

CORPORATION OF THE CITY OF BRAMPTON

BY-LAW NUMBER 141-74

A By-law to regulate and permit the use of land and the erection, use, bulk, height, and location of buildings located in part of the east half of Lot 5, Concession 1, E.H.S., and more particularly lot 28 and lot 29, Registered Plan D-14, former Town of Brampton, Region of Peel

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

1.0 Definitions

In this By-law:

- 1.1 Accessory means naturally and normally incidental, subordinate and exclusively devoted to the principal use, building or structure located on the same lot.
- 1.2 Building Area means the maximum area of a building at grade measured to the centre of party walls and to the outside of other walls. Building area includes airwells and all other spaces within the building, but excludes porches, verandahs, steps, cornices, chimney breasts, fire-escapes, exterior stairways, breezeways, detached accessory buildings, ramps, and open loading platforms.
- 1.3 Carport means an accessory building or a portion of a main building designed or used for the sheltering of vehicles which has more than forty (40) per cent of its total perimeter open and unobstructed.
- 1.4 Family means (a) an individual; or (b) two or more persons who are related by consanguinity, 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.
- 1.5 Front Lot Line means the lot line that divides the lot from the street.

- 1.6 Front Yard means 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.
- 1.7 Height of Building means 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.
- 1.8 Interior Lot means a lot other than an exterior lot.
- 1.9 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.
- 1.10 Lot Area means the total horizontal area within the lot lines of a lot; excluding the horizontal area of the lot usually covered by water or marsh, or below the rim of a river bank or watercourse, or between the top and toe of a cliff or embankment, or having a slope of twenty-five (25) per cent or more.
- 1.11 Lot Depth means the horizontal distance between the front and rear lot lines, measured along a line midway between the side lot lines.
- 1.12 Lot Line means any boundary of a lot.
- 1.13 Lot Width means the shortest horizontal distance between the side lot lines measured twenty (20) feet back from the mid-point of the front lot line.
- 1.14 Main Building means the building designed or used for the principal use on the lot.
- 1.15 Main Wall means any exterior wall of a building, but shall be construed to mean the structural members essential to the support of a roof, where they are nearer to a lot line than the main wall.

- 1.16 Parking Area means an open area or a structure, other than a street, used for the temporary parking of one or more vehicles and available for use by employees or residents.
- 1.17 Parking Space means a space within a parking area exclusive of driveways, aisles or landscaped open space for the temporary parking of a vehicle.
- 1.18 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.
- 1.19 Rear Lot Line means the lot line opposite the front lot line.
- 1.20 Rear Yard means a yard extending across the full width of the lot between the rear lot line and the nearest main wall of the main building.
- 1.21 Semi-Detached Dwelling means a detached building divided vertically into two dwelling units by a common wall, each of which has an independent entrance.
- 1.22 Side Lot Line means a lot line other than a front or rear lot line.
- 1.23 Side Yard means 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.

2.0 Designations

2.1 Use Zones

For the purpose of this by-law, the lands shown on Schedule 'A' are designated R2 Residential

<u>Zone Designation</u>	<u>Zone Symbol</u>
Residential Two Family	R2

For the purpose of this by-law, in a Residential Two Family (R2) Zone, no land shall be used and no building or structure shall be erected or used except for the use of a semi-detached dwelling, or a building or use accessory to a semi-detached dwelling, provided that the building is not used for human habitation.

2.2 Zoning Map

- (a) The zones and the boundaries of the zones are shown on Schedule 'A' which forms part of this by-law and which is referred to as the Zoning Map.
- (b) Where the boundary of a zone is shown on the Zoning Map
  - (1) as following a street, lane, railway right-of-way, transmission line or watercourse, the centerline of the street, lane, railway right-of-way, transmission line or watercourse is the boundary,
  - (2) as following lot lines on a registered plan of subdivision, the lot lines are the boundary.

3.0 General Provisions

3.1 Yard

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 Permitted Encroachments Into Required Yards

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

Schedule 3.2

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
Fire Escape and exterior staircase	Front, rear and exterior side yards only	5 feet
Window Bay	Front, rear and exterior side yards only	3 feet over a maximum width of 10 feet
Balcony	Front, rear and exterior side yards only	5 feet
Open or roofed porch not exceeding one storey in height	Rear yard only	8 feet including eaves and cornices

3.3 No porch or terrace permitted by Section 3.2 shall extend above the level of the ground floor of the building exclusive of roof supports; but this shall not prohibit the erection of latticing, screening or a similar structure which permits the free passage of air at all times.

3.4 Lot Coverage Accessory Uses

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.

3.5 Swimming Pools

- (a) A private uncovered or unenclosed swimming pool constructed in a Residential Zone shall be located no closer than five (5) feet to any rear or side lot line, and no closer than ten (10) feet to any rear lot line which abuts the side lot line of another lot.
- (b) A building for a covered or enclosed swimming pool 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 side lot line, if in an interior side yard and,
  - (ii) no closer than two (2) feet to an interior side or a rear lot line, if in a rear yard and,
  - (iii) no closer to a street than the required setback for a main building.

3.6 Building Heights

- (a) No accessory building in a Residential Zone shall exceed a height of fifteen (15) feet,
- (b) The height limitations of this by-law shall not apply to church spires, water tanks, elevator enclosures, flag poles, television or radio antennae, ventilators or skylights or chimneys.

3.7 Fences or Hedges

- (i) No fence or hedge 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.

3.8 Where semi-detached or single family attached dwelling units are held in separate ownership the line or lines which divide the lot into separate parcels must pass along the common wall.

3.9 A one foot reserve shall not be considered a lot for purposes of computations of required yards.

#### 4.0 Parking

4.1 For every building or property erected, occupied or used minimum off-street automobile parking accommodation located on the same lot with the building or use shall be provided as follows:

(a) For each dwelling unit in a semi-detached building, two parking spaces which may be located in a driveway.

#### 4.2 Parking Area - Requirements

(a) Where parking facilities are required or permitted for single family detached dwellings or semi-detached dwellings:

(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.

#### 4.3 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,

(iii) no closer to a street than the depth of the required yards.

(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.

#### 5.0 Residential Two Family (R2)

5.1 In a Residential Two Family (R2) Zone no land shall be used and no building or structure shall be erected or used except in conformity with the provision of this section.

#### 5.2 Permitted Uses

(i) a semi-detached dwelling;

(ii) a building or use accessory to the above, provided that the building is not used for human habitation.

#### 5.3 Lot Requirement

A semi-detached dwelling shall be located on a lot that has:

(i) a minimum lot width of sixty (60) feet for an interior lot;

(ii) a minimum lot depth of one hundred (100) feet;

(iii) a minimum lot area of six thousand (6,000) square feet.

#### 5.4 Front Yard

The depth of a front yard shall not be less than twenty-five (25) feet.

5.5 Side Yard

(a) The width of an interior side yard shall not be less than four (4) feet for a one (1) storey dwelling and an additional two (2) feet for each additional storey or part adjacent to the side yard except as follows:

(i) Where there is no attached garage or carport the width of one (1) side yard shall not be less than ten (10) feet for a distance of twenty-two (22) feet measured from the front yard.

5.6 Rear Yard

(a) a rear yard not less than thirty (30) feet in depth shall be provided for a semi-detached building.

5.7 Building Requirement

(a) Each dwelling unit in a semi-detached dwelling shall have a minimum gross floor area of eight hundred (800) square feet.

(b) The building area shall not exceed thirty-three and one-third (33 1/3) per cent of the lot area.

5.8 Parking

In the R2 Zone parking shall be provided in accordance with Section 4.0.

5.9 Landscaped Open Space

Not less than sixty-six and two thirds (66 2/3) per cent of the required front yard shall be maintained as landscaped open space.

6.0 Administration

6.1 Administration and Enforcement

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

6.2 Violation and Penalty

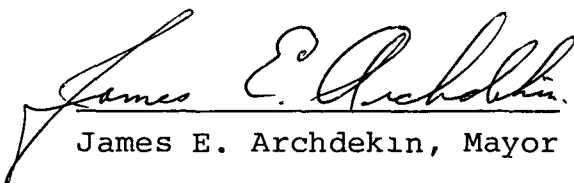
Every persons who contravenes this By-law is guilty of an offense and upon conviction of a breach of any of the provisions of this By-law shall be liable for each offense to a fine of not more than One Thousand Dollars (\$1,000.00) exclusive of costs,

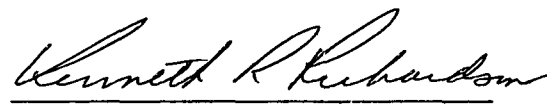


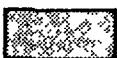
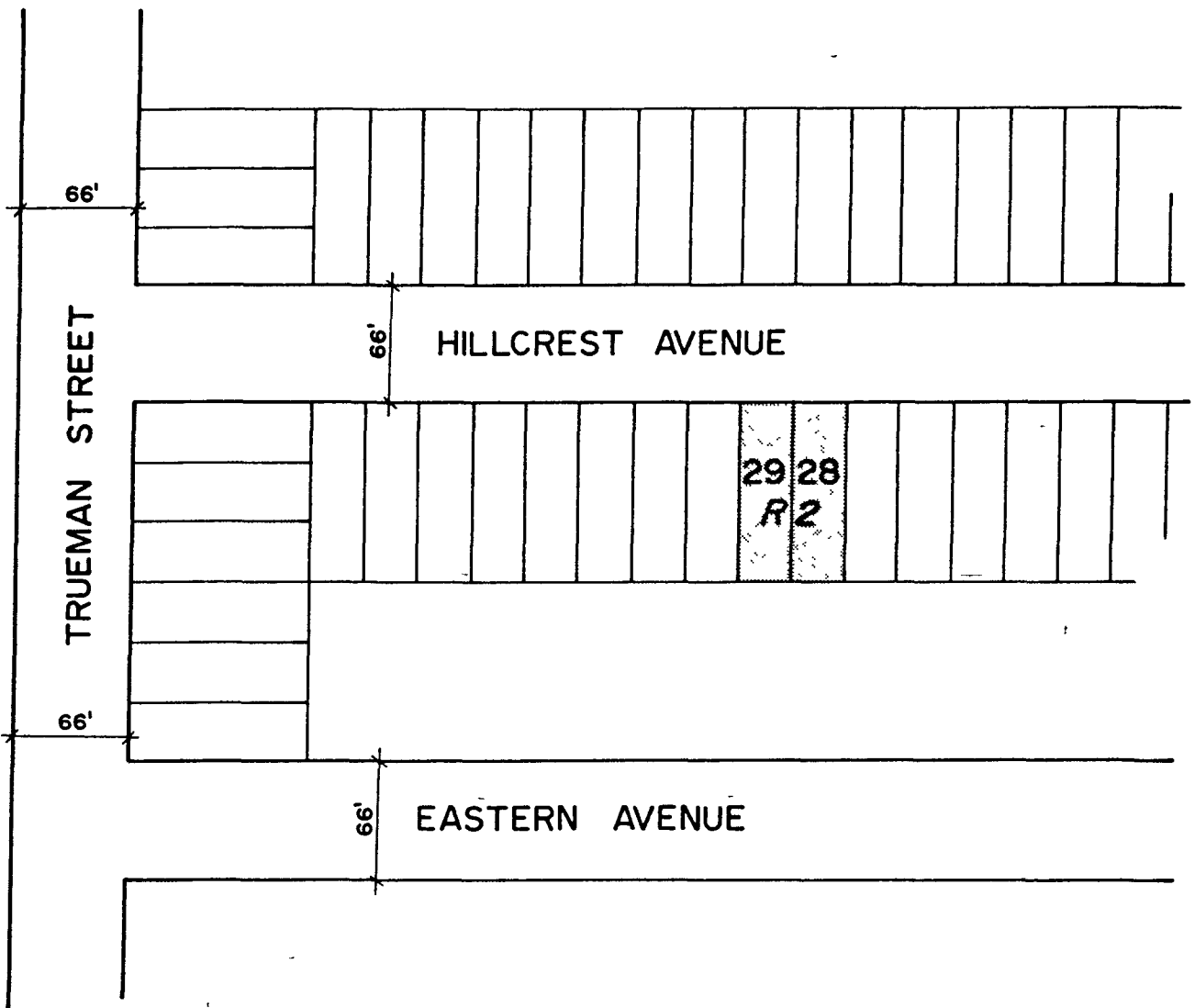
6.2 This By-law shall come into force upon approval by The Ontario Municipal Board and takes effect on the date of the final passing thereof.

PASSED BY THE COUNCIL OF THE CORPORATION OF THE CITY OF BRAMPTON.

This 25th day of November, 1974.

  
James E. Archdekin, Mayor

  
K.R. Richardson, Clerk

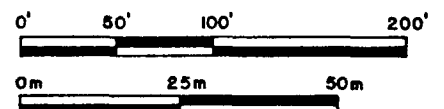
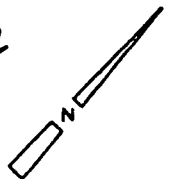


RESIDENTIAL TWO FAMILY

DATE NOV 15th, 1974  
DRAWN BY mo

*Note: Lots 29-28 Part of Registered Plan D-14*

**CITY OF BRAMPTON BY-LAW No. 141-74**  
**SCHEDULE 'A'**  
FILE NO. CIE 5.2





R 75580

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 141-  
74

B E F O R E :

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

- and -

M. CORBETT,  
Member

)  
)  
) Wednesday, the 16th day of  
)  
) April, 1975  
)  
)

No objections to approval having been received  
as required;

THE BOARD ORDERS that By-law 141-74 is hereby  
approved.



K. C. ANDREWS  
SECRETARY

ENTERED
O B No R75-1
Folio No 201.
APR 21 1975
SECRETARY, ONTARIO MUNICIPAL BOARD