



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 7-79

A By-law to prohibit or regulate the use of land and the erection, use, height and location of buildings on part lot 628, Registered Plan 695, 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

Accessory Use or Accessory Building shall mean a use, building or structure that is naturally and normally incidental, subordinate and exclusively devoted to the principal use, building or structure located on the same lot.

Building shall mean any structure, whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, material 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 airwells and all other spaces within the building, but excluding porches, verandahs, steps, cornices, chimney breasts, fire escapes, exterior stairways, breezeways, detached accessory buildings, ramps and open loading platforms.

Building Height shall mean the vertical distance between the established grade and

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

Any roof structure which is used only as an ornament or to house the mechanical equipment of any building

1.0 Definitions (cont'd)

shall be disregarded in calculating the height of the building.

Carport shall mean building or structure or part thereof, the perimeter of which is more than 40 percent unenclosed and which is used for the parking and temporary storage of private passenger vehicles.

Coverage shall mean the combined areas of all the buildings on the lot measured at the level of the lowest floor above grade expressed as a percentage of the lot area.

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

Dwelling, Street Townhouse shall mean a dwelling unit in a townhouse dwelling, which dwelling unit is located on its own lot having frontage on a street.

Dwelling, Townhouse shall mean a building that is divided vertically above grade to a height of not less than two (2) metres (6.5 feet) into three (3) or more dwelling units, each of which has independent entrances at grade level to a front and rear yard immediately abutting the front and rear walls of each unit by means of common or party walls, extending in depth a distance of not less than three (3) metres (10 feet).

Dwelling Unit shall mean one (1) or more habitable rooms designed or intended for use by one (1) or more individuals as an independent and separate housekeeping establishment in which separate kitchens and sanitary facilities are provided for the exclusive use of such individual or individuals.

Garage shall mean an enclosed building or structure for the storage of one or more vehicles in which no business, occupation or service is conducted for profit.

1.0 Definitions (cont'd)

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 (25 feet) or less, the lot area of such lot shall be calculated as if the lot lines were produced to their point of intersection.

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 one hundred and thirty five (135) degrees.

Lot Depth shall mean the length of a straight line joining the mid-point of the front line and the mid-point of the rear lot line of the same lot.

Lot Frontage shall mean the horizontal distance between the side lot lines.

- where such lot lines are not parallel, but converge toward the front lot line, the frontage shall be the distance between the side lot lines measured on a line 6 metres (20 feet) back from the front lot line and parallel to it.

- where such lot lines are not parallel but converge toward the rear lot line, the frontage shall be the distance between the side lot lines measured on a line 18 metres (59 feet) back from the front lot line and parallel to it.

Lot, Interior shall mean a lot other than a corner lot.

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 the case of a corner lot, the shorter lot line shall be deemed to be the front lot line.

1.0 Definitions (cont'd)

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.

Off-Street Parking Space shall mean a rectangular area of not less than 17 square metres (183 square feet) exclusive of driveways or aisles for the parking of motor vehicles, and which is not located on a street but is accessible from a street.

Street shall mean a road, avenue, highway, thoroughfare, parkway, bridge or place owned by the Corporation of the City of Brampton, The Regional Municipality of Peel or by the Crown in the right of the Province 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.

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 a 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.

Yard, Side Exterior shall mean a side yard immediately adjoining a street.

Yard, Side Interior shall mean a side yard other than an exterior side yard.

2.0 Designation

2.1 The lands shown outlined on Schedule A attached hereto are hereby divided into the following zones:

<u>Zone Designation</u>	<u>Zone Symbol</u>
Residential Street Townhouse	R3B
Open Space	OS

2.2 The zones and the boundaries of the zones are as shown on Schedule A attached hereto which forms part of this By-law.

3.0 General Provisions

3.1 No land shall be used and no building or structure shall be erected or used within the area shown outlined on Schedule A attached hereto except in conformity with the provisions of this By-law.

3.2 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 for the purpose of public service by the City of Brampton, Region of Peel, The Peel Board of Education, the Dufferin Peel Roman Catholic Separate School Board, or any department or agency of the Government of Ontario or Canada, Ontario Hydro or any telephone, telegraph, railway, pipeline or utility company, and such use or erection may be permitted provided that:

3.2.1 The size, height, coverage and yard regulations required for the zone in which such land, building or structure is located are complied with.

3.2.2 No goods, material or equipment are stored in the open in a Residential Zone or in a lot adjacent to a Residential Zone.

3.0 General Provisions (cont'd)

3.2.3 Any parking and loading regulations prescribed for these uses are complied with.

3.2.4 Areas not used for parking, drive-ways or storage shall be landscaped.

3.3 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 finished or discontinued for a period of one year.

3.4 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 below shall be permitted to project into the minimum yards indicated for the distances specified:

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)
Window bays	Front, rear and exterior side yards	1.0 metre (3 feet) to a maximum width of 3.0 metres (10 feet)
Balconies	Front, rear and exterior side yards	1.5 metres (5 feet)
Open, roofed porches not exceeding one (1) storey in height, uncovered terraces	Front, rear and exterior side yards	1.5 metres (5 feet) including eaves and cornices

3.5 For every dwelling unit, two off-street parking spaces shall be provided, and one of them shall be in a garage or carport.

3.0 General Provisions (cont'd)

3.6 For every building or structure used or erected for institutional or recreational use, one off-street parking space for each 20 square metres (215 square feet) of floor area shall be provided.

4.0 Residential Street Townhouse (R3B)

4.1 In a Residential Street Townhouse (R3B) 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.

4.2 Permitted Uses

4.2.1 Residential

4.2.1.1 Street townhouse dwelling

4.2.1.2 Building or use accessory to the above provided it is not used for human habitation.

4.2.2 Institutional

4.2.2.1 Day nursery provided that the operation is located in a religious institution.

4.2.2.2 Religious institution including an associated place of public assembly.

4.2.3 Recreation

Park, playground, walkway or other recreational area operated by a municipal or public authority.

4.3 Lot Requirement

4.3.1 Minimum interior lot frontage of six (6) metres (20 feet).

4.3 Lot Requirement (cont'd)

4.3.2 Minimum exterior lot frontage of eight (8) metres (26 feet).

4.3.3 Minimum lot depth of thirty (30) metres (98 feet).

4.3.4 Minimum lot area of one hundred and eighty (180) square metres (1937.5 square feet).

4.4 Yard Requirement

4.4.1 The depth of a front yard shall not be less than six (6) metres (20 feet).

4.4.2 The width of an interior side yard shall not be less than one and two-tenth (1.2) metres (4 feet) for a one storey dwelling and additional six-tenth (0.6) metres (2 feet) for each additional storey.

4.4.3 The width of an exterior side yard shall not be less than one and eight-tenth (1.8) metres (6 feet).

4.4.4 The depth of a rear yard shall not be less than seven and a half (7.5) metres (25 feet).

4.4.5 The width of an exterior side yard flanking Kennedy Road South shall not be less than six (6) metres (20 feet).

4.5 Building Requirement

4.5.1 The maximum coverage shall not exceed forty-five (45) percent of the total area.

4.5.2 No building shall exceed a building height of seven and six-tenth (7.6) metres (25 feet).

5.0 Open Space (OS) Zone

5.1 In an Open Space (OS) 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.

5.2 Permitted Use

5.2.1 Recreational: a park or playground

5.2.2 A use accessory to the above.

6.0 Administration

6.1 Administration and Enforcement

The By-law shall be administered by the Commissioner of Building, Zoning and Licencing and such other persons as may from time to time be appointed by resolution of Council.

6.2 Violation and Penalty

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

6.3 This By-law shall not come into force without the approval of the Ontario Municipal Board.

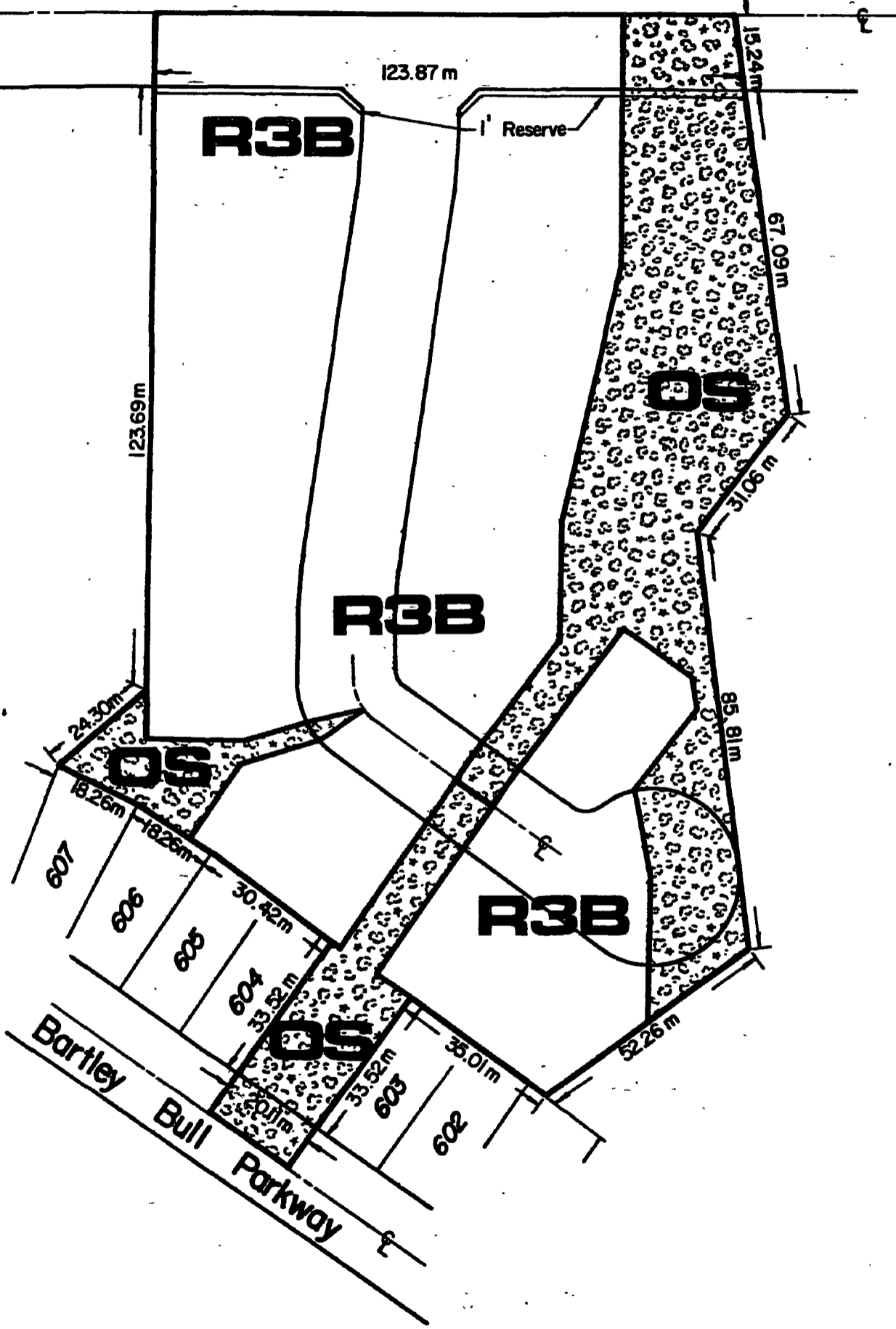
PASSED by the COUNCIL of the CORPORATION OF THE CITY OF BRAMPTON

this 15th day of January 1979

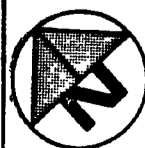
Ellen Mitchell
Acting Mayor

Ralph A. Everett
Ralph A. Everett, Acting City Clerk

Kennedy Road South



BY-LAW No. 7-79
SCHEDULE 'A'



City of Brampton
Planning Department

PASSED January 15th 19 79



BY-LAW

No. 7-79

To prohibit or regulate the use of land and the erection, use, height and location of buildings on Part Lot 628, Registered Plan 695, in the former Town of Brampton now in the City of Brampton.



R 791075

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 7-79**

B E F O R E :

S.S. SPEIGEL
Member

- and -

D.H. McROBB
Member

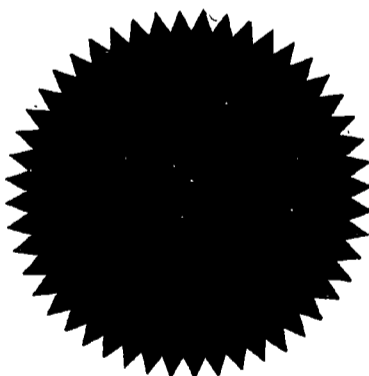
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Friday, the 30th day of

March, 1979

No objections to approval having been received
as required;

THE BOARD ORDERS that By-law 7-79 is
hereby approved.



SECRETARY

ENTERED
O. B. No. <u>R 79-2</u>
Folio No. <u>163</u>
APR 3 1979
SECRETARY, ONTARIO MUNICIPAL BOARD