

Notice of Passing of Zoning By-law 2024-059

TAKE NOTICE that the Council for The Corporation of the Town of Caledon passed By-law No. 2024-059 on June 25, 2024, under Sections 34 of the *Planning Act*, R.S.O. 1990, c.P.13. This by-law pertains to a Town-Initiated Zoning By-law Amendment application (File No. RZ 2024-0014).

The purpose and effect of By-law 2024-059 is to amend Comprehensive Zoning By-law No. 2006-50, as amended, to rezone lands to provide a range of housing and land uses that aim to advance Caledon's Housing Pledge and the prescribed provincial priority of building 1.5 million new residential units by December 2031.

The basis for this By-law is contained in Staff Report 2024-0370, as received by Council on June 25, 2024.

All oral and written submission relating to the By-law were considered by Council before this decision was made.

The last date for filing a notice of appeal is **July 29, 2024**. Such notice of appeal must be filed with the Town Clerk of the Corporation of the Town of Caledon and must:

1. be in writing;
2. set out the reasons for the appeal;
3. be accompanied by the Ontario Land Tribunal fee in the amount of \$1,100.00, which can only be paid by certified cheque or money order made payable to the Minister of Finance, Province of Ontario; and,
4. be accompanied by the Town's fee in the amount of \$226.17, which can be paid by cheque made payable to The Corporation of the Town of Caledon.

*Note that there is also a fee for cost recovery of preparing the appeal packages for the Ontario Land Tribunal. This portion of the fee is required to be paid upon the Town informing the appellant of such fee.

The appeal form is available from the Ontario Land Tribunal on their website at <https://olt.gov.on.ca/appeals-process/forms/> or by contacting the Town Clerk.

The applicant or specified persons as defined by the Planning Act, R.S.O. 1990, c.P.13, as amended, public bodies as defined by the Planning Act, R.S.O. 1990, c.P.13, as amended and registered owners of land to which the by-law would apply who made oral or written submissions to Council prior to the adoption of the amendment may appeal a decision of the municipality or planning board to the Ontario Land Tribunal.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was adopted, they made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Ontario Land Tribunal, there are reasonable grounds to add the person, public body or registered owner of land to which the by-law would apply as a party.

Additional information in respect of this By-law is available for inspection at the Town of Caledon, Planning & Development Department, weekdays between 8:30 a.m. and 4:30 p.m., by contacting planning@caledon.ca.

DATED at the Town of Caledon
This 9th day of July, 2024.

Kevin Klingenberg
Town Clerk



**THE CORPORATION OF THE TOWN OF CALEDON
BY-LAW NO. 2024-059**

Being a by-law to amend Comprehensive Zoning By-law 2006-50, as amended,
with respect to Part of Lots 3 and 4, Concession 7
Town of Caledon, Regional Municipality of Peel,
municipally known as 12563 & 12599 Highway 50 and 2 Industrial Road.

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 3 and 4, Concession 7, Town of Caledon, Regional Municipality of Peel, for High Density Residential and 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 |
|-------------|------------------|---|---|
| RM | 703 | <ul style="list-style-type: none"> - <i>Animal Hospital</i> - <i>Amusement Arcade</i> - <i>Antique and Collectibles Store</i> - <i>Artist Studio and/or Gallery</i> - <i>Body-Rub Parlour</i> - <i>Building, Apartment</i> - <i>Building, Mixed Use</i> - <i>Bakery</i> - <i>Business Office</i> - <i>Clinic</i> - <i>Convenience Store</i> - <i>Custom Computer Assembly and Service Outlet</i> - <i>Day Nursery</i> - <i>Department Store</i> - <i>Dwelling, Townhouse</i> - <i>Financial Institution</i> | <p style="text-align: center;">DEFINITIONS</p> <p><i>Animal Hospital</i> For the purposes of this zone, means a building, or dedicated space within a mixed-use building, where one or more licensed veterinarians and any associated staff provide medical, surgical or similar services solely for domestic pets. This definition may include grooming activities but shall not include any facilities for the cremation or disposal of dead animals.</p> <p><i>Floor Area, Gross</i> For the purposes of this zone, means the aggregate of all floor areas of all of the buildings or structures on a lot, but excluding:</p> <ul style="list-style-type: none"> i. parking, loading and bicycle parking, at, above, or below finished grade |

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| | | <ul style="list-style-type: none"> - Fitness Centre - Furniture Showroom - Grocery Store - Government Office - Home Sales Office/Presentation Centre/Décor Centre - Home Occupation - Library - Medical Centre - Medical Laboratory - Motor Vehicle Sales Establishment which does not include a motor vehicle service centre - Museum - Non-Market Housing - Personal Service Shop - Place of Assembly - Place of Entertainment - Place of Worship - Printing and Processing Shop - Private Club - Public Use - Restaurant - Retail Store - Seniors Retirement Facility - Specialty Food Store - Video Outlet/Rental Store - Wellness Centre | <ul style="list-style-type: none"> ii. storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement; iii. shower and change facilities and bicycle maintenance facilities iv. indoor amenity space v. elevator shafts; vi. garbage shafts; vii. mechanical penthouse; and viii. exit stairwells in the <i>building</i>. <p>Furniture Showroom For the purposes of this <i>zone</i>, means a <i>retail store</i> where household furniture and appliances are displayed, stored and offered for sale.</p> <p>Home Sales Office/Presentation Centre/Décor Centre For the purposes of this <i>zone</i>, means a <i>building</i> or <i>structure</i> used for the sole purpose of selling or leasing land or <i>buildings</i> associated with a Draft Plan of Condominium or an approved Site Plan.</p> <p>Storey For the purposes of this <i>zone</i>, means that portion of a <i>building</i> or <i>structure</i> between any floor level and the floor, ceiling or roof immediately above, but shall not include a mechanical penthouse, elevator overrun, or stairway providing access to a rooftop for amenity or maintenance purposes.</p> <p>Lot For the purposes of this <i>zone</i>, means the lands zoned RM-703, notwithstanding any subdivision or partition of such lands by way of plan of subdivision, part lot control exemption, plan of condominium, or consent to sever.</p> <p>Lot Line, Front For the purposes of this <i>zone</i>, means the <i>street line</i> abutting Highway 50.</p> <p>Lot Line, Exterior For the purposes of this <i>zone</i>, means the <i>street line</i> abutting Industrial Road.</p> <p>Non-Market Housing For the purposes of this <i>zone</i>, 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>Street For the purpose of this <i>zone</i>, a <i>street</i> shall include a <i>private road</i> or <i>lane</i>.</p> <p style="text-align: center;">ZONE STANDARDS</p> <p>Non-Market Housing Shall be permitted in all residential <i>zones</i>, provided that such <i>use, building</i> or</p> |

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| | | | <p><i>structure</i> complies with the standards of the <i>Zone</i> in which it is located.</p> <p>Structure Envelope In addition to complying with applicable provisions, all <i>buildings</i> and <i>structures</i> shall only be located within the structure envelope shown on Schedule "B" S.E. Map 50.</p> <p>Permitted Encroachments Structural projections from a principal <i>building</i> are permitted to encroach, into the minimum <i>setback</i> as shown on Schedule "B" S.E. Map 50, in accordance with Table 4.2 of Section 4.29.</p> <p>For the purposes of this By-law, commercial signage shall be permitted to encroach into the minimum <i>setback</i> as shown on Schedule "B" S.E. Map 50 to a point not less than 0.3 metres from a <i>street line</i></p> <p>For the purposes of this By-law, an <i>outdoor patio</i> shall be permitted to encroach to a <i>lot line</i>.</p> <p>Lot Area (minimum): 35,000 m²</p> <p>Dwelling Units per Lot (maximum): 2,400</p> <p>Building Area (maximum): 50%</p> <p>Landscaping Area (minimum): 35%</p> <p>Lot Frontage (minimum): N/A</p> <p>Yards (minimum): Refer to Schedule "B" S.E. Map 50</p> <p>Privacy Yard (minimum): N/A</p> <p>Privacy Yard Depth (minimum): N/A</p> <p>Play Facility (minimum): N/A</p> <p>Parking Space Setback (minimum): 3.0m above grade and 0.9m for an underground garage</p> <p>Building Height (maximum): Refer to Schedule "B" S.E. Map 50</p> <p>Building Height Exception: For the purpose of this <i>zone</i>, the <i>building</i> or <i>structure height</i> provisions of this By-law shall not apply to the following uses:</p> <ul style="list-style-type: none"> i. equipment used for the functional operation of the <i>building</i>, including electrical, utility, mechanical and ventilation equipment, as well as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, vents, <i>building</i> maintenance units and/or |

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| | | | <p>window washing equipment;</p> <ul style="list-style-type: none"> ii. <i>structures</i> that enclose, screen, or cover the equipment, <i>structures</i> and parts of a <i>building</i> listed in (i) above, including a mechanical penthouse, iii. architectural features, parapets, and elements and <i>structures</i> associated with a green roof; iv. planters, landscaping features, guard rails, and divider screens on a <i>balcony</i> and/or terrace, antennae, flagpoles and satellite dishes; v. trellises, pergolas, and unenclosed <i>structures</i> providing safety or wind protection to rooftop amenity space; vi. intake or exhaust shafts at grade, provided they are screened; vii. electrical transformers or gas meter stations; and viii. a <i>structure</i> enclosing a stairway providing access to an underground <i>parking garage</i>. <p style="text-align: center;">PARKING REQUIREMENTS</p> <p><i>For a Dwelling, Apartment:</i></p> <p>0.85 <i>parking space</i> per <i>dwelling unit</i> + 0.2 <i>parking spaces</i> per <i>dwelling unit</i> for visitor parking in a designated visitor <i>parking area</i></p> <p><i>Dwelling, Townhouse, where incorporated into the base of an Apartment or Mixed-Use Building:</i></p> <p>0.85 <i>parking space</i> per <i>dwelling unit</i> + 0.2 <i>parking spaces</i> per <i>dwelling unit</i> for visitor parking in a designated visitor <i>parking area</i></p> <p>Non-Residential Uses:</p> <p>1 <i>parking space</i> per 30m² of net floor area</p> <p><i>Parking spaces</i> for non-residential uses shall be permitted to be shared with the <i>parking spaces</i> for visitors of the <i>dwelling units</i></p> <p>Notwithstanding Section 5.2.9, no <i>parking spaces</i> shall be required for an <i>outdoor patio</i></p> <p>The vertical or horizontal area of a <i>parking space</i> shall be permitted to be obstructed by facilities intended to be used for a suspended bicycle <i>parking space</i> for the exclusive use of the owner of the <i>parking space</i>.</p> <p><i>Loading and Delivery Spaces:</i></p> |

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| | | | <p>Residential <i>Uses</i>: 1 per <i>building</i></p> <p>Non-Residential <i>Uses</i>: 1 per <i>building</i></p> <p>Where a <i>building</i> contains both residential and commercial <i>uses</i>, a minimum of 1 <i>loading space</i> shall be required.</p> <p>Notwithstanding Section 5.3.3, each <i>loading space</i> shall be at least 13 metres long, 3.5 metres wide, and have a vertical clearance of at least 3.35 metres.</p> <p>For the purposes of this By-law, the provision of a <i>loading space</i> within an <i>apartment</i> or <i>mixed-use building</i> shall be deemed to satisfy any other requirement of this By-law for a <i>delivery space</i>.</p> <p>Notwithstanding Sections 5.3.6 and 5.4.6, the location of <i>loading</i> or <i>delivery spaces</i> shall be determined through a future Site Plan Control application to the satisfaction of the Town.</p> <p>Sight Triangles Notwithstanding Section 4.38.2 (<i>Sight Triangles</i>) no <i>sight triangle</i> shall be required where a curved or triangular area of land abutting a <i>corner lot</i> has been incorporated into the public right-of-way.</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</i>, <i>private home</i>, <i>home occupation</i>, and related accessory <i>use</i> as permitted by the Zoning By-law. All other <i>uses</i> are prohibited.</p> |

2. The following is added to Table 13.3:

The following provisions shall apply to all lands zoned with a holding provision (H48) as shown on Schedule "A" to this By-law until the holding provision (H48) 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 (H48):
 - 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.*

3. The following is added to Table 13.3:

A Holding provision (H48) shall apply to the lands shown on Schedule "A" to this By-law which shall not be lifted until the following conditions have been met:

- a. An appropriate land use policy framework is implemented within the Town of Caledon Official Plan or Bolton Secondary Plan, as applicable.
 - b. The Owner submits an updated noise mitigation report and implements any recommendations to the satisfaction of the Town of Caledon and that the owner provide confirmation by a qualified acoustical engineer that the required noise mitigation measures have been constructed to address the stationary noise sources and meet NPC-300 requirements as applicable.
 - c. The Owner enters into a development agreement with the Town of Caledon to design and construct the Industrial Road to an urban local road standard from Highway 50 to the future connection with George Bolton Parkway Extension;
 - d. The Owner registers the aforementioned development agreement on title of the subject lands.
4. Schedule "A", Zone Map 1a of By-law 2006-50, as amended is further amended for Part of Lots 3 and 4, Concession 7, Town of Caledon, Regional Municipality of Peel, from Bolton Highway Commercial Zone (CHB) and Unserviced Industrial Zone (MU) to the Multiple Residential Zone – Exception 703 – Holding Provision 48 (RM-703-H48) in accordance with Schedules "A" attached hereto.
5. Schedule "B" S.E. Map 50, attached hereto, is hereby added to Schedule "B", Structure Envelope (SE) Maps of By-law 2006-50, as amended, for the lands legally described as Part of Lots 3 and 4, Concession 7, Town of Caledon, Regional Municipality of Peel.

Read three times and finally
passed in open Council on the
[XX] day of June, 2024.

Zs



Annette Groves, Mayor


Kevin Klingenberg, Clerk

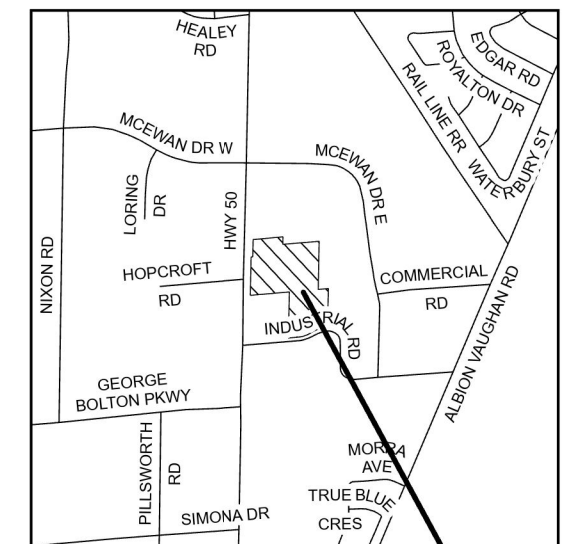
Schedule A By-law 2024-59

12563 and 12599 Highway 50
and 2 Industrial Road
Part of Lots 3 & 4, Concession 7
Town of Caledon,
Regional Municipality of Peel

Legend

 Lands to be rezoned to the zones identified on this Schedule

Key Map



Subject Lands

Date: June 18, 2024

File: ZB 2024-0014

