



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 287-79

A By-law to regulate and permit the use of land and the execution, use, bulk, height and location of buildings on Part of Lot 5, Concession 1, W.H.S.

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

SECTION 1.0 - DEFINITION -

In this By-law

ACCESSORY USE or ACCESSORY BUILDING shall mean a use, detached building or structure subordinate to a main building or structure and includes any building or structure the use of which is incidental to that of a main building or structure, and shall include garages, driving sheds, barns and similar storage facilities.

ART GALLERY shall mean a building, place or area where paintings, sculptures or other works of art are exhibited or sold.

BASEMENT shall mean that portion of a building between two floor levels which is partly underground but which has at least one half of its height from finished floor to finished ceiling above adjacent finished grade.

BUILDING shall mean any structure, whether temporary or permanent, used or built 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, verandahs, 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.

BUILDING MAIN shall mean the building in which is carried on the principal purpose for which the lot is used.

CUSTOM WORKSHOP shall mean a building or place where goods are produced to special order and sold on the premises.

DRY CLEANING AND LAUNDRY DISTRIBUTION STATION shall mean a building or place used for the purpose of receiving and distributing articles or goods or fabrics to be drycleaned, dry-dyed, cleaned or pressed off the premises.

DRY CLEANING AND LAUNDRY ESTABLISHMENT shall mean a building or place where dry-cleaning, dry-dying, cleaning or pressing of articles or goods or fabrics is carried on.

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 extension.

FLOOR AREA, NET shall mean the total of the area of all floor levels in the building, including any basement, cellar, or mezzanine and area covered by interior walls and partitions, but excluding the roof area, exterior perimeter walls, areas occupied by stairwells or elevators, and covered mall areas not used as retail sales floor area.

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 on or abuts a street and which is permitted to be conveyed by Section 29 of The Planning Act.

LOT LINE, FRONT shall mean the line that divides a lot from the street, provided that in a case of a corner lot, the shorter lot line that abuts a street shall be deemed to be the front lot line and a longer line that abuts a street shall be deemed to be the flankage 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.

OFFICE shall mean any building or place in which 1 or more persons are employed in the management, direction or conducting of an agency, profession, 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.

PRIVATE CLUB shall mean a building operated by an athletic, cultural, social or recreational organization operating on a non-profit basis and includes the premises of a fraternal organization.

PUBLIC AUTHORITY includes The Corporation of the City of Brampton, The Regional Municipality of Peel, the Crown, in Right of Ontario, and the Crown, in Right of Canada, and any board, commission, committee or body established or exercising any power or authority under a statute of Ontario with respect to any of the affairs or purposes of the City of Brampton or parts thereof.

RESTAURANT, DINING ROOM shall mean a building or place where food and drink are prepared and offered for sale to the public, to be served by a restaurant employee at the same table where the food and drink are to be consumed, and where drive-in, take-out or packaged fast food services are not available.

SERVICE SHOP shall mean a building or place used primarily for the repair, servicing, or incidental sales of articles or materials, but shall not include assembling or manufacturing of the same, nor the repair of internal combustion engines, motor vehicles and similar uses.

SERVICE SHOP, PERSONAL shall mean an establishment wherein a personal service is performed and, without limiting the generality of the foregoing, may include a barber shop, a beauty salon, a dressmaking shop, a shoe repair shop, a tailor shop, a photographic studio or similar use.

SOLAR COLLECTOR shall mean a device, or combination of devices, structure, or part of a device or structure that transforms direct solar energy into thermal, chemical, or electrical energy and that contributes significantly to a structures energy supply.

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, and shall include fences which exceed 1.8 metres in height.

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.

UTILITY INSTALLATION shall mean any building, structure, plant or equipment essential to the provision and operation of electricity, water, sewage disposal, telephone service, telegraph service, pipeline, railway, telecommunications or cable television.

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 the 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.

SECTION 2.0 - GENERAL PROVISIONS

- 2.1 No person, within the area shown outlined on Schedule A hereto attached, shall use land, or erect or use any building or structure, or change the dimension of any building or structure, except in conformity with 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 including a sales or rental office incidental to construction in progress until such time as the work has been discontinued for a period of one year or finished.
- 2.3 Height regulations in this By-law do not apply to:
- a) Solar collector, water tanks, flag poles, television or radio antennae, ventilators, silos, sky lights, chimneys; clock towers or electrical supply facilities; or to
 - b) a roof structure which is used only as an ornament or to house the mechanical equipment of any building.
- 2.4 Each parking space shall have unobstructed access to a driveway leading to a street and shall be either an angled parking space or a parallel parking space.
- a) an angled parking space shall be a rectangular area measuring not less than 2.75 metres (9 feet) in width and 6.1 metres (20 feet) in length.
 - b) a parallel parking space shall be a rectangular area measuring not less than 2.75 metres (9 feet) in width and 6.5 metres (21.3 feet) in length.
- 2.5 The width of a driveway leading to any parking area shall be a minimum width of 6.1 metres (20 feet).
- 2.6 No sign, billboard or poster shall be erected except in compliance with the "Sign By-law" of the City of Brampton.

SECTION 3.0 - ZONES

The lands shown outlined on Schedule A Attached hereto shall be zoned as follows:

- | | |
|-----------------------|----|
| 1. Service Commercial | SC |
| 2. Open Space | OS |

SECTION 4.0 - PERMITTED USES AND REQUIREMENTS -SERVICE COMMERCIAL FOR (SC) ZONE

4.1 Permitted Uses

No land shall be used and no building or structure shall be erected or used within the area zoned

Service Commercial (SC) zone on Schedule A hereto attached except for the following purposes:

- a) any operation of a public authority,
- b) art or antique store,
- c) bake shop and confectionery store,
- d) bank, trust company and financial institution,
- e) book and stationery store,
- f) clothing and footwear store,
- g) custom workshop and sales,
- h) dry cleaning and laundry distribution station and establishment,
- i) laundromat,
- j) flower shop,
- k) gift shop,
- l) hardware, paint, and wallpaper sales establishment,
- m) office,
- n) lock or key shop,
- o) photographic studio and sales,
- p) service shop and personal service shop,
- q) sporting goods store,
- r) television, radio, and electrical sales, repair and service establishment,
- s) toy store,
- t) drug store,
- u) grocery or variety store,
- v) garden centre sales establishment,
- w) music or record shop,
- x) dining room restaurant,
- y) use accessory to the above but not including anything used for human habitation.

4.2 Yard and Setback Requirements

Minimum front, rear and side yards and setbacks shall be provided as shown on Schedule A.

4.3 Building Requirement

- a) The height of any building shall not be greater than 6.1 metres (20 feet).

- b) The net floor area for all buildings or structures shall not exceed a maximum of 2694 square metres (29000 square feet).
- c) The Restricted Use Area as shown on Schedule A shall not be used for the purposes permitted in Sections 4.1 (u) to 4.1 (y) inclusive.

4.4 Landscaping

- a) On-site landscaped open space shall be provided as shown on Schedule A.
- b) Concrete walks of not less than 1.8 metres (6 feet) in width shall be provided as shown on Schedule A.
- c) An enclosed garbage storage area shall be provided as shown on Schedule A.
- d) The freestanding sign shall be located as shown on Schedule A.

4.5 Off-Street Parking

A minimum of 160 off-street parking spaces shall be provided.

SECTION 5.0 - PERMITTED USES AND REQUIREMENTS FOR OPEN SPACE (OS) ZONE

No person shall within any OS Zone use any lot or erect or use any building or structure for any purpose except for the following uses:

- a) any conservation area or use.
- b) any structure for flood or erosion control.
- c) a public park.

SECTION 6.0 - SCHEDULE

Schedule A hereto attached forms part of this By-law.

SECTION 7.0 - ADMINISTRATION

- a) 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 appointed by resolution or by-law of Council.
- b) 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 dollars (\$1,000.00), exclusive of costs, in respect of each offence.

SECTION 8.0

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

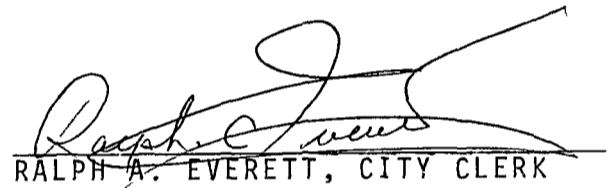
SECTION 9.0

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 10th day of October 1979


JAMES E. ARCHDEKIN, MAYOR

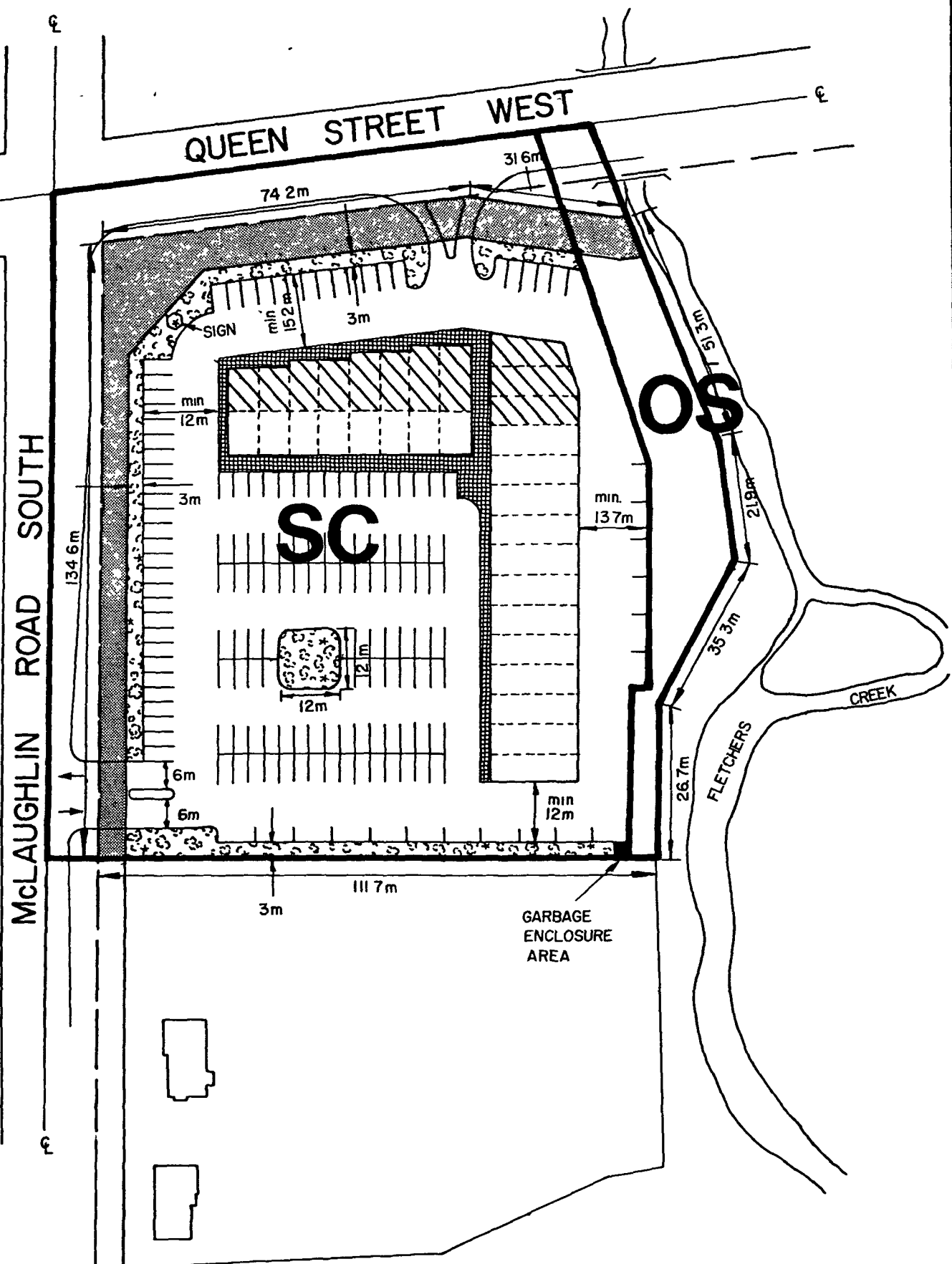

RALPH A. EVERETT, CITY CLERK








BY-LAW


No. 287-79

A By-law to regulate and permit the use of land and the execution, use, bulk, height and location of buildings on Part of Lot 5, Concession 1, W.H.S.



-  ZONE BOUNDARY
-  ROAD WIDENING
-  LANDSCAPED OPEN SPACE
-  USE RESTRICTED AREA
-  CONCRETE WALKWAY

PART OF LOT 5, CON. I W.H.S.
 BY-LAW 287-79 SCHEDULE A



1:1200

CITY OF BRAMPTON
 Planning and Development

Date: JULY 11, 1979 Drawn by: C.K
 File no. CIW5 6 Map no. 59-8E

59-8E



A 794113

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 287-79**

B E F O R E :

**F.A. SEABORN
Member**

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- and -

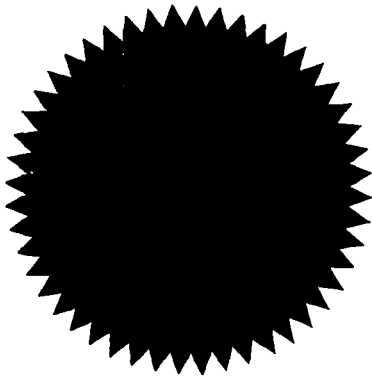
Friday, the 4th day

**M.D. HENDERSON
Member**

of January, 1980

No objections to approval having been received
as required;

THE BOARD ORDERS that by-law 287-79 is
hereby approved.



SECRETARY

ENTERED	
O. B. No.	R79-8
File No.	169
JAN 11 1980	
SECRETARY, ONTARIO MUNICIPAL BOARD	