



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 61-76

A BY-LAW TO PROHIBIT OR REGULATE THE USE OF LAND AND THE ERECTION, USE, BULK, HEIGHT AND LOCATION OF BUILDINGS ON PART OF LOTS 7 AND 8, BLOCK H, IN THE CITY OF BRAMPTON.

The Council of the Corporation of the City of Brampton 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, breeze-ways,

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 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, chapter 349 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 of 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 Rear Yard shall mean a yard extending across the full width of the lot between the rear lot line and the nearest main wall of the main building on such lot.

1.25 Row-House Dwelling shall mean a detached building that is divided vertically into three or more dwelling units, each of which has independent entrances, to a front and rear yard abutting the respective front and rear walls of each dwelling unit.

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, the overall height of which is different from the contiguous part of the 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) Multiple Family - Row-House Dwelling R3
- b) Public utility installation provided that no goods, materials or equipment are stored in the open.
- c) Building or use accessory to the above, provided that the accessory building is not 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 Requirement

- 3.3 A main building shall occupy an area indicated as "Building Area" as shown on Schedule 'A' hereto attached and the main building shall not occupy more than thirty (30) per cent of the lot area.
- 3.4 The maximum number of dwelling units shall not exceed five (5) and no dwelling unit shall be located in cellar.
- 3.5 The maximum height of the main building shall not exceed thirty-five (35) feet. The height limitations of this By-law shall not apply to elevator enclosures, flag poles, television or radio antennae, ventilators or skylights or chimneys.
- 3.6 Not less than fifty (50) per cent of the lot area 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 The structures listed in the following table shall be permitted to project into the required yards.

<u>Structure</u>	<u>Yards in which projections are permitted</u>	<u>Maximum projection from main wall permitted</u>
Sill, belt course, cornice, eave, gutter, chimney or pilaster	Any yard	18 inches
Fire escape and exterior staircase	Front and rear yards only	5 feet
Window Bay	Front and rear yards only	3 feet over a maximum width of 10 feet
Balcony	Front and rear yards only	6 feet
Open or roofed porch not exceeding one-storey in height	Rear yards only	8 feet including eaves and cornices

- 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.

Parking Requirements

3.10 Off-street parking facilities shall be provided as follows:

(a) For each dwelling unit in a row-house dwelling at least one (1) parking space for each dwelling unit plus one (1) additional parking space for each five (5) dwelling units shall be provided on the same lot with the building.

(b) Any parking areas shall have direct and unobstructed access to and from a public street by a driveway. Each 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 feet	23 feet
Angled	9.5 feet	19 feet

(d) 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

(e) 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 of the use of the enclosed parking space is obstructed by a door opening into the long side of the parking space.

(f) A parking area with more than two (2) parking spaces shall be located no closer than twenty (20) feet to a wall with a window to a habitable room. This requirement need not be fulfilled if the elevation of the top of the window sill is more than seven (7) feet above the grade of the parking area.

(g) All parking spaces, aisles and driveways shall be usable in all seasons and surfaced with hard surface and dustless materials.

Section 4 - ADMINISTRATION

Administration and Enforcement

4.1 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.

Violation and Penalty

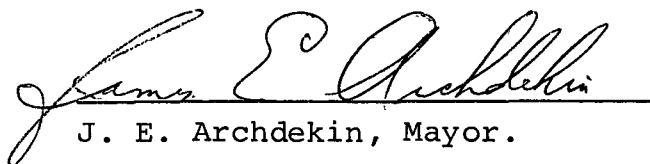
4.2 Every person who contravenes this by-law is guilty of an offence and upon conviction of a breach of any of the provisions of this by-law shall be liable for each offence to a fine of not more than One Thousand Dollars (\$1,000.00) exclusive of costs.

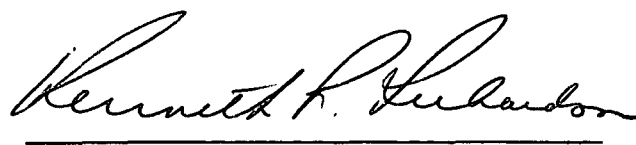
Approval

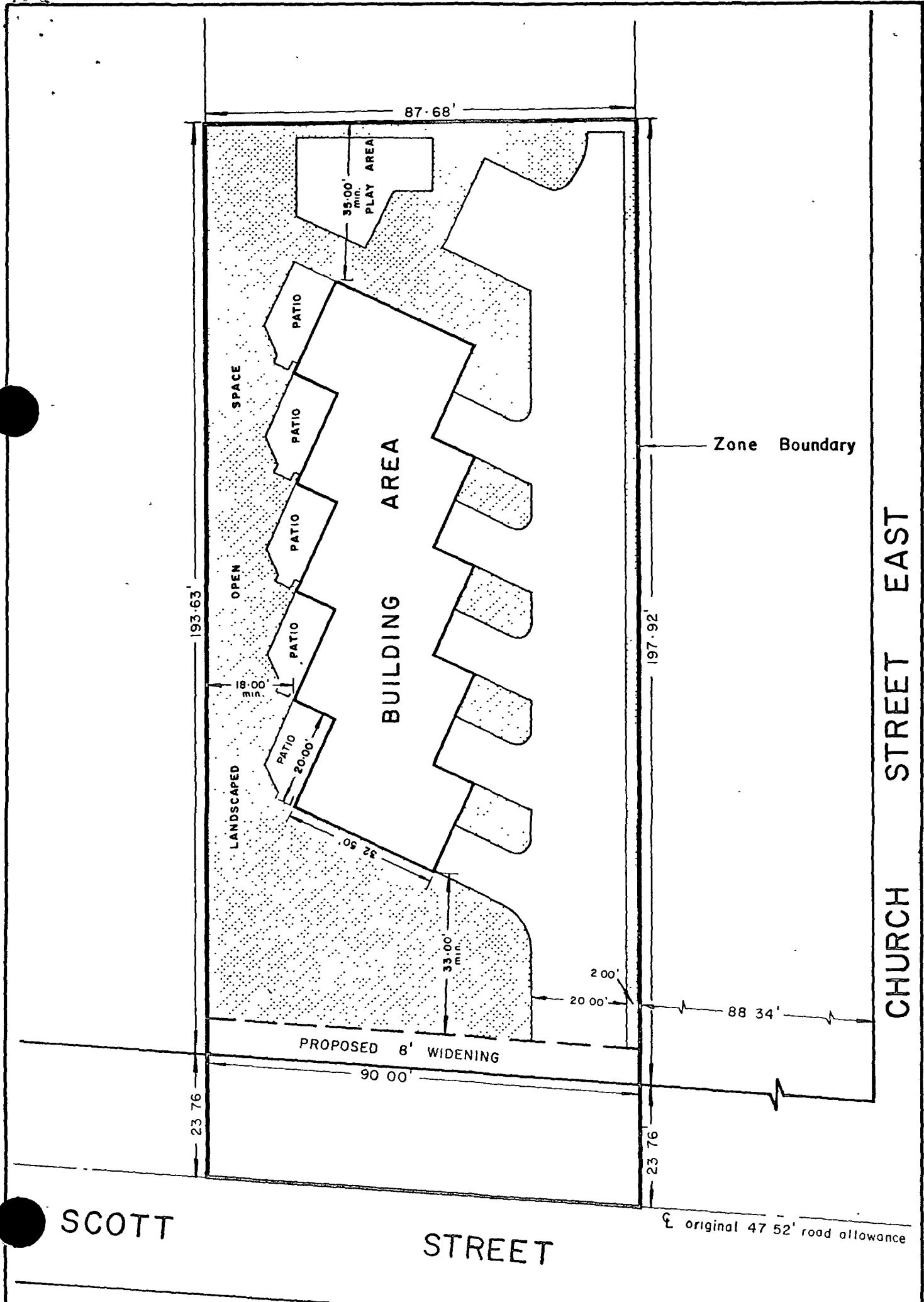
4.3 This by-law shall not come into force and effect unless and until approved by the Ontario Municipal Board.

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

This 23rd day of February, 19 76.


J. E. Archdekin, Mayor.

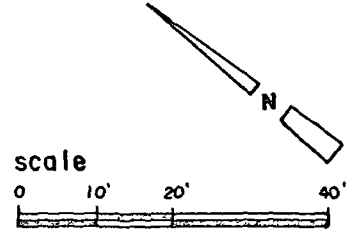

K. R. Richardson, Clerk.



CITY OF BRAMPTON BY-LAW NO. 61-76
 SCHEDULE 'A'

date OCTOBER 29, 1975

dwn. c.f



CITY OF BRAMPTON PLANNING DEPARTMENT



R 761257

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 61-76

B E F O R E :

H. E. STEWART,

Member

- and -

E. A. SEABORN,

Member

Monday, the 24th day

of January, 1977

THIS APPLICATION coming on for public hearing this day
at the City of Brampton and after the hearing of the
application;

THE BOARD ORDERS that By-law 61-76 is hereby approved.

K. C. ANDREWS
SECRETARY

ENTERED	
O. B. No.	R76-6
Folio No.	28
FEB 16 1977	
<i>K. C. Andrews</i>	
SECRETARY, ONTARIO MUNICIPAL BOARD	

SEARCHED	
INDEXED	
FEB 22/77	
REC'D	801
FILED	PL3.2-75
C. K. S. DEPT.	