



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 37-76

A By-law to prohibit or regulate the use of land and the erection, use, bulk, height and location of buildings located on Part of Lot 1, Concession 1, West of Hurontario Street.

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

SECTION 1.0 - DEFINITIONS

In this By-law:

- 1.1. Accessory means naturally and normally incidental, subordinate and exclusively devoted to the principal use, building or structure located on the same lot.
- 1.2. Building Area means the maximum area of a building at grade measured to the centre of party walls and to the outside of other walls. Building area includes airwells and all other spaces within the building, but excludes porches, verandahs steps, cornices, chimney breasts, fire-escapes, exterior stairways, breezeways, detached accessory buildings, ramps, and open loading platforms.
- 1.3. Carport means an accessory building or a portion of a main building designed or used for the sheltering of vehicles which has more than forty (40) per cent of its total perimeter open and unobstructed.
- 1.4. Corner Lot means a lot situated at the intersection of two or more streets, or at the intersection of two parts of the same street having an angle of intersection of less than one hundred and thirty-five (135) degrees.

- 1.5 Dwelling Unit means one or more habitable rooms, connected together to form a separate unit which constitutes an independent housekeeping unit for one family to sleep, cook and eat and which includes its own sanitary facilities.
- 1.6 Exterior Lot means a corner or reversed corner lot.
- 1.7 Exterior Side Yard means the side yard of an exterior lot which extends from the front yard to the rear lot line between the flankage lot line and the nearest main wall of the main building or structure.
- 1.8 Family means (a) an individual; or (b) two or more persons who are related by consanguinity, 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.
- 1.9 Flankage Lot Line means the longer lot line which abuts the street on an exterior lot.
- 1.10 Front Lot Line means the lot line that divides the lot from the street. In the case of an exterior lot, the shorter lot line that abuts a street is considered the front lot line.
- 1.11 Front Yard means a yard extending across the full width of the lot between the front lot line and the nearest main wall of the main building or structure on the lot.
- 1.12 Habitable Room means any room in a dwelling unit used or intended to be used for living, sleeping, cooking or eating purposes.
- 1.13 Height of Building means 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 means an 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 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 means 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, Chapter 349 as amended.
- 1.16 Lot Area means the total horizontal area within the lot lines of a lot; excluding the horizontal area of the lot usually covered by water or marsh, or below the rim of a river bank or watercourse, or between the top and toe of a cliff or embankment, or having a slope of twenty-five (25) per cent or more.
- 1.17 Lot Depth means the horizontal distance between the front and rear lot lines, measured along a line midway between the side lot lines.
- 1.18 Lot Line means any boundary of a lot.
- 1.19 Lot Width means the shortest horizontal distance between the side lot lines measured twenty (20) feet back from the midpoint of the front lot line.
- 1.20 Main Building means the building designed or used for the principal use on the lot.
- 1.21 Main Wall means any exterior wall of a building, but shall be construed to mean the structural members essential to the support of a roof, where they are nearer to a lot line than the main wall.
- 1.22 Parking Area means an open area or a structure, other than a street, used for the temporary parking of one or more vehicles and available for use by employees or residents.
- 1.23 Parking Space means a space within a parking area exclusive of driveways, aisles or landscaped open space for the temporary parking of a vehicle.

1.24 Private Garage means an accessory building or a portion of a dwelling which is designed or used for the sheltering of one or more vehicles and the storage of household equipment incidental to the residential occupancy of the dwelling.

1.25 Public Utility Installation means any building, structure, plant or equipment essential to the operation of a public utility including 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

1.26 Rear Lot Line means the lot lines opposite the front lot line.

1.27 Rear Yard means a yard extending across the full width of the lot between the rear lot line and the nearest main wall of the main building.

1.28 Side Lot Line means a lot line other than a front or rear lot line.

1.29 Side Yard means a yard between the main wall of the main building or structure and the side lot line extending from the front yard to the rear yard.

1.30 Single Family Attached Dwelling means a building divided vertically into three (3) or more single family dwelling units by common walls and with private front and rear access to each unit.

1.31 Street means a public highway.

1.32 Street Setback means the distance between the centre line of a street allowance and the main wall of a building.

SECTION 2.0 - DESIGNATIONS

2.1 Use Zone

For the purpose of this By-law, the lands shown on Schedule 'A' are designated as follows:

<u>Zone Designation</u>	<u>Zone Symbol</u>
Residential Single Family Attached	R3B

2.2 Zoning Map

- (a) The zone and the boundary of the zone is shown on Schedule 'A' hereto attached which forms part of this By-law and which is referred to as the Zoning Map.
- (b) Where the boundary of a zone is shown on the Zoning Map,
- (1) as following a street, land, railway right-of-way, transmission line or watercourse, the centre line of the street, lane, railway right-of-way transmission line or watercourse is the boundary,
 - (2) as following lot lines on a registered plan of subdivision, the lot lines are the boundary.

SECTION 3.0 - PUBLIC USES PERMITTED

3.1 The provisions of this By-law shall not apply to the use of any land or to the erection or use of any building or structure for the purposes of the Corporation of the City of Brampton or for the purposes of any local Board thereof as defined by The Municipal Affairs Act, R.S.O. 1970, Chapter 118, provided that:

- (1) The lot coverage, yard and parking requirements are complied with for the zone in which the land, building or structure is located, and
- (2) no goods, material, or equipment are stored in the open in a Residential Zone.

SECTION 4.0 - GENERAL PROVISIONS

4.1 Yards

Every part of a required yard shall be open and unobstructed from the ground to the sky, except as permitted by this By-law.

4.2 Permitted Encroachments Into Required Yards

The structures listed in the following Schedule shall be permitted to project into a required yard.

Schedule 4.2

Structure	Yards in which projections are permitted	Maximum projection from main wall permitted
Sill, belt course, cornice, eave, gutter, chimney or pilaster	any yard	18 inches
Window Bay	Front, rear and exterior side yard only	3 feet over a maximum width of 10 feet

4.3 No porch or terrace permitted by Section 4.2 shall extend above the level of the ground floor of the building exclusive of roof supports; but this shall not prohibit the erection of latticing, screening or a similar structure which permits the free passage of air at all times.

4.4 Lot Coverage Accessory Uses

The building area of all accessory buildings and structures, including a swimming pool covered or enclosed by a permanent structure, shall not exceed ten (10) per cent of the lot area.

4.5 Building Heights

(a) No principal building shall exceed a height of thirty-five (35) feet.

(b) No accessory building in a Residential Zone shall exceed a height of fifteen (15) feet, and in any other zone no accessory building shall exceed a height of twenty (20) feet.

(c) The height limitations of this By-law shall not apply to church spires, water tanks, elevatory enclosures, flag poles, television or radio antennae, ventilators or skylights or chimneys.

4.6 Yards for Non-Residential Buildings

A recreational, institutional, or public building in a Residential Zone shall be located no closer than one-half the height of the building or twenty-five (25) feet, whichever is the greater, to any lot line.

4.7 A one foot reserve shall not be considered a lot for purposes of computations of required yards.

4.8 Fences or Hedges

No fence or hedge

- (i) within a required front yard shall exceed three (3) feet in height;
- (ii) within an exterior side yard shall exceed four (4) feet in height, and
- (iii) within any other required yard shall exceed six (6) feet in height except that a chain link fence for a school or park may exceed these permitted heights.

SECTION 5.0 - RESIDENTIAL SINGLE FAMILY ATTACHED R3B

5.1 In the Residential Single Family Attached (R3B) Zone shown on Schedule 'A' hereto attached, no land shall be used except in conformity with the provisions of this section and Schedule 'A' hereto attached.

5.2 Permitted Uses

(a) Residential

- (i) A single family attached dwelling group;
- (ii) A building or use accessory to the above provided that the building is not used for human habitation.

(b) Public

- (i) A public utility installation excluding any uses which are primarily of an administrative, maintenance or storage nature provided that no goods, material or equipment are stored in the open;
- (ii) the public uses set out in Section 3.0.

5.3 Lot Density

No more than 15 dwelling units per acre or a total of 116 units shall be erected on the lands designated as R3B on Schedule 'A' hereto attached.

5.4 Building Requirement

- (a) A single family attached dwelling unit shall have a minimum gross floor area of nine hundred (900) square feet.

(b) The Building Area shall not exceed in total twenty-five (25) per cent of the lot area.

(c) No single family attached dwelling shall exceed thirty-five (35) feet in height.

5.5 Parking

(a) Off-street parking facilities shall be provided for each dwelling unit on the basis of two (2) parking spaces per unit, one of which shall be provided within the unit and one in the driveway to the unit.

(b) Off-street parking facilities shall be provided for visitor and/or guest parking on the basis of one (1) parking space for each five (5) dwelling units and the aforesaid parking facilities shall be signed accordingly.

(c) All parking spaces, aisles, and driveways shall be useable in all seasons and finished with a stable, dustless surface.

5.6 Landscaped Open Space

Not less than sixty (60) per cent of the total site area shall be maintained as landscaped open space.

SECTION 6.0 - DEVELOPMENT CONTROL

6.1 The lands classified as Single Family Attached R3B as shown on Schedule 'A' hereto attached shall be subject to all matters set out in Section 35(a) of The Planning Act, R.S.O. 1970, as amended.

SECTION 7.0 - ADMINISTRATION

7.1 Administration and Enforcement

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

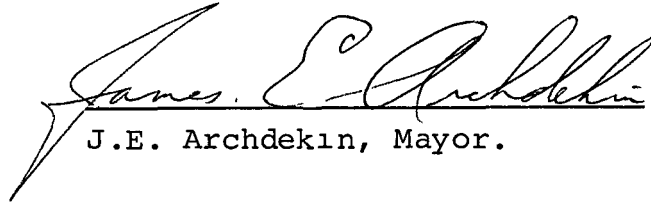
7.2 Violation of Penalty

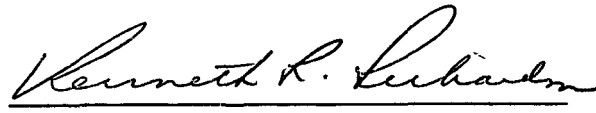
Every person who contravenes this By-law is guilty of an offense and upon conviction of a breach of any of the provisions of this By-law shall be liable for each offense to a fine of not more than One Thousand Dollars (\$1,000.00) exclusive of costs.

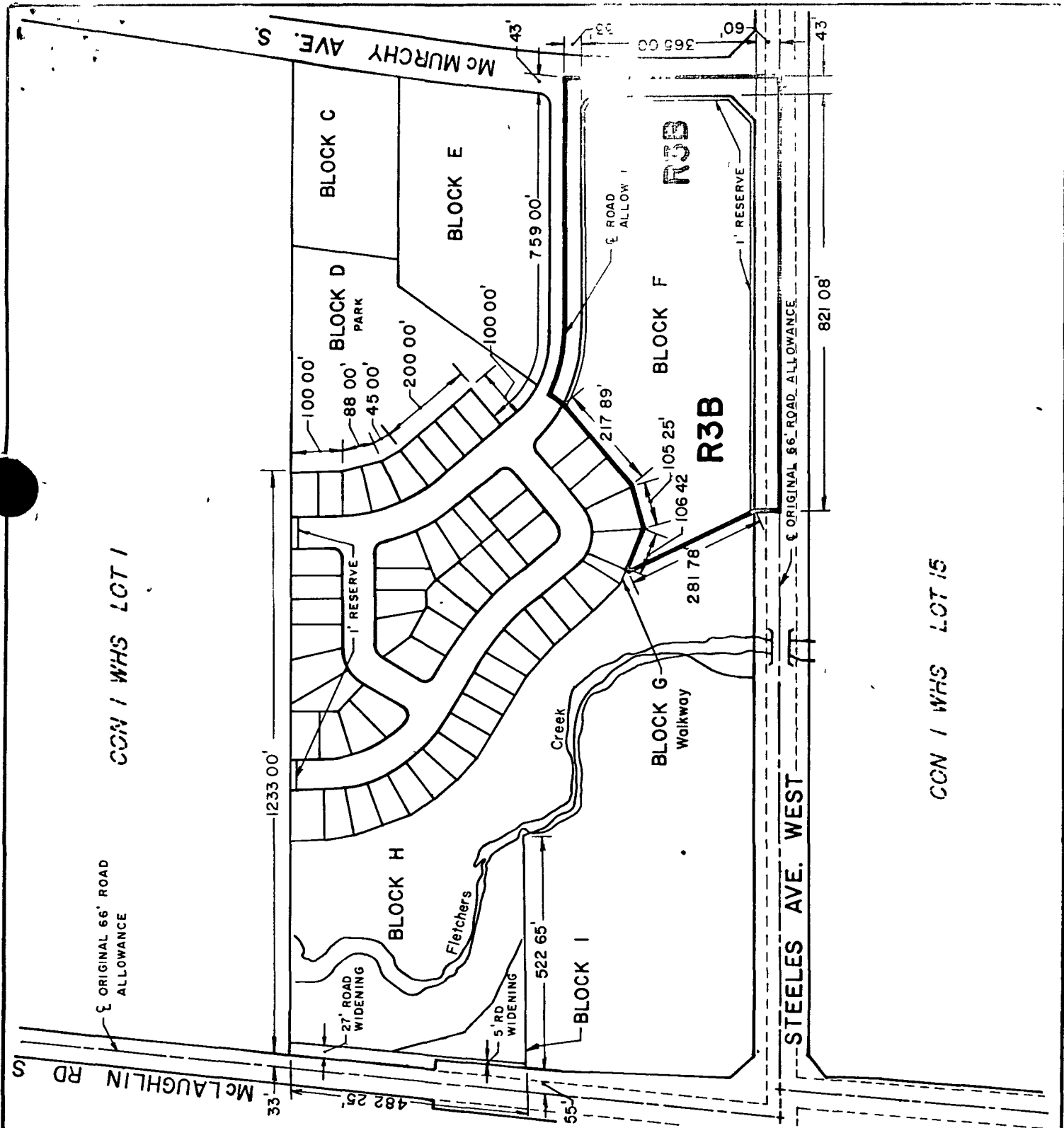
7.3 This By-law shall come into force upon approval by The Ontario Municipal Board and takes effect on the date of the final passing thereof.

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

This 9th 2nd day of February 1976.


J.E. Archdekin, Mayor.

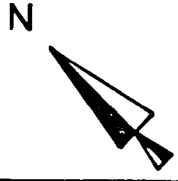

K.R. Richardson, Clerk.



CON 1 WHS LOT 1

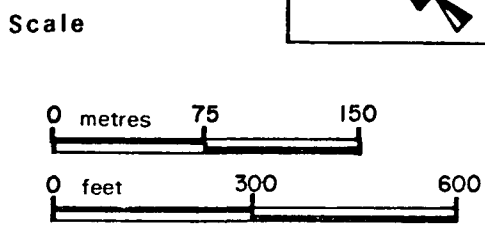
CON 1 WHS LOT 15

CITY OF BRAMPTON BY-LAW NO. 37-76
 SCHEDULE 'A'



Drawn	ps
Date	Jan 6, 1976
File No	CIWI 1
Dwg No	A

Legend
 ZONE BOUNDARY



CITY OF
BRAMPTON
 PLANNING
 DEPARTMENT



R 761647

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 37-76

B E F O R E :

W. SHUB, Q.C.
Chairman

- and -

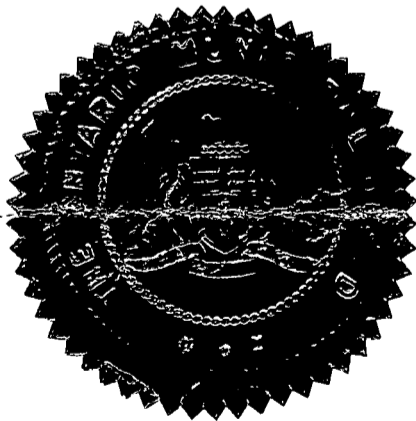
S. S. SPEIGEL
Member

TUESDAY the 27th day
of JULY, 1976

The objectors to approval of the said by-law having
withdrawn their objections;

THE BOARD ORDERS that By-law 37-76 is hereby
approved.

K. C. ANDREWS
SECRETARY



ENTERED	
O. B. No.	R76-3
Folio No.	61
AUG 10 1976	
SECRETARY, ONTARIO MUNICIPAL BOARD	