



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 125-79

A By-law to regulate the use of land and the location, use, bulk, height and location of buildings on Part Lot 1, Concession 1, W.H.S. in the City of Brampton

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

1.0 For the purposes of this By-law

Accessory Use or Accessory Building shall mean a use, detached 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.

Building shall mean any structure, whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, material 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 airwells and all other spaces within the building, but excluding open air porches, verandahs, steps, cornices, chimney breasts, fire escapes, exterior stairways, breeze-ways, 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 gabled, hip or gambrel roof, the mean height level between eaves and ridge.

Any roof structure which is used only as an ornament or to house the mechanical equipment of any building shall be disregarded in calculating the height of the building.

Carport shall mean building or structure or part thereof, the perimeter of which is more than 40 percent unenclosed and which is used for the parking and temporary storage of private passenger vehicles.

Coverage shall mean the percentage of the land or lot covered by the main building and accessory building.

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

Dwelling, Single-Family Detached shall mean a completely detached dwelling unit, occupied or intended to be occupied by one family only.

Dwelling Unit shall mean one or more habitable rooms designed or intended for use by one or more individuals as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the exclusive use of such individual or individuals.

Floor Area shall mean the total of the area of all floor levels in the building, including any basement, cellar, and area covered by interior walls and partitions, but excluding the roof area, exterior perimeter walls, and areas occupied by stairwells.

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

Lot shall mean a parcel of land which fronts on or abuts a street and which is permitted to be conveyed by Section 29 of the Planning Act.

Lot Area shall mean the total horizontal area enclosed within the lot lines of a lot. (In the case of a corner lot having a street line rounding at the corner of a radius of 7.5 metres (25 feet) or less, the lot area of such lot shall be calculated as if the lot lines were produced to their point of intersection).

Lot, Corner shall mean a lot situated at the intersection of two or more streets, or at the intersection of two parts of the same street, which parts have an interior angle of intersection of not more than 135 degrees.

Lot Depth shall mean the length of a straight line joining the mid-point of the front line and the mid-point of the rear lot line of the same lot.

Lot Width shall mean the horizontal distance between side lot lines, and

- a) where such lot lines are not parallel, but converge toward the front lot line, the lot width shall be the straight line distance between points on the side lot lines measured on a line 75 metres (25 feet) back from the front lot line; or

- b) where such lot lines are not parallel but converge toward the rear lot line, the lot width shall be the straight line distance between the points on side lot lines measured on a line 18 metres (59 feet) back from the front lot line;
- c) in the case of a corner lot having a street line rounding at the corner of a radius of 7.5 metres (25 feet) or less, the lot width of such lot shall be calculated as if the lot lines were produced at their point of intersection.

Lot, Interior shall mean a lot other than a corner lot.

Lot Line shall mean any boundary of any lot.

Lot Line, Front shall mean the line that divides a lot from the street, provided that in the case of a corner lot, the shorter lot line shall be deemed to be the front lot line.

Lot Line, Rear shall mean the lot line opposite the front lot line.

Lot Line, Side shall mean a lot line other than a front or rear lot line.

Lot, Through shall mean a lot bounded on 2 opposite sides by streets, provided however, that if any lot qualifies as being both a corner lot and a through lot, such lot shall be deemed to be a corner lot.

Off-Street Parking Space shall mean a rectangular area of not less than 17 square metres (183 square feet) exclusive of driveways or aisles for the parking of one motor vehicle, and which is not located on but is accessible from a street.

Public Authority includes the Corporation of the City of Brampton, Regional Municipality of Peel, The Crown in Right of Ontario, and any Board, Commission, Committee or Body established or exercising any power or authority under any Statute of Ontario with respect to any of the affairs or purposes, including school purposes, of the City of Brampton or parts thereof.

Religious Institution shall mean a building or place used by a religious organization for public worship, but shall not include a building so used and also used for human habitation.

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.

Yard shall mean an open portion of the land on the same lot with the main building or structure, unoccupied and unobstructed except as specifically permitted elsewhere in this By-law, and located between the main building and one of the lot lines of the said lot.

Yard, Front shall mean a yard extending across the full width of a lot between the front lot line and the nearest main wall of any building or structure on the lot.

Yard, Rear shall mean a yard extending across the full width of a lot between the rear lot line and the nearest main wall of any building or structure on the lot.

Yard, Side shall mean a yard extending from the front yard to the rear yard of a lot between a side lot line and the nearest main wall of any building or structure on the lot.

Yard, Exterior Side shall mean a side yard immediately adjoining a street.

Yard, Interior Side shall mean a side yard other than an exterior side yard.

2.0 General Provisions

2.1 No land shall be used and no building or structure shall be erected or used within the area shown outlined on Schedules A and B attached hereto except in conformity with the provisions of this By-law.

2.2 The provisions of this By-law shall not apply to prevent the use of any land or the erection or use of any land or the erection or use of any building or structure by a public authority provided that:

2.2.1 The size, height, coverage and yard regulations required for the zone in which such land, building or structure is located shall be complied with.

2.2.2 No goods, material or equipment may be stored in the open in a Residential Zone or in a lot adjacent to a Residential Zone.

2.3 Nothing in this By-law shall prevent the use of land or the use or erection of a building or structure for a scaffold or other temporary building or structure including a sales or rental office incidental to construction in progress, until such time as the work has been finished or discontinued for a period of one year.

2.4 Every part of any yard required by this By-law shall be open and unobstructed by any structure

2.4 (cont'd)

from the ground to the sky, provided, however, that the structures listed below may project into the minimum yards indicated for the distances specified:

<u>STRUCTURE</u>	<u>YARD</u>	<u>MAXIMUM PROJECTION INTO YARD</u>
Sills, belt courses, cornices, gutters, chimneys, pilasters, eaves, parapets or canopies	Any yard	0.5 metre (1.6 feet)
Window bays	Front, rear and exterior side yards	1.0 metre (3 feet) to a maximum width of 3.0 metres (10 feet)
Balconies	Front, rear and exterior side yards	1.5 metres (5 feet) including eaves and cornices.

2.5 For every dwelling unit, two off-street parking spaces shall be provided, and one of them shall be in a garage or carport.

2.6 For every building or structure used or erected for institutional or recreational use, one off-street parking space for each 20 square metres (215 square feet) of floor area shall be provided.

3.0 The lands designated as R7A on Schedules A and B attached hereto:

3.1 shall only be used for the following purposes:

3.1.1 Residential

- (a) a single family detached dwelling,
- (b) an accessory building, provided it is not used for human habitation, or
- (c) uses accessory to the above.

3.1.2 Institutional

- (a) a day nursery, provided that it is located within a building housing a religious institution, or
- (b) a religious institution, including an associated place of public assembly.

3.1.3 Recreational

- (a) a park,
- (b) a playground,

3.1.3 Recreational (cont'd)

- (c) walkways,
- (d) Landscaped areas, or
- (e) any other recreational facilities or areas operated by a public authority.

3.2 shall be subject to the following requirements and restrictions:

3.2.1 Lot requirements

- (a) minimum width for interior lot: 9 metres (30 feet).
- (b) minimum width for exterior lot: 12 metres (40 feet).
- (c) minimum lot depth: 24 metres (79 feet).
- (d) minimum lot area: 216 square metres (2324 square feet).

3.2.2 Yard requirements

- (a) a garage or carport shall not be closer than 6 metres (20 feet) to the front lot line.
- (b) the depth of the front yard shall not be less than 4.6 metres (15 feet).
- (c) a side yard, other than a side yard abutting a street or a walkway owned by a public authority, may be reduced to between zero metre to one metre or less in width provided that
 - (1) the building with such a reduced side yard shall be a minimum of 1.5 metres (5 feet) from any other building, and
 - (2) the wall of any building facing such a reduced side yard shall contain no openings other than windows for bathrooms on the first or second storey.
- (d) the width of a side yard flanking a street shall not be less than 3 metres (10 feet).
- (e) the width of a side yard flanking a walkway owned by a public authority shall not be less than 1.5 metres (5 feet).
- (f) the depth of a rear yard shall not be less than 6 metres (20 feet).

3.2.3 Building requirements

- (a) the building area shall not occupy more than 45% of the lot area.
- (b) no building shall exceed a building height of 7.6 metres (25 feet).

4.0 The land designated as OPEN SPACE (OS) on Schedule A and B hereto attached:

4.1 shall only be used for the following purposes:

- (a) a park,
- (b) a playground,
- (c) a recreational facility,
- (d) walkways or
- (e) uses accessory thereto.

5.0 Administration

5.1 Administration and Enforcement

This By-law shall be administered by the Commissioner of Buildings and By-law Enforcement and such other persons as may be from time to time appointed so to do by by-law or resolution of Council.

5.2 Violation and Penalty


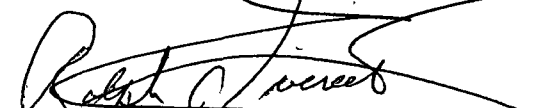
Every person who contravenes any of the provisions of this by-law is guilty of an offence and, upon summary conviction, liable to a fine of not more than one thousand dollars (\$1,000.00) exclusive of costs, for each offence.

6.0 By-laws 1827 of the former Town of Brampton and 25-79 of the City of Brampton no longer apply to the lands to which this By-law applies.

7.0 This by-law shall not come into force without the approval of the Ontario Municipal Board.

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

this 22nd day of May 1979


JAMES E. ARCHDEKIN, MAYOR

RALPH A. EVERETT, CITY CLERK

McMurphy Avenue South

177.37 m

R7A

253.83 m

276.62 m

167.54 m

10.34 m

— Zone Boundary

20.18m

72.55 m

34.44 m

22.86m

Steeles Avenue West

Former Town of Brampton Boundary

SCHEDULE A BY-LAW 125-79
Part Lot I, Concession I W.H.S.



City of Brampton
Planning Department

McMURCHY AVENUE SOUTH

160.55 m

R7A

190.33 m

PEELTON HEIGHTS ROAD

274.05 m

OS

Limit of South of Lot 1 Con. I W.H.S.

30.48m

13.42m

26.87m

60.96m

30.18m

34.23m

PLAN M-178

— Zone Boundary

SCHEDULE B BY-LAW 125-79
Part Lot 1, Concession I W.H.S.



City of Brampton
Planning Department

PASSED 22nd May 1979



BY-LAW

No. 125-79

A By-law to regulate the use of land and the location, use, bulk, height and location of buildings on Part Lot 1, Concession 1, W.H.S. in the City of Brampton.



R 792334

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 125-79

B E F O R E :

A.H. ARRELL, Q.C.
Vice-Chairman

- and -

C.G. EBERS, Q.C.
Member

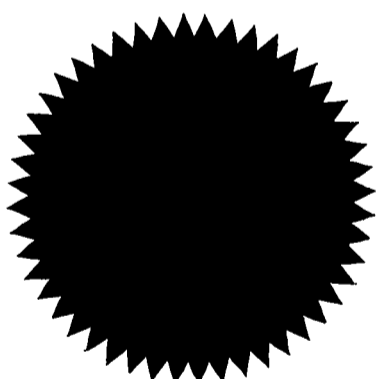
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Tuesday, the 18th day

of December, 1979

No objections to approval having been received
as required;

THE BOARD ORDERS that By-law 125-79 is
hereby approved.



[Handwritten signature]
SECRETARY

ENTERED
O. B. No. <i>R79-8</i>
Folio No. <i>110</i>
DEC 24 1979
<i>[Handwritten signature]</i>
SECRETARY, ONTARIO MUNICIPAL BOARD