



**Town of Caledon**

# **PLANNED BOLTON SOUTH GO MAJOR TRANSIT STATION AREA CPP BY-LAW**

Prepared by



**DRAFT**

**SEPTEMBER  
2025**

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## PREAMBLE

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### VISION

The Planned Bolton South GO Major Transit Station Area (MTSA) Community Planning Permit (CPP) By-law implements the vision for the area as set out in the Bolton Secondary Plan, including the creation of a new complete community through appropriate intensification along the Highway 50 Queen Street Corridor. Balancing the needs for economic, environmental and social sustainability, the community will develop and re-develop to be resilient, compact and contribute to its sense of place. The community will include a diverse mix of land uses and housing options in a compact built form to accommodate people at all ages, abilities and incomes.

### OBJECTIVES

The planning objectives for the Planned Bolton South GO MTSA CPP By-law are as follows:

- a) Ensure *intensification* occurs in an appropriate manner achieving a compact and efficient urban form to optimize the use of existing *infrastructure* and services.
- b) Revitalize and/or enhance developed areas, increase the availability and diversity of housing and business opportunities and create mixed-use, *transit-supportive*, pedestrian-friendly urban environments.
- c) Ensure a strong sense of place is achieved through a vibrant mix of uses, parks and urban squares, streetscapes, interface between mixed use development and rights of way with a cohesive look and feel.
- d) Reduce dependence on personal vehicles and prioritize *active transportation* modes of travel by improving transit services, reducing parking requirements where appropriate and redeveloping a network that encourages walking and cycling to improve overall health for the residents and community.
- e) Encourage a high-quality built form and consistent level of urban design for the public and private realms through walkable streets, parks and open spaces, pedestrian-scale buildings, landscape and urban design elements and other public amenities where appropriate.
- f) Support a *sustainable* community with a diverse mix of land uses in a *compact built form* to accommodate people of all ages, abilities, and incomes with an appropriate mix of housing and services.
- g) Protect and integrate a connected *natural heritage system* including *natural hazards* into the design of the community to create local destinations and opportunities for *compatible* passive and active uses.
- h) Incorporate low carbon energy technologies for buildings, supportive *infrastructure* for electric vehicles, *sustainable* and climate change resiliency plans, *infrastructure*, technologies, design approaches and green *infrastructure* to mitigate flood risk and the urban heat island effect to achieve the objectives of the Town's Resilient Caledon Climate Action Plan.
- i) Achieve near *net-zero* greenhouse gas emissions within the community by 2050.

- j) Provide appropriate *buffers* or land use separation to ensure compatibility between existing and future industry and redevelopment adjacent to these lands.
- k) Reinforce the Highway 50 Queen Street Corridor as a major retail centre and encourage the development of additional retail and commercial uses that will serve the day-to-day and weekly shopping needs of existing and new residents.
- l) Transition to a compact walkable built form as part of mixed-use developments while maintaining/replacing or incorporating new or replacing commercial/retail land uses.

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## SECTION 1A: INTERPRETATION

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### 1A.1 TITLE

This By-law may be referred to as the “Community Planning Permit By-law for the Planned Bolton South GO Major Transit Station Area” and applies to all lands on **Schedule ‘A’**.

### 1A.2 ADMINISTRATION

This By-law shall be administered and enforced by municipal staff as appointed by the *Council* of the *Corporation* of the Town of Caledon.

### 1A.3 CONFORMITY AND COMPLIANCE WITH BY-LAW

No land, *building* or *structure* may be used, erected or *altered* except in accordance with the provisions of this By-law. For the purpose of this By-law, provisions shall include both Permitted *Uses* as well as *Precinct* Standards.

No land, *building* or *structure* may be located or used such that the *uses*, *buildings* or *structures* on other lands would no longer comply with the provisions of this By-law.

### 1A.4 INTERPRETATION

The *Precinct* standards of this By-law are the minimum requirements except where a maximum requirement applies.

Where a (P) symbol appears in a table it shall mean, when used in a *Use* Table, that the *use* is permitted in that *Precinct*. When used in a *Precinct* Standards Table, it shall mean that the regulation applies to the specific *Precinct*.

Where a (D) symbol appears in a table it shall mean, when used in a *Use* Table, that the *use* is discretionary in that *Precinct*. When used in a *Precinct* Standards Table, it shall mean that the regulation applies to the specific *Precinct*.

Nothing in this By-law shall serve to relieve any person from any obligation to comply with the requirements of any other By-law of the Town of Caledon or any requirement of the Region of Peel, the Province of Ontario, an agency established by the Province of Ontario, or the Government of Canada that may affect the *use* of lands, *buildings* or *structures* in the Municipality.

### 1A.5 BUILDING PERMITS

The requirements of this By-law, in accordance with the *Planning Act*, R.S.O. 1990, c.P.13, as amended, must be met before a Building Permit, or approval of an application for a municipal license is issued for the *use* of land or the *use*, erection, addition to or

*alteration* of any *building* or *structure*. The requirements of the Building Code Act shall govern the issuance of Building Permits.

## **1A.6 ENFORCEMENT**

Any person who contravenes or causes a contravention of any provision of this By-law is guilty of an offense and upon conviction is liable to the fine(s) as provided for under the Planning Act, R.S.O. 1990, c.P.13, as amended.

## **1A.7 SEVERABILITY**

A decision of a court that one or more of the provisions of this By-law are invalid in whole or in part does not affect the validity, effectiveness or enforceability of the other provisions or parts of the provisions of this By-law.

## **1A.8 EFFECTIVE DATE**

This By-law shall come into force the day it was passed if no appeals are received. If an appeal(s) is received, this By-law, or portions thereof, shall come into force upon the approval of the Ontario Land Tribunal.

## **1A.9 TRANSITION PROVISIONS**

### **1A.9.1 Transition clauses**

The provisions of this section expire and are repealed effective two years after the effective date of this by-law with the exception of Section 1A.9.1 (b)(i)(B) which expires and is repealed five years after the effective date of this by-law. The relief provided by Section 1A.9.1 of this by-law shall not continue beyond the issuance of a permit, approval, or agreement upon which the exemption is founded, unless otherwise provided for in this by-law. Once the permit, approval, or agreement has been granted in accordance with Section 1A.9.1, the provisions of any other applicable Zoning By-law, except for this by-law, shall cease to be in effect.

### **(a) Building Permit Applications**

(i) Nothing in this by-law shall prevent the erection or use of a building or structure for which an application for a building permit was accepted on or prior to the effective date of this bylaw, if the development in question complies, or the building permit application for the development is amended to comply, with the provisions of the applicable Zoning By-law as it read on the day before the effective date of this by-law.

### **(b) Site Plan Approval Applications**

(i) Nothing in this by-law shall prevent the erection or use of a building or structure for which a complete application for site plan approval under Section 41 of the Planning Act was deemed complete on or prior to the effective date of this by-law provided that:

#### **(A) Both**

- the development which is the subject of the application for site plan approval referenced in Section 1A.9.1 (b) applies, and
- the building permit application for the development complies with the approved site plan and the provisions of the applicable Zoning By-law as it read on the day before the effective date of this by-law; and



(B) The building permit application referenced in Section 1A.9.1 (b) (A) is accepted within 90 days of Site Plan Approval, to a maximum of two years after the effective date of this by-law. Or, in the case of a building permit application for development referenced in Section 1A.9.1 (b) (A) which has multiple building phases, the building permit application for the first building phase has been accepted within 90 days of Site Plan Approval, to a maximum of two years after the effective date of this by-law, and the building permit application or applications, for any subsequent building phase, or phases, has been accepted within five years of the effective date of this by-law.

(ii) Notwithstanding Section 1A.9.1 (b)(i), if the site plan application was approved prior to the effective date of this by-law, nothing shall prevent the erection or use of the building or structure in the approved site plan application for which an application for a building permit was accepted within two years after the effective date of this by-law.

**(c) Minor Variances**

Nothing in this by-law shall prevent the erection or use of a building or structure which is permitted by an application pursuant to section 45 of the *Planning Act* which was made prior to the effective date of this by-law:

(i) Where such application has been approved either by the Town of Caledon Committee of Adjustment or, on appeal, by the Ontario Land Tribunal or predecessor tribunal, before or after the effective date of this by-law; and

(ii) An application for a building permit for the erection or use of the building or structure has been accepted within two years of the effective date of this by-law.

(iii) Where a minor variance was authorized by the Town of Caledon Committee of Adjustment, or the Ontario Land Tribunal or predecessor tribunal, before or on the effective date of this by-law as a condition of Site Plan Approval, Section 1A.10.1 b) shall apply to give affect to the applicable Site Plan Approval.

**1A.10 TECHNICAL REVISIONS AND HOUSEKEEPING**

Provided that the purpose, effect, intent, meaning and substance of this By-law are in no way affected, the following technical revisions to this By-law are permitted without a Community Planning Permit By-law Amendment application:

- a) Changes to the numbering, cross-referencing, format and arrangement of the text, tables and schedules;
- b) Additions to and revisions of technical information on schedules including, but not limited to, road right-of-way limits, notes legends, shading and title blocks;
- c) Alterations of punctuation or language;
- d) Correction of grammatical, boundary, mathematical or typographical errors;
- e) Correction of references to definitions contained within the By-law;
- f) Correction of legal descriptions reference within the By-law;

- g) Correction of dimensions to urban accuracy as per Section 14(2) of Ontario Regulation 216/10;
- h) Any other technical revisions in no way affecting existing provisions herein.

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## SECTION 1B: ADMINISTRATION

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### 1B.1 APPLICATION OF THIS BY-LAW

- 1B.1.1 No development or change of use shall be undertaken within the areas identified on **Schedule 'A'** of this By-law, except in accordance with the provisions of this By-law.
- 1B.1.2 All development or changes of use within the areas identified on **Schedule 'A'** to which this By-law applies shall require a Community Planning Permit.

### 1B.2 EXEMPTIONS

- 1B.2.1 Notwithstanding any provision in this By-law to the contrary, the following types of development shall not require a Community Planning Permit:
- a) An activity involving only site alteration subject to the Town's Fill By-law, or successor by-law, as amended;
  - b) Any development consistent with Site Plan Control approval issued or a site plan agreement or undertaking that has been entered into pursuant to the Town of Caledon Site Plan Control By-law on or before the date of the passing of this By-law, as amended;
  - c) Any development consistent with a minor variance approved through a Committee of Adjustment decision issued on or before the date of the passing this By-law;
  - d) Placement of a portable classroom on a school site of a district school board if the school site was in existence on January 1, 2007;
  - e) Infrastructure projects initiated by a public authority;
  - f) In accordance with the *Planning Act*, projects by publicly-assisted Universities for the objects of the institutions;
  - g) Interior renovations provided there is no change in use;
  - h) Repairs and maintenance of any existing lawfully established buildings or structures such as the replacement of windows, doors, stairs, and decks, that will not result in changes to the footprint, location, height, elevation, or gross floor area of the structure;
  - i) Repairs and replacement of existing lawfully established buildings and foundations provided that the works do not involve the placement of fill, alteration of existing grades, or changes to the footprint, location, height, or gross floor area of the structure;
  - j) An accessory structure that meet all requirements of the By-law; and
  - k) Minor works meeting the provisions of the By-law where deemed appropriate by the Chief Planner for the Town and/or their delegate.

### **1B.3 COMMUNITY PLANNING PERMIT CLASSES AND DELEGATED APPROVAL AUTHORITY**

- 1B.3.1 There are three classes of Community Planning Permits: Class 1 – Standards Met, Class 2 – Staff Variation, and Class 3 – Council Variation, as outlined in Table 1A and summarized below:
- a) Class 1 Community Planning Permits capture developments that meet all applicable development standards of this By-law and the Town of Caledon Official Plan, as amended (i.e. no variation is required); and
  - b) Class 2 and Class 3 Community Planning Permits capture developments that do not comply with the development standards for a Class 1 Community Planning Permit and are subject to additional requirements as outlined in provisions 1B.5 and 1B.6.
- 1B.3.2 Town Council is the Approval Authority, except where otherwise delegated , as set out in this By-law and in accordance with Table 1A below. Council may withdraw or amend this delegation at any time.
- 1B.3.3 The Town will provide public notice of a Community Planning Permit application in accordance with Table 1A. The Town shall update the application public notice procedures without amendment to the By-law. A Notice of Decision will be provided for all Community Planning Permits in accordance with Section 1B.18.
- 1B.3.4 At the time of submitting an application, an applicant may request that an application for a Class 2 Community Planning Permit be processed as an application for a Class 3 Community Planning Permit, where the applicant is of the opinion that the application would benefit from Council review and decision.
- 1B.3.5 The Chief Planner for the Town and/or their delegate may refer a Class 1 or Class 2 Application to Council to be processed as a Class 3 Community Planning Permit at any time prior to the decision of an application.

**TABLE 1A: Community Planning Permit Classes, Delegated Authority, and Public Notice Procedure**

<b>Class of Permit</b>	<b>Description</b>	<b>Approval Authority</b>	<b>Issuance of Provisional Approval of Community Planning Permit</b>	<b>Public Notice Procedures</b>
Class 1 Community Planning Permit	Application meets all development standards of the By-law. No variation is required.	Chief Planner for the Town and/or delegate.	Chief Planner for the Town and/or delegate.	No notice required.
Class 2 Community Planning Permit	<p>Application generally meets the intent, standards and provisions of this By-law but requires a Staff Variation based on:</p> <ul style="list-style-type: none"> <li>Any variation to General Regulations (Section 4), and Parking, Loading and Delivery Standards (Section 5)</li> <li>one or more development standards within the established Class 2 Variation Limits identified in this By-law;</li> <li>approval of a listed Discretionary use;</li> <li>increases to density within the Class 2 threshold established in this By-law, within the maximum height established in this By-law</li> <li>Variation to a Site Specific;</li> </ul>	Chief Planner for the Town and/or delegate.	Chief Planner for the Town and/or delegate.	No notice required.

Class of Permit	Description	Approval Authority	Issuance of Provisional Approval of Community Planning Permit	Public Notice Procedures
Class 3 Community Planning Permit	<p>Application generally meets the intent, standards and provisions of the By-law but requires a Council Variation based on:</p> <ul style="list-style-type: none"> <li>one or more development standards beyond the Class 2 Variation Limit identified in this By-law, in alignment with the Official Plan, as amended, provincial policy and other applicable legislation.</li> </ul>	Council	Council	<p>Mail to residents within 120 metres of the subject property.</p> <p>Staff to post notification on Town website for public access.</p> <p>Notice shall also be provided by on-site signage and shall include an explanation of the application, contact name and phone number to obtain more information.</p>



## **1B.4 DISCRETIONARY USES**

- 1B.4.1 A discretionary use may only be allowed if the criteria set out in this By-law and any footnotes associated with the discretionary use as identified in this By-law have been addressed to the satisfaction of the Approval Authority.
- 1B.4.2 A use shall not be added as a permitted use or a discretionary use through a Community Planning Permit. For any proposed new use within any *Precinct*, an Amendment to this By-law shall be required.

## **1B.5 VARIATIONS**

- 1B.5.1 Variations to standards of this By-law may be considered through the Class 2 or Class 3 Community Planning Permit process, in accordance with the requirements, objectives of this By-law and the Town's Official Plan, as amended.
- 1B.5.2 Variations are applied as an amount or percentage of an eligible standard. The amount or percentage referred to is the amount of the standard that may be varied.
- 1B.5.3 A Community Planning Permit Application for a Class 2 or Class 3 permit that requests a variation shall be subject to all requirements of this By-law.
- 1B.5.4 Where a standard in Sections 4 and 5 of this By-law has no established limits, Staff may approve or provisionally approve developments which vary from the standards identified in these sections, subject to the criteria in Section 1B.6 and subject to alignment with the Official Plan, as amended, provincial policy and other applicable legislation.
- 1B.5.5 For a Class 2 Community Planning Permit application, Staff may approve or provisionally approve developments which vary from the standards within Section 6 of this By-law, provided the variation does not exceed the established Class 2 variation limits and subject to the criteria in Section 1B.6 and alignment with the Official Plan, as amended, provincial policy and other applicable legislation.
- 1B.5.6 For a Class 3 Community Planning Permit, Council may approve or provisionally approve developments which vary a standard identified in Section 6 of this By-law above the established Class 2 variation limits, subject to the criteria in Section 1B.6, and subject to alignment with the Official Plan, as amended, provincial policy and any other applicable legislation.
- 1B.5.7 Despite provisions in this By-law, if in the opinion of the Approval Authority, the Community Planning Permit By-law criteria for variation from a standard are not met, the Planning permit may be denied.

## **1B.6 CRITERIA FOR CONSIDERING ALL PERMIT APPLICATIONS VARIATIONS**

- 1B.6.1 Where any Community Planning Permit is required, including Community Planning Permits for a variation to one or more standards of this By-law, in addition to the other requirements of this By-law, the following provisions shall be addressed to the satisfaction of the Approval Authority, prior to issuance of a Community Planning Permit:
- a) the proposed development maintains the general intent and purpose of this By-law;
  - b) the proposed development maintains the general intent and purpose of the Town's Official Plan;
  - c) the proposed development is consistent with, conforms to and/or complies with applicable statutes, policies, plans, and/or other documents of upper-levels of government (federal, provincial, regional), the Town, and any other authority having jurisdiction;
  - d) the proposal is consistent with the intent of any applicable urban design policies, standards, and guidelines, including the Town of Caledon Comprehensive Town-wide Design Guidelines and the Bolton Intensification Urban Design Guidelines;
  - e) the potential off-site and adverse impacts resulting from the proposal are identified and mitigated where appropriate;
  - f) the proposal is compatible with, and context sensitive to, the planned context and area character; and
  - g) the proposal is desirable for the appropriate development or use of the lands, buildings or structures thereon.
- 1B.6.2 Where a building (or buildings) is (are) proposed to include multiple dwelling units, the Town shall prioritize the provision of a balanced mix of dwelling unit types (e.g. a mix of bachelor, 1-bedroom, 2-bedroom and 3+-bedroom dwelling units) when applying the criteria in Section 1B.6.1 to evaluate the proposed development.
- 1B.6.3 Where a Class 1 or Class 2 Community Planning Permit is required, staff may scope the extent of the evaluation required in 1B.6.1 in consideration of the scale of the development and/or variation requested and provided the general intent of the criteria are met.

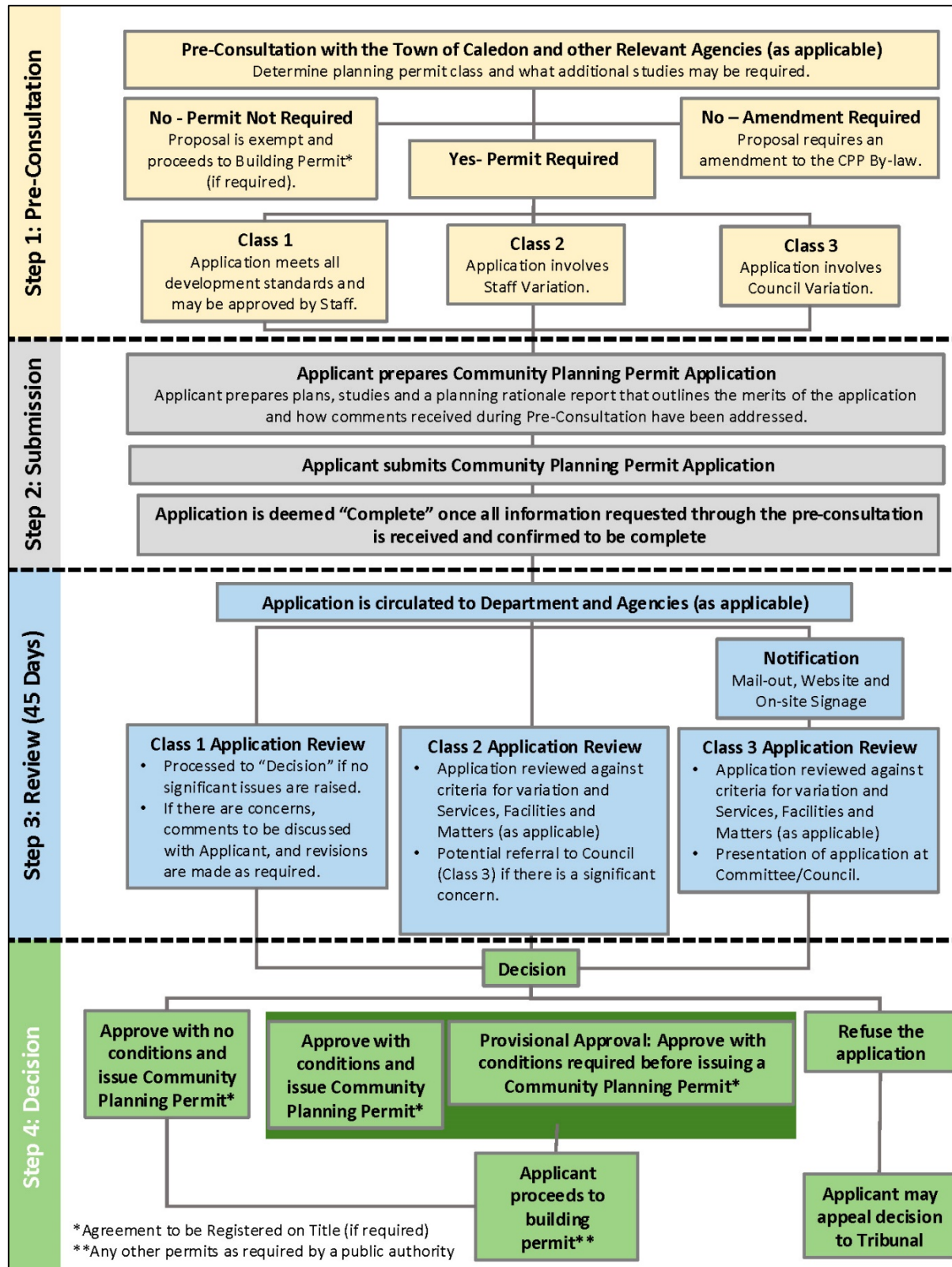
## **1B.7 AGREEMENTS AND UNDERTAKINGS**

- 1B.7.1 Where a Community Planning Permit is required, an applicant may be required, at the discretion of the Approval Authority, to enter into one or more agreements or undertakings with the Town, including but not limited to, agreements or undertakings to address conditions of approval as outlined in this By-law.
- 1B.7.2 In addition to provision 1B.7.1, the agreement or undertaking may be registered on title to the Owner's property at the Owner's expense.

- 1B.7.3 Notwithstanding any other provision in this By-law, the applicant is responsible to obtain all required approvals and permits beyond those provided as part of a Community Planning Permit.
- 1B.7.4 Council delegates the authority to Town Staff to prepare, approve, execute and to amend any Community Planning Permit Agreement or Undertaking required by the Community Planning Permit By-law.
- 1B.7.5 Pre-existing development agreements continue to be valid and binding and may be amended under this By-law if subject to a Community Planning Permit.

## **1B.8 APPLICATION PROCESS**

- 1B.8.1 The Community Planning Permit review process generally consists of the steps illustrated in Figure 1.

**Figure 1 – Community Planning Permit Application Process**

## **1B.9 PRE-SUBMISSION CONSULTATION**

- 1B.9.1 Prior to the submission of a Community Planning Permit Application, the applicant shall meet with Town staff through a formal pre-consultation to obtain the requirements for a complete Community Planning Permit Application, unless exempt from a permit as outlined in Section 1B.2 (Exemptions) of this By-law.
- 1B.9.2 The Town shall require that pre-consultation with applicable agencies occurs prior to the submission of a Community Planning Permit Application, where appropriate.
- 1B.9.3 Where a technical study or report is required to support a Community Planning Permit Application, the extent of the issues to be addressed will be identified by applicable agencies and/or Town staff, based on the Town's Official Plan, as amended and any terms of reference during the pre-consultation meeting.
- 1B.9.4 Where appropriate and in consultation with applicable agencies (inclusive of the Peel Region and the appropriate Conservation Authority), the Town will strongly encourage that technical studies related to natural hazards be submitted by the applicant, and reviewed by the Town staff and applicable agencies, prior to the submission of a Community Planning Permit Application.

## **1B.10 COMPLETE APPLICATION**

1B.10.1 Complete applications for a Community Planning Permit shall include:

- a) a fully completed and signed Community Planning Permit Application Form;
- b) submission of the required application fees;
- c) the application submission requirements identified on Schedule 1 of Ontario Regulation 173/16, as amended;
- d) all requirements identified through pre-consultation, in accordance with the Town of Caledon Official Plan as amended, and subject to the provisions in this By-law; and
- e) any applicable agency approvals (inclusive of the Peel Region and the appropriate Conservation Authority) or permits required to be provided to the Approval Authority as determined during the pre-consultation meeting.

## **1B.11 REQUIRED INFORMATION, MATERIALS, STUDIES AND REPORTS**

- 1B.11.1 A list of technical studies and reports that may be required to be submitted at the time of a Community Planning Permit Application is contained in the Town of Caledon Official Plan, as amended. Additional technical reports may also be required for applicable agency approvals (inclusive of the Peel Region and the appropriate Conservation Authority), at the time of application.

1B.11.2 All required reports and technical studies shall be carried out by a qualified person retained by and at the expense of the applicant.

1B.11.3 At the discretion of the Chief Planner for the Town and/or their delegate, any required technical studies and reports may be subject to peer review at the expense of the applicant.

## **1B.12 PUBLIC NOTIFICATION REQUIREMENTS**

1B.12.1 If the application meets all development standards of the By-law (Class 1), no notice is required.

1B.12.2 If the application is within the Staff variation threshold (Class 2), no notice is required.

1B.12.3 If the application for development falls under a Class 3 Planning Permit as further identified in Section 1B.3 of this By-law, notice of the Application is given by mail to residents within 120 metres of the subject property, notification posted on Town's website, and by the placement of on-site signage on the street frontage.

1B.12.3 Notice of all complete Applications falling under a Class 3 Planning Permit are placed on the Town's website and are provided to Council for information purposes.

## **1B.13 CONDITIONS OF APPROVAL**

1B.13.1 Where a Community Planning Permit is required in accordance with the provisions of this By-law, the Town may approve an application with conditions. A condition may be imposed if:

- a) The condition is clear, precise, and quantifiable;
- b) The condition includes a clear statement of whether it must be complied with before the construction, renovation, demolition and certain changes to the use of buildings/structures

1B.13.2 A condition of approval shall not deal with the following aspects of buildings and structures:

- a) Interior design;
- b) The layout of interior areas, other than interior walkways, stairs, elevators and escalators to which members of the public have access from street, open spaces and interior walkways in adjacent buildings; and
- c) The manner of construction and construction standards.

1B.13.3 The Town may impose the following types of conditions as a condition of approval:

- (a) The completion of required studies, plans and/or other documents;
- (b) The submission of supplemental studies, plans and/or other documents;
- (c) The implementation of actions or recommendations in studies, plans and/or other documents;
- (d) The achievement of performance criteria and standards, including those related to achieving a high standard of context-sensitive urban design, in accordance with the



Town of Caledon Comprehensive Town-wide Design Guidelines, the Bolton Intensification Urban Design Guidelines, the Town's Landscape Guidelines and any other applicable document;

- (e) Entering into any agreement(s) securing off-site parking or cash-in-lieu of parking;
- (f) The conveyance of land for any specified reason;
- (g) The verification of site remediation;
- (h) The protection of the natural environment, natural systems, mature vegetation, or remediation of lands;
- (i) Any requirements identified by the Conservation Authority;
- (j) The efficient use or conservation of energy, reduction of greenhouse gas emissions, and resiliency to climate impacts;
- (k) The provision and capacity of transportation and servicing infrastructure;
- (l) Conservation of cultural heritage resources;
- (m) The availability of municipal infrastructure and services;
- (n) The provision of attainable and/or affordable housing units;
- (o) Compliance with applicable parkland requirements in accordance with the Town's Parkland Conveyance By-law;
- (p) The provision of financial assurances, to facilitate compliance with municipal approvals and indemnify the Town;
- (q) The application and/or lifting of holding provisions;
- (r) A condition requiring the provision of specified facilities, services and matters, in exchange for a specific density of development as identified in the Community Planning Permit By-law in accordance with Section 1B.15; and
- (s) Entering into agreements relating to any condition.

1B.13.4 In accordance with the *Planning Act*, the applicant may at any time make a motion for directions to have the Ontario Land Tribunal determine whether a specified condition has been fulfilled or is valid.

## **1B.14 APPEAL RIGHTS**

1B.14.1 In accordance with the *Planning Act*, an applicant may appeal a decision on a Community Planning Permit Application in writing to the Ontario Land Tribunal, no later than 20 days after the day the Notice of Decision is given.

1B.14.2 In accordance with the *Planning Act*, an applicant may appeal a non-decision on a Community Planning Permit Application in writing to the Ontario Land Tribunal if no decision was made within 45 days of an application being deemed complete.

1B.14.3 Appeals must be made in accordance with the *Planning Act* and O. Reg. 173/16.

## **1B.15 FACILITIES, SERVICES, AND MATTERS**

1B.15.1 The maximum density that is permitted through a Class 1 Community Planning Permit is shown in Section 6 of this By-law and is subject to the provision of facilities, services and matters in accordance with Provision 1B.15.4 and Tables 1B.15A and 1B.15B.

1B.15.2 The maximum density that may be permitted through a Class 2 or Class 3 Community Planning Permit is shown in Section 6 of this By-law and is subject to the provision of facilities, services and matters in accordance with the Provision 1B.15.4 and Tables 1B.15A and 1B.15B and the criteria outlined in Provision 1B.5 of this By-law.

1B.15.3 This By-law shall be amended by the Town in the future to establish a proportional relationship between the quantity or monetary value of the facilities, services and matters that may be required and the density of development that may be allowed through a Class 2 or Class 3 Community Planning Permit.

1B.15.4 In exchange for the approval of a development containing a residential use, the Town will require the provision of facilities, services and matters as outlined in the Tables 1B.15A and 1B.15B below, and as follows:

1B.15.4.1 For a development containing multiple buildings, the required facilities, services and matters will be calculated per dwelling units above the maximum Class 1 density threshold.

1B.15.4.2 The required Complete Community Contribution Fee shall be calculated based on all dwelling units in the building.

**1B.15.5 Table 1B.15A: Overview of Required Facilities, Services and Matters**

	Within Class 1 Maximum Density Threshold	Within Class 2 Density Threshold or a Class 3 Application in exchange for Additional Density
Required Facilities, Services and Matters	Complete Community Contribution per Table 1B.15B for development with 5 or more storeys and 10 or more residential units	Complete Community Contribution per Table 1B.15B for development with 5 or more storeys and 10 or more residential units

**1B.15.6 Table 1B.15B: Required Complete Community Contribution Amount**

	Required Contribution Amount
Complete Community Contribution	4% of the value of the land that is the subject of Development.

1B.15.7 An applicant may be required, at the discretion of the Approval Authority, to enter into one or more agreements registered on title with the Town or another agency, for the provision of facilities, services and matters.

1B.15.8 Notwithstanding the provisions above, facilities, services and matters shall not be required with respect to:

- a) Development or a change in use of a building or structure intended for use as a long term care home inclusive of a group home within the meaning of subsection 2(1) of the *Long Term Care Homes Act, 2007*.
- b) Development or a change in use of a building or structure intended for use as a retirement home within the meaning of subsection 2(1) of the *Retirement Homes Act, 2010*;
- c) Development or a change in use of a building or structure intended for use by any of the following post-secondary institutions for the objects of the institution:
  - i. a university in Ontario that receives direct, regular and ongoing operating funding from the Government of Ontario;
  - ii. a college or university federated or affiliated with a university described in subparagraph (i);
  - iii. an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institutes Act, 2017*.
- d) Development or a change in use of a building or structure intended for use as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion;
- e) Development or a change in use of a building or structure intended for use as a hospice to provide end-of-life care;
- f) Development or a change in use of a building or structure intended for use as residential premises by any of the following entities:
  - i. a corporation to which the *Not-for-Profit Corporations Act, 2010* applies, that is in good standing under that Act and whose primary object is to provide housing;
  - ii. a corporation without share capital to which the *Canada Not-for-profit Corporations Act* applies, that is in good standing under that Act and whose primary object is to provide housing; or
  - iii. a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*.
- g) Development or use of a building or structure for sustainable energy facilities, including but not limited to a district energy generating station, a battery storage facility, and others.

## 1B.16 DECISION

1B.16.1 Upon review of a complete application the Approval Authority may:

- a) Approve the application without conditions and issue a Community Planning Permit;

- b) Approve the application and issue a Community Planning Permit with conditions attached;
- c) Approve the application subject to conditions being met before the issuance of a Community Planning Permit, subject to Section 1B.17 (Provisional Approval);
- d) Approve the application subject to conditions being met before the issuance of a Community Planning Permit, subject to Section 1B.17 (Provisional Approval) and with conditions attached; or
- e) Refuse to approve the application.

1B.16.2 Notwithstanding any other provision, when considering a Community Planning Permit, the Approval Authority may confer with any persons or public bodies that may have an interest in the application.

### **1B.17 PROVISIONAL APPROVAL**

1B.17.1 Provisional Approval of a Community Planning Permit provides approval in principle, subject to certain conditions being met prior to issuance of a Community Planning Permit, as stipulated in this By-law.

1B.17.2 The applicant shall fulfill the conditions associated with the Provisional Approval in advance of Community Planning Permit issuance, to the satisfaction of the Approval Authority.

1B.17.3 Provisional Approval does not guarantee the ultimate issuance of a Community Planning Permit. If one or more conditions of Provisional Approval have not been cleared to the satisfaction of the Town, a Community Planning Permit shall not be issued. Changes to the design to address one or more conditions may result in the need for a new circulation or new permit application.

1B.17.4 Provisional Approval shall be valid for a period of one year, failing which the Provisional Approval will lapse.

1B.17.5 Notwithstanding provision 1B.17.4, requests for an extension of a Provisional Approval of a Community Planning Permit to meet a condition may be granted upon submission of a formal request to the Chief Planner at the Town and/or their delegate.

1B.17.6 An extension of a Provisional Approval of a Community Planning Permit may be granted in one (1) year intervals, to a maximum of three (3) requests, subject to this By-law and any provisions within, as amended.

### **1B.18 NOTICE OF DECISION**

1B.18.1 In accordance with the *Planning Act*, within 15 days of the date of decision, the Town shall issue a written Notice of Decision to the applicant and to each person or public body that filed a written request to be informed of the decision with the clerk of the municipality.

1B.18.2 The Notice of Decision shall:

- a) include reasons for the decision; and
- b) give reasons for any conditions imposed and include any imposed conditions.

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## SECTION 2: ESTABLISHMENT OF *PRECINCTS*

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### 2.1 *PRECINCTS*

The Provisions of this By-law apply to all lands on **Schedule 'A'**, which are contained within the following *Precincts* and Flood Hazard Overlays (where applicable):

<b><i>PRECINCT</i></b>	<b>SYMBOL</b>
<b>Urban Area <i>Precincts</i></b>	
Urban Centre Area <i>Precinct</i>	UC
<b>Flood Hazard Overlays</b>	
Floodplain Study Area Overlay	UC – F

### 2.2 *PRECINCT SYMBOLS*

The *Precinct* symbols may be used in this By-law and on the Schedules to this By-law to refer to *lots*, *buildings* and *structures* and to the *use of lots*, *buildings* and *structures* permitted by this By-law.

### 2.3 *PRECINCT SCHEDULES*

The *Precincts* and *Precinct* boundaries are shown on **Schedule 'A'**. **Schedule 'A'** is attached to and forms part of this By-law.

### 2.4 *DETERMINING PRECINCT BOUNDARIES*

When determining the location of *Precinct* boundaries as shown in any Schedule forming part of this By-law, the following provisions shall apply:

- i) a boundary indicated as following a highway, *street*, *lane*, railway right-of-way, utility corridor or watercourse shall be the centerline of such highway, *street*, *lane*, railway right-of-way, utility corridor or watercourse unless the context otherwise requires;
- ii) a boundary indicated as following *lot lines* shown on a registered Plan of Subdivision shall follow such *lot lines*;
- iii) where a boundary is indicated as running parallel to a *street line* and the distance from the *street line* is not indicated, the boundary shall be deemed to be parallel to such a *street line* and the distance from the *street line* shall be determined according to the scale shown in the schedules;
- iv) where none of the above provisions apply, the *Precinct* boundary shall be scaled from the legally approved schedules.



## 2.5 OVERLAYS

- a) Where a *Precinct* symbol in the schedules to this By-law is followed by the suffix 'F' (Floodplain Study Area Overlay), the applicable provisions and regulations of the underlying *Precinct* shall continue to apply, subject to the additional regulations contained in Section 7 of this By-law.
- b) Where a *Precinct* symbol in the schedules to this By-law is followed by the suffix 'T' – 'Temporary Use', the applicable provisions and regulations of the underlying *Precinct* shall continue to apply, subject to the additional temporary permitted *uses* and regulations contained in this By-law.

## 2.6 SITE SPECIFIC *PRECINCTS*

Where a *Precinct* symbol in the attached schedules is followed by a dash and a number, such as **UC-123**, the symbol refers to a site-specific exception that applies to the lands noted. Site-specific exceptions are listed in Section 8 of this By-law. Unless specifically amended by the *Precinct* Exception, all other provisions of the Parent *Precinct* apply.

## 2.7 HOLDING *PRECINCTS*

Notwithstanding any other provision in this By-law, where a *Precinct* symbol is followed by the letter (**H**), no person shall *use* the land to which the letter (**H**) applies for any *use* other than the *use* which legally existed on the effective date of this By-law, until the (**H**) is removed in accordance with the policies of the Official Plan and the provisions of this By-law, as amended and/or the requirements of any amending By-law and the Planning Act, as amended.

## 2.8 CONSERVATION AUTHORITY REGULATIONS

No development shall be undertaken on lands that are subject to a regulation made under Subsection 29(1) of the Conservation Authorities Act without the permission of the relevant conservation authority.

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## SECTION 3: DEFINITIONS

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### 3.1 DEFINED TERMS

The following lists all the defined terms contained in this By-law:

#### **A**

-Adult Day Centre  
 -Adult Entertainment Parlour, Live  
 -Adult Entertainment Use  
 -Adult Specialty Store  
 -Adult Video Store  
 -Aisle  
 -Alter  
 -Amusement Arcade  
 -Animal Hospital  
 - Animal Kennel  
 -Antique and Collectibles Store  
 -Apartment, Accessory  
 -Archival Document Warehouse  
 -Area of High Aquifer Vulnerability  
 -Art Gallery  
 -Artisan Operation  
 -Artist Studio and Gallery  
 -Attic  
 -Automotive Store

#### **B**

-Bakery  
 -Balcony  
 -Basement  
 -Boarding House  
 -Building  
 -Building, Accessory  
 -Building, Apartment

-Building, Apartment, Senior Citizens  
 -Building, Mixed Use  
 -Building Area  
 -Building Envelope  
 -Building Height  
 -Building, Main  
 -Building Separation  
 -Building Setback  
 -Building Setback, Private Road  
 -Building Setback, Public Road  
 -Building Supply Outlet  
 -Building Width  
 -Bulk Storage Facility  
 -Bunkhouse  
 -Business Office

#### **C**

-Cannabis or Industrial Hemp Use  
 -Cannabis-Related Use-Indoor  
 -Cannabis-Related Use-Outdoor  
 -Clinic  
 -Cold Storage Warehouse  
 -Commercial Motor Vehicle Repair Facility  
 -Community Centre  
 -Communication Equipment Outlet  
 -Conference Centre  
 -Conservation School

-Construct  
 -Contractor's Facility  
 -Convenience Store  
 -Corporation  
 -Council  
 -Crisis Care Facility  
 -Cultural Centre  
 -Custom Computer Assembly and Service Outlet  
 -Custom Workshop

#### **D**

-Day Care, Private Home  
 -Day Nursery  
 -Deck  
 -Density  
 -Department Store  
 -Department Store Type Merchandise (DSTM)  
 -Detached  
 -Dormitory  
 -Drive-Through Service Facility  
 -Driveway  
 -Driveway Separation  
 -Driveway Setback  
 -Dry Cleaning or Laundry Outlet  
 -Dry Cleaning or Laundry Plant  
 -Dwelling  
 -Dwelling, Accessory  
 -Dwelling, Back-to-Back Townhouse  
 -Dwelling Unit

- Dwelling Unit, Accessory
- Dwelling Unit, Bachelor
- Dwelling, Common Element Townhouse
- Dwelling, Detached
- Dwelling, Duplex
- Dwelling, Freehold Townhouse
- Dwelling, Garden Suite
- Dwelling, Linked
- Dwelling, Mobile Home
- Dwelling, Quattroplex Townhouse
- Dwelling, Semi-Detached
- Dwelling, Townhouse

**E**

- Emergency Service Facility
- Entertainer
- Entrance
- Entrance Separation
- Entrance Setback
- Entrance Width
- Environmental Management
- Equipment Storage Building
- Established Building Line
- Existing

**F**

- Factory Outlet
- Farmers Market
- Financial Institution
- Finished Grade
- Fishing Club
- Fitness Centre
- Floor Area
- Floor Area, Dwelling Unit
- Floor Area, Gross
- Floor Area, Gross Leasable

- Floor Area, Net
- Floor Space Index
- Funeral Home
- Furniture and Wood Stripping and Refinishing Operation
- Furniture Showroom

**G**

- Garage Build-Over
- Garage Build-Over Recess
- Garage Build-Over Width
- Garage, Depth
- Garage, Dual
- Garage, Maintenance Accessory
- Garage, Private
- Garage Projections, Main Building
- Garage Projections, Porch or Verandah
- Garage Width
- Garbage Enclosure, Private
- Gasoline Pump Island, Accessory
- Government Office
- Gravel Pit
- Grocery Store
- Group Home
- Guest House
- Guest Room

**H**

- Habitable Room
- Hazardous Waste
- Home Improvement Centre
- Home Occupation
- Hospital
- Hotel

**I**

- Industrial Hemp-Related Use - Indoor
- Industrial Supply Outlet
- Industrial Use

**L**

- Laboratory, Medical
- Laboratory, Industrial
- Landscaped Buffer
- Landscaping Area
- Landscaping, Soft
- Lane
- Laundromat
- Library
- Light Equipment Rental Establishment
- Live-Work Unit
- Loading/Delivery Space
- Lodging Facility
- Long Term Care Facility
- Lot
- Lot Area
- Lot, Corner
- Lot, Existing
- Lot Frontage
- Lot, Fully Serviced
- Lot, Interior
- Lot, Partially Serviced
- Lot, Through
- Lot Line
- Lot Line, Exterior Side
- Lot Line, Front
- Lot Line, Interior Side
- Lot Line, Rear

**M**

- Maintenance Building
- Medical Centre
- Merchandise Service Shop
- Mezzanine
- Mobile Home
- Motel
- Motor Vehicle

**-Motor Vehicle, Commercial**  
**-Motor Vehicle Body Shop**  
**-Motor Vehicle Compound**  
**-Motor Vehicle Gas Bar**  
**-Motor Vehicle Race Track**  
**-Motor Vehicle Rental Establishment**  
**-Motor Vehicle Repair Facility**  
**-Motor Vehicle Sales Establishment**  
**-Motor Vehicle Service Centre**  
**-Motor Vehicle Towing Facility**  
**-Motor Vehicle Used Sales Establishment**  
**-Motor Vehicle Washing Establishment**  
**-Museum**

## **N**

**-Natural Area**  
**-Nature Trail**  
**-Net**  
**-Night Club**  
**-Non-Complying**  
**-Non-Conforming**  
**-Non-Food Store Retail**  
**-Noxious Use**  
**-Nursery, Commercial**

## **O**

**-Open Storage Area, Accessory**  
**-Open Storage Use**  
**-Open Storage – Wellhead**  
**-Order Station**  
**-Outdoor Seasonal Garden Centre, Accessory**

**-Outside Display or Sales Area, Accessory**

## **P**

**-Park**  
**-Park, Private**  
**-Parking Area**  
**-Parking Area, Commercial**  
**-Parking Area, Municipal**  
**-Parking Area Setback**  
**-Parking Garage**  
**-Parking Space**  
**-Patio, Outdoor**  
**-Pedestrian Street Entrance**  
**-Person**  
**-Personal Service Shop**  
**-Pharmacy**  
**-Place of Assembly**  
**-Place of Entertainment**  
**-Place of Worship**  
**-Planting Strip**  
**-Planting Strip Width**  
**-Play Facility Area**  
**-Porch**  
**-Portable Asphalt Plant**  
**-Precinct**  
**-Premises**  
**-Printing Plant**  
**-Printing and Processing Service Shop**  
**-Privacy Yard**  
**-Private Club**  
**-Private Road**  
**-Privately-Owned Publicly-accessible Spaces (POPS)**  
**-Product Storage Building**  
**-Public Authority**  
**-Public Transit Depot**  
**-Public Use**

## **Q**

**-Queuing Lane**  
**-Queuing Space**

## **R**

**-Rapid Infiltration Basin**  
**-Rapid Infiltration Column**  
**-Recreation, Intensive**  
**-Recreation, Non-Intensive**  
**-Recreational Trailers and Vehicles**  
**-Region**  
**-Research Establishment**  
**-Restaurant**  
**-Retail Store**  
**-Retail Store, Accessory**  
**-Rooming Unit**

## **S**

**-Sales, Service and Repair Shop**  
**-Salvage Yard**  
**-School**  
**-Seniors Retirement Facility**  
**-Service Building**  
**-Setback**  
**-Sewage Treatment Facility**  
**-Sewer System, Sanitary, Public**  
**-Sewer System, Storm**  
**-Shopping Centre**  
**-Sight Triangle**  
**-Ski Area**  
**-Small Scale Concrete Batching Plant**  
**-Special Care Home**  
**-Specialty Food Store**  
**-Sports Arena**  
**-Storey**  
**-Storey, First**  
**-Stormwater Management Facility**  
**-Street**  
**-Street Access**  
**-Street Line**  
**-Street Setback**

- Structure**
- Supermarket**

## **T**

- Tourist Establishment**
- Trailer, Tourist**
- Trailer, Tractor**
- Trailer, Utility**
- Training Facility**
- Transportation Depot**

## **U**

- Use**
- Use, Accessory**

## **V**

- Vehicle, Farm**
- Vehicle, Motor (see Motor Vehicle)**
- Vehicle, Tourist**
- Veterinary Hospital**
- Video Outlet/Rental Store**

## **W**

- Walkway, Private**
- Walkway, Public**
- Warehouse**
- Warehouse, Public Self Storage**
- Warehouse, Retail**
- Warehouse, Wholesale**
- Water Supply Plant**
- Water System, Public**
- Wellhead Protection Areas**
- Wellness Centre**

## **Y**

- Yard**
  - Yard, Exterior Side**
  - Yard, Front**
  - Yard, Interior Side**
  - Yard Rear**
-

### 3.2 DEFINITIONS

The following definitions apply to all the lands within the limits of the Town of Caledon, excepting those lands and areas listed in Section 1.1 of this By-law.

**Adult Day Centre** means a *premises*, used to deliver a daily program of structured and supervised activities and care for seniors or persons with disabilities.

**Adult Entertainment Parlour, Live** means any *premises* or part thereof in which there is provided, in pursuance of a trade, calling, business or occupation, services appealing to, or designed to appeal to erotic or sexual appetites or inclinations. “Services” in the context of *Live Adult Entertainment Parlour* includes activities, facilities, performances, exhibitions, viewings and encounters provided by one or more entertainers in pursuance of a business.

**Adult Entertainment Use** means a *Live Adult Entertainment Parlour, Adult Video Store, Adult Specialty Store or Body Rub Parlour* whether any such *use* is a primary land use or an *accessory use*.

**Adult Specialty Store** means a retail establishment specializing in the sale of goods and materials appealing to or designed to appeal to erotic or sexual appetites or inclinations. “Goods” in the context of *adult specialty store* includes books, magazines, pictures, slides, films, disks, phonograph records, pre-recorded magnetic tape and any other viewing or listening matter, clothing and accessories.

**Adult Video Store** means an establishment where pre-recorded video tapes, video disks, films and/or slides appealing to or designed to appeal to erotic or sexual appetites or inclinations or depicting sexual acts are offered for rent or sale. An *adult video store* shall not include facilities for the screening or viewing of such products.

**Aisle** means an area of a *parking area* that is used to access individual *parking spaces*.

**Alter** when used in reference to a *building, structure* or part thereof, means:

- a) to change any 1 or more of the external dimensions of such *building* or *structure*; or
- b) to change the type of construction of the exterior walls or roof of such *building* or *structure*;  
or
- c) to change the *use* of such *building* or *structure*; or
- d) to change the number of *uses* or *dwelling units* contained therein.

**Alter**, when used in reference to a *lot*, means:

- e) to change the boundary of such *lot* with respect to a *street* or *lane*; or



- f) to change any dimension or area, relating to such *lot*, which is covered herein by a *Precinct* provision; or
- g) to change the *use* of such *lot*; or
- h) to change the number of *uses* located thereon.

“Altered” and “alteration” shall have corresponding meanings.

**Amusement Arcade** means a *place of entertainment*, used for the maintenance and operation of four or more amusement devices for use by the general public.

**Animal Hospital**, means a *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.

**Animal Kennel**, means a *building, structure or premises* used for the raising, boarding, grooming and sale of dogs, cats or other household pets in accordance with the Town’s Animal Control By-law.

**Antique and Collectibles Store** means a *retail store* used primarily for the sale of any old and/or authentic collectible items of personal property.

**Apartment, Accessory** means a separate and complete *dwelling unit* that is located within a *detached, semi-detached, link, duplex or freehold townhouse dwelling unit* excluding any unfinished basement and private garage.

**Archival Document Warehouse** means a facility used for the storage of documents and records.

**Area of High Aquifer Vulnerability** means an area where an aquifer’s intrinsic susceptibility, as a function of the thickness and permeability of overlying layers, to contamination from both human and natural impact on water quality is high.

**Art Gallery** means a retail establishment engaged in the business of exhibiting or dealing in artwork.

**Artisan Operation** means an establishment where articles or goods are produced, assembled, processed or manufactured on a custom or individual basis by an artist, craftsman or similar trained or skilled operator and may include the sale of such goods, including but not limited to the operations of a painter, potter, custom dressmaker, photographer, jewelry maker, woodworker, cabinet maker, sculptor, model builder and sign maker, but does not include any *cannabis or industrial hemp use* defined in this By-law.

**Artist Studio and Gallery** means a *building or structure*, or part thereof, used for the production and display and sale of any original/authentic works of art, but does not include any *cannabis or industrial hemp use* defined in this By-law.

**Attic** means that portion of a *building* situated wholly within the roof. An attic may not contain a habitable room which exceeds 50% of the floor area of the storey next below.

**Automotive Store** means a *retail store* primarily engaged in the retail sale of vehicle parts, accessories and tools. *Accessory uses* may include service bays for performing repair or maintenance work on vehicles, but excludes any auto body work.

**Bakery** means a *building* or part thereof used for producing, mixing, compounding or baking bread, biscuits, buns, or any other bakery product of which flour or meal is the principal ingredient and shall include the display and sale of baked goods produced on site, but does not include a *restaurant* or any other *use* otherwise defined herein, but does not include any *cannabis* or *industrial hemp* use defined in this By-law.

**Balcony** means a partially enclosed platform attached to and extending horizontally from one or more main walls of a *building* and used as an outdoor porch or sundeck and with no access to grade.

**Basement** means any *storey* below the *first storey*.

**Boarding House** means a house which contains not more than 4 guest rooms wherein, for remuneration, lodgings, with or without meals, are provided to the public. Lodging rooms shall not include either bathrooms or kitchen facilities.

**Building** means a *structure* consisting of any combination of walls, roof and floor or any structural system serving the function thereof, including all associated plumbing, works, fixtures and service systems.

**Building, Accessory** means a *detached building*, the *use* of which is incidental, subordinate and exclusively devoted to a main *building* or main *use* on the same *lot*.

**Building, Apartment** means a *building* containing three or more dwelling units that share a common external access to the outside through a common vestibule and a common corridor system or a combination thereof.

**Building, Apartment, Senior Citizens** means a *building* containing three or more dwelling units that share a common external access to the outside through a common vestibule and a common corridor system or a combination thereof, primarily for senior citizens.

**Building, Mixed Use** shall mean a *building* which contains a combination of permitted non-residential *uses* and residential *dwelling units*.

**Building Area** means that portion of the *lot area* permitted to be covered by one or more *building envelopes*.

**Building Envelope** means the total horizontal area of a *building* calculated by perpendicular projection onto a horizontal plane. This definition shall not include:

- a) sills, belt courses, chimneys, cornices, eaves, fireplaces, gutters, parapets, pilasters or similar ornamental structures unless such *structure* projects more than 1.0 metre

horizontally from an outermost exterior wall of the *building*; or

- b) unenclosed porches excavated or unexcavated, balconies or steps unless such *structure* projects more than 2.0 metres horizontally from an outermost exterior wall of the *building* and is more than 0.6 metres above grade at any point.

**Building Height** means the vertical distance between the *finished grade* of the *lot* on which the *building* is situated and:

- a) the highest point of the roof surface of a flat or domed roof; or
- b) the deck line of a mansard roof; or
- c) the median level between eaves and ridge of a gable, gambrel or hip roof.

**Building, Main** means the *building* which contains the principal use of the *lot* on which such *building* is located.

**Building Separation** means the least horizontal distance permitted between the nearest portions of any building envelopes on a *lot*.

**Building Setback** means the least horizontal distance permitted between a *lot line* of a *lot* and the nearest portion of any *building envelope* on such *lot*.

**Building Setback, Private Road** means the least horizontal distance permitted between a *private road* and the nearest point of any *building* or *structure*.

**Building Setback, Public Road** means the least horizontal distance permitted between a public road right-of-way and the nearest point of any *building* or *structure*.

**Building Supply Outlet** means a *retail store* from which *building* or construction materials, such as lumber and shingles, as well as home improvement materials are offered for retail sale and which includes some *accessory outside storage*.

**Building Width** shall mean the horizontal distance of the face of the *building*, which is parallel to the *front lot line*.

**Business Office** means a *premises* used for conducting the affairs of businesses, professions, services, industries, governments, or like activities, but does not include any *cannabis* or *industrial hemp use* defined in this By-law.

**Cannabis or Industrial Hemp Use** means a *cannabis-related use – indoor, cannabis-related use – outdoor, industrial hemp-related use – indoor and/or an industrial hemp-related use – outdoor*.

**Cannabis-Related Use – Indoor** means those activities that are carried out within an enclosed building or structure that are authorized in accordance with the Federal Cannabis Regulation

SOR-2018-144, as amended from time to time or any regulations enacted in substitution therefor.

**Clinic** means a *premises* where members of the health profession provide medical, dental, and/or therapeutic diagnosis and treatment to the general public.

**Cold Storage Warehouse** means a *warehouse*, or part thereof, where bulk chilled or frozen foodstuffs, such as meats, poultry, fish and vegetables are stored, displayed and offered for sale in bulk within chilled or frozen compartments, but does not include any *cannabis* or *industrial hemp* use defined in this By-law.

**Commercial Motor Vehicle Repair Facility** means a *premises* used to conduct repairs of *commercial motor vehicles* of a mechanical or structural nature and may include an associated towing service.

**Community Centre** means a multi-purpose facility operated by or on behalf of the Town of Caledon that provides facilities for a variety of indoor recreational, cultural, or community service activities for use by the general public.

**Communication Equipment Outlet** means a *sales, service & repair shop* where communication equipment, components or parts may be purchased such as telephones, cellular phones, fax machines and pagers.

**Conference Centre** means a tourist establishment containing therein 5 or more *guest rooms* which may be served by a common *building* entrance, or may have separate entrances directly from outside the *building*. *Accessory uses* may include rental cabins, accommodation for permanent staff and 1 or more beverage rooms, dining rooms, meeting rooms, recreational facilities, commercial *accessory* facilities and related *uses, structures* and facilities.

**Conservation School** means land, *building* or *structure* wherein instruction is provided respecting the preservation, protection, and improvement of components of the natural environment and may include an *accessory dormitory* for both teachers and students.

**Construct** means to build, erect, place, reconstruct or relocate and may include:

- a) any preliminary operation such as excavating, filling or draining; or
- b) *altering* any existing *building* or *structure* by an addition, enlargement, extension or other structural change; or
- c) any work which requires a Building Permit.

“Constructed” and “construction” shall have corresponding meanings.

**Contractor’s Facility** means a yard and building in which the shop or assembly work of a contractor or tradesperson is performed, but does not include any *cannabis* or *industrial hemp* use defined in this By-law.

**Convenience Store** means a *retail store* that provides a variety of household necessities, groceries and other convenience items primarily intended to serve the day-to-day needs of the surrounding neighbourhood.

**Corporation** means the *Corporation* of the Town of Caledon.

**Council** means the *Council* of The *Corporation* of the Town of Caledon.

**Crisis Care Facility** means a residential facility that is licensed and funded by the Province of Ontario, Government of Canada or an appointed agency, for the short term, temporary care of persons requiring immediate emergency shelter and aid who are living under supervision in a single housekeeping unit and who by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their wellbeing.

**Cultural Centre** means a *building* or *structure* operated by a non-profit organization which contains meeting rooms, kitchen and dining facilities, a religious sanctuary, and offices accessory to the *cultural centre*.

**Custom Computer Assembly and Service Outlet** means a *sales, service & repair shop* where computer hardware, components and parts may be assembled, repaired and serviced with accessory sales related to computer components and related programs but shall not include a *retail store*.

**Custom Workshop** means a *building* or *structure* or part of a *building* or *structure* used by a trade or craft for the individual custom production of articles. The sale of such products shall be permitted as an *accessory use*, but does not include any *cannabis* or *industrial hemp use* defined in this By-law.

**Day Care, Private Home** means the *use* of a *dwelling unit* for the temporary care of five or fewer children who are under ten years of age, in exchange for reward or compensation and where such care is provided in a private residence, other than the home of a parent or guardian of any such child, for a continuous period not exceeding twenty-four hours.

**Day Nursery** means a *day nursery* as defined in, and which is subject to the provisions of the Day Nurseries Act.

**Deck** means a *structure* abutting a *dwelling* with no roof or walls except for visual partitions and railings which is constructed on piers or a foundation above-grade with access to grade by stairs and for use as an outdoor living area.

**Density** means the ratio of *dwelling units* to one net hectare of *lot area*.

**Department Store** means a large *retail store* in the general merchandise category and which is organized into a number of individual departments selling a variety of merchandise which may include a selection of clothing and apparel, furniture, appliances and home furnishings and which is classified as a *department store* by Statistics Canada in its Retail Chain and Department Store catalogues.

**Department Store Type Merchandise (DSTM)** means merchandise sold by *retail stores* and *department stores* and includes the following retail trade categories: apparel and accessories, hardware and home furnishings, general merchandise, semi-durable and durable goods and other retail (excluding liquor, beer, wine, second-hand merchandise, monuments and tombstones and mobile homes). DSTM excludes food, personal services and merchandise sold by commercial establishments classified by Statistics Canada as wholesale operators including lumber, home improvement materials and computers.

**Detached** when used in reference to a *building*, means a *building* which is not dependent on any other *building* for structural support or enclosure.

**Dormitory** means a *building* designed or used for the accommodation of students and consisting of at least 1 bathroom and not fewer than 2 rooms providing therein living, dining and sleeping accommodation in appropriate individual or combination rooms.

**Drive-Through Service Facility** means a *building* or *structure* or part thereof where goods and/or services are offered to the public within a parked or stationary vehicle by way of a service window or kiosk, where goods, money or materials are exchanged. Kiosks within a *parking garage* or associated with a surface parking lot are not considered to be drive-through service uses.

**Driveway** means a defined area providing access for motor vehicles from a public or private *street* or a *lane* to facilities such as a *parking area*, *parking lot*, *loading space*, *private garage*, *building* or *structure*.

**Driveway Separation** means the least horizontal distance permitted between a *driveway* and an adjacent *driveway*.

**Driveway Setback** means the least horizontal distance permitted between a *lot line* (other than the *lot line* which the *driveway* intersects) and the nearest portion of any *driveway* on such *lot*.

**Dry Cleaning or Laundry Outlet** means a *premises* used for the purpose of receiving articles or goods of fabric to be subjected to the process of laundering or dry cleaning at another location and may include facilities for the pressing or ironing of such articles.

**Dry Cleaning or Laundry Plant** means a *premises* in which the business of laundry or dry cleaning is housed and where the cleaning, drying, ironing and finishing of such goods is conducted.

**Dwelling** means a *building* used or intended to be used as a domicile by one or more persons, in which any combination of a kitchen, living quarters or sanitary facilities are provided for the exclusive *use* of the residents.

**Dwelling, Accessory** means a *detached dwelling* which is *accessory* to a permitted non-residential *use*.

***Dwelling, Back-to-Back Townhouse*** means a *building* divided vertically both above and below grade into 3 or more residential *dwelling units*. Each such unit must share at least one side wall and one rear wall with adjacent *dwelling units*.

***Dwelling Unit*** means a room or rooms which function as a housekeeping unit used or intended to be used as a domicile by one or more persons, in which a kitchen, living quarters and sanitary facilities are provided for the exclusive use of the residents and with a private entrance from outside the *building* or from a common hallway or stairway.

***Dwelling Unit, Accessory*** means a *dwelling unit* contained within and accessory to a permitted non-residential use other than a *motor vehicle repair facility* or a *motor vehicle service centre*.

***Dwelling Unit, Bachelor*** means a *dwelling unit*, consisting of 1 bathroom and not more than 2 habitable rooms, designed to provide living, dining, sleeping and kitchen accommodation in appropriate individual or combination room or rooms.

***Dwelling, Common Element Townhouse*** shall mean a *building* divided vertically both above and below grade into 3 or more separate *dwelling units*, each such *dwelling unit* having 2 independent entrances directly from outside the *building*, and which fronts onto a *private road*.

***Dwelling, Detached*** means a *building* containing only one principal *dwelling unit*.

***Dwelling, Duplex*** means a *dwelling* divided horizontally into 2 separate *dwelling units*, each such *dwelling unit* having an independent entrance either directly from outside the *building* or through a common vestibule.

***Dwelling, Freehold Townhouse*** means a *building* divided vertically both above and below grade into 3 or more separate *dwelling units*, each such *dwelling unit* having 2 independent entrances directly from outside the *building* and which is located on a *lot* and has frontage on a *street*.

***Dwelling, Garden Suite*** means a temporary *detached* residential *structure* containing bathroom and kitchen facilities that is an *accessory use* to an existing *dwelling unit* and that is designed to be portable.

***Dwelling, Linked*** means a *building* divided vertically into 2 separate *dwelling units* above ground, with the foundation for each *dwelling unit* being connected by a wall below grade to the foundation for the other *dwelling unit* and with each *dwelling unit* having an independent entrance from outside the *building*.

***Dwelling, Mobile Home*** means a transportable, factory-built *dwelling unit* manufactured in accordance with CSA standards that is intended to provide permanent residence but does not include any trailer otherwise defined in this By-law.

***Dwelling, Quattroplex Townhouse*** means a townhouse divided vertically into 4 separate *dwelling units*, with each *dwelling unit* having common walls with 3 adjacent *dwelling units*.

**Dwelling, Semi-detached** means a *building* divided vertically by a common wall above *finished grade* into 2 separate *dwelling units*, each such *dwelling unit* having an independent entrance either directly from outside the *building* or through a common vestibule.

**Dwelling, Townhouse** means a *building* divided vertically both above and below grade into 3 or more separate *dwelling units*, each such *dwelling unit* having 2 independent entrances directly from outside the *building*.

**Emergency Service Facility** means a *building* that houses emergency personnel, their supplies, equipment and vehicles and may include an ambulance response facility, fire station or police station.

**Entertainer** means an individual *person* who provides *services designed to appeal to erotic or sexual appetites or inclinations*.

**Entrance** when used with reference to a *lot*, means an unobstructed passageway used to provide vehicular access from the traveled portion of a *street* or *lane* to a *driveway* or *aisle*.

**Entrance Separation** means the least horizontal distance permitted between the nearest portions of any *entrances* on a *lot* measured at the *street line*.

**Entrance Setback** means the least horizontal distance permitted between an intersection of two *street lines* and the nearest portion of any *entrance*, measured along the *front* or *exterior side lot line*.

**Entrance Width** means the horizontal distance permitted between the extremities of an *entrance*, measured along the *street line*.

**Environmental Management** means the protection, maintenance, enhancement and restoration of ecosystem forms and functions and may include wetland restoration and creation, vegetative planting, watercourse fencing, enhancement and rehabilitation.

**Equipment Storage Building** means an enclosed *building* used exclusively for the storage of equipment, including tools and machinery, but shall not include the maintenance, repair, or refurbishment of the equipment, but does not include any *cannabis* or *industrial hemp use* defined in this By-law.

**Established Building Line** means the average distance between the *street line* and existing main *buildings* on 1 side of a continuous 300 metre strip of land where 5 or more *lots* having *street access* upon the said side of the *street* have been built upon.

**Existing** means lawfully existing as of the effective date of this By-law, unless as otherwise specified in this By-law.

**Factory Outlet** means a *premises*, accessory to a permitted *industrial use*, where the products manufactured by that industry are kept for wholesale or retail sale on the same *lot* as the principal *industrial use*, but does not include any *cannabis* or *industrial hemp use* defined in this By-law.



**Farmers Market** means an establishment or *premises* where the *farm* related products are sold at retail from either open air areas designated for individual retailers or within designated *buildings* or *structures*.

**Financial Institution** means a *premises* where financial services are offered to the public and may include an automated banking machine.

**Finished Grade** means the average surface elevation at the outside walls of any *building* or *structure*, which is determined by taking the arithmetic mean of the levels of the finished ground surface at every location of change of grade at the outside walls of the *building* or *structure*.

**Fitness Centre** means a *building* or part of a *building* in which facilities are provided for recreational or health related activities including but not limited to weight training and exercise classes and may include associated facilities and services such as a lounge, washrooms, showers, and saunas, an administrative office and an accessory retail sales outlet for fitness-related attire, equipment and dietary supplements.

**Floor Area** means the horizontal area of a *storey*, measured between the exterior faces of the exterior walls at the floor level of such *storey*.

**Floor Area, Dwelling Unit** means the aggregate of the floor areas of all habitable rooms in a *dwelling unit*.

**Floor Area, Gross** means the aggregate of all floor areas of all of the *buildings* or *structures* on a *lot*.

**Floor Area, Gross Leasable** means the gross *floor area* of a *building* excluding:

- a) any part of such *building* used as a *dwelling unit*; and
- b) any part of such *building* used for the parking or storage of motor vehicles; and
- c) any part of such *building* used for equipment to heat such *building* or a portion thereof; and
- d) any part of such *building* used as a mall, if such mall serves as a common area between stores; and
- e) the thickness of any exterior walls of such *building*.

**Floor Area, Net** means the aggregate of the *floor area* of a *building* above or below established grade, but excluding car parking areas within the *building*, stairways, elevator shafts, service/mechanical rooms and penthouses, washrooms, garbage/recycling rooms, staff locker and lunch rooms, loading areas, any space with a floor to ceiling height of less than 1.8 metres and any part of a *basement* that is unfinished, is used solely for storage purposes and is not accessible to the public.

**Floor Space Index** means the *gross floor area* of all buildings on a *lot* divided by the *lot area*.

**Funeral Home** means a *premises* used for the purpose of furnishing funeral services to the public, but shall not include a crematorium.

**Furniture and Wood Stripping and Refinishing Operation** means an operation involving the stripping and/or refinishing of furniture and other wood products through the use of chemicals. It does not include antique shops where such activities may be undertaken as an *accessory use*.

**Furniture Showroom** means a *retail store* which has a *gross floor area* exceeding 460m<sup>2</sup> and is where household furniture and appliances are displayed, stored and offered for sale.

**Garage Build-Over** means a habitable space over an attached garage.

**Garage Build-Over Recess** means that where a habitable space is being proposed over an attached garage, the recess shall be the horizontal distance required between the vehicle access wall of the garage and the nearest part of the *garage build-over*.

**Garage Build-Over Width** means the minimum width of a habitable space over an attached garage, measured at the “*garage build-over, recess*” along a line parallel to the vehicle access wall of the garage.

**Garage Depth** means the depth of a *private garage* measured between the interior faces of the front and rear walls of the *private garage*.

**Garage, Dual** means the whole of a *building* that is divided vertically along a *lot line* into 2 separate *private garages*.

**Garage, Maintenance, Accessory** means an establishment or *premises* where vehicles owned or leased by the occupant of such *premises* are repaired or maintained and not available to the public.

**Garage, Private** means an enclosed *building* or part thereof, designed and used for the storage of one or more motor vehicles.

**Garage Projections, Main Building** means the greatest horizontal distance between the front of the garage and the front wall of the *main building*.

**Garage Projections, Porch or Verandah** means the greatest horizontal distance between the front of the porch or verandah and the front wall of the *main building*.

**Garage Width** means the width of a *private garage* measured between the interior faces of the walls of the *private garage*.

**Garbage Enclosure, Private** means a solid opaque wall or fence comprised of concrete block, brick, wood, stucco, or metal, with a gate, that screens a garbage container(s).

**Gasoline Pump Island, Accessory** means a *gasoline pump island* used to dispense gasoline solely to vehicles owned or leased by the occupant of the *lot* where such *gasoline pump island* is located. This definition shall not include a *motor vehicle service centre* or any other facility for the sale of fuels.

**Government Office** means a municipal, provincial, or federal *building* or part of a *building* where government services and activities are provided.

**Gravel Pit** means any open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral to supply such material for construction, industrial or manufacturing purposes. This definition shall not include:

- a) any excavation incidental to the construction of a *building* or *structure* for which a building permit has been issued; or
- b) any asphalt plant, cement manufacturing plant or *concrete batching plant*.

**Grocery Store** means a *retail store* engaged in the business of selling groceries, meat, fruit and vegetable products and may include *accessory* retail and service uses and has a minimum *gross floor area* of 300 m<sup>2</sup> and a maximum *gross floor area* of 2230 m<sup>2</sup>, but does not include any *cannabis* or *industrial hemp* use defined in this By-law.

**Group Home** means a residence, licensed or funded under an Act of the Parliament of Canada or Province of Ontario, that is designed for the accommodation of 3 to 10 persons, exclusive of staff, living under supervision in a *dwelling unit* and whom by reason of their emotional, mental, social, or physical condition or legal status, require a group living arrangement for their well-being.

**Guest House** means a *building* or *structure* used for the purpose of accommodation by one or more *persons* but not as his, her or their principal or permanent place of residence.

**Guest Room** means a room or suite of rooms which may contain facilities for cooking and which is used or maintained, for gain or profit, by providing accommodation to the public.

**Habitable Room** means a room designed to provide living, dining, sleeping or kitchen accommodation for persons. This definition may include a bathroom, den, library or enclosed sun room but shall not include any *private garage*, *carport*, *porch*, verandah, unfinished *attic* or unfinished *basement*.

**Hazardous Waste** has the same meaning as in Regulation 347 of the Revised Regulations of Ontario 1990, as amended.

**Home Improvement Centre** means a *retail store* specializing the sale of home building/design and garden products and the provision of related services. Goods offered for sale may include lumber, lighting, electrical and plumbing supplies, hardware, flooring, window coverings, roofing materials, paint/wallpaper, furniture and appliances, seasonal items, lawn and garden supplies, flowers and plants, shrubs, trees or similar vegetation, but shall not include a nursery or the bulk storage of unpackaged sand, gravel, soil, fertilizers or similar material. Related services may include a tool rental centre and a fast food kiosk, which is not a *drive through service facility*. Do-it-yourself training facilities are permitted as an *accessory use*.

**Home Occupation** means an occupation or business which is conducted entirely within a *dwelling unit* and which is clearly subordinate or incidental to the principal use of the dwelling unit for residential purposes, but does not include any *cannabis* or *industrial hemp* use defined in this By-law.

**Hospital** means any institution, *building* or other *premises* established for the treatment of persons afflicted with or suffering from sickness, disease or injury for the treatment of convalescent or chronically ill persons that is approved under the Public Hospitals Act as a Public *hospital*.

**Hotel** means a *premises* containing lodging rooms for the travelling public in accordance with the Hotel Registration of Guests Act, as amended, includes no fewer than six (6) lodging rooms and may include accessory meeting facilities, recreation facilities, a *restaurant*, banquet facilities and *retail stores* which are incidental and subordinate to the primary lodging function and located on the same *lot*, but does not include a *bed and breakfast establishment*, *country inn* or *motel*.

**Industrial Hemp-Related Use – Indoor** means those activities that are carried out within an enclosed *building* or *structure* that are authorized in accordance with the Federal Industrial Hemp Regulation SOR-2018-145, as amended from time to time or any regulations enacted in substitution therefor.

**Industrial Supply Outlet** means a *building* or part of a *building* where goods, wares, merchandise, substances, articles or things primarily intended to serve *industrial uses* are offered or kept for sale to such *industrial uses* and to the public, but does not include any *cannabis* or *industrial hemp use* defined in this By-law.

**Industrial Use** means a *building* or *structure* or part thereof used primarily for the purpose of manufacturing, processing, fabrication, assembly, treatment, packaging, and incidental storage of goods and materials and may include accessory sales and distribution of such products but shall not include waste processing, but does not include any *cannabis* or *industrial hemp use* defined in this By-law.

**Laboratory, Medical** means an establishment where tests may be conducted as part of the diagnosis or treatment of human patients and where x-rays and other medical screening or monitoring procedures may be performed, but does not include any *cannabis* or *industrial hemp use* defined in this By-law.

**Laboratory, Industrial** means a restricted access facility for the analyzing, testing or screening of materials and which requires specialized equipment or a controlled environment, but does not include any *cannabis* or *industrial hemp use* defined in this By-law.

**Landscaped Buffer** means an area or an earthen berm with landscaping, having any combination of trees, shrubs, flowers, grass or other horticultural elements, and may include fencing and landscaping rocks and boulders.

**Landscaping Area** means that portion of the *lot area* of a *lot* required for the growth and maintenance of grass, flowers, bushes, trees and other landscaping. This definition may include any surfaced walk, surfaced patio, storm water management pond, swimming pool, play facility, *deck* not more than 0.6 metres above grade or similar area but shall not include any *driveway* or ramp (whether surfaced or not) nor any curb, retaining wall, *parking area*, *delivery space*, *loading space*, nor any open space within a *building* or *structure*.

**Landscaping, Soft** shall mean vegetative materials such as trees, shrubs, grass, flowers, vegetables or any other plant material but shall not include any buildings or structures, any hard surface areas such as, but not limited to, driveways, parking areas, decorative stonework, walkways, patios, screening or other landscape architectural elements.

**Lane** means a public thoroughfare, whether or not improved for use, which has a reduced right-of-way width and which affords only a secondary means of access for vehicular traffic to abutting lots and which is not intended for general traffic circulation.

**Laundromat** means a *premises* where automated laundry machines, using only water and detergent, are made available for use by the public.

**Library** means a *building* containing printed, electronic and pictorial material for *public use* for purposes of study, reference and recreation.

**Light Equipment Rental Establishment** means a *premises* in which light machinery, equipment and tools are offered or kept for rent, lease or hire under agreement for compensation.

**Live-Work Unit** means a *dwelling unit* within a *building* divided vertically, containing not more than 8 units, in which the portion of the *building* at grade level may be used as a business establishment and whereby each “live” and “work” component within the *dwelling unit* has an independent entrance from the outside.

**Loading/Delivery Space** means an unobstructed area of land which is used for the temporary parking of one or more commercial motor vehicles while merchandise or materials are being loaded or unloaded from such vehicle.

**Lodging Facility** means a *building* or *structure* operated by a non-profit organization which contains accommodation facilities and offices accessory to the *lodging facility* or *cultural centre*.

**Long-Term Care Facility** means a nursing home under the Nursing Homes Act, as amended, an approved charitable home for the aged under the Charitable Institutions Act, as amended, or a home under the Homes for the Aged and Rest Homes Act, as amended.

**Lot** means a parcel or contiguous parcels of land in one ownership which is capable of being legally conveyed in accordance with the Planning Act, as amended, or is described in accordance with a registered plan of condominium. For greater clarity, where contiguous *lots* in one ownership are consolidated for the purpose of development, the internal *lot* lines of the original *lots* shall not be construed to be *lot* lines for the purposes of any zoning regulations provided that all applicable regulations of this By-law relative to the consolidated *lot* development and its external *lot* lines are complied with.

**Lot Area** means the total horizontal area within the *lot lines* of a *lot*.

**Lot, Corner** means a *lot* situated at the intersection of 2 *street lines* which contain an angle of not more than 100 degrees. Where such *street lines* are curved, the angle of intersection of the *street lines* shall be deemed to be the angle formed by the intersection of the tangents to the

*street lines*, drawn through the extremities of the *interior side lot lines*. In the latter case, the corner of the *lot* shall be deemed to be that point on the *street line* nearest to the point of intersection of the said tangents.

**Lot, Existing** means a *lot* which lawfully existed as of the date of the passing of this By-law.

**Lot Frontage** means the horizontal distance between the 2 *lot lines* which intersect the *front lot line* of a *lot*, such distance being measured along a line which is parallel to the *front lot line* and distant from the *front lot line* a distance equal to the minimum front *yard* required herein for the specified use in the *preinct* where such *lot* is located.

**Lot, Fully Serviced** means a *lot* which is served by a *public water system* and a public sanitary sewer system.

**Lot, Interior** means a *lot*, other than a *corner lot* or a through *lot*, which has *street access*.

**Lot, Through** means a *lot*, other than a *corner lot*, which has *street access* on 2 or more *street lines*.

**Lot Line** means any boundary of a *lot* or the vertical projection thereof.

**Lot Line, Exterior Side** means any *lot line* other than a *front lot line* which is also a *street line*. In the case where a *lot line* abuts a 0.3 metre Reserve Block, which in turn abuts a *street line*, such *lot line* shall be considered an *Exterior Side Lot Line* and the *lot* shall be considered as a corner lot.

**Lot Line, Front** means, in the case of an *interior lot*, the *lot line* dividing the *lot* from the *street*. In the case of a *corner lot*, the shorter *lot line* abutting a *street* shall be deemed to be the *front lot line* except, where the *lot lines* abutting a *street* are the same length, the *lot line* used for the principal *entrance* to the *lot* shall be deemed to be the *front lot line*. In the case of a *through lot*, the *lot line* used for the principal *entrance* to the *lot* shall be deemed to be the *front lot line*.

**Lot Line, Interior Side** means, except for *corner lots*, a *lot line* which intersects a *front lot line*. For *corner lots*, “*Interior side lot line*” means a *lot line*, other than an *exterior side lot line*, which intersects the *front lot line*.

**Lot Line, Rear** means, except for *corner lots*, any *lot line* which is not a *front lot line*, an *exterior side lot line* or an *interior side lot line*. For *corner lots*, “*Rear lot line*” means a *lot line* which intersects an *exterior side lot line*. If a *lot* has less than four *lot lines*, there shall be deemed to be no *rear lot line*.

**Maintenance Building** means a *building* associated with an existing permitted use where vehicles or equipment owned or leased by the owner are maintained, repaired and stored, but does not include any *cannabis* or *industrial hemp* use defined in this By-law.

**Medical Centre** means an establishment having as the main use a *clinic*, which may include an optometrist with or without an accessory optician. Such *medical centre* may include a *restaurant*, one *pharmacy* and a *medical laboratory* only, but shall not include a *hospital*.

**Merchandise Service Shop** means an establishment wherein articles or goods such as appliances, furniture or similar items may be repaired or serviced. This definition shall not include any manufacturing operation or establishment used for the service or repair of vehicles, but does not include any *cannabis or industrial hemp use* defined in this By-law.

**Mezzanine** means the floor within a building situated between the floor level of the first storey and the floor, ceiling or roof next above such floor level and open to the first storey below. The *mezzanine* shall be situated at least 3 metres above the floor level of the first storey and the floor area of the *mezzanine* shall not exceed 10% of the area of the floor level of the first storey. A *mezzanine* shall only be used for administrative functions and associated administrative storage, and shall not be used for retailing or the storage of merchandise.

**Mobile Home** means a prefabricated *building* meeting CSA standards, designed to be transported on its own chassis (notwithstanding that its running gear is or may be removed), or by other means, and designed and equipped for year-round occupancy, containing therein facilities for cooking or for the installation of cooking equipment as well as sanitary facilities including a flush toilet and a shower or bathtub. This definition shall not include any tourist vehicle nor any trailer which has a *gross floor area* of less than 30 square metres.

**Motel** means a *premises* used to provide temporary accommodation to the traveling public with all of the rooms being accessed from the outside and may include accessory services such as *restaurants*, meeting facilities, recreation facilities, banquet facilities and accommodation of staff, but does not include a *bed and breakfast establishment, country inn or hotel*.

**Motor Vehicle** means an automobile, truck, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of electric or steam railways, or other motor vehicles running only upon rails, or a trailer, *tourist vehicle*, bus, all-terrain vehicle, motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road building machine within the meaning of The Highway Traffic Act.

**Motor Vehicle, Commercial** means a motor vehicle having permanently attached thereto a truck or delivery body that is used for commercial purposes and includes ambulances, hearses, casket wagons, fire apparatus and buses, but does not include a pick-up truck used for personal purposes without compensation, a *motor vehicle* or a *tractor trailer* as defined in this by-law.

**Motor Vehicle Body Shop** means a *premises* used for the painting or repairing of *motor vehicle* bodies, exterior and under-carriage, and in conjunction with which there may be a towing service or *motor vehicle rental establishment* but shall not include *salvage yard*.

**Motor Vehicle Compound** means a *lot* containing a *building* or portion of a *lot* containing a *building*, which *premises* are used for the temporary storage and impounding of *motor vehicles* taken from a collision scene or otherwise towed or conveyed and awaiting repair or demolition, retrieval, or disposal.

**Motor Vehicle Gas Bar** means a *premises* where gasoline or other motor fuels and oil are kept for sale and delivery directly into a *motor vehicle*, and may include an *accessory retail store*, but shall not include a *motor vehicle repair facility, motor vehicle washing establishment or a motor vehicle service centre*.

**Motor Vehicle Rental Establishment** means a *premises* where *motor vehicles* are kept for rent, lease or hire under agreement for compensation and shall also include an office used to administer the rental of such *motor vehicles* and may include accessory facilities for the repair or maintenance of *motor vehicles*.

**Motor Vehicle Repair Facility** means a *premises* used to conduct repairs of *motor vehicles* of a mechanical or structural nature and may include an associated towing service, *motor vehicle service centre* and *motor vehicle* rentals but does not include a *motor vehicle body shop*.

**Motor Vehicle Sales Establishment** means a *premises* where new *motor vehicles*, boats, ATV's, RV's, and similar vehicles are kept for display, lease or sale, and may include an associated *Motor Vehicle Service Centre* and the sale of used *motor vehicles*.

**Motor Vehicle Service Centre** means an establishment primarily engaged in the retail sale of fuels or lubricants for *motor vehicles*. *Accessory uses* may include a towing service and the sale of *motor vehicles* provided that not more than 2 *motor vehicles* are kept on the *premises* at any one time for such purposes, automotive accessories and minor maintenance or repair operations for such *motor vehicles*, other than bodywork or painting.

**Motor Vehicle Towing Facility** means a *building, structure* or part thereof where trucks specifically designed for the towing or hauling of disabled *motor vehicles* are dispatched for hire.

**Motor Vehicle Used Sales Establishment** means a *premises* including a sales office where only used *motor vehicles* are kept for display, lease or sale.

**Motor Vehicle Washing Establishment** means an establishment having facilities for washing *motor vehicles* by production line methods which may include a conveyor system or similar mechanical devices. This definition may also include a self-service operation.

**Museum** means a *building* used for the preservation of a collection of paintings and/or other works of art, and/or objects of natural history, and/or mechanical, scientific and/or philosophical inventions, instruments, models and/or designed and dedicated to the instruction and enjoyment of the public, together with libraries, laboratories and/or other offices.

**Natural Area** means an area that no *person* shall *alter* the surface of the land; or *alter*, disturb, destroy, remove, cut or trim any vegetation, whether living or dead, or *alter*, disturb, destroy, or remove any wildlife habitat, whether in use or not.

**Nature Trail** means an area used for walking, hiking or other similar un-motorized recreational travel.

**Net**, where applied to a measurement of area or density, shall exclude any area devoted to open space, public *streets*, or other public facilities.

**Night Club** means a *place of assembly*, which offers the sale of liquor in conjunction with live entertainment and/or dancing and which is licensed in accordance with the relevant Act or amendments thereto. A *Night Club* shall not include a *Live Adult Entertainment Parlour*. But does not include any *cannabis* or *industrial hemp* use defined in this By-law.



**Non-Complying** means a *lot, building or structure* which is permitted by this By-law and lawfully existed as of the effective date of this By-law, but which does not comply with the standards of the *Precinct* in which it is located.

**Non-Conforming** means a *use* which lawfully existed as of the effective date of this By-law, but is not a permitted *use* for the *Precinct* in which it is located.

**Non-Food Store Retail** means a *retail store*, as classified by Statistics Canada pursuant to the North American Industrial Classification System (“NAICS”) which includes pharmacies and stores selling goods in the category known as “GAFO” (general merchandise, apparel, furnishings, home and auto supply stores and other miscellaneous retail stores). But does not include any *cannabis or industrial hemp use* defined in this By-law.

**Noxious Use** means a *use* which, from its nature or operation, creates a nuisance or is liable to become a nuisance or offensive by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust or objectionable odour, or by reason of the matter, waste or other material generated by the *use*, and shall include any *uses* which may be declared to be a noxious or offensive trade or business under the Public Health and Promotion Act, as amended.

**Nursery, Commercial** means land used partly as a *horticultural nursery* but which also offers or keeps for wholesale or retail sale other articles, goods or materials, but does not include any *cannabis or industrial hemp use* defined in this By-law.

**Open Storage Area, Accessory** means land used for the outside storage of equipment, goods or materials as an *accessory use* to a permitted non-residential *use* on the same *lot*. This definition shall not include the parking of any *motor vehicle, commercial motor vehicle or tractor trailer* that bears a license plate with a currently valid sticker, a *delivery space* or a *loading space* or any *use* otherwise defined in this by-law. But does not include any *cannabis or industrial hemp use* defined in this by-law.

**Open Storage Use** means land used for the outside storage of equipment, goods or materials forming the main *use* of a *lot*.

**Open Storage – Wellhead** means land in the WP5 area used for outside storage of large quantities of pesticides, herbicides, fertilizers, manure and other substances that have the potential to contaminate groundwater. Large quantities of pesticides, herbicides and fertilizers are amounts in excess of 1000 kg. Large quantities of manure are amounts in excess of 10,000 kg.

**Order Station** means an ordering box, service window, display board or any other device, including communication equipment, used by the public and operator to facilitate sales and/or services in a *drive-through service facility*

**Outdoor Seasonal Garden Centre, Accessory** means an outdoor open space area enclosed by a temporary fence containing one or more gates, which may be operated on a temporary basis in conjunction with a business located within a *building or structure* on the same *lot* for the display and sale of flowers, plants, shrubs, trees or similar vegetation and related garden supplies, but shall not include a nursery or the bulk storage of unpacked sand, gravel, soil,

fertilizers or similar material, or the storage or sale of motorized equipment. But does not include any *cannabis or industrial hemp use* defined in this By-law.

**Outside Display or Sales Area, Accessory** means an outdoor open space area where produce, merchandise and/or products are displayed and/or sold and/or where services are provided in conjunction with a business located within a *building or structure* on the same *lot*. But does not include any *cannabis or industrial hemp use* defined in this By-law.

**Park** means an open space area, owned, operated or maintained in whole or in part, by a *public authority* as a recreational area for public use, including *intensive recreation* and *non-intensive recreation*.

**Park, Private** means an open space area not under public jurisdiction used for *intensive recreation* and *non-intensive recreation*.

**Parking Area** means an open area of land, *accessory* to a permitted *use* and not located on a public *street, private road or lane* which is used for the parking of *motor vehicles, commercial motor vehicles* and *tractor trailers* that bear a license plate with a currently valid sticker, but shall not include any area where *motor vehicles, commercial motor vehicles or tractor trailers* for sale, maintenance or repair are kept or stored.

**Parking Area, Commercial** means a *parking area* used for the parking of *motor vehicles*, other than *commercial motor vehicles* with a gross registered vehicle weight of more than 2,000 kilograms, that is accessible to the general public for a fee, with such *use* forming the principal *use* of a *lot*.

**Parking Area, Municipal** means a *parking area* used for the parking of *motor vehicles* that is owned or controlled by a *public authority*.

**Parking Area Setback** means the least horizontal distance permitted between a *parking area* and an adjacent *lot line*.

**Parking Garage** means a *building* or part thereof, used for the storage or parking of *motor vehicles*.

**Parking Space** means an unobstructed space for the parking of a *motor vehicle*.

**Patio, Outdoor** means an outdoor eating area accessory to a *restaurant* where, on a seasonal basis, food and/or refreshments prepared on the *premises* are consumed. But does not include any *cannabis or industrial hemp use* defined in this By-law.

**Pedestrian Street Entrance** means a door designed as a fully-functional access point for pedestrians into a *building, structure* or part thereof and provides a direct pedestrian access to the street.

**Person** means any human being, association, firm, partnership, incorporated company, corporation, agent or trustee, and the heirs, executor or other legal representatives of a *person* to whom the context can apply.

**Personal Service Shop** means a *premises* where health and grooming services are provided and may include a spa, a barber shop, a beauty salon, a dressmaking shop, a tailor, a pet grooming facility, a photographic studio, or similar *use*. But does not include any *cannabis or industrial hemp use* defined in this By-law.

**Pharmacy** means a *retail store* devoted primarily to the dispensing of medication and may also include the sale of medical supplies and other sundry items.

**Place of Assembly** means a *premises* used for the gathering of groups of people and may include facilities for the preparation and consumption of food or drink but shall not include a *place of worship* or *place of entertainment*. But does not include any *cannabis or industrial hemp use* defined in this By-law.

**Place of Entertainment** means a *premises* where entertainment is offered for gain or profit such as an *amusement arcade*, a cinema, billiard or pool rooms, bowling alley, dance hall, public hall, theatre or similar activity for the enjoyment of the general public. But does not include any *cannabis or industrial hemp use* defined in this By-law.

**Place of Worship** means a *premises* used by one or more religious groups for the practice of religious services.

**Planting Strip** means an area which shall be used for no purpose other than landscaping, including decorative rock treatments or other required structural features, a row of trees or a continuous unpierced hedgerow of evergreens or shrubs. The remainder of such *planting strip* shall be used for no purpose other than landscaping features, planting trees, shrubs, flowers, grass or similar vegetation.

**Planting Strip Width** means the least horizontal dimension of a *planting strip* measured perpendicularly to the *lot line* abutting such *planting strip*.

**Play Facility Area** means that portion of a *lot* dedicated to children's outdoor equipment and associated play area.

**Porch** means a roofed open structure projecting from an exterior wall of a *building* and having at least seventy percent of the total area of the vertical planes forming its perimeter unobstructed in any manner except by railings and stairs with access to grade.

**Portable Asphalt Plant** means a temporary facility, to be dismantled at the completion of a construction project, where:

- a) equipment is used to heat and dry mineral aggregate and to mix it with bituminous asphalt to produce asphalt paving material; and
- b) bulk materials used in the process described in clause a) above are kept.

**Precinct** means a designated area of land *use* shown in **Schedule 'A'** in this By-law.

**Premises** means the area of a *building* and *lot* occupied by a business or enterprise. In a multiple tenancy *building* occupied by more than one business, each business area shall be considered a separate *premises*.

**Printing and Processing Service Shop** means a *building* or part of a *building* used by one or more persons who are employed in the management, direction or conducting of an activity, specifically undertaken to aid an industrial or business office use including photocopying, mail processing, receiving, distribution, document finishing, laminating, faxing, and packaging. *Accessory uses* to any industrial or business office activity such as computer graphic services and data processing may also be permitted as part of this operation. This definition shall not include any establishment otherwise defined herein. But does not include any *cannabis* or *industrial hemp* use defined in this By-law.

**Privacy Yard** means a *yard* adjoining an exterior wall of a *dwelling unit* or *mobile home*, clear and unobstructed by any public or common pedestrian access, *driveway* or surface *parking area*, other than a private *driveway* serving only such *dwelling unit* or *mobile home*.

**Private Club** means a non-profit or not-for-profit, non-commercial organization which carries on cultural, social, athletic or recreational activities and includes the *premises* of a fraternal or charitable organization. But does not include any *cannabis* or *industrial hemp* use defined in this By-law.

**Private Road** means a private thoroughfare not under the jurisdiction of the *Corporation*, the Region of Peel or the Province of Ontario and created through the registration of a plan of condominium.

**Privately Owned Public Space (POPs)** means physical space that is privately owned but appears and functions as public space. These spaces: are secured through an easement in favour of the Town; are designed and maintained to the standards established by the Town; and remain open and accessible to the public or on a schedule established by agreement with the Town;

**Produce Storage Building** means a *building* or *structure* used for the storage of *farm* or garden products especially fruits and vegetables, but shall not include the retail sale of produce, but does not include any *cannabis* or *industrial hemp* use defined in this By-law.

**Public Authority** means any department, appointed agency or commission of the Government of Canada, Province of Ontario, Regional Municipality of Peel or Town of Caledon.

**Public Transit Depot** means the *use* of land and/or buildings for the loading and unloading of passengers on and off of trains and/or buses and for the storage or parking of trains and buses, including ticket offices, restaurants, luggage checking facilities, and other related uses.

**Public Use** means any *use* of land, *buildings* or *structures* by or on behalf of a *public authority*.

**Queuing Lane** means an area of land that is used exclusively for *motor vehicles* whose occupants are waiting to be provided with goods, materials or services.

**Queuing Space** means an unobstructed space used by a *motor vehicle* for the purpose of waiting to be provided with goods, materials or services.

**Rapid Infiltration Basin** shall mean a basin or system of basins at or below surface grade that is constructed in porous soil and punctures through a relatively impermeable layer to gain access to a more permeable sand or gravel layer, so as to rapidly infiltrate into the ground, at a single point or area of concentration, surface runoff collected from impervious surfaces.

**Rapid Infiltration Column** shall mean a column or system of columns at or below surface grade that is constructed in porous soil and punctures through a relatively impermeable layer to gain access to a more permeable sand or gravel layer, so as to rapidly infiltrate into the ground, at a single point or area of concentration, surface runoff collected from impervious surfaces.

**Recreation, Intensive** means recreational and open space development and uses, including related facilities, operations and programs, which involve a relatively high degree of human activity, maintenance or management and which can reasonably be expected to negatively affect the form, function or integrity of environmentally sensitive features when assessed either individually or cumulatively and which may include such uses as *parks, playing fields, fairgrounds, campgrounds, golf courses*, ski clubs and other similar uses. But does not include any *cannabis or industrial hemp use* defined in this By-law.

**Recreation, Non-Intensive** means recreational and open space development and uses, including related facilities, operations and programs, involving a relatively low degree of human activity, maintenance or management which, can reasonably be expected to have minimal negative effects on the form, function, or integrity of environmentally sensitive areas when assessed either individually or cumulatively and may include uses such as trails, nature viewing and interpretative opportunities, but does not include uses primarily dependent on the use of motorized vehicles.

**Recreational Trailers and Vehicles** means vehicles or trailers which provide short term occupancy intended and used exclusively for travel, recreation and vacationing, designed to be towed or propelled by a *motor vehicle* or self-propelled, and includes such vehicles commonly known as travel trailers, camper trailers, truck campers, motor homes, boats or other similar vehicles but does not include a *mobile home*.

**Region** means The Regional Municipality of Peel.

**Research Establishment** means a *building or structure* or part of a *building or structure* used for scientific research, tests or investigations, data collection and manipulation or technical development of information, products or devices for scientific application. But does not include any *cannabis or industrial hemp use* defined in this By-law.

**Restaurant** means a *premises*, not including a *drive-through service facility*, in which the principal business is the preparation and serving of food and refreshments to the public for consumption at tables within or outside the *building* and which may include the preparation of food in a ready-to-consume state for consumption off the *premises*. But does not include any *cannabis or industrial hemp use* defined in this By-law.

**Retail Store** means a *building* or part of a *building* in which goods, wares, merchandise, substances, articles or things including antiques, collectibles and convenience items are offered or kept for retail sale or rental to the public.

**Retail Store, Accessory** means a *retail store* accessory to a permitted non-residential use.

**Rooming Unit** means a room or rooms rented as sleeping and living quarters, without cooking facilities and may include an individual bathroom. All rooming units are to be located on the *first* and second *storey*.

**Sales, Service and Repair Shop** means a shop for selling, servicing, repairing, installing or renting items and equipment, including but without limiting the generality of the foregoing: radio or television shop, locksmith shop, small appliance shop, household and carpenter tool shop, shoe repair, a copy shop but shall not include a small engine shop. But does not include any *cannabis* or *industrial hemp* use defined in this By-law.

**Salvage Yard** means an area outside of an enclosed *building* where scrap metal and *motor vehicles* are disassembled and dismantled, or where *motor vehicles* in an inoperable condition or used *motor vehicle* parts are stored or re-sold.

**School** means a Provincially-approved institution for academic instruction and shall include a public, private or separate *school*, a vocational *school*, or a post-secondary *school* such as a college or university.

**Seniors Retirement Facility** means a facility providing accommodation primarily for *persons* or couples where each private unit has a separate entrance from a common hall. Food and lodgings are provided, common lounges, recreation rooms and light care facilities may also be provided.

**Service Building** means a *building* or *structure* used for the purpose of storing or parking maintenance equipment or vehicles, for the purpose of a maintenance workshop, and for the purpose of housing pumps and other works associated with a septic system. But does not include any *cannabis* or *industrial hemp* use defined in this By-law.

**Setback** means the horizontal distance from a property line or defined physical feature measured at right angles from such line or feature to the nearest part of any *building* or *structure* on the *lot*.

**Sewage Treatment Facility** means a *building* or *structure*, approved by the Ministry of the Environment, where domestic or industrial waste is treated.

**Sewer System, Sanitary, Public** means a system of underground conduits, operated by the Region of Peel or by the Ministry of the Environment, which carries sewage to a *sewage treatment facility*.

**Sewer System, Storm** means a sewer which carries storm surface water and storm drainage, but does not carry sewage or industrial waste.

**Shopping Centre** means an integrated commercial development, the function of which shall be to permit a wide range of retail, service and office commercial uses.

**Sight Triangle** means the triangular space on a *lot* formed by 2 intersecting *street lines* and a line drawn from a point on one *street line* across such *lot* to a point in the other *street line*, each

such point being the required distance from the point of intersection of the *street lines* (measured along the *street lines*). Where the 2 *street lines* do not intersect at a point, the point of intersection of the *street lines* shall be deemed to be the intersection of the projection of the *street lines* or the intersection of the tangent to the *street lines*.

**Special Care Home** means a facility where *persons* reside for the primary purpose of receiving 24 hour supervised shelter, support, and/or treatment for psychiatric problems, memory impairment or affective brain disorders where cooking and dining, laundry, cleaning and other facilities are provided on a shared basis and where specialist care is provided, but not to any *persons* not resident in the *Special Care Home*.

**Specialty Food Store** means a *retail store* engaged in the business of selling a limited range of food products such as, but not limited to, a meat shop, a butcher, a fish shop, a cheese shop, a shop selling baked goods, a catering shop selling frozen meals or prepared foods, and may include *accessory* retail and service uses. But does not include any *cannabis* or *industrial hemp* use defined in this By-law.

**Sports Arena** means a *building* or part of a *building*, in which the principal facilities provide for indoor recreational activities such as curling, skating, hockey, lacrosse, broomball, soccer, swimming, tennis or other similar athletic activities, and which facilities may include dressing rooms, concessions for the provision of food and refreshments to the general public, bleachers, equipment for making artificial ice and other such accessory facilities and may include the sale and repair of sports equipment and clothing.

**Storey** means that portion of a *building* or *structure* between any floor level and the floor, ceiling or roof immediately above.

**Storey, First** means the *storey* with its floor closest to *finished grade* and having its ceiling at least 1.8 metres above *finished grade*.

**Stormwater Management Facility** means an end-of-pipe management facility being a detention or retention basin, which may include a permanent pool, designed to temporarily store and treat collected stormwater runoff and release it at a controlled rate.

**Street** means a public thoroughfare under the jurisdiction of either the *Corporation*, the Region of Peel or the Province of Ontario. This definition shall not include a private *lane*, a private right-of-way or a *private road*. Street allowance and “Public Highway” shall have a corresponding meaning.

**Street Access** means, when referring to a *lot*, that such *lot* has a *lot line* or portion thereof which is also a *street line*.

**Street Line** means the limit of a street allowance and is the dividing line between a *lot* and a *street*.

**Street Setback** means the least horizontal distance required between the centre line of a street allowance and the nearest part of any *building envelope* on a *lot* (measured at right angles to such centre line).

**Structure** means anything constructed, the *use* of which requires location on or in the ground, or attached to something having location on or in the ground. Unless otherwise specified, this definition shall not include private septic sewage disposal systems.

**Supermarket** means a *retail store* engaged in the business of selling groceries, meat, fruit and vegetables to the general public and having a minimum *gross floor area* of 2,231m<sup>2</sup>. But does not include any *cannabis or industrial hemp use* defined in this By-law.

**Tourist Establishment** means a commercial establishment designed for the traveling or vacationing public and that has facilities for accommodation and may serve meals or provide kitchen facilities and may furnish equipment, supplies or services to *persons* for recreational purposes, but does not include a *tourist camp or park*.

**Trailer, Tourist** means a trailer capable of being used for the temporary living, sleeping or eating accommodation of *persons* (notwithstanding that its running gear is or may be removed).

**Trailer, Tractor** means a truck consisting of a self-propelled cab designed to have temporarily attached thereto, a trailer on wheels consisting of one or more axles designed to be pulled by a cab for the purpose of carrying goods or materials. Both a cab and trailer component individually or together, licensed or unlicensed, are considered a *tractor trailer* for the purpose of this by-law. *Tractor trailer* does not include a *farm vehicle* or a *commercial motor vehicle*.

**Trailer, Utility** means any portable unit so constructed as to be suitable for attachment to a *motor vehicle* or a *commercial motor vehicle* and capable of being used for the transportation of goods and/or equipment, but does not include a *tractor trailer*.

**Training Facility** means an establishment where training is conducted for profit or gain, which is not under the jurisdiction of a Board as defined in the Education Act and which is not otherwise defined herein. But does not include any *cannabis or industrial hemp use* defined in this By-law.

**Transportation Depot** means a *lot* used principally for the parking, storage, servicing, hiring, loading or unloading of *tractor trailers*, buses or other fleet vehicles such as but not limited to, taxis, limousines and tow truck including owner-operators, and must include a *building* containing a *use* directly related to the parking, storing, dispatching, servicing, hiring, loading or unloading of such fleet vehicles. This may include the temporary storage of goods or wares prior to shipment, and/or a *maintenance building* but does not include a *tractor trailer repair facility*, *motor vehicle body shop*, *motor vehicle compound*, *motor vehicle repair facility*, *motor vehicle service centre* or *motor vehicle towing facility*. But does not include any *cannabis or industrial hemp use* defined in this By-law.

**Use** means the purpose for which any portion of a *lot*, *building* or *structure* is designed, arranged, intended, occupied or maintained. Unless otherwise specified, this definition shall not include private septic sewage disposal systems.

**Use, Accessory** means a *use* which is clearly incidental, subordinate in size and exclusively devoted to a *main building* or *main use* and located on the same *lot* therewith.



**Vehicle, Tourist** means a self-propelled vehicle capable of being used for the temporary living, sleeping or eating accommodation of persons. This definition may include, but is not limited to, a bus, motor home, truck or van if equipped as above.

**Veterinary Hospital** means a *building* or part of a *building* that is used by a veterinarian and associated staff for the purpose of treatment, care or grooming of large and small animals, including livestock and birds. This definition shall not include any *Kennel* as defined in this By-law.

**Video Outlet/Rental Store** means an establishment where pre-recorded video tape, video discs, game cartridges, DVD's or other similar pre-recorded materials are offered for rent or sale and where video cameras or video players/recorders may be offered for rent and may include the accessory sale of snack foods, but shall not include the sale of electronic video equipment and other electronic home entertainment products or an *Adult Video Store*.

**Walkway, Private** means a walkway created through the registration of a plan of condominium.

**Walkway, Public** means a walkway which is owned, operated and maintained by a *public authority* for use by the general public.

**Warehouse** means a *premises* used primarily for the storage and distribution of goods, wares, merchandise, substances or articles but shall not include facilities for a *transportation depot*. But does not include any *cannabis* or *industrial hemp* use defined in this By-law.

**Warehouse, Public Self-Storage** means a *warehouse* where individual, indoor storage areas are made available to the public for the temporary storage or keeping of goods. But does not include any *cannabis* or *industrial hemp* use defined in this By-law.

**Warehouse, Retail** means a *warehouse* where the entire *floor area* of the *use* is occupied by a single user and features the integrated storage and retail sale of goods to the general public in a *warehouse* format and which serves a large trade area. But does not include any *cannabis* or *industrial hemp* use defined in this By-law.

**Warehouse, Wholesale** means a *warehouse* or portion thereof in which goods, wares, merchandise or articles are stored or kept for sale in large bulk or quantity for supply from the *premises* primarily to a *person* other than the ultimate consumer. The display of items for sale is permitted provided it is clearly accessory to the primary *warehouse* or *wholesale use*. But does not include any *cannabis* or *industrial hemp* use defined in this By-law.

**Water Supply Plant** means a *building* or *structure*, approved by the Ministry of the Environment, where water is treated for human consumption.

**Water System, Public** means a distribution system of underground piping and related storage, including pumping and purification appurtenances, owned and operated by the Region of Peel or by the Ministry of the Environment.

**Wellhead Protection Areas** means those areas around municipal wells, as identified by the Region of Peel, in which policies and provisions may be implemented in order to protect the

integrity of the groundwater resource. The extent of wellhead protection areas is defined by the travel time for flows of groundwater to the municipal well. The WP5 area is that area within which the travel time for a potential contaminant would be between 0 and 5 years. The WP10 area is that area within which the travel time for a contaminant would be between 5 and 10 years.

**Wellness Centre** means a *premises* devoted to the actively sought goal of good health and includes the teaching and practice, in both individual and group sessions, of a range of holistic, alternative and integrative natural health practices and may include meditation, acupuncture, shiatsu, massage therapies, yoga, and healthy eating programs. But does not include any *cannabis or industrial hemp use* defined in this By-law.

**Yard** means an open, uncovered space on a *lot*, appurtenant to a *building* and unoccupied by *buildings* except as specifically permitted in this By-law.

**Yard, Exterior Side** means the *yard* extending from the *exterior side lot line* to the nearest wall of the *main building* on the *lot* but does not include any portion of the *front* or *rear yards*.

**Yard, Front** means a *yard* extending across the full width of the *lot* between the *front lot line* and the nearest front wall of the *main building* located on the *lot*.

**Yard, Interior Side** means a *yard* extending from the *interior side lot line* to the nearest side wall of the *main building* on the *lot* but does not include any portion of the *front* or *rear yards*.

**Yard, Rear** means a *yard* extending across the full width of the *lot* between the *rear lot line* and the nearest rear wall of the *main building* located on the *lot* but does not include any portion of the *exterior side yard*.

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## SECTION 4: GENERAL PROVISIONS

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### 4.1 ACCESSORY OPEN STORAGE & OUTSIDE DISPLAY OR SALES AREA REGULATIONS

- 4.1.1 No *accessory outside display or sales area* shall comprise more than 35% of the *lot area*.
- 4.1.2 No *accessory outside display or sales area* shall encroach into or upon a *parking area*.
- 4.1.3 Each *accessory outside display or sales area* shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.
- 4.1.4 Unless otherwise specified, no *accessory open storage area* shall exceed 6m in height.
- 4.1.5 Unless otherwise specified no more than 50% of the lot area shall be used for an *accessory open storage area*.
- 4.1.6 Unless otherwise specified all *accessory open storage areas* shall be screened by a solid board fence or a chain link fence with opaque fencing material which is a minimum of 2 m high.

### 4.2 ACCESSORY USES

- 4.2.1 Any use, building or structure which is accessory to a permitted use in a *Precinct* shall be permitted in such *Precinct*. However, none of the following accessory uses shall be permitted in any *Precinct* unless such accessory use is listed as a permitted use in such *Precinct*:
- a *building* or portion thereof used as a *dwelling unit*;
  - an *accessory gasoline pump island*;
  - a *drive through service facility*;
  - an *accessory maintenance garage*;
  - a *home occupation*;
  - an *accessory open storage area*;
  - an *accessory outdoor seasonal garden centre*; and

- an *accessory outside display or sales area*.

**4.2.2** Unless otherwise specified, in addition to the requirements of Section 4.2.1, buildings and structures accessory to a residential use are permitted subject to the following provisions:

- i) The *accessory building or structure* shall be located only
  - a. in an *interior side yard* with a minimum *setback* of 1.2 metres from the *interior side lot line*.
  - b. a *rear yard* with a minimum *setback* of 0.6 metres from the *rear lot line* and 1.2 metres from the *interior side lot line*.
  - c. in a *front yard* or *exterior side yard* on lots having a total area of 0.4 ha or greater with a minimum *setback* to the *front lot line* and *exterior side lot line* equal to the minimum *yard* requirement of the applicable *Precinct* and a minimum *setback* from any other *lot line* of 1.5 metres.
- ii) The total *building area* of all *accessory buildings* shall not exceed 5% of the *lot area* on which it is located and shall not exceed the maximum *building area* permitted in the *Precinct* in which it is located.
- iii) The maximum height of an *accessory building or structure* is 4.5 metres.
- iv) The minimum *building separation* is 1.5 metres.

**4.2.3** Where there is no minimum setback specified for a permitted accessory building, the minimum yard requirement of the applicable *Precinct* shall apply.

**4.2.4** The maximum *net floor area* for an accessory office is 15% of the total *net floor area* of the unit or *building* containing the permitted *use* to which it is *accessory*.

### **4.3 ACCESS REGULATIONS**

**4.3.1** Notwithstanding any other provision in this By-law, no building or structure shall be erected on a lot that does not have frontage and access to a public street or on a private street.

**4.3.2** The minimum *entrance separation* shall be 22.5 metres.

**4.3.3** The maximum *entrance width* shall be 12.5 metres.

#### 4.4 AIR CONDITIONERS AND HEAT PUMPS

Air Conditioners and Heat Pumps shall be permitted in either a *rear* or *interior side yard* provided they are located no closer than 0.6 metres from any *lot line* or in any *exterior side yard* provided the minimum *exterior side yard* requirement is met.

#### 4.5 CONSTRUCTION USES

- 4.5.1** A prefabricated or easily transportable *building* or *structure* which is incidental to the construction of the *main building* on a *lot* where such *main building* or *structure* is situated shall be permitted, but must be removed within 30 days of the Building Interior Final inspection being approved by the Town.

#### 4.6 DRIVE-THROUGH SERVICE FACILITIES

- 4.6.1** Establishment of any *drive-through service facility* shall require a Community Planning Permit.
- 4.6.2** A maximum of two (2) *queuing lanes* shall be permitted for each *drive-through service facility*.
- 4.6.3** All *queuing spaces* shall have a minimum length of 6 metres and a minimum width of 3 metres.
- 4.6.4** The *queuing lane* leading to the last point of the *order station* shall accommodate minimum *queuing space* requirements as set out below, plus one space for each point of service delivery.

Permitted Uses with Drive-through Service Facilities	Minimum No. of Spaces
Restaurants	8
Motor Vehicle Washing Establishment	10
All Other Uses	3

- 4.6.5** *Queuing lanes* shall only be located in the *rear yard* or *side yard* and not between the *drive-through service facility* and a *street*.
- 4.6.6** *Queuing lanes* shall be clearly delineated by a curbed barrier and shall be independent of any parking, loading or delivery area.
- 4.6.7** An escape lane is required where there are more than 10 *queuing spaces* required except where the *drive-through service facility* has 2 *queuing lanes*.

- 4.6.8** In addition to any other planting strip requirements otherwise set out, a minimum 2-metre-wide *planting strip* is required on both sides of a *queuing lane* except where the lane is adjacent to a *building*.

#### **4.7 FENCES**

Unless otherwise provided herein, nothing in this By-law shall apply to prevent the construction, *alteration* or *use* of any fence, provided such fence complies with the By-laws and/or standards of the *Corporation* regulating fences and provided such fence complies with the provisions of this By-law regarding *sight triangles* and *building envelopes*.

#### **4.8 GARBAGE ENCLOSURES, PRIVATE**

*Private Garbage Enclosures* shall comply with the following:

- a) shall be located outside of any required landscaped area; and
- b) shall not be located on any required *parking area* or obstruct any required *parking space*.

#### **4.9 HEIGHT EXCEPTIONS**

- 4.9.1** The *building* or *structure* height provisions of this By-law shall not apply to the following *uses*:

- an air handling duct;
- a bridge;
- a chimney;
- an elevator penthouse;
- a flag pole;
- a railroad signal;
- a skylight;
- a spire;

- a water storage tank.
- rooftop solar panels
- green roof vegetation

**4.9.2** Any *building* or *structure* will be subject to the maximum *building height* provisions of the applicable *Precinct*.

#### **4.10 HOME OCCUPATIONS**

A home occupation shall not be permitted in any *Precinct* unless it complies with the following provisions:

**4.10.1** No more than 25% of the dwelling unit area shall be used for the purpose of a home occupation use.

**4.10.2** No accessory building shall be constructed, altered or used for the purposes of a home occupation.

**4.10.3** Any dwelling unit containing a home occupation shall be occupied as a residence by the operator.

**4.10.4** Not more than 1 person, other than an occupant of the dwelling unit containing the home occupation, shall be engaged in the home occupation.

**4.10.5** There shall be no external display or advertising on the lot, other than a lawful sign, to indicate to persons outside that any part of the house, dwelling unit or lot is being used for a purpose other than residential.

**4.10.6** On any lot containing a home occupation, there shall be no goods, wares or merchandise, other than those produced on the premises, offered or displayed for sale or rent on such premises.

**4.10.7** No part of any lot containing a home occupation shall be used as an accessory open storage area to that home occupation use.

#### **4.11 INFRASTRUCTURE**

Nothing in this By-law shall prevent the *use* of land for a *street* or prevent the installation and maintenance of a water main, sanitary sewer main, storm drainage works, *stormwater management facility*, flood control works, sustainable energy infrastructure and associated pipes, gas main, gas or oil pipeline, lighting fixture, or overhead or underground electrical, telephone or other supply or communication line, distribution station or *structure* clearly ancillary to the foregoing, provided that the location of such *street*, main, line, fixture or *structure* has been approved by the *Corporation* or the Region. Notwithstanding the preceding sentence, this approval by the *Corporation* shall not be required for any public works project where the location of the facilities which make up such project have been

authorized pursuant to the Environmental Assessment Act or the Canadian Environmental Assessment Act.

#### **4.12 LOTS CONTAINING MORE THAN ONE USE**

Where a *lot* contains more than one *use* which is not an *accessory use*, the *lot area* requirement shall be the sum of the requirements for each separate *use*. The *lot frontage* requirement shall be the greatest of the *lot frontage* requirements for each separate *use* in the *Precinct* where such *lot* is located.

#### **4.13 MINOR VARIANCE APPROVALS**

Where the Committee of Adjustment of the Town of Caledon or the Ontario Land Tribunal (OLT) has authorized a Minor Variance from the provisions of Zoning By-law 87-250, in respect of any land, *building* or *structure* and the decision of the Committee of Adjustment of the Town or the OLT authorizing such Minor Variance has become final and binding, the provisions of this By-law, as they apply to such land, *building* or *structure*, shall be deemed to be modified to the extent necessary to give effect to such Minor Variance and the land, *building* or *structure* shall be deemed to comply with this By-law in so far as it relates to the approved variance.

#### **4.14 MODEL HOMES AND TEMPORARY SALES STRUCTURES**

Model homes and a temporary sales *structure* shall be permitted subject to all of the following:

- 4.14.1** The lands on which the model homes are to be constructed have received approval for a community planning permit.
- 4.14.2** The location of the model homes shall comply with the provisions of this By-law.
- 4.14.3** One (1) temporary sales *structure* may be located on lands which are the subject of a draft approved plan of subdivision or condominium in any *Precinct*, provided that:
  - i) the temporary sales *structure* is located in accordance with the *zone* provisions for the *zone* in which it is located;
  - ii) a Temporary Sales *Structure* or similar Agreement has been executed with the Town; and,
  - iii) a minimum of 1 *parking space* shall be provided for each 20 m<sup>2</sup> of *net floor area* of the sales structure.



#### 4.15 NON-COMPLYING BUILDINGS, STRUCTURES AND LOTS

##### 4.15.1 Nothing in this By-law shall prevent:

- a) the enlargement, reconstruction, renovation or repair of an *existing non-complying building or structure* or the enlargement, reconstruction, renovation or repair of an existing *building or structure* on a *non-complying lot* provided such enlargement, reconstruction, renovation or repair shall not further contravene any *existing* non-compliance and any other *Precinct* provisions.
- b) Nothing in this By-law applies to prevent the expansion of an existing institutional *use*, if the applicant demonstrates that,
  - i. the *use* lawfully existed on the date of passing of this By-law, and
  - ii. there will be no change in *use*; and
  - iii. the proposed development shall not further contravene any existing non-compliance or any other applicable *Precinct* provisions.

##### 4.15.2 Nothing in this By-law shall prevent the *use* of an *existing* vacant *lot* which has a lesser *lot* area or *lot frontage* than the applicable minimum *lot area* or minimum *lot frontage* required herein provided:

- a) the proposed *use* of such *lot* is a permitted *use*; and
- b) the proposed *use, building or structure* shall not contravene any other *Precinct* provisions.

##### 4.15.3 No person shall be deemed to have contravened any provision of this By-law by reason of the fact that any part or parts of any *lot* has or have been or is or are conveyed to or acquired by the *Corporation*, the Region, any local board of the *Corporation* or the Region, any Authority, Board, Commission or Ministry established under any statute of Ontario or Canada, any telephone or telegraph company, any public utility corporation or any railway company authorized under the Railway Act.

##### 4.15.4 Where an *existing non-complying building, structure or lot* is the subject of a planning application or approval, no *building, structure or lot* shall be deemed to be in contravention of any provision of this By-law if the amount of the non-compliance is not being increased.

##### 4.15.5 Where an *existing non-complying building or structure*, including the foundation therefore, is demolished or removed, the *building or structure* will be deemed to be non-existent and Section 4.15 will no longer apply thereto except that, if one building permit is issued for the demolition and reconstruction of such *building* or a demolition permit has been issued therefore within the last five (5) years, Section 4.15 will continue to

apply.

#### 4.16 NON-CONFORMING BUILDINGS AND STRUCTURES

- 4.16.1** Nothing in this By-law shall prevent the *use* of any *lot, building or structure* for any purpose prohibited by this By-law if such *lot, building or structure* was lawfully used for such purpose on the effective date of this By-law and for so long as it continues to be used for that purpose.
- 4.16.2** Nothing in this By-law shall prevent the rebuilding or repair of an *existing non-conforming building or structure* that is damaged, destroyed or demolished subsequent to the effective date of this By-law, provided that rebuilding or repair will not increase any external dimensions of the original *building or structure* and the *use* of the *building or structure* is not *altered*, unless *altered* to a permitted *use*.
- 4.16.3** Nothing in this By-law shall prevent the strengthening to a safe condition of an *existing non-conforming building or structure* provided that the external dimensions of the original *building or structure* are not increased, the strengthening or expansion will not change the location of any *building or structure* and the *use* of the *building or structure* is not *altered*, unless *altered* to a permitted *use*.

#### 4.17 PERMITTED ENCROACHMENTS

The following structural projections from a principal *building* are permitted to encroach into any required *yard* in accordance with the following provisions:

Permitted Ornamental <i>Structure</i>	Maximum Permitted Distance of Encroachment into a Required <i>Yard</i>
Bay windows/Eaves	0.6m
Balconies or <i>Decks</i>	2m
Sills, cornices, parapets, pilasters, or other similar ornamental <i>structures</i>	1m
Canopies/Porticos/Uncovered steps	2m
Chimneys or vents	0.6m

Drop awnings, flag poles, garden trellises, retaining walls or other similar <i>accessory structures</i>	Permitted in any required <i>yard</i> .
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#### 4.18 PLANTING STRIPS

**4.18.1** A *planting strip* referred to in this subsection may form part of any *landscaping area* required by this By-law.

**4.18.2** Where a *driveway* or *walkway* extends through a *planting strip*, it shall be permissible to interrupt the *planting strip* within 3 metres of the edge of such *driveway* or within 1.5 metres of the edge of such *walkway*.

#### 4.19 PROHIBITED USES

**4.19.1** No *person* shall, within the *Precinct* area, use any land or *construct, alter* or use any *building* or *structure* for any of the following purposes:

- an *adult entertainment parlour, live*;
- an ammonia, bleaching powder or chlorine manufacturing *use*;
- an ammunition manufacturing or storage *use*;
- an animal black or bone black manufacturing *use*;
- an animal glue or fish glue manufacturing *use*;
- an animal hide storage *use*;
- an arsenal;
- an asphalt manufacturing or refining *use*;
- a blast furnace;
- a blood boiling *use*;
- a *body rub parlour*;
- a carbon manufacturing *use*;

- a chemical processing *use*;
- a coal yard;
- a coal oil refining *use*;
- a coke oven;
- a *drag strip facility*;
- an explosives manufacturing or storage *use*;
- a fertilizer manufacturing *use*;
- a fireworks manufacturing or storage *use*;
- a fish oil extraction *use*;
- a fowl killing establishment;
- a gas manufacturing *use*;
- a grease, lard or tallow manufacturing or refining *use*;
- an industrial liquid waste treatment or storage *use*;
- a kerosene distillation or refining *use*;
- a metal smelting *use*;
- a *motocross circuit*;
- a *motor vehicle race track*;
- a *noxious use*;
- a noxious waste disposal area;
- an *Open Storage Use*;
- a petroleum distillation or refining *use*;
- a rendering plant;
- a rolling mill;
- a soap boiling *use*;

- a tannery;
- a tar distillation or manufacturing *use*;
- a tripe boiling *use*.

#### **4.20 PUBLIC USES**

**4.20.1** Nothing in this By-law shall prevent the *use* of land in any part of the *Precincts* for the following *Public Uses*:

- a *Community Centre*;
- an *Emergency Service Facility*;
- a *Government Office*;
- a *Hospital*;
- a Post Office;
- a *Public Library*;
- a *Public Park* or Recreational Facility;
- a *School*;
- a *Stormwater Management Facility*, approved by the appropriate approval authority and where applicable, the Conservation Authority;
- a *Storm Sewer System*, approved by the appropriate approval authority and where applicable, the Conservation Authority;
- a Public Works Yard.

Except as provided above, the only *Public Uses* permitted in a specific *Precinct* shall be those *Public Uses* listed as permitted *uses*.

**4.20.2** Any *Public Use* shall comply with all *Precinct* provisions for the *Precinct* in which it is located.

**4.20.3** Any above-ground, utility or *public use* of a non-linear nature shall be enclosed in a *building* designed, located and maintained in general harmony with the *buildings* permitted in the *Precinct*.

#### 4.21 REFERENCES TO LEGISLATION

**4.21.1** Where this By-law makes reference to a provincial or federal Act or regulation and specific sections, sub-sections or clauses thereto, no amendment to this By-law is required where there is a change in the name of the legislation or a change in the numbering of the sections, sub-sections or clauses of the Provincial or Federal Act or regulations.

#### 4.22 SATELLITE DISHES

Satellite dish antennae are permitted in any *Precinct* provided that ground mounting within the *front yard* or *exterior side yard* of a *lot* is prohibited.

#### 4.23 SETBACK FROM RAILROAD

No part of any *dwelling unit* shall be located within 30 metres of a railroad right-of-way.

#### 4.24 SIGHT TRIANGLES

Notwithstanding any other provisions of this By-law, on a *corner lot*, within the *sight triangle*, the following provisions shall apply:

**4.24.1** The distance from the point of intersection of the *street lines* and forming the *sight triangle* shall be 9 metres, except where one of the *street lines* is a Regional Road, where the distance shall be 15 metres.

**4.24.2** Within any area defined as a *sight triangle*, the following uses shall be prohibited:

- a) a *building, structure, utilities box* or *use* which would obstruct the vision of drivers of vehicles;
- b) a fence, or landscaping, the top of which exceeds 1 metre in height above the elevation of the *street*;
- c) any portion of a *parking space*;
- d) a berm or other ground surface which exceeds the elevation of the *street* by more than 0.5 metres;
- e) a sign, the body of which is less than 4 metres above the elevation of the *street*.

The provisions of this clause shall not apply at any intersection controlled by traffic signal lights.

#### **4.25 SPECIAL SETBACKS**

Notwithstanding any other provisions in this By-law, the following special *setbacks* shall apply:

- 4.25.1** Natural Gas Distribution Systems - No *building* or *structure* shall be located any closer than 7 metres to any natural gas pipeline right-of-way, or any above-ground natural gas facility or equipment operated as part of a natural gas distribution system;

#### **4.26 TOURIST TRAILERS AND MOBILE HOMES**

##### **4.26.1 Location of *Tourist Trailers*:**

No *tourist trailer* shall be constructed, *altered* or used in any portion of the *Precinct* area.

##### **4.26.2 Location of *Mobile Homes***

No *mobile home* shall be constructed, *altered* or used in any portion of the *Precinct* area.

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## SECTION 5: PARKING, LOADING AND DELIVERY STANDARDS

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### 5.1 APPLICABILITY OF THIS SECTION

- a) The *parking, loading and delivery space* requirements of this section of the By-law shall not apply to any *building* in existence at the date of passing of this By-law so long as the *floor area*, as it existed at such date, is not increased or if the *building or structure* is used for a purpose that requires more *parking spaces*.
- b) If an addition is made to the *building* that increases the *floor area*, additional *parking, loading and delivery spaces* shall be provided for the additional *floor area* only, as required by the regulations of this By-law.

### 5.2 PARKING

#### 5.2.1 Restriction On Use Of Land, Buildings And Structures

No *person* shall use any land, *building* or *structure* in any *Precinct* for any purpose permitted by this By-law, unless *parking spaces* are provided in accordance with the provisions of this Section of the By-law.

#### 5.2.2 Residential *Parking* Requirements

The number of *parking spaces* required for residential *uses* shall be calculated in accordance with the standards set out in **Table 5.1**:

**TABLE 5.1**

Type or Nature of Use	Minimum Off-Street <i>Parking</i> Requirements
<i>Apartment, Accessory</i>	1 <i>parking space</i> per <i>dwelling unit</i> . Where there is a transit stop within 400 metres of the lot, the parking space requirement for the first dwelling unit can be waived.
<i>Bed &amp; Breakfast Establishment</i>	1 <i>parking space</i> per <i>guest room</i> , in addition to the minimum <i>parking</i> requirement for a <i>detached dwelling</i>
<i>Building, Apartment</i>	1 <i>parking spaces</i> per <i>dwelling unit</i> + 0.2 <i>parking spaces</i> per unit for visitor parking in a designated visitor <i>parking area</i>
<i>Day Care, Private Home</i>	No requirement
<i>Dwelling, Back-to-Back Townhouse</i>	2 <i>parking spaces</i> per <i>dwelling unit</i> plus 0.25 visitor <i>parking spaces</i> for each <i>dwelling unit</i> . Such visitor <i>parking spaces</i> shall not be located on exclusive use lands
<i>Dwelling, Townhouse</i>	2 <i>parking spaces</i> per <i>dwelling unit</i> + 0.25 <i>parking spaces</i> per unit for visitors on a <i>lot</i> with four or more <i>dwelling units</i>



<i>Dwelling Unit, Accessory</i>	1 parking space per dwelling unit. Where there is a transit stop within 400 metres of the lot, the parking space requirement for the first dwelling unit can be waived.
<i>Home Occupation</i>	<i>Parking spaces</i> in addition to the required parking for the residential use shall be provided in accordance with the following: <ul style="list-style-type: none"> <li>• 0-10m<sup>2</sup> - no additional <i>parking spaces</i></li> <li>• &gt;10m<sup>2</sup> - 1 <i>parking space</i></li> </ul>
<i>Seniors Retirement Facility</i>	1 <i>parking spaces</i> per dwelling unit + 0.2 <i>parking spaces</i> per unit for visitor parking in a designated visitor <i>parking area</i>

### 5.2.3 Non-Residential *Parking Requirements*

The number of *parking spaces* required for non-residential *uses* shall be calculated in accordance with the standards set out in **Table 5.2**:

**TABLE 5.2**

<b>Type or Nature of Use</b>	<b>Minimum Off-Street <i>Parking Requirements</i></b>
<i>Adult Day Centre</i>	1 <i>parking space</i> per staff member + 1 <i>parking space</i> per 30 m <sup>2</sup> of <i>net floor area</i> or portion thereof
<i>Animal Hospital</i>	1 <i>parking space</i> per 16.5 m <sup>2</sup> of <i>net floor area</i> or portion thereof
<i>Art Gallery</i>	1 <i>parking space</i> per 100 m <sup>2</sup> of <i>net floor area</i> or portion thereof where no retail; 1 per 60 m <sup>2</sup> or portion thereof where retail component
<i>Artisan Operation</i>	1 <i>parking space</i> per 100 m <sup>2</sup> of <i>net floor area</i> or portion thereof where no retail; 1 per 60 m <sup>2</sup> or portion thereof where retail component
<i>Artist Studio &amp; Gallery</i>	1 <i>parking space</i> per 100 m <sup>2</sup> of <i>net floor area</i> or portion thereof where no retail; 1 per 60 m <sup>2</sup> or portion thereof where retail component
<i>Bakery</i>	1 <i>parking space</i> per 20 m <sup>2</sup> of <i>net floor area</i> or portion thereof
<i>Business Office</i>	1 <i>parking space</i> per 30 m <sup>2</sup> of <i>net floor area</i> or portion thereof
<i>Cannabis-Related Use – Indoor</i>	1 <i>parking space</i> per 100 m <sup>2</sup> of <i>gross floor area</i> or portion thereof
<i>Clinic</i>	1 <i>parking space</i> per 16.5 m <sup>2</sup> of <i>net floor area</i> or portion thereof
<i>Club</i>	1 <i>parking space</i> per 15 m <sup>2</sup> of <i>net floor area</i> or portion thereof
<i>Community Centre</i>	1 <i>parking space</i> per 15 m <sup>2</sup> of <i>net floor area</i> or portion thereof

<i>Day Nursery</i>	1 <i>parking space</i> per staff member + 1 <i>parking space</i> per 30 m <sup>2</sup> of <i>net floor area</i> or portion thereof
<i>Dry Cleaning or Laundry Plant</i>	1 <i>parking space</i> per 20 m <sup>2</sup> of <i>net floor area</i> or portion thereof
<i>Dry Cleaning or Laundry Outlet</i>	1 <i>parking space</i> per 20 m <sup>2</sup> of <i>net floor area</i> or portion thereof
<i>Factory Outlet</i>	1 <i>parking space</i> per 20 m <sup>2</sup> of <i>net floor area</i> or portion thereof
<i>Financial Institution</i>	1 <i>parking space</i> per 25 m <sup>2</sup> of <i>net floor area</i> or portion thereof
<i>Fitness Centre</i>	1 <i>parking space</i> per 15 m <sup>2</sup> of <i>net floor area</i> or portion thereof
<i>Funeral Home</i>	1 <i>parking space</i> per 20 m <sup>2</sup> of <i>net floor area</i> or portion thereof
<i>Golf Course</i>	12 <i>parking spaces</i> per hole
<i>Hospital</i>	1.5 <i>parking spaces</i> per bed
<i>Hotel</i>	1 <i>parking space</i> per <i>guest room</i> , plus 1 <i>parking space</i> per 10 m <sup>2</sup> or portion thereof of <i>net floor area</i> devoted to meeting, dining and banquet facilities.
<i>Industrial Hemp-Related Use - Indoor</i>	1 <i>parking space</i> per 100m <sup>2</sup> of <i>gross floor area</i> or portion thereof
<i>Industrial Use</i>	<p>a) If accessory office and retail <i>net floor areas</i> are 15% or less of the total <i>net floor area</i>:</p> <ul style="list-style-type: none"> <li>Up to 5,000 m<sup>2</sup> – 1 <i>parking space</i> per 60 m<sup>2</sup> <i>net floor area</i> or portion thereof</li> <li>5,000 to 10,000 m<sup>2</sup> – 83 <i>parking spaces</i>, plus 1 <i>parking space</i> per 90 m<sup>2</sup> of <i>net floor area</i> or portion thereof over 5,000 m<sup>2</sup></li> <li>Over 10,000 m<sup>2</sup> – 139 <i>parking spaces</i>, plus 1 <i>parking space</i> per 170 m<sup>2</sup> or portion thereof of <i>net floor area</i> or portion thereof over 10,000 m<sup>2</sup></li> </ul> <p>b) If associated office and retail <i>net floor areas</i> are more than 15% of the total <i>net floor area</i>:</p> <p>In addition to the standards contained above in (a), the applicable <i>net floor areas</i> exceeding 15% shall be subject to the applicable office or retail parking requirements</p>
<i>Laundromat</i>	1 <i>parking space</i> per 20 m <sup>2</sup> of <i>net floor area</i> or portion thereof
<i>Library</i>	1 <i>parking space</i> per 30 m <sup>2</sup> of <i>net floor area</i> or portion thereof
<i>Light Equipment Rental Establishment</i>	1 <i>parking space</i> per 20 m <sup>2</sup> of <i>net floor area</i> or portion thereof

<i>Long Term Care Facility</i>	0.5 <i>parking spaces</i> per bed
<i>Medical Centre</i>	1 <i>parking space</i> per 16.5 m <sup>2</sup> of <i>net floor area</i> or portion thereof
<i>Medical Laboratory</i>	1 <i>parking space</i> per 16.5 m <sup>2</sup> of <i>net floor area</i> or portion thereof
<i>Merchandise Service Shop</i>	1 <i>parking space</i> per 20 m <sup>2</sup> of <i>net floor area</i> or portion thereof
<i>Motel</i>	1 <i>parking space</i> per <i>guest room</i> , plus 1 <i>parking space</i> per 10 m <sup>2</sup> or portion thereof of <i>net floor area</i> devoted to meeting, dining and banquet facilities.
<i>Motor Vehicle Body Shop</i>	3 <i>parking spaces</i> per service bay plus 1 <i>parking space</i> per 20 m <sup>2</sup> or portion thereof of <i>net floor area</i> for the office and any retail use
<i>Motor Vehicle Gas Bar</i>	1 <i>parking space</i> per 20 m <sup>2</sup> or portion thereof of <i>net floor area</i> exclusive of fuel dispensing spaces
<i>Motor Vehicle Repair Facility</i>	3 <i>parking spaces</i> per service bay plus 1 <i>parking space</i> per 20 m <sup>2</sup> or portion thereof of <i>net floor area</i> for the office and any retail use
<i>Motor Vehicle Service Centre</i>	3 <i>parking spaces</i> per service bay plus 1 <i>parking space</i> per 20 m <sup>2</sup> or portion thereof of <i>net floor area</i> for the office and any retail use
<i>Motor Vehicle uses not otherwise listed</i>	1 <i>parking space</i> per 20 m <sup>2</sup> or portion thereof of <i>net floor area</i> exclusive of display and storage parking
<i>Museum</i>	1 <i>parking space</i> per 100 m <sup>2</sup> of <i>net floor area</i> or portion thereof where no retail; 1 per 60 m <sup>2</sup> or portion thereof where retail component
<i>Park</i>	5 <i>parking spaces</i> per hectare or portion thereof
<i>Personal Service Shop</i>	1 <i>parking space</i> per 20 m <sup>2</sup> of <i>net floor area</i> or portion thereof
<i>Place of Assembly</i>	1 <i>parking space</i> per 15 m <sup>2</sup> of <i>net floor area</i> or portion thereof
<i>Place of Entertainment</i>	the greater of 1 <i>parking space</i> per 6 seats capacity or 1 <i>parking space</i> per 10m <sup>2</sup> of <i>net floor area</i> or portion thereof
<i>Place of Worship</i>	the greater of 1 <i>parking space</i> per 6 persons design capacity of the worship area or 1 <i>parking space</i> for 10 m <sup>2</sup> of <i>net floor area</i> or portion thereof of the worship areas and any <i>accessory use</i> areas, excluding residential uses.
<i>Printing &amp; Processing Service Shop</i>	1 <i>parking space</i> per 20 m <sup>2</sup> of <i>net floor area</i> or portion thereof
<i>Recreational Use</i>	30 <i>parking spaces</i> per ball field 30 <i>parking spaces</i> per soccer field 4 <i>parking spaces</i> per tennis court
<i>Research Establishment</i>	1 <i>parking space</i> per 30 m <sup>2</sup> of <i>net floor area</i> or portion thereof

<i>Restaurant</i>	1 <i>parking space</i> per 15 m <sup>2</sup> of <i>net floor area</i> or portion thereof
<i>Retail Store</i>	1 <i>parking space</i> per 20 m <sup>2</sup> of <i>net floor area</i> or portion thereof
<i>Sales Service and Repair Shop</i>	1 <i>parking space</i> per 20 m <sup>2</sup> of <i>net floor area</i> or portion thereof
<i>School</i>	Elementary – 1 <i>parking space</i> per 100 m <sup>2</sup> of <i>gross floor area</i> or portion thereof and 1 <i>parking space</i> per portable  Secondary – 1.5 <i>parking spaces</i> per 100 m <sup>2</sup> of <i>gross floor area</i> or portion thereof and 1 <i>parking space</i> per portable classroom
<i>Studio</i>	1 <i>parking space</i> per 100 m <sup>2</sup> of <i>net floor area</i> or portion thereof
<i>Sports Arena</i>	1 <i>parking space</i> per 15 m <sup>2</sup> of <i>net floor area</i> or portion thereof
<i>Training Facility</i>	1 <i>parking space</i> per 30 m <sup>2</sup> of <i>net floor area</i> or portion thereof
<i>Transportation Depot</i>	a) If associated office or retail <i>net floor areas</i> are 15% or less of the total <i>net floor area</i> : <ul style="list-style-type: none"> <li>Up to 7,000 m<sup>2</sup> – 1 <i>parking space</i> per 90 m<sup>2</sup> <i>net floor area</i> or portion thereof; 7,000 to 20,000 m<sup>2</sup> – 78 <i>parking spaces</i>, plus 1 <i>parking space</i> per 145 m<sup>2</sup> of <i>net floor area</i> or portion thereof over 7000 m<sup>2</sup></li> <li>Over 20,000 m<sup>2</sup> – 168 <i>parking spaces</i>, plus 1 <i>parking space</i> per 170 m<sup>2</sup> of <i>net floor area</i> or portion thereof over 20,000 m<sup>2</sup></li> </ul> b) If associated office or retail <i>net floor areas</i> are more than 15% of the total <i>net floor area</i> :  In addition to the standards contained above in (a), the applicable <i>net floor areas</i> exceeding 15% shall be subject to the applicable office or retail parking requirements
<i>Warehouse, Public Self-Storage</i>	1 <i>parking space</i> per 30 m <sup>2</sup> of <i>net floor area</i> or portion thereof within the office; plus 1 <i>parking space</i> per 100 m <sup>2</sup> of <i>net floor area</i> or portion thereof of the <i>building</i>
<i>Wellness Centre</i>	1 <i>parking space</i> per 15 m <sup>2</sup> of <i>net floor area</i> or portion thereof
<i>Veterinary Hospital</i>	1 <i>parking space</i> per 16.5 m <sup>2</sup> of <i>net floor area</i> or portion thereof
<i>Uses permitted by this By-law other than those listed in this Table</i>	1 <i>parking space</i> per 45 m <sup>2</sup> of total <i>floor area</i> or portion thereof

**5.2.4 Calculation Of *Parking, Loading and Delivery* Requirements**

Where the minimum number of *parking, loading or delivery spaces* is calculated on the basis of a rate or ratio, the required number of *parking, loading or delivery spaces* shall be rounded to the next higher whole number.

**5.2.5 More Than One Use On A Lot**

The parking requirements for more than one *use* on a single *lot* or for a *building* containing more than one *use*, shall be the sum total of the parking requirements for each of the component *uses*, unless otherwise noted.

**5.2.6 Barrier-Free *Parking***

Barrier-free *parking spaces* shall be provided in accordance with the provisions of the barrier-free access requirements in Town of Caledon By-law 2015-058, as may be amended from time to time.

**5.2.7 Electric Vehicle (EV) *Parking***

- a) For multi-unit residential uses, a minimum of 50% of the required *parking spaces* specified in Table 5.1 shall be EV-Ready *parking spaces*. Visitor parking spaces in multi-unit residential buildings are exempt from the minimum EV *parking space* requirement.
- b) For institutional, commercial and industrial uses, a minimum of 20% of the required *parking spaces* in Table 5.2 shall be EV-Ready *parking spaces*.
- c) For mixed-use buildings, the requirements of 5.2.7 a) and b) shall apply to each individual use.

**5.2.8 Exclusive Use Of A *Parking, Loading or Delivery Space***

Any required *parking, loading or delivery space* shall be unobstructed and available for parking, delivery or loading purposes and used exclusively for that purpose at all times, unless otherwise specified in this By-law.

**5.2.9 Location Of Required *Parking, Loading and Delivery Spaces***

Required *parking, loading and delivery spaces* shall be located on the same *lot* as the *use* that requires the *parking, loading or delivery space*.

**5.2.10 Parking Required For Outdoor Patios**

*Parking spaces* are not required for any *outdoor patio* that is less than 40% of the *net floor area* of the *restaurant* it serves. The standard *restaurant* ratio shall apply to any area over 40%.

**5.2.11 Location Of *Parking* On A Lot Used For Residential Purposes**

The parking of *motor vehicles* associated with a residential *use* is permitted only within a *parking garage, private garage*, or on a *driveway* accessing an individual *dwelling unit* or a *private garage*.

**5.2.12 Size Of *Parking Spaces***

- a) Where *parking spaces* are provided in a surface *parking area*, each *parking space* shall have width of not less than 2.75 metres and length of not less than 6.0 metres, with the exception of a barrier-free *parking space* which shall have a width and a length which complies with the Town's barrier-free parking requirements
- b) Where *parking spaces* are provided in an enclosed or underground *parking garage*, such *parking spaces* shall have width of not less than 2.6 metres and length of not less than 5.8 metres.
- c) The width and length of a parking space shall be measured exclusive of the width or length of any painted lines marking such parking space.

**5.2.13 Width Of *Aisles***

The minimum width of an *aisle* providing access to a *parking space* within a *parking area* shall be 6.0 metres, except in the case of angled off-street parking accessed by a one-way *aisle*, which shall be a minimum width of 4.5 metres.

**5.2.14 Width Of Access Ramps And Driveways**

Access ramps and *driveways* accessing a *parking area* or *parking lot* shall be a minimum of 4.5 metres in width for one-way traffic and a minimum of 6.0 metres in width for two-way traffic. For a *Commercial* or *Municipal Parking Lot*, a minimum of 9.0 metres in width shall be required.

**5.2.15 Driveway Provisions for Residential Dwellings**

- a) Notwithstanding any other provision of this By-law, in no case shall the width of an individual *driveway* accessing a *townhouse dwelling* exceed 6.0 metres at its widest point.
- b) The maximum *driveway width* provisions in this section apply to a *driveway* accessing any residential use
- c) The calculation of *driveway width* shall apply along the entire length of the *driveway*, perpendicular to the path of travel. The measurement shall be calculated including any continuous hard surface area, measured along the entire length of the *driveway* perpendicular from one edge to the other edge of the continuous hard surface area

**5.2.16 Surface Treatment**

All required *parking spaces* and *parking areas* and all *driveways* to any *parking area* or *parking lot* shall be maintained with a stable surface which may include asphalt, concrete, concrete pavers, gravel or similar material which is treated so as to prevent the raising of dust or loose particles.

### 5.2.17 Parking Garages

*Parking garages* shall comply with the *Precinct* provisions for the *main building* for the *Precinct* in which it is located in accordance with this By-law. No *setbacks* or *yards* shall be required for any portion of a *parking garage* constructed completely below the established grade. This exemption shall also apply to ventilation shafts and housings, stairways and other similar facilities associated with below grade parking garages that extend from below established grade.

### 5.2.18 Parking Area Location On A Non-Residential Lot

Notwithstanding any other provisions of this By-law, *parking areas* at or above grade shall be set back a minimum of 2.0 metres from any *building* or *structure*.

### 5.2.19 Illumination

Where *parking areas* are illuminated, the lighting fixtures shall be provided in accordance with the following provisions:

- i) No part of the lighting fixture shall be more than 9 metres above grade and no closer than 4.5m to any *lot line*; and,
- ii) Lighting fixtures shall be installed in such a manner that all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the fixture is projected below the lamp and onto the *lot* the lighting is intended to serve.

### 5.2.20 Parking and Storage of *Tractor Trailers*

- 5.2.20.1 The parking or storage of a tractor trailer on any lot shall be screened by a building, a solid board fence or chain link fence with opaque fencing material which is a minimum of 2.0 metres high.

## 5.3 LOADING

### 5.3.1 Restriction on Use of Land, Buildings and Structures

No *person* shall use any land, *building* or *structure* in any *Precinct*, unless *loading spaces* are provided in accordance with the provisions of this Section of the By-law.

### 5.3.2 Loading Space Requirements

The minimum number of *loading spaces* required for the *uses* identified in Table 5.3.1 shall be calculated in accordance with the standards set out in Table 5.3.2:

**TABLE 5.3.1**

<b>Uses</b>
<i>Cannabis-Related Use - Indoor</i>
<i>Contractor's Facility</i>
<i>Dry Cleaning or Laundry Plant</i>
<i>Equipment Storage Building</i>
<i>Home Improvement Centre</i>
<i>Industrial Hemp-Related Use – Indoor</i>
<i>Light Equipment Rental Establishment</i>
<i>Maintenance Garage, Accessory</i>
<i>Motor Vehicle Body Shop</i>
<i>Motor Vehicle Repair Facility</i>
<i>Research Establishment</i>
<i>Supermarket</i>
<i>Warehouse, Public Self-Storage</i>

**TABLE 5.3.2**

<b>For that portion of the <i>Net Floor Area</i> of a use in Table 5.3.1 that is:</b>	<b><i>Loading Space Requirements (1)</i></b>
300 m <sup>2</sup> or less	Nil
301 m <sup>2</sup> to 2,325 m <sup>2</sup>	1 <i>loading space</i>
2,326 m <sup>2</sup> to 7,440 m <sup>2</sup>	2 <i>loading spaces</i>
7,441 m <sup>2</sup> or greater	3 <i>loading spaces</i> plus 1 additional <i>loading space</i> for each additional 9,300 m <sup>2</sup> or portion thereof in excess of 7,441 m <sup>2</sup>

**Footnote to Table 5.3.2:**

- (1) A public use with a floor area greater than 301m<sup>2</sup>, owned and operated by the Town, shall require a maximum of one *loading space*.



**5.3.3 Size**

Each *loading space* shall be at least 14 metres long, 3.5 metres wide and have a vertical clearance of at least 3.35 metres.

**5.3.4 More Than One Use On A Lot**

The minimum *loading space* requirements for more than one *use* on a *lot* or for a *building* containing more than one *use*, shall be the sum total of the *loading space* requirements for each of the component *uses*, unless otherwise noted.

**5.3.5 Exclusive Use Of A Loading Space**

Any required *loading space* shall be unobstructed and available for loading purposes and used exclusively for that purpose at all times, unless otherwise specified in this By-law.

**5.3.6 Location Of Required Loading Spaces**

Required *loading spaces* shall not be permitted in the *front yard* or *exterior side yard*.

**5.3.7 Surface Treatment**

All required *loading spaces* and all *driveways* to any *loading space* shall be maintained with a stable surface which may include asphalt, concrete, concrete pavers, gravel or similar material which is treated so as to prevent the raising of dust or loose particles.

**5.4 DELIVERY****5.4.1 Restriction on Use of Land, *Buildings* and *Structures***

No *person* shall use any land, *building* or *structure* in any *Precinct*, unless *delivery spaces* are provided in accordance with the provisions of this Section of the By-law.

**5.4.2 *Delivery Space* Requirements**

The minimum number of *delivery spaces* for the *uses* shown shall be calculated in accordance with the standards set out in **Table 5.4**:

**TABLE 5.4**

<b><i>Uses</i></b>	<b><i>Delivery Space Requirements</i></b>
<i>Adult Day Centre</i>	1 per <i>building</i> per <i>lot</i>
<i>Animal Hospital</i>	1 per <i>building</i> per <i>lot</i>
<i>Business Office</i>	1 per <i>building</i> per <i>lot</i>
<i>Community Centre</i>	1 per <i>building</i> per <i>lot</i>

<i>Clinic</i>	1 per building per lot
<i>Convenience Store</i>	1 per building per lot
<i>Crisis Care Facility</i>	1 per building per lot
<i>Day Care Facility</i>	1 per building per lot
<i>Day Nursery</i>	1 per building per lot
<i>Drive-Through Service Facility</i>	1 per building per lot
<i>Financial Institution</i>	1 per building per lot
<i>Fitness Centre</i>	1 per building per lot
<i>Funeral Home</i>	2 per lot
<i>Grocery Store</i>	1 per building per lot
<i>Hospital</i>	2 per lot
<i>Hotel</i>	1 for each 20 guest rooms or portion thereof
<i>Library</i>	1 per building per lot
<i>Long-Term Care Facility</i>	1 per building per lot
<i>Merchandise Service Shop</i>	1 per building per lot
<i>Motel</i>	1 for each 20 guest rooms or portion thereof
<i>Museum</i>	1 per building per lot
<i>Place of Assembly</i>	1 per building per lot
<i>Place of Entertainment</i>	1 per building per lot
<i>Place of Worship</i>	1 per building per lot
<i>Private Club</i>	1 per building per lot
<i>Restaurant</i>	1 per building per lot
<i>Retail Store</i>	1 per building per lot
<i>School</i>	2 per lot
<i>Sports Arena</i>	1 per building per lot
<i>Training Facility</i>	1 per building per lot
<i>Wellness Centre</i>	1 per building per lot

### **5.4.3 Size**

Each *delivery space* shall be at least 9 metres long, 3.5 metres wide and have a vertical clearance of at least 3 metres.

### **5.4.4 More Than One Use on a Lot**

The minimum *delivery space* requirements for more than one *use* on a single *lot* or for a building containing more than one *use*, shall be the sum total of the *delivery space* requirements for each of the component *uses*, unless otherwise noted.

### **5.4.5 Exclusive Use of a Delivery Space**

Any required *delivery space* shall be unobstructed and available for delivery purposes and used exclusively for that purpose at all times, unless otherwise specified in this By-law.

### **5.4.6 Location of Required Delivery Spaces**

Required *delivery spaces* shall be located a minimum of 3 metres from any *street line*.

### **5.4.7 Surface Treatment**

All required *delivery spaces* and all *driveways* to any *delivery space* shall be maintained with a stable surface which may include asphalt, concrete, concrete pavers, gravel or similar material which is treated so as to prevent the raising of dust or loose particles.

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## SECTION 6: URBAN CENTRE AREA *PRECINCT*

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### 6.1 GENERAL PROHIBITION

No *person* shall, within the **Urban Centre Area *Precinct***, use any land, or erect, *alter*, enlarge, use or maintain any *building* or *structure* for any *use* other than as permitted in **Table 6A** of Subsection 6.2 and in accordance with the standards contained in **Table 6B** of Subsection 6.3, the General Provisions contained in Section 4 and the Parking, Loading & Delivery Standards contained in Section 5.

### 6.2 PERMITTED USES

Uses permitted within the **Urban Centre Area *Precinct*** are denoted by the letter 'P' corresponding with the row for a specific permitted *use* in **Table 6A**. Discretionary uses are denoted by the letter 'D'. A number(s) following a 'P' or 'D' indicates that one or more conditions apply to the *use* noted. Conditions are listed below the Permitted Use Table, **Table 6A**.

**Table 6A: Permitted or Discretionary Uses**

Permitted or Discretionary Use	Urban Centre Area (UC) <i>Precinct</i>
<b><i>Existing Uses</i></b>	
<i>Existing Uses</i> as of the date of enactment of this By-law (8)	P
Additions and/or enlargements and/or extensions of <i>existing uses</i> as of the date of enactment of this By-law	D (1)
<b><i>Residential Uses</i></b>	
<i>Building, Apartment</i>	D (2) (3)
<i>Building, Apartment, Senior Citizens</i>	D (2) (3)
<i>Building, Mixed Use</i>	D (2) (3)
<i>Dwelling Unit</i> within permitted building type	D (2) (3)
<i>Dwelling, Back-to-Back Townhouse</i>	D (2) (3)
<i>Dwelling, Common Element Townhouse</i>	D (2) (3)
<i>Dwelling, Townhouse</i>	D (2) (3)

<i>Group home</i>	D (2) (3)
<i>Live-work unit</i>	D (2) (3)
<i>Long Term Care Facility</i>	D (2)
<i>Seniors Retirement Facility</i>	D (2)
<b><i>Non-Residential Uses</i></b>	
<i>Animal Hospital</i>	P (9)
<i>Art Gallery</i>	P (9)
<i>Artist Studio &amp; Gallery</i>	P (9)
<i>Bakery</i>	P (9)
<i>Convenience Store</i>	P (9)
<i>Community Centre</i>	P (9)
<i>Day Nursery</i>	D (4) (9)
<i>Drive-Through Service Facility</i>	D (5) (9)
<i>Farmers Market</i>	P (9)
<i>Financial Institution</i>	P (9)
<i>Fitness Centre</i>	P (9)
<i>Funeral Home</i>	P (9)
<i>Nursery, Commercial</i>	P (9)
<i>Grocery Store</i>	P (9)
<i>Home Occupation</i>	D (2) (9)
<i>Hotel</i>	P (9)
<i>Medical Centre</i>	P (9)
<i>Micro-brewery</i>	D (4) (9)
<i>Micro-distillery</i>	D (4) (9)
<i>Motor Vehicle Rental Establishment</i>	D (4) (9)
<i>Motor Vehicle Service Centre</i>	D (4) (9)
<i>Night Club</i>	D (4) (9)
<i>Office</i>	P (9)
<i>Outdoor Seasonal Garden Centre</i>	D (6) (9)
<i>Outdoor Storage Area, Accessory</i>	P (9)
<i>Open Storage Use</i>	D (7) (9)
<i>Place of Assembly</i>	P (9)
<i>Place of Entertainment</i>	P (9)
<i>Place of Worship</i>	P (9)
<i>Restaurant</i>	P (9)
<i>Restaurant, take-out</i>	D (5) (9)
<i>Retail Store</i>	P (9)
<i>School</i>	P (9)

**Notes:**

1. Additions and/or enlargements and/or extensions of existing uses as of the date of enactment of this By-law may be permitted in accordance with applicable provisions of the Zoning By-law in effect prior to the date of enactment of this By-law.

2. Use may only be permitted following the completion of:
  - a Comprehensive Stormwater Management Report to confirm storm servicing capacity
  - a Water and Wastewater Assessment (to be completed by the Region of Peel)
3. Dwelling units are not permitted in the basement or the first storey of a building fronting directly onto Regional Road 50. Where buildings containing residential dwelling units have frontage directly onto Regional Road 50, a lobby, amenity space, and non-residential components of live-work units are permitted in the first storey.
4. A land use compatibility study shall be required.
5. The Town shall assess the appropriateness of a drive-through service facility per the Town's Drive-through Service Facility Design Guidelines.
6. The Town shall ensure that Outdoor Seasonal Garden Centres are designed and sited appropriately.
7. Open Storage shall not be permitted within any front or external side yard, and shall be appropriately screened.
8. Where an *existing use* is also identified in Table 6A as a permitted use (P), the provisions of the permitted use (P) shall prevail.
9. Where a new non-residential use is proposed in a building that does not contain any residential uses, the preparation of an interim development concept shall be required.

### 6.3 PRECINCT STANDARDS

No person shall within any **Urban Centre Area Precinct** use any *lot* or erect, *alter*, use any *building* or *structure* except in accordance with the following *Precinct* standards. A number(s) following the *Precinct* standard, *Precinct* heading or description of the standard, indicates an additional *Precinct* requirement. These additional standards are listed at the end of **Tables 6B, 6C, 6D and 6E**.

**Table 6B – High-Rise Mixed Use and Stand-alone Residential Buildings**

	Development Standard	Class 2 Staff Variation
Lot frontage (min)	50 m	May be reduced by 30 per cent of the standard.
Lot area (min)	7,500 m <sup>2</sup>	May be reduced by 30 per cent of the standard.
Front yard or exterior side yard (min)	3 m	None.
Front yard or exterior side yard (max)	13 m	None.
Interior side yard (min)	3 m <b>(1)</b>	None.
Rear yard (min)	7.5 m	May be reduced by 20 per cent of the standard.
<i>Planting Strip</i> (min)	A 3 m wide buffer strip is required adjacent to interior side lot lines and rear lot lines	None.

Landscaped open space (min)	20 per cent of lot area <b>(2)</b>	May be reduced by 5 per cent of the standard. Staff may accept a reduction of up to 30 per cent of the standard if the required landscape open space can be provided as a green roof or blue roof.
<i>Building height</i> (min)	13 storeys	None.
<i>Building height</i> (max)	25 storeys	Class 2: None. Class 3: <i>Building height</i> may be increased subject to the intent of the standard being achieved through an alternative method to the satisfaction of the Approval Authority. (5)
Floorplate size (max)	Each storey above the 6 <sup>th</sup> storey - 750 m <sup>2</sup>	May be increased up to 10 per cent of the standard.
Building setbacks (min)	3 m for all portions of the building above the 6th storey facing a street for buildings located within 15 m of a street	Class 2 permit may be issued subject to the intent of the standard being achieved through an alternative method to the satisfaction of the Approval Authority.
Building length (max)	80 m for buildings located within 15 m of a street for the portion of the building adjacent to the street	Class 2 permit may be issued subject to the intent of the standard being achieved through an alternative method to the satisfaction of the Approval Authority.
Distance between buildings (min)	Where two or more buildings are located on a lot, the distance between the wall of one building and the wall of another building either of which contain windows of habitable rooms, shall be one - half of the building height to a maximum of 15 m and a minimum of 5 m The distance between the faces	Class 2 permit may be issued subject to the intent of the standard being achieved through an alternative method to the satisfaction of the Approval Authority.

	of any two buildings with no windows to habitable rooms shall be a minimum of 5 m	
Active entrance	When a building(s) or portion thereof is within 15 m of an existing and proposed arterial and/ or collector road, as identified in the Town's Official Plan in force and effect on the effective date of this by-law, a minimum number of 1 active entrance for every 30 m of street line shall be required for the portion of the building facing the street	Class 2 permit may be issued subject to the intent of the standard being achieved through an alternative method to the satisfaction of the Approval Authority.
Tower separation	The tower portion of the building, which is the portion of a building 13 storeys and above, shall be setback a minimum of 25 m from any portion of another tower measured perpendicularly from the exterior wall of the 6th storey. The tower portion of a building shall be setback a minimum of 12.5 m from an interior side lot line and a rear lot line measured perpendicularly from the exterior wall of the 12th storey	Class 2 permit may be issued subject to the intent of the standard being achieved through an alternative method to the satisfaction of the Approval Authority.
Common amenity area (min)	20 m <sup>2</sup> per dwelling unit <b>(3)</b>	May be reduced by 10 per cent of the standard.
First storey height (min)	3.0 m where residential is permitted on the first storey; and 4.5 m where non-residential uses occupy the first storey	No variation for residential on the first storey. For non-residential uses on the first storey, may be reduced to no less than 3.5 m.
Minimum First storey transparency (4)	75 percent of the surface area of the first storey of a building, up to 4.5 m from the ground, shall be comprised of transparent windows and/or active entrances when a building is within 15 m of an	May be reduced to 50 percent of the surface area of the first storey of a building



	existing and proposed arterial and/ or collector road, as identified in the Town's Official Plan in force and effect on the effective date of this by-law	
Minimum Commercial Gross floor area (GFA) (4)	Not less than 25 per cent of the commercial gross floor area (GFA) existing on the effective date of this by-law. If no commercial gross floor area (GFA) exists, the minimum commercial gross floor area (GFA) shall be 0.15 floor space index (FSI).	May be reduced by 5 per cent of the standard (e.g., 20 per cent).

**Notes:**

1. Where windows of a habitable room face an interior side yard, the minimum interior side yard setback shall be 7.5 m.
2. 30 per cent of the required landscaped open space may be in the form of a green roof or blue roof.
3. Common amenity area:
  - (i) Common amenity areas shall be aggregated into areas not less than 50 m<sup>2</sup> and shall be designed and located so that the length does not exceed 4 times the width.
  - (ii) Common amenity areas shall be located in any yard other than the required front yard or required exterior side yard.
  - (iii) Landscaped open space areas, building rooftops, patios, and above ground decks may be included as part of the common amenity area if recreational facilities are provided and maintained, such as swimming pools, tennis courts, lounges, and landscaped areas.
  - (iv) Rooftop common amenity area shall be located a minimum of 2 m from the roof edges facing an interior side yard.
4. Applies to buildings with direct frontage on Queen Street.
5. Any Class 3 permit application for an increase to maximum *building height* shall be considered in the context of the policies of the Bolton Secondary Plan, the Town of Caledon Comprehensive Town-wide Design Guidelines, the Bolton Intensification Urban Design Guidelines and the proximity of the lands to the planned GO Station.

**Table 6C – Mid-Rise Mixed Use and Stand-alone Residential Buildings**

	<b>Development Standard</b>	<b>Class 2 Staff Variation</b>
Lot frontage (min)	50 m	May be reduced by 30 per cent of the standard.
Lot area (min)	7,500 m <sup>2</sup>	May be reduced by 30 per cent of the standard.
Front yard or exterior side yard (min)	3 m	None.
Front yard or exterior side yard (max)	13 m	None.
Interior side yard (min)	3 m <b>(1)</b>	None.
Rear yard (min)	7.5 m	May be reduced by 20 per cent of the standard.
<i>Planting Strip</i> (min)	A 3 m wide buffer strip is required adjacent to interior side lot lines and rear lot lines	None.
Landscaped open space (min)	20 per cent of lot area <b>(2)</b>	May be reduced by 5 per cent of the standard. Staff may accept a reduction of up to 30 per cent of the standard if the required landscape open space can be provided as a green roof or blue roof.
<i>Building height</i> (min)	4 storeys	None.
<i>Building height</i> (max)	12 storeys	None.
Building stepbacks (min)	3 m for all portions of the building above the 6th storey facing a street for buildings located within 15 m of a street	Class 2 permit may be issued subject to the intent of the standard being achieved through an alternative method to the satisfaction of the Approval Authority.
Building length (max)	80 m for buildings located within 15 m of a street for the portion of the building adjacent to the street	Class 2 permit may be issued subject to the intent of the standard being achieved through an alternative method to the satisfaction of the Approval Authority.

Distance between buildings (min)	Where two or more buildings are located on a lot, the distance between the wall of one building and the wall of another building either of which contain windows of habitable rooms, shall be one - half of the building height to a maximum of 15 m and a minimum of 5 m The distance between the faces of any two buildings with no windows to habitable rooms shall be a minimum of 5 m	Class 2 permit may be issued subject to the intent of the standard being achieved through an alternative method to the satisfaction of the Approval Authority.
Active entrance	When a building(s) or portion thereof is within 15 m of an existing and proposed arterial and/ or collector road, as identified in the Town's Official Plan in force and effect on the effective date of this by-law, a minimum number of 1 active entrance for every 30 m of street line shall be required for the portion of the building facing the street	Class 2 permit may be issued subject to the intent of the standard being achieved through an alternative method to the satisfaction of the Approval Authority.
Common amenity area (min)	20 m <sup>2</sup> per dwelling unit <b>(3)</b>	May be reduced by 10 per cent of the standard.
First storey height (min)	3.0 m where residential is permitted on the first storey; and 4.5 m where non-residential uses occupy the first storey	No variation for residential on the first storey. For non-residential uses on the first storey, may be reduced to no less than 3.5 m.
Minimum First storey transparency (4)	75 percent of the surface area of the first storey of a building, up to 4.5 m from the ground, shall be comprised of transparent windows and/or active entrances when a building is within 15 m of an existing and proposed arterial and/ or collector road, as identified in the Town's Official Plan in force and effect on the effective date of this by-law	May be reduced to 50 percent of the surface area of the first storey of a building

Minimum Commercial Gross floor area (GFA) (4)	Not less than 25 per cent of the commercial gross floor area (GFA) existing on the effective date of this by-law. If no commercial gross floor area (GFA) exists, the minimum commercial gross floor area (GFA) shall be 0.15 floor space index (FSI).	May be reduced by 5 per cent of the standard (e.g., 20 per cent).
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**Notes:**

1. Where windows of a habitable room face an interior side yard, the minimum interior side yard setback shall be 7.5 m.
2. 30 per cent of the required landscaped open space may be in the form of a green roof or blue roof.
3. Common amenity area:
  - (i) Common amenity areas shall be aggregated into areas not less than 50 m<sup>2</sup> and shall be designed and located so that the length does not exceed 4 times the width.
  - (ii) Common amenity areas shall be located in any yard other than the required front yard or required exterior side yard.
  - (iii) Landscaped open space areas, building rooftops, patios, and above ground decks may be included as part of the common amenity area if recreational facilities are provided and maintained, such as swimming pools, tennis courts, lounges, and landscaped areas.
  - (iv) Rooftop common amenity area shall be located a minimum of 2 m from the roof edges facing an interior side yard.
4. Applies to buildings with direct frontage on Queen Street.

**Table 6D – Stacked Townhouses and Stacked Back-to-Back Townhouses**

	Development Standard	Class 2 Staff Variation
Lot frontage (min)	30 m	None.
Front yard (min)	6 m	None.
Exterior side yard (min)	4.5 m	None.
Interior side yard (min)	3 m	None.
Rear yard (min)	7.5 m	None.

	0.0 m for stacked back-to-back townhouses	
<i>Planting Strip</i> (min)	A 3 m wide buffer strip is required adjacent to interior side lot lines and rear lot lines	None.
Landscaped open space (min)	30 per cent of lot area	May be reduced by 5 per cent of the standard. Staff may accept a reduction of up to 30 per cent of the standard if the required landscape open space can be provided as a green roof or blue roof.
<i>Building height</i> (min)	4 storeys	None.
<i>Building height</i> (max)	4 storeys	None.
Active entrance	When a building(s) or portion thereof is within 15 m of an existing and proposed arterial and/ or collector road, as identified in the Town's Official Plan in force and effect on the effective date of this by-law, a minimum number of 1 active entrance for every 30 m of street line shall be required for the portion of the building facing the street	Class 2 permit may be issued subject to the intent of the standard being achieved through an alternative method to the satisfaction of the Approval Authority.
Common amenity area (min)	10 m <sup>2</sup> per dwelling unit <b>(1)</b>	May be reduced by 10 per cent of the standard.
Dwelling Width (min)	6.0 m	None.

**Notes:**

## 1. Common amenity area:

- (i) Common amenity areas shall be aggregated into areas not less than 50 m<sup>2</sup> and shall be designed and located so that the length does not exceed 4 times the width.
- (ii) Common amenity areas shall be located in any yard other than the required front yard or required exterior side yard.
- (iii) Landscaped open space areas, building rooftops, patios, and above ground decks may be included as part of the common amenity area if recreational

- facilities are provided and maintained, such as tennis courts, lounges, and landscaped areas.
- (iv) Rooftop common amenity area shall be located a minimum of 2 m from the roof edges facing an interior side yard.

**Table 6E – Additions and/or Enlargements and/or Extensions of Permitted *Existing Uses***

	<b>Development Standard</b>	<b>Class 2 Staff Variation</b>
All Applicable Standards	Development Standards of the Zoning By-law in effect prior to the date of enactment of this By-law.	Any proposed variation.

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## SECTION 7: FLOODPLAIN STUDY AREA OVERLAY

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### 7.1 GENERAL PROHIBITION

No *person* shall, within the **Floodplain Study Area Overlay**, use any land, or erect, *alter*, enlarge, use or maintain any *building* or *structure* for any *use* other than as permitted in **Table 7A** of Subsection 7.2 and in accordance with the standards contained in Subsection 7.3, the General Provisions contained in Section 4 and the Parking, Loading & Delivery Standards contained in Section 5.

### 7.2 PERMITTED USES

*Uses* permitted within the **Floodplain Study Area Overlay** are denoted by the letter 'P' corresponding with the row for a specific permitted *use* in **Table 7A**. Discretionary uses are denoted by the letter 'D'. A number(s) following a 'P' or 'D' indicates that one or more conditions apply to the *use* noted. Conditions are listed below the Permitted Use Table, **Table 7A**.

**Table 7A: Permitted or Discretionary Uses**

Permitted or Discretionary Use	Floodplain Study Area Overlay (UC – F)
Existing Uses	P
Any other permitted or discretionary use in the Urban Centre Area <i>Precinct</i>	D (1) (2)

**Notes:**

(1) No new development shall be permitted, other than new development that complies with the regulations of the Zoning By-law in effect prior to the date of enactment of this By-law.

(2) Following the completion of the MESP Addendum to determine the floodplain boundary, if lands within the Floodplain Study Area Overlay are determined to be outside of the Floodplain, then the permitted uses of the Urban Centre Area *Precinct* shall apply.

### 7.3 PRECINCT STANDARDS

a) Until the completion of the MESP Addendum to determine the floodplain boundary, no *person* shall within any **Floodplain Study Area Overlay** use any *lot* or erect, *alter*, use

any *building* or *structure* except in accordance with the regulations of the Zoning By-law in effect prior to the date of enactment of this By-law. No variations are permitted.

b) Following the completion of the MESP Addendum to determine the floodplain boundary, if lands within the Floodplain Study Area Overlay are determined to be outside of the Floodplain, then the provisions of the Urban Centre Area shall apply.



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## **SECTION 8: EXCEPTIONS AND HOLDING PROVISIONS**

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### **8.1 EXCEPTIONS**

To be carried forward as required.

### **8.2 HOLDING PROVISIONS**

To be carried forward as required.

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## **SECTION 9: ENACTMENT**

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### **9.1 READINGS BY COUNCIL**

**To be filled out prior to final by-law**

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## **SCHEDULES**

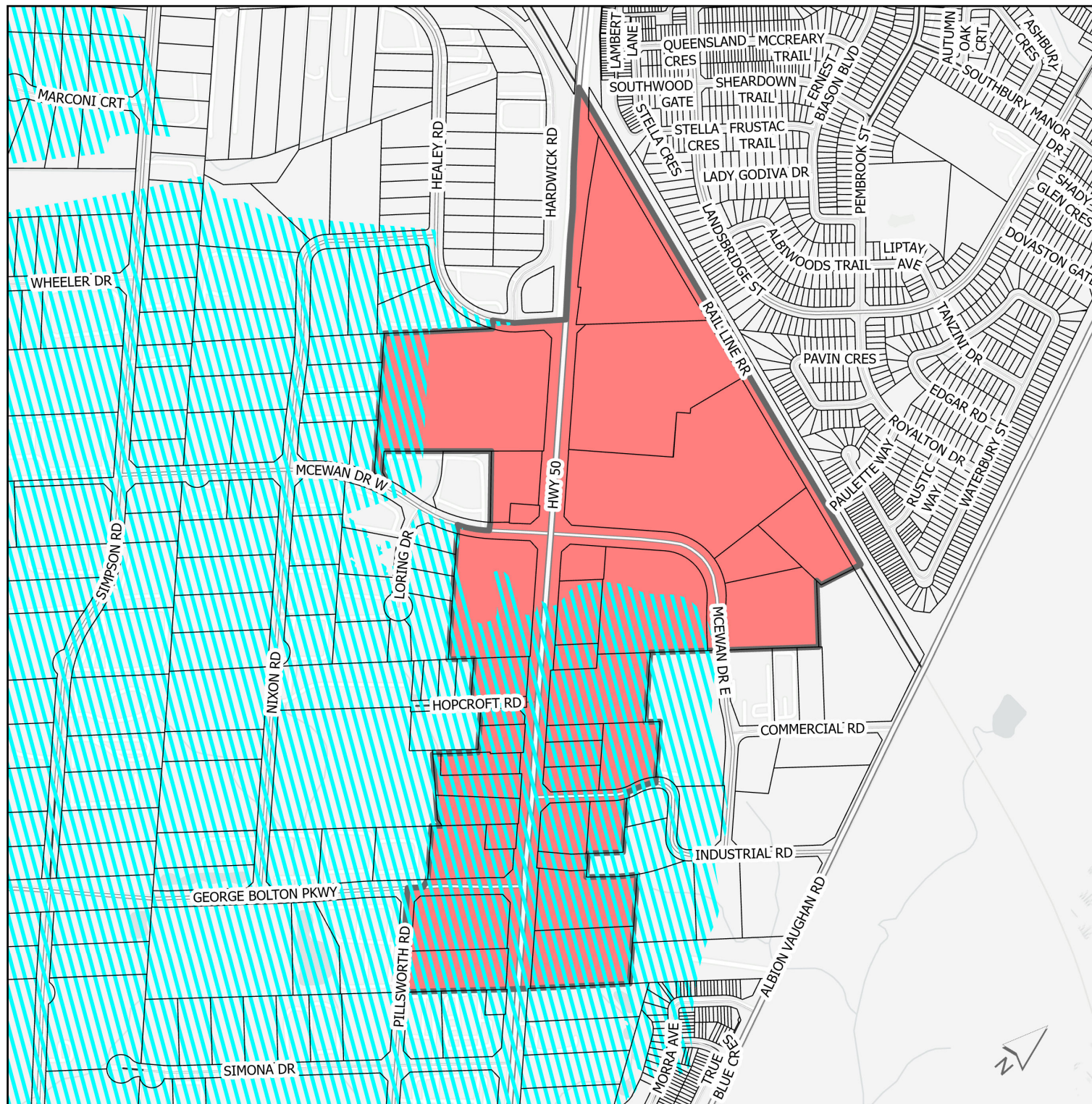
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### **Schedule A - Precincts**

## Schedule A: Precinct

- Urban Centre Area Precinct
- CPP By-law Area
- Floodplain Special Study Area



Date of print: 9/24/2025  
 Sources: Town of Caledon, Regional Municipality of Peel  
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This map forms part of the Future Caledon Official Plan of the Town of Caledon and must be read in conjunction with the text, other schedules and secondary plans. The boundaries/alignments of designations on this schedule are approximate and are not intended to be scaled.



