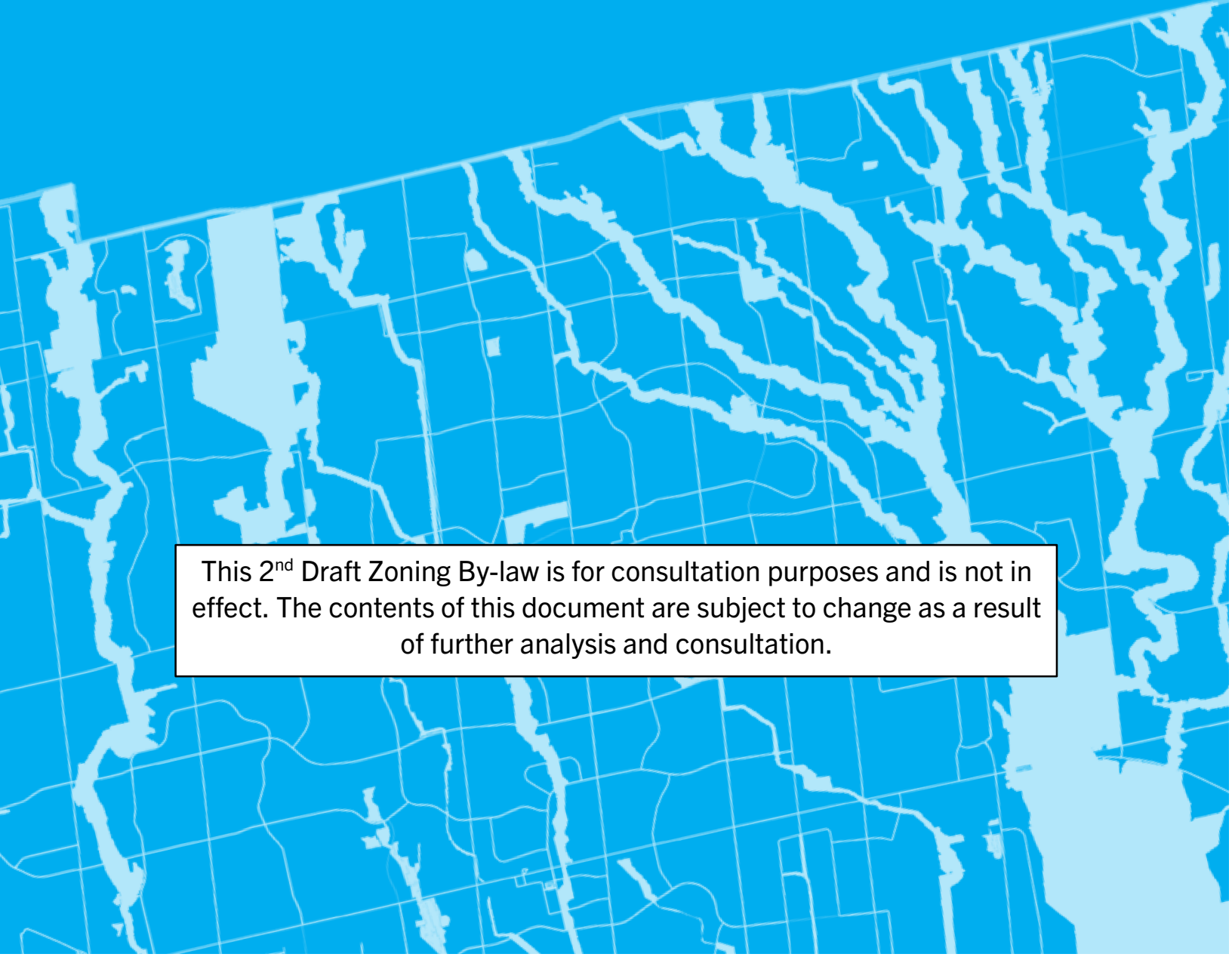




BRAMPTON ZONING BY-LAW

2nd Draft | September 2024



This 2nd Draft Zoning By-law is for consultation purposes and is not in effect. The contents of this document are subject to change as a result of further analysis and consultation.

Chapter 11: Definitions

A

Accessory: shall mean a use, building or structure which is incidental, subordinate and exclusively devoted to the principal use of the lot and buildings thereon, located on the same lot.

Additional Residential Unit: shall mean a self-contained residential dwelling unit, with its own cooking facility, sanitary facility and sleeping area, that either forms part of the same building as the principal dwelling, or is located within a separate detached building on the same lot as the principal dwelling.

Agricultural Use: shall mean the use of land, buildings or structures for the growing of crops, including, biomass, and horticultural crops; raising of livestock; raising of other animals or food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry etc., but shall exclude any use deemed manufacturing, processing, or assembly.

Amenity Area: shall mean a common amenity area designed for active or passive recreation for the exclusive use and benefit of the residents/tenants in a residential building or development. Amenity area shall not consist of landscaping that does not contain programmed active or passive recreational space. Amenity area shall include outdoor and indoor recreation spaces such as a common gyms and social spaces which are available to residents of the development and not intended for private use or semi-private use, such as party rooms which are privately booked and not regularly available to all residents.

Ancillary Use: shall mean a use that is secondary and smaller than other principal uses.

Artisan Studio: shall mean premises used for making, study or instruction of clothing/apparel, artwork, jewellery, photography, household crafts, tailoring, and similar endeavours and which may include incidental retail sales of goods that are produced on the premises.

Attached: shall mean, when used in reference to a building or part thereof, a building which is structurally supported by and partly or wholly dependent upon another building for enclosure.

B

Balcony: shall mean a horizontal platform, with or without a foundation, affixed to and protruding from a primary wall of a building, and accessible solely from within the building.

Banquet Hall: shall mean a building or portion of a building used for the assembly of persons and may include the preparation of food and beverages for consumption on the premises.

Basement: shall mean a storey that is partially or completely below established grade.

Bicycle Parking Space: shall mean an area used exclusively for the parking of bicycles.

Bicycle Parking Space, Long Term: shall mean secure bicycle parking that is located within a building, bike locker, or shelter, and intended for use by building tenants or occupants, and is provided with controlled access.

Bicycle Parking Space, Short Term: shall mean any bicycle space other than a long term bicycle space and intended for use by visitors and is accessible from a public street.

Bicycle Parking Space, Stacked: shall mean a horizontal bicycle parking space that is positioned above or below another bicycle parking space and equipped with a mechanical device providing floor level access to both bicycle parking spaces.

Boat or Recreational Vehicle Sales and Service: shall mean premises where boats, recreational vehicles, travel trailers, trailers are kept for sale, lease or rent and which include services related to the maintenance and repair of these vehicles.

Boulevard: means a public street that is identified on Schedule E to this By-law and includes either a Primary or Secondary Boulevard.

Broadcasting, Data or Call Centre: shall mean a radio or television studio, recording studio, and premises principally used for providing customer services via telephone/internet, and associated transmission infrastructure.

Building: shall mean any structure, whether temporary or permanent, used or erected for the shelter, accommodation or enclosure of persons, animals, materials or equipment, but shall not include a house trailer or mobile home.

Building, Main: shall mean the building(s) in which the principal purpose for which the lot is used and excludes any accessory buildings and accessory structures.

Building Supply Depot: shall mean premises for the sale of building and construction materials and supplies.

C

Carport: shall mean an accessory building or structure or part thereof, whether or not it is attached to another building or structure, the perimeter of which is at least 40% unenclosed and which is used for the parking or temporary storage of vehicles. A space shall not be considered a carport if the enclosure is created by the walls/floor of the principal building, such as the upper storey located above a private driveway and leading to a private garage.

Catering Service: shall mean premises used for food preparation, but does not include consumption by patrons on the premises.

Cemetery: shall mean premises used for the interment of human remains and includes a mausoleum, columbarium or other structure intended for the interment of human remains.

Child Care Centre: shall mean premises used for the temporary care and supervision of children and licensed by the Province.

City: shall mean the Corporation of the City of Brampton.

Clerestory Window: shall mean a window positioned above eye level from the interior space.

College or University: shall mean a public college or university approved by the Province for providing post-secondary level education or trades, and includes accessory dormitories, administrative offices and commercial uses.

Community Centre: shall mean premises used for public activities of a social, cultural, educational or recreational nature, and includes an arena, public place of assembly, indoor recreational facilities, community education courses, outdoor recreational fields, and which may include an accessory restaurant or other incidental sale of food and beverages principally for consumption on the premises, and is owned and operated by or on behalf of a public authority.

Community Garden: shall mean lands used for gardening vegetables, flowers or other produce and operated by nearby residents for non-commercial purposes.

Commercial Campsite: shall mean premises used for a camp, for camping, or for a camp meeting, including individual campsites, recreational facilities, and common areas, and is conducted as a commercial business.

Commercial Parking Lot or Garage: shall mean a parking area or parking structure that is used for the storage of motor vehicles for remuneration.

Commercial Recreation: shall mean a building or place which is designed and used for providing entertainment to patrons, and without limiting the generality of the foregoing, includes a bowling alley, billiard or pool room, miniature golf, bingo hall, indoor paintball facility, indoor rock-climbing facility, indoor commercially operated recreational courts/rinks/fields, indoor gaming facility, and which may also include accessory retail or restaurant uses. For the purposes of this By-law, commercial recreation shall exclude any other use explicitly defined by this By-law such as a theatre, health or fitness centre, golf course, driving range, or a recreational use operated by a public authority.

Commercial Service and Repair: shall mean a building or part thereof used for the repair, servicing, refinishing, restricting of articles or things except motor vehicles and incidental sales as an accessory use, but does not include any service or repair of motor vehicles or a heavy equipment sales and service shop. Without limiting the generality of the foregoing, a service and repair shop may include watch repair, bicycle repair, service and repair of computers/electronics, custodial services, publishing/printing/photocopying services, furniture repair or refinishing, small household appliance repair, small-scale woodworking, and major household appliance repair.

Conservation Use: shall mean the use of land, water, and/or structures for the protection, stewardship, management, and conservation of the natural environment. Conservation may also include accessory low impact scientific educational activities and passive recreation activities that have no negative impacts on the conservation use, as well as structures managed by a public authority used for managing the natural heritage system and natural hazards, such as flood and erosion control.

Contractor's Establishment: shall mean a premises used for the temporary storage or maintenance of equipment and includes the regular place of business of a tradesperson or contractor.

Convenience Retail: shall mean a retail use intended to provide goods and incidental services to meet the day-to-day needs of patrons, such as the sale of food, beverages, personal care products, household

hardware, groceries, lottery sales and similar items, and with a gross floor area that does not exceed 200 m² or as otherwise restricted by this By-law.

Convention Centre: shall mean a place of assembly consisting of meeting rooms and assembly areas that is used for hosting events and guests, and which may include ancillary preparation and service of food and beverages.

Corridor: means a public street that is identified on Schedule E to this By-law as a Corridor.

Courier or Taxi Service: means premises used for temporary storage and dispatch of taxis and commercial delivery vehicles including an accessory office but does not include commercial transport trucks.

Crematorium: shall mean premises used for the purposes of cremating human remains and is licenced in accordance with the requirements of the Province.

D

Data Storage Facility: shall mean premises used for the storage and operation of data storage or processing.

Deck: shall mean an attached platform or series of platforms not covered by a solid roof with at least two sides that are open, and which has direct access to the ground.

Detached: when used in reference to a building, shall mean a building which is not dependent on any other building for structural support or enclosure.

Development Agreement: shall mean an executed agreement entered into by one or more property owner(s) and a public authority in accordance with the *Planning Act*, in relation to an approval or conditional approval of a site plan, plan of subdivision, plan of condominium, part-lot control exemption, minor variance, or consent application.

Drive-Through: shall mean premises designed or intended to be used for commercial transactions to be conducted with patrons who remain in their motor vehicle.

Driveway: shall mean a surface used to provide vehicular access from a street or lane to a parking area, parking space, loading space, parking structure or a private garage. A driveway is permitted to be used for tandem parking spaces in certain circumstances as permitted by this By-law.

Driving Range: shall mean premises containing golf driving ranges and which may include accessory retail sales but does not include a golf course.

Drop Awning: shall mean a retractable awning used to provide shade and shelter from the elements and is not a permanent fixed roof structure.

Dry Cleaning and Laundry Distribution Station: shall mean premises used for the purpose of receiving and distributing articles or goods or fabrics to be dry-cleaned, dry-dyed, cleaned or pressed off the premises.

Dry Cleaning and Laundry Establishment: shall mean premises where dry cleaning, dry-dying, cleaning or pressing of articles or fabrics is carried on.

Dwelling: shall mean a building or portion of a building that is occupied or intended to be occupied as a home, residence or sleeping place by one or more persons and consisting of one or more dwelling units.

Dwelling, Apartment: shall mean a building containing four (4) or more apartment dwelling units which have a common entrance from the street level, and the occupants of which have the right to use common areas.

Dwelling, Back-to-Back Townhouse: shall mean a building containing four or more dwelling units, separated vertically by common walls, including a rear common wall, that do not have rear yards, and each entrance is accessed directly from the outside.

Dwelling, Back-to-Back Stacked Townhouse: shall mean a back-to-back townhouse dwelling in which units are also stacked vertically.

Dwelling, Cluster Townhouse: shall mean a townhouse dwelling in which each unit is not located on its own lot and where each dwelling unit does not have individual access from a public street.

Dwelling, Duplex: shall mean a building that is divided horizontally into 2 dwellings units which are either accessed directly from an entrance outside the building or from a common entrance. A duplex dwelling is not a principal dwelling that contains an additional residential unit.

Dwelling, Fourplex: shall mean a dwelling containing four dwelling units.

Dwelling, Linked: shall mean dwelling units that are attached solely below grade and are completely detached above grade.

Dwelling, Live-Work Townhouse: shall mean a townhouse dwelling where commercial uses may be provided within the ground floor.

Dwelling, Podium Townhouse: shall mean a townhouse dwelling that is attached to an apartment dwelling, mixed-use building, non-residential building, or a permitted above-grade parking structure via a common rear wall and where the units do not have individual private garages.

Dwelling, Lane-Based Townhouse: shall mean a street townhouse dwelling in which the individual dwelling units are accessed by a rear lane.

Dwelling, Semi-Detached: shall mean a building that is divided vertically into 2 separate principal dwelling units, where the two principal dwelling units share a common wall which is not less than 10 m² and extends from the ground level to the roofline, and which may be a garage wall.

Dwelling, Detached: shall mean a detached residential building containing one principal dwelling unit.

Dwelling, Stacked Townhouse: shall mean a townhouse dwelling where dwelling units are separated both horizontally and are also stacked vertically, and where all dwelling units have a private access via an exterior entrance.

Dwelling, Street Townhouse: shall mean a townhouse dwelling where each dwelling unit is located on its own lot with frontage on a public street and where each dwelling unit has an independent entrance to the front and rear yard immediately abutting the front and rear wall of the unit.

Dwelling, Townhouse: shall mean a building that is divided vertically above established grade into three (3) or more principal dwelling units where each dwelling unit is attached to another dwelling unit by a common wall, which may be a garage wall, not less than 10 m² in area from the ground level to the roofline of the wall.

Dwelling, Triplex: shall mean a detached building containing 3 dwelling units where at least 2 units are divided horizontally, and each dwelling unit is accessed directly from an entrance outside the building or from a common entrance. For the purposes of this By-law, another dwelling type containing additional residential units as permitted by this By-law shall not be considered a triplex dwelling.

Dwelling Unit: shall mean an individual, self-contained unit that is intended for use as a residence, consisting of cooking, sleeping and sanitary facilities, and which encompasses all or a portion of a building.

Dwelling Unit, Apartment: shall mean a dwelling unit that is contained within an apartment dwelling or in combination with non-residential uses in a mixed-use building.

E

Electric Vehicle Supply Equipment: shall mean the infrastructure including an energized outlet for a minimum Level 2 electric vehicle charging equipment as defined by SAE International's J1772, as amended.

Emergency Services: shall mean services operated by a public authority to house and supply emergency services, and shall include fire, police, ambulance/paramedic dispatches, temporary emergency shelters, and associated maintenance of vehicles.

End-of-Trip Bicycle Facility: shall mean a dedicated area where showers, clothing lockers and private change rooms are provided for cyclists.

Energized Outlet: shall mean a connected point in an electrical wiring installation at which current is taken to supply utilization equipment for electric vehicle charging.

Energy Generation Facility: shall mean premises used for generating electricity, including a cogeneration facility, but does not include centralized heating or local district energy facilities that do not sell electricity to a wider area.

Erect (or Construct): shall mean to build, construct, reconstruct, alter or relocate and, without limiting the generality of the foregoing, shall be taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, structurally altering any existing building or structure by an addition, removal, enlargement or extension.

Established Grade: shall mean the average finished surface elevation along the front lot line. This shall be calculated by taking the arithmetic mean of the levels of the finished ground surface at the midpoint of each of those outside walls that abut the front yard or front lot line.

Existing: shall mean legally existing as of the date of passing of this By-law.

F

Fairground: shall mean premises where fairs, circuses and exhibitions and associated amusements, attractions and activities are held principally outdoors, and includes associated preparation and service of food and beverages for consumption on the premises.

Financial Service: shall mean premises principally used for financial transactions and where financial consultations occur, and without limiting the foregoing, includes a bank, trust company office, credit union, tax or financial consultation service.

Floodplain: shall mean those lands which are subject to flooding under regulatory storm conditions, as determined by the conservation authority having jurisdiction.

Floor Area, Gross: shall mean the aggregate of the area of all floors in a building, whether at, above, or below established grade, measured from the exterior of the outside walls, but excluding any parts of the building used for mechanical equipment relating to the operation or maintenance of the building, stairwells or elevators.

Floor Area, Net: shall mean the aggregate of the areas of each storey, at, above, or below established grade, measured from the exterior of the outside walls, but excluding any parts of the building used for mechanical equipment, stairwells, elevators, washrooms, enclosed loading areas, parking structures, waste containment areas, common vestibule and hallway areas that is not used for any residential, commercial or industrial purpose, or any part of the building below established grade used for storage purposes.

Floor Plate: shall mean the total horizontal gross floor area of the storey, excluding exterior balconies and terraces.

Floor Space Index: shall mean the ratio of gross floor area of a building divided by the lot area on which the building is situated.

Front Wall: shall mean any main wall that faces the street line.

Funeral Home: shall mean premises used for the provision of funeral and memorial services to the general public, including the temporary interment of human remains under the supervision of a Provincially authorized or licenced person, as well as the storage, display and sale of funeral supplies, but does not include a crematorium.

G

Garage, Private: shall mean an enclosed structure used or capable of being used principally for the storage of one or more vehicles and used exclusively by the associated dwelling unit(s).

Garden Centre: shall mean premises used for the display and retail sale of plants, gardening supplies and related goods or materials, and may include outside display and sales areas.

Garden Centre, Seasonal: shall mean a garden centre operated on a seasonal or temporary basis in association with the retail use.

Garden Trellis: shall mean a lattice structure consisting of frames or bars and used as a support for plants to grow and is not otherwise enclosed.

Glazing: shall mean an area of a wall that is covered by transparent glass providing visibility into the building as well as any doors. The calculation of glazing over a wall surface shall include any doors and necessary framing of the windows and doors but does not include any other materials, spandrel panels, signage, articulation or treatment of the wall.

Golf Course: shall mean premises operated for playing golf, including courses, accessory driving range, accessory miniature golf course, a club house including accessory facilities for preparing and serving food and beverages such as an accessory banquet hall, and other structures and uses incidental to maintaining and operating the golf course.

Greenhouse or Nursery: shall mean the use of land, structure or buildings for the sale of products grown on the farm from which the sale is made.

Ground Floor: shall mean the storey of a building that is closest to finished grade and its ceiling more than 1.8 m above grade. If there is a basement, the ground floor is the storey above the basement.

Ground Floor Height: shall mean the height of the ground floor.

H

Habitable Space: shall mean any portion in a dwelling unit used or that can be used for purposes of living, sleeping, cooking or eating.

Hammerhead: shall mean a portion of a residential driveway that is designed for vehicles to turn around or to be parked, but is not required to provide access to parking spaces or a private garage.

Hazardous Waste: shall mean wastes that include:

- .1 “Severely Toxic Waste” shall mean commercial chemical products or manufacturing intermediates defined as Severely Toxic Waste under O.Reg. 347 of the Environmental Protection Act, however it shall not include Pharmaceutical Waste.
- .2 “Hazardous Waste Chemicals or Manufacturing Intermediaries” shall mean hazardous wastes that include: Hazardous Industrial Waste, Acute Hazardous Waste Chemicals, Hazardous Waste Chemicals, Ignitable Waste, Corrosive Waste, Reactive Waste and Leachate Toxic Waste; but does not include: Medical, Veterinary or Pathological Waste, Severely Toxic Waste, Radioactive Waste and PCB Waste as defined by O.Reg. 347 of the Environmental Protection Act.
- .3 “Medical, Veterinary or Pathological Waste” shall mean any waste items generated through medical treatment, such as parts of the human body, including tissues and bodily fluids, or any part of the carcass of an animal, and includes Pharmaceutical Waste.
- .4 “PCB Waste” shall mean PCB Waste as defined by O.Reg. 362 of the Environmental Protection Act, such as PCB equipment, PCB liquid or PCB material but excluding decontaminated PCB material or equipment, or equipment with PCB at levels below the definition of PCB waste in Provincial regulations.

.5 “Radioactive Waste” shall mean waste is required to be licensed to permit handling under the federal Nuclear Safety and Control Act.

Hazardous Waste Processing: shall mean a Waste Disposal Use that manages or prepares hazardous waste for subsequent reuse or disposal, that handles hazardous waste, either solid or liquid, that is defined as hazardous waste by O.Reg. 347 of the *Environmental Protection Act*, but shall not include the thermal degradation of hazardous waste, nor shall it include mechanical sterilization.

Hazardous Waste Transfer Use: shall mean a Waste Disposal Use used for the purpose of transferring hazardous waste as defined by O.Reg. 347 of the *Environmental Protection Act*, from one vehicle to another for transport to another Waste Disposal Use. Some limited degree of processing (e.g., compaction) of the waste may take place at a Hazardous Waste Transfer Use.

Health or Fitness Centre: shall mean premises in which exercise equipment and related facilities are provided for use by patrons and which may include incidental retail sale of exercise equipment, food and beverage sales.

Heavy Equipment Sales and Service: shall mean the sale, lease, renting and service and repair of heavy equipment such as farm equipment, farm vehicles, commercial or industrial manufacturing or processing equipment or machinery, construction equipment, or commercial vehicles.

Height: shall mean the vertical distance between the established grade, and:

- .1 in the case of a flat roof, the highest point of the roof surface;
- .2 in the case of a mansard roof, the deck line; or
- .3 in the case of a peaked, gabled, hip or gambrel roof, the mean height level between eaves and ridge.

Home-Based Child Care: shall mean a child care business operated within a dwelling unit and in accordance with Provincial legislation.

Home Occupation: shall mean an occupation or undertaking conducted for gain or profit within a dwelling unit or an accessory building, but shall not include the repair and servicing of motor vehicles or internal combustion engines.

Hospital: shall mean any public or private institution intended for the emergency and long-term treatment of patients in accordance with Provincial legislation, and which may include associated research and development, education and other related accessory uses devoted to the care and service of patients, staff and visitors.

Hotel: shall mean premises used for the temporary accommodation of guests in furnished rooms, with or without any cooking facilities, recreational amenities exclusively intended for use by guests or staff, and accessory retail uses, accessory restaurants, and an accessory convention centre.

Infrastructure: shall mean the buildings, structures, and corridors forming the foundation for development including water lines, wastewater lines, oil and gas distribution mains, telecommunications lines and other

cabled services, transit and transportation corridors, district energy lines without cogeneration, and local electrical power lines, but shall not include an energy generation facility or renewable energy system.

J

K

Kennel: shall mean a place, whether enclosed or not, where cats, dogs, or other household pets are kept for the purposes of raising, breeding, boarding, training, or selling and which may include an outdoor run or outdoor play area for the pets.

L

Landscaped Open Space: shall mean an unoccupied area of land which is used for: soft landscaping elements such as the growth, maintenance and conservation of grass, flowers, trees and shrubs, vegetation or vegetable gardening; hard landscaped elements such as surfaced walkways, steps and patios; and structures such as fencing, noise attenuation walls, children’s play areas and accessory structures and equipment, gazebos, clothes lines, and other similar structures. Landscaped open space shall exclude any part of a driveway, parking space, loading space, parking aisle, curb, retaining wall, or any solidly covered space beneath or within any building or structure.

Landscaped Strip: shall mean a strip of land used and maintained for growing grass, vegetation, trees, and which may include fences, noise attenuation walls, retaining walls or similar structures. Where required abutting any rear lot line or interior side lot line, a landscaped strip shall be required to include vertical plantings, grass or fences with an average height of at least 1.0 m. Driveways, bicycle paths and walkways shall be permitted to cross a landscaped strip.

Lane: shall mean a public thoroughfare which affords only a secondary means of access to abutting lots and which is not intended for general circulation of traffic, and shall not include a street.

Library: shall mean a premises for the collection of printed, electronic, and pictorial material for public use for the purposes of study, reference, and recreation, and which may include meeting rooms for community use, activity areas, cafeteria, and space for associated recreational uses.

Loading Space: shall mean an unobstructed area of land used or intended for use by the parking of one motor vehicle while such vehicle is being loaded or unloaded.

Lodging House: shall mean a detached dwelling in which residential accommodation is provided, or is intended to be provided in which each lodger does not have access to all of the habitable areas of the building and consists of more than four (4) lodging units; or a detached dwelling in which lodging is provided for more than four (4) persons with or without meals. An individual lodging unit is not a self-contained dwelling unit but is connected to common areas.

Lot: shall mean a parcel of land which fronts on or abuts a street and that is legally conveyable in accordance with the *Planning Act*.

Lot Area: shall mean the total horizontal area enclosed within the lot lines of a lot, excluding:

- .1 the horizontal area covered by water, marsh or flood plain;
- .2 land located between the top and toe of a cliff or embankment having a slope of thirty degrees or more from the horizontal; or,
- .3 In the case of a corner lot having a street line rounding at the corner with a radius of 7.5 m or less, the lot area shall be calculated as if the lot lines were produced to their point of intersection. To consider exempting daylight triangles as well.

Lot Coverage: shall mean the percentage the lot covered by buildings as measured to the outer face of walls and columns, but excluding any soffits and overhangs such as eaves and gutters. For greater clarity, lot coverage shall be exclusive of coverage by any driveways, paved areas, patios, parking spaces, parking aisles, swimming pools, decks, or walkways.

Lot Depth: shall mean the straight-line distance from the mid-point of the front lot line to the mid-point of the rear lot line of the same lot. Where the side lot lines converge towards a point and there is no rear lot line, the lot depth shall be the straight-line distance from the mid-point of the front lot line to the point where the side lot lines converge.

Lot Width: shall mean the least distance, measured in a straight line, between the side lot lines, where the side lot lines are parallel, and:

- .1 where such lot lines are not parallel but converge towards the front lot line, the lot width shall be the straight-line distance between two points, one on each side lot line, each six (6) metres back from the front lot line, or
- .2 where such lot lines are not parallel but converge towards the rear lot line, the lot width shall be the straight-line distance between two points, one on each side lot line, each fifteen (15) metres back from the front lot line, or
- .3 in the case of a corner lot having a street line rounding at the corner with a radius of seven decimal five (7.5) metres or less, the lot width of such lot shall be calculated as if the lot lines were produced to their point of intersection.

Lot, Corner: shall mean a lot situated at the intersection of two or more streets, or at the intersection of two parts of the same street and provided the interior angle of intersection of not more than 135 degrees.

Lot, Interior: shall mean a lot other than a corner lot.

Lot, Line: shall mean any boundary of any lot.

Lot, Through: shall mean a lot bounded on two (2) opposite sides by streets, provided however that if any lot qualifies as being both a corner lot and a through lot, such lot shall be deemed to be a corner lot for the purposes of this By-law.

Lot Line, Exterior Side: shall mean the longer lot line which abuts a street on a corner lot.

Lot Line, Front: shall mean the line that divides a lot from the street, provided that in a case of a corner lot, the shorter lot line that abuts a street shall be deemed to be the front lot line and the longer lot line that abuts a street shall be deemed to be the exterior side lot line.

Lot Line, Interior Side: shall mean a lot line other than a front, rear or exterior side lot line.

Lot Line, Rear: shall mean the lot line opposite the front lot line.

M

Main Wall: shall mean a primary structural exterior front, rear, or side wall as part of a building, including any essential structural elements, but excluding any permitted, non-structural projections and excluding any portion of the wall used as a private attached garage.

Manufacturing, Processing or Assembly: shall mean premises for the assembly, fabrication, processing, repairing, producing, alteration or treatment of raw materials or previously produced materials into new products, materials, or merchandise, and included associated storage of input materials and produced materials and which may include ancillary retail sales of produced merchandise in accordance with the provisions of this By-law. For the purposes of this By-law, manufacturing, processing or Assembly includes an indoor vertical farming use involving hydroponic growth of produce but does not include other agricultural uses.

Mechanical Sterilization: shall mean the destruction of microbes in medical, veterinary and pathological waste through the use of high pressure steam.

Medical Office or Clinic: shall mean premises where a licensed medical doctor, dentist or other legally qualified medical practitioner provides services with respect to the diagnosis, treatment and examination of patients, is licensed by the Province, but does not include any overnight accommodation.

Medical Laboratory: shall mean premises for the medical or forensic testing, experimentation or analysis of biological material.

Micro Manufacturing: shall mean a building or part thereof used for small-scale manufacturing or production of goods which are also sold and/or consumed on the premises, and which may include shipment for sale at other locations. Without limiting the generality of the foregoing, a micro manufacturing use shall include a micro-brewery or micro-winery.

Mineral Aggregate Operation: shall mean a use that includes a pit, quarry or underground mining operation and aggregate related uses including a wayside pit/quarry as well as any asphalt plant or concrete batching plant.

Model Home: shall mean a building or part thereof used temporarily for display purposes and may include a temporary sales office that is used for the sale of homes within the associated development, and which is not occupied as a residential use.

Motor Vehicle Body Shop: shall mean a building or place used for the repair, rebuilding, modification and painting of the exterior portions of motor vehicles.

Motor Vehicle, Commercial: shall mean a motor vehicle having attached to it a truck or delivery body and includes an ambulance, a hearse, a casket wagon, a fire apparatus, a bus and a tractor used for hauling purposes on a highway.

Motor Vehicle Dealership: shall mean a building or place used for the display, sale or rental of motor vehicles.

Motor Vehicle Impound Yard: shall mean premises operated by or under an agreement with a public authority for the storage of motor vehicles, which have been seized pursuant to the power of the public authority and may include a collision reporting centre.

Motor Vehicle Repair: shall mean a building or structure used for the repair and servicing of motor vehicles, but shall not include a motor vehicle body shop, a motor vehicle dealership or a motor vehicle service station or any activities associated with a salvage yard.

Motor Vehicle Service Station: shall mean premises principally used for the retail sale of fuel for motor vehicles and accessory retail sales and which may include an accessory motor vehicle washing facility, accessory detailing, accessory retail or accessory restaurant uses in accordance with the permitted uses and requirements of this By-law.

Motor Vehicle Washing Facility: shall mean a building or place containing facilities for washing motor vehicles either through production line methods, which may include a conveyor system or similar mechanical devices, or a self-service operation.

Motor Vehicle, Oversized: shall mean any motor vehicle having a height greater than 2.6 metres or overall length greater than 6.7 metres or combination of both. External attachments to the vehicle are included in the measurement of height and length.

Museum or Gallery: shall mean premises where paintings, sculptures, works of art, or exhibits of scientific or cultural interest are exhibited or sold.

N

Night Club: shall mean a commercial business wholly contained in a building whose principal service is the provision of music entertainment and/or live performances, which may include areas for dancing, and whose secondary function is the service food or beverages. A night club does not include a restaurant or a theatre and does not form part of those uses.

Non-Complying: shall mean the lot, building, structure or other feature which is described as such is being used for a purpose permitted in the zone in which it is located, but does not comply with one or more of the other requirements and restrictions of the zone or the general provisions of this By-law.

Non-Conforming: shall mean that the lot, building or structure which is described as such is being used for a purpose not permitted in the zone in which the use is located.

Non-Hazardous Solid Waste Processing Use: shall mean a Waste Disposal Use that manages or prepares waste for subsequent reuse or disposal. Non-hazardous Solid Waste Processing Use typically include material recovery facilities (MRFs) and compost facilities (i.e., for municipal waste). The waste handled at a Non-hazardous Waste Solid Processing Use is not liquid industrial waste and is not hazardous waste, both as defined by O. Reg. 347 of the *Environmental Protection Act*.

Non-Hazardous Solid Waste Transfer: shall mean a Waste Disposal Use used for the purpose of transferring waste from one vehicle to another for transport to another Waste Disposal Use. Some limited

degree of processing (e.g., compaction) of the waste may take place at a Non-hazardous Solid Waste Transfer Use. The waste handled at a Non-hazardous Solid Waste Transfer Use is not liquid industrial waste and is not hazardous waste, both as defined by O. Reg. 347 of the *Environmental Protection Act*.

Non-Residential: shall mean a use that contains no dwelling units or common areas used in conjunction with dwelling units.

O

Office: shall mean any building or part thereof used by an agency, business or organization where administrative, clerical and professional service practices are carried out, but shall exclude a medical office or clinic as separately defined in this By-law.

Organizational Club: shall mean premises used by a social, recreational, professional development club of members and their guests and includes facilities associated with the organizational activities of the club and associated preparation of food and beverages for consumption on the premises, but does not include a restaurant or any retail use.

Outdoor Market: shall mean an unenclosed area where opened spaces, stalls, tents, similar structures or open areas are used for the retail sale of goods, articles, agricultural products, and which may include incidental preparation of food and products, but does not include any display or sale of motor vehicle parts, heavy equipment or building materials.

Outside Display and Sales: shall mean an accessory outdoor area that is used for the display of products or services sold, leased or rented in conjunction with a commercial use on the lot.

Outside Storage: shall mean the storage of goods, materials, any shipping containers, machinery or vehicles including oversized motor vehicles that are not actively engaged in loading and unloading of goods and materials in conjunction with a business located within a building or structure on the same lot. For greater certainty, outside storage shall not include materials that are displayed as part of an outside display and sales area.

P

Parking Aisle: shall mean a component of a parking area used to provide vehicular access to parking spaces.

Parking Area: shall mean an area of land used by parking spaces and parking aisles but does not include a driveway.

Parking Space: shall mean an area used for the parking or temporary storage of one motor vehicle.

Parking Space, Angled: shall mean a parking space that is accessed by a motor vehicle at an angle of up to 90 degrees.

Parking Space, Parallel: shall mean a parking space that is accessed by a motor vehicle at an angle that does not exceed 15 degrees.

Parking Space, Visitor: shall mean a parking space for the exclusive use of visitors to a lot or building.

Parking Structure: shall mean a building or structure used in whole or in part for the temporary parking of at least 4 motor vehicles, but excludes a private garage.

Passive Recreation: shall mean activity characterized by low intensity outdoor pastimes including but not limited to non-motorized trail uses and natural heritage appreciation requiring minimal modification of the land surface and relatively few if any buildings or structures, such as a trail, benches, boardwalk, or gazebo.

Permeable Surface: shall mean an area of land utilizing soft landscaping or hard landscaped elements which permit the infiltration of water and shall not include artificial grass.

Person: shall mean any association, partnership, corporation, municipal corporation, agent or trustee and the heirs, successors, assigns, executors, administrators or other legal representatives of a person to whom the context can apply according to law.

Personal Service Shop: shall mean an establishment wherein a personal service is provided to patrons, and, without limiting the generality of the foregoing, includes a hairdressing/beauty shop, day spa, a dressmaker shop, tattoo parlour, dry cleaning and laundry distribution station, coin laundry/laundromat, massage therapy, travel agency, interior decorator business, picture framing, a shoe repair shop, a tailor, a photo studio or similar use and which may include incidental accessory sales of articles related to the service.

Pet Day Care: shall mean a facility where dogs, cats and other domestic pets are kept and cared for temporarily and during the majority of the pet's stay the pets are socializing and playing with other pet(s), bathing, grooming or other similar treatment, but does not include a kennel or veterinary clinic as defined in this By-law and includes no overnight boarding.

Pharmaceutical Waste: shall mean a waste that is derived from medicines, pharmaceuticals and instruments used to administer medicines or pharmaceuticals.

Place of Worship: shall mean premises primarily used for faith-based spiritual purposes wherein people assemble for religious worship, and which may include instruction or teaching, fellowship, recreation, and community outreach activities that are provided for charitable or social purposes and not for commercial gain or profit. Accessory uses or facilities to a Place of Worship shall include, but not be limited to classrooms for religious instruction, nursery or daycare facilities, assembly areas related to faith-based activities, kitchens and eating areas, fellowship halls, recreation facilities and administrative offices related to the place of worship, and a residential unit in accordance with this By-law.

Point of Intersection: shall mean the point where two street lines intersect with one another. On any corner lot, where the street line is curved, the point of intersection shall be determined by projecting from where the street lines begin to curve towards the point where the projected street lines meet.

Power Generation (Fuel Combustion) Use: shall mean a facility that, by means of combustion of a fuel, converts thermal energy to electricity through a series of turbines and generators. This excludes centralized heating plants and localized district energy facilities that do not sell power to the provincial electrical distribution system.

Private Street: shall mean a private right-of-way or lane used by motor vehicles and is privately maintained.

Privately Owned Public Space (POPS): shall mean a publicly accessible outdoor area that is designed for active or passive recreational purposes and is not owned by a public authority.

Public Authority: shall mean the Corporation of the City of Brampton, The Regional Municipality of Peel, the Crown in Right of Ontario, and the Crown in Right of Canada, and any board, commission, committee or any body or company established or exercising any power or authority under a statute of Ontario or Canada.

Public Park: shall mean an area, surface, place, installation or device, which is designed and used principally for outdoor active recreational purposes by the general public. Without limiting the generality of the foregoing, a public park shall include a picnic area, community garden, tennis court, soccer field, baseball field, skating rink, hiking or cycling trails, skateboard park, swimming pool, horseshoe pit, bocce court, lawn bowling court, croquet pitch and shuffleboard court and associated bleachers, washrooms, change rooms and related accessory uses. A public park shall not include commercial recreation or a community centre.

Public Street: shall mean a road, avenue, highway, thoroughfare, parkway, bridge or place owned by the Corporation of the City of Brampton, the Regional Municipality of Peel, or the Crown in Right of Ontario, and designed and intended for, or used by, the general public for the passage of vehicles.

Public Use: shall mean uses that are owned or leased by a public authority for community, recreational, administrative, educational, health care, protection, waste disposal, utility or other governmental purposes, and includes accessory uses to public use.

Q

R

Recreational Vehicle: shall mean a motorhome, motorized camper, boat, personal watercraft, snowmobile or similar vehicle, but excludes a travel trailer as separately defined herein.

Residential Care Home: shall mean a building or place offering supervised living accommodation that may include associated support services, accessory uses and amenities, and:

- .1 Is licensed or funded under Federal or Provincial legislation;
- .2 Is for persons requiring semi-independent or supervised group living arrangements; and
- .3 Is for more than 10 residents, exclusive of staff.

Restaurant: shall mean premises where food and/or beverages are prepared and offered for sale to the public for consumption either on or off the premises.

Restaurant Patio: shall mean an outdoor seating or lounging area used in association with, and accessory to, a restaurant.

Research and Development: shall mean premises where scientific research, technical research, prototype development, or product testing, is conducted.

Reserve: shall mean a strip of land owned by a public authority for the purpose of preventing legal access from adjoining lands.

Retail: shall mean premises where goods or materials are kept and sold, leased, rented to the general public and excludes uses otherwise specifically defined by this By-law.

Rooftop Mechanical Equipment: shall mean mechanical and structural equipment located on the roof of any building, and used in association with electrical, plumbing, HVAC, elevators, and similar systems essential to the operation or maintenance of the building. and for the purposes of this By-law, shall also include an enclosed stairway that provides access to the rooftop and a mechanical penthouse that encloses such structures.

S

Sales Tent: shall mean a temporary structure or associated outdoor area that is used for outside display and sales and retail transactions and is accessory to a retail use on the same lot.

Salvage Yard: shall mean a place where land is used for the outside handling or storage of used goods and materials intended for reclamation, resale and/or disposal purposes. Without limiting the generality of the foregoing, a salvage yard includes uses such as auto wreckers and scrap metal dealers.

School, Commercial: shall mean premises where instruction or training in specialized skills or general knowledge is provided for compensation including recreational instruction and tutoring, but does not include a commercial truck school, an elementary or secondary school, or a college or university.

School, Commercial Truck: shall mean premises where the instruction or training in the operation of commercial motor vehicles is provided.

School, Elementary: shall mean a public or private school that is Provincially approved to provide instruction principally for kindergarten to grade 8 students.

School, Secondary: shall mean a public or private school that is Provincially approved to provide instruction principally for grade 9 to grade 12 students.

Self Storage Facility: shall mean a building or part thereof in which individual units or defined spaces are rented, leased or sold to the general public for the purposes of providing indoor storage space for temporary or permanent use.

Semi-circular Driveway: shall mean, with respect to a single-detached dwelling, a driveway that has two accesses from any street.

Setback: shall mean the distance between a lot line and the nearest wall of any building or structure, measured perpendicular to the lot line, and as indicated in the context in which the term is applied.

Single Room Occupancy Housing: shall mean a form of multi-tenant housing, consisting of single room dwelling units where amenities are shared. The single room occupancy housing form is attributed to apartment dwellings that can be either standalone or integrated new buildings, integrated into new development, or repurposed from existing buildings.

Sight Triangle: shall mean the portion of the triangular or rounding limit of a road right-of-way that is created along a corner lot for the purpose of providing an unencumbered sight visibility area for pedestrians and vehicles.

Soft Landscaping: shall mean an unoccupied area of land which is used only for permeable soft landscaping elements which largely permit the infiltration of water and is not suitable for parking by a motor vehicle. Soft landscaping shall not include areas covered by gravel, river rock, or similar materials.

Stacking Space: shall mean a portion of a lane used for queueing motor vehicles that are awaiting or receiving service from a drive-through or another automotive service.

Step Back: shall mean an additional required setback for the upper storeys of a building, relative to the lower storeys of the building. The step back is measured from the wall face of the lower storeys.

Storey: shall mean that portion of a building between a floor surface and the ceiling or roof that is above it, and with a height of at least 1.8 m. A basement as defined in this By-law is not considered a storey.

Street Line: shall mean any front lot line or exterior side lot line.

Structure: shall mean anything that is erected, built, or constructed, the use of which requires location on the ground or attachment to something having location on the ground, but shall not include fences.

Supportive Housing Residence Type 1: shall mean a single dwelling unit in a residential dwelling of any kind that is licensed, approved or funded under Federal or Provincial statute for the accommodation of 3 to 10 residents, exclusive of staff, that provides a group living arrangement under responsible supervision. A Supportive Housing Residence Type 1 shall not include a Supportive Housing Residence Type 2 or have any correctional purpose.

Supportive Housing Residence Type 2: shall mean a single dwelling unit that is licensed, approved or funded under Federal or Provincial statute for the accommodation of 3 to 10 residents, exclusive of staff, that provides housing and rehabilitation for persons on probation, parole, early or re-release, or any other form of executive, judicial or administrative release from a penal institution. A Supportive Housing Residence Type 2 shall not include a Supportive Housing Residence Type 1.

Surface Parking: shall mean any parking space that is located on the finished ground surface and is not contained or otherwise enclosed in a building or structure, including an above-ground or below-ground parking structure.

Swimming Pool: shall mean any structure, basin, chamber or tank containing or capable of containing an artificial body of water intended for swimming, wading, diving or recreational bathing, and having, when filled, a water depth of 0.6 m or more at any point.

T

Tandem Parking: shall mean an arrangement of parking spaces in which one or more parking spaces are accessible by motor vehicles only via other parking spaces.

Temporary Tent: shall mean a temporary tent or other non-permanent structure set up and used to shelter persons and things in association with a private event and shall not include any commercial activities.

Theatre: shall mean an entertainment facility including cinemas, live performances and concerts are provided and which may include incidental retail or food/beverage sales for consumption on the premises, but does not include a night club.

Thermal Degradation: shall mean a Waste Disposal Use that treats non-hazardous waste and Hazardous Waste by thermal means, including incineration, gasification, pyrolysis or plasma arc treatment, and includes:

- a) “Thermal Degradation (Energy from Waste) Use” shall mean a Waste Disposal Use that treats non-hazardous waste by Thermal Degradation and is accompanied by the generation of electricity, in which case the waste is used as a fuel source for the production of energy and/or heat. It shall not include the thermal degradation of hazardous wastes.
- b) “Thermal Degradation (Non-Energy Producing) Use” shall mean a Waste Disposal Use designed and operated for the degradation or destruction of non-hazardous waste by Thermal Degradation. For the purposes of this category, Thermal Degradation of waste shall not include the generation of electricity. It shall not include the Thermal Degradation of Hazardous Wastes.
- c) “Thermal Degradation (Hazardous Waste) Use” shall mean a Waste Disposal Use that treats hazardous waste by Thermal Degradation. Thermal Degradation shall not include mechanical sterilization.”

Transit Station: shall mean premises used for the temporary parking of buses, railcars or other transit vehicles which are engaged in the pickup and drop-off of passengers and transferring of passengers, and includes accessory uses and structures to provide amenities to passengers.

Transportation Depot: shall mean premises used for parking, storage and/or dispatch of commercial motor vehicles and transport trucks, including incidental maintenance, dispensing of truck fuel, truck weighing facilities, washing facilities, and including intermodal facilities.

Travel Trailer: shall mean a trailer that is used or intended to be used for short-term or seasonal occupancy and is or is intended to be located or parked on a site for a temporary or seasonal period.

U

Unenclosed: shall mean open to the air on one or more sides of the structure.

Use: shall mean:

- a) when used as a noun, the purpose for which a lot or building or structure or any combination thereof, is designed, arranged, intended, occupied or maintained; and
- b) when used as a verb, anything that is done or permitted by the owner or occupant of any land, building or structure directly or indirectly or by or through any trustee, tenant, servant or agent acting for or with the knowledge or consent of such owner or occupant for the purpose of making use of the said land, building or structure.

V

Vertical Agriculture: shall mean a building used for the indoor production, cultivation and processing of agricultural crops and produce. Vertical agriculture shall not include any use involving the raising, keeping, or harvesting of livestock.

Vertical Clearance: shall mean the space between the ground level or floor surface to the height of the nearest obstruction.

Veterinary Clinic: shall mean premises used for the medical or surgical treatment of pets and animals, and which does not include overnight boarding, except for the accommodation of pets and animals undergoing medical treatment and under the supervised care of a veterinarian or employee of the veterinarian. A veterinary clinic shall not include an outside run.

W

Warehouse: shall mean a building or part thereof used to store goods, equipment, merchandise or materials but does not include the display of merchandise for sale, rental, or lease. A warehouse excludes a commercial self-storage use.

Waste Disposal Use: shall mean:

- .1 any land upon, into, in or through which, or building or structure in which, waste is deposited, disposed of, handled, stored, transferred, treated or processed, and,
- .2 any operation carried out or machinery or equipment used in connection with the depositing, disposal, handling, storage, transfer, treatment or processing referred to in clause (a); and,
- .3 notwithstanding clauses .1 and .2, it does not include any product, returned to a manufacturer or supplier of the product for reprocessing, repackaging or resale for any reason, including that the product, substance or organism is:
 - .a defective or otherwise not usable for its original purpose,
 - .b or in surplus quantities but still usable for its original purpose.
- .4 notwithstanding clause .3, it does not apply to severely toxic waste, hazardous waste chemicals or manufacturing intermediaries, radioactive waste, or PCB waste; and,
- .5 notwithstanding clauses .1 and .2, it does not include the temporary storage of spent or surplus material inputs or by-products of a manufacturing use that are temporarily stored at a manufacturing facility until such time as they are removed from the facility for disposal.

Waste Processing Station: shall mean a facility that receives, stores and/or processes waste materials for the purpose of creating new products or materials within an enclosed building unless it is owned or operated by the Regional Municipality of Peel on lands where outside storage is permitted.

Waste Storage Enclosure: shall mean a structure used to visually screen and eliminate odour impacts from waste, recycling and compost bins.

Waste Transfer Station: shall mean a facility where waste materials are collected for shipment and may be sorted and/or prepared for transportation within a storage bin or enclosed building.

Workshop: shall mean the design and custom production of goods and articles, including custom woodworking, clothing articles, signs, jewelry, antique refinishing, custom metalworking, and similar products.

X

Y

Yard: shall mean an open portion of the land on the same lot with the main building or structure, unoccupied and unobstructed except as specifically permitted in this By-law and located between any building and a lot line.

Yard, Exterior Side: shall mean a yard extending from the front yard to the rear lot line between the exterior side lot line and the nearest wall of any main building on the lot.

Yard, Front: shall mean a yard extending across the full width of a lot between the front lot line and the nearest wall of any main building on the lot.

Yard, Interior Side: shall mean a yard, other than an exterior side yard, extending from the front yard to the rear yard of a lot between an interior side lot line and the nearest wall of any main building on the lot.

Yard, Rear: shall mean:

- a) in the case of an interior lot, a yard extending across the full width of the lot between the rear lot line and the nearest wall of any main building on the lot; or
- b) in the case of a corner lot, a yard extending from a side lot line to an exterior side yard, and between the rear lot line and the nearest wall of any main building on the lot.

Yard, Side: shall mean an interior side yard or an exterior side yard.

Z

Zone: shall mean an area of land designated for certain uses, lot and building requirements by this By-law.