



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 25 - 76

A By-law to prohibit or regulate the use of land, and the erection, use, bulk, height, and location of buildings on Block F and Part of Block H Registered Plan Number 889 Regional Municipality of Peel, City of Brampton.

The Council of the Corporation of the City of Brampton hereby enacts as follows:

Section 1 - Definitions

- 1.1 For the purposes of this By-law, the definitions and interpretations given in this section shall govern. Words used in the present tense include future; words in the singular include the plural; words in the plural include the singular; the word 'shall' is mandatory and not directory.
- 1.2 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.
- 1.3 Angle of Parking shall mean the number of degrees turned by a vehicle from an aisle into a parking space.
- 1.4 Basement shall mean that portion of a building which is partly below grade and which has more than half of its height measured from floor to ceiling, above the finished grade around the exterior of the building.
- 1.5 Building Area shall mean the maximum projected horizontal area of a building at grade measured to the outside of 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.

- 1.6 Cellar shall mean that portion of a building which is partly or entirely below grade and which has one-half or less than one-half of its height measured from floor to ceiling above the average finished grade around the exterior of the building.
- 1.7 Dwelling Unit shall mean one or more habitable rooms connected together as a separate unit in the same building and which constitutes an independent housekeeping unit for residential occupancy by a family with facilities for persons to sleep, cook and eat and shall include its own sanitary facilities.
- 1.8 Facing Wall shall mean a wall opposite another and on the same lot, and lying in whole or in part within the horizontal, perpendicular projection of the other wall, except for completely connected walls having an interior angle of divergence of more than seventy-five (75) degrees and except for completely unconnected walls having an interior angle of divergence of more than eighty-five (85) degrees.
- 1.9 Family shall mean (a) an individual, or (b) two or more persons who are related by consanguinity or 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.
- 1.10 Front Lot Line shall mean the lot line that divides the lot from the street, provided that, in the case of a corner lot, the shorter lot line that abuts a street shall be deemed to be the front lot line.
- 1.11 Grade shall mean the elevation of the average finished ground level abutting a wall or the walls of a building or structure.
- 1.12 Habitable Room shall mean a room in a dwelling unit used or intended to be used to provide accommodation for sleeping, eating, food preparation, or living and shall not include a laundry, bathroom, storage area or recreation area.
- 1.13 Height of Building shall mean 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.

- 1.14 Landscaped Open Space shall mean open space at ground level on a lot which is used for the development, growth, maintenance and preservation of grass, flowers, trees, shrubs and other forms of aesthetic or decorative landscaping, including surfaced walkways, patios, recreational facilities including a recreation complex and buildings of a recreation nature located therein or similar amenities, but excluding any driveway, ramp, car parking or loading area, curb, retaining wall or any covered space beneath or within any main building or structure.
- 1.15 Lot shall mean 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 as amended.
- 1.16 Lot Area shall mean the total horizontal area within the lot lines of a lot excluding the horizontal area of such lot usually covered by water or marsh, or beyond the rim of a river bank or watercourse, or between the top and toe of the cliff or embankment having a slope of thirty (30) degrees or more from the horizontal.
- 1.17 Lot Line shall mean any boundary of a lot.
- 1.18 Main Building shall mean the building designed or used for the principal use of the lot.
- 1.19 Open Space shall mean an unoccupied parcel of land open to the sky but not including such land as is used or required for parking purposes by this By-law.
- 1.20 Parking Area shall mean an open area or a structure, other than a street, used for the temporary parking of two or more automobiles and available for use whether free or for compensation as an accommodation for visitors or residents.
- 1.21 Parking Space shall mean an area on a lot exclusive of driveways, aisles or landscaped open space for the temporary parking of automobiles.
- 1.22 Public Utility Installation shall mean and includes any building, structure, plant and/or equipment essential to the operation of a public utility and which is operated by

or on behalf of 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

and any company which is incorporated to provide an essential utility facility.

- 1.23 Rear Lot Line shall mean the lot line furthest and opposite the front lot line.
- 1.24 Row-House Dwelling shall mean a detached building that is divided vertically into three or more attached dwelling units, of which each dwelling unit has independent entrances either at the front and rear or at the front or side.
- 1.26 Side Lot Line shall mean a lot line other than a front or rear lot line.
- 1.27 Side Yard shall mean a yard between the main wall of the main building or structure and the side lot line extending from the front yard (or front lot line if no front yard is required) to the rear yard (or rear lot line if no rear yard is required).
- 1.28 Street shall mean a public highway.
- 1.29 Street Line shall mean the dividing line between a lot and a street.
- 1.30 Street Setback shall mean the distance between the centre line of a street allowance and the nearest part of a main wall of a building.
- 1.31 Through Lot shall mean an interior lot having lot lines on two streets.
- 1.32 Wall shall mean the exterior face of an exterior wall of a building, and may include a vertical part of a wall.
- 1.33 Window shall mean any opening in a wall affording light or air to a building.
- 1.34 Yard shall mean an open portion of the land on the same lot with the main building or structure, unoccupied and unobstructed except as otherwise provided or required by this

By-law, and located between the main building and one of the lot lines of the said lot.

Section 2 - Permitted Uses

- 2.1 No land shall be used and no building or structure shall be erected or used within the zone boundaries as shown on Schedule 'A' hereto attached except for the following purposes:
- a) Row-House dwelling.
 - b) Recreation Centre.
 - c) Public utility installation provided that no goods, materials or equipment are stored in the open.
 - d) Building or use accessory to the above, provided that no accessory building is used for human habitation.

Section 3 - Regulations

- 3.1 No land shall be used and no building or structure shall be erected or used within the zone boundaries as shown on Schedule 'A' hereto attached except in conformity with the provisions of this section.

Yard Requirements

- 3.2 The minimum setback distance, minimum required rear yard depth and minimum required side yard width shall be as shown on Schedule 'A' hereto attached.

Building Requirements

- 3.3 Row-house dwellings shall occupy areas indicated as "Building Area" as shown on Schedule 'A' hereto attached and the row-house dwellings shall not occupy more than thirty (30) per cent of the lot area.
- 3.4 The maximum number of dwelling units shall not exceed four hundred and fifty-one (451).
- 3.5 No building shall exceed a maximum height of thirty-five (35) feet.
- 3.6 Not less than fifty (50) per cent of the area to be developed in accordance with Schedule 'A' hereto attached shall be maintained as landscaped open space.
- 3.7 Every part of any required yard shall be open and unobstructed from the ground to the sky except as permitted by this by-law.

3.8 Sill, belt course, cornice, eave, gutter, chimney, pilaster or window bay shall be permitted to project into the required yards at a maximum distance of eighteen (18) inches.

3.9 No fence or hedge within the required front yard shall exceed three (3) feet in height. No fence or hedge in the required side yards or rear yard shall exceed six (6) feet in height.

3.10 Parking Requirements

a) Off-street parking facilities shall be provided equivalent to 175 per cent of the number of dwelling units. A driveway leading to a private garage shall be considered as providing one parking space provided that the distance between the edge of the private roadway and the front wall of the garage is not less than twenty (20) feet. Not less than one parking space shall be provided for each dwelling unit not containing an attached garage and an additional parking space shall be provided for each two such dwelling units. Each five (5) dwelling units shall be provided with one visitor parking space clearly marked and signed for visitor parking.

b) All parking areas containing more than 2 parking spaces shall have direct and unobstructed access to and from a public street by a driveway. Each such unenclosed parking space shall have unobstructed access to an aisle leading to a driveway or to a driveway and parking spaces shall be rectangular and shall be exclusive of any other ancillary space and shall be calculated on the basis of the following:

<u>Arrangement of Parking Space to Aisle</u>	<u>Minimum Width of Parking Space</u>	<u>Minimum Length of Parking Space</u>
Parallel	9.0 feet	23 feet
Angled	9.5 feet	19 feet

Aisles leading to parking spaces and providing unobstructed access from each parking space to a driveway or ramp shall be established on the basis of the following:

<u>Angle of Parking</u>	<u>Minimum Aisle Width</u>
0 to less than 55	13 feet
55 to less than 75	18 feet
75 to 90	21 feet

- c) The minimum width of an enclosed parking space shall be not less than:
- (i) nine (9) feet if the use of the enclosed parking space is unobstructed by a wall or column on both sides or on one (1) side only, and
 - (ii) ten (10) feet if the use of the enclosed parking space is obstructed by a wall or column on both sides, and
 - (iii) eleven (11) feet if the use of the enclosed parking space is obstructed by a door opening into the long side of the parking space.
- d) All parking spaces, aisles and driveways shall be usable in all seasons and surfaced with hard surface and dustless materials.

Section 4 - Administration

4.1 Administration and Enforcement

This by-law shall be administered by the Building and Zoning Co-ordinator and such other persons as may from time to time be appointed by resolution of the Council.

4.2 Violation and 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.

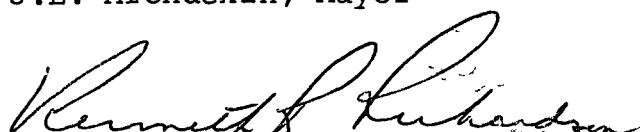
4.3 Approval

This by-law shall not come into force and effect unless and until approved by the Ontario Municipal Board.

READ A FRIST, SECOND AND THIRD TIME AND PASSED IN OPEN COUNCIL

This 26th day of January, 1976


J.E. Archdekin, Mayor


K.R. Richardson, Clerk



R 751618

ONTARIO

ONTARIO MUNICIPAL BOARD

IN THE MATTER OF Section 35(22) of The Planning Act (R.S.O. 1970, c. 349),

- and -

IN THE MATTER OF an appeal by Victoria Wood Development Corporation Inc. for an order directing an amendment to By-law 1827 of the Town of Brampton to change the permitted use of certain lands comprising Block F and part of Block H of Registered Plan 889 from Residential (R) to permit the construction of 464 condominium townhouse units on the said 31 acre parcel having frontages of approximately 500 feet along the east side of Kennedy Road and approximately 2150 feet along the west side of Hansen Road

B E F O R E :

S. S. SPEIGEL,

Member

- and -

C. G. EBERS, Q.C.,

Member

Monday, the 23rd day of

February, 1976

THIS APPEAL having come on for public hearing on the 19th day of January, 1976 at the City of Brampton and after the hearing of the appeal the council of the Corporation of the City of Brampton having passed By-law 25-76 on the 26th day of January, 1976, such by-law incorporates the amendments requested by the said appellant Victoria Wood Development Corporation Inc. and having caused a certified copy thereof to be filed;

THE BOARD ORDERS that By-law 25-76 is hereby approved.

K. C. ANDREWS
SECRETARY

ENTERED	
O. B. No.....	R. 75-5
Folio No.....	64
FEB 27 1976	
<i>K. C. Andrews</i>	
SECRETARY, ONTARIO MUNICIPAL BOARD	