



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 128-95

To amend By-law 56-83 as amended

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

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

- (1) by deleting therefrom section 6.12 Home Occupation, and substituting therefore, the following:

"6.12 Home Occupation

6.12.1 A home occupation may be carried on within a single-family detached dwelling subject to the following requirements and restriction:

- (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 residential 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 changes 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 not be 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; and
 - (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 offensive trade, business, or manufacture.

6.12.2 An office as a home occupation may be carried on within any 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 offensive trade or business shall not be permitted."

- (2) by deleting therefrom, section 44 OPEN SPACE ZONE - OS, and substituting therefor, the following:

"SECTION 44 OPEN SPACE ZONE - OS

44.1 The lands designated as OS on Schedule A to this by-law:

Permitted Purposes

44.1.1 shall only be used for the following purposes:

- (a) an indoor or outdoor recreation facility operated by, or licensed by, or leased from, or managed under an agreement with a public authority, including a conservation authority;
- (b) any conservation area or purpose;
- (c) only in conjunction with an indoor or outdoor recreation facility permitted by section 44.1.1(a) a lounge or restaurant; and
- (d) purposes accessory to the other permitted purposes.

Requirements and Restrictions

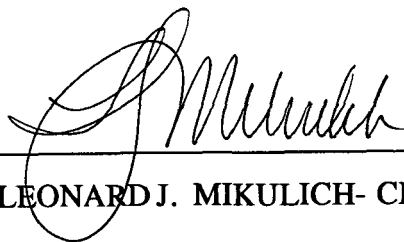
44.1.2 shall only be subject to the following regulations and restrictions:

- (a) maximum lot coverage: 33.3 per cent
- (b) minimum yard setback:
7.5 metres or 1/2 of the height of the building whichever is the greater
- (c) parking:
Parking spaces shall be provided and maintained in accordance with sections 6.0, 10.0 and 20.0 of this by-law.
- (d) A lounge or restaurant permitted by section 44.1.1(c) shall not exceed 15 per cent of the gross floor area on the site and shall not be located within 30 metres of a residentially zoned property."


READ a FIRST, SECOND and THIRD TIME, and PASSED, in OPEN COUNCIL, this 12th day of June, 1995.



PETER ROBERTSON - MAYOR



LEONARD J. MIKULICH- CITY CLERK

APPROVED AS TO FORM LAW DEPT BRAMPTON
DATE 

EXPLANATORY NOTE

THE PURPOSE OF BY-LAW 128 -95:

The purpose of By-law 128-95 is to amend Comprehensive Zoning By-law 56-83, as amended, for those lands zoned in a Residential or Open Space category.

EFFECT OF THE BY-LAW:

a. Home Occupation

The home occupation provisions in the comprehensive by-law are amended to provide consistent wordings throughout the City.

The existing provisions permitting a wide range of home occupations in a single family dwelling will remain. In addition, a home office (other than medical practitioner) is permitted, subject to regulations, in other housing forms such as semi-detached, townhouse, and apartment dwellings.

b. Open Space General Provisions

The Open Space general provisions are amended to provide consistent wordings throughout the City.

Further, the comprehensive by-law is amended to clarify that a lounge/restaurant is permitted in conjunction with a recreation facility.

LOCATION OF LANDS AFFECTED:

All lands that zoned in an Open Space or Residential category within the comprehensive by-law are affected by the By-law.

Any further inquiries or questions should be directed to Bob O'Hearn or William Lee, City of Brampton Planning and Building Department, 874-2050.

(no appeal)

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

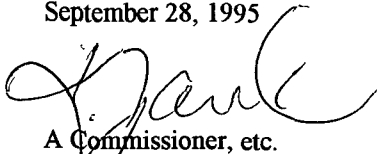
AND IN THE MATTER OF the City of Brampton By-law 128-95 being a by-law to amend comprehensive zoning By-law 56-83, as amended (OMNIBBUS HOUSEKEEPING - Home Occupation & Open Space)

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 128-95 was passed by the Council of the Corporation of the City of Brampton at its meeting held on the 12th day of June, 1995.
3. Written notice of By-law 128-95 as required by section 34(18) of the *Planning Act* was given on the 1st day of September, 1995, in the manner and in the form of newspaper publication in the Brampton Guardian on September 1, 1995, and September 8, 1995, 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)
 September 28, 1995)

A Commissioner, etc.