



Tuesday, January 17, 2023

7:00 p.m.

Hybrid / Council Chamber

Pages

**1. NOTICE**

This meeting will be held as a hybrid meeting with Members of Council participating in person at Town Hall and remotely. Members of the public are invited to view the meeting by attending in person, watching the live stream or calling into the meeting.

To provide a delegation in-person or virtually to an item listed on the agenda, please complete the [participation form](#) available on the Town's Website prior to the meeting.

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Toll Free Phone Number: 1-833-311-4101

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If you have questions or comments regarding items on this agenda, please contact Council and Committee Services by email to [agenda@caledon.ca](mailto:agenda@caledon.ca) or by phone at 905.584.2272 ext. 2366. Please advise us if you require an accessibility accommodation to participate in the meeting or if you require this package in an alternative format.

**2. CALL TO ORDER**

**3. INDIGENOUS LAND ACKNOWLEDGEMENT**

3

**4. DISCLOSURE OF PECUNIARY INTEREST**

**5. CONSENT AGENDA**

**6. DELEGATIONS**

**7. PRESENTATIONS**

**7.1 Caledon's Initial Action Plan in Response to Bill 23, More Homes Built Faster Act, 2022 and Greenbelt Changes**

4

Presentation by Antonietta Minichillo, Director Planning Services / Chief Planner

7.2	2023 Bolton Community Improvement Plan	22
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Presentation by Jason Schildroth, Manager, Economic Development and Sandra Dolson, Officer, Economic Development

## 8. STAFF REPORTS

8.1	Staff Report 2023-0066: Caledon's Initial Action Plan in Response to Bill 23 and Greenbelt Changes	36
8.2	Staff Report 2023-0023: 2023 Bolton Community Improvement Plan	121
8.3	Staff Report 2023-0022: Proposed Changes to Delegated Authority By-law for Heritage Protection Matters	233

## 9. RECOMMENDATIONS OF ADVISORY COMMITTEES

9.1	Heritage Caledon Committee Meeting Report, dated January 9, 2023	244
9.2	Staff Report 2023-0015: Notice of Intention to Demolish - 12879 The Gore Road, Ward 5	247

That the listed, non-designated property located at 12879 The Gore Road, Ward 5, be removed from the Town of Caledon Heritage Register pursuant to Section 27 of the Ontario Heritage Act; and

That the demolition of the dwelling on the property be permitted.

## 10. CORRESPONDENCE

10.1	General Correspondence	
10.1.1	Ministry of Municipal Affairs and Housing Letter regarding More Homes Built Faster Act, 2022	303
	Correspondence from the Honourable Steve Clark, Minister, Municipal Affairs and Housing, dated January 4, 2023	

## 11. ADJOURNMENT



### *Land Acknowledgment*

*Indigenous Peoples have unique and enduring relationships with the land.*

*Indigenous Peoples have lived on and cared for this land throughout the ages. We acknowledge this and we recognize the significance of the land on which we gather and call home.*

*We acknowledge the traditional Territory of the Huron-Wendat and Haudenosaunee peoples, and the Anishnabek of the Williams Treaties.*

*This land is part of the Treaty Lands and Territory of the Mississaugas of the Credit First Nation.*

*We honour and respect Indigenous heritage and the long-lasting history of the land and strive to protect the land, water, plants and animals that have inhabited this land for the generations yet to come.*

# Caledon's Initial Action Plan in Response to Bill 23, *More Homes Built Faster Act*, 2022 and Greenbelt Changes

Planning and Development Committee Meeting  
January 17, 2023

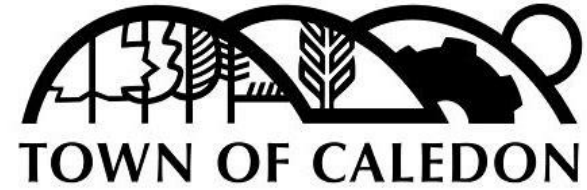


# Current Situation



- ☐ Historically Caledon has been low growth
- ☐ Needs to grow significantly
- ☐ Caledon is preparing itself for growth while balancing pressures to advance development
- ☐ Caledon growth is greenfield and requires significant investments (transit, water and wastewater, infrastructure, etc.)
- ☐ Servicing Plans, Secondary Plans and growth-related studies are not in place and are needed to guide responsible growth

# Impacts to Caledon



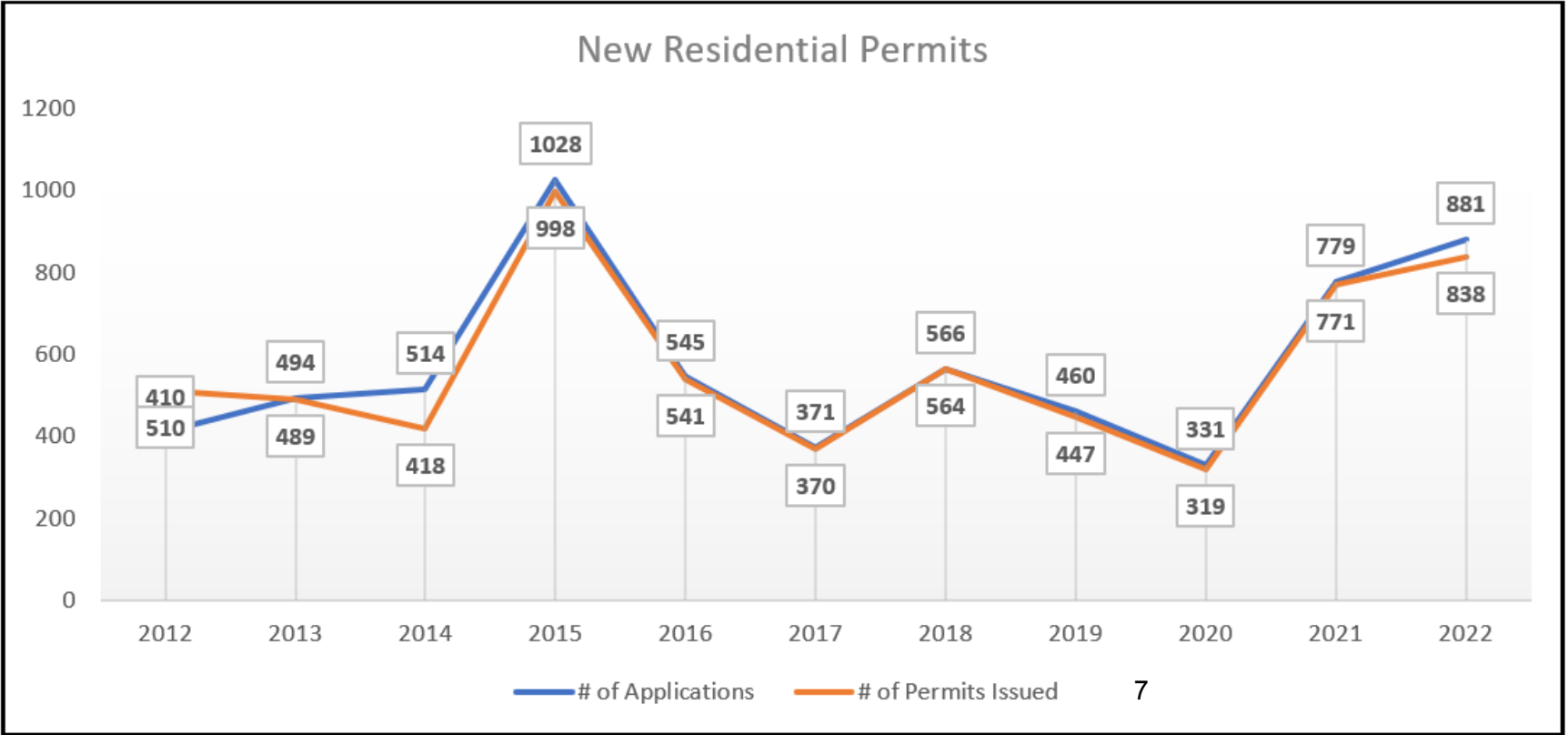
- ☐ Housing targets
- ☐ Need for growth infrastructure
- ☐ Development Charges
- ☐ Parkland
- ☐ Complete communities
- ☐ Gentle density
- ☐ Heritage
- ☐ Environment



# Caledon can Deliver on Provincial targets\*

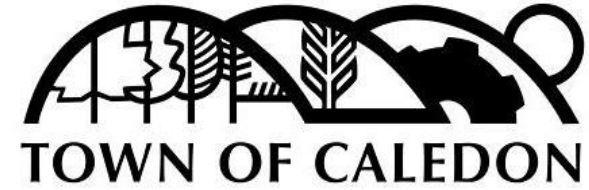


	Brampton	Caledon	Mississauga	Peel
Bill 23	113,000	13,000	120,000	245,000
2021-2031 Current Growth Forecast	55,000	12,000	33,000	100,000
Difference	58,000	1,000	87,000	145,000



Town of Caledon  
historical residential  
Building Permits

# Reduced Development Charges Revenues for Caledon



Town's DC losses estimated at \$85M over 10 years

Early minimum numbers

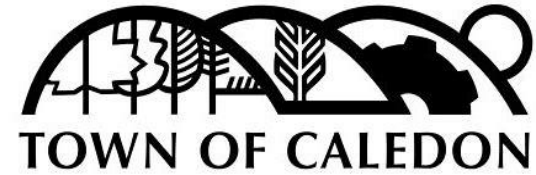
- ❑ Used more lenient interpretation of 'affordable housing' definition
- ❑ Assumed only 5% high density units and 35% medium density units
- ❑ Used 2019 D.C. Background Study

Numbers could be exponentially higher with change in parameters

DC Legislation Change	Total DC Revenue Impact (in 2019\$)
New DC Exemptions & Discounts	\$64.3 million
DC Phase-In Rules	\$10.0 million
Increase in Historical Level of Service	No impact on revenues
Removal of DC funding for Studies	\$11.1 million
Total	\$85.4 million



# Caledon Growth Areas will Require New Infrastructure



Draft Plan

## Town of Caledon Transportation Master Plan

FIGURE 9-3

2051 Proposed Travel Lanes  
for Town Roads

Future Through Lanes

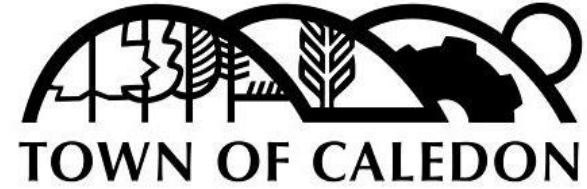
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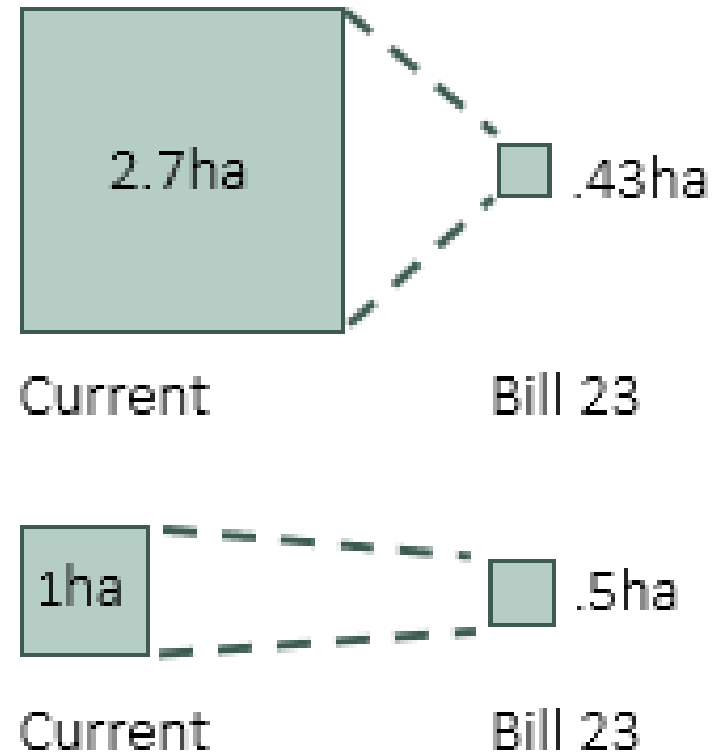
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- ❑ Region projects their 10-year DC revenue loss at \$2B - \$6B
- ❑ Regional Tax/ Utility Bill – Residential will increase by \$145 to \$180
- ❑ Region formally requested Province for a Municipal Compensation Fund for Region and local municipalities

# Parkland for Caledon residents



- ❑ Bill 23 will reduce amount of parkland from new developments
- ❑ Impacts differ across housing typologies
- ❑ Traditional ways of acquiring parks needs rethink
- ❑ Create a parkland acquisition strategy





# High Density Development Scenario



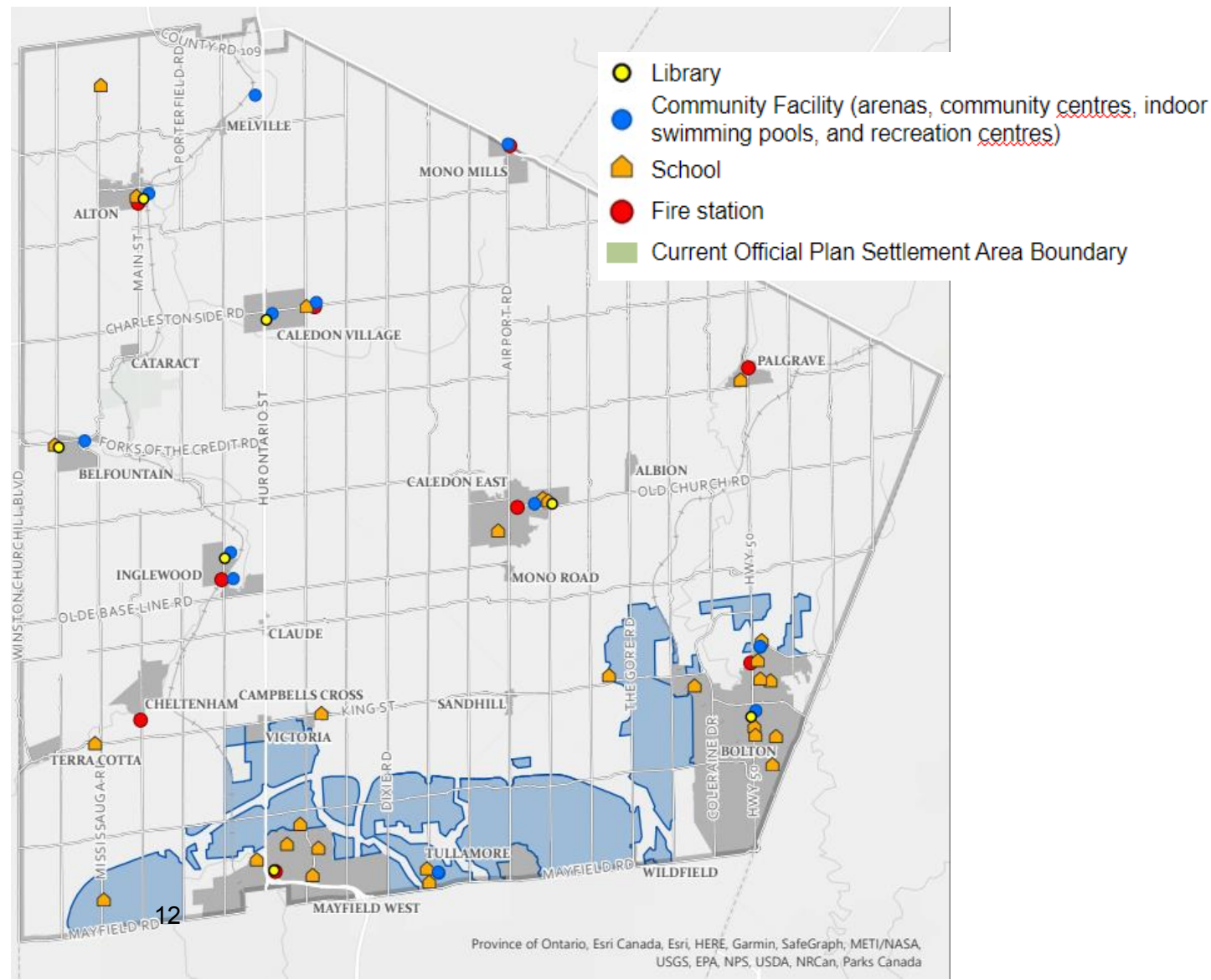
- ❑ Mixed-use project
- ❑ Bill 23 loss of Parkland monies \$14.24M



# Caledon Committed to Complete Communities

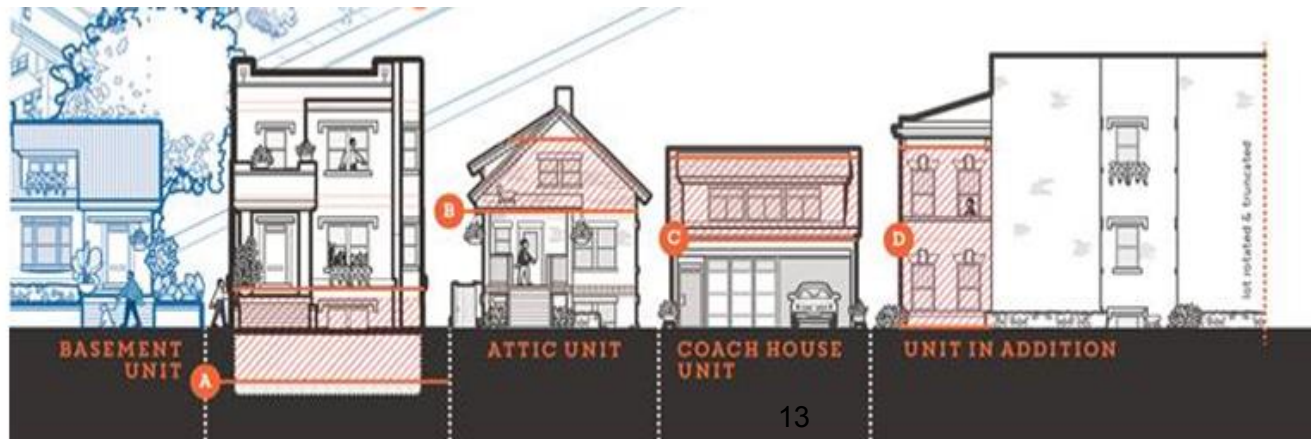
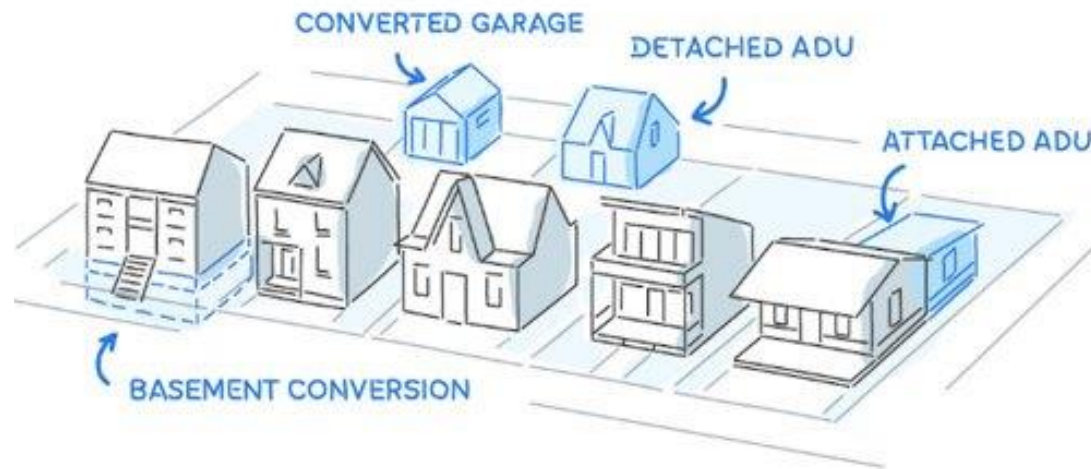
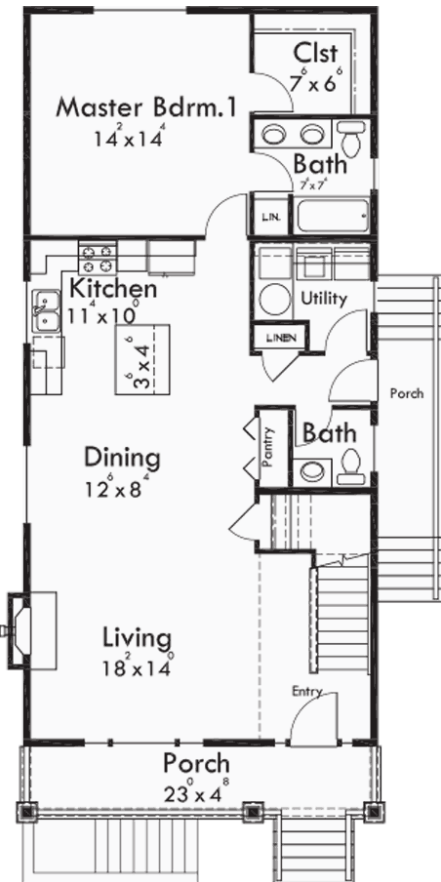


- ❑ Bill is housing specific
- ❑ Caledon needs to plan for libraries, fire stations, schools, businesses



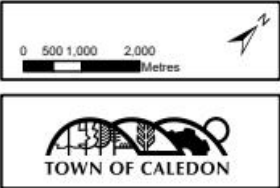
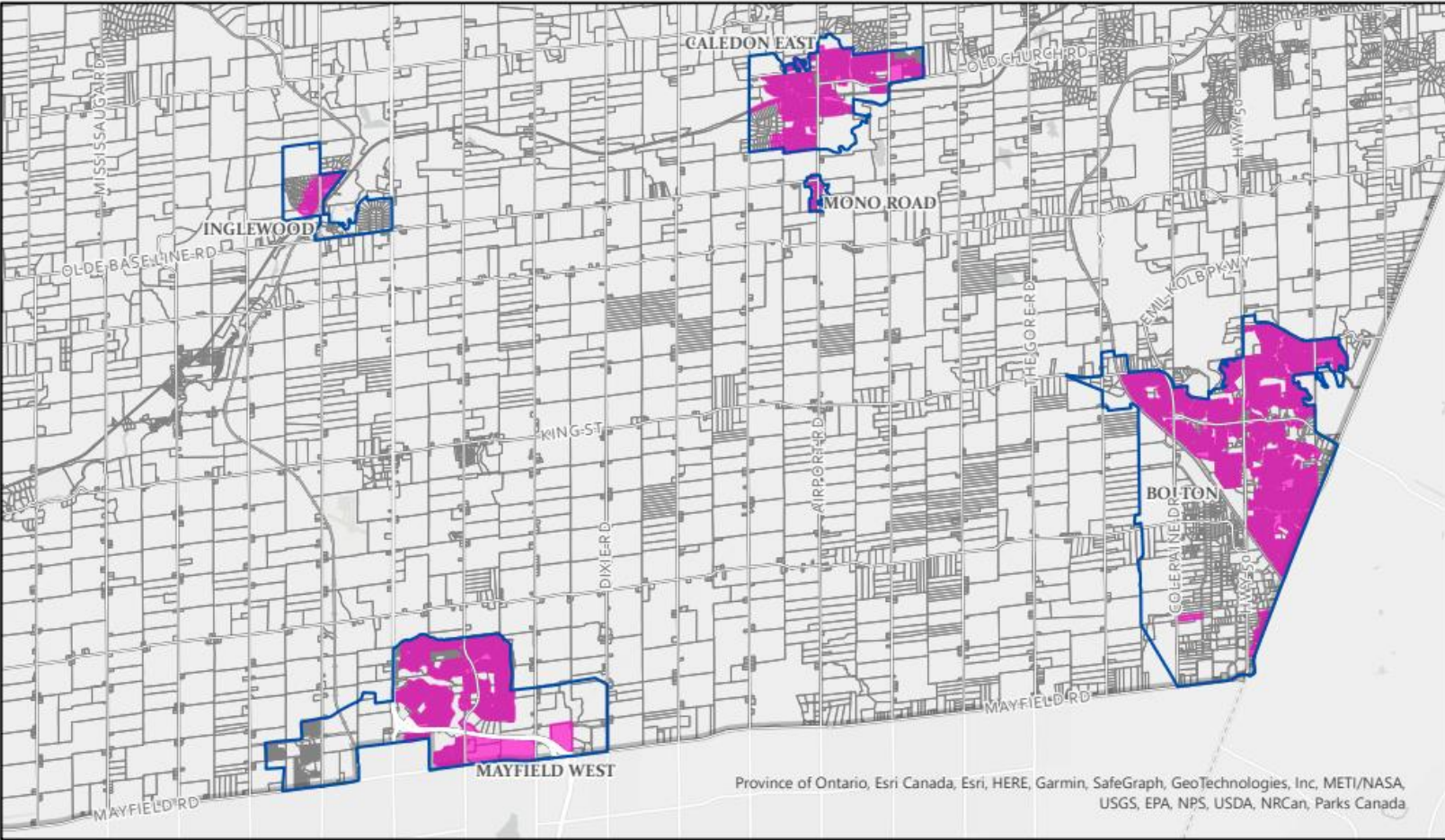


# New Permissions for Additional Units



- ☐ Site Plans not required
- ☐ Gentle Density Strategy to manage impacts
- ☐ Design Guidance
- ☐ Parking Concerns

# Caledon and Gentle Density



Current Official Plan  
Settlement Area  
Boundary

Properties

Potential Locations for  
Additional Residential  
Units Under Bill 23

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DRAFT

Source: First Base Solutions, Teranet

Date: 1/6/2023

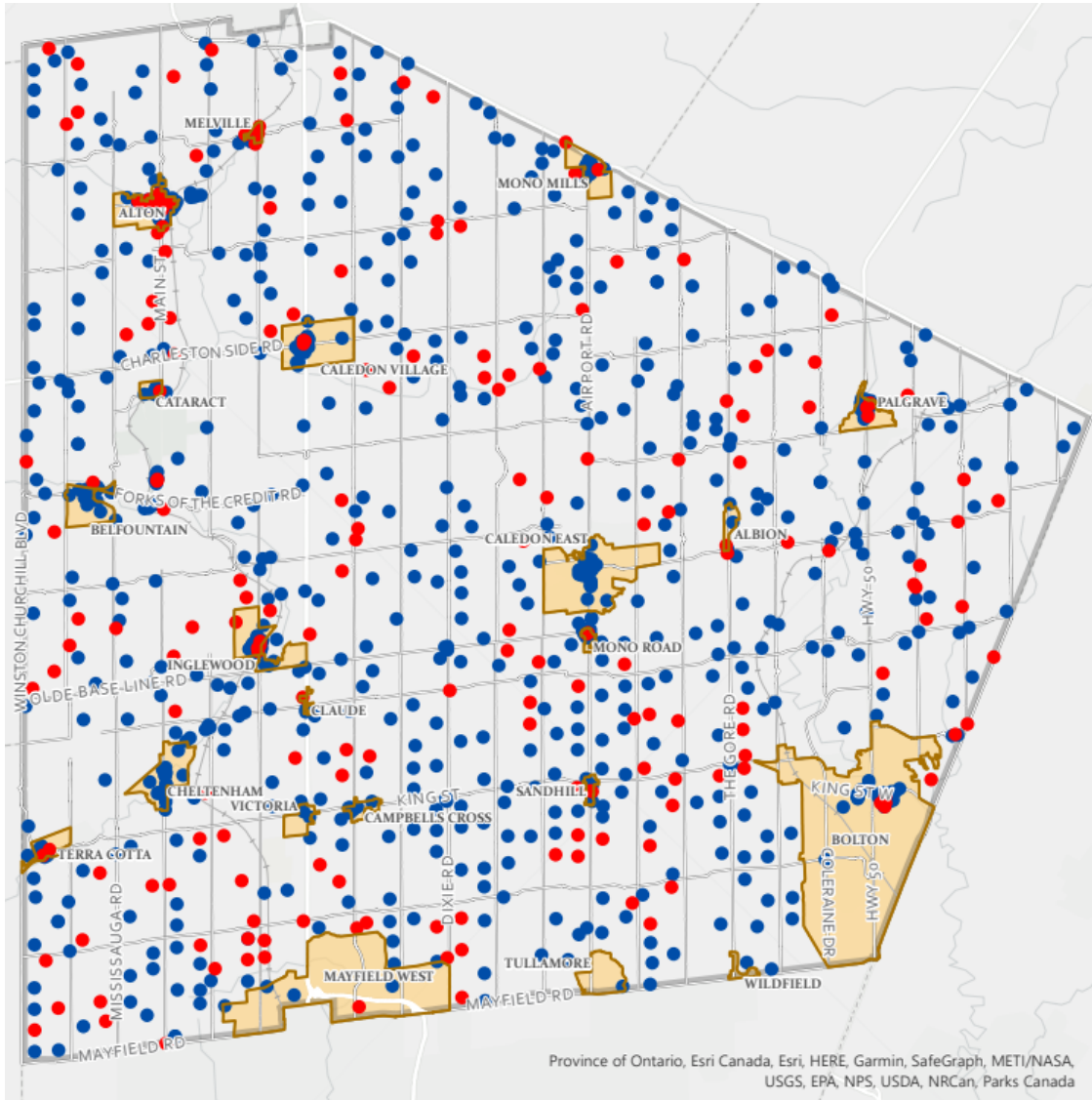


# Protection of Caledon's Heritage Resources



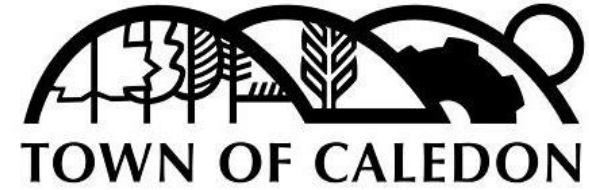
❑ Bill 23 Heritage Strategy

❑ Prioritization Plan

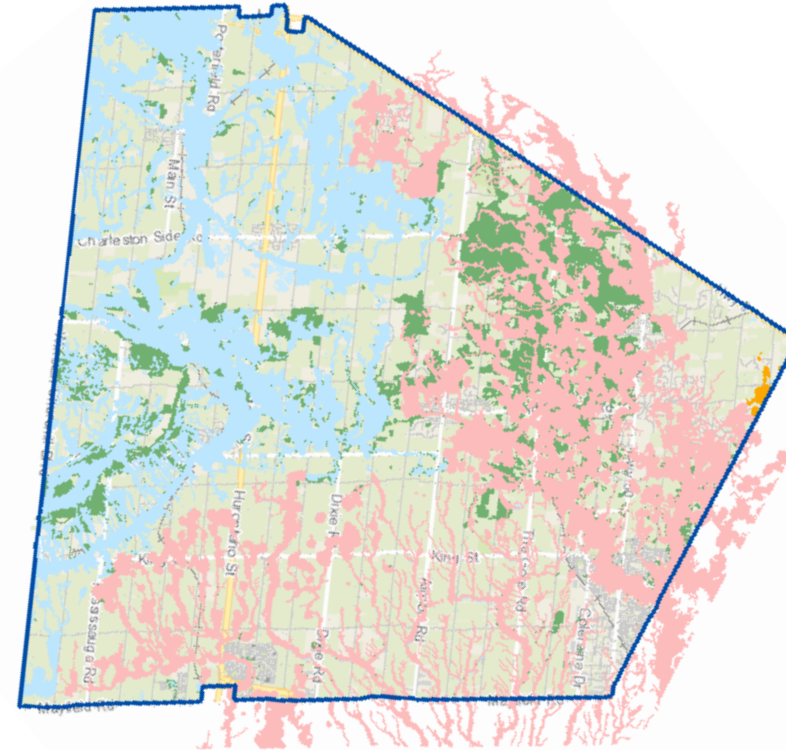


- Current Official Plan Settlement Area Boundary
- Highly Significant Listed Non-Designated Heritage Property
- Listed Non-Designated Heritage Property

# Caledon's Role in Conservation of Natural Areas



- ❑ Environment fundamental to Caledon's landscape
- ❑ Caledon may have to assume some role from conservation authorities



- Environmental Policy Area
- CVC Regulation Limit
- TRCA Regulation Limit
- LSRCA Regulation Limit



**Credit Valley  
Conservation**  
inspired by nature



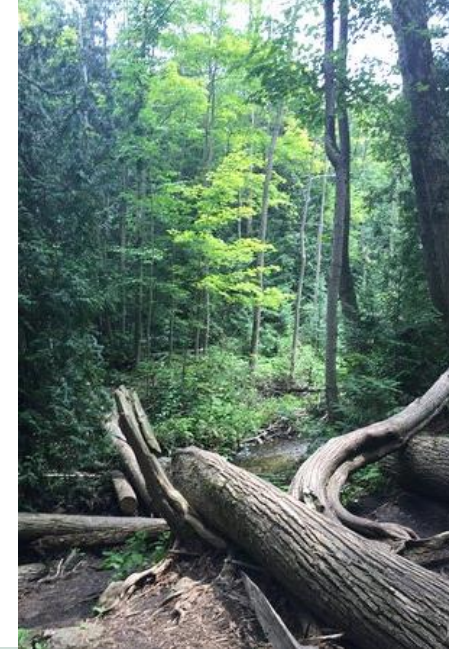
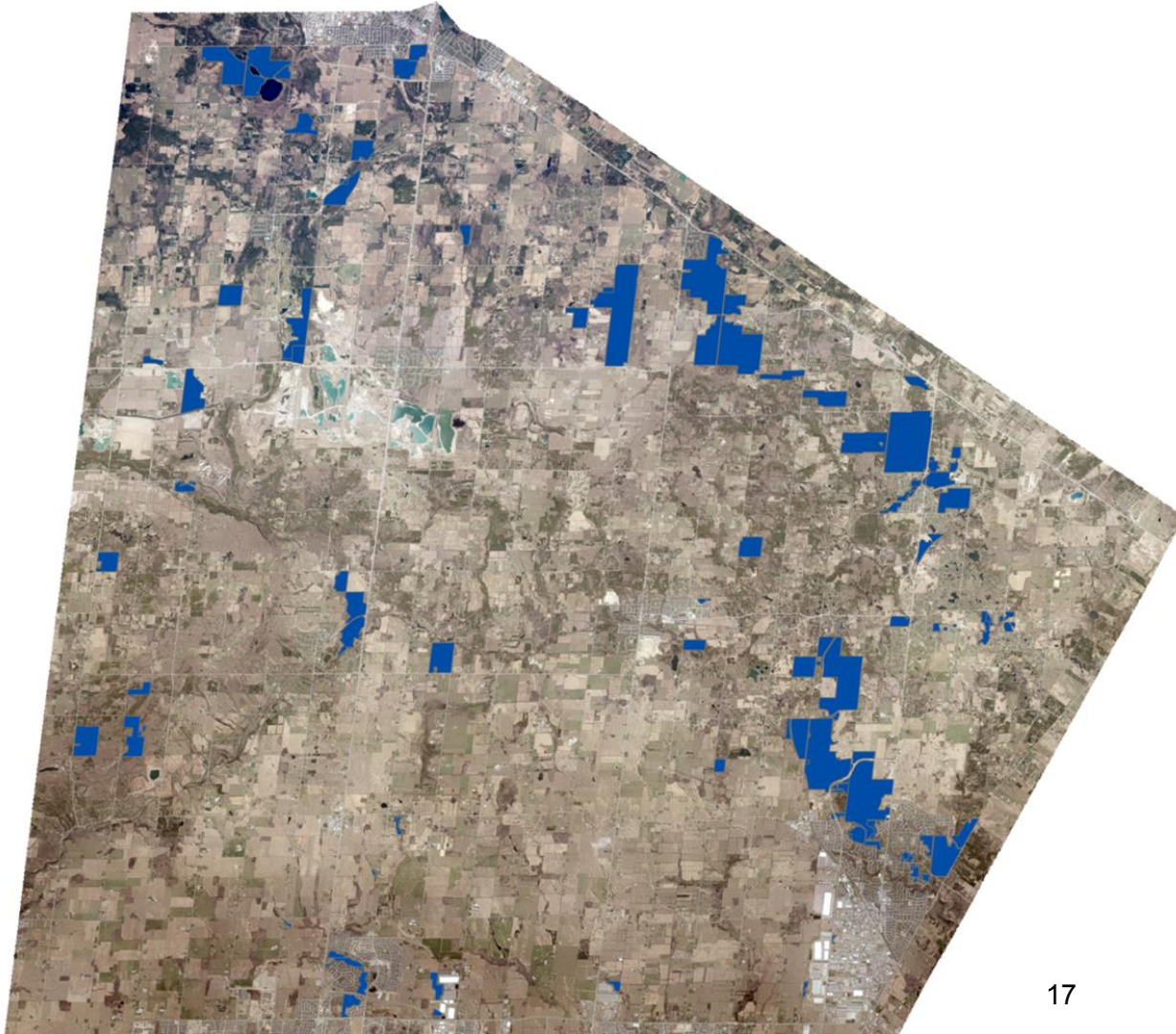
**Lake Simcoe Region**  
conservation authority



**Toronto and Region  
Conservation  
Authority**



# Conservation Authority Owned Lands

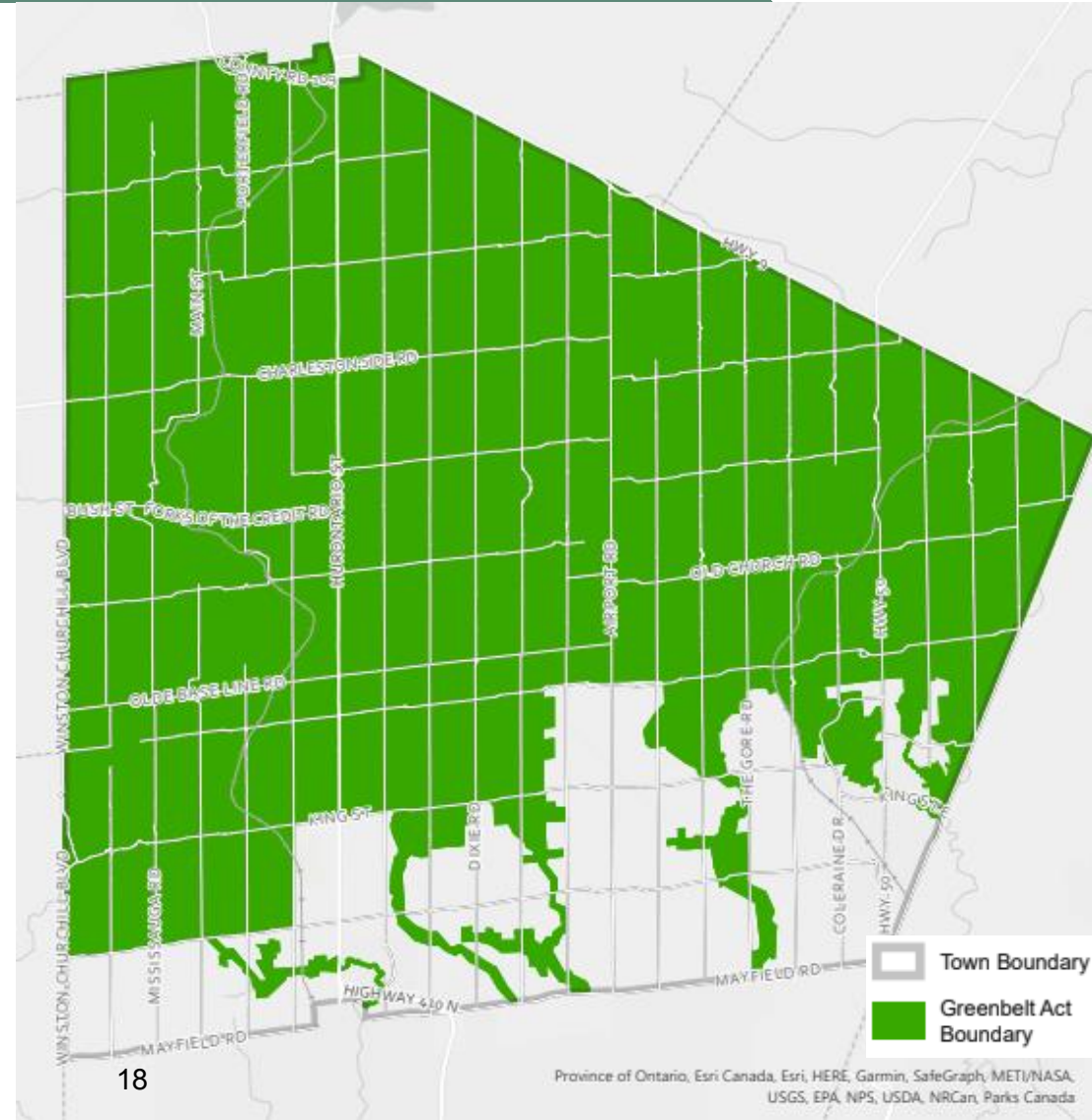


- ☐ Province requires identification of lands suitable for housing
- ☐ Caledon will liaise with Conservation Authorities and monitor situation

# Changes to the Greenbelt



- ❑ Province amended the Greenbelt Plan to allow 50,000 new houses
- ❑ No lands in Caledon affected- BUT setting a precedent
- ❑ A proposal to remove lands in Mt. Hope from the Greenbelt has been submitted to the Province





# Mississaugas of the Credit First Nation (MCFN)



- ☐ Support need for consultation
- ☐ Support keeping the Greenbelt
- ☐ Can support a pause to release of remaining sections of Bill
- ☐ Committed to working on a joint statement to support MCFN

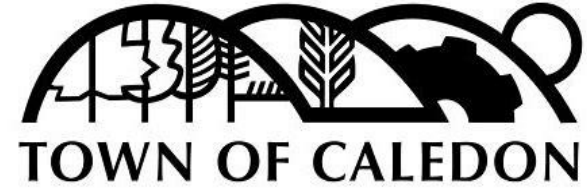


# Report Recommendations



- ☐ Request the Province to pause and consult on pending legislation
- ☐ Work with MCFN on a joint statement regarding concerns about Bill 23 and changes to the Greenbelt
- ☐ Initiate a Zoning By-law Amendment for Bill 23 changes – Site Plan Control and Additional Residential Units

## Next Steps



- ☐ Work with the Province for better understanding of impacts to greenfield developments, new funding tools and solution creation
- ☐ Ensure timely provision of Regional and other infrastructure
- ☐ Report on impacts to staffing and resources
- ☐ Initiate Community Builders Roundtable – Bill 23
- ☐ Advance action items to address impacts of the Bill, align with the in-force changes and to position Caledon for success



# 2023 Bolton Community Improvement Plan

Planning and  
Development Committee

January 17, 2023



# What is a Community Improvement Plan

- A Community Improvement Plan (CIP) is a revitalization tool that:
  - Encourages private sector investment through financial incentives
  - Addresses specific revitalization goals that are intended to be led or undertaken by the municipality
- CIPs are commonly used in Ontario, under s.28 of the Planning Act
  - Designate the Community Improvement Project Area (CIPA), prepare and adopt CIP, administer grant / loan programs
- There are two key components of a CIP framework: the CIP and the CIPA.





# Purpose of the CIP Update



- Review and update of the in-effect CIP and CIPA
  - Adopted in 2009, intended to be a 10-year document
- Align with Official Plan, Resilient Caledon and revitalization goals
- Project area analysis and recommendations
- Review of applicable Urban Design Guides



# CIP Review Timeline



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April 2021: Approval – Downtown Bolton Revitalization Plan

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September 2021: Community Walking Tour and Project Initiation

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October to November 2021: Stakeholder Consultation, Strategic Directions Report and Workshop

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January 2022: Public Information Meeting to present Community Improvement Plan and Project Area

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March to June 2022: Review, refine, add priority site revitalization program

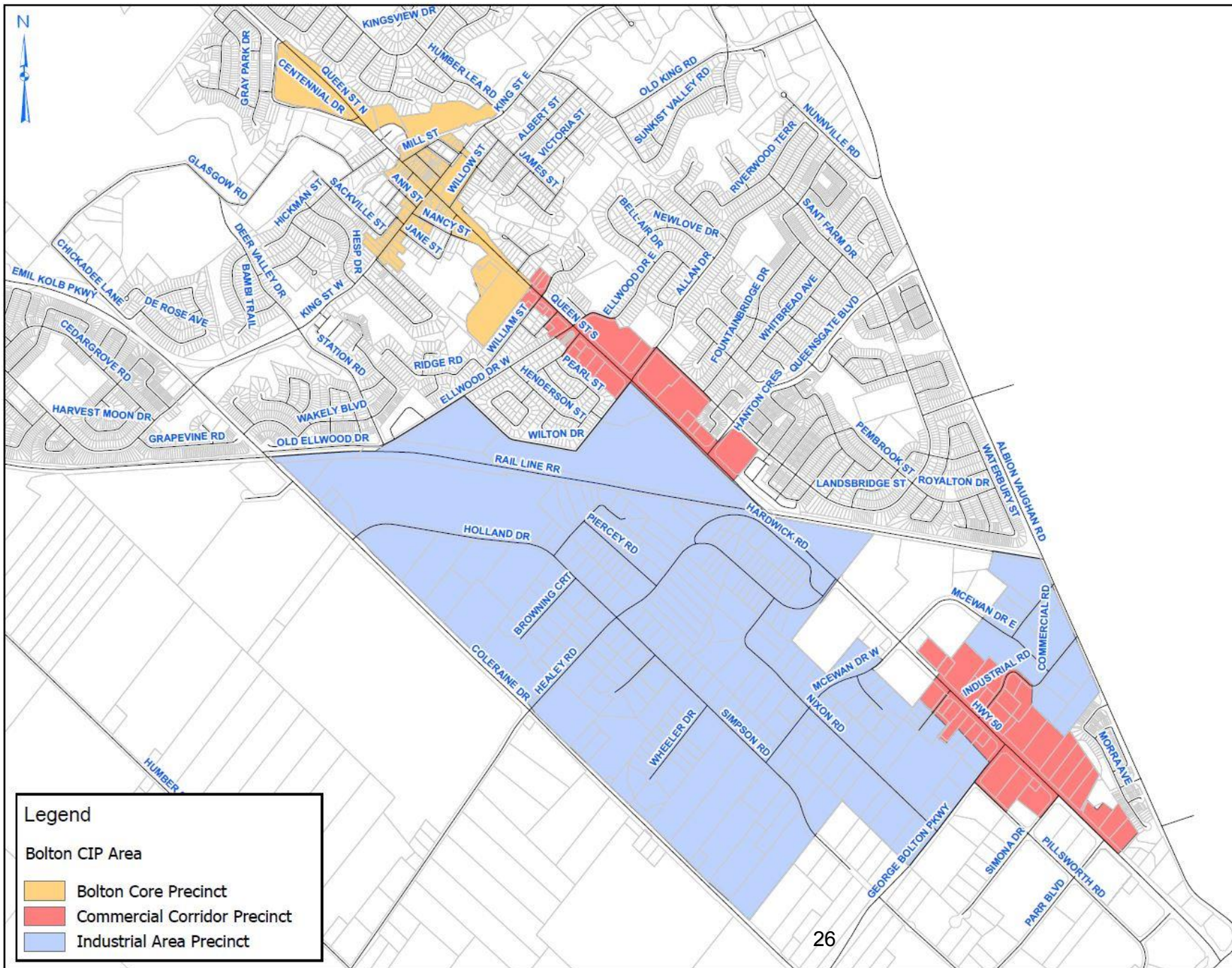
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Today: Final CIP presentation to Planning Committee

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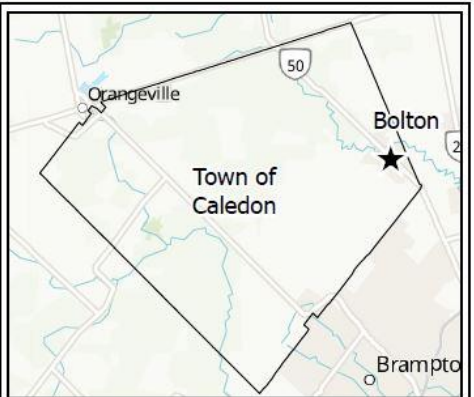


**Legend**

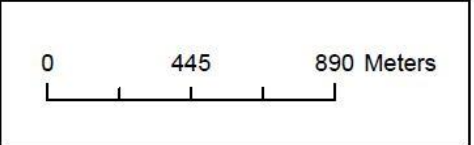
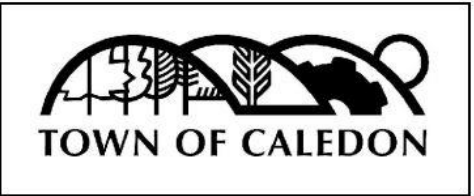
Bolton CIP Area

- Bolton Core Precinct
- Commercial Corridor Precinct
- Industrial Area Precinct

# Community Improvement Project Area



2023







# What's different?

- Financial Incentive Programs
  - Addition of 4 new programs
  - Reviewed grant values
  - Clarified eligibility – who can apply for what
  - Program eligibility based on revitalization goals of each precinct
- Municipal Leadership Strategy
  - Additional Town-led initiatives
- Service Excellence approach
  - Streamlining of the CIP document
  - Enhanced awareness



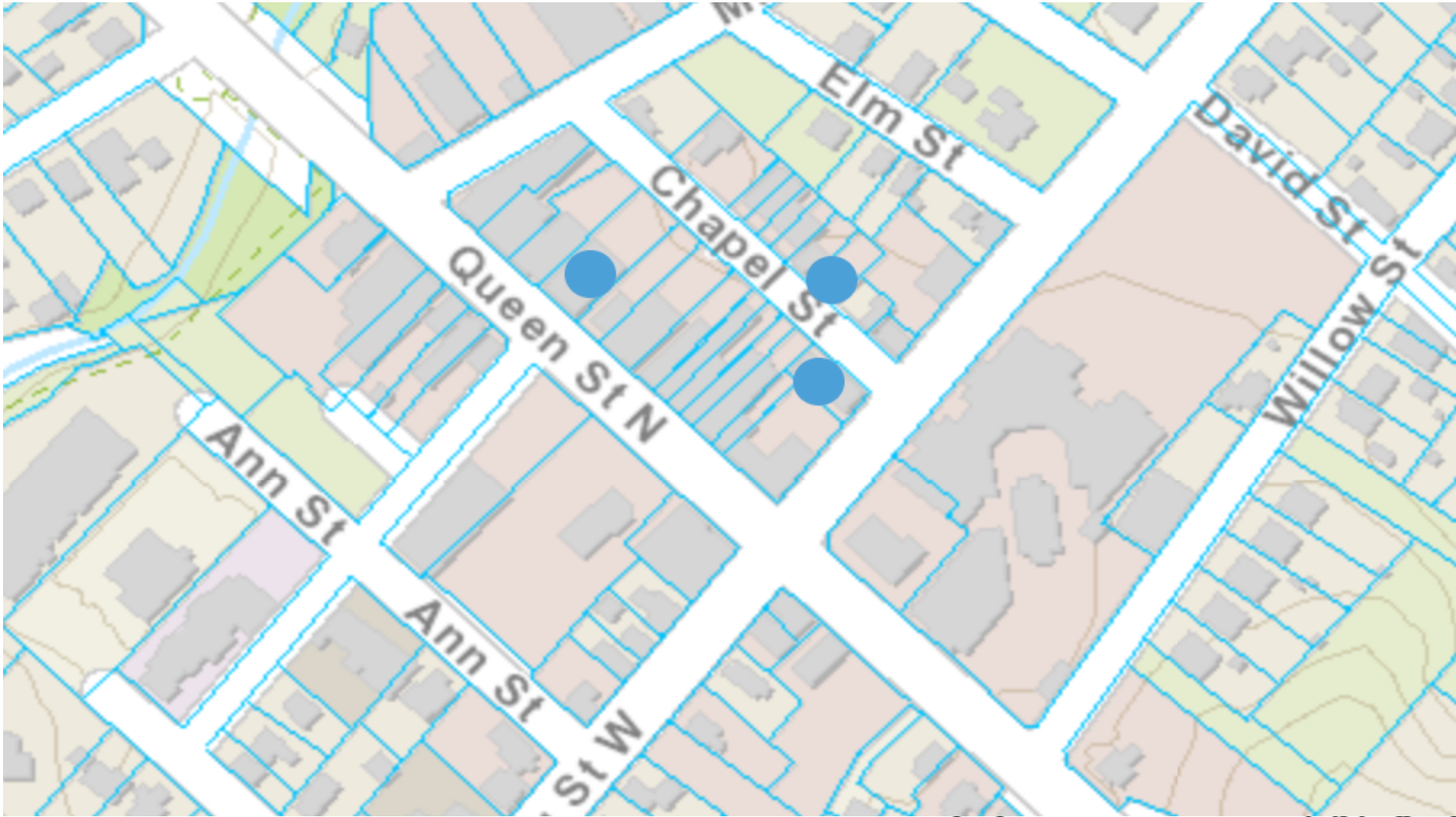
# Incentive Programs

Program	Precinct
Building and Façade Improvement	Bolton Core, Commercial Corridor
Property Improvement	All
Planning and Building Fee	All
Development Charge	Bolton Core, Commercial Corridor
Tax Increment Equivalent	Commercial Corridor
Energy and Carbon Reduction	All
Residential Conversion	Bolton Core
Flood Mitigation and Protection	Bolton Core
Privately Owned Public Space (POPS) and Public Art	Bolton Core
Patio and Outdoor Café	Bolton Core





# Priority Sites Revitalization Program



# Benefits and impact

- Strong uptake with 38 grants administered since 2009
  - Over \$561,000 in grants issued or committed and \$35.9 million of private property investment
- Implementation momentum
- 12 new businesses located in the downtown area since the start of 2021
- Property and business owners indicating their choice to move to the area based on revitalization efforts





## 11 & 13 Queen St N





5 & 7 Queen St. N





23 Queen St N





238 Queen St. S







Meeting Date: January 17, 2023

Subject: Caledon's Initial Action Plan in Response to Bill 23 and Greenbelt Changes

Submitted By: Bindu Shah, Strategic Lead, Planning  
Antonieta Minichillo, Director, Planning / Chief Planner  
Myuran Palasandiran, Director, Finance / CFO  
Hillary Bryers, Acting Treasurer  
Heather Savage, Director, Community Services  
Andrew Pearce, Director, Engineering Services  
Catherine McLean, Director, Customer Service and Communications  
Alexis Alyea, Town Solicitor / Manager, Legal and Court Services  
Erin Britnell, Director, Corporate Strategy and Innovation

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## **RECOMMENDATION**

That the Town of Caledon advocate to the Province of Ontario to pause the release of Bill 23 legislation that is not in force, until consultation is completed with municipalities, First Nations and other stakeholders;

That the Town of Caledon collaborate with Mississaugas of the Credit First Nation (MCFN) to prepare a joint statement regarding the Town and MCFN's concerns about Bill 23 and changes to the Greenbelt Plan;

That a Zoning By-law Amendment be initiated to update Zoning By-law 2006-50, as amended to address the implications of Bill 23, including but not limited to, matters of Site Plan Control and Additional Residential Units.

## **REPORT HIGHLIGHTS**

- Bill 23, the More Homes Built Faster Act, 2022, received Royal Assent on November 28, 2022. It introduces changes to numerous Acts, including the *Planning Act*, the *Development Charges (DC) Act*, the *Ontario Land Tribunal (OLT) Act* and the *Conservation Authorities Act*.
- The housing crisis requires a comprehensive approach to deliver urgently needed affordable housing. Caledon staff invite collaboration with the Province and municipal partners on solutions.
- Caledon remains committed to embracing change and innovation as it grows without compromising the values and integrity of the Town's existing and future communities.
- Staff believe that some components of the Bill are positive for Caledon and other changes are negative and require mitigation, especially those that impact the Town's ability to fund necessary growth-related infrastructure and support complete communities. The impacts on Caledon's parkland are likely to have the most lasting and profound negative impacts, and at this time no tools are being offered to address the gap the changes will create.

- Ontario's Minister of Municipal Affairs and Housing (MMAH) has assigned the Town of Caledon a housing target of 13,000 new homes by 2031. This growth is aligned with what Caledon planned to deliver. However, much of Caledon's growth is greenfield, and is contingent on essential infrastructure being in place – roads, transit, utilities and water and wastewater servicing.
- The Province has requested that Caledon sign a 'Housing Pledge' reflecting the new target by March 1, 2023. Staff will bring forward a future report outlining a recommendation on the pledge and affiliated conditions.
- The financial challenges created by Bill 23 are significant. Revenue streams, parkland contributions, resources, and the ability to fund growth related studies are negatively impacted. The initial assessment of changes to just the DCs indicates a minimum impact of \$85 million (2019 dollars) over 10 years. This number does not include the financial impacts to parkland. Additional financial challenges may be experienced once the impact of the definition of 'affordability' is clarified by the Province. Staff continue to develop a more accurate financial assessment which will be presented to Council at a future date. The monetary impact will likely be exponentially higher.
- The Province has indicated they understand these impacts and will offer other financial tools to assist municipalities with certain infrastructure funding. Caledon is eager to learn what those tools are.
- Environmental and heritage protection remain of concern. Staff recommend advocacy to the Province to pause proclamation of in-effect dates of the pending legislation to enable more consultation.
- Caledon is in a unique position in Peel Region because it is a greenfield growth community. Caledon continues to prepare itself for substantial growth, and it has little to no infrastructure in place. Caledon will require significant investment in transit, roads, utilities, and servicing to realize its growth targets. With increased growth pressures in Mississauga and Brampton and with Bill 23 impacting the Region's finances, the Region's infrastructure needs may be prioritized, and Caledon's growth impacted as a result.
- Staff continue to explore opportunities from the changes in Bill 23 and have identified immediate action items, some of which align Caledon with the in-force legislation, some which mitigate negative impacts and others which aim to position Caledon for success.

## **DISCUSSION**

### **Background on Bill 23, the *More Homes Built Faster Act*, 2022 ("Bill 23")**

Bill 23, announced on October 25, 2022, is part of the Province of Ontario's ("the Province") plan to address housing supply and affordability and follows previous initiatives such as *More Homes More Choice Act* (2019) and *More Homes for Everyone Act* (2022). Under the new Bill 23, the Province's plan is to address the housing crisis by targeting the creation of 1.5 million homes over the next 10 years. To implement this plan, Bill 23 introduces several changes to a total of 10 Acts, including the *Planning Act*, the *Development Charges Act*, the *Ontario Land Tribunal Act* and the *Conservation Authorities Act*.

On November 25, 2022, Town staff brought forward a memo to Council with a summary of the legislative changes proposed under Bill 23. At the time, the status of the bill was third reading debated. It underwent some changes after public hearings and debate at the legislative committee stage. On November 28, 2022, the bill received Royal Assent. Some parts of the bill have come into effect and others will come into effect at a future date at the government's discretion. (See **Schedule B** to this report for an explanatory note on Bill 23 and **Schedule C** for in-effect dates of various pieces of the legislation).

This report serves as an update to the previous staff memo and outlines impact of key elements of Bill 23. The report has been prepared with input from numerous Town departments and external agencies.

### **Housing Target Assigned to Town of Caledon and Housing Pledge**

The Province has assigned housing targets for 29 of the largest municipalities in Ontario. The Town has been assigned a target of 13,000 new residential units by 2031. The Province has requested that a Housing Pledge committing to this target be approved by Town Council and submitted to the Province by March 1, 2023. (See **Schedule D** for details on the pledge). The Province will use municipal pledges to monitor and track progress towards housing targets. Municipalities have identified that significant acceleration of transportation, servicing, and community infrastructure and additional staffing resources will be required to meet these provincial targets. On November 30th, 2022, Minister Clark committed in a letter (See **Schedule E**) to the President of the Association of Municipalities of Ontario (AMO) that “there should be no funding shortfall for housing enabling infrastructure as a result of Bill 23, provided municipalities achieve and exceed their housing pledge levels and growth targets”.

Staff believe the housing targets assigned to Caledon are achievable as they are 1,000 units more than the Region's forecast for Caledon, however, the availability of infrastructure is key to achieving these targets. As Caledon's growth is greenfield growth, it is critical that key dependencies are in place to enable and support this growth. This includes the provision of housing-enabling infrastructure (roads, transit, utilities, and water/wastewater servicing), securing the Town's financial future, delivering robust parks, and advancing the green agenda.

Town staff will bring forward more information on the Housing Pledge in February. Staff have relied on Caledon's housing target for the analysis in this report.

### **Analysis of Bill 23 Impacts to Caledon and Action Items**

Attached to this report is an analysis of the key changes as a result of Bill 23. The schedule outlines the impacts and a series of action items (See **Schedule A**). The materials contained in Schedule A are key to understanding how Caledon is impacted by Bill 23 and how staff are attempting to position the Town for success in the context of this significance change.

The impact analysis is categorized according to the following themes and topics therein:

- A. Funding for New Growth in Caledon
  - Region of Peel's ability to deliver growth related services



- Reduced Development Charge revenues for Caledon
  - Reduced amount and quality of parkland for Caledon residents
  - Effects on economic development and planning for complete communities
- B. Changes to Planning Systems and Heritage Protections
- Downloading of the Region of Peel's planning responsibilities to Caledon
  - No site plans needed for small residential developments and less site plan control for other developments
  - No public meetings for plans of subdivision
  - New permissions for gentle density (as-of-right zoning for up to 3 units on a serviced lot)
  - No third-party appeals allowed for minor variances and consents
  - Less protection for heritage resources
- C. Changes to Planning Laws and Appeal Matters
- Increased powers for cost awards
- D. Impacts on Natural Environment and Conservation
- Changes to commenting role of conservation authorities
  - CA permits not required within regulated areas (including wetlands)
  - Reduced protection of wetlands and natural heritage system
  - Conservation lands to be made available to support housing development

The recommendations in this report and the action items identified by staff in **Schedule A** provide a preliminary implementation plan for the Town and position Caledon to continue with its approach of smart growth in the face of changing legislation. Further changes are awaited. Notably, the Province is integrating two major provincial growth documents to align with Bill 23 housing goals: *A Place to Grow: Growth Plan for the Greater Golden Horseshoe* and the *Provincial Policy Statement*. Key changes are expected for long-term population and employment forecasts, residential intensification targets, minimum densities, rural housing, etc. Staff will ensure that Council is kept advised of any legislative, policy and other changes being proposed by the Province.

### **Changes to the Greenbelt Plan and the Oak Ridges Moraine Conservation Plan**

Bill 23 itself does not make any changes to the Greenbelt. In order to align with the goal of increasing housing supply, the Province has amended the Greenbelt Plan (see [here](#)) and re-designated lands in the Oak Ridges Moraine Conservation Plan (see [here](#)), anticipating future development of at least 50,000 new homes on the affected lands.

While no land is proposed to be removed from the Greenbelt in Caledon now, these changes are concerning as they may set a precedent that other environmentally protected lands can be opened for development. Staff note that a landowner in the Greenbelt next to Caledon Village has submitted a request to the Province through the Environmental Registry of Ontario (ERO) posting to have their lands removed from the Greenbelt.

### **Relationship with MCFN and Impact to Indigenous Communities**

In October 2022, the Town of Caledon entered into a memorandum of understanding (MOU) with MCFN, the first in the Region of Peel. The MOU plays an important role in the Town's reconciliation efforts. Prior to Bill 23 being adopted by the Province, the Town

approached MCFN and was provided with their statement opposing Bill 23 due to no consultation having been completed, impacts on their Treaty rights, Land Claims, the Ontario Heritage Act as well as environment protections. MCFN has immediate concerns with changes to the Greenbelt Plan area which include numerous MCFN treaties and will impact important features and ecosystems. (See **Schedule J** for MCFN Statement on Bill 23 and MOU with the Town). Staff recommend advocacy to the Province to pause the release of Bill 23 legislation that is not in force yet and working with MCFN on a statement about the concerns about Bill 23, the Greenbelt Plan and lack of consultation.

## **Conclusion**

Overall, the changes proposed through Bill 23 will require significant revisions to the Town's land use planning policies and processes, as highlighted in this report. Staff are appreciative of the Province's goal of creating a better housing supply system. Ontario needs to build more of the right kind of housing in the right locations and at the right price. However, housing alone does not create a community.

Bill 23 appears to assume that by removing municipal charges and reducing cost of providing community amenities such as parks, housing supply will improve, and housing prices will decrease. It offers no strategies to ensure that any cost savings resulting from the proposed changes are passed on to homebuyers. At this time, it does not offer municipalities any tools to fully fund and plan for the infrastructure required to support the increased housing supply.

The Province and the Region have identified Caledon as a major area of growth and staff continue to work on planning for a prosperous and sustainable Caledon. These legislative changes will impact the environmental, social and economic health and wellbeing of the Town. Caledon will require the support of all levels of government, residents, and stakeholders to achieve its vision of smart growth and not lose sight of what matters to Caledon.

## **FINANCIAL IMPLICATIONS**

Analysis of Bill 23 indicates financial implications for the Town as the changes to both development charges and cash in lieu of parkland will create a gap between the cost of growth infrastructure ability to fund this crucial infrastructure. With an early low-end estimate of \$85M of lost DC infrastructure funding (based on 2019 dollars), in order to maintain the current level of service, staff anticipate a future property tax increase of at least 14% or \$260 a year for the average residential taxpayer to cover the shortfall.

The deficit parkland dedication changes introduced in Bill 23 will reduce the Town's ability to fund its Park plan. To make up for this loss in revenue, in addition to the development charges deficit, a future property tax increase of at least 6% or \$154 a year for the average residential taxpayer is anticipated to cover the parkland shortfall.

Without new funding tools to address the gap, staff anticipates a future Town property tax increase of at least 20% or \$414 a year for the average residential taxpayer. (It should be noted that in addition to this increase, the Region calculates that the annual average increase to the regional portion of the Tax/ Utility Bill – Residential will be \$145 to \$180



per household). As a result, staff believe it is critical that the Town continue to advocate to the Province for additional funding mechanisms.

In addition, proposals for responsibilities being downloaded from the Region and Conservation Authority's and the need for amendments to existing policies and programs that were not in current workplans will likely impact staffing/resourcing needs. To date, the Province has not indicated that grant funding will be made available to municipalities to off-set revenue losses and to enable timely delivery of infrastructure needed to meet Provincial housing targets.

The funding shortfall created by Bill 23 is in addition to the existing funding shortfall for the Town's funded capital program. As Bill 23 will lead to additional costs to taxpayers and water/sewer ratepayers, difficult decisions will be needed to determine the Town's priorities and trade-offs between funding growth, asset renewal and service improvement needs.

Staff will continue to assess the provincial legislative changes and will provide a future update on any significant changes or updates to the Town's future budgets.

The Town is at a critical point in its growth trajectory. A new DC background study was planned for Council approval in early 2024 following the completion of several key Master Plans and other important growth-related work in 2023. Without having this key information completed, the fulsome cost of growth remains unknown. Further, without development charges available to fund this infrastructure, and without provisions yet to make up for this critical loss, the Town will be faced with difficult financial decisions including increases in property taxes or reduction in services provided to the community. Staff look forward to provincial funding supports and new tools to mitigate the Town's growth funding.

## **ATTACHMENTS**

Schedule A: Town of Caledon Bill 23 Preliminary Impact Analysis and Action Items  
Schedule B: Bill 23 Explanatory Note on Bill 23  
Schedule C: Bill 23 In-effect Dates  
Schedule D: Ministry Letter for Caledon Housing Pledge  
Schedule E: Ministry Letter to AMO  
Schedule F: Region of Peel Report on Bill 23 Implications  
Schedule G: Region of Peel Letter to the Province for a Municipal Compensation Fund  
Schedule H: Bill 23 Assessment for Town of Caledon (Watson & Associates)  
Schedule I: TRCA Memorandum on Bill 23 Implications  
Schedule J: MCFN Statement on Bill 23 and MOU with Town of Caledon

## Town of Caledon Bill 23 Preliminary Impact Analysis and Action Items

The following is a preliminary staff analysis of key elements of Bill 23, the *More Homes Built Faster Act*, 2022 on the Town of Caledon; and immediate action items to be pursued.

### A. Bill 23 Will Reduce Funding for New Growth in Caledon

#### Impacts: Region of Peel's Ability to Deliver Growth Related Services

Bill 23 significantly changes municipalities' ability to fund new growth, such as through Development Charges (DCs) and Parkland Dedication and payment in lieu provisions. New DC exemptions are now established for properties sold or rented at a price no greater than 80% of the average price/rent in the year a unit is sold or rented. Whereas previously, all homes constructed paid development charges or parkland dedication/payments. The new definition uses average market values, instead of a % of household income, creating a potential for many exemptions and large loss in revenue to municipalities.

As of November 28, 2022, all non-profit housing will be exempt from DCs, Community Benefits Charges (CBCs) and parkland dedication/levies. The same applies to additional residential units (e. g. second units and garden suites) which are now permitted in all urban residential areas. On a day to be named by proclamation of the Lieutenant Governor, all housing units that will be deemed to be affordable, will be exempt from payment of DCs. Moreover, a category of "attainable housing" has been introduced, which will be defined in future regulations. When it comes in force, attainable housing could also be exempt from paying municipal charges, adding to the revenue shortfalls.

A Regional staff report (see **Schedule F**) dated December 8, 2022 identified that Bill 23 will greatly reduce the Region's ability to collect Regional DCs with an estimated impact of around \$2 billion over the next 10 years and \$6 billion if the Province's housing targets are actually met. Due to this loss in revenues, the Region will not be able to provide infrastructure in a timely manner to support the housing targets set by the Province for Peel municipalities. If there is no other provincial or innovative funding to cover these revenue shortfalls, the financial burden of making up the losses would shift to property taxes and utility user fees. The Region calculates that the annual average increase to the regional portion of the Tax/ Utility Bill – Residential will be \$145 to \$180 per household.

Cities of Mississauga and Brampton have been assigned housing targets that are significantly higher than the Region's forecast. The Region confirms that it has limited financial and service capacity to design, procure, build and maintain infrastructure at this pace and scale. Caledon's growth is currently challenged because of lack of infrastructure and with competing demands from Mississauga and Brampton the lack of a solution for transit, roads, utilities and servicing has and will continue to be a barrier to growth. If the Region cannot deliver on its infrastructure plans for Caledon, such as water servicing, this may have a direct impact on the ability for the Town to meet the housing targets.

## Town of Caledon Bill 23 Preliminary Impact Analysis and Action Items

To ensure that the necessary funding is available to address the impacts of Bill 23, Regional Council approved a recommendation at its December 8th meeting, calling on the Province to create a fund to compensate the Region of Peel and its local municipalities so that they are made whole as a result of the impacts on municipal growth funding revenues and expenditures. (See **Schedule G** for the Region's letter to the Province regarding a Municipal Compensation Fund).

On December 8, 2022, Bill 39, *Better Municipal Governance Act*, 2022 received royal assent. While not expressly included in the proposed legislation, the Province has announced that a provincially appointed facilitator will be asked to assess regional government and determine the appropriate roles and responsibilities for each of the Region and its local municipalities. Caledon anticipates these discussions may help mitigate some of the negative land use planning and infrastructure coordination impacts of Bill 23.

### **Impacts: Reduced Development Charge Revenues for Caledon**

Municipalities use Development Charges (DCs) to ensure growth pays for growth by collecting the cost of growth-related capital infrastructure from new developments. Development charges are the biggest source of funding for the Town's capital budget.

Apart from the reduced DC flow due to the new exemptions for affordable and attainable housing, changes to the calculation of DCs based on historical levels of service and phase in of any rate increases over five years will reduce the recovery of growth-related costs from DCs and delay/prohibit construction of new facilities. DCs can no longer be used to fund growth related studies (Official Plan, Secondary Plans, Development Charge Background studies, Heritage review, etc.). Municipalities will not be able to use DCs to purchase land for growth-related infrastructure (in force date TBD).

The Town of Caledon retained Watson & Associates Economists Ltd. to assess the impacts of Bill 23 changes to DCs on the Town's financial position (See **Schedule H** for the report). Watson calculates that assuming the new (Bill 23) DC Act rules were in place in 2019, Caledon would lose approximately \$85 million (in 2019\$) over 10 years. In the context of the total DC revenues of \$453.8 million for the forecast period, this loss equates to 18.8% of 'lost' DC revenues for Caledon. This loss in DCs is an early estimate and would be a property tax increase of over 14% or \$260 a year on the average residential tax bill.

This early estimate is the Town's minimum loss as Bill 23 does not currently clarify how affordability will be defined for a DC exemption. There will be a difference if affordability is calculated against the aggregate average annual housing value across all housing types (houses/townhouses, etc.) or the average annual value within each housing type. Watson has calculated the above based on an assumption of the latter. If affordability is calculated within each housing type, then the percentage of affordable dwellings captured through Watson's analysis would dramatically increase, leading to an equally dramatic increase in lost DC revenue. Moreover, the upcoming clarity on 'attainable housing' and related exemptions will lead to even further DC losses.

As Caledon continued to prepare for growth it was embarking on a new DC Background study, several key Master Plans and other important growth-related work. In the absence of this work being completed the fulsome cost of growth remains unknown.



## Town of Caledon Bill 23 Preliminary Impact Analysis and Action Items

This reduction in the Town's revenue is critical, as there are no provisions yet to make up for the loss, either through provincial-municipal revenue sharing, new revenue raising tools and supports such as allocating portion of Provincial and/or Federal HST revenues to municipalities. Instead, DC revenue shortfalls will have to be funded through other means, including increases in property taxes or reduction in services.

The impact on the Town's DC revenue will place it at risk of underfunding growth-related projects and delay the construction of capital projects, which in turn may delay the construction of new housing units. As an example, Caledon's Transportation Master Plan projects a budget requirement of \$450 million. Losing almost 20% of DC revenue would mean Caledon will either be forced to back fund some capital improvements or use the available funds for immediate road improvements but not be able to build new roads in the future.

<b>DC Legislation Change</b>	<b>Total DC Revenue Impact (in 2019\$)</b>
New DC Exemptions & Discounts	\$64.3 million
DC Phase-In Rules	\$10.0 million
Increase in Historical Level of Service	No impact on revenues
Removal of DC funding for Studies	\$11.1 million
<b>Total</b>	<b>\$85.4 million</b>

Figure 1: Estimated Local DC Revenue Impact of Bill 23 on Town of Caledon

Other changes to the Development Charges Act under Bill 23 will also reduce the amount of DC revenues a municipality can collect. The Town will continue to review these changes and review back to Council as new information on the impact on the Town's DC revenues is revealed.

### **Impacts: Reduced Amount and Quality of Parkland for Caledon Residents**

Bill 23 Planning Act amendments drastically reduce the amount of land that new developments must provide for new parks: For higher density residential developments, the parkland dedication rate has been reduced to 1 ha/600 units for land and 1 ha/1000 units for cash in lieu and capped at 10% of the land or its value for sites under 5 ha, and 15% for sites greater than 5 ha. Moreover, municipalities will be required to spend or allocate at least 60% of the parkland reserve funds annually.

Watson's analysis shows that Bill 23 Planning Act amendments will reduce the amount of land that new developments must provide for new parks by 15% from previous levels for lower density housing (where the standard requirements of 5% of the land for the residential development are applied), and by 52% for higher density housing (where the alternative requirements of 1 ha per 600 units are applied). Unless other funding support is made available, this will reduce the incremental level of service provided by new housing to about 0.43 hectares (ha) of park space per 1,000 population.

As Caledon grows and a variety of housing types including higher forms of density are introduced, the need for park spaces for health and well-being will be greater than ever.

In addition, the Province has not confirmed the date when these proposals will be in effect:

# Town of Caledon Bill 23 Preliminary Impact Analysis and Action Items

- allowing Privately Owned Public Open Spaces (POPs) and strata or encumbered lands to be counted towards parkland credits; and
- allowing developers to determine park locations in new developments.

Staff cannot fully estimate the impacts of the above-referenced changes at this point, but as Caledon grows, the quality of park spaces will likely be reduced if these additional proposals come into force.

## Impacts: Effects on Economic Development and Planning for Complete Communities

Along with Bill 23, the Province has recently established the following provincial priorities under the Municipal Act:

- Building 1.5 million new residential units by December 31, 2031.
- Constructing and maintaining infrastructure to support housing, including transit, roads, utilities, and servicing.

Under Bill 23, the Province indicates future support for the above mentioned housing-related infrastructure however, an accelerated housing supply will also require concurrent supply of employment and jobs, retail, food services, community amenities, libraries, fire halls, health care, social services and schools in order to create complete communities. Growth funding shortfalls may thus also impact the provision of soft infrastructure and cause delays in the Town's economic development goals. Caledon may have to rely on more external funding/grant programs to meet program budgets.

## Next Steps

### **Action 1: Analyse feasibility of a Housing Pledge**

The housing targets assigned to Caledon are achievable, however, this is contingent on the availability of required infrastructure, both regional and local. Staff will complete a high-level, preliminary analysis of the growth-related infrastructure (roads, transit, parking, parks, schools, fire halls, water/wastewater, etc.) that will be required to meet the housing target for Caledon set by the Province (construction of 13,000 new homes by 2031). Bill 23 related revenue loss calculations and discussions with the Region will help staff understand which of the required infrastructure, if any, could either be deficient towards meeting the target or could be delayed. Staff will share the findings with Council, so that an informed decision can be taken regarding the Town's ability to sign the Province's housing pledge and the nature of requests that the Town may need to make to the Province for support in bridging these infrastructure gaps.

### **Action 2: Advocate for housing-enabling infrastructure funding options**

As referenced by the Minister in a letter to AMO (**Schedule E**), it is important that the Province evaluate municipal funding shortfalls from Bill 23 and the resulting delays in infrastructure and housing supply, especially in a greenfield context such as Caledon. Unlike municipalities who have had considerable growth in the past, Caledon may not be well-positioned with reserve balances to cover the required infrastructure funding. For example, the Town's Fire DC reserve balance before the 2023 budget needs is negative \$11,130,720. The 2023 budget commits additional spending of \$4,164,900 from this reserve. Without adequate revenues in 2023, this balance will continue to decrease. The Town's Services related to a Highway DC reserve balance before the 2023 budget is \$46,148,62.33. The 2023 budget is funding \$21.6 million worth of projects from this reserve. The current Town's DC reserves contribute to key

# **Town of Caledon Bill 23 Preliminary Impact Analysis and Action Items**

infrastructure projects already planned for current development and need continued DC revenues to be maintained.

The Town will advocate for a provincial infrastructure funding program and new alternative tools for growth to appropriately pay for growth. Caledon will include Bill 23 matters in the advocacy plans for the Rural Ontario Municipal Association (ROMA) Conference in January 2023. Limited details are available about the Federal Housing Accelerator Fund referenced by the Minister; and it is unclear if the Fund will be sufficient to meet the shortfalls of all municipalities impacted by Bill 23. Staff will also investigate the criteria and application process for the Federal Housing Accelerator Fund.

## **Action 3: Ensure timely provision of Regional and other infrastructure**

As Bill 23 has regional growth infrastructure impacts, Caledon will advocate to the Region of Peel for timely coordination, planning and delivery of housing-enabled infrastructure. It is critical to address potential conflicts between Caledon's growth plans based on the new housing targets and the Region's capital investment programs at an early stage. Staff will continue to collaborate with the City of Brampton, the City of Mississauga, Metrolinx, Ministry of Transportation Ontario, conservation authorities and other agencies to fully evaluate and integrate impacts of Bill 23 on the Town's ongoing growth management projects such as the 'Growth Management & Phasing Plan and Financial Impact Assessment for the New 2051 Urban Area'.

## **Action 4: Leverage Caledon's Community Builders Roundtable**

Meeting growth projections and housing targets in the current challenging fiscal environment will need an extremely collaborative approach and buy-in from multiple stakeholders. Staff will continue to leverage Caledon's Community Builders Roundtable to collaborate with developers and landowners, including in the SABE, so that all stakeholders can contribute to the growth targets in a meaningful way.

## **Action 5: Align parkland policies**

Staff will bring forward Official Plan amendments to align parkland dedication policies with the Planning Act and to maximize conveyance of parkland permitted under sections 42, 51.1 and 53 of the Planning Act. Official Plan Policy 6.2.12 Parkland Dedication and Cash-in-lieu will need be amended to incorporate the changes from Bill 23. Town Council approved the Parks Plan in June 2022, which establishes a parkland provision target of 2.7 ha per 1000 population.

Caledon's Official Plan contains specific policies dealing with the provision of lands for park or other public recreational purposes and the use of the alternative requirement of 1 hectare per 300 dwelling units for conveyance of parkland. The policies need to be amended to reflect the current maximum alternative rate now reduced to 1 ha per 600 units for land and 1 ha per 1000 units for payment in lieu of parkland under Bill 23. The Town may also impose as a condition to the approval of a plan of subdivision that land in an amount not exceeding, in the case of a subdivision proposed for commercial or industrial purposes, 2 per cent and in all other cases 5 per cent of the land included in the plan be conveyed to the Town for park or other public recreational purposes.



# **Town of Caledon Bill 23 Preliminary Impact Analysis and Action Items**

## **Action 6: Create a parkland acquisition strategy**

Caledon's 2022 Parks Plan recommends an additional 80 hectares of parkland to adequately support a healthy community as rapid growth takes place. Bill 23 limits the use of the Planning Act tools; parkland conveyance or payment in lieu of parkland, which primarily support outdoor park functions. Staff will create a long-term parkland acquisition strategy and a plan to purchase the land with the parkland reserve (Reserve Funds By-law 2020-104). This will better align the purpose of the 'Payment In Lieu of Parkland Reserve' with the Planning Act and the 2022 Parks Plan, as Bill 23 intends.

## **Action 7: Establish Community Benefits Charges as a revenue tool**

Caledon will explore establishing a Community Benefits Strategy and By-law to help fund growth-related community amenities. Bill 23 establishes new calculations for the growth funding tool of Community Benefits Charges (CBCs) based on parameters for new development only, not any existing buildings or value of land with existing development, reducing the potential revenues. However, Caledon has not established a Community Benefits Strategy and By-law yet. As other growth funding tools such as DCs and Parkland levies are being reduced, Caledon should proceed with its review of CBCs to see if they can be a source of revenue for related infrastructure.

## **Action 8: Set up an Affordable Housing Evaluation and Monitoring Protocol**

Staff will now need to review each building permit to confirm the number of new housing units that would fall under the Bill 23 definition of affordable housing and would thus be exempt from paying charges and parkland cash in-lieu. Staff will set up an Affordable Housing Evaluation and Monitoring Protocol to implement this review and will share this with the development industry for clarity and compliance.

## **Action 9: Explore models for municipal fiscal resilience**

Staff will prepare a municipal benchmarking study of leading smart growth measures for fiscal resilience. Municipalities across North America are constantly aiming to implement financially sustainable growth models in economic downturns. For example, land use planning, economic development, and expansion of tax bases through revenue modeling may help decision-making on where and how to grow. Although circumstances may not be similar, there may be lessons Caledon can benefit from as it pivots in its approach to fiscal sustainability in response to recent provincial legislative changes.

## **B. Bill 23 Changes Planning Systems and Heritage Protections**

### **Impacts: Downloading of the Region of Peel's Planning Responsibilities to Caledon**

To streamline municipal planning responsibilities, Bill 23 proposes removal of the planning policy and approval responsibilities from many upper-tier municipalities including the Region of Peel. The Minister of Municipal Affairs and Housing (MMAH) would therefore become the approval authority for the new Town of Caledon Official Plan and any amendments to the Official Plan. Minister's decisions are not subject to appeal. (In effect date TBD). Further, Bill 23

# Town of Caledon Bill 23 Preliminary Impact Analysis and Action Items

directly allows the Minister to amend the Town's Official Plan and make any changes it sees fit, including imposing growth or otherwise changing the Town's growth strategy.

The Region of Peel Official Plan, approved with modifications by the Minister of Municipal Affairs and Housing, will become the responsibility of the Town of Caledon with the Town's own Official Plan. The intent is that local municipal Official Plans will incorporate Regional Official Plan policies within their jurisdiction. In the interim, *Planning Act* decisions will be made by local municipalities considering both documents; with the Regional Official Plan prevailing in conflict. While Bill 23 was passed on November 28, 2022, the provisions which remove the Region's planning responsibilities are not in force and will take effect when those provisions are proclaimed in force in the future.

It is important to note that the removal of planning policy and review function responsibilities to address growth at the regional level may result in conflicting planning policies and a lack of coordination of regional transportation, water and wastewater infrastructure. Caledon is mindful of the fact that to accompany this legislative change, through another legislation (Bill 39), a provincially appointed facilitator will assess regional government in Peel and determine the best mix of roles and responsibilities between the Region of Peel and municipalities of Caledon, Mississauga, and Brampton to ensure municipalities are equipped to deliver on the government's commitment to build 1.5 million homes over the next 10 years.

## Next Steps

### **Action 10: Finalize Caledon's new Official Plan**

Town staff will continue to finalize "Future Caledon" the Town of Caledon's new Official Plan and bring forward a report outlining impacts from Bill 23's proposed removal of planning responsibilities from the Region of Peel, including the Region's Official Plan.

### **Impacts: No Site Plans Needed for Small Residential Developments and Less Site Plan Control for Other Developments**

Bill 23 exempts any residential development that contains no more than 10 residential units on a parcel from site plan control and limits the scope of what site plan control can apply to. The site plan approval process currently provides the primary mechanism for reviewing and regulating a broad range of important site design related matters such as access for pedestrians and vehicles, parking, walkways and circulation, accessibility, waste facilities, grading and drainage, servicing, landscaping/buffering, lighting, building location, natural heritage protection, and exterior design.

Under Bill 23, Site Plan can only apply to:

- matters related to green roofs;
- building construction requirements related to environmental conservation, where permitted, under the Building Code Act;
- the appearance of building elements if it impacts health, safety, accessibility or sustainable design.

In Caledon, there are various circumstances where Site Plan Control would typically apply to 10 residential units or less:

## Town of Caledon Bill 23 Preliminary Impact Analysis and Action Items

- Residential development on lands zoned an Environmental Policy Area (EPA1-ORM and EPA2-ORM) and the associated 90 metre buffer in the Oak Ridges Moraine Conservation Plan
- Residential development on corner lots
- Residential development where the Committee of Adjustment has imposed a condition to require Site Plan Control
- Certain lots/blocks within plans of subdivision for townhouse development or to address matters of site design, architectural control, environmental protection and archaeological matters.

In reviewing past examples, this change to the *Planning Act* may result in the inability for the Town to request Site Plan Control in any of the above-noted circumstances.

To ensure that the intent of requesting Site Plan Control in the above-noted circumstances are met, the Town will likely require additional details at the Draft Plan of Subdivision or Zoning By-law Amendment application stage (for matters in the Oak Ridges Moraine Conservation Plan). The Town will also need to amend various by-laws and processes including an amendment to the Zoning By-law, the creation of a Lot Grading process and related amendments to the Building Permit process, amendments to the Site Alteration/Fill Permit process, and the development of new processes and by-laws to mitigate development impacts. Staff will bring forward any by-laws for Council enactment in Q1 of 2023. In the interim, staff will continue requiring Site Plan Control as previously required.

Bill 23 does not identify any modification to the Oak Ridges Moraine Conservation Plan. Current requirements for, and associated with, site plan approval under this Plan, appear to remain in full effect. These include Section 16(2) requirements for natural self-sustaining vegetation in Countryside Areas, Section 30 (10) site plan approvals requirements for development or site alteration resulting in the creation of three or less lots and or the construction of a building or buildings with a ground floor area of less than 500 m<sup>2</sup>, and Section 32(4) lot creation requirements.

The Town is hopeful that community builders will prioritize urban design and landscape elements of their proposals and that staff can work collaboratively on such goals. If these elements cannot be advanced, the Town will see a decline in the quality of the built environment which could lead to other negative impacts. Further, the Town is seeking clarity on the impact of Site Plan Control changes to its Green Development Standards, which is currently in development and slated for Council consideration in 2023.

### Next Steps

#### **Action 11: Finalize the Lot Grading and Building Permit process and amend the Site Plan Control By-law**

Staff will finalize changes to the Lot Grading process and Building Permit process, including any related policies and by-laws, and will bring forward a report to Council under separate cover in Q1 2023. Staff will include a by-law to amend Site Plan Control By-law 2013-086, as amended, to align with *Planning Act* Site Plan exemptions for developments with 10 units or less and reduced Site Plan authority for all developments.

#### **Action 12: Complete the Site Plan Process Review and update communications**



# **Town of Caledon Bill 23 Preliminary Impact Analysis and Action Items**

Staff will complete the Site Plan process review and complete updates to all procedures and external guidance documentation to ensure that clients understand the process and those matters allowed to be reviewed under a Site Plan application.

## **Action 13: Amend the Official Plan and various by-laws**

Staff will initiate amendments required to the Official Plan, the Comprehensive Zoning By-law, the DC By-law, the Parkland Conveyance By-law and the Fill By-law.

## **Action 14: Update Guidelines and Standards**

Staff will include alignment with Bill 23 in the update of the Development Standards (including matters of landscape), Comprehensive Town Wide Design Guidelines project, and in the ongoing Green Development Standards.

## **Impacts: No Public Meetings for Plans of Subdivision**

Bill 23 removes the requirement that a public meeting be held for proposed plans of subdivision. Previously the *Planning Act* required that a public meeting be held for proposed plans of subdivision prior to draft plan approval being issued. The Town's practice has also been that where plans of subdivision are not yet draft approved and a public meeting was held 2 or more years prior, another public meeting be held.

Although this change as per Bill 23 may result in a reduction of residents and stakeholder participation, the plan of subdivision process remains a public one. At this time, a Notice of Application continues to be required for plans of subdivision. The Town will continue to provide notice through posting of a sign(s), a mailout to landowners within 120 metres (394 feet) and newspaper advertisement(s). Residents and other stakeholders can still contact the Town and provide comments.

In addition, through the Town's response to Bill 109, the Town is requiring that new projects undertake public consultation (to the satisfaction of the Town), prior to a formal plan of subdivision application being submitted. Although the Town is still developing the detailed parameters on how and when notice will be provided, the requirement will be that applicants hold a meeting where nearby residents/stakeholders can attend, learn about the proposal, and provide comment.

Finally, public meetings continue to be required for Official Plan Amendments and Zoning By-law Amendment applications. At the Town it is typical for plans of subdivision to also require a Zoning By-law Amendment to be approved, and public meetings continue to be required for these applications.

The Town is advising clients that any draft plan of subdivision application deemed 'complete' after January 1, 2023 will no longer require a public meeting.

## **Next Steps**

## **Action 15: Communicate changes to public engagement for subdivisions**

## Town of Caledon Bill 23 Preliminary Impact Analysis and Action Items

Staff will prepare a public (web) notification advising residents and developers that under the *Planning Act*, public meetings are not required for Draft Plans of Subdivision. The notification will also guide residents to optional engagement opportunities.

### **Impacts: New Permissions for Gentle Density (as-of-right zoning for up to 3 units on a serviced lot)**

Bill 23 amends the *Planning Act* provisions and associated regulations (O. Reg. 299-19) for Additional Residential Units (ARUs) to create more 'gentle density', by increasing the number of residential units on 'parcels of urban residential land' (fully serviced land) to up to a total of 3 units. The 3 units may be comprised as:

- The main dwelling (Unit #1), an apartment within the main dwelling (Unit #2) and an apartment within a detached building such as a garage (Unit #3)
- The main dwelling (Unit #1), an apartment within the main dwelling (Unit #2) and another apartment within the main dwelling (Unit #3)

In addition, the Bill states that municipalities cannot require more than one parking space per unit or set a minimum floor area for such units.

Staff analysis shows that within existing built-up areas of Caledon, this change will apply to properties with both piped water and piped wastewater services in Caledon East, Bolton, Mayfield West and Inglewood.

Increased density is critical from a land and resource efficiency and an affordability perspective. Moreover, additional residential units can be counted towards the housing target of 13,000 new units in Caledon by 2031. However, the Town may need to evaluate and address infrastructure and servicing impacts of this additional density in these four locations.

The Town's current Official Plan and Zoning By-law will need to be updated to align with this change. While changes to the Official Plan will be completed as part of the new Town of Caledon Official Plan, the changes to the Zoning By-law are critical and urgent, requiring a separate stand-alone amendment to the Zoning By-law being undertaken immediately.

The Town's Zoning By-law does not reflect the permissions granted by Bill 23 and is used daily by residents, stakeholders, and the Town in responding to client inquiries, reviewing building permits and planning applications. The Zoning By-law will need to be updated to reflect the following, at a minimum:

- Permitted additional apartment units (including changes to definitions and standards) in settlement areas on full services
- Permitting, defining, and creating standards for residential units in detached buildings in settlement areas on full services
- Amending the parking requirements to reduce the required parking to 1 space/unit

As a recommendation to this report, it is requested that Council direct staff to initiate a Zoning By-law Amendment to address the matters noted above for Additional Residential Units and those matters relating to changes to the Site Plan Control provisions of the *Planning Act*. In the interim, if the Zoning By-law conflicts with the *Planning Act*, the *Planning Act* takes precedence.

In addition, staff anticipate that the increase in residential units on existing lots will have on-street spillover parking implications. A review will be required of the option of permitting on-

# Town of Caledon Bill 23 Preliminary Impact Analysis and Action Items

street parking permissions and additional enforcement requirements, especially in the absence of alternative mobility options, such as local public transit.

The Province may publish additional restrictions and/or criteria for these units. Staff will review the rules upon release and provide further updates if necessary.

## Next Steps

### **Action 16: Embrace gentle density and prepare a strategy for Additional Residential Units**

Staff will prepare a strategy to address gentle density including *Planning Act* changes related to additional residential units; and initiate amendments to the Official Plan, the Comprehensive Zoning By-law, the DC By-law, the Parkland Conveyance By-law, the Fill By-law, and lot grading review process. To assist the community with these changes, staff will provide a webpage outlining the changes to provide greater clarity.

There is an increased interest from developers in Caledon about incorporation of additional residential units in new builds. Staff will evaluate all ongoing and new development proposals for design strategies and proactive inclusion of legal additional residential units. This will support increased housing affordability and help Caledon meet growth targets while optimising the use of infrastructure.

### **Action 17: Explore a Town-Wide On-Street Parking Study**

Staff will explore a town-wide on-street parking study for parking management required due to uptake in additional residential units. The outcomes of this study will assist with an update to the parking standards in the Zoning By-law.

### **Action 18: Initiate a Zoning By-law amendment to address Bill 23**

Staff request that Council direct staff to prepare an update to the Comprehensive Zoning By-law to address as-of-right zoning (including any changes required to the definitions and parking standards) and to address matters as it relates to the changes to Site Plan Control.

## **Impacts: No third-party appeals allowed for Minor Variances and Consents**

Previously the *Planning Act* provided appeal rights to third parties (i.e. neighbours of the property with the proposed application) on Minor Variances and Consents. The Town is not a third party to appeals within its jurisdiction.

Bill 23 now restricts the ability for neighbors and landowners other than the applicant, to appeal decisions of the Committee of Adjustment. Furthermore, any current third-party appeals will be dismissed unless there is a merits hearing scheduled before October 25, 2022.

The first Committee of Adjustment Hearing of 2023 is to be held on January 25, 2023. Notices of hearing have already been sent to affected landowners and were therefore updated to reflect the changes to the appeal procedures.

## Next Steps



# Town of Caledon Bill 23 Preliminary Impact Analysis and Action Items

## **Action 19: Advise Committee of Adjustment participants of change to appeal rights**

Staff will work with the Chair of the Committee of Adjustment to advise the Committee, applicants and any participants of the changes to the appeal rights for Minor Variances and Consents.

## **Action 20: Prepare a Community Outreach Strategy**

Staff will finalize a Community Outreach Strategy to inform residents of Bill 23 impacts, including removal of third-party appeal rights for minor variances and consents. The Strategy will include guidance on additional residential units, heritage designation priorities and limitations on site plan control.

## **Impacts: Less Protection for Heritage Resources**

Bill 23 proposes amendments mainly to the sections of the *Ontario Heritage Act* regarding the municipal heritage register, Heritage Conservation Districts (HCDs) and Provincial heritage properties.

Heritage registers are to be reviewed and a decision is to be made whether listed properties on the register are to be designated. If properties on the register are not designated, then they are to be removed from the register by either January 1, 2025 (for existing listed properties) or two years of the date that the property was included on the register (for future listed properties). Furthermore, the property will not be allowed to be re-listed for an additional five years. These changes came into force on January 1, 2023.

The Town's heritage register includes 1,117 listed, non-designated properties. Caledon is a large municipality made up of rural and urban lands, small hamlets, and larger villages, and many of the properties which are listed and not designated are key landmarks for residents and visitors alike. Prior to Bill 23, the register provided interim protection for listed heritage resources and provided time to assess the merits of designation only when the building was threatened for removal through development. Caledon lacks staff resources to designate all properties on the heritage register, especially within the 2 years as required by Bill 23.

The new requirement for a property to meet at least two criteria for designation will restrict the Town's ability to recognize underrepresented communities and to protect rare cultural heritage resources which may not be as fulsomely documented as grand manor houses.

Moreover, Bill 23 proposes that Heritage Conservation District (HCD) Plans can be amended or repealed, and a regulatory authority would prescribe this process. HCDs are a valuable tool to provide incentives and cohesive planning to manage change. The Village of Bolton, Caledon's only HCD at present, is going through a period of transformation as a direct result of the efforts made by property owners and the municipality to identify it as a special place to live and work. Upcoming changes under Bill 23 may jeopardize the future of HCDs such as this.

## Next Steps

## **Action 21: Continued advocacy on the Ontario Heritage Act and Bill 23**

## Town of Caledon Bill 23 Preliminary Impact Analysis and Action Items

Staff recommend continued advocacy to the Province to re-evaluate changes to the *Ontario Heritage Act* from Bill 23 and engage with heritage property owners, municipal staff, First Nations, and heritage professionals on achieving the Province's housing target while retaining, conserving, and rehabilitating Ontario's cultural heritage resources for use by future generations.

### **Action 22: Prepare a Heritage Strategy**

Staff will prepare a Bill 23 Heritage Strategy to protect Caledon's significant cultural heritage resources, addressing growth areas, established communities, significant cultural heritage resources and cultural heritage landscapes. The strategy may include a Heritage Designation Prioritization Plan with selection criteria for prioritization, a Promotion and Outreach Program, exploration of Heritage Conservation District/Community Planning Permit Systems and heritage incentive program evaluations.

### **Action 23: Report to Council on staffing impacts**

Staff will include heritage-related staffing impacts in the corporate report on staffing impacts and related budgetary implications for implementation of Bill 23.

## **C. Bill 23 Changes Planning Laws and Appeal Matters**

### **Impacts: Cost Awards**

The Ontario Land Tribunal (OLT) will have increased powers to order costs against a party who loses a hearing. A municipality will need to use tax dollars to pay the successful party's cost if its case is unsuccessful at the OLT. The OLT will also have increased power to dismiss appeals for undue delay. The OLT may be authorized to prioritize certain 'specified classes of proceedings', the criteria for which have not yet been provided.

The OLT had powers before Bill 23 to order costs, but it used this power to discourage vexatious or unreasonable appeals. It is unclear whether OLT will consider this amendment as an encouragement to award costs as a matter of course, like the courts. If so, costs awards may become routine even where the unsuccessful party raises valid planning concerns that are worthy of the OLT's review and consideration.

### Next Steps

Staff do not recommend any process change now. Cost awards were always a possibility when participating in OLT appeals. The Town should continue to only participate in meritorious appeals where there are valid planning concerns for consideration by the Tribunal. It is unclear how the OLT will handle mixed success results, where a development is significantly improved through the hearing process compared to what originally went to Council, but the Town is not fully successful on all issues.

# Town of Caledon Bill 23 Preliminary Impact Analysis and Action Items

## D. Bill 23 Impacts Natural Environment and Conservation

### Impacts: Changes to Commenting Role of Conservation Authorities

Conservation Authority (CA) involvement in the development approvals process has been reduced. As of January 1, 2023, CAs' role in development review and commenting on applications is limited to the risks of natural hazards and flooding. CAs will no longer be able to review applications regarding natural heritage impacts. The responsibility and cost of the environmental review may be on municipalities.

Since 1997, Caledon has had an agreement with Toronto and Region Conservation Authority (TRCA) and Credit Valley Conservation (CVC) to provide technical expertise in plan review on matters related to wetlands, wildlife habitat, threatened and endangered species, fish habitat, area of natural and scientific interest, woodland, valley lands, groundwater and surface water quality and quantity, and flood and erosion watercourse and valley land hazards. In addition, CAs have guided policy development, assessed development impacts and informed appropriate mitigation measures. To provide this function, both TRCA and CVC have around 30 staff working on Caledon files who are expert ecologists, biologists, geomorphologists, geotechnical engineers, water resource engineers, and environmental planners. Caledon benefits from leveraging the expertise at the CAs, especially as Caledon does not have some of these specific skillsets (environmental planners, geotechnical engineers, etc.).

On December 16, 2022, TRCA provided an interim update (See **Schedule I**) on implementation of the further amendments to the *Conservation Authorities Act* and what this means for TRCA programs and services for municipalities including Town of Caledon:

- For natural hazard matters, TRCA will continue its plan review and commenting role.
- When the amendments related to permits come into force, the tests of "pollution" and "conservation of land" will be replaced with "unstable soil or bedrock". Those new tests have already come into force for permits related to Minister's Zoning Orders (MZOs) and Community Infrastructure and Housing Accelerator Orders (CIHAs).
- CA permits remain applicable law in respect of building permit applications.
- TRCA programs and services not affected by Bill 23 (such as trail planning and construction) will continue as usual and will be formalized through Memorandums of Understanding (MOUs).

Certain review functions may fall on Town staff however, staff await the release of confirming legislation. The Town will need to determine how best to fulfill or supplement the responsibility of environmental review from CAs. This may include relying on consultants or hiring staff with the appropriate technical expertise.

### Next Steps

#### **Action 24: Establish conservation policies**

Staff will explore the establishment and implementation of effective pollution and land conservation policies in the Town's Official Plan "Future Caledon."

#### **Action 25: Update MOUs with CAs and evaluate resource needs**



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Once Caledon determines the roles and additional impact on local review processes, staff will update MOUs, as required, with CAs, based on Bill 23 changes. Staff will also include any staffing and resource needs in the comprehensive Bill 23 staffing report.

### **Impacts: CA Permits Not Required within Regulated Areas (including wetlands)**

CA permits will not be required within regulated areas (including wetlands) for activity authorized under the *Planning Act* (in force date TBD). Exemptions to permits would also be granted where prescribed conditions are met. In Caledon, this will most notably impact environmental features and the development of lands outside of the provincial plan areas. Within the jurisdictions Greenbelt Plan, Oak Ridges Moraine Conservation Plan or the Niagara Escarpment Plan development applications remain subject to setback requirements from key natural heritage feature, key hydrologic feature and associated minimum vegetation protection zones.

Natural heritage feature protection outside of the provincial plan areas in Caledon remain subject to the requirements of Section 2.1 (Natural Heritage) of the Provincial Policy Statement (PPS 2020) at this time, which requires that development and site alteration not be permitted in significant wetlands, significant woodlands, significant valley lands, significant wildlife habitat and significant areas of natural and scientific interest, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. The review of technical reports related to this development may entirely fall to municipal staff.

### Next Steps

#### **Action 26: Finalize Terms of Reference for environmental studies**

Staff will complete ongoing work in collaboration with the CAs to finalize Terms of References for Town-required environmental studies (such as Environmental Impact Studies and Natural Heritage Evaluations).

### **Impacts: Reduced Protection of Wetlands and Natural Heritage System**

The Province is undertaking an update to Ontario's Wetland Evaluation System (OWES), which is the process for determining whether a wetland is significant and needs to be protected in place. The new evaluation system will make it possible for developers to reduce or remove critical wetlands that were previously evaluated as being significant. Wetlands are among the most productive ecosystems in the world and play a critical role in watershed ecology, biodiversity, water quality, and climate change mitigation and adaptation, as well as can provide protection from impacts of flooding and drought.

Within the SABE area, there is currently approximately 6% wetland cover, with a total natural cover of 15%, which is at risk of loss under the proposed OWES. Changes to the wetland evaluation program and habitat banking could reduce Caledon's ability to protect natural cover and improve on that cover within our urban expansion area. Developing over wetlands may pose significant associated risk and financial burden on municipalities. While it may be possible to mimic the flood control function provided by wetlands, the cost of providing this function would be significant. As a result, stormwater

## Town of Caledon Bill 23 Preliminary Impact Analysis and Action Items

management practices would require a larger footprint of developable area and would result in more stormwater infrastructure for municipalities to operate and maintain.

Further to this, the Province's proposal of introducing an offsetting program for both wetland and natural heritage features and allowing fee compensations may further worsen the problem. Although there is a goal of providing an overall net benefit in natural system coverage through the proposed program, it is not always possible to replicate the form and function of complex natural systems in other places. This shift of responsibility from Conservation Authorities to local municipalities would represent a new level of service, and require training and staffing that will need to be evaluated to support the review and evaluation of various offsetting proposals and overall impacts within Caledon.

### Next Steps

#### **Action 27: Advocate for natural heritage protection and role of CAs**

Staff will continue advocacy for natural heritage planning and the role of CAs in watershed planning. Staff will evaluate Official Plan policies to support protection and enhancement of wetlands and natural features within SABE.

#### **Impacts: Conservation Lands to be Made Available to Support Housing Development**

Under Bill 23, CAs will need to identify lands in their ownership that can be used for housing development. Lands owned by CAs represent important components of natural heritage systems of a watershed and are acquired to protect against flooding and erosion and provide residents access to local greenspaces.

Of the four CAs with jurisdiction within Caledon, CVC and TRCA are the only two with land holdings in Caledon. CVC currently owns 39 properties amounting to approximately 1100 ha. All properties owned by CVC are outside all the settlement areas including the most recent Settlement Area Boundary Expansion area. TRCA owns 111 properties within Caledon, amounting to approximately 2056 ha. All TRCA land holdings within settlement boundaries, including the most recent SABE lands, are linked to floodplains and natural protection.

The acquisition of these lands was intended to protect Caledon residents from impacts of flooding and erosion, and to preserve key ecological habitats. Staff estimate that potential development of these properties would be unsuitable as it may increase the risk of erosion and flooding to downstream communities, while also potentially posing a threat to any homes built on the very properties. Staff have been working on a report on an Environmental Lands Acquisition Strategy which may result in the Town taking ownership of more environmental lands.

### Next Steps

No action is required at this point. Town staff will liaison with staff at TRCA and CVC and monitor this change as and when the CAs initiate identification of their lands for housing.

Legislative  
Assembly  
of Ontario



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de l'Ontario

1ST SESSION, 43RD LEGISLATURE, ONTARIO  
1 CHARLES III, 2022

## Bill 23

*(Chapter 21 of the Statutes of Ontario, 2022)*

**An Act to amend various statutes, to revoke various regulations and to  
enact the Supporting Growth and Housing in York and Durham Regions Act, 2022**

**The Hon. S. Clark**

Minister of Municipal Affairs and Housing

1st Reading	October 25, 2022
2nd Reading	October 31, 2022
3rd Reading	November 28, 2022
Royal Assent	November 28, 2022

## EXPLANATORY NOTE

*This Explanatory Note was written as a reader's aid to Bill 23 and does not form part of the law.  
Bill 23 has been enacted as Chapter 21 of the Statutes of Ontario, 2022.*

### **SCHEDULE 1 CITY OF TORONTO ACT, 2006**

The Schedule amends section 111 of the *City of Toronto Act, 2006* to give the Minister the authority to make regulations imposing limits and conditions on the powers of the City to prohibit and regulate the demolition and conversion of residential rental properties under that section.

The Schedule also makes various amendments to section 114 of the *City of Toronto Act, 2006*. New subsections (1.2) and (1.3) are added to qualify the definition of “development” in subsection 114 (1). Amendments to subsection (6) and new subsection (6.1) limit the extent to which exterior design may be addressed through site plan control. Related amendments are also included.

### **SCHEDULE 2 CONSERVATION AUTHORITIES ACT**

The Schedule repeals and re-enacts subsections 21 (2) and (3) of the *Conservation Authorities Act* so that a disposition of land in respect of which the Minister has made a grant under section 39 requires authorities to provide a notice of the proposed disposition to the Minister instead of requiring the Minister's approval. Authorities will also be required to conduct public consultations before disposing of lands that meet certain criteria. Sections 21.1.1 and 21.1.2 of the Act are also amended to provide that authorities may not provide a program or service related to reviewing and commenting on certain matters under prescribed Acts. A new section 21.3 is added to the Act authorizing the Minister to direct an authority not to change the fees it charges for a specified period of time.

The Act is amended to provide that certain prohibitions on activities in the area of jurisdiction of an authority do not apply if the activities are part of development authorized under the *Planning Act* and if other specified conditions are satisfied.

Sections 28.0.1 and 28.1.2 of the Act, which include provisions to require a conservation authority to issue a permission or permit where an order has been made under section 47 of the *Planning Act*, are amended to also apply to orders made under section 34.1 of the *Planning Act*.

Currently, several factors must be considered when making decisions relating to a permission to carry out a development project or a permit to engage in otherwise prohibited activities. The factors include the possible effects on the control of pollution and the conservation of land. The Act is amended to instead require consideration of the effects on the control of unstable soil or bedrock.

Regulation making powers are amended to provide that the Minister may make regulations limiting the types of conditions that may be attached to a permission or permit.

A new prohibition is added to prohibit a person from continuing to carry out a development project if they have not entered into an agreement by the timeline prescribed in the regulations.

Various other related and consequential amendments and corrections are made, and several regulations made under the Act are revoked.

### **SCHEDULE 3 DEVELOPMENT CHARGES ACT, 1997**

The Schedule makes various amendments to the *Development Charges Act, 1997*. Here are some highlights:

1. Subsection 2 (4) is amended to remove housing services as a service in respect of which a development charge may be imposed.
2. New sections 4.1, 4.2 and 4.3 provide, respectively, for exemptions from development charges for the creation of affordable residential units and attainable residential units, for non-profit housing developments and for inclusionary zoning residential units.
3. Changes are made to the method for determining development charges in section 5, including to remove the costs of certain studies from the list of capital costs that are considered in determining a development charge that may be imposed and to require development charges to be reduced from what could otherwise be imposed during the first four years a by-law is in force.
4. Currently, subsection 9 (1) provides that, unless it expires or is repealed earlier, a development charge by-law expires five years after it comes into force. The subsection is amended to extend this period to 10 years.
5. Section 26.2 is amended to provide that development charges in the case of rental housing development are reduced by a percentage based on the number of bedrooms. Transitional matters are provided for, including that the reduction applies



to any part of a development charge payable under an agreement under section 27 that is in respect of a prescribed development and that was entered into before the day the amendments came into force, other than a part of the development charge that is payable under the agreement before the day the development was prescribed.

6. A new section 26.3 is added to provide a maximum interest rate for the purposes of sections 26.1 and 26.2. Complementary amendments are made to sections 26.1 and 26.2.
7. New subsections 35 (2) and (3) are added, which, for certain services, require a municipality to spend or allocate 60 per cent of the monies in the reserve funds required by section 33 annually.

#### **SCHEDULE 4 MUNICIPAL ACT, 2001**

The Schedule amends section 99.1 of the *Municipal Act, 2001* to give the Minister the authority to make regulations imposing limits and conditions on the powers of a local municipality to prohibit and regulate the demolition and conversion of residential rental properties under that section.

#### **SCHEDULE 5 NEW HOME CONSTRUCTION LICENSING ACT, 2017**

The Schedule makes various amendments to the *New Home Construction Licensing Act, 2017*, including the following:

1. Sections 10 and 11, which relate to competency criteria and composition of the regulatory authority's board, are amended to provide for the Minister's powers to be exercised by order instead of by regulation.
2. Section 71 is amended to provide for higher maximum fines for subsequent convictions for offences.
3. Section 76 is replaced with a new section 76, with some changes. The purposes for which an administrative penalty may be imposed are extended to include compliance with the Acts, regulations and by-laws referred to in subsection 76 (1) and the conditions of a licence as well to prevent economic benefit from contraventions. The maximum amount of an administrative penalty is increased to \$50,000. New subsections 76 (15) and (16) allow administrative penalties to be imposed for contraventions that occurred between April 14, 2022 and the day section 76 comes into force.
4. Clause 84 (1) (i), which authorizes regulations specifying the purposes for which the regulatory authority may use funds that it collects as administrative penalties, is replaced with a new clause 84 (1) (i) that extends the authority to funds that the regulatory authority collects as fines.
5. New clause 84 (1) (i.1) authorizes regulations requiring the regulatory authority to establish, maintain and comply with a policy governing payments to adversely affected persons from funds the authority collects as fines and administrative penalties. New subsection 84 (7) allows such a regulation to provide for any aspect of the policy to be subject to the approval of the Minister.

#### **SCHEDULE 6 ONTARIO HERITAGE ACT**

The Schedule amends the *Ontario Heritage Act*. Here are some highlights.

Section 25.2 of the Act currently permits the Minister to prepare heritage standards and guidelines for the identification, protection, maintenance, use and disposal of property that is owned by the Crown or occupied by a ministry or prescribed public body and that has cultural heritage value or interest. New subsection 25.2 (3.1) provides that the process for identifying such properties, as set out in the heritage standards and guidelines, may permit the Minister to review determinations made by a ministry or prescribed public body. New subsection 25.2 (7) authorizes the Lieutenant Governor in Council to, by order, exempt the Crown, a ministry or a prescribed public body from having to comply with the heritage standards and guidelines in respect of a particular property, if the Lieutenant Governor in Council is of the opinion that such exemption could potentially advance one or more provincial priorities, as specified.

Section 27 of the Act currently requires the clerk of each municipality to keep a register that lists all property designated under Part IV of the Act and also all property that has not been designated, but that the municipal council believes to be of cultural heritage value or interest. New subsection 27 (1.1) requires the clerk of the municipality to ensure that the information included in the register is accessible to the public on the municipality's website. Subsection 27 (3) is re-enacted to require that non-designated property must meet the criteria for determining whether property is of cultural heritage value or interest, if such criteria are prescribed. Current subsection 27 (13) is re-enacted to provide that, in addition to applying to properties included in the register on and after July 1, 2021, the objection process set out in subsections 27 (7) and (8) apply to non-designated properties that were included in the register as of June 30, 2021. New subsections 27 (14), (15) and (16) specify circumstances that require the removal of non-designated property from the register. New subsection 27 (18) prevents a council from including such non-designated property in the register again for five years.

Currently, subsection 29 (1.2) of the Act provides that, if a prescribed event occurs, a notice of intention to designate a property under that section may not be given after 90 days have elapsed from the prescribed event, subject to such exceptions as may be

prescribed. The subsection is re-enacted to also provide that the municipality may give a notice of intention to designate the property only if the property was included in the register under subsection 27 (3) as of the date of the prescribed event.

Subsection 41 (1) of the Act currently permits a council of a municipality to designate, by by-law, the municipality or any defined area of it as a heritage conservation district, if there is in effect in the municipality an official plan that contains provisions relating to the establishment of a heritage conservation district. The subsection is re-enacted to also require the municipality or defined area or areas to meet criteria for determining whether they are of cultural heritage value or interest, if such criteria are prescribed. New subsections 41 (10.2) and (10.3) require a council of a municipality wishing to amend or repeal a by-law made under the section to do so in accordance with such process as may be prescribed; similar rules are added to section 41.1.

Section 71 of the Act authorizes the Lieutenant Governor in Council to make regulations governing transitional matters to facilitate the implementation of the amendments made in the Schedule.

Other housekeeping amendments are made to the Act.

#### **SCHEDULE 7 ONTARIO LAND TRIBUNAL ACT, 2021**

The Schedule amends the *Ontario Land Tribunal Act, 2021*.

Subsection 19 (1) is amended to expand the Tribunal's powers to dismiss a proceeding without a hearing, on the basis that the party who brought the proceeding has contributed to undue delay. Section 19 of the Act is also amended to give the Tribunal the power to dismiss a proceeding entirely, if the Tribunal is of the opinion that a party has failed to comply with a Tribunal order. Section 20 is amended to give the Tribunal the power to order an unsuccessful party to pay a successful party's costs.

The regulation-making authority in section 29 is also amended. The Lieutenant Governor in Council is given authority to make regulations requiring the Tribunal to prioritize the resolution of specified classes of proceedings. The Minister is given authority to make regulations prescribing timelines that would apply to specified steps taken by the Tribunal in specified classes of proceedings. The implications of a failure of the Tribunal to comply with the timelines prescribed by the Minister are addressed, and the Minister is given authority to require the Tribunal to report on its compliance with the timelines.

A consequential amendment is made to subsection 13 (4).

#### **SCHEDULE 8 ONTARIO UNDERGROUND INFRASTRUCTURE NOTIFICATION SYSTEM ACT, 2012**

The Schedule amends the *Ontario Underground Infrastructure Notification System Act, 2012*. Here are some highlights:

1. New subsection 2 (4.4) authorizes the Minister to appoint a chair of the board of directors.
2. New section 2.3 authorizes the Minister to appoint an administrator of the Corporation. This section sets out details of this appointment such as the term, powers and duties of the administrator and various rules with respect to liability. New section 2.5 sets out the conditions to be satisfied in order for the Minister to exercise this authority.
3. New section 2.4 sets out that the members of the board of directors of the Corporation cease to hold office during an administrator's tenure, unless otherwise specified. This section sets out the status of the board during an administrator's tenure.
4. New section 2.6 sets out that the Act, the regulations and Minister's orders prevail in the event of a conflict with the memorandum of understanding or the Corporation's by-laws and resolutions.

#### **SCHEDULE 9 PLANNING ACT**

The Schedule makes various amendments to the *Planning Act*. Here are some highlights:

1. The concept of parcels of urban residential land is added as well as rules respecting development on such parcels.
2. New subsections 16 (20) and (21) are added to require zoning by-laws to be amended to conform with certain official plan policies within one year of the policies coming into effect.
3. Currently, under subsection 45 (12), a person has the right to appeal a decision of the committee of adjustment if the person has an interest in the matter. Amendments are made to the subsection to add the requirement that the person also be a specified person listed in a new definition in subsection 1 (1). New subsections 45 (12.1) to (12.4) are added to provide transitional rules associated with this change, including its retroactive application. A similar amendment is made to appeal rights under subsections 53 (19) and (27).
4. Currently, subsections 22 (2.1) to (2.1.2) prohibit requests for official plan amendments to be made within two years of a new official plan or secondary plan coming into effect. The subsections are repealed. The prohibitions on applications to amend zoning by-laws in subsections 34 (10.0.0.1) and (10.0.0.2) and in relation to applications for a minor variance in subsections 45 (1.2) to (1.4) are similarly repealed.

5. Currently, section 23 of the Act enables the Minister to amend official plans by order where the plan is likely to adversely affect a matter of provincial interest. This section is re-enacted to, in particular, eliminate certain procedural steps to which the Minister's power to make orders is subject, as well as to remove the possibility of the Minister requesting that the Tribunal hold a hearing on a proposed amendment.
6. A new subsection 34 (19.9) is added to create an exception to subsection 34 (19.5), which prevents certain appeals of zoning by-laws related to protected major transit station areas if more than a year has passed since related official plan policies or amendments thereto came into effect.
7. Currently, subsection 37 (6) permits a municipality that has passed a community benefits charge by-law to allow an owner of land to provide the municipality facilities, services or matters required because of development or redevelopment in the area. A new subsection 37 (7.1) provides that a municipality may require such an owner to enter into an agreement with the municipality that addresses the provision of the facilities, services or matters and new subsection (7.2) requires the agreement to be registered against the land.
8. Currently, subsection 37 (32) of the Act provides that the amount of a community benefits charge payable in any particular case shall not exceed the prescribed percentage of the value of the land as of the valuation date. The subsection is amended to require the amount to be multiplied by a ratio based on floor area.
9. Various amendments are made to section 41 of the Act with respect to site plan control areas. New subsections (1.2) and (1.3) are added to qualify the definition of "development" in section 41. Amendments to subsections (4) and (4.1) provide that exterior design is no longer a matter that is subject to site plan control. Similar changes are made to section 47.
10. Various amendments are made to section 42 of the Act with respect to parkland requirements, including the following:
  - i. Currently subsection 42 (1) provides that a council may require the dedication of land for park or other public recreational purposes as a condition of development or redevelopment and sets out maximum amounts based on the type of development or redevelopment. A new subsection 42 (1.1) is added to establish a maximum amount for development or redevelopment that will include affordable residential units, attainable residential units or residential units required to be affordable pursuant to an inclusionary zoning by-law. Similar changes are made to section 51.1.
  - ii. New subsections 42 (2.1) to (2.4) are added, which set out rules with respect to the timing of the determination of the amount of land for park or other public recreational purposes or payment in lieu that is required to be provided under a by-law under the section. Similar changes are made to section 51.1.
  - iii. Amendments are made in relation to the alternative requirement for parkland conveyances and payments in lieu, including to change the maximum rates and provide a maximum amount of land or value thereof that may be required to be provided. Similar changes are made to section 51.1.
  - iv. New subsections 42 (4.30) to (4.39) are added, which set out a framework for owners of land to identify land to be conveyed to satisfy requirements of a by-law passed under the section. The framework permits owners to appeal to the Tribunal if the municipality refuses to accept the conveyance of the identified land.
  - v. A new subsection 42 (16.1) is added, which requires a municipality to spend or allocate 60 per cent of the monies in the special account required by subsection 42 (15) annually.
11. Amendments to the exceptions to subdivision control and part-lot control under subsections 50 (3) and (5) of the Act are made in connection with land lease community homes. The exception doesn't apply in respect of land if any part of the land is in the Greenbelt Area. A complementary amendment is made to the definition of "parcel of land" in subsection 46 (1).
12. Section 51 is amended by repealing certain provisions respecting public meetings.
13. Section 70.12 is added to give the Minister the power to make regulations governing transitional matters.
14. The Act is amended to provide for two different classes of upper-tier municipalities, those which have planning responsibilities and those which do not. Various amendments are made to provide lower-tier municipalities with planning functions where, for municipal purposes, they form part of an upper-tier municipality without planning responsibilities. A new section 70.13 addresses various transitional matters which may arise where there is a change in the municipality that has planning responsibilities.

#### **SCHEDULE 10**

#### **SUPPORTING GROWTH AND HOUSING IN YORK AND DURHAM REGIONS ACT, 2022**

The *Supporting Growth and Housing in York and Durham Regions Act, 2022* is enacted. Its purpose is to expedite the planning, development and construction of the proposed York Region sewage works project to expedite the improvement, enlargement and extension of the York Durham Sewage System to convey sewage to the Duffin Creek Water Pollution Control Plant. The Act also expedites the development, construction and operation of the Lake Simcoe phosphorus reduction project for the

capture, conveyance and treatment of drainage from the Holland Marsh to remove phosphorus before discharge into the West Holland River.

Certain orders and approvals under the *Environmental Assessment Act* are terminated, and the projects are exempted from the *Environmental Bill of Rights, 1993*.

Land required for the projects may be designated as project land, in which case certain work cannot be performed without a permit.

The Minister may require removal of obstructions to the projects.

Adjustments to the expropriation process under the *Expropriations Act* are set out, as are rules regarding compensation.

A number of the powers given to the Minister may be delegated to the Regional Municipalities of York or Durham, a lower-tier municipality or the Agency. Rules with regard to utility companies affected by the project are established.

Various provisions of an administrative nature are enacted.



**Bill 23 In effect dates (Updated as of December 21, 2022)**

<b>Issue</b>	<b>Proposed changes</b>	<b>In force date</b>
<b>Affordable and Attainable Housing</b>	Exempt affordable housing (generally defined as being priced at no greater than 80% of the average price/rent in the year a unit is rented or sold) and inclusionary zoning units from DC, CBCs and parkland dedication	TBD (regulation not yet in force)
	Introduce a category of “attainable housing” which will be defined in future regulations	TBD
	An upper limit of 5% of the total number of units in a development that can be required to be affordable as part of inclusionary zoning, and a maximum period of 25 years over which the units would be required to remain affordable (this is a proposed regulation change, not in the legislation itself)	TBD
<b>Parkland</b>	The maximum amount of land that can be conveyed or paid in lieu is capped at 10% of the land or its value for sites under 5 ha, and 15 % for sites greater than 5 ha	Nov. 28, 2022
	Maximum alternative dedication rate reduced to 1 ha/600 units for land and 1 ha/1000 units for cash in lieu	Nov. 28, 2022
	Parkland rates frozen as of the date that a zoning by-law or site plan application is filed. Freeze remains in effect for two years following approval. If no building permits are pulled in that time, the rate in place at the time the building permit is pulled would apply	Nov. 28, 2022
	Encumbered parkland/strata parks, as well as privately owned publicly accessible spaces (POPS) to be eligible for parkland credits	TBD

	Landowners can identify land they intend to provide for parkland, with the municipality able to appeal to the Tribunal if there is a disagreement	TBD
	Parks plans to be required prior to the passing of any future parkland dedication by-law (would not apply to by-laws already passed)	Nov. 28, 2022
	Parkland dedication will apply to new units only (i.e., no dedication can be imposed for existing units)	Nov. 28, 2022
	Municipalities will be required to spend or allocate 60% of parkland reserve funds at the start of each year	Nov. 28, 2022
<b>Development Charges</b>	Five year phase-in of DC rate increases, beginning with a 20% reduction in the first year, with the reduction decreasing by 5% each year until year five when the full new rate applies. This is proposed to apply to all new DC by-laws passed since January 1, 2022	Nov. 28, 2022
	Historical service level for DC-eligible capital costs (except transit) extended from 10 to 15 years	Nov. 28, 2022
	DC by-laws will expire every 10 years, instead of every five years. By-laws can still be updated any time	Nov. 28, 2022
	Cap the interest paid on phased DCs for rental, institutional and non-profit housing to prime plus 1%	Nov. 28, 2022
	DC/CBC/parkland exemptions for attainable housing, which will be projects designated by future regulations	TBD (attainable housing regulations not yet released)
	New regulation authority to set services for which land costs would not be an eligible capital cost recoverable through DCs	TBD

	Exclude the cost of studies (including background studies) from recovery through DCs	Nov. 28, 2022
	Municipalities will be required to spend at least 60% of DC reserves for priority services (i.e., water, wastewater and roads).	Nov. 28, 2022
	Discount for purpose-built rental units, with a higher discount for larger units, on top of the existing DC freeze and deferral of payments over five years	Nov. 28, 2022
<b>Community Benefit Charges</b>	Maximum CBC payable to be based only on the value of land proposed for new development, not the entire parcel that may have existing development	Nov. 28, 2022
	Maximum CBC to be discounted by 4% of land value divided by the existing building size, as a proportion to total building square footage	Nov. 28, 2022
<b>Removal of Upper Tier approval powers</b>	Upper tier municipalities will be removed from the Planning Act approval process for both lower tier official plans and amendments and plans of subdivision	TBD
	Minister would (unless otherwise provided) therefore become the approval authority for all lower tier OP and OPAs, and Minister's decisions are not subject to appeal	TBD
<b>Zoning in MTSAs</b>	Municipalities will be required to update zoning to include minimum heights and densities within approved Major Transit Station Areas (MTSA) and Protected MTSAs within one year of MTSA/PMTSA being approved	Nov. 28, 2022
<b>Third-party appeals eliminated – minor variances and consents</b>	No one other than the applicant, the municipality, certain public bodies, and the Minister will be allowed to appeal minor variance or consent decisions.	Nov. 28, 2022

	Existing third-party appeals where no hearing date has been set. as of October 25, will be dismissed. The scheduling of a case management conference or mediation will not be sufficient to prevent an appeal from being dismissed	
<b>Gentle Density/Intensification</b>	As of right zoning to permit up to three residential units per lot (two in the main building and one in an accessory building), with no minimum unit sizes	Nov. 28, 2022
	New units built under this permission would be exempt from DC/CBC and parkland requirements, and no more than one additional parking space can be required	
<b>Subdivision approvals</b>	Public meetings no longer will be required for applications for approval of a draft plan of subdivision	Nov. 28, 2022
<b>Site plan control</b>	Developments of up to 10 residential units will be exempted from site plan control	Nov. 28, 2022
	Architectural details and landscape design aesthetics will be removed from the scope of site plan control	Nov 28 2022
<b>Rental Replacement</b>	Minister to be given the authority to enact regulations related to the replacement of rental housing when it is proposed to be demolished or converted as part of a proposed development	Nov. 28, 2022
<b>Heritage</b>	Municipalities will not be permitted to issue a notice of intention to designate a property under Part IV of the Ontario Heritage Act unless the property is already on the heritage register when the current 90-day requirement for Planning Act applications is triggered	January 1, 2023
	Heritage registers to be reviewed and a decision made whether listed properties are to be designated, and if not, removed from the register	January 1, 2023



	A process is proposed which will allow Heritage Conservation District Plans to be amended or repealed	TBD
	Criteria for Heritage Conservation District Plans can be established for regulation	January 1, 2023
<b>Ontario Land Tribunal procedures</b>	The Tribunal will have increased powers to order costs against a party which loses a hearing at the Tribunal	All OLT Act changes not yet in force – date TBD
	The Tribunal is being given increased power to dismiss appeals for undue delay	
	The Attorney General will have the power to make regulations setting service standards with respect to timing of scheduling hearings and making decisions	
	Regulations can also be made to establish priorities for the scheduling of certain matters	
<b>Conservation Authorities</b>	Permits will not be required within regulated areas (including wetlands) for activity that is part of a development authorized under the Planning Act	TBD
	A single regulation is proposed for all 36 Authorities in the province	TBD
	Clear limits are proposed on what Authorities are permitted to comment on as part of the planning approvals process, which will keep their focus on natural hazards and flooding	January 1, 2023
<b>Consumer protection</b>	Proposed increases to penalties under the New Homes Construction Licensing Act, 2017 of up to \$50,000	Nov. 28, 2022

**Ministry of  
Municipal Affairs  
and Housing**

Office of the Minister

777 Bay Street, 17<sup>th</sup> Floor  
Toronto ON M7A 2J3  
Tel.: 416 585-7000

**Ministère des  
Affaires municipales  
et du Logement**

Bureau du ministre

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Tél. : 416 585-7000



234-2022-4625

October 25, 2022

**Town Clerk (Acting)  
Town of Caledon  
6311 Old Church Road  
Caledon Ontario L7C 1J6**

**Subject: Municipal Housing Targets and Municipal Housing Pledges  
Town of Caledon: 13,000**

Dear Laura Hall,

Our government is taking bold and transformative action to get 1.5 million homes built over the next 10 years.

To help fulfill this commitment, we have announced and are implementing More Homes Built Faster: Ontario's Housing Supply Action Plan 2022-23. This plan includes a suite of legislative and non-legislative changes across government that will help unlock more housing, streamline development approvals, remove barriers, accelerate planning, and further protect homebuyers and owners.

To support the new action plan, we have introduced the **More Homes Built Faster Act, 2022**, which, if passed, would ensure that cities, towns, and rural communities grow with a mix of ownership and rental housing types that meet the needs of all Ontarians.

To achieve the goal of building 1.5 million homes, large and fast-growing municipalities, including yours, are being assigned a **Municipal Housing Target**. While municipalities have taken significant steps in increasing their housing supply, Ontario needs an unprecedented amount of housing to meet current demand and that of generations to come. Our government requires a commitment from our municipal partners to do their part in providing housing for future population growth.

To implement the 1.5 million homes target I am asking the Town of Caledon to demonstrate its commitment to accelerating housing supply by developing a **Municipal Housing Pledge** and take the necessary steps to facilitate the construction of 13,000 new homes in your community by 2031. I ask that you bring this letter to the attention of your Head of Council so that your municipality is positioned to deliver its pledge to me, the Minister of Municipal Affairs and Housing, by the March 1, 2023, deadline. See the info sheet attached to this letter for information and considerations in developing a Municipal Housing Pledge.

Pledges will provide important information that showcase the strategies and actions that municipalities choose to adopt in order to prioritize and accelerate housing. Our government intends to use your pledges to monitor and track progress so we can continue to play a role in supporting municipalities and removing barriers to housing development.

Our government recognizes the key role that municipalities will play in implementing Municipal Housing Targets through their Municipal Housing Pledges and know that you share the desire to bring more housing to the people of Ontario. We are committed to addressing the policy and implementation barriers you may encounter as you develop your pledges and I encourage you to reach out to Wendy Ren, Executive Lead, Municipal Policy/Program Collaboration, at [Wendy.Ren@ontario.ca](mailto:Wendy.Ren@ontario.ca) or 437-995-7094, if you have any questions, comments, or suggestions.

I look forward to working together to increase housing supply for all Ontarians.

Sincerely,



Steve Clark  
Minister

Encl.

c:       The Honourable Michael Parsa, Associate Minister of Housing  
          Kate Manson-Smith, Deputy Minister  
          Ryan Amato, Chief of Staff, Minister's Office  
          Joshua Paul, Assistant Deputy Minister, Housing Division

## **Info Sheet: Considerations in Developing Municipal Housing Pledge**

The pledge is not intended to be a land-use planning document, and its development should not require external technical expertise. The format and language used in the pledge should be accessible to the general public. The pledge is intended to be approved by municipal councils and should help codify Council's commitment to meeting their municipal housing target.

Municipalities can leverage new and existing policy tools as they develop housing pledges and work towards their housing targets.

Below is a non-exhaustive list of potential strategies and actions that municipalities may include in developing their housing pledges. There may be additional opportunities based on local circumstances and the Province is interested in hearing about those ideas and creative solutions.

- Strategies to encourage and promote gentle intensification to enable and expedite additional residential units in existing residential areas
- Outline ways in which funding under provincial programs, such as the Streamline Development Approval Fund (SDAF) or Municipal Modernization Program (MMP), has been used to streamline existing municipal development approval processes
- Information on municipal development approval timelines and whether municipalities are being appealed for non-decisions
- Identify potential measures where current lack of infrastructure capacity (e.g., water/wastewater servicing) may limit future housing development
- Strategies to use municipal surplus lands
- Commitment to plan for, fund, and approve (where applicable) specific critical municipal infrastructure to support growth and new housing (e.g., water, wastewater, transit etc.), which may include expanded capacity as well as fully new facilities/assets
- Priorities for strategic and site-specific planning decisions to expedite housing in priority areas (e.g., around transit stations and in transit-served areas)
- Update zoning by-laws to permit a greater range of housing to be built without the need for costly and lengthy rezoning applications
- Municipalities may also consider existing tools such as the Community Infrastructure and Housing Accelerator, [Community Planning Permit System](#), Major Transit Station Areas, and Protected Major Transit Station Areas.

Below are some of the potential components of a municipal housing pledge. Municipalities are free to choose, alter, or add any new components that seem reasonable. Pledges can be represented in the form of plain text, tables, charts, maps, or a combination of them.

- Municipal Housing Target



- Planned and proposed Municipal Initiatives
- Initiative Owner and Additional Stakeholders
- Context and Description of How Initiative Accelerates Housing
- Number of units per initiative and housing type
- Considerations (Barriers, Implementation, Risks, etc.)
- Potential Mitigation Strategies and Proposal to Accelerate Housing
- Potential Reporting and Monitoring Measures

The deadline for municipalities to submit housing pledges to the Minister of Municipal Affairs and Housing is March 1, 2023.

Municipal housing pledges are intended to be public documents and it's anticipated that municipalities will post them online.

Municipalities can contact Ministry staff with any questions and for clarification.

**Ministry of  
Municipal Affairs  
and Housing**

Office of the Minister

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234-2022-5420

November 30, 2022

Colin Best  
President  
Association of Municipalities of Ontario  
[amopresident@amo.on.ca](mailto:amopresident@amo.on.ca)

Dear Colin Best:

I am writing to you today in the spirit of the long-standing partnership between Ontario and the Association of Municipalities of Ontario.

Since the day our government took office, we have been steadfast in our support and empowerment of our municipal partners. Working together, Ontario has provided tens of billions of dollars in new funding to support municipal services and build critical infrastructure, spurring job creation and creating the conditions for long-term economic growth.

During the COVID-19 pandemic, governments rightly put politics aside to work together as a unified team. That is why our government, in partnership with the federal government, was proud to provide over \$4 billion to Ontario's municipalities through the Safe Restart Agreement to address pandemic-related pressures, including for public transit, shelters and other operating costs. In fact, this funding provided one of the largest investments the province has ever made in the housing and homelessness sector.

I am writing today to address municipal feedback regarding Bill 23, the *More Homes Built Faster Act*. In particular, I would like to address the suggested impact the legislation could have on the ability of municipalities to fund infrastructure and services that enable housing.

The central intention of Bill 23 is to build more homes that are attainable for our growing population by discounting and exempting municipal fees and taxes for affordable, non-profit and purpose-built rental housing, and new homebuyers who otherwise face these significant costs. For example, municipal fees and taxes currently add an average of \$116,900 to the cost of a single-family home in the Greater Toronto Area before a single shovel is in the ground. That's the size of a down payment for many families, and puts the dream of homeownership out of reach for thousands of Ontarians.

I know that you and your membership share our goal of building communities that are welcoming to all residents, including new Canadians – towns and cities where everyone can have a place to call home and the dream of home ownership is kept alive. That is why our decision to rein in unsustainable and out-of-control municipal fees on new homebuyers is the right thing to do, and that is why our position on Bill 23 will not waver.

At the same time, it is critical that municipalities are able to fund and contract road, water, sewer, and other housing enabling infrastructure and services that our growing communities need. There should be no funding shortfall for housing enabling infrastructure as a result of Bill 23, provided municipalities achieve and exceed their housing pledge levels and growth targets. That's why we are taking immediate action to launch a third-party audit of select municipalities to get a factual understanding of their finances, including their reserve funds and development charge administration. Together, we can use this process to get the facts, make improvements, and better serve taxpayers by exploring alternative tools for growth to appropriately pay for growth rather than continuing to raise development fees on new homebuyers.

As we undertake this work together, we are committing to ensuring municipalities are kept whole for any impact to their ability to fund housing enabling infrastructure because of Bill 23.

Furthermore, as good partners and in recognition of most municipalities making best efforts to accelerate the issuance of housing permits and approvals to meet and exceed their pledge targets, the government will introduce legislation that, if passed, would delay the implementation of development application refund requirements set out in Bill 109 by six months, from January 1, 2023 to July 1, 2023.

The federal government shares our objective of building 1.5 million homes in Ontario over the next 10 years, particularly at a time when it has set ambitious new targets for immigration. The majority of these newcomers will be welcomed to Ontario in search of jobs and opportunity. To this end, the province looks forward to working with our municipal partners to ensure we receive a proportional share of the federal government's new \$4 billion national Housing Accelerator Fund. We also expect that all municipalities will make an application to the federal Housing Accelerator Fund for funding that will support housing enabling infrastructure and relieve municipal charges levied on new homebuyers.

Together, we will ensure we can achieve our shared goal of building desperately needed homes. A strong partnership between the Province of Ontario and municipalities is critical if we are to solve our housing supply crisis – and we look forward to continuing our work together.

Sincerely,



Steve Clark  
Minister

- c. The Honourable Doug Ford, Premier of Ontario
- The Honourable Chrystia Freeland  
Deputy Prime Minister and Minister of Finance
- The Honourable Peter Bethlenfalvy, Minister of Finance
- The Honourable Caroline Mulroney, Minister of Transportation
- The Honourable Kinga Surma, Minister of Infrastructure
- The Honourable Prabmeet Sarkaria, President of the Treasury Board
- Brian Rosborough, Executive Director, AMO

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REPORT TITLE: Bill 23 “More Homes Built Faster Act” and Implications for the Region of Peel

FROM: Janice Baker, FCPA FCA, Chief Administrative Officer

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## RECOMMENDATION

1. That the staff comments and recommendations to the Province of Ontario as contained in and appended to the report of the Chief Administrative Officer, listed on the December 8, 2022 Regional Council agenda titled “Bill 23 – ‘More Homes Built Faster Act, 2022’ and Implications for the Region of Peel” be endorsed; and
2. That staff be authorized to prepare and submit to the Province of Ontario any additional comments on Bill 23 and any amending bills or related regulations, as necessary; and
3. That the Regional Chair, on behalf of Regional Council, write to the Minister of Municipal Affairs and Housing to request that the Province of Ontario create a municipal compensation fund to compensate the Region of Peel and its local municipalities in order that they be made whole as a result of the impacts of Bill 23 on municipal growth funding revenues and expenditures; and
4. That this report be forwarded to the Ministry of Municipal Affairs and Housing, Members of Provincial Parliament within the Region of Peel, the City of Brampton, the Town of Caledon and the City of Mississauga.

## REPORT HIGHLIGHTS

- Bill 23, the *More Homes Built Faster Act, 2022* (“Bill 23”) received royal assent on November 29<sup>th</sup>, 2022 and will have significant impacts on the Regional Municipality of Peel.
- Changes to the *Planning Act* will remove planning authority from the Region of Peel, making it an “upper-tier municipality without planning responsibilities”.
- Services that the Region provides are essential to support growth and adequately address items of public health and safety. Bill 23 will impact the Region’s ability to coordinate, plan, and protect those services and may curtail rather than enhance housing supply.
- Bill 23 will not lead to a material improvement in affordability outcomes for the residents of Peel and will directly threaten the Region’s Housing Master Plan.
- Bill 23 imposes significant reductions to the Region’s ability to collect development charges. Preliminary analysis estimates that the DC revenue shortfall in Peel resulting from the changes to the *Development Charges Act, 1997* could amount to approximately \$2 billion over the next 10 years.

## Bill 23 “More Homes Built Faster Act” and Implications for the Region of Peel

- The 2031 accelerated housing targets associated with Bill 23 will impact the Region’s ability to provide infrastructure to support growth in a timely manner and will increase financial and regulatory risk. The DC revenue shortfall could escalate to as high as \$6 billion if the Province’s housing targets are actually met.
- 

## DISCUSSION

### 1. Background

On November 29th, 2022, the Province passed Bill 23, the *More Homes Built Faster Act, 2022*, to support the provincial commitment to facilitate the construction of 1.5 million homes over the next 10 years. Bill 23 makes substantial changes to various pieces of legislation, regulations and provincial plans and policies.

Bill 23 will impose significant change on the Regional Municipality of Peel (the “Region”) as well as the Cities of Mississauga, Brampton and the Town of Caledon. While some changes will affect both upper and lower tiers, there are several significant changes specific to the Region in its capacity as the upper tier municipality. Legislative changes that will impact the Region most acutely are made to the *Development Charges Act, 1997* (the “DC Act”) as well as the *Planning Act*. These changes will fundamentally alter the Province’s land use planning system and municipal governance frameworks.

The Province, as part of its consultation process, has made numerous postings to the Environmental Registry of Ontario (“ERO”) and Regulatory Registry seeking comment from the public and stakeholders. Regional staff undertook a detailed assessment of the proposed changes prior to the passage of Bill 23 and provided comment to the Province in the submissions attached in the appendices to this report, for which Council endorsement is sought. Staff also participated collaboratively in cross-municipal working groups to identify and assess the impacts of Bill 23, and to support the advocacy efforts being undertaken by the Mayors and Regional Chairs of Ontario (MARCO). MARCO has presented a unified municipal voice to the Province in response to the legislation. A copy of MARCO’s letter to the Minister dated November 21, 2022 and submission to the Province on Bill 23 is attached at Appendix VII.

This report outlines the key impacts of Bill 23 on the Region of Peel.

### 2. Summary of the Bill 23 Changes and their Impact on Peel

Many of the Bill 23 changes run counter to the Province’s stated housing targets and may result in negative consequences which will limit the Region’s ability to advance housing supply. It is expected that the changes will:

- Significantly alter roles and responsibilities within the land use planning system by removing the Region’s planning authority. The Region’s role as a coordinating body for the planning and servicing of growth may be limited which will challenge infrastructure delivery and not enhance housing supply.
- Impose new housing targets that will be challenging to achieve, and which will impact infrastructure, financial planning and the ability to support growth.
- Eliminate the ability to collect development charges to support the delivery of critical housing for vulnerable populations and introduce changes to planning policies and



## Bill 23 “More Homes Built Faster Act” and Implications for the Region of Peel

processes that do not have a clear or direct connection to increasing the supply of housing.

- Reduce development charge funding and other development funding necessary to pay for the infrastructure required to support the proposed new housing growth.

### a) Planning Roles and Responsibilities

Bill 23 directs changes to the *Planning Act* which will remove planning authority from the Region, making it an “upper-tier municipality without planning responsibilities”. These changes eliminate Regional Council’s approval authority for local planning matters, require local municipalities to implement the Regional Official Plan, and remove the Region’s right to appeal land use planning decisions.

The Regional Official Plan, which has been approved with modifications by the Minister of Municipal Affairs and Housing, will become the responsibility of local municipalities in conjunction with their own Official Plans. The intent is that local municipal Official Plans will incorporate Regional Official Plan policies within their jurisdiction. In the interim, *Planning Act* decisions will be made by local municipalities having regard for both documents with the Regional Official Plan prevailing in the event of conflict. It is to be noted that while Bill 23 was passed on November 29, 2022, the provisions which remove the Region’s planning responsibilities are not yet in force and will take effect when those provisions are proclaimed in force on a future date.

The Region has already delegated much of its planning approval authority to local municipalities for routine planning applications in order to streamline the development process. The Regional Official Plan provides a critical framework and mechanism to ensure the coordination of cross-boundary infrastructure delivery to service growth, some of which may be outlined through master plans (including water, wastewater, waste management, transportation infrastructure, natural infrastructure, human services, and protection for public health risks). By removing the Region’s “planning responsibilities” Bill 23 has the potential to eliminate the critical coordination function that the Region currently manages for the local municipalities within Peel. Failure to properly coordinate infrastructure delivery could have costly unintended consequences from both a planning and financial perspective.

It should be noted that in addition to Bill 23, the Province introduced Bill 39, *Better Municipal Governance Act, 2022* on November 16, 2022. While not expressly included in the proposed legislation, the Province has announced that a provincially appointed facilitator will be asked to assess regional government and determine the appropriate roles and responsibilities for each of the Region and its local municipalities. While it is difficult to anticipate the outcome of the provincially lead discussions, these discussions may assist in the mitigation of some of the negative land use planning and coordination impacts of Bill 23.

In addition to removing the Region’s planning authority, Bill 23 limits the Region’s planning appeal rights to the Ontario Land Tribunal (“OLT”). The removal of appeal rights from upper-tier municipalities without planning responsibilities for all categories of planning decisions is a significant risk for the provision of essential services, including water and wastewater servicing, roads, and matters of public safety. The changes will limit the Region’s ability to provide the OLT with valuable information to inform its decisions related to matters of infrastructure and servicing and other specific items under Regional jurisdiction that may not be adequately addressed in a proposed development.

## Bill 23 “More Homes Built Faster Act” and Implications for the Region of Peel

Ultimately, the services that the Region provides are essential to support growth and adequately address items of public health and safety. To the extent that the provincial facilitation is not successful in mitigating all of the negative land use planning and coordination impacts of Bill 23, the Bill 23 changes that limit Peel’s ability to coordinate, plan, and protect those services may curtail rather than enhance housing supply.

In addition to the significant impacts noted above, the Bill also changes the role of the Conservation Authorities (“CAs”). Municipalities currently rely on CAs to provide watershed planning and science to inform land use and infrastructure decision making. Limiting the commenting roles of CAs to a core mandate focused on natural hazard risks creates inefficiencies and resourcing costs and will significantly impact municipalities. Where existing capacity is limited or does not exist, municipalities will need to provide or contract services for technical advice on natural heritage and non-hazard related policy and application review.

### b) Infrastructure Planning and Delivery to Support Growth

As part of the Bill 23 announcement, the Province will assign new municipal housing targets based on population size and growth and has directed area municipalities to accelerate growth to meet the Province’s 1.5 million unit goal.

The proposed changes to the housing targets for Peel to 2031 are approximately 2.5 times the forecast prepared as part of the Peel 2051 Municipal Comprehensive Review. The Province has proposed the following housing targets:

**Table 1: Region of Peel Official Plan Forecast and Bill 23 Forecast (2021-2031) in units**

	<b>Brampton</b>	<b>Caledon</b>	<b>Mississauga</b>	<b>Peel</b>
<b>Bill 23</b>	113,000	13,000	120,000	245,000
<b>2021-2031 Current Growth Forecast *</b>	55,000	12,000	33,000	100,000
<b>Difference</b>	<b>58,000</b>	<b>1,000</b>	<b>87,000</b>	<b>145,000</b>

\*Region of Peel Official Plan, April 2022

It is unclear how these targets will work in conjunction with the Growth Plan population and employment forecasts.

The accelerated timing for the new 2031 targets will impact the Region’s ability to provide infrastructure to support growth in a timely manner. The increased targets will be challenging to achieve and, combined with the removal of the Region’s role in coordinating and integrating land use, infrastructure, and financial planning, could result in:

- putting the Provincial housing targets at risk if appropriate plans essential for coordination between the Region and the local municipalities are not in place to advance long-term planning and delivery of infrastructure to support growth;
- lack of clarity around how to resolve conflicts between local growth plans and Regional infrastructure plans and capital investment programs;
- reduced ability to assess the impacts of growth on Regional infrastructure or protect for infrastructure improvements through the development process.

## Bill 23 “More Homes Built Faster Act” and Implications for the Region of Peel

As noted earlier in this report, the facilitation process recently announced by the Province may assist in addressing some of these concerns. However, the risks associated with a failure to address all of the underlying coordination concerns outlined in this report are significant. Regional staff will bring forward a comprehensive list of issues which must be addressed to ensure that the Province is aware of these risks.

### c) Impact on Housing Services and the Region’s Inventory of Affordable Units

Regional staff assess that Bill 23 will not lead to a material improvement in affordability outcomes for the residents of Peel. In fact, Bill 23 impairs the ability of the Region in its role as legislated Service Manager for affordable housing to respond to the ongoing housing affordability crisis.

While the Region provides 28,000 people with housing supports, there are an estimated 91,000 low and moderate income households living with core housing need in Peel. In 2021, nearly 4,000 people relied upon the emergency shelter system, while only about half of supportive housing demand is being addressed. If the Province is successful in achieving its housing targets, an increase in housing supply could make the average home in the Region affordable to more households, although this would only apply to those with higher incomes. This new supply will have minimal impact on those experiencing the highest degree of housing stress in the Region. The Bill 23 supply-only response will not resolve the housing affordability crisis for all income classes in Peel.

Bill 23 removes housing services as an eligible service from the *DC Act*, thus eliminating development charges as a source of funding for housing projects included in the Region’s Housing Master Plan. In terms of immediate effects, the changes to the *DC Act* would put Housing Master Plan projects that are supported with DC funding at risk, will jeopardize Provincial and Federal grants, and could result in a loss of approximately 943 units in Peel.

A detailed list of projects at risk is included in the following Table 2.

**Table 2: Region of Peel Housing Projects at Risk**

Project	Number of Units	Allocated Development Charges Funding ‘000s	Provincial Funding (‘000s)	CMHC Mortgage (‘000s)	CMHC Forgivable Loan (‘000s)
East Avenue	151	\$18,466	\$23,259	\$14,433	\$6,403
Brightwater (PCWV)	150	\$17,500	\$13,128	\$13,878	\$6,156
Chelsea Gardens	200	\$41,000	\$0	\$18,504	\$8,209
Mayfield West Phase 1 (Family)	50	\$13,500	\$0	\$4,626	\$2,052
Peel Manor	194	\$30,000	\$0	\$17,949	\$7,962
Brampton Family Shelter	60	\$7,202	\$0	\$0	\$2,463
Riley Court	138	\$2,400	\$0	\$12,768	\$5,664
<b>Total</b>	<b>943</b>	<b>\$130,068</b>	<b>\$36,386</b>	<b>\$82,158</b>	<b>\$38,909</b>

Bill 23 imposes *DC Act* and *Planning Act* changes which will exempt non-profit housing from development charges and parkland dedication fees. However, while there is no

## Bill 23 “More Homes Built Faster Act” and Implications for the Region of Peel

question that Peel Housing Corporation is a non-profit housing provider, Peel Housing Corporation does not meet the technical definition outlined in Bill 23 to qualify for “non-profit housing development” levy and fee exemptions. Exemptions to charges must be extended to municipal housing corporations like Peel Housing Corporation. This will otherwise further undermine the Housing Master Plan and financially constrain affordable housing development by the Region even further.

Bill 23 *Planning Act* amendments materially change inclusionary zoning by limiting the set-aside rate to 5 per cent, restricting the duration of affordability to 25 years, and establishing what is considered “affordable” to a unit whose price is less than 80 per cent of the average resale/market rental price, while exempting those private units from development charges. Based on current market rates, using the 80 per cent rule for condominiums (the housing type most likely to be secured through an inclusionary zoning program) would result in inclusionary zoning condominium units priced at \$500K or greater. These prices would result in affordability only for high income households, no longer making inclusionary zoning an affordable housing program to secure housing for low or moderate-income households. Consequently, inclusionary zoning will be less effective in meeting local housing objectives of creating more affordable housing options and improving housing affordability. See Table 3 below.

**Table 3: Homeownership Affordability Based on Household Income**

Low Income Households			Moderate Income Households			High Income Households			
DECILE 1	DECILE 2	DECILE 3	DECILE 4	DECILE 5	DECILE 6	DECILE 7	DECILE 8	DECILE 9	DECILE 10
These households earn up to:			These households earn up to:			These households earn up to:			
\$30,282	\$46,950	\$62,094	\$77,494	\$93,820	\$111,266	\$132,337	\$159,876	\$205,440	\$205,441+
Households can afford a sale price of:			Households can afford a sale price of:			Households can afford a sale price of:			
\$119,290	\$184,947	\$244,605	\$305,269	\$369,582	\$438,306	\$522,289	\$635,781	\$823,663	\$823,664+

Bill 23 also amends the *Municipal Act, 2001* by giving the Minister authority to direct the ability of a municipality to regulate the demolition and conversion of residential rental properties. This change is intended to limit the applicability of local rental housing demolition by-laws, which risks the loss of very limited existing market affordable rental supply in Peel through redevelopment activity. Approximately 1 in 5 households in Peel live in rental housing, making Peel unique from other regional municipalities in the Greater Toronto Area in that it has a higher proportion of renter households. These families largely live in core housing need and are more likely to be racialized or otherwise marginalized as compared to those that own their homes.

It is important to note that Bill 23 does not require that any of the DC exemptions or other cost reductions applied to new housing construction be passed on to purchasers. Bill 23 relies on the private sector and the supply-side approach to create or pass on these savings without any legislative requirement or guarantee that this will actually occur.

The provisions of Bill 23 directly threaten the Region’s Housing Master Plan, undermine the utility of inclusionary zoning, and put low-income rental households, including those racialized, at risk of displacement and financial instability. Increasing housing targets and providing for varying degrees of development charge exemptions for housing in the manner established by Bill 23 will not effectively address the housing affordability crisis.

## Bill 23 “More Homes Built Faster Act” and Implications for the Region of Peel

### d) Financial Impacts on the Region’s Ability to Deliver Growth Related Services

#### Estimated DC Revenue Shortfall

Bill 23 eliminates housing services, growth-related studies, and certain land acquisition costs from being eligible for DCs. These changes challenge the principle of “growth should pay for growth”. In addition to removing these eligible costs from DCs, Bill 23 also imposes a number of exemptions and other DC reductions.

Based on a preliminary analysis, Regional staff estimate that the DC revenue shortfall in Peel resulting from Bill 23 could amount to approximately \$2 billion over a 10-year period. It should be noted that additional information/detail is expected from the Province for the purposes of clarifying the extent of the DC reductions and exemptions associated with: the definition of affordable units; attainable units; removal of studies and land acquisition costs. This preliminary analysis has been arrived at by applying the following assumptions:

- assume a growth scenario that is in line with the Region’s current Official Plan;
- assume removal of studies including master plans, servicing plans and EAs;
- assume removal of land acquisition costs for hard and soft services.

Further, significant financial impact to the Region could result from the mandated full DC exemption for “affordable residential units” and “attainable residential units”. For example, the definition of “affordable” in Bill 23 provides that a residential unit whose purchase price is less than 80 per cent of the average purchase price (“APP”), to be published by the Province in a future bulletin, will be eligible for a full DC exemption. This definition is not tied to income levels which is included in the “affordable” definition set out in the current Provincial Policy Statement.

It is unclear how the APP will be calculated by the Province. Regional staff conducted an analysis and have estimated that more than 50 per cent, and as high as 80 per cent depending how the APP is determined by the Province, of new ownership units in Peel in 2021 would have been eligible for the DC exemption. To put that into context, at 2021 year-end, 80 per cent of the average resale purchase price of an ownership unit in Peel equated to \$841,950, whereas a moderate-income household (in the sixth income decile – see Table 3) could only afford a maximum home price of \$465,718. This represents an affordability gap of \$376,232. High density units made up 70 per cent of new residential construction in Peel over the past four years. Assuming the APP determined by the Province is the average market price, including the resale market, in Peel, it is likely that the majority of high-density small residential units will be exempt from DCs. This will result in a significant loss of DC revenue that will pose challenges to funding growth while not improving housing affordability for moderate-income households.

Table 4 below provides a summary of the preliminary financial impact estimates based on the assumptions discussed above. Actual revenue shortfalls will vary depending on the final language of the Bill 23 definitions as well as the actual levels of development activity.



## Bill 23 “More Homes Built Faster Act” and Implications for the Region of Peel

**Table 4 – Preliminary Estimates 10-year DC Revenue Shortfall**

<b>Bill 23 - Proposed Changes to the DC Act</b>	<b>Totals (\$millions)</b>
Removal of Housing from DC Eligibility	\$200
Removal of Studies and Lands from DC Eligibility	\$370
DC Rates Phase-In	\$190
DC Exemptions	\$1,200
Others	\$80
<b>Total</b>	<b>\$2,040</b>

The elimination of housing services from DC eligibility has resulted in an immediate DC rate reduction of 5.4 per cent. This loss of funding to the Region's housing services will put the Region's capital program associated with affordable housing, social housing and shelters at risk of not proceeding or being delayed.

As noted in an earlier section of this report, the Bill 23 announcement referenced increased growth targets of 246,000 residential units in Peel (see Table 1). Although Regional staff believe that it will be challenging to achieve these targets, staff undertook an analysis using the assumptions noted above and applied them to the Province's revised growth numbers. The results of this analysis show that the revenue shortfall could escalate to as high as \$6 billion if the Province's targets are met.

### Property Tax Levy and Utility Fees

In the absence of provincial funding to cover anticipated DC revenue shortfalls, the financial burden resulting from such shortfalls would shift to property taxes and utility user fees - should the capital plan proceed in an effort to maintain service levels. Table 5 below illustrates the impact on the Region's tax and water/wastewater rate payers under that scenario.

**Table 5 – Preliminary Analysis – Estimated Impact on Tax and Ratepayers**

	<b>Property Tax Supported Program*</b>	<b>Utility Rate Supported Program**</b>
Average Annual DC Shortfall	\$83 million	\$121 million
One-time Tax Levy/Utility Rate Increase to be added to the budget base	7%	26%
Annual Average Increase to the Regional Portion of the Tax/ Utility Bill – Residential	\$145	\$180
Annual Average Increase to the Regional Portion of the Tax /Utility Bill – Small Business	\$255	\$465

\*Based on residential CVA of \$578,600 (tax bill in 2022 - \$2,165), small business of \$641,900 (tax bill in 2022 - \$3,833)

\*\*Average residential utility bill is \$838 in 2022, small business \$2,145

## Bill 23 “More Homes Built Faster Act” and Implications for the Region of Peel

### Growth Infrastructure and Services

In the past decade, the Region's growth capital program has used debt (\$1.8 billion) to finance its growth program largely for water and wastewater infrastructure. The Region's net DC debt outstanding at the end of 2021 was \$1.2 billion.

The Region has already experienced a further DC revenue gap in part due to the DC freeze, DC deferral, and exemptions for second units mandated through Bills 108 and 197 introduced by the Province in recent years. The Bill 23 DC exemptions and reductions will further widen the DC revenue-expenditure gap, which comes at a time when the Region is already experiencing cost escalations associated with growth-related projects stemming from current economic conditions.

The estimated Bill 23 DC funding shortfall of approximately \$2 billion exceeds the amount of debt currently issued by the Region and would double the debt requirement should infrastructure proceed as planned in advance of DC revenues having been received. The combination of current and forecast debt repayment as a result of Bill 23 will:

- increase the Region's annual debt repayment limit (“ARL”), pushing it closer to the statutory limit of 25 per cent;
- increase the percentage of DC revenues allocated to debt servicing costs and thereby decrease funds available for capital projects, which could lead to levels where DC revenue would only be sufficient to service debt requirements;
- put the Region's triple A credit rating at risk.

The increased growth targets by the Province to 2031 (see Table 1) which are approximately 2.5 times the forecast prepared as part of the Peel 2051 Municipal Comprehensive Review as approved by the Province, will further exacerbate the financial challenges discussed above. To meet the Province's new targets, the Region would have to leapfrog infrastructure investments that were originally planned for outer years and advance them to be in place over the next 10 years. There are no additional financial tools currently available that can be utilized to address the anticipated large revenue shortfall or forecasted gap between DC revenues and expenditures required to service the Province's new housing targets.

The accelerated infrastructure delivery necessitated by Bill 23 will have far-reaching impacts across the development and construction industry. Construction activities are already constrained due to increased labour challenges and these issues are anticipated to continue over the coming years. According to BuildForce, Canada's national report, all industries across the province will have to replace approximately 259,100 workers by the end of the decade due to retirements. This accounts for almost 22 per cent of the current workforce. The issue of labour shortages and other economic conditions, including the risk of an economic downturn in 2023, may limit the market's ability and willingness to produce and absorb the number of targeted units set by the Province.

Preliminary analysis indicates that the Region has limited financial capacity and service capacity to design, procure, build and maintain infrastructure at this pace and at this scale. Further, there is no guarantee that the projected housing growth will actually occur to take advantage of the infrastructure investments, placing Peel at considerable financial risk with associated reduced DC revenue.

## Bill 23 “More Homes Built Faster Act” and Implications for the Region of Peel

### Other Financial Risks and Considerations

Without additional provincial funding, the DC reductions in the legislation will force the Region to:

- delay the construction of infrastructure needed for land servicing,
- take on risk by issuing additional debt, which may become stranded, and/or
- force significant increases to property taxes and utility rates.

The increased burden resulting from Bill 23 on existing and future property owners and renters will mean future higher ongoing expenses to own/rent a property which may negatively affect affordability. Further, those existing properties who have paid DCs will be required to pay for growth again. Such an outcome would further aggravate the growing property tax burden on residents and businesses in Peel, impact housing affordability, and reduce the pace of growth and housing development.

Bill 23 has come at a time when the Region has already been facing challenges such as funding constraints resulting from costs to respond to the Covid-19 pandemic, as well as budgetary pressures associated with priorities such as responding to the housing crisis, the climate emergency, asset management, a slowing economy, rising service demand for public health and affordable housing, and other community pressures. Unprecedented growth and density targets would put significant pressure on infrastructure and services emplacement and create challenges for future asset lifecycle costs (including operating costs).

Staff have provided comments and recommendations through the ERO consultation regarding the changes to the *DC Act*. Regional staff continue to advocate for provincial funding to cover the DC revenue shortfall to ensure revenue neutrality. In the absence of additional funding from senior levels of government, the Region will be facing significant financial challenges that will be very difficult to overcome, which will lead to diminishing financial sustainability over time.

On November 30<sup>th</sup>, 2022, Minister Clark committed in a letter to the President of the Association of Municipalities of Ontario (AMO) to “ensuring municipalities are kept whole for any impact to their ability to fund housing enabling infrastructure because of Bill 23.” The letter is attached as Appendix VIII. While the definition of “enabling infrastructure” is required, including the actual construction of affordable housing, the statement appears to be in line with the recommendations of this report that the Province establish a fund to ensure that Peel and its local municipalities are made whole as a result of the impacts of Bill 23.

## RISK CONSIDERATIONS

As outlined in this report, Bill 23 represents a significant change in the province's land use planning system and municipal governance framework. While not all risks can be quantified at this time, Regional staff have identified those areas that pose the greatest risk to the Region. In addition to the financial risks discussed earlier in this report, the following service delivery risks are identified.

- Bill 23 has the potential to eliminate the critical coordination function that the Region currently manages within Peel. Failure to properly coordinate infrastructure delivery

## Bill 23 “More Homes Built Faster Act” and Implications for the Region of Peel

could have costly unintended consequences from both a planning and financial perspective.

- The compressed timing for the 2031 housing targets impacts the Region’s ability to provide infrastructure to support growth in a timely manner and will likely increase costs, whether the planned growth occurs or not.
- Changes to the *DC Act* will put the Housing Master Plan projects that are supported with DC funding and Provincial and Federal grants in jeopardy. This could result in a loss of approximately 943 units in Peel.

## CONCLUSION

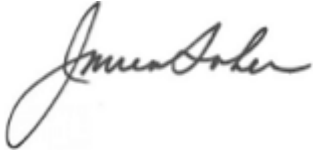
Bill 23 imposes significant change and results in significant impacts on the Region and its local municipalities. These legislative changes will fundamentally alter the Region’s land use planning, infrastructure service delivery, and housing provider/service manager roles, and will result in a significant loss of revenue.

The Region’s role as a coordinating body for the planning and servicing of growth may be limited under Bill 23 which will likely curtail rather than enhance housing supply. New housing targets will be challenging to achieve and will impact infrastructure, financial planning and the ability to support growth. Bill 23 will also limit the Region’s ability to collect development charges to support the delivery of infrastructure and critical housing for vulnerable populations. The service delivery and financial risks to Peel as a result of Bill 23 are expected to force the Region into making a choice between increasing taxes/utility rates or reducing service levels.

## APPENDICES

- Appendix I – Region of Peel Response to the Province: Legislative and regulatory proposals affecting conservation authorities to support the Housing Supply Action Plan (ERO Postings 019-6141 and 019-2927) - November 2022
- Appendix II - Region of Peel Response to the Province: Proposed Updates to the Ontario Wetland Evaluation System (ERO 019-6160) and Conserving Ontario’s Natural Heritage Discussion Paper (ERO 019-6161) - November 2022
- Appendix III - Region of Peel Response to the Province: ERO 019-6172- Proposed Planning Act and Development Charges Act Changes - November 2022
- Appendix IV - Region of Peel Response to the Province: ERO 019-6163 - Proposed Planning Act and City of Toronto Act Changes (Schedules 9 and 1 of Bill 23 – the proposed More Homes Built Faster Act, 2022); ERO 019-6171 - 2031 - Municipal Housing Targets; and ERO 019-6173 - Proposed Amendment to O. Reg. 232/18: Inclusionary Zoning - November 2022
- Appendix V - Region of Peel Response to the Province: ERO 019-6173 - Proposed Amendment to O. Reg 232/18: Inclusionary Zoning - November 2022
- Appendix VI - Region of Peel Response to the Province: Ontario Regulatory Posting 22-MMAH017- Seeking Feedback on Municipal Rental Replacement By-Laws - November 2022
- Appendix VII - MARCO Letter to Province dated November 21, 2022 and Submission to the Province on Bill 23
- Appendix VIII – Minister Clark Letter to AMO dated November 30, 2022
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**Bill 23 “More Homes Built Faster Act” and Implications for the Region of Peel**



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Janice Baker, FCPA FCA, Chief Administrative Officer

*Authored By: John Zingaro, Senior Legal Counsel and Manager*



December 14, 2022

The Honourable Steve Clark, MPP  
Minister of Municipal Affairs and Housing  
17th Floor, 777 Bay St.  
Toronto, ON M5G 2E5

Dear Minister Clark:

**Re: Bill 23 Municipal Compensation Fund**

On behalf of Peel Regional Council, I am writing to you with respect to the implications of *Bill 23, More Homes Built Faster Act* on the Region of Peel. While the Region supports the goal of building more housing, many of the provisions in Bill 23 appear to run counter to the Province's stated housing targets and goals and have unintended consequences that will constrain the Region's ability to increase housing supply.

In particular, the changes in Bill 23 related to the *Development Charges Act, 1997* will reduce development charges (DCs) funding that is needed to pay for the infrastructure required to support the accelerated housing targets that your government has set out. Based on preliminary analysis, the Region estimates that its DC revenue shortfall resulting from Bill 23's changes could amount to approximately \$2 billion over the next 10 years. Actual revenue shortfalls will vary depending on the final language of the Bill 23 definitions as well as the actual levels of development activity.

Also, the 2031 accelerated housing targets associated with Bill 23 (i.e., an additional 145,000 units in Peel) will impact the Region's ability to provide infrastructure to support growth in a timely manner and will increase financial and regulatory risk. Using assumptions noted in the report and applying them to the Province's revised growth numbers, Regional staff estimate that the DC revenue shortfall could escalate much higher if the Province's housing targets are actually met.

We were encouraged by your statements in your recent letter to the Association of Municipalities of Ontario (AMO) where you committed to "ensuring that municipalities are kept whole for any impact to their ability to fund housing enabling infrastructure because of Bill 23." However, there are still many questions and unknowns that need to be answered and clarified.

**Nando Iannicca**  
Regional Chair & CEO

10 Peel Centre Dr.  
Suite A, 5th Floor  
Brampton, ON L6T 4B9  
905-791-7800 ext. 4310

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Regional Chair & CEO

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To ensure that the necessary funding is available to address the impacts of Bill 23, Regional Council approved a recommendation at its December 8<sup>th</sup> meeting, calling on the Province to create a fund to compensate the Region of Peel and its local municipalities so that they are made whole as a result of the impacts on municipal growth funding revenues and expenditures.

As Bill 23 is implemented, we would like to work with you and Provincial staff to obtain more details and clarity regarding these questions and unknowns. To this end, Regional staff continue to undertake detailed work to analyze Bill 23's impacts and to identify what specific growth-related infrastructure projects are at risk of not proceeding due to the estimated DC revenue shortfall. We plan to share these details with you early in the new year.

The Region is committed to working in partnership with your government to advance the goal of increasing the housing supply and providing more affordable housing. We look forward to continuing our dialogue with you and other Provincial officials to advance these goals in a financially sustainable way that keep municipalities whole as result of changes to Bill 23.

If you have any questions about the Region's council report, please do not hesitate to contact me directly at 905 791-7800 ext. 4305. I look forward to hearing from you.

Kindest personal regards,



Nando Iannicca  
Regional Chair and Chief Executive Officer  
Region of Peel

Attached: Council Report: Bill 23 "More Homes Built Faster Act" and Implications for the Region of Peel, dated December 8, 2022

cc: Peel Members of Provincial Parliament  
Town of Caledon  
City of Brampton  
City of Mississauga



# Assessment of the *More Homes Built Faster Act*

Town of Caledon

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December 12, 2022

Watson & Associates Economists Ltd.  
905-272-3600  
[info@watsonecon.ca](mailto:info@watsonecon.ca)

December 12, 2022

Hillary Bryers MBA, CPA, CGA  
Acting Treasurer  
The Corporation of the Town of Caledon  
6311 Old Church Rd  
Caledon ON L7C 1J

Dear Hillary Bryers:

Re: Assessment of the *More Homes Built Faster Act*

The Town of Caledon (Town) retained Watson & Associates Economists Ltd. (Watson) to prepare and assessment of the impacts of the *More Homes Built Faster Act* on the Town's financial position. The following sections provide an assessment of the Town's 10-Year Housing Target and the associated fiscal impacts associated with the amendments to the *Development Charges Act* (D.C.A.) and parkland dedication requirements under s. 42 of the *Planning Act*.

## 1. Town of Caledon Housing Demand by Type, Tenure, and Affordability, 2021 to 2031

This section provides an analysis of forecast housing demand for the Town over the next 10 years by housing type and tenure (i.e. rental vs. ownership). In accordance with the affordability definitions established in the *More Homes Built Faster Act*<sup>1</sup>, these housing categories are then further broken down by affordable vs. market-based dwellings.

### 1.1 Housing Demand by Tenure

The Peel Region Municipal Comprehensive Review (M.C.R.) forecast identifies a demand of approximately 11,000 households between 2021 and 2031 for the Town<sup>2</sup>.

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<sup>1</sup> Defined as the rent/sale price no greater than 80 per cent of the average market rent/purchase price. The average market rent/purchase price will be determined by the Minister of Municipal Affairs as published in the bulletin entitled the "Affordable Residential Units for the Purposes of the Development Charges Act, 1997 Bulletin".

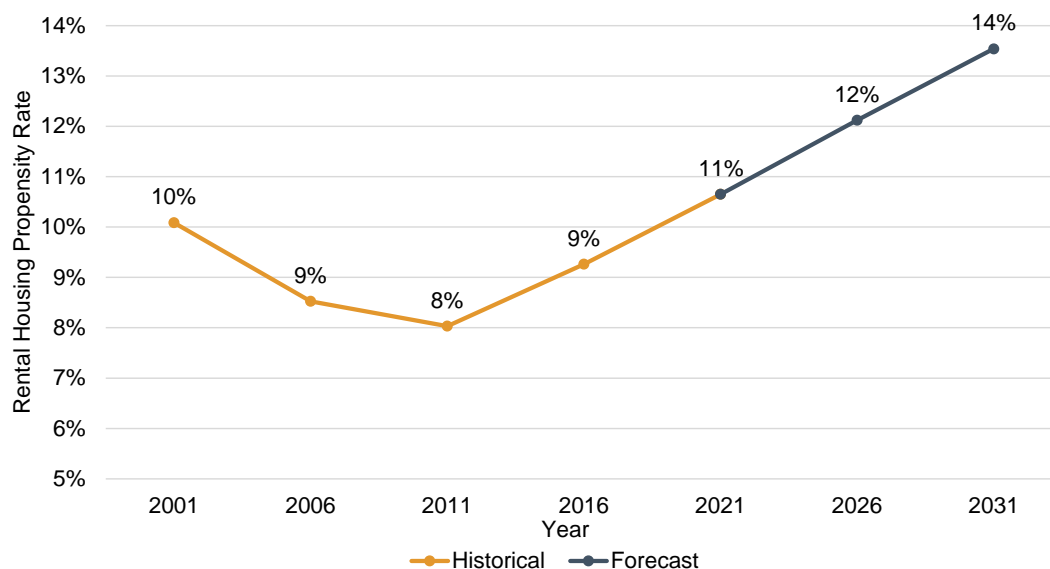
<sup>2</sup> Relative to the Region of Peel 2022 Municipal Comprehensive Review (M.C.R.) forecast, the Ministry of Municipal Affairs and Housing has identified an additional 2,000 housing units for the Town of Caledon over the 2021 to 2031 forecast period, representing a total housing forecast of 13,000.



Accommodating this level of growth requires a range of housing by structure type and tenure. Accordingly, the Peel Region M.C.R. does not identify any high-density dwellings over the 2021 to 2031 forecast period for the Town. To appropriately consider the need for affordable dwellings, the 30-year forecast unit mix for the Town has been modelled for the purposes of the 10-year forecast period. Building on this housing forecast by type, the following explores the Town's housing needs in greater detail by generating a housing forecast by both type and tenure. A tenure forecast provides greater insight into the Town's rental housing needs between 2021 and 2031 by various structure types.

As of December 2021, there were approximately 28,000 households on waiting lists in the Region of Peel for primary rental dwellings. The Town represents approximately 300 households of this total. With affordability concerns increasing across the province, the pressure for primary rental dwellings will continue to grow. Based on a rental housing propensity analysis (as shown in Figure 1-1), the percentage of renter households in the Town is forecast to increase from 11% in 2021 to 14% in 2031, which is slightly faster than the rental housing propensity increases observed between 2011 and 2021.

Figure 1-1  
Town of Caledon  
Rental Housing Propensity Rate Forecast, 2021 to 2031



Source: Historical data from Statistics Canada Census. Forecast by Watson & Associates Economists Ltd., 2022.

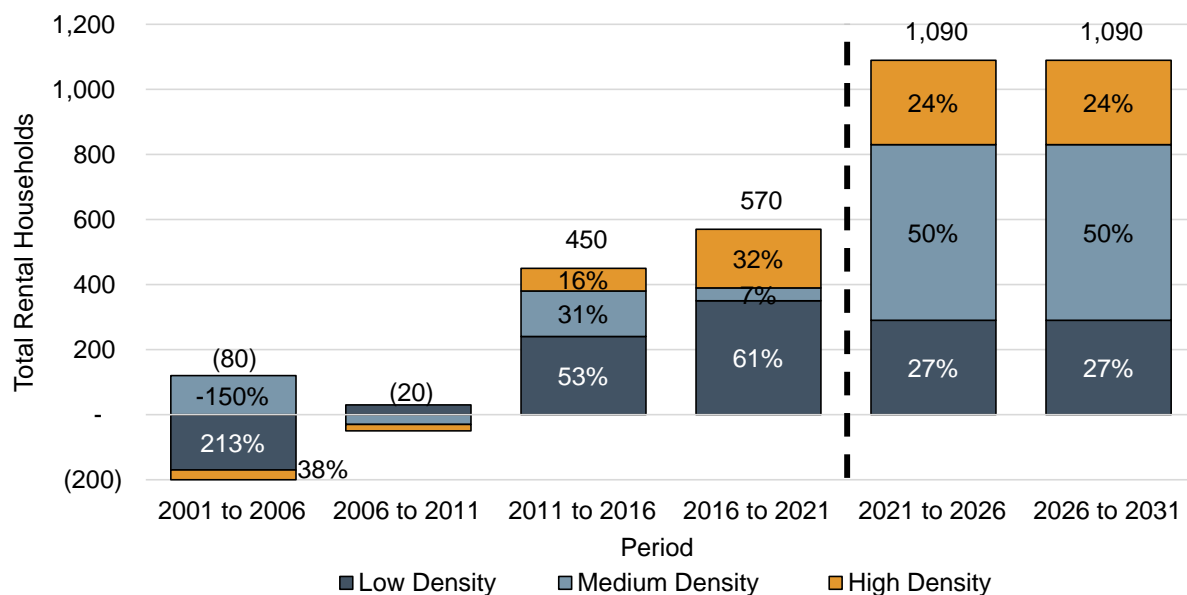




Based on the above rental housing propensity forecast, rental housing in the Town is expected to increase from approximately 2,500 units in 2021 to 4,700 in 2031. This represents growth of approximately 2,200 units over the period, accounting for 20% of total housing growth over the forecast period. As shown in Figure 1-2, half of all rental dwelling growth in the Town over the next decade is forecast to occur within medium-density dwelling types (townhomes and duplexes). The remaining housing growth is nearly split between low-density dwellings (single and semi detached) and high-density dwellings (apartments and secondary units). This represents a shift away from low-density rental dwellings compared to the previous 20 years.

While the share of rental dwellings is forecast to increase compared to historical trends, ownership households are still forecast to represent the predominant housing tenure in the Town, representing 80% of all forecast housing growth between 2021 and 2031. As shown in Figure 1-3, ownership dwellings within the Town are forecast to primarily be low-density housing forms, with remaining housing growth largely within medium-density dwellings. Nearly all forecast high-density housing growth is expected to be in the form of rental dwellings.

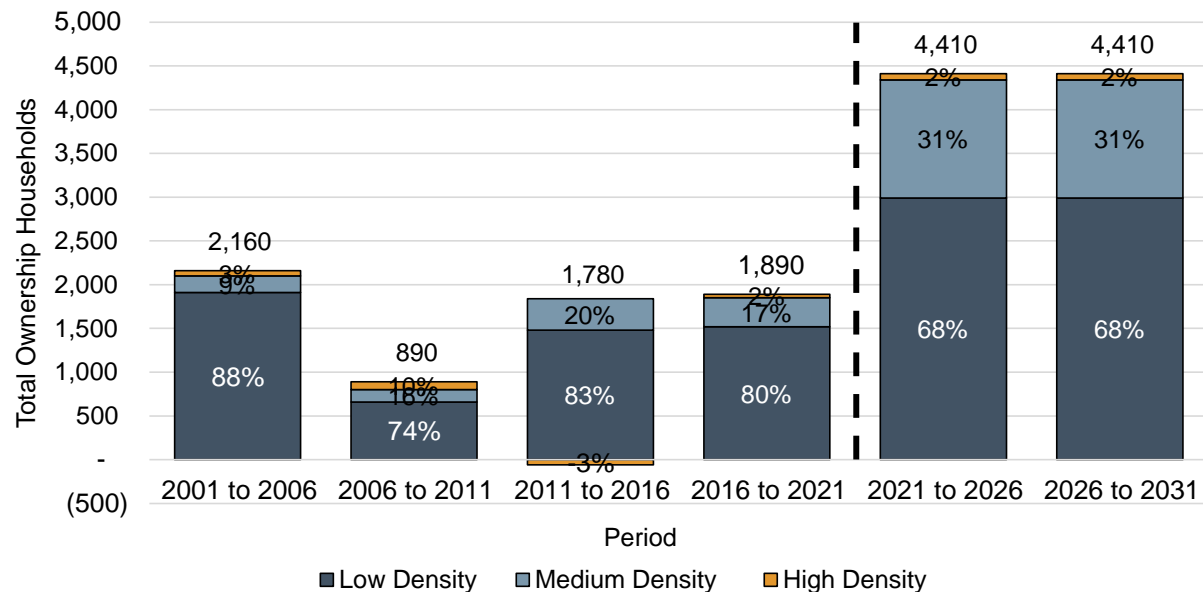
Figure 1-2  
Town of Caledon  
Rental Housing Growth by Structure Type, Historical and Forecast, 2001 to 2031



Source: Historical data from Statistics Canada Census. Total housing forecast derived from Peel Region M.C.R. Housing forecast by tenure prepared by Watson & Associates Economists Ltd., 2022.



**Figure 1-3**  
**Town of Caledon**  
**Ownership Housing Growth by Structure Type, Historical and Forecast, 2001 to 2031**



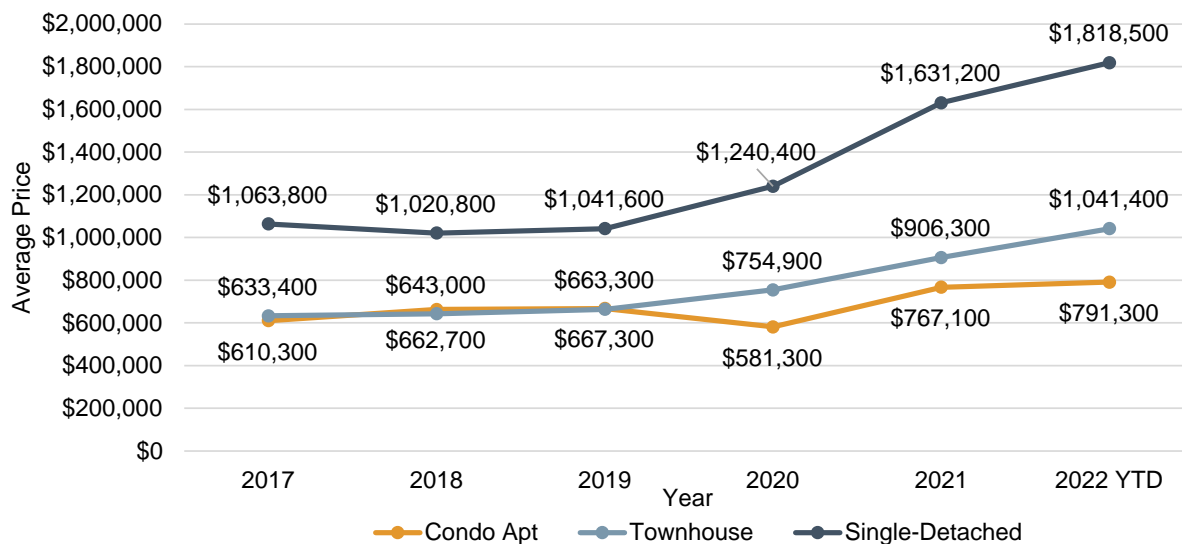
Source: Historical data from Statistics Canada Census. Total housing forecast derived from Peel Region M.C.R. Housing forecast by tenure prepared by Watson & Associates Economists Ltd., 2022.

## 1.2 Housing Affordability Analysis

Figure 1-4 summarizes average sales prices in the Town for single-detached, townhome, and apartment dwelling units between 2017 and 2022. While all housing types have increased during this period, single-detached dwellings had the greatest increase since 2020, increasing 47% during this period. The cost of a dwelling in the Town has a direct impact on the type and tenure of housing required to accommodate the wide range of income groups.



Figure 1-4  
Town of Caledon  
Average Sales Price by Dwelling Type, 2017 to 2022



Note: Figures have been rounded.

Source: TRREB Market Watch Archive 2017 to November 2022, summarized by Watson & Associates Economists Ltd.

In accordance with the definition of affordability in the *More Homes Built Faster Act*, the housing forecast by tenure and type has been examined from an affordable vs. market-based perspective. As shown in Figure 1-5, households with an income of less than \$100,000 can afford a maximum rent of \$2,500 per month or a maximum purchase price of \$330,000<sup>3</sup> <sup>4</sup>. According to 2022 real estate sale data from the Toronto Regional Real Estate Board (TRREB), the average sales price of a condominium in Town is \$791,300 and a townhouse is \$1,041,400. With a significant number of households unable to afford a new ownership dwelling, a shift in dwelling tenure and type is required to provide more affordable rental stock within the Town.

<sup>3</sup> Affordability in this context was calculated by assuming a maximum of 30% of household income is spent on shelter costs (property taxes, mortgage payment, monthly maintenance/fees, property insurance, and a down payment of 10%).

<sup>4</sup> The Regional of Peel Official Plan (2022) defines ownership affordability as annual accommodation costs not exceeding 30% of gross low- and moderate-income households or the purchase price of a resale unit is 10% below the average regional market area purchase price. Similarly, for rental affordability, the monthly costs do not exceed 30% of gross low and moderate household incomes or the rent cost is below the average market rent in the regional market area.



Figure 1-5  
Town of Caledon  
Housing Affordability Forecast by Tenure, 2021 to 2031

Household Income	Home Ownership (Dwelling Cost)	Rent (Month)	Forecast Growth, 2021 to 2031		Rental Type	Ownership Type
			Rental Dwellings	Ownership Dwellings		
Under \$20,000	Less than \$65000	Less than \$500	260	20	Rental Assistance	Home Ownership - Need for Sufficient Pre-Existing Equity or Affordable Dwellings
\$20,000 to \$39,999	\$65000 to \$130000	\$500 to \$1,000	590	70		
\$40,000 to \$59,999	\$130000 to \$200000	\$1,000 to \$1,500	560	90		
\$60,000 to \$79,999	\$200000 to \$265000	\$1,500 to \$2,000	250	140	Potential Need for Rental Assistance	
\$80,000 to \$99,999	\$265000 to \$330000	\$2,000 to \$2,500	220	160	Free Market	
\$100,000 to \$124,999	\$330000 to \$410000	\$2,500 to \$3,125	200	200		
\$125,000 to \$149,999	\$410000 to \$495000	\$3,125 to \$3,750	40	210		
\$150,000 to \$199,999	\$495000 to \$660000	\$3,750 to \$5,000	40	2,050		
\$200,000 and over	Greater than \$660000	\$5,000 and higher	30	5,880		Home Ownership - Wide Options
Total			2,190	8,820		

The Town's current development application pipeline supports this shift, as 27% of all units in development approvals are categorized as apartments. Accordingly, under the 10-year forecast for the Town, it is assumed that 21% of new housing units will serve households with an income of \$100,000 or less<sup>5</sup>. Further observations can also be made:

- To accommodate the lowest income segments of the Town's population, it is assumed that 39% of new rental units will accommodate households with a household income under \$40,000, paying a maximum rent of \$1,000 monthly – rental assistance will likely be required for these households.
- Household incomes less than \$150,000 are defined as having limited home ownership options. These households can afford a dwelling cost between \$330,000 and \$495,000. Based on September 2022 TRREB price data, many of these households would not be able to afford any dwelling type unless purchasing a dwelling that would be classified as affordable under the *More Homes Built Faster Act* or by providing substantial down payments to significantly reduce the purchase price.
- Households with income between \$150,000 and \$200,000 would still require assistance to purchase dwellings within the Town but higher household incomes can support a wider range of dwelling types. Households with income greater than \$200,000 have the widest range of market housing options in the Town. It is assumed that two thirds of new ownership households in the Town will be purchased by this \$200,000 and greater household income group.

The Town's 10-year housing forecast by structure type and tenure has been further analyzed to determine the number of affordable vs. market-based units in each

<sup>5</sup> Households with an income of less than \$100,000 represent 34% of the housing stock according to the 2021 Census. Accounting for inflation and intraprovincial migration trends, this household income category is expected to reduce to 30% of households by 2031.



category. The affordability of a unit is calculated against the average market rent or the average purchase price of a unit by structure type within a given year.<sup>6</sup> As demonstrated previously in Figure 1-5, nearly all household income groups below \$200,000 within the Town would not be able to purchase a dwelling of any structure type based on income alone. Accordingly, general assumptions have been made regarding the down payment capabilities by age of primary household maintainer, household income, and dwelling type. From these assumptions, a need for affordable dwellings is calculated for both rental and ownership households by structure type. Figure 1-6 displays the results of this analysis. The following can be observed:

- Only 9% of low-density units are forecast as affordable dwellings. While this is the least affordable dwelling type, there is still a substantial number of low-density units forecast in the Town through the Peel Region M.C.R.
- Based on the anticipated family structures and household incomes within the Town, it is assumed that 10% of ownership low-density units will need to be affordable. Increases in the low-density rental housing stock would not qualify as an affordable rental unit since they would not be purpose-built rental dwellings<sup>7</sup>.
- Medium-density units are forecast to account for nearly half of all new rental dwellings in the Town over the next decade, while still forming a sizeable component of the ownership housing growth as well. Across ownership and rental units, 31% of medium-density dwellings are forecast as affordable.
- High-density units are anticipated to form a small component of housing growth in the Town. There are slightly over 500 high-density dwellings forecast over the next 10 years, with a majority expected within the rental category. Of these total high-density units, 50% are forecast as affordable over the next decade.
- Lastly, secondary units are component of the high-density forecast. These units are already exempt from development charges (D.C.s) and as such, are considered as affordable.

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<sup>6</sup> Bill 23 does not currently specify whether affordability will be calculated against the aggregate average annual housing value *across* all dwelling types or the average annual value *within* each dwelling type. This analysis assumes the latter. If future legislature establishes that affordability is calculated against an aggregate value across all dwelling types, then the percentage of affordable dwellings captured through this work dramatically increase.

<sup>7</sup> It is assumed that increases in the low-density rental stock are achieved through the secondary rental market, rather than the primary-built rental market. This implies that the home purchaser would function as a landlord, by renting the low-density dwelling. Since affordability would be calculated on the purchase price of the home in this instance, this would not be captured under the affordable rental category.





Figure 1-6  
Town of Caledon  
Annual Housing Growth by Tenure, Historical and Forecast Scenarios, 2021 to 2031

Density Type	Ownership			Rental			Total		
	Affordable	Market Based	Total	Affordable	Market Based	Total	Affordable	Market Based	Total
Low Density	610	5,370	5,980	-	580	580	610	5,950	6,560
Medium Density	570	2,130	2,700	620	460	1,080	1,190	2,590	3,780
High Density	50	90	140	220	180	400	270	270	540
Secondary Units	-	-	-	120	-	120	120	-	120
<b>Total</b>	<b>1,230</b>	<b>7,590</b>	<b>8,820</b>	<b>960</b>	<b>1,220</b>	<b>2,180</b>	<b>2,190</b>	<b>8,810</b>	<b>11,000</b>

Density Type	Ownership			Rental			Total		
	Affordable	Market Based	Total	Affordable	Market Based	Total	Affordable	Market Based	Total
Low Density	10%	90%	100%	0%	100%	100%	9%	91%	100%
Medium Density	21%	79%	100%	57%	43%	100%	31%	69%	100%
High Density	36%	64%	100%	55%	45%	100%	50%	50%	100%
Secondary Units	0%	0%	0%	100%	0%	100%	100%	0%	100%
<b>Total</b>	<b>14%</b>	<b>86%</b>	<b>100%</b>	<b>44%</b>	<b>56%</b>	<b>100%</b>	<b>20%</b>	<b>80%</b>	<b>100%</b>

## 2. Development Charges

### 2.1 More Homes Built Faster Act Amendments to the D.C.A.

The major amendments to the D.C.A. considered herein include:

- Additional statutory exemptions for additional residential units, affordable units and non-profit housing;
- Discount for rental housing development;
- Mandatory 5-year phase-in for all D.C. by-laws passed after June 1, 2022;
- Extension of the historic level of service calculation period from 10-years to 15-years;
- Removal of studies from eligible capital costs<sup>8</sup>; and
- D.C. by-laws would expire ten years after the in force date.

<sup>8</sup> Land may be excluded as an eligible capital cost, if prescribed for certain services. At the time of writing no regulation has been filed in this regard, land costs have been maintained.



## 2.2 Assessment of Additional Statutory Exemptions and Rental Housing Discount

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The assessment of the D.C. revenue impacts related to the additional statutory exemptions and discounts for rental housing are calculated based on the growth forecast assumption for the 2021-2031 period, as summarized in Figure 1-6. For the purposes of this assessment:

- The additional residential units are included in the 10-year forecast as secondary units.
- Affordable units include rental, ownership and inclusionary zoning units. These units would also include non-profit housing units<sup>9</sup>.
- The D.C.A. defines rental housing development as “development of a building or structure with four or more residential units all of which are intended for use as rented residential premises”. As such, is assumed that only high-density residential rental development in the forecast would qualify for this discount. For these types of development, the D.C. will be reduced based on the number of bedrooms in each unit as follows:
  - Three or more bedrooms – 25% reduction;
  - Two bedrooms – 20% reduction; and
  - All other bedroom quantities – 15% reduction.

It should be noted that the statutory exemption for additional residential units and the discount for rental housing development is in force as of November 28, 2022. The statutory exemptions for affordable housing will be proclaimed on a future date and are currently not in force.

As summarized in Figure 1-7, the estimated D.C. revenue for the forecast residential development in Figure 1-6 would total \$477.3 million, based on current Town D.C. rates. The proposed additional statutory exemptions and discounts are anticipated to reduce D.C. revenues by \$81.8 million over the period<sup>10</sup>. This represents a reduction of approximately 17% in total residential D.C. revenues for the period. The composition of the revenue loss includes:

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<sup>9</sup> The D.C.A. amendments provide statutory exemptions for attainable units. These units do not include affordable units and rental units. These units will be defined by regulation. As regulations have not been filed at the time of writing no units are included herein.

<sup>10</sup> Discounted to 2019\$ this equates to approximately \$64.3 million.



- \$81.0 million in lost revenue for affordable unit exemptions, with ownership units accounting for \$52.6 million and rental units \$28.4 million.
- \$0.8 million in discounts for rental housing developments. The distribution of high-density residential units by bedrooms was taken from the Town's 2019 D.C. Background Study, which provides for an overall D.C. discount of 18.5% for the forecast high-density rental development.
- The expansion of the additional residential unit exemption, as forecast for secondary units, is expected to be minimal.



Figure 1-7  
Town of Caledon  
Comparison of Residential D.C. Revenue Forecast for Growth Forecast in Figure 1-6,  
2021 to 2031

Dwelling Unit Type	D.C. Treatment		Town-Wide D.C./Unit Sept. 2022 <sup>3</sup>	2021-2031 Dwelling Unit Forecast	D.C. Revenue (2022\$)		
	Pre MHBFA	Post MHBFA			Pre MHBFA	Post MHBFA	Difference
<b>Low Density Ownership</b>							
Affordable	Charged	Exempt	\$ 49,216	610	30,021,589	-	(30,021,589)
Market	Charged	Charged	\$ 49,216	5,370	264,288,416	264,288,416	-
<b>Rental</b>							
Affordable	Charged	Exempt	\$ 49,216	-	-	-	-
Market	Charged	Charged	\$ 49,216	580	28,545,118	28,545,118	-
<b>Medium Density Ownership</b>							
Affordable	Charged	Exempt	\$ 37,469	570	21,357,102	-	(21,357,102)
Market	Charged	Charged	\$ 37,469	2,130	79,808,118	79,808,118	-
<b>Rental</b>							
Affordable	Charged	Exempt	\$ 37,469	620	23,230,532	-	(23,230,532)
Market	Charged	Charged	\$ 37,469	460	17,235,556	17,235,556	-
<b>High Density Ownership</b>							
Affordable	Charged	Exempt	\$ 23,680	50	1,184,004	-	(1,184,004)
Market	Charged	Charged	\$ 23,680	90	2,131,207	2,131,207	-
<b>Rental</b>							
Affordable	Charged	Exempt	\$ 23,680	220	5,209,617	-	(5,209,617)
Market	Charged	Reduced <sup>1</sup>	\$ 23,680	180	4,262,414	3,473,674	(788,740)
<b>Secondary Units Ownership</b>							
Affordable	Partially Exempt <sup>2</sup>	Exempt	\$ 23,680	-	-	-	-
Market	Partially Exempt <sup>2</sup>	Exempt	\$ 23,680	-	-	-	-
<b>Rental</b>							
Affordable	Partially Exempt <sup>2</sup>	Exempt	\$ 23,680	120	-	-	-
Market	Partially Exempt <sup>2</sup>	Exempt	\$ 23,680	-	-	-	-
<b>Total</b>				<b>11,000</b>	<b>477,273,673</b>	<b>395,482,089</b>	<b>(81,791,585)</b>

<sup>1</sup> Bill 23 provides for reductions in D.C. of 25% for 3 bedroom and greater units, 20% for 2 bedroom units, and 15% for all other units. Based on weighting in 2019 D.C. Background Study a reduction of 18.5% is provided.

<sup>2</sup> Bill 23 provides for additional exemptions for secondary units within semi-detached and row dwellings. Additional exemptions are anticipated to be minimal as development is primarily related to single detached dwellings.

<sup>3</sup> High Density/Apartment Rate based on weighting of 2 bedroom and greater units of 58% and bachelor and 1 bedroom units of 42%, based on 2019 D.C. Background Study.



## 2.3 Assessment of Mandatory Phase-in, Historic Level of Service and Removal of Studies

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The Town's existing D.C. by-law was passed in 2019, and subsequently amended in 2021. The transition rules with respect to the D.C.A. amendments under the *More Homes Built Faster Act* for the mandatory phase-in of the charges, expansion of the historic level of service, and the removal of studies from the definition of capital costs, suggest these changes will not affect the Town's existing D.C. by-law. The Town's existing D.C. by-law is set to expire June 25, 2024. Assuming the Town proceeds to pass a new by-law at that time these new provisions would have to be adhered to. To measure the potential impact on the Town's D.C.s, we have undertaken to assess these changes relative to the Town's amended 2019 D.C. Background Study. The following addresses each item.

### 2.3.1 Mandatory Phase-In

If the Town was to pass a new D.C. by-law, the charge would have to be phased-in from the fully calculated rate in the D.C. Background Study as follows:

- Year 1 – 80% of the maximum charge;
- Year 2 – 85% of the maximum charge;
- Year 3 – 90% of the maximum charge;
- Year 4 – 95% of the maximum charge; and
- Year 5 to expiry – 100% of the maximum charge.

To assess the impact of this change, we considered the actual revenue<sup>11</sup> collected under the Town's current D.C. by-law for the period 2019-2022. As summarized in Figure 1-8, if the Town had to apply the mandatory phase-in rules during the 2019 D.C. process, the loss in revenue would have totalled \$10.6 million. This equates to a loss in revenue of approximately 12% over the 4-year phase-in period. In the context of the total D.C. recoverable costs over the 2019-2028/31 D.C. forecast period, this lost revenue would equate to approximately 2% of total D.C. eligible capital costs.

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<sup>11</sup> The Town provided a year-end estimate for 2022.





Figure 1-8  
Town of Caledon  
Estimated D.C. Revenue Loss for 4-Year Period, 2019 to 2022

	2019	2020	2021	2022	Total
Actual D.C. Revenue & 2022 Forecast	\$ 16,498,155	\$ 20,121,047	\$ 29,449,953	\$ 26,233,556	\$ 92,302,711
D.C. Phase-in under MHBFA	80%	85%	90%	95%	
Revenue if MHBFA Implemented in 2019	\$ 13,198,524	\$ 17,102,890	\$ 26,504,958	\$ 24,921,878	\$ 81,728,250
Revenue Loss Related to Phase-in Provisions under MHBFA	\$ 3,299,631	\$ 3,018,157	\$ 2,944,995	\$ 1,311,678	\$ 10,574,461

	2019	2020	2021	2022	Total
Actual D.C. Revenue & 2022 Forecast (in 2019\$)	\$ 16,360,265	\$ 19,343,403	\$ 27,486,771	\$ 21,318,621	\$ 84,509,060
D.C. Phase-in under MHBFA	80%	85%	90%	95%	
Revenue if MHBFA Implemented in 2019	\$ 13,088,212	\$ 16,441,893	\$ 24,738,094	\$ 20,252,690	\$ 74,520,888
Revenue Loss Related to Phase-in Provisions under MHBFA	\$ 3,272,053	\$ 2,901,510	\$ 2,748,677	\$ 1,065,931	\$ 9,988,172
Total DC Recoverable Capital Costs					\$ 453,784,489
Lost Revenue as % of Total DC Recoverable					2.2%

### 2.3.2 Historic Level of Service

At the time of preparing the Town's 2019 D.C. Background Study, the increase in need for service had to be measured relative to the average historic level of service over the 10-year period preceding the study. This requirement prevents municipalities from requiring development to pay a charge based on a higher level of service than provided in the municipality historically on an average cost basis. The calculations in this regard provide a maximum amount of capital costs that can be included in the calculation of the charge on a service-by-service basis, or as commonly referred to as the historic level of service cap.

The *More Homes Built Faster Act* now extends this period from the 10-year period preceding the study to the 15-year period. To determine the potential impacts, we calculated the historic level of service cap using the 15-year period for the D.C. services included in the amended 2019 D.C. Background Study. Figure 1-9 compares the cap under the amended 2019 D.C. Background Study and the recalculated cap for the 15-year historic period. In total the cap would increase by approximately \$2.2 million. As such, these amendments would be positive for the Town, allowing for additional capital needs unrestricted by the historic level of service cap.



Figure 1-9  
Town of Caledon  
Comparison of 2019 D.C. Background Study Historic Level of Service Cap

D.C. Service/Service Component	2019 DCBS (10-Year HLOS)	2019 DCBS (15-Year HLOS)	Difference
<b>1.1 Roads and Related</b>			
Roads	439,023,051	449,809,673	10,786,622
Sidewalks	208,633	157,423	(51,210)
Streetlights	527,904	499,454	(28,450)
<b>Roads and Related Services - Total</b>	<b>439,759,588</b>	<b>450,466,549</b>	<b>10,706,962</b>
<b>1.2 Operations</b>			
Public Works Facilities and Equipment	18,101,407	17,378,147	(723,260)
Roads and Related Equipment	2,689,148	2,230,472	(458,676)
Roads and Related Vehicles	5,432,034	5,243,317	(188,718)
<b>Operations - Total</b>	<b>26,222,589</b>	<b>24,851,936</b>	<b>(1,370,653)</b>
<b>1.3 Fire Services</b>			
Fire Facilities	17,845,358	17,317,138	(528,220)
Fire Vehicles	10,467,667	10,834,038	366,371
Fire Small Equipment and Gear	3,359,301	3,427,897	68,596
<b>Fire Services - Total</b>	<b>31,672,325</b>	<b>31,579,073</b>	<b>(93,252)</b>
<b>1.4 Parkland Development</b>			
Parkland Development	21,925,518	21,754,170	(171,348)
Parkland Trails	2,766,808	2,785,339	18,531
Parks and Recreation Vehicles and Equipment	277,164	240,639	(36,526)
<b>Parkland Development - Total</b>	<b>24,969,490</b>	<b>24,780,148</b>	<b>(189,342)</b>
<b>1.5 Indoor Recreation Facilities</b>			
Indoor Recreation Facilities	110,058,912	100,987,960	(9,070,952)
<b>Indoor Recreation Facilities - Total</b>	<b>110,058,912</b>	<b>100,987,960</b>	<b>(9,070,952)</b>
<b>1.6 Library Services</b>			
Library Facilities	12,214,026	13,060,291	846,264
Library Collection Materials	2,368,519	3,883,254	1,514,735
<b>Library Services - Total</b>	<b>14,582,545</b>	<b>16,943,544</b>	<b>2,360,999</b>
<b>1.7 Animal Control</b>			
Animal Control Facilities	817,259	849,487	32,228
Animal Control Vehicles	35,201	36,207	1,005
<b>Animal Control - Total</b>	<b>852,460</b>	<b>885,694</b>	<b>33,234</b>
<b>1.8 Provincial Offences Act</b>			
Provincial Offences Act Facilities and Vehicles	3,001,270	2,806,288	(194,982)
Provincial Offences Act Vehicles (By-law Enforcement)	61,589	63,348	1,759
<b>Provincial Offences - Total</b>	<b>3,062,858</b>	<b>2,869,636</b>	<b>(193,223)</b>
<b>Total Municipal Wide Services</b>	<b>651,180,767</b>	<b>653,364,540</b>	<b>2,183,773</b>



### **2.3.3 Studies Ineligible Capital Cost**

The Town's 2019 D.C. Background Study, as amended, included \$20.2 million in gross capital costs for studies (excluding study costs within capital projects such as design and EA studies). The D.C. recoverable share of these costs totalled \$11.1 million. In the context of the total D.C. recoverable costs over the 2019-2028/31 D.C. forecast period, this lost revenue would equate to approximately 2.5% of total D.C. eligible capital costs.

## **3. Parkland Dedication**

### **3.1 More Homes Built Faster Act Amendments to Section 42 of the Planning Act.**

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The major amendments to section 42 of the *Planning Act* regarding parkland dedication considered herein include:

- Additional residential units, affordable units and non-profit housing will be exempt from parkland dedication;
- The determination of parkland dedication for a building permit issued within two years of a Site Plan and/or Zoning By-law Amendment approval would be subject to the requirements in the by-law as at the date of planning application submission;
- Reduction to the alternative requirement provisions, whereby:
  - For land conveyance, the alternative requirement of 1 hectare (ha.) per 300 dwelling units is reduced to 1 ha. per 600 dwelling units;
  - For payments-in-lieu of land (P.I.L.), the alternative requirement of 1 ha. per 500 dwelling units is reduced to 1 ha. per 1,000 net residential units;
  - Parkland dedication is capped at 10% of the land area, or land value, where the land proposed for development is 5 ha. or less, and 15% of the land area or land value where the land proposed for development is greater than 5 ha.; and
- Owners will be allowed to identify lands to meet parkland conveyance requirements, within regulatory criteria. These lands may include encumbered lands and privately owned public space (POPs). The suitability of land for parks and recreational purposes will be appealable to the Ontario Land Tribunal (OLT).

Similar to the amendments to the D.C.A., the statutory exemptions for affordable housing will be proclaimed at a future date and are not currently in force. Also, the



provisions for owners to identify lands for conveyance will be proclaimed at a future date.

### 3.2 Assessment of Statutory Exemptions and Changes to the Alternative Parkland Dedication Requirements

The assessment of the parkland dedication impacts related to the statutory exemptions and lower of the alternative requirement are calculated based on the growth forecast assumption for the 2021-2031 period, as summarized in Figure 1-6. Figure 1-10 compares the total amount of parkland dedication (in land conveyance or P.I.L.) under the standard requirements and alternative requirements prior to the *More Homes Built Faster Act* in force date (i.e. November 28, 2022). Figure 1-11 provides the total amount of parkland dedication after the *More Homes Built Faster Act* amendments are fully in force. The figures also provide the parkland dedication forecast in terms of the parks level of service (i.e. ha. per 1,000 net population) for comparison to the Town's intended standard.

Figure 1-10  
Town of Caledon  
Comparison of Parkland Dedication and Service Level for the Standard and Alternative  
Parkland Dedication Requirements pre *More Homes Built Faster Act*

	Housing Growth, 2021 to 2031 by Density Type				
	Low Density	Medium Density	High Density	Secondary Units	Total
Housing Forecast by Dwelling Unit Type	6,560	3,780	540	120	11,000
Density (units per net ha.)	26	53	176	n/a	
Net Developable Land Area (ha.)	252.3	71.3	3.1	-	326.7
Average Occupancy (net person per unit)	3.364	2.561	1.619	1.147	
Net Population	22,067	9,681	874	138	32,759
<b>Parkland Dedication - Land Conveyance</b>					
<i>Standard Requirement</i>					
Ha. of Land (5% of land area)	12.6	3.6	0.2	-	16.3
Level of Service (ha. per 1,000 population)	0.57	0.37	0.18	-	0.50
<i>Alternative Requirement</i>					
Ha. of Land (1 ha. per 300 dwelling units)	21.9	12.6	1.3	0.4	36.7
Level of Service (ha. per 1,000 population)	0.99	1.30	2.06	2.91	1.12
<b>Parkland Dedication - Cash-in-Lieu</b>					
<i>Standard Requirement</i>					
Ha. of Land (5% of land area)	12.6	3.6	0.2	-	16.3
Level of Service (ha. per 1,000 population)	0.57	0.37	0.18	-	0.50
<i>Alternative Requirement</i>					
Ha. of Land (1 ha. per 500 dwelling units)	13.1	7.6	1.1	0.2	22.0
Level of Service (ha. per 1,000 population)	0.59	0.78	1.24	1.74	0.67



Figure 1-11  
Town of Caledon  
Comparison of Parkland Dedication and Service Level for the Standard and Alternative  
Parkland Dedication Requirements post *More Homes Built Faster Act*

	Housing Growth, 2021 to 2031 by Density Type				
	Low Density	Medium Density	High Density	Secondary Units	Total
Housing Forecast by Dwelling Unit Type	6,560	3,780	540	120	11,000
Affordable Housing Units	610	1,190	270	120	2,190
Housing Forecast net of Affordable Housing	5,950	2,590	270	-	8,810
Density (units per net ha.)	26	53	176	n/a	
Net Developable Land Area (ha.)	228.8	48.9	1.5	-	279.2
Average Site Area per Building Permit (ha.)	0.04	0.02	0.85	-	0.91
Average Units per Building Permit	1	1	150	-	152
Total Building Permits	6,560	3,780	4	-	10,344
Average Occupancy (person per unit)	3.364	2.561	1.619	1.147	
Gross Population (including Affordable Housing)	22,067	9,681	874	138	32,759
<b><u>Parkland Dedication - Land Conveyance</u></b>					
<b><u>Standard Requirement</u></b>					
<b>Ha. of Land (5% of land area)</b>	<b>11.4</b>	<b>2.4</b>	<b>0.1</b>	<b>-</b>	<b>14.0</b>
<b>Level of Service (ha. per 1,000 population)</b>	<b>0.52</b>	<b>0.25</b>	<b>0.09</b>	<b>-</b>	<b>0.43</b>
<b><u>Alternative Requirement</u></b>					
<b>Ha. of Land</b>	<b>10.9</b>	<b>6.3</b>	<b>0.3</b>	<b>-</b>	<b>17.5</b>
<b>Level of Service (ha. per 1,000 population)</b>	<b>0.50</b>	<b>0.65</b>	<b>0.35</b>	<b>-</b>	<b>0.54</b>
<b><u>Parkland Dedication - Cash-in-Lieu</u></b>					
<b><u>Standard Requirement</u></b>					
<b>Ha. of Land (5% of land area)</b>	<b>11.4</b>	<b>2.4</b>	<b>0.1</b>	<b>-</b>	<b>14.0</b>
<b>Level of Service (ha. per 1,000 population)</b>	<b>0.52</b>	<b>0.25</b>	<b>0.09</b>	<b>-</b>	<b>0.43</b>
<b><u>Alternative Requirement</u></b>					
<b>Ha. of Land</b>	<b>6.6</b>	<b>3.8</b>	<b>0.3</b>	<b>-</b>	<b>10.6</b>
<b>Level of Service (ha. per 1,000 population)</b>	<b>0.30</b>	<b>0.39</b>	<b>0.35</b>	<b>-</b>	<b>0.33</b>

Comparing the parkland dedication, applying the standard requirement:

- Prior to the amendments, the forecast development would yield 16.3 ha. of parkland if land was conveyed or P.I.L. taken. This would have resulted in a service level of 0.50 ha. per 1,000 population.
- The amended provisions of s.42 of the *Planning Act* would yield 14.0 ha. of parkland. The service level is reduced to 0.43 ha. per 1,000 population. This reduction is reflective of the exemption of affordable housing developments.

Comparing the parkland dedication, applying the alternative requirement:





- Prior to the amendments, the forecast development would yield 36.7 ha. of parkland if land was conveyed, or 22.0 ha. of land in P.I.L. This would have resulted in a service level of 0.67-1.12 ha. per 1,000 population.
- The amended provisions would yield 17.5 ha. of parkland if land was conveyed, or 10.6 ha. of land in P.I.L. The service level achieved is 0.33-0.54 ha. per 1,000 population. This reduction is reflective of both the exemption for affordable housing development and the reduced alternative requirement standards.

The amended provisions for parkland dedication would result in a 15% reduction in the amount of parkland conveyed or P.I.L. when applying the standard requirements, and a 52% reduction when applying the alternative requirements. These reductions would result in levels of service for parkland under the alternative requirement (i.e. 0.33-0.54 ha. per 1,000 population) that are similar to the standard requirements (i.e. 0.43 ha. per 1,000 population).

## 4. Conclusions

The Town is forecast to experience increasing growth pressures over the next several decades. Looking forward at the next ten years, housing affordability concerns will place greater emphasize on providing a wider range of dwelling types to accommodate households with lower incomes and insufficient down payment capabilities. Section 1 explored forecast housing trends by structure type, tenure, household income, age of primary maintainer, and housing prices. Together, this analysis has informed the number of affordable dwellings that will be required over the next decade to accommodate a wide range of household incomes within the Town. The Peel Region M.C.R. established the number of forecast dwellings by structure type in the Town, but it is essential that the Town consider the households that can afford these dwellings and how these homes get delivered to accommodate a diverse pattern of household incomes.

On the basis of the forecast housing development provided in Figure 1-6, and relative to the 2019 D.C. Background Study, Section 2 measured the impacts on the Town's D.C. revenues. Assuming the current D.C.A. rules were in place in 2019, the total D.C. implication would be approximately \$85.4 million in lost revenue (2019\$). In the context of the total D.C. recoverable costs over the 2019-2028/31 D.C. forecast period of \$453.8 million, this lost revenue would equate to approximately 18.8% of total D.C. eligible capital costs.



	Total D.C. Revenue Impact (in 2019\$)
D.C. Exemptions and Discounts	\$64.3 million
D.C. Phase-In	\$10.0 million
Historic Level of Service	No Impact on Revenues
Studies	\$11.1 million
<b>Total</b>	<b>\$85.4 million</b>

Section 3, projected the impacts of the amended standard requirement and alternative requirement rules for parkland dedication under s. 42 of the *Planning Act*. Based on the development forecast assumptions in Figure 1-6, these amendments would reduce the amount of parkland dedication by 15% from previous levels where the standard requirements are applied, and by 52% for the alternative requirements. This would result in a reduction in the incremental level of service provided by new development equating to approximately 0.43 ha. per 1,000 population.

Yours very truly,

WATSON & ASSOCIATES ECONOMISTS LTD.

Andrew Grunda, MBA, CPA, CMA  
Principal



# Appendix A

## Title



# Appendix A: Title

Text

Chief Executive Officer



## MEMORANDUM

DATE: December 16, 2022

TO: Municipal Leadership in TRCA's Jurisdiction

FROM: John MacKenzie, Chief Executive Officer

RE: TRCA's Interim Update on Implications of Bill 23 Conservation Authorities Act Amendments

Further to the passing of Bill 23, the [More Homes Built Faster Act](#), 2022 on November 28, 2022, we wish to provide this interim update on implementation of the further amendments to the [Conservation Authorities Act](#) and what this means for TRCA programs and services for our municipal partners.

The focus of this interim update is on development and infrastructure plan review and permitting functions that have been part of Bill 23 changes, as well as other programs and services provided through agreements with municipalities:

## Plan Review

There is no change to the current review and commenting functions under the Planning Act and Environmental Assessment Act for natural hazard matters, including where such review and comment is pursuant to Memorandums of Understanding (MOUs) and Service Level Agreements (SLAs). Planning application review and commenting for natural hazards is a mandatory program and service under [Ontario Regulation 686/21](#). There has been no change to the requirement for municipalities to circulate applications to conservation authorities in accordance with the regulations under the Planning Act, and existing screening procedures continue to apply to such circulations. Our existing plan is to continue work with your staff to update our existing Plan Review MOUs. We anticipate reaching out early in the new year to continue to move the Plan Review MOU work forward with the goal of further streamlining our shared processes to support municipal efforts to meet timelines established by the Province.

The scoping of some aspects of non-mandatory review and commenting for certain applications, proposals and other matters that are made under prescribed acts (e.g., Planning Act, Environmental Assessment Act, other acts as may be prescribed), does not become operative until such time as the Minister of Natural Resources and Forestry issues an enabling regulation identifying those acts. We continue to work internally and with external contacts to interpret the impacts of the new provisions on the non-mandatory review and commenting functions of conservation authorities.

Effective January 1, 2023, Ontario Land Tribunal (OLT) appeals of land use planning decisions and party status requests under the Planning Act by conservation authorities, in their capacity as public bodies, will be limited to matters that relate to natural hazard policies in any policy statements issued under the Planning Act. This new provision does not impact OLT appeals where a conservation authority obtained party status prior to January 1, 2023. TRCA has always coordinated with its municipal partners in respect of OLT appeals, with TRCA taking a supporting role to municipalities in respect of natural heritage matters and leading its own case in respect of natural hazard matters.



## Permits

Until the new Section 28 and Section 28.1 provisions come into force and [Ontario Regulation 166/06](#) is repealed, it is business as usual for permitting. When the amendments come into force, which we anticipate may occur at some point in 2023, the tests of “pollution” and “conservation of land” for the issuance of a permit will be replaced with “unstable soil or bedrock”. Those new tests have already come into force for permits related to Minister’s Zoning Orders (MZO) and Community Infrastructure and Housing Accelerator Orders (CIHAOs), as have new provisions enabling the Minister by regulation to limit conditions to be applied to permits for MZO and CIHAO development projects.

Conservation authority permits remain applicable law in respect of building permit applications, and municipal building officials should continue to refer applicants for development proposals within CA Act regulated areas to TRCA.

The new subsection 28(4.1), being the clause to exempt permits for certain regulated areas in certain municipalities where there are certain Planning Act approvals, will not become operative until a regulation or regulations are made to prescribe activities, areas of municipalities and types of authorizations under the Planning Act that qualify for the exemption. We note that any exemption is subject to such terms and conditions as may be prescribed in those regulations. We recognize some municipal partners are concerned about potential liability from this exemption. At this time, absent further information on the specific exemptions that may be proposed, we can only focus on ensuring that conservation authority input through the planning process is fully and comprehensively addressed in any municipal approvals.

## Other Conservation Authority Programs and Services Provided Through MOUs/Agreements

The recent legislative changes through Bill 23 do not affect other TRCA programs and services. As you are aware, TRCA provides a wide variety of programs and services that further the conservation, restoration, development, and management of natural resources in watersheds across its jurisdiction. These programs and services include but are not limited to trail planning and construction, riverine and shoreline rehabilitation works, restoration planting, community education and outreach, advancing joint projects including environmental assessments and the design and delivery of capital projects for and with our municipal and agency partners. Establishing MOUs with municipalities where they are not already in place for the delivery of these municipally requested services, as well as other agreements for provision of other non-mandatory services to provincial agencies and infrastructure providers remains a requirement under the CA Act and associated regulations. We are continuing to work with our municipal and agency partners to formalize these arrangements through MOUs and agreements where they currently do not exist. For a status update on this work, please refer to the [staff report](#) and [attachment](#) that went to TRCA’s Board of Directors on November 10, 2022.

## Next Steps

TRCA, Conservation Ontario and other partner organizations will, consistent with requests from other organizations including the Association of Municipalities Ontario, and the Building Industry and Land Development Association (BILD), continue to advocate for the Province to reconvene the multi-sectoral Conservation Authority Working Group, that TRCA is part of, to review and provide input on draft enabling regulations prior to their finalization. As more information becomes available in the new year, we will provide a further update setting out in more detail our understanding of the provincial direction and implications to our work.

Our discussions with municipalities, government agencies, stakeholders and the public have confirmed the vital role of TRCA in planning and infrastructure reviews. In the interim, TRCA will continue to provide timely and quality delivery of all TRCA mandatory and non-mandatory programs and services in accordance with the CA Act as amended. We look forward to continuing to work closely with you and your staff on implementation issues arising from these changes.

For more information or if there are more specific questions on the above, please reach out to:

Laurie Nelson, MCIP, RPP  
Director of Policy Planning  
Email: [laurie.nelson@trca.ca](mailto:laurie.nelson@trca.ca)



## STATEMENT ON MORE HOMES BUILT FASTER ACT AND PROPOSAL TO AMEND THE GREENBELT PLAN

The Mississaugas of the Credit First Nation (MCFN) advise the Government of Ontario to repeal the *More Homes Built Faster Act* (herein referred to as "Act") and Proposed Amendments to the Greenbelt Plan (herein referred to as "Proposed Amendments"). Combined, the Act and Proposed Amendments will have adverse impacts on our Treaty rights, Land Claims, as well as to environmental protections, regional planning, meaningful public engagement, and archaeology in the MCFN traditional and Treaty Territory.

The Province of Ontario, as the Crown, has a legal obligation to consult with Aboriginal peoples where it contemplates decisions or actions that may adversely impact asserted or established Aboriginal or Treaty Rights. As Rightsholders, through our inherent and Treaty rights, affirmed through Section 35 of the Constitution Act, 1982, we must be consulted through the Duty to Consult and Accommodate on any Crown conduct that may impact our rights or our lands. To date, we have received **no consultation** regarding the Act. The Greenbelt Plan area includes numerous MCFN Treaties, as identified in the attached map, that provide for our Treaty rights.

While there are many ways this Act and Proposed Amendments impacts our rights, notable concerns include:

- Abrogation of duty to consult and accommodate with Indigenous peoples;
- A reduction in natural heritage policy protections for development. This is a significant change to provincial law around natural resource protection on treated lands;
- The removal of 7,400 acres of protected Greenbelt lands, impacting key landscape features in the Greenbelt that protect the vital function of farmlands and ecosystems;
- Changes to the *Ontario Heritage Act*, particularly as they relate to the potential to exempt developments from Archaeological Assessments or other cultural heritage related studies, is contrary to Article 11 of UNDRIP;
- Potential impacts to active land and water claims.

These significant provincial planning changes represent a legal regression that runs the risk of placing Ontario outside of:

- Truth and Reconciliation (*Call to Action: 92 (i)*)
- Free, Prior, and Informed Consent (*UNDRIP, 2016*)
- Aboriginal, Treaty, and Inherent rights (*Sec. 25 & 35, Constitution Act, 1982*)
- Duty to Consult & Accommodate (*Sparrow, 1990; Delgamuukw, 1997; Haida, 2004; Taku River, 2004; Mikisew Cree, 2005; SON, 2017*)
- Provincial Policy Statement (*Sec. Vision, 1.2, 2.0, 2.6, & 4.0*)

In summary, we call on the Province of Ontario to repeal the *More Homes Built Faster Act* and Proposed Amendments to the Greenbelt Plan. We have a responsibility to protect this land for our next seven generations. This Act is putting that obligation at risk.

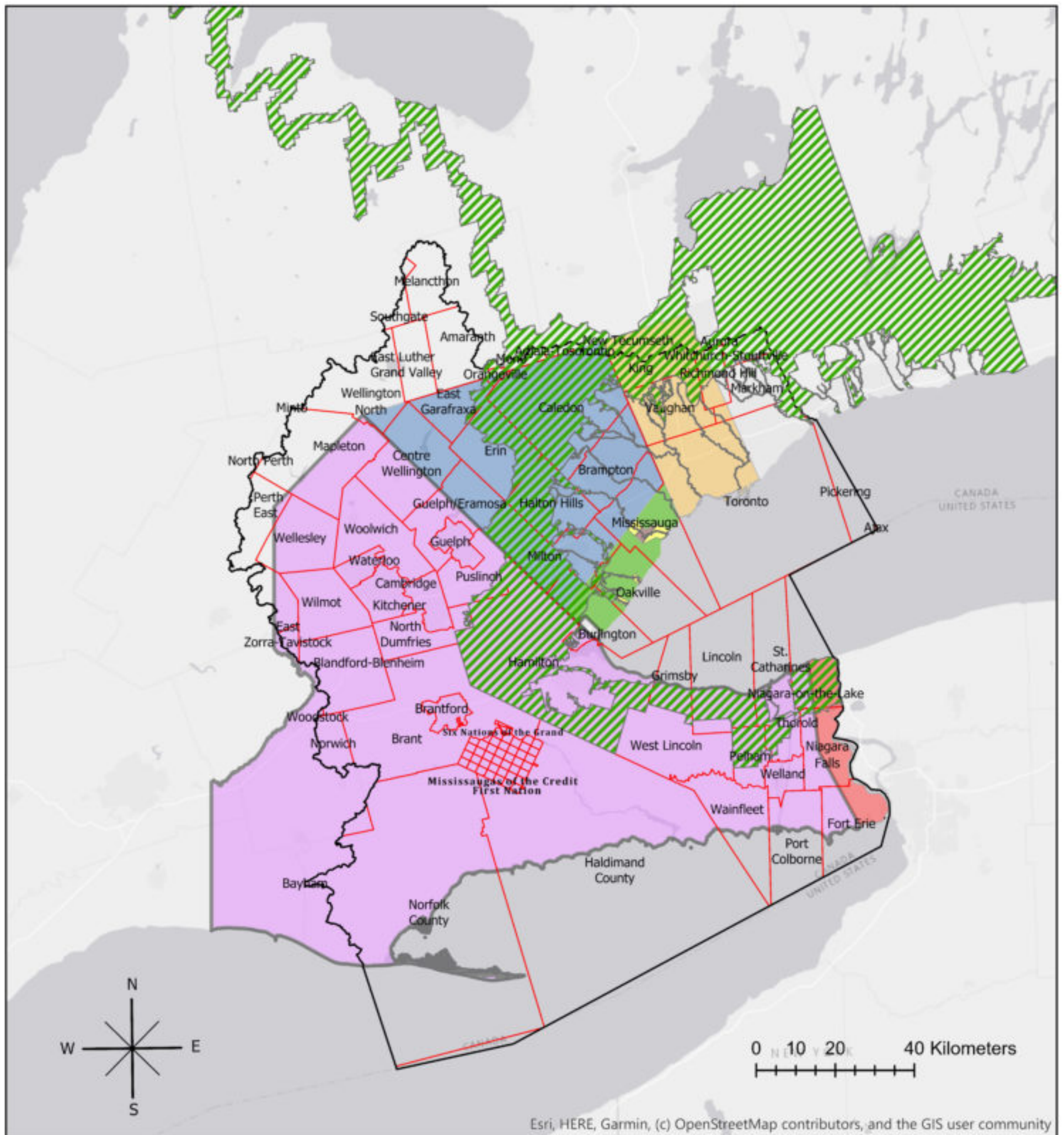


Chief and Council  
Mississaugas of the Credit First Nation  
2789 Mississauga Road, Hagersville, ON, N0A1H0



Phone: 905-768-1133  
Fax: 905-768-1225





## MISSISSAUGAS OF THE CREDIT TERRITORY AND THE ONTARIO GREENBELT



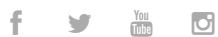
- GREENBELT
- MCFN TERRITORY
- LOWER TIER MUNICIPALITIES
- MISSISSAUGAS TREATY AT NIAGARA NO. 381 (1781)
- BETWEEN THE LAKES TREATY, NO. 3 (1792)
- BRANT TRACT TREATY, NO. 8 (1797)
- TORONTO PURCHASE TREATY, NO. 13 (1805)
- HEAD OF THE LAKE TREATY, NO. 14 (1806)
- AJETANCE TREATY, NO. 19 (1818)
- TREATY 22 (1820)
- TREATY 23 (1820)

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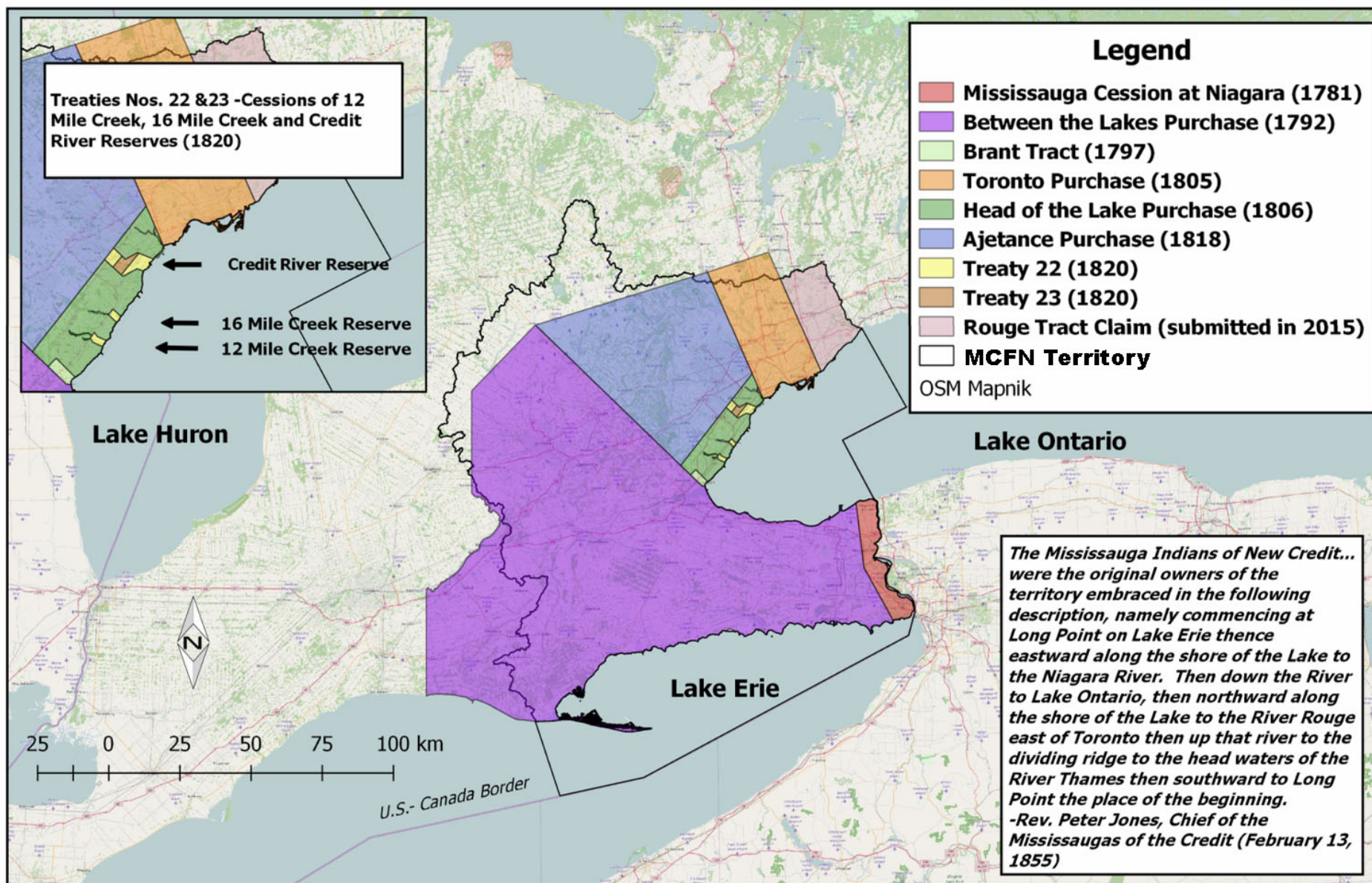
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## Mississaugas of the Credit First Nation Land Cessions 1781-1820 and Rouge Tract Claim, 2015



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**COLLABORATION AND PARTNERSHIP MEMORANDUM OF UNDERSTANDING  
(the "Accord")**

between

THE MISSISSAUGAS OF THE CREDIT FIRST NATION  
AS REPRESENTED BY ITS CHIEF AND COUNCIL ("MCFN")

and

THE CORPORATION OF THE TOWN OF CALEDON ("CALEDON")

This Accord is made this 28 day of October, 2022 (the "Effective Date"), between MCFN and Caledon (the "Parties").

WHEREAS,

1. MCFN is an Indigenous community within the meaning of the United Nations Declaration on the Rights of Indigenous Peoples ("UNDRIP"), and an Aboriginal people within the meaning of section 35 of the *Constitution Act, 1982*.
2. MCFN directly descends from the Mississaugas of the Credit River—an Anishinabek people—who entered into a number of treaties with the Crown between 1781 and 1820 with respect to large parts of MCFN's traditional territory.
3. MCFN's treaties are solemn agreements establishing a constitutional relationship, obligations and duties between MCFN and the Crown, in right of both Canada and Ontario. These treaties cover much of what is today considered the Greater Golden Horseshoe of southern Ontario, including the lands on which the Town of Caledon now sits. A map of MCFN's Territory ("Territory") is attached as Schedule A.
4. The treaties between MCFN and the Crown are the only treaties that exist within this Territory. While the area is now home to many people, including other Indigenous communities and governments, MCFN are the only treaty rights holders in the Territory.
5. MCFN's relationship to its Territory is central to its identity as an Anishinaabe people. For countless generations, this Territory has sustained MCFN—from the fish in the rivers and lakes, the animals in the forests, and the plants in the fields.
6. MCFN has a responsibility, bestowed by the Creator, to care for the lands and waters of its Territory so that the current and future generations of MCFN's community can continue to sustain and be sustained by it.
7. The objective of this Accord is to establish a constructive, collaborative and mutually beneficial and respectful relationship between the Parties
8. The Town of Caledon is a municipality in the southeastern part of MCFN's Territory in the Greater Toronto Area whose inhabitants are incorporated as a body corporate pursuant to the Ontario *Municipal Act, 2001*.
9. Caledon's Council intends to make Caledon one of the most livable and sustainable mixed urban and rural communities in Canada, and is guided by the principles of sustainability, connectivity, and good governance.

10. Caledon is empowered to pass by-laws respecting the economic, social and environmental well-being of the municipality, including respecting climate change; as well as the health, safety and well-being of persons.
11. Caledon recognizes MCFN as the treaty holder in MCFN's Territory, which is now home to the town and its residents, as well as others, including other Indigenous groups who may assert interests in the area.
12. The Truth and Reconciliation Commission ("TRC") calls for the adoption of UNDRIP and its principles, norms, and standards in development decisions that involve Indigenous peoples and their lands and resources, including meaningful consultation, building respectful relationships, and obtaining the free, prior, and informed consent of Indigenous peoples before proceeding with projects, as well as ensuring that Indigenous people have equitable access to jobs, training, and education opportunities, and that Indigenous communities gain long-term sustainable benefits from economic development projects.
13. The Parties recognize that they share common goals and interests for such things as sustainability and sustainable growth, community enrichment, the preservation of heritage and natural areas, and the promotion of culture and tourism and to ensure that voices and interests of all users of the Territory are heard and considered in a fair and inclusive way.
14. The Parties intend to build a respectful and collaborative relationship in the spirit of reconciliation—and consistent with the TRC's call for the adoption of UNDRIP in development decisions—that will enable them to pursue opportunities to support their common goals and interests in a manner that honours the treaty history and MCFN's special role in the Territory flowing from its treaties.

THEREFORE, the Parties agree as follows:

1. The Parties will work collaboratively to pursue opportunities that support their mutual goals and interests.
2. The Parties will work to address issues and concerns of mutual interest in a manner that is respectful, in the spirit of partnership, and that promotes reconciliation.
3. The Parties will establish a protocol for open and clear lines of communication and information sharing, and a process for regular meetings of their leadership to promote the continued growth of the Parties' respectful and collaborative relationship.
4. The Parties agree to meet at least twice a year to review projects, including community projects, plans and initiatives that require consultation or otherwise present engagement opportunities.
5. In the course of their collaborative work, the Parties will consider the interests of other users of the Territory, including other Indigenous groups. This collaborative work will be guided by MCFN as the treaty holders of the Territory and consistent with their duty to ensure other Indigenous voices are heard and respected.
6. The Parties may appoint technical teams to identify, discuss, and develop opportunities that support their mutual interests, including with respect to the promotion of culture and tourism, training and employment, or other economic opportunities to ensure that MCFN



continue to sustain and be sustained by our Territory.

7. The Parties agree to be guided by the following guiding principles in their collaborative work relating to areas of mutual interest:
- a. Advancing reconciliation and the importance of building, strengthening and maintaining a constructive, collaborative and mutually beneficial and respectful relationship between MCFN and the Town;
  - b. Ensuring respect for MCFN's rights, including the recognition of MCFN as the host Indigenous community and the treaty holder over the area that is now the Town of Caledon and the need to minimize impacts on and facilitate the ongoing exercise of MCFN's rights;
  - c. Open-mindedness and a willingness to pursue creative, flexible, and innovative approaches and solutions to concerns;
  - d. Recognition of the shared responsibility for stewardship;
  - e. Prioritizing approaches that foster co-creation/co-development processes and mutual benefit to MCFN and the Town, including through Indigenous place-making and the meaningful participation of Indigenous people in economic opportunities;
8. The Parties may enter into further agreements or memoranda of understanding to provide a more detailed framework for collaboration through the Town's Indigenous Engagement Protocol with respect to specific opportunities or projects.
9. Nothing in this Accord is intended to, or should be interpreted so as to define, create, recognize, deny, affect, or amend any rights, duties, or obligations of either of the Parties.
10. Either of the Parties may withdraw from this Accord at any time upon written notice.

IN WITNESS **WHEREOF**, the Parties have duly executed this Accord on the dates indicated below.

**MISSISSAUGAS OF THE CREDIT FIRST NATION**  
**as represented by its CHIEF and COUNCIL**

Per:

  
\_\_\_\_\_  
R. Stacey Laforme, Chief, Mississaugas of the Credit First Nation

Oct 28/22  
\_\_\_\_\_  
Date

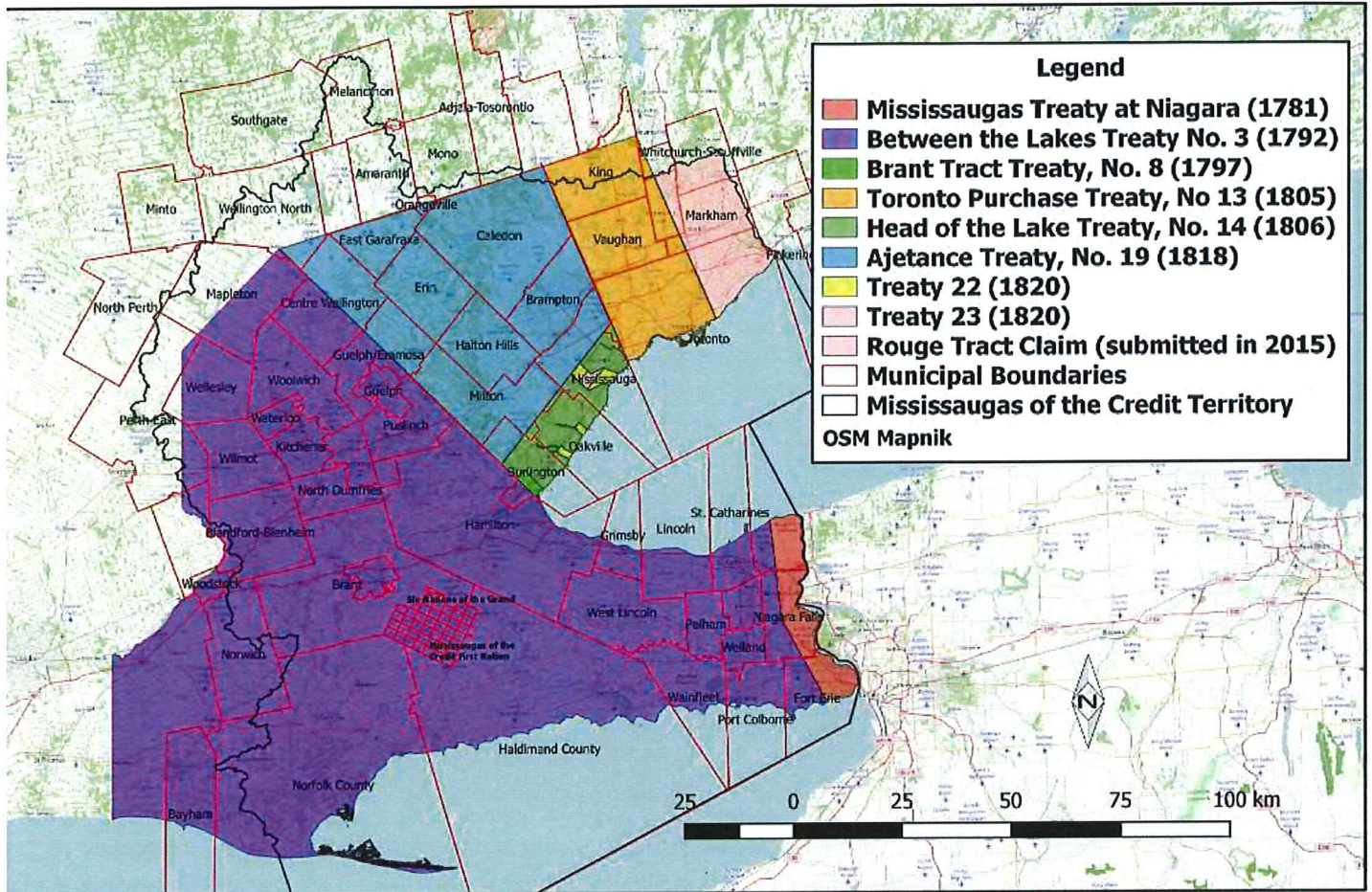
**THE CORPORATION OF THE TOWN OF**  
**CALEDON, as represented by its COUNCIL**

Per:

  
\_\_\_\_\_  
Allan Thompson, Mayor, Town of Caledon

October 28 2022  
\_\_\_\_\_  
Date

## Schedule A: MCFN Territory Map



## **Staff Report 2023-0023**

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Meeting Date: January 17, 2023

Subject: 2023 Bolton Community Improvement Plan

Submitted By: Sandra Dolson, Economic Development Officer, Economic Development and Tourism, Customer Service and Communications

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### **RECOMMENDATION**

That Community Improvement Area Designation By-law 2009-051 be repealed and replaced with the proposed Bolton Community Improvement Project Area Designation By-law attached as Schedule A to Staff Report 2023-0023;

That Community Improvement Plan By-law 2009-052 be repealed and replaced with the proposed Bolton Community Improvement Plan attached as Schedule B to Staff Report 2023-0023; and

That staff be authorized to draw up to \$100,000 from the Tax Funded Operating Contingency Reserve to fund CIP applications received.

### **REPORT HIGHLIGHTS**

- The focus of the Bolton Community Improvement Plan (CIP) is to promote and encourage redevelopment, revitalization and energy and carbon reduction within certain areas of the community
- Community Improvement Project Areas (CIPA) are designated by By-Law, these are the only areas within a municipality where the CIP initiatives and financial incentives may be applied
- Bolton CIPA is made up of three precincts: Bolton Core, Commercial Corridor, Industrial Area
- Bolton Community Improvement Plan was adopted in 2009 and was meant to have a 10 year horizon
- The 2020 Economic Development Strategy and the 2021 Downtown Bolton Revitalization Plan identify an update of the 2009 Bolton CIP as a key priority for the Town
- Since 2009 there have been 38 grants administered through the Bolton CIP, representing over \$561,000 in grants issued or committed and \$35.9 million of private property investment
- Full review and update of the Bolton CIP, CIPA and companion Urban Design Guideline has been completed
- Significant consultation was undertaken as part of the development of the updated CIP
- Minor adjustments to the CIPA and Urban Design Guideline are recommended
- Bolton CIP includes an updated Municipal Leadership Strategy and 11 Financial Incentive Programs including: two existing programs with increased grant values, five programs with the same values but minor eligibility criteria changes, three new



- programs focused in the downtown core precinct, and a program to encourage properties deemed to be high priority to redevelop or be revitalized
- 2023 Bolton CIP is forward thinking and innovative in approach and grant values, and rooted in collaboration
- The CIP includes a robust communications and marketing plan
- In addition to the CIP a number of parallel policies provide support to encourage revitalization in Bolton such as the Town Development Charge exemption in the Bolton Core and the implementation of the Bolton Downtown Revitalization Plan

## **DISCUSSION**

A Community Improvement Plan (CIP) is a revitalization and economic development tool used to promote and facilitate investment in desirable community improvement works. This is principally achieved through the administration of financial incentives available to eligible landowners and businesses. It is also achieved through complementary initiatives that are municipally led and work to further support the community improvement vision, goals, and objectives of the CIP.

The Town first adopted a CIP for the community of Bolton in 2009 (2009 Bolton CIP). The 2009 Bolton CIP was subsequently subject to minor amendments in 2011 and again in 2014.

The 2020 Economic Development Strategy and the 2021 Downtown Bolton Revitalization Plan identify an update of the 2009 Bolton CIP as a key priority for the Town.

### **Downtown Revitalization**

The CIP plays an integral role in the revitalization of downtown Bolton. By encouraging the beautification and preservation of the historic core area through façade and property improvements, flood mitigation, the establishment of patios and public art, it enhances the streetscape and overall sense of place. In recent years property and business owners have had more interest in the CIP and we have gained considerable momentum in the uptake of the financial incentive programs.

Through private property investment and supporting municipal actions the CIP is a significant factor in meeting the goals and objectives of the Bolton Downtown Revitalization Plan.

Since 2009 there have been 38 grants administered through the Bolton CIP, with 50% being for projects in the downtown core area. Over \$561,000 in grants have been issued for projects that represent over \$35.9 million of private property investment.

### **The Project**

In August 2021, the Town initiated a comprehensive review and update of the 2009 Bolton CIP on the following basis:

- The Plan was expressly contemplated as a ten-year revitalization strategy.
- Since 2009, the Town's land use planning framework has substantially evolved.

- The 2020 Economic Development Strategy and the 2021 Downtown Bolton Revitalization Plan identify an update of the 2009 Bolton CIP as a key priority for the Town.

A consultant was hired to review and update the CIP, CIPA and companion Urban Design Guideline.

A review of all relevant Council adopted policies and plans, recent comparable municipal CIPs as well as the effectiveness of the 2009 Bolton CIP was completed. In addition, a broad consultation and engagement program was undertaken. Residents, landowners, businesses, Region of Peel, Toronto and Region Conservation Authority, Ministry of Municipal Affairs and Housing, elected representatives, and Town staff have provided meaningful input to the community improvement vision of this CIP.

The statutory public information meeting took place on January 17, 2022.

The project to update the Bolton CIP is comprised of three components:

1. Community Improvement Project Area (CIPA), by-law and map attached as Schedule A
  - Required under the *Planning Act*, and adopted by by-law, the CIPA delineates which areas of Bolton the CIP and the financial incentive programs apply to
2. 2023 Bolton CIP, attached as Schedule B
  - Municipal Leadership Strategy
  - Financial Incentive Programs
  - Plan administration, monitoring and evaluation
  - Marketing Strategy
3. Urban Design Guideline, attached as Schedule C
  - Review and update the existing guideline

### **Community Improvement Project Area (CIPA)**

Overall, the CIPA, attached as Schedule A, largely mirrors the 2009 CIPA, with some minor refinements based on the evolution of certain lands over the last 10+ years.

The recommended Bolton CIPA is made up of three areas identified as precincts:

- The Bolton Core Precinct
- The Commercial Corridor Precinct
- The Industrial Area Precinct

The precincts serve as a framework to tailor certain financial incentive programs to specific areas within the community. In other words, some financial incentives programs are only available in certain precincts based on the revitalization objectives and eligible community improvement works of those financial incentive programs.

**Municipal Leadership Strategy**

The 2009 Bolton CIP establishes a Municipal Leadership Strategy that identifies specific actions to be undertaken by the Town to advance the revitalization goals and objectives of Bolton.

Based on a review of those actions, and as gathered through the project's consultation program, the following updated Municipal Leadership Strategies are identified:

- Public Realm and Wayfinding Improvements
- Climate Change Action
- Improvement of Local and Regional Transportation Network
- Marketing and Branding Strategy
- Celebrate Success
- Collaboration and Partnerships
- Review and Update Relevant Studies
- Programming of Public Spaces
- Strategic land or Road Acquisition for Revitalization Initiatives

The CIP identifies additional specific details as well as recommended prioritization of each action.

**Financial Incentives**

The following table provides a list of existing financial incentive programs that are recommended to be carried over to the 2023 Bolton CIP and the recommended value adjustments.

All grants are 50% of construction value to a maximum amount unless otherwise indicated.

Program	Precinct	2009 value	2023 value
Tax increment Equivalent  * May not be combined with any other grant within this CIP	Commercial Corridor	Equivalent to the increased tax value to max. \$20,000/year for up to a ten-year period	No annual cap. Equivalent to the increased tax value paid out for up to a ten-year period to a max. \$250,000
Façade Improvement  Signage improvement	Bolton Core and Commercial Corridor	\$12,500  When two street facing facades are improved: \$17,500  Sign \$5,000	\$14,500  When two street facing facades are improved: \$19,500  Sign \$5,000
Energy and Carbon Reduction	All	Commercial: 25% to maximum \$7,500	Various streams – grants are 50% to a maximum of

Program	Precinct	2009 value	2023 value
		Industrial: 25% to maximum \$15,000	\$10,000 to \$40,000
Property Improvement (formerly Landscape Improvement)	All	\$7,500 When two street facing landscaped areas are improved \$10,000	No change
Planning and Building Fee  * Must be associated with an approved project under this CIP	All	100% value of building permit fees up to \$10,000  100% value of zoning by-law amendment, site plan and/or minor variance fees up to \$10,000	No change
Development Charge	Bolton Core and Commercial Corridor	\$15,000	No change
Bolton Core Residential Conversion  * For conversion of second storey commercial space to residential units	Bolton Core	\$5,000 /unit to a maximum of three units	No change

### New Financial Incentive Programs

All new incentive programs are available in the Bolton Core precinct only:

Program	Description	Grant value
Flood Mitigation and Protection	Changes to existing buildings to mitigate the damage from flooding	50% to max. \$5,000
Privately Owned Public Space and Public Art	Improvements to areas or installation of art located on private property that are readily accessible to the public	50% to max. \$3,500
Patio and Outdoor Café	To establish permanent or temporary patios	50% to max. \$5,000
Priority Site Revitalization	Sites meeting specific criteria and identified within Schedule B of the	50% to max. of double grant values

Program	Description	Grant value
	Bolton CIPA by-law (currently 3 sites in Bolton Core)	

### **Priority Sites Revitalization Program**

To provide the Town with the ability to select priority sites for enhanced incentives the Priority Sites Revitalization Program (Program) has been developed. This Program is a set of eligibility criteria and financial incentives aimed at encouraging the improvement of specific priority properties located within the CIPA.

Three sites located in the Bolton Core are currently identified as priority sites: 39 Queen Street North, 15 King Street East and 11 Chapel Street.

For properties which meet the criteria and have been deemed to be priority sites as per Schedule B of the CIPA by-law, all grant values are doubled. For example, normally a façade improvement grant may be a maximum of \$19,500, the priority site grant value would be up to \$39,000. However, at no time will a grant(s) be provided that are valued at more than 50% of the eligible project cost.

The Program also provides a Tax Increment Equivalent Grant (TIEG) which otherwise is only available in the Commercial Corridor precinct. This TIEG also provides greater flexibility in the timing of payment and value.

### **Implementation**

The CIP is intended to be implemented over a 10-year period, with an interim review to be undertaken after five years.

The CIP contains a description of the plan administration, application process, and a monitoring and evaluation plan.

In addition, a robust marketing strategy will be implemented to ensure property and business owners are aware of the incentives available.

### **Transition**

The CIP is coming into effect in 2023, however in 2022, applications were approved prior to Council adoption, and there are applications currently in process under the previous version of the Bolton CIP.

On this basis, the following policies shall apply:

Applications in process: Any application currently in process under the previous Bolton CIP shall be evaluated and processed under this Plan.

Applications approved after January 1<sup>st</sup>, 2022: Where the grant value of a financial incentive program under this Plan is higher than that of the previous Bolton CIP, the application shall be eligible for a one-time payment from the Town that is equal to the



difference of said value, provided the approved community improvement works are recognized as eligible costs under this Plan, and that all other eligibility requirements of this Plan are satisfied.

### **Urban Design Guideline (UDG)**

The 2009 Bolton CIP companion UDG was reviewed against current design guidelines, specifically the Heritage Conservation District Design Guideline and the Town wide Urban Design Guidelines. The UDG required minor updates to refer to these Guideline documents as appropriate and is attached to this report as Schedule C.

### **FINANCIAL IMPLICATIONS**

As of December 1, 2022, the Community Improvement Plans (CIP) reserve fund is in a deficit as there are more applications than funding available. Prior to passing the 2023 budget, funds for the CIP program were limited to a small budget from the CIP reserve. The amount of funds available in this reserve are not sufficient to fund the number of applications the Town has received in recent months and will have a balance of zero before the approved applications have been funded. To fund this deficit, it is recommended that Staff be authorized to draw from the Tax Funded Operating Contingency reserve (Current Uncommitted Balance \$6,827,670) up to \$100,000 to fund the shortfall. As of December 2022, there is \$50,442.93 to be funded for the remaining 2022 applications with other applications in process.

With the promotion and introduction of the new incentives and grant amounts in the proposed Bolton Community Improvement Plan, Staff are concerned that there will not be sufficient funds to fulfill the grant requests that come forward. The 2023 proposed budget includes a recommended change in service level to provide for \$100,000 of increased funding for this program in an ongoing basis. If this budget ask is not approved, there will be continued pressure on the CIP reserve, which is currently committed to be drawn to zero, that will result in future asks to Council for funding from the Tax Funded Operating Contingency Reserve.

Any Tax Increment Equivalent Grant (TIEGs) to be provided through this program will be budgeted separately each year as they are undertaken and will be offset by the corresponding assessment growth from each project.

### **COUNCIL WORK PLAN**

Sustainable Growth – Bolton downtown revitalization

### **ATTACHMENTS**

Schedule A: Proposed By-law to adopt the Bolton Community Improvement Project Area Designation

Schedule B: Proposed By-law to adopt the Bolton Community Improvement Plan

Schedule C: Bolton CIP Urban Design Guideline

THE CORPORATION OF THE TOWN OF CALEDON

BY-LAW NO. 2023-XX

Being a By-law to designate a Community Improvement Project Area and repeal By-law 2009-051

**WHEREAS** Section 28(2) of the *Planning Act, R.S.O., 1990*, as amended, states that “where there is an official plan in effect in a local municipality that contains provisions relating to community improvement in the municipality, the council may, by by-law, designate the whole or any part of an area covered by such an official plan as a community improvement project area”;

**AND WHEREAS** Section 28(1) the *Planning Act, R.S.O., 1990*, as amended, defines a Community Improvement Project Area as “a municipality or an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason”;

**AND WHEREAS** the Official Plan for the Town of Caledon contains policies respecting the designation of community improvement project areas and the preparation of community improvement plans;

**AND WHEREAS** the Council of the Corporation of the Town of Caledon has deemed it appropriate and desirable to designate a portion of the Town of Caledon as a Community Improvement Project Area for the purpose of establishing a Community Improvement Plan respecting the revitalization, redevelopment, and enhancement, in accordance with Section 28(2) of the *Planning Act, R.S.O., 1990*, as amended;

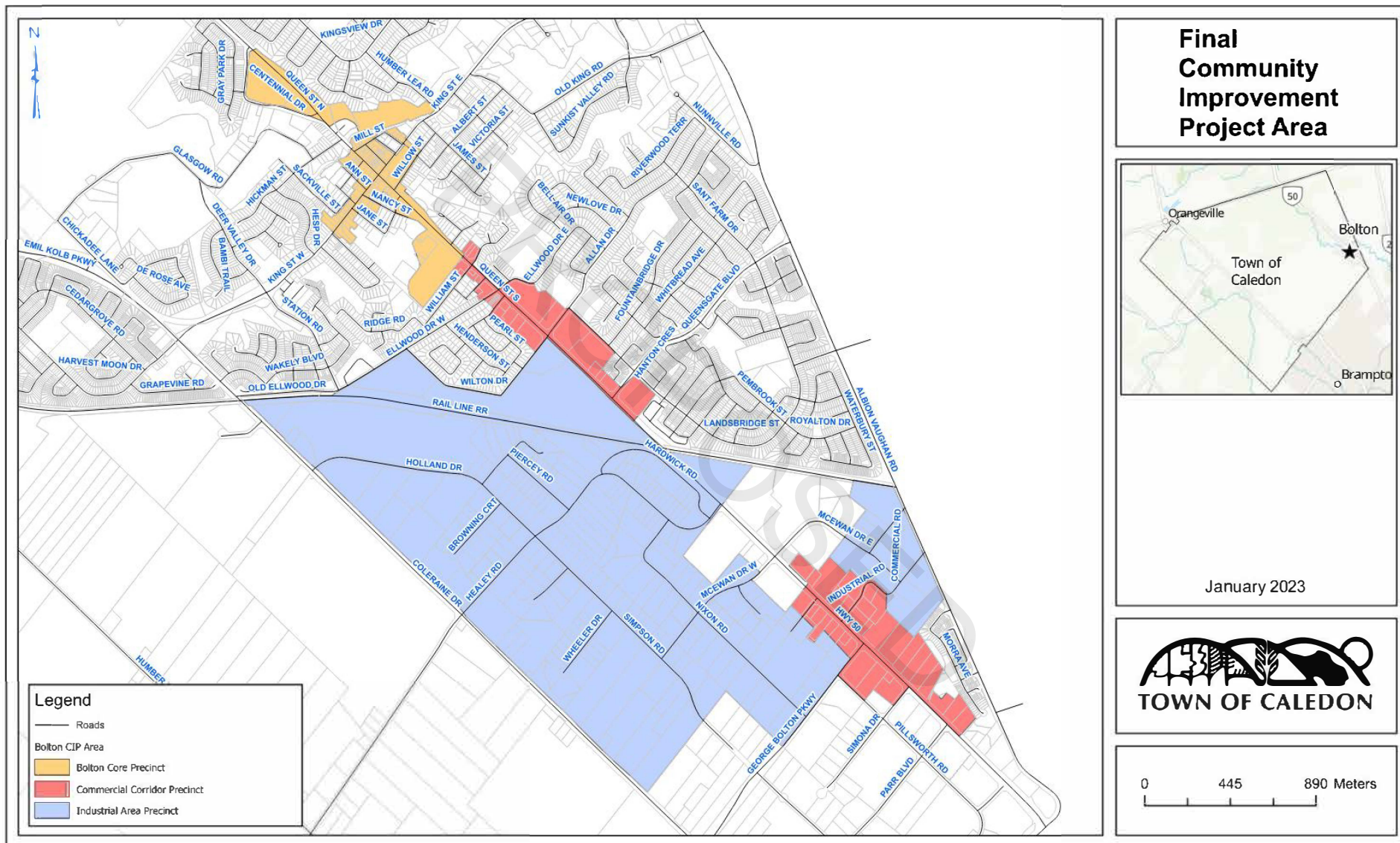
**NOW THEREFORE** the Council of the Corporation of the Town of Caledon enacts as follows:

1. **THAT** the areas of Bolton illustrated on Schedule “A” attached hereto and forming part of this By-law is hereby designated as the Community Improvement Project Area in the Town of Caledon.
2. **THAT** the properties within the Community Improvement Project Area of Bolton as listed on Schedule “B” attached hereto and forming part of this By-law are hereby identified as Priority Sites.
3. That By-law 2009-051 is hereby repealed.

Enacted by the Town of Caledon Council this 31st day of Janaury, 2023.

\_\_\_\_\_  
Annette Groves, Mayor

\_\_\_\_\_  
Laura Hall, Town Clerk



## **Schedule B**

### **List of Eligible Properties for the Priority Sites Revitalization Program**

1. This Schedule shall form 'Schedule B' to the Bolton Community Improvement Plan Area by-law.
2. For interpretation purposes, this Schedule shall be read in conjunction with the Bolton Community Improvement Plan in its entirety.
3. The following properties are hereby deemed eligible for the Priority Sites Revitalization Program under the Bolton Community Improvement Plan:
  - a. 11 Chapel Street, Bolton, ON;
  - b. 39 Queen Street, Bolton, ON; and,
  - c. 15 King Street East, Bolton, ON.
4. This Schedule may be subject to amendment from time to time, at the sole discretion of the Town of Caledon by a by-law passed by Council.
5. Where a by-law is passed by Council to amend this schedule to the effect that it identifies new properties eligible for the Priority Sites Revitalization Program, those new properties must satisfy the criteria of Section 4.19.3.3 of the Bolton Community Improvement Plan.

THE CORPORATION OF THE TOWN OF CALEDON

BY-LAW NO. 2023-XX

Being a By-law to adopt a Community Improvement Plan and repeal by-law 2009-052.

**WHEREAS** By-law No. XX passed on the 31 day of January, 2023 designated a Community Improvement Project Area in Bolton for the purpose of preparing and implementing a Community Improvement Plan;

**AND WHEREAS** the Council of the Corporation of the Town of Caledon has deemed it appropriate to adopt a Community Improvement Plan for the Community Improvement Project Area, in accordance with Section 28 of the *Planning Act, R.S.O., 1990*, as amended, to carry out community improvement through various financial incentives and other municipal leadership initiatives;

**AND WHEREAS** the Council of the Corporation of the Town of Caledon has fulfilled the requirements of Section 28 of the *Planning Act, R.S.O., 1990*, as amended;

**NOW THEREFORE** the Council of the Corporation of the Town of Caledon enacts as follows:

- 1. **THAT** the Community Improvement Plan, attached hereto as Schedule “A” and forming part of this by-law is hereby adopted.
- 2. **THAT** by-law 2009-052 is hereby repealed.

Enacted by the Town of Caledon Council this 31st day of January, 2023.

\_\_\_\_\_  
Annette Groves, Mayor

\_\_\_\_\_  
Laura Hall, Town Clerk



# Bolton Community Improvement Plan

2023



# How do I use the Bolton Community Improvement Plan?

A Community Improvement Plan is a revitalization and economic development tool used to promote and facilitate investment in desirable community improvement works.

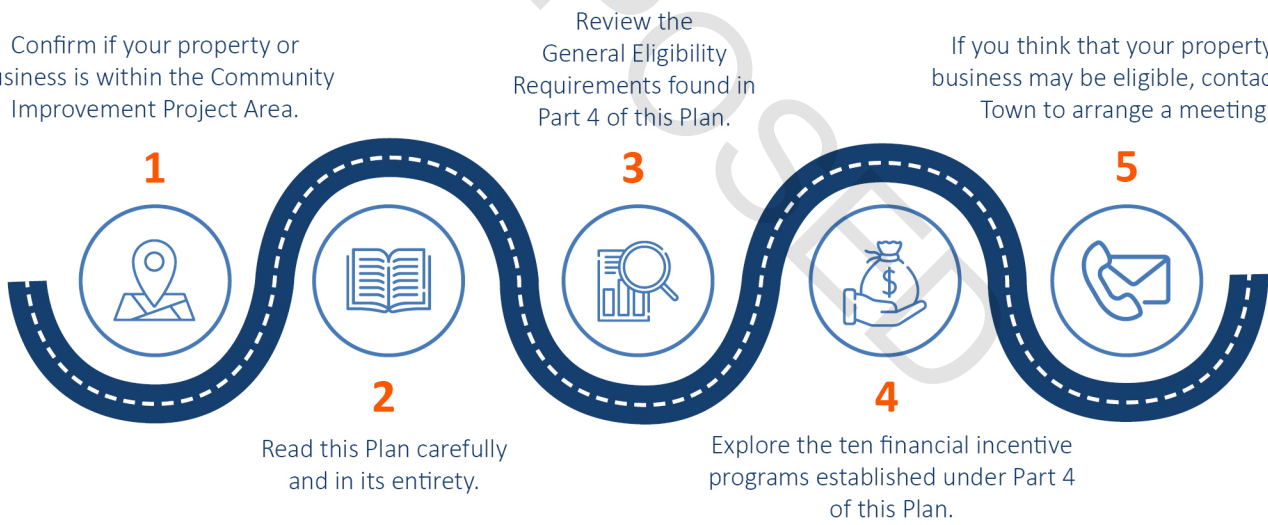


## The Purpose of this Plan

The purpose of this Plan is to promote and facilitate the ongoing revitalization and enhancement of Bolton. It establishes a range of financial incentive programs available to eligible applicants, as well as identifies municipal led initiatives to provide pro-active and visible leadership to achieve the overall revitalization objectives of this Plan.

## Using this Plan

The following preliminary steps should be undertaken before contacting the Town to discuss making an application:



## Structure of the Plan

Part One	Part Two	Part Three	Part Four	Part Five
Offers an overview of this Plan, including its purpose and structure.	Establishes the revitalization vision, goals and objectives of this Plan.	Identifies detailed action items to support the goals and objectives of this Plan.	Establishes the financial incentive programs of this Plan, including general eligibility requirements.	Reviews additional eligibility requirements for making an application and establishes the application process.

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# Introduction







# 1. Introduction

## 1.1 Overview

A Community Improvement Plan (“CIP” or “Plan”) is a revitalization and economic development tool used to promote and facilitate investment in desirable community improvement works. This is principally achieved through the administration of financial incentives that are granted by a municipality to eligible landowners and businesses. It is also achieved through complementary initiatives that are municipal led and that work to further support the community improvement vision, goals, and objectives of this Plan.

The Town of Caledon (“Town”) administers several CIPs, including this one. Each Plan represents a broad revitalization framework that is individually responsive to the challenges and opportunities that are unique to

communities within the Town or that focus on specific community improvement goals that may have broader applicability. This Plan therefore establishes a range of financial incentive programs and municipal led initiatives that are responsive to the revitalization needs of Bolton, while recognizing the benefit of streamlined administrative provisions that are generally consistent with the Town’s other CIPs.

This Plan has been prepared for the historic core, commercial areas and industrial areas of Bolton. It is largely informed by the Strategic Directions Report and Project Area Analysis (“Report”). The Report does not form an operative part of this Plan but serves as an important foundation of work that identifies how this Plan has been developed. It is recognized as a valuable resource for users of this Plan and should be considered in any future review, update, or modification of this Plan.



## 1.2 Background

The Town first adopted a CIP for the community of Bolton in 2009 (“2009 Bolton CIP”). The 2009 Bolton CIP was subsequently subject to minor amendments in 2011 and again in 2014. In August 2021, the Town initiated a comprehensive review and update of the 2009 Bolton CIP on the following basis:

- The Plan was expressly contemplated as a ten year revitalization strategy. It had since reached its intended conclusion;
- Since 2009, the Town’s land use planning framework has substantially evolved; and
- The 2020 Economic Development Strategy and the 2021 Downtown Bolton Revitalization Plan identifies an update of the 2009 Bolton CIP as a key priority for Bolton.

This Plan therefore represents work undertaken to comprehensively review and critically evaluate the 2009 Bolton CIP. This background work is detailed through the Report. It broadly included critical observations regarding existing revitalization opportunities and constraints within Bolton, performance and success of the 2009 CIP, and a review of more contemporary community improvement planning practices with a focus on financial incentive programs and administrative policy. Specific consideration was also given to the Community Improvement Project Area (“CIPA”).

As an outcome of the background work, this Plan is largely represented by a new community improvement vision, a refined municipal leadership strategy, ten financial incentive programs, and a revised marketing and communications plan. A modified CIPA was also prepared through this update. The in-effect CIPA is administered through a separate Town By-law and does not form an operative part of this document.

## 1.3 Purpose of this Plan

The purpose of this Plan is to establish a realistic and forward looking strategy that is responsive to existing and emerging revitalization constraints and

opportunities within Bolton. It establishes a range of financial incentive programs that are intended to promote works that result in community improvement while similarly supporting landowners and local businesses. It also identifies specific programs and supporting actions that are municipal led and intended to be undertaken by the Town to further support the ongoing improvement and revitalization of Bolton.

The Plan has also been developed in consideration of Bolton’s unique history, heritage and geography and is responsive to the Town’s in-effect land use planning framework. For example, community improvement works identified under this Plan recognize the Bolton Heritage Conservation District, and the desire to both preserve and conserve this rich heritage and character. In other areas of the Town, this CIP contemplates an opportunity to advance the vision of the Town’s Official Plan for a more compact, active transportation oriented and transit supportive built form.

This Plan has also been developed through a broad consultation and engagement program. Residents, landowners, businesses, agencies, elected representatives, and Town staff have provided meaningful input to the community improvement vision of this Plan and its components. In this way, a purpose of this Plan is to both reflect and advance the revitalization aspirations and vision for Bolton as expressed by the community. It identifies specific programs and actions that may be undertaken by the Town to support the ongoing revitalization of Bolton, as detailed in the Municipal Leadership Strategy.

This CIP must also be monitored and evaluated on a regular basis to ensure the components remain relevant and responsive to Bolton’s emerging revitalization needs and opportunities. A monitoring framework is therefore established to inform the ongoing evaluation of its success and includes the identification of key performance metrics that should be regularly documented by the Town.

Lastly, the contribution of this Plan to the ongoing revitalization of Bolton necessarily relies on the Town to actively support its uptake through meaningful





marketing and communication initiatives. To this end, the Plan identifies a marketing and communication framework that has been developed in consultation with Town staff.

## 1.4 Legislative Authority

The authority for preparing this Plan is under Section 28 of the *Planning Act*. Under the *Planning Act*, the Town may issue grants and loans to property owners and tenants within a designated Community Improvement Project Area, and where a Community Improvement Plan has been prepared. It is a requirement of the *Planning Act* that the Town's Official Plan have policies in place, which will guide the selection of Community Improvement Project Areas and the preparation of Community Improvement Plans.

Authority to adopt and administer this Plan is also granted under Section 106 of the *Municipal Act*, 2001, which generally prohibits municipalities from directly or indirectly assisting manufacturing, business or other industrial or commercial enterprises. An exception to Section 106 is made under Section 106(3) for municipalities exercising powers under Section 28 (6) or (7) of the *Planning Act*, being to adopt a CIPA and CIP.

This Plan is consistent with the policies of the Provincial Policy Statement, 2020 ("PPS, 2020"). Generally, the Provincial Policy Statement promotes the vitality and regeneration of existing settlement areas (Section 1.1.3.1) and is in principle supportive of the intent of this Plan. Since this Plan focuses on the revitalization of existing built-up communities, the Provincial Plans do not have direct implications or directly relevant policies pertaining to Community Improvement Plans.

This Plan has been prepared to conform to the policies of the Town of Caledon's Official Plan. The Town of Caledon's Official Plan designates Bolton as an eligible community improvement area.

Under this Plan, all programs are required to conform to the policies of the Official Plan as well as the Town's Zoning By-law. The programs under this Plan do not supersede other by-laws, regulations, laws or policy

documents as currently in-force and effect, or that may do so over the 10-year horizon of this Plan.

## 1.5 Components of this Plan

This Plan provides a comprehensive framework that guides community improvement in Bolton. It is comprised of three components that collectively represent the CIP, as follows:

1. This document is one component. It establishes the community improvement vision, goals and objectives, the Municipal Leadership Strategy, and the financial incentive programs and their financial values. It also contains detailed eligibility criteria and administrative policies, including a marketing and communication plan.
2. The second component of this Plan is the CIPA. The CIPA is required under the *Planning Act* and delineates which areas of Bolton this Plan applies to, including the financial incentive programs. The CIPA is adopted as a separate By-law by the Town and does not form an operative part of this document. However, a map of the CIPA is shown in Figure 1 for reference purposes only. It is subject to change by a decision of Council, as noted above. Consultation with Town staff is always required to confirm if a property or business is within the CIPA.
3. The third component of this Plan are the companion Urban Design Guidelines. The Guidelines provide additional guidance for community improvement by identifying design principles and guidelines with respect to built form, facades, streetscape, and open spaces, for example.

Users of this Plan should refer to each of the three components for interpretation and administration purposes.

## 1.6 Structure of this Plan

This Plan is organized into five parts, as follows:

- Part 1 of this Plan offers an introduction to the CIP, including relevant background information as well as its purpose and legislative authority. Part 1 does not form an operative component of this Plan.



- Part 2 establishes the revitalization vision, goals and objectives of this Plan. These considerations guide the long-term implementation of this Plan.
- Part 3 identifies a Municipal Leadership Strategy and includes detailed action items that may be undertaken by the Town to support the goals and objectives of this Plan.
- Part 4 establishes the financial incentive programs of this Plan, including the purpose, community benefit, value and eligibility criteria of the programs.
- Part 5 establishes detailed implementation policies that inform how this Plan is administered and funded, requirements and process for applying to the financial incentive programs, a marketing strategy, Plan monitoring and evaluation, and a glossary of terms to assist with interpretation.



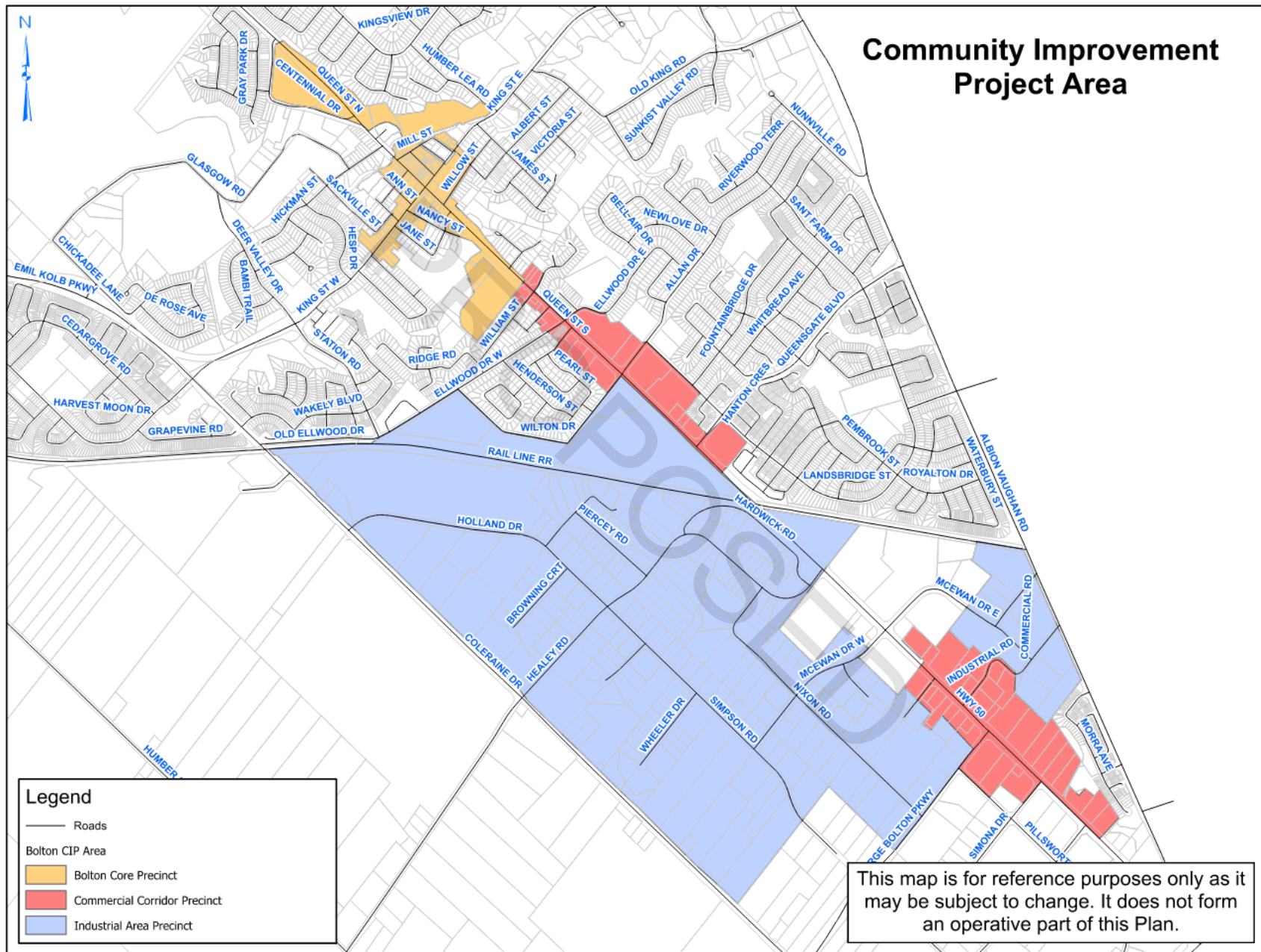


Figure 1: Bolton Community Improvement Project Area (December 2022)



# Goals and Objectives





## 2. Goals and Objectives

This Part of the CIP establishes the community improvement goals and objectives for Bolton. Specific goals and objectives can be used to guide implementation of the Plan and measure its success. To this end, the goals and objectives form an important component of the Plan's monitoring and evaluation framework.

Implementation of this Plan should have regular regard for the goals and objectives as established through this Part. Proposed community improvement works should not only be consistent with these aspirations, but also seek to advance revitalization priorities of Bolton as identified by the goals and objectives.

The goals and objectives of this Plan are intended to support and advance the Town's land use planning




framework, including the Official Plan, Zoning By-law, and the Bolton Heritage Conservation District, as well other complementary municipal initiatives that support the continued revitalization and improvement of the community.



## 2.1 Goals and Objectives




Table 1 identifies the specific goals and objectives to support the revitalization vision for the community of Bolton.

Table 1: Bolton CIP Revitalization Goals and Objectives

Goals	Objectives
<p>1. Bolton celebrates its rich history and heritage, while embracing its aspirations for the future.</p> 	<p>Properties, buildings and facades will be rehabilitated, restored or preserved in a manner that respects the unique heritage and character of the Bolton Core, while complying with the Heritage Conservation District Plan.</p> <p>Vacant buildings will be meaningfully utilized by new uses that contribute to the vibrancy and vitality of the Bolton Core.</p> <p>New signage and exterior lighting will contribute to a unique sense of place and comply with the Heritage Conservation District Plan design guidelines.</p> <p>Redevelopment represents an important opportunity for Bolton and the Town to advance the policy vision of the Official Plan.</p>
<p>2. Bolton is a safe, accessible and connected community that encourages multi-modal transportation.</p>  	<p>Multi-modal transportation is supported by a well connected and coordinated network of trails, routes, and lanes, as well as related infrastructure such as bicycle parking.</p> <p>Pedestrians feel safe and are encouraged to move throughout the community via a consistent network of sidewalks, trails, lighting and pedestrian amenities including rest areas and benches.</p> <p>New pedestrian crossings are signalized and controlled in a manner that contributes to traffic calming and pedestrian safety, particularly along Queen Street.</p> <p>Community improvement works are undertaken in accordance with the principles of universal design.</p> <p>Community participation is enhanced by ensuring equal and equitable access to all areas of Bolton.</p>
<p>3. Queen Street is a strategic corridor that contributes to</p>	<p>Queen Street is an important gateway to Bolton and is a vibrant, engaging and visually attractive area within the community.</p>





Goals	Objectives
<p>Bolton's long-term revitalization vision.</p> 	<p>Community improvement works contribute to the aesthetic quality and visual appearance of the public realm.</p> <p>Redevelopment seeks to implement design principles that result in a consistent and coordinated built form, streetscape, landscape and architecture.</p> <p>Queen Street is a safe and enjoyable corridor for multi-modal movement within the community.</p>
<p>4. Bolton is a climate resilient community.</p> 	<p>Bolton seeks to be a climate neutral community by 2050 and is prepared for extreme weather.</p> <p>The community meaningfully contributes to meeting the climate change mitigation and adaptation objectives of the Town.</p> <p>Community improvement investment undertaken in the Bolton Core seeks to reduce flood risk from the Humber River and enhance stormwater management.</p> <p>Works undertaken to support climate change resilience and carbon reduction are valued for their contribution to new economic opportunities within the community and the Town.</p>
<p>5. Bolton is vibrant, fun and inviting destination for people to live, work and play.</p> 	<p>The economy is supported by a broad range of uses that contribute to overall economic resiliency and vitality.</p> <p>Lands in the vicinity of and adjacent to the Humber River are a focal point of recreational opportunity and leisure activity that are broadly accessible from all areas of the community.</p> <p>It consists of unique shopping, cultural and recreational experiences that attract people from within the Town and further abroad.</p> <p>The Bolton Core is actively programmed and makes the best use of available public spaces and underutilized lands for gatherings and events.</p> <p>Tourists are drawn to Bolton for its unique sense of place, heritage characteristics, proximity to recreational and leisure opportunity, and activities and events.</p>



# Municipal Leadership Strategy







### 3. Municipal Leadership Strategy

#### 3.1 Purpose

The 2009 Bolton Community Improvement Plan included a Municipal Leadership Strategy that was focused on facilitating community improvement in Bolton. As part of the 2022 update, this Plan outlines additional municipal-led initiatives that enable the Town of Caledon to continue to provide proactive and visible leadership, coordination, and support for the revitalization, redevelopment, and enhancement of Bolton.

The Municipal Leadership Strategy described in the following section represents short to long-term strategies that are intended to be undertaken by the Town over the Plan's horizon. This is intended to

principally occur through focused efforts and the commitment of financial resources on public sector investments and actions. The Municipal Leadership Strategy is designed to act as a catalyst to further encourage private sector investment in the designated Bolton Community Improvement Project Area.

The Town may engage in any of the initiatives outlined below as part of the implementation of the CIP, subject to the Town's capital budget and the availability of resources. An indication of the anticipated timing, as identified by this Plan, is provided to inform the prioritization of these actions and as a target for implementation.

#### 3.2 Administration of Municipal Leadership Strategy

The Municipal Leadership Strategy of this Plan will be administered by the Town. The role of this Plan is to






identify opportunities that will support the revitalization of Bolton and help to achieve the near and long-term revitalization priorities of the community. The municipal led initiatives are further contemplated as strategic opportunities to advance the revitalization vision, goals and objectives of Bolton, as identified by this Plan.



Implementation of the Municipal Leadership Strategy will be dependent on the commitment of the Town to contribute to, motivate, and assist in community improvement activities and undertakings, in addition to available budget, and Council approval. Council may

establish an annual budget related the Municipal Leadership Strategy, or prioritize certain initiatives based on the outcomes of the Plan Monitoring and Evaluation framework, as detailed under Part 5 of this Plan. The Municipal Leadership Strategy is shown in Table 2, below.

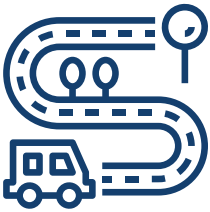
Table 2: Bolton CIP Municipal Leadership Strategy

Goals	Strategy and Objectives	Priority
<p>1. Public Realm and Wayfinding Improvements</p> 	<ol style="list-style-type: none"> <li>1. The Town may continue to prioritize streetscape and other public realm improvements that seek to further enhance and beautify the public realm, create a more accessible environment, and develop infrastructure that will meet both the near-term and long-term needs of the community.</li> <li>2. The Town may undertake an urban design/streetscape study to establish a unified framework for contextual fit of public realm improvements that ensures harmony with the unique architectural character and history of Bolton, reinforcing the sense of place and advancing the revitalization of the downtown and intensification in accordance with the Town's Official Plan.</li> <li>3. Works undertaken within the public realm should recognize and reflect the principles of universal design, while having regard for the climate change resiliency priorities of the Town.</li> <li>4. The Town may invest in the following improvements within the CIPA at minimum: <ol style="list-style-type: none"> <li>a. Development of a continuous sidewalk network;</li> <li>b. Use consistent sidewalk materials and dimensions;</li> <li>c. Implement principles of barrier-free design/universal access; and</li> <li>d. Implement and encourage additional street furniture and amenities such as benches, lighting, street signs, banners, trees, bicycle parking and decorative planters.</li> </ol> </li> </ol>	<p>Recommended as a high priority, long-term initiative, with on-going implementation from 2022 to 2032.</p>





Goals	Strategy and Objectives	Priority
	<ul style="list-style-type: none"> <li>e. The Town may coordinate with the Bolton Business Improvement Area and Caledon Chamber of Commerce to implement these improvements, where appropriate.</li> <li>5. The Town may consider an opportunity to undertake a wayfinding strategy to improve navigation and orientation within the Community Improvement Project Area, particularly within the Bolton Core and Commercial Corridor Precincts. This could include consideration for signage, names, landmarks, maps, interactive media, and historic plaques that utilize consistent and standard design principles.</li> <li>6. Advancing revitalization of the downtown core and intensification of the CIP area in accordance with the Town's Official Plan.</li> <li>7. Identify priority public realm improvements and give consideration to these through annual capital budgeting exercises.</li> <li>8. Where improvements under this Program are contemplated on Queen Street or King Street, collaboration and partnership should be sought with the Region of Peel.</li> </ul>	
<p>2. Climate Change Action</p> 	<ul style="list-style-type: none"> <li>1. The Town shall recognize its commitment to the climate change emergency by reducing greenhouse gas emissions and adapting to extreme weather by implementing the actions as outlined in Resilient Caledon, Community Climate Change Action Plan.</li> <li>2. Meaningfully fund the Energy and Carbon Reduction Program of this Plan to advance and align businesses with the climate change priorities of the Town.</li> <li>3. Public realm improvements shall consider opportunities to reduce climate change impacts and the impact of extreme weather to enhance the resiliency of the community.</li> <li>4. Seek additional funding opportunities to promote and support the revitalization vision, goals and objectives of this Plan within the context of addressing climate change.</li> </ul>	Recommended as a high priority, long-term initiative, with on-going implementation from 2022 to 2032.
<p>3. Administration of the Plan</p> 	<ul style="list-style-type: none"> <li>1. The Town should continue to administer the CIP and commit the Town's resources to ensure the ongoing implementation and long-term success of this Plan.</li> <li>2. Regularly consult Town Council, key stakeholders and members of the community to evaluate the performance of</li> </ul>	Recommended as a high priority, long-term initiative, with on-going implementation







Goals	Strategy and Objectives	Priority
	<p>this Plan, as contemplated under the Plan Monitoring and Evaluation in Part 5.</p> <ol style="list-style-type: none"> <li>3. Support the Administrator of this Plan and provide the necessary resources for that individual to successfully fulfill the responsibilities of that role, as contemplated under Part 5 of this Plan.</li> <li>4. Recognize the role of the existing Review Panel in application review, evaluation and processing to ensure that a variety of interests are considered when evaluating applications.</li> <li>5. Commit the Town's resources to ensure continued service excellence in the implementation of this Plan and the delivery of the financial incentive programs to eligible applicants.</li> </ol>	from 2022 to 2032.
<p>4. Improve the Local and Regional Transportation Network</p> 	<ol style="list-style-type: none"> <li>1. The Town may consider improving the multi-modal network within Bolton itself, as well as with other communities of the Town and the Region to better support the local economy and improve the movement of people and goods.</li> <li>2. Enhancements to the multi-modal network should focus on reducing motor vehicle dependency and emissions by seeking opportunities that create better active transportation connections and infrastructure, as well as improved local and regional public transit connections.</li> <li>3. The Town may invest in the following improvements within the CIPA in order to implement the recommendations of this Plan:             <ol style="list-style-type: none"> <li>a. Add cycling facilities to the road cross-section;</li> <li>b. Reduce lane widths and introduce medians along Queen Street and south of the Bolton Core to calm traffic and facilitate a more pedestrian friendly and safe built form;</li> <li>c. Implement marked and signalled crossings (painted walkways/cobblestone); and</li> <li>d. Implement crossing signals, particularly within the Queen Street corridor and the industrial area of Bolton.</li> </ol> </li> <li>4. With respect to Queen Street specifically, the Town may, in partnership, or with assistance from, the Region of Peel, explore or implement the following improvements:             <ol style="list-style-type: none"> <li>a. Continue to address opportunities for on-street parking;</li> </ol> </li> </ol>	Recommended as a high priority, long-term initiative, with on-going implementation from 2022 to 2032.



Goals	Strategy and Objectives	Priority
	<ul style="list-style-type: none"> <li>b. Reduce lane widths and introduce median to calm traffic and provide room for pedestrians and active transportation modes;</li> <li>c. Improve pedestrian and active transportation amenities; and</li> <li>d. Establish a more robust public transit network that will better link Bolton to the broader Town and Region.</li> </ul>	
<p>5. Marketing and Branding Strategy</p> 	<ul style="list-style-type: none"> <li>1. The Town may continue to promote this Plan and its financial incentive programs through a Marketing Strategy, as described under Part 5 of this Plan.</li> <li>2. The Strategy may be targeted to local businesses and organizations within the CIPA in order to educate eligible property and business owners about the opportunities available through this Plan.</li> <li>3. As part of the Marketing Strategy, the Town may implement a robust communication and education programs to facilitate broad interest, support and uptake of the CIP.</li> <li>4. The Town may establish branding material for this Plan and the financial incentive programs to support advertising and communication initiatives and raise awareness of the revitalization efforts and opportunities that are contemplated for Bolton by this Plan.</li> </ul>	Recommended as a medium priority, long-term initiative, with implementation from 2022 to 2032.
<p>6. Celebrate Success</p> 	<ul style="list-style-type: none"> <li>1. The Town may explore opportunities to celebrate the positive contributions of this Plan by highlighting successful projects and recognizing local champions who have undertaken exemplary community improvement works within Bolton.</li> <li>2. Individuals or businesses who are identified as champions may also be recognized as local “leaders” who have meaningfully invested in the long-term revitalization of their community.</li> <li>3. Actively promote and share success stories through the Marketing Strategy as contemplated under Part 5 of this Plan.</li> </ul>	Recommended as a medium priority, long-term initiative, with implementation from 2022 to 2032.





Goals	Strategy and Objectives	Priority
<p>7. Collaboration and Partnerships</p> 	<ol style="list-style-type: none"> <li>1. To ensure the long-term success of this Plan, the Town may collaborate with key partners from both the public and private sectors, as well as both locally and across jurisdictions. This includes the Region of Peel.</li> <li>2. The Town should seek to leverage the strengths of its various partners to help achieve the revitalization vision, goals, and objectives this Plan.</li> </ol>	Recommended as a medium priority, long-term initiative, with on-going implementation from 2022 to 2032.
<p>8. Review Relevant Studies</p> 	<ol style="list-style-type: none"> <li>1. Certain studies identified as key inputs to this Project are approaching a decade since being undertaken. The Town should carefully review these documents to consider whether an update or refresh is appropriate or needed. For example, this could include the Tourism Strategy (2014), Trails Master Plan (2011) or updating the Parking Strategy Study.</li> <li>2. The Town may consider undertaking additional studies where warranted or deemed appropriate to further support the vision, goals, and objectives of the CIP.</li> </ol>	Recommended as a medium priority, long-term initiative, with implementation from 2022 to 2032.
<p>9. Programming</p> 	<ol style="list-style-type: none"> <li>1. Greater activation of the historic core is identified as a key action that can contribute to the ongoing revitalization efforts of Bolton.</li> <li>2. The Town may facilitate or organize public gatherings and events within the downtown core to encourage further activity and sense of place.</li> <li>3. Actively engage and collaborate with local stakeholders, including community organizations, to share the responsibility for enhanced maintenance and festivals that activate and energize the community.</li> <li>4. This program will benefit from continued partnership with local associations, such as the Bolton Business Improvement Area or the Caledon Chamber of Commerce.</li> </ol>	Recommended as a high priority initiative, with on-going implementation in 2022 to 2032.
<p>10. Strategic Land or Road Acquisition</p> 	<ol style="list-style-type: none"> <li>1. The Town may undertake municipal land acquisition to further facilitate or advance any of the objectives, goals and programs of this Plan in accordance with Section 28 of the <i>Planning Act</i>. Strategic land acquisition may take place on a case-by-case basis or through preparation of a comprehensive strategy.</li> <li>2. Through the municipal acquisition of land or roads, the Town may prioritize those investments that complement</li> </ol>	Recommended as a medium priority, long-term initiative, with implementation from 2022 to 2032.



Goals	Strategy and Objectives	Priority
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other municipal leadership programs, such as improved connectivity or people or streetscape improvements, for example.

- a. In the industrial area where the existing road network is incomplete, the Town may acquire land in order to reconfigure the roadways and improve road connections and truck/car/cyclist/pedestrian movement; and
- b. In addition to the Town's existing plans for the development of parks and open spaces along the Humber River, there are opportunities for the acquisition of land to develop and link public open spaces.

### 3.2.1 Additional Considerations

The following additional considerations should inform the role of the Town with regards to the continued revitalization of Bolton and implementation of this Plan:

- An objective of this Plan is to increase the municipal tax assessment as a resource to be reinvested back into the community.
- Support existing local businesses while attracting new businesses and sectors that will contribute to the diversity and vitality of Bolton's economy.
- Promote Bolton as a tourism destination that benefits from a unique history and heritage, while being afforded significant opportunity for recreation and leisure. This will be further augmented through specific municipal led initiatives such as improvement of public spaces and programming.
- Recognize this Plan as an important economic development tool that has the potential to meaningfully contribute to the long-term revitalization of Bolton and the role of municipal investment in both the public realm as well as the financial incentive programs to achieve this.



# Financial Incentive Programs





## 4. Financial Incentive Programs

### 4.1 Purpose

This Plan establishes a suite of financial incentive programs to advance the revitalization vision, goals and objectives of Bolton. The financial incentive programs contemplate a broad range of community improvement works that are intended to be responsive to the unique revitalization needs and opportunities of the community. They are also intended to augment complementary initiatives that may be undertaken by the Town over the intended 10-year horizon of this Plan.

### 4.2 Financial Incentive Programs

A total of eleven financial incentive programs are established under this Plan:

1. Building and Façade Improvement Grant Program;
2. Property Improvement Grant Program;
3. Energy and Carbon Reduction Grant Program;

4. Planning and Building Fee Grant Program;
5. Development Charge Grant Program;
6. Tax Increment Equivalent Grant Program;
7. Flood Mitigation and Protection Grant Program;
8. Privately Owned Public Space (POPS) and Public Art Grant Program;
9. Patio and Outdoor Café Grant Program;
10. Bolton Core Residential Conversion Grant Program; and
11. Priority Sites Revitalization Program.

### 4.3 Interpretation of the Programs

Each financial incentive program contains specific information that applicants shall have regard for when using and reading this Plan. These requirements vary between the programs but typically include:

- **Purpose:** Describes the purpose of the program and its intended outcome.





- **Community Benefit:** Describes how the program may benefit both the community and applicant.
- **Program Availability:** Identifies specific land uses and properties that are eligible for the program, based on the Community Improvement Project Area precincts.
- **Eligible Costs:** Lists which types of projects and community improvement works are eligible to be included in the calculation of a grant value.
- **Grant Value:** Identifies the maximum value of a grant based on a percentage of eligible costs, typically to a maximum absolute value.
- **Payment of Grant:** Provides details how and when the grant is to be paid out. For most programs, the grant is only paid upon completion of construction of the project
- **Eligibility Criteria:** To be eligible to apply and receive a grant, an application must satisfy applicable eligibility criteria. Some grants have program-specific eligibility criteria. In all cases, the general eligibility of Section 4.4 apply, and in some cases, the design criteria of the CIP Urban Design Guidelines or the Bolton Heritage Conservation District Plan also apply. A component of the general eligibility criteria is that all initiatives should contribute to achieving the revitalization vision, goals and objectives of this Plan.

#### 4.4 General Eligibility Criteria

The following eligibility criteria apply to all financial incentive programs established by this Plan:

1. **Projects Must Advance the Revitalization Priorities of this Plan:** The financial incentive programs of this Plan are intended to advance the revitalization vision, goals and objectives of this Plan, at the discretion of the Town.
2. **Projects Must Comply with the Urban Design Guidelines:** All improvements works undertaken through the financial incentive programs of this Plan shall comply with the CIP Urban Design Guidelines.

If a property is located within the Bolton Heritage Conservation District Plan, the design guidelines of that plan shall apply.

3. **Financial Incentives are Not Retroactive:** An applicant shall not be eligible for an incentive for any works that have already been commenced or completed.
4. **Compliance with Applicable Laws, Policies and Regulations:** No project will be eligible for an incentive if the project does not comply with all applicable law and applicable policy, including but not limited to the applicable policies of the Official Plan and the Zoning By-law. Financial incentives may be conditional upon receiving approvals, such as planning and building approvals and permits from Provincial or Federal authorities or any government agency. Approval conditions will be indicated in the financial incentive program agreement.
5. **Authorization:** Where an application is made under this Plan by someone other than the landowner or business owner, the applicant shall be required to provide written authorization from the owner prior to applying and/or undertaking any eligible community improvement works.
6. **No Lifecycle Replacements:** Lifecycle replacements of eligible costs identified by this Plan shall not be eligible for a financial incentive.
7. **No Arrears:** A landowner shall not be eligible for a financial incentive if they are in arrears with regard to tax payments or accounts receivable at time of application or when the Town issues payment of a grant(s). This criterion will be included as a condition on the agreement.
8. **Total Value of Financial Incentives:** In no case shall the total amount of all grants exceed the total eligible costs of community improvement works benefiting from the financial incentive programs of this Plan.
9. **Permanent Improvements Only:** Except where otherwise permitted by this Plan, eligible costs must involve permanent improvements only.
10. **Opportunity for Heritage Conservation:** At its sole discretion, the Town may encourage or require the





conservation and improvement of properties or buildings that are perceived to have heritage characteristics or are formally recognized as having heritage value, where an application has been made on that subject property.

11. **Number of Applications:** Properties and businesses shall only be eligible for one application per financial incentive program over the horizon of this Plan. However, at its sole discretion, the Town may consider a subsequent application if the merit and community benefit of the proposed improvements can be clearly demonstrated to the satisfaction of the Administrator and Review Panel.
12. **Applications in Progress:** This Plan was adopted by Council in 2022. It is therefore recognized that some applications may have been prepared and submitted based on a previous plan. Where these applications were in progress at time of adoption of this Plan, they will be evaluated based on the policies and requirements of this Plan.
13. **Greenfield Development Shall Not be Eligible:** Greenfield projects shall not be eligible for the financial incentive programs of this Plan. For clarity, only projects involving revitalization, improvement or redevelopment of existing buildings or properties shall be considered eligible.
14. **Minimum Cost:** Proposed community improvement works worth less than \$1,000 shall not be eligible for the financial incentive programs of this Plan.
15. **Previous Grant Recipients/Applications:** Where a property has received one or more grants under this Plan in the past, the Town shall consider the property's grant application history in its decision-making. A property owner may apply for any grant even where there is a history of grant issuance. However, the Town shall not approve any grant that pertains to the same eligible costs that were previously subject to a grant under this Plan, unless the works were undertaken more than ten years ago and the proposed works represent an improvement over existing conditions. In its sole discretion the Town may reject an application on the basis that the application overlaps with previously completed works funded by this Plan.

## 4.5 Combining Financial Incentives

1. All financial incentive programs established by this Plan are eligible to be combined, with the exception of the Tax Increment Equivalent Grant Program. For clarity, applications made under the Tax Increment Equivalent Program shall not be eligible for any other financial incentive program of this Plan.
2. Any eligible costs shall only be counted under one grant program, and not duplicated in separate programs.
3. The Town administers a separate heritage grant program, which provides grants for properties designated under the *Ontario Heritage Act*. Applicants, recipients and past recipients of grants under that program shall be eligible for the financial incentive programs of this Plan. However, the Town may decline an application or reduce the approved grant amount on the basis of recent grants received under the programs enabled by the *Ontario Heritage Act*, such as the Heritage Property Tax Rebate, or where duplicate works are proposed.
4. Applicants are encouraged to seek other funding sources prior to pursuing funding from the Community Improvement Plan and to help manage limited resources. However, applicants are required to disclose other sources of funding to the Administrator on the application form.

## 4.6 Urban Design Guidelines

The CIP Urban Design Guidelines, which were originally prepared in 2009 and reviewed while preparing this Plan, are recognized as a companion document to this CIP. The Guidelines will be implemented in connection with the CIP financial incentive programs, and are intended to:

1. Identify design principles and guidelines with respect to built form, facades, streetscape, and open spaces, for example;
2. Educate property and business owners as to the Town's principles and guidelines for design;
3. Provide eligibility criteria for CIP's Financial Incentive Programs, with respect to design; and



4. Provide the Town with a tool for the review and evaluation of applications for Financial Incentive Programs and supporting materials.

The Town administers several urban design guidelines, the CIP Urban Design Guidelines provide applicants with a streamlined resource to understand and advance the design principles of the Town. They have been reviewed and updated to recognize the Bolton Heritage Conservation District Plan Design Guidelines, the Town-wide Urban Design Guidelines, and the Industrial Area Urban Design Guidelines.

#### 4.7 Application Requirements and Process

Application requirements and process are established under Part 5 of this Plan. The application process is also shown visually in Appendix I. Applicants are encouraged to read this Plan, including the requirements and process, in their entirety before applying. Applicants are also strongly encouraged to contact the Administrator for additional clarification on matters established by this Plan.

#### 4.8 Transition

This Plan was updated in 2022 and came into effect in 2023, meaning that the Town may have approved an application immediately prior to Council adoption of this Plan, or that there may be applications currently in process under the previous version of the Bolton CIP. On this basis, the following policies shall apply:

1. **Applications in process:** Any application currently in process under the previous Bolton CIP shall be evaluated and processed under this Plan.
2. **Applications approved on or after January 1st, 2022:** Where the grant value of a financial incentive program under this Plan is higher than that of the previous Bolton CIP, an application that was approved on or after January 1<sup>st</sup>, 2022 shall be eligible for a one time payment from the Town that is equal to the difference of said value, provided the approved community improvement works are recognized as eligible costs under this Plan, and that all other eligibility requirements of this Plan are satisfied.

For clarity, in both cases any eligible application received once this Plan comes into effect shall be fully evaluated and processed under the policies of this Plan.



## 4.9 Building and Façade Improvement Grant Program

### 4.9.1 Purpose

The Building and Façade Improvement Grant Program offers grants to eligible applicants to undertake desirable façade improvements that contribute to the Town's unique character and identity, while improving the public realm aesthetic. This Program also focuses on promoting business signage that is attractive, and where applicable, complies with the Town's Urban Design Guidelines.

### 4.9.2 Community Benefit

The program promotes aesthetic improvements to building facades on private property and meaningfully contributes to enhancing the public realm aesthetic. Applications shall be subject to the Town's Urban Design Guidelines, including the Bolton Heritage Conservation District Plan, and therefore any improvements undertaken through this Program will advance the Town's vision for the built form that recognizes Bolton's unique character and identity.

### 4.9.3 Program Availability

Office, commercial, institutional and mixed-use properties and buildings within the Bolton Core and Commercial Corridor Precincts shall be eligible for this Program.

### 4.9.4 Eligible Costs

The potential value of a grant under this Program shall be calculated based on the following eligible costs:

1. Repair or replacement of storefront, rear or side doors and windows.
2. Repair, replacement or restoration of façade materials, such as masonry, brickwork, wood siding, plaster, metal shingles and/or architectural details.
3. Façade painting, or cleaning treatments or refurbishment of original facades, provided that:

- a. These works are undertaken as part of a larger improvement project as identified in this Program; or
- b. Considered to be essential to the restoration of a building designated under the *Ontario Heritage Act* or listed by the Town of Caledon as having cultural heritage value, in accordance with the *Ontario Heritage Act*;

4. Repair or replacement of awnings or canopies.
5. Replacement or installation of exterior lighting.
6. Replacement, repair, improvement or installation of signage on building façades, including signage lighting.
7. Services of a qualified professional.
8. Other similar repairs or improvements to a building as may be approved by the Town.

### 4.9.5 Grant Value

The potential value of a grant under this program shall be calculated based on the following eligible costs:

1. Building and Façade Improvement with One Frontage: The maximum amount shall be \$14,500 or 50% of the eligible costs, whichever is less.
2. Building and Façade Improvement with Two Street Fronting Façades: The maximum amount of the façade or building improvement grant may be increased to \$19,500 or 50% of the eligible costs, whichever is less, for buildings with two street fronting façades, provided that the proposed improvements apply to both façades.
3. Signage: Grants for improvements to or restoration of building signage and associated lighting may be provided to eligible applicants for 50% of the construction costs to a maximum of \$5,000.

### 4.9.6 Payment of Grant

The grant is paid after the approved works (including construction) are completed, to the satisfaction of the Town.



4.9.7 Eligibility Criteria

1. The general eligibility criteria outlined in Section 4.4 shall apply.
2. Applications shall comply with the companion Urban Design Guidelines.
3. Only improvement projects that are visible from the street or public realm shall be eligible for this Program.
4. In the Bolton Core Precinct, applications for façade and signage improvements shall be consistent with the design guidelines of the Heritage Conservation District Plan.
5. In the Commercial Corridor Precinct, only those portions of a building or property located within 20.0 metres of the front or exterior side lot line shall be eligible for building and façade improvements under this Program. However, the Town shall consider an exception to this where the entirety of the building/façade is being improved.
6. In the Commercial Corridor Precinct, signage improvements may only be undertaken in conjunction where an eligible application under the Property Improvement Grant Program has been made.
7. Where applicable, proposals involving installation or improvements to signage shall comply with the Town's Sign By-law.
8. Where a property is designated under the *Ontario Heritage Act* or listed by the Town as having cultural heritage value, applicants may be required to submit historical research and documentation on the subject property in support of the grant application. The Town may be able to supplement this information based on its own information and records. Approval from the Town is required prior to starting any community improvement works.
9. Projects funded through this grant shall not be combined with the Town of Caledon's Designated Heritage Property Grant Program. The Designated Heritage Property Grant Program is funded separately by Town Council and is administered separately from this Plan.

10. All grants shall be subject to receiving any required approvals or permits, as required by Town by-laws and any applicable Provincial or Federal laws.



## 4.10 Property Improvement Grant Program

### 4.10.1 Purpose

The Property Improvement Grant Program offers grants to facilitate improvements that contribute to the aesthetic appearance and character of private non-residential property. This includes landscape considerations such as property landscaping, surface parking areas, pedestrian movement and connections, and more sustainable landscaping practices. This includes promoting landscaping practices using native and drought tolerant species, improving pedestrian amenities and connections, the naturalization and greening of surface parking areas, hardscaping with permeable material, stormwater management technologies, and low impact development, for example.

### 4.10.2 Community Benefit

This Program promotes the beautification and aesthetic improvement of private property elements that contribute to and enhance the public realm while promoting more sustainable landscaping practices. This Program also complements other programs of this Plan, such as the Building and Façade Improvement Program, to facilitate improvement works that meaningfully advance the revitalization goals and objectives of the community.

### 4.10.3 Program Availability

Commercial, office, mixed-use, institutional and industrial uses in the Bolton Core, Commercial Corridor and Industrial Area Precincts shall be eligible for this Program. Designated non-residential heritage properties within these precincts shall also be eligible for this Program.

### 4.10.4 Eligible Costs

The potential value of a grant under this program shall be calculated from the following eligible costs:

1. Replacement of sod with new sod or alternative ground cover treatments with native plant species and in accordance with the practice of xeriscaping.

2. Planting of trees, shrubs, plants and beds with native plant species and in accordance with the practice of xeriscaping.
3. Naturalization and greening of surface parking areas.
4. Installation of permanent benches, bicycle parking, rest areas and planters, provided they are located in a front or exterior side yard and are adjacent to and immediately accessible from the sidewalk.
5. Rehabilitation or construction of decorative front yard fences and low walls, including retaining walls.
6. Repair or construction of hardscaping, including walkways and paths, provided the hardscaping material is permeable and does not include solid asphalt or concrete.
7. Modifications to irrigation systems that results in the more efficient use of water.
8. Installation of storm water management technologies, such as bioswales, rain gardens, rainwater, harvesting and reuse systems, etc., which are considered to be, in the opinion of the Town, innovative and beyond minimum requirements or expectations for storm water management, and are consistent with the current version of the Toronto and Region Conservation Authority (TRCA)'s Low Impact Development Stormwater Management Planning and Design Guide.
9. Professional landscape services for construction, modification or installation purposes for any of the eligible works noted above.
10. Other similar improvements as may be approved by the Town.

### 4.10.5 Grant Value

1. Grants for property improvements with one frontage on a public street may be provided to eligible applicants for a total of 50% of the improvement costs to a maximum of \$7,500.
2. Grants for property improvements with two frontages on a public street may be provided to eligible applicants for a total of 50% of the improvement costs to a maximum of \$10,000.





#### 4.10.6 Payment of Grant

The grant is paid after the approved works (including construction) are completed, to the satisfaction of the Town.

#### 4.10.7 Eligibility Criteria

1. The general eligibility criteria outlined in Section 4.4 shall apply.
2. Applications shall comply with the companion Urban Design Guidelines, or the Heritage Conservation District Plan, as may be applicable.
3. In the Commercial Corridor Precinct, only those portions of a building or property located within 20.0 metres of the front or exterior side lot line shall be eligible for property improvements under this Program, with the exception of eligible works associated with the naturalization and greening of surface parking areas.
4. Properties that are visible from the public realm and that contribute to the streetscape will be considered eligible for Property Improvement Grant Program.
5. Prior to approval by the Town, applications for the Property Improvement Grant Program will be subject to review and input from the Town's Engineering Department.
6. Works related to lifecycle repair or installation of asphalt or other similar non-pervious surfaces shall not be eligible for this Program.



## 4.11 Energy and Carbon Reduction Grant Program

### 4.11.1 Purpose

The Energy and Carbon Reduction Grant Program offers grants to improve energy efficiency and reduce the carbon footprint of businesses within Bolton. This program is intended to support the Town in meeting its carbon reduction targets, of 36% below 2016 levels by 2030, and carbon neutrality by 2050.

### 4.11.2 Community Benefit

The community will benefit from a reduction of greenhouse gas emissions that contribute to the Town's overall carbon footprint. The Program reflects the Town's commitment to climate change resiliency and broader sustainability goals, while promoting greener economic opportunities.

### 4.11.3 Program Availability

Commercial, mixed-use, institutional or industrial properties and buildings within the Bolton Core, Commercial Corridor and Industrial Area Precincts shall be eligible for this Program. Designated non-residential heritage properties within these precincts shall also be eligible for this Program.

### 4.11.4 Eligible Costs

The potential value of a grant under this program shall be calculated from the following eligible costs, which are organized into three streams to assist with interpretation and administration:

#### 1. Stream 1:

- a. Building energy and efficiency audits, recommissioning and energy retrofit feasibility studies;
- b. Basic building controls, including smart thermostat, roof top unit (RTU) controls, demand control ventilation, or other smart controls as approved by the Town, that result in energy savings;
- c. Building envelope improvements, including ENERGYSTAR certified windows, as well as

insulation, for facilities smaller than 15,000 square feet;

- d. Installation of an energy recovery ventilator (ERV), or heat recovery ventilator (HRV), or drain water heat recovery, where this technology did not previously exist or is improving in efficiency in replacement of an existing system;
- e. Installation of a level II electric vehicle charging station.

#### 2. Stream 2:

All eligible costs under Stream 1, provided that one or more of the following eligible costs is also undertaken:

- a. Replacing existing heating systems and air conditioners with a more efficient condensing boilers or condensing furnaces, and air conditioners. Note: this measure does not apply for transitioning electricity systems to natural gas;
- b. Major works associated with HVAC system upgrades or retrofits that results in a switch from a carbon-based fuel system to an electricity-based system (such as heat pumps);
- c. Building automation system and controls and energy management information systems;
- d. Other building envelope improvements for facilities larger than 15,000 square feet.

#### 3. Stream 3:

All eligible costs under Streams 1 and 2, provided that one or more of the following eligible costs is also undertaken:

- a. Eco-roofs, including green roofs, cool roofs, and blue roof systems, as well as any required structural analysis;
- b. Installation of ground or air source heat pumps;
- c. Industrial waste heat recovery that reduces the buildings energy (fossil-fueled source, such as natural gas) thermal consumption by 20%.



- d. Installation of renewable energy systems (including solar thermal and solar photovoltaic systems);
- e. Level 3 electric vehicle charging station(s);
- f. Improvements to industrial process (excluding lighting and HVAC systems) that result in significant energy efficiencies and that do not utilize carbon-based fuels as an energy source.

#### 4.11.5 Grant Value

The total value of the Energy and Carbon Reduction Grant Program shall be calculated on the following basis:

- 1. Stream 1 may be provided to eligible applicants for a total of 50% of eligible costs to a maximum of \$10,000.
- 2. Stream 2 may be provided to eligible applicants for a total of 50% of eligible costs, to a maximum of \$25,000.
- 3. Stream 3 may be provided to eligible applicants for a total of 50% of eligible costs, to a maximum of \$40,000.
- 4. Under no circumstance shall the grant values under Streams 1, 2 and 3 be combined.

#### 4.11.6 Payment of Grant

- 1. The grant is paid after the approved works (including construction) are completed, to the satisfaction of the Town.
- 2. At the Town's discretion, additional criteria for payment of a grant may be requested, including a certified letter from a Professional Engineer or Certified Energy Professional (through CIET) outlining the works completed (including details of the base case equipment to prove an improvement in efficiency), and an outline of the estimated energy and emissions savings OR an energy audit report that details the energy conservation measure.

#### 4.11.7 Eligibility Criteria

- 1. The general eligibility criteria outlined in Section 4.4 shall apply.

- 2. Lighting and doors (or similar exterior entrance features) shall not be eligible for this Program.
- 3. Applications shall comply with the companion Urban Design Guidelines, as well as the Bolton Heritage Conservation District Plan guidelines, where applicable.
- 4. Grant values offered through Streams 1 to 3 of this program shall not be combined.
- 5. Additional Eligibility/Verification Criteria for the Energy and Carbon Reduction Grant Program as outlined in Appendix II shall apply and be referenced through application submission.



## 4.12 Planning and Building Fee Grant Program

### 4.12.1 Purpose

The Planning and Building Fee Grant offers grants based on applicable fees for the Town's planning application fees and/or building permit fees related to redevelopment, reconstruction, rehabilitation, and/or other eligible works of this Plan. This Program is intended to be combined with other financial incentive programs of this Plan, except the Tax Increment Equivalent Grant Program.

### 4.12.2 Community Benefit

The community will benefit from an increased tax base through property redevelopment, as well as facilitating the creation of jobs and local economic activity associated with the community improvement works undertaken. This Program provides assistance to eligible applicants by reducing property improvement costs through the provision of a grant that offsets a portion of the cost of the Town's planning and building permit application fees.

### 4.12.3 Program Availability

Office, commercial, industrial and mixed-use properties and buildings within the Bolton Core, Commercial Corridor and Industrial Area Precincts shall be eligible for this Program. Designated non-residential heritage properties within these precincts shall also be eligible for this Program.

### 4.12.4 Eligible Costs

Applications to this Program shall only be deemed eligible when combined with another financial incentive program established by this Plan, except the Tax Increment Equivalent Grant Program. For clarity, to be eligible for this Program, an applicant must propose to be undertaking community improvement works that are deemed eligible by another financial incentive program(s).

### 4.12.5 Grant Value

The total value of the Planning and Building Permit Fee Grant Program shall be calculated on the following basis:

1. Planning Fee Grant: A grant may be made available equivalent to the cost of a minor variance, site plan or rezoning application associated with other eligible works of this Plan. The grant may equal 100% of the Town's fees, to a maximum of \$10,000.
2. Building Permit Fee Grant: A grant may be made available equivalent to the cost of a building permit fee(s) or demolition fee(s) associated with other eligible works of this Plan. The grant may equal 100% of the Town's fees, to a maximum of \$10,000.

### 4.12.6 Payment of Grant

Payment of the grant by the Town for an approved application shall be in accordance with the following:

1. Planning Fee Grant: The grant is paid after the works (including construction) are completed, to the satisfaction of the Town. This includes full payment of any applicable planning fees. The grant is intended to act as a rebate for these fees.
2. Building Permit Fee Grant: The grant is paid after the works (including construction) are completed, to the satisfaction of the Town. This includes full payment of any applicable building permit fees. The grant is intended to act as a rebate for these fees.

### 4.12.7 Eligibility Criteria

The following eligibility criteria shall apply:

1. The general eligibility criteria outlined in Section 6.7 shall apply.
2. Where applicable, proposals shall comply with the companion Urban Design Guidelines.
3. All grants shall be subject to receiving any required approvals or permits, as required by Town by-laws and any applicable Provincial or Federal laws.
4. Applicants must pay for all application and permit fees prior to undertaking the approved work. A grant for the approved amount of the application and permit fees will be provided to the applicant.
5. This program shall be combined with another program of this plan.



## 4.13 Development Charge Grant Program

### 4.13.1 Purpose

The Development Charge Grant Program offers grants to eligible applicants to offset the cost of the Town's portion of development charges related to the significant redevelopment or reconstruction of properties or buildings.

### 4.13.2 Community Benefit

The community will benefit from an increased tax base through property redevelopment, as well as facilitating the creation of jobs and local economic activity associated with the community improvement works undertaken. This Program provides assistance to eligible applicants by reducing property improvement costs through the provision of a grant that may be equal to a portion of the cost of the Town's development charges.

### 4.13.3 Program Availability

Office, commercial and mixed-use properties and buildings within the Bolton Core and Commercial Corridor Precincts shall be eligible for this Program.

### 4.13.4 Eligible Costs

The potential value of a grant under this program shall be calculated based on the following eligible costs:

1. Minor or major redevelopment, construction, reconstruction and rehabilitation where development charges apply.
2. Eligible projects as identified by this Plan and where a development charge may apply.

### 4.13.5 Grant Value

The maximum value of a grant shall be equal to 50% of the Town of Caledon portion of applicable development charges, or \$15,000, whichever is less.

### 4.13.6 Payment of Grant

The grant is paid after the approved works (including construction) are completed, to the satisfaction of the Town. Applicants must pay for all development charges prior to undertaking the approved work. The grant is

intended to offset the costs of applicable development charges.

### 4.13.7 Eligibility Criteria

The following eligibility criteria shall apply:

1. The general eligibility criteria outlined in Section 4.4 shall apply.
2. Where applicable, applications shall comply with the companion Urban Design Guidelines and the Bolton Heritage Conservation District Plan.
3. Applicants eligible for the exemptions provided through the Town's Development Charge By-law shall not be eligible for the Development Charge Grant Program.





## 4.14 Tax Increment Equivalent Grant Program

### 4.14.1 Purpose and Intended Outcomes

The Tax Increment-Equivalent Grant Program offers grants to land owners who experience a significantly heightened tax assessment due to major improvement or redevelopment of a property. Where major property improvement or redevelopment results in an increased tax assessment, an eligible applicant may receive a grant that is equal to a portion of the tax increase (known as the tax increment). This effectively defers the full increase in taxation associated with the reassessment through grants that are equivalent to a portion of the resulting property tax increase.

### 4.14.2 Community Benefit

The community will benefit from an increased tax base through major property improvement or redevelopment, create a more compact, transit supportive and complete community, as well as facilitating the creation of jobs and local economic activity associated with the community improvement works undertaken. The Program is also intended to assist owners by meaningfully offsetting increased tax assessment and therefore reducing a significant barrier to investment.

### 4.14.3 Program Availability

Properties designated for a mix of uses by the Town's Official Plan within the Commercial Corridor Precinct shall be eligible for this Program. Further, only eligible costs that result in an increased tax assessment shall be eligible.

### 4.14.4 Eligible Costs

The potential value of a grant under this Program shall be calculated based on the cost increase in assessed value due to the redevelopment of an existing commercial or office building or property for the purposes of a new mixed-use building, along with the following eligible costs:

1. Planning application fees, including zoning by-law amendments, site plans, minor variances, and sign permit fees.

2. Building permit fees, including change of use permits.
3. Major additions or renovations to an existing property or building that results in the creation of new residential units.
4. Improvements to energy efficiency, water efficiency, and other sustainable design considerations that are contemplated by this Plan.
5. Infrastructure work including the improvement or reconstruction of existing on-site public infrastructure (water services, sanitary and storm sewers).
6. The services of a qualified professional.

### 4.14.5 Grant Value

The total value of the Program shall be calculated on the following basis:

1. The value of a grant may be equal to 100% of the Town's portion of the tax increase as a result of the improvement.
2. In no case shall the total amount of all grants exceed 50% of the total eligible costs, to a maximum of \$250,000.

### 4.14.6 Payment of Grant

Payment of the grant shall be in accordance with the following:

1. Grants may be equal to up to 100% of the Town's portion of the tax increase in year one, decreasing by 10% in following years for a maximum of a ten year period.
2. At its sole discretion, the Town may consider an alternative grant period depending on the nature and merit of an application.
3. When an approved project is complete, a grant will be paid annually by the Town to the eligible applicant subsequent to payment of all property taxes.
4. The tax increment is calculated as the difference between pre-project Lower Tier Municipal Taxes and post-project Lower tier Municipal Taxes. The value of the grant will be determined by the Town upon approval of a financial incentive application.



The value shall be subject to the confirmed reassessed value as determined by the Municipal Property Tax Assessment Corporation (MPAC).

#### 4.14.7 Eligibility Criteria

1. The general eligibility criteria outlined in Section 4.4 shall apply.
2. Applications shall comply with the CIP Urban Design Guidelines.
3. The Tax Increment-Equivalent Grant program shall not be combined with any other financial incentive program of this Plan. It is intended that this program be a stand-alone incentive program and that the owners of a property does not accumulate incentives under the tax increment equivalent grant and another incentive program.
4. An application to this Plan shall conform to the Town's Official Plan and meaningfully advance the Town's vision for the applicable land use designations.
5. Properties and/or buildings shall be improved such that the amount of work undertaken is sufficient to result in a minimum of \$500,000 increase in the assessed value of the property.
6. The Town may, at its sole discretion, evaluate the merit of an application based on considerations such as achieving intensification targets, sustainable design elements, provision of affordable or attainable housing, contributions to streetscape improvements, or other similar criteria that complement the Town's land use planning policies, plans and/or studies.
7. Consultation with the Region of Peel may be required where there is applicable jurisdiction. Further, this Program does not contemplate any fees that may be applied by the Region of Peel as eligible costs.



## 4.15 Flood Mitigation and Protection Grant Program

### 4.15.1 Purpose

The Flood Mitigation and Protection Program offers grants to eligible applicants within the Bolton Core for improvements related to flood protection and mitigation. The grant will assist owners in offsetting the cost of design, engineering, construction or background studies associated with mitigation and protection against flooding from the Humber River.

### 4.15.2 Community Benefit

The community will benefit from increased flood protections and resiliency throughout the Bolton Core, resulting in greater preparedness for potential flooding events from the Humber River.

### 4.15.3 Program Availability

Commercial, and mixed-use properties within the Bolton Core Precinct shall be eligible for this Program.

### 4.15.4 Eligible Costs

The potential value of a grant under this program shall be calculated from the following eligible costs:

1. Installation or replacement of a backwater valve or alarm for a backwater valve.
2. Installation or replacement of a sump pump, alarm, or back-up power for a sump pump.
3. Relocation of electrical systems, including backup power generators, panels, and primary service equipment above the regulatory floodplain elevation. If not possible, floodproofing to the regulatory flood level through active, dry floodproofing measures (i.e., submarine watertight doors, etc.).
4. Retrofitting (elevating or floodproofing) plumbing and gas-fired equipment (i.e., pilot-light devices/burners) above the regulatory floodplain elevation.
5. Relocation of HVAC systems, ducts, central mechanical equipment to above the regulatory

floodplain elevation. If relocation is not possible, floodproofing to the regulatory floodplain elevation.

6. Retrofitting to areas below the regulatory flood level using flood-resistant materials.
7. Eliminating basements (fill in), basement windows or wet floodproofing of basements.
8. Elevating or protecting (i.e., permanent flood shields, submarine windows, etc.) building openings below regulatory flood level (i.e., windows, conduits, door openings, etc.).
9. Retrofitting of basements and structural walls of buildings to withstand flood loads and buoyancy. A structural engineer report shall be provided to the satisfaction of the Town.
10. This program may be combined with the Bolton Core Residential Conversion Grant Program to include flood mitigation or protection measures as part of the proposed residential conversion work.

### 4.15.5 Grant Value

The value of a grant may be equal to 50% of the total eligible costs, to a maximum of \$5,000, whichever is less.

### 4.15.6 Payment of Grant

1. The grant is paid after the approved works (including construction) are completed, to the satisfaction of the Town.
2. At its sole discretion, the Town may request formal written authorization from a qualified professional confirming the works have been completed in accordance with the agreement prior to payment being issued.

### 4.15.7 Eligibility Criteria

1. The general eligibility criteria outlined in Section 4.4 shall apply.
2. Where applicable, applications shall comply with the CIP Urban Design Guidelines and the Bolton Heritage Conservation District Plan.
3. Any retrofits that involve structural improvements proposed under this Program shall be evaluated and confirmed by a qualified engineer.



## 4.16 Privately Owned Public Space (POPS) and Public Art Grant Program

### 4.16.1 Purpose

The Privately Owned Public Spaces (POPS) and Public Art Program offers grants to eligible applicants for the physical improvement or rehabilitation of privately owned spaces that are regularly used by the community. This may include privately owned parks, parkettes, squares, plazas, walkways, alleyways, trails, or connections. The Program also offers grants to eligible applicants for the installation of new permanent art or rehabilitation of existing permanent art on private property that contributes to the public realm.

### 4.16.2 Community Benefit

The community will benefit from the creation of public gathering spaces and public art that encourages social activity, economic activity, and programming within the Bolton Core, as well as promoting civic pride and participation.

### 4.16.3 Program Availability

Office, commercial, institutional and mixed-use properties and buildings within the Bolton Core shall be eligible for this Program. Designated non-residential heritage properties shall also be eligible for this Program.

### 4.16.4 Eligible Costs

The potential value of a grant under this Program will be calculated based on the following eligible costs:

1. Privately Owned Public Spaces (POPS):
  - Installation or refurbishment of permanent seating or tables, including pedestrian benches;
  - Installation or refurbishment of decorative signage, lighting, or permanent landscaping features;
  - Installation of electrical outlets or infrastructure to support free public Wi-Fi;
  - Installation or replacement of permanent bicycle parking or bicycle maintenance stations;

- Paving or refurbishment of walkways with permeable hardscape material;
- Major repairs or rehabilitation, cleaning or updating of existing hardscaping or surfaces within POPS.

### 2. Permanent Public Art Installations:

- New permanent public art installations such as wall murals, commemorative plaques or displays, monuments, memorials, sculptures, custom works, or interactive digital art or displays;
- Lighting and landscaping costs to highlight or showcase the public art; and,
- Costs associated with commissioning, construction and installation, including labour and materials.

### 4.16.5 Grant Value

The value of a grant may be equal to 50% of the total eligible costs, to a maximum of \$3,500, whichever is less.

### 4.16.6 Payment of Grant

The grant is paid after the approved works (including construction) are completed, to the satisfaction of the Town.

### 4.16.7 Eligibility Criteria

1. The general eligibility criteria outlined in Section 4.4 shall apply.
2. Where applicable, approved works comply with the CIP Urban Design Guidelines and the Heritage Conservation District Plan.
3. Applicants must demonstrate to the Town's satisfaction that any work proposed under this Program provides broad community benefit, including economic and social benefit.
4. Applicants may be required to enter into an agreement with the Town outlining the responsibilities of the applicant and the Town as it relates to liability, insurance, maintenance and public usage of the proposed POPS or public art.



5. At its sole discretion and to the Town's satisfaction, public art shall have sufficient exposure from the public realm.
6. At its sole discretion and to the Town's satisfaction, applications for public art shall demonstrate engagement with local businesses, seek community partnerships (such as financial or in-kind donations), undertake public consultation, or select artists through an open and transparent process, including any combination of the above.

PROPOSED





## 4.17 Patio and Outdoor Café Grant Program

### 4.17.1 Purpose and Intended Outcomes

The Patio and Outdoor Café Program offers grants to eligible applicants for the installation or improvement of permanent sidewalk patios or outdoor cafés for commercial and mixed-use properties within the Bolton Core.

### 4.17.2 Community Benefit

The Program meaningfully contributes to the vitality of the Bolton Core by facilitating greater streetscape activity and programming, while offering eligible applicants an opportunity to realize heightened economic return to enhance the resiliency of the Town's businesses.

### 4.17.3 Program Availability

Only restaurants or similar uses located on commercial or mixed use properties within the Bolton Core Precinct shall be eligible for this Program.

### 4.17.4 Eligible Costs

The potential value of a grant under this Program shall be calculated based on the following eligible costs:

1. Permanent structural elements required for the patio or outdoor café area;
2. Permanent decorative fencing and/or barriers;
3. Permanent outdoor heaters;
4. Permanent awnings or similar cover;
5. Studies or reports prepared by a qualified professional, as may be required or requested by the Town in support of an application; and,
6. Temporary patio elements to be located in a public right-of-way or parking area, including structural elements, decorative fencing and barriers, and outdoor heaters are also eligible.

### 4.17.5 Grant Value

The value of a grant may be equal to 50% of the total eligible costs, to a maximum of \$5,000, whichever is less.

### 4.17.6 Payment of Grant

The grant is paid after the approved works (including construction) are completed, to the satisfaction of the Town.

### 4.17.7 Eligibility Criteria

1. The general eligibility criteria outlined in Section 4.4 shall apply.
2. Where applicable, approved works comply with the CIP Urban Design Guidelines and the Heritage Conservation District Plan.
3. Only patios or outdoor cafes that are visible from the street or public realm shall be eligible for this Program.
4. All grants shall be subject to receiving any required approvals or permits, as required by Municipal by-laws and any applicable Provincial or Federal laws.



## 4.18 Bolton Core Residential Conversion Grant Program

### 4.18.1 Purpose

The Bolton Core Residential Conversion Grant Program offers grants to eligible applicants for the conversion of upper storey non-residential space to residential units within existing buildings, as contemplated by the Town's Official Plan.

### 4.18.2 Community Benefit

This Program contributes to the continued revitalization of the Bolton Core by incentivizing the conversion of upper-storey non-residential space to residential units, thereby creating additional housing opportunities while contributing to the area's longer-term vibrancy and economic vitality.

### 4.18.3 Program Availability

Mixed-use properties within the Bolton Core Precinct shall be eligible for this Program.

### 4.18.4 Eligible Costs

The potential value of a grant under this program shall be calculated from the following eligible costs:

1. Conversion of upper-storey non-residential space to residential units in existing buildings.
2. Improvements to existing residential space that are undertaken to comply with the Ontario Building Code or Fire Code without a conversion of use, but only where these improvements are proposed within a heritage building and result in additional residential units.

### 4.18.5 Grant Value

The maximum value of a grant shall be equal to 50% of eligible costs, or \$5,000 per unit to a maximum of three units, whichever is less.

### 4.18.6 Payment of Grant

The grant is paid after the approved works (including construction) are completed, to the satisfaction of the Town.

### 4.18.7 Eligibility Criteria

1. The general eligibility criteria outlined in Section 6.7 shall apply.
2. The Bolton Core is subject to a Special Policy Area as established by the Town's Official Plan. Applications under this Program shall therefore conform to the applicable policies of the Town's Official Plan and the Special Policy Area, and more specifically, with regard to any application that contemplates additional residential units within lands subject to the Special Policy Area beyond that which is already contemplated through the policies of the Official Plan.
3. Applications shall conform to the Heritage Conservation District Plan, as applicable.
4. Residential units that are existing or proposed and are located at grade with frontage on a public road shall not be eligible for this Program.
5. At its sole discretion, the Town may prioritize applications that propose rental units under this Program.



## 4.19 Priority Sites Revitalization Program

### 4.19.1 Purpose

The Priority Sites Revitalization Program is a set of financial incentives aimed at encouraging the improvement of specific priority properties located in the Community Improvement Project Area. The eligible properties, referred to as Priority Sites in this Program, are identified in accordance with the policies of this Program.

This Program offers two types of incentives for identified priority sites:

1. The values of selected other incentives offered in this Plan are heightened for priority sites; and
2. A specialized tax increment equivalent grant program is offered for Priority Sites.

### 4.19.2 Community Benefit

This Program is intended to prioritize and expedite the revitalization of targeted properties in the Community Improvement Project Area. This will have an immediate and noticeable impact on the community, since the Program is intended to address particularly visible properties, properties that have been in long need of improvement, and other properties that have significant historic or community value.

### 4.19.3 Program Availability (Designation of Priority Sites)

Only properties that are identified as Priority Sites in accordance with the policies of this Program shall be eligible. Priority Sites shall be identified in accordance with the following policies:

1. The programs and policies of this Program shall only be applicable to properties currently identified as a Priority Site in Schedule B to the Community Improvement Project Area by-law, which is administered separately from this Plan.
2. The properties listed in Schedule B to the Community Improvement Project Area by-law may be added to or deleted by an amending by-law passed by Council to modify or replace the Community Improvement Project Area by-law. For

clarity, modifications to the list of Priority Sites shall not require an amendment to this Plan per the requirements of the *Planning Act*, but will require Council to pass a by-law to amend Schedule B in the Community Improvement Project Area by-law in accordance with the policies of this Program.

3. When Council is considering modifications to the list of Priority Sites, the following policies shall apply:
  - a. Priority Sites shall be located in the current Community Improvement Project Area.
  - b. The intent of the Priority Sites list is to identify a small number of specific properties that would benefit from more focused, short-term intervention by the Town to promote property investment. It is not anticipated that large areas or large numbers of properties will be included as this may exhaust the Town's financial resources to implement this Plan.
  - c. Priority Sites should primarily include properties which require heightened incentives or tools to promote investment, and where the Town is of the opinion that the Programs otherwise included in this Plan will not be successful in promoting improvement.
  - d. Priority Sites may include highly visible properties, such as properties at major intersections/crossroads, corner lots or properties located at the terminus of a view.
  - e. Priority Sites will generally include sites that are designated and planned for non-residential development and mixed-use development, such as ground floor commercial uses with upper storey residential uses.
  - f. Priority Sites may include properties which have been vacated or are in a state of disrepair or are underutilized, in the Town's opinion.
  - g. Priority Sites may include properties with special community or historical significance, such as connection to historically important events, activities or persons.



4. Any property owner in the Community Improvement Project Area may make a request to the Town to be considered for inclusion as a Priority Site; however, the ultimate decision to incorporate any property shall be at the Town's sole discretion, in accordance with the policies of this Program.

#### 4.19.4 Increased Grant Values for Priority Sites

Notwithstanding the Program-specific policies of this Plan, for any property considered a Priority Site as per Schedule B to this Plan, the maximum dollar value of any grant as indicated in Sections 4.9 through 4.18 inclusive shall be doubled. For example, normally the maximum value of the Property Improvement Grant is \$7,500 for properties with one street frontage, per Section 4.10.5. For a Priority Site with one street frontage, the maximum grant is therefore \$15,000. However, in all cases, the maximum grant as a percentage of eligible costs shall be as indicated in the Program in Sections 4.9 through 4.18.

#### 4.19.5 Priority Sites Tax Increment Equivalent Grant Program

The Tax Increment Equivalent Grant program under Section 4.14 shall be made available to Priority Sites. However, notwithstanding the requirements of Section 4.14, the following specific policies shall apply to the Tax Increment Equivalent Grant program where the subject property is a Priority Site:

1. As per Section 4.19.4, in no case shall the total amount of all grants exceed 50% of eligible costs, to a maximum of \$500,000.
2. Notwithstanding Section 4.14.6 (Payment of Grant), a Tax Increment Equivalent Grant may be paid up-front as a single payment, rather than an annual refund of paid property taxes at the Town's discretion and at the request of the applicant. However, where this is the case, the following shall apply:
  - a. The total grant may be equal to up to 100% of the tax increase resulting from the development over a period not exceeding ten years. The Town shall have discretion to establish the

specific terms for calculating the total grant on a case-by-case basis.

- b. In order to be eligible for payment, the Town shall require a proforma and shall be satisfied that the analysis provides an acceptable fiscal impact and that the development is financially beneficial to the Town in the long-term, in the Town's sole opinion.
  - c. The application shall be decided upon by Council.
  - d. Payment shall only be made upon completion of construction.
  - e. As the grant payment will initially be based upon an estimate of the tax increase, the value may need to be adjusted upon completion of property tax reassessment. All applicants shall enter into an incentive agreement with the Town to establish terms in this regard and any other terms as deemed desirable by the Town.
3. Except as modified herein, all other policies of Section 4.19 shall be applicable to the Tax Increment Equivalent Grant program for Priority Sites.
- #### 4.19.6 Eligibility Criteria
1. The general eligibility criteria outlined in Section 6.7 shall apply.



# Implementation







## 5. Implementation

### 5.1 General

1. This Plan is intended to be implemented over a 10-year period, with an interim review of the CIP and CIPA undertaken after five years.
2. Notwithstanding the above, nothing shall prevent the implementation of this Plan for more than 10-years, provided an interim five year review is undertaken and funding is made available by a decision(s) of Council.
3. If Council, in consultation with Town staff, is satisfied that the revitalization vision, goals and objectives of this Plan have been realized, or if it is determined that the Plan or components of the Plan are no longer relevant, the Community Improvement Plan and Community Improvement Project Area may be dissolved, in which case a new CIP and/or CIPA may be prepared and adopted by a by-law(s) of Council.
4. Interpretation and administration of this Plan shall be at the sole and exclusive discretion of the Town,

5. the Administrator, the Review Panel, or Council, as the situation may dictate.
6. Nothing in this Plan shall absolve an individual from complying with all other applicable policies, by-laws, laws, guidelines or regulations of the Town, the Region of Peel, the Province of Ontario, the Government of Canada, and/or the Toronto and Region Conservation Authority, as applicable.
7. This Plan must be read, interpreted, and administered in its totality.

### 5.2 Community Improvement Project Area

1. The financial incentive programs of this Plan only apply to properties within the designated Community Improvement Project Area. For clarity, properties that are not within the designated Community Improvement Project Area are not eligible for the financial incentive programs of this Plan.
2. Where a portion of a lot is within the designated Community Improvement Project Area, it shall be interpreted that the entirety of the lot is within the designated Community Improvement Project Area



and is therefore eligible for the financial incentive programs of this Plan.

3. The Community Improvement Project Area is established separately from this Plan by a by-law of Council. On this basis, the Community Improvement Project Area may be amended separately from this Plan by a new by-law of Council.
4. The Community Improvement Project Area identifies several Precincts which are recognized through this Plan. The financial incentives shall be made available within each Precinct, in accordance with this Plan. Any change to the availability of certain financial incentive programs made available in each Precinct shall require an amendment to this Plan.
5. Consideration to modify a current Community Improvement Project Area should only be made based on a review and evaluation of this Plan as undertaken through the Plan Monitoring and Evaluation Strategy.

## 5.3 Plan Administration

### 5.3.1 Plan Administrator

1. By default, Council delegates approval authority to an Administrator on matters related to the implementation of this Plan, including decisions related to the approval of applications for financial incentives.
2. The Administrator shall oversee the day-to-day implementation of this Plan. The core responsibilities of the Administrator shall, at a minimum, include the following activities to support the Plan:
  - Meeting with potential applicants to review the plan within the context of proposed community improvement works and to confirm eligibility;
  - Act as a resource for eligible applicants and facilitate the submission of applications from eligible applicants.
  - Identify necessary submission materials, including any supporting documents, studies or reports, to deem an application complete;

- Coordinate the review and processing of eligible applications with the Review Panel and/or Council, as may be applicable;
- Facilitate execution of a financial incentive agreement between an eligible applicant and the Town, and coordinate payment of the financial incentive at the appropriate time, in accordance with the policies of this Plan;
- Supporting implementation of the Marketing and Communications Plan, and coordinating with other Town departments as may be necessary to achieve this;
- Commit the Town's resources to ensure the Plan appropriately monitored and evaluated as contemplated by this Plan.

### 5.3.2 Plan Review Panel

1. Staff from relevant Town departments will be assigned to take part on a Review Panel. The Review Panel will evaluate applications for financial incentives. The Administrator will facilitate this review process and coordination of the Review Panel on a case-by-case basis depending on the nature and scope of an application.
2. The Review Panel shall be responsible for reviewing financial incentive applications and commenting on the applications
3. The Review Panel may participate and provide input to the Plan Monitoring and Evaluation program, as requested by the Administrator.

### 5.3.3 Council Direction

From time to time, the Administrator may seek formal direction from Council on matters related to issuing a decision on applications for financial incentives on a case-by-case basis.

## 5.4 Financial Incentive Program Funding

1. On annual basis, Council may consider establishing a budget to fund the financial incentive programs of this Plan.





2. The budget may be combined with the budget established for implementing financial incentives under other Community Improvement Plans.
3. The budget to fund this Plan shall be at the sole discretion of Council and may be informed through consultation with Town staff and based upon the Plan Monitoring and Evaluation Strategy.
4. From time to time, Council may determine that changes to the value of the financial incentive programs are necessary. Any decision in this regard should be informed through the Plan Monitoring and Evaluation Strategy, and in consultation with the Administrator.
5. At its sole discretion, Council may allocate portions of the financial incentive budget to specific financial incentive programs of this Plan. Alternatively, Council may direct that certain financial incentive programs of this Plan are not allocated financial incentive budget and shall therefore be deemed inactive until such time that funding is made available by a decision of Council.
6. At its sole discretion, Council may direct portions of the financial incentive program budget to specific precincts of the Community Improvement Project Area. For clarity, Council is not obligated to fund all of the various precincts and the financial incentive programs established within, at any given time.
7. This Plan recognizes that funding of the financial incentive programs may be dependent on available municipal resources and evolving budget priorities, including other strategic priorities.
8. Annual funding of this Plan will be made at the sole discretion of Town Council, without an amendment to this Plan.
9. Nothing in this Plan is intended to commit the Region of Peel, the Province of Ontario or any other stakeholder to funding the projects and programs outlined in this Plan. Participation by any other stakeholder is subject to their independent budgeting and approvals processes.
10. Any unused portion of an allocated annual budget for this Plan may be carried over to the following year.

## **5.5 Application Process**

This Plan contemplates an application process that may include a total of eleven steps. The process, including the steps, are detailed below and shown in Appendix A. Appendix A shall be read in association with this Section.

### **Step 1: Pre-application Meeting**

1. Applicants are required to arrange and participate in a pre-application consultation meeting with the Administrator, in order to discuss and confirm application requirements, program eligibility, proposed scope of work, design expectations, project timing, supporting documentation requirements, etc. Relevant members of the Review Panel may participate in this meeting depending on the nature and scope of the application.

### **Step 2: Application Submission**

2. The applicant shall be required to submit a complete application, which will include all of the required application forms, in addition to any supporting documentation, as identified or required by the Administrator or the Review Panel. Supporting material may include, for example, photographs, detailed plans, technical specifications, supporting studies, cost estimates, written authorization, among others.

### **Step 3: Application Completeness**

3. The Administrator will review the application to ensure the submission requirements have been satisfied and if so, may deem the application complete. If the Administrator determines an application to be incomplete, it will be rejected and returned to the applicant.

### **Step 4: Application Circulation and Evaluation**

4. Once an application has been deemed complete and is accepted by the Administrator, it will be circulated to the Review Panel for review and evaluation.
5. The application and supporting documentation will be reviewed by the Administrator and Review Panel against the incentive program eligibility



requirements (including both general and specific requirements), and design guidelines.

#### Step 5: Application Decision

6. Based on the proposal, application, supporting material, and fulfillment of eligibility requirements, the Administrator, in consultation with the Review Panel, will render a recommendation on the application. The Administrator may seek formal direction from Council regarding a decision depending on the nature and scope of an application.
7. If an application is refused, it will be returned to the applicant with a rationale for the decision. The applicant will then have an opportunity to resubmit an application provided the reapplication satisfies the reasons for refusal. Further, where the decision is rendered by the Administrator and Review Panel and an application is refused, the applicant shall have the right to appeal the decision to Council.

#### Step 6: Application Recommendation

8. If an application is recommended for approval, it will be forwarded to the Treasurer for approval. Notice of approval is then forwarded to Legal staff to prepare the financial incentive agreement, including applicable terms and conditions.

#### Step 7: Financial Incentive Agreement

9. Once the agreement is prepared, the agreement will be issued to the eligible applicant and the Treasurer for execution. The financial incentive program agreement will outline the terms and payment of the grant and conditions should an eligible applicant default on the agreement.

#### Step 8: Community Improvement Works

10. Once a financial incentive agreement is executed, an eligible applicant may initiate community improvement works in accordance with the agreement. It is the sole responsibility of an applicant to inform the Administrator when the community improvement works are complete.

#### Step 9: Inspection

11. To inform a decision to issue payment, the Administrator may conduct a site visit, or

alternatively, request photographs or similar evidence of the completed works from the applicant.

#### Step 10: Payment of Grant(s)

12. Payment of the financial incentive, in accordance with the agreement, will be issued upon successful completion of the approved work, to the satisfaction of Administrator and the Review Panel, as applicable.

#### Step 11: Default

13. Should the Administrator or Review Panel determine that the applicant defaulted on any of the eligibility requirements of this Plan or fail to meet the detailed requirements of each of the incentive programs or any other requirements of the Town, the Town may delay, reduce, or cancel the approved incentive program benefits, and may require repayment of any of the incentive program benefits, at the discretion of the Town.
14. Further, any program commitments may be cancelled if work does not commence within six months of approval of an application,

### 5.6 Marketing Strategy

In order to achieve the revitalization vision, goals, and objectives of this Plan, the Town must meaningfully and successfully market financial incentive programs of the CIP to the community, with a specific focus on engaging landowners, businesses and entrepreneurs. At a minimum, it is recommended that the Administrator, with full support of the Town, undertake the following marketing and communication activities:

- **Publications:** Promotion material, including hard copy informational handouts and brochures, as well as digital content, can be an effective means to distill the contents of this detailed Plan into a more accessible and concise format. Supplementary publications should be effectively used to help ensure the contents of this Plan are communicated in an easy-to-read and accessible format.
- **Service Excellence:** The long-term success of this Plan necessarily relies on the continued



customer-oriented focus of the Administrator. To this end, the Administrator will be available on an on-going basis to actively promote the Plan and engage potential applicants regarding its revitalization vision, goals and objectives, as well as the financial incentive programs. The Administrator, to the best of their ability, will also work to commit the Town's resources in an effort to ensure timely responses and follow-up to enquiries while also facilitating expedient application review and approval processes.

- **Celebrate Success:** The Town may seek opportunities to celebrate the positive contributions to community improvement that have been achieved within the context of this Plan. This may include opportunities to formally showcase, recognize or celebrate the efforts of landowners and businesses through initiatives such as annual awards, project highlights and storefront displays for those that have made positive contributions to the revitalization of Bolton through grants administered by this Plan.
- **Education:** The Town may wish to hold informational workshops, education sessions or create instructional videos to educate property owners, tenants, and other interested parties within the designated Community Improvement Project Area with respect to the financial incentive programs and available funding (values).
- **Website & Social Media:** Digital content is increasingly the most important, effective, and efficient means to communicate with the public. The Town's website, or a dedicated project webpage for this Plan, should be frequently updated with information related to this Plan and include clear descriptions of each of the incentive programs. The website should also be used to highlight previous CIP applications and success stories. Information and promotional materials related to this Plan should also be shared via the social media accounts of the Town and its partners.

- **Promotion:** The Town should look for opportunities to promote the CIP at conferences, local community events, meetings with business stakeholders or any other events where interested parties may be in attendance. The Town should also prepare a promotional display, information booth or other promotion materials for use at such events.
- **Branding:** The Town may consider an opportunity to brand this Plan, or certain financial incentive programs, to better market and communicate its contents. This may include, for example, renaming certain financial incentive programs, or advertising the Plan with a unique and distinctive design. Branding can be an effective means to demonstrate the unique proposition and benefits of this Plan, while appropriately differentiating it from other Town initiatives.

## 5.7 Plan Monitoring and Evaluation

### 5.7.1 Purpose

1. The Plan Monitoring and Evaluation framework established by this section of the Plan significantly contributes to its ongoing success. The intent of the framework is to offer meaningful inputs to the Town, and specifically the Administrator, to objectively understand how the Plan is being utilized, and that the financial incentive programs remain relevant and responsive to Bolton's evolving revitalization needs and opportunities.
2. The Administrator shall commit the Town's resources to undertake periodic reviews of this Plan in order to measure its ongoing success. Specifically, the purpose of the Monitoring and Evaluation Program is to determine if:
  - The programs are achieving the revitalization vision and intended goals and objectives as established by this Plan; and
  - Based on the above, if program adjustments, including eligible costs, program values or program availability, is required or warranted.





3. On this basis, the Plan Monitoring and Evaluation framework will inform the determination if adjustments or modifications of this Plan are required or warranted, and to provide information to Council in making decisions regarding its funding and implementation.

#### 5.7.2 Consultation

The Administrator, at their discretion, may undertake consultation with the community to support and inform plan monitoring and evaluation. This could include, for example, specific consultation with the Downtown Bolton Task Force, Business Improvement Area, or the local Chamber of Commerce. It may also include broader engagement with the community through the use of surveys, questionnaires, public open houses, or other similar means and activities.

#### 5.7.3 Establishing Baseline Conditions and Data

1. Upon adoption of this Plan, the Administrator shall collect baseline information and data regarding the Community Improvement Project Area and the precincts.
2. The Administrator shall also utilize the performance data associated with the 2009 Bolton CIP for the purpose of monitoring and evaluating this Plan.
3. Baseline conditions and data may include, but is not necessarily limited to, the following:
  - a. The number and types of businesses;
  - b. Vacancy rate of commercially and mixed-use zoned buildings;
  - c. Number of residential units in the Community Improvement Project Area;
  - d. Number of light posts, trees, benches, etc., within the Community Improvement Project Area, where the data is available;
  - e. Number of bicycle parking spaces and pedestrian amenities;
  - f. Number of off-street private commercial parking spaces; and
  - g. Any statistics related to the number of visitors, the number of employees, etc., where the data is available.

#### 5.7.4 On-going Monitoring

1. On an on-going basis, the Administrator shall record information about inquiries, including:
  - a. Number of inquiries made;
  - b. The subject property; and
  - a. The intent of the potential applicant, having consideration for the confidentiality of any inquiries.
2. The Administrator shall establish and continuously update a database for monitoring the applications for financial incentives. For each application, the Administrator should collect and enter into the database:
  - a. The type of project and the type of grant(s) being sought;
  - b. Value of the grant(s) being sought as well as the total value of construction;
  - c. Address, property, applicant and ownership information;
  - d. Increase in assessed value of property and municipal property taxes upon completion of project;
  - e. The names of contractor(s) and supplier(s), which can be used for future reference for interested applicants;
  - f. The type and quantity of improvements being made, as specific to the application (e.g., number of trees planted, number of bicycle parking spaces and pedestrian amenities created/improved, etc.);
  - g. If feasible, quantifiable measures associated with energy efficiency or carbon reduction;
  - h. Number of new residential units created or amount of non-residential floor area affected; and



- i. Subjective information about the reasons for the application (i.e., is the Plan responsible for encouraging the project?).
3. For applications that are approved, the Administrator should collect “after” photos and final values of construction and make other revisions to the originally entered statistics, as may be appropriate.
4. A brief survey may be distributed to a successful applicant to obtain feedback.
5. For applications that are denied, the Administrator shall record the reasons for denial.

#### 5.7.5 Reporting

1. On an annual basis, the Administrator will report to Council on the successes and issues of the Plan, noting:
  - Any notable changes in the conditions based on the baseline data;
  - The total number of applications that are successful or not successful, the total value of grants issued and the total value of construction;
  - The amount of private investment leveraged by the Plan (i.e., as a ratio of dollars of public grants to dollars of private investment);
  - Where possible, before and after photos of successful applications should be appended to the report;
  - Any unintended outcomes of the programs, and measures for preventing unintended outcomes in the future;
  - The number of inquiries made and any notable outcomes from inquiries (respecting confidentiality of inquiries);
  - Any recommended adjustments to the Community Improvement Plan, or Community Improvement Project Area, or any issues and recommended amendments to the Programs;

- The progress on implementation of the Municipal Leadership Strategy (Section 3); and
- Recommendations for funding grant programs, including whether additional funding could be required, and which programs should be funded.

2. As noted, there may be a need to make adjustments to the Plan or the Community Improvement Project Area as an outcome of the review process. Appendix D summarizes which types of activities or changes to the Plan may require an amendment to this Plan.

## 5.8 Glossary of Terms

The following defines the terms used in this CIP:

**“Applicant”**, unless otherwise specified, means a registered owner, assessed owner or tenant of lands and buildings within the community improvement project area, and any person to whom a registered owner, assessed owner or tenant of lands and buildings within the community improvement project area has assigned the right to receive a grant or loan.

**“Bioswale”** means a landscape element that, as a result of its design and use of vegetation, removes pollutants and silt from surface water runoff prior to being released to the sewer system.

**“Community Improvement”**, unless otherwise specified, is as defined in accordance with its definition under Section 28 of the *Planning Act*.

**“Community Improvement Plan”**, unless otherwise specified, is as defined in accordance with its meaning under Section 28 of the *Planning Act*.

**“Community Improvement Project Area”**, unless otherwise specified, is as defined in accordance with its meaning under Section 28 of the *Planning Act*.

**“Council”** means the Council of the Town of Caledon.

**“Eligible Applicant”** means an applicant (as defined above) who meets all of the general and program specific requirements of the Financial Incentive Programs and prepares and applies for community



improvement works that is in accordance with the definition of the *Planning Act* and the program specific requirements, as outlined in this Plan. The CIP Review Panel and/or Administrator reserves the right to determine whether or not an applicant is eligible for the CIP Financial Incentive Programs. Eligible Applicants may also be referred to as “eligible building owners” or “eligible property owners” throughout this Plan.

**“ENERGYSTAR”** means the program established by the U.S. Environment Protection Agency as a voluntary program for certifying energy efficient consumer products.

**“Green Roof”** is a roofing system that is partially or completely covered with vegetation in order to absorb rainwater and to provide insulation.

**“Low Impact Development (LID)”** refers to the stormwater management strategy that seeks to mitigate the impacts of increased urban runoff and stormwater pollution by managing it as close to its source as possible. It comprises a set of site design approaches and small scale stormwater management practices that promote the use of natural systems for infiltration and evapotranspiration, and rainwater harvesting.

**“Mixed-use or mix of uses”** means a building containing a combination of two or more of the following uses:

1. Retail uses/commercial services/restaurants;
2. Offices;
3. Institutional uses; and
4. Dwelling units located in the rear or upper storeys only.

**“Permeable”** means a paving surface that permits infiltration of rain water into the ground, in contrast with more commonly applied non-pervious paving surfaces such as asphalt.

**“Qualified Professional”** is a person who is a registered professional with an accredited institution, trade union, or recognized regulatory body.

**“Review Panel”** means, in the context of administering the financial incentive programs, the person or

person(s) assigned to evaluate and make a decision on applications for financial incentives.

**“Town”** means Town of Caledon.



# Conclusion







## 6. Conclusion

The Town of Caledon Bolton Community Improvement Plan provides a framework that guides community improvement in the Town and builds upon the original 2009 Bolton CIP.

This Plan establishes a revitalization vision, goals, and objectives for community improvement in. It also includes a Municipal Leadership Strategy that enables the Town to continue to provide proactive and visible leadership, coordination, and support for the revitalization, redevelopment, and enhancement of Bolton.

The financial incentive programs contemplate a broad range of community improvement works that are intended to be responsive to the unique revitalization needs and opportunities of the community. They are also intended to augment complementary initiatives that

may be undertaken by the Town over the intended horizon of this Plan.

Implementation and monitoring of the program will be undertaken by the Town and led by the Administrator. It is anticipated that the CIP will be implemented over a 10-year period, with a five year interim review. Administration of this Plan will benefit from ongoing plan monitoring and evaluation, as well as a strong marketing strategy to promote and celebrate the Plan.

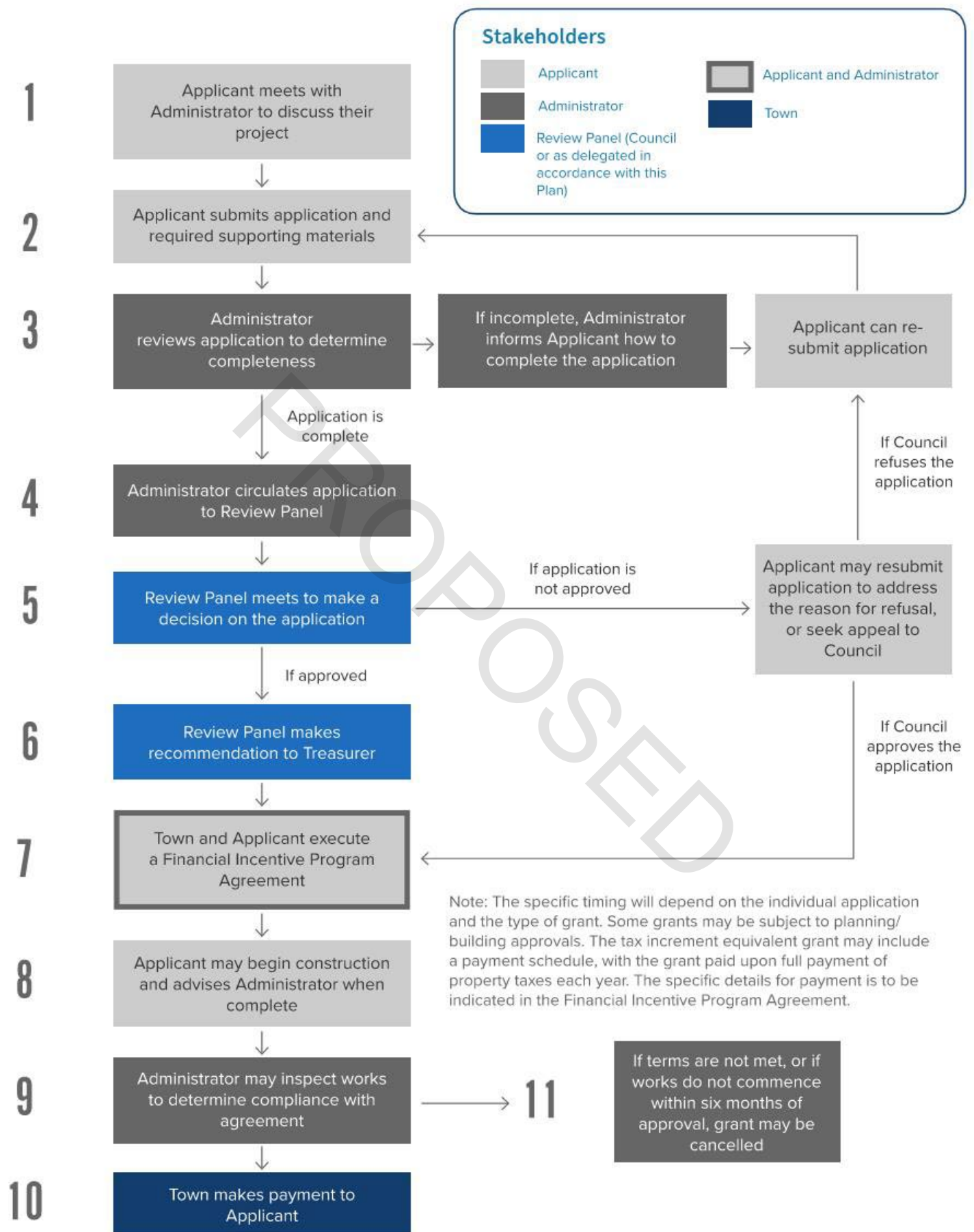




# Appendix I:

## CIP Application Process





# Appendix II:

## Energy and Carbon Reduction Grant Program Detail



## Stream 1

**Stream One: This Stream may be provided to eligible applicants for a total of 50% of eligible costs to a maximum of \$10,000.00**

Eligible Cost	Eligibility / Verification Criteria
Building energy and efficiency audits, recommissioning and energy retrofit feasibility studies.	<p>Copy of paid invoice AND,</p> <ol style="list-style-type: none"> <li>(1) Level II ASHRAE Energy Audit-clearly stating these guidelines were followed, including the following: <ol style="list-style-type: none"> <li>a. Inclusion of low cost/no cost measures, modifications to system controls and building automation, operational changes and potential capital upgrades. These energy conservation measures should include the general expenses and overall performance metrics (energy, greenhouse gas and cost savings), and means (i.e. funding opportunities) for the Owner to evaluate the energy conservation measures; Or,</li> </ol> </li> <li>(2) Final recommissioning report that outlines recommendations, business case and estimated energy savings, stamped by a Professional Engineer or Certified Energy Professional (through CIET). The Town highly recommends that the recommissioning process follows Natural Resource Canada's "Guide on Recommissioning for Building Owners and Managers"; Or,</li> <li>(3) Energy Retrofit and Renewable Energy feasibility report that clearly states and demonstrates a minimum of 25% energy savings and a minimum carbon reduction of 30%, stamped by a Professional Engineer. A cover letter must also be provided by a Professional Engineer or a certified energy professional (through CIET) certifying that the energy retrofit project is feasible.</li> </ol> <p>*For renewable energy feasibility studies, the project must display a carbon reduction of 30% only.</p>
Basic building controls, including smart thermostat, roof top unit (RTU) controls, demand control ventilation, or other smart controls as approved by the Town, that result in energy savings.	<p>Copy of paid invoice AND,</p> <ol style="list-style-type: none"> <li>(1) Proof and description of the controls installed and how they will save energy, including a photograph of the installed system.</li> </ol>
Building envelope improvements, including windows and insulation, for facilities smaller than 15,000 square feet.	<p>Copy of the paid invoice AND,</p> <ol style="list-style-type: none"> <li>(1) Invoice must include reference to ENERGY STAR windows and/or baseline insulation levels and confirmation of the new insulation levels;</li> <li>(2) Proof that windows are ENERGY STAR certified with photos of the window installed displaying the ENERGYSTAR sticker; Or,</li> <li>(3) Photographs of the current insulation levels displaying the measurement of the insulation levels and post retrofit insulation levels showing the additional insulation added (i.e. R10-R34). If measurement isn't possible, contractor shall provide proof, as acceptable by the Town of the updated insulation levels.</li> </ol>
Installation of an energy recovery ventilator (ERV), or heat recovery ventilator (HRV), or drain water	<p>Copy of paid invoice detailing supply and installation AND,</p> <ol style="list-style-type: none"> <li>(1) Proof that the HRV/ERV has ENERGY STAR certification; Or,</li> </ol>

**Stream One: This Stream may be provided to eligible applicants for a total of 50% of eligible costs to a maximum of \$10,000.00**

Eligible Cost	Eligibility / Verification Criteria
heat recovery, where this technology did not previously exist or is improving in effectiveness in replacement of an existing system.	<ul style="list-style-type: none"> <li>(2) Proof that the Drain Water Heat Recovery Ventilator is found in Natural Resources Canada's <a href="#">product database</a>; AND,</li> <li>(3) Photograph of the installed equipment;</li> <li>(4) Letter from a Certified Plumber or Certified Energy Professional (through CIET) that the equipment has been installed, that states the existing system effectiveness (if applicable), and the effectiveness of the installed system.</li> </ul>
Installation of publically accessible Level II electric vehicle charging station(s).	<p>Copy of the paid invoice AND,</p> <ul style="list-style-type: none"> <li>(1) ESA Certification;</li> <li>(2) Photo of the installed charging station.</li> </ul>

## Stream 2

**Stream Two: This Stream may be provided to eligible applicants for a total of 50% of eligible costs, to a maximum of \$25,000.00.**

Eligible Cost	Eligibility / Verification Criteria
<p>Replacing existing heating systems and air conditioners with a more efficient condensing boiler or condensing furnace, and air conditioners</p> <p>Note: this measure does not apply for transitioning electricity systems to natural gas.</p>	<p>Copy of the paid invoice AND,</p> <ul style="list-style-type: none"> <li>(1) Proof that the condensing boiler or condensing furnace has a minimum efficiency rating of 90%, boiler make(s), model(s), and boiler input ratings(s) (MBH); Or,</li> <li>(2) Proof that the air conditioner has a minimum of an 18 SEER Rating AC and is equipped with demand or other smart controls.</li> </ul>
Major works associated with HVAC system upgrades or retrofits that results in a switch from a carbon-based fuel system to an electricity-based system (such as heat pumps).	<p>Copy of the paid invoice AND,</p> <ul style="list-style-type: none"> <li>(1) Certified letter from a Professional Engineer or Certified Energy Professional (through CIET) outlining the works completed, fuel source, and an outline of the estimated energy and emissions savings OR an energy feasibility study report that meets the requirements from Stream 1.</li> </ul>
Building automation system and controls and energy management information systems.	<p>Copy of the paid invoice AND,</p> <ul style="list-style-type: none"> <li>(1) Certified letter from a Professional Engineer, or Certified Energy Professional (through CIET) outlining the works completed, and an outline of the estimated energy and emissions savings OR an energy audit report that meets the requirements from Stream 1.</li> </ul>
Building envelope improvements for facilities larger than 15,000 square feet.	<p>Copy of the paid invoice AND,</p> <ul style="list-style-type: none"> <li>(1) Invoice must include reference to ENERGY STAR windows and/or baseline insulation levels and confirmation of the new insulation levels; AND,</li> </ul>



**Stream Two: This Stream may be provided to eligible applicants for a total of 50% of eligible costs, to a maximum of \$25,000.00.**

Eligible Cost	Eligibility / Verification Criteria
	<ul style="list-style-type: none"> <li>(2) Proof that windows are ENERGY STAR certified with photos of the window installed displaying the ENERGYSTAR sticker; Or,</li> <li>(3) Photographs of the current insulation levels with a measurement and retrofit post insulation picture of the additional insulation added (i.e., R10-R34). If measurement isn't possible, contractor shall provide proof, as acceptable by the Town of the updated insulation levels. <ul style="list-style-type: none"> <li>o A certified letter from a Professional Engineer or Certified Energy Professional (through CIET) outlining the works completed, and an outline of the estimated energy and emissions savings OR an energy audit report (that meets the requirements from Stream 1) that details the energy conservation measure.</li> </ul> </li> </ul>

### Stream 3

**Stream Three: This Stream may be provided to eligible applicants for a total of 50% of eligible costs, to a maximum of \$40,000.00**

Eligible Cost	Eligibility / Verification Criteria
Eco-roofs, including green roofs, cool roofs, and blue roof systems, as well as any required structural analysis.	<p>Copy of the paid invoice AND,</p> <ul style="list-style-type: none"> <li>(1) Photo of the installed roof.</li> <li>(2) Proof that the cool/white roof has an SRI of &gt;82 (low slope) or SRI &gt;39 (steep slope).</li> <li>(3) Any drawings detailing the landscape plan for a green roof.</li> </ul>
Installation of ground or air source heat pumps.	<p>Copy of the paid invoice AND,</p> <ul style="list-style-type: none"> <li>(1) Photo of the installed heat pump system;</li> <li>(2) Proof that the air source heat pump system is ENERGY STAR rated; Or,</li> <li>(3) For ground source only: Certified letter from a Professional Engineer or Certified Energy Professional (through CIET) or otherwise approved by the Town, outlining the works completed, fuel source, and an outline of the estimated energy and emissions savings OR an energy retrofit feasibility report that meets the requirements outlined in Stream 1.</li> </ul>
Industrial waste heat recovery that reduces the buildings energy	<p>Copy of the paid invoice AND,</p>

**Stream Three: This Stream may be provided to eligible applicants for a total of 50% of eligible costs, to a maximum of \$40,000.00**

Eligible Cost	Eligibility / Verification Criteria
(fossil-fueled source) thermal consumption by 20%.	<p>(1) Certified letter from a Professional Engineer outlining the installed system and estimated energy and emissions savings and confirm that the system meets the minimum requirements of the grant OR an energy retrofit feasibility report that meets the requirements as outlined in Stream 1.</p>
Installation of renewable energy systems (including solar thermal and solar photovoltaic systems).	<p>Copy of the paid invoice AND,</p> <p>(1) Photo of the installed system.</p> <p>(2) Certified letter from a Professional Engineer outlining the size, and estimated energy produced/savings from the renewable energy system or an energy retrofit/renewable energy feasibility report that meets the requirements as outlined in Stream 1.</p>
Installation of publically accessible Level III electric vehicle charging station(s).	<p>Copy of the paid invoice AND,</p> <p>(1) Confirmation of electrical capacity or notification to Hydro One.</p> <p>(2) ESA Certification.</p> <p>(3) Photo of the installed charging station.</p>
Improvements to industrial process (excluding lighting and HVAC systems) that result in significant energy efficiencies and that do not utilize carbon-based fuels as an energy source.	<p>Copy of the paid invoice AND,</p> <p>(1) Certified letter from a Professional Engineer or Certified Energy Professional (through CIET) outlining the works completed (including details of the base case equipment to prove an improvement in efficiency), and an outline of the estimated energy and emissions savings OR an energy audit report or retrofit feasibility study (that meets the requirements outlined in Stream 1) that details the energy conservation measure.</p>

# Appendix III:

## Changes Requiring an Amendment to this Plan

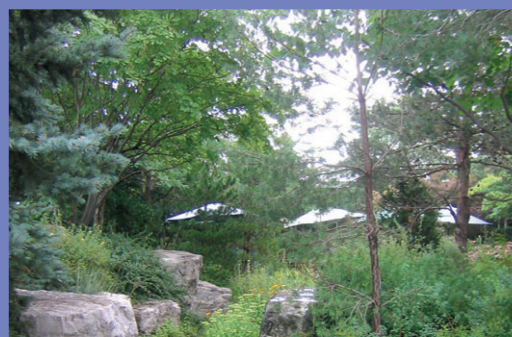
PROPOSED



Type of Plan Modification or Activity	Requires an Amendment to this Plan?
1 Remove or add “eligible costs” to a financial incentive program	Yes
2 Modify, remove or add to the “eligible properties” or any other eligibility criteria within each incentive program or the general eligibility criteria	Yes
3 Permanently remove a financial incentive program from this Plan	Yes
4 Insert a new financial incentive program	Yes
5 Modify the Community Improvement Project Area	No (requires a new Community Improvement Project Area By-law)
6 Discontinue funding to any program, or discontinue funding to all programs	No
7 Allocate funding to certain programs in any given year	No
8 Delegate the default authority for approving financial incentives to Council, a committee or individual	No
9 Discontinue implementation of the Plan	No (requires a By-law to dissolve the Community Improvement Project Areas)

Revitalization

Prosperity



Beautification

Redevelopment



# Urban Design Guidelines

## BOLTON



April 2009 (Updated 2023)



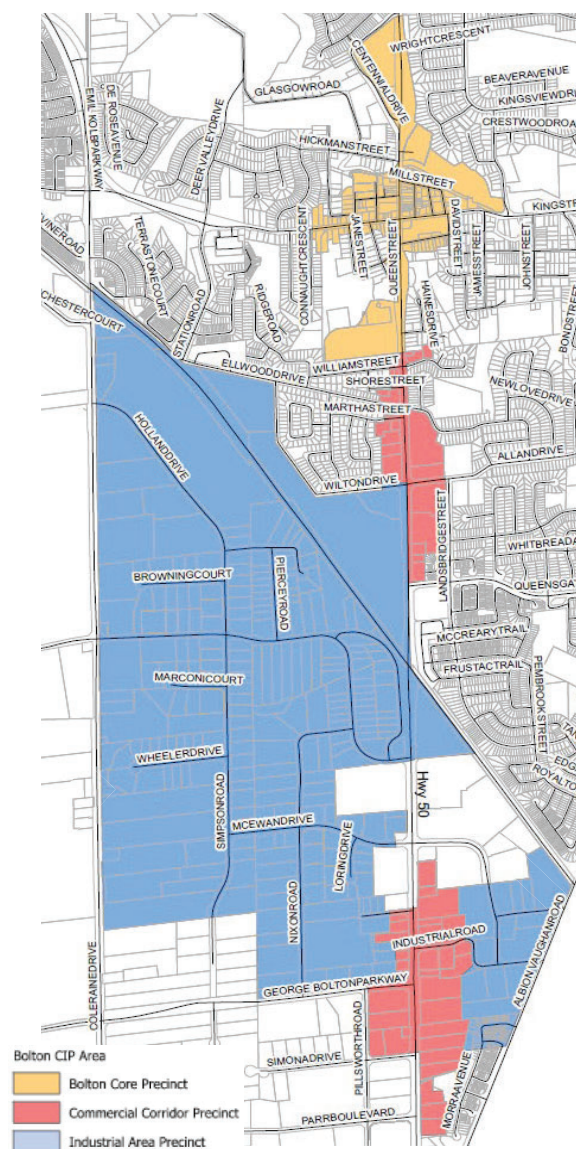
## Introduction

In June of 2008, the Town of Caledon retained MMM Group Limited (MMM) and du Toit Allsopp Hillier (DTAH) to develop a Community Improvement Plan (CIP) and Urban Design Guidelines (UDG) for the community of Bolton. In 2022, WSP Canada Inc.(formerly MMM), prepared an update of the CIP prepared in 2009. As part of the update, the companion Bolton Urban Design Guidelines documents was also updated. The urban design guideline document generally remains the same as per the April 2009 document except where there are updates to figures or text to reflect policy and guideline refinement in the Town of Caledon, since their adoption. Please note that further refinement of these guidelines in the future will not require an amendment requiring Council approval.

The Bolton Community Improvement Plan provides a framework that guides community improvement in Bolton, through the identification of a Municipal Leadership Strategy and Financial Incentive Programs. The Bolton CIP Urban Design Guidelines, provide additional guidance for community improvement by identifying design principles and guidelines with respect to streetscape, built form, site access, signage, and open spaces.

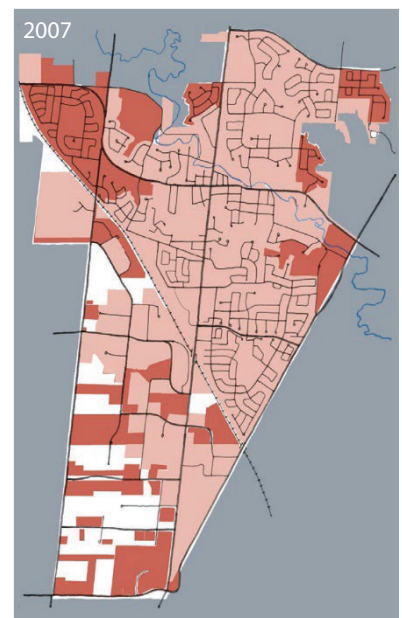
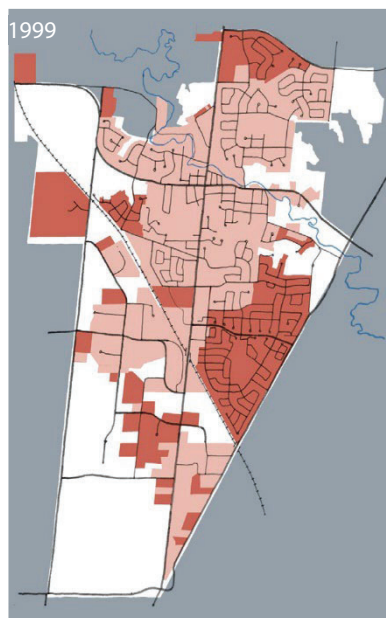
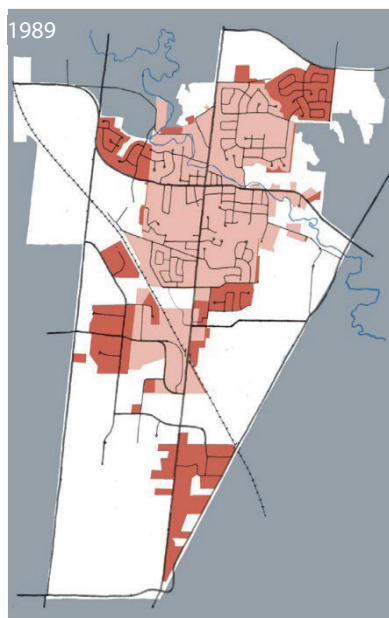
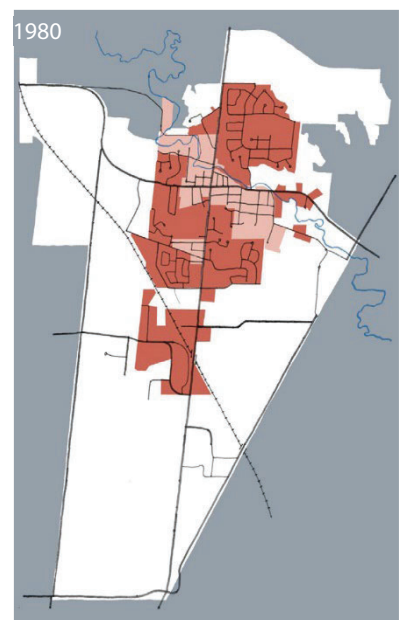
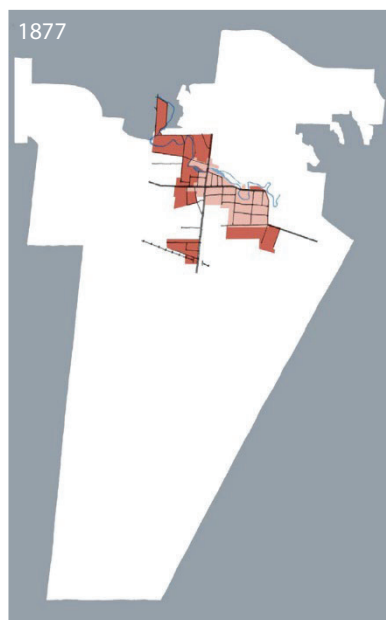
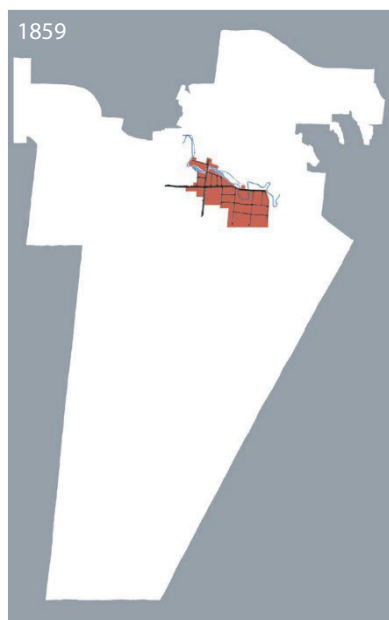
The urban design guidelines that follow apply to the three precincts in the Community Improvement Project Area: Bolton Historic Core, the Commercial Corridor and the Industrial Area as illustrated on the adjacent figure.

▼ *COMMUNITY IMPROVEMENT PROJECT AREA, divided into three precincts: Bolton Core, Commercial Corridor and Industrial Area*



# BOLTON

▼ MAP OF BOLTON, Chronological sequence of growth: 1859, 1877, 1980, 1989, 1999 and 2007.



# URBAN DESIGN GUIDELINES

The purpose of these guidelines is to:

- Identify design principles and guidelines with respect to built form, façades, streetscape, and open spaces, etc.;
- Provide eligibility criteria for CIP's Financial Incentive Programs, with respect to design;
- Provide the Town with a tool for the review and evaluation of applications for Financial Incentive Programs and supporting materials; and
- Educate property and business owners about the Town's principles and guidelines for design;

They build on existing CIP guidelines prepared by DTAH in 2009 and those from 2002 by the Town of Caledon, namely the *Bolton-Regional Road 50 (RR50): Landscape Plan Master Plan*, the *Town of Caledon Industrial/ Commercial Design Guidelines* and the *South Bolton: Shopping Centre Design Guidelines*. The update of these guidelines is also meant to ensure that there is

reference to the *Caledon Town Wide Design Guidelines (November 2017)* and the *Village of Bolton Heritage Conservation District Plan (November 2015)* to ensure that the most up to date and best practice urban design guidelines, are referenced for the CIP area.

## 1.1 Historic Core

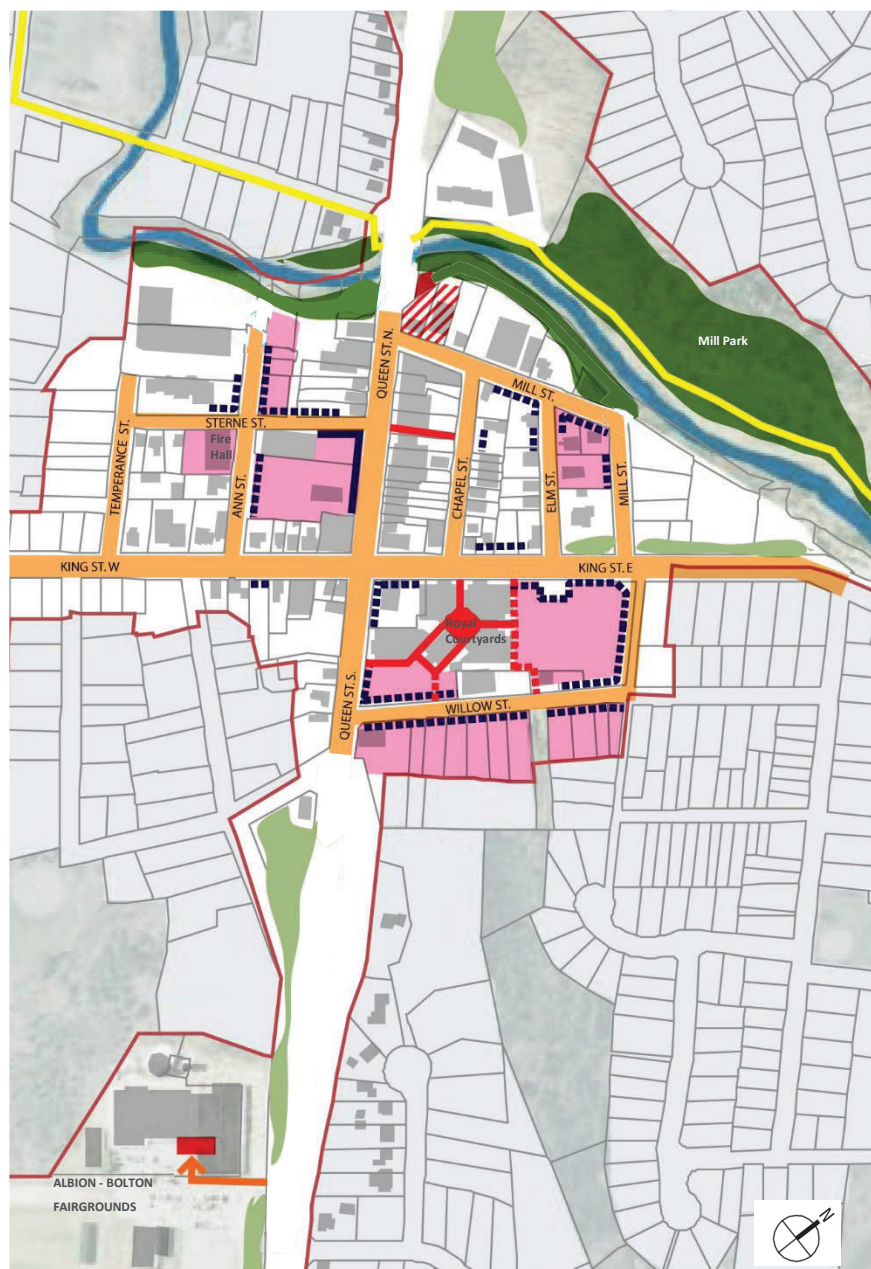
**The Historic Core guidelines that follow shall be supplemented with the guidelines outlined in the Village of Bolton Heritage Conservation District Plan (Sections 2 through 6). Where there is a conflict between the guidelines, those of the Heritage Conservation District Plan shall prevail.**

### 1.1.1 Key Objectives













The historic core of Bolton is a compact set of urban blocks that has survived a series of floods and several

# BOLTON

## ▼ PLAN OF POTENTIAL IMPROVEMENTS IN THE BOLTON CORE



### Key

-  Streetscape Improvement
-  Sidewalk Connection to Fairgrounds
-  Existing Mid-block Connection
-  Proposed Mid-block Connection
-  Existing Gathering Place
-  Potential Civic Gathering Place
-  Continuous Street Frontage
-  Intermittent Street Frontage
-  Potential Key Redevelopment Sites
-  Green Open Space Improvement
-  Important Landscape Edge
-  Existing Humber River Heritage Trail



# Guidelines

fires over the past 200 years and can still be recognized as the old village of Bolton. At this moment in time, it would benefit from building renovation and infill development that is respectful of its historic character, more residents to support the local economy, and a cohesive and attractive streetscape that is a joy to inhabit. The diagram on the previous page summarizes the recommended improvements to the core.

The guidelines for the Bolton Core are intended to address the following key objectives:

- Preserve and highlight unique character of the historic core of Bolton;
- Reinforce the identity of the area as a predominantly low rise main street retail area;
- Expand and improve the streetscape and open spaces to create a beautiful place and enhance accessibility;
- Encourage revitalization of underused sites; and
- Protect surrounding established residential areas.



## 112 Streetscape

The streetscapes in the Core should reinforce the historic character of the old village of Bolton. They should have a sense of unity derived from a consistent use of colours, textures and shapes in paving, street furniture, lighting, signage, planting and other elements. The three parts of the pedestrian realm: furniture/planting zone, walking zone and store extension zone should have a uniform treatment.

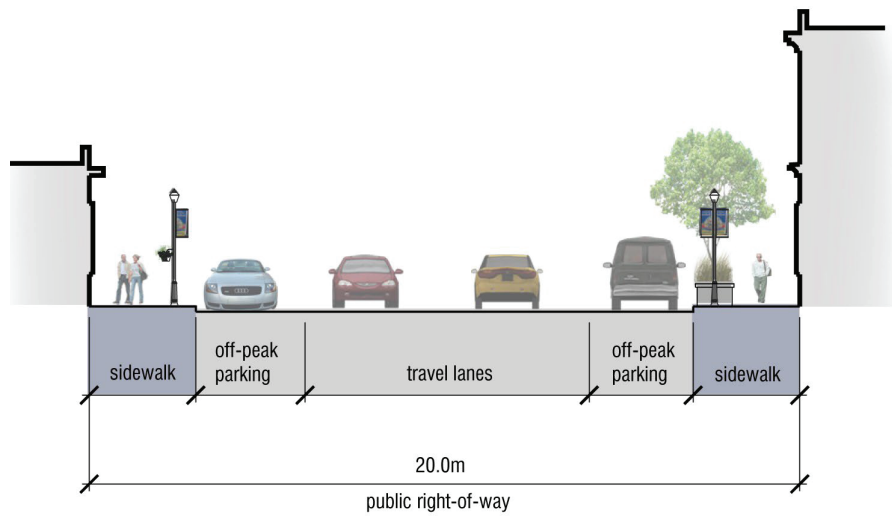
**Background** - The Town of Caledon and the BIA have invested in the streetscape of the core by using a family of street furniture (street lights, litter containers, flower pots, etc.) and upgrading the sidewalks. These are steps in the right direction that should be encouraged and reinforced. However, more can be done to improve the streetscape not only of Queen and King Streets, but also of Chapel, Elm, Mill, Sterne, Temperance and Willow Streets.

◀ *PARTS OF PEDESTRIAN REALM, well distinguished on east side of Queen Street*

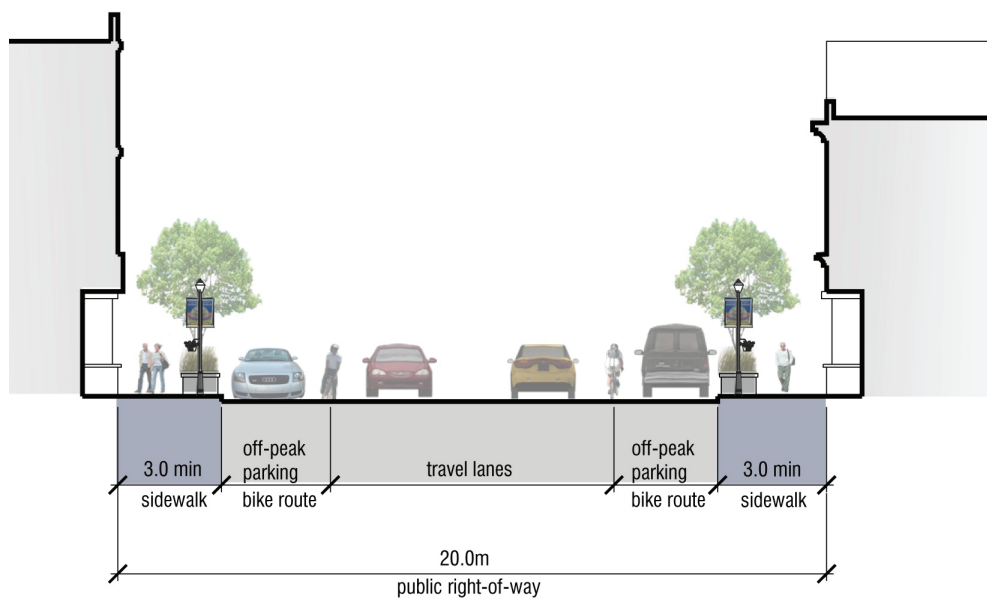


# BOLTON

## ▼ EXISTING STREETScape OF QUEEN STREET



## ▼ POTENTIAL STREETScape OF QUEEN STREET





## Guidelines

These guidelines are divided in the following themes: paving; planting; street furniture, lighting and signage; and public art and screening.

### Paving

- In the event that the Town chooses to invest in a comprehensive streetscape strategy for the Core, consider the implementation of a new design standard for the sidewalk paving that distinguishes the furniture/planting zone with a material other than the current coloured stamped concrete. This material is difficult to replicate when repaired.
- Acknowledge the mobility needs of older adults and people with disabilities by implementing barrier-free sidewalks, lower curbs at intersections and universal access to ground floor retail wherever possible. The walking zone should remain clear of free standing elements; and
- Differentiate crosswalks from the road surface with smooth concrete or paint.

### Planting

The current sidewalk widths in downtown streets are very narrow to allow the growth of large trees. However, the importance of trees and planting in the streetscape cannot be overstated. Great trees make great streets.

- All the existing trees that are in good health should be retained and well maintained;
- Wherever possible, plant additional trees to complete one row of trees on each side of the street, preferably planted at grade. On streets other than Queen, add more trees or other plantings on front yards if there is space available;
- Use innovative techniques when reconstructing a road or sidewalk to improve street tree root growth;
- Avoid using tree containers except on Queen Street. If tree containers are used they are to be complementary to the existing family of street furniture; and
- Continue the use of hanging baskets and tall movable planters during the warm season for added colour. Planters should be carefully located so that they do not interfere with sight lines.

# BOLTON

▼ *SIGNAGE PRECEDENT,  
Creemore*



▼ *EXISTING STREET LIGHT*



▲ *EXISTING LITTER  
CONTAINER*

◀ *BENCH  
PRECEDENT,  
Kingston*

## Street furniture, Lighting and Signage

Street furniture, lighting and signage make an essential contribution to the streetscape by providing a consistent and unified appearance. The Town of Caledon and the Bolton Core Business Improvement Association have already recognized its importance by investing in new street lights, litter containers, banners, flower containers, etc. in priority areas such as Queen, King and a few other streets.

- Extend the use of the same family of street furniture to the sections that are unfurnished. Consider adding other elements that match the current heritage theme such as: benches, outdoor café furniture, bollards, bike racks, bus shelter and newspaper holders;
- Add signage and wayfinding that is consistent with the heritage theme, including street signs, parking signs and information kiosks;
- Encourage all business and commercial landowners to use the selected family of street furniture;
- While advertising on street furniture is often used to defray the costs of the hardware, this should not be considered in this area;
- Many of these furnishings tend to be clustered at street corners adding to street congestion. When possible, locate these elements away from the street corner, particularly news boxes. As well, provision within new building redevelopment for litter containers, telephones and mailboxes should be considered and encouraged; and
- Minimize the number of freestanding traffic signs.

### Public Art and Screening

Public art plays an important role in the interpretation of the history, the people and the character of a place. It can have a variety of expressions, from 2-dimensional murals and pavement to 3-dimensional sculptures, gates, seating or fencing. The introduction of art works in the public realm should be encouraged, in a way that is sensitive to the site and enhances the historic core.

The use of fencing, hedges or planted screens should be encouraged to hide the view of side and backyards from public streets.

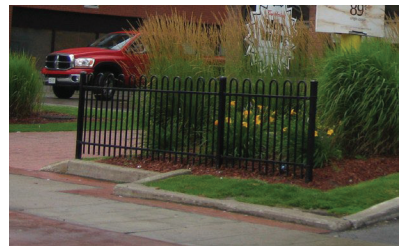
► *EXISTING MURAL,  
Queen Street*



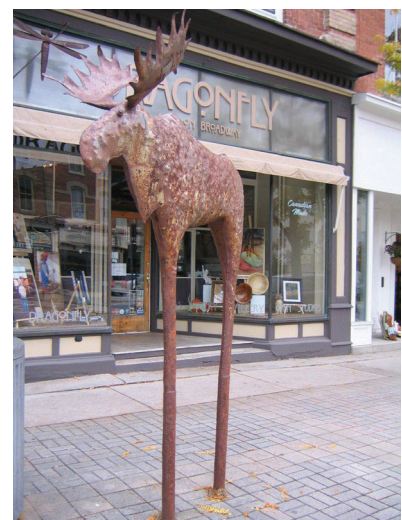
► *MURAL  
PRECEDENT,  
Gravenhurst*



► *EXISTING FENCE  
AND PLANTING,  
Queen Street*

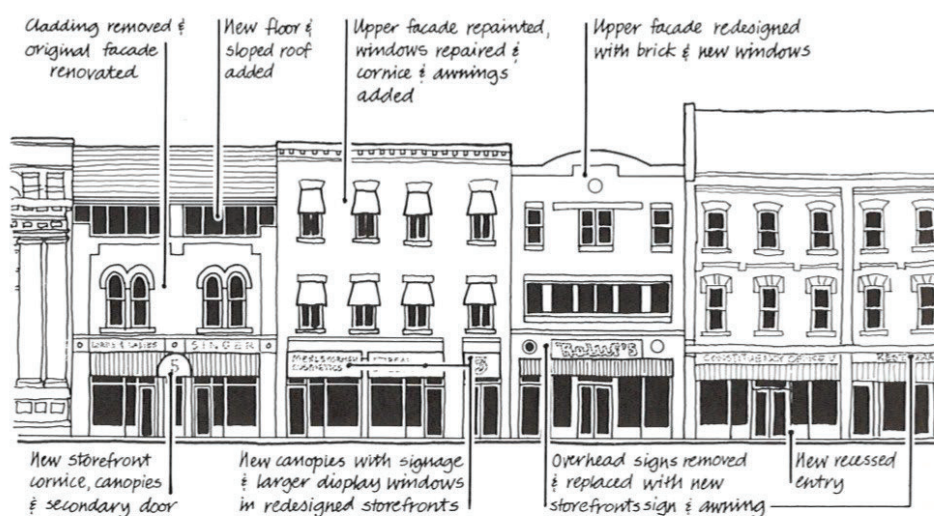
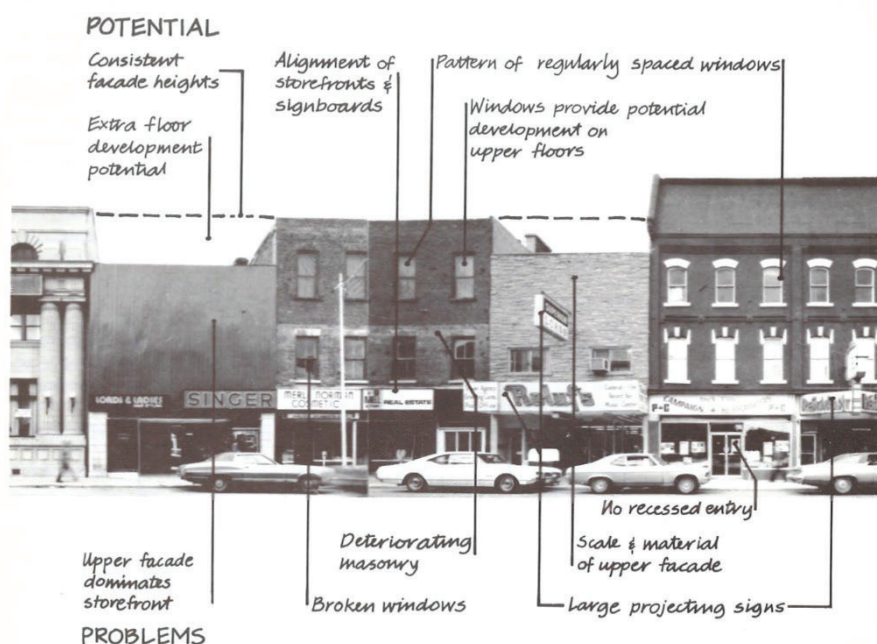


► *PUBLIC ART  
PRECEDENT,  
Orangeville*





# BOLTON



▲ FACADE IMPROVEMENT, Assessment (above) and Proposal (below)

(Source: Province of Ontario, Ministry of Municipal Affairs Community Planning Wing, Design for Commercial Facade Improvements by Roger du Toit Architects and Research and Special Projects Branch, 1985)





### 113 Façade Improvement

The façades of commercial and mixed use buildings should complement the character of historic core, with particular attention paid to overall scale, the nature of window openings, material selection, integration of signage and lighting. Building style could include contemporary treatment respectful of the historic character of the core.

**Background** – Some commercial buildings along Queen Street have recently been renovated. These kinds of initiatives are very good and should be encouraged. However, many other buildings have had poor upkeep over the years, or have been repeatedly altered in a way that hides the original façade.

#### Guidelines

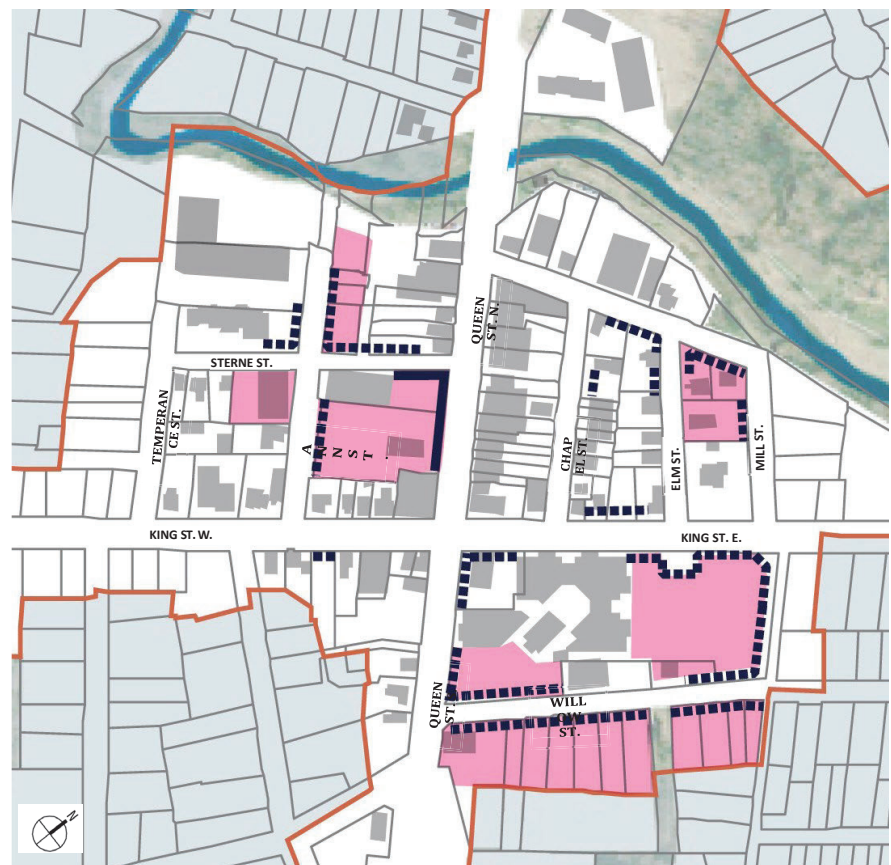
- Maintain original façade components and materials wherever possible. If components are damaged, repair is visually and economically preferable to replacement;
- If replacement is required, replicate original parts and materials;
- If replication is not possible, substitute with materials similar to the colour, texture, dimensions, proportion and design of the original;

- If major work like expansion or subdivision is to be done, do not irrevocably change the original building (s). Leave as much of the original as possible, working around it rather than removing it. This will also leave more options open in the future;
- An attractive, well maintained façade is the most effective form of store identification and advertising. Improperly located signs, which are excessive in scale and poorly maintained, are visible in many facades in the core:
  - Remove all large, projecting signage. Remove all other overly large and inappropriately located signage.
  - Use no more than one large sign per storefront. It should be flat and located on the signboard above the entrance. Signage lettering should be simple and straight forward. If more signs are needed, use no more than 2 additional small signs.

# BOLTON

## ▼ BOLTON CORE BUILT FORM GUIDELINE

- Key**
- Continuous Street Frontage
  - - - Intermittent Street Frontage
  - Potential Key Redevelopment Sites



► OLD PHOTO OF QUEEN STREET, looking north



## 114 Built Form

Queen Street should have a continuous building frontage, with retail on the ground floor. Other streets should have an intermittent building frontage with ground floor uses that animate the street. New infill development should be respectful of the scale and character of the existing historic buildings.

**Background** - Queen Street originally had a continuous building frontage along the west side. Two fires have created a gap in the urban fabric which has since been occupied by a drive through and surface parking. Drive-throughs are no longer allowed in the core. The south side of King Street, east of Queen Street, is largely occupied by surface parking needed for the Royal Courtyards. Secondary streets such as Chapel, Mill, Elm, Ann, Temperance, Sterne and Willow Streets also have underutilized and vacant properties with redevelopment

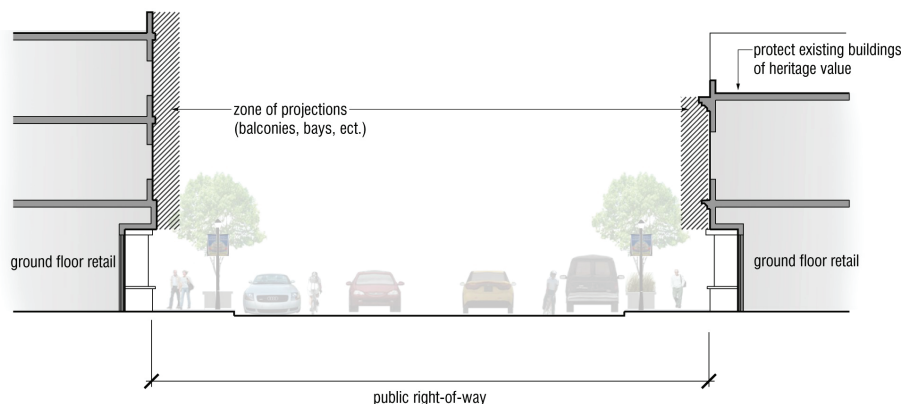
potential. The full infill development capacity and parking needs in the core should be subject to a comprehensive study.

### Guidelines

**Street Character Types** - The intention is to encourage two types of street characteristics in the core.

- 'Continuous' building frontages, typical to a traditional main street, will be encouraged along Queen Street in the commercial core. These portions of the street are characterized by having building frontages occupying at least 80% of the street line with no setbacks. New buildings should generally align with traditional street frontages where possible, except where a widening is desired to create a more generous sidewalk zone;

13



► POTENTIAL BUILT FORM ON QUEEN STREET

# BOLTON

▼ INFILL DEVELOPMENT PRECEDENT, Toronto



- 'Intermittent' street wall conditions will be acknowledged on the streets adjacent to the primary streets of the core reflecting the historic pattern here of more substantial front yard setbacks and landscaped areas and a less regular street pattern. This condition applies to all streets other than Queen Street. These streets (or portions of street) are characterized by having building frontages occupying at least 65% of the street line within the setback zone defined of 0 to 5 m back from the public right-of-way.

**Potential Infill Development** - There are a few key potential redevelopment areas which combined can dramatically improve the image of the historic core, as well as other individual underutilized lots with redevelopment potential.

These guidelines should be followed when planning a redevelopment:

- Protect all designated heritage buildings and buildings of heritage value;
- Protect existing stable residential neighbourhoods;
- Development should be low to mid-rise;
- Assign public uses at grade to help animate the street. If located within the continuous building frontage zone, the ground floor use should be retail;
- Maintain the basic height and width of storefronts prevalent in the area;
- Flood proof the lower levels of the building if located within the floodplain.





▲ HERITAGE TRAIL IN MILL PARK improved to accommodate bicycles.

## 115. Public Open Spaces

The historic core should have well designed public spaces where people can gather.

**Background** – Currently the opportunities to enjoy the Humber River are to walk along the Humber River Heritage Trail in Mill Park and to gather at the public space on the east side of Queen Street by Mill Street and on the west side of Queen Street at Humber River Heritage Park.

### Guidelines

Invest in the creation and/or improvement of public open spaces in the core such as:

- A potential larger civic gathering place at the corner of Queen and Mill Streets by the river; and
- An improved Mill Park so that it can accommodate outdoor events such as music festivals.



# BOLTON



◀ **EXISTING MUNICIPAL PARKING LOT ON STERNE STREET**, landscape screening along Sterne Street would improve the image of the street



◀ **PARKING SIGNAGE PRECEDENT, Kitchener** (Credit: Entro Communications)



◀ **PARKING SIGNAGE PRECEDENT, Kitchener** (Credit: Entro Communications)

## 116 Parking

Adequate amount of parking should be provided to support the economic health and stability of the businesses in the core. Parking should have clear and coordinated signage, and adequate lighting.

### Guidelines

- The existing parking resources should primarily serve the existing services and retail in the core;
- Commuter parking should be strongly discouraged, and alternatives provide elsewhere in Bolton;
- Introduce clear signage to guide residents and visitors to encourage the full use of available parking;
- In case of redevelopment of an existing surface parking lot to an above-grade parking structure, keep the structure out-of-sight from the public realm by adding a retail frontage, a façade treatment that matches adjacent storefronts or landscape screening; and
- Consider using green roof technologies to improve the quality of stormwater runoff and to increase the area of green space in the Core.

### 117. Albion-Bolton Fairgrounds and Community Centre

As an important cultural and recreational hub in Bolton, the Albion-Bolton Fairgrounds and Community Centre should have improved parking facilities and be fully accessible by pedestrians and cyclists.

**Background** - The Fairgrounds and Community Centre house the library, a hockey arena, and meeting spaces, as well as outdoor space for seasonal fairs. While the facility is located a short 10 min walk south of the core, most people access it by car.

#### Guidelines

- Improve the surface and lighting of the parking lot;
- Improve vehicle entrances and circulation for times with and without outdoor events;
- Improve pedestrian access from Queen Street/ Regional Road 50 by allowing direct access between the building entrance and the sidewalk;
- Provide end-of-trip facilities for cyclists;
- Add landscape screening along the back side of the building facing RR50; and
- Identify the building entrances more clearly through signage and lighting.

► EXISTING  
PHOTO OF  
ALBION-BOLTON  
FAIRGROUNDS



#### Key

- ↔ Sidewalk Connection to Fairgrounds
- Existing Gathering Place
- Important Landscape Edge



▲ POTENTIAL IMPROVEMENT TO FAIRGROUNDS

# BOLTON

## ▼ ELEMENTS OF A COMPLETE STREET (Source: Omaha Streetscape Handbook)



### ▲ KEY

- 1 Bus Stop
- 2 Street Trees (shade)
- 3 Coordinated Street Furniture
- 4 Planters
- 5 Median Refuge
- 6 Pedestrian Crosswalk
- 7 Co-locating Signs
- 8 Bicycle Lane
- 9 Public Art
- 10 Pedestrian Lighting
- 11 On-street Parking

## 1.2. Regional Road 50 Commercial Corridor

**The guidelines that follow shall be supplemented with the guidelines outlined in the Caledon Town Wide Design Guidelines (2017). In particular, Sections 9.0 Context- Sensitive Development and 10.0 Mixed Use & Commercial Areas should be referred to. Where there is a conflict between them, the Town Wide Design Guidelines shall prevail.**

“The image of a city is reflected in its streets, from the fixtures that light them to the sidewalks that frame them. Coordinating the features and components of the streetscape help define an area’s character and create a distinctive sense of place. Without coherence, these same components clash with one another, producing visual noise that wears on both residents and visitors. Streets define how a city presents itself to the public. An attractive and cohesive streetscape is a vital part a city’s physical appeal.” (Omaha Streetscape Handbook)

The Regional Road 50 corridor faces similar challenges to other highway corridors. It has the same car dealerships and chain stores as in other small towns in Ontario, flanked by large areas of parking and marked by a collection of signs competing for one’s attention.

The intention is to create a ‘complete’ street, one that accommodates the needs of pedestrians, transit users, cyclists as well as private automobile use. The following guidelines point to the completion of the pedestrian network, the future addition of bike lanes, the reduction of the number of access points by adding service

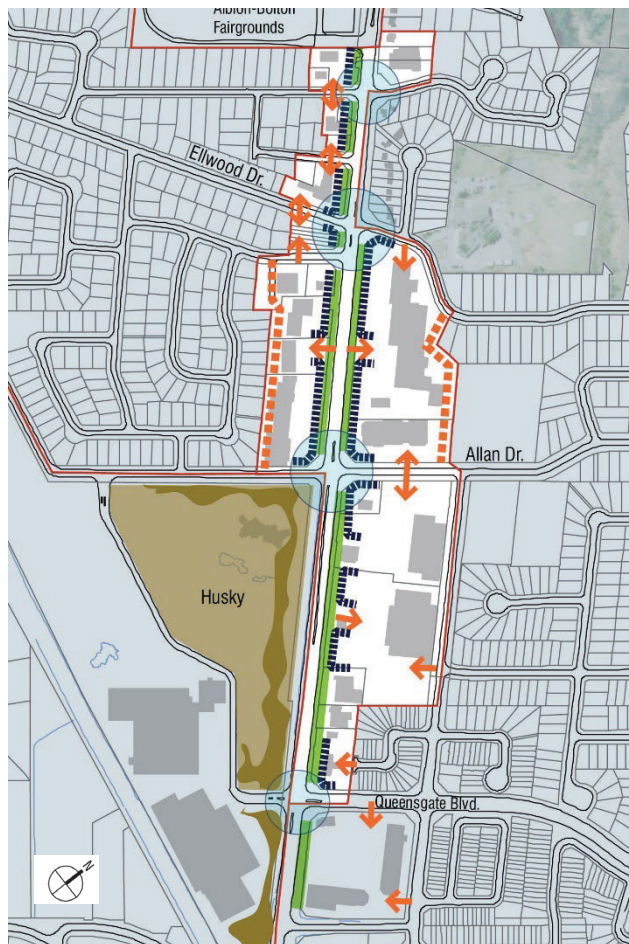
laneways, and the reduction of the roadway width where possible.

In terms of streetscape, Regional Road 50 has the potential to become a ‘green avenue’ that is flanked by large trees and continuous sidewalks. This intent is achievable through a concerted effort between the Region of Peel and the Town of Caledon in the planning, design, construction and maintenance of the avenue. Ultimately the purpose is to enable the right-of-way to develop independently from the surrounding built form, allowing for a unified vision of the public realm to be implemented as soon as possible, with the full build-out of residential and/or commercial density evolving over time.

In terms of built form, the intent is to encourage a stronger building edge along the whole corridor by locating surface parking on the side or rear of buildings. Mixed use development is encouraged in the South Hill Commercial Area, especially in the section between Allan Drive and Queensgate Boulevard where it is possible to incrementally create a more pedestrian-friendly ‘Main Street’ with grade-related uses facing both sides of the street.

The diagrams on the following page summarize the recommended improvements to the South Hill Commercial Area.

# BOLTON



## Key

- Streetscape Improvement
- Intermittent Street Frontage (conceptual line)
- Intersection Improvement
- ➔ Site Access
- - - Potential Service Laneway
- Important Landscape Edge

▲ SOUTH HILL COMMERCIAL AREA, Potential Key Improvements



## 121 Streetscape

As the main north-south spine of Bolton, Regional Road 50 should be a well-designed streetscape with a rhythmic and logical use of trees, furniture, lighting, paving and planting. It should have attractive and durable materials and have consistent landscape maintenance. The construction of the streetscape should be independent from the redevelopment of adjacent private properties.

**Background** - The dimensions of Regional Road 50 right-of-way (ROW) vary considerably between William Street (by the Albion-Bolton Fairgrounds) and Mayfield Road. In the South Hill Commercial Area, north of the railway, the ROW is an average of 37 metres, except along the Husky property where it is 45 metres wide. The roadway is divided into four lanes with an additional central turning lane, occupying 50% of the ROW. South of the railway, the ROW width varies between 40 and 45 metres and has a similar five-lane cross-section. Along the entire corridor, the sidewalks are discontinuous but more frequent along the east side of the road.

21

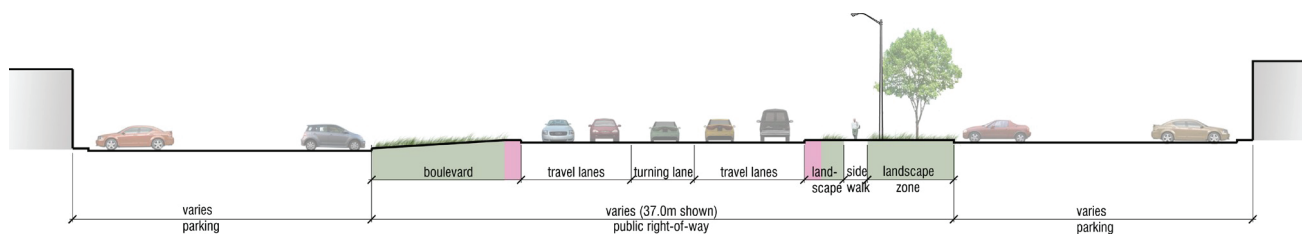
▼ REGIONAL ROAD 50, looking south in the South Hill Commercial Area.



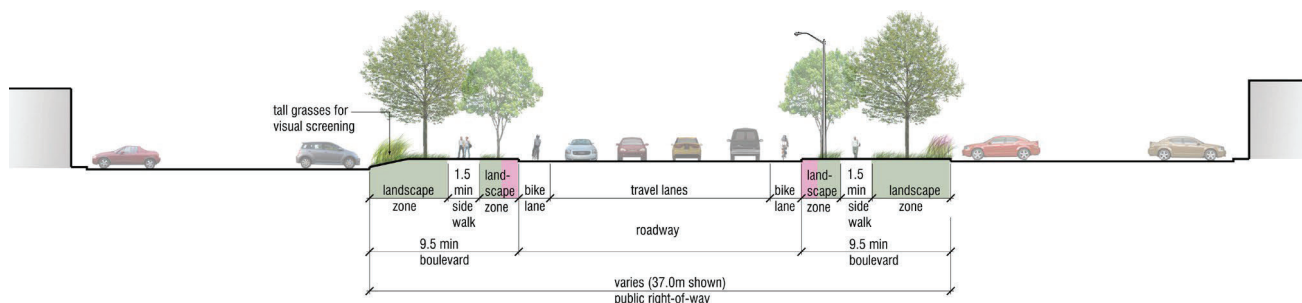
## Guidelines

The key improvements to the streetscape in the South Hill Commercial Area are:

- Continuous sidewalks (1.5 metres minimum) on both sides of the street, except along the Husky property frontage;
- Double-row of large trees on either side of the street, planted in the public right-of-way;
- Grassed boulevard with tall grasses or shrubs at the edge of parking lots for visual screening;
- Repaved or painted crosswalks at key intersections;
- Long term addition of bike lanes and/or separated cycling facilities.



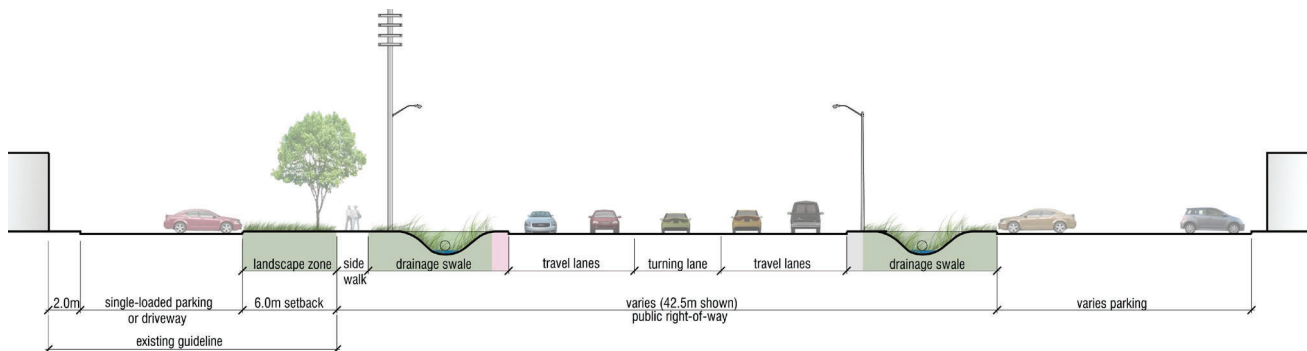
▲ EXISTING STREETScape, South Hill Commercial Area



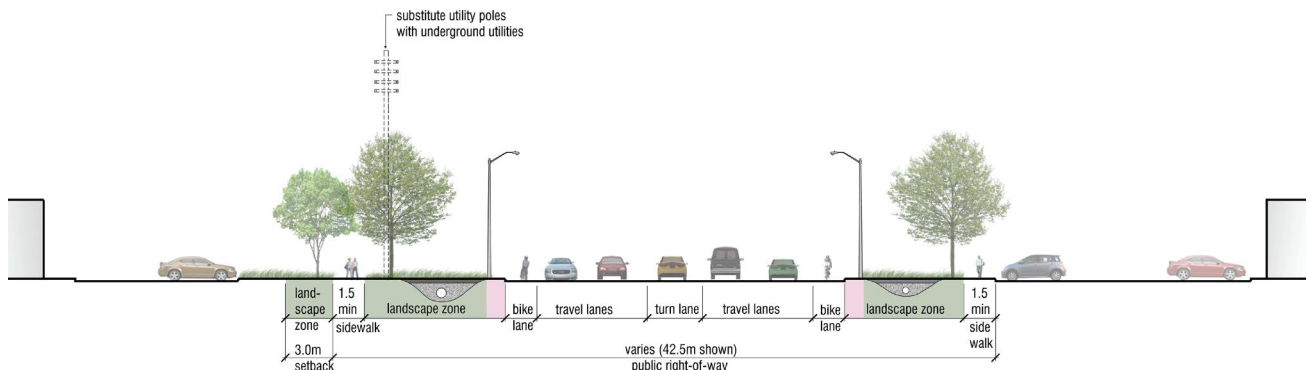
▲ POTENTIAL STREETScape, South Hill Commercial Area

The key improvements to the streetscape in the Highway Commercial Area are:

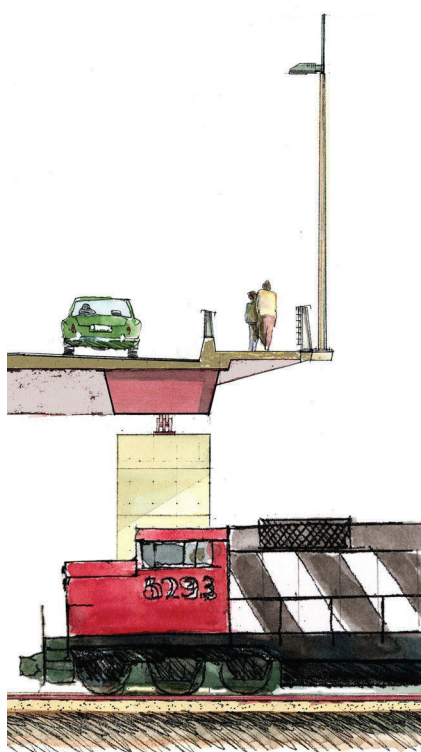
- Continuous sidewalks (1.5 metres minimum) on either sides of the street;
- Double-row of large trees on both sides of the street: one row planted in the public right-of-way and the other in the 3.0 m setback if there is no space available in the ROW;
- Roadway width reduction wherever possible;
- Covered drainage swales;
- Grassed boulevard with tall grasses or shrubs at the edge of parking lots for visual screening;
- Repaved or painted crosswalks at key intersections;
- Long term replacement of utility poles with underground utility channel; and
- Long term addition of bike lanes and/or separated cycling facilities.



▲ *EXISTING STREETScape, Highway Commercial Area*



▲ *POTENTIAL STREETScape, Highway Commercial Area*



▲ *BRIDGE PRECEDENT, Hamilton, showing a generous sidewalk along a vehicular bridge crossing the railway*

## Paving

*The Bolton-Regional Road 50 (RR50): Landscape Plan Master Plan* makes specific suggestions regarding paving materials and colours which should be followed: stamped coloured concrete on the maintenance strip and on crosswalks at signalized intersections; and smooth concrete on sidewalks. Please refer to these guidelines for specific crosswalk treatments.

Sidewalks should have a minimum width of 1.5 metres. If located next to a building, the extended paved area can accommodate street furniture or plantings, or be filled with functional elements that are directly related to the adjacent buildings and their uses (sidewalk cafe seating, further plantings, etc.). This zone should be designed for the barrier-free movement of pedestrians and be clear of permanent and temporary objects.

## Street Furniture

Street furniture should be located between the sidewalk and the roadway. Maintaining consistent standards for the design and placement of street furniture including transit shelters, lighting, litter containers, and bicycle racks, will help to define the identity of the street. The theme of the family of street furniture should have a contemporary design appearance.

## Street Trees/Landscaping

The inclusion of large street trees and other planting within the public ROW benefits the pedestrian experience by enhancing and unifying the image of the street, providing shade and creating a buffer between the walking zone and the roadway.

► **EXISTING STREETScape IMPROVEMENTS**  
ON ALLAN DRIVE, at Regional Road 50



They also have numerous environmental benefits by, among others, reducing the urban heat island effect and capturing carbon dioxide.

- Landscaping should be selected to provide physical comfort and visual interest to the streetscape;
- Typically street trees are located in a double row, one between the sidewalk and the roadway and another at the back of the sidewalk;
- Plant materials should be compatible in type and scale with the adjacent land uses and buildings;
- Plant materials/species and planting infrastructure should be coordinated along the length of the corridor to provide visual continuity to the entire street;
- Selected plant species should be suited to the climate of Bolton, able to grow within the physical space allotted them (both horizontally and vertically), and resistant to damage by salt or other minerals common to urban streets in Canada;
- Maintain and protect existing mature trees where possible, including setting back or notching built-form to accommodate mature trees deemed to be of significance; and
- Invest in the investigation and implementation of planting technologies that improve the sustainability of trees in urban settings; and
- Consider the development of Street Tree Preservation and Planting Guidelines to be applied on public and private projects.

### Bicycles

In the future, bicycle lanes should be accommodated along the Regional Road 50 in a safe and appealing manner so that bicycle use is encouraged.

### Street Parking

The provision for street parking encourages pedestrian activity within the boulevard while creating a physical barrier between the travel lanes and the sidewalk.

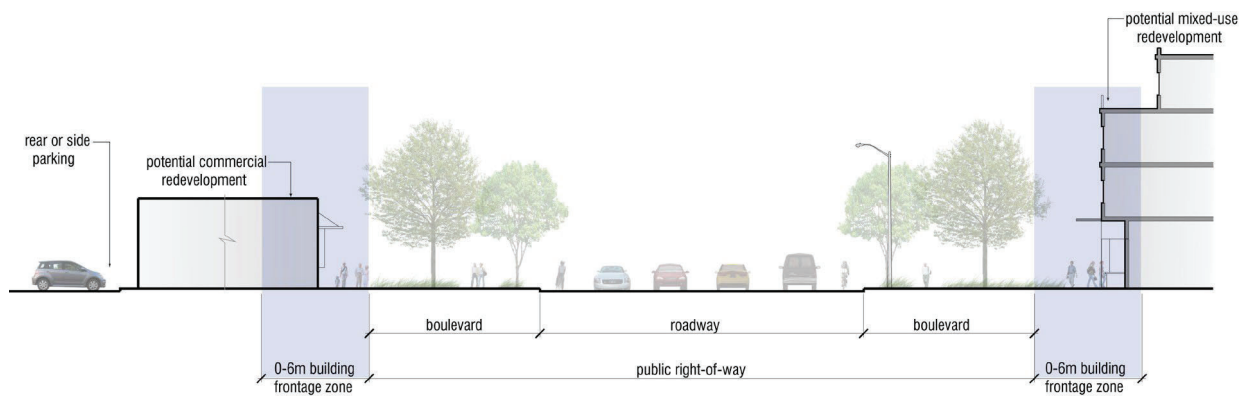
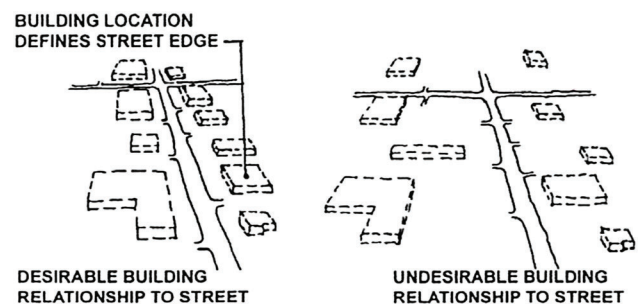
Street parking is not currently proposed within the sections shown. Street parking could be accommodated within the curb-side lane on either side of the street if other traffic calming measures are in place to reduce the need for through-traffic lanes to one in either direction, and could be implemented during off-peak hours only with specific signage in place.

### Pedestrian Linkage over Rail Tracks

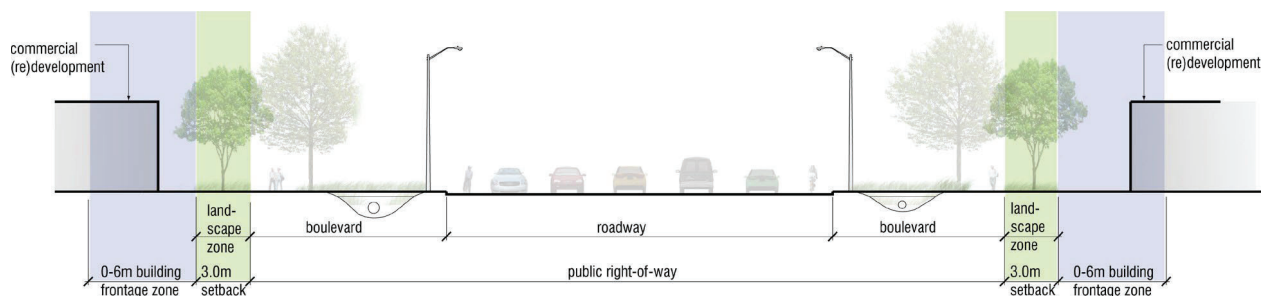
The bridge on Regional Road 50 needs a new pedestrian linkage to connect the residential neighbourhoods north of the rail tracks to the commercial areas to the south. This linkage could potentially take the form of a cantilevered sidewalk added onto the bridge structure, with generous width and lighting to make it safe and comfortable for pedestrians. The east side of the bridge would be a more adequate location for the linkage because it would connect to existing sidewalks leading up to the bridge.



▼ **EXISTING BUILT FORM GUIDELINE** (Source: Town of Caledon Industrial/Commercial Design Guidelines)



▲ **BUILT FORM GUIDELINE, South Hill Commercial Area**



▲ **BUILT FORM GUIDELINE, Highway Commercial Area**

## 122 Built Form

Regional Road 50 should have a stronger spatial definition generated through building edges, appropriate walls, hedges, and tree canopies. The buildings and the landscape should be more prominent than large parking areas.

### Guidelines

#### South Hill Commercial Area

The built form along Regional Road 50 in the South Hill Commercial Area is intended to transform, in the long term, from a low-rise to a mid-rise scale and mixed-use in character. All parking should be located at the rear or side of the property.

An intermittent street wall is desirable along the length of RR50, with vehicular access drives limited wherever possible and replaced by separate service laneways along the rear property line of development properties. It is suggested that a minimum of 65% of the street wall be occupied by building frontages, within a building frontage zone of 0 – 6 metres from the public right-of-way.

When adjacent to residential uses, the rear-yard setback should be defined by a 45 degree angular plane restriction from rear lot line of adjacent existing residential neighbourhood.

#### Highway Commercial Area

In the near term, the built-form along Regional Road 50 in the Highway Commercial Area, south of the railway, is intended to remain as a low-rise scale and commercial in character. Should development be proposed that includes residential and commercial mixed uses, the Town Wide Design Guidelines will apply.

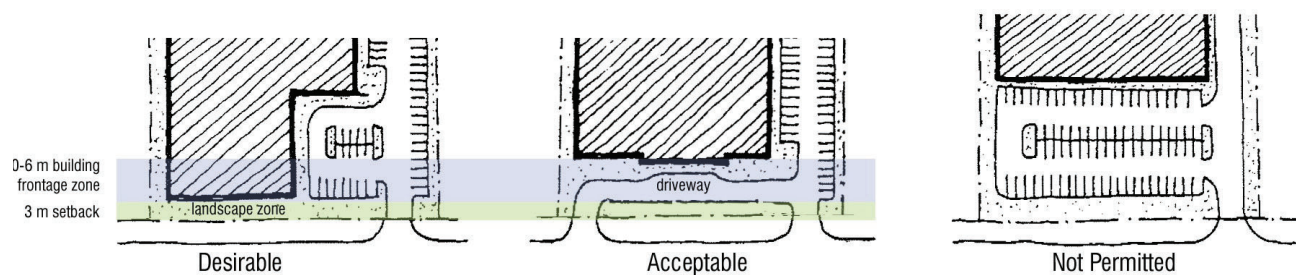
An intermittent street frontage is desirable along the length of RR50, with vehicular access drives limited wherever possible and replaced by service laneways along the rear property line of development properties. It is suggested that a minimum of 50% of the street wall be occupied by building frontages, within a building frontage zone of 0 – 6 metres from the public right-of-way.

#### ▼ STREETScape AND BUILT FORM PRECEDENT, Queensway in Toronto

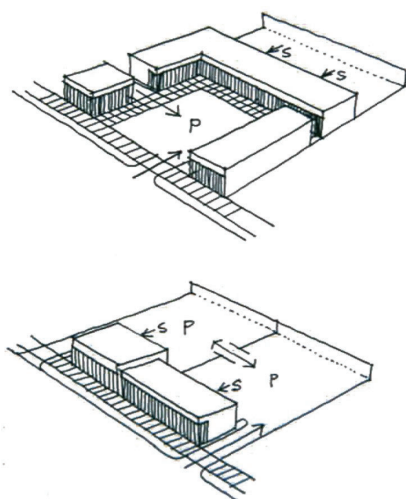


# BOLTON

▼ **PARKING AND BUILT FORM GUIDELINE** for Highway Commercial Area. No 3m setback in South Hill Commercial Area (Modified diagram based on Town of Caledon Industrial/Commercial Design Guidelines)



▼ **PARKING AND SERVICING GUIDELINE**



▼ **EXISTING PHOTO ON RR50**, low hedging is an effective way to visually separate parking from the street.



### 123. Parking

Parking areas should be located at the side and/or rear of the building and be sub-divided by planting and pathways.

#### Guidelines

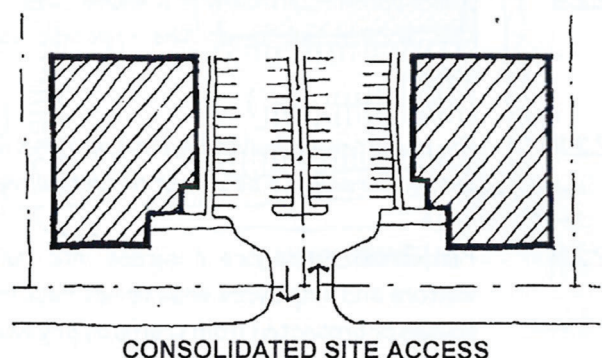
- The preferred location of main parking areas is at the side and/or rear of the building. Locating main parking areas between the building and the street should not be permitted;
- Where parking areas are visible from the street, buffer landscaping and screening features should be provided such as tree planting, hedges, tall grasses, low walls and decorative fencing;
- Large parking areas should be broken into smaller blocks defined by landscaping and pedestrian walkways; and
- Stormwater management features such as bio-swales should be an integral part of the design of large parking areas.

### 124. Site Access

Vehicular access points off Regional Road 50 should be consolidated wherever possible to minimize conflicts with pedestrians and cyclists, and to enable the implementation of a continuous streetscape.

- Whenever feasible, access points should be consolidated to reduce the number of driveway on the street;
- Service laneways should be encouraged when access from the side or back of properties is limited;
- Site access to corner lots should not be located close to the intersection; and
- Driveway entrances should be aligned with access points on the opposite side of the street.

▼ **ACCESS CONSOLIDATION GUIDELINE** (Source: *Town of Caledon Industrial/Commercial Design Guidelines*)





# BOLTON

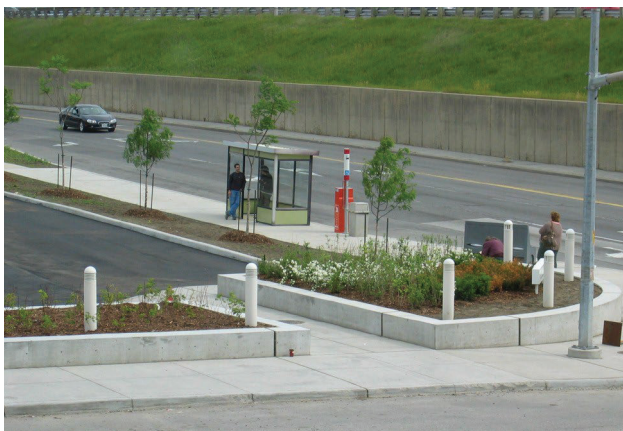


◀ LANDSCAPE AROUND PARKING LOT, precedent in Toronto



▲ LANDSCAPE AROUND PARKING LOT, precedent in Toronto

▼ PEDESTRIAN CONNECTION TO TRANSIT STOP, precedent in Toronto





## 125. Landscape

Private areas, including parking lots, visible from the public realm should be landscaped and well maintained.

### Guidelines

Landowners are encouraged to:

- Increase the area of green space and the number of trees in their properties;
- Subdivide parking lots into small blocks, defined by landscaping such as rows of trees, masses of shrubs, low walls, decorative fencing or low hedges;
- Use native plantings to minimize irrigation and maintenance needs. Use alternatives to sod such as native ground covers or drought-resistant lawn types;
- Use irrigation systems such as SMART Watering Systems that use weather information to assess when to irrigate;
- Provide pedestrian linkages between;
  - parking areas and the building;
  - parking areas and transit stops or adjacent sidewalk;
  - buildings on adjacent lots;
- Combine signage with the building façade to minimize freestanding signs.



▲ SIGNAGE COMBINED WITH THE FAÇADE

(source: [www.greenscreen.com](http://www.greenscreen.com))

# BOLTON



▲ WALL SIGNAGE PRECEDENT, Vancouver

▼ EXISTING SUCCESSFUL STORE IDENTIFICATION,  
Shopping Centre Area on RR50



## 126 Signage

Signage should be clear, attractive and scaled to its intended users. Signs should not create visual clutter on the street.

**Background** - The streetscape of RR50 is visually cluttered by a variety of signs. The most common ones are directional signs, ground signs, wall signs and mobile signs.

### Guidelines

- Directional signs should be scaled to the speed at which they will be viewed. Their size should be as small as possible;
- Freestanding ground signs should be consolidated wherever possible;
- Wall signs should be designed in coordination with other adjacent walls signs; and
- Mobile signs should not be permitted.

## 1.3. Industrial Area

**The guidelines that follow for the Industrial Area shall be supplemented with the guidelines outlined in the Caledon Town Wide Design Guidelines (2017). In particular, Sections 9.0 Context-Sensitive Development, 10.0 Mixed Use & Commercial Areas, and 11.0 Industrial & Employment Lands should be referred to. Where there is a conflict between them, the Town Wide Design Guidelines shall prevail.**

The industrial area is very large and holds a variety of conditions depending on the level of landscape and building maintenance, visibility of open storage and amount of parking visible from the public realm. It has some properties with well greened front yards and others with poorly kept gardens, buildings and driveways.

The general purpose of these guidelines is to create a place that is both functional and attractive. This area would benefit from improved landscapes facing the public realm; additional screening of open storage; the application of innovative stormwater management practices; the construction of environmentally sustainable buildings; and the continued application of the guidelines stated in the *Town Wide Design Guidelines*. In addition, where a proposed development is located in the South Bolton Industrial Park, they shall also be subject to the *South Bolton Industrial Park Guidelines* and its Priority Lot Location Map (Section 8.4).

# BOLTON

## 131 Landscape

Private spaces visible from the public realm should be green and well maintained. Open storage should not be visible from the street.

### Guidelines

Landowners are encouraged to:

- Increase the area of green space and the number of trees in their properties, and protect existing mature trees;
- Use native plantings to minimize irrigation and maintenance needs. Use alternatives to sod such as native ground covers or drought-resistant lawn types;
- Use fences, hedges and screens with vines or climbers to hide open storage from view;
- Use taller shrubs and trees to frame the view of the buildings;
- Combine signage with the building to minimize freestanding signs and enhance the building facades. Use signage to clarify the hierarchy of entrances i.e. more prominent sign next to the main entrance;
- Provide pedestrian linkages between:
  - parking areas and the building;
  - the main building and transit stops or adjacent sidewalks;
  - buildings on adjacent lots the building and outdoor amenity areas;

### GREEN FENCING PRECEDENT

#### FOR OPEN STORAGE AREAS

(source: [www.greenscreen.com](http://www.greenscreen.com))



### GOOD PEDESTRIAN CONNECTIONS AT MARS



### EXISTING OUTDOOR AMENITY AT HUSKY

- Provide outdoor amenity areas such as well furnished eating areas, and playing fields and walking trails for active recreation.



35

[illegible]



## 132 Stormwater Management

Stormwater management should be an integral part of the site planning of any new development or redevelopment in the industrial area. Emphasis should be put on the application of innovative technologies such as bio-swales, green roofs, rainwater harvesting and reuse, etc.

**Background** - The goal of stormwater management is to mimic the water drainage patterns to those pre-development, when rainwater infiltrated into the ground and would only run overland towards creeks and streams after the soil was saturated. Industrial properties have large areas of paved surface that do not allow for this kind of slow infiltration to happen, thus accelerating the flow of water clouded with sediments, oils and other contaminants.

The older part of the industrial area was developed at a time when there were few to no requirements to deal with stormwater runoff. As a result, most stormwater runoff from this area is likely being channeled through storm sewer pipes and quickly delivered to creeks or streams without any treatment. Bolton's location at the headwaters of the Humber River means that any increase in the amount of stormwater will have compounded effects downstream.

The newer part of the industrial area has been subject to more rigorous requirements for managing stormwater. In this area, developers have included retention ponds and open water channels that slow down the flow of rainwater, in event of a storm, and also improve its quality.

### Guidelines

The Town may want to initiate a Stormwater Management Plan for the Industrial area to have better understanding of the quality and quantity of stormwater flows from the whole area.

Individual landowners are encouraged to:

- Reduce the quantity of stormwater flows to public infrastructure;
- Improve the quality of stormwater flows to public infrastructure or adjacent properties;
- Incorporate green technologies such as green roofs, permeable pavement, biofilter swales, rainwater harvesting, erosion and sediment control ponds, bioretention systems, roof runoff infiltration and exfiltration systems etc. as an integral part of the site plan for their property;
- Combine stormwater features such as wet ponds with other outdoor amenities for employee enjoyment.

Resources [www.sustainabletechnologies.ca](http://www.sustainabletechnologies.ca)

Meeting Date: January 17, 2023

Subject: Proposed Changes to the Delegated Authority By-law for Heritage Protection Matters

Submitted By: Cassandra Jasinski, Heritage Planner, Strategic Policy Planning, Planning Department

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## **RECOMMENDATION**

That a by-law be enacted to amend Delegated Authority By-law 2016-106, as amended, to update Schedule E – Planning Matters regarding Sections 1(2) and 2(1) within Ontario Regulation 385/21, attached as Schedule A to Staff Report 2023-0022.

## **REPORT HIGHLIGHTS**

- At a Council Meeting on July 19, 2022, in response to a specific planning application, a by-law was enacted to delegate authority to staff to approve, execute and amend agreements with property owners to extend designation by-law timelines under section 2(1) of Ontario Regulation 385/21 pursuant to the Ontario Heritage Act.
- This report recommends that Council expand the current authority to also address additional designated property timelines in the Ontario Heritage Act.
- Section 29 (1.2) of the Ontario Heritage Act (the “Act”) states that after a municipality issues a Notice of Complete Application for certain types of planning applications, Council has only 90 days to start the heritage designation process for cultural heritage resource(s) within the subject lands.
- The types of applicable planning applications subject to Section 29 (1.2) are set out in Ontario Regulation 385/21.
- In these circumstances, Council and the owner of the property being considered for heritage designation can agree to waive or extend the 90-day timeline.
- If Council does not act within 90 days, or a waiver or extension of the Act timelines is not agreed to, Council cannot issue a Notice of Intent to Designate for the property until after the final decision on the planning application has been made.
- The waiver or extension of heritage designation timelines is independent from planning application decisions.
- Council enacted Delegated Authority By-law 2016-106, as amended, to delegate certain powers and duties to officers and employees within the corporation.
- Staff recommend that Delegated Authority By-law 2016-106, as amended, be further amended to provide the Manager of Strategic Policy Planning the authority to approve, execute, and amend agreements with a property owner as described in Ontario Regulation 385/21 Section 1 (2) and Section 2 (1), and any other timelines as may be permitted or prescribed under the Act.

- This amendment to the Delegated Authority By-law will align the delegated authority for heritage matters with other municipalities and help to foster relationships with property owners and protect Caledon's heritage.

## **DISCUSSION**

The purpose of this report is to expand on the current delegated authority to staff with respect to specific heritage related matters pursuant to the Ontario Heritage Act.

### **Background**

At a Council Meeting on July 19, 2022, in response to a specific planning application, a by-law was enacted to delegate authority to staff to approve, execute and amend agreements with property owners to extend designation by-law timelines under section 2(1) of Ontario Regulation 385/21 pursuant to the Ontario Heritage Act. This report recommends that Council expand the current authority to also address additional designated property timelines in the Ontario Heritage Act.

#### Ontario Heritage Act Changes Through Bill 108

The Province made many changes to the Ontario Heritage Act (the "Act") through Bill 108, the More Homes, More Choice Act, 2019. These changes, which came into effect in 2021, included new timelines for several heritage processes, including designation of individual properties. The timelines can limit the Town's ability to protect its heritage resource, but the owner of the property and Council may agree to extend or waive them.

Bill 23, the More Homes Built Faster Act, 2022, has made further changes to the Ontario Heritage Act that will be addressed in a separate report to Council.

#### Timelines for Heritage Designation of a Property Under Certain Prescribed Events

Section 29 (1.2) of the Act states that where a prescribed event has occurred involving a listed, non-designated property worthy of heritage designation, Council has only 90 days to start the heritage designation process, with certain exceptions.

The prescribed events are set out in Section 1. (1) of *Ontario Regulation 385/21 General*, and include Notice of Complete Application for:

- Official Plan amendments
- Zoning By-law amendments
- Draft plans of subdivision

If Council does not issue the Notice of Intent to Designate the property within 90 days of one of these events, it cannot do so again until after a final decision on the planning application has been made, at which point the heritage resource may no longer exist.

Exceptions to this 90-day timeline are set out in Section 1(2) of *Ontario Regulation 385/21 General* and include but are not limited to:

- If the owner of the property and the council of the municipality agree that the restriction does not apply; and,
- If, within 90 days of the prescribed event, the owner of the property and council agree to extend the period of time.

Benefits and Proposed Changes to the Delegated Authority By-law for Ontario Heritage Act Timelines

Staff recommend that Delegated Authority By-law 2016-106, as amended, be further amended to provide the Manager of Strategic Policy Planning the authority to approve, execute, and amend agreements with a property owner as described in Ontario Regulation 385/21 Section 1 (2) and Section 2 (1), and any other timelines as may be permitted or prescribed under the Act.

The amendment specially references timelines for notices of intention to designate and the passing of designation by-laws. Heritage staff must work under these new timelines frequently, as many planning applications involve heritage properties.

The proposed by-law amendment also includes delegated authority to staff for any other timelines as may be permitted or prescribed by the Act. This portion of the Delegated Authority By-law is proactive and will only be used in infrequent circumstances, if appropriate, when an owner wishes to extend another timeline in the Act.

The proposed Delegated Authority By-law amendment (Schedule A to this staff report) will:

- a) Align Caledon's delegation of authority for heritage matters, including designation, with other municipalities, such as Oakville, Ottawa, and Hamilton
- b) Foster relationships and further dialogue with heritage property owners and planning applicants regarding the protection of Caledon's heritage
- c) Reduce staff reports to Council, including urgent designations

The waiving or extension of timelines for heritage designation are independent from planning application decisions.

## **FINANCIAL IMPLICATIONS**

There are no immediate financial implications associated with this report.

## **COUNCIL WORK PLAN**

### **Improved Service Delivery**

This report meets the best practice of other municipalities by delegating authority of the approval, execution and amendment of agreements under the Ontario Heritage Act to staff so that the Town can improve response timelines and foster relationships with property owners while protecting Caledon's heritage.

## **ATTACHMENTS**

- Schedule A: Proposed Delegated Authority By-law Amendment to Schedule E – Planning Matters
- Schedule B: Template agreements to waive or extend timelines under Section 1 (2) or 2 (1) of Ontario Regulation 385/21



THE CORPORATION OF THE TOWN OF CALEDON

BY-LAW NO. 2023-XX

A by-law to amend By-law 2016-106, as amended, being a By-law to delegate certain powers and duties to officers and employees

WHEREAS section 23.1 and 23.2 of the *Municipal Act*, 2001, S.O. 2001, c.25, as amended, authorize a municipality to delegate certain powers and duties;

AND WHEREAS Section 5 of the *Planning Act*, R.S.O. 1990, c.P.13 as amended, authorizes a municipal council to delegate authority, by by-law, with the exception of the authority to approve official plans or the authority to exempt from approval plans as official plans or amendments to official plans;

AND WHEREAS the Council of The Corporation of the Town of Caledon enacted By-law 2016-106 on December 20, 2016, being a By-law to delegate certain powers and duties to officers and employees;

AND WHEREAS the Council of The Corporation of the Town of Caledon deems it necessary to amend By-law 2016-106, as amended, to amend existing delegated authority to the Manager, Strategic Policy Planning for matters that fall under Section 1(2) and 2(1) of Ontario Regulation 385/21 under the Ontario Heritage Act, as amended;

NOW THEREFORE the Council of The Corporation of the Town of Caledon ENACTS AS FOLLOWS:

- 1. That By-law 2016-106, as amended, be further amended by repealing and replacing existing Schedule E – Planning Matters, as attached to and forming part of this by-law.

**Enactment**

This By-law shall come into full force and effect on the day of its passing.

Enacted by the Town of Caledon Council this 31st day of January, 2023.

\_\_\_\_\_  
Annette Groves, Mayor

\_\_\_\_\_  
Laura Hall, Town Clerk

## Schedule E

## Planning Matters

Authority	Position
<p>Approve and amend the following documents or matters:</p> <ol style="list-style-type: none"> <li>1. any and all site plan agreements in accordance with the Planning Act, as amended</li> <li>2. agreements required as a condition of a Committee of Adjustment decision and of a decision by the Niagara Escarpment Commission or an Appeal therefrom</li> <li>3. second dwelling agreement or of a similar nature</li> <li>4. temporary trailer agreements</li> </ol>	Chief Planner / Director, Planning and Town Solicitor
<p>Approve and amend the following documents or matters:</p> <ol style="list-style-type: none"> <li>1. any agreement related to development matters regarding subdivisions, condominiums, developments or of a similar nature</li> <li>2. establish and dedicate lands as public highways, including the taking/lifting of 0.3 metre reserves</li> </ol>	Director, Engineering Services and Town Solicitor
Require, approve and execute Letters of Undertaking subject to the provisions of the Planning Act and the Telecommunications Facilities Protocol	Chief Planner / Director, Planning and Town Solicitor
Issue draft approval, extend draft approval, re-instate draft approval and approve subdivision and condominium plans and all drawings under the Planning Act	Manager, Development and Design
Approve, amend, remove and/or extend the time period regarding part lot control exemption applications under the Planning Act	Manager, Development and Design
Establish, determine and direct the appropriate action to be taken in the administration of the Mandatory Pre-Consultation Meetings required by the Town prior to the submission of Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision, Plan of Condominium and Site Plans	Manager, Development and Design
Use dispute resolution techniques to attempt to resolve an appeal in accordance with the Planning Act as amended	Chief Planner / Director, Planning
Require, approve and execute Easement Encroachment Agreements as they pertain to naturalization easements	Manager, Development and Design
Approve the lifting of holding ("H") symbols under the Planning Act	Manager, Development and Design
Issue exemptions for standard, common element, phased and leasehold condominium plans where the lands have been subject to an approved Draft Plan of Subdivision, privately initiated Zoning By-law Amendment and/or Site Plan under the Planning Act	Manager, Development and Design
Approve, execute, amend agreements with a property owner for any of the following:	Manager, Strategic Policy Planning

<div>1. to waive or extend the 90-day timeline for issuance of a Notice of Intention to Designate after the occurrence of a prescribed event, as described in Ontario Regulation 385/21 Section 1(2);</div> <div>2. to waive or extend the 120-day statutory timeline for the passage of a designation by-law under Section 29(8), and as described in Ontario Regulation 385/21 Section 2(1);</div> <div>3. to waive or extend any other timelines as may be permitted or prescribed under the Act.</div>	
--	--

PROPOSED

AGREEMENT TO EXTEND TIMELINES

(under Sections 1(2) and 2(1) of Ontario Regulation 385/21 and Sections 29 (1.2) and (8) of the *Ontario Heritage Act*)

THIS AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

B E T W E E N:

THE CORPORATION OF THE TOWN OF CALEDON ("Town")

- and -

XXXXXXX ("Owner")

being the registered owner of lands known as:

XXXXXXX (Municipal Address)

PIN: XXXX-XXXXX (LT) Part Lot XX, Concession XX, designated as Part X on 43R-XXXXX; Town of Caledon; Regional Municipality of Peel (Legal Description)

("Property")

**WHEREAS** Section 29 (1.2) of the *Ontario Heritage Act* ("Act") and Section 1(2) of Ontario Regulation 385/21 passed under the *Act* permit the Town and the Owner of the Property to agree that the restriction does not apply;

**AND WHEREAS** Section 29 (8) of the *Act* and Section 2(1) of Ontario Regulation 385/21 passed under the *Act* permit the Town and the Owner of the Property to agree to extend the period of time set out in Section 29 (8) of the *Act*, such that the period of time for the purposes of that Section is deemed to be the period that the Town and the Owner have agreed upon;

**NOW THEREFORE** The Town and the Owner agree as follows in respect of the Property:

- 1. The 90 day timeline following a prescribed event to give notice of intention to designate under Section 29 (1.2) of the Act does not apply;
- 2. The 120 day timeline for passing a designating by-law under Section 29 (8) of the Act does not apply;
- 3. The applicable timeline shall be until \_\_\_\_\_ (date) the ("**By-law Term**");
- 4. The By-law Term may be extended prior to the expiry of the By-law Term by the Town and the Owner agreeing to execute a new Agreement to Extend Timelines, in which case this By-law Term shall be read as amended to incorporate any new agreed-to term.

[IF INDIVIDUAL]

\_\_\_\_\_  
*Name of Witness:*

\_\_\_\_\_  
*Name of Owner:*

[IF CORPORATE PARTY]

[CORPORATION NAME]

\_\_\_\_\_  
Name:  
Position:

\_\_\_\_\_  
Name:  
Position:

I/We have authority to bind the corporation.

**AUTHORIZATION BY-LAW**  
**NUMBER BL-2016-106, as amended**  
Passed by the Town of Caledon  
Council on the 20<sup>th</sup> day of December, 2016

**THE CORPORATION OF THE TOWN OF  
CALEDON**

\_\_\_\_\_  
Per: [NAME] – Manager, Strategic Policy  
Planning

I have authority to bind the municipal corporation.

DRAFT



AGREEMENT TO EXTEND TIMELINES

(under Sections 1(2) and 2(1) of Ontario Regulation 385/21 and Sections 29 (1.2) and (8) of the *Ontario Heritage Act*)

THIS AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

B E T W E E N:

THE CORPORATION OF THE TOWN OF CALEDON ("Town")

- and -

XXXXXXX ("Owner")

being the registered owner of lands known as:

XXXXXXX (Municipal Address)

PIN: XXXX-XXXXX (LT) Part Lot XX, Concession XX, designated as Part X on 43R-XXXXX; Town of Caledon; Regional Municipality of Peel (Legal Description)

("Property")

**WHEREAS** Section 29 (1.2) of the *Ontario Heritage Act* ("Act") and Section 1(2) of Ontario Regulation 385/21 passed under the *Act* permit the Town and the Owner of the Property to agree to extend the period of time set out in Section 29 (1.2) of the *Act*, such that the period of time for the purposes of that Section is deemed to be the period that the Town and the Owner have agreed upon;

**AND WHEREAS** Section 29 (8) of the *Act* and Section 2(1) of Ontario Regulation 385/21 passed under the *Act* permit the Town and the Owner of the Property to agree to extend the period of time set out in Section 29 (8) of the *Act*, such that the period of time for the purposes of that Section is deemed to be the period that the Town and the Owner have agreed upon;

**NOW THEREFORE** The Town and the Owner agree as follows in respect of the Property:

- 1. The 90 day timeline following a prescribed event to give notice of intention to designate under Section 29 (1.2) of the *Act* does not apply;
- 2. The applicable timeline shall be until \_\_\_\_\_ (date) the ("**Notice Term**");
- 3. The Notice Term may be extended prior to the expiry of the Notice Term by the Town and the Owner agreeing to execute a new Agreement to Extend Timelines, in which case this Notice Term shall be read as amended to incorporate any new agreed-to term;
- 4. The 120 day timeline for passing a designating by-law under Section 29 (8) of the *Act* does not apply;
- 5. The applicable timeline shall be until \_\_\_\_\_ (date) the ("**By-law Term**");
- 6. The By-law Term may be extended prior to the expiry of the By-law Term by the Town and the Owner agreeing to execute a new Agreement to Extend Timelines, in which case this By-law Term shall be read as amended to incorporate any new agreed-to term.

[IF INDIVIDUAL]

\_\_\_\_\_  
Name of Witness:

\_\_\_\_\_  
Name of Owner:

**[IF CORPORATE PARTY]**

**[CORPORATION NAME]**

\_\_\_\_\_  
Name:  
Position:

\_\_\_\_\_  
Name:  
Position:

I/We have authority to bind the corporation.

**THE CORPORATION OF THE TOWN OF CALEDON**

**AUTHORIZATION BY-LAW  
NUMBER BL-2016-106, as amended**  
Passed by the Town of Caledon  
Council on the 20<sup>th</sup> day of December, 2016

\_\_\_\_\_  
Per: [NAME] – Manager, Strategic Policy  
Planning

I have authority to bind the municipal corporation.

DRAFT

Heritage Caledon Committee Meeting Report  
Monday, January 9, 2023  
9:30 a.m.  
Hybrid Meeting / Council Chamber

Chair: J. Crease  
Councillor L. Kiernan  
C. Crawford  
B. Early-Rea  
R. Hughes  
D. Janosik-Wronski  
D. Jawanda  
V. Mackie  
B. McKenzie  
C. Shain  
M. Tymkow

Manager, Strategic Policy Planning: S. Burke  
Senior Heritage Planner, Strategic Policy Planning: S. Drummond  
Heritage Planner, Strategic Policy Planning: C. Jasinski  
Deputy Clerk, Council and Committee Services: J. Lavecchia-Smith  
Director, Planning Services / Chief Planner: A. Minichillo  
Coordinator, Council and Committee Services: R. Reid

## CALL TO ORDER

J. Lavecchia-Smith, Deputy Clerk, Council and Committee Services called the meeting to order at 9:45 a.m. and conducted Committee attendance.

## INDIGENOUS LAND ACKNOWLEDGEMENT

J. Lavecchia-Smith, Deputy Clerk, Council and Committee Services delivered the Indigenous Land Acknowledgement.

## DECLARATION OF PECUNIARY INTEREST

None.

## ORIENTATION WORKSHOP

R. Reid, Coordinator, Council and Committee Services, provided an overview of the Code of Conduct for Members of Council and Designated Boards and outlined key areas of the *Municipal Conflict of Interest Act* that pertain to the Committee's obligations. Ms. Reid provided an overview of basic meeting principles and the Town's governance structure.

S. Drummond, Senior Heritage Planner, Strategic Policy Planning, provided an overview of the importance of conserving Cultural Heritage Resources within the Town of Caledon and the origins of the *Ontario Heritage Act*.

C. Jasinski, Heritage Planner, Strategic Policy Planning provided an overview of the *Ontario Heritage Act* in reference to listed non-designated properties, specifically relating to the demolition of listed non-designated properties.

**The Committee recessed at 10:51 a.m. and resumed at 11:08 a.m.**

## SELECTION OF CHAIR

Moved by: B. McKenzie – Second by: C. Shain

That Joanne Crease be appointed as Chair of the Heritage Caledon Committee for the January 9, 2023 meeting.

A recorded vote was taken as follows:

Recorded Vote	YES	NO	CONFLICT	ABSENT
C. Crawford	X			
J. Crease	X			
B. Early-Rea	X			
R. Hughes	X			
D. Janosik-Wronski	X			
D. Jawanda	X			
V. Mackie	X			
B. McKenzie	X			
C. Shain	X			
M. Tymkow	X			
<b>Total</b>	10	0	0	0

Carried.

J. Crease assumed the role of Chair for the remainder of the meeting.

RECEIPT OF MINUTES

Heritage Caledon Committee Meeting Report, dated September 12, 2022

Moved by: D. Janosik-Wronski – Second by: B. Early-Rea

That the September 12, 2022 Heritage Caledon Committee Meeting Report, be received.

A recorded vote was taken as follows:

Recorded Vote	YES	NO	CONFLICT	ABSENT
C. Crawford	X			
Chair J. Crease	X			
B. Early-Rea	X			
R. Hughes	X			
D. Janosik-Wronski	X			
D. Jawanda	X			
V. Mackie	X			
B. McKenzie	X			
C. Shain	X			
M. Tymkow	X			
<b>Total</b>	10	0	0	0

Carried.

REGULAR BUSINESS

Staff Report 2022-0429: Notice of Intention to Demolish – 12879 The Gore Road, Ward 5

Moved by: B. McKenzie – Second by: V. Mackie

That the listed, non-designated property located at 12879 The Gore Road, Ward 5, be removed from the Town of Caledon Heritage Register pursuant to Section 27 of the Ontario Heritage Act; and

That the demolition of the dwelling on the property by permitted.

A recorded vote was taken as follows:

Recorded Vote	YES	NO	CONFLICT	ABSENT
C. Crawford		X		
Chair J. Crease	X			
B. Early-Rea	X			
R. Hughes	X			
D. Janosik-Wronski	X			
D. Jawanda	X			
V. Mackie	X			
B. McKenzie	X			
C. Shain	X			
M. Tymkow	X			
<b>Total</b>	9	1	0	0
				Carried.

UPDATES

Heritage Caledon Committee Membership Composition

J. Lavecchia-Smith, Deputy Clerk, Council and Committee Services, informed the Committee that Council at its meeting held on December 13, 2022 increased the citizen membership composition of the Committee for the 2022-2026 term from nine (9) to ten (10) with one (1) Council liaison, being Councillor L. Kiernan.

2022-2026 Heritage Caledon Committee Meeting Start Times

J. Lavecchia-Smith, Deputy Clerk, Council and Committee Services, informed the Committee that the start time of the Heritage Caledon Committee meetings for the remainder of the term would be moved to 10:30 a.m. starting with the February 13, 2023 meeting.

ADJOURNMENT

On a verbal motion by C. Crawford, the meeting adjourned at 11:46 a.m.



Meeting Date: January 9, 2022

Subject: Notice of Intention to Demolish – 12879 The Gore Road, Ward 5

Submitted By: Cassandra Jasinski, Heritage Planner, Strategic Policy Planning,  
Planning Department

---

## **RECOMMENDATION**

That the listed, non-designated property located at 12879 The Gore Road, Ward 5, be removed from the Town of Caledon Heritage Register pursuant to Section 27 of the Ontario Heritage Act; and

That the demolition of the dwelling on the property be permitted.

## **REPORT HIGHLIGHTS**

- Section 27(3) of the *Ontario Heritage Act* (the “Act”) enables Council to include non-designated properties that it believes to be of cultural heritage value or interest on the municipal Heritage Register.
- Council listed property address 12879 The Gore Road (the “Property”) as a non-designated property on the Heritage Register by Resolution 2020-091.
- Section 27 (9) of the Act requires that the owner of a non-designated property listed on the municipal Heritage Register provide Council with 60 days notice in writing of their intention to demolish or remove a building or structure on the property.
- The outbuildings on the Property were demolished without due process under the Act in February 2022.
- The owner submitted a Notice of Intention to Demolish for the historic farmhouse at 12879 The Gore Road, accompanied by a Cultural Heritage Impact Statement (CHIS), on November 23, 2022.
- Council has until January 22, 2023, to determine whether to permit the demolition of the farmhouse or conserve it through designation under Section 29 of the Act.
- Heritage staff recommend that the listed, non-designated property located at 12879 The Gore Road be removed from the Town of Caledon Heritage Register pursuant to Section 27 of the Act and that the demolition of the farmhouse be permitted, as it does not retain sufficient cultural heritage value/interest to be designated.
- The recommendations are made in consultation with Heritage Caledon in accordance with Section 27(4) of the Act.

## **DISCUSSION**

### *Ontario Heritage Act - Listed, Non-Designated Properties and Demolition*

Under Section 27(3) of the *Ontario Heritage Act* (the “Act”), Council may include non-designated properties that it believes to be of cultural heritage value or interest on the

municipal Heritage Register. Council began listing non-designated properties on the Heritage Register in 2010.

Section 27(9) of the Act requires that the owner of a non-designated property listed on the municipal Heritage Register provide Council with 60 days notice in writing of their intention to demolish or remove a building(s) or structure(s) on the property. Council uses the 60 days to determine whether to permit the demolition of the building(s) or structure(s) or conserve it through designation under Section 29 of the Act

### *12879 The Gore Road - Notice of Intention Demolish*

Council approved the listing of 12879 The Gore Road (the “Property”) on the Heritage Register by Resolution 2020-091. The Property is located on the southeast corner of The Gore Road and Healey Road. At the time of listing, the heritage resources on the Property entailed an early 20<sup>th</sup> century Edwardian Classical style brick farmhouse, two frame barns and a mature tree row along the farm laneway.

Heritage staff received an inquiry in November 2021 about the demolition of the farmhouse and outbuildings and informed the owner that they must submit a Notice of Intention to Demolish accompanied by a Cultural Heritage Impact Statement (CHIS) evaluating the property against *Ontario Regulation 9/06 Criteria for Determining Cultural Heritage Value/Interest* (O. Reg. 9/06).

In early 2022, a mature tree line was removed, and other outbuildings associated with the farm complex were demolished without due process under the Act. The farmhouse is now the only structure on the Property.

The owner of 12879 The Gore Road submitted a Notice of Intention to Demolish (the “Notice”) the farmhouse on November 23, 2022. The Notice, accompanied by a CHIS, was declared complete on the same day. Council has until January 23, 2023, being 60 days from receipt of the complete Notice, to consider whether to permit the demolition of the farmhouse or conserve it through designation under Section 29 of the Act.

The CHIS included an evaluation of the property against O. Reg. 9/06. Heritage staff agree that the Property does not meet the criteria of O. Reg. 9/06 for designation under Part IV of the Act. While the farmhouse still features some Edwardian Classical elements, it is not a representative example of its style, either in a broader or more local context. Further, there is no indication that the property has sufficient historical/associative value to merit designation and its contextual value is limited.

*Staff Recommendation*

Heritage staff recommend that the listed, non-designated property located at 12879 The Gore Road be removed from the Town of Caledon Heritage Register pursuant to Section 27 of the Act and that the demolition of the farmhouse be permitted, as it does not retain sufficient cultural heritage value/interest to be designated.

**FINANCIAL IMPLICATIONS**

There are no immediate financial implications associated with this report.

**COUNCIL WORK PLAN**

Subject matter is not relevant to the Council Workplan.

**ATTACHMENTS**

Schedule A: Notice of Intention to Demolish Letter – 12879 The Gore Road, Ward 5

Schedule B: Cultural Heritage Impact Statement – 12879 The Gore Road, Ward 5

## ALCAN HOLDINGS INC.

DELIVERED BY EMAIL: [Cassandra.Jasinski@caledon.ca](mailto:Cassandra.Jasinski@caledon.ca)

November 22, 2022

The Corporation of the Town of Caledon  
6311 Old Church Road  
Caledon, ON L7C 1J6

Attn: Council Members

**Re: Notice of Intention to Demolish dwelling at 12879 The Gore Road**

---

Dear Council Members:

I am the owner of 12879 The Gore Road.

Under Section 27(9) of the *Ontario Heritage Act*, the reason for my request to demolish the house on this property is to avoid liability issues as the home was neglected and in bad condition when I took possession of the property.

Attached is a Google Earth map identifying the dwelling to be demolished. Please note that the surrounding outbuildings have been demolished.

My intention for this property is to have a clear and open farmland for my farmer to farm. I do not have any other intentions for the property at this time.

As part of the requirements, a copy of the Cultural Impact Statement prepared by our Heritage Consultant, Leah Wallace, was sent to you by email on September 28, 2022.

Please do not hesitate to contact me if you require any further information.

Yours truly,  
**ALCAN HOLDINGS INC.**

Giuseppe Paolicelli  
General Manager





X 12789 The Gore Rd



# 12879 The Gore Road, Town of Caledon

## Cultural Heritage Impact Statement

Prepared for Alcan Holdings Inc.  
122 Romina Drive, Concord, ON  
L4K 4Z7



8/15/2022

Leah Wallace, MA RPP MCIP CAHP

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\*To request a copy of the curriculum vitae please contact [agenda@caledon.ca](mailto:agenda@caledon.ca)

# Covering Memo – Revisions to Document

**LEAH D. WALLACE**

**Heritage & Land Use Planning Services**

**15 Brock Street, NIAGARA-ON-THE-LAKE ONTARIO L0S 1J0**

Leah D. Wallace, MA MCIP RPP CAHP  
Heritage Planner  
cell/text: 905.941.1950  
leahdw@sympatico.ca

Robert J. Miller UE  
Professional Land Use Planner

November 15, 2022

On September 21, 2022, heritage staff at the Town of Caledon provided a memo stating that, in their opinion, the Evaluation Report regarding 12789 The Gore Road was incomplete. The memo provided a number of comments regarding the areas in the report that required additional information and analysis. This memo outlines the changes and additions made to the document.

All changes to the text are in bold italics.

1. The title of the report as been changes to *Cultural Heritage Impact Statement* and all references in the document have been amended accordingly.
2. A mitigation recommendation has been included regarding the possible requirement for a structural assessment if required.
3. Photographs of all elevations of the house, including additions have been provided. Thanks to the Town of Caledon for supplying additional images.
4. The report now identifies that 13066 and 13067 The Gore Road contain Gothic Revival style farmhouses as indicated by the Town of Caledon.
5. Official Plan references and numbering has been corrected.
6. Reference on page 17 has been corrected as noted in point 2 above.
7. Reference on page 25 regarding Murray Hill has been updated.
8. Property ownership has been updated to 2008.
9. A topographic map for 1914 has been added.
10. Reference to the tree line has been updated. The tree line no longer exists.
11. Description of the landscape features and outbuildings has been updated and enhanced.
12. Approximate date of construction of the house is c.1900. It is not possible to be more exact particularly because the interior has been subject to major renovations and alterations.
13. All elevations have been properly identified re: orientation.
14. Window opening description has been updated.

15. Potential phases of the building have been updated.
16. Images of each elevation has been provided including the additions again with the assistance of the Town of Caledon.
17. No additional information regarding the interior has been provided. The interior has suffered from significant alterations and room layout and use has also been altered. Any original features have been noted and these are limited to baseboards and some original doors predominantly on the main floor. There are no significant interior design elements that would aid in dating the house. The Town's comments indicate that the building's interior is not usually designated and its integrity is not a contributing factor.
18. Farm buildings are gone and a number, were removed before I attended the site. It is not possible to assess what no longer exists. The barn was in the process of being dismantled on the day of my site visit.
19. The building is no longer representative of Edwardian Classicism due to alterations and additions that have taken place over the years before the current owners acquired the property. Interior features particular to the style are non-existent.
20. The diamond shaped window is a rare decorative treatment and should be documented. However, it is not particular to Edwardian Classicism or other contemporary building styles.
21. As noted above, the history of the property has been enhanced and owners beyond 1870 have been included.
22. Contextual value is diminished. This was done before the site visit. Contextual value can therefore only be assessed based on what was extant on the property at the time of the site visit.
23. Landscape features were assessed. See Subject Lands p.7 with images; surrounding land uses p.10; The Property Description p. 31-32; Regulation 9/06 Review – Contextual Value p.46-47.
24. The last two points in the Town conclusion are the Town's position. Please note that there has been no planning application for this property and so, consideration of including the house as part of a subdivision development is moot.



Leah Wallace, MA RPP MCIP CAHP



# Introduction

This Heritage Impact Statement is prepared at the request of the Alcan Holdings Inc., the owner of 12879 The Gore Road, Part Lot 5, Concession 4 Albion as in R01125774 and Part Lot 5, Concession 4 Albion Designated as Part 1, PL43R3240 for the Town of Caledon. The owner of the property wishes to apply for a building permit for demolition of the house on the property.

This report is a cultural heritage evaluation. There is currently no application to redevelop the land. The assessment consists of an Ontario Heritage Act (OHA) Regulation 9/06 evaluation to determine if the site meets at least one of the criteria for designation under Part IV of the OHA and an assessment of its cultural heritage value or interest. The evaluation also includes a brief historical survey of the County of Peel, the Town of Caledon, Albion Township; the property ownership; an architectural style review; and recommendations with respect to cultural heritage value or interest of the land and the removal of the building.

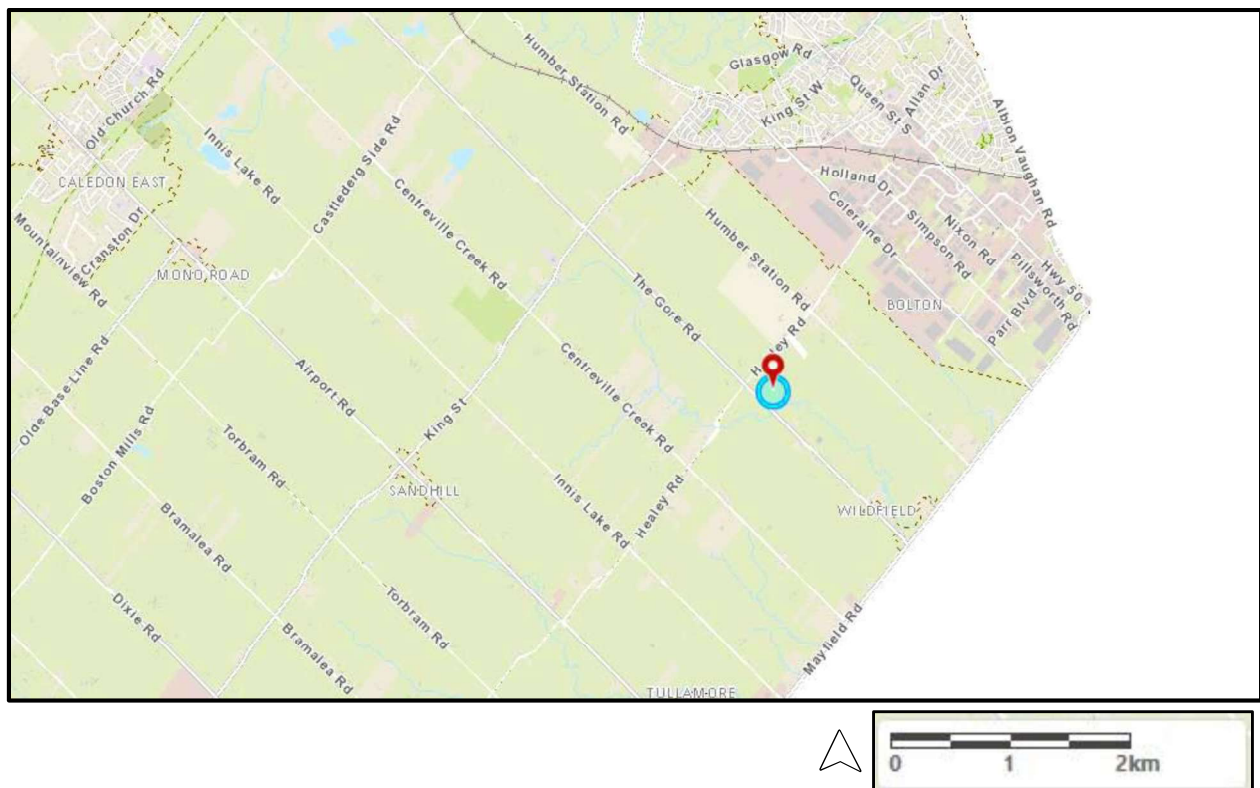


Figure 1: Subject Property – 12879 The Gore Road, Town of Caledon, Town of Caledon, Esri Map

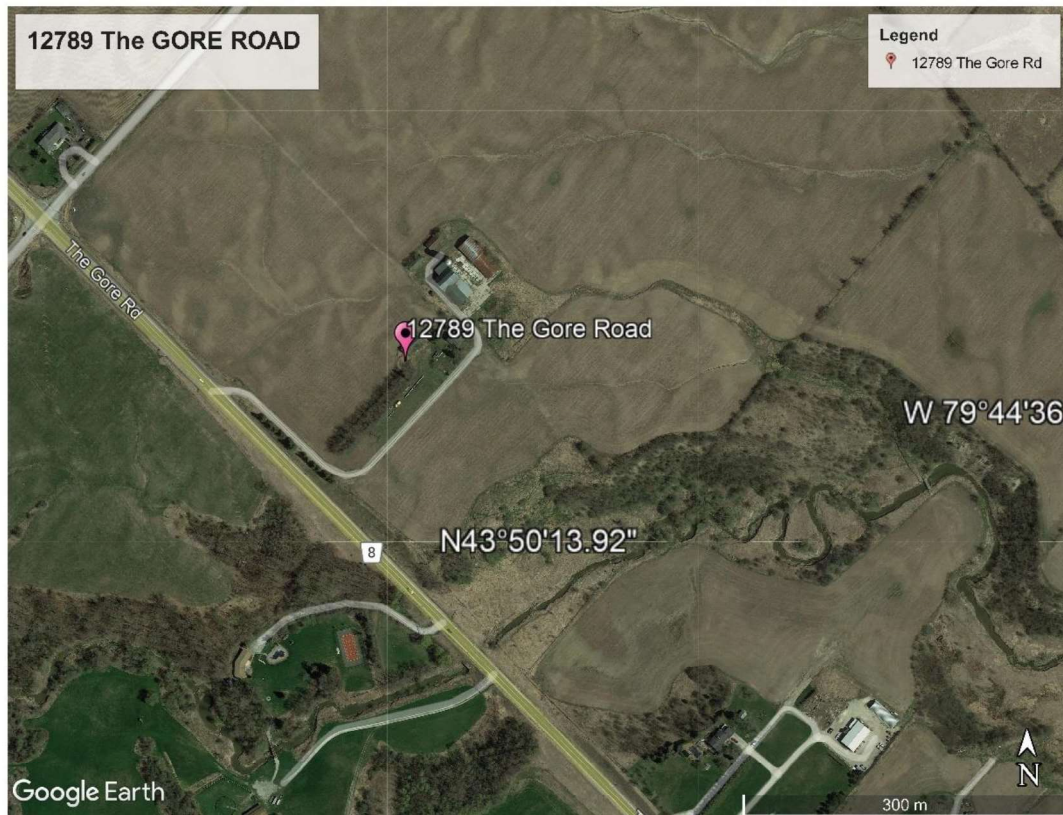


Figure 2: 12789 The Gore Road, Aerial Location Map, Google Earth Pro

## Subject Lands

The subject property is located on the northeast corner of The Gore Road and Healey Road in the Town of Caledon, Region of Peel in what was originally Albion Township (**Figs. 1, 2**). The property contains a two storey red brick house with a rear extension. Several outbuildings were extant at the time of the site visit in February 2022. The barn, which was also extant when the property was viewed in February 2022, has been dismantled and any usable parts were taken by the salvage and demolition crew. The property is approached by a long driveway which runs parallel to The Gore Road and then turns directly north to the house. The surrounding land appears to be cultivated. However, the site was viewed in the late winter when it was difficult to determine the type of crops, if any, that were planted (**Figs. 1 – 6**).





Figure 3: 12789 The Gore Road, Two Storey Brick House, Facade, Barn to Left in Process of Removal, LDW



Figure 4: Barn Structure with Silo Beyond viewed from inside the House in Process of Dismantling, LDW



*Figure 5: House, Barn and Outbuildings, Looking Northwest, LDW*



*Figure 6: Outbuildings Viewed from within the House, Looking West, LDW*

## Surrounding Land Uses and Heritage Properties

The surrounding land uses are predominantly agricultural and protected green space. A creek crosses a corner of the land which is within the Humber River watershed. The area is historically the location of significant agricultural development. Farms along the road are generally and characteristically accessed via long lanes leading to clusters of buildings including houses, drivesheds, barns and other outbuildings associated with farming operations.

There are no properties designated under Part IV of the OHA close to the subject property. There are some properties listed on the Register that are close by, many with houses of similar dates and styles; but these are not adjacent to 12789. ***Because these properties are privately owned it was not possible to gain access to view them. However, the municipality has classified the houses on these properties stylistically.*** They include:

- 12494 The Gore Road' – Edwardian Classical
- 13066 The Gore Road – ***Gothic Revival***
- 13067 The Gore Road – ***Gothic Revival***
- 13464 The Gore Road – Edwardian Classical
- 13495 The Gore Road – Edwardian Classical
- 13707 The Gore Road – Edwardian Classical
- 13708 The Gore Road – Edwardian Classical



# Existing Heritage Policy Context

## The Planning Act

Part 1 of the Planning Act includes a list of matters of provincial interest. Section 2(d) states that the Minister, the council of a municipality and the Ontario Municipal Board, in carrying out their responsibilities shall have regard to:

- The conservation of features of significant architectural, cultural, historical, archaeological or scientific interest.

In 2015, an additional clause, Section 2(r), was added. This clause provides for the promotion of built form that is well-designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

## Provincial Policy Statement (PPS)

A new Provincial Policy Statement came into force on May 1, 2020. The following policies cultural heritage policies are relevant and in effect.

Section 2.6 of the PPS, Cultural Heritage and Archaeology, contains the following policies for both built heritage resources and cultural heritage landscapes.

Policy 2.6.1: *Significant built heritage resources and significant cultural landscapes* shall be conserved.

Policy 2.6.2: *Development and site alteration* shall not be permitted on lands containing *archaeological resources* or *areas of archaeological potential* unless *significant archaeological resources* have been *conserved*.

Policy 2.6.3: Planning authorities shall not permit *development and site alteration* on *adjacent lands* to *protected heritage property* except where the proposed *development and site alteration* is evaluated and it has been demonstrated that the *heritage attributes* of the *protected heritage property* will be *conserved*.

Policy 2.6.4: Planning authorities should consider and promote archaeological management plans and cultural plans in conserving cultural heritage and archaeological resources.

The PPS provides the following definitions which assist in understanding and applying these cultural heritage and archaeology policies.

*Significant* means in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the OHA.

Criteria for determining significance are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used.

*Built heritage resource* means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community. Built heritage resources are located on the property that may be designated under Parts IV or V of the Ontario Heritage Act (OHA), or that may be included on local, provincial, federal and/or international registers.

*Cultural heritage landscape* means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued for their interrelationship, meaning or association. Cultural heritage landscapes may be properties that have been determined to have cultural heritage value or interest under the OHA or have been included on federal and/or international registers, and protected through official plan, zoning by-law, or other land use planning mechanisms.

*Protected heritage property* means a property designated under Parts IV, V or VI of the Ontario Heritage Act; property subject to a heritage conservation easement under Parts II or IV of the OHA; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for the Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites.

*Adjacent lands* mean those lands contiguous to a protected heritage property or as otherwise defined in the municipal official plan.

*Conserved* means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

*Development* means creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the Planning Act.

*Site alteration* means activities such as grading, excavations and placement of fill that would change the landform and natural vegetative characteristics of a site.

*Heritage attributes* means the principal features or elements that contribute to a protected heritage property's cultural heritage value or interest and may include the property's built, constructed, or manufactured elements as well as natural landforms, vegetation, water features and visual setting (e.g., significant views or vistas to or from a protected heritage property).

*Archaeological resources* include artifacts and archaeological sites, marine archaeological sites, as defined under the Ontario Heritage Act. The identification and evaluation of these resources are based on archaeological fieldwork undertaken in accordance with the OHA.

## Growth Plan for the Greater Golden Horseshoe

A new Growth Plan for the Greater Golden Horseshoe came into effect in May 2019. It contains a number of guiding principles including the conservation and promotion of cultural heritage resources to support the social, economic, and cultural well-being of all communities, including First Nations and Métis communities.

The GGH contains important cultural heritage resources that contribute to a sense of identity, support a vibrant tourism industry, and attract investment based on cultural amenities. The Growth Plan acknowledges that accommodating growth can put pressure on these resources through development and site alteration and recognizes that it is necessary to plan in a way that protects and maximizes the benefits of these resources in order to make communities unique and attractive places to live.

Policy 4.2.7 states that:

- Cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas.
- Municipalities will work with stakeholders, as well as First Nations and Métis communities, in developing and implementing official plan policies and strategies for the identification, wise use and management of cultural heritage resources.
- Municipalities are encouraged to prepare archaeological management plans and municipal cultural plans and consider them in their decision-making.

## Ontario Heritage Act (OHA)

Amendments to the *Ontario Heritage Act* and implementation Regulation 385/21 came into force on July 1, 2021, bringing into play amendments made through Bill 108, the *More Homes, More Choices Act*, 2019 (Bill 108). Corresponding updates to the Ontario Heritage Toolkit are also underway. The OHA amendments are intended to improve processes and increase consistency in heritage designation, including providing for appeals to the Ontario Land Tribunal (OLT).

## 1. The OHA Amendments

The key additions to the OHA now in force include:

- Properties newly subject to a notice of intention to designate and applications to repeal a designation or alter a property made on or after July 1, 2021, are now subject to new appeals and binding decisions from the OLT.
- Owners whose properties are newly included in a heritage register will now get notice and may object, and where an objection is made, council must consider the objection in deciding whether to continue to list the property
- New applications for alteration or demolition are deemed approved if council does not make a decision within specified time periods
- Municipalities have 90 days to issue a notice of intention to designate a property upon notice of a complete official plan amendment, zoning by-law amendment, or plan of subdivision application, subject to exceptions in the Regulation
- Designations must occur within 120 days of a notice of intention to designate, subject to exceptions in the Regulation

Not all OHA amendments were proclaimed on July 1, 2021. The proposed amendment to the definition of “alter” and to Section 42, demolition of heritage attributes in a Heritage Conservation District (HCD), are not being proclaimed at this time.

## 2. Regulation 385/21

The Regulation streamlines Ontario’s heritage regulation process. The Regulation includes the following:

- Mandatory standards for designation by-laws
- Prescribed exceptions to the 90-day timeline for issuing a notice of intention to designate
- Prescribed exceptions to the 120-day timeline to pass a designation by-law after a notice of intention to designate has been issued
- The process of amending or repealing a designation by-law following a consent for demolition has been amended to require notification to property owners if no changes are made to the designation by-law

- Minimum requirements for complete applications for alteration, demolition or removal, of heritage properties, which include photographs, reasons for the proposal and potential impacts, and all technical cultural heritage studies that are relevant to the proposal
- Transition provisions, which include:
  - As referenced above, July 1, 2021, is now the key date to determine whether a matter or proceeding will be dealt with under the OHA as it stood prior to July 1, 2021, or the OHA as amended and now in force
  - Generally, notices published, by-laws passed, and applications made prior to July 1, 2021, proceed under the old OHA
  - In the cases of an outstanding notice of intention to designate, municipalities have until June 30, 2022, to pass the by-law, after which the notice is deemed withdrawn and any designation will be subject to the OHA as amended (though this deadline may be extended by agreement)
  - The prohibition on notices of intention to designate after 90 days of certain *Planning Act* applications does not apply if notice of the complete application was given prior to July 1, 2021.

Because the property at 12879 Gore Road is listed on the Town of Caledon's Register; but is not designated, the building permit application to demolish the house at 12879 The Gore Road will contain such documentation as required for a complete application as stated in Section 27(11) of the OHA including a letter to the council and this cultural heritage evaluation.

### 3. Ontario Heritage Toolkit

The province has released for consultation five draft guides which will form part of the updated Ontario Heritage Toolkit, which assists stakeholders in understanding the heritage conservation framework in Ontario. The five draft guides are as follows:

1. Designating Heritage Properties
2. Heritage Conservation Districts
3. Heritage Property Evaluation
4. Your Community, Your Heritage, Your Committee
5. Heritage Places of Worship

A sixth guide on Cultural Heritage Resources in the Land Use Planning Process is expected to be released soon. <sup>1</sup>

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<sup>1</sup> <https://cassels.com/insights/ontario-heritage-act-amendments-now-in-force>



Despite the considerable changes to the Act noted above, the OHA still provides policies and regulations for the protection of built heritage resources, cultural landscapes such as heritage conservation districts, and archaeological resources through the process of identifying, listing and designating those resources.

Regulation 9/06 under the OHA, which provides criteria for determining cultural heritage value or interest, continues to be the only tool available for establishing cultural heritage value or interest.

## **Town of Caledon Official Plan –Heritage Conservation**

### **1. Heritage**

Section **3.3** of the Official Plan is devoted to policies governing the conservation of cultural heritage resources.

#### **3.3.2** Relevant objectives include:

- To identify and conserve the Town's cultural heritage resources, in balance with the other objectives of this Plan, through the implementation of appropriate designations, policies and programs including public and private stewardship and partnering with other heritage organizations in the community
- To use as appropriate all relevant Provincial legislation that references the conservation of cultural heritage resources, particularly the provisions of the Ontario Heritage Act, the Planning Act, the Environmental Assessment Act, the Municipal Act, the Cemeteries Act and the Niagara Escarpment Planning and Development Act in order to conserve Caledon's cultural heritage.

Relevant policies include:

#### **3.3.3.1.4** Cultural Heritage Surveys

- All development or redevelopment proposals will be reviewed by the Town to determine whether a Cultural Heritage Survey is required or whether, as appropriate, a Cultural Heritage Survey will be requested.
- Where a Cultural Heritage Survey is required, the proponent is encouraged to consult with the Town and other relevant agencies concerning the scope of the work to be undertaken.
- The Cultural Heritage Survey will be the responsibility of the proponent and must be undertaken by a qualified professional with appropriate expertise, and it should generally:

- a) Identify the level of significance of any cultural heritage resources, including archaeological resources and potential, existing on and in close proximity to, the subject lands; and,
- b) Make recommendations for the conservation of the cultural heritage resources including whether a Cultural Heritage Impact Statement should be prepared.

#### **3.3.3.1.5 Cultural Heritage Impact Statements**

- Where it is determined that further investigations of cultural heritage resources beyond a Cultural Heritage Survey or Cultural Heritage Planning Statement are required, a Cultural Heritage Impact Statement may be required. The determination of whether a Cultural Heritage Impact Statement is required will be based on the following:
  - i) the extent and significance of cultural heritage resources identified, including archaeological resources and potential, in the Cultural Heritage Survey or Cultural Heritage Planning Statement and the recommendations of the Cultural Heritage Survey or Cultural Heritage Planning Statement;
  - ii) the potential for adverse impacts on cultural heritage resources; and,
  - iii) the appropriateness of following other approval processes that consider and address impacts on cultural heritage resources.
- Where it is determined that a Cultural Heritage Impact Statement should be prepared, the Cultural Heritage Impact Statement shall be undertaken by a qualified professional with expertise in heritage studies and contain the following:
  - i) a description of the proposed development;
  - ii) a description of the cultural heritage resource(s) to be affected by the development;
  - iii) a description of the effects upon the cultural heritage resource(s) by the proposed development;
  - iv) a description of the measures necessary to mitigate the adverse effects of the development upon the cultural heritage resource(s); and,
  - v) a description of how the policies and guidance of any relevant Cultural Heritage Planning Statement have been incorporated and satisfied.

#### **3.3.3.1.6 Appropriate Mitigation**

- Where a Cultural Heritage Survey, Cultural Heritage Planning Statement or Cultural Heritage Impact Statement has identified a development property as having archaeological potential, no pre-approval site grading, servicing or other soil disturbance shall take place prior to the Town and/or appropriate Provincial Ministry confirming that all archaeological resource concerns have met licencing and resource conservation requirements.

#### **3.3.3.1.8 Appropriate conservation measures,**

- Appropriate conservation measures identified in a Cultural Heritage Planning Statement, Cultural Heritage Survey or Cultural Heritage Impact Statement, may be required as a condition of any development approval. Where the Town has the authority to require development agreements and, where appropriate, the Town may require development agreements respecting the care and conservation of the affected cultural heritage resource.

#### **3.3.3.1.9 Designation Pursuant to the Ontario Heritage Act**

- Council may by by-law designate cultural heritage resources, including individual properties, conservation districts and landscapes, and archaeological sites.

#### **3.3.3.1.14 Cultural and Natural Landscapes**

- In its consideration of all development and redevelopment proposals, the Town will have regard for the interrelationship between cultural heritage landscapes and scenic natural landscapes, in accordance with Section 3.2.3.5 of this Plan. 3.3.3.1.15 Vegetation The Town will encourage the conservation of significant cultural heritage vegetation.

#### **3.3.3.3.2 Built Heritage Resources Inventory**

- An inventory of built heritage resources and their contextual landscape elements shall be prepared and maintained through the Heritage Resource Office.
- Inventoried built heritage resources may be considered for designation under the Ontario Heritage Act and/or for conservation in the Town's consideration of any proposed development or undertaking, subject to all relevant legislation.
- Criteria will be developed pertaining to the significance of built heritage resources which will guide rankings within the inventory.
- Revisions to the initial inventory may occur as a result of additional investigations and field checks.

#### **3.3.3.3.3 Retention/Relocation of Heritage Buildings**

- The Town shall encourage the retention of significant built heritage resources in their original locations whenever possible.
- Before such a building is approved for relocation to another site, all options for on-site retention shall be investigated.
- The following alternatives, in order of priority, shall be examined prior to approval for relocation:
  - a) Retention of the building on-site in its original use.

- b) Retention of the building on-site in an adaptive re-use
- c) Relocation of the building on the development site.; and,
- d) Relocation of the building to a sympathetic site.

#### 3.3.3.4 Cultural Heritage Landscapes

- An inventory of candidate cultural heritage landscapes shall be prepared by the Town and maintained through the Heritage Resource Office.
- A cultural heritage landscape identified through this inventory shall be incorporated into the Plan by way of an Official Plan Amendment.
- A cultural heritage landscape identified by either this section or by a Cultural Heritage Survey will be appropriately conserved and may be considered for designation under the Ontario Heritage Act.
- Prior to the preparation of the inventory of candidate cultural heritage landscapes, candidate cultural heritage landscapes shall be identified by the proponent of development or redevelopment proposals by way of a Cultural Heritage Surveys and, where necessary, a Cultural Heritage Impact Statements

In accordance with the Town of Caledon's Official Plan policies, this report constitutes a cultural heritage **impact statement** to determine the if the property meets the criteria for designation under Part IV of the OHA. With respect to its significance as a cultural heritage landscape, this report notes that the area surrounding this site is not identified as a significant cultural heritage landscape by the Town.

## 2. Land Use Designations

The subject property is designated Rural Lands in the Town's Official Plan with a portion of the property in the vicinity of a creek located in the Oak Ridges Moraine Conservation Plan. It is designated Agricultural and Rural area of the Growth Plan. Although it is not in the Greenbelt Plan Protected Countryside, the area of the lot that is in the Oak Ridges Moraine Conservation Plan is also located in the Greebelt Plan Area.

## 3. Zoning By-law

The property at 12789 The Gore Road is zoned Agricultural (A1) Zone and Environmental Policy Area (EPA2) Zone.

Uses permitted in the Agricultural (A1) Zone include:

Agriculture-related Commercial Use

Agriculture-related Industrial Use

Agri-Tourism Use Apartment, Accessory

Agricultural Uses

Bed and Breakfast Establishment  
Bunkhouse, Accessory  
Dwelling, Accessory  
Dwelling, Detached  
Farm Equipment Storage Building  
Farm Produce Outlet

Uses Permitted in the Environmental Policy Area (EPA2) Zone include:

Dwelling, Detached  
Bed and Breakfast Establishment  
Environmental Management  
Farm, Existing  
Forest Management  
Recreation, Non-Intensive

The existing house, which is the specific subject of this evaluation, is in the Agricultural (A1) Zone.



# Heritage Evaluation

## Historical Research and Site Analysis

### 1. Early Indigenous History<sup>2</sup>

The earliest archaeological evidence of human settlement in southern Ontario is about 11,000 years old and occurred just after the Wisconsin glacier retreated. These early people were nomadic. They hunted big game such as mastodon and mammoth. Between approximately 8000 and 1000 BCE the inhabitants began to coalesce into larger groups with smaller territories. They used polished stone tools, indicating an advance in tool-making technology. Artifacts found at their campsites provides evidence that they engaged in long-distance trade with other peoples

About 1000 BCE, at the commencement of the Woodland period, there was a change in subsistence patterns, burial customs and tool technology. Pottery making was also introduced during this period. The indigenous residents transitioned from foraging and hunting to cultivating maize and other crops such as squash, corn and beans. They also began to gather in villages consisting of long houses surrounded by palisades. In the 1500's the Iroquoian communities began to organize themselves into tribal confederacies. One such confederacy, located south of Lake Ontario was the Haudenosaunee Confederacy comprised of Mohawks, Oneidas, Onondagas, Cayugas and Senecas.

### 2. The Seventeenth and Eighteenth Centuries

Explorers and missionaries arrived in southern Ontario in the first half of the 17<sup>th</sup> century. The diseases they brought with them resulted in the collapse of the three southern Ontario Iroquoian confederacies, the Huron, Petun and Attiwandaron. The movement of the Haudenosaunee Confederacy into southern Ontario and the wars they waged on these groups further contributed to their collapse.

The Haudenosaunee began to threaten communities further from Lake Ontario including the Anishinaabe. The Anishinaabe allied with the Odawa and Patawatomi in the late 17<sup>th</sup> century and began a series of offensive attacks on the Haudenosaunee forcing them back to the area south of Lake Ontario. Oral tradition has given the Mississauga an important role in the attacks on the Haudenosaunee resulting in a large group of Mississauga establishing themselves in the area between Toronto and Lake Erie in the area the Neutrals called "Oniguiahara", now known as

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<sup>2</sup> Haudenosaunee Confederacy, Who We Are,  
<https://www.haudenosauneeconfederacy.com/who-we-are>

Niagara. This land is part of the Upper Canada Treaties made between 1764 and 1862.<sup>3</sup> One of these, the Treaty of Niagara, extended the Silver Covenant Chain of Friendship into the heart of the continent. Many see this Treaty as the true founding of what we now call Canada. At the heart of this Treaty is a relationship with the sovereign grounded in ties of kinship and disagreement without disrespect.<sup>4</sup>

The Mississaugas of the Credit held 648,000 acres of land north of the Head of the Lake Purchase lands and extending to the unceded territory of the Chippewa of Lakes Huron and Simcoe. In mid-October, 1818, the Crown sought to purchase the lands of the Mississaugas of the Credit. The Deputy Superintendent of the Indian Department, William Claus, met with the Mississaugas from October 27–29, 1818, and proposed that the Mississaugas sell their land in exchange for an annual amount of goods. The continuous inflow of settlers into their lands and fisheries had weakened the Mississaugas' traditional economy and had left them in a state of impoverishment and a rapidly declining population. In their enfeebled state, Chief Ajetance agreed to the sale of the lands for £522.10 of goods paid annually. Significant municipalities found within the lands of the Ajetance Purchase of 1818 include what is now the Region of Peel.<sup>5</sup>

### 3. Brief History of Peel, Albion Township and the Town of Caledon

#### a. Peel County

In 1788, the Western part of Montreal District, now present-day Ontario, was divided into four administrative districts, Hesse, Nassau, Mecklenburg, and Lunenburg. Four years later in 1792, the district names were changed: Hesse became the Western District; Lunenburg, the Eastern district; Mecklenburg, the Midland District; and, Nassau, the Home District. Counties were created as administrative jurisdictions and English Civil Law was established. Several new districts were established in 1798, and old ones redefined. The new districts included the Johnstown District, the London District, the Newcastle District, and the Niagara District. In 1800, the districts were divided into counties and the boundaries of the various townships, counties and districts were regularized so each township was contained within a single county, and each county, in a single district.

The Home District remained in that condition until 1852, when the institution of districts was abolished, and the Home Districts became the Counties of York, Ontario and Peel. Peel County

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<sup>3</sup> Donna Duric, "Mississaugas Treaty at Niagara (1781)," *Treaty Lands and Territory Mississaugas of the Credit*, May 28, 2017, <http://mncfn.ca/mississauga-cession-at-niagara-1781>.

<sup>4</sup> Philip Cote and Nathan Tidridge, "Ties of Kinship", *Treaties and the Treaty Relationship*, Canadian History, Canada's History Society, 2018, p.23-24

<sup>5</sup> Ajetance Treaty No.19, Mississauga of the Credit, <http://mncfn.ca/treaty19/>

was comprised of the Townships of Albion, Chinguacousy, Toronto, and Toronto Gore; as well as the Villages of Brampton and Streetsville”, which formed its first provisional Government in 1865.<sup>6</sup>

The first recorded patent in the area that became Peel County, dated August 11, 1806, was awarded to Captain Samuel Smith. It covered a large grant on the west side of Etobicoke Creek and touched Lake Ontario. By 1809, Thomas Ridout, census taker and assessor for the Home District of York, noted that the district was home to 185 residents.

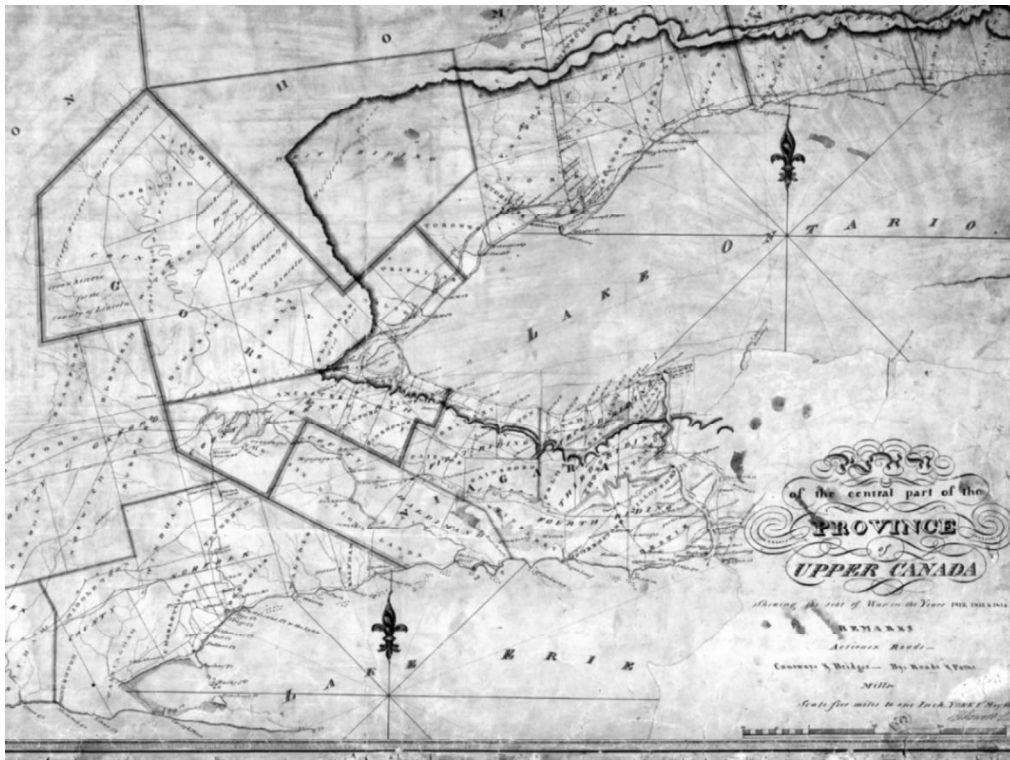


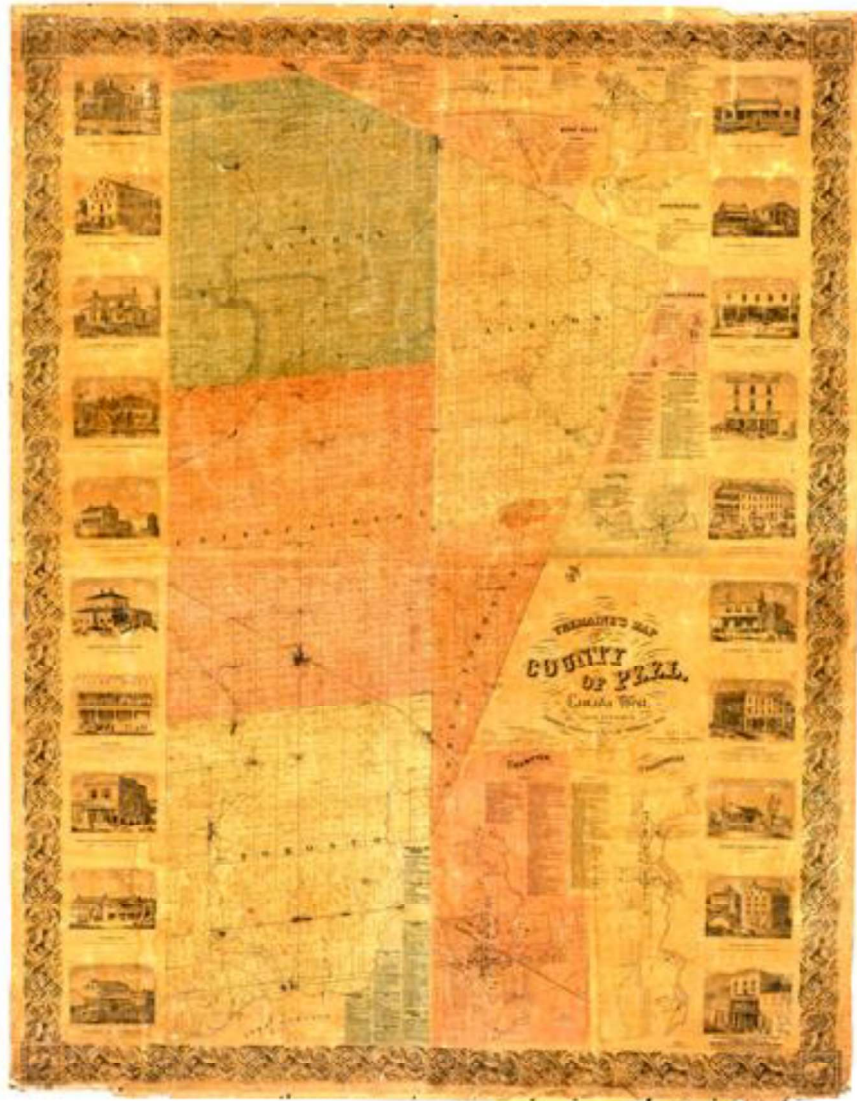
Figure 7: Niagara West 1819, Brock University Map Library

In 1819 Timothy Street and Richard Bristol completed the New Survey of Toronto Township and all of Chinguacousy. By 1821 the survey of the rest of Peel County was completed. In 1856 Peel County voted to separate from York County. The separation came into effect in 1867. It is believed that Peel was named after Sir Robert Peel, British Prime Minister from 1841 - 1846. By 1837 there were a number of hamlets in the county including Bolton as well as larger centres such as Streetsville and Brampton. The community was developing a reputation as an excellent farming area. It was favoured by a central location with productive soils and a favourable climate. Lake Ontario provided water access for ease of settlement and a port for shipping. As

<sup>6</sup>J. H. Pope, Illustrated Atlas of the County of Peel, Walker and Miles 1877, p.59

manufacturing such as packing plants and dairies grew, Peel had a ready market for agricultural goods.<sup>7</sup>

In 1974, the country became the Region of Peel, comprising the cities of Mississauga and Brampton and the Town of Caledon which includes the former Albion Township.



*Figure 8: Tremaine Map, Peel Country, 1859*

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<sup>7</sup> C.V. Charters, ed. A History of Peel County to Mark its Centenary as a Separate County, Charters Publishing Company, Brampton, Ontario, 1967,p.28



## *b. Albion Township*

The former Albion Township is in the northeast corner of Peel. It was, and still is, excellent land for farming. About half of Albion is affected climactically by the Niagara Escarpment. There is more broken land and a greater variety of terrain and soil including rich sand loam and gravel. There were also plentiful sites for grist and sawmills along the Humber River and its tributaries.

The first settler in the area was William Downey who constructed a house on his property in 1819. He was followed by Joseph Hudson and James Bolton who settled the land near present day Bolton. His brother, George, arrived in the area in 1824 and together they constructed a gristmill which spurred further settlement in the area.<sup>8</sup> The 1871 census lists the population of the township as 4,857.

In 1818 the township was laid out in eleven concessions running north-south, divided generally into blocks of 200 acre lots. Concessions are numbered 1 to 11, starting west from the last concession in Chinguacousy Township (now Airport Road). Lots are numbered sequentially from 1 to 40 starting in the south end, increasing in value towards the north. The Township has an irregular rectangular shape. Airport Road, the western boundary, is vertical and approximately at a 90 degree angle from Mayfield Road, the southern boundary. Highway 9, the northern boundary is at about a 60 degree angle running eastwards from Airport and Albion-Vaughan Town Line, the eastern boundary is at approximately a 110 degree angle northeastwards from Mayfield Road. A number of lots were set aside for the Crown and as Clergy reserves. Although sometimes leased, these reserve lots often remained unsettled until the groups were generally released for sale at later dates. The railway line that still can be found in the area was originally the Toronto Grey and Bruce (TGB), later Canadian Pacific railroad. It is located on Concession 5, Lots 9 and 10 West Half. The charter for this railway was signed on March 4, 1868. Construction started in 1869 and was completed to Orangeville in April 1871.

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<sup>8</sup> C.V. Charters, ed. A History of Peel County to Mark its Centenary as a Separate County, Charters Publishing Company, Brampton, Ontario, 1967, p.23





Figure 9: Tremaine Map, 1859, Detail, Albion Township

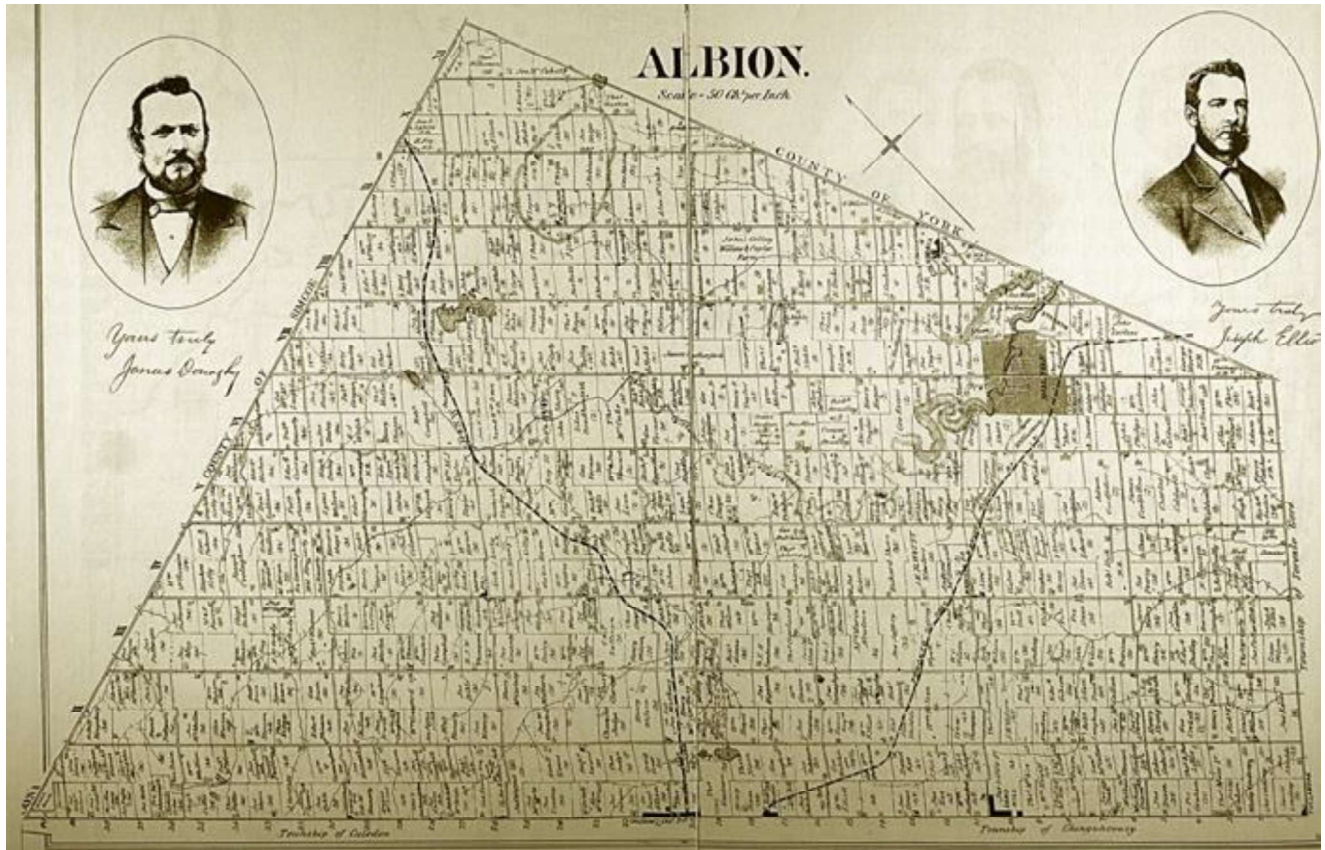


Figure 10: 1877 Illustrated Historical Atlas of the County of Peel, Albion Township, McGill University Map Project

### c. 12789 The Gore Road

The property at 12789 The Gore Road is located on Part Lot 5, Concession 4 Albion as in R01125774 and Part Lot 5, Concession 4 Albion Designated as Part 1, PL43R32403 in the area **formerly known locally as Murray's Hill.**

The Upper Canada Land Records Index which lists the early land transactions, including the Crown's assignment of land to individual landowners, indicates that an Order in Council was issued in November 1839 assigning the west half of Lot 5, Concession 4 in Albion Township to Alexander Murray. He received the Crown Patent for the land in December of the same year. He is listed in the 1837 directory for the township on the same lot and concession, before receiving the patent. He also sold 100 acres to Thomas Cooper for 100 pounds in 1838, again before receiving the patent. Cooper in turn sold the lot to John Hazard in 1840. However, Murray was still in possession of the land in 1844, when he mortgaged the property with James Goodfellow, a neighbouring landowner.

Murray sold 2 acres to James Murray in 1870 and the remaining land to James Piercy (Percy) in 1873. James in turn sold his 2 acres to Piercy on the same day and the land left the ownership



of the Murray family. The 1877 County Atlas shows that Piercy was in possession of the land at that time.<sup>9</sup>

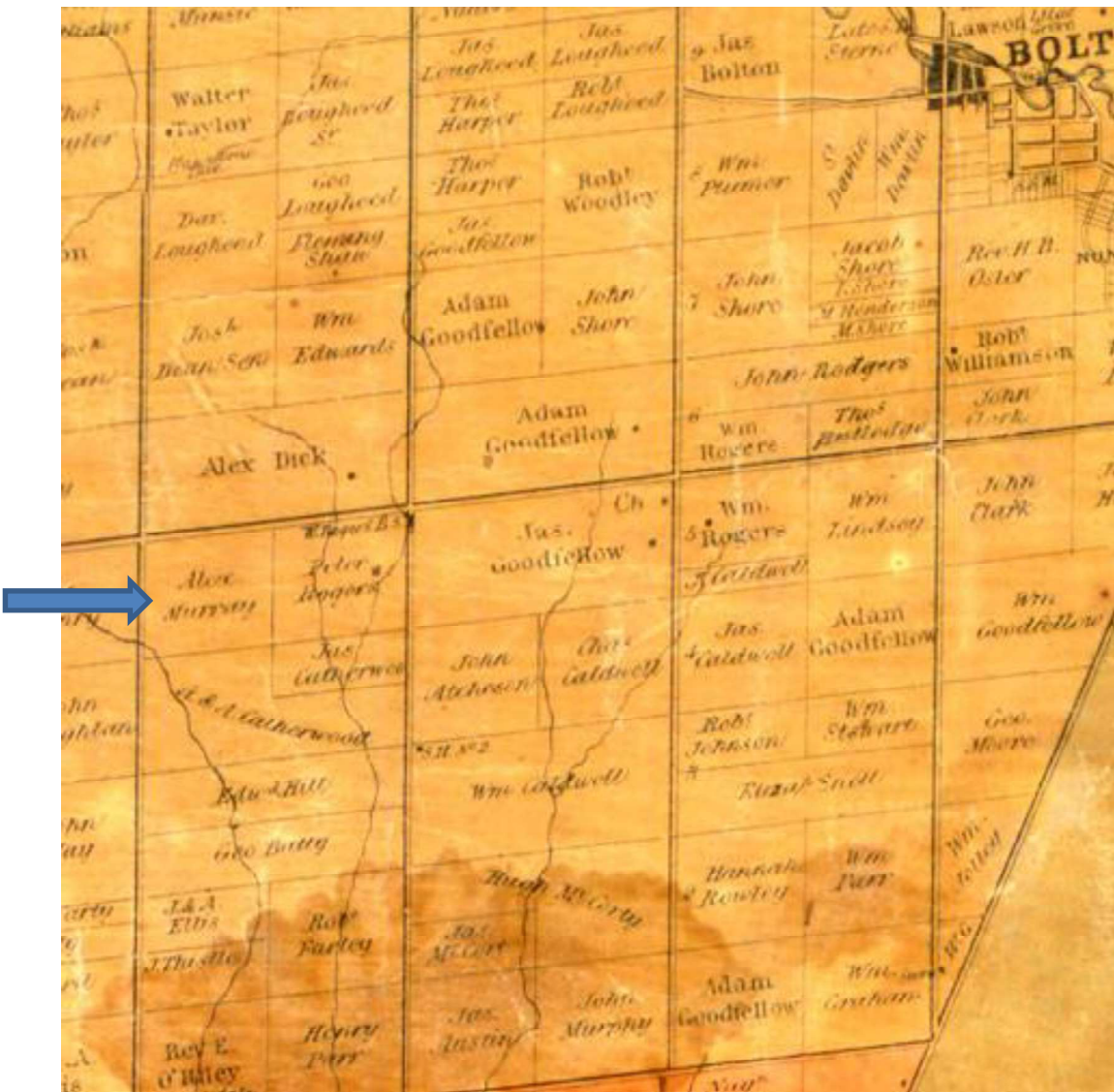


Figure 11: Tremaine Map, 1859, Detail, Property of Alexander Murray

<sup>9</sup> This information is taken from The Caledon Heritage Foundation, Ghost Settlements, Murray Hill, [caledonheritagefoundation.com/ghosts-ettlement.murrays-hill.ca](http://caledonheritagefoundation.com/ghosts-ettlement.murrays-hill.ca)

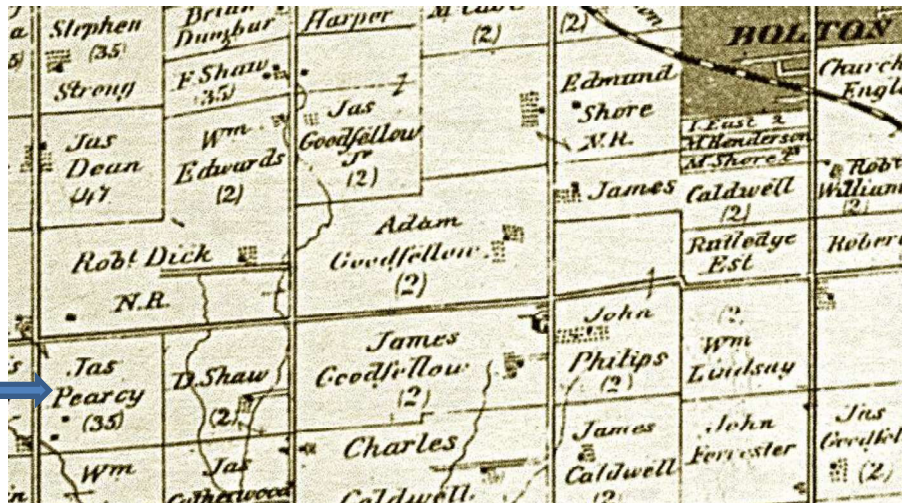


Figure 12: 1877 Illustrated Historical Atlas of Peel County, Detail, Property of James Percy

The Piercy family continued to own the lands into the 21<sup>st</sup> century. Thomas E. Piercy inherited the property from James in 1927, and [REDACTED] inherited the lands from Thomas in 1961. The lands left the ownership of [REDACTED] in 2008 when [REDACTED] sold the lands in to Soccavo Holdings Corp.

0000 0000 0044

PAGE 3		LOT 175		CONCESSION 04			
BLK. or DISTRICT	INTEREST	INDENT	DATE of INSTRUMENT	GRANTEE	GRANTOR	CONVEYANCE BY INSTRUMENT	REMARKS
5501	BAS	10001900	19001910	JOHN J. SHAW ETAL	JOHN PICKETT	6000	
4999	BAS	10001900	19001910	MARY C. BELL	DAVID SHAW	1	7070 - 4 1929
11746	BAS	170001910	190001910	JOHN PICKETT ETUX			
"WEST 1/4"							
44005	M	5 JAN 1875	1875	ALEXANDER MURRAY	JAMES MURRAY	N. 1/2 50	1000
44001	A.M.	24 MAR " 24	"	JAMES MURRAY	GEORGE CORRETT	N. 1/2 48	450
1097	M	22 " 23 JUN "	"	JAMES PIERCY ETUX	ALEXANDER MURRAY	N. 1/2 50	1000
1078	BAS	15 MAY 1870	"	ALEX. MURRAY ETUX	JAMES MURRAY	PT 1/2 2A	200
1111	BAS	22 MAR 1873	"	ALEX. MURRAY ETUX	JAMES PIERCY	N. 1/2 58	1000
1080	BAS	15 " "	"	JAMES MURRAY ETUX	JAMES PIERCY	PT 1/2 2A	200
1543	A.M.	27 FEB 1876	27 FEB 1876	JAMES MURRAY	GEORGE CORRETT	N. 1/2 48A	200
1307	BAS	27 FEB 1880	25 JUN 1880	JAMES PIERCY ETUX	THOMAS PIERCY	N. 1/2 50A	1
3905	J.M.	30 DEC 1887	30 DEC 1887	WILLIAM DENNIS (EXR)	JAMES PIERCY	N. 1/2 58	1077
44009	B.M.	14 APR 1891	14 APR 1891	GEORGE CORRETT	JAMES PIERCY INC.	N. 1/2 48	4003
6995	BAS	13 APR 1892	13 APR 1892	JAMES PIERCY ETUX	THOMAS PIERCY	" 50	1800
46694	M	" " " "	"	THOMAS PIERCY ETUX	JAMES PIERCY	"	1800
46700	M	15 APR 1893	15 APR 1893	THOMAS PIERCY ETUX	WM. MOORELLUM	N. 1/2 50	600
46706	M	27 FEB 1896	27 FEB 1896	WILLIAM MOORELLUM	SAMUEL MOORELLUM	N. 1/2 50	634.50
47482	B.M.	15 OCT 1900	20 OCT 1900	SAMUEL MOORELLUM	THOMAS PIERCY	"	6770
79082	B.M.	24 MAR 1911	24 MAR 1911	WILLIAM ETAL EXRS	THOMAS PIERCY	"	6824
GRANTEE							
GRANTOR							
AREA CONVEYED							
REMARKS							
CR. 3354	Election	Feb. 1927	13 Feb. 1927		Thos. E. Piercy, Esq.	1/2	Elect. to take interest in 1/2 of
V.P.	MORTGAGE	1 Apr. 1929	8 Apr. 1929	Thomas E. Piercy		1/2	10,000.00 1/2 & 1/2 1/2/51
12933	Grant	31 Mar. 1927	8 Apr. 1927	Thomas E. Piercy	Thomas E. Piercy	1/2	1/2 & 1/2 & 1/2 & 1/2
V.P.	MORTGAGE	2 Jan. 1932	13 Feb. 1932	Thomas Piercy Estate	Wm. J. J. J. J.	1/2	1/2 & 1/2 1/2/51
V.P.	MORTGAGE	21 Aug. 1932	3 Sept. 1932	Chas. A. J. J. J.	Thomas E. Piercy	1/2	1/2 & 1/2 1/2/51
V.P.	MORTGAGE	17 Nov. 1940	20 Nov. 1940	Thomas E. Piercy	Thomas E. Piercy	1/2	1/2 & 1/2 1/2/51
12004	Grant	19 Nov. 1951	28 Nov. 1951			1/2	1/2 & 1/2 & 1/2

CONTINUED ON NEXT PAGE

25x100

Figure 13: LRO 43 Historical Book Parcel Register Book, Page 1, ONLAND Service Ontario, Courtesy of Town of Caledon



[illegible]

Figure 14: LRO 43 Historical Book Abstract Parcel Register Book, ONLAND, Service Ontario, Page 2, Courtesy of the Town of Caledon


		PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER		PAGE 1 OF 2 PREPARED FOR Leah Wallace ON 2022/11/04 AT 09:07:58		<b>ONLAND</b>	
		LAND REGISTRY OFFICE #43 * CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *		<div style="border: 1px solid black; padding: 2px;">14349-0001 (LTV)</div>			
<b>PROPERTY DESCRIPTION:</b> PT LT 5 CON 4 ALTON AS IN R01125774 ; CALTON							
<b>PROPERTY REMARKS:</b> ESTATE/QUALIFIER: FEE SIMPLE LT CONVERSION QUALIFIED OWNERS' NAMES SOCCAVO HOLDINGS CORP.		<b>CAPACITY SHARE</b>		<b>PIN CREATION DATE:</b> 1999/07/19			
REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM		PARTIES TO	CERT/CHRD
<b>**EFFECTIVE 2000/07/29 THE NOTATION OF THE "BLOCK IMPLEMENTATION DATE" OF 1997/04/29 ON THIS PIN**</b>							
<b>**WAS REPLACED WITH THE "PIN CREATION DATE" OF 1999/07/19**</b>							
<b>** PRINTOUT INCLUDES ALL DOCUMENT TYPES AND DELETED INSTRUMENTS SINCE 1999/07/19 **</b>							
<b>**SUBJECT, ON FIRST REGISTRATION UNDER THE LAND TITLES ACT, TO</b>							
<b>** SUBSECTION 44 (1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES *</b>							
<b>** AND ESCHENTS OR FORFEITURE TO THE CROWN.</b>							
<b>** THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF</b>							
<b>** IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTION OR BOUNDARIES SETTLED BY</b>							
<b>** CONVENTION.</b>							
<b>** ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES.</b>							
<b>**DATE OF CONVERSION TO LAND TITLES: 1999/07/20 **</b>							
<b>NOTE: THIS PROPERTY WAS RETIRED ON 2008/08/15. THIS PROPERTY IS NOW RE-ENTERED INTO THE FOLLOWING PROPERTY: 14349-0379</b>							
R01125774	1996/10/07	TRANSFER		*** COMPLETELY DELETED ***			
PR1398653	2008/01/07	TRANSFER	\$8,000,000			SOCCAVO HOLDINGS CORP.	C
REMARKS: PLANNING ACT STATEMENTS							
PR1398654	2008/01/07	CHARGE	\$6,000,000	SOCCAVO HOLDINGS CORP.			C
PR1474980	2008/06/10	NO APL ABSOLUTE		SOCCAVO HOLDINGS CORP.			C
43032403	2006/08/15	PLAN REFERENCE					C
NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY. NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.							

Figure 15: LRO 43, Parcel Register, ONLAND, Service Ontario

12789 The Gore Road, Town of Caledon, Ontario  
Leah D. Wallace, MA RPP MCIP CAHP



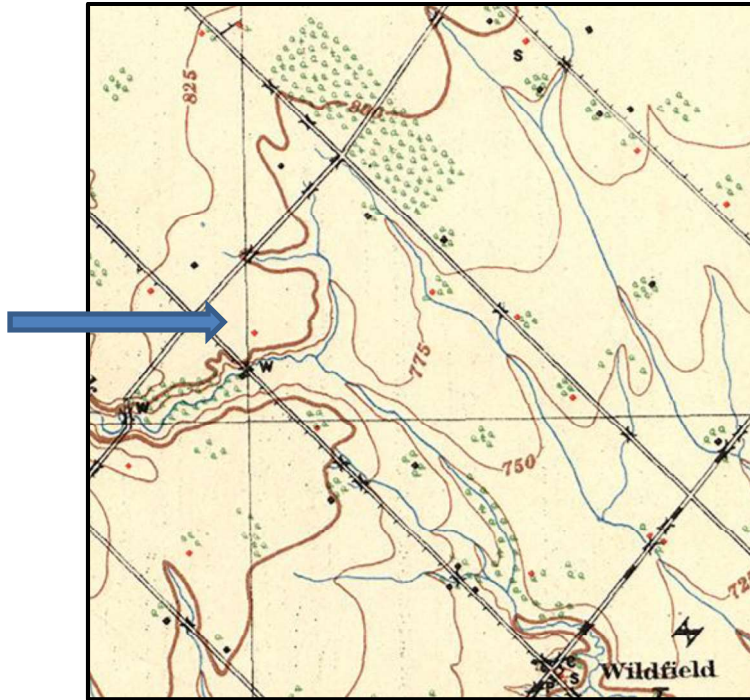


Figure 16: Topographic Map, 1914, 1:63,360, Historical Topographic Map Digitization Project, Ontario Council of University Libraries

**The 1914 topographic map illustrates a stone or brick house in the general vicinity of the subject property indicating that the house dates from at least 1914.**

## Significance and Cultural Heritage Value or Interest of 12879 The Gore Road

### 1. The Property

The property at 12879 The Gore Road consists of a rectangular rural lot located at the southeast corner of Healey Road and The Gore Road in the former Albion Township. A recent aerial photo shows the house and several outbuildings, including a large barn and driveshed located centrally on the front third of the property (**Fig.2**). A long driveway runs parallel to The Gore Road and then turns north to the house. The land is flat, generally devoid of trees and, at the time of viewing in the winter of 2022, appeared to be planted in crops. **The trees which line the road were not extant when the property was viewed.** The house is surrounded by a number of outbuildings of various ages and construction materials **including 3 single storey wooden structures with gable roofs clad in vertical barn board and a small square concrete block building with a hip roof. The original purpose of these building is not apparent.** The gambrel roofed **post and beam** barn **has a rubble stone foundation and is located behind the house to the left**

or north of the home. At the time of viewing, it was being dismantled. There is a domed-roof silo behind and to the left of the barn (**Figs. 5, 6, 17 & 18**).



*Figure 17: View of Barn & Outbuildings from The Gore Road, LDW*



*Figure 18: House with Barn in Process of Removal & Various Outbuildings, LDW*

## 2. The House - Exterior

The house is a 2 storey red brick L-shaped structure with a hip roof. The west portion of the building projects forward while the east side, which is set back, is oriented at a right angle. There is an enclosed single height frame porch to the right, which was once a two storey open structure, probably with a second storey balcony and railing, as indicated by the existence of a second storey door above the entrance door. The entrance door is located inside the porch on the east elevation of the projecting portion of the house. Neither door would have been visible when approaching the house. Both openings have the original doors containing large panes of clear glass. The doors are surmounted by heavy rusticated concrete lintels (**Figs.20, 21, 31, 32, 36**).

The window openings are original, **with the exception of the first floor window on the east side of the house, which breaks the string course. On the west elevation a second storey window appears to have been bricked up at some later date.** The windows on projecting portion of the building have flat concrete lintels and sills that have been rusticated to resemble stone. Those on the portion of the building at right angles have flat brick arches and the ones at ground level have projecting brick sills. The windows are all later one over two replacements with small sliding panes in the lower portion. There are no visible chimneys and the extended roof eaves, soffit and fascia are simple and unadorned (**Figs.24, 26, 27, 30, 32**).

The bricks are smooth with fine joints laid in a stretcher bond pattern. The tall expanse of the wall is broken by a double string course. The string course is extant only on the portion of the building at right angles to the projecting section of the structure. There is an interesting diamond shaped window to the left of the porch which is the only decorative element on the façade (**Figs.21, 22, 24, 25, 26, 27**)

The Town's Register classifies the style of the building as Edwardian Classicism from the period 1900 to approximately 1930. The exterior of the house has been altered **and the building appears to have been constructed in 2 separate phases.** Many significant stylistic details have been removed. However, the house still retains some features associated with the Edwardian style. **These features are found mainly on the eastern recessed section of the house.** These include:

- Heavy concrete lintels and sills rusticated to resemble stone.
- Entrance doors with large expanses of glass
- Monochromatic smooth brick finish with fine joints
- A double string course
- Relatively deep overhang of the eaves with simple soffit and fascia<sup>10</sup>

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<sup>10</sup> John Blumenson, Ontario Architecture, A Guide to Styles and Building Terms 1784 to the Present. Fitzhenry & Whiteside, 1990, p.166-167.

While the exterior brickwork and mortar mainly sound and in generally good condition ***there is some spalling and mortar loss around the base of the building and crumbling of the stone foundation in several places, particularly at the corners of the structure. This may be due to water penetration.*** The wooden details which contributed to the Edwardian character of the building have suffered. Some details such as the soffit and fascia, have deteriorated while others, such as the original porch and second storey balcony were removed at an earlier date, probably in the first half of the 20<sup>th</sup> century and replaced with an enclosed single storey porch of little architectural merit. The windows were also replaced some time ago with modern glass and frames which are not appropriate for the age and style of the house. ***A later single storey addition to the rear and on the east side of the building that consists of a combination of red brick and insulbrick and encompasses the original rear brick ell is not attractive or appropriate in design, materiality and scale and is in poor condition. It detracts from stylistic integrity of the house (Figs 26, 27, 28, 29, 30).***

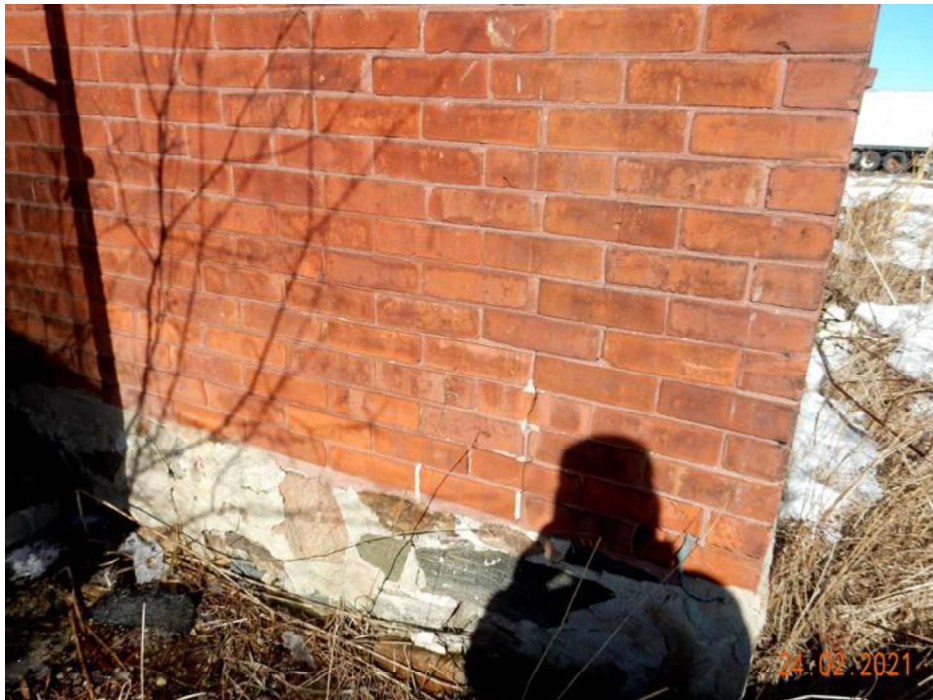


Figure 19: Facade of House with Diamond Window and Later Enclosed Porch, LDW





*Figure 20: House, East Side Elevation Looking West with String Course & Entrance to Porch, Later Ell Addition to the Rear ,LDW*



*Figure 21: Brick Detail with Parged Stone Foundation, West Elevation, LDW*





*Figure 22: Projecting Facade & West Elevation with Brick Ell to Rear, LDW*



*Figure 23: Detail, East Elevation, Double String Course & Later Window with Brick Arch and Sill, LDW*



*Figure 24: Decorative Diamond Shaped Window Detail, Façade, LDW*



*Figure 25: East Elevation, Rear Brick, Frame and Insulbrick Addition, Ground Floor Window (Later Insertion), Deteriorating Brick and Mortar, Town of Caledon Staff*





*Figure 26: East Elevation Corner View with Later Frame Addition, Town of Caledon Staff*



*Figure 27: Rear Elevation Looking Southwest, Later Rear Addition, Brick and Insulbrick, Town of Caledon Staff*



*Figure 28: Rear Brick Addition Looking South, Town of Caledon Staff*



*Figure 29: West Elevation, Bricked up Second Storey Window and Brick Rear Addition, Town of Caledon Staff*





*Figure 30: Original Entrance Door, LDW*



*Figure 31: Original Second Storey Porch/Balcony Door, LDW*



### 3. The House – Interior

The interior of the house has been altered dramatically and is in poor conditions. Some original trim, doors and door hardware remain. However, the original newel posts and railings have been replaced with modern mass manufactured reproductions and little of the original wide plank floor is extant. The kitchen, which is housed in the frame portion of the ell at the rear of the building is a modern 1970's or 1980's replacement of a kitchen that was probably located in the original brick ell at the rear of the structure (**Figs.32-38**)..



*Figure 32: Interior - Newer Kitchen ,LDW*



*Figure 33: Upstairs Room, Original Baseboard & Hardwood Flooring, LDW*



*Figure 34: Staircase Railing and Newel Post, Modern Replacements, LDW*



*Figure 35: Second Floor Original Porch Door & Hardware, LDW*



*Figure 36: Old Iron Heating Vent & Original Baseboard, Main Floor, LDW*



*Figure 37: Original Baseboard & Wide Plank Flooring, Main Floor, LDW*



Figure 38: Original Interior Door & Hardware

#### 4. Criteria for Determining Cultural Heritage Value or Interest

This cultural heritage evaluation or survey is prepared at the request of the owner of the property at 12789 The Gore Road to provide an accurate assessment of the property's cultural heritage value or interest as a requirement for requesting a building permit application to demolish the house. The house is listed on the Town of Caledon's Register; but is not designated under Parts IV or V of the OHA. Section 27(9)(10)(11) of the OHA requires the owner of the property to give the council of the municipality at least 60 days notice in writing of the owner's intention to demolish or remove the building. The owner is also required to provide such plans and information as the council of a municipality may require.

The report assesses the property against *Regulation 9/06 – Criteria for Determining Cultural Heritage Value or Interest* for potential designation under Part IV of the OHA. Research was undertaken by consulting primary and secondary sources and was supplemented by a site visit to view the interior and exterior of the building **and by additional exterior photographs taken by Town staff who also visited the site..** Photographs were taken the exterior and interior of the building and of any landscape features on the site.

Ontario Regulation 9/06 prescribes criteria set out in subsection (2) for the purposes of determining cultural heritage value or interest. Currently, a property may be designated if it meets one or more of the criteria listed in the Regulation. These criteria include:

#### *Design or Physical Value*

1. It is rare, unique, representative or early example of a style, type, expression, material or construction method; or
2. Displays a high degree of craftsmanship or artistic merit; or
3. Demonstrates a high degree of technical or scientific achievement.

#### *Historical or Associative Value*

1. It has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community; or
2. Yields, or has the potential to yield, information that contributes to an understanding of a community or culture; or
3. Demonstrates or reflects the works or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

#### *Contextual Value*

1. Is important in defining the character of an area; or
2. Is physically, functionally, visually or historically linked to its surroundings; or
3. Is a landmark.

#### *Regulation 9/06 Analysis*

Design or Physical Value	<ol style="list-style-type: none"> <li>1. The house has <b>some</b> features that distinguish it as being Edwardian in style. However, <b>a number of alterations and additions to the structure including changes to windows and window openings, removal of the two storey porch, and a massive addition to the rear which obliterates the original rear ell precludes it from being representative of the</b> Edwardian Classicism style of architecture.</li> <li>2. There are other examples of the style extant along The Gore Road with farm buildings still intact that are representative of that style.</li> <li>3. The house does not display a high degree of artistic merit. Much of the features that distinguished as Edwardian Classicism have been</li> </ol>
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	<p>removed or are in a deteriorated condition. The house is plain and simply designed and is not the best example of the style. <b><i>While the diamond-shaped window is an interesting design feature it is not necessarily a characteristic architectural feature of the Edwardian style.</i></b></p> <p>4. The house does not demonstrate a high degree of scientific or technical achievement.</p>
Historical or Associative Value	<p>1. There is no evidence that the house has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community. The first owner, Alexander Murray, who acquired the property in 1839, is not a significant person in the community and is not one of the early settlers in the area. He sold the property to James Percy in 1870. Percy is not a significant person in the community nor are his descendants who owned the property until recently. No significant events or activities are associated with the property. It has always been farmed and that is not a unique activity in this area of the former Albion Township.</p> <p>2. The house and the property do not have the potential to yield, information that contributes to an understanding of a community or culture. It is one of many farm properties in the area and is no more significant than any of the others along The Gore Road.</p> <p>3. The property does not reflect the work of an architect, artist, builder, designer or theorist who is significant to a community. There is no information about who designed or constructed the house. It is a vernacular dwelling with few distinguishing features.</p>
Contextual Value	<p>1. The house is set back from the road at the end of a long farm lane. The lane runs parallel to the Gore Road and</p>

	<p>then turns north towards the house. The land surrounding the house is planted in crops. Because the house is set far back from the road and cannot be seen it is not important in defining the character of the area. Land in cultivation is not unusual along this portion of the road and no one property is important in defining the character of the area as an area characterized by the presence of farms and farm buildings.</p> <p>2. The house is isolated from the surrounding properties. It is no longer physically, functionally, visually or historically linked to its immediate surroundings since many of the outbuildings and the barn which commonly cluster around a rural farmhouse in this area have been dismantled. The context of the property as part of a working farm has disappeared. Historically the house does not date to the period of the first settler on the property and may not be linked James Percy who acquired the property from Alexander Murray. If the house was constructed in the early 1900s it was built more than 30 years after the property was acquired by the second owner. It bears no relation to Alexander Murray, the original owner of the land.</p> <p>3. The property and the house are not landmarks.</p>
--	--

## Conclusion

00 12879 The Gore Road , does not meet any of the criteria in Regulation 9/06 and does not have sufficient cultural heritage value or interest for designation under Part IV of the OHA. ***It is not associated with the earliest settlers in the community since it was sold by an early settler to James Piercy (Pearcy) in 1873. Although the property was owned by [REDACTED] until 2008, it*** has no association with events or persons of importance to the community. While the property is, or was, a typical farm within a community where farming was a significant undertaking, there are other farms along The Gore Road and in the former Albion Township that exhibit similar characteristics and are in better and more complete condition than the subject property.

Architecturally and stylistically, the house is not unique in the context of the former Township of Albion nor is it a unique or representative example of Edwardian Classicism ***particularly as a result of unfortunate alterations to the building that have occurred over the past 100 or more years***. The materials employed to construct the house are also not unique. The building is a simple farmhouse which has suffered inappropriate alterations over the years including removal of the porch and balcony; construction of a poorly made enclosed entrance porch which covers the original entrance door and surround; the replacement of all the windows with modern windows which are not appropriate for the age and style of the house; construction of a frame addition which is poorly made and is collapsing; and a number of interior alterations which resulted in the removal of period details and rearrangement of the interior space.. The original context of the house as the centre of a cluster of related farm buildings surrounded by cultivated farmland no longer exists. The barn and several of the accessory agricultural buildings and structures have been removed and the original use of those buildings is no longer apparent.

## Recommendations

Based on the evaluation and analysis in this report the property and the house do not meet any of the criteria in Regulation 9/06 and have limited cultural heritage value or interest. Adaptive re-use of the property and buildings is not an option for the owner. Demolition, while it is not always the recommended approach, can be undertaken with the approval of the council of the Town of Caledon.

It is recommended that:

1. The building and any remaining structures on the property be visually documented before demolition commences. Measured drawings of the house would also be of value. All documentation, including this report, should be archived with the town and other cultural heritage organizations in the community for future reference and research.

2. Any original intact materials such as doors and trim be salvaged and offered first to the Town of Caledon and then to any parties interested these materials and their re-use in other buildings.
3. ***The author of this document is not a structural engineer and did not observe any major structural issues. However, if the owner believes there are serious structural issues, a structural engineer with a knowledge of older buildings should be engaged to evaluate the structural integrity of the house.***

## NOTE:

*The information, recommendations and opinions in this heritage impact assessment are for the sole benefit of the Town of Caledon. Any other use of this report by others without permission is prohibited. Unless otherwise stated, the recommendations and opinions given in this report are intended only for the guidance of the Town of Caledon and other approved users.*

*Please note that the policy review in this report is limited to information directly related to cultural heritage and is not a comprehensive planning review.*

Prepared by



Leah D. Wallace, MA RPP MCIP CAHP  
Consulting Heritage Planner

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Ontario

234-2022-5422

January 4, 2023

Dear Heads of Council,

I'm pleased to share an update on key initiatives underway at my ministry to help meet our government's goal of building 1.5 million new homes over the next 10 years.

The legislature recently passed our government's *More Homes Built Faster Act, 2022* which takes bold action to ensure that all communities can grow with a mix of ownership and rental housing types to meet the needs of all Ontarians.

Our government knows that building inspectors play a critical role in ensuring that new homes meet the public safety requirements set out in Ontario's Building Code. However, the capacity of municipal building departments has been impacted by recruitment challenges and the increasing number of building inspectors retiring from the profession. That's why, earlier this year, we took action to help municipalities address labour supply shortages in the building sector by amending the Building Code to provide a new model for municipal building departments to design and administer internship programs for building inspectors.

Effective July 1, 2022, municipal building departments can establish program entry criteria for interns that meet their own local recruitment and enforcement needs. This new internship model supports public safety by continuing to require that a qualified building inspector or Chief Building Official supervises the work of interns. The interns must also pass ministry technical and legal exams before being able to practice independently as building inspectors.

In the coming months, the ministry will develop guidance materials to support municipalities that are interesting in launching local programs to recruit new intern building inspectors. We look forward to working with municipalities to implement local internships.

Additionally, the ministry has engaged a consultant to identify opportunities for enhancements to the qualification program for building practitioners. We are seeking input from the public, including municipalities, building inspectors, designers, septic installers and building professionals not regulated by the ministry. This feedback will help guide future decisions on new approaches to qualification.

For more information and to review the discussion paper, please visit the Environmental Registry of Ontario (ERO) website at <https://ero.ontario.ca/notice/019-6433>.

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In addition to this ongoing work, the ministry is modernizing the provincial Qualification and Registration Tracking System (QuARTS). QuARTS is used by over 7,000 building practitioners to update their qualification and registration information online and to help the government regulate safety and compliance in the Ontario building industry.

Modernizing QuARTS will create a more efficient and user-friendly system, allowing building officials to spend more time on the important task of reviewing and issuing building permits to support the government's key priority of increasing housing stock.

Finally, the ministry made the 2012 Building Code Compendium freely available in Adobe PDF format through the website (<https://www.ontario.ca/page/request-digital-copy-2012-building-code-compendium>). Since its launch in March 2022, the ministry has provided free copies to over 5,000 building professionals to reduce barriers and help accelerate the construction of new homes across the province. This initiative has enabled inspectors to access Building Code requirements while performing their work onsite in a more convenient format. Additionally, candidates studying for the ministry's exams are able to access and learn Building Code content in an easy to navigate, user-friendly manner.

As part of the plan to build 1.5 million homes over the next 10 years, the government looks forward to continuing consultations with municipalities, the building industry and the public to investigate further changes to Ontario's Building Code in order to create more housing and support public safety.

If you are interested in learning more about any of the ministry's initiatives related to the transformation of Building Code services in Ontario, please contact us at [BuildingTransformation@ontario.ca](mailto:BuildingTransformation@ontario.ca).

Thank you for your continued partnership as we work together to get more homes built faster for all Ontarians.

Sincerely,



Steve Clark  
Minister

c: Municipal Clerks