



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 140-81

To regulate the use of land and buildings on part of Lot 2, Concession 2, West of Hurontario Street, formerly in the Town of Brampton, now in the City of Brampton.

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

## PART I GENERAL

### SECTION 1.0 APPLICATION

- 1.1 This by-law applies to those lands which are shown outlined on Schedule A attached hereto.
- 1.2 By-law 1827 of the former Town of Brampton no longer applies to the lands to which this by-law applies.

### SECTION 2.0 ADMINISTRATION

#### 2.1 Administration

This by-law shall be administered by the Commissioner of Buildings and By-law Enforcement and such other persons that may from time to time be appointed by by-law or by resolution of Council.

#### 2.2 Violation and Penalty

Every person who contravenes any of the provisions of this by-law is guilty of an offence and upon summary conviction shall be liable in respect of each offence to a fine of not more than Two Thousand Dollars (\$2,000.00) exclusive of costs.

#### 2.3 Conformity with By-law

No lands shall be used and no building or structure shall be erected 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.

#### 2.4 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.

SECTION 3.0 ZONES AND SCHEDULES

3.1 Zones

For the purpose of this by-law, the following zones are hereby established:

<u>CLASS</u>	<u>ZONE</u>	<u>SYMBOL</u>
1. Residential	Residential Single Family "B" Zone	R1B
	Residential Single Family "D" Zone	R1D
2. Open Space	Open Space Zone	OS

3.2 Schedules:

Schedule A, with the notations and references shown thereon, is hereby declared to be part of this by-law.

SECTION 4.0 INTERPRETATION

4.1 Scope

The provisions of this by-law shall be interpreted and applied so as to recognize that their purpose is to promote the public health, safety, convenience and general welfare of the residents of the area governed by the by-law.

4.2 Interpretation of Zone Boundaries

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

- (a) Where a zone boundary is indicated as following a street or lane, the boundary shall be the centre line of such street or lane;
- (b) Where a zone 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 Zoning Maps, 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 zone boundary is indicated as following the limits of the municipality of the former Town of Brampton, the limits shall be the boundary; and
- (e) Where none of the above provisions apply, the zone boundary shall be scaled from the attached Schedules.

4.3 Interpretation of Certain Words

(a) Singular and Plural Words:

In this by-law, unless the context requires otherwise,

- (1) words used in the singular number include the plural; and
- (2) words used in the plural include the singular number.

(b) Shall is Mandatory:

In this by-law, the word "shall" is mandatory.

(c) Used and Occupied:

In this by-law, unless the context requires otherwise:

- (1) the word "used" shall include "designed to be used" and "arranged to be used"; and
- (2) the word "occupied" shall include "designed to be occupied" and "arranged to be occupied".

(d) Building, Structure and Use Classification:

In this by-law, all buildings, structures and uses permitted and classified under the headings "RESIDENTIAL USES" or "NON-RESIDENTIAL USES" may be referred to as Residential or Non-Residential buildings, structures or uses respectively.

4.4 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.

SECTION 5.0 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 thereon, and shall include 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.

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

BUILDING shall mean any structure, whether temporary or permanent, used or erected for the shelter, accommodation or enclosure of persons, animals, materials or equipment.

BUILDING AREA shall mean the maximum projected horizontal area of a building at established grade measured to the centre of party walls and to the outside of other walls including air wells and all other spaces within the building, but excluding open air porches, verandahs, steps, cornices, chimney breasts, fire escapes, exterior stairways, breezeways, accessory buildings, ramps and open loading platforms.

BUILDING HEIGHT shall mean the vertical distance between the established grade and:

- (a) in the case of a flat roof, the highest point of the roof surface;
- (b) in the case of a mansard roof, the deck line; or
- (c) in the case of a peaked, gabled, hip or gambrel roof, the mean height level between eaves and ridge.

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

CARPORT means an accessory building or structure or part thereof, the perimeter of which is more than 40 per cent unenclosed and which is used for the parking or temporary storage of vehicles.

CELLAR means that portion of a building between two floor levels which is partly or wholly underground and which has more than one half of its height, from finished floor to finished ceiling, below adjacent finished grade.

COVERAGE shall mean that percentage of the land or lot area covered by the main building and accessory buildings.

DAY NURSERY shall mean a day nursery within the meaning of The Day Nurseries Act (R.S.O. 1970, Chapter 104, as amended).

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.

DWELLING shall mean a building occupied or capable of being occupied as a home or sleeping place by one or more persons.

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

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

ERECT shall mean to build, construct, reconstruct, alter or relocate and, without limiting the generality of the foregoing, shall be taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, structurally altering any existing building or structure by an addition, removal, enlargement or extension.

FLOOR AREA, 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, cellar or any floor area used for building maintenance or service equipment, loading area, common laundry facilities, common washroom, children's play area, recreation area, parking of motor vehicles, or storage.

FLOOR SPACE INDEX shall mean the figure obtained by dividing the aggregate of the 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.

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.

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

GROUP HOME shall mean a residence for the accommodation of 3 to 10 persons, exclusive of staff or receiving family, living under supervision in a single housekeeping unit and who, by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their well-being.

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

HOME OCCUPATION shall mean an occupation or undertaking conducted for gain or profit within a dwelling unit.

LANDSCAPED BUFFER AREA shall mean open space in a rear yard or exterior side yard which is used exclusively for the growth, maintenance and conservation of grass, flowers, trees and shrubs and other vegetation.

LANDSCAPED OPEN SPACE shall mean an unoccupied area of land open to the sky, which is used for the growth maintenance and conservation of grass, flowers, trees and shrubs and other vegetation and may include a surfaced walk, patio, screening, pool or similar visual amenity, but shall exclude any driveway, ramp, car parking or loading area, curb, retaining wall or any covered space beneath or within any building or structure.

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.

LOT shall mean a parcel of land which fronts on or abuts a street and which is permitted to be conveyed by Section 29 of The Planning Act (R.S.O. 1970, C.349, as amended).

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 135 degrees.

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

LOT, THROUGH shall mean a lot bounded on 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 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.

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

(a) Where such lot lines are not parallel, the lot width shall be the least distance, measured in a straight line, between the middle point on each side lot line.

(b) In the case of a corner lot having a street line rounding at the corner of a radius of 7.5 metres or less, the lot width of such a lot shall be calculated as if the lot lines were produced to their point of intersection.

LOT LINE shall mean any boundary of any lot.

LOT LINE, FLANKAGE shall mean the longer lot line which abuts the 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.

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

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-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 1 or more of the other requirements and restrictions relating to that zone.

OPEN SPACE shall mean an unoccupied area of land open to the sky which is used for the growth, maintenance and conservation of natural environment areas, grass, flowers, trees, shrubs and other vegetation, and may include a surfaced walkway and playing fields.

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 open area, other than a street, used for the parking of 4 or more motor vehicles and available for public use whether free, for compensation or as an accommodation for clients, visitors, 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 a driveway or 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 to a driveway or aisle used for vehicular traffic only over 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.

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.

SCHOOL, PUBLIC shall mean a school operated by the Peel Board of Education, the Dufferin-Peel Roman Catholic Separate School Board, or the Roman Catholic Episcopal Corporation for the Diocese of Toronto, in Canada.

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

SETBACK, STREET LINE shall mean the minimum distance between a lot line abutting a street and the nearest main wall of any building or structure.

SIGN shall mean a name, identification, description, device, display or illustration which is affixed to, 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, non-profit, non-commercial organization which carries on social, cultural, welfare, athletic or recreational programmes for the benefit of the community.

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 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.

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.

TRAILER 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.

USE OR TO USE shall include anything that is done or permitted by the owner or occupant of any land, building or structure directly or indirectly or by or through any trustee, tenant, servant or agent acting for or with the knowledge or consent of such owner or occupant for the purpose of making use of the said land, building or structure.

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

YARD shall mean an open portion of the land on the same lot with the main building or structure, unoccupied and unobstructed except as specifically permitted elsewhere in this by-law, and located between the main building and one of the lot lines of the said lot.

YARD, FRONT shall mean a yard extending across the full width of a lot between the front lot line and the nearest main wall of any building or structure on the lot.

YARD, REAR shall mean, 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.

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, 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.

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

SECTION 6.0 GENERAL PROVISIONS FOR ALL ZONES

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 its existing use is to be continued, 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 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 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 or less lot area 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 zone unless the lot upon which building or structure is to be erected fronts upon a street.

6.6 Building to be Moved

No building may be moved into any zone 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 Dwelling Unit Prohibited Below Grade

No dwelling unit shall in its entirety be located in a cellar.

6.9 Public 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 or structure by a public authority or for a utility installation, and such use or erection may be permitted subject to the following requirements and restrictions:

- (a) the size, height, coverage and yard regulations required for the zone in which such land, building or structure is located shall be complied with;
- (b) no goods, material or equipment may be stored in the open in a Residential Zone or in a lot adjacent to a Residential Zone;
- (c) any parking and loading regulations prescribed for these uses shall be complied with; and
- (d) areas not used for parking, driveways or storage shall be landscaped.

6.10 Special Uses Permitted

Nothing in this by-law shall prevent the use of land or the use or erection of a building or structure for a scaffold or other temporary building or structure including a sales or rental office incidental to construction in progress, until such time as the work has been discontinued for a period of one year or finished.

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 (b) 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 or similar accessory uses.

Table 6.11 (b)

<u>STRUCTURE</u>	<u>YARD</u>	<u>MAXIMUM PROJECTION INTO YARD</u>
Sills, belt courses, cornices, gutters, chimneys, pilasters, eaves, parapets or canopies	Any Yard	0.5 metre
Window bays	Front, rear and exterior side yards	1 metre to a maximum width of 3 metres
Balconies	Front, rear and exterior side yards	1.5 metres
Open, roofed porches not exceeding one (1) storey in height, uncovered terraces	Front, rear and exterior side yards	1.5 metres including eaves and cornices

6.12 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 metre 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 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.

6.13 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.

6.14 Parking Spaces

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 2.75 metres in width and 6.0 metres in length; and
- (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.

6.15 Where parking spaces are provided or required for uses other than for a single-family detached dwelling, a semi-detached dwelling, a duplex dwelling, a triplex dwelling, a double duplex dwelling or a street townhouse dwelling unit, 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 parking area shall be a minimum width of 3 metres for one-way traffic, and a minimum width of 6 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:

<u>Angle of Parking</u>	<u>Minimum Aisle Width</u>
(1) up to 50 degrees	4 metres
(2) 50 degrees up to 70 degrees	5.75 metres
(3) 70 degrees up to and including 90 degrees	6 metres

6.16 (a) Trailers, travel trailers and mobile homes may not be located in any zone if used or intended to be used for the accommodation of and occupation by persons; and

(b) Trailers and travel trailers may be stored in any zone in accordance with the other provisions of this by-law.

6.17 No sign, billboard or poster shall be erected in any zone except in compliance with the 'Sign By-law' of the City of Brampton.

6.18 The use of a dwelling or residential building as a group home or as a boarding house is not permitted in any zone unless it is listed as a permitted purpose in a zone.

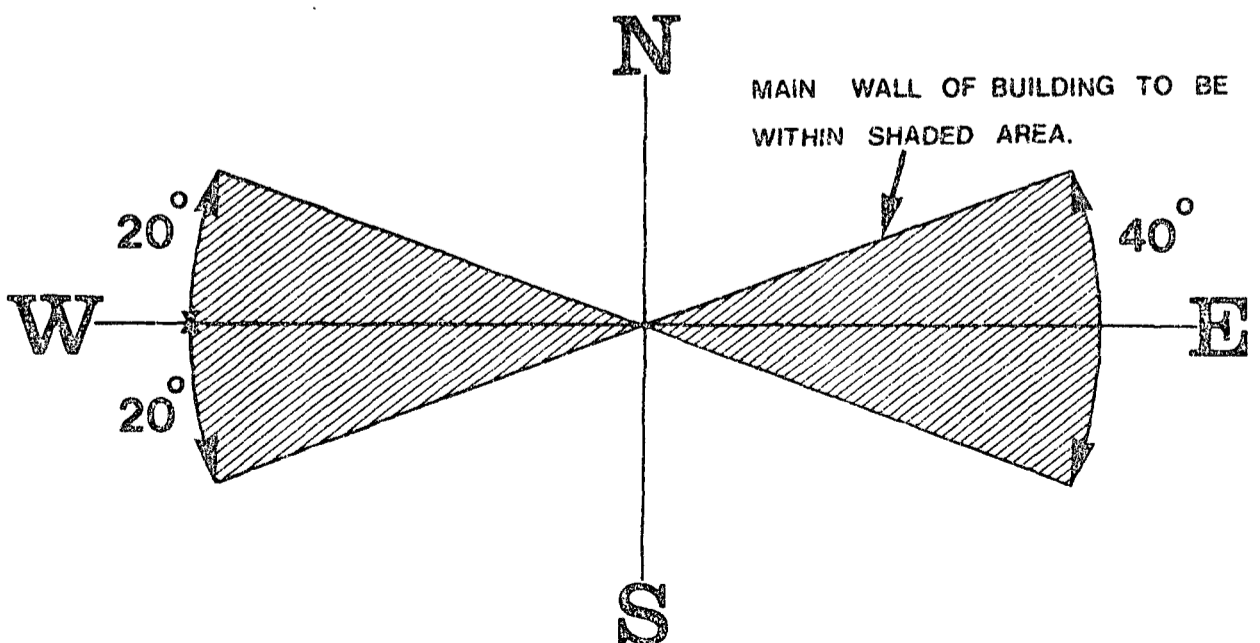
6.19 The use of a dwelling or residential building as a place where rooms or room and board are supplied for hire or gain to more than two persons is not permitted in any zone unless it is listed as a permitted purpose in a zone.

6.20 Provisions for Solar Orientation

6.20.1 (1) Where the zone symbol for land shown on Schedule A is followed by the symbol "(S1)", the following restrictions and requirements shall also apply to that land:

(a) Each dwelling unit shall be constructed so that the vertical plane of the main wall facing south shall not vary from the east-west axis by more than 20 degrees north or south of due east or by more than 20 degrees north or south of due west (see Figure 1).

FIGURE 1





(2) In the event of conflict between the restrictions and requirements of this section and any others relating to that land, the restrictions and requirements imposed by this section shall prevail.

6.20.2 (1) Where the zone symbol for land shown on Schedule A is followed by the symbol "(S2)", the following restrictions and requirements shall also apply to that land:

(a) The height of any buildings, structures or fences which are opaque or translucent, and coniferous vegetation, shall at no point exceed a plane which meets, at 0.6 metres above grade, and at an angle of 71.5 degrees, a vertical plane located on the abutting lot to the north, at a distance from that lot's rear line equal to the minimum rear yard depth for that lot to the north (see Figures 2 and 3).

FIGURE 2

### MAXIMUM BUILDING HEIGHT

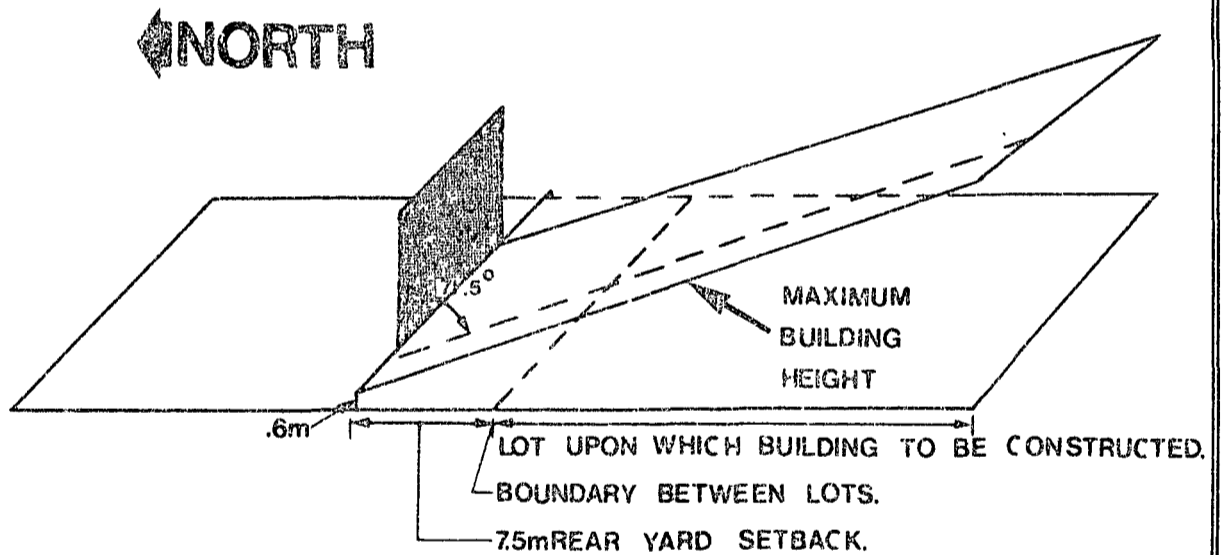
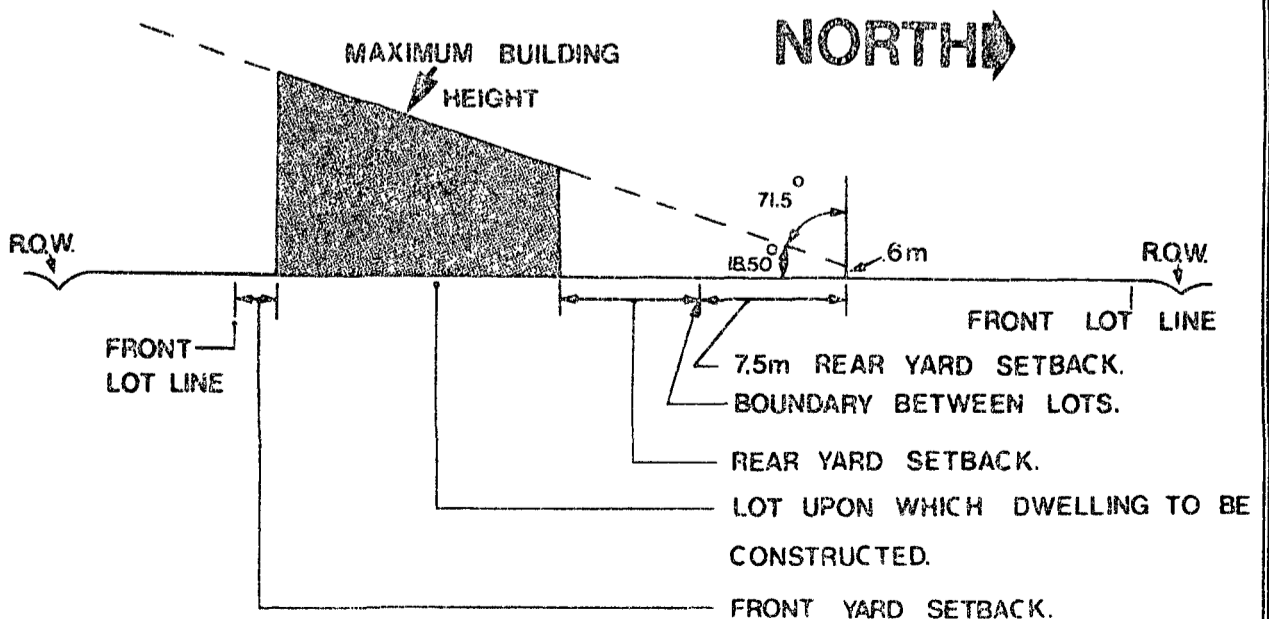


FIGURE 3



(2) In the event of conflict between the restrictions and requirements of this section and any others relating to that land, the restrictions and requirements imposed by this section will prevail.

6.20.3 (1) Where the zone symbol for land shown on Schedule A is followed by the symbol "(S3)", the restrictions and requirements set out in both sections 6.20.1(1)(a) and 6.20.2(1)(a) shall also apply to that land.

(2) In the event of conflict between the restrictions and requirements of this section and any others relating to that land, the restrictions and requirements imposed by this section shall prevail.

6.20.4 For the purposes of section 6.20,

EAST-WEST AXIS shall mean a direction along a line drawn between due east and due west.

NORTH shall mean a range extending from 45 degrees to the east of due north to 45 degrees to west of due north.

SECTION 7.0 GENERAL PROVISIONS FOR RESIDENTIAL ZONES

7.1 Permitted Purposes

The following provisions shall apply to all Residential Zones as shown on Schedule A of this by-law, in addition to the General Provisions for all zones contained in Section 6.0 of this by-law.

7.2 One Dwelling per Lot

No person shall erect more than one (1) single family detached dwelling, one (1) semi detached dwelling, one (1) duplex dwelling, one (1) triplex dwelling or one (1) double duplex dwelling on one lot.

7.3 Accessory Buildings

Accessory buildings or structures other than a detached garage or carport are permitted in any Residential Zone, subject to the requirements and restrictions of this by-law for the particular zone in which said building or structure is located, but shall:

- (a) not be used for human habitation;
- (b) not exceed 4.5 metres in height in the case of a peaked roof;
- (c) not exceed 3.5 metres in height in the case of a flat roof;
- (d) not be constructed in a front yard or a flankage side yard or within the minimum required side yard;
- (e) not be less than 0.6 metres from any lot line; and
- (f) not have a floor area in excess of 15 square metres.

7.4 Detached Garage or Carport

A detached private garage or carport as an accessory building may be located in a side or rear yard of a lot in a Residential Zone provided that it is:

- (a) no closer than 1 metre to a main building;
- (b) no closer than 1 metre to a side lot line or rear lot line;
- (c) no closer to a street than the required set-back for a main building, and in no case shall be closer to the front lot line than 6 metres; and
- (d) do not have a floor area in excess of 24 square metres.

7.5 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 provided that:

- (a) the garages for the two lots abutting 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 said side or rear lot line are constructed or reconstructed simultaneously.

7.6 Attached Garage or Carport

Where a garage or carport is attached to a dwelling unit on the lot on which it is located it shall not be considered an accessory building and shall comply with the yard and area requirements for the Residential Zone in which it is located, except that the front wall of any garage or carport shall not be located closer than 6 metres from the front lot line.

7.7 Travel Trailers and Commercial Vehicles

A travel trailer or a commercial vehicle not exceeding 2,700 kilograms gross vehicle weight may be parked in a Residential Zone provided that the travel trailer or commercial vehicle:

- (a) is not parked closer to a lot line than a detached private garage is permitted by this by-law;
- (b) is owned by the occupant of the lot on which said trailer or vehicle is stored or parked; and
- (c) is not used for human habitation.

7.8 Unenclosed Swimming Pools

A private, uncovered swimming pool shall be permitted in the rear or a side yard of a lot provided that it is no closer than 1.2 metres to any lot line or easement.

7.9 Enclosed Swimming Pools

A building that covers a swimming pool may be located in the side or rear yard of a lot provided that it is:

- (a) no closer than 1.2 metres to a side lot line or a rear lot line; and

(b) no closer to a street than the required setback for a main building.

7.10 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.

7.11 Parking Space Requirements

7.11.1 Parking spaces are required in Residential Zones in accordance with the following provisions:

(a) Where parking spaces are required or provided for a single-family dwelling, or semi-detached dwelling, the following requirements and restrictions shall apply:

(1) except for a parking space on a driveway, no parking space shall be permitted in the front yard;

(2) a garage attached to a dwelling unit may be located in the front yard but may not be located closer than 6 metres from the front lot line; and

(3) the minimum width of a driveway shall be 3.05 metres.

(b) Where a medical or dental office is located in a private residence, a minimum of 6 parking spaces shall be provided for each practitioner.

7.11.2 For each dwelling unit within a single-family dwelling, or semi-detached dwelling, a minimum of two parking spaces are required.

7.11.3 For home occupation uses, a minimum of one parking space shall be provided for every 20 square metres of floor area occupied by the home occupation.

7.11.4 Boat, Snowmobile and Trailer Storage

Except as specifically permitted otherwise in this by-law, the owner or occupant of any lot building or structure in a Residential Zone may not store or park more than one of the following items on said lot: a boat, a snowmobile, a trailer, a boat and trailer, or a snowmobile and trailer not exceeding 7 metres in length, subject to the following regulations and restrictions:

- (a) none of the said items shall occupy any parking space required under this by-law, unless otherwise permitted;
- (b) the said items shall be stored or parked only within a private garage or carport or in an interior side yard or rear yard; and
- (c) in the case of a lot, the rear lot line of which abuts a street or reserve owned by a public authority any of the said items shall be located not less than 7.5 metres from said rear lot line.

7.12 Fences

Subject to Section 6.12, 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 metre in height.
- (b) Within an exterior side yard may exceed 1.2 metres in height.
- (c) Within any other required yard may exceed 2 metres in height.

7.13 Home Occupations

A home occupation may only be carried on 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 per cent 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) no change in the external character of the dwelling as a private residence results;
- (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; and

(h) one sign is permitted that shall be attached to a building and shall be not more than 0.15 square metres in area.

7.14 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 metres.

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

PART II - GENERAL ZONING PROVISIONS

SECTION 8.0 RESIDENTIAL SINGLE-FAMILY "B" ZONE - R1B

8.0 The lands designated R1B on Schedule A hereto:

8.1 shall only be used for the following purposes:

(a) Residential

(1) a single-family detached dwelling;

(b) Non-Residential

(1) an accessory building or use subject to the requirements and restrictions of section 7.3 of this by-law; and

(2) a home occupation.

8.2 shall be subject to the following restrictions and requirements:

(a) Minimum Lot Area

Interior Lot - 450 square metres

Corner lot - 540 square metres

(b) Minimum Lot Width

Interior Lot - 15 metres

Corner Lot - 18 metres

(c) Minimum Lot Depth - 30 metres

(d) Minimum Front Yard Depth

(1) to main wall of building - 3 metres

(2) to front of garage of carport - 6 metres

(e) Minimum Interior Side Yard Width - 1.2 metres for the first storey or part thereof plus 0.6 metres for each additional storey or part thereof

(f) Minimum Exterior Side Yard Width - 3 metres

(g) Minimum Rear Yard Depth - 7.5 metres

(h) Maximum Building Height - 10.5 metres



- (i) Minimum Landscaped Open Space - 60 per cent of the front yard in the case of an interior lot, 70 per cent of the front yard in the case of a corner lot, and 50 per cent of the front yard in the case of a lot where the side lot lines converge towards the front lot line.

SECTION 9.0 RESIDENTIAL SINGLE-FAMILY "D" ZONE - R1D

9.0 The lands designated R1D on Schedule A hereto

9.1 shall only be used for the following purposes;

(a) Residential

(1) a single-family detached dwelling;

(b) Non-Residential

(1) an accessory building or use subject to the requirements and restrictions of section 10.3 of this By-law; and

(2) a home occupation.

9.2 shall be subject to the following restrictions and requirements:

(a) Minimum Lot Area:

Interior Lot - 270 square metres.

Corner Lot - 360 square metres.

(b) Minimum Lot Width:

Interior Lot - 9 metres.

Corner Lot - 12 metres.

(c) Minimum Lot Depth - 30 metres.

(d) Minimum Front Yard Depth - 6 metres.

(e) Minimum Rear Yard Depth - 7.5 metres.

(f) Minimum Interior Side Yard Width - 1.2 metres on one side and 0.9 metre on the other side.

(g) Minimum Exterior Side Yard Width - 3 metres.

(h) Maximum Building Height - 10.5 metres.

(i) Minimum Landscaped Open Space - 40 per cent of the front yard in the case of an interior lot, 50 per cent of the front yard in the case of a corner lot and 30 per cent of the front yard in the case where the side lot lines converge towards the front lot line.

SECTION 10.0 OPEN SPACE ZONE - OS

10.0 The lands designated OS on Schedule A hereto:

10.1 shall only be used for the following purposes:

- (a) an indoor or outdoor recreation facility;
- (b) a conservation area.

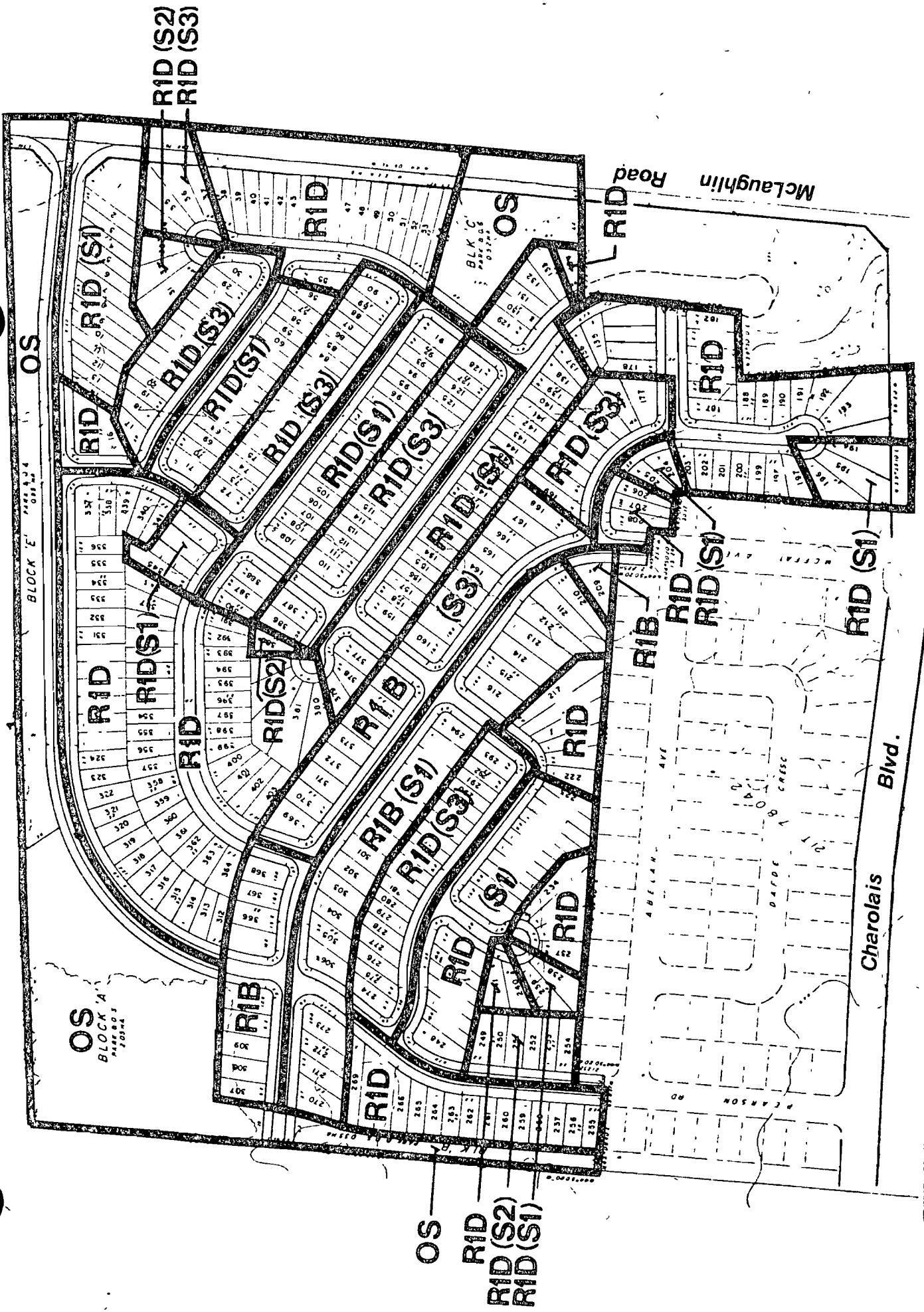
10.2 shall be subject to the following restrictions and requirements:

- (a) Maximum Lot Coverage - 33.3 per cent
- (b) Minimum Front Yard Depth - 7.5 metres
- (c) Minimum Interior Side Yard Width - 7.5 metres or 1/2 the height of the building, whichever is the greater.
- (d) Minimum Exterior Side Yard Width - 7.5 metres or 1/2 the height of the building, whichever is the greater.
- (e) Minimum Rear Yard Depth - 7.5 metres or 1/2 the height of the building, whichever is the greater.
- (f) For each building or structure erected or lot used, parking spaces shall be provided and maintained in accordance with Sections 6.0 and 7.0 of this by-law and in accordance with the following standards:

Arena	1 parking space for each 3 fixed seats or 1.5 metres of open bench space or portion thereof.
-------	--

Place of assembly, private club, dance hall, banquet hall, or roller skating rink	1 parking space for each 9 square metres of gross commercial floor area or portion thereof.
---	---





Part of Lot 2 Concession 2 W.H.S.  
 BY-LAW No. 146-81 SCHEDULE A



1-3750

**CITY OF BRAMPTON**  
 Planning and Development

Date: 81 06 08 Drawn by: RS  
 File no. C2W2.2 Map no. 58-1 H



# BY-LAW

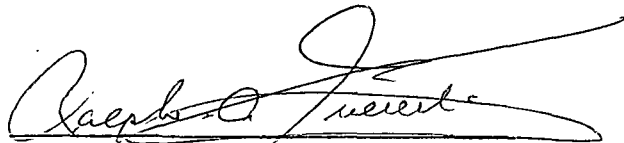
No. 140-81

To regulate the use of land and buildings on part of Lot 2, Concession 2, West of Hurontario Street, formerly in the Town of Brampton, now in the City of Brampton.

CERTIFICATE UNDER SECTION 35(27) OF THE PLANNING ACT

I, RALPH A. EVERETT, hereby certify that the notice for By-law 140-81 of The Corporation of the City of Brampton, passed by the Council of the Corporation on the 22nd day of June, 1981 was given in the manner and form and to the persons prescribed by regulation made by the Lieutenant Governor-in-Council under subsection 24 of section 35 of The Planning Act. I also certify that the 21 day objection period expired on August 18th, 1981 and to this date no notice of objection or request for a change in the provisions of the by-law has been filed by any person in the office of the clerk.

DATED at the City of Brampton this 26th day of August, 1981.



RALPH A. EVERETT  
CITY CLERK

NOTE: Subsection 35(25) of The Planning Act (R.S.O. 1970, c.349, as amended) provides as follows:

Where an official plan is in effect in a municipality and notice is given in the manner and form and to the persons prescribed by the regulations and no notice of objection has been filed with the clerk of the municipality within the time prescribed by the regulations, the by-law thereupon comes into effect.