



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 254-2002

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 5.0 DEFINITIONS in its entirety from ALL these By-laws and replacing each with the following:

"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 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 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:

- i) used for the carrying on of the business of the provision of adult videotapes; or
- ii) 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
- iii) 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.

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 Group Home Type 1
- A Group Home Type 2
- A Supportive Lodging House
- 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.

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 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 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*.

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.

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.

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 FAMILY 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-FAMILY 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 mentally retarded pursuant to the *Homes for Retarded Persons Act*, or the *Development 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*;
- persons under the *Mental Hospitals Act and Homes for Special Care Act*; and

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 maintained and operated primarily for:

- persons who have been placed on probation under the provisions of the *Probation Act*, the *Criminal Code of Canada*, or any Act passed to replace the foregoing Acts;
- persons who have been released on parole under the provisions of the *Ministry of Correctional Services Act*, or *Parole Board of Canada* or any Act passed to replace the foregoing Acts;
- persons who have been charged under the *Young Offenders Act* but who have been placed in open or secure custody;

- persons who require temporary care, and transient or homeless persons;
- persons requiring treatment and rehabilitation for addiction to drugs or alcohol; or,
- 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 (6) 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.

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

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

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.

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.

MASSAGE 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.

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.

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 odor, 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.

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.

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.

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, 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,

but shall not include:

- (a) a group home;
- (b) an auxiliary group home;
- (c) a nursing home;
- (d) a supportive housing facility;
- (e) a supportive lodging house; or
- (f) 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.

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.

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:

- the operator or employees of the supportive lodging house are effectively paid to give guidance and assistance in the activities of daily living;
- 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
- 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.

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,

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 PROCESSING STATION shall mean 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 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.”

2. By-law 200-82, as amended, is hereby further amended:

(1) by adding thereto, in Section 379 the following:

“379.4 For the purposes of this section:

CRISIS CARE FACILITY shall mean a place where short-term temporary accommodation is provided for persons in emergency situations.”

3. By-law 56-83, as amended, is hereby further amended:

(1) by adding thereto, in Section 511.2 after the definition of **PARKING SPACE** the following:

“**BULK STORAGE YARD** shall mean a place where land is used for the storage in the open of goods and materials such as coal, lumber, building supplies, construction equipment and the like, but does not include salvage, junk or scrap yards.

“**DRY INDUSTRIAL USE** shall mean any establishment involving repairing, servicing, processing, manufacturing, storing or shipping which does not require any water for cooling, manufacturing, processing or equipment washing, and water is merely to serve the domestic needs of the employees.”

(2) by adding thereto, in Section 510.2 after the definition of **PARKING SPACE** the following:

“**DRY INDUSTRIAL USE** shall mean any establishment involving repairing, servicing, processing, manufacturing, storing or shipping which does not require any water for cooling, manufacturing, processing or equipment washing, and water is merely to serve the domestic needs of the employees.”

(3) by adding thereto, in Section 517.2 after the definition of **RETAIL WAREHOUSE** the following:

“**CRISIS CARE FACILITY** shall mean a place where short-term temporary accommodation is provided for persons in emergency situations.”

(4) by adding thereto, in Section 521.2 after the definition of **FRONT LOT LINE** the following:

“**CRISIS CARE FACILITY** shall mean a place where short-term temporary accommodation is provided for persons in emergency situations.”

(5) by adding thereto, in Section 576.3 the following:

“576.3 For the purpose of Section 576:

CRISIS CARE FACILITY shall mean a place where short-term temporary accommodation is provided for persons in emergency situations.”

4. By-law 151-88, as amended, is hereby further amended:

(1) by adding thereto, after Section 321.3 the following:

“321.4 For the purpose of Section 321:

CRISIS CARE FACILITY shall mean a place where short-term temporary accommodation is provided for persons in emergency situations.”

(2) by adding thereto, after Section 747.2 the following:

“747.3 For the purpose of Section 747:

CRISIS CARE FACILITY shall mean a place where short-term temporary accommodation is provided for persons in emergency situations.”

(3) by adding thereto, after Section 773.3 the following:

“773.4 For the purpose of Section 773:

CRISIS CARE FACILITY shall mean a place where short-term temporary accommodation is provided for persons in emergency situations.”

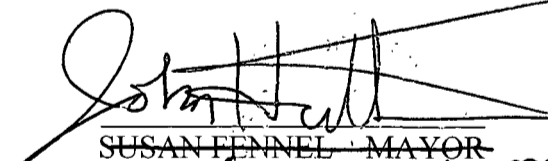

(4) by adding thereto, after Section 845.4 the following:

“845.5 For the purpose of Section 845:

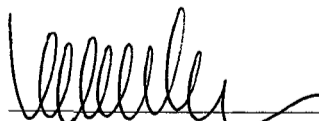
CRISIS CARE FACILITY shall mean a place where short-term temporary accommodation is provided for persons in emergency situations.”

READ a FIRST, SECOND and THIRD TIME, and PASSED, in open COUNCIL, this 16th day of September 2002.

APPROVED AS TO FORM LAW DEPT. BRAMPTON
DATE 10/4/02


~~SUSAN FENNEL - MAYOR~~
John Hutton, Acting Mayor

LEONARD J. MIKULICH - CITY CLERK

Approved as to Content:


Bill Lee, MCIP, RPP
Associate Director, Special Projects

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

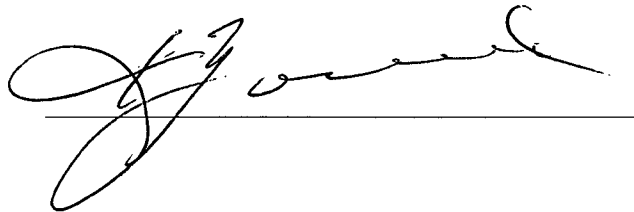
AND IN THE MATTER OF the City of Brampton By-law 254-2002 being a by-law to amend Comprehensive Zoning By-laws 200-82 as amended, 56-83 as amended, 139-84 as amended, and 151-88 as amended – THE CITY OF BRAMPTON (File P42GE)

DECLARATION

I, KATHRYN ZAMMIT, of the Town of Caledon, in the Regional Municipality of Peel, DO SOLEMNLY DECLARE THAT:

1. I am the Acting City Clerk of The Corporation of the City of Brampton and as such have knowledge of the matters herein declared.
2. By-law 254-2002 passed by the Council of The Corporation of the City of Brampton at its meeting held on the 16th day of September, 2002.
3. Written notice of By-law 254-2002 as required by section 34(18) of the *Planning Act* was given on the 27th day of September, 2002, 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)
25th day of October, 2002)





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.**