



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 297-80

To regulate the use of certain lands (part of Lot 6, Concession 1, W.H.S.)

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

Section 1.0 APPLICATION

- 1.1 This by-law applies to the lands which are shown outlined on Schedule A attached hereto.
- 1.2 By-law 25-79, as amended, of the City of Brampton and By-law 1827, as amended, of the former Town of Brampton, are no longer applicable to the lands to which this by-law applies.
- 1.3 The zoning designation for the lands shown outlined on Schedule A attached hereto shall be
RESIDENTIAL TOWNHOUSE (R3A)
and OPEN SPACE (OS)

Section 2.0 ADMINISTRATION

- 2.1 This by-law shall be administered by the Commissioner of Buildings and By-law Enforcement and such other persons that may from time to time be approved by by-law or by resolution of Council.
- 2.2 Every person who contravenes any of the provisions of this By-law is guilty of an offence and upon summary conviction shall be liable in respect of each offence to a fine of not more than One Thousand Dollars (\$1,000.00) exclusive of costs.
- 2.3 No lands shall be used and no building or structure shall be erected or altered nor shall the use of any building, structure or lot be changed in whole or in part, except in conformity with the provisions of this by-law.

Section 3.0 RESIDENTIAL TOWNHOUSE ZONE - R3A

The lands designated R3A on Schedule A attached hereto:

3.1 shall only be used for the following purposes:

- (1) townhouse dwellings
- (2) public open space
- (3) building or use accessory to the other permitted purposes.

3.2 shall be subject to the following requirements and restrictions:

- (1) minimum lot area: 230 square metres per dwelling unit
- (2) minimum lot width: 24 metres
- (3) minimum setback of buildings:
 - (a) The wall of a building with a window to any habitable room shall be located no closer than 7.5 metres to any lot line
 - (b) in all other cases, 3 metres to any lot line.
- (4) minimum distance between buildings:
 - (a) a minimum of 3 metres shall be provided between two exterior walls, if one or none contains a window to a habitable room
 - (b) a minimum of 18 metres shall be provided between two exterior walls, if both contain a window to a habitable room.
- (5) maximum building height: 7.5 metres

- (6) maximum lot coverage by buildings: 30 per cent of lot area
- (7) minimum landscaped open space: 50 per cent of lot area
- (8) parking spaces:
 - (a) a minimum of two spaces per unit shall be provided, one of which must be located in an attached carport or garage
 - (b) visitors' parking spaces shall be provided and marked for the use of visitors
 - (c) the required number of visitors' parking spaces shall be not less than 25% of the number of total dwelling units.
- (9) an accessory building shall be permitted if it is not used for human habitation, does not exceed 4.5 metres in height, and does not have a floor area in excess of 30 square metres.
- (10) a swimming pool shall be permitted if it is not located closer than 1.2 metres to any lot line, and is not located any closer than 18 metres to any front lot line.

Section 4.0 OPEN SPACE ZONE - OS

The lands designated OS on Schedule A attached hereto:

- 4.1 shall only be used for:
 - (1) an indoor or outdoor recreation facility
 - (2) any conservation area or use.
- 4.2 shall be subject to the following requirements and restrictions:

- (1) maximum lot coverage: 33 per cent
- (2) minimum setback of buildings: 3 metres to any lot line
- (3) maximum building height: 7.5 metres
- (4) for every building or structure erected, a minimum of one parking space for each 10 square metres of gross floor area or portion thereof shall be provided.

SECTION 5.0

For the purposes of this by-law,

ACCESSORY BUILDING shall mean a detached building located on the same lot and used for a purpose which is incidental, subordinate and exclusively devoted to the principal use of the lot and buildings thereon, and shall include garages, sheds, barns and similar storage facilities.

ACCESSORY USE shall mean a use which is incidental, subordinate and exclusively devoted to the principal use of the lot and buildings thereon.

BUILDING shall mean any structure, whether temporary or permanent, used or erected for the shelter, accommodation or enclosure of persons, animals, materials or equipment.

BUILDING AREA shall mean the maximum projected horizontal area of a building at established grade measured to the centre of party walls and to the outside of other walls including air wells and all other spaces within the building, but excluding open air porches, verandah, steps, cornices, chimney breasts, fire escapes, exterior stairways, breezeways, accessory buildings, ramps and open loading platforms.

BUILDING HEIGHT shall mean the vertical distance between the established grade and:

- (a) in the case of a flat roof, the highest point of the roof surface; or,
- (b) in the case of a mansard roof, the deck line; or,
- (c) in the case of a peaked, gabled, hip or gambrel roof, the mean height level between eaves and ridge.

CARPORT means an accessory building or structure or part thereof, the perimeter of which is more than 40 per cent unenclosed and which is used for the parking or temporary storage of vehicles.

COVERAGE shall mean that percentage of the land or lot area covered by the main building and accessory buildings.

DWELLING shall mean a building occupied or capable of being occupied as a home or sleeping place by one or more persons.

DWELLING, TOWNHOUSE shall mean a building that is divided vertically above established grade into 3 or more dwelling units, each of which has independent entrances to a front and rear yard immediately abutting the front and rear walls of each unit.

DWELLING UNIT shall mean one or more habitable rooms designed or intended to be used together as a single and separate housekeeping unit by one person or jointly by two or more persons, containing its own kitchen and sanitary facilities, with a private entrance from outside the unit itself.

ERECT shall mean to build, construct, reconstruct, alter or relocate and, without limiting the generality of the foregoing, shall be taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, structurally altering any existing building or structure by an addition, removal, enlargement or renovation.

FLOOR AREA, GROSS shall mean the aggregate of the area of all floors in a building, whether at, above, or below established grade, measured from the exterior of the outside walls, but excluding any parts of the building used for mechanical equipment related to the operation or maintenance of the building, stairwells or elevators.

GARAGE shall mean an enclosed structure for the storage of one or more vehicles from which no business, occupation or service is conducted for profit.

GRADE, ESTABLISHED or GRADE FINISHED shall mean the average finished surface elevation at the outside walls of any building or structure which is arrived at by taking the arithmetic mean of the levels of the finished ground surface at the midpoint of each of those outside walls.

HABITABLE ROOM means any room in a dwelling unit used or intended to be used for purposes of living, sleeping or eating.

LANDSCAPED OPEN SPACE shall mean an unoccupied area of land open to the sky, which is used for the growth, maintenance and conservation of grass, flowers, trees and shrubs and other vegetation and may include a surfaced walk, patio, screening, pool or similar visual amenity, but shall exclude any driveway, ramp, car parking or loading area, curb, retaining wall or any covered space beneath or within any building or structure.

LOT shall mean a parcel of land which fronts or abuts a street which is permitted to be conveyed by Section 29 of The Planning Act (R.S.O. 1970, C.349, as amended).

LOT AREA shall mean the total horizontal area enclosed within the lot lines of a lot, excluding the horizontal area covered by water, marsh or flood plain, or between the top and toe of a cliff or embankment having a slope of thirty degrees or more from the horizontal.

LOT WIDTH shall mean the least distance, measured in a straight line, between the side lot lines, where the side lot lines are parallel.

- (a) Where such lot lines are not parallel, the lot width shall be the least distance, measured in a straight line, between the middle point on each side lot line.
- (b) In the case of a corner lot having a street line rounding at the corner of a radius of 7.5 metres or less, the lot width of such lot shall be calculated as if the lot lines were produced to their point of intersection.

LOT LINE shall mean any boundary of any lot.

LOT LINE, FRONT shall mean the line that divides a lot from the street.

LOT LINE, SIDE shall mean the lot line that intersects with front lot line.

PARKING SPACE shall mean an area accessible from a street or a lane for the parking or temporary storage of one motor vehicle but shall not include any part of a driveway or aisle and does not include any area used by a motor vehicle manufacturer or motor vehicle sales establishment for the storage of motor vehicles.

PERSON shall include any association, partnership, corporation, municipal corporation, agent or trustee and the heirs, successors, assigns, executors, administrators or other legal representatives of a person to whom the context can apply according to law.

SETBACK, LOT LINE shall mean the minimum distance between a lot line and the nearest main wall of any building or structure.

STOREY shall mean that portion of a building which is included between 1 floor level and the next higher floor level or the roof, and which has its floor level not lower than 2 metres below the line where the roof and outer wall meet.

STREET shall mean a road, avenue, highway, thoroughfare, parkway, bridge or place owned by The Corporation of the City of Brampton, by The Regional Municipality of Peel or by the Crown in Right of Ontario, and designed and intended for, or used by, the general public for the passage of vehicles but shall not include a public lane.

STRUCTURE shall mean anything that is erected, built, or constructed, the use of which requires location on the ground or attachment to something having location on the ground, but shall not include fences.

SWIMMING POOL shall mean any structure, basin, chamber or tank containing or capable of containing an artificial body of water for swimming, wading, diving or recreational bathing, and having, when filled, a water depth of 0.5 metres or more at any point.

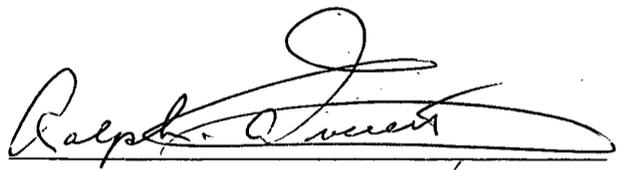
USE OR TO USE shall include anything that is done or permitted by the owner or occupant of any land, building or structure directly or indirectly or by or through any trustee, tenant, servant or agent acting for or with the knowledge or consent of such owner or occupant for the purpose of making use of the said land, building or structure.

~~_____~~

READ a FIRST, SECOND and THIRD TIME and Passed in Open Council

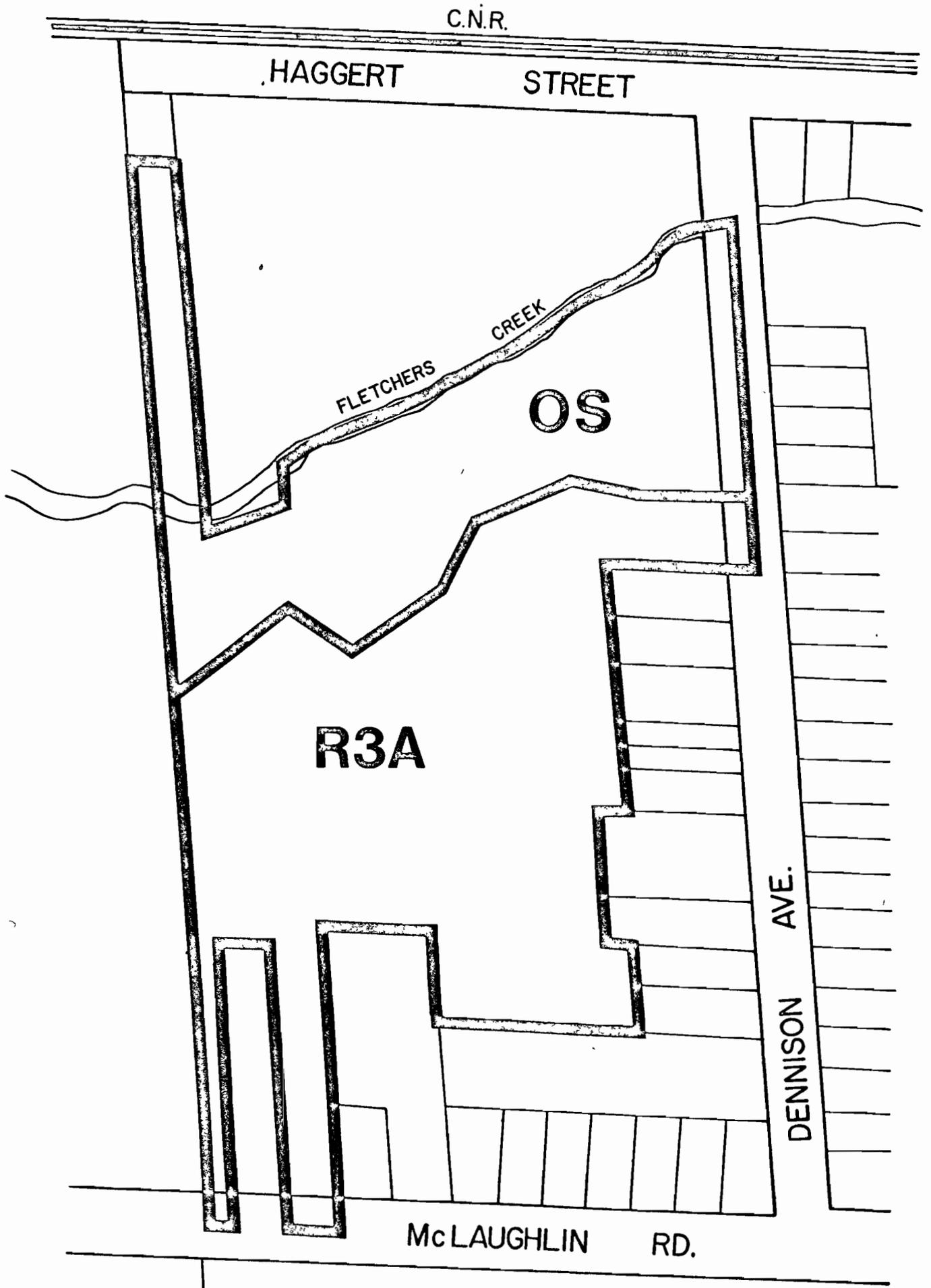
This 24th day of November, 1980.


JAMES E. ARCHDEKIN - MAYOR


RALPH A. EVERETT - CLERK

APPROVED
AS TO FORM
LAW DEPT.
BRAMPTON

DATE 24/1/80



— ZONE BOUNDARY

*PART LOT 6, CONCESSION I W.H.S.
BY-LAW No. 297-80 SCHEDULE A*



1:2000

CITY OF BRAMPTON
Planning and Development

Date: 80 09 04

Drawn by: ck

File no. CIW6 2

Map no. 42-110

PASSED November 24th 1980



BY-LAW

No. 297-80

To regulate the use of certain
lands (part of Lot 6, Concession 1,
W.H.S.)



R 91734

Ontario Municipal Board

**IN THE MATTER OF Section 35
of The Planning Act (R.S.O.
1970, c. 369),**

- and -

**IN THE MATTER OF an application
by The Corporation of the City
of Brampton for approval of its
Restricted Area By-law 297-80**

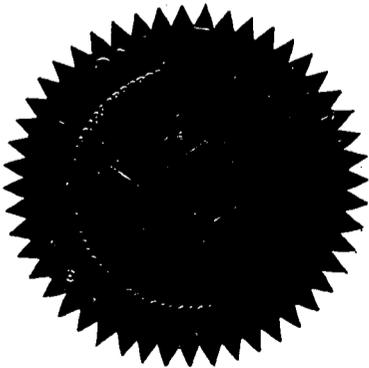
B E F O R E :

**D.M. ROBERS, Q.C.
Member**

**Friday, the 18th day
of September, 1981**

**THIS APPLICATION having come on for public hearing and after
the hearing of the application 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 14th day of September, 1981 passed By-law 207-81 amending
By-law 297-80 and incorporating certain recommendations of
the Board and having caused a certified copy thereof to be
filed and the Board having dispensed with notice and hearing
in respect of By-law 207-81;**

**THE BOARD ORDERS that By-law 297-80 as amended by By-law 207-81
is hereby approved.**



SECRETARY

ENTERED	
O. B. No.	R81-3
Folio No.	291
OCT 6 1981	
SECRETARY, ONTARIO MUNICIPAL BOARD	