



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 176-2000

To amend By-law 200-82 as amended, By-law 56-83 as amended, By-laws 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, is hereby further amended:

- (1) by deleting from SECTION 6.0 GENERAL PROVISIONS FOR ALL ZONES, section 6.2 Non-Complying Buildings and replacing with the following:

“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.”

- (2) by adding to SECTION 10.0 GENERAL PROVISIONS FOR RESIDENTIAL ZONES, the following:

“10.21 Notwithstanding the front, side, and rear yard requirements, where a lot line abuts a daylight or visibility triangle larger than 10 metres by 10 metres, the minimum yard setback to that lot line for a building not exceeding 2 storeys in height shall be 3 metres and subject to a maximum encroachment permitted in the General Provisions of the By-law.”

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

- (1) by deleting from SECTION 6.0 GENERAL PROVISIONS FOR ALL ZONES, section 6.2 Non-Complying Buildings and replacing with the following:

“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.”

- (2) by adding to SECTION 10.0 GENERAL PROVISIONS FOR RESIDENTIAL ZONES, the following:

“10.21 Notwithstanding the front, side, and rear yard requirements, where a lot line abuts a daylight or visibility triangle larger than 10 metres by 10 metres, the minimum yard setback to that lot line for a building not exceeding 2 storeys in height shall be 3 metres and subject to a maximum encroachment permitted in the General Provisions of the By-law.”

3. By-law 139-84, as amended, is hereby further amended:

- (1) by deleting from SECTION 6.0 GENERAL PROVISIONS FOR ALL ZONES, section 6.2 Non-Complying Buildings and replacing with the following:

“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.”

- (2) by adding to SECTION 10.0 GENERAL PROVISIONS FOR RESIDENTIAL ZONES, the following:

“10.21 Notwithstanding the front, side, and rear yard requirements, where a lot line abuts a daylight or visibility triangle larger than 10 metres by 10 metres, the minimum yard setback to that lot line for a building not exceeding 2 storeys in height shall be 3 metres and subject to a maximum encroachment permitted in the General Provisions of the By-law.”

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

- (1) by deleting from SECTION 6.0 GENERAL PROVISIONS FOR ALL ZONES, section 6.2 Non-Complying Buildings and replacing with the following:

“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.”
- (2) by adding to SECTION 10.0 GENERAL PROVISIONS FOR RESIDENTIAL ZONES, the following:


“10.21 Notwithstanding the front, side, and rear yard requirements, where a lot line abuts a daylight or visibility triangle larger than 10 metres by 10 metres, the minimum yard setback to that lot line for a building not exceeding 2 storeys in height shall be 3 metres and subject to a maximum encroachment permitted in the General Provisions of the By-law.”

READ a FIRST, SECOND and THIRD TIME, and PASSED, in OPEN COUNCIL, this 11th day of Sept., 2000.


PETER ROBERTSON - MAYOR



LEONARD J. MIKULICH - CITY CLERK

Approved as to Content:


William Lee, MCIP, RPP
Director, Urban Design and Zoning

g/bill/zba.daylighting

APPROVED AS TO FORM LAW DEPT BRAMPTON
DATE



EXPLANATORY NOTE

THE PURPOSE OF BY-LAW 176- 2000

The purpose of By-law 176 -2000 is to amend comprehensive Zoning By-laws 200-82, 56-83, 139-84, 151-88, as amended, with respect to regulations related to non-complying uses and a large daylight (visibility) triangle.

EFFECT OF THE BY-LAW

The effect of By-law 176 -2000 is as follows:

1. The regulations related to a legal non-complying status:

From a zoning administration perspective, a legal non-complying situation is that when a zoning by-law is passed, an existing use meets the permitted use provisions of the by-law but not one or more of the regulations such as the lot size, building setbacks, parking provisions, coverage, landscaping, etc. When the existing City comprehensive zoning by-laws were prepared, the non-comply provisions did not address situations when a legal use on a non-complying lot or building moves out and another legal use moves in. Therefore, this by-law amendment is passed so that a permitted use can move into an existing legal non-complying building or lot provided that it will not cause a further extent of non-complying.

2. The regulations related to a large daylight (visibility) triangle:

A daylight (visibility) triangle occurs at intersections of two roads and is a triangular area formed by a lot line and two streets to provide a clear view of traffic on intersecting streets. At the intersection of major roads, such a triangular area is made larger to accommodate the requirement of a potential traffic light as well as above and below ground utilities. For a residential lot, the required building setbacks to a large daylight (visibility) triangle are sometimes excessive and there is no special zoning provision in existing by-laws to address this matter. Therefore, this by-law amendment is passed so that when a residential lot line abuts a daylight (visibility) triangle larger than 10 metres by 10 metres, the minimum yard setback for a building not exceeding 2 storeys in height to that lot line shall be 3 metres.

LOCATION OF LANDS AFFECTED

The lands affected by By-law 176 -2000 encompass (1) all lands that are in a non-complying status or (2) all residentially zoned lands that abut a large daylight or visibility triangle.

Any further inquiries or questions should be directed to Mr. Bob O'Hearn (874-2090) or Mr. William Lee (874-2080), City of Brampton, Planning and Building Department.



Public Notice

TAKE NOTICE, that the Council of The Corporation of the City of Brampton passed by-law 176-2000 on the 11th day of September, 2000, under section 34 of the Planning Act RSO 1990, c.P.13, to amend comprehensive by-laws 56-83 (former Township of Toronto Gore), 139-84 (former Town of Mississauga), 151-88 (former Township of Chinguacousy) and 200-82 (former Town of Brampton) as amended.

AND TAKE NOTICE that any person or public body may appeal to the Ontario Municipal Board in respect of the by-law by filing a notice of appeal with the Clerk of the City of Brampton, Attention: Len Mikulich, at the address below, no later than the 12th day of October, 2000.

The Notice of Appeal must:

- (1) be in writing; and,
- (2) set out the objection to the by-law and the reasons in support of the objection; and,
- (3) be accompanied by the fee prescribed under the Ontario Municipal Board Act in the amount of \$125.00 payable by certified cheque to the Minister of Finance, Province of Ontario.

Only individuals, corporations and public bodies may appeal a decision of a zoning by-law to the Ontario Municipal Board. A notice of appeal may not be made by an unincorporated association or group. However, a notice of appeal may be made in the name of an individual who is a member of the association or the group on its behalf.

An explanation of the purpose and effect of the by-law are furnished herewith.

PURPOSE OF BY-LAW 176-2000: is to amend the comprehensive Zoning By-laws 56-83, 139-84, 151-88 and 200-82, as amended, with respect to regulations related to non-complying uses and a large daylight (visibility) triangle.

EFFECT OF THE BY-LAW:

The regulations related to a legal non-complying status: From a zoning administration perspective, a legal non-complying situation is that when a zoning by-law is passed, an existing use meets the permitted use provisions of the by-law but not one or more of the regulations such as the lot size, building setbacks, parking provisions, coverage, landscaping, etc. When the existing city comprehensive zoning by-laws were prepared, the non-comply provisions did not address situations when a legal use on a non-complying lot or building moves out and another legal use moves in. Therefore, this by-law amendment is passed so that a permitted use can move into an existing legal non-complying building or lot provided that it will not cause a further extent of non-complying.

The regulations related to a large daylight (visibility) triangle: A daylight (visibility) triangle occurs at intersections of two roads and is a triangular area formed by a lot line and two streets to provide a clear view of traffic on intersecting streets. At the intersection of major roads, such a triangular area is made larger to accommodate the requirement of a potential traffic light as well as above and below ground utilities. For a residential lot, the required building setbacks to a large daylight (visibility) triangle are sometimes excessive and there is no special zoning provision in existing by-laws to address this matter. Therefore, this by-law amendment is passed so that when a residential lot line abuts a daylight (visibility) triangle larger than 10 metres by 10 metres, the minimum yard setback for a building not exceeding 2 storeys in height to that lot line shall be 3 metres.

LOCATION OF LANDS AFFECTED: encompass (1) all lands that are in a non-complying status or (2) all residentially zoned lands that abut a large daylight or visibility triangle.

A copy of the by-law, together with an explanation of the purpose and effect of the by-law, are available at the Clerk's Department, Brampton City Hall.

Any further inquires or questions should be directed to **Mr. Bob O'Hearn**, City of Brampton Planning and Building Department, **874-2090**.

DATED at the City of Brampton this 22nd day of September, 2000.

L.J. Mikulich, City Clerk, City of Brampton
2 Wellington Street West, Brampton, Ontario, L6Y 4R2
len.mikulich@city.brampton.on.ca

(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 176-2000 being a by-law to amend comprehensive zoning By-laws 200-82, 56-83, 139-84 and 151-88 as amended (Visibility triangle/Non-complying Uses – File: P42)

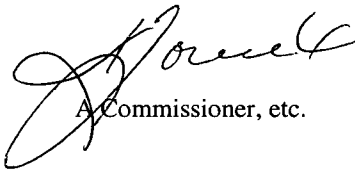
DECLARATION

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 176-2000 was passed by the Council of The Corporation of the City of Brampton at its meeting held on the 11th day of September, 2000.
3. Written notice of By-law 176-2000 as required by section 34(18) of the *Planning Act* was given on the 22nd day of September, 2000, 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 20th)
day of October, 2000)




A Commissioner, etc.

I, Leonard J. Mikulich, City Clerk, of the City of Brampton, hereby certify that the attached by-law, being By-law 139-84, and amending by-laws, attached hereto and listed below, are true copies:

246-84, 281-84, 309-84,

11-85, 82-85, 126-85, 131-85, 172-85, 191-85, 235-85, 237-85, 250-85, 265-85, 295-85, 303-85, 328-85,

53-86, 58-86, 60-86, 68-86, 72-86, 75-86, 109-86, 141-86, 160-86, 184-86, 190-86, 203-86, 220-86, 224-86, 230-86, 234-86, 240-86, 244-86, 248-86, 255-86, 259-86, 265-86, 280-86, 287-86, 297-86, 318-86, 321-86, 324-86, 325-86,

12-87, 19-87, 28-87, 30-87, 33-87, 59-87, 137-87, 185-87, 244-87, 250-87, 252-87, 262-87, 267-87, 287-87, 293-87, 296-87, 309-87,

31-88, 39-88, 65-88, 93-88, 105-88, 109-88, 121-88, 161-88, 174-88, 212-88, 215-88, 229-88, 235-88, 236-88, 244-88, 248-88, 250-88, 251-88, 257-88, 272-88, 273-88, 275-88, 287-88,

5-89, 12-89, 32-89, 150-89, 182-89, 188-89, 209-89, 237-89, 243-89, 247-89, 280-89, 300-89,

15-90, 19-90, 63-90, 69-90, 95-90, 181-90, 194-90, 204-90, 222-90,

43-91, 47-91, 90-91, 105-91, 150-91, 174-91, 178-91, 180-91, 186-91, 211-91, 223-91, 265-91,

9-92, 24-92, 154-92, 220-92, 239-92,

39-93, 48-93, 50-93, 97-93, 206-93, 226-93, 294-93,

20-94, 62-94, 74-94, 134-94, 142-94, 144-94, 171-94

5-95, 9-95, 80-95, 129-95, 132-95, 133-95, 176-95, 234-95, 235-95, 258-95, 259-95,

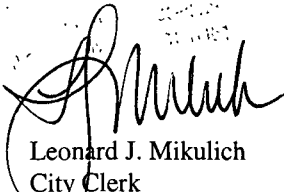
50-96, 175-96, 208-96, 229-96, 240-96, 255-96

2-97, 58-97, 108-97, 110-97, 121-97, 177-97, 204-97, 248-97, 251-97, 297-97

83-98, 130-98, 168-98, 231-98, 273-98

1-99, 29-99, 63-99, 90-99, 134-99, 165-99, 176-99, 182-99

51-2000, 115-2000, 116-2000, 170-2000, 176-2000



Leonard J. Mikulich
City Clerk
October 20, 2000

I, Leonard J. Mikulich, City Clerk, of the City of Brampton, hereby certify that the attached by-law, being By-law 151-88, and amending by-laws attached hereto and listed below, are true copies:

177-88, 182-88, 184-88, 186-88, 188-88, 191-88, 194-88, 196-88, 210-88, 218-88, 227-88, 232-88, 260-88, 261-88, 265-88,

03-89, 06-89, 14-89, 16-89, 39-89, 43-89, 47-89, 67-89,
101-89, 103-89, 112-89, 121-89, 135-89, 138-89, 153-89, 167-89, 183-89, 192-89, 194-89, 206-89,
223-89, 226-89, 234-89, 236-89, 241-89, 246-89, 267-89, 283-89, 301-89, 313-89,

23-90, 57-90, 70-90, 96-90, 112-90, 113-90, 115-90, 131-90, 137-90, 138-90, 141-90, 178-90, 196-90,
207-90, 250-90, 268-90, 299-90, 300-90,

4-91, 7-91, 9-91, 14-91, 38-91, 44-91, 46-91, 59-91, 61-91, 69-91, 74-91, 91-91, 113-91, 114-91,
128-91, 148-91, 176-91, 187-91, 212-91, 225-91, 242-91, 247-91 251-91,

10-92, 17-92, 18-92, 23-92, 27-92, 31-92, 56-92, 57-92, 102-92, 106-92, 155-92, 156-92, 157-92,
168-92, 172-92, 181-92, 188-92, 197-92, 217-92, 222-92, 225-92, 260-92, 269-92, 273-92,

3-93, 4-93, 9-93, 16-93, 63-93, 65-93, 76-93, 94-93, 112-93, 116-93, 118-93, 136-93, 149-93, 152-93,
161-93, 205-93, 208-93, 229-93, 244-93, 269-93, 272-93, 291-93

7-94, 8-94, 21-94, 24-94, 31-94, 63-94, 70-94, 71-94, 86-94, 87-94, 95-94, 105-94, 111-94, 121-94,
122-94, 136-94, 137-94, 166-94, 167-94, 168-94, 173-94, 174-94, 183-94, 201-94, 245-94, 246-94,
250-94, 275-94

6-95, 22-95, 59-95, 79-95, 91-95, 125-95, 127-95, 136-95, 201-95, 204-95, 205-95, 212-95, 262-95,
265-95, 266-95, 274-95

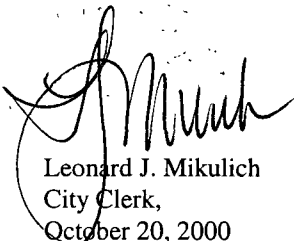
16-96, 17-96, 25-96, 30-96, 35-96, 65-96, 72-96, 81-96, 125-96, 152-96, 154-96, 159-96, 174-96, 183-
96, 230-96

4-97, 26-97, 43-97, 62-97, 78-97, 79-97, 106-97, 107-97, 109-97, 136-97, 138-97, 111-97, 119-97, 137-
97, 178-97, 180-97, 208-97, 233-97, 247-97, 248-97, 250-97, 252-97, 253-97, 255-97, 256-97, 257-97,
258-97, 261-97, 270-97, 271-97

22-98, 33-98, 82-98, 90-98, 115-98, 123-98, 131-98, 138-98, 161-98, 162-98, 182-98, 186-98, 187-98
198-98, 200-98, 211-98, 212-98, 208-98, 210-98, 230-98, 255-98, 265-98

1-99, 14-99, 16-99, 17-99, 31-99, 36-99, 37-99, 38-99, 45-99, 46-99, 63-99, 68-99, 79-99, 81-99,
96-99, 101-99, 109-99, 131-99, 132-99, 133-99, 139-99, 140-99, 146-99, 164-99, 167-99, 174-99,
193-99, 194-99, 202-99, 207-99, 215-99, 217-99, 218-99, 237-99, 239-99, 261-99, 262-99, 263-99,
264-99

2-2000, 13-2000, 22-2000, 24-2000, 35-2000, 36-2000, 51-2000, 53-2000, 56-2000, 65-2000, 67-2000,
69-2000, 85-2000, 95-2000, 111-2000, 113-2000, 115-2000, 116-2000, 135-2000, 139-2000, 167-2000,
169-2000, 172-2000, 176-2000, 179-2000, 180-2000



Leonard J. Mikulich
City Clerk,
October 20, 2000

I, Leonard J. Mikulich, City Clerk, of the City of Brampton, in the Regional Municipality of Peel, hereby certify that the attached by-law, being By-law 200-82, and amending by-laws, attached hereto and listed below, are true copies

201-82, 202-82, 203-82, 204-82, 220-82, 223-82, 243-82, 245-82,

5-83, 10-83, 37-83, 39-83, 43-83, 46-83, 51-83, 109-83, 125-83, 129-83, 133-83, 134-83, 170-83, 172-83, 201-83, 205-83, 255-83, 273-83, 277-83,

22-84, 38-84, 44-84, 82-84, 126-84, 145-84, 165-84, 167-84, 171-84, 185-84, 205-84, 213-84, 216-84, 219-84, 231-84, 233-84, 243-84, 291-84, 305-84, 307-84,

21-85, 122-85, 128-85, 173-85, 175-85, 184-85, 207-85, 209-85, 212-85, 239-85, 245-85, 261-85, 268-85, 290-85, 298-85, 300-85, 322-85, 333-85, 376-85,

22-86, 82-86, 95-86, 125-86, 128-86, 138-86, 166-86, 188-86, 195-86, 200-86, 201-86, 253-86, 263-86, 276-86, 277-86, 317-86, 323-86, 331-86, 337-86,

14-87, 36-87, 43-87, 45-87, 102-87, 117-87, 131-87, 132-87, 183-87, 186-87, 189-87, 192-87, 193-87, 198-87, 202-87, 205-87, 206-87, 225-87, 241-87, 243-87, 260-87, 265-87, 270-87, 271-87, 284-87, 297-87, 310-87,

24-88, 32-88, 40-88, 63-88, 70-88, 119-88, 125-88, 198-88, 202-88, 228-88, 252-88, 256-88, 279-88, 283-88, 284-88, 285-88,

8-89, 11-89, 21-89, 49-89, 63-89, 81-89, 116-89, 128-89, 129-89, 169-89, 180-89, 238-89, 249-89, 305-89, 320-89,

21-90, 31-90, 42-90, 61-90, 67-90, 75-90, 93-90, 109-90, 128-90, 130-90, 168-90, 185-90, 217-90, 244-90, 247-90, 256-90, 260-90,

27-91, 29-91, 32-91, 41-91, 49-91, 54-91, 147-91, 185-91, 189-91, 218-91, 226-91, 249-91, 257-91, 268-91

12-92, 90-92, 114-92, 169-92, 186-92, 216-92, 223-92, 231-92

9-93, 62-93, 95-93, 125-93, 126-93, 135-93, 155-93, 198-93, 207-93, 251-93, 253-93, 228-93, 266-93

39-94, 46-94, 60-94, 72-94, 96-94, 158-94, 169-94, 180-94, 195-94, 235-94, 247-94

42-95, 78-95, 126-95, 152-95, 216-95, 223-95

33-96, 37-96, 64-96, 251-96

5-97, 74-97, 135-97, 112-97, 122-97, 151-97, 179-97, 182-97, 238-97, 248-97

80-98, 84-98, 97-98, 117-98, 139-98, 160-98, 157-98, 174-98, 206-98, 233-98, 243-98

1-99, 63-99, 89-99, 100-99, 145-99, 166-99, 173-99, 238-99

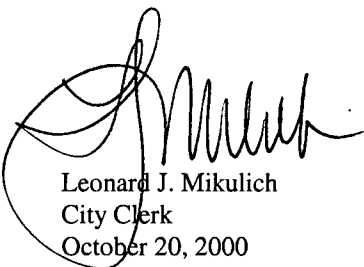
45-2000, 51-2000, 64-2000, 115-2000, 116-2000, 176-2000



Leonard J. Mikulich
City Clerk,
October 20, 2000

I, Leonard J. Mikulich, City Clerk, of the City of Brampton, hereby certify that the attached by-law, being By-law 56-83, and amending by-laws, attached hereto and listed below, are true copies:

93-83, 23-84, 46-84, 51-84, 127-84, 174-84, 259-84, 263-84, 264-84, 304-84, 310-84,
87-85, 125-85, 127-85, 264-85, 330-85,
35-86, 51-86, 73-86, 79-86, 136-86, 140-86, 161-86, 189-86, 227-86, 243-86, 251-86, 254-86, 319-86,
22-87, 27-87, 34-87, 52-87, 68-87, 79-87, 90-87, 106-87, 133-87, 163-87, 213-87, 218-87, 229-87,
249-87, 261-87, 266-87, 308-87,
29-88, 41-88, 64-88, 68-88, 120-88, 175-88, 199-88, 204-88, 230-88, 249-88, 280-88, 282-88, 288-88,
7-89, 10-89, 152-89, 173-89, 181-89, 248-89, 261-89, 262-89, 268-89, 270-89, 296-89,
5-90, 68-90, 78-90, 94-90, 120-90, 187-90, 195-90, 211-90, 254-90,
42-91, 48-91, 153-91, 195-91, 197-91, 224-91,
11-92, 170-92, 185-92, 190-92, 192-92, 196-92, 221-92, 237-92,
227-93, 290-93,
61-94, 65-94, 73-94, 120-94, 165-94, 170-94, 251-94
33-95, 128-95, 135-95, 139-95, 160-95, 195-95, 213-95
51-96, 74-96, 176-96
6-97, 7-97, 59-97, 113-97, 120-97, 165-97 176-97, 248-97
81-98, 147-98, 183-98, 204-98, 232-98, 240-98, 244-98, 248-98, 264-98
1-99, 61-99, 63-99, 111-99, 112-99, 147-99, 163-99, 168-99, 178-99, 204-99, 213-99, 225-99
43-2000, 51-2000, 115-2000, 116-2000, 128-2000, 130-2000, 168-2000, 176-2000, 177-2000, 181-
2000, 182-2000, 184-2000



Leonard J. Mikulich
City Clerk
October 20, 2000