



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 125-2015

Partial repeal of By-law 86-2015

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**Recitals:**

1. The Council of the City of Brampton enacted By-law 86-2015 on April 22, 2015 as an amendment to By-law 270-2004 (the City's Comprehensive Zoning By-law) to permit second units within certain defined residential dwellings in the City.
2. Clause (1)(5) of By-law 86-2015 purported to amend Section 10.24 of By-law 270-2004 to regulate side yard setbacks for all residential above-grade side entrances in the City.
3. Council has determined that Clause (1)(5) of By-law 86-2015 may be void for non-compliance with section 34(19) of the Planning Act, R.S.O. 1990, c. P.13, as amended, insofar as Clause (1)(5) was subject to a right of appeal to the Ontario Municipal Board which was not made available to those persons qualified to appeal under section 34(19).

NOW THEREFORE the Council of The Corporation of the City of Brampton enacts as follows:

Clause (1)(5) of By-law 86-2015 is hereby repealed in its entirety, which reads as follows:

- "5) *by deleting Section 10.24 Above Grade Side Entrances in its entirety and replacing it with the following:*


**10.24 Above Grade Side Entrances**


- 10.24.1** *An at or above grade side entrance into a side wall of a single detached, semi-detached, or townhouse dwelling shall only be permitted when the entire side yard within which the door is located has a minimum width of 1.2 metres. Only one such side entrance into the dwelling shall be permitted, except for a side entrance into an attached garage. Any steps or landings for such side entrance shall have a minimum distance of the lesser of (a) 0.9 metres to an*

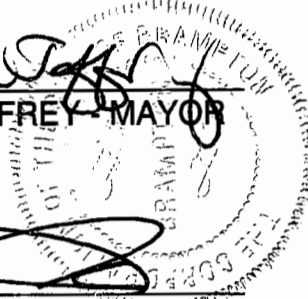
interior side lot line or (b) the required interior side yard setback."

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

this 17<sup>TH</sup> day of June, 2015.

  
LINDA JEFFREY - MAYOR


  
PETER FAY - CITY CLERK



Approved as to Content:



Heather MacDonald, MCIP, RPP  
Director, Planning Policy & Growth Management  
Planning and Building Division

APPROVED AS TO FORM LAW DEPT. BRAMPTON		
		
DATE	11	06/15

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 125-2015 being  
a by-law to partially repeal Zoning By-law 86-2015, which amended Comprehensive  
Zoning By-law 270-200, as amended,  
Regulating Second Units  
(File HB.c)

DECLARATION

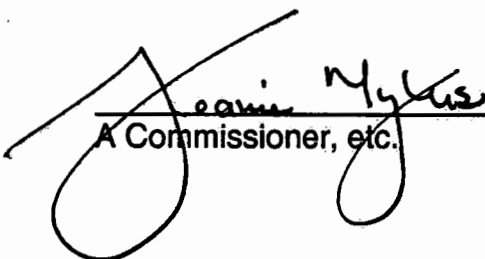
I, Earl Evans, Deputy Clerk, City of Brampton, in the Region of Peel, hereby make oath  
and say as follows:

1. I am the Deputy Clerk of The Corporation of the City of Brampton and as such  
have knowledge of the matters herein declared:
2. By-law 125-2015 was passed by the Council of The Corporation of the City of  
Brampton at its meeting held on the 17<sup>th</sup> day of June, 2015.
3. Written notice of By-law 125-2015 as required by section 34 of the *Planning Act*  
was given on the 16<sup>th</sup> day of July, 2015, 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 notice of appeal was filed under section 34 of the *Planning Act* on or before  
the final date for filing objections.
5. By-law 125-2015 is deemed to have come into effect on the 17<sup>th</sup> day of June, 2015,  
in accordance with Section 34 of the *Planning Act*, R.S.O. 1990, as amended.

And I make this solemn declaration conscientiously believing it to be true and knowing  
that it is of the same force and effect as if made under oath.

DECLARED before me at the )  
City of Brampton in the )  
Region of Peel this )  
7<sup>th</sup> day of August, 2015 )

  
\_\_\_\_\_  
Earl Evans

  
\_\_\_\_\_  
A Commissioner, etc.

Jeanie Cecilia Myers,  
a Commissioner, etc.,  
Province of Ontario, for the  
Corporation of the City of Brampton  
Expires April 8, 2018.