



AGENCY & DEPARTMENT COMMENT SHEET

Prepared: November 25, 2021
Lead Planner: Toulia Theodoridis, Meridian Planning

Proposed Zoning By-law Amendment (Temporary Use)
Glen Schnarr and Associates Inc. on behalf of 2203315 Ontario Corp.
10819 Highway 9
Part of Lot 26, Concession 10 (ALB)
File Number: RZ 2020-0003

The following comments were received regarding the above-noted Zoning By-law Amendment application.

TOWN OF CALEDON – DEPARTMENT COMMENTS

Finance Department, Finance – September 3, 2020

For property tax purposes, the property is assessed as Commercial and Residential. Any future development would be subject to the applicable Town of Caledon development charges, as well as current Regional and School Board development charges in effect.

Engineering Services Department, Development Engineering – August 26, 2020

The engineering plans, reports, and studies provided in support of the application generally confirm that the proposal is for new permanent structures. Development Engineering understands that the Town of Caledon, Region of Peel, and MECP are currently undertaking further investigations into the groundwater contamination matter. The analysis and conclusions in the current Hydrogeologic Assessment indicate that no works are proposed for the property and therefore there will not be any impacts to the existing groundwater conditions. Staff find that there will be substantial works are proposed on 10819 Highway 9 through RZ 20-03. No discussion is provided in the Functional Servicing and Stormwater Management Report regarding the suitability of the groundwater for servicing the site considering the potential for water quality issues. No mitigation measures or contingency plans are provided in the FSR to address the risk of the groundwater being unsuitable for the proposed development.

Engineering Services Department, Transportation – August 19, 2020

As Highway 9 is a Provincial Highway under the jurisdiction of the Ministry of Transportation (MTO). MTO has provided comments indicating that the proposed access to the existing HWY9 & Tottenham Road T-intersection is not acceptable. MTO has advised that the proposed site access is to be designed as a 4th leg of the intersection and is to be in municipal ownership rather than a private road. Town Development Engineering staff is not supportive of taking ownership of a future municipal road at the proposed location.

Planning Department, Zoning – July 15, 2021

Additional information was requested to confirm the site-specific provisions, including accessible parking standards.

Planning Department, Heritage – September 17, 2021

There are no listed or designated cultural heritages resources on the subject lands. There are no listed or designated cultural heritages resources adjacent to the subject lands. Prior to any development



approvals, an archaeological assessment should be completed, as the property still retains archaeological potential.

Corporate Services Department, Accessibility – September 19, 2021

Additional information was requested including updating the site plan to comply with the Integrated Accessibility Standards (IAS) within the Accessibility for Ontarians with Disabilities Act (AODA).

Planning Department, Development and Design – July 15, 2021

The Planning Justification Report (PJR) speaks to the proposed commercial building being temporary, however repeatedly discusses that the use is intended to be continued and an extension to historical uses. The PJR indicates that during the Site Plan application process, the owner will explore options of temporary building material. More clarity and analysis was requested, including a business strategy and future plans on finding a property that can accommodate the use on a permanent basis. Staff has concerns that the use is intended to be permanent on the subject property.

Planning Department, Urban Design

Urban Design comments were not prepared. The applicant disputed the Town's ability to request the urban design review of the proposal to be peer reviewed.

EXTERNAL AGENCIES - COMMENTS

Region of Peel – September 3, 2020 & August 27, 2020

The Hydrogeological report prepared by Safe Tech was only prepared to support amendments for the adjacent property (10795 Highway 9) in Caledon. The report is not acceptable for the proposed demolition and construction of a new single-storey commercial building, to be used with an accessory retail store and restaurant at 10819 Highway 9. The subject lands are located within a Natural Linkage Area designated under Policy 12.3 of the Oak Ridge Moraine Conservation Authority (ORMCA) and Regional Official Plan (ROP), Section 2.2.9.3.7 (b). The proposed uses (motor vehicle gas bar, accessory retail store and restaurant) are identified as Not Permitted. As the use is not permitted within the Provincial Plan, Regional staff are not in a position to recommend approval of this application. Should this application proceed to approvals, final approval of this application requires all environmental concerns to be addressed to the satisfaction of the NVC Authority.

Nottawasaga Valley Conservation Authority (NVCA) – October 2, 2020

The subject property appears to be cleared of natural vegetation, and contains only manicured 'lawn', existing structures, and storage of miscellaneous materials (e.g. vehicles). A cursory review of dated aerial photographs show that the existing woodlot on the property has remained intact and untouched during these two decades. Furthermore, the temporary use does not propose any changes to the existing development footprint. Therefore, it is staffs opinion that the application does not offend the policies within the PPS.

The site plan illustrates a 'no-touch' 10m dripline buffer to the adjacent woodland to the south. It is noted that 30m is the standard minimum width of a vegetation protection zone from all KNHF. However, the presence of an existing built development, and the lack of existing natural vegetation within that 30m area, may make the application of 30m impractical in this case. The use of a 10m buffer, and the implementation of buffer re-vegetation strategy should be considered sufficient to avoid any negative ecological impacts to the adjacent woodland feature.



Although, the proposed temporary uses do not require any site alteration to operate on the subject property, there is an opportunity to improve the integrity of the woodlands by implementing a 10m buffer and re-vegetation strategy with minimum changes to the operation of the proposed uses.

Due to the size and scale of the development, the NVCA is prepared to defer the detailed review of functional servicing, stormwater and drainage to the Town of Caledon. In summary, NVCA requires additional information in order to complete our review and additional comments may be provided in the future.

Canadian Pacific Railway – August 24, 2021

Notwithstanding that stated above, commercial developments should still meet certain recommendations based upon site specific conditions and intended use. CPR continues to recommend that all proposed developments follow the 2013 Proximity Guidelines (Prepared for The Federation of Canadian Municipalities and The Railway Association of Canada). It is incumbent upon the developer to incorporate these safety measures to a degree that satisfies the requirements of the relevant agencies issuing building and development permits.

Ministry of Transportation (Permitting) – August 11, 2020

Preliminary comments were provided to the consultant under separate cover which identified the need to show a 14 m setback limit on the plan, impacts to the existing Lions access and required modifications to ensure it meets the current commercial site access standards, and that the proposed site access must be designed as the 4th leg of the intersection, comply with MTO standards, AODA standards and should be a municipal road not a private road. The proposed all-moves access shown is not acceptable. The access must be designed as a municipal road stub and will make the 4th leg of the intersection. Any intersection improvements must be identified in the Traffic Impact Study. The intersection must be brought into compliance with AODA requirements.

Ontario Provincial Police, Caledon Detachment – August 12, 2020

Due to the development's apparent location at or near the busy intersection of Highway 9 and Tottenham Road, careful consideration should be given to assessing any potential impacts on traffic safety that any potential increased vehicle traffic associated with the commercial activities at this location might have.

Town of New Tecumseth – March 3, 2021

During the site plan control application, it is requested that there is consideration for the mitigation of noise, dust and light pollution to the two residential properties located in the northwest corner of Tottenham Road and Highway 9 given their close proximity to the subject lands.

Hydro One – August 30, 2021

It is advised that there is extensive existing Hydro One overhead and underground in the area. Hydro One indicates no comments subject to standard provisions.

The following departments/agencies have no concerns:

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1. Planning Department, GIS
2. Planning Department, Landscape – August 20, 2020
3. Fire and Emergency Services Department, Fire – September 3, 2020
4. Canada Post – August 13, 2020
5. Peel District School Board – August 17, 2020
6. Dufferin-Peel Catholic District School Board – August 17, 2020
7. Simcoe County – September 15, 2021



8. Town of New Tecumseth – September 6, 2021
9. Township of Adjala-Tosorontio – August 30, 2021
10. Bell Canada – August 30, 2021
11. Enbridge – September 17, 2021
12. Rogers Communications Canada Inc.

Comments from the following departments/agencies have not been received:

- Ministry of the Environment, Conservation and Parks
- Planning Department, Municipal Numbers
- Town of Caledon, Building Department