



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 145-76

A By-law to prohibit or regulate the use, bulk, height, and location of a building on part of Lot 42, Registered Plan BR-7 in the City of Brampton.

The Council of the Corporation of the City of Brampton 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 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 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.
- 1.4 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.

- 1.5 Carport shall mean an accessory building or portion of a building which is designed or used for the sheltering of motor vehicle having more than forty (40) percent of the total perimeter open and unobstructed.
- 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 landing 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 26(1) or Section 26(3) of The Planning Act, R.S.O. 1960 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 (3) 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 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.
- 1.23 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
 - Board of Water Commissioners of Brampton
 - 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.
- 1.24 Rear Lot Line shall mean the lot line furthest and opposite the front lot line.
- 1.25 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.
- 1.26 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 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.

1.32 Window shall mean any opening in a wall affording light or air to a building.

1.33 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 boundaries as shown on Schedule 'A' hereto attached except for the following purposes:

2.2 Residential Two Family.

2.3 Public utility installation provided that no goods, materials or equipment are stored in the open.

2.4 Building or use accessory to the above, provided that the accessory building is not used for human habitation.

Section 3.0 - GENERAL PROVISIONS

3.1 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.

3.2 Building Requirements

- (a) The main building shall not occupy more than one third of the lot area.
- (b) 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.

3.3 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.
- (c) The height limitations of this By-law shall not apply to water tanks, flag poles, television or radio antennae, ventilators or skylights or chimneys.

3.4 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.

3.5 Parking Requirements

Off-street parking facilities shall be provided as follows: For each dwelling unit in a semi-detached dwelling, at least one (1) parking space in an attached garage or carport, in the side or rear yard or a detached garage.

3.6 Parking Area - Requirements

Where parking facilities are required or permitted for a semi-detached dwelling;

- (i) Parking spaces shall be located on the same lot as the principal use.
- (ii) No area may be constructed or used for parking or storage within a required front yard or required exterior side yard, however, the parking of one passenger vehicle in a driveway in the required yard is permitted.
- (iii) No driveway shall be less than ten (10) feet in width.
- (iv) No driveway shall be located closer than thirty (30) feet to an intersection of a front lot line and an exterior side lot line.

3.7 Detached Private Garage or Carport

(a) A detached private garage or carport as an accessory building may be located in the side or rear yard of a lot in a Residential Zone provided that it is:

- (i) no closer than four (4) feet to a main building, and
- (ii) no closer than four (4) feet to a side lot line, if in an interior side yard or two (2) feet to an interior side or a rear lot line, if in a rear yard, and

(b) A detached private garage or carport may be erected against a lot line in a side or rear yard if:

- (i) The garages for both lots are designed as one (1) building, and
- (ii) A common wall, on and along the side or rear lot line divides the garages, and
- (iii) The garages for both lots are constructed or reconstructed simultaneously.

Section 4.0 - ADMINISTRATION

4.1 Administration and Enforcement

This By-law shall be administered by the Zoning and Building

Co-ordinator and such other person as may from time to time be appointed by resolution of Council.


4.2 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.


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 **Twenty-first** day of **June,** 1976.



J. E. Archdekin, Mayor.



K. R. Richardson, Clerk.

WELLINGTON STREET (West)

LOT 42
PLAN BR-7

Proposed
Building
Area

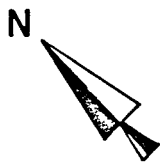
R2

Proposed Widening

MILL STREET (South)

Original 49.5' Road Allowance

CITY OF BRAMPTON BY-LAW No. 145-76
SCHEDULE 'A'



Drawn	ps
Date	Mar. 19, 1976
File No.	CIW5.7
Dwg. No.	A

Legend

 Zone Boundary

Scale

0 metres 8 16

0 feet 25 50

CITY OF
BRAMPTON
PLANNING
DEPARTMENT



R 762388

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 145-76

B E F O R E :

D. S. COLBOURNE,
Member

)
Tuesday, the 17th day
of May, 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 145-76 is hereby approved.

K. C. ANDREWS
SECRETARY

ENTERED	
O. B. No.	<i>R 76-6</i>
Folio No.	<i>371</i>
JUN 1 1977	
<i>K. C. Andrews</i>	
SECRETARY, ONTARIO MUNICIPAL BOARD	