



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

**Number** \_\_\_\_\_ - 2022

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 ancillary building (garden suite).”

“GARDEN SUITE shall mean an Additional Residential Unit (ARU) ancillary to a single detached, semi-detached or street townhouse units, that is located in a building that is detached from the principal dwelling and located in the rear or interior 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 Section 10.16 of the Bylaw.”

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) An ARU shall only be permitted on the same lot as a single detached dwelling, a semi-detached dwelling, or townhouse dwelling;
- (b) An ARU shall not be permitted within or on the same lot as a lodging house or supporting housing residence;
- (c) A maximum of one second unit and one garden suite is permitted per residential lot;
- (d) An ARU 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) Lots containing both a second unit and a garden suite are required to provide one additional parking space in addition to the parking required under Section 10.9 for the principal dwelling unit located on the same lot. All required parking spaces shall be located entirely within the boundaries of the subject lot;
- (f) 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 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, lane or driveway; and,

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

#### 10.16.1 Provisions for Two-Unit Dwellings

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

- (a) The gross floor area of a second unit shall not exceed the gross 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 extending from the front wall of the building to the door used as the principal entrance to a second unit, unless the principal entrance to the second unit has direct unobstructed access having a minimum width of 1.2 metres from a public street or private laneway at the rear of the property;
- (c) An above grade side door meeting the minimum 1.2 metre path of travel 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 as may be necessary to provide pedestrian access from the front yard to the rear yard;
- (d) Except as required by Section 10.16(e), no additional parking space is required for a second unit; and,
- (e) A maximum of one second unit shall be permitted in a two-unit dwelling.

#### 10.16.2 Provisions for Garden Suites

The following requirements and restrictions shall apply for a garden suite:

- (a) A garden suite shall only be permitted in the rear yard or interior side yard of a lot containing a single detached dwelling, a semi-detached dwelling, or townhouse dwelling;

- (b) Notwithstanding Section 10.27(c), a garden suite shall be subject to the lot coverage requirements of the site-specific zone or Section 10.27 Older, Mature Neighbourhoods, where applicable, whichever is most restrictive;
  
- (c) The maximum gross floor area shall not exceed:
  - i. 80 square metres on a lot in a Residential Hamlet, Residential Estate or Agricultural zone;
  - ii. 35 square metres on a lot in all other Residential zones; or,
  - iii. Notwithstanding 10.16.2(c)(i) and (c)(ii) above or Section 10.4.1(g), a garden suite located above a detached garage shall be permitted provided that the maximum gross residential floor does not exceed 48 square metres or the gross floor area of the detached garage, whichever is less. The combined gross floor area for a detached garage with a garden suite above shall not exceed 96 square metres or twice the area of the garage, whichever is less.
  
- (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: 3 metres;
  
- (g) Encroachments into the minimum required rear yard depth set out in 10.16.2(d) or into the building separation distance set out in 10.16.2(f) shall be permitted as follows:
  - i. Maximum 0.6 metres for a window bay with or without foundation
  - ii. Maximum 0.5 metres for eaves, cornices, gutters, chimneys, pilasters or parapets
  - iii. Maximum 0.9 metres for an open sided, roofed porch or deck.
  
- (h) 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;
  - ii. 4.5 metres or the height of the principal building, whichever is less, on a lot in all other Residential zones; or,
  - iii. Notwithstanding 10.16.2(h)(i) and 10.16.2(h)(ii) above, and Section 10.4(h), a garden suite shall be permitted above a detached garage provided the overall height of

the building does not exceed 7.5 metres or the height of the principal dwelling, whichever is less.

- (i) Balconies and roof top patios shall not be permitted;
- (j) A minimum 1.2 metre wide unobstructed pedestrian path of travel shall be provided along any portion of the yard extending from the front wall of the principal dwelling to the main entrance of the garden suite, unless the garden suite has direct unobstructed access having a minimum width of 1.2 metres 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) Notwithstanding Section 10.3(i) or 10.4(i), a garden suite is permitted within a converted intermodal shipping container.”

ENACTED and PASSED this \_\_\_\_ day of 2022