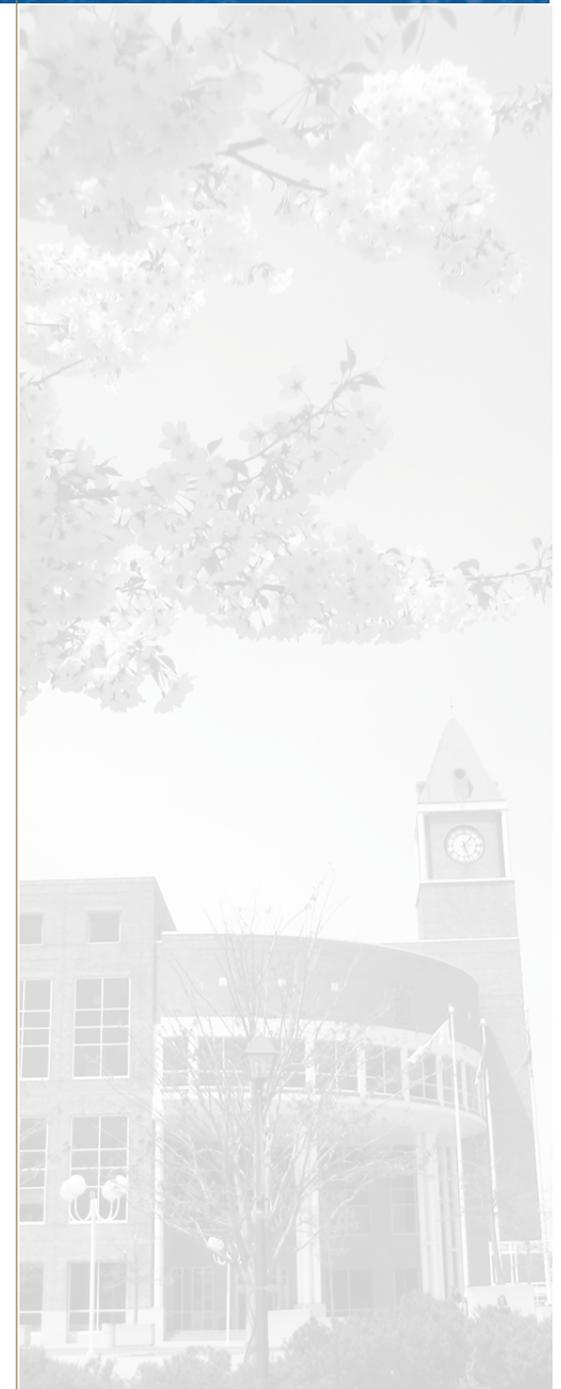


DEVELOPMENT PERMIT SYSTEM BY-LAW

CHAPTER 1: GENERAL PROVISIONS

- 1.0 Explanatory Note
- 2.0 Application
- 3.0 Administration
- 4.0 Interpretation
- 5.0 Development Permit Requirements
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1.0 Explanatory Note

1.1 Development Permit System

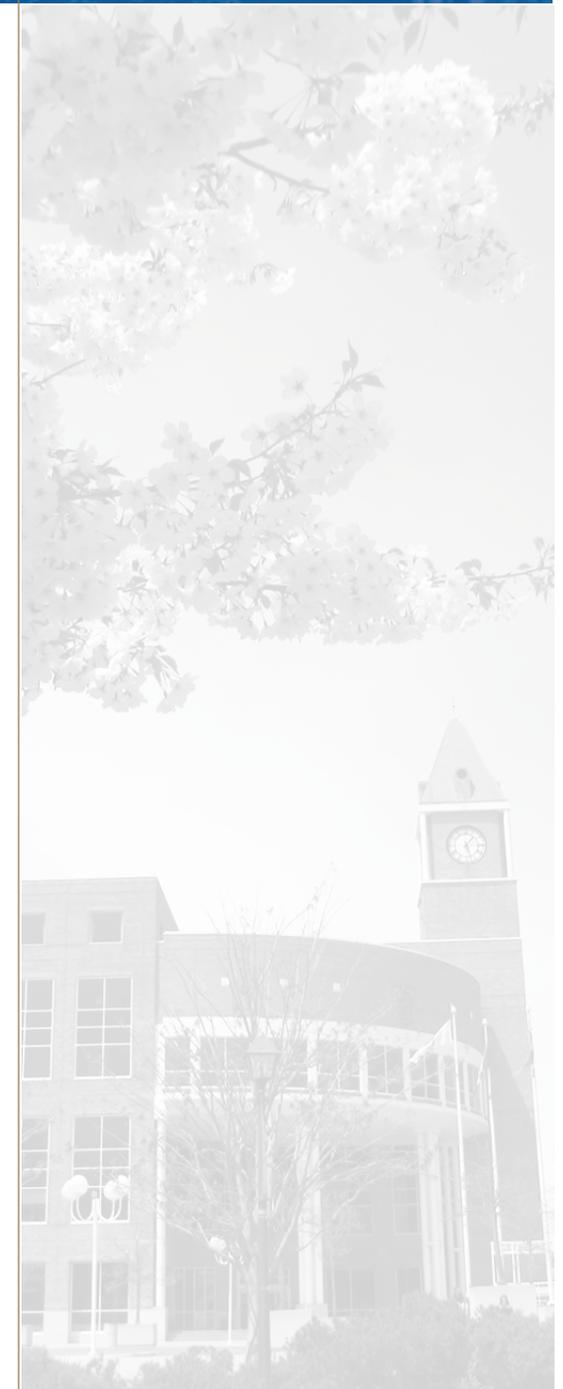
The Province, in its 2007 revisions to the *Planning Act*, has provided for a new development approval framework which combines three existing systems into one. A Development Permit By-law replaces zoning, site plan and minor variance approvals in areas of the municipality where a Development Permit By-law has been approved in accordance with the municipality's Official Plan and the *Planning Act*. It should be noted that the issuance of a Development Permit does not replace the requirement for building permits under the *Building Code Act* or approvals for the division of land under Section 50.1 of the *Planning Act*, R.S.O., 1990 as amended.

The Development Permit By-law clearly articulates and establishes development requirements, provisions and standards that need to be met before approval(s) can be issued. It provides for a streamlined approach to development approvals and in addition allows for flexibility within a clearly articulated context. The Council of the City of Brampton decided to move forward with the intent to implement policies of the Official Plan, streamline development and provide for timely reviews of development proposals through a development permit system for the areas identified in this by-law. Provisions for new development, infill and construction are outlined within the Development Permit By-law. The Development Permit By-law designations are consistent with the designations in the Official Plan and the by-laws provisions implement Official Plan policies and directions provided for each specific designation.

1.2 Development Permit Similarities and Differences with Zoning

The Development Permit By-law outlines requirements, standards and provisions for the control of land use and development in a manner which is similar to a Zoning By-law. In addition it resembles a Site Plan Control By-law as it allows the municipality to require plans showing the location, massing and conceptual design of any proposed building, structure or comprehensive development.

It differs from traditional land use regulations by allowing discretionary uses, conditional approvals, variations to standard requirements, control of exterior design elements and removal of vegetation in specific areas. This provides staff and Council with flexibility within the context of the by-law to review development proposals and provide approvals without further site specific amendments to this by-law.



2.0 Application

2.1 Applicability

This By-law applies to all lands for which an area-specific Development Permit By-law for a Development Permit System has been approved. These areas shall form Chapters to this By-law and are listed below:

Chapter 2: Main Street North Development Permit System

Lands fronting onto the east side of Main Street North between Church Street East and Vodden Street; certain lands fronting onto Alexander Street, Ellen Street, Bird Avenue, William Street and Victoria Terrace; lands generally bounded by Market Street, Main Street North, Vodden Street, Isabella Street and Thomas Street as shown on Schedule A Development Permit System Areas.

2.2 Repeal of Former By-law

On the day that this by-law comes into full force and effect, By-law 270-2004, as amended, of the City of Brampton passed under Section 34 of the *Planning Act, R.S.O., 1990* shall hereby be repealed for the areas identified on Schedule A and for which a specific Development Permit System area has been approved.

The adoption of this by-law shall not prevent any pending or future prosecution of, or action to abate any existing violation of the By-law 270-2004, as amended, if the violation is also a violation of any of the provisions of this by-law.

2.3

The regulations and requirements set out in the

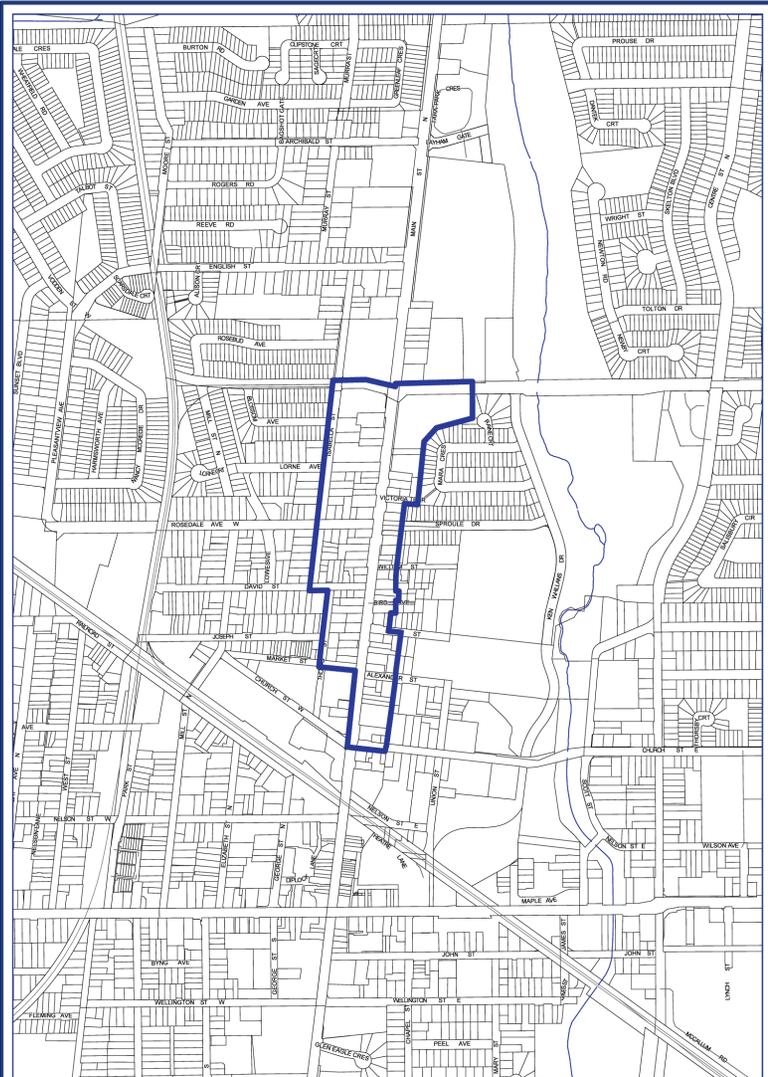
applicable Development Permit System Area as well as the general provisions set out in this by-law shall govern the permitted uses, requirements and restrictions, development criteria, general process requirements and conditions for uses or development within a specific Development Permit System Area.

2.4

In a Development Permit System Area, no development or use shall occur unless in accordance with the policies of the Official Plan, the provisions of this Section and the criteria set out in the regulations for the applicable Development Permit System Area. All identified types or classes of development as set out in the policies of the Official Plan and the applicable Development Permit System Area shall be subject to the approval of a Development Permit. No building or other permit shall be issued for types of development subject to a Development Permit unless such approval is issued.

2.5

Within a Development Permit System Area, the provisions of the Site Plan Control By-law do not apply, unless otherwise specified. Approvals of variances to the standards shall be administered through the review of a Development Permit and Committee of Adjustment approval is not required, unless otherwise stated in the provisions of the specific Development Permit System Area.

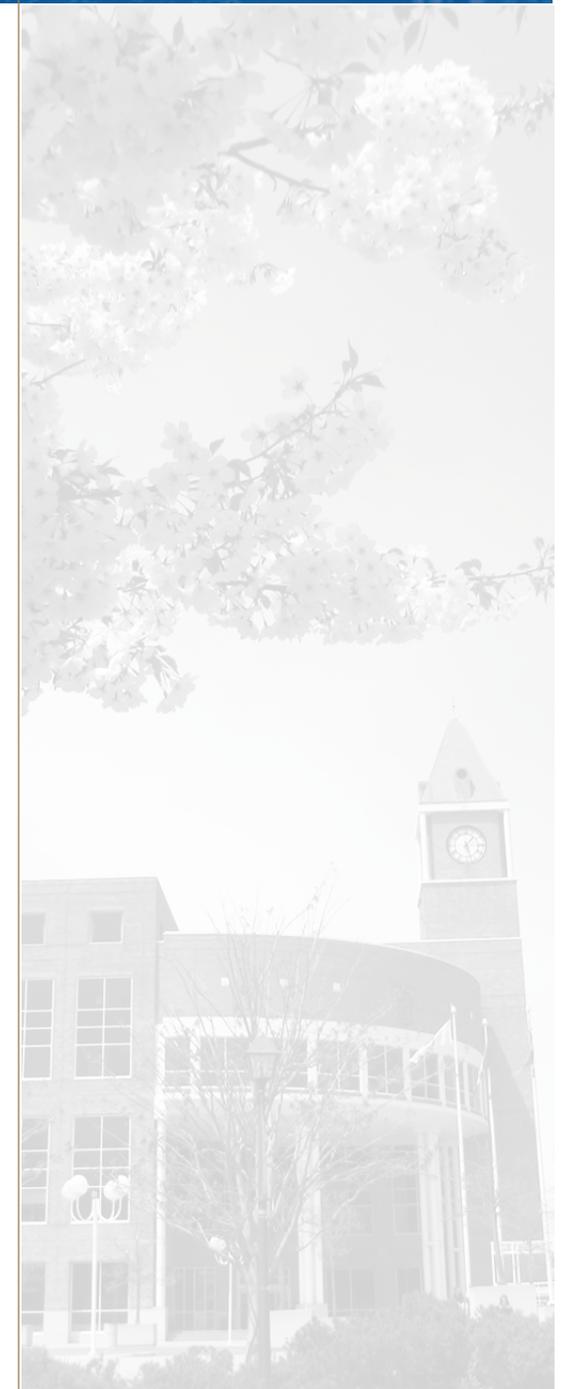


 CHAPTER 2: MAIN STREET NORTH DEVELOPMENT PERMIT SYSTEM AREA

NOTE: FOR DETAILED BOUNDARY OF DEVELOPMENT PERMIT SYSTEM BOUNDARY SEE AREA SPECIFIC DEVELOPMENT PERMIT

BRAMPTON
Flower City
PLANNING, DESIGN & DEVELOPMENT
Date: 2011/03/21 Drawn By: CJK
File: P09_MAI_OPA_A

SCHEDULE A



Schedule A: Development Permit System Areas

3.0 Administration

3.1 Violation and Penalty

Every person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine as provided for in the *Planning Act*.

3.2 Conformity with By-law

No lands shall be used, and no building or structure shall be erected, located, used or altered, nor shall the use of any building, structure or lot be changed, in whole or in part, except in conformity with the provisions of this by-law.

3.3 Existing Uses Continued

Nothing in this by-law shall prevent the use of any lot, building or structure for any purpose prohibited by this by-law if such lot, building or structure was lawfully used for such purpose on the date of passing of this by-law, so long as it continues to be used for that purpose.

3.4 Certificate of Occupancy

A person may not make or permit a change in the type of use of any land to which this by-law applies, or the type of use of any building or structure on any such land, without first applying to the chief building official for, and obtaining from her/him, a certificate of occupancy.

3.5 Compliance with Other Restrictions

This by-law shall not be effective to reduce or mitigate any restrictions lawfully imposed by a governmental authority having jurisdiction to make such restrictions.

4.0 Interpretation

4.1 Interpretation of District Boundaries

Where the boundary of any districts, as shown on the attached schedules, is uncertain, the following provisions shall apply:

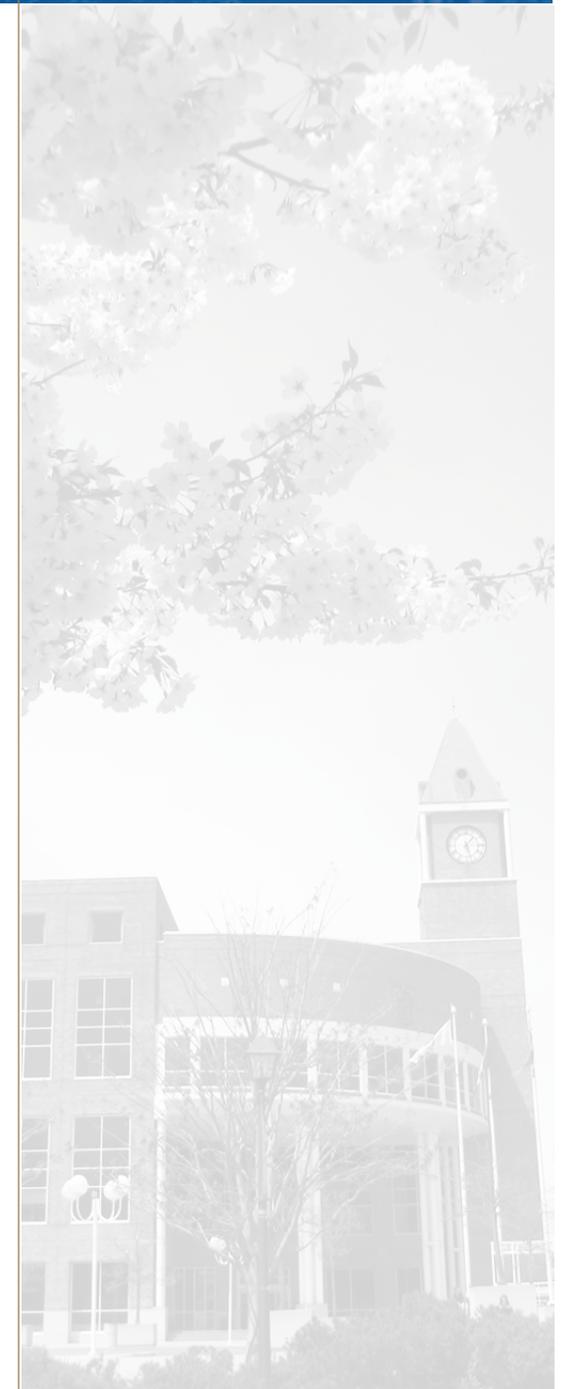
- (a) where a district boundary is indicated as following a street or lane, the boundary shall be the centre line of such street or lane;
- (b) where a district boundary is indicated as approximately following lot lines shown on a registered plan of subdivision or of lots registered in the Land Registry Office, the boundary shall follow such lot lines;
- (c) where a street, lane, railroad or railway right-of-way, electrical transmission line right-of-way, or watercourse is included on the land use schedules, said street, lane, railroad or railway right-of-way, electrical transmission line right-of-way, or watercourse shall, unless otherwise indicated, be included in the zone of the abutting property on either side thereof;
- (d) where a district boundary is indicated as following the limits of the municipality of the former Town of Mississauga, the limits shall be the boundary; and
- (e) where none of the above provisions apply, the district boundary shall be scaled from the schedules to this by-law.

4.2 Interpretation of Certain Words

- (a) In this by-law, unless the context requires otherwise:
- (b) words used in the singular number include the plural; and
 - (1) words used in the plural include the singular number.
 - (2) In this by-law, the word “shall” is mandatory.
- (c) In this by-law, unless the context requires otherwise:
 - (1) the word “used” shall include the meaning “designed to be used” and “arranged to be used”; and
 - (2) the word “occupied” shall include the meaning “designed to be occupied” and “arranged to be occupied”.
- (d) In this by-law, a district of a class identified as Residential, Commercial, Industrial, Institutional or Agricultural by the regulations of the applicable Development Permit System Area may be referred to as a residential district, a commercial district, an industrial district, an institutional district or an agricultural district.
- (e) In this by-law, all buildings, structures and uses permitted and classified under the headings “residential”, “commercial”, “industrial”, “institutional” and “agricultural” may be referred to as residential, commercial, industrial, institutional and agricultural buildings, structures and uses, respectively.

4.3 Reserves

- (a) Any front yard, rear yard or side yard that is separated from a street by a reserve of less than 1 metre in width, owned by the City of Brampton, the Regional Municipality of Peel, or the Province of Ontario, shall be deemed to directly abut that street for the purposes of this by-law, except where the context of a specific section requires otherwise.
- (b) Any reserves of 1 metre or less owned by the City of Brampton, the Regional Municipality of Peel, or the Province of Ontario, may be considered as part of the required front yard, rear yard or side yard.



5.0 Development Permit Requirements

5.1 When a Development Permit is Required

The following are the regulations for when a Development Permit is required for any proposal within a Development Permit System area as set out in this by-law.

- (a) A Development Permit is required when it is proposed to:
 - (1) construct, erect or place one or more buildings or structures on a lot;
 - (2) increase the size of an existing building or structure;
 - (3) establish additional parking spaces;
 - (4) establish driveways or modify driveways for motor vehicle access;
 - (5) alter the grade of the land and/or place or dump fill on the land;
 - (6) change from one permitted land use to another if the applicable regulations for a specific Development Permit System area identify such change as requiring a permit;
 - (7) remove vegetation as further set out in the applicable regulations for a specific Development Permit System area;
 - (8) undertake a matter that is subject to criteria set out in the regulations for the applicable Development Permit System Area;
- (b) Notwithstanding the above, the placement of a portable classroom on a school site of

a district school board is exempt from the requirement for a development permit if the school site was in existence on January 1, 2007.

- (c) Buildings and structures accessory to a single-detached, semi-detached, condominium or street townhouse residential dwelling shall not be required to obtain a development permit, subject to complying with the regulations of the by-law.
- (d) The regulations of a Development Permit System Area may prohibit any development or change of use of land unless a development permit is obtained.

5.2 Development Permit Conditions

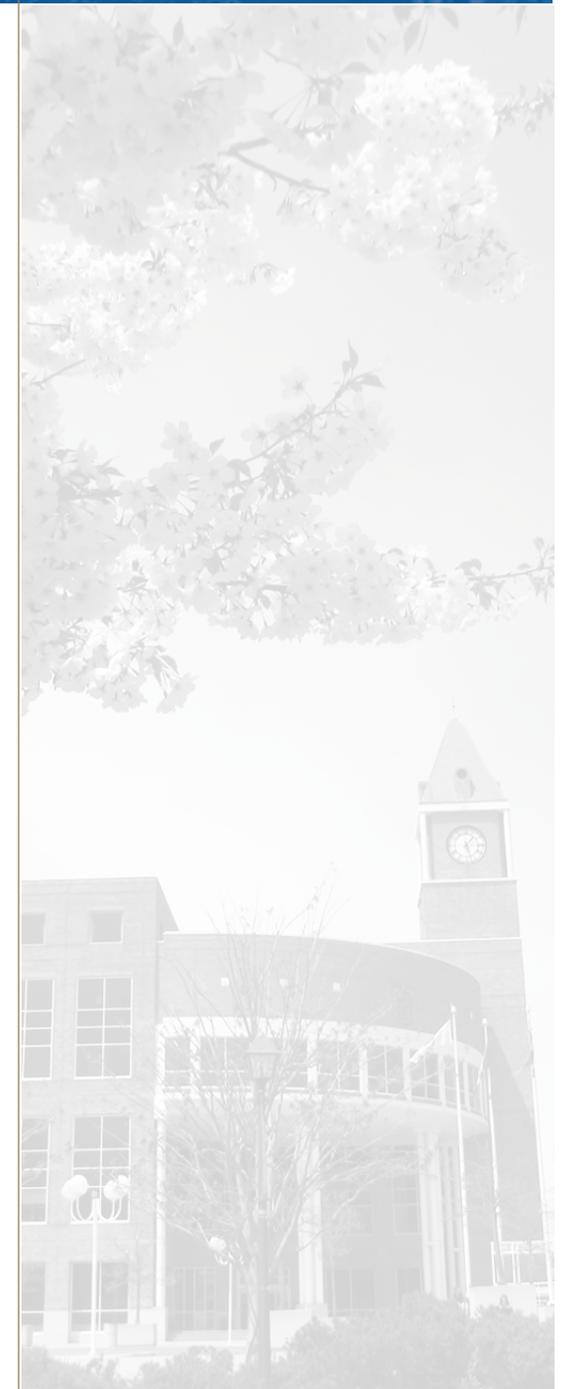
The approval of any development requiring a Development Permit may be subject to conditions.

(a) Types of Conditions

A condition in relation to a Development Permit applicant may require the applicant to:

- (1) enter into a Development Agreement with the City or other agency, dealing with such matters as the location of buildings, parking and landscaping and any other matter that would be included as a condition pursuant to this Section;
- (2) post securities, which have the effect of ensuring that any required improvements are made;
- (3) dedicate property along the site frontage to meet the municipal and

- regional right-of-way requirements as set out in the policies of the City and Regional Official Plan;
- (4) satisfy a matter related to the removal or restoration of vegetation;
 - (5) protect, maintain and enhance existing trees and other vegetation on the lands;
 - (6) provide for the monitoring of the use of lands, provided the monitoring was necessary for the protection of public health and safety and/or the protection of the natural environment;
 - (7) provide sustainable design elements, which include trees, shrubs, hedges, plantings and other ground cover, permeable paving materials, street furniture, curbed ramps, waste and recycling containers and bicycle parking facilities within the public realm at no charge to the City of Brampton;
 - (8) carry out landscaping enhancements in accordance with an approved landscaping plan;
 - (9) carry out drainage improvements to the satisfaction of the City and the Conservation Authority;
 - (10) provide cash-in-lieu of parkland, if required by a by-law passed pursuant to Section 42 of the *Planning Act*;
 - (11) use building materials and colours in accordance with the policies and requirements and guidelines set out for the Permit System Area
 - (12) satisfy a condition related to site alteration, including but not limited to, the alteration or restoration of the grade of land and the placing or dumping of fill on the lands;
 - (13) provide facilities that are intended to provide access to buildings and other components of a land use for persons with disabilities;
 - (14) provide easements for the purposes of allowing for shared parking or access to other lots in the area as may be required by the City;
 - (15) provide specified facilities, services and matters in exchange for a specified height or density of development;
 - (16) satisfy any types of conditions or specific conditions as further set out in the regulations for the applicable Development Permit System Area;
 - (17) with respect to land described in paragraph 3, 3.1 or 3.2 of subsection 34 (1) of the *Planning Act*, satisfy a condition that is related to matters that would otherwise be prohibited under those paragraphs;
 - (18) improve, enhance, restore or provide items which are not explicitly identified in this sub section, but which are provided for in Sections 34, 40, 41 or 42 of the *Planning Act*; and,
 - (19) provide any applicable financial contribution as required by City policies and procedures, provided the contribution is supported by statute.
- (b) With respect to conditions pertaining to Part 5.2 (a) (15) of this by-law, before a condition can be imposed in this regard:
- (1) the General Provisions for Development Permit Systems or the provisions of the site-specific Development Permit shall specifically set out a proportional





relationship between the quantity or monetary value of the facilities, services and matters that may be required and the height or density of development that may be allowed; and,

- (2) the General Provisions for Development Permit Systems or the provisions of the site-specific Development Permit shall identify the area in which a density increase in exchange for the provision of specified facilities, services and matters may be considered and imposed as a condition of issuance of a Development Permit.

(c) Timing of Fulfilment of Conditions

Any of the conditions identified in this section or in the applicable section within the regulations for a specific Development Permit System Area may require their fulfilment prior to the issuance of a Development Permit. In the alternative, the condition could be satisfied after the development has been commenced. The City shall specify the timing of fulfilment of any condition, where applicable and appropriate depending on the nature of the condition.

(d) Restrictions on Conditions

Any condition shall be clear, precise and quantifiable and shall not deal with interior design, the layout of interior areas and the manner of construction, and the construction standards themselves, with the exception of materials and colours.

5.3 Variance to Regulations

The Development Permit System district permissions, requirements and restrictions may be varied in

accordance with the provisions of the by-law. Unless otherwise specified, approval of the variance is established through the approval of the applicable development permit and is recorded within the approval documents. Conditions can be attached to the approval as deemed necessary by the City of Brampton. The regulations for each particular Development Permit System Area shall establish those provisions that may be varied and the criteria against which any such variance is to be assessed.

Variations to the General Provisions in this Section are permitted and shall be assessed against the following criteria:

- (a) that the Development Approval Criteria for the applicable DPS Area are achieved.
- (b) that it maintains the general purpose and intent of the Official Plan.
- (c) that it maintains the general purpose and intent of the DPS provisions set out for the applicable DPS Area and the General Provisions.
- (d) that the variance is desirable for the appropriate development of the land.
- (e) that the variance is minor in nature.

5.4 Submission Requirements, Review Procedures

The City shall establish review procedures for Development Permit Applications that set out levels of review and process, application fees and submission requirements that correspond to the complexity, nature and extent of a proposal. These requirements shall be set out in the regulations for each DPS Area.

5.5 Notice of Approval of Development Permit

Within 15 days after City Council or the delegated approval authority makes a decision, written notice of the decision, including reasons and any conditions imposed, shall be given to the applicant and to each person or public body that filed a written request to be informed of the decision with the clerk of the municipality.

5.6 Delegation of Approval Authority

Council may delegate its authority with respect to Planning Act Regulation 608/06, subsection 10(8) respecting Development Permit applications and paragraph 7 of subsection 4(5) respecting the entering of Development Permit agreements to a Director in the City's Planning & Infrastructure Services Department. Council's authority supersedes any authority delegated pursuant to this section and Council may exercise its authority pursuant to Planning Act Regulation 608/06 as Council deems appropriate.

5.7 Density and Height Increases

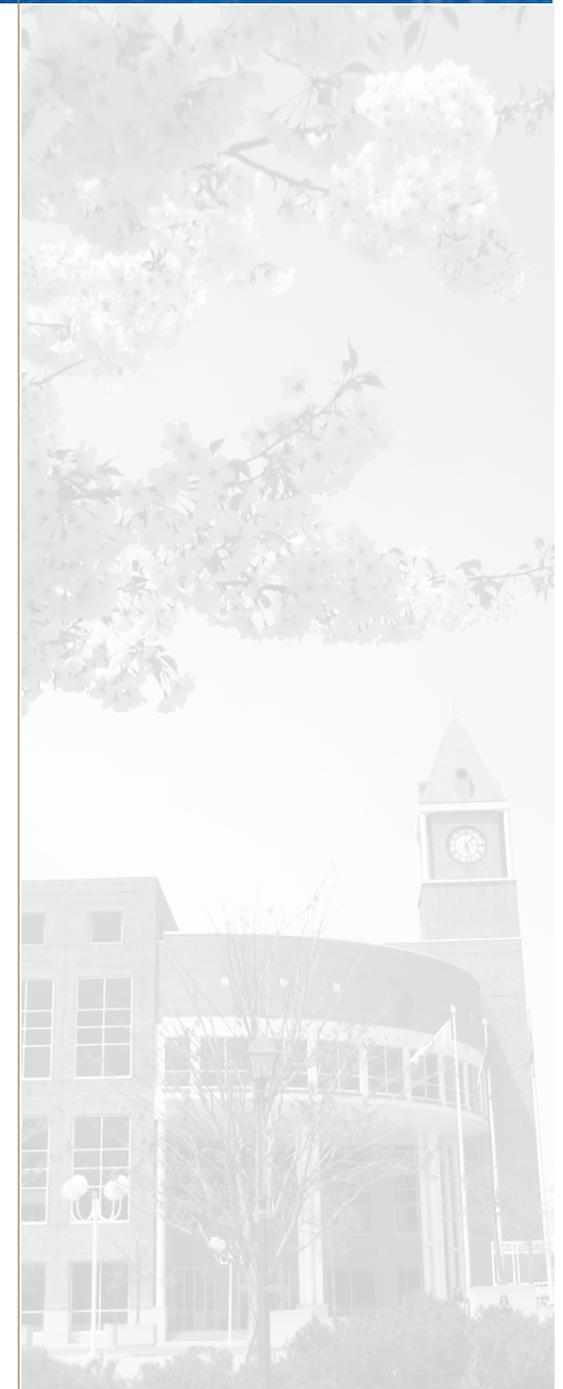
The City may consider the exchange of height and/or density for the provisions of facilities, services and other matters provided:

- (a) the general provisions for a Development Permit System or the provisions of the site-specific Development Permit shall specifically set out a proportional relationship between the quantity or monetary value of the facilities, services and matters that may be required and the height or density of development that may be allowed in accordance with Official Plan policies; and,
- (b) the general provisions for a Development

Permit System or the provisions of the site-specific Development Permit identify the area in which a density increase in exchange for the provision of specified facilities, services and matters may be considered and imposed as a condition of issuance of a Development Permit.

5.8 Pre-existing Site Plans and Agreements

In accordance with Section 6 of Regulation 608/06 to the Planning Act, pre-existing approved site plans and site plan agreements are valid and binding for areas where a DP System is established.



6.0 General Provisions for All Districts

6.1 Non-Conforming Uses

Nothing in this by-law shall prevent the repair or renovation of a legally non-conforming building or structure which was erected prior to the date of the passing of this by-law, provided that such repair or renovation shall not:

- (a) cause those provisions of this by-law with which the existing building or structure does not comply to be contravened to a greater extent, or
- (b) cause non-compliance with any other provisions of this by-law.

6.2 Non-Complying Buildings

Where a use is permitted, a building or structure erected prior to the date of the passing of this by-law and used for a purpose permitted by this by-law, but not complying with the minimum requirements or restrictions of this by-law relating to such building or structure, or to the lot upon which it is located, may be occupied, reconstructed, repaired, renovated or enlarged, provided that such reconstruction, repair, renovation or enlargement shall not:

- (a) cause those provisions of this by-law with which the existing building, structure or lot does not comply to be contravened to a greater extent; or,
- (b) cause non-compliance with any other provisions of this by-law.

6.3 Lot-Width, Depth or Area Reduced by Public Action

Where, by expropriation or highway widening or other land acquisition by the City, the Regional Municipality of Peel or the Crown in Right of Ontario or Canada, a lot is caused to have less lot width, less lot area or less lot depth than that required by this by-law, a building or structure may be erected or used on such a lot if all other requirements of this by-law are complied with, notwithstanding anything to the contrary in this by-law.

6.4 Yards or Building Setbacks Reduced by Public Action

Where, by expropriation or highway widening or other land acquisition by the City, the Regional Municipality of Peel or the Crown in Right of Ontario or Canada, the yards or building setbacks are reduced to less than the requirements of this by-law, an existing building or structure may be repaired, renovated or altered as long as the setbacks or yards are not further reduced by such repair, renovation or alteration, and as long as all other requirements of this by-law are complied with, notwithstanding anything to the contrary in this by-law.

6.5 Frontage on Road or Street

No person shall erect any building or structure in any district unless the lot upon which such building or structure is to be erected fronts upon a street.

6.6 Building to be Moved

No building may be moved into any district where it is not permitted.

6.7 Multiple Uses

Where any land or building is used for more than one

purpose, all provisions of this by-law relating to each use shall be complied with.

6.8 Utility Uses Permitted

The provisions of this by-law shall not apply to prevent the use of any land or the erection or use of any building, structure, plant, or equipment by a public authority or a private electric utility company or other private utility company regulated by the Government of Ontario or a Crown agency thereof for a utility installation other than power generation, and such use or erection may be permitted subject to the following requirements and restrictions:

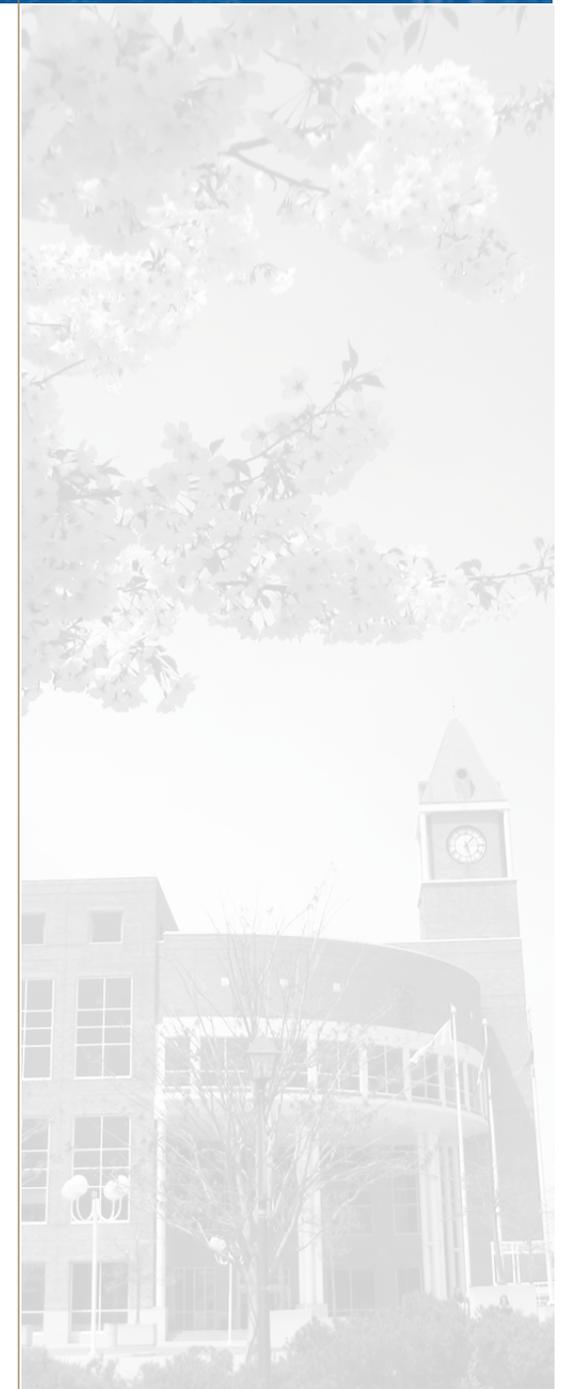
- (a) other than an electric power transmission line, the size, height, coverage and yard regulations required for the district in which such land, building, structure, plant, or equipment is located shall be complied with except for a facility less than 1 square metre in area and 2 metres in height, which may be located not less than 3 metres from a public road right-of-way and 1.5 metres from any other property line;
- (b) no goods, material or equipment may be stored in the open in a Residential District or in a lot abutting a Residential District;
- (c) any parking and loading regulations prescribed for these uses shall be complied with;
- (d) areas not used for parking, driveways or storage shall be landscaped; and,
- (e) all electric power facilities of Hydro One Inc. and Brampton Hydro Networks Inc. existing on the date of enactment of this by-law shall be deemed to conform with the requirements and restrictions pertaining to the particular district in which it is located.

6.9 Temporary Uses Permitted

- (a) 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 is finished.
- (b) In a Commercial or Industrial District as set out in the regulations for the applicable DPS Area, a tent type structure shall be permitted only as an temporary accessory use for a maximum of a 14 day period twice a year on any lot.

6.10 Home Occupations

- 6.10.1. A home occupation may only be carried on within a single detached dwelling subject to the following requirements and restrictions:
 - (a) it is carried on only by the occupant of the dwelling or by members of his family residing there;
 - (b) the home occupation is secondary to the use of the dwelling as a private residence, and does not occupy more than 15 percent of the gross floor area of the dwelling, excluding the basement or cellar;
 - (c) the home occupation may be carried out in an accessory building or private garage;
 - (d) there are no change in the external character of the dwelling as a private residence;
 - (e) there are no goods, wares or merchandise offered or exposed for sale, or sold or kept for sale on the premises other than those produced on the premises;





- (f) there is no outside storage of materials, goods or vehicles in conjunction with the home occupation use;
 - (g) not more than one person, other than members of the family residing there, is employed on the premises in connection with the home occupation;
 - (h) one sign is permitted that shall be attached to a building and shall be not more than 0.15 square metres in area;
 - (i) no more than one home occupation shall be permitted in any dwelling; and,
 - (j) the following shall not be permitted as a home occupation:
 - (i) the repair and servicing of motor vehicles or internal combustion engines;
 - (ii) any use, which from its nature of operation, creates a nuisance or is liable to become a nuisance, or offensive by the creation of noise, vibration, or by reason of the emission of gas, fumes, dust, glare or objectionable odour, or any other use which be considered to be an obnoxious or offence trade, business, or manufacture; and
 - (iii) a massage or body rub parlour.
- chiropractor, psychiatrist, x-ray or ultrasound operator, etc.;
 - (c) the nature of the office shall be such that there shall be no more than one visitor at any time;
 - (d) the total area devoted to the office shall not exceed 15 square metres;
 - (e) it is carried on only by the occupant of the dwelling or by members of his family residing there and there is no other employee on the premises in connection with the office;
 - (f) no exterior sign shall be permitted;
 - (g) there are no goods, wares or merchandise offered or exposed for sale or sold or kept for sale on the premises; and
 - (h) an office, which from the nature of the operation, creates a nuisance or is liable to become a nuisance, or offensive by the creation of noise, vibration, or objectionable odour, or be an obnoxious or offence trade, or business shall not be permitted.

- 6.10.2. In addition to the above, an office as a home occupation may be carried on within any dwelling unit subject to the following requirements and restrictions:
- (a) no more than one office shall be permitted in a dwelling unit;
 - (b) such office shall not be an office for a health care practitioner such as an office for a doctor, dentist, physiotherapist, massagist,

6.11 Permitted Yard Encroachments

Every part of any yard required by this by-law shall be open and unobstructed by any building or structure from the ground to the sky except by:

- (a) an accessory building or structure permitted by the provisions of this by-law;
- (b) the structures listed in Table 6.11.A which may project into the minimum yards indicated for the distances specified;
- (c) drop awnings, clothes poles, flag poles, garden trellises, fences, retaining walls, signs, landscaped decks or similar accessory uses.

6.11.A. Table for Permitted Yard Encroachments

Structure	Yard	Maximum Encroachment
Sills, belt courses, cornices, gutters, chimneys, pilasters, eaves, parapets or canopies	Any Yard	0.5 metres
Window bays	Front, rear and exterior side yards	1.0 metre to a maximum width of 3.0 metres
Balconies or decks	Front, rear and exterior side yards	1.0 metre to a maximum width of 3.0 metres

6.12 Screening of Mechanical Equipment

Mechanical equipment and utilities including gas meters, gas pipes, and transformers shall be screened from view from public streets and residential dwellings

6.13 Floodplain District

The part of any lot or land within a Floodplain district (F) shall not be used in calculating the lot width, yards or area required by this by-law for uses in abutting districts.

6.14 Visibility Triangle

On a corner lot, a sign, fence, hedge, shrub, bush, or tree or any other structure or vegetation shall not be permitted to be erected or to grow to a height greater than 0.8 metres above the grade of the streets

that abut the lot within the triangular area formed by measuring from the actual or projected point of intersection of the lot lines abutting the streets, a distance of 6.0 metres along each such lot line to two points and joining those two points, nor shall any sign be permitted to overhang the said triangular area.

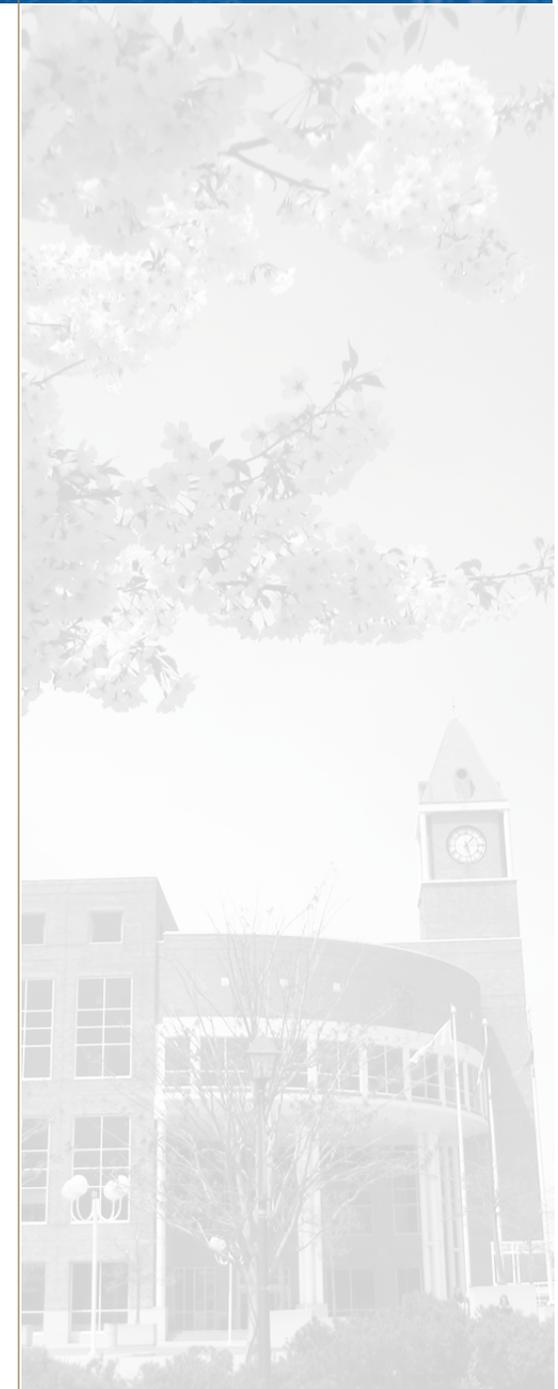
6.15 Height Regulations

Height regulations in this by-law do not apply to:

- (a) church spires, water tanks, elevator enclosures, flag poles, television or radio antennae, ventilators, silos, sky lights, chimneys, clock towers or electrical supply facilities, or
- (b) a roof structure which is used only as an ornament or to house the mechanical equipment of any building.

6.16 Parking Spaces

- 6.17.1. Each parking space shall be an angled parking space or a parallel parking space.
 - (a) An angled parking space shall be a rectangular area measuring not less than 2.70 metres in width and 5.4 metres in length.
 - (b) A parallel parking space shall be a rectangular area measuring not less than 2.75 metres in width and 6.5 metres in length, the long side of which is parallel to an aisle.
- 6.17.2. Where parking spaces are provided or required other than for a single detached dwelling, the following requirements and restrictions shall apply:
 - (a) the parking spaces shall be provided or maintained on the same lot or parcel as the building or use for which they are required or intended;
 - (b) the width of a driveway leading to any park-





ing area shall be a minimum width of 3.0 metres for one-way traffic, and a minimum width of 6.0 metres for two-way traffic;

- (c) each parking space other than a tandem parking space shall have unobstructed access to an aisle leading to a driveway or street; and
- (d) aisles leading to parking spaces and providing unobstructed access from each parking space to a driveway shall be established on the following basis:

Angle of Parking Minimum Aisle Width

- (1) up to 50 degrees: 4.0 metres
- (2) 50 degrees up to 70 degrees: 5.75 metres
- (3) 70 degrees up to and including 90 degrees: 6.6 metres

6.17 Occupation of Trailers

- (a) Travel trailers, house trailers and mobile homes may not be located in any district if used or intended to be used in that location for the accommodation of and occupation by persons.
- (b) Travel trailers and house trailers may be stored in any district in accordance with the other provisions of this by-law.

6.18 Loading Space

6.18.1. Each loading space shall:

- (a) have a minimum vertical clearance of 4.25 metres;
- (b) not be upon or partly upon any street or lane; and,

- (c) be accessible from a street or lane by means of driveways, aisles, manoeuvring or similar areas, no part of which shall be used for the parking or temporary storage of motor vehicles.

6.18.2. A loading space shall be a rectangular area measuring not less than 3.5 metres in width and 9.0 metres in length.

6.19 Accessory Building for Animals

Accessory buildings permitted on lots of less than 4.046 hectares shall not be used for the purpose of keeping pigs, sheep, goats, horses and cattle.

6.20 One Dwelling Per Lot

Where a dwelling is a permitted purpose, no person shall erect more than one such single dwelling on one lot.

6.21 Dwelling Units for Display Purposes

The provisions of this by-law shall not apply to prevent the erection of dwelling units for display purposes on land where residential uses are permitted and such erection may be permitted subject to the following requirements and restrictions:

- (a) the dwelling unit(s) shall be for display purposes only and shall not be occupied for residential use until the land is included in a plan of subdivision which has been registered within the meaning of the *Planning Act*;
- (b) the land shall be located within a proposed plan of subdivision which has been draft ap-

proved within the meaning of the *Planning Act*; and

- (c) the number of dwelling units erected shall not exceed 1 dwelling unit for every 4 hectares or part thereof of the land within the plan of subdivision draft approved within the meaning of the *Planning Act*, to a maximum of 10 dwelling units.

6.22 Animal Hospitals

The provisions of this by-law shall not apply to prevent lands which are in a Industrial or Commercial district, from being used for the purposes of an animal hospital subject to the following requirements and restrictions:

- (a) there shall be no overnight boarding of animals not receiving veterinary treatment;
- (b) there shall be no outside runs; and
- (c) only treatment for animals which are household pets and not agricultural livestock shall be provided.

6.23 Composting Facility

A composting facility, other than those accessory to a principal residential, institutional, open space, or agricultural use, shall not be permitted on any site unless it is specifically expressed as a permitted purpose.

6.24 Parking of Oversized Motor Vehicle

No person shall park or store, or permit to be parked or stored on any property, an oversized motor vehicle, other than a catering truck, unless:

- (a) the oversized motor vehicle is being used to

make a delivery or provide a service on the property where it is parked, or

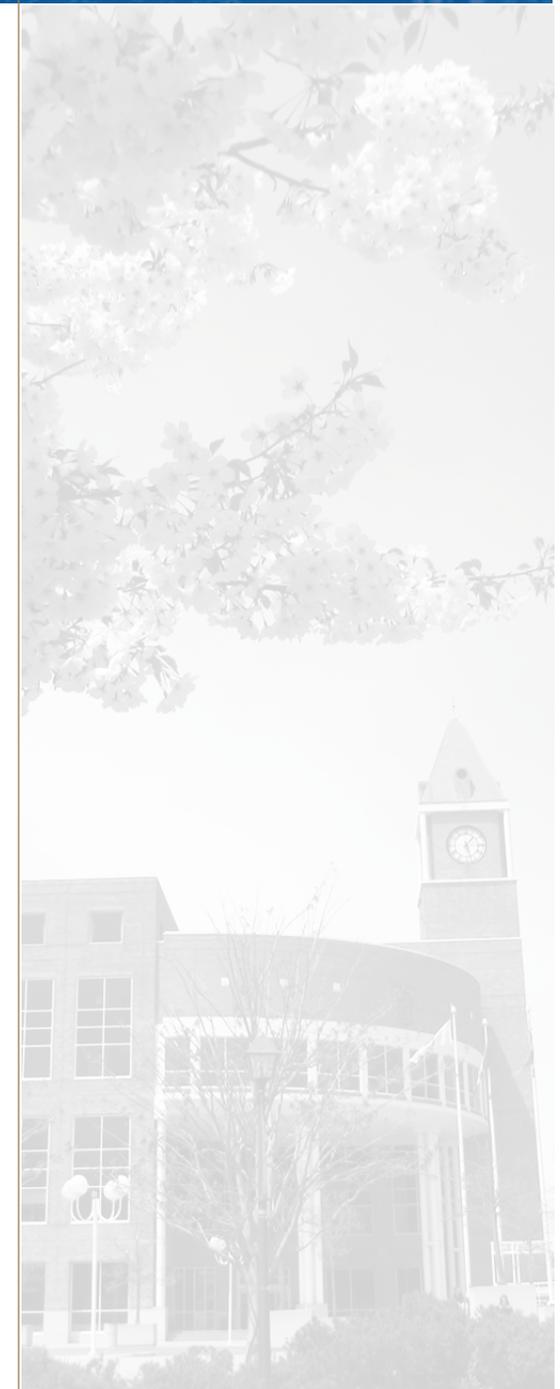
- (b) it is accessory to a permitted agricultural, commercial, industrial, institutional, or public use, but not a home occupation, occurring on the property.

6.25 Adult Uses

- 6.25.1. A Massage or Body Rub Parlour shall be permitted only where a personal service shop is permitted.
- 6.25.2. No establishment permitted in any Commercial District as shown on Schedule "A" to this by-law shall be used for the purpose of an Adult Videotape Store.
- 6.25.3. A Massage or Body Rub Parlour, an Adult Entertainment Parlour, or an Adult Videotape Store, shall not be located within 500 metres of a residentially district.

6.26 City of Brampton Public Uses Permitted

Public Uses owned and or leased by the Corporation of the City of Brampton are permitted in all DPS districts provided that yard, outside storage, parking, and coverage regulations required for the district where the lands are located are complied with and the accessory uses to any permitted use shall not exceed 15% of the total gross floor area on the site.



7.0 General Provisions For Residential Districts

7.1

The following provisions shall apply to all districts within a DPS that allow residential uses in addition to the general provisions for all districts contained in Part 6.0 of this Chapter of the by-law.

7.2 One Dwelling Per Lot

No person shall erect more than one (1) single detached dwelling, one (1) semi-detached dwelling, one (1) duplex dwelling, one (1) triplex dwelling, one (1) double duplex dwelling, one (1) street townhouse dwelling or one (1) link house dwelling on one lot.

7.3 Accessory Buildings

Accessory buildings or structures other than a detached garage or carport are subject to the requirements and restrictions of this by law for the particular district in which said buildings or structures are located, and to the following additional requirements and restrictions:

- (a) shall not be constructed in a front yard, exterior side yard or minimum required interior side yard for the main building, unless otherwise permitted;
- (b) shall not be constructed upon any easement;
- (c) shall not be used for human habitation;
- (d) not more than one swimming pool enclosure and one accessory building other than a swimming pool enclosure shall be permitted on a lot;
- (e) the gross floor area of any permitted ac-

cessory building, other than a swimming pool enclosure shall not exceed 10.0 square metres.

- (f) all accessory buildings, except a swimming pool enclosure, may be located:
 - (1) in the rear yard and shall be no closer than 0.6 metres to the nearest lot line; and,
 - (2) in the interior side yard in all other residential districts provided the building does not encroach on the minimum required side yard for the main building and the accessory building is located no closer to the front wall of the main building than one-half (1/2) the length of the main building wall facing the interior side lot line.
- (g) a building or structure that covers a swimming pool may be located only in the side or rear yard of a lot provided that it is:
 - (1) no closer than 1.2 metres to a side lot line or a rear lot line; and,
 - (2) no closer to a street than the required minimum front yard depth or the minimum exterior side yard width for the main building.
- (h) the maximum building height of any accessory building shall not exceed 3.0 metres;
- (i) the exterior design of, and type of any building materials used for, all accessory buildings, other than swimming pool enclosures and greenhouses, shall be compatible with the exterior design and type of building materials used for the main building located on the lot;
- (j) no person shall store or park an unlicensed or derelict or wrecked motor vehicle, or store or keep any construction vehicles or equipment on land to which these accessory

- building regulations apply, except within an enclosed building;
- (k) where a construction shed is necessary for the storage of tools and materials for use in connection with the construction of the main building on a lot to which these regulations apply, the construction shed may be erected on the lot before the erection of the main building, provided that no such construction shed shall be erected until after a permit has been issued for the main building on the lot. Such construction shed shall not be used for any purpose other than the storage of tools and materials for use in the construction of the main building and upon issue of an occupancy permit such construction shed shall be removed or renovated to comply with requirements and restrictions applying to accessory buildings;
- (l) no doors to accessory buildings shall exceed 2.4 metres in height;
- (m) any accessory building or structure used in whole or in part for the purpose of keeping more than 2 pigeons shall be setback a minimum of 7.60 metres from any dwelling unit, school, or any building used for residential, institutional or commercial purpose.

7.4 Garage Control

7.4.1. All Garages

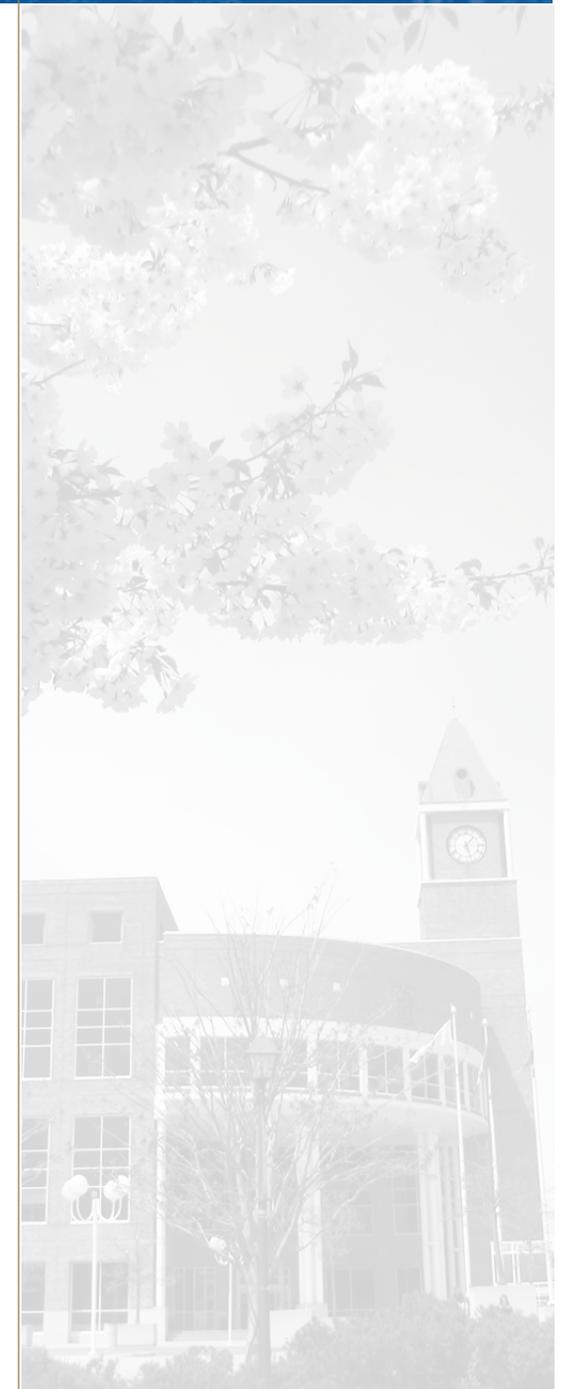
- (a) No attached or detached garages facing the streetline are permitted within 20 metres of the centreline of the street. A garage must be set back a minimum of 6.0 metres from the main face of the dwelling along the street line.
- (b) For street townhouse or townhouse dwellings no garages shall face the street.

- (c) No garage shall face the flankage lot line.

7.4.2. Detached Garage or Carport

A detached private garage or carport as an accessory building may be located in a side yard or rear yard of a lot in a Residential District subject to the requirements and restrictions in this section.

- (a) only one detached private garage or carport shall be permitted on each lot, and only if there is no attached private garage or carport already on the lot;
- (b) it shall be no closer than 1.0 metres to a main building;
- (c) the driveway leading to a detached garage in the rear yard shall have a minimum width of 2.2 metres
- (d) it shall be no closer than 0.6 metres to an interior side lot line or rear lot line; and a minimum 0.6 metre vegetated landscape strip, such as trees, grass, shrubs, flowers or other plants, shall be provided between the driveway and the adjacent lot line.
- (e) No encroachments into the minimum 2.8 metre cumulative driveway and landscape width set out in c) and d) above shall be permitted.
- (f) it shall not be located in the required exterior side yard;
- (g) it shall not have a gross floor area in excess of 44.6 square metres;
- (h) it shall not exceed 4.5 metres in height in the case of a peaked roof, and 3.5 metres in height in the case of a flat roof;
- (i) it is compatible, in exterior design and type of building materials used, with the main building located on the lot; and,



- (j) it does not have vehicle garage doors which exceed 2.4 metres in height.

7.4.3. Shared Detached Garages

A detached private garage or carport may be erected in a rear yard or interior side yard with no setback from the side lot line or the rear lot line subject to the following requirements and restrictions:

- (a) the garages for the two lots abutting the said side or rear lot line are designed as one building,
- (b) a common wall on and along the said side or rear lot line divides the garages; and,
- (c) the garages for the two lots abutting the said side or rear lot line are constructed or reconstructed simultaneously.

7.4.4. Attached Garage or Carport

Where a garage or carport is attached to a dwelling unit it shall not be considered an accessory building and it shall comply with the yard and area requirements for the Residential or Agricultural District in which it is located and the following requirements and restrictions:

- (a) the garage doors shall not exceed 2.4 metres in height;
- (b) For lots with a width of 15 metres or less, the maximum cumulative garage door width shall be 3.7 metres;
- (c) For lots with a width greater than 15 metres, the maximum cumulative garage door width shall be 5.5 metres;
- (d) a carport or garage door opening shall not be located closer than 6 metres from the

front or flankage lot line;

- (e) the interior space of a garage shall have a rectangular area not less than 2.7 metres by 5.4 metres with no more than one step encroachment; and,
- (f) the maximum interior garage width shall be 0.6 metres wider than the cumulative garage door width.

7.5 Parking of Trailers

7.5.1. Except as permitted by any other clause of this by-law, a person shall not park or store, or permit to be parked or stored, a boat, a snowmobile, or any truck trailer, mobile home, house trailer, travel trailer, or any other type of trailer, in an exterior side yard or in the front yard, including the part of the driveway therein, of any lot in a Residential District.

7.5.2. A travel trailer not exceeding 5.0 metres in length when closed may be parked or stored in the part of the driveway that is in the front yard.

7.5.3. Only one (1) of the following vehicles or vehicle combinations may be parked or stored on any one lot in a Residential District:

- (a) a boat;
- (b) a snowmobile;
- (c) a trailer;
- (d) a boat on a trailer, together not exceeding 7.0 metres in length; and,
- (e) one or two snowmobiles on a trailer, together not exceeding 7.0 metres in length.

7.5.4. A boat or trailer:

- (a) shall not occupy any parking space required under this by-law, unless otherwise permitted; and,
- (b) shall not, on a lot of which the rear lot line abuts a street or a reserve owned by a public authority, be parked or stored closer than 7.5 metres to the said rear lot line.

7.6 Uncovered Swimming Pools and Recreation Facilities

- 7.6.1. A private, uncovered swimming pool or recreation facility within a Residential District shall only be permitted in the rear or side yard of a lot provided that it is no closer than 1.2 metres to any lot line or easement except for properties in a district where the required minimum lot area is 0.4 hectares or more, then, it shall be no closer than 4.0 metres to any lot line or easement.
- 7.6.2. In the instance of a corner lot where the rear lot line of the corner lot coincides with the interior side lot of an abutting lot, a private, uncovered swimming pool or recreation facility shall not be permitted in the exterior side yard of the corner lot plus a triangular area delineated by the exterior side yard, the rear lot line and a line projected from the rear corner of the dwelling situated on the corner lot, closest to the flankage exterior side yard to the front corner closest to the corner lot, of the dwelling situated on the abutting lot described above, provided a habitable room is situated on the ground storey level at the front corner of the dwelling situated on the abutting lot.

If the front or interior side yard of the abutting lot which abuts the rear yard area of the corner lot is occupied by an attached or detached garage or carport which

effectively separates the rear corner of the dwelling situated on the corner lot and the applicable front corner of the dwelling situated on the abutting lot, then the restriction imposed by this subsection shall not apply to the corner lot.

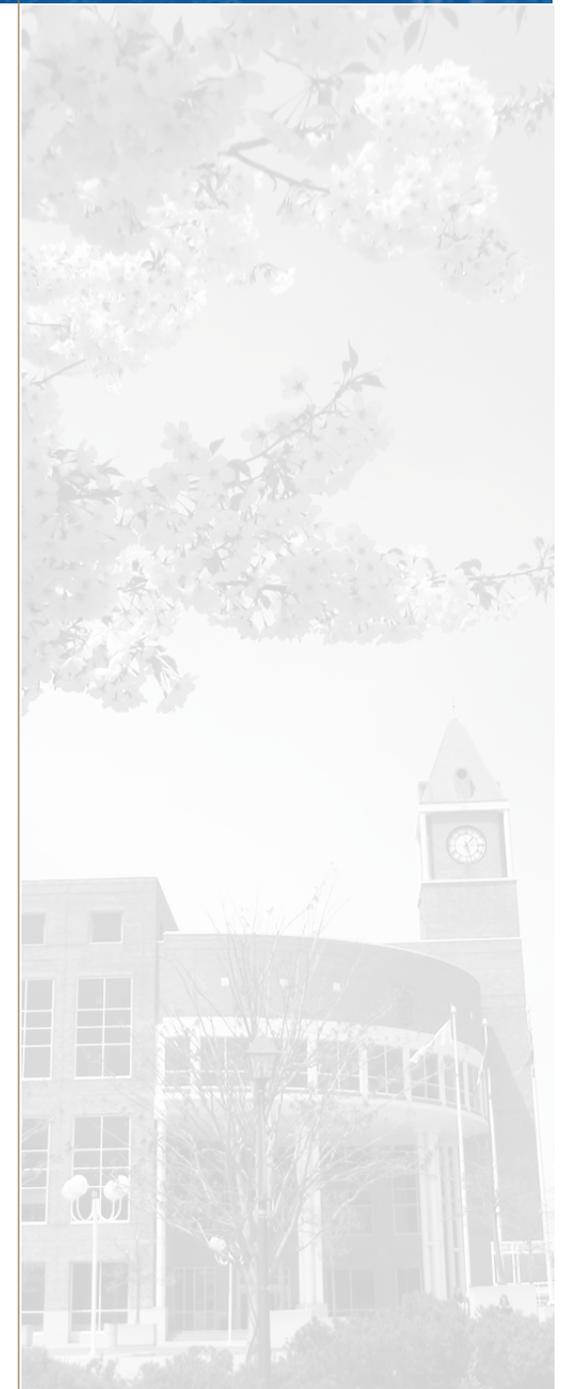
If one of the two dwellings referred to above is not constructed, then the minimum required yard setbacks will be used to establish the rear or front corner of the dwelling which is not constructed.

7.7 Through Lots

One of the front yards of a through lot shall be considered as a required rear yard and shall have the rear yard depth required by this by-law.

7.8 Parking Space Requirements

- 7.8.1. Parking spaces are required in accordance with the following provisions.
- (a) Unless otherwise specified in this by-law, for each dwelling unit within a single detached dwelling, semi-detached dwelling, duplex dwelling, triplex dwelling, double duplex dwelling or street townhouse dwelling a minimum of two parking spaces is required.
 - (b) Notwithstanding the minimum landscaped open space requirement in the applicable district, where parking spaces are required or provided on single detached dwelling, semi-detached dwelling and street townhouse dwelling lots the following regulations shall apply:
 - (1) a Residential Driveway (including the portion of the Residential Driveway within the road right-of-way) shall have minimum width 3.0 metres, but shall not exceed the width





of the garage. Where a driveway does not lead to an attached or detached garage, the maximum driveway width shall be 4.9 metres.

- (2) the portion of the area of the surface of an interior lot in front of the dwelling unit that is not part of the permitted unit and that is not part of the permitted Residential Driveway shall be Residential Landscaping.
- (3) the portion of the area of the surface of an exterior lot in the flankage street yard of the lot (where the driveway has access to the flankage street) that is not part of the permitted Residential Driveway shall be Residential Landscaping.
- (4) The following surface areas of lots shall be maintained as only a permeable landscaped surface such as grass, trees shrubs, flowers or other plants or any other surface that permits the infiltration of water into the ground, but may include a portion of a noise wall or retaining wall that is not permeable
 - (i) An area at a minimum width of 0.6 metres abutting both side lot lines on interior lots of detached dwellings (or the rear lot line on exterior lots of detached dwellings where the driveway accesses the flankage street), except within 3 metres of the street lot line and within the road right-of-way for those lots where the side lot lines converge towards the front of the street, in which case less than 0.6 metres may be provided; and
 - (ii) An area at a minimum width of 0.6 metres abutting one side lot line on lots of semi-detached and townhouse dwelling units, except within 3 metres of the street lot line and within the road right-of-way for those lots where the side lot lines converge towards the street in which case less than 0.6 metres may be provided.
- (5) Driving and parking of motor vehicles on the required Residential Landscaping areas shall not be permitted.
- (6) Notwithstanding maximum driveway widths, on lots that are permitted semi-circular driveways (meaning those lots that are permitted two accesses to a street (or streets) where a driveway is connected between the two accesses, or those lots where the driveway leads to a garage (attached or detached) or carport that is generally perpendicular to the street) the surface area of the Residential Driveway shall not exceed 50 percent of the front yard area.
- (7) Where a conflict occurs between the maximum driveway width restriction of this section and that of the particular district in which the driveway is situated, the restrictions of the district shall apply.
 - (c) For a lot less than 0.2 hectares, the rear yard for the purpose of parking motor vehicles shall not be paved other than a driveway leading to a garage permitted by this by-law and provided such a driveway in the rear yard is not wider than 3 metres or the width of the garage whichever is greater.
 - (d) Where more than one parking space is required for a residential unit excluding visitor spaces, tandem parking arrangements may

be permitted provided that at least one parking space per dwelling unit has an unobstructed access to a driveway.

- (e) Where a medical or dental office is located in a private residence, a minimum of 6 parking spaces shall be provided for each practitioner.
- (f) For other home occupation uses a minimum of one parking space shall be provided for every 20.0 square metres of floor area occupied by the home occupation.
- (g) Parking in the rear yard shall not be permitted for a home occupation use.
- (h) For lodging houses a minimum of 0.5 parking spaces for each lodging unit, plus two parking spaces for the proprietor, shall be provided.

(b) Condominium Apartment

	Resident Spaces	Visitor Spaces	Total Spaces
One-bedroom or bachelor Condominium Unit	1.25	0.25	1.50
Two-bedroom Condominium Unit	1.40	0.25	1.65
Three (or more)-bedroom Condominium Unit	1.75	0.25	2.00

7.8.2. For each dwelling unit in an apartment or multiple family dwelling, the following number of parking spaces are required:

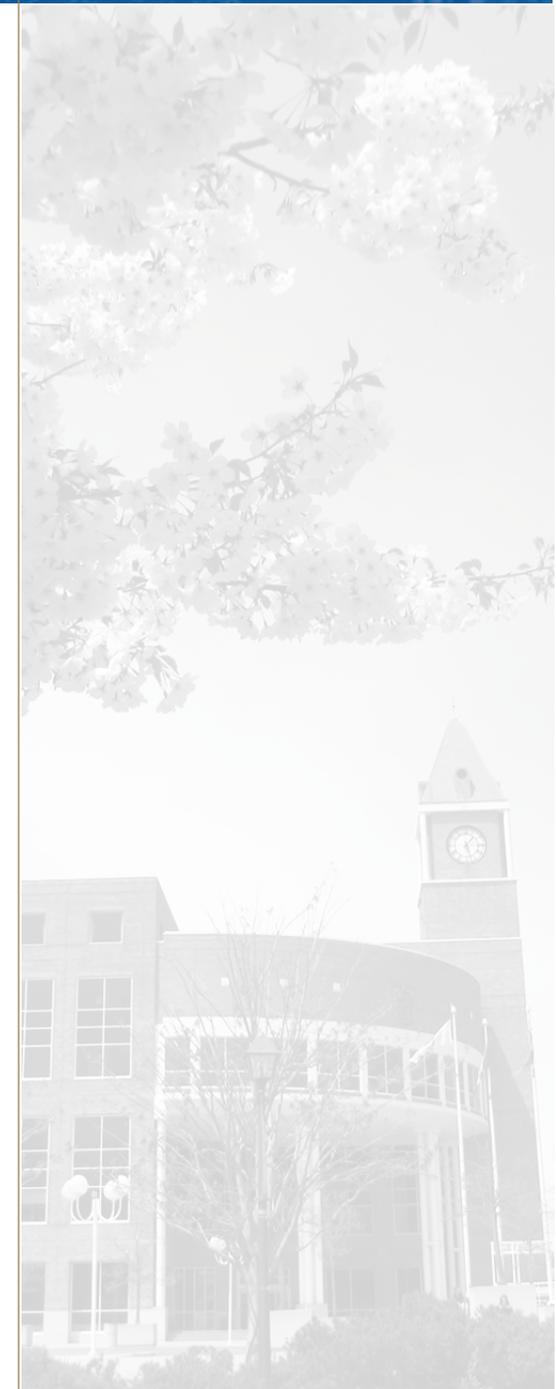
(a) Rental Apartment

	Resident Spaces	Visitor Spaces	Total Spaces
Bachelor Rental Unit	1.03	0.20	1.23
One-bedroom Rental Unit	1.21	0.20	1.41
Two-bedroom Rental Unit	1.41	0.20	1.61
Three-bedroom Rental Unit	1.53	0.20	1.73
Senior Citizen Rental Unit	0.50	0.25	0.75

7.8.3. For each dwelling unit in a townhouse dwelling that does not have a private garage and driveway, the following number of parking spaces shall be provided:

	Resident Spaces	Visitor Spaces	Total Spaces
Two bedroom Rental Unit	1.30	0.25	1.55
Three-bedroom Rental Unit	1.46	0.25	1.71
Four (or more)-bedroom Rental Unit	2.00	0.25	2.25
Condominium Unit	2.05	0.25	2.30

7.8.4. For each dwelling unit in a rental or condominium townhouse dwelling that



provides 2 parking spaces in a private driveway or garage, 0.3 space per dwelling unit of visitor spaces and recreation equipment spaces shall be provided.

7.9 Fences

Subject to the Visibility Triangle regulation in the General Provisions for All Districts and except for a chain link fence for a school or park and for a noise attenuation barrier, no fence or hedge in a Residential District:

- (a) within a required front yard, may exceed 1.0 metres in height; and,
- (b) within any other required yard, may exceed 2.0 metres in height.

7.10 Setback to Public Walkway

All buildings or structures shall have a minimum setback of 1.2 metres to a public walkway, an open space district, or a non-residential district.

7.11 Minimum Distance between Driveway and Street Intersection

The minimum distance measured along a lot line between a driveway and the actual or projected point of intersection of two streets shall be 6.0 metres.

7.12 Semi-detached or Street Townhouses

7.12.1. No side yards are required abutting a side lot line that coincides with the party wall between two dwelling units in a semi-detached or street townhouse dwelling.

7.12.2. For a street townhouse dwelling, each dwelling unit shall have direct pedestrian access from the front yard to the rear yard with no more than a two-step grade difference inside the unit and without having to pass through a habitable room.

7.12.3. For a semi-detached, or street townhouse dwelling unit, no second storey component of the unit shall be located more than 3 metres closer to the rear lot line than the second storey wall of the abutting dwelling unit.

7.12.4. For a street townhouse dwelling, no more than 8 dwelling units shall be attached.

7.13 Provisions for Lodging Houses

Lodging Houses shall be subject to the following requirements and restrictions:

- (a) a lodging house shall be located in a single detached dwelling;
- (b) the lodging house shall occupy the whole or part of the single detached dwelling;
- (c) a minimum separation distance of 305 metres shall be maintained between a lodging house and any other lodging house; and
- (d) a lodging house shall comply with the requirements of the Lodging House Licensing By-law.

7.14 Provisions for Two-Unit Houses

In areas where two-unit houses are permitted by a specific DPS District they shall be in compliance with the applicable DPS by-law provisions of that district, the registration by-law for two-unit houses and all

applicable safety standards.

7.15 Satellite Dish Antennae

Satellite dish antennae having a surface area of 1 square metre or more erected in a residential district or mixed use district shall be subject to the following requirements and restrictions:

- (a) shall only be permitted in a required rear yard;
- (b) In the instance of a corner lot within a Residential District where the rear lot line of the corner lot coincides with the interior side lot line of an abutting lot with frontage on the same street which forms the flankage lot line of the corner lot, a satellite dish antennae shall not be permitted in an area delineated by the exterior side yard, the rear lot line and a line projected from the rear corner of the dwelling situated on the corner lot, closest to the flankage lot line, and the front corner of the dwelling situated on the abutting lot described above, closest to the corner lot, provided a habitable room is situated on the ground storey level at the front corner of the dwelling situated on the abutting lot.

If the front or interior side yard of the abutting lot which abuts the rear yard area of the corner lot is occupied by an attached or detached garage or carport which effectively separates the rear corner of the dwelling situated on the corner lot and the applicable front corner of the dwelling situated on the abutting lot, then the restriction imposed by this subsection shall not apply to the corner lot.

If one of the two dwelling referred to above is not constructed, then the minimum yard setbacks will be used to establish the rear or front corner of the dwelling which is not constructed.

- (a) a satellite dish antennae shall be located no closer than 1.2 metres to the nearest lot line; and,
- (b) the maximum height of a satellite dish antennae erected in a residential zone shall not exceed 4.5 metres.

7.16 Large Daylight Triangle

Notwithstanding the front, side, and rear yard requirements, where a lot line abuts a daylight or visibility triangle larger than 10 metres by 10 metres, the minimum yard setback to that lot line for a building not exceeding 2 storeys in height shall be 3 metres and subject to a maximum encroachment permitted in the General Provisions of the By-law.

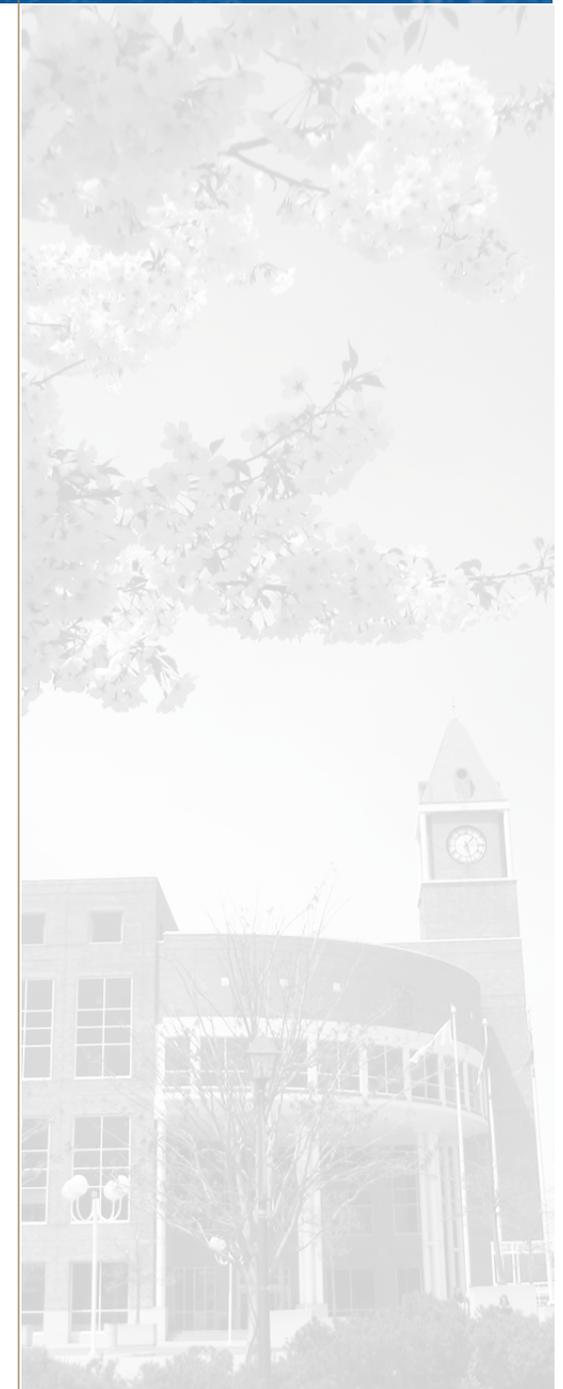
7.17 Below Grade Exterior Stairs and Windows

- 7.17.1. For a single detached, semi-detached, or townhouse dwelling, exterior stairways constructed below the established grade shall not be located in a required side yard; or front yard, or in a yard located between the main wall of a dwelling and a front or flankage lot line.
- 7.17.2. A below grade window shall not be permitted where the interior side yard depth is less than 1.2 metres.

7.18 Above Grade Side Entrances

The front of an above grade door located on a side wall of a single detached, semi-detached, or street townhouse dwelling shall have a minimum distance of 1.2 metres to an interior side lot line. Any steps or landings for such a door shall have a minimum distance of the lesser of

- (a) 0.9 metres to an interior side lot line or





(b) the required interior side yard setback.

8.0 General Provisions For Commercial Districts

8.1

The following provisions shall apply to all districts that allow commercial uses as established in the regulations for the applicable DPS Are of this by-law, in addition to the General Provisions for All Districts contained in this by-law.

8.2 Accessory Building

Accessory buildings or structures are permitted in any commercial zone district subject to the requirements and restrictions of this by-law for the particular district in which said building or structure is located but shall:

- (a) be used only for the purposes of parking motor vehicles, or the storage or disposal of garbage;
- (b) be permitted only in an interior side yard or rear yard;
- (c) be set back from any lot line abutting a residential, institutional or Open Space district, a distance equal to the height of the accessory building, but not less than 1.5 metres.

8.3 Parking Spaces

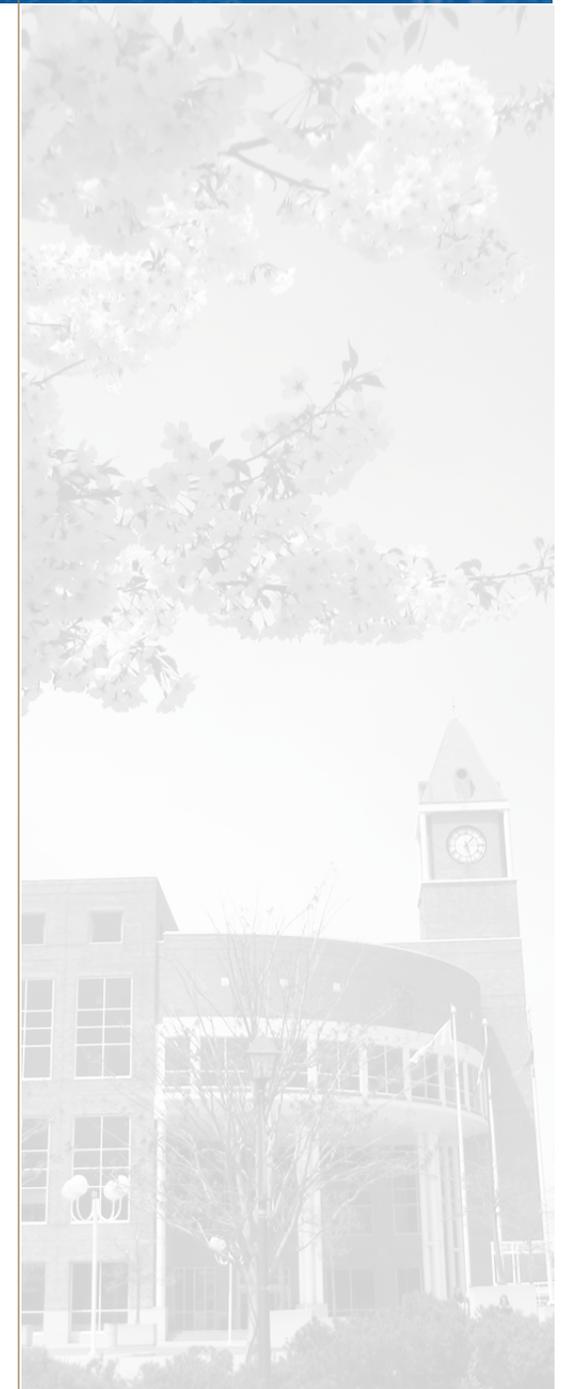
8.3.1. Minimum parking spaces are required in

accordance with the following requirements:

Use	Minimum Parking Spaces Required
Animal Hospital	1 parking space for each 28 square metres of gross commercial floor area or portion thereof
Art Gallery or Museum	1 parking space for each 28 square metres of gross commercial floor area or portion thereof
Arena	1 parking space for each 3 fixed seats or 1.5 metres of open bench space or portion thereof
Bank, Trust Company or Finance Company	1 parking space for each 15 square metres of gross commercial floor area or portion thereof
Building Supplies Sales Establishment	1 parking space for each 91 square metres of gross commercial floor area or portion thereof devoted to warehousing, plus 1 parking space for each 31 square metres. of gross commercial floor area or portion thereof devoted to retail use or accessory office use
Cinema, Theatre, Stadium, or Auditorium	1 parking space for each 6 seats or 3 metres of open bench space or portion thereof
Day Nursery	1 parking space for each employee plus 1 parking space for each 10 children capacity

Use	Minimum Parking Spaces Required
Funeral Parlour	1 parking space for each 13 square metres of gross commercial floor area or portion thereof accessible to the public, plus 1 parking space for each funeral parlour vehicle
Furniture Store and Appliance Store	1 parking space for each 62 square metres of gross commercial floor area or portion thereof
Health Centre or Fitness Centre	1 parking space for each 22 square metres of gross commercial floor area or portion thereof
Hotel or Motel	Hotel: 1 parking space for each 2 bedrooms plus 1 parking space for each 10 square metres of gross commercial floor area or portion thereof devoted to public use including meeting rooms, conference rooms, recreational facilities, dining, lounge and tavern areas but excluding bedrooms, washrooms, lobbies, hallways, elevators, and stairways Motel: 1 parking space for each 1 bedroom plus the parking requirement for a restaurant

Use	Minimum Parking Spaces Required
Laundromat or Dry Cleaning Establishment	1 parking space for each 19 square metres of gross commercial floor area or portion thereof
Motor Vehicle Repair Shop or Motor Vehicle Body Shop	1 parking space for each 18 square metres of gross floor area or portion thereof but 50 percent of the required parking spaces may be tandem parking spaces
Motor Vehicle Service Station or Gas Bar	1 parking space for each 23 square metres of gross commercial floor area or portion thereof
Motor Vehicle Washing Establishment Personal Service Shop	5 parking spaces plus 10 car stacking spaces 1 parking space for each 19 square metres of gross commercial floor area or portion thereof
Office	Physician, dentist, or drugless practitioner's office: 1 parking space for each 12 square metres of gross commercial floor area or portion thereof Real estate office: 1 parking space for each 15 square metres of gross commercial floor area or portion thereof Other office: 1 parking space for each 25 square metres of gross commercial floor area or portion thereof



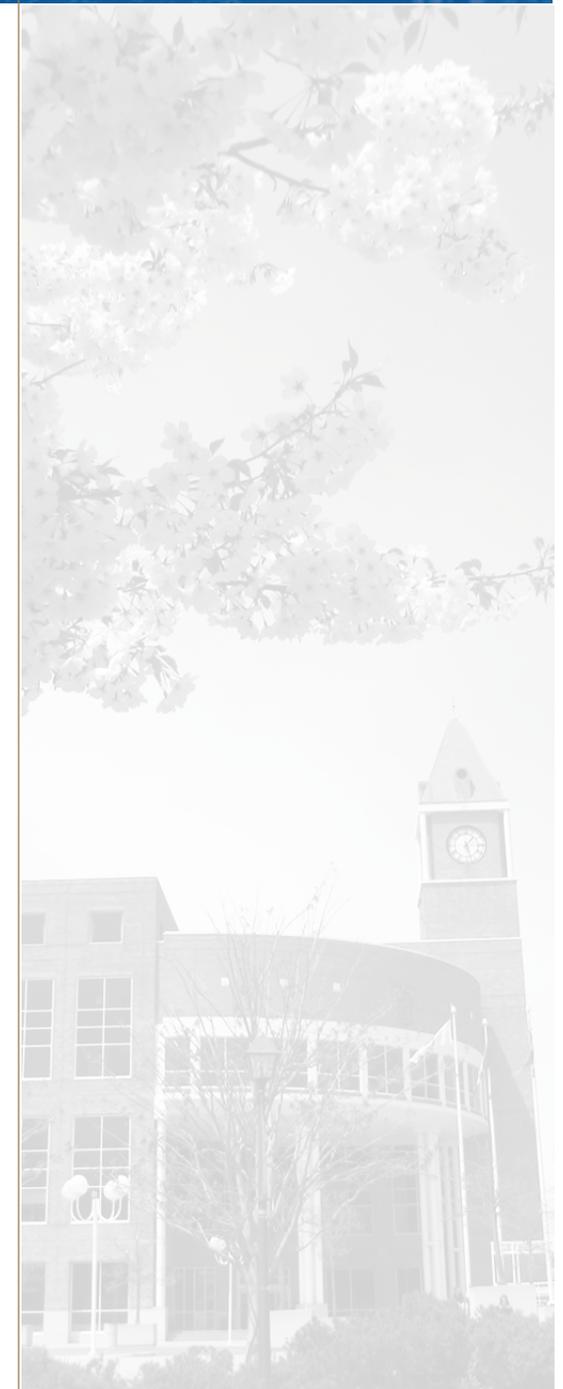


Use	Minimum Parking Spaces Required
Place of Assembly, Community Club, Dance Hall, Banquet Hall, or Roller Skating Rink	1 parking space for each 8 square metres of gross commercial floor area or portion thereof
Radio or Television Broadcasting Establishment	1 parking space for each 31 square metres of gross commercial floor area or portion thereof
Recreational Uses	Billiard parlour or Pool hall: 1 parking space for each 20 square metres of gross commercial floor area or portion thereof plus requirement for recreational accessory uses Bowling alley: 4 spaces for each lane plus requirement for recreational accessory uses Curling rink: 8 spaces for each sheet plus requirement for recreational accessory uses Golf driving range: 1 parking space for each tee plus requirement for recreational accessory uses Golf course: 50 spaces for each 9 holes plus requirement for recreational accessory uses Tennis, Squash, or Handball court: 4 spaces for each court plus requirement for recreational accessory uses Swimming pool: 1 parking space for each 20 square metres gross floor area plus requirement for recreational accessory uses

Use	Minimum Parking Spaces Required
Recreational Accessory uses	For every building or place containing a bowling alley, tennis, squash or handball court, ice rink or swimming pool, additional parking spaces for any accessory uses shall be provided in accordance with the requirements set out in this by-law
Religious Institution	1 parking space for every 4 seats or where no seat is provided, 8.4 square metres of worship area or portion thereof
Restaurant	Dining Room or Convenience Restaurant: 1 parking space for each 6.25 square metres of gross commercial floor area or portion thereof Take-Out Restaurant: 1 parking space for each 16.7 square metres of gross commercial floor area or portion thereof

Use	Minimum Parking Spaces Required
School	Elementary School (up to grade 8): 1 parking space for each 100 square metres gross floor area (excluding portables) plus 1 parking space for each portable classroom Secondary School (grade 9 and above): 1.5 spaces for each 100 square metres gross floor area (excluding portables) plus 1 parking space for each portable classroom Commercial, Technical, or Recreational School: 4 spaces for each classroom or 1 parking space for each 20 square metres of gross commercial floor area or portion thereof; whichever is greater
Retail Establishment not specifically mentioned	1 parking space for each 19 square metres of gross commercial floor area or portion thereof

Use	Minimum Parking Spaces Required
Shopping Centre having a gross leasable commercial floor area of less than 2000 square metres	1 parking space for each 23 square metres of gross commercial floor area or portion thereof for the entire shopping centre if uses of restaurants, taverns, and medical offices occupy less than 10% of total of gross commercial floor area; otherwise, 1 parking space for each 23 square metres of gross commercial floor area or portion thereof for areas other than restaurants, taverns, and medical offices plus the parking spaces required for restaurants, taverns, and medical offices
Shopping Centre having a gross leasable commercial floor area of 2000 square metres or more	1 parking space for each 19 square metres of gross commercial floor area or portion thereof
Supermarket	1 parking space for each 17 square metres of gross commercial floor area or portion thereof
Tavern	1 parking space for each 2.5 person licensed capacity
All Other Commercial Uses not specifically mentioned	All Other Commercial Uses not specifically mentioned



8.4 Drive Through Facilities

- 8.4.1. The drive through facility must be physically separated from the parking area.
- 8.4.2. Minimum 10 stacking spaces for a facility associated with a restaurant or a convenience store; minimum 8 stacking spaces for a facility associated with a bank, trust company or finance company; and minimum 3 stacking spaces for a facility associated with any other land use shall be provided.

8.5 Restaurant Uses in Commercial District

Refuse storage for restaurant uses permitted in any commercial district of this by-law shall be contained in a climate-controlled area within a building.

8.6 Loading Spaces

- (a) A minimum of 1 loading space per lot where a non-residential use is located is required.
- (b) Loading, unloading and waste disposal facilities shall not be located on the wall facing a street and shall be located only within the interior side or rear yard.

9.0 General Provisions for Industrial Districts

9.1

The following provisions shall apply to all industrial districts as established in the Development Permit System Area shown on Schedule A to this by-law, in addition to the General Provisions for All Districts included in this by-law.

9.2 Environmental Concerns

Obnoxious industrial uses shall not be permitted.

9.3 Accessory Buildings

- (a) Accessory buildings or structures used for a purpose other than an office are permitted in any Industrial District, subject to the requirements and restrictions of this by-law for the particular zone in which said buildings or structures are located, but shall:
 - (1) not be used for human habitation;
 - (2) not exceed 4.5 metres in height;
 - (3) not have a gross floor area in excess of 100 square metres;
 - (4) be at least 3 metres from any lot line; and,
 - (5) except for a gatehouse, not be constructed in a minimum required front yard or minimum required exterior side yard.
- (b) Accessory buildings used for the purpose of an office are permitted in any Industrial District, subject to the requirements and restrictions of this by-law for the particular district in which said buildings or structures

are located, but the gross commercial floor area of any accessory building or buildings on a lot shall not exceed the gross industrial floor area of the main building.

9.4 Loading Spaces

Loading spaces are required to be provided and maintained on a lot in accordance with the following provisions:

(a) Gross industrial floor area:

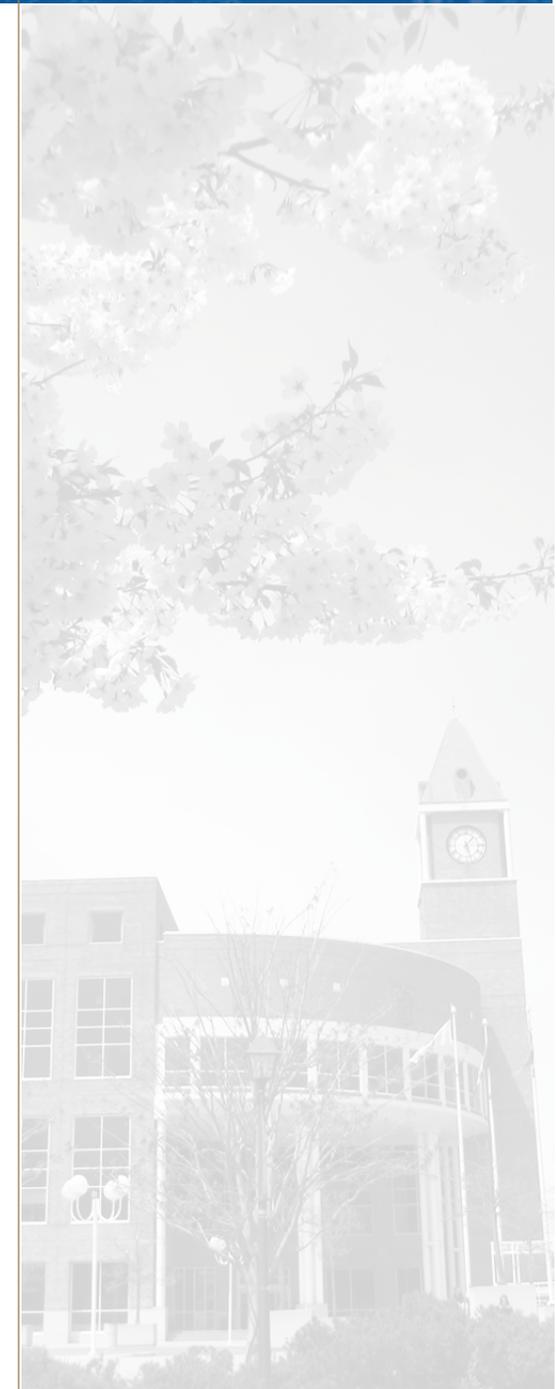
Building in square metres	Number of loading spaces
280 or less	1 loading space
over 280 up to 7,450	2 loading spaces
over 7,450 up to 14,000	3 loading spaces
over 14,000	3 loading spaces, plus 1 additional loading space for each 9,300 square metres of gross industrial floor area or part thereof in excess of 14,000 square metres

(b) Each loading spaces shall:

- (1) be a rectangular area measuring not less than 3.7 metres in width and 9 metres in length;
- (2) have a minimum vertical clearance of 4.25 metres; and,
- (3) have an unobstructed ingress and egress of not less than 6 metres in width to and from a street by means of driveways, aisles, manoeuvring or similar areas, no part of which shall be used for the parking or temporary storage of motor vehicles.

9.5 Parking Spaces

Use	Minimum parking spaces required
Industrial – Manufacturing, Cleaning, Packaging, Processing, Repairing, Assembling, or Printing	<p>(a) If the associated office, retail, and educational gross floor areas are 15% or less of the total gross floor area:</p> <ul style="list-style-type: none"> • Up to 5,000 square metres: 1 parking space per 60 square metres gross floor area or portion thereof; • 5,000 to 10,000 square metres: 83 parking spaces plus 1 parking space per 90 square metres gross floor area or portion thereof that is over 5,000 square metres; • over 10,000 square metres: 139 parking spaces plus 1 parking space per 170 square metres gross floor area or portion thereof that is over 10,000 square metres





Use	Minimum parking spaces required
Industrial – Manufacturing, Cleaning, Packaging, Processing, Repairing, Assembling, or Printing (...continued)	(b) If the associated office, retail, and educational gross floor areas are more than 15% of the total gross floor area:
<i>In addition to the above, the applicable gross floor areas exceeding 15% shall be subject to the applicable office, retail, or educational parking requirements.</i>	

Use	Minimum parking spaces required
Warehouse	a. If the associated office, retail, and educational gross floor areas are 15% or less of the total gross floor area: <ul style="list-style-type: none"> • Up to 7,000 square metres: 1 parking space per 90 square metres gross floor area or portion thereof; • 7,000 to 20,000 square metres: 78 parking spaces plus 1 parking space per 145 square metres gross floor area or portion thereof that is over 7,000 square metres; • over 20,000 square metres: 168 parking spaces plus 1 parking space per 170 square metres gross floor area or portion thereof that is over 20,000 square metres

Use	Minimum parking spaces required
Warehouse (...continued)	If the associated office, retail, and educational gross floor areas are more than 15% of the total gross floor area In addition to the above, the applicable gross floor areas exceeding 15% shall be subject to the applicable office, retail, or educational parking requirements.
Industrial Mall	The same requirements as that of the Industrial – Manufacturing, except for motor vehicle repair or body shop or any non-industrial use which shall provide parking in accordance with applicable standards for that use.
Non-Industrial Uses	Parking requirements in accordance with that outlined in the General Provisions for Commercial and Residential Zones.

9.6 Fences

No fences shall be permitted in the front yard of any lot in an Industrial District.

9.7 Commercial Uses in Industrial Districts

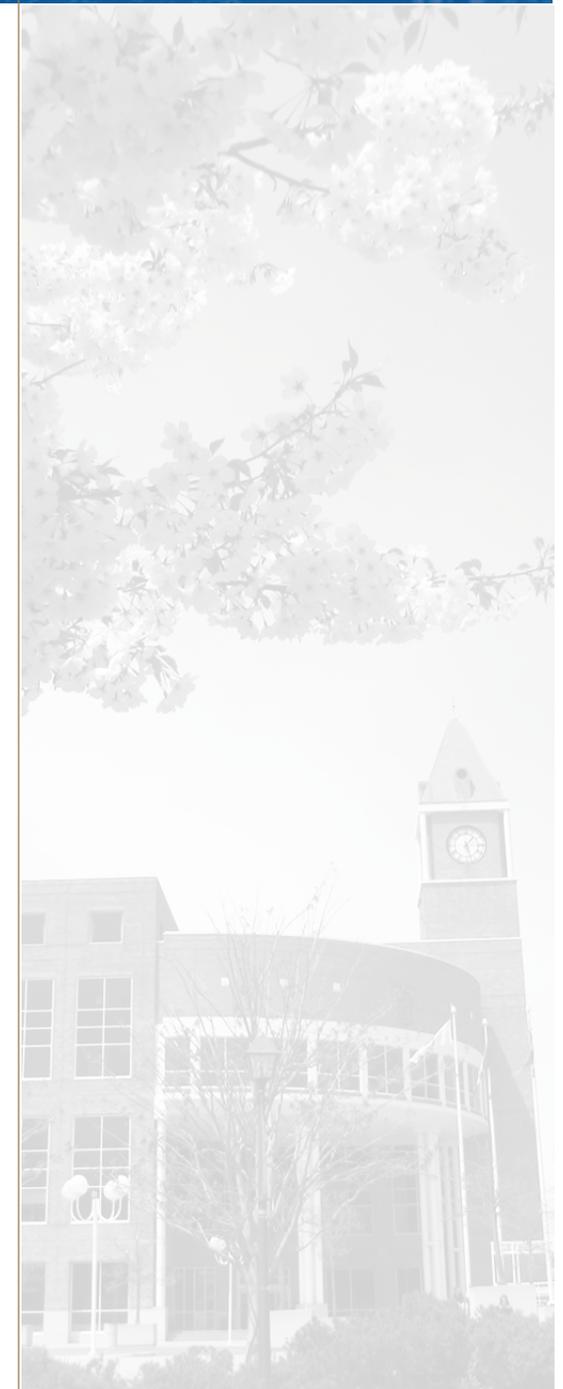
The following ancillary commercial uses shall be permitted within any industrial district, provided such uses are located in an industrial mall as defined in this by-law:

- (a) a bank, trust company or financial institution;
- (b) a dining room restaurant or a convenience restaurant, to a maximum of one restaurant per industrial mall, and a maximum gross leasable area of 465 square metres or 5% of the total gross floor area of the building whichever is less.
- (c) a commercial, technical, or recreational school;
- (d) a banquet hall; and,
- (e) an office, excluding offices for medical, health care and dental practitioners; administrative offices of school boards and governments; and offices of accredited or licensed professionals, such as accountants, architects, engineers, financial advisors, insurance agents/brokers, landscape architects, lawyers, real estate agents/brokers/appraisers and urban planners.

Parking requirements for commercial uses in Industrial Districts shall be in accordance with section 8.

9.8 Restaurant Uses in Industrial Districts

Refuse storage for restaurant uses permitted in any Industrial District of this by-law shall be contained in a climate-controlled area within a building.



9.9 Waste Transfer or Processing Station

A Waste Disposal Use shall only be permitted as per the regulations of the applicable DPS area.

9.10 Outdoor Storage

Where outdoor storage is permitted, no storage shall be permitted on any portion of a lot required for parking, loading, driveway, or landscaped open space.

9.11 Mechanical Sterilization

Mechanical Sterilization shall be permitted as an accessory use to Animal Hospitals, Private or Public Hospitals, Institutional Uses, Nursing Homes, and Public Uses wherever those uses are permitted in this By-law.



10.0 Definitions

ACCESSORY BUILDING shall mean a detached building located on the same lot and used for a purpose which is incidental, subordinate and exclusively devoted to the principal use of the lot and buildings on it, and shall include detached garages, sheds, barns and similar storage facilities.

ACCESSORY USE shall mean a use which is incidental, subordinate and exclusively devoted to the principal use of the lot and buildings thereon, located on the same lot.

ADULT ENTERTAINMENT PARLOUR shall mean any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, goods or services appealing to or are designed to appeal to erotic and sexual appetites or inclinations which include:

- (a) goods or services of which a principal feature or characteristic is the nudity or partial nudity of any person;
- (b) goods or services in respect of which the word “nude”, “naked”, “topless”, “bottomless”, “sexy”, or any other word or picture symbol or representation having like meaning or implication as used in any advertisement.

ADULT LEARNING CENTRE shall mean a facility operated by a public authority, namely the Peel District School Board, the Dufferin-Peel Catholic District School Board, the Conseil scolaire district catholique centre-sud or the Conseil scolaire du district sud-ouest, that provides adult-focussed non-curriculum-based instruction as part of a community service or program.

ADULT VIDEOTAPE shall mean any videotape, the content of which is designed, or held out as designed,

to appeal to erotic or sexual appetites or inclinations, through the pictorial, photographic or other graphic depiction of subject matter.

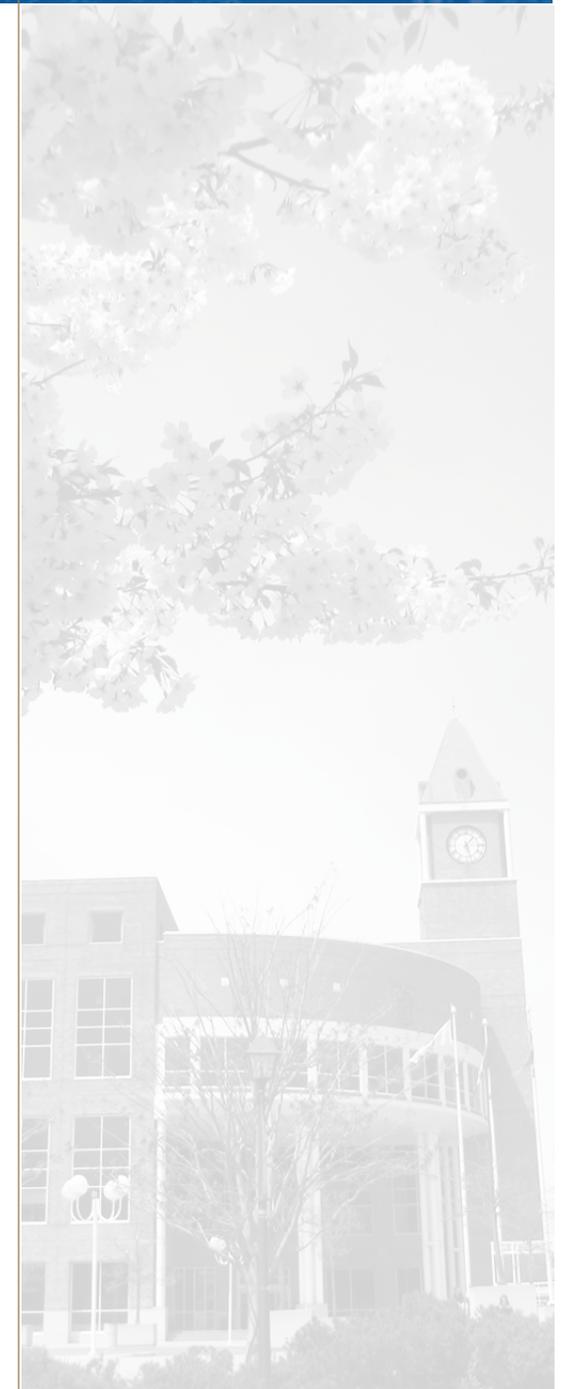
ADULT VIDEOTAPE AREA shall mean an identifiable part of any premises which part is used for the provision of adult videotapes.

ADULT VIDEOTAPE STORE shall mean any premises:

- (a) used for the carrying on of the business of the provision of adult videotapes; or
- (b) in which adult videotapes are provided in the pursuance of a business and to which premises entry by persons under the age of eighteen (18) years is prohibited, or in respect of which premises it is advertised or notice is given that such entry is prohibited; or
- (c) in which adult videotapes are provided in the pursuance of a business and in respect of which it is advertised, or notice is given either by signs or other advertising devices on or in the premises, or otherwise, that the premises are an “adult video store”, and “adult videotape store”, an “adult video rental store”, or are otherwise described by words of like meaning.

AGRICULTURAL USE shall mean the use of land, structures or buildings for the purpose of general farming and, without limiting the generality of the foregoing, includes forestry, field crops, fruit farming, marketing gardening, dairying, pasturage, animal husbandry and the sale of produce grown on the farm from which the sale is made.

ALTERNATIVE SCHOOL shall mean a small-scale facility operated by a public authority namely, the Peel District School Board, the Dufferin-Peel Catholic District School Board, the Conseil scolaire district catholique centre-sud or the Conseil scolaire du



district sud-ouest, that provides a specialized teaching environment of the Ontario school curriculum to students with specific needs and requirements, that need to be met outside of the main school environment and facilities.

AMUSEMENT ARCADE or PLACE OF AMUSEMENT shall include any shop, building, or place or part thereof, which is open to the public, in which four (4) or more amusement devices are installed, placed or operated.

AMUSEMENT DEVICES includes any machine, device or contrivance used for playing any game of chance or skill or of a mixed chance or skill or to afford entertainment or amusement to the operator.

ANIMAL HOSPITAL shall mean the premises where animals which are household pets and not agricultural livestock, are kept for the purposes of veterinary treatment within a building or structure, and shall include the offices of a veterinary surgeon, but shall not include the overnight boarding of animals not receiving veterinary treatment or outside runs.

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

AUTOMOBILE IMPOUND FACILITY shall mean a place operated by or under an agreement with a public authority for the storage of automobile vehicles, which have been seized pursuant to the power of the public authority and may include a collision-reporting centre.

AUXILIARY GROUP HOME shall mean a supportive housing facility located within a dwelling unit occupied by no more than three (3) person in need of supervision or guidance but shall not have full time staff attending the home. An auxiliary group home shall not include:

- (a) A Group Home Type 1
- (b) A Group Home Type 2
- (c) A Supportive Lodging House
- (d) A Foster Home

BANQUET HALL shall mean a building or portion of a building used for the assembly of persons for the gathering together of groups of persons for specific functions, or for the consumption of food and beverages operated on a profit-making basis.

BASEMENT or CELLAR shall mean the portion of a building between two floor levels that is partly or completely below established grade.

BED AND BREAKFAST ESTABLISHMENT shall mean an owner-occupied dwelling offering short term lodging for compensation to the travelling and vacationing public. Guest rooms or suites may include a private bath but shall not include cooking facilities. Breakfast and other meals, services, facilities or amenities may be offered exclusively to guests.”

BODY ART AND/OR TATTOO PARLOUR shall mean any premises which is operated for the primary purpose of marking the skin with indelible pigment or other such substance so as to produce a permanent design, mark or similar feature on the skin.

BUILDING shall mean any structure, whether temporary or permanent, used or erected for the shelter, accommodation or enclosure of persons, animals, materials or equipment, but shall not include a house trailer or mobile home.

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 measured from the established grade to the top portion of any flat roof, in the case of a mansard roof, the deck line, or to the peak of the highest point of any angled roof other than a mansard roof.

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

CARPORT shall mean an accessory building or structure or part thereof, the perimeter of which is more than forty (40) percent unenclosed and which is used for the parking or temporary storage of vehicles.

CATERING TRUCK shall mean a truck cab and frame with a catering box installed thereon, having a vehicle weight not in excess of 3300 kilograms, from which various beverages, foods and sundries are sold at various locations.

CELLAR (see BASEMENT)

CEMETERY shall mean a cemetery, crematorium, mausoleum, or columbarium within the meaning of the *Cemeteries Act*.

CENTRE-LINE OF ROAD shall mean the centre line of the maximum Right of Way width as identified in the Official Plan.

CHILDREN AND SENIOR'S ACTIVITY CENTRE shall mean a building or place that operates events aimed towards children and/or seniors by appointment or booking such as birthday parties or anniversaries. It may include kitchen facilities for the preparation of food on premises for such events.

COMMERCIAL USE shall mean the use of land, building or structures for the purposes of buying and selling of commodities and supplying of services, as distinguished from the manufacturing, assembling or storage of goods.

COMMUNITY CENTRE shall mean a building or place used for community activities of a social, cultural or recreational character and operated on a non-profit basis.

COMMUNITY CLUB shall mean a building or place operated by a social organization.

COMPOSTING FACILITY shall mean a facility whose primary purpose is the composting of food waste and organic materials.

CONSERVATION AREA shall mean an area of land owned by a conservation authority.

CONVENIENCE STORE or **GROCERY STORE** shall mean a retail establishment engaged in the business of selling groceries, meat, fruit and vegetables to the general public and occupying premises having a gross commercial floor area of less than six hundred (600) square metres.

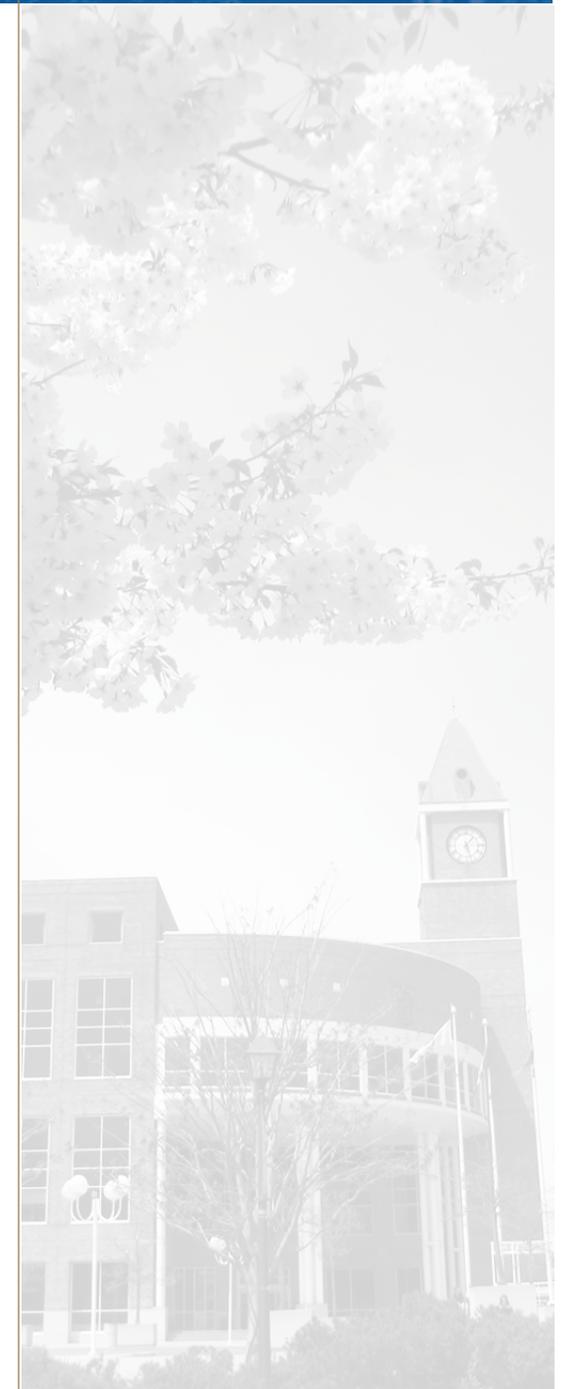
COVERAGE shall mean the percentage of the land or lot area covered by buildings.

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

DAY NURSERY shall mean a day nursery within the meaning of the *Day Nurseries Act*.

DECK (see **LANDSCAPED DECK**)

DETACHED when used in reference to a building, shall mean a building which is not dependent on any



other building for structural support or enclosure.

DISTRICT shall mean an area of land designated for certain uses by this by-law.

DRIVE-THROUGH FACILITY shall mean any structure or portion thereof from which business is transacted, or is capable of being transacted, directly with customers located in a motor vehicle during such business transaction.

DRIVEWAY, RESIDENTIAL shall mean the hard and level surface (consisting of, but not limited to, asphalt, pavement, concrete, patterned concrete, compacted gravel and dirt, interlocking brick or paving stone) on detached, semi-detached or townhouse dwelling lots, and that hard and level surface on the road right-of-way to the street edge, upon which vehicles drive and park, and such hard and level surface includes a surfaced walk situated parallel to the Residential Driveway in a manner capable of being parked or driven upon by part or the whole of a motor vehicle. The width of the Residential Driveway is measured parallel to the front of an attached garage or in the case of a lot where there is no garage or there is a detached garage, the driveway width is measured perpendicular to the direction in which motor vehicles drive and park on the driveway.”

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 dry-cleaned, dry-dyed, cleaned or pressed off the premises.

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

DWELLING shall mean a building occupied or capable of being occupied as a home, residence or sleeping

place by one or more persons.

DWELLING, APARTMENT shall mean a building containing five (5) or more dwelling units which have a common entrance from the street level, and the occupants of which have the right to use common elements.

DWELLING, DOUBLE DUPLEX shall mean a detached building that consists of two (2) duplex dwellings attached to each other containing a total of four (4) dwelling units.

DWELLING, DUPLEX shall mean a building that is divided horizontally into (two) 2 dwellings units, each of which has an independent entrance either directly or through a common vestibule.

DWELLING, MAISONETTE shall mean a building that is divided vertically into three (3) or more dwelling units, each of which has at least two (2) independent entrances, only one of which is directly accessible from the outside yard area abutting the said dwelling unit.

DWELLING, MULTIPLE RESIDENTIAL shall mean a building or place containing three (3) or more dwelling units.

DWELLING, QUADRUPLEX shall mean a detached building containing four (4) dwelling units arranged in a group so that the two (2) main interior walls of each dwelling unit are attached to a main interior wall of the abutting dwelling units.

DWELLING, SEMI-DETACHED shall mean a building that is divided vertically into two (2) separate dwelling units, where the two dwelling units share a common wall which is not less than ten (10) square metres and extends from the ground level to the roofline, and which may be a garage wall.

DWELLING, SINGLE DETACHED shall mean a completely detached residential building containing only one dwelling unit.

DWELLING, STREET TOWNHOUSE shall mean a townhouse dwelling composed of dwelling units, where each dwelling unit is located on its own lot or has frontage on a street.

DWELLING, TOWNHOUSE shall mean a building that is divided vertically above established grade into three (3) or more dwelling units where each dwelling unit is attached with another dwelling unit by a common wall, which may be a garage wall, not less than ten (10) square metres in area from the ground level to the roofline of the wall; and where each dwelling unit has an independent entrance to the front and rear yard immediately abutting the front and rear wall of the unit.

DWELLING, TRIPLEX shall mean a detached building that is divided horizontally into three (3) dwelling units, each of which has an independent entrance either directly or through a common vestibule.

DWELLING UNIT shall mean one or more habitable rooms designed or capable of being used together as a single and separate housekeeping unit by one person or jointly by two (2) or more persons, containing its own kitchen and sanitary facilities, with a private entrance from outside of the unit itself.

DWELLING UNIT, BACHELOR shall mean a dwelling unit designed for occupancy by one or two (2) persons and consisting of a combined living and bedroom, a kitchen or kitchenette and a bathroom.

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.

FITNESS CENTRE (see **HEALTH CENTRE**)

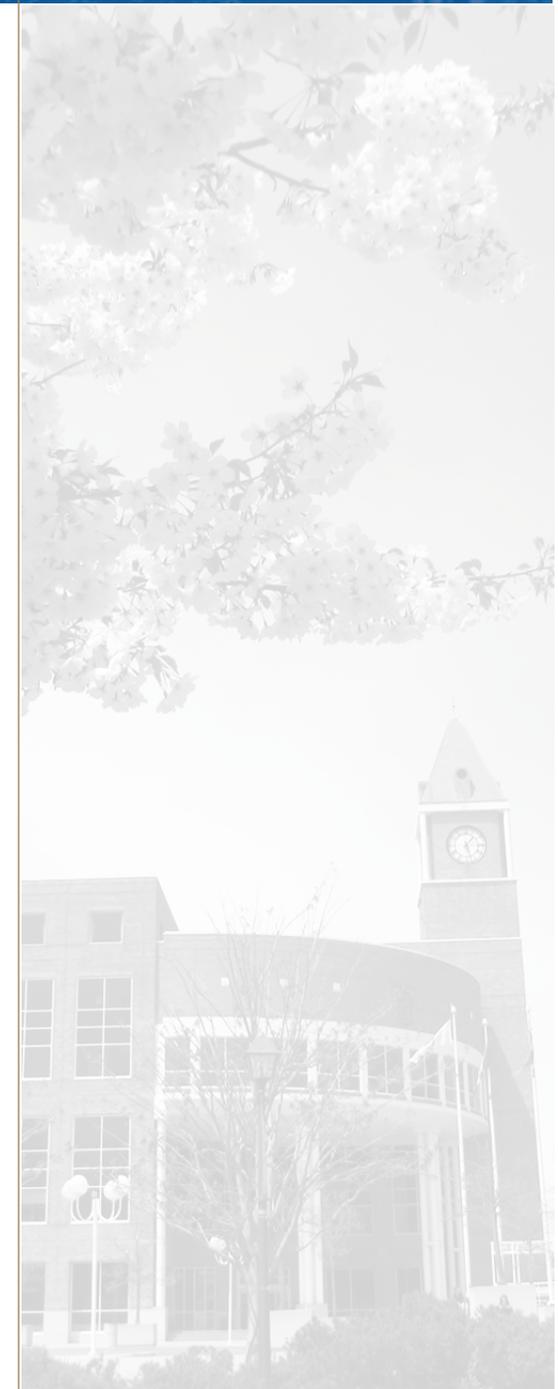
FLOOD PLAIN shall mean those lands which are subject to flooding under regulatory storm conditions, as determined by the conservation authority having jurisdiction.

FLOOR AREA, GROSS shall mean the aggregate of the area of all floors in a building, whether at, above, or below established grade, measured from the exterior of the outside walls, but excluding any parts of the building used for mechanical equipment relating to the operation or maintenance of the building, stairwells or elevators.

FLOOR AREA, GROSS COMMERCIAL shall mean the aggregate of the areas of each storey, at, above, or below established grade, measured from the exterior of the outside walls, but excluding any parts of the building used for mechanical equipment, stairwells, elevators, or any part of the building below established grade used for storage purposes.

FLOOR AREA, GROSS INDUSTRIAL shall mean the aggregate of the area of all floors in a building, whether at, above, or below established grade, measured from the exterior of the outside walls, but excluding any parts of the building used for mechanical equipment related to the operation or maintenance of the building, stairwells or elevators.

FLOOR AREA, GROSS LEASABLE COMMERCIAL shall mean the aggregate of the areas of each storey, at, above or below established grade, measured from the centre line of joint interior partitions and from the exteriors of outside walls, and used or capable of being used for commercial purposes, such as sales, display, storage and offices but excluding storage areas below established grade.





FLOOR AREA, GROSS RESIDENTIAL shall mean the aggregate of the area of all floors in a building, whether at, above or below established grade, measured between the exterior walls of the building, but excluding any porch, verandah, unfinished attic, basement or any floor area used for building maintenance or service equipment, loading area, common laundry facilities, common washroom, common children's play area, recreation area, parking of motor vehicles, or storage.

FLOOR SPACE INDEX shall mean the figure obtained by dividing the gross floor area, or, in the case of a residential area, the gross residential floor area, of all floors in a building measured between the exterior walls of the building, by the area of the lot to be built upon.

FOSTER HOME shall mean a place where parent-model care is provided for no more than four children under supervision of a licensee through a foster care service agreement as defined in the *Child and Family Services Act*.

FURNITURE AND APPLIANCE STORE shall mean a retail establishment, not less than four hundred (400) square metres in size, for the display and sale of furniture and appliances such as stoves, washers and dryers, refrigerators, and freezers, and where at least fifty (50) percent of the gross floor area is devoted to the display of furniture and appliances.

GARAGE, PRIVATE shall mean an enclosed structure for the storage of one or more vehicles from which no business, occupation or service other than a home occupation is conducted for profit.

GARAGE, PUBLIC shall mean a building or place where motor vehicles are kept or stored for remuneration.

GARDEN CENTRE SALES ESTABLISHMENT shall mean a retail establishment engaged in the business of selling plants, gardening supplies and related goods or materials to the general public, such as soil, aggregates, concrete and wood products, fencing materials, and firewood, and may include the outdoor storage of such goods.

GAS BAR or SERVICE STATION shall mean a building or place where fuels and other minor parts, supplies and accessories for motor vehicles are kept for sale and minor repairs to motor vehicles other than large trucks may be performed, but shall not include a motor vehicle repair shop, a motor vehicle sales establishment or a motor vehicle washing establishment.

GAS REGULATOR FACILITY shall mean a facility used for the reduction and regulation of gas pressure and the distribution of gas to the public, comprised of above and below ground pipes, appurtenances, valves, regulators and accessory equipment.

GOLF COURSE shall mean an area operated for the purpose of playing golf and may include an accessory driving range, a miniature golf course and putting greens.

GRADE, ESTABLISHED or **GRADE, FINISHED** shall mean the average finished surface elevation at the outside walls of any building or structure, which is determined by taking the arithmetic mean of the levels of the finished ground surface at the midpoint of each of those outside walls.

GRADE, FINISHED (see **GRADE, ESTABLISHED**)

GROCERY STORE (see **CONVENIENCE STORE**)

GROUP HOME TYPE 1 shall mean a supportive housing facility located within a dwelling unit that is occupied by four (4) to six (6) persons, exclusive

of staff and/or receiving family, who live as a unit under responsible supervision consistent with the requirements of its residents and which is licensed or approved pursuant to Provincial Statute within the jurisdiction of the Ontario Ministry of Community and Social Services or the Ministry of Health.

A Group Home Type 1 may provide accommodation, supervision and treatment for:

- The persons being cared for or obtaining services at a facility established under the *Developmental Services Act*;
- Individuals over sixty (60) years of age as a satellite residence under the *Homes for the Aged and Rest Homes Act*;
- Children under the *Child and Family Services Act*; and
- Persons under the *Mental Hospitals Act* and *Homes for Special Care Act*.

No supervision or treatment shall be provided to any persons not residing in the group home.

A group home type 1 shall not include a residence defined as a group home type 2, supportive lodging house, lodging house, a foster home, or a supportive housing facility.

GROUP HOME TYPE 2 shall mean a supportive housing facility occupied by four (4) to ten (10) persons, exclusive of staff located within a single detached dwelling or dwelling unit within a commercial building which shall be operated primarily for:

- (a) Persons who have been placed on probation under the *Ministry of Correctional Services Act*, the *Criminal Code* or any Act passed to replace the foregoing Acts;
- (b) Persons who have been released under the

provisions of the *Ministry of Correctional Services Act*, *Corrections and Conditional Release Act* or any Act passed to replace the foregoing Acts;

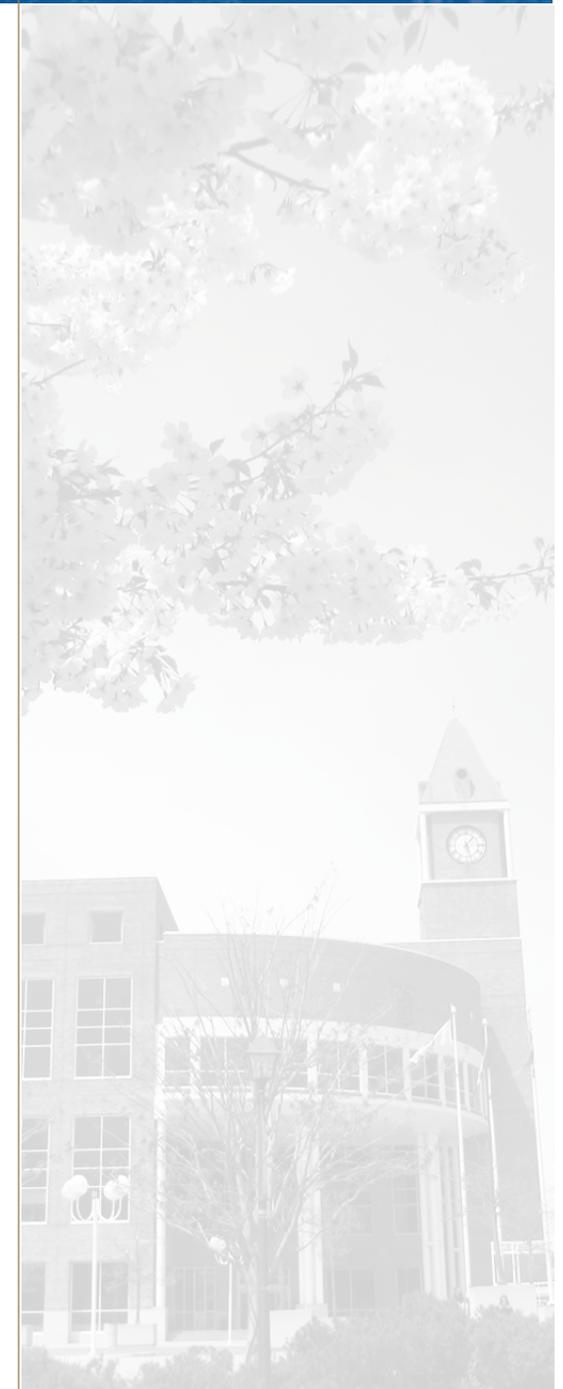
- (c) Persons who have been charged under the *Youth Criminal Justice Act*, but who have been placed in open or secure custody;
- (d) Persons who require temporary care, and transient or homeless persons;
- (e) Persons requiring treatment and rehabilitation for addiction to drugs or alcohol; or
- (f) Persons housed in a group home that satisfies all of the requirements of a Group Home Type 1 except that it accommodates in excess of six residents.

A group home type 2 shall not include a residence defined as a group home type 1, supportive lodging house, lodging house, foster home, or a supportive housing facility.

HABITABLE ROOM means any room in a dwelling unit used or that can be used for purposes of living, sleeping, cooking or eating.

HAZARDOUS WASTE shall mean wastes that include:

- (a) “**Severely Toxic Waste**” shall mean commercial chemical products or manufacturing intermediates defined as Severely Toxic Waste under O.Reg. 347 of the *Environmental Protection Act*, however it shall not include Pharmaceutical Waste.
- (b) “**Hazardous Waste Chemicals or Manufacturing Intermediaries**” shall mean hazardous wastes that include: Hazardous Industrial Waste, Acute Hazardous Waste Chemicals, Hazardous Waste Chemicals, Ignitable Waste, Corrosive Waste, Reactive





Waste and Leachate Toxic Waste; but does not include: Medical, Veterinary or Pathological Waste, Severely Toxic Waste, Radioactive Waste and PCB Waste as defined by O.Reg. 347 of the *Environmental Protection Act*.

- (c) **“Medical, Veterinary or Pathological Waste”** shall mean any waste items generated through medical treatment, such as parts of the human body, including tissues and bodily fluids, or any part of the carcass of an animal, and includes Pharmaceutical Waste.
- (d) **“PCB Waste”** shall mean PCB Waste as defined by O.Reg. 362 of the Environmental Protection Act, such as PCB equipment, PCB liquid or PCB material but excluding decontaminated PCB material or equipment, or equipment with PCB at levels below the definition of PCB waste in Provincial regulations.
- (e) **“Radioactive Waste”** shall mean waste is required to be licensed to permit handling under the federal *Nuclear Safety and Control Act*.

HAZARDOUS WASTE PROCESSING USE shall mean a Waste Disposal Use that manages or prepares hazardous waste for subsequent reuse or disposal, that handles hazardous waste, either solid or liquid, that is defined as hazardous waste by O.Reg. 347 of the *Environmental Protection Act*, but shall not include the thermal degradation of hazardous waste, nor shall it include mechanical sterilization. (327-07)

HAZARDOUS WASTE TRANSFER USE shall mean a Waste Disposal Use used for the purpose of transferring hazardous waste as defined by O.Reg. 347 of the Environmental Protection Act, from one vehicle to another for transport to another Waste

Disposal Use. Some limited degree of processing (e.g., compaction) of the waste may take place at a Hazardous Waste Transfer Use.

HEALTH CENTRE or **FITNESS CENTRE** shall mean a building or place used primarily by people doing group exercise, bodybuilding, and fitness, but it shall not include a medical professional office as a principle use or a personal service shop.

HOME OCCUPATION shall mean an occupation or undertaking conducted for gain or profit within a dwelling unit or an accessory building, but shall not include the repair and servicing of motor vehicles or internal combustion engines.

HOSPITAL, PRIVATE shall mean a private hospital as defined by the *Private Hospitals Act*.

HOSPITAL, PUBLIC shall mean an institution that is approved under the *Public Hospitals Act*.

HOTEL shall mean a building or place that provides, for gain or profit, at least twelve (12) furnished guest rooms for the sleeping accommodation of the traveling public, with or without private cooking facilities, and which may also provide retail uses, a public restaurant, and a convention centre, public hall or other types of public meeting rooms.

INDUSTRIAL MALL shall mean a building or group of buildings upon which a group of at least five separate industrial users have been developed and are managed as a unit by a single owner or tenant, or by a group of owners or tenants.

INSTITUTIONAL USE shall mean the use of land, buildings or structures by an organized body or society for the promotion of a particular purpose, with no intent of profit, but shall not include a community club.

KENNEL shall mean a place, whether enclosed or not,

where cats, dogs, or other household pets are kept for the purposes of raising, breeding, boarding, training, or selling them.

LANDSCAPED BUFFER AREA shall mean open space in a yard which is used exclusively for the growth, maintenance and conservation of grass, flowers, trees and shrubs and other vegetation and may include a noise attenuation wall.

LANDSCAPED DECK shall mean a deck or similar structure less than 0.6 of a metre above ground level used in the same manner as landscaped open space.

LANDSCAPED OPEN SPACE shall mean an unoccupied area of land 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.

LANDSCAPING, RESIDENTIAL shall be either, or any combination of both, of the following surfaces on detached, semi-detached and townhouse dwelling lots:

- (a) the soft surface (level or otherwise) capable of supporting the growth of vegetation (such as grass, trees, shrubs, flowers or other plants), or
- (b) the rough or irregular surface that permits the infiltration of water into the ground (such as rocks and stones) that is not capable of being parked upon by part of the whole of a motor vehicle.

Residential Landscaping may include non-permeable portions of noise and retaining walls or non-permeable patios and walks not situated parallel to the

Residential Driveway in a manner capable of being parked or driven upon by part of the whole of a motor vehicle.

Residential Landscaping may also include non-permeable stairs or stepped surfaces not capable of being parked or driven upon by part or the whole of a motor vehicle.”

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.

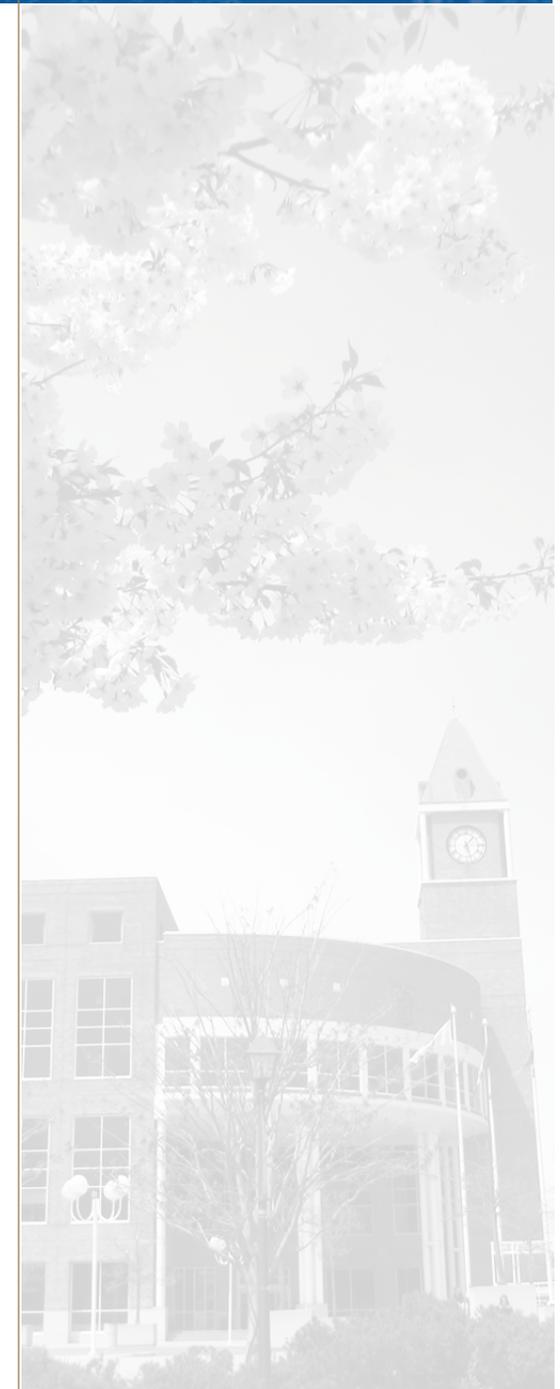
LOADING SPACE shall mean an unobstructed area of land upon the same lot or lots upon which the principle use is located, for use in connection with that principle use, which area is provided for the parking of one motor vehicle while such vehicle is being loaded or unloaded.

LODGING HOUSE shall mean a single detached dwelling in which residential accommodation is provided, or is intended to be provided in which each lodger does not have access to all of the habitable areas of the building and consists of more than three (3) lodging units; or a single detached dwelling in which lodging is provided for more than three (3) persons with or without meals.

LODGING UNIT shall mean a room with sleeping facilities supplied to a lodger or lodgers for the use of such person(s).

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

LOT AREA shall mean the total horizontal area enclosed within the lot lines of a lot, excluding the horizontal area covered by water, marsh or flood plain, or between the top and toe of a cliff or embankment



having a slope of thirty degrees or more from the horizontal; and in the case of a corner lot having a street line rounding at the corner with a radius of seven decimal five (7.5) metres or less, the lot area 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 one hundred and thirty-five (135) degrees.

LOT DEPTH shall mean the straight-line distance from the mid-point of the front lot line to the mid-point of the rear lot line of the same lot.

LOT, INTERIOR shall mean a lot other than a corner lot.

LOT LINE shall mean any boundary of any lot.

LOT LINE, FLANKAGE shall mean the longer lot line which abuts a street on a corner lot.

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 the longer lot 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.

LOT, THROUGH shall mean a lot bounded on two (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 for the purposes of this By-law.

LOT WIDTH shall mean the least distance, measured in a straight line, between the side lot lines, where the side lot lines are parallel, and:

- (a) where such lot lines are not parallel but converge towards the front lot line, the lot width shall be the straight line distance between two points, one on each side lot line, each six (6) metres back from the front lot line, or
- (b) where such lot lines are not parallel but converge towards the rear lot line, the lot width shall be the straight line distance between two points, one on each side lot line, each fifteen (15) metres back from the front lot line, or
- (c) in the case of a corner lot having a street line rounding at the corner with a radius of seven decimal five (7.5) metres or less, the lot width of such lot shall be calculated as if the lot lines were produced to their point of intersection.

MAIN WALL shall mean the exterior front, side, or rear wall of a building, and all structural members essential to the support of a fully enclosed space or roof.

MESSAGE OR BODY RUB PARLOUR shall mean a building or portion thereof where a body-rub is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the body rubs performed or offered by persons duly qualified, licensed or register to do so under the laws of the Province of Ontario.

MECHANICAL STERILIZATION shall mean the destruction of microbes in medical, veterinary and pathological waste through the use of high pressure steam.

MIXED USE DEVELOPMENT shall mean a premise upon which any combination of office, retail, commercial, or residential uses have been developed and managed as a unit.

MOBILE HOME shall mean any dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one (1) or more persons, but does not include a travel trailer, house trailer, tent trailer or trailer otherwise designed.

MOTEL shall mean a building or place that provides, for gain or profit, at least twelve (12) furnished guest rooms for the sleeping accommodation of the traveling public, with or without private cooking facilities and which may also provide retail uses, a public restaurant and no more than three hundred (300) square metres of public meeting rooms.

MOTOR VEHICLE shall mean any vehicle propelled by a motor and includes an automobile, truck, bus, self-propelled mobile home, motorcycle, motor-assisted bicycle, snowmobile and farm implement,

MOTOR VEHICLE BODY SHOP shall mean a building or place used for the repair, rebuilding and painting of the exterior portions of motor vehicles.

MOTOR VEHICLE LEASING ESTABLISHMENT shall mean a building or place used for the display or leasing of motor vehicles.

MOTOR VEHICLE REPAIR SHOP shall mean a building or structure used for the repair and servicing of motor vehicles, but shall not include a motor vehicle body shop, a motor vehicle sales establishment or a service station.

MOTOR VEHICLE SALES ESTABLISHMENT shall mean a building or place used for the display, sale or rental of motor vehicles.

MOTOR VEHICLE WASHING ESTABLISHMENT shall mean a building or place containing facilities for washing motor vehicles either through production line methods, which may include a conveyor system or similar mechanical devices, or a self-service operation.

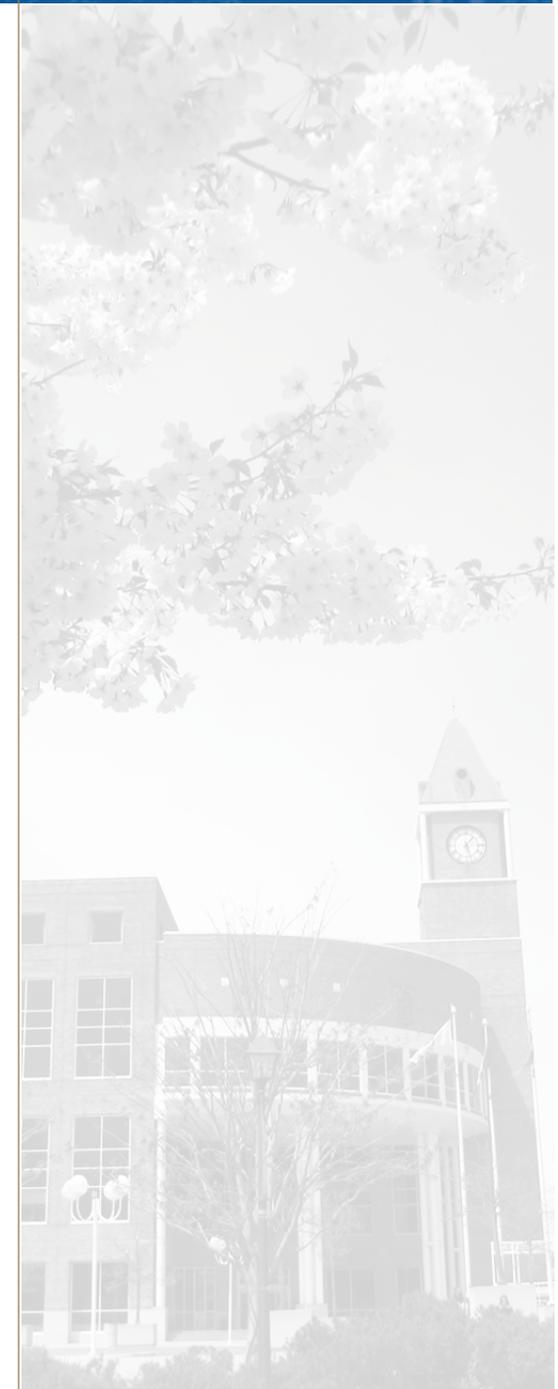
NOISE ATTENUATION BARRIER shall mean a physical structure placed between a noise source and an area where the noise from that source can be heard where required by a public authority.

NON-COMPLYING shall mean the lot, building or structure which is described as such is being used for a purpose permitted in the zone in which it is located, but does not comply with one or more of the other requirements and restrictions relating to that zone.

NON-CONFORMING shall mean that the lot, building or structure which is described as such is being used for a purpose not permitted in the zone, in which it is located.

NON-HAZARDOUS SOLID WASTE PROCESSING USE shall mean a Waste Disposal Use that manages or prepares waste for subsequent reuse or disposal. Non-hazardous Solid Waste Processing Use typically include material recovery facilities (MRFs) and compost facilities (i.e., for municipal waste). The waste handled at a Non-hazardous Waste Solid Processing Use is not liquid industrial waste and is not hazardous waste, both as defined by O.Reg. 347 of the *Environmental Protection Act*.

NON-HAZARDOUS SOLID WASTE TRANSFER USE shall mean a Waste Disposal Use used for the purpose of transferring waste from one vehicle to another for transport to another Waste Disposal Use. Some limited degree of processing (e.g., compaction) of the waste may take place at a Non-hazardous Solid Waste Transfer Use. The waste handled at a Non-hazardous Solid Waste Transfer Use is not liquid industrial waste



and is not hazardous waste, both as defined by O.Reg. 347 of the *Environmental Protection Act*.

NURSERY shall mean the use of land, structure or buildings for the sale of products grown on the farm from which the sale is made.

NURSING HOME shall mean any building or place maintained and operated for persons requiring nursing care.

OBNOXIOUS INDUSTRIAL USE shall mean a use which, from its nature of operation, creates a nuisance or is liable to become a nuisance or offensive by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust, glare, or objectionable odour, or by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste or other materials, and, without limiting the generality of the foregoing, shall include any uses which, under the *Public Health Act* and regulations made there under, are declared by the Peel Regional Health Unit to be an obnoxious or offensive trade, business or manufacture.

OFFICE shall mean any building or place in which one or more persons are employed in the management, direction or conduct of an agency, profession, business or brokerage, but shall exclude any office of a veterinary surgeon, a social organization or a community club.

OPEN PORCH shall mean a platform structure, with or without a foundation and/or basement that is attached to a building and covered by a roof, which has access to the ground and to a building entrance and is used for outdoor living space. An open porch shall have unenclosed sides each having a minimum of 75% of the overall surface area as openings.

OUTDOOR LIVING AREA shall mean an uninterrupted, screened area immediately adjacent to and accessible from the dwelling unit which provides

a quiet and private environment for a range of outdoor living activities, but does not include side yards or parts of front yards which are less than two decimal five (2.5) metres in width.

OUTSIDE STORAGE shall mean the storage of goods, inventory, materials, machinery or vehicles including oversized motor vehicles not actively engaged in loading and unloading of goods and materials in conjunction with a business located within a building or structure on the same lot.

OVERSIZED MOTOR VEHICLE shall mean any motor vehicle having a greater weight than 2500 kilograms or an overall height greater than 2.3 metres, or both.

PARK, PUBLIC shall mean a park owned or controlled by the City of Brampton, the Regional Municipality of Peel or any conservation authority, and shall include a walkway leading from a street to a public park.

PARKING LOT shall mean an area at, above or below establishment grade, other than a street, used for the temporary parking, of four (4) or more motor vehicles for a period of not more than twenty-four (24) hours except for an accessory purpose related to a residential purpose, and available for public use whether free, for compensation, or as an accommodation for clients, visitor, customers or residents.

PARKING SPACE shall mean an area accessible from a street or a lane for the parking or temporary storage of one motor vehicle but shall not include any part of an aisle and does not include any area used by a motor vehicle manufacturer or motor vehicle sales establishment for the storage of motor vehicles.

PARKING SPACE, TANDEM shall mean a parking space, which has access through another parking space.

PERSON shall include any association, partnership, corporation, municipal corporation, agent or trustee and the heirs, successors, assigns, executors, administrators or other legal representatives of a person to whom the context can apply according to law.

PHARMACEUTICAL WASTE shall mean a waste that is derived from medicines, pharmaceuticals and instruments used to administer medicines or pharmaceuticals.

PLACE OF COMMERCIAL RECREATION shall mean a building or place which is designed and used for commercial conduct of leisure time activities, and may include a bowling alley, billiard or pool room, and recreation facility as defined in the by-law, but shall exclude an amusement arcade, cinema or theatre, health and/or fitness club, massage or body rub parlour, bingo hall and go-kart track.

POWER GENERATION (FUEL COMBUSTION) USE shall mean a facility that, by means of combustion of a fuel, converts thermal energy to electricity through a series of turbines and generators. This excludes centralized heating plants and localized district energy facilities that do not sell power to the provincial electrical distribution system.

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, including school purposes, of the City of Brampton or parts thereof.

PUBLIC USE shall mean uses that are owned or leased by a public authority for community, recreational, administrative, educational, health care, protection, waste disposal, utility or other

governmental purposes, and includes accessory uses to public use.

RECREATION FACILITY shall mean an area, surface, place, installation or device, which is designed and used, for active recreational pursuits. A recreation facility may include, but shall not be limited to, a tennis court, ice skating rink, horseshoe pit, bocce court, lawn bowling court, croquet pitch and shuffleboard court. A recreation facility shall not include a bowling alley, billiard hall or amusement arcade.

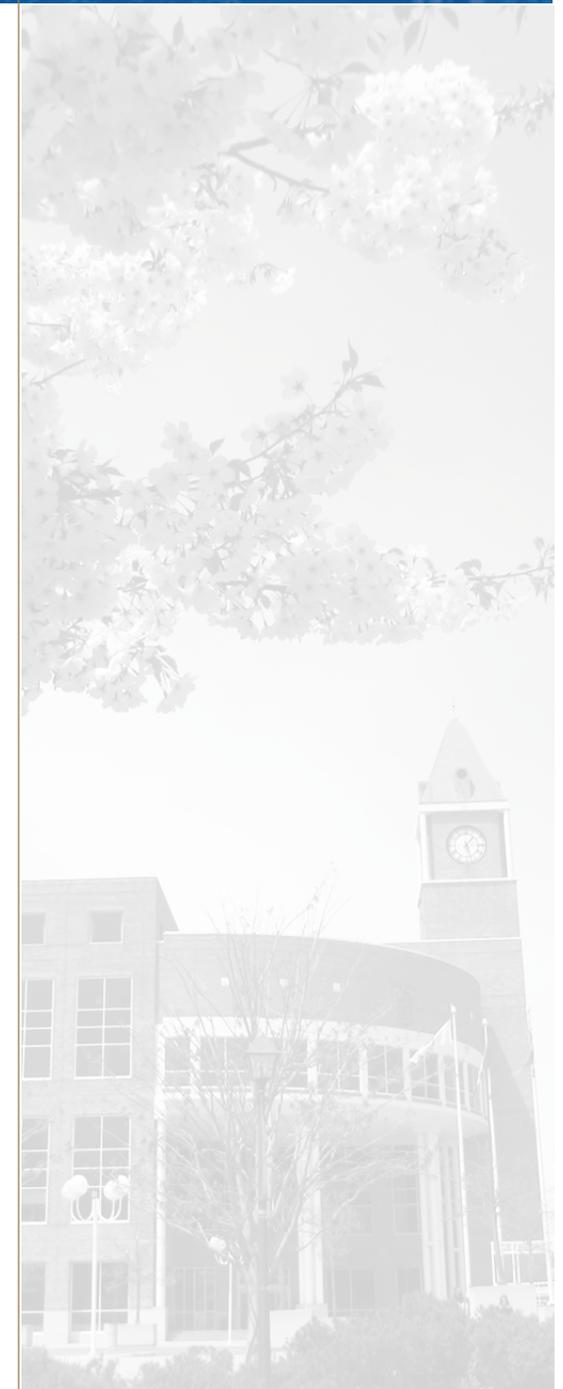
RELIGIOUS INSTITUTION shall mean a building or place, or portion of a building or place wherein people assemble for religious worship.

RESIDENTIAL UNIT shall mean a unit that:

- (a) consists of a self-contained set of rooms located in a building or structure;
- (b) is used or is intended to be used as a residential premises;
- (c) contains kitchen and bathroom facilities that are used only by the occupants of the unit;
- (d) is used as a single housekeeping unit, which includes a unit in which an occupant has exclusive possession of any part of the unit; and
- (e) has a means of egress to the outside of the building or structure in which it is located, which may be a means of egress through another residential unit.

RESTAURANT, CONVENIENCE shall mean a building or place having eleven (11) seats or more where food and drink are prepared and offered for sale to the public for consumption either on or off the premises, and may include a drive-through facility or window.

RESTAURANT, DINING ROOM shall mean a building or place having eleven (11) seats or more where food



and drink are prepared and offered for sale to the public for consumption either on or off the premises, and does not include a drive-through facility or window.

RESTAURANT, TAKE-OUT shall mean a building or place having less than eleven (11) seats for customers, where food and drink are prepared and offered for sale to the public primarily to be taken out or delivered for consumption off the premises.

RETAIL ESTABLISHMENT shall mean a building or place where goods or materials are sold or kept for sale to the general public and, unless otherwise stated elsewhere in this by-law, includes a convenience store, but does not include a supermarket, a garden centre, or a motor vehicle sales establishment.

RETIREMENT HOME shall mean a residential care facility for the accommodation of persons, who, by reason of their emotional, mental, social, or physical condition, or legal status, require a supervised living arrangement for their well-being, in which:

- (a) dwelling units, rooms or room and board are supplied for hire or gain;
- (b) more than eight (8) persons in addition to the staff and operator are accommodated in the retirement home;
- (c) there is a common dining room and common sitting room for the residents,
- (d) but shall not include:
 - (i) a group home;
 - (ii) an auxiliary group home;
 - (iii) a nursing home;
 - (iv) a supportive housing facility;
 - (v) a supportive lodging house; or
 - (vi) a lodging house.

SALVAGE, SCRAP AND/OR JUNK YARD shall include a place where land is used for the keeping, outdoors, of used goods and materials intended for reclamation, resale and/or disposal purposes, and without limiting the generality of the foregoing, includes uses such as auto wreckers and scrap metal dealers.

SANITARY LANDFILL SITE shall mean a waste disposal use used for the disposal of waste by deposit, under controlled conditions, on land or on land covered by water, including compaction of waste into a cell and covering the waste with cover materials at regular intervals.

SATELLITE DISH ANTENNAE shall mean a structure having a surface area of one (1) square metre or more designed to be used to send or receive communication signals to or from satellites.

SCHOOL, COMMERCIAL, TECHNICAL OR RECREATIONAL shall mean a building or place where training in language skills, secretarial skills or other trade skills, or training in sports, dance or other recreational skills, is provided for compensation.

SCHOOL, PRIVATE shall mean a school that is not a public school that provides the same services as a public school.

SCHOOL, PUBLIC shall mean a school operated by the Peel District School Board, the Dufferin-Peel Catholic District School Board, the Conseil scolaire district catholique center-sud or the Conseil scolaire du district-sud-ouest.

SENIOR CITIZEN RESIDENCE shall mean a building owned and operated by a government agency, or by a non-profit and non-commercial organization, primarily for the housing of senior citizens, containing only one or two bedroom dwelling units, in which each one bedroom dwelling unit has a gross floor area of not more than fifty-eight decimal five (58.5) square metres

and each two bedroom dwelling unit has a gross floor area of not more than seventy (70) square metres.

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 a building or place where articles or materials are assembled or manufactured, or where internal combustion engines or motor vehicles are repaired.

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

SERVICE STATION (see **GAS BAR**)

SETBACK shall mean the distance between a lot line and the nearest main wall of any building or structure.

SETBACK, CENTRE LINE shall mean the distance between the centre line of a street and the nearest main wall of any building or structure.

SHOPPING CENTRE shall mean the premises upon which a group of at least five separate commercial uses have been developed and are managed as a unit by a single owner or tenant, or by a group of owners or tenants.

SIGN shall mean a name, identification, description, device, display or illustration which is affixed to, represented upon or placed nearby a building, structure or lot and which directs attention to an object, product, place, activity, person, institution, organization or business.

SOCIAL ORGANIZATION shall mean a non-government, not-for-profit organization, which carries on social, cultural, welfare, athletic or recreational

programmes for the benefit of the community.

STACKED TOWNHOUSE shall mean a building, other than a plex, townhouse or apartment building, containing at least 3 dwelling units, each dwelling unit being separated from the other vertically and/or horizontally and each dwelling unit having an entrance to grade shared with no more than 3 other units.

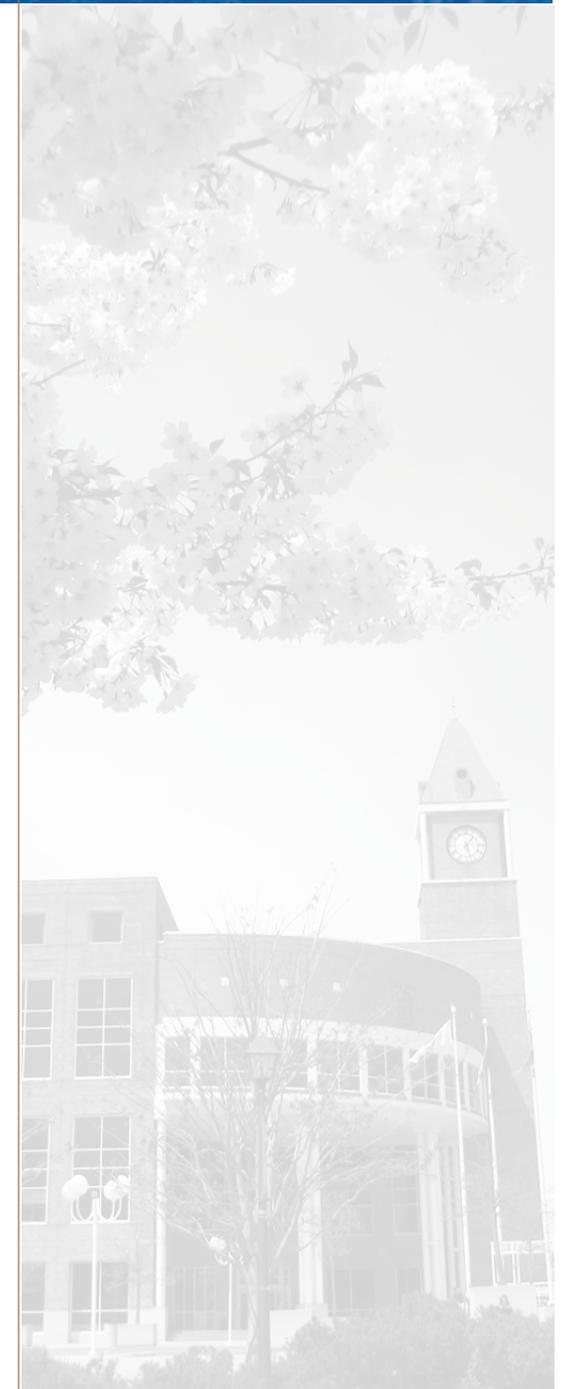
STOREY shall mean that portion of a building which is included between 1 floor level and the next higher floor level or the roof, and which has its floor level not less than two (2) metres below the line where the roof and outer wall meet.

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.

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, but shall not include fences.

SUPERMARKET shall mean a retail establishment engaged in the business of selling groceries, meat, fruit and vegetables to the general public and occupying premises having a gross commercial floor area of at least six hundred (600) square metres.

SUPPORTIVE HOUSING FACILITIES shall mean a place for the accommodation of persons, who, by reason of their emotional, mental, social or physical condition, or legal status require a supervised group living arrangement for their well being, but shall exclude a foster home as defined in the *Child and Family Services Act* or successor legislation.



SUPPORTIVE LODGING HOUSE shall mean a supportive housing facility located within a single detached dwelling which accommodates no less than three (3) and no more than six (6) lodgers exclusive of staff and is subject to one or more of the following conditions:

- (a) the operator or employees of the supportive lodging house are effectively paid to give guidance and assistance in the activities of daily living;
- (b) the operator makes it known to the public or to persons such as hospital discharge planners, that care to residents is provided by the operator; and/or
- (c) care is regularly provided to residents by the operator or an adult person employed by the operator to furnish guidance and assistance to the lodgers in the activities of daily living.

A supportive lodging house shall not include a lodging house, a group home type 1, a group home type 2, a foster home, an auxiliary group home or a supportive housing facility.

SWIMMING POOL shall mean any structure, basin, chamber or tank containing or capable of containing an artificial body of water for swimming, wading, diving or recreational bathing, and having, when filled, a water depth of decimal five (0.5) metres or more at any point.

TAVERN shall mean a building or place having as its primary purpose the sale and consumption of alcoholic beverages.

THERMAL DEGRADATION shall mean a Waste Disposal Use that treats non-hazardous waste and Hazardous Waste by thermal means, including incineration, gasification, pyrolysis or plasma arc treatment, and includes:

- (a) **“Thermal Degradation (Energy from Waste) Use”** shall mean a Waste Disposal Use that treats non-hazardous waste by Thermal Degradation and is accompanied by the generation of electricity, in which case the waste is used as a fuel source for the production of energy and/or heat. It shall not include the thermal degradation of hazardous wastes.
- (b) **“Thermal Degradation (Non-Energy Producing) Use”** shall mean a Waste Disposal Use designed and operated for the degradation or destruction of non-hazardous waste by Thermal Degradation. For the purposes of this category, Thermal Degradation of waste shall not include the generation of electricity. It shall not include the Thermal Degradation of Hazardous Wastes.
- (c) **“Thermal Degradation (Hazardous Waste) Use”** shall mean a Waste Disposal Use that treats hazardous waste by Thermal Degradation. Thermal Degradation shall not include mechanical sterilization.”

TRAILER, HOUSE shall mean any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, and capable of being used for the living, sleeping or eating accommodation of persons, notwithstanding that such vehicle is jacked-up or that its running gear is removed.

TRAILER, TRAVEL shall mean a trailer that is used or intended to be used for short-term or seasonal occupancy and is or is intended to be located or parked on a site for a temporary or seasonal period.

TRAILER, UTILITY shall mean any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle and capable of being

used for the movement of goods or material.

TWO-UNIT HOUSE shall mean a single detached dwelling which contains two residential units.

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, storm water, sewage disposal, pipeline, railway, telecommunications or cable television.

VEHICLE WEIGHT shall mean the weight of the vehicle itself, as set out in the manufacturer's specifications.

WAREHOUSE shall mean a building or part thereof, of which the principal use is the storage of goods and materials; excluding waste.

WASTE DISPOSAL USE shall mean:

- (a) any land upon, into, in or through which, or building or structure in which, waste is deposited, disposed of, handled, stored, transferred, treated or processed, and,
- (b) any operation carried out or machinery or equipment used in connection with the depositing, disposal, handling, storage, transfer, treatment or processing referred to in clause (a); and,
- (c) notwithstanding clause (a) and (b), it does not include any product, returned to a manufacturer or supplier of the product for reprocessing, repackaging or resale for any

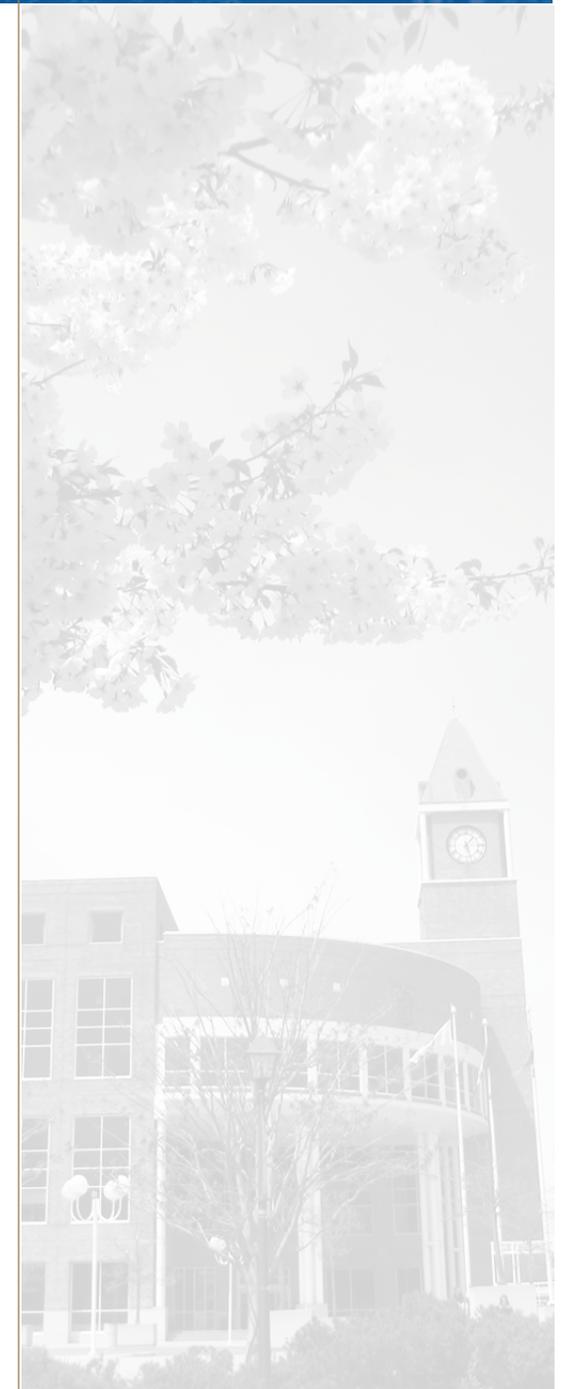
reason, including that the product, substance or organism is:

- (i) (i) defective or otherwise not usable for its original purpose, or;
 - (ii) in surplus quantities but still usable for its original purpose.
- (d) notwithstanding clause (c), it does not apply to Severely Toxic Waste, Hazardous Waste Chemicals or Manufacturing Intermediaries, Radioactive Waste, or PCB Waste; and,
 - (e) notwithstanding clause (a) and (b), it does not include the temporary storage of spent or surplus material inputs or by-products of a manufacturing use that are temporarily stored at a manufacturing facility until such time as they are removed from the facility for disposal.

WASTE PROCESSING STATION shall mean for the purposes of Section 948, 1228, 1794, 1795 and 2719 a facility that receives, stores and/or processes waste materials for the purpose of creating new products or materials within an enclosed building unless it is owned or operated by the Regional Municipality of Peel on lands where outside storage is permitted.

WASTE TRANSFER STATION shall mean for the purposes of Section 948, 1228, 1794, 1795 and 2719 a facility where waste materials are collected for shipment and may be sorted and/or prepared for transportation within a storage bin or enclosed building.

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, EXTERIOR SIDE shall mean a yard extending from the front yard to the rear lot line between the flankage lot line and the nearest main wall of any building or structure on the 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, INTERIOR SIDE shall mean a yard, other than an exterior side 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, REAR shall mean, in the case of an interior lot, 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, or in the case of a corner lot, a yard extending from a side lot line to an exterior side yard, and between the rear lot line and the nearest main wall of any building or structure on the lot.

YARD, SIDE shall mean an interior side yard or an exterior side yard.

ZONE shall mean an area of land designated for certain uses by this by-law.

