



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 317-78

A By-law to regulate and permit the use of land and the erection, use, bulk, height and location of buildings on part Block K, Registered Plan 518 on part of Lot 5, 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

In this By-law:

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 or 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 porches, verandahs, steps, cornices, chimney breasts, fire escapes, exterior stairways, breezeways, detached 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.

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.

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.

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.

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.

Landscaped Open Spcae. shall mean open space on a lot which is used for growth, maintenance and preservation of grass, flowers, trees and shrubs and other landscaping and may include a surfaced walk, patio, screening, pool or other amenity but shall exclude any driveway, ramp, car parking or loading area, curb, retaining or any covered space beneth or within any building or structure.

Lot Line shall mean any boundary of any lot.

Lot Line, Front shall mean, in the case of a lot abutting onto two streets, the shorter lot line that abuts a street.

Parking Area shall mean an open area, other than a street, used for the temporary parking of four or more vehicles and available for public use whether free, for compensation or as an accommodation for clients, visitors or customers.

Parking Space shall mean a retangular area of not less than 2.9 metres (9.6 feet) by 5.8 metres (19 feet), exclusive of driveways or aisles, for the temporary parking or storage of motor vehicles and which is accessible from a street or lane

Person shall include any association, partnership, corporation, municipal corporation, agent or trustee and the heirs, executors or other legal representative of a person to whom the contract can apply according to law.

Restaurant shall mean a building or structure or part thereof where food and drink are served or sold to the public for consumption on the premises.

Setback shall mean the horizontal distance between a lot line measured at right angles and the nearest main wall of any building or structure.

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.

Street shall mean a highway as defined by The Highway Traffic Act R.S.O. 1970, Chapter 202 and The Municipal Act R.S.O. 1970, Chapter 284 and shall not include a public lane.

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 1.8 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 said land, building or structure.

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 and the nearest main wall of any building or structure on the lot.

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

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

Section 2.0 - General Provisions

2.1 No person, within the zone boundaries as shown on Schedule A hereto attached, shall use land, or erect or use any 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 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 opened 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	2.5 metres (8.2 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 be permitted in any required yard or in the area between the street line and the required setback.

2.5 On a corner lot, a fence hedge, shrub, bush or tree or any other structure or vegetation shall not be erected or permitted to grow to a height greater than 0.8 metre (2.6 feet) above grade of the streets that abut the lot within the triangle area included within the street lines for a distance of six (6) metres (20 feet) from their point of intersection. No sign will be permitted within or to overhang the said triangular area.

2.6 Height regulations in this By-law do not apply to elevator enclosures, television or radio antennae, ventilators, sky-lights or chimneys.

2.7 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 zone boundaries as shown on Schedule A hereto attached except for the following purposes:

Commercial

- 3.1.1 Art, antique store;
- 3.1.2 Bake shop and confectionary store;
- 3.1.3 Bank, trust company and financial institution;
- 3.1.4 Custom workshop for retail sales;
- 3.1.5 Flower shop;
- 3.1.6 Garden centre sales establishment;
- 3.1.7 Gift shop;
- 3.1.8 Hardware paint and wallpaper sales establishment;
- 3.1.9 Music or record shop;
- 3.1.10 Patio and Fireplace sales;
- 3.1.11 Pet store;
- 3.1.12 Pop shop;
- 3.1.13 Photographic studio and sales;
- 3.1.14 Restaurant;
- 3.1.15 Sporting goods store;
- 3.1.16 Television, radio and electrical sales, repair and service establishment;

Accessory Uses

- 3.1.17 Use accessory to the above provided that it is not used for human habitation.

3.2 Yard and Setback Requirements

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

3.3. Building Requirement

- 3.3.1 The height of any building shall not be greater than ten and six tenths (10.6) metres (35 feet)
- 3.3.2 The building shall be located within the building area as shown on the Schedule A.

3.3 Building Requirement (cont'd...)

3.3.3. The gross floor area for all buildings or structures shall not exceed a maximum of 957 square metres (10,300 square feet)

3.4 Landscaped Open Space

A minimum on-site landscaped open space shall be provided as shown on Schedule A.

Section 4.0 - Off-Street Parking

4.1 A minimum of 56 off-street parking spaces shall be provided.

4.2 The width of a driveway leading to any parking area shall be a minimum width of three (3) metres (10 feet) for one way traffic and a minimum width of six (6) metres (20 feet) for two-way traffic.

Section 5.0 - Off-Street Loading

5.1 A minimum of 1 off-street loading space shall be provided at the loading area as shown on Schedule A.

5.2 The loading space shall have an unobstructed ingress and egress of not less than 6 metres (20 feet) in width to and from a public street.

Section 6.0 - Schedule

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

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 this by-law is guilty of an offense and upon summary of 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 (\$1,000.00) exclusive of costs.

7.3 By-law 1872 no longer applies to the lands shown outlined on Schedule A attached hereto.

7.4 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 18th day of December, 1978.

Terrence P. Miller

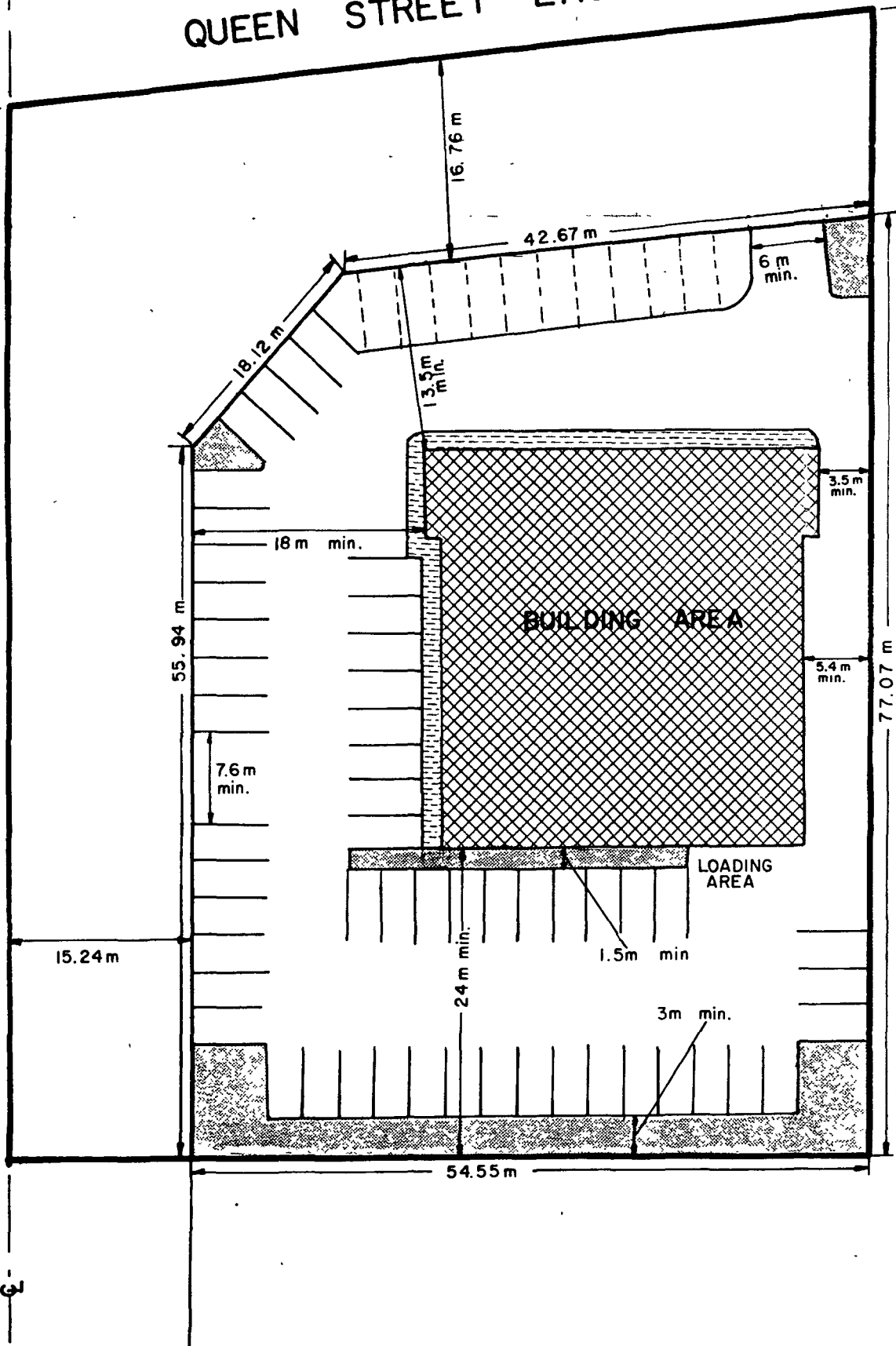
~~James E. ARCHDEKIN~~, Mayor

Ralph A. Everett

Ralph A. EVERETT, ~~Deputy~~ City Clerk
ACTING

HANSEN ROAD SOUTH

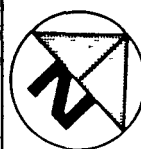
QUEEN STREET EAST



BY-LAW NO. 317-78
Schedule A

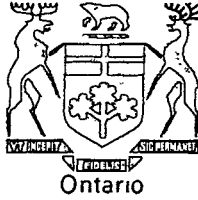
Legend:

- Landscaped Open Space
- Side-walk



1:500

City of Brampton
Planning Department



R 79606

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 317-78

B E F O R E :

E.A. SEABORN
Member

- and -

D.H. McROBB
Member

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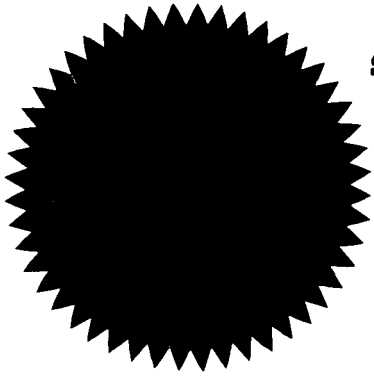
Monday, the 5th day of

March, 1979

No objections to approval having been received
as required;

THE BOARD ORDERS that By-law 317-78 is
hereby approved.

SECRETARY



ENTERED	
O. B. No..	R.79-1.....
Folio No.....	365.....
MAR 6 1979	
SECRETARY, ONTARIO MUNICIPAL BOARD	