1		THE CORPORATION OF THE TOWN OF CALEDON
2 3		BY-LAW NO. 2024-
4 5 6 7	А Ву-	law for the purposes of ensuring compatibility with Airport operations and the safe and secure operation of the Airport and aircraft.
8 9 10	WHER of Can Aerona	REAS the Town has entered into an agreement with His Majesty the King in Right nada, as represented by the Minister of Transport, pursuant to Section 5.81 of the <i>autics Act</i> , R.S.C., 1985, c. A-2;
12 13	WHER the To	REAS the Town has the authority to enact by-laws for the regulation of land use in wn of Caledon, as set out in Section 34 of the <i>Planning Act</i> , R.S.O. 1990, c. P.13;
14 15 16 17 18 19	AND V extent adjace lands i	WHEREAS the Town wishes to regulate, in the same manner and to the same as it may regulate the use of land within its jurisdiction, the use of the lands ent to or in the vicinity of the airport for the purpose of ensuring that the use of is not incompatible with the safe operation of an airport or aircraft;
20 21 22 23	AND V such a (R.S.C	WHEREAS the By-law, being a Federal regulation, is subject to Federal legislation, is the <i>Statutory Instruments Act</i> (R.S.C., 1985, c. S-22), the <i>Official Languages Act</i> C., 1985, c. 31 (4 th Supp.)) and associated regulations;
23 24 25 26 27 28 29 30 31	AND V 5.81 of the sat with Se in the v pursua use is	WHEREAS the Minister of Transport has authorized the Town, pursuant to Section f the <i>Aeronautics Act</i> , R.S.C., 1985, c. A-2, to regulate in the same manner and to me extent as it may regulate the use of lands within its jurisdiction, in accordance ection 34 of the <i>Planning Act</i> , R.S.O. 1990, c. P.13, the use of lands adjacent to or vicinity of an airport or airport site that are not the subject of regulations made ant to Subsection 5.4(2) of the Aeronautics Act, for the purpose of ensuring that not incompatible with the safe operation of an airport or aircraft;
32 33 34	AND V pursua	WHEREAS Council advertised its intention to consider the provisions of this By-law ant to Section 34 of the <i>Planning Act</i> , R.S.O. 1990, c. P.13 and O. Reg. 545/06;
34 35 36 27	AND V inspec	WHEREAS copies of this By-law and related documents were made available for tion by the public at the office of the Town Clerk as required by the Act;
37 38 39 40	AND V Planni	WHEREAS a public meeting was held by Council as required by Section 34 of the ing Act, R.S.O. 1990, c. P.13 and O. Reg. 545/06;
40 41 42	NOW follows	THEREFORE the Council of The Corporation of the Town of Caledon enacts as
43 44 45	1.0	SHORT TITLE
43 46 47	1.1	This By-law may be cited as the Brampton Airport Zoning Regulation By-law;
47 48 40	2.0	DEFINITIONS
49 50 51 52	2.1	"Act" means the <i>Planning Act</i> , R.S.O. 1990, c. P.13 as amended or replaced from time to time;
52 53 54 55 56	2.2	"Agreement" means the Town's agreement with His Majesty the King in Right of Canada, as represented by the Minister of Transport, pursuant to Section 5.81 of the <i>Aeronautics Act</i> , R.S.C., 1985, c. A-2;
50 57 58 59 60	2.3	"Airport" or "Airport owned lands" means the Brampton Airport in the Town of Caledon, Region of Peel in the Province of Ontario, further defined herein in Schedule "B";
61 62 63 64	2.4	<i>"Airport Zoning Regulation Area"</i> means the area shown in Schedule "C" affected by zoning regulations for the Brampton Airport, being part of the Town of Caledon;

- 65 2.5 *"Airport Reference Point"* means the point described in Part I of Schedule "A";
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- 67 2.6 "Approach Surface(s)" means the imaginary inclined surface that extends
 68 upward and outward from each end of the Runway Strip Surface more

69 particularly described in Part II of Schedule "A";

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- 71 2.7 "Approval Authority" means for the purposes of an amendment to this By-law means Council, and for the purposes of a minor variance of this By-law means the Committee of Adjustment.
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- 75 2.8 "Building" means a building defined or designated under the Ontario Building
 76 Code Act, 1992, S.O. 1992, c.23;
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- 78 2.9 "By-law Enforcement Officer" means an individual that is an employee of the
 79 Town who has been appointed to a Town by-law as a Municipal By-law
 80 Enforcement Officer and shall include the Chief Building Official;
 81
- 82 2.10 "Chief Building Official, Inspectors" means the Chief Building Official and
 83 such Inspectors appointed by the Town pursuant to Section 3(2) of the Ontario
 84 Building Code Act, 1992, S.O. 1992, c.23;
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- 86 2.11 "Council" means the Council of the Town of Caledon;
- 88 2.12 "Object of Natural Growth" includes vegetation, such as but not exclusive of trees and shrubs;
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- 91 2.13 *"Outer Surface"* means the imaginary surface located above and in the vicinity
 92 of the Airport, more particularly described in Part III of Schedule "A";
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- 94 2.14 *"Runway Strip Surface"* means a surface associated with an airport runway,
 95 existing or future, that is prepared for the take-off and landing of aircraft in a
 96 particular direction, more particularly described in Part IV of Schedule "A";
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- 98 2.15 "Storm Water Management" means a facility for the management of the quality
 99 and/or quantity of storm water;
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- 101 2.16 "Structure" means anything that is erected, built or constructed or parts joined together with a fixed location on the ground, or attached to something having a fixed location in or on the ground, whether permanent or temporary in nature, including but not limited to a wall, parapet, crane, flagpole, antenna or telecommunications equipment, lighting, signage, construction or maintenance equipment, or any other equipment or installation.
- 2.17 *"Town"* means the Corporation of the Town of Caledon or where the context requires, the area within the boundaries of the Town;
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- 111 2.18 *"Transitional Surface(s)"* means the imaginary inclined surface that extends upward and outward from the lateral limits of the Runway Strip Surface and its Approach Surfaces more particularly described in Part V of Schedule "A";
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- 115 2.19 **"Wildlife Hazard Zone"** means the area located within the immediate vicinity of the airport and described in Part VII of Schedule "A"; and
- 2.20 "Zoning Plan(s)" means the Zoning Plan(s) attached as Schedule "C", Brampton Airport Zoning Regulations Zoning Plan No. 1 and No. 2

121 **3.0 APPLICATION**

These regulations apply in respect to all land, including public road allowances, that are adjacent to or in the vicinity of the Airport within the outer limits described in Part VI of Schedule "A" of this By-law, excluding land wholly owned by the Airport. For greater certainty, the lands include lands underwater and public road allowances.

4.0 PURPOSE

The purpose of the Airport Zoning Regulation By-law is to prohibit or regulate and control the use of land and the erecting, locating or using of buildings, structures or objects of natural growth adjacent to or in the vicinity of the Brampton Airport to ensure that the use of land and the erecting, locating or using of buildings, structures or objects of natural growth is compatible with the safe operation of an airport or aircraft.

1365.0BUILDING RESTRICTIONS137No person shall place, erect

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- No person shall place, erect or construct, or permit the placement, erection or construction, on any land to which this By-law applies, any land use, building, structure or object or any addition to an existing building, structure, or object, any part of which would penetrate one of the following surfaces:
 - (a) Approach Surface;
 - (b) Outer Surface; or
 - (c) Transitional Surface.

1486.0NATURAL GROWTH149No owner or lessee of l

- No owner or lessee of land in respect of which these regulations apply shall permit any part of an object of natural growth that is on the land to grow in such a manner as to penetrate any of the following surfaces:
- (a) Approach Surface;
- (b) Outer Surface; or
- (c) Transitional Surface.

159 **7.0** WILDLIFE HAZARD160

- (a) No person shall use or permit another person to use any of the lands for activities or uses that attract wildlife – particularly birds – that may create a hazard to aviation safety.
 - (b) Despite Subsection 7 (a), the Town may approve the use of any lands as a site for a Storm Water Management Facility if the facility is found to be compatible with the continued safe operation of the airport and aircraft as determined through consultation with the airport and where identified through consultation with the airport as needed the completion of a supportive aeronautical study in accordance with Sharing the Skies: Guide to the Management of Wildlife Hazards - TP 13549.

173 8.0 NON-CONFORMING USES 174

- This By-law shall not prevent the use of any land, building or structure for any 175 8.1 176 purpose prohibited by the By-law if such land, building or structure was lawfully used for such purpose on the day of the passing of the By-law, so long as it 177 178 continues to be used for that purpose; or prevent the erection or use for a 179 purpose prohibited by the By-law of any building or structure for which a permit 180 has been issued under Subsection 8 (1) of the Building Code Act, 1992, as 181 amended, prior to the day of the passing of the By-law, so long as the building or 182 structure when erected is used and continues to be used for the purpose for 183 which it was erected and provided the permit has not been revoked under 184 Subsection 8 (10) of the Act. R.S.O. 1990, c. P.13, s. 34 (9); 2009, c. 33, Sched. 185 21, s. 10 (1).
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 - (a) Objects or parts of Objects of Natural Growth that penetrate an Approach Surface, Outer Surface or Transitional Surface, at the extent of penetration without further growth;
 - (b) A use of land, buildings or structures that attract wildlife and that may create a hazard for aviation safety.
- 197 198 8.3 Any: 199
- 200 (a) Non-conforming Building or Structure; 201
- 202 (b) Object of Natural Growth referred to in Subsection 8.2 (a); or

204 (c) Use of land, buildings or structures that attract wildlife and that may create 205 a hazard for aviation safety referred to in Section 8.2(b),

shall be deemed non-conforming uses or non-conforming buildings, as the case may be, and may continue only in the manner and to the extent that nonconforming uses and non-conforming buildings are allowed by the Town of Caledon Zoning By-law 2006-50 as amended or replaced from time to time, and the Act.

213 9.0 ZONING AMENDMENT OR MINOR VARIANCE 214

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- 215 9.1 An amendment or minor variance, pursuant to the Act, from this By-law may be 216 granted if the Approval Authority for an amendment or minor variance determines 217 the request is in the public interest and is not likely to adversely affect aviation 218 safety or security. Prior to granting of an amendment or minor variance from this 219 By-law, the Approval Authority shall first obtain concurrence with the proposed 220 amendment or minor variance from the Airport. Prior to granting an amendment 221 or minor variance from this By-law, the Approval Authority will consult with the 222 Minister of Transport as required by Section 4 of the Agreement. 223
- 224 9.2 An applicant for an amendment or minor variance may be required to produce a 225 supporting aeronautical study by a suitably qualified aeronautical consultant, for 226 review by the Approval Authority in consideration of the request being made and 227 make a determination pursuant to Section 9.1. In so doing, the applicant may 228 also be required to pay fees associated with the procurement of an independent 229 aeronautical assessment by a consultant nominated by the Approval Authority or 230 Airport as may be requested and directed by the Approval Authority or Airport to 231 complete such due diligence reviews. 232

10.0 233 **ADMINISTRATIVE POWERS AND DUTIES** 234

- 235 10.1 The Town is responsible for administrating and enforcing this By-law in 236 cooperation with the Brampton Airport and in so doing has the authority to create 237 or issue forms, procedures, protocols, requirements and guidelines in relation to 238 this By-law. 239
- 240 10.2 The Town may at its sole discretion delegate any or all responsibilities, duties 241 and powers created by this By-law, to any other Town employee, including the 242 Chief Building Official. 243

11.0 **ENTRY AND INSPECTION**

An enforcement officer appointed by the Town may, pursuant to the Act, enter upon any property to which this By-law applies to inspect for the purposes of determining compliance with the provisions of this By-law.

12.0 **OFFENCES AND PENALTIES**

12.1 **Violations and Penalties**

Every person

- who contravenes or causes a contravention of any of the (a) provisions of this By-law, or
- who is the owner of any land used or any building or structure (b) erected, altered, enlarged or used in contravention of this By-law, or
- who causes or permits any land used or any building or structure (c) erected, altered, enlarged or used in contravention of this By-law, or
- who is the occupant or owner of any land used or of any building (d) or structure erected, altered, enlarged or used in contravention of this By-law

is guilty of an offense and upon conviction is liable for the fines as provided for under the Planning Act, R.S.O. 1990, c. P. 13, as amended.

272 12.2 Order of Prohibition

When a conviction is entered under Subsection 12.1, in addition to any other
remedy or any penalty provided by law, the Court in which the conviction has
been entered, and any Court of competent jurisdiction thereafter, may make an
order prohibiting the continuation or repetition of the offence by the person
convicted.

27913.0OTHER ACTION280Nothing herein co

Nothing herein contained shall prevent the Town from taking any such other lawful action as is necessary to prevent or remedy any violation or breach of this By-law.

283 284 285 Schedules "A"

Schedules "A", "B" and "C" attached to this By-law shall form part of this By-law.

15.0 COMING INTO FORCE

This By-law comes into force at the beginning of the day that it is passed.

Read three times and finally passed in open Council on the [XX] day of [XXXXXX], [20XX].

Annette Groves, Mayor

Kevin Klingenberg, Municipal Clerk

306		APPENDIX "A"
307		
308		PREAMBLE
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310	In this By-law:	
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312	(a)	all grid coordinates are in metres (m) and refer to the North American Datum
313		1983 (NAD83) Original Universal Transverse Mercator (UTM) Projection Zone 17
314		North;
315		
316	(b)	all elevation values are in metres (m) Above Mean Sea Level (AMSL) and are in
317	. ,	reference to the Canadian Geodetic Vertical Datum 1928 (CGVD28) with 1978
318		Southern Ontario Adjustment.
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ORAH BANA

SCHEDULE "A" **PART I – AIRPORT REFERENCE POINT** The Airport Reference Point, as shown on the Brampton Airport Zoning Plan, Schedule "C", is the geometric centre of the runway thresholds, at grid coordinates 590654.34 m Easting and 4845812.36 m Northing, (N 43° 45' 35.32", W 79° 52' 25.75"). It is located 27.99 m perpendicularly from the centreline of the Runway Strip Surface at a distance of 507.01 m running southwesterly from the threshold associated with Runway 15-33, and its assigned elevation is 277.20 m AMSL.

331		SCHEDULE "A"	
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333		PART II – APPROACH SURFACES	
334			
335	The Ap	pproach Surfaces are imaginary inclined surfaces abutting each end of the	
336	Runwa	y Strip Surfaces associated with Runways 08, 26, 15 and 33.	
337			
338	The ele	evation of an Approach Surface at any point is equal to the elevation of the	
339	neares	t point on the centreline of that Approach Surface.	
340			
341	The ele	evation of an Approach Surface centreline is calculated from the elevation of the	
342	abutting end of the Runway Strip Surface and increases at the constant ratios set out in		
343	this Pa	irt.	
344			
345	The Ap	oproach Surfaces are described as follows:	
346	•		
347	(a)	an imaginary inclined surface abutting the end of the Runway Strip Surface	
348	()	associated with Runway 08 and ascending, from an assigned elevation of 282.2	
349		<i>m</i> above sea level, at a ratio of 1.0 m measured vertically to 20.0 m measured	
350		horizontally, to an imaginary horizontal line drawn at right angles to the projected	
351		centreline of the Runway Strip Surface and distant 2.500 m measured	
352		horizontally from the end of the Runway Strip Surface: the outer ends of the	
353		imaginary horizontal line being 280.0 m from the projected centreline and 125.0	
354		m above the assigned elevation at the end of the Runway Strip Surface	
355		associated with Runway 08:	
356			
357	(b)	an imaginary inclined surface abutting the end of the Runway Strip Surface	
358		associated with Runway 26 and ascending, from an assigned elevation of 279.2	
359		<i>m</i> above sea level, at a ratio of 1.0 m measured vertically to 20.0 m measured	
360		horizontally, to an imaginary horizontal line drawn at right angles to the projected	
361		centreline of the Runway Strip Surface and distant 2,500 m measured	
362		horizontally from the end of the Runway Strip Surface; the outer ends of the	
363		imaginary horizontal line being 280.0 m from the projected centreline and 125.0	
364		m above the assigned elevation at the end of the Runway Strip Surface	
365		associated with Runway 26 :	
366			
367	(c)	an imaginary inclined surface abutting the end of the Runway Strip Surface	
368	()	associated with Runway 15 and ascending, from an assigned elevation of 285.2	
369		<i>m</i> above sea level, at a ratio of 1.0 m measured vertically to 25.0 m measured	
370		horizontally, to an imaginary horizontal line drawn at right angles to the projected	
371		centreline of the Runway Strip Surface and distant 2,500 m measured	
372		horizontally from the end of the Runway Strip Surface; the outer ends of the	
373		imaginary horizontal line being 280.0 m from the projected centreline and 100.0	
374		m above the assigned elevation at the end of the Runway Strip Surface	
375		associated with Runway 15; and	
376			
377	(d)	an imaginary inclined surface abutting the end of the Runway Strip Surface	
378	· ·	associated with Runway 33 and ascending, from an assigned elevation of 277.2	
379		<i>m</i> above sea level, at a ratio of 1.0 m measured vertically to 25.0 m measured	
380		horizontally, to an imaginary horizontal line drawn at right angles to the projected	
381		centreline of the Runway Strip Surface and distant 2,500 m measured	
382		horizontally from the end of the Runway Strip Surface; the outer ends of the	
383		imaginary horizontal line being 280.0 m from the projected centreline and 100.0	
384		m above the assigned elevation at the end of the Runwav Strip Surface	
385		associated with Runway 33.	
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391 SCHEDULE "A" 392 393 PART III – OUTER SURFACE 394 395 The Outer Surface, as shown on the Brampton Airport Zoning Plan, Schedule "C", is an imaginary surface extending outward from the airport reference point to a radius of 4,000 396 397 m. It is situated at a constant elevation of 45 m above the airport reference point, but at 9 398 m above the ground when that elevation would place the Outer Surface at less than 9 m 399 above the ground. 400

401		SCHEDULE "A"	
402			
403	PART IV – RUNWAY STRIP SURFACE		
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405			
406 407	The Ru "C", is	unway Strip Surface, as shown on the Brampton Airport Zoning Plan, Schedule an imaginary rectangular surface.	
408			
409 410	The ele	evation of a Runway Strip Surface at any point is equal to the elevation of the t point on the centreline of the runway associated with that Runway Strip Surface.	
411			
412 413 414	The elevation of the Runway Strip Surface centreline between the Runway Strip Surface end and the closest Runway Strip Surface threshold is equal to the elevation of the Runway Strip Surface end.		
415			
416 417	The R	unway Strip Surface associated with Runway 08-26 is described as follows:	
418 419 420 421	(a)	60.0 m in total width, being 30.0 m on either side of the centreline of the runway, commencing 31.0 m to the west of threshold 08 and ending 31.0 m to the east of threshold 26 , having a total length of 829.37 m;	
421 422 423 424	(b)	The <i>08</i> end of the Runway Strip Surface has an assigned elevation of 282.2 m and the <i>26</i> end of the Runway Strip Surface has an assigned elevation of 279.2 m;	
425 426 427	(c)	The azimuth of the centreline of Runway 08-26 is 69.735°;	
428 429 420	(d)	Threshold <i>08</i> has grid coordinates of 590238.95 m Easting and 4845584.98 m Northing; and	
430 431 432	(e)	Threshold 26 has grid coordinates of 590958.82 m Easting and 4845850.76 m Northing.	
433 434 435	The R	unway Strip Surface associated with Runway 15-33 is described as follows:	
436 437 438 420	(a)	60.0 m in total width, being 30.0 m on either side of the centreline of the runway, commencing 61.0 m to the northwest of threshold 15 and ending 61.0 m to the southeast of threshold 33 , having a total length of 1,191.38 m;	
439 440 441 442	(b)	The 15 end of the Runway Strip Surface has an assigned elevation of 285.2 m and the 33 end of the Runway Strip Surface has an assigned elevation of 277.2 m;	
443 444 445	(c)	The azimuth of the centreline of Runway 15-33 is 135.311°;	
446 447 448	(d)	Threshold 15 has grid coordinates of 590317.68 m Easting and 4846192.49 m Northing; and	
449 450 451	(e)	Threshold 33 has grid coordinates of 591069.74 m Easting and 4845432.24 m Northing.	

SCHEDULE "A"
PART V – TRANSITIONAL SURFACES
Each Transitional Surface, as shown on the Brampton Airport Zoning Plan, Schedule
"C", is an imaginary inclined surface ascending at a ratio of 1.0 m measured vertically to
5.0 m measured horizontally at right angles to the runway centreline and projected
centerline of the Runway Strip Surface, extending upward and outward from the lateral
limits of the Runway Strip Surface and its Approach Surfaces to the intersection with the
Outer Surface.
The elevation of a point on the lower edge of a Transitional Surface abutting a Runway
Strip Surface is equal to the elevation of the nearest point on the centreline of the
abutting Runway Strip Surface.
The elevation of a point on the lower edge of a Transitional Surface abutting an
Approach Surface is equal to the elevation of the nearest point on the centreline of the
abutting Approach Surface.

SCHEDULE "A"

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PART VI – LIMIT OF AREA CONTAINING LANDS TO WHICH THESE REGULATIONS APPLY

The limit of the area containing the lands to which these regulations apply is defined by a circle with a radius of 4,000 m centered on the airport reference point, excluding Airport owned lands, as shown on the Brampton Airport Zoning Plan, Schedule "C".

480 SCHEDULE "A"
481
482 PART VII – WILDLIFE HAZARD ZONE
483 The wildlife hazard zone is coincident with the lands to which the Airport Zoning
484 Regulations apply to as described in Schedule "A" Part VI – Limit of Area Containing
485 Lands to which these Regulations Apply.

487 SCHEDULE "B" 488 **BRAMPTON AIRPORT LEGAL DESCRIPTION** 489 490 491 The Brampton Airport is located 13 kilometres south of the Town of Caledon, with an 492 Aerodrome Reference Point (ARP) at coordinates 590654.34 m Easting, 4845812.36 m 493 Northing, and includes the following lands: 494 All and Singular that certain parcel or tract of land and premises, situate, lying and being 495 496 in the Town of Caledon and Province of Ontario and being composed of the following: 497 498 Part of Lots 25 and 26, Concession 1, West of Hurontario Street, in the Township of Chinguacousy, lying east of the Canadian Pacific Railway as in Instrument No. 499 500 VS164078, and Part 1 on Plan 43R-12942 except Part 1 on Plan 43R-21492, being in the Town of Caledon. 501 502

503	SCHEDULE "C"
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505	BRAMPTON AIRPORT ZONING REGULATIONS ZONING PLAN NO. 1 AND NO. 2

ORAH BANA





