



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 263-80

To regulate the use of land and the erection, use, bulk, height and location of buildings on part of Lot 19, Wellington Block, Plan BR-5 (Lot 6, Concession 1, East of Hurontario Street) in the former Town of Brampton now in the City of Brampton.

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

1.0 DEFINITIONS FOR THE PURPOSES 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.

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.

ERECT shall mean to build, construct, reconstruct, alter or 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, removal, enlargement or extension.

FLOOR AREA, GROSS COMMERCIAL shall mean the aggregate of the areas of each storey, at, above, or below established grade, measured from the exterior of the outside walls, but excluding any parts of the building used for mechanical equipment, stairwells, elevators, or any part of the building below established grade used for storage purposes.

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, CORNER shall mean a lot situated at the intersection of two or more streets, or at the intersection of two parts of the same street, which parts have an interior angle of intersection of not more than 135 degrees.

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 least distance, measured in a straight line, between the side lot lines, where the side lot lines are parallel.

- (a) Where such lot lines are not parallel, the lot width shall be the least distance, measured in a straight line, between the middle point on each side lot line.
- (b) 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 a lot shall be calculated as if the lot lines were produced to their point of intersection.

LOT LINE shall mean any boundary of any lot.

LOT LINE, FLANKAGE shall mean the longer lot line which abuts the street on a corner 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.

NON-CONFORMING shall mean that the lot, building or structure which is described as such is being used for a purpose not permitted in the zone in which it is located.

NON-COMPLYING shall mean the lot, building or structure which is described as such is being used for a purpose permitted in the zone in which it is located, but does not comply with 1 or more of the other requirements and restrictions relating to that zone.

PARKING LOT shall mean an open area, other than a street, used for the parking of 4 or more motor vehicles and available for public use whether free, for compensation or as an accommodation for clients, visitors, customers or residents.

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 and does not include any area used by a motor vehicle manufacturer or motor vehicle sales establishment for the storage of motor vehicles.

PUBLIC AUTHORITY includes The Corporation of the City of Brampton, The Regional Municipality of Peel, the Crown, in Right of Ontario, and the Crown, in Right of Canada, and any board, commission, committee or body established or exercising any power or authority under a statute of Ontario with respect to any of the affairs or purposes, including school purposes, of the City of Brampton or parts thereof.

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.

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.

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, in the case of an interior lot, 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, or in the case of a corner lot, a yard extending from a side lot line to an exterior side yard, and between the rear lot line and the nearest main wall of any building or structure on the lot.

YARD, SIDE shall mean an interior side yard or an exterior side yard.

YARD, INTERIOR SIDE shall mean a yard, other than an exterior side 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.

YARD, EXTERIOR SIDE shall mean a yard extending from the front yard to the rear lot line between the flankage lot line and the nearest main wall of any building or structure on the lot.

ZONE shall mean an area of land designated for certain uses by this By-law.

2.0 GENERAL PROVISIONS

The following general provisions shall apply to the lands shown outlined on Schedule A attached to this By-law.

2.1 Lot Width or Area Reduced by Public Action

Where, by expropriation or highway widening or other land acquisition by the City, the Regional Municipality of Peel or the Crown in Right of Ontario or Canada, a lot is caused to have less lot width or less lot area than that required by this By-law, a building or structure may be erected or used on such a lot if all other requirements of this By-law are complied with, notwithstanding anything to the contrary in this By-law.

2.2 Yards or Building Setbacks Reduced by Public Action

Where, by expropriation or highway widening or other land acquisition by the City, the Regional Municipality of Peel or the Crown in Right of Ontario or Canada, the yards or building setbacks are reduced to less than the requirements of this By-law, an existing building or structure may be repaired, renovated or altered as long as the setbacks or yards are not further reduced by such repair, renovation or alteration, and as long as all other requirements of this By-law are complied with notwithstanding anything to the contrary in this By-law.

2.3 Frontage on Road or Street

No person shall erect any building or structure in any zone unless the lot upon which building or structure is to be erected fronts upon a street.

2.4 Building to be Moved

No building may be moved into any zone where it is not permitted.

2.5 Special Uses Permitted

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 including a sales or rental office incidental to construction in progress, until such time as the work has been discontinued for a period of one year or finished.

2.6 Permitted Yard Encroachments

Every part of any yard required by this By-law shall be open and unobstructed by any building or structure from the ground to the sky except by:

- (a) the structures listed in Table 2.6 (a) which may project into the minimum yards indicated for the distances specified;
- (b) drop awnings, clothes poles, flag poles, garden trellises, fences, retaining walls, signs or similar accessory uses.

TABLE 2.6 (a)

<u>STRUCTURE</u>	<u>YARD</u>	<u>MAXIMUM PROJECTION INTO YARD</u>
Sills, belt courses cornices, gutters, chimneys, pilasters, eaves, parapets or canopies	Any Yard	0.5 metre
Window bays	Front, rear and exterior side yards	1 metre to a maximum width of 3 metres
Balconies	Front, rear and exterior side yards	1.5 metres
Open, roofed porches not exceeding one (1) storey in height, uncovered terraces	Front, rear and exterior side yards	1.5 metres including eaves and cornices

2.7 Height regulations in this By-law do not apply to:

- (a) church spires, water tanks, elevator enclosures, flag poles, television or radio antennae, ventilators, silos, sky lights, chimneys, clock towers, or electrical supply facilities; or
- (b) a roof structure which is used only as an ornament or to house the mechanical equipment of any building.

2.8 Parking Spaces

Each parking space shall be an angled parking space or a parallel parking space.

- (a) An angled outdoor parking space shall be a rectangular area measuring not less than 2.75 metres in width and 6 metres in length.
- (b) A parallel parking space shall be a rectangular area measuring not less than 2.75 metres in width and 6.5 metres in length, the long side of which is parallel to an aisle.

2.9 Where parking spaces are provided or required the following requirements and restrictions shall apply:

- (a) the parking spaces shall be provided or maintained on the same lot or parcel as the building or use for which they are required or intended;

- (b) the width of a driveway leading to any parking area shall be a minimum width of 3 metres for one-way traffic, and a minimum width of 6 metres for two-way traffic;
- (c) each parking space other than a tandem parking space shall have unobstructed access to an aisle leading to a driveway or street;
- (d) 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>
(1) up to 50 degrees	4 metres
(2) 50 degrees up to 70 degrees	5.75 metres
(3) 80 degrees up to and including 90 degrees	6 metres

2.10 (a) Trailers, travel trailers and mobile homes may not be located in any zone if used or intended to be used for the accommodation of and occupation by persons.

(b) Trailers and travel trailers may be stored in a zone in accordance with the other provisions of this By-law.

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

3.0 SERVICE COMMERCIAL ZONE - SC

The land designated as SC on Schedule A hereto attached:

3.1 shall be used for the following purposes:

- (a) optical establishment, and
- (b) use accessory to the above.

3.2 shall be subject to the following requirements and restrictions:

- (a) a building shall occupy only the Building Area as shown on Schedule A hereto attached,
- (b) a building shall not exceed the building height as shown on Schedule A hereto attached,

- (c) minimum front yard depth, side yard width and rear yard depth shall not be less than that as shown on Schedule A hereto attached,
- (d) landscaped open space shall be provided and maintained as shown on Schedule A hereto attached,
- (e) a minimum of five parking spaces shall be provided and maintained and shall be located as shown on Schedule A hereto attached, and
- (f) no storage shall be permitted outside a building.

4.0 ADMINISTRATION

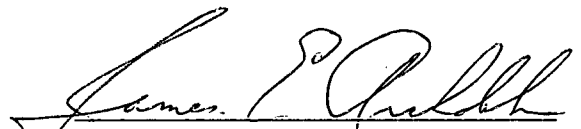
- 4.1 This by-law shall be administered by the Commissioner of Buildings and By-law Enforcement and such other persons as may from time to time be appointed by resolution or by-law of Council.
- 4.2 Every person who contravenes any of the provisions of this by-law is guilty of an offence and liable, upon conviction, to a penalty not exceeding \$1,000.00, exclusive of costs, for each and every such offence.

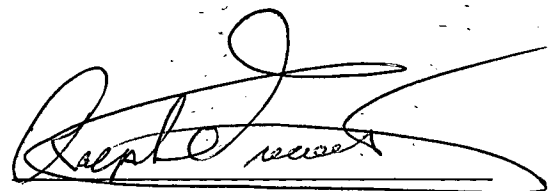
5.0 PREVIOUS BY-LAWS

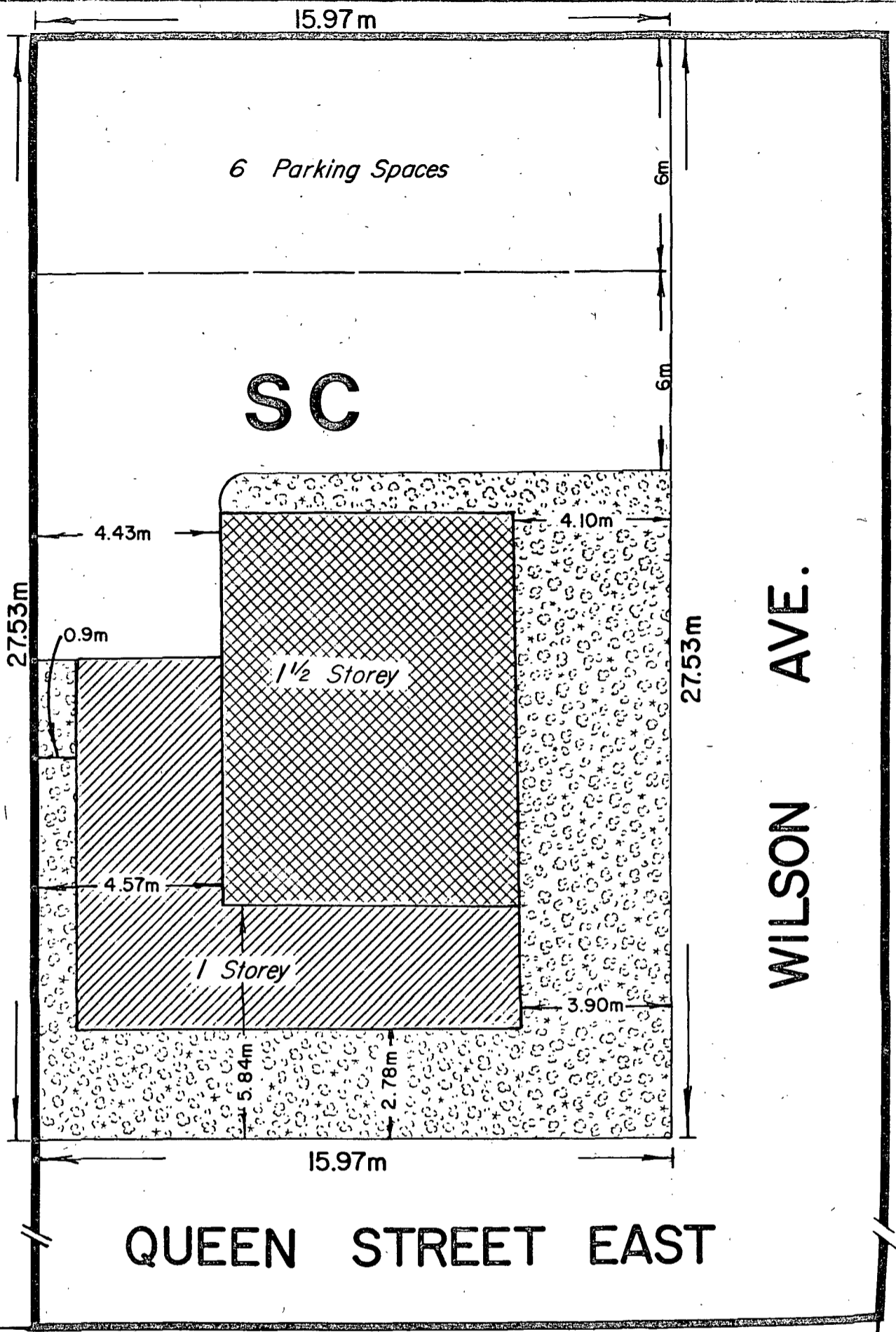
- 5.1 By-law 1827 of the former Town of Brampton and By-law 25-79 of the City of Brampton no longer apply to the lands to which this by-law applies.

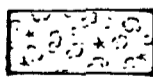
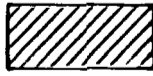

READ a FIRST, SECOND and THIRD TIME and Passed in Open Council

this 22nd day of September 1980.


JAMES E. ARCHDEKIN, MAYOR.


RALPH A. EVERETT, CLERK.



-  Landscaped Open Space
-  1 Storey Building Area
-  1 1/2 Storey Building Area

Part of Lot 6, Concession 1 E.H.S.
By-law No. 263-80, Schedule A



1:136

CITY OF BRAMPTON
Planning and Development

Date: 1980 08 21 Drawn by: *j.m.d.*
File no. CIE6.20 Map no. 43-34B



R 802771

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 263-80

B E F O R E :

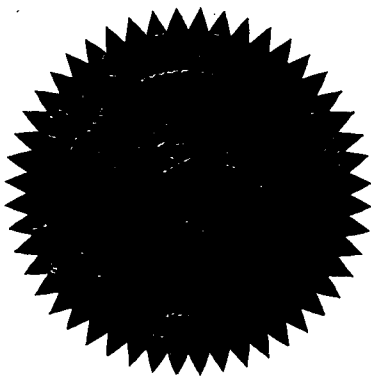
H.H. LANCASTER
Member

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Wednesday, the 27th day
of May, 1981

THIS APPLICATION having come on for public hearing and
after the hearing of the application the Board having
reserved its decision until this day;

THE BOARD ORDERS that By-law 263-80 is hereby
approved.



SECRETARY

ENTERED
O. B. No. <i>R 80-6</i>
Folio No. <i>174</i>
JUN 9 1981
SECRETARY, ONTARIO MUNICIPAL BOARD