



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 106-78

A By-law to prohibit or regulate the use of land and the erection, use, bulk, height, and location of buildings located in part of Lot 6, Concession 1, E.H.S., in the City of Brampton and being part of Lots 7 and 8, Block H, Plan BR-26.

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 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.
- 1.4 Carport shall mean an accessory building or portion of a building which is designed or used for the sheltering of a motor vehicle having more than forty (40) percent of the total perimeter open and unobstructed.
- 1.5 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.

- 1.6 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.
- 1.7 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 compensations, or (c) a group of not more than five (5) unrelated persons.
- 1.8 Front Lot Line shall mean the lot line that divides the lot from the street.
- 1.9 Grade shall mean the elevation of the average finished ground level abutting a wall or the walls of a building or structure.
- 1.10 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.
- 1.11 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.
- 1.12 Lot shall mean a parcel of land, that is not less than 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.
- 1.13 Lot Area shall mean the total horizontal area within the lot lines of a lot.
- 1.14 Lot Line shall mean any boundary of a lot.
- 1.15 Main Building shall mean the building designed or used for the principal use on the lot.

- 1.16 Parking Space shall mean an open area or a structure, other than a street, used for the temporary parking of an automobile and available for use as an accommodation for visitors or residents.
- 1.17 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.
- 1.18 Rear Lot Line shall mean the lot line furthest and opposite the front lot line.
- 1.19 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 of such lot.
- 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 front lot line if no front yard is required) to the rear yard (or rear lot line if no rear yard is required).
- 1.22 Street shall mean a public vehicular thoroughfare.
- 1.23 Street Line shall mean the dividing line between a lot and a street.
- 1.24 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.
- 1.25 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.
- 1.26 Window shall mean any opening in a wall affording light or air to a building.
- 1.27 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 person shall, within the zone boundaries as shown on Schedule 'A' hereto attached, erect or use any building or structure or use any land, in whole or in part, for purposes other than the following:

- i) Residential Single Family dwellings.
- ii) Buildings or uses accessory to the above, provided that the accessory buildings are not used for human habitation.

Section 3 - 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 Required Yards

- (a) Building Line: No building or structure, including an attached garage or an attached carport, shall be permitted without a minimum street setback of sixty-six (66) feet.
- (b) Rear Yard: There shall be a rear yard for every building having a minimum depth of twenty (20) percent of the lot but it need not exceed twenty (20) feet.
- (c) Side Yards: There shall be a side yard on each side of every building of at least four (4) feet. For each storey of the dwelling above the first storey and cellar, the side yard shall be increased by two (2) feet per storey. Where an attached garage or an attached carport does not have a second storey above it, the side yard shall be at least four (4) feet.

3.3 Permitted Encroachments into Required Yards

The structures listed in the following Schedule shall be permitted to project into a required yard.

3.3 Permitted Encroachments into Required Yards (cont'd)

Schedule		
Structure	Yards in which projections are permitted	Maximum projection from main wall permitted
Sill, belt course, cornice, eave, gutter, chimney or pilaster	any yard	18 inches
Window Bay	Front, rear and exterior side yard only	3 feet over a maximum width of 10 feet

3.4 Building Requirements

- (a) The main building shall not occupy more than thirty (30) percent 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) percent of the lot area.

3.5 Building Heights

- (a) No principal building shall exceed a height of twenty-five (25) feet.
- (b) No accessory building shall exceed a height of fifteen (15) feet.
- (c) The height limitations of this By-law shall not apply to flag poles, television or radio antennae, ventilators or skylights or chimneys.

3.6 Fences or Hedges

No fence or hedge:

- (i) within a required front yard shall exceed three (3) feet in height;
- (ii) within any other required yard shall exceed six (6) feet in height.

3.7 Parking Requirements

- (a) Each single family dwelling unit shall provide at least two (2) parking spaces on the same lot as the dwelling. One parking space shall be provided in a garage or carport and one in the driveway to the unit.
- (b) No area may be constructed or used for parking or storage within the required front yard, however, the parking of one passenger vehicle in a driveway in the required yard is permitted.
- (c) No driveway shall be less than ten (10) feet in width.

3.8 Detached Private Garage

- (a) A detached private garage as an accessory building may be located in the side or rear yard of a lot provided that it is:
  - (i) no closer than four (4) feet to the main building, and
  - (ii) no closer than two (2) feet to a side or a rear lot line, if in a rear yard,
- (b) A detached private garage 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 lot line divides the garages, and
  - (iii) the garages for both lots are constructed or reconstructed simultaneously.

Section 4 - ADMINISTRATION

4.1 Administration and Enforcement

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

Section 4 - ADMINISTRATION (cont'd)

4.2 Violation and Penalty

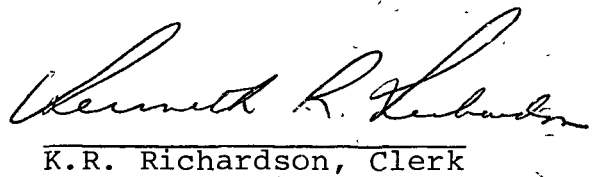
Every person who contravenes this By-law is guilty of an offense and upon conviction of a breach of any of the provisions of this By-law, shall be liable for each offense to a fine of not more than One Thousand Dollars (\$1,000.00) exclusive of costs.

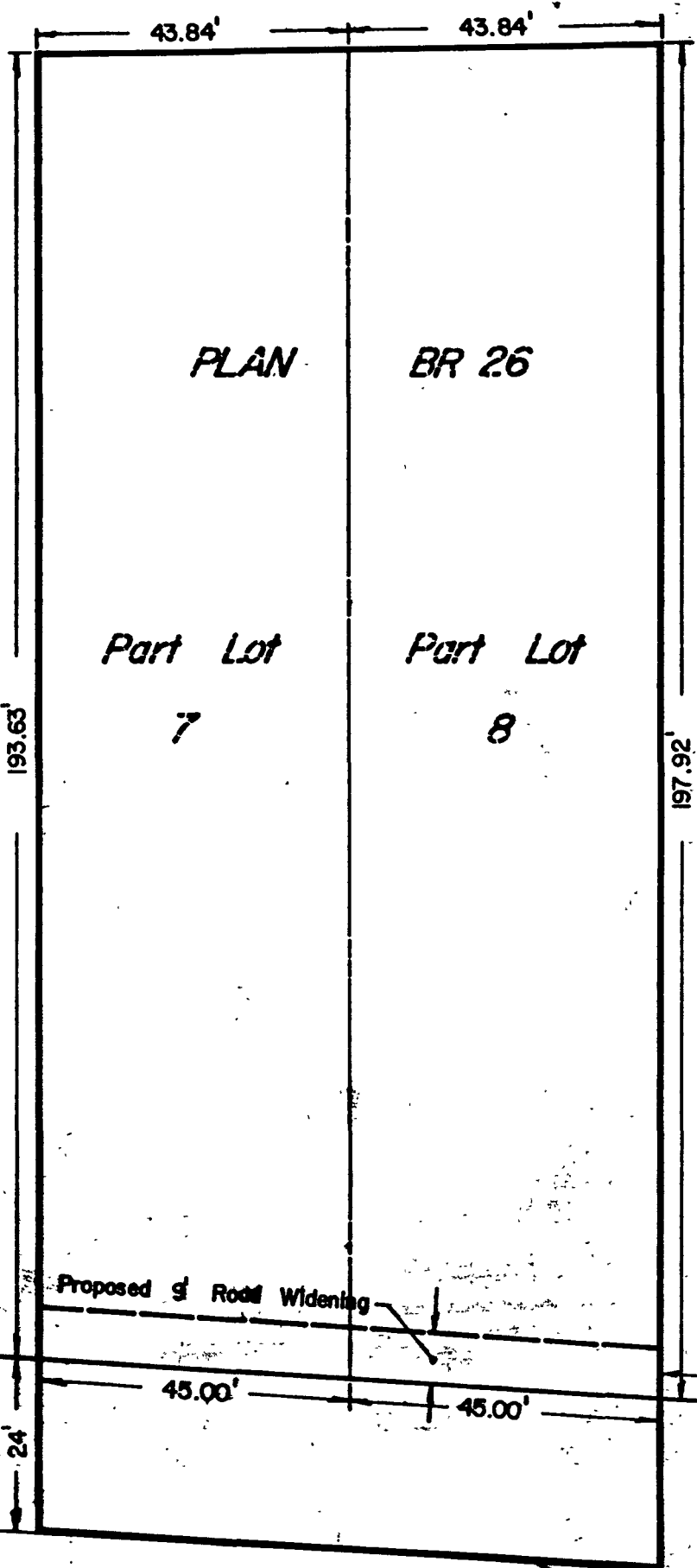
4.3 This By-law shall not come into force and effect unless and until approved by the Ontario Municipal Board.

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

this                      8th                      day of                      May,                      1978.

  
J.E. Archdekin, Mayor

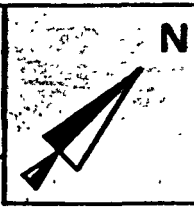
  
K.R. Richardson, Clerk



**SCOTT STREET**

**CHURCH ST.**

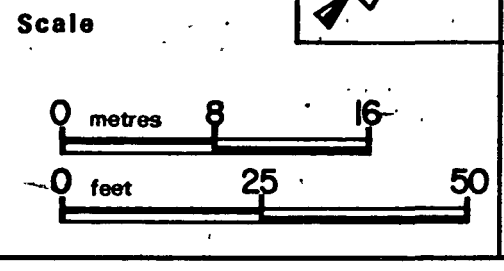
**BY-LAW No. 106-78**  
**SCHEDULE 'A'**



Drawn	ps
Date	Mar. 6, 1978
File No.	CIE6.4
Dwg. No.	A

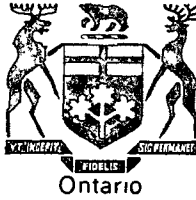
**Legend**

— Zone Boundary



CITY OF  
**BRAMPTON**  
 PLANNING  
 DEPARTMENT





R 781640

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 106-78

B E F O R E :

A.L. McCRAE )  
Vice-Chairman )

- and - )

D.S. COLBOURNE )  
Vice-Chairman )

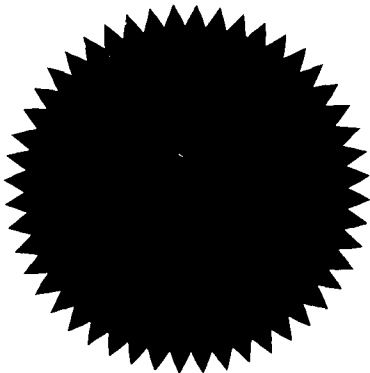
Wednesday, the 21st day of

June, 1978

No objections to approval having been received  
as required;

THE BOARD ORDERS that By-law 106-78 is  
hereby approved.

SECRETARY



ENTERED	
O. B. No.	R78-3
Folio No.	88
JUN 29 1978	
SECRETARY, ONTARIO MUNICIPAL BOARD	