



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 118-88

To amend By-law 861 (former  
geographic Township of  
Chinguacousy)

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

1. By-law 861, as amended, is hereby further amended:

(1) by adding to Section 2 thereof, the following subsections:

"(51) (e) RECREATION FACILITY shall mean an area, surface, place, installation or device which is designed and used for the active recreational pursuits of persons during their leisure time. 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.

(57) (1) 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 0.5 metres or more at any point."

(2) by adding to Section 12 thereof, the following subsection:

"12(15) Uncovered Swimming Pools and Recreation Facilities

(a) 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.

(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 private, uncovered swimming pool or recreation facility shall not be permitted in the

exterior side yard of the corner lot plus 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 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.

All uncovered swimming pools or recreation facilities which existed prior to April 25, 1988 or for which a permit was issued prior to April 25, 1988 shall be deemed to comply with this subsection."

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

this 24th day of May 1988.

APPROVED  
AS TO FORM  
LAW DEPT.  
BRAMPTON  
*[Signature]*  
DATE         

*[Signature]*  
KENNETH G. WHILLANS - MAYOR

*[Signature]*  
~~LEONARD B. WILKINSON - CLERK~~  
ROBERT D. TUFTS, ACTING CLERK

IN THE MATTER OF the Planning Act,  
1983, section 34;

AND IN THE MATTER OF the City of  
Brampton By-law 118-88.


DECLARATION

I, LEONARD J. MIKULICH, of the City of Brampton, in  
the Region of Peel, DO SOLEMNLY DECLARE THAT:

1. I am the Clerk of The Corporation of the City  
of Brampton and as such have knowledge of the  
matters herein declared.
2. By-law 118-88 was passed by the Council of the  
Corporation of the City of Brampton at its  
meeting held on March 24th, 1988.
3. Written notice of By-law 118-88 as required by  
section 34 (17) of the Planning Act, 1983 was  
given on June 1st, 1988, in the manner and in  
the form and to the persons and agencies  
prescribed by the Planning Act, 1983.
4. No notice of appeal under section 34 (18) of  
the Planning Act, 1983 has been filed with me  
to the date of this declaration.

DECLARED before me at the )  
City of Brampton in the )  
Region of Peel this 29th )  
day of June, 1988. )

  
A Commissioner, etc. )

  
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ROBERT D. TUFTS, a Commissioner,  
etc., Judicial District of Peel, for The  
Corporation of the City of Brampton.  
Expires May 25th, 1991.