

THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 81-2003

To amend By-law 200-82 as amended, By-law 56-83 as amended, By-law 139-84 as amended, and By-law 151-88 as amended

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

1. By-law 200-82 as amended, By-law 56-83 as amended, By-law 139-84 as amended, and By-law 151-88 as amended are hereby further amended

by deleting therefrom, SECTION 10.0 GENERAL PROVISIONS FOR RESIDENTIAL ZONES in its entirety from ALL these By-laws and replacing each with the following:

"SECTION 10.0 GENERAL PROVISIONS FOR RESIDENTIAL ZONES

10.1 Permitted Purposes

The following provisions shall apply to all residential zones and where applicable, to Agriculture and other Zones as shown on Schedule A to this by-law in addition to the general provisions for all zones contained in this by-law.

10.2 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.

10.3 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 zone 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 encloure and one accessory building other than a swimming pool enclosure shall be permitted on a lot;
- (e) the gross floor area of any permitted accessory building, other than a swimming pool enclosure shall not exceed:
 - (i) 23.0 square metres on a lot in a Residential Hamlet Zone or Residential Estate Zone, or on a lot in an Agricultural Zone where the lot area is 2 hectares or less, and
 - (ii) 10.0 square metres on in all other Residential Zones;
- (f) all accessory buildings, except a swimming pool enclosure, may be located:
 - (i) only in the rear yard and no closer than 1.2 metres to the nearest lot line on a lot in a Residential Hamlet Zone or Residential Estate Zone, or on a lot in an Agricultural Zone where the lot area is 2 hectares or less,
 - (ii) in the rear yard and shall be no closer than 0.6 metres to the nearest lot line on a lot in all other Residential Zones, and
 - (iii) in the interior side yard in all other residential zones 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:
 - (i) no closer than 1.2 metres to a side lot line or a rear lot line, and
 - (ii) no closer to a street than the required minimum front yard depth or exterior side yard width for the main building;
- (h) on a lot in a Residential Hamlet Zone, Residential Estate Zone, or Agricultural Zone, the maximum height of any accessory building shall not exceed 4.5 metres, in the case of a peaked roof, and shall not exceed 3.5 metres in height, in the case of a flat roof; for all other residential zones, 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; and

(1) no doors to accessory buildings shall exceed 2.4 metres in height.

10.4 Detached Garage or Carport

- 10.4.1 A detached private garage or carport as an accessory building may be located in a side yard or rear yard of a lot subject to the following requirements and restrictions:
 - (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) it shall be no closer than 1. 2 metres to a side lot line or rear lot line;
 - (d) it shall be no closer to a street than the required front yard depth for a main building, and in no case shall be closer to the front lot line than 6.0 metres;
 - (e) it shall not be located in the required exterior side yard;
 - (f) when facing a flankage lot line, a carport or garage door openings shall have a minimum 6 metres setback to the flankage lot line;
 - (g) it shall not have a gross floor area in excess of 24.0 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;
 - (j) it does not have vehicle garage doors which exceed 2.4 metres in height; and
 - (k) where a conflict occurs between the requirements and restrictions of this section, and the particular zone in which the accessory buildings or structures are situated, the latter shall apply.
- 10.4.2 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.

10.5 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 zone in which it is located and the following requirements and restrictions:

- (a) the garage doors shall not exceed 2.4 metres in height;
- (b) a garage door opening or carport shall not be located closer than 6 metres from the front or flankage lot line; and
- (c) The interior space of a garage shall have a rectangular area not less then 2.7 metres by 5.4 metres with no more than one step encroachment.

10.6 Parking of Trailers

- 10.6.1 Except as permitted by 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 zone.
- 10.6.2 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.
- 10.6.3 Only one (1) of the following vehicles or vehicle combinations may be parked or stored on any one lot in a residential zone:
 - (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.

10.6.4 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.

10.7 <u>Uncovered Swimming Pools and Recreation Facilities</u>

- 10.7.1 A private, uncovered swimming pool or recreation facility within a residential zone 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 Zone 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.
- 10.7.2 In the instance of a corner lot where the rear lot line of the corner lot coincides with the interior side lot line 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

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.

10.8 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.

10.9 Parking Space Requirements

- 10.9.1 Parking spaces are required in Residential Zones in accordance with the following provisions:
 - (a) Unless otherwise specified in this By-law, for each dwelling unit within a single-family dwelling, semi-detached dwelling, duplex dwelling, triplex dwelling, double duplex dwelling or street townhouse dwelling a minimum of two parking spaces are required.
 - (b) Where parking spaces are required or provided for a single-family dwelling, semi-detached dwelling, duplex dwelling, triplex dwelling, double duplex dwelling or street townhouse dwelling unit, the following requirements and restrictions shall apply:
 - (i) except for a parking space on a driveway, no parking space shall be permitted in the front yard;
 - (ii) the minimum width of a driveway shall be 3.0 metres and the width of a driveway shall not exceed 50 percent of the lot width unless such maximum driveway width would conflict with the minimum landscaped open space yard requirement in the applicable zone, in which case, the minimum landscaped open space requirement shall prevail;
 - (iii) For a lot less than 0.2 hectare, no person shall pave the rear yard for the purpose of parking motor vehicles other than a driveway leading to a garage permitted by this By-law and provided that such a driveway shall not be wider than 3 metres or the width of the garage door whichever is the greater.
 - (c) 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.
 - (d) Where a medical or dental office is located in a private residence as a home occupation, a minimum of 6 parking spaces shall be provided for each practitioner.

- (e) 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.
- (f) Parking in a rear yard shall not be permitted for a home occupation use.
- (g) For lodging houses a minimum of 0.5 parking space for each lodging unit, plus two parking spaces for the proprieter, shall be provided.
- 10.9.2 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	1.59
Three-bedroom Rental Unit	1.53	0.20	1.73
Senior Citizen Rental Unit	0.50	0 25	0.75

(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

10.9.3 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

10.9.4 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.

10.10 Fences

Subject to the Visibility Triangle regulations in the General Provisions for All zones 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 Zone:

- (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.

ð

10.11 Setback to Public Walkway

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

10.12 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.

10.13 Semi-detached or Street Townhouses

- 10.13.1 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.
- 10.13.2 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.
- 10.13.3 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.
- 10.13.4 For a townhouse dwelling unit, no more than 8 dwelling units shall be attached.

10.14 Provisions for Group Homes and Supportive Lodging Houses

Where Group Homes and Supportive Lodging Houses are permitted, it shall be subject to the following requirements and restrictions:

- (a) A supportive lodging house shall be located in a single detached dwelling;
- (b) A group home type 1 or auxiliary group home shall be located in any dwelling unit type;
- (c) The supportive lodging house shall occupy the whole or part of the single detached dwelling;
- (d) A group home type 2 shall be located within a single detached dwelling or a dwelling within a mixed use development;
- (e) A minimum separation distance of 120 metres shall be maintained between a group home type 1 use, any other group home type 1, or a supportive lodging house;
- (d) A minimum separation distance of 120 metres shall be maintained between a group home type 2, another group home type 2, a supportive lodging house, or a group home type 1;
- (e) A minimum separation distance of 610 metres shall be maintained between a supportive housing facility and another supportive housing facility, or a group home type 1, or a group home type 2, or a supportive lodging house;

- (f) Group homes shall be subject to compliance with the Group Home Registration By-law;
- (g) Supportive lodging houses shall be subject to compliance with the Lodging House Licensing By-law;

10.15 Provisions for Lodging Houses

Where Lodging Houses are permitted, it 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.

10.16 Provisions for Two-Unit Houses

In areas where two-unit houses are permitted by a specific zoning category they shall be in compliance with the applicable Zoning By-law provisions, the registration by-law for two-unit houses and all applicable safety standards.

10.17 Satellite Dish Antennae

Satellite dish antennae having a surface area of 1 square metres or more erected in a residential zone 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 zone 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.

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

Sections 10.18, 10.19 and 10.20 are reserved

10.21 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.

Section 10.22 is reserved

10.23 Below Grade Exterior Stairs and Windows

- For a single-family 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.
- 10.23.2 A below grade window shall not be permitted where the interior side yard depth is less than 1.2 metres."
- 2. By-law 200-82, as amended, is hereby further amended:
 - (1) by adding thereto, in section 10.14 the following:
 - "(h) The maximum number of group homes and supportive lodging houses combined, permitted in each area as shown and numbered on Schedule D and listed in Column 1 of the table set out below, shall be as set out in Column 2 of said table.

Column 1	Column 2 Maximum Number of Group Homes and	
Area Number	Supportive Lodging Houses	
5	3	
6	3	
7	2	
8	5	
9	5	
15	3	
16	5	
17	5	
18		

- by deleting therefrom the words "subject to the requirements and restrictions set out in section 10.16" from Sections 14.1, 14.2, and 16.1.
- 3. By-law 56-83, as amended, is hereby further amended:
 - (1) by adding thereto, in Section 10.14 the following:
 - "(h) The maximum number of group homes and supportive lodging houses combined, permitted in each area as shown and numbered on Schedule D and listed in Column 1 of the table set out below, shall be as set out in Column 2 of said table.

Column 1	Column 2 Maximum Number of Group Homes and
Area Number	Supportive Lodging Houses
14	1
23	2
26	1
27, 32	2
37, 39	
41, 42	
47	

- by deleting the words "subject to the requirements and restrictions of section 10.13" and "subject to the requirements and restrictions set out in Section 10.13" from Sections 11.1, 11.2, 11.3, 11.4, 12.1, 13.1, 13.2, 13.3, 14.1, 43.1, 43.2, and 46.1;
- (3) by changing the reference to "10.3(b)(8)" in Section 11.3 to "10.3";
- (4) by changing the references to "10.3(a)" and "10.3(b)(8)" in Section 46.1.2 to "10.3";
- (5) by changing the reference to "10.4" in Section 46.1.2 to "10.5".
- 4. By-law 139-84, as amended, is hereby further amended:
 - (1) by adding thereto, in Section 10.14 the following:
 - "(h) The maximum number of group homes and supportive lodging houses combined, permitted in each area as shown and numbered on Schedule D and listed in Column 1 of the table set out below, shall be as set out in Column 2 of said table.

Column 1	Column 2 Maximum Number of Group Homes and
Area Number	Supportive Lodging Houses
24	6
25	1
32	2
38	
39	
40	"

- (2) by deleting the words "subject to the requirements and restrictions set out in section 10.13" from Sections 11.1.1, 11.2.1, 11.3.1, 12.2.1, 12.3.1, 12.4.1, 12.6.1, 13.1.1, 13.2.1, 15.1.1, 15.2.1, 43.1.1, 43.2.1, 46.1.1, 728.1, 729.1, 730.1, 733.1, 734.1, 735.1, 752.1, 753.1, 755.1, 756.1, 758.1, 759.1, 760.1, 762.1, 765.1, and 767.1;
- (3) by changing the reference to "10.3(a)" in Section 46.1.2 to "10.4";
- by deleting the words "subject to the requriements and restrictions set out in section 10.16" from Section 15.1.1 and 15.2.1;
- (5) by deleting the subsection 632.1.2(f) and substituting therefor "(f) parking shall be provided in accordance with section 10.9";
- (6) by changing the reference to "10.9.3" in Section 792.2 to "10.9".

- 5. By-law 151-88, as amended, is hereby further amended:
 - (1) by adding thereto, in Section 10.14 the following:
 - "(h) The maximum number of group homes and supportive lodging houses combined, permitted in each area as shown and numbered on Schedule D and listed in Column 1 of the table set out below, shall be as set out in Column 2 of said table.

Column 1	Column 2
	Maximum Number of
	Group Homes and
Area Number	Supportive Lodging Houses
1	4
2	1
2 3	4
4	3
8	5
9	5
10	4
11	6
12	4
13	1
19	3
20	5
21	4
22	2
28	3
29,36,40	
43,44,45	2
46,48	<u> </u>

- by deleting the words "subject to the requirements and restrictions set out in section 10.12" from sections 11.3.1, 12.1.1, 12.2.1, 12.3.1, 12.4.1, 13.1.1, 13.2.1, 13.3.1, 13.4.1, 14.1.1, 14.2.1, 15.1.1, 16.1.1, 16.2.1, 16.3.1, 17.1.1, 18.1.1, 19.2.1, 19.3.1, 126, 129, 130, 134, 139, 140, 141, 144, 171, 179, 180, 182, 198, 205, 214, 215, 228, 237, 238, 239, 242, 245, 247, 259, 260, 262, 263, 264, 265, 267, 268, 269, 273, 274, 288, 296, 297, 298, 300, 310, 311, 317, 339, 340, 341, 350, 426, 427, 428, and 638;
- (3) by deleting the words "subject to the requirements and restrictions of section 10.12" from Sections 20.2.1 and 125;
- by deleting the words "subject to the requirements and restrictions of section 10.13" or "subject to the restrictions and requirements of section 10.13" from Sections 123, 127, 174, 175, 177, 218, 258 and 261;
- (5) by changing the reference to "10.10.2(b)" in Section 578.2 to "10.9";
- (6) by deleting the words "subject to the requirements and restrictions of section 10.15" from Sections 125, 126, 128, 129, 130, 134, 139, 140, 141, 144, 171, 172, 179, 180, 182, 198, 205, 214, 215, 218, 228, 229, 237, 238, 239, 242, 245, 247, 251, 257, 259, 260, 262, 263, 264, 265, 267, 268, 269, 273, 274, 288, 296, 297, 298, 300, 310, 311, 312, 317, 339, 340, 341, 350, 426, 427, 428, 519, 544, 545, 583, 618, 619, 638, 675, 695, 708, 709, 710, 729, 736, 737, 760, 837, 838, and 867;
- by deleting the words "subject to the requirements and restrictions of section 10.16" from Sections 123, 127, 172, 175, 177, 258, and 261.

READ a FIRST, SECOND and THIRD TIME, and PASSED, in open COUNCIL, this day of march 2003.

Approved as to Content:

Associate Director, Special Projects

IN THE MATTER OF the *Planning Act*, R.S.O. 1990, as amended, section 34;

AND IN THE MATTER OF the City of Brampton By-law 81-2003 being a by-law to amend Comprehensive Zoning By-laws 200-82 as amended, 56-83 as amended, 139-84 as amended, and 151-88 as amended (The Corporation of the City of Brampton) File P42

DECLARATION

I, LEONARD JOSEPH MIKULICH, of the City of Brampton, in the Regional Municipality of Peel, DO SOLEMNLY DECLARE THAT:

- I am the City Clerk of The Corporation of the City of Brampton and as such have knowledge of the matters herein declared.
- 2. By-law 81-2003 passed by the Council of The Corporation of the City of Brampton at its meeting held on the 24th day of March, 2003.
- 3. Written notice of By-law 81-2003 as required by section 34(18) of the *Planning Act* was given on the 28th day of March, 2003, in the manner and in the form and to the persons and agencies prescribed by the *Planning Act*, R.S.O. 1990 as amended.
- 4. No notices of appeal were filed under section 34(19) of the Planning Act on or before the final date for filing objections.

DECLARED before me at the
City of Brampton in the
Region of Peel this
22nd day of April, 2003

A Commissioner, etc.

EILEEN MARGARET COLLIE, A Commissioner etc.. Regional Municipality of Peel for The Corporation of The City of Brampton Expires March 23, 2005.