



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 221-79

Being a By-law to prohibit or regulate the use of lands and the erection and use of buildings and structures on part of Block F, Registered Plan Number 354, and part of Lot 10, Plan BR-27, City of Brampton.

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

1.0 DEFINITIONS

For the purpose of this By-law:

ACCESSORY BUILDING shall mean a detached building located on the same lot and used for a purpose which is incidental, subordinate and exclusively devoted to the principal use of the lot and buildings thereon, and shall include garages, sheds, barns and similar storage facilities.

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

BASEMENT shall mean that portion of a building between two floor levels which is partly underground but which has at least one half of its height from finished floor to finished ceiling above adjacent finished grade.

BUILDING shall mean any structure, whether temporary or permanent, used or erected for the shelter, accommodation or enclosure of persons, animals, materials or equipment.

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 air wells and all other spaces within the building, but excluding open air porches, verandahs, steps, cornices, chimney breasts, fire escapes, exterior stairways, breezeways, accessory buildings, ramps and open loading platforms.

BUILDING HEIGHT shall mean the vertical distance between the established grade and:

- (a) in the case of a flat roof, the highest point of the roof surface; or,
- (b) in the case of a mansard roof, the deck line; or,
- (c) in the case of a peaked, gabled, hip or gambrel roof, the mean height level between eaves and ridge.

CARPORT means an accessory building or structure or part thereof, the perimeter of which is more than 40 per cent unenclosed and which is used for the parking or temporary storage of vehicles.

CELLAR means that portion of a building between two floor levels which is partly or wholly underground and which has more than one half of its height, from finished floor to finished ceiling, below adjacent finished grade.

COVERAGE shall mean that percentage of the land or lot area covered by the main building and accessory buildings.

DETACHED, when used in reference to a building, shall mean a building which is not dependent on any other building for structural support or enclosure.

DWELLING shall mean a building occupied or capable of being occupied as a home or sleeping place by one or more persons.

DWELLING, MULTIPLE FAMILY shall mean a building or place containing 3 or more dwelling units.

DWELLING, SINGLE-FAMILY DETACHED shall mean a completely detached dwelling unit, occupied or intended to be occupied by 1 family only.

DWELLING UNIT shall mean one or more habitable rooms designed or intended for use by one or more individuals as an independent and separate housekeeping 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.

FAMILY shall mean:

- (a) 1 person, or 2 or more persons living together and interrelated by bonds of consanguinity marriage or legal adoption and shall include non-paying guests and domestic servants, and not more than 2 persons who receive their lodging or board for compensation or,
- (b) not more than 5 unrelated persons.

FLOOR AREA, GROSS shall mean the aggregate of the area of all floors in a building, whether at, above or below established grade, measured between the exterior walls of the building. When calculating Gross Floor Area with respect to a residential building the following shall not be included: any porch, verandah, unfinished attic, cellar or any floor area used for building maintenance or service equipment, loading area, common laundry facilities, common washroom, childrens play area, recreation area, parking of motor vehicles, or storage.

GRADE, ESTABLISHED or GRADE FINISHED 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.

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.

LOT shall mean a parcel of land which fronts on or abuts a street and which is permitted to be conveyed by Section 29 of The Planning Act (R.S.O. 1970, C.349, as amended).

LOT AREA shall mean the total horizontal area enclosed within the lot lines of a lot, excluding the horizontal area covered by water, marsh or flood plain, or between the top and toe of a cliff or embankment having a slope of thirty degrees or more from the horizontal.

LOT DEPTH shall mean the straight line distance from the mid-point of the front lot line to the mid-point of the rear lot line of the same lot.

LOT WIDTH shall mean the straight line distance between side lot lines.

- (a) Where such lot lines are not parallel, but converge towards the front lot line, the lot width shall be the straight line distance between points on the side lot lines measured on a line 6 metres back from the front lot line.
- (b) Where such lot lines are not parallel but converge toward the rear lot line the lot width shall be the straight line distance between points on the side lot lines measured on a line 18 metres back from the front lot line.
- (c) In the case of a corner lot having a street line rounding at the corner of a radius of 7.5 metres or less, the lot width of such lot shall be calculated as if the lot lines were produced to their point of intersection.
- (d) In all other cases the lot width shall be the least distance between the side lot lines.

LOT LINE shall mean any boundary of any lot.

LOT LINE, FRONT shall mean the line that divides a lot from the street, provided that in a case of a corner lot, the shorter lot line that abuts a street shall be deemed to be the front lot line and the longer lot line that abuts a street shall be deemed to be the flankage lot line.

LOT LINE, REAR shall mean the lot line opposite the front lot line.

LOT LINE, SIDE shall mean a lot line other than a front or rear lot line.

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MOBILE HOME shall mean any dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for 1 or more persons, but does not include a travel trailer or tent trailer or trailer otherwise designed.

PARKING SPACE shall mean an area accessible from a street or a lane for the parking or temporary storage of one motor vehicle but shall not include any part of a driveway or aisle.

SETBACK, CENTRE LINE shall mean a minimum distance between the centre line of a street and the nearest main wall of any building or structure.

SETBACK, STREET LINE shall mean the minimum distance between a lot line and the nearest main wall of any building or structure.

STOREY shall mean that portion of a building which is included between 1 floor level and the next higher floor level or the roof, and which has its floor level not lower than 2 metres below the line where the roof and outer wall meet.

STREET shall mean a road, avenue, highway, thoroughfare, parkway, bridge or place owned by The Corporation of the City of Brampton, by The Regional Municipality of Peel, or by the Crown in Right of Ontario, and designed and intended for, or used by, the general public for the passage of vehicles but shall not include a public lane.

STRUCTURE shall mean anything that is erected, built, or constructed, the use of which requires location on the ground or attachment to something having location on the ground, but shall include fences which exceed 1.8 metres in height.

SWIMMING POOL shall mean any structure, basin, chamber or tank containing or capable of containing an artificial body of water for swimming, wading, diving or recreational bathing, and having, when filled, a water depth of 0.5 metres or more at any point.

TRAILER shall mean any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, and capable of being used for the living, sleeping or eating accommodation of persons, notwithstanding that such vehicle is jacked-up or that its running gear is removed.

TRAILER, TRAVEL shall mean a trailer that is used or intended to be used for short-term or seasonal occupancy and is or is intended to be located or parked on a site for a temporary or seasonal period.

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.

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.

YARD, REAR shall mean a yard extending across the full width of the lot between the rear lot line and the nearest main wall of any building or structure on the lot.

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.

2.0 No person shall, on the lands shown outlined on Schedule A attached hereto, use any land or erect, alter or use any building or structure, except in conformity with the provisions of this By-law.

2.1 Uses permitted

(1) Parcels 1, 2 and 3;

- (a) one single family detached dwelling;
- (b) uses accessory to the above.

(2) Parcel 4;

- (a) one multiple family dwelling containing not more than four (4) dwelling units;
- (b) uses accessory to the above, but not including a swimming pool.

2.2 Requirements and restrictions

(1) minimum lot area;

- (a) Parcel 1 2020 square metres
- (b) Parcel 2 4040 square metres
- (c) Parcel 3 1940 square metres
- (d) Parcel 4 1940 square metres

(2) Minimum lot width and depth shall be as shown on Schedule A.

- (3) Minimum front yard depth, side yard width and rear yard depth shall be as shown on Schedule A.
- (4) All dwellings and accessory buildings shall be located within the Building Envelopes as shown on Schedule A.
- (5)

(a)	maximum height of dwelling	8 metres
(b)	maximum number of storeys for dwelling	2 storeys
(c)	maximum height of accessory building	4.6 metres
- (6) Gross floor area for each single family detached dwelling unit shall be not less than 100 square metres.
- (7) Gross floor area of an accessory building shall not exceed 10 per cent of the lot area.
- (8)
 - (a) A private uncovered or covered swimming pool must be located within the Building Envelope as shown on Schedule A.
 - (b) A permanent structure covering a swimming pool shall be considered an accessory building for purposes of this By-law.
- (9)
 - (a) Two parking spaces for each dwelling unit on Parcels 1, 2 and 3 shall be provided within the Building Envelope as shown on Schedule A.
 - (b) Two parking spaces for each dwelling unit shall be provided for the dwelling on Parcel 4.
- (10) A motor vehicle or trailer, or a motor vehicle and trailer combination, the vehicle weight of which exceeds 2700 kilograms, may not be parked or stored on any part of the land shown outlined on Schedule A.
- (11) A mobile home, travel trailer, or trailer may be parked or stored on the land shown outlined on Schedule A if it is;
 - (a) owned by the occupant of the lot upon which the vehicle is parked or stored,
 - (b) parked or stored within the Building Envelope as shown on Schedule A, and
 - (c) not used for human habitation while parked or stored on the lot.

- 3.0 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.
- 4.0 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.
- 5.0 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.
- 6.0 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

Seventh

day of

August

1979



JAMES E. ARCHDEKIN, MAYOR.



RALPH A. EVERETT, CITY CLERK.

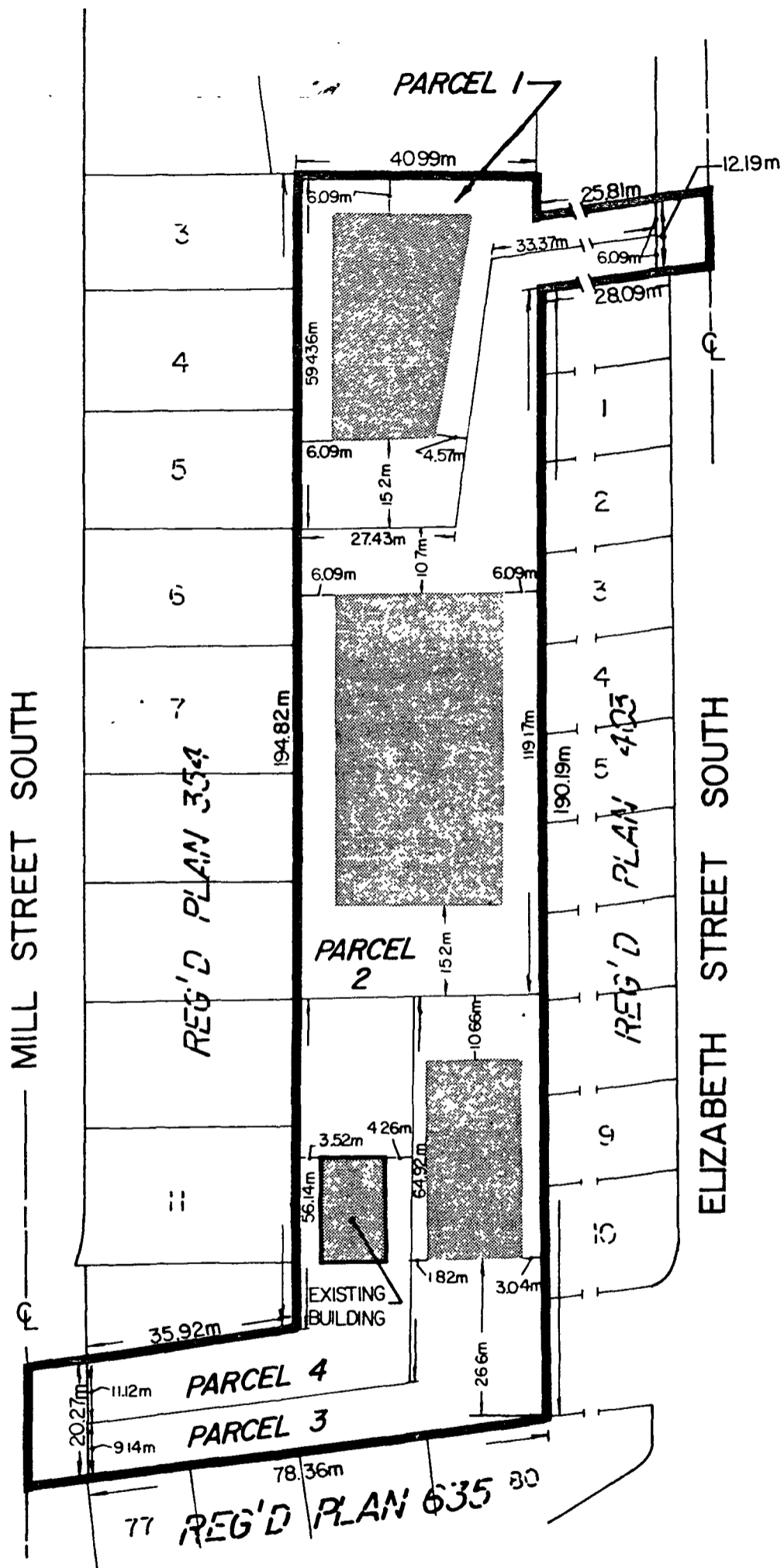
PASSED August 7th 19 79



BY-LAW

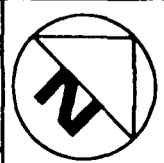
No. 221-79

To prohibit or regulate the use of lands and the erection and use of buildings and structures on part of Block F, Registered Plan Number 354, and part of Lot 10, Plan BR-27, City of Brampton.



 Building Envelope

Part of Lot 4 Concession I W.H.S.
 BY-LAW No. 221-79 SCHEDULE A



1:1000

CITY OF BRAMPTON
 Planning and Development

Date: 79 07 10 Drawn by: TMS
 File no. CIW4.4 Map no. 59-17E



R 793380

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
221-79**

B E F O R E :

**H.E. LANCASTER,
Mayor**

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**Friday, the 20th day
of June, 1980**

**THIS APPLICATION having come on for public hearing on the
20th day of March, 1980 at the City of Brampton and after the
hearing of the application the council of the applicant
corporation having an opportunity to consider certain amendments
to the said by-law and the said council having on the 9th day
of June, 1980 passed By-law 154-80 amending By-law 221-79
and incorporating certain recommendations of the Board and
having caused a certified copy thereof to be filed and the
Board having dispensed with notice and hearing in respect of
By-law 154-80;**

**THE BOARD ORDERS that By-law 154-80 as amended by By-law 221-79
is hereby approved.**

SECRETARY

ENTERED	
O. B. No.	R 79-9
Folio No.	396
JUN 26 1980	
<i>[Signature]</i>	
SECRETARY, ONTARIO MUNICIPAL BOARD	



R 793339

Ontario

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 221-79**

B E F O R E :

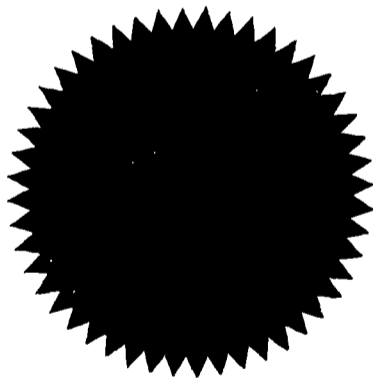
H. H. LANCASTER,

Member

Thursday, the 26th day
of July, 1980

THE BOARD ORDERS that the Order of the Board made the 20th day of June, 1980 and entered in order book R79-9 at folio 396 on the 26th day of June, 1980, is hereby amended as follows:

" **THE BOARD ORDERS** that By-law 221-79 as amended by By-law 154-80 is hereby approved. "



SECRETARY

ENTERED	
G. S. No...	R-79-10
Folio No...	37
JUL 29 1980	
SECRETARY, ONTARIO MUNICIPAL BOARD	