# THE CORPORATION OF THE TOWN OF CALEDON BY-LAW NO. 2024-051 

Being a by-law to amend Comprehensive Zoning By-law 2006-50, as amended, with respect to Part of Lots 21, and 22, Concessions 1 and 2, EHS (Chinguacousy), Town of Caledon, Regional Municipality of Peel.

WHEREAS on March $26^{\text {th }}$, 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 Bylaw 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 21, and 22, Concessions 1 and 2, EHS (Chinguacousy), 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 Bylaw 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 | 688 | - Amusement Arcade <br> - Animal Hospital <br> - Apartment, Accessory <br> - Art Gallery <br> - Artist Studio and Gallery <br> - Automotive Store <br> - Bakery <br> - Bed and Breakfast Establishments <br> - Building, Apartment <br> - Building, Apartment, Senior Citizens <br> - Building, Mixed Use <br> - Business Office <br> - Clinic <br> - Conference Centre <br> - Convenience Store <br> - Cultural Centre <br> - Day Care, Private Home <br> - Day Nursery <br> - Department Store <br> - Dry Cleaning or Laundry Outlet | DEFINITIONS <br> Amenity Area <br> For the purposes of this zone, means an indoor and/or outdoor recreational area provided for the communal use of the residents including rooftop amenity areas, green roofs and rooftop gardens and inclusive of landscaping areas. <br> Amenity Space <br> For the purposes of this zone, means an outdoor area used exclusively for the enjoyment of the outdoor environment and may include landscaping areas, patios, porches, privacy areas, balconies, terraces, decks and similar areas. <br> Dwelling, Multiplex <br> For the purposes of this zone, means a residential building with up to eight units. In order to qualify as a Multiplex, at least one dwelling unit must be entirely or |


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| :---: | :---: | :---: | :---: |
|  |  | - Dwelling, Back-to-Back <br> Townhouse <br> - Dwelling, Detached <br> - Dwelling, Detached, Rear-Lane <br> - Dwelling, Multiplex <br> - Dwelling, Semi-Detached <br> - Dwelling, Semi- <br> Detached, Rear-Lane <br> - Dwelling, Stacked <br> Townhouse <br> - Dwelling, Townhouse <br> - Dwelling, Townhouse, Rear-Lane <br> - Environmental Management <br> - Farmers Market <br> - Financial Institution <br> - Fitness Centre <br> - Forest Management <br> - Funeral Home <br> - Furniture Showroom <br> - Grocery Store <br> - Home Improvement Centre <br> - Home Occupation <br> - Hotel <br> - Laboratory, Medical <br> - Laundromat <br> - Live-Work Unit <br> - Long-Term Care Facility <br> - Medical Centre <br> - Merchandise Service Shop <br> - Museum <br> - Non-Market Housing <br> - Outdoor Seasonal Garden Centre, Accessory <br> - Outdoor Display or Sales Area, Accessory <br> - Patio, Outdoor <br> - Parking Area, Commercial <br> - Parking Garage <br> - Personal Service Shop <br> - Pharmacy <br> - Place of Assembly <br> - Place of Entertainment <br> - Place of Worship <br> - Post-Secondary Education Facility <br> - Printing and Processing Service Shop <br> - Private Club <br> - Public Transit Depot <br> - Public Use <br> - Recreation, NonIntensive <br> - Research Establishment <br> - Restaurant <br> - Retail Store <br> - Retail Store, Accessory <br> - Sales, Service and Repair Shop <br> - Seniors Retirement Facility <br> - Shopping Centre | partially above another. A dwelling unit within a Multiplex is not a principal dwelling that can contain an Additional Residential Unit. <br> Dwelling, Stacked Townhouse <br> For the purposes of this zone, means a building containing four or more dwelling units in which each dwelling unit is divided both horizontally and vertically from another dwelling unit by a common wall. <br> Finished Grade <br> For the purposes of this zone, Finished Grade, with reference to a building, shall be calculated using the average elevation of the finished surface of the ground where it meets the exterior of the front of such building. <br> Lane <br> 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 lots. <br> Lot Depth <br> For the purposes of this zone, means the shortest horizontal distance between the front lot line and the rear lot line. <br> Lot Frontage <br> For the purposes of this zone, in the case of a corner lot, the lot frontage shall be calculated as if the front and exterior side lot lines were extended to their point of intersection. <br> Lot Line, Front <br> For the purposes of this zone, where a lot contains a Rear-Lane Dwelling, the Front Lot Line shall be the lot line opposite to the lot line traversed by a driveway. <br> Non-Market Housing <br> 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. <br> Porch <br> For the purposes of this zone, Porch shall mean a roofed exterior platform attached to a building with or without foundation and/or basement with at least one (1) side open including any guards or railings, as required. <br> Rear-Lane <br> For the purposes of this zone, means a dwelling with a driveway access to a private or public street or Lane adjacent to the rear lot line. <br> Street |


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|  |  | - Supermarket <br> - Training Facility <br> - Veterinary Hospital <br> - Video Outlet/Rental Store <br> - Wellness Centre | For the purposes of this zone, a street shall include a private road or lane. <br> GENERAL PROVISIONS |
|  |  |  | Access Regulations |
|  |  |  | Notwithstanding Section 4.3.1, a rear-lane associated accessory structure may be |
|  |  |  | erected on a lot without frontage and access to a public or private street, |
|  |  |  | provided driveway access to the rear lot line is available from a public or private |
|  |  |  | street or Lane. |
|  |  |  | For the purposes of this zone, Sections 4.3.3 (minimum entrance setback) and 4.3.4 (minimum entrance separation) shall not apply. |
|  |  |  | Accessory Building Location: <br> For the purpose of this zone, any accessory building, not including a detached garage, shall be located a minimum of 0.6 m from any lot line. |
|  |  |  | Additional Residential Units Notwithstanding the lands identified on Schedule H of Comprehensive Zoning Bylaw 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. |
|  |  |  | Air Conditioners and Heat Pumps Air Conditioners and Heat Pumps are permitted in all yards provided where an Air Conditioner or Heat Pump is located in a Front Yard or Exterior Side Yard, it shall be screened from public view or located on a balcony. |
|  |  |  | Detached or Dual Garage <br> For the purposes of this zone, a detached or dual garage with driveway access to a lane shall: |
|  |  |  | a) Comply with the minimum yard requirements of the lot, except in the case of a dual garage, or portion thereof, no minimum side yard requirement shall apply where a dual garage is divided vertically into 2 separate private garages on a lot line. |
|  |  |  | b) Not be subject to Section 4.2.2. |
|  |  |  | c) Not exceed the Building Height of the main building on the lot. |
|  |  |  | Dwellings Per Lot |
|  |  |  | Section 4.11 shall only apply to a lot containing a detached dwelling, semidetached dwelling, and/or a freehold townhouse. |
|  |  |  | Model Homes and Temporary Sales Structure |











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| :---: | :---: | :---: | :---: |
|  |  |  | Between attached dwelling units: $\mathrm{N} / \mathrm{A}$ <br> Abutting a non-residential land use: 1.2 m <br> Building Height (maximum): 14 m <br> Landscaping Area (minimum): $\mathrm{N} / \mathrm{A}$ <br> Driveway Width (minimum): 2.75 m <br> Parking Requirements (minimum):  <br> 1 parking space per dwelling unit  <br> Contiguous Dwelling Units <br> (maximum): <br> Dimensions of a Contiguous Structure <br> (maximum): <br> 8 dwelling units wide by 2 dwelling units <br> deep <br> Amenity Space (minimum): <br> $3.5 m^{2}$ per dwelling unit  <br> PERMITTED ENCROACHMENTS <br> For Dwelling, Back-to-Back Townhouse <br> a) Bay, Box, or Bow Windows with or without foundations may encroach a maximum of 1.0 m into a required front or exterior side; <br> b) Covered or uncovered Porch or Balcony, Canopy or Portico, may encroach a maximum of 2.0 m into a required front yard, 1.5 m into a required exterior side yard, and 0.6 m into a required interior side yard, provided a minimum setback of 0.6 m is maintained to an interior side yard lot line. <br> c) Covered or uncovered steps or stairs, ramp or barrier-free access feature not associated with a deck may encroach a maximum of 2.0 m into a required front yard or exterior side yard provided a setback of 0.5 m is maintained to the front and exterior side lot line. <br> d) A required third floor egress balcony may project a maximum of 1.0 m beyond the building into an exterior side yard or front yard; <br> e) Chimneys or vents may encroach a maximum of 0.6 m into any required yard, provided that a minimum setback of 0.6 m is maintained to the lot line. <br> f) Fireplaces may encroach a maximum 0.6 m into the required side yard or $50 \%$ of the minimum required side yard provided a minimum setback of 0.6 m is maintained to an interior side yard lot line. |





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| :---: | :---: | :---: | :---: |
|  |  |  | Rear Yard (minimum): 3 m |
|  |  |  | Interior Side Yard (minimum): 3 m |
|  |  |  | Setback to a Sight Triangle (minimum): |
|  |  |  | Driveway and Parking Space Setback (minimum): |
|  |  |  | Building Height (maximum): Greater of 48 m or 12 storeys, excluding rooftop mechanical rooms and equipment |
|  |  |  | Parking Requirements (minimum): For a Building, Apartment or Building, Apartment, Mixed Use: |
|  |  |  | Residents: <br> 0.7 parking space per dwelling un |
|  |  |  | Visitors: |
|  |  |  | 0.15 parking space per dwelling unit |
|  |  |  | Visitor and non-residential use parking spaces may be shared. |
|  |  |  | For a Seniors Retirement Facility: |
|  |  |  | Residents: <br> 0.5 parking space per dwelling unit |
|  |  |  | Visitors: |
|  |  |  | 0.15 parking space per dwelling unit |
|  |  |  | For a Long-Term Care Facility: |
|  |  |  | Residents: <br> 0.3 parking space per bed |
|  |  |  | Visitors: |
|  |  |  | 0.15 parking space per dwelling unit |
|  |  |  | Non-Residential Use: 1 parking space per non-residential unit |
|  |  |  | Landscaping Area (minimum): $15 \%$ of the lot |
|  |  |  | Planting Strip (minimum): <br> 3 m along a street line adjacent to a parking area |
|  |  |  | Amenity Area (minimum) |
|  |  |  | $2 \mathrm{~m}^{2}$ per unit or $10 \%$ of the site area. |
|  |  |  | Garbage Storage <br> Except for schools, shall be stored inside the building. |
|  |  |  | Convenience Store (maximum): $160 \mathrm{~m}^{2}$ net floor area; |
|  |  |  | ZONE STANDARDS |
|  |  |  | For a Live-Work Unit: |
|  |  |  | A Live-Work Unit shall be limited to the |




2. The following is added to Table 13.3

The following provisions shall apply to all lands zoned with a Holding Provision (H40A) as shown on Schedule " $A$ " to this By-law until the Holding Provision (H40A) 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 (H40A):
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 and Environmental Management Uses.
b) A By-law or By-laws to remove the Holding Provision (H40A) 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.
iv. Only with respect to lands in the Focus Analysis Area of the Highway 413 Transportation Corridor (FAA) and the Narrowed Area of Interest of the Northwest GTA Transmission Identification Study (Northwest GTA TIS), the Applicant has provided written confirmation of clearance for the lifting of the holding zone to the Town from the appropriate Ministry with regards to any lands in the FAA and Northwest GTA TIS.
3. The following is added to Table 13.3:

A Holding Provision (H40B) shall apply to the lands shown on Schedule "A" to this By-law and may be lifted over all or a portion of the lands provided that the following conditions, as applicable, have been met to the satisfaction of the Town:
a) The submission of 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 in order to confirm the limits and extent of the Environmental Policy Area 1 (EPA1) zone as described in the note on Schedule "A" to this By-law. Following the completion of the EIS to the satisfaction of the Town, the holding provision (H40B) shall only be lifted from lands that are already within the EPA1 zone where those lands have been identified to form part of the Natural Environment System and protected from development through the EIS. For clarity, the holding provision (H40B) shall not be lifted from lands that form part of the Natural Environment System and are protected from development as identified through the EIS where lands are zoned for residential or commercial uses on Schedule "A";
4. Schedule "A", Zone Maps 6 and 7 of By-law 2006-50, as amended is further amended for Part of Lots 21, and 22, Concessions 1 and 2, EHS (Chinguacousy), Town of Caledon, Regional Municipality of Peel from Agricultural Zone (A1) and Environmental Policy Area 2 Zone (EPA2) to Mixed Density Residential Zone -

Exception 688 - Holding Provision 40A and Holding Provision 40B (RMD-688-H40AH40B), and Environmental Policy Area 1 Zone - Holding Provision 40A and Holding Provision 40B (EPA1-H40A-H4OB) in accordance with Schedule "A" attached hereto.

Read three times and finally passed in open Council on the $25^{\text {th }}$ day of June, 2024.

## Annette Groves, Mayor

Kevin Klingenberg, Clerk

