



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 218-76

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 Lot 4, Concession 1, West of Hurontario Street.

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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 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 near 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 designated 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 Single Family Dwelling means a detached building containing one dwelling unit.
- 1.33 Street means a public highway.
- 1.34 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 Zones

For the purpose of this by-law, the lands shown on Schedule 'A' are designated as follows:

<u>Zone Designation</u>	<u>Zone Symbol</u>
Residential - Two Family	R2

2.2 Zoning Map

- (a) The boundary of the zone is shown on Schedule 'A' which forms part of this By-law.
- (b) Where the boundary of the zone is shown as following:
  - (i) a street, the centre line of the street is the boundary,
  - (ii) 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:

- (a) The lot coverage, yard and parking requirements are complied with, and
- (b) no goods, material, or equipment are stored in the open.

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 A porch or terrace shall be permitted to extend not more than four (4) feet into a required front yard provided that no porch or terrace 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 times.

4.3 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.

4.4 Swimming Pools

- (a) A private uncovered or unenclosed swimming pool 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 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.

#### 4.5 Building Heights

- (a) No main building shall exceed a height of two and one-half (2½) storeys or twenty-six (26) feet whichever is the lesser.
- (b) No accessory building shall exceed a height of fifteen (15) feet.
- (c) The height limitations of this By-law shall not apply to flag poles, television or radio antennae, ventilators or skylights or chimneys.

### Section 5.0 - Parking

#### 5.1 Parking Accommodation

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

- (a) For each dwelling unit, two parking spaces which may be located in a driveway;
- (b) 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 either in the required front yard or required side yard is permitted.
- (c) No driveway shall be less than nine (9) feet in width.
- (d) No driveway shall be located closer than thirty (30) feet to an intersection of a front lot line and an exterior side lot line.
- (e) All parking spaces and driveways shall be usable in all seasons and finished with a stable dustless surface.

#### 5.2 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 Two Family (R2)

6.1 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 provisions of this section.

#### 6.2 Permitted Uses

- (a) Residential
  - (i) A semi-detach dwelling;
  - (ii) a building or use accessory to the above, provided that the building is not used for human habitation.

#### 6.3 Lot Area Requirement

In the Residential Two Family (R2) Zone, a semi-detached dwelling and a semi-detached dwelling unit shall be located on a lot that has:

- (a) for an interior lot a minimum lot area of four thousand eight hundred (4,800) square feet for each dwelling and a minimum lot area of two thousand three hundred (2,300) square feet for each dwelling unit;
- (b) for an exterior lot a minimum lot area of five thousand five hundred (5,500) square feet for each dwelling, and a minimum lot area of two thousand, eight hundred (2,800) square feet for each dwelling unit.

6.4 Yard Requirements

The depth of a front or rear yard and the width of side yards shall be as shown on Schedule 'A' hereto attached, provided that the distances shall not vary by more than the one (1) foot less than the measurement shown.

6.5 Building Requirement

- (a) Each dwelling unit in a semi-detached building shall have a minimum gross floor area of eight hundred (800) square feet.
- (b) The building area shall not exceed thirty-five (35) per cent of the total lot area.
- (c) Each dwelling shall occupy a building area as shown on Schedule 'A' hereto attached.

6.6 Parking

The parking shall be provided in accordance with the provisions of Section 5.0.

6.7 Landscaped Open Space

Not less than fifty (50) per cent of the required front yard shall be maintained as landscaped open space.

Section 7.0 - Administration

7.1 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.

7.2 Violation of Penalty

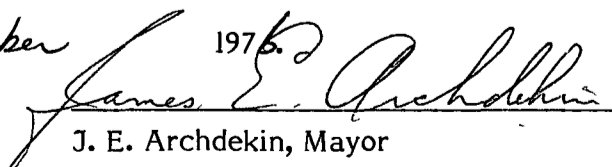
Every person who contravenes this By-law is guilty of an offence and upon conviction of a breach of any of the provisions of this By-law shall be liable for each offence to a fine of not more than One Thousand Dollars (\$1,000.00) exclusive of costs.


7.3 This By-law shall come into force upon approval by The Ontario Municipal Board and takes effect on the date of the final passing thereof.

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

This 25th day of October

1976

  
J. E. Archdekin, Mayor

  
K. R. Richardson, Clerk.





R 77302

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 218-76

B E F O R E :

A. H. ARRELL, Q.C.,

Vice-Chairman

) Tuesday, the 26th day

) of April, 1977

THIS APPLICATION having come on for public hearing  
on the 5th day of April, 1977 at the City of Brampton  
and after the hearing of the application the Board  
having reserved its decision until this day;

THE BOARD ORDERS that By-law 218-76 is hereby approved.

K. C. ANDREWS  
SECRETARY

ENTERED
O. B. No... <i>R.77-2</i>
Folio No... <i>3</i>
MAY 6 1977
<i>K. C. Andrews</i>
SECRETARY, ONTARIO MUNICIPAL BOARD