

THE CORPORATION OF THE CITY OF BRAMPTON

RESTRICTED AREA BY-LAW NUMBER 102-75

A By-law to prohibit or regulate the use of land, and the erection, use, bulk, height, and location of buildings on part of the east half of Lot 6, Concession 1 E.H.S., Regional Municipality of Peel, City of Brampton.

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

Section 1.0 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 the future; words in the singular include the plural; 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 in 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 Building Area shall mean the maximum projected horizontal area of a building at 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.
- 1.5 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.
- 1.6 Family shall mean (a) an individual; or (b) two or more persons who are related by consanguinity or marriage or legal adoption or (c) a group of not more than five (5) unrelated persons.

- 1.7 Floor Space Index shall mean the ratio of the gross floor area of a building to the area of the lot on which the building is located.
- 1.8 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.
- 1.9 Front Yard shall mean 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.
- 1.10 Grade shall mean the elevation of the average finished ground level abutting a wall or the walls of a building or structure.
- 1.11 Gross Floor Area shall mean the aggregate of the area of all floors excluding any floor area which is used for building maintenance or service equipment, storage area, laundry facilities, children's play area, parking of motor vehicles and other accessory uses.
- 1.12 Height of Building shall mean the vertical height of a building 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.
- 1.13 Lot shall mean a parcel of land, that is not less than:  
(a) a whole lot on a registered plan of subdivision or,  
(b) any parcel of land which is separate or can be severed from the abutting lands in accordance with The Planning Act, R.S.O. 1970, Chapter 349 as amended.
- 1.14 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.

- 1.15 Landscaped Open Space shall mean an open space at ground level on a lot which is used for the growth, maintenance, preservation of grass, flowers, trees, shrubs and other landscaping, including a surfaced walk, patio, pool, detached common recreation centre building or similar amenity 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.
- 1.16 One or Two Bedroom Dwelling Unit shall mean a dwelling unit that contains respectively one and two separate rooms designed, designated and intended to be used principally for sleeping purposes in addition to the rooms required for the provision of cooking, eating and sanitary facilities.
- 1.17 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 employees, residents or visitors.
- 1.18 Parking Space shall mean part of a parking area exclusive of driveway, aisles or landscaped open space used for the temporary parking of one automobile.
- 1.19 Senior Citizens Apartment Building shall mean a building other than a triplex, double-duplex, maisonette, row, or multiple dwelling, containing three or more dwelling units, occupied by senior citizens, which have a common entrance from the street level and the occupants of which have the right to use in common halls and/or stairs and yards. Further, for the purposes of this by-law, a senior citizen shall be deemed to be a person who is eligible for senior citizen accommodation in accordance with Ontario Housing Corporation criteria.
- 1.20 Side Lot Line shall mean a lot line other than a front or rear lot line.
- 1.21 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 rear yard.

1.22 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 2.0 Permitted Uses

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

2.2 Permitted Uses

- (a) A senior citizens apartment building on land described in Schedule "A" attached hereto, or
- (b) use accessory to the above.

Section 3.0 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 the section.

Yard Requirements

3.2 The minimum front yard depth, rear yard depth and side yard width shall be determined as shown on Schedule "A" hereto attached.

Canopies

3.3 Canopies shall be allowed to extend from the first floor of the buildings as shown on Schedule "A" hereto attached.

Building Requirements

- 3.4 (a) Only one senior citizens apartment building may be built within the defined "Building Area", as shown on Schedule "A" hereto attached. The apartment building shall be built in accordance with a floor space index of 1.3.
- (b) the maximum height of the apartment building shall not exceed eleven (11) storeys.

- (c) The maximum number of dwelling units in the senior citizens apartment building shall not exceed one hundred and one (101) of which no less than one hundred (100) units shall be one (1) bedroom dwelling units, and one (1) unit shall be a two bedroom unit,
- (d) the senior citizens building shall contain in addition to 101 dwelling units, a common room with abutting kitchen and chair storage area, communal laundry room, washrooms, and a storage room for outside facilities.
- (e) the height limitations of this by-law shall not apply to elevator enclosure, flag pole, television or radio antenna, ventilator, skylight or chimney.

Landscaped Open Space

- 3.5 (a) Not less than fifty (50) per cent of the area of Lot "A" shall be maintained as landscaped open space,
- (b) landscaped open space shall be provided on Lot "A" as shown on Schedule "A" hereto attached.

Parking

- 3.6 (a) Not less than twenty four (24) spaces shall be provided on Lot "A" and reserved for use by residents and visitors of the senior citizens apartment building,
- (b) all parking areas shall be located as shown on Schedule "A" hereto attached and shall have direct and unobstructed access to and from a public street by driveways as shown on Schedule "A" hereto attached,
- (c) each parking space shall have unobstructed access to an aisle leading to a driveway and all parking space shall be rectangular and shall be exclusive of any other ancillary space and shall have a minimum width of nine (9) feet and a minimum length of twenty (20) feet,
- (d) aisles leading to parking spaces and providing unobstructed access from each parking space to a driveway shall have an aisle width of not less than eighteen (18) feet,

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

Accessory Uses

- 3.7 No fence, hedge or structure, except outdoor recreation facilities, and signs permitted in accordance with Section 3.8 shall exceed a height of six (6) feet within the landscaped open space area designated on Schedule "A" hereto attached.

Service Area

- 3.8 A service area for the loading or unloading of persons, animals or goods with unobstructed ingress and egress to a public street shall be provided as shown on Schedule "A" hereto attached.

Signs and Billboards

- 3.9 (a) No sign shall be erected, installed, posted, displayed or maintained except in accordance with the provisions of Section 3.7. Nothing in this section shall be construed to prohibit the erection, installing, posting, displaying or maintaining of signs by a public body for the safety and the convenience of the public such as road and/or traffic signs and signals, construction notices to warn and notify the public, a public election list or other proclamation and non-illuminated ground or facial trespassing, caution or safety sign,
- (b) incidental signs may be erected indicating parking or loading areas, or for directional purposes provided they are located on the premises and at such location which will not interfere or impede the view of vehicular or pedestrian traffic.

Section 4.0 Administration

Administration and Enforcement

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

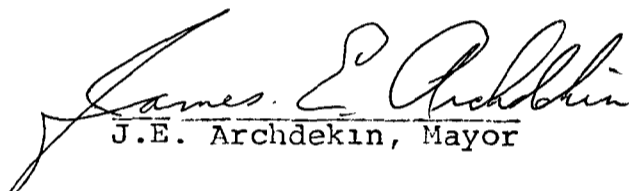
Violation and Penalty

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.

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

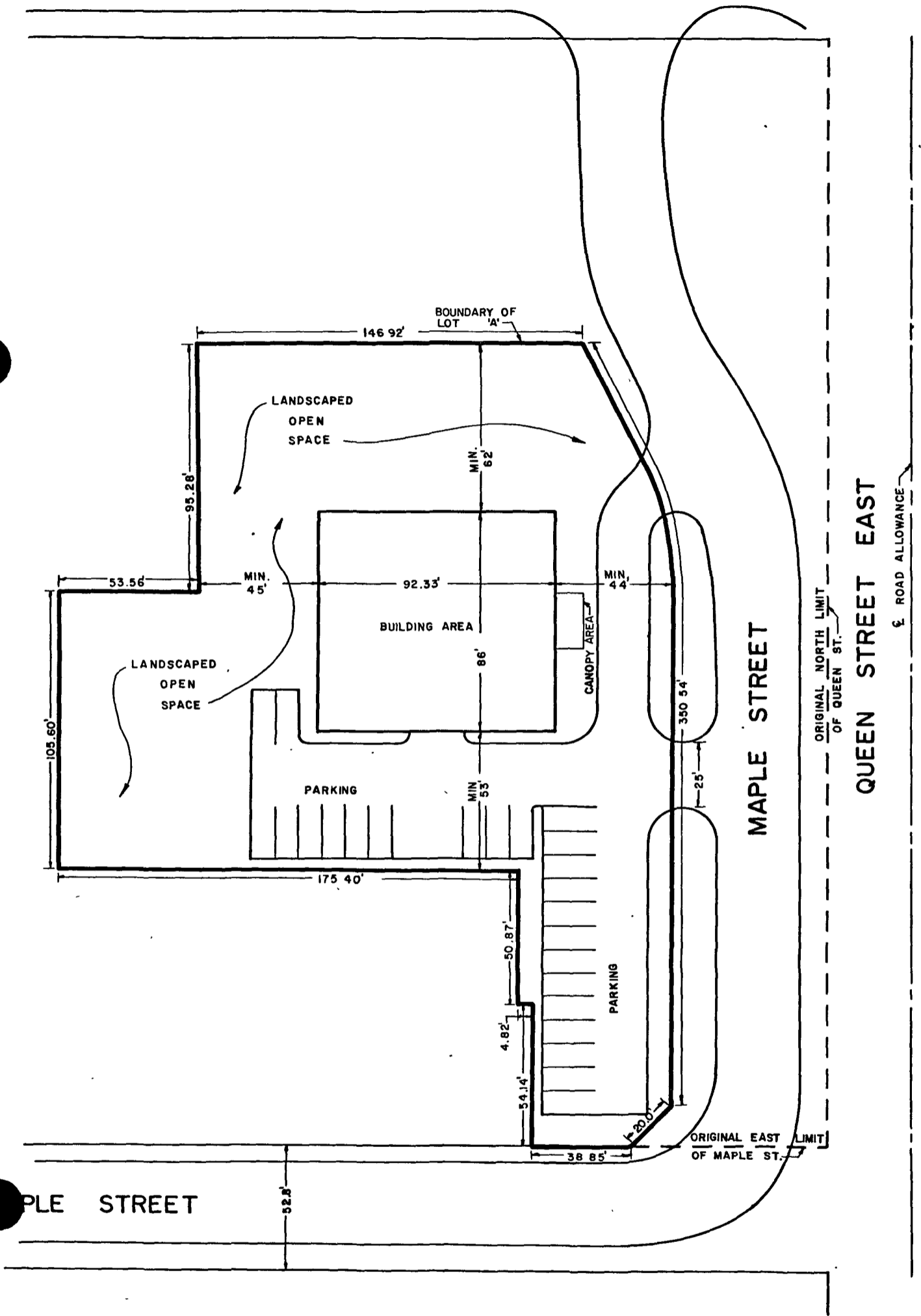
PASSED BY THE COUNCIL OF THE CORPORATION OF THE CITY OF BRAMPTON

This 9th day of June, 1975.

  
J.E. Archdekin, Mayor

  
K.R. Richardson, Clerk

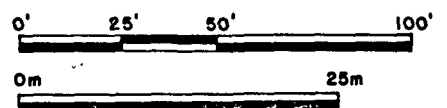
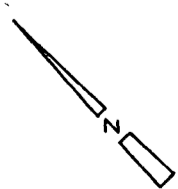
SCOTT STREET



DATE: April 3rd, 1975

DRAWN BY: m.o.

CITY OF BRAMPTON BY-LAW No. 102-75  
 SCHEDULE 'A'  
 FILE No. CIE 6.5





To: P. Hungerford, Planner  
From: J. E. Hendy

Date: 4 June 1975

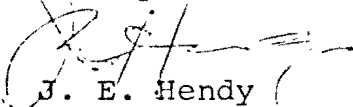
Subject: OHC Senior Citizens Building  
Scott and Maple Streets  
Your file: C1E6.5  
Our file: 100

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Further to your memorandum of 2 June 1975 forwarding a copy of a proposed by-law pertaining to the above development, I wish to make the following comments:

- Section 1.1 ✓ I would suggest that a comma or semi-colon be inserted after the word 'govern' on the second line and I would suggest that the word 'lease' in the third line should be replaced by the word 'tense'.
- Section 1.2 I think the first word in the last line should be 'principal'.
- Section 1.5 I note that the word 'residential' is spelled incorrectly.
- Section 1.11 I would suggest a comma should be inserted in the penultimate line after 'children's play area'.
- Section 1.13 ✓ I would suggest that subsection (b) be replaced by the following: "any parcel of land which is separate or can be severed from the abutting lands in accordance with The Planning Act, R.S.O. 1970, Chapter 349 as amended."
- Section 1.19 purports to define senior citizens apartment building but, in fact, appears to contain a definition of an apartment building without any reference to senior citizens.
- Section 3.4 ✓ (c) the first sentence would appear to be in conflict with the rest of the paragraph and I would suggest that the first sentence be omitted.
- Section 3.4 ✓ (e) I would suggest that 'church spire' be deleted.
- Section 4.3 ✓ I would suggest that this section be amended to read as follows: "This by-law shall not come into force and effect unless and until approved by the Ontario Municipal Board."

JEH:nw

  
J. E. Hendy  
City Solicitor



R 752513

Ontario

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 102-  
75,

B E F O R E :

W. H. PALMER,  
Chairman

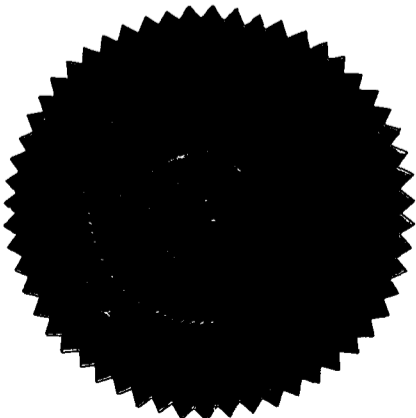
- and -

A. L. McCRAE,  
Vice-Chairman

)  
)  
) Wednesday, the 17th day of  
)  
) March, 1976  
)  
)

All objections to approval of By-law 102-75 having  
been withdrawn and the Council of the applicant  
corporation having an opportunity to consider certain  
amendments to the said by-law and the said council  
having on the 8th day of December, 1975, passed By-law  
254-75, amending By-law 102-75, and having caused a  
certified copy thereof to be filed and the Board  
having dispensed with notice and hearing of By-law  
254-75;

THE BOARD ORDERS, that By-law 102-75 as amended by  
By-law 254-75 are hereby approved.



K. C. ANDREWS  
SECRETARY

ENTERED
O. B. No. <i>R-75-5</i>
Folio No. <i>111</i>
MAR 29 1976
SECRETARY, ONTARIO MUNICIPAL BOARD