

**THE CORPORATION OF THE TOWN OF CALEDON
BY-LAW NO. 2024-061**

Being a by-law to amend Comprehensive Zoning By-law 2006-50, as amended, with respect to Part of Lots 11 and 12, Concession 7 (Albion), designated as Parts 2 and 5, Plan 43R-38843, Town of Caledon, Regional Municipality of Peel.

WHEREAS on March 26th, 2024 Council for the Town of Caledon adopted the Future Caledon Official Plan;

AND WHEREAS the Future Caledon Official Plan has not yet been approved by the approval authority, being the Regional Municipality of Peel;

AND WHEREAS the within zoning by-law amendment will conform to the Future Caledon Official Plan once it comes into effect;

AND WHEREAS Subsection 24(2) of the *Planning Act*, R.S.O. c.P.13, provides that Council may pass a By-law that does not conform to the in force Official Plan provided that the By-law will conform to an adopted Official Plan or plan amendment, once it comes into effect;

AND WHEREAS Subsection 24(2.1) of the *Planning Act*, R.S.O. 1990, c.P.13 provides that the By-law comes into force and effect upon the adopted Official Plan or plan amendment coming into effect:

AND WHEREAS pursuant to Subsection 34(17) of the *Planning Act*, R.S.O. 1990, c.P.13 Council has determined that no further notice is required to be given in respect of the proposed by-law;

WHEREAS Section 34 of the *Planning Act*, as amended, permits the councils of local municipalities to pass zoning by-laws for prohibiting the use of land or the erecting, locating or using of buildings or structures for or except for such purposes as may be set out in the by-law;

AND WHEREAS the Council of The Corporation of the Town of Caledon considers it desirable to pass a zoning by-law to permit the use of Part of Lots 11 and 12, Concession 7 (Albion), designated as Parts 2 and 5, Plan 43R-38843, Town of Caledon, Regional Municipality of Peel, for mixed use purposes.

NOW THEREFORE the Council of The Corporation of the Town of Caledon enacts that By-law 2006-50 as amended, being the Comprehensive Zoning By-law for the Town of Caledon, shall be and is hereby amended as follows:

1. The following is added to Table 13.1:

Zone Prefix	Exception Number	Permitted Uses	Special Standards
RMD	707	<ul style="list-style-type: none"> - <i>Additional Residential Unit</i> - <i>Art Gallery</i> - <i>Artist Studio and Gallery</i> - <i>Bakery</i> - <i>Building, Apartment</i> - <i>Building, Apartment, Senior Citizens</i> - <i>Building, Mixed Use</i> - <i>Business Office</i> - <i>Clinic</i> - <i>Convenience Store</i> - <i>Day Nursery</i> - <i>Dry Cleaning or Laundry Outlet</i> - <i>Dwelling, Multiplex</i> - <i>Dwelling, Stacked Townhouse</i> - <i>Financial Institution</i> - <i>Fitness Centre</i> 	<p style="text-align: center;">DEFINITIONS</p> <p><i>Amenity Space</i> For the purposes of this <i>zone</i>, means an outdoor area used exclusively for the enjoyment of the outdoor environment and may include <i>balconies</i>, patios, terraces, or similar exclusive <i>use areas</i>.</p> <p><i>Dwelling, Multiplex</i> means a residential <i>building</i> with up to eight units. In order to qualify as a <i>Dwelling, Multiplex</i>, at least one <i>dwelling unit</i> must be entirely or partially above another. A <i>dwelling unit</i> within a <i>Dwelling, Multiplex</i> is not a principal <i>dwelling</i> that can contain an <i>Additional Residential Unit</i>.</p> <p><i>Dwelling, Stacked Townhouse</i></p>

Zone Prefix	Exception Number	Permitted Uses	Special Standards
		<ul style="list-style-type: none"> - Grocery Store - Home Occupation - Laundromat - Live-Work Unit - Merchandise Service Shop - Non-Market Housing - Outdoor Display or Sales Area, Accessory - Patio, Outdoor - Personal Service Shop - Pharmacy - Place of Assembly - Place of Entertainment - Printing and Processing Service Shop - Restaurant - Retail Store - Retail Store, Accessory - Sales, Service and Repair Shop - School - Seniors Retirement Facility - Training Facility - Video Outlet/Rental Store - Wellness Centre 	<p>For the purposes of this zone, means a <i>building</i> containing four or more <i>dwelling units</i> in which each <i>dwelling unit</i> is divided both horizontally and vertically from another <i>dwelling unit</i> by a common wall.</p> <p>Lane For the purposes of this zone, means a public or private thoroughfare, whether or not improved for use, which has a reduced right of-way width and which affords a means of access for vehicular traffic to abutting <i>lots</i>.</p> <p>Non-Market Housing For the purposes of this zone, means housing that is owned or subsidized by government, a non-profit society, or a housing cooperative; whereby it is not solely market driven.</p> <p>Porch For the purposes of this zone, <i>Porch</i> shall mean a roofed exterior platform attached to a <i>building</i> with or without foundation and/or basement with at least one (1) side open including any guards or railings, as required.</p> <p>Street For the purpose of this zone, a <i>street</i> shall include a <i>private road</i> or <i>lane</i>.</p> <p style="text-align: center;">REGULATIONS</p> <p>Access Regulations For the purposes of this zone, Sections 4.3.3 (minimum <i>entrance setback</i>) and 4.3.4 (minimum <i>entrance separation</i>) shall not apply.</p> <p>Additional Residential Units Notwithstanding the lands identified on Schedule H of Comprehensive Zoning By-law 2006-50, the provisions of Section 4.4 – Additional Residential Units Overlay Zone shall apply to the lands shown on Schedule “A” of this By-law.</p> <p>Air Conditioners and Heat Pumps Air Conditioners and Heat Pumps are permitted in all <i>yards</i> provided where an Air Conditioner or Heat Pump is located in a <i>Front Yard</i> or <i>Exterior Side Yard</i>, it shall be screened from public view or located on a <i>balcony</i> or terrace.</p> <p>Convenience Store A <i>Convenience Store</i> shall not exceed 300 m² <i>net floor area</i>.</p> <p>Dwellings Per Lot Section 4.11 shall only apply to a <i>lot</i> containing a <i>detached dwelling</i>, <i>semi-detached dwelling</i>, and/or a <i>freehold townhouse</i>.</p>

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			<p>Lot The lands zoned RMD-710 shall be considered one <i>lot</i> for zoning purposes.</p> <p>Non-Market Housing Shall be permitted in all residential <i>zones</i>, provided that such <i>use, building or structure</i> complies with the standards of the <i>Zone</i> in which it is located.</p> <p>Non-Residential Uses The non-residential <i>uses</i> permitted in this <i>zone</i> shall only be permitted on the ground level of a <i>Building, Mixed Use</i>.</p> <p>Permitted Encroachments Encroachments into the required <i>yards</i> are permitted as follows:</p> <ul style="list-style-type: none"> a) <i>Building</i> architectural elements, including sills, belt, courses, cornices, gutters, chimneys, pilasters, eaves, parapets, canopies or fireplaces are permitted to encroach in any <i>yard</i> up to 0.6 metres b) Window bays, bows and boxes are permitted to encroach in the <i>front, rear and exterior side yards</i> up to 1.0 metre c) <i>Balconies</i> are permitted to encroach in the <i>front, rear and exterior side yards</i> up to 2.0 metres d) <i>Porches</i> and uncovered terraces (including access stairs from grade) are permitted to encroach in the <i>front, rear and exterior side yards</i>, including eaves and cornices, with a minimum <i>setback</i> of 0.6 m from a <i>lot line</i>. e) Exterior stairs providing access to a <i>building or structure</i> may encroach into the <i>front, rear and exterior side yards</i> up to 0.3 metres from a <i>lot line</i> f) <i>Decks</i> (including access stairs from grade) are permitted to encroach in the <i>rear yard</i> up to 1.2 metres from the <i>rear lot line</i> and <i>interior side yards</i> up to 0.6 metres from an <i>interior side lot line</i> g) Swimming pool pumps/filters/heaters are permitted to encroach in the <i>rear and exterior side yards</i> up to 0.6 metres from any <i>lot line</i> h) Unenclosed barrier-free access ramps are permitted to encroach in any <i>yard</i> up to 0.3 metres from any <i>lot line</i> i) Rain barrels and rain harvesting system components are permitted to encroach in the <i>rear, exterior side and interior side yards</i> up to 0.6 metres from any <i>lot line</i> j) An <i>outdoor patio</i> serving a non-residential use is permitted to encroach in the <i>front</i>

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			<p>yard or exterior side yard up to 0.0 metres from the front lot line or exterior lot line</p> <p>k) A one-storey component of a <i>main building</i> on a lot with a lot depth less than 20m is permitted to encroach a maximum of 3.5m into a rear yard up to a maximum width of 60% of the lot</p> <p>l) Within a <i>private garage</i>, steps, stairs, landings, ramp, or barrier-free access feature may encroach up to 0.5m into a required <i>parking space</i>. Refuse Bins may encroach entirely within a required <i>parking space</i>.</p> <p>Use Restriction Where a <i>dwelling</i> has been legally constructed, the <i>dwelling</i> shall not be used for any purpose other than a domicile, a <i>day care, private home, home occupation</i>, and related accessory use as permitted by the Zoning By-law. All other uses are prohibited.</p> <p style="text-align: center;">ZONE STANDARDS</p> <p>Lot Area (minimum): N/A</p> <p>Lot Frontage (minimum): N/A</p> <p>Building Area (maximum): N/A</p> <p>Backyard Amenity Area (minimum): N/A</p> <p>Front Yard (minimum): 4.0m</p> <p>Exterior Side Yard (minimum): 1.5m</p> <p>Rear Yard (minimum): 1.2m</p> <p>Interior Side Yard (minimum): 6.0m</p> <p>Building Height (maximum): For a <i>Dwelling, Stacked Townhouse and Dwelling, Multiplex</i>: 18m</p> <p>For a <i>Building, Apartment; Building, Apartment, Senior Citizen, and Building, Mixed Use</i>: 40m</p> <p>Amenity Space (minimum): For a <i>Dwelling, Stacked Townhouse</i>: 7m² per dwelling unit</p> <p>For a <i>Building, Apartment; Building, Apartment, Senior Citizen, and Building, Mixed Use</i>: 3m² per dwelling unit</p> <p>Landscaping Area (minimum): 25%</p> <p>Common Outdoor Amenity Area (minimum): 1,250m²</p> <p>Number of Dwelling Units (maximum): 765</p>

Zone Prefix	Exception Number	Permitted Uses	Special Standards
			<p>Residential Parking Requirements:</p> <p><i>Dwelling, Multiplex:</i> 1 parking space per dwelling unit</p> <p><i>Dwelling, Stacked Townhouse:</i></p> <p>Residents: 1.3 parking spaces per dwelling unit</p> <p>Visitors: 0.15 parking space per dwelling unit</p> <p><i>Building, Apartment; Building, Apartment, Senior Citizen, and Building, Mixed Use:</i></p> <p>Residents: 1.15 parking spaces per dwelling unit</p> <p>Visitors: 0.15 parking space per dwelling unit</p> <p>Non-Residential Parking Requirements:</p> <p>1 parking space per 25 sq. m. net floor area</p>

2. The following is added to Table 13.3

The following provisions shall apply to all lands zoned with a holding provision (H50) as shown on Schedule “A” to this By-law until the holding provision (H50) is removed from the lands or a portion thereof pursuant to Subsection 36(3) or (4) of the *Planning Act*.

- a) Only the following *uses* are permitted prior to the removal of the holding provision (H50):
 - a. A *use* legally existing on the lands as of the date of the enactment of this By-law;
 - b. A *use* that was permitted on the Subject Lands, or portion thereof, pursuant to Comprehensive Zoning By-law 2006-50 as of the date of the enactment of this By-law; and,
 - c. *Non-Intensive Recreation Uses, Public Uses and Environmental Management Uses.*

- b) A by-law or by-laws to remove the holding provision (H-50) from all or a portion of the lands shall not be enacted until the following conditions, as applicable, have been met to the satisfaction of the Town:
 - i. Approval of a secondary plan in conformity with the Town’s Future Caledon Official Plan or an official plan amendment;
 - ii. Approval of Draft Plan of Subdivision has been issued or where the lands are not subject to a Plan of Subdivision, a Site Plan Approval – Final Summary letter has been issued by the Town. Through the Draft Plan of Subdivision or Site Plan approval process, the applicant shall submit an Environmental Impact Study, to the satisfaction of the Town (“EIS”), which among other things, determines the extent of the Natural Environment System as defined in the Future Caledon Official Plan. Any lands that are identified as being within the Natural Environment System through the EIS and protected from development shall either be dedicated to the Town or other appropriate public authority or otherwise protected from development over the long term to the satisfaction of the

Town as a condition of draft plan approval or through Site Plan approval.

- iii. Written confirmation, where required, from the Regional Municipality of Peel and/or the applicable utility, that:
 - i. a development agreement has been executed to implement the required water and sanitary services, which may include payment of fees and posting of required securities; and/or
 - ii. there is sufficient municipal water and sanitary sewer capacity to service the lands.

3. Schedule "A", Zone Map 21 of By-law 2006-50, as amended is further amended for Part of Lots 11 and 12, Concession 7 (Albion), designated as Parts 2 and 5, Plan 43R-38843, Town of Caledon, Regional Municipality of Peel from General Commercial Zone – Exception 577 (C-577) to Mixed Density Residential Zone – Exception 707 – Holding Provision 50 (RMD-707-H50), in accordance with Schedule "A" attached hereto.

Read three times and finally passed in
open Council on the
XXth day of XXXX, 2024.

Annette Groves, Mayor

Kevin Klingenberg, Clerk