




# BRAMPTON ZONING BY-LAW

Preliminary Draft for Discussion Purposes | November 1, 2023



This Draft Zoning By-law is considered preliminary for discussion purposes only. The contents of this document are subject to change as a result of further analysis and consultation.

# Chapter 1: Administration and Interpretation

## Section 1.1: Title

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- .1 This By-law may be referred to as the Comprehensive Zoning By-law or the City of Brampton Comprehensive Zoning By-law.

## Section 1.2: Application

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### 1.2.A Lands Subject to this By-law

- .1 This By-law applies to all lands within the City of Brampton, except within certain lands excluded from this By-law, as specifically shown on Schedule A.

### 1.2.B Conformity with By-law

- .1 No lands shall be used, and no building or structure shall be erected, located, used or altered, nor shall the use of any building, structure or lot be changed, in whole or in part, except in conformity with the provisions of this By-law.
- .2 Nothing in this By-law shall prevent the use of any lot, building or structure for any purpose prohibited by this By-law if such lot, building or structure was lawfully used for such purpose on the date of passing of this By-law, so long as it continues to be used for that purpose.

## Section 1.3: Establishment of Zones

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This By-law establishes the following zones and places all lands subject to this By-law in one or more of the zones established in Table 1.3.1 through 1.3.6 inclusive and shown on Schedule A. For convenience in referring to groups of zones in this By-law, the zones are organized into categories as indicated by the Table captions.

Table 1.3.1 – Residential Zones

Zone Name	Zone Symbol
Residential Estate	RE
Residential Hamlet	RH
Residential First Density	R1
Residential Second Density	R2
Residential Third Density – Low Rise	R3L
Residential Third Density – Mid Rise	R3M

Zone Name	Zone Symbol
Residential Third Density – High Rise	R3H

Table 1.3.2 – Commercial Zones

Zone Name	Zone Symbol
Local Commercial	LC
General Commercial	GC
Corridor Commercial	CC
Recreational Commercial	RC

Table 1.3.3 – Mixed Use Zones

Zone Name	Zone Symbol
Mixed Use Low Rise	ML
Mixed Use Mid Rise	MM
Mixed Use High Rise	MH

Table 1.3.4 – Employment Zones

Zone Name	Zone Symbol
Mixed-Use Employment	MUE
General Employment	GE
Prestige Employment	PE
Mineral Extraction	ME
Heavy Employment	HE

Table 1.3.5 – Institutional Zones

Zone Name	Zone Symbol
General Institutional	I1
Major Institutional	I2

Table 1.3.6 – Other Zones

Zone Name	Zone Symbol
Utility	U
Agricultural	A
Open Space	OS
Natural System	NS

## Section 1.4: Schedules

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### 1.4.A Schedule A

- .1 The zones and their boundaries are shown on Schedule A which forms part of this By-law.

### 1.4.B Schedule B

- .1 The Parking Regulation Areas, as referred to in Chapter 3 of this By-law, are shown on Schedule B which forms part of this By-law.

### 1.4.C Schedule C

- .1 The Lester B. Pearson International Airport Operating Area is shown on Schedule C, which forms part of this By-law.

### 1.4.D Schedule D

- .1 The Mature Neighbourhood Areas are shown on Schedule D, which forms part of this By-law.

### 1.4.E Interpretation of Schedules

The following provisions shall apply with respect to the interpretation of a zone boundary, the boundary of an overlay, the boundary of any Regulation Area referenced in this By-law, as shown on any Schedule to this By-law:

- .1 Where the boundary is indicated as following a street or lane, the boundary shall be the centre line of such street or lane.
- .2 Where the boundary is indicated as approximately following lot lines shown on a registered plan of subdivision or of lots registered in the Land Registry Office, the boundary shall follow such lot lines.
- .3 Where a street, lane, railroad or railway right-of-way, electrical transmission line right-of-way, or watercourse is included on the Schedules, said street, lane, railroad or railway right-of-way, electrical transmission line right-of-way, or watercourse shall, unless otherwise indicated, be included in the zone, overlay or Parking Regulation Area of the abutting property on either side thereof.
- .4 Where none of the above provisions apply, the boundary shall be scaled from the Schedule.

### 1.4.F Special Sections (-#)

Where a zone symbol is followed by a hyphen and a number, the provisions of the corresponding Special Section of this By-law, contained in Section 13, shall apply to those lands.

### 1.4.G Holding Symbol (h) Prefix

Where a zone symbol is preceded by the symbol “(h)”, the following provisions shall apply:

- .1 The only permitted uses, buildings and structures shall include those uses, buildings and structures that were legally existing when the holding symbol was applied to those lands by by-law.
- .2 The holding symbol shall be lifted only in accordance with the provisions for lifting the holding symbol as stated in the holding by-law.
- .3 Upon lifting the holding symbol, the permitted uses, lot and building requirements of the applicable zone shall apply.
- .4 Where the lands are subject to a Special Section that contains provisions for permitted uses or provisions for lifting the holding symbol, the Special Section shall take precedence over the provisions of this Section.

### 1.4.H Overlay and Suffix Zones

Where a zone symbol is followed by a hyphen and letters or a combination of letters and numbers not referred to in Section 1.4.F or in Section 1.4.G, or where an area is hatched or shaded with an overlay on Schedule A:

- .1 That area of land so affected shall be subject to the corresponding provisions of the applicable overlay zone, as contained in Section 11.
- .2 The requirements of the overlay zone, where shown, shall take precedence over the related requirements of the zone. All other requirements of the underlying zone and this By-law shall continue to apply.

## Section 1.5: Administration

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### 1.5.A Authority

- .1 This By-law shall be administered by the Commissioner of Planning and Development and such other person or persons as appointed by by-law or resolution of Council.

### 1.5.B Penalty

- .1 Every person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to fines in accordance with the Planning Act.

### 1.5.C Severability

- .1 A decision of any court or tribunal with suitable jurisdiction that any specific portion of this By-law is invalid or is not in effect does not affect the validity or enforceability of any other portion of this By-law.

## Section 1.6: Non-Conformity and Non-Compliance

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### 1.6.A Non-Conforming Uses

- .1 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; and,
  - .b Cause non-compliance with any other provisions of this By-law.

### 1.6.B Non-Complying Buildings and Structures

- .1 Where a building or structure was erected prior to the date of the passing of this By-law and used for a purpose that is permitted by this By-law, but the building or structure does not comply with the minimum requirements or restrictions of this By-law relating to such building or structure or the lot upon which it is located, the building or structure may be occupied, reconstructed, repaired, renovated, or enlarged, provided that such reconstruction, repair, renovation or enlargement does not:
- .a Contravene the requirements of this By-law with which the existing building, structure or lot does not comply to a greater extent; and,
  - .b Cause non-compliance with any other provisions of this By-law.

### 1.6.C Non-Compliance Due to Public Expropriation or Land Acquisition

- .1 No building, structure, lot, parking area or landscaped open space or portion thereof, shall be deemed to be in contravention of the provisions of this By-law if the contravention is due to a legal expropriation or other land acquisition by a public authority.

## Section 1.7: Compliance with Other Legislation, By-laws and Regulations

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- .1 This By-law shall not be effective to reduce or mitigate any restrictions lawfully imposed by a governmental authority having jurisdiction to make such restrictions.
- .2 Compliance with this By-law shall not necessarily represent compliance with any other applicable by-laws, legislation, regulations, or other laws.
- .3 References to the Zoning By-law or Zoning By-law 270-2004 in any other City of Brampton By-law shall be deemed to refer to this By-law.

## Section 1.8: Transition

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### 1.8.A Building Permits

- .1 Nothing in this By-law shall prevent the erection of a building or structure in accordance with a building permit application submitted prior to the date of passing of this By-law, provided the building permit is in accordance with all applicable zoning by-laws that affected the lot before this By-law came into effect.
- .2 This By-law is deemed to be modified to the extent necessary to permit a building or structure that is erected in accordance with clause .1 of this subsection.

### 1.8.B Planning Applications

- .1 Nothing in this By-law shall prevent the erection of a building or structure in accordance with any minor variance, site plan, consent, plan of subdivision or plan of condominium that has been submitted and deemed complete by the City or approved or conditionally approved by the relevant approval authority before the passing of this By-law, provided the application complies with all applicable zoning by-laws that affected the lot before this By-law came into effect.
- .2 This By-law is deemed to be modified to the extent necessary to permit a building or structure that is erected in accordance with clause .1 above.

### 1.8.C Lapse of Transition Provisions

- .1 Section 1.8 shall lapse and is deemed to be deleted three years after the date of passing of this By-law. This provision shall not require an amendment to this By-law to take effect.

## Section 1.9: Interpretation

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### 1.9.A Defined Terms

- .1 Wherever a term appears in the text of this By-law in bold letters, the term is intended to have the meaning set out for it in Section 12. Wherever a term appears in the text of this By-law in regular font, it is intended to have the meaning ordinarily attributed to it in the English language. When a verb is defined, the definition applies to all tenses of the verb.

### 1.9.B Interpretation of Permitted Use Tables

**Key**     P Permitted Use     E Legally existing use permitted

- .1 Where the permitted use key is shown in this By-law, the following shall apply:
  - .a **Permitted Use:** These uses are permitted in the corresponding zone(s) where the Permitted Use symbol is shown, provided the use complies with all of the applicable regulations of this By-law.

- .b **Legally Existing Use Permitted:** These uses are permitted in the corresponding zone(s) where the Legally Existing Use Permitted symbol is shown, but only if the use was legally existing on the date of adoption of this By-law.

### 1.9.C Words and Abbreviations

- .1 In this By-law, unless that context requires otherwise:
  - .a Words used in the singular number include the plural; and
  - .b Words used in the plural include the singular number
- .2 In this By-law, the word “shall” is mandatory.
- .3 In this By-law, “m” means metres.
- .4 In this By-law, “ha” means hectares.
- .5 In this By-law, “m<sup>2</sup>” means square metres.
- .6 In this By-law, all buildings, structures and uses permitted and classified under the headings "residential", "commercial", "industrial", "institutional" and "agricultural" may be referred to as residential, commercial, industrial, institutional and agricultural buildings, structures and uses, respectively.
- .7 In this By-law, unless the context requires otherwise:
  - .a the word “used” shall include the meaning “designed to be used” and “arranged to be used”; and,
  - .b the word "occupied" shall include the meaning "designed to be occupied" and "arranged to be occupied".

### 1.9.D Conflicts

- .1 Where there is conflict between any provisions of this By-law that apply to a circumstance, then the more restrictive provision shall apply.

### 1.9.E Operative Parts and Convenience Features

- .1 In this By-law, all of the text, tables and provisions thereto, and the schedules referenced in this By-law form the operative part of this By-law.
- .2 In this By-law, any illustration or notation is provided for the purposes of convenience only and does not form a part of this By-law, unless the illustration or notation is explicitly referenced in the operational text of this By-law.

### 1.9.F Reference to Legislation or Public Authorities

- .1 Any reference to legislation, regulations or the names of any public authorities shall be deemed to incorporate any amendments or successor legislation or public authority.



## Section 1.10: Technical Revisions

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### 1.10.A Revisions

Provided that the purpose, effect, intent, meaning and substance of this By-law are in no way affected, the following technical revisions to this By-law are permitted without a zoning by-law amendment:

- .1 Changes to the numbering, cross-referencing, format and arrangement of the text, tables, schedules and maps;
- .2 Additions to and revisions of technical information on maps and schedules including, but not limited to infrastructure and topographic information, road right-of-way limits, notes, legends, shading and title blocks;
- .3 Alterations of punctuation or language; and,
- .4 Correction of grammatical, dimensional, boundary, mathematical or typographic errors.

### 1.10.B Allowance for Construction-Related Margin of Error

- .1 Where a building permit has been lawfully issued and not revoked and where a constructed building or structure has been found to be in contravention of any minimum or maximum requirement for height or a side yard by no more than 0.03 m, said building or structure shall be deemed to comply with the applicable height or yard requirement of this By-law.