the nearest main wall of any building or structure on the lot.
- 1.31 Yard, Side shall mean a yard extending from the front yard to the rear yard of a lot between a side lot line and the nearest main wall of any building or structure on the lot.
- 1.32 Yard, Side Exterior shall mean a side yard immediately adjoining a public street.

Section 2 - General Provisions

- 2.1 No person, within the zone boundaries as shown on Schedule 'A' hereto attached, shall use land, or erect or use any building or structure, or change the dimensions of any building or structure, except in conformity with the provisions of this By-law.
- 2.2 Nothing in this By-law shall prevent the use of land or the use or erection of a building or structure for a scaffold or other temporary building or structure incidental to construction in progress until such time as the work has been finished or discontinued for a period of one year.
- 2.3 Every part of any yard required by this By-law shall be open and unobstructed by any structure from the ground to the sky provided, however, that the structures listed in Section 2.3.1 shall be permitted to project into the minimum yards indicated for the distances specified:

2.3.1	STRUCTURE	YARD	MAXIMUM PROJECTION INTO YARD
	Sills, belt courses, cornices, gutters, chimneys, pilasters, eaves, parapets or canopies	Any Yard	0.5 metre (1.6 feet)

2.4 Notwithstanding the yard and setback provisions of this By-law to the contrary, drop awnings, flag poles, fences, retaining walls, signs or similar accessory uses erected in accordance with the provisions of the By-law shall be permitted in any required yard or in the area between the street line and the required setback.

2.5 On a corner lot, a fence, hedge, shrub, bush or tree or any other structure or vegetation shall not be erected or permitted to grow to a height greater than 0.8 metre (2.6 feet) above grade of the streets that abut the lot within the triangular area included within the street lines for a distance of six (6) metres (19.6 feet) from their point of intersection. No sign will be permitted within or to overhang the said triangular area.

2.6 Height regulations in this By-law do not apply to elevator enclosures, television or radio antennae, ventilators, skylights or chimneys.

2.7 No sign, billboard or poster shall be erected except in compliance with the 'Sign By-law' of the City of Brampton.

Section 3.0 - Permitted Uses and Requirements

3.1 Permitted Uses

No land shall be used and no building or structure shall be erected or used within the zone boundaries as shown on Schedule 'A' hereto attached except for the following purposes:

Commercial

- 3.1.1 Bake shop;
- 3.1.2 Bank, Trust Company and Finance Company;
- 3.1.3 Beauty salon or barber shop;
- 3.1.4 Confectionery store;
- 3.1.5 Drug store;
- 3.1.6 Dry-cleaning and laundry distribution station;
- 3.1.7 Flower shop;
- 3.1.8 Gift shop;
- 3.1.9 Laundromat;
- 3.1.10 Newsstand
- 3.1.11 Office;
- 3.1.12 Restaurant and Take-out Restaurant;
- 3.1.13 Shoe repair store;
- 3.1.14 Variety store;

- 3.1.15 Book or stationery store;
- 3.1.16 Clothing or footwear store;
- 3.1.17 Furniture, furnishings or appliance sales;
- 3.1.18 Hardware, paint and wallpaper sales establishment;
- 3.1.19 Jewellery and watch repair or sales establishment;
- 3.1.20 Pet store;
- 3.1.21 Sporting goods store;
- 3.1.22 Television, radio, appliance or electrical sales, repair or service establishment;
- 3.1.23 Wine, beer or liquor outlet;
- 3.1.24 Supermarket;

Institutional

- 3.1.25 Community Centre;
- 3.1.26 Recreational area;
- 3.1.27 Day Nursery.

3.2 Lot Requirement

A recreational area, community centre or a day nursery or any combination thereof shall have a minimum lot area of one-half (0.5) hectares (1.24 acres). Notwithstanding paragraph 1.13 of this By-law, a lot which is used for institutional purposes is not required to front or abut on a street.

3.3 Front Yard

For commercial uses, the depth of a front yard shall be not less than eighteen (18) metres (59.0 feet).

3.4 Side Yard

For commercial uses, the width of the side yard adjacent to Mackay Street North shall not be less than eighteen (18) metres (59.0 feet) and no interior side yard shall be required.

3.5 Rear Yard

For commercial uses, the depth of a rear yard shall not be less than sixteen and six-tenths (16.6) metres (54.4 feet).

3.6 Building Area Limitation

A commercial building shall not exceed five thousand and twenty (5 020) square metres (54, 035 square feet) of building area.

3.7 Building Height

The height of a building shall not be greater than ten and six-tenths (10.6) metres (34.7 feet).

Section 4.0 - Off Street Parking

4.1 Parking spaces and areas are required under this By-law in accordance with the following provisions:

- 4.1.1 The parking area shall be provided or maintained on the same lot as the building or use for which it is required or intended;
- 4.1.2 The parking area shall be surfaced with a hard surface and dustless materials;
- 4.1.3 The width of a driveway leading to any parking area shall be a minimum width of three (3) metres (9.8 feet) for one-way traffic, and a minimum width of six (6) metres (19.6 feet) for two-way traffic;
- 4.1.4 Each parking space shall have unobstructed access to an aisle leading to a driveway or street;
- 4.1.5 Aisles leading to parking spaces and providing unobstructed access from each parking space to a driveway shall be established on the following basis:

<u>Angle of Parking</u>	<u>Minimum Aisle Width</u>
0° to less than 55°	4 metres (13.1 feet)
55° to less than 75°	5.5 metres (18.0 feet)
75° to 90°	6.5 metres (21.3 feet)

4.1.6 The lights used for the illumination of the parking facilities shall be so arranged as to divert light away from the adjacent lots.

4.2 For every building or structure erected or use established within the zone boundaries as shown on Schedule 'A' hereto attached, one or more parking spaces or areas shall be provided and maintained in accordance with the following provisions:

<u>Type of Building or Use</u>	<u>Minimum Parking Required</u>
Commercial	one (1) space per seventeen (17) square metres (182.9 square feet) of gross floor area or portion thereof. The floor area of any common area between stores in an enclosed mall shall not be included in the gross floor area.
Place of assembly within a recreation use.	Where there are fixed seats, one (1) parking space for every six (6) fixed seats or for every five (5) metres (16.4 feet) of bench space. Where there are no fixed seats, one (1) parking space for each ten (10) square metres (107.6 square feet) of floor area.



Type of Building or Use

Minimum Parking  
Required

Day Nursery

one and one-half (1-1/2) parking spaces for each teaching classroom or equivalent facility.

Swimming Pool

ten (10) parking spaces per pool.

5.0 Off-Street Loading

5.1 No person shall use any land, or erect or use any building or structure within the zone boundaries as shown on Schedule 'A' hereto attached for purposes involving the movement of goods unless loading spaces are provided and maintained in accordance with the following provisions:

5.1.1 Floor Area of Building      No. of Loading Spaces

280 square metres  
(3,013.9 square feet)  
or less.

no loading spaces

280 square metres  
(3,013.9 square feet)  
to 1 860 square metres  
(20,021 square feet)  
Each additional 1 860  
square metres (29,021  
square feet)

one (1) loading space

one (1) loading space

5.1.2 No loading space shall be provided within the front yard, or within the exterior side yard.

5.1.3 Each loading space shall have an unobstructed ingress and egress of not less than six (6) metres (19.6 feet) in width to and from a public street or lane.

5.1.4 Each loading space shall be surfaced with a hard surface and dustless materials.

Section 6.0 - Repeal

6.1 By-law Number 861 as amended of the former Township of Chinguacousy no longer applies to the lands outlined on Schedule 'A'.

Section 7.0 - Development Control

7.1 As a condition of the development or redevelopment of lands or buildings within the zone boundaries as shown on Schedule 'A', the Council of the City of Brampton requires the provision and maintenance of the following facilities and matters, namely:

7.1.1 Widenings of highways that abut on the land that is being developed or redeveloped.

- 7.1.2 Subject to The Public Transportation and Highway Improvement Act, facilities to provide access to and from the land such as access ramps and curbs including the number, location and size of such facilities and the direction of traffic thereon.
  - 7.1.3 Off-street vehicular parking and loading areas and access driveways including the surfacing of such areas and driveways.
  - 7.1.4 Walkways and all other means of pedestrian access.
  - 7.1.5 Removal of snow from access ramps, driveways, parking areas and walkways.
  - 7.1.6 Grading or change in elevation or contour of the land and the disposal of storm, surface and waste water from the land and from any building or structures thereon.
  - 7.1.7 Conveyance to the municipality, without cost, of easements required for the construction, maintenance or improvement of any existing or newly required watercourses, ditches, land drainage works and sanitary sewage facilities on the land.
  - 7.1.8 Floodlighting of the land or of any buildings or structures thereon.
  - 7.1.9 Walls, fences, hedges, trees, shrubs, or other suitable groundcover to provide adequate landscaping of the land or protection to adjoining lands.
  - 7.1.10 Vaults, central storage and collection areas and other facilities and enclosures as may be required for the storage of garbage and other waste material.
  - 7.1.11 Plans showing the location of all buildings and structures to be erected on the land and the location of the other facilities required by the By-law.
  - 7.1.12 Perspective drawings and plans showing buildings elevations and cross sections of industrial and commercial buildings and residential buildings containing twenty-five or more dwelling units.
- 7.2 The Council is authorized to regulate the maintenance and use of the facilities and matters referred to in Section 7.1.
- 7.3 The facilities and matters required by Section 7.1 shall be provided and maintained by the owner of the land at his sole risk and expense, and to the satisfaction of the City and in default thereof the provisions of Section 469 of The Municipal Act shall apply.

- 7.4 The owner of any land within the zone boundaries as shown on Schedule 'A' is required as a condition of development or redevelopment of any land or buildings to enter into one or more agreements with the City dealing with the facilities and matters referred to in Section 7.1.
- 7.5 No building permit shall be issued until the plans required by Subsections 7.1.11 and 7.1.12 have been approved by the City and until the agreements required by Section 7.4 have been entered into.

Section 8.0 - Administration

8.1 Administration and Enforcement

This by-law shall be administered by the Commissioner of Building, Zoning and Licensing and such other persons that may from time to time be appointed by Council

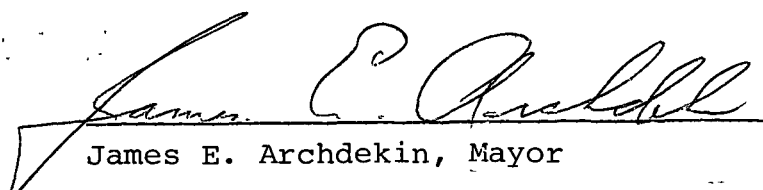
8.2 Violation and Penalty

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

8.3 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 18th day of September 1978.

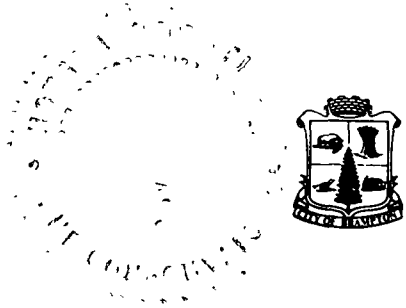
  
James E. Archdekin, Mayor

  
R.A. Everett, Deputy City Clerk  
*acting*

PASSED September 11 19 78

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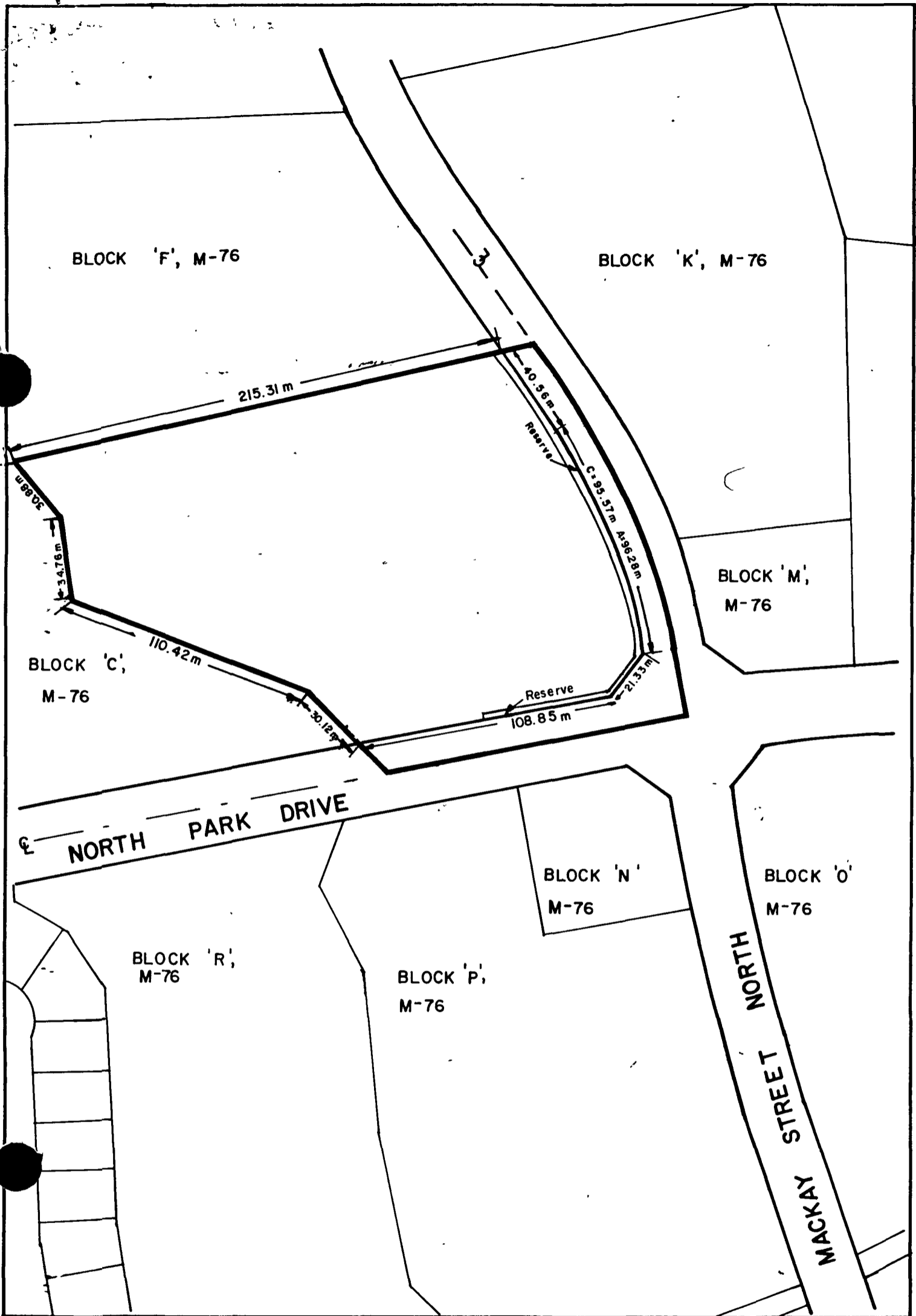
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# BY-LAW

No. 213-78

To regulate and permit the use of land and the erection, use, bulk, height, and location of buildings on part of Lot 9, Concession 4 East of Hurontario Street in the City of Brampton.



**BY-LAW NO. 213-78**  
**Schedule 'A'**

	Drawn	b.k.
	Date	1978-08-24
	File No.	C4E9.11
	Dwg. No.	A 46-24C

**Legend**

— Zone Boundary

**Scale**

1:2000

CITY OF  
**BRAMPTON**  
 PLANNING  
 DEPARTMENT

46-2C



R 783274

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 213-78

B E F O R E :

S.S. SPEIGEL  
Member

- and -

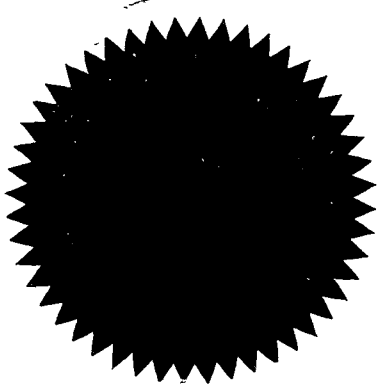
D.H. McROBB  
Member

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Tuesday, the 14th day of  
November, 1978

No objections to approval having been received  
as required;

THE BOARD ORDERS that By-law 213-78 is  
hereby approved.



SECRETARY

ENTERED
O. B. No... 213-6
Folio No... 102
NOV 16 1978
SECRETARY, ONTARIO MUNICIPAL BOARD