



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

267-78

Number _____

A By-law to regulate and permit the use of land and the erection, use, bulk, height, and location of buildings on part of Lot 4, Concession 2, East of Hurontario Street in the City of Brampton

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

SECTION 1.0 DEFINITIONS

1.1 Building shall mean any structure, whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, material or equipment.

1.2 Building Height shall mean the vertical distance between the established grade and:

in the case of a flat roof, the highest point of the roof surface; or,

in the case of a mansard roof, the deck line; or,

in the case of a gabled, hip or gambrel roof, the mean height level between eaves and ridge.

(A 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).

1.3 Erect shall mean to build, construct, reconstruct, alter and 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, deletion, enlargement or extension.

1.4 Floor Area, Gross shall mean the aggregate of the area of all floors at or above established grade, measured between the exterior walls of the building and excluding any floor area at or above established grade used only for the parking of motor vehicles, for building maintenance or service equipment or for loading.

SECTION 1 DEFINITION (cont'd)

- 1.5 Grade, Established 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 of the building or structure.
- 1.6 Landscaped Open Space shall mean open space on a lot which is used for the growth, maintenance and preservation 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.
- 1.7 Lane shall mean a public thoroughfare which affords only a secondary means of access to abutting lots and which is not intended for general circulation of traffic, and shall not include a street.
- 1.8 Office shall mean any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business, brokerage, labour or fraternal organization, and shall exclude such uses as retail sales, manufacture, assembly or storage of goods, or places of assembly and amusement.
- 1.9 Parking Lot shall mean an open area, other than a street, used for the temporary parking of four (4) or more motor vehicles and available for public use whether free, for compensation or as an accommodation for clients, visitors, customers or residents.
- 1.10 Parking Space,

Parallel Outdoor shall mean a rectangular area of not less than 18.9 square metres (203.4 square feet) measuring 2.7 metres (8.9 feet) by 7.0 metres (23.0 feet) exclusive of driveways or aisles, for the temporary parking or storage of motor vehicles, and which is accessible from a street or lane.

Angled Outdoor shall mean a rectangular area of not less than 16.8 square metres (180.8 square feet) measuring not less than 2.9 metres (9.5 feet) in width and 5.8 metres (19.0 feet) in length, exclusive of driveways or aisles, for the temporary parking or storage of motor vehicles, and which is accessible from a street or lane.

- 1.11 Person shall include any association, partnership corporation, municipal corporation, agent or trustee and the heirs, executors or other legal representatives of a person to whom the contract can apply according to law.
- 1.12 Sign shall mean a name, identification, description, device, display or illustration which is affixed to or represented directly or indirectly upon a building, structure or lot and which directs attention to an object, product, place, activity, person, institution, organization or business.
- 1.13 Structure shall mean anything that is erected, built or constructed of parts formed together, the use of which requires location on the ground or attached to something having location on the ground, but shall not include fences which do not exceed 1.9 metres (6.2 feet) in height.
- 1.14 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 the right of the Province 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.
- 1.15 Truck Terminal shall mean a building, structure or place where trucks are rented, leased, kept for hire or stored or parked for remuneration or from which trucks or transports are dispatched for hire as common carriers.
- 1.16 Use or To Use includes 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.
- 1.17 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.
- 1.18 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.

- 1.19 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.
- 1.20 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.
- 1.21 Zone shall mean a designated area of land use shown on any Schedule of this By-law.

SECTION 2.0 - GENERAL PROVISIONS

- 2.1 No person, within the area shown outlined on Schedule A, shall use land, or erect or use any building or structure, or change the use of any land, building or structure, or change the dimensions of any building or structure, except in conformity with the provisions of this By-law.
- 2.2 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 incidental to construction in progress until such time as the work has been finished or discontinued for a period of one year.
- 2.3 Every part of any yard required by this By-law shall be open and unobstructed by any structure from the ground to the sky provided, however, that the structures listed in Section 2.3.1 shall be permitted to project into the minimum yards indicated for the distances specified:

2.3.1	STRUCTURE	YARD	MAXIMUM PROJECTION INTO YARD
	Sills, belt courses, cornices, gutters, chimneys, pilasters, eaves, parapets or canopies	Any yard	0.5 metre (1.6 feet)
	Window bays	Front, rear	1.0 metre (3.3 feet) to a maximum width 3 metres (9.8 feet)

- 2.4 Notwithstanding the yard and setback provisions of this By-law to the contrary, drop awnings, flag poles, fences, retaining walls, signs or similar accessory uses erected in accordance with the provisions of the By-law shall

2.4 (cont'd)

be permitted in any required yard or in the area between the street line and the required setback.

2.5 Height regulations in this By-law do not apply to flagpoles, television or radio antennae, ventilators, skylights, or chimneys.

2.6 No sign, billboard or poster shall be erected in any zone except in compliance with the 'Sign By-law' of the City of Brampton.

SECTION 3.0 - PERMITTED USES AND REQUIREMENTS

3.1 Permitted Uses

No land shall be used and no building or structure shall be erected or used within the area shown outlined on Schedule 'A' hereto attached except for the following purposes:

3.1.1 Industrial

3.1.1.1 manufacturing, cleaning, packaging, processing or assembly of goods, foods or materials within an enclosed building;

3.1.1.2 warehouse for the storage of goods and materials within an enclosed building, but not including a transportation terminal;

3.1.1.3 wholesale operation;

3.1.2 Commercial

3.1.2.1 office, retail outlet, or service shop operated in conjunction with a use permitted in section 3.1.1 provided that the total gross floor area of such use is not more than ten (10) percent of the total gross floor area of the industrial building.

3.2 Open Storage

The outdoor storage of goods, materials or machinery shall not be permitted within the area shown outlined on Schedule 'A' hereto attached.

3.3 Yard Requirements

The minimum front yard depth, rear yard depth and side yard widths shall be as shown on Schedule 'A' hereto attached.

3.4 Building Height

The height of a building shall not be greater than 10.6 metres (34.8 feet).

3.5 Landscaped Open Space

Landscaped open space shall be provided as shown on Schedule 'A' hereto attached.

SECTION 4.0 - OFF-STREET PARKING REQUIREMENTS

4.1 For every building or structure erected or use established within the area shown as outlined on Schedule 'A' hereto attached, one or more parking spaces or areas shall be provided and maintained in accordance with the following provisions:

<u>Use</u>	<u>Minimum Parking Required</u>
4.1.1 Manufacturing, assembling, wholesaling, warehousing	one (1) parking space for each 60 square metres (645.8 square feet) of gross floor area
4.1.2 Office	one (1) parking space for each 30 square metres (322.9 square feet) of gross floor area or portion thereof
4.1.3 Retail merchandising	one (1) parking space for each 50 square metres (538.2 square feet) of gross floor area

4.2 The parking area shall be provided or maintained within the area shown outlined on Schedule 'A'.

4.3 The parking area shall be surfaced with hard surface or dustless materials.

4.4 Each parking space shall have unobstructed access to an aisle leading to a driveway or street.

4.5 Aisles leading to parking spaces and providing unobstructed access from each parking space to a driveway shall be established on the following basis:

<u>Angle of Parking</u>	<u>Minimum Aisle Width</u>
4.5.1 0° to less than 55°	4 metres (13.1 feet)
55° to less than 75°	5.5 metres (18.0 feet)
75° to 90°	6.5 metres (21.3 feet)

4.6 The lights used for the illumination of the parking facilities shall be so arranged as to divert light away from the adjacent lots.

4.7 A maximum of six parking spaces shall be permitted in the front yard.

SECTION 5.0 - OFF-STREET LOADING REQUIREMENTS

5.1 For every building or structure erected or use established within the area shown outlined on Schedule 'A' hereto attached, loading spaces shall be provided and maintained in accordance with the following provisions:

	<u>Gross Floor Area of Building</u>	<u>No. of Loading Spaces</u>
5.1.1	280 square metres (3013.9 square feet) or less	no loading spaces
5.1.2	280 square metres (3013.9 square feet) to 1860 square metres (20,021 square feet)	one (1) loading space
5.1.3	each additional 1860 square metres (20,021 square feet)	one (1) loading space

5.2 Loading space shall be provided within the rear yard.

5.3 Each loading space shall be surfaced with a hard surface and dustless materials.

SECTION 6.0 - REPEAL

6.1 By-law Number 1827, as amended, of the former Town of Brampton, now in the City of Brampton, no longer applies to the lands shown outlined on Schedule 'A' hereto attached.

SECTION 7.0 - ADMINISTRATION

7.1 Administration and Enforcement

This by-law shall be administered by the Commissioner of Building, Zoning and Licensing and such other persons that may from time to time be appointed by resolution of Council.


7.2 Violation and Penalty

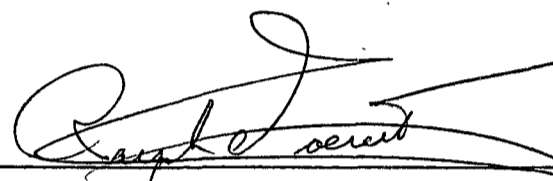
Every person who contravenes any of the provisions of this by-law is guilty of an offence and upon summary conviction shall be liable to a fine of not more than One Thousand (\$1,000.00), exclusive of costs, for each offence.

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

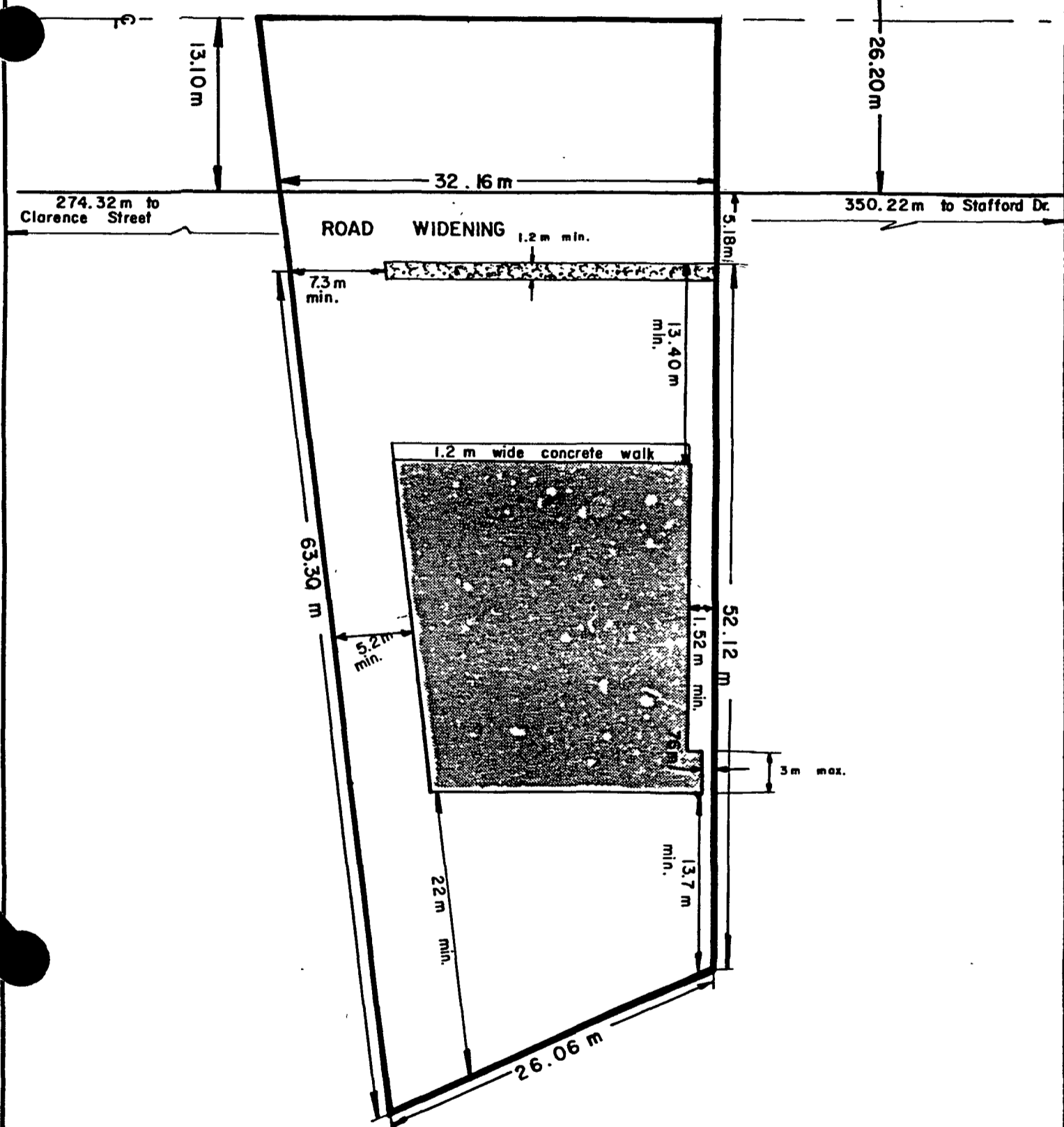
READ a FIRST, SECOND and THIRD TIME and PASSED in OPEN COUNCIL

this 6th day of November, 1978.


James E. ARCHDEKIN, Mayor


Ralph A. EVERETT, Deputy City Clerk

KENNEDY ROAD SOUTH



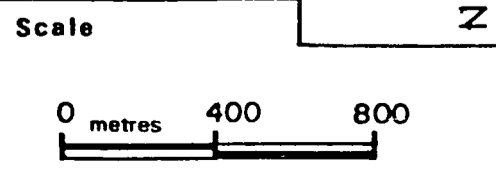
BY-LAW NO. 267-78
Schedule 'A'



Drawn	b.k.
Date	1978-08-01
File No.	C2E4.2
Dwg. No.	A 61-12C

Legend

- Landscaped Open Space
- Building Area
- Zone Boundary



CITY OF
BRAMPTON
 PLANNING
 DEPARTMENT

61-12C



R 79448

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 267-78

B E F O R E :

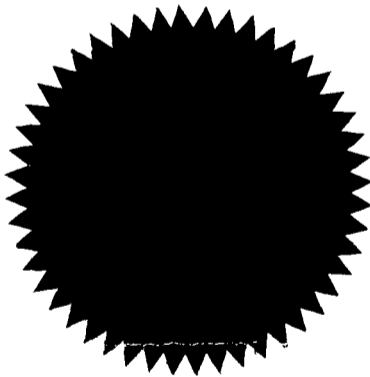
A.H. ARRELL, Q.C.
Vice-Chairman

- and -

W.L. BLAIR
Member

)
)
) Monday, the 25th day of
)
) June, 1979
)
)

THE BOARD ORDERS that By-law 267-78 is hereby
approved.



[Handwritten Signature]
SECRETARY

ENTERED	
O. B. No.	R 79-4
Folio No.	132
JUN 29 1979	
<i>[Handwritten Signature]</i>	
SECRETARY, ONTARIO MUNICIPAL BOARD	