

Draft Zoning By-law Amendment

The draft Zoning By-law Amendment proposes to create a definition and general policies for Additional Residential Units (ARUs), which will include Second Units and Garden Suites. The existing zoning provisions for a second unit within a two-unit dwelling will remain unchanged, but will be moved under the new ARU heading. Separate provisions are proposed to be added for garden suites.

The following general provisions will be required for all ARUs, including second units and garden suites:

- a. Shall only be permitted on the same lot as a detached, semi-detached, or townhouse dwelling; but not within lodging houses or group homes;
- b. A maximum of two ARUs may be permitted per lot; one second unit and/or one garden suite;
- c. Will not be permitted on properties located within a Floodplain or Open Space Zones;
- d. One additional parking space will be required on lots that contain two ARUs. The additional parking space will not be required when only a second unit or a garden suite is proposed;
- e. All ARUs will be subject to the existing registration process, which will be amended to recognize garden suites as a permitted use.

The following provisions are proposed to be added exclusively for garden suites:

- a. Will only be permitted in the rear or interior side yard of the lot;
- b. A maximum size of 80 square metres (861 square feet) will be permitted within larger lots in Hamlet, Estate or Agricultural zones;
- c. A maximum size of 35 square metres (376 square feet) will be permitted in all other Residential zones;
- d. Garden suites are to be located a minimum of, 2.5 metres from the rear yard, 1.8 metres from the interior side yard, and 4 metres from the principal dwelling unit;
- e. The maximum height shall be the lesser of, the height of the principal dwelling, or 7.5 metres in Hamlet, Estate or Agricultural zones, or 4.5 metres for all other Residential zones;
- f. In order to reduce privacy concerns from adjacent properties, balconies and roof top patios will not be permitted;
- g. Unless access is directly provided from a public street or laneway (laneway suite), a pedestrian path of 1.2 metres is to be provided to the main access of the garden suite;
- h. Garden suites may be constructed from a converted intermodal shipping container if all other applicable provisions are met.



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2021

To amend Zoning By-law 270-2004, as amended

The Council of The Corporation of the City of Brampton, in accordance with the provisions of the *Planning Act*, R.S.O. 1990, c.P. 13, hereby ENACTS as follows:

(1) By-law 270-2004, as amended, is hereby further amended:

1. by amending Section 5.0 Definitions, as follows:

a) by adding the following defined terms and definitions:

“**ADDITIONAL RESIDENTIAL UNIT (ARU)** shall mean a self-contained residential dwelling unit, with its own cooking facility, sanitary facility and sleeping area, and that it is located either within a single detached, semi-detached or townhouse dwelling (Second Unit), or within an accessory building or structure (Garden Suite) on the same lot as a single detached, semi-detached, or townhouse dwelling.”

“**GARDEN SUITE** shall mean an Additional Residential Unit (ARU) that is detached from the principal dwelling unit and is located in the rear or side yard, and which may be freestanding or attached to a detached private garage.”

b) by deleting the definition for “**SECOND UNIT**” in its entirety and replacing it with the following:

“**SECOND UNIT** shall mean an Additional Residential Unit (ARU) located within a single detached, semi-detached or townhouse dwelling resulting in a two-unit dwelling.”

c) by re-organizing the definitions in alphabetical order accordingly.

2. by deleting Section 6.27 One Dwelling Per Lot in its entirety and replacing it with the following:

“6.27 Dwellings Per Lot

Where a single detached, semi-detached, or townhouse dwelling is permitted, a Second Unit and/or a Garden Suite may also be permitted subject to the requirements and restrictions of Sections 10.16, 10.16.1 and 10.16.2 of the By-law.”

3. by adding to Section 10.2 One Dwelling Per Lot, the phrase “or garden suite” following the text “second unit”.
4. by adding to Section 10.27(c) Older, Mature Neighbourhoods, the text “except for a garden suite.” immediately following the text “excluding permitted accessory structures”.
5. by deleting Section 10.16 Provisions for Two Unit Dwellings in its entirety and replacing it with the following:

“10.16 Provisions for Additional Residential Units (ARUs)

The following requirements and restrictions shall apply to all ARUs:

- (a) ARUs shall only be permitted on the same lot as a single detached dwelling, a semi-detached dwelling, or townhouse dwelling;
- (b) ARUs shall not be permitted within a lodging house or group home;
- (c) A maximum of one Second Unit and one Garden Suite is permitted per lot;
- (d) ARUs shall not be permitted on properties located within a Floodplain Zone or Open Space Zone, or on lands identified in Schedule B-6: Downtown Floodplain Regulations area;
- (e) On a lot containing both a Second Unit and a Garden Suite, one additional parking space located entirely within the boundaries of the subject lot shall be provided in addition to the parking required under Section 10.9 for the principal dwelling unit on the same lot. Notwithstanding Section 6.17, each parking space on a residential lot containing both a Second Unit and a Garden Suite shall be not less than 2.6 metres in width and 5.4 metres in length. Tandem parking spaces to accommodate the additional space shall be permitted and, the maximum width for a driveway shall not exceed the permitted width as specified in Section 10.9 of

this By-law. For the purposes of this section, tandem parking shall mean a parking space that can only be accessed by passing through another parking space from a street, land or driveway; and,

- (f) Shall be subject to the applicable Registration By-law.

10.16.1 Provisions for Second Units

The following requirements and restrictions shall apply for a Second Unit within a two-unit dwelling:

- (a) The gross residential floor area of a Second Unit shall not exceed the gross residential floor area of the principal dwelling unit;
- (b) Where the principal entrance to a Second Unit is provided through a door located in the side yard or rear yard, an unobstructed pedestrian path of travel having a minimum width of 1.2 metres shall be provided along any portion of the yard located between the front wall of the building and the principal entrance to the Second Unit;
- (c) An above grade side door meeting the minimum 1.2 metre side yard requirement of Section 10.24 and used as the principal entrance to a Second Unit may be accessed by a landing less than 0.6 metres above ground level having a maximum length and width of 0.9 metres. Steps shall be provided at both the front and rear of the landing to provide pedestrian access from the front yard to the rear yard, and;
- (d) Except as required by Section 10.16(e), no additional parking space is required for a Second Unit.

10.16.2 Provisions for Garden Suites

The following requirements and restrictions shall apply for a Garden Suite:

- (a) Garden Suites shall only be permitted in the rear yard or interior side yard;
- (b) Garden Suites shall be subject to the lot coverage requirements of the site-specific zone or Section 10.27 Older, Mature Neighbourhoods, if applicable;

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- (c) The maximum gross residential floor area shall not exceed:
 - i. 80 square metres on a lot in a Residential Hamlet, Residential Estate or Agricultural zone; or,
 - ii. 35 square metres on a lot in all other Residential zones.
- (d) Minimum Rear Yard Depth: 2.5 metres;
- (e) Minimum Interior Side Yard Width: 1.8 metres;
- (f) Minimum separation distance from the principal dwelling: 4 metres;
- (g) The maximum building height shall not exceed:
 - i. 7.5 metres or the height of the principal building, whichever is less, on a lot in a Residential Hamlet, Residential Estate or Agricultural zone; or
 - ii. 4.5 metres or the height of the principal building, whichever is less, on a lot in all other Residential zones;
- (h) Balconies and roof top patios shall not be permitted;
- (i) The platform of a porch, patio and/or deck shall be less than 0.6 metres above ground level;
- (j) A minimum 1.2 metre wide unobstructed pedestrian path of travel shall be provided from the front yard of the principal dwelling to the main entrance of the Garden Suite, unless access is directly provided to the Garden Suite from a public street or private laneway at the rear of the property.
- (k) Except as required by Section 10.16(e), no additional parking space is required for a Garden Suite; and,
- (l) Garden Suites shall be permitted within a converted intermodal shipping container;

ENACTED and PASSED this ____ day of 2021.