



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 273-81

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 Part of Lot 7, Concession 1, East of Hurontario Street. (Part of Part 1, Plan 43R-5509 (S.E. Corner of Johnston Avenue and Main Street North))

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.

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.

BUILDING, MAIN shall mean the building in which is carried on the principal purpose for which the lot is used.

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.

FLOOR AREA, GROSS LEASABLE COMMERCIAL shall mean the aggregate of the area of each storey, at, above or below established grade, measured from the centre line of joint interior partitions and from the exteriors of outside walls, and used or capable of being used for commercial purposes, such as sales, display, storage and offices but excluding storage areas below established grade.

LANDSCAPED OPEN SPACE shall mean an unoccupied area of land 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.

LOADING SPACE shall mean an unobstructed area of land upon the same lot or lots upon which the principal use is located, for use in connection with that principal use, which area is provided for the parking of one commercial motor vehicle while such vehicles is being loaded or unloaded.

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 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.

OFFICE shall mean any building or place in which 1 or more persons are employed in the management, direction or conducting of an agency, profession, business, brokerage, labour, but shall exclude an office of a veterinary surgeon or community club.

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 lane for the parking or temporary storage of one motor vehicle but shall not include any part of a driveway or aisle.

PERSON shall include any association, partnership, corporation, municipal corporation, agent or trustee and the heirs, successors, assigns, executors, administrators or other legal representatives of a person to whom the context can apply according to law.

PUBLIC AUTHORITY includes The Corporation of The City of Brampton, The Regional Municipality of Peel, the Crown, in Right of Ontario, 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.

SIGN shall mean a name, identification, description, device, display or illustration which is affixed to, represented upon or placed nearby a building, structure or lot and which directs attention to an object, product, place, activity, person, institution, organization or business.

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 less 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.

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.

UTILITY INSTALLATION shall mean any building, structure, plant or equipment essential to the provision and operation of electricity, water, sewage disposal, telephone service, telegraph service, pipeline, railway, telecommunications or cable television.

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

2.1 The provisions of this By-law shall not apply to prevent the use of any land or the erection or use of any building or structure by a public authority or for a utility installation, and such use or erection may be permitted subject to the following requirements and restrictions:

- (a) the size, height coverage and yard regulations required for the zone in which such land, building or structure is located shall be complied with;
- (b) no goods, material or equipment may be stored in the open in a Residential Zone or in a lot adjacent to a Residential Zone;
- (c) any parking and loading regulations prescribed for these uses shall be complied with;
- (d) areas not used for parking, driveways, or storage shall be landscaped.

2.2 Nothing in this By-law shall prevent the use of land of 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.

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

- (a) an accessory building or structure permitted by the provisions of this By-law;
- (b) the structures listed in Table (A) below which may project into the minimum yards indicated for the distances specified;
- (c) drop awnings, clothes poles, flag poles, garden trellises, fences, retaining walls, signs or similar accessory uses.

TABLE (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 metres
Window bays	Front, rear and exterior side yards	1.0 metres to a maximum width of 3.0 metres.
Balconies	Front, rear and exterior side yards	1.5 metres
Open, roofed porches not exceeding one storey in height, uncovered terraces	Front, rear and exterior side yards	1.5 metres including eaves and cornices

2.4 Height regulation in this By-law does not apply to: water tank, flag poles, television or radio antennae, ventilators, silos, sky lights, chimneys, electrical supply facilities or a roof structure to house the mechanical equipment.

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

2.6 Where parking spaces are provided or required for the Commercial Uses, 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 3.0 metres for one-way traffic, and a minimum width of 6.0 metres for two-way traffic;

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- (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>
(i) up to 50 degrees	4 metres
(ii) 50 degrees up to 70 degrees	5.75 metres
(iii) 70 degrees up to and including 90 degrees	6 metres

2.7 Loading Spaces

Each loading space shall:

- (a) have a minimum vertical clearance of 4.25 metres;
- (b) not be upon or partly upon any street or lane;
- (c) be accessible from a street or lane by means of driveways, aisles, manoeuvring or similar areas, no part of which shall be used for the parking or temporary storage of motor vehicles; and
- (d) be a rectangular area measuring not less than 3.5 metres in width and 9 metres in length.

- 2.8 (a) Trailers, travel trailers and mobile homes may not be located if used or intended to be used for the accommodation of and occupation by persons.
- (b) Trailers and travel trailers may be stored in accordance with the other provisions of this By-law.

2.9 No sign, billboard or poster shall be erected on lands shown on Schedule A attached except in compliance with the 'Sign By-law' of the City of Brampton.

2.10 Visibility Triangle

On a corner lot, a sign, fence, hedge, shrub bush or tree or any other structures or vegetation shall not be permitted to be erected to grow to a height greater than 0.8 metres above the grade of the streets that abut the lot within the triangular area formed by measuring from the actual or projected point of intersection of the lot lines abutting the streets a distance of 6 metres along each such lot line to two points and joining those two points, nor shall any sign be permitted to overhang the said triangular area.

2.11 Accessory building or structures are permitted provided that they are used only for the storage of disposal of garbage.

3.0 The lands designated as COMMERCIAL ONE ZONE (C1) on Schedule A hereto attached:

3.1 shall only be used for one or more of the following:

- (a) Bank, trust company or finance company.
- (b) Business or professional offices.
- (c) A use accessory to the above.

3.2 shall be subject to the following restrictions and requirements:

(a) The minimum yard restrictions shall be as follows:

- (i) Front Yard 15 metres
- (ii) Side Yard Interior 10 metres
- (iii) Side Yard Exterior 5 metres
- (iv) Rear Yard 10 metres

(b) No building or structure shall be more than three (3) storeys in height.

(c) Landscaped Open Space of a minimum of seven percent (7%) of the area of the lot shall be provided and maintained.

(d) Vehicle access and egress from the said lands shall be limited to one only.

(e) A garbage and refuse collection area with the pick-up facilities shall be provided within the main building to be located on lands shown as Schedule 'A' attached hereto.

(f) Off-street parking in accordance with the following provisions shall be provided and maintained on the lot:

(i) bank, trust company or finance company 1 parking space for each 15 square metres of floor area or portion thereof.

(ii) Offices:

Physician, dentist or drugless practitioner's office 1 parking space for each 12 square metres of gross commercial floor area or portion thereof.



Real estate office 1 parking space for each 20 square metres of gross commercial floor area or portion thereof.

Other offices 1 parking space for each 31 square metres of gross commercial floor area or portion thereof.

(g) Loading spaces are required to be provided and maintained in accordance with the following provisions:

<u>Gross commercial floor area of office uses in square metres</u>	<u>Number of loading spaces</u>
2350 or less	no loading spaces required
over 2350 up to 11,600	1 loading space

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 summary of conviction, to a penalty not exceeding \$2,000.00, exclusive of costs, for each and every such offence.

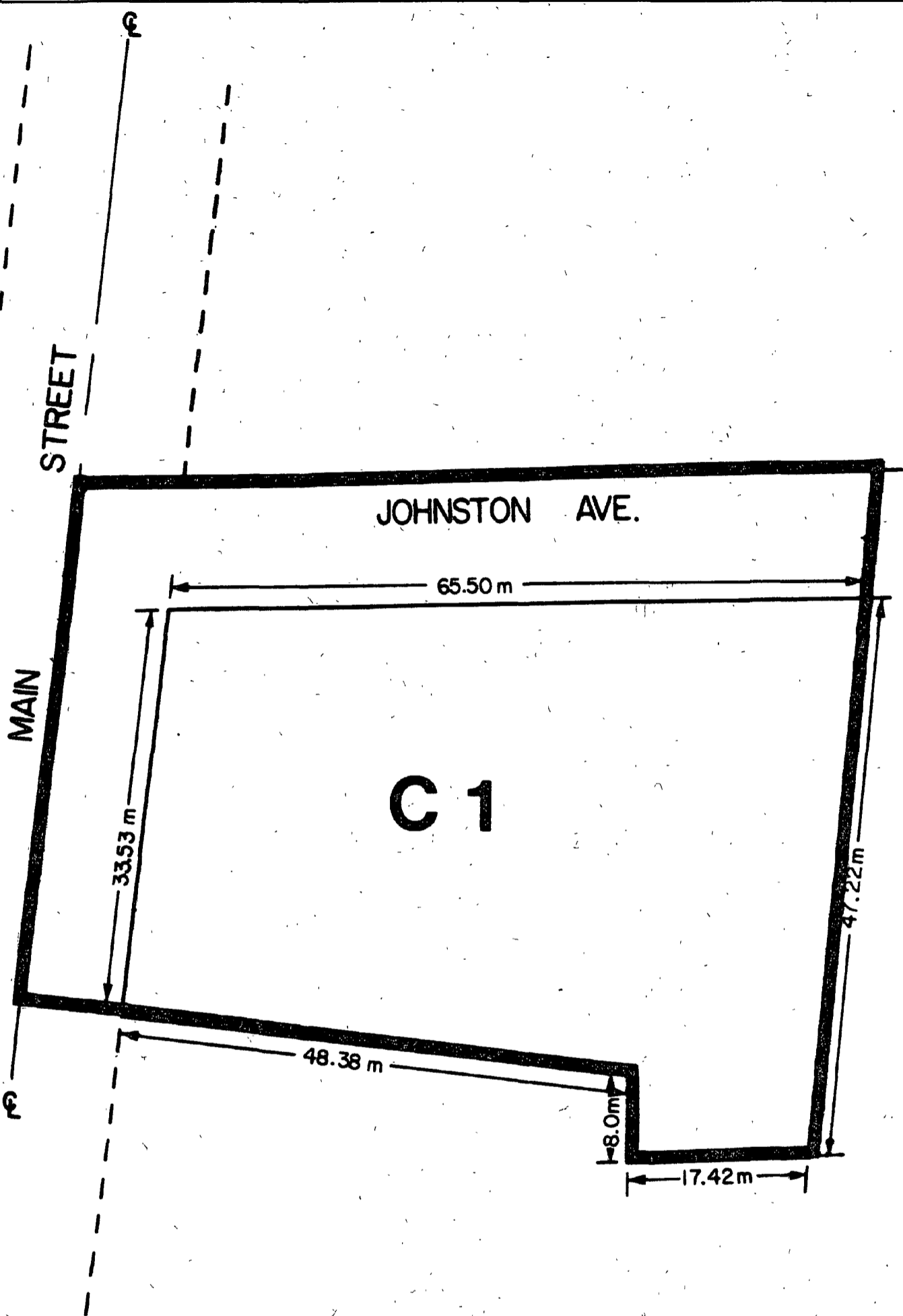
5.0 By-law 1827 as amended of the former Town of Brampton and By-law 25-79 as amended of the City of Brampton shall no longer apply to the lands to which this By-law applies.

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

this 9th day of November 1981.

*James E. Archdekin*  
JAMES E. ARCHDEKIN - MAYOR

*Robert D. Tufts*  
ROBERT D. TUFTS - ACTING CLERK



ZONE BOUNDARY

BY-LAW NO. 273-81  
 Schedule A



**CITY OF BRAMPTON**  
 Planning and Development

Date: 81. 10. 07 Drawn by: J. K.  
 File no. CIE7.3A Map no. 43-2J

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No. 273-81

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 Part of Lot 7, Concession 1, East of Hurontario Street. (Part of Part 1, Plan 43R-5509) (S.E. corner of Johnston Avenue and Main Street North)  
(KINGSPPOINT DEVELOPMENTS)