



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 163-77

A By-law to prohibit or regulate the use of land and the erection, use bulk, height and location of buildings situated on part of Lot 3, Concession 2, E.H.S., in the City of Brampton and more particularly located on the southwest corner of the intersection of Clarence Street and Rutherford Road.

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; 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 centre of party walls and to the outside of other walls including airwalls and all other spaces within the building but excluding porches, verandahs, steps, cornices, chimney breasts, fire escape, exterior stairways, breezeways, detached accessory buildings, ramps and open loading platforms.
- 1.6 Exterior Side Yard shall mean the side yard of a corner lot which extends from the front yard to the rear lot line between the flankage lot line and the nearest main wall of the building or structure.
- 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 Gross Floor Area shall mean the aggregate of the area of all floors above grade excluding any floor area above grade used only for the parking of motor vehicles.
- 1.11 Height shall mean the vertical height of a building from grade to the highest point of the roof surface in the case of 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.
- 1.12 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.
- 1.13 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.
- 1.14 Lot Area shall mean the total horizontal area within the lot lines of a lot.
- 1.15 Lot Line shall mean any boundary of a lot.
- 1.16 Lot Width shall mean the horizontal distance between the side of a lot where such side lot lines are parallel.
- 1.17 Main Building shall mean the building designed or used for the principal use on the lot.
- 1.18 Main Wall shall mean any exterior wall of a building, and all structural members essential to the support of a fully enclosed space or roof, where such members are nearer to a lot line than the said exterior wall.

- 1.19 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 vehicles of employees, residents or invitees.
- 1.20 Parking Space shall mean an area on a lot exclusive of driveways, aisles or landscaped open space for the temporary parking of automobiles.
- 1.21 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.
- 1.22 Rear Lot Line shall mean the lot line furthest and opposite the front lot line.
- 1.23 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.
- 1.24 Side Lot Line shall mean a lot line other than a front or rear lot line.
- 1.25 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 to the rear yard.
- 1.26 Street shall mean a public highway.
- 1.27 Street Line shall mean the dividing line between a lot and a street.
- 1.28 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.
- 1.29 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

The lands shown on Schedule 'A' and designated as General Commercial (GC) may be used for a commercial use, being a restaurant with banquet facilities only, and a 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 boundary as shown on Schedule 'A' hereto attached except in conformity with the provisions of this section.

3.2 Yard Requirements

- a) The front, rear and side yards shall have a minimum depth and width respectively as shown on Schedule 'A' hereto attached.
- b) Any building to be constructed shall be within the building area as shown on Schedule 'A' hereto attached.

3.3 Building Requirements

- a) Only one building shall occupy the building area within the zone boundary as shown on Schedule 'A' hereto attached.
- b) The maximum height of the building shall not exceed thirty-five (35) feet.
- c) The height limitations of this by-law shall not apply to an elevator enclosure, flag pole, television or radio antenna, ventilator, skylight or chimney.

3.4 Parking requirements

- a) Minimum off-street parking accommodation shall be provided on the same lot as the building and shall be located as shown on Schedule 'A' hereto attached.
- b) All parking areas shall have direct and unobstructed access to and from a public street by a driveway or ramp as shown on Schedule 'A' hereto attached.

- c) Each parking space shall have unobstructed access to an aisle leading to a driveway or ramp and all 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 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) All parking spaces, aisles and driveways shall be usable in all seasons and surfaced with hard surface and dustless materials.

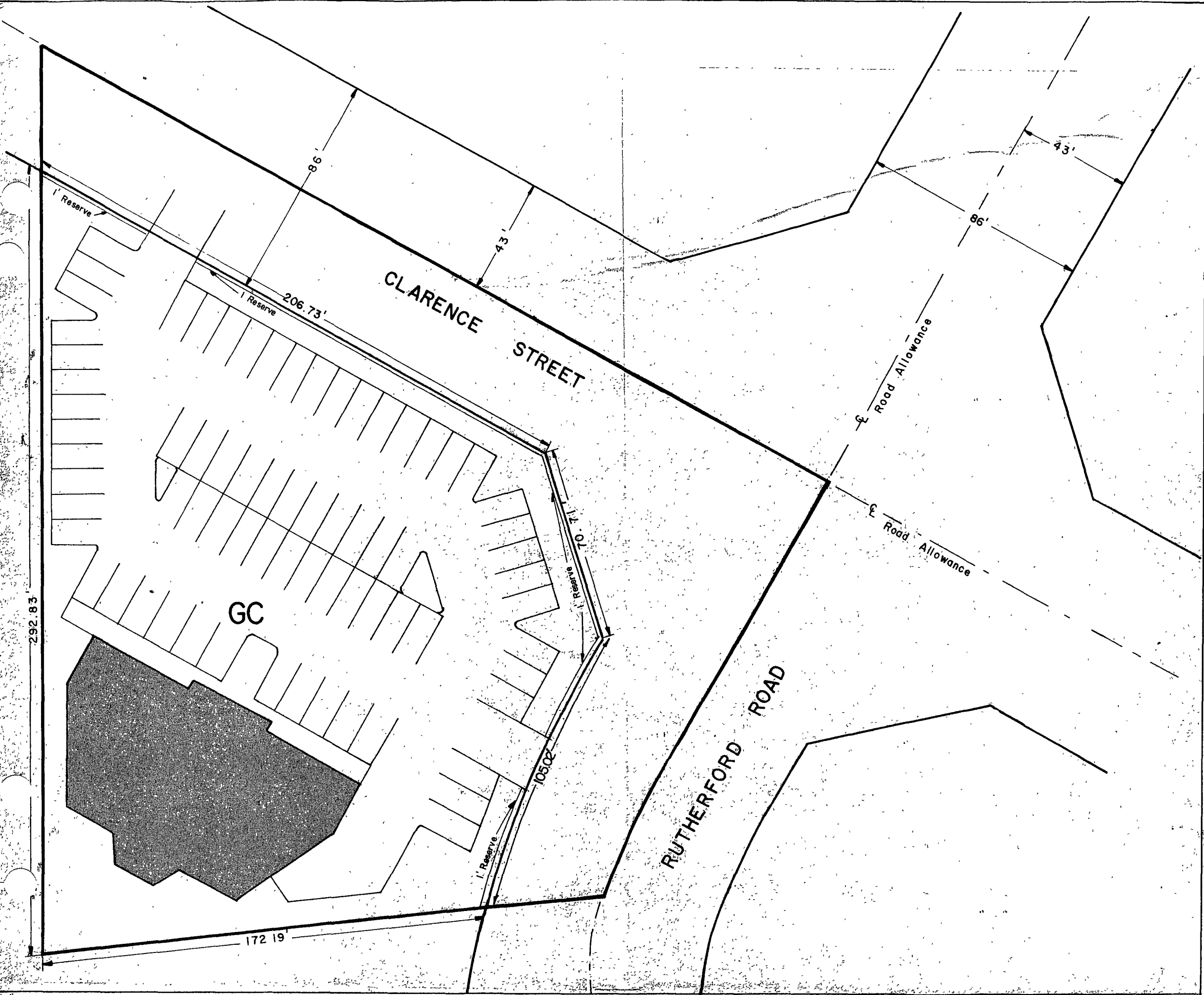
SECTION 4.0 - ADMINISTRATION

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 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 for each and every such offence and every fine is recoverable under The Summary Convictions Act. A Provincial court judge or a Justice of the Peace is hereby authorized to hear and determine prosecutions under this By-law.



LEGEND
 — Zone Boundary
 Building Area

BY-LAW NO. 163-77
 Schedule 'A'



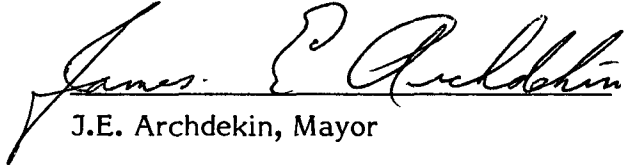
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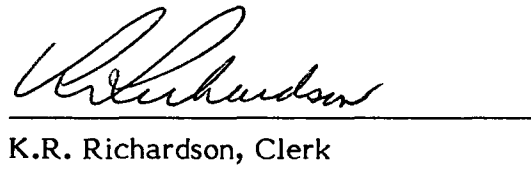
SCALE:
 0 metres 90 180
 0 feet 30 60

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 27th day of June, 1977.


J.E. Archdekin, Mayor


K.R. Richardson, Clerk

PASSED June 27 1977



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