



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 11-2003

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

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

1. By-law 200-82 as amended, By-law 56-83 as amended, By-law 139-84 as amended, and By-law 151-88 as amended are hereby further amended by deleting therefrom, SECTION 6.0 GENERAL PROVISIONS FOR ALL ZONES in its entirety from ALL these By-laws and replacing each with the following:

## “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 a use is permitted, 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 occupied, 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, Depth 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, less lot area or less lot depth 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.

(Section 6.5 is reserved)

**6.6 Frontage on Road or Street**

No person shall erect any building or structure in any zone unless the lot upon which such building or structure is to be erected fronts upon a street.

**6.7 Building to be Moved**

No building may be moved into any zone where it is not permitted.

**6.8 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.

**6.9 Parent Zones and Special Sections**

Where the zoning symbol of land shown on Schedule A to this by-law is followed by a dash and a Section number, (for example C1-435), the number refers to a Special Section in Part III of this by-law. In addition to regulations and restrictions contained in the Special Section that apply to the particular property(ies), all regulations and restrictions of the Zone in front of the dash, considered as the Parent Zone outlined in Section 3.0 of this By-law, and all other provisions of this By-law shall also apply to the lands provided they are not in conflict with the ones set out in the applicable Special Section.

**6.10 Utility 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, structure, plant, or equipment by a public authority or a private electric utility company or other private utility company regulated by the Government of Ontario or a Crown agency thereof for a utility installation other than power generation, and such use or erection may be permitted subject to the following requirements and restrictions:

- (a) other than an electric power transmission line, the size, height, coverage and yard regulations required for the zone in which such land, building, structure, plant, or equipment is located shall be complied with except for a facility less than 1 square metre in area and 2 metres in height, which may be located not less than 3 metres from a public road right-of-way and 1.5 metres from any other property line;
- (b) no goods, material or equipment may be stored in the open in a Residential Zone or in a lot abutting a Residential Zone;
- (c) any parking and loading regulations prescribed for these uses shall be complied with;
- (d) areas not used for parking, driveways or storage shall be landscaped; and,
- (e) all electric power facilities of Hydro One Inc. and Brampton Hydro Networks Inc. existing on the date of enactment of this by-law shall be

deemed to conform with the requirements and restrictions pertaining to the particular zone in which it is located.

#### **6.11 Temporary Uses Permitted**

- (a) 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 is finished.
- (b) In a Commercial or Industrial Zone as shown on Schedule "A" to this by-law, a tent type structure shall be permitted only as an temporary accessory use for a maximum of a 14 day period twice a year on any lot.

#### **6.12 Home Occupations**

6.12.1 A home occupation may only be carried on within a single detached dwelling 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 percent 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) there are no change in the external character of the dwelling as a private residence;
- (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;
- (h) one sign is permitted that shall be attached to a building and shall be not more than 0.15 square metres in area.
- (i) no more than one home occupation shall be permitted in any dwelling; and
- (j) the following shall not be permitted as a home occupation:
  - (i) the repair and servicing of motor vehicles or internal combustion engines;
  - (ii) any use, which from its nature of operation, creates a nuisance or is liable to become a nuisance, or offensive by the creation of noise, vibration, or by reason of the emission of gas, fumes, dust, glare or objectionable odour, or any other use which may be considered to be an obnoxious or offence trade, business, or manufacture; and
  - (iii) a massage or body rub parlour.

6.12.2 In addition to the above, an office as a home occupation may be carried on within any other dwelling unit subject to the following requirements and restrictions:

- (a) no more than one office shall be permitted in a dwelling unit;

- (b) such office shall not be an office for a health care practitioner such as an office for a doctor, dentist, physiotherapist, massagist, chiropractor, psychiatrist, X-ray or ultrasound operator, etc;
- (c) the nature of the office shall be such that there shall be no more than one visitor at any time;
- (d) the total area devoted to the office shall not exceed 15 square metres;
- (e) it is carried on only by the occupant of the dwelling or by members of his family residing there and there is no other employee on the premises in connection with the office;
- (f) no exterior sign shall be permitted;
- (g) there are no goods, wares or merchandise offered or exposed for sale or sold or kept for sale on the premises; and
- (h) an office, which from the nature of the operation, creates a nuisance or is liable to become a nuisance, or offensive by the creation of noise, vibration, or objectionable odour, or be an obnoxious or offence trade, or business shall not be permitted.

### 6.13 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 the following Table 6.13.A 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, landscaped decks or similar accessory uses.

Table 6.13.A

Structure	Yard	Maximum Encroachment
Sills, belt courses, cornices, gutters, chimneys, pilasters, eaves, parapets or canopies	Any yard	0.5 metres
Window bays	Front, rear and exterior side yards	1 metre to a maximum width of 3 metres
Balconies or decks	Front, rear and exterior side yards	1.5 metres
Open, roofed porches not exceeding one storey in height, uncovered terraces	Front, rear and exterior side yards	1.5 metres including eaves and cornices

### 6.14 Floodplain Zone

The part of any lot or land within a Floodplain zone (F) shall not be used in calculating the lot width, yards or area required by this by-law for uses in abutting zones.

### 6.15 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 metres 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.

#### **6.16 Height Regulations**

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.

#### **6.17 Parking Spaces**

6.17.1 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 2.70 metres in width and 5.4 metres in length.
- (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.

6.17.2 Where parking spaces are provided or required other than for a single detached dwelling, 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	4.0 metres
(2) 50 degrees up to 70 degrees	5.75 metres
(3) 70 degrees up to and including 90 degrees	6.6 metres

(Section 6.18 is reserved)

#### **6.19 Occupation of Trailers**

- (a) Travel trailers, house trailers and mobile homes shall not be located in any zone if used or intended to be used in that location for the accommodation of and occupation by persons.
- (b) Travel trailers and house trailers may be stored in any zone in accordance with the other provisions of this by-law.

#### **6.20 Loading Space**

6.20.1 Each loading space shall

- (a) have a minimum vertical clearance of 4.25 metres;
- (b) not be upon or partly upon any street or lane; and

- (c) be accessible from a street or lane by means of driveways, aisles, maneuvering or similar areas, no part of which shall be used for the parking or temporary storage of motor vehicles.

6.20.2 A loading space shall be a rectangular area measuring not less than 3.5 metres in width and 9 metres in length.

(Section 6.21 is reserved)

**6.22 Accessory Building for Animals**

Accessory buildings permitted on lots of less than 4.046 hectares shall not be used for the purpose of keeping pigs, sheep, goats, horses and cattle.

(Section 6.23 is reserved)

**6.24 Provisions for Holdings Zones**

6.24.1 To regulate the height, bulk, location, size, floor area, spacing character and use of buildings, or structures to be erected within a defined area of the overall area covered by this by-law, Holding ("H") Zones are hereby established and identified on Schedule A attached hereto; by the letter (H) in brackets following a zoning symbol.

6.24.2 Where a zoning symbol is followed by the letter (H) in brackets, the provisions of this by-law with respect to the zone defined by such zoning symbol shall be considered to be the prime use category and such provisions shall apply to such zone, but only after an amendment to this by-law to remove the letter (H) in brackets following the zoning symbol. The application to remove the (H) designation shall be based upon timing to implement the zone provided, financial and engineering and servicing requirements are complied with and site plan agreements, if any are required, are approved and all other municipal requirements are complied with, and provided further, that the land use originally established shall not be an issue in such application.

**6.25 Provisions for the Parkway Belt West**

6.25.1 Where the zoning symbol of land is Agriculture (A) but followed by the symbol "P" in parenthesis, shown on Schedule A and in text, in addition to the regulations and restrictions outlined in the Agriculture Zone the following shall apply:

- (a) the maximum lot coverage shall be 10%,
- (b) a cemetery shall not be permitted

6.25.2 Where a land shown on Schedule A to this by-law is zoned other than an Agriculture Zone and its zoning symbol is followed by the symbol "P" in parenthesis, no building or structure shall be erected, altered or used on the part of that land which is within 30 metres of the top of the bank of the Etobicoke Creek Valley to this by-law, except for one or more of the following:

- (a) an unenclosed swimming pool;
- (b) a tool shed as an accessory use, but not exceeding 3 metres in height and located at least 3 metres from a rear lot line.

**6.26 Gas Regulator Facilities**

The provisions of this by-law shall not prevent the use of any land in a Commercial, Industrial, Institutional Two, or Agricultural Zone for the purposes of a gas regulator facility, and such use may be permitted subject to the following requirements and restrictions:

- (a) a gas regulator facility shall be enclosed by chain link fencing, at least 1.8 metres in height;

- (b) in addition to aforementioned subsection (a), a gas regulator facility in a Commercial Zone or on lands abutting a Residential Zone shall be enclosed by an opaque fence, at least 1.8 metres in height;
- (c) a gas regulator facility shall not be established closer than 8 metres to a Residential zone;
- (d) there shall be a street line setback of at least 5 metres between a street line and a gas regulator facility; and,
- (e) areas not used for the gas regulator facility and fencing shall be landscaped.

**6.27 One Dwelling Per Lot**

Where a dwelling is a permitted purpose, no person shall erect more than one such single detached dwelling on one lot.

**6.28 Dwelling Units for Display Purposes**

The provisions of this by-law shall not apply to prevent the erection of dwelling units for display purposes on land which is zoned for residential purposes and such erection may be permitted subject to the following requirements and restrictions:

- (a) the dwelling unit(s) shall be for display purposes only and shall not be occupied for residential use until the land is included in a plan of subdivision which has been registered within the meaning of the Planning Act;
- (b) the land shall be located within a proposed plan of subdivision which has been draft approved within the meaning of the Planning Act; and
- (c) the number of dwelling units erected shall not exceed 1 dwelling unit for every 4 hectares or part thereof of the land within the plan of subdivision draft approved within the meaning of the Planning Act, to a maximum of 10 dwelling units.

**6.29 Animal Hospitals**

The provisions of this by-law shall not apply to prevent lands which are Industrially or Commercially zoned including any lands so zoned but subject to a Special Section in this by-law, from being used for the purposes of an animal hospital subject to the following requirements and restrictions:

- (a) there shall be no overnight boarding of animals not receiving veterinary treatment;
- (b) there shall be no outside runs; and
- (c) only treatment for animals which are household pets and not agricultural livestock shall be provided.

**6.30 Composting Facility**

A composting facility, other than those accessory to a principal residential, institutional, open space, or agricultural use, shall not be permitted on any site unless it is specifically expressed as a permitted purpose.

**6.31 Parking of Oversized Motor Vehicle**

No person shall park or store, or permit to be parked or stored on any property, an oversized motor vehicle, other than a catering truck, unless

- (a) the oversized motor vehicle is being used to make a delivery or provide a service on the property where it is parked, or

- (b) it is accessory to a permitted agricultural, commercial, industrial, institutional, or public use, but not a home occupation, occurring on the property.

**6.32 Adult Uses**

- 6.32.1 A Massage or Body Rub Parlour shall be permitted only where a personal service shop is permitted.
- 6.32.2 No establishment permitted in any Commercial Zone as shown on Schedule "A" to this by-law shall be used for the purpose of an Adult Videotape Store.
- 6.32.3 A Massage or Body Rub Parlour, an Adult Entertainment Parlour, or an Adult Videotape Store, shall not be located within 500 metres of a residentially zoned property.

**6.33 City of Brampton Public Uses Permitted**

Public Uses owned and or leased by the Corporation of the City of Brampton are permitted in all zoning categories provided that yard, outside storage, parking, and coverage regulations required for the zone where lands are located are complied with and the accessory uses to any permitted use shall not exceed 15% of the total gross floor area on the site."

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

- (1) by deleting therefrom, in TABLE OF CONTENTS, references to "Schedule B-1" and "Schedule B-3" and by renaming "Schedule B-2" thereof "Schedule B".
- (2) by deleting therefrom the words "Schedule B is comprised of two maps: Schedule B-1 and Schedule B-2, and a table Schedule B-3" and replacing them with "Schedule B is a map showing setback requirements and parking exemption area for the central area" in Section 3.2.
- (3) by deleting therefrom, map Schedules B-1 and table B-3.
- (4) by renaming map Schedule B-2 thereof, Schedule B.
- (5) by adding thereto, in Section 6 the following:

**"6.5 Road Allowances and Setback shown on Schedule B**

Schedule B which indicates the minimum setback standards for certain roads, are attached to and form part of this by-law. Except where provided elsewhere in this by-law, no building or structure shall be erected or used except in accordance with the provisions of Schedule B."

- (6) by changing the reference to "B-2" in Section 20 to "B".
- (7) by changing the reference to "6.13" in Section 10.10 to "6.15".
- (8) by changing the reference to "6.15" Sections 40.1 and 40.2 to "6.0".
- (9) by deleting therefrom Schedule A thereto all symbols "(S1)", "(S2)", and "(S3)".

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

- (1) by deleting therefrom, in TABLE OF CONTENTS, references to "Schedule B-1" and "Schedule B-2".
- (2) by deleting therefrom the word "B," from the first sentence of Section 3.2(1) as well as the reference to "SCHEDULE B: ROAD SETBACKS" in Section 3.2.
- (3) by deleting therefrom two tables: Schedule B-1 and Schedule B-2.
- (4) by deleting therefrom the words "subject to the requirements and restrictions of section 6.27" from sections 11.1, 11.2, 11.3, 12.1 684, and 764.




- (5) by deleting therefrom the words "subject to the requirements and restrictions of section 6.26" from sections 545.1 and 559.1.
- (6) By deleting therefrom the words "subject to the requirements and restrictions set out in section 6.27" from sections 11.4, 11.5, 13.1, 13.2, 13.3, 14.1, 15.1, and 15.2.
4. By-law 139-84, as amended, is hereby further amended:
- (1) by deleting therefrom, in TABLE OF CONTENTS, references to "Schedule B-1" and "Schedule B-2".
- (2) by deleting therefrom the word "B," from the first sentence of Section 3.2(1) as well as the reference to "SCHEDULE B: ROAD SETBACKS" in Section 3.2.
- (3) by deleting therefrom two tables, Schedules B-1 and Schedule B-2.
- (4) by deleting therefrom, Sheets 1 to 4, both inclusive, of Schedule C Section 6.25.1.
- (5) by deleting from Section 3.2(2) the following:
- "Schedule C - Section 6.25.1 (Sheet 1)  
Schedule C - Section 6.25.1 (Sheet 2)  
Schedule C - Section 6.25.1 (Sheet 3)  
Schedule C - Section 6.25.1 (Sheet 4)"
- (6) by deleting therefrom the words "subject to the requirements and restrictions set out in section 6.11" from Sections 728, 729, 730, 733, 734, 735, 752, 753, 755, 756, 758, 759, 760, 762, 765, and 767.
- (7) by deleting therefrom, "Agricultural – Parkway Belt AP" Zone and Section 46.2.
- (8) by deleting therefrom Schedule A all symbols of "AP" and replacing them with "A(P)".
- (9) by deleting therefrom the symbol "AP" in Sections 618.1 and 666.1 and replacing them with "A(P)" and by deleting therefrom the word "AP" in Sections 618.3 and 666.3 and replacing them with "Parkway Belt West contained in the General Provisions for All Zones and A".
- (10) by deleting therefrom the words "section 46.2.1" in Sections 618 and 666 and replacing them with "A Zone but not a cemetery".
5. By-law 151-88, as amended, is hereby further amended:
- (1) by deleting therefrom, in TABLE OF CONTENTS, references to "Schedule B-1" and "Schedule B-2".
- (2) by deleting therefrom the word "B," from the first sentence as well as the reference to "SCHEDULE B: ROAD SETBACKS" in Section 3.2.
- (3) by deleting therefrom two tables, Schedules B-1 and Schedule B-2.
- (4) by changing the reference to "6.14" in Section 10.11 to "6.15".
- (5) by deleting therefrom the words "the distance that the structures listed in Table 6.12(b) may project into the yard shall not exceed 35 centimetres" and replacing with "the permitted yard encroachments shall not exceed 35 centimetres" in Sections 518, 543, 581, 616, 617, 621, 692, 706, 734, 750, 751, 752, 757, 764, 766, 767, 785, 806, 807, 813, 824, 831, 841, 842, and 865.
- (6) by deleting therefrom the words "but if provided shall be in accordance with section 6.18" in Section 459.

- (7) by deleting therefrom Schedule A thereto all symbols "(S1)", "(S2)", and "(S3)".
- (8) by delete the words "Institutional Two" from Section 6.26.


READ a FIRST, SECOND and THIRD TIME, and PASSED, in open COUNCIL, this 27<sup>th</sup> day of  
 January 2003.

APPROVED  
 AS TO FORM  
 LAW DEPT.  
 BRAMPTON  
 DATE 1/20/03

  
 SUSAN FENNEL - MAYOR

  
 LEONARD J. MIKULICH - CITY CLERK

Approved as to Content:

  
 Bill Lee, MCIP, RPP  
 Associate Director, Special Projects

G/bill/planning/newzb/zba2 all zones

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

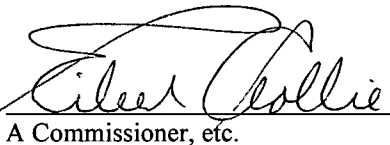
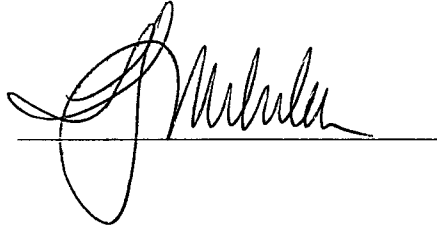
**AND IN THE MATTER OF** the City of Brampton By-law 11-2003 being a by-law to amend Comprehensive Zoning By-laws 200-82, as amended, 56-83, as amended, 139-84, as amended, and 151-88, as amended (THE CORPORATION OF THE CITY OF BRAMPTON) (File: P42BR)

DECLARATION

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

1. I am the City Clerk of The Corporation of the City of Brampton and as such have knowledge of the matters herein declared.
2. By-law 11-2003 was passed by the Council of The Corporation of the City of Brampton at its meeting held on the 27<sup>th</sup> day of January, 2003.
3. Written notice of By-law 11-2003 as required by section 34(18) of the *Planning Act* was given on the 7<sup>th</sup> day of February 2003, in the manner and in the form and to the persons and agencies prescribed by the *Planning Act*, R.S.O. 1990 as amended.
4. No notices of appeal were filed under section 34(19) of the *Planning Act* on or before the final date for filing objections.

DECLARED before me at the )  
City of Brampton in the )  
Region of Peel this )  
4<sup>th</sup> day of March, 2003 )



A Commissioner, etc.

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