

Staff Report 2023-0114

Meeting Date: February 21, 2023

Subject: Proposed Official Plan Amendment and Zoning By-law Amendment Applications, 12505 Heart Lake Road, Ward 2

Submitted By: Stephanie McVittie, Manager of Development, Planning Department

RECOMMENDATION

That the proposed Official Plan Amendment and Zoning By-law Amendment applications for 12505 Heart Lake Road, Ward 2, be refused.

REPORT HIGHLIGHTS

- The Town has received Official Plan Amendment and Zoning By-law Amendment applications at 12505 Heart Lake Road, on the east side of Heart Lake Road, north of Mayfield Road.
- The property is not located within a Town of Caledon Settlement Area or Secondary Plan, is bisected by the GTA West Corridor, is partially located within the Greenbelt Plan and has servicing constraints.
- The applications propose to facilitate 6 industrial buildings, with a total gross floor area of 100,892 square metres (1,085,991 square feet). All 6 buildings propose accessory office space and show a number of loading docks. Access is proposed directly from Heart Lake Road for the western portion of the lands and through the adjacent lands to the east to Dixie Road (through an easement) for the eastern portion of the lands. There is no stormwater management pond illustrated on the concept plan.
- On June 21, 2022, Planning staff brought forward Staff Report 2022-0247 to Planning and Development Committee which outlined direction for strategic growth in Caledon which provided that, where an application for urban uses outside of a settlement area is submitted without an approved Secondary Plan, staff should review the application for completeness and consider whether the applications are premature, not good planning and should be recommended to Council for refusal.
- Prior to submission of the applications the applicant was informed that the applications were premature for a number of reasons and attendance at another Pre-Consultation (DART) Meeting was required as the original Pre-Consultation (DART) Meeting had expired.
- Additionally, the applications do not contain all required information as outlined in the original Pre-Consultation (DART) Form and are therefore incomplete.
- The lands are bisected by the proposed GTA West Corridor and do not provide for appropriate transportation connections to the existing roads and surrounding area.
- Town staff understand that water and wastewater servicing will not be available for these lands until 2036 based on the Region of Peel 2020 Water and Wastewater

- Master Plan for the Lake Based Systems, which looked at expected growth until 2041.
- The Town has not completed the Growth Management and Phasing Plan to establish growth management and phasing of development to the 2051 planning horizon, or required Secondary Planning for this area, and cannot confirm that this area is appropriate for development at this time and that the land use proposed by the applicant is appropriate for this employment area.
 - The proposed applications are premature and incomplete and are not consistent with the Provincial Policy Statement, A Place to Grow: Growth Plan, Greenbelt Plan, Region of Peel Official Plan and the current Town of Caledon Official Plan.
 - Planning staff is recommending that Council refuse the applications.

DISCUSSION

The purpose of this Staff Report is to recommend that Council refuse Official Plan Amendment and Zoning By-law Amendment applications proposed at 12505 Heart Lake Road, recognizing that the applications are 'incomplete' and premature, in alignment with the Strategic Directions Report to ensure that Caledon plans Caledon.

Subject Lands

The subject lands are located at 12505 Heart Lake Road, on the east side of Heart Lake Road, north of Mayfield Road and Highway 410. The property is 29.5 hectares (72.8 acres) in size and is currently used for agricultural purposes. There is an existing farm cluster of buildings on the south-west corner of the property adjacent to Heart Lake Road, and an environmental feature (watercourse and woodlot) on the north-east corner of the property.

The lands are not located within an existing Secondary Plan, however are generally adjacent to the northern limit of the Mayfield West Secondary Plan Area where employment uses are permitted. There is a small section of land between the subject lands and existing Mayfield West Secondary Plan Area. The site is bisected by the proposed GTA West Corridor. The north-east corner of the property containing the environmental feature is partially located in the Greenbelt Plan. See Schedule 'A', Location Map, attached.

Proposed Development

On August 16, 2022, the Town received Official Plan Amendment and Zoning By-law Amendment applications for the subject lands from IBI Group Professional Services on behalf of Caledon HL Developments Inc. A Site Plan application has not been submitted but would be required to facilitate the development.

The applications propose to facilitate 6 industrial buildings, with a total gross floor area of 100,892 square metres (1,085,991 square feet). There are four buildings proposed on the western portion of the lands, and two buildings proposed on the eastern portion of the lands. All 6 buildings propose accessory office space and show a number of loading docks. Access is proposed directly from Heart Lake Road for the western portion of the lands and through the adjacent lands to the east to Dixie Road (through an easement) for the eastern portion of the lands. There is no stormwater management pond illustrated on the concept plan. The concept plan illustrates the environmental lands at the north-east corner of the property with a surveyed top of bank and dripline. See Schedule 'B', Concept Plan, for additional details.

Proposed Official Plan Amendment

The proposed Official Plan Amendment seeks to redesignate the lands from Prime Agricultural to Prestige Industrial and Environmental Policy Area. The Amendment does not propose to expand the Mayfield West settlement area or Secondary Plan within the Town's Official Plan.

Proposed Zoning By-law Amendment

The proposed Zoning By-law Amendment proposes to rezone the lands from Agricultural (A1) to Prestige Industrial (MP), Prestige Industrial – Holding (MP-H) and Environmental Policy Area 2 Zone (EPA2). As the lands are bisected by the GTA West Corridor, the MP zone would apply to the western portion of the lands, while the MP-H zone is proposed to apply to the easterly portion of the lands. The Holding 'H' Symbol is proposed to be in place until such time that there is an easement over the lands immediately east of the subject lands to provide access to Dixie Road. The EPA2 zone is proposed to apply to the environmental lands located in the north-east corner of the property.

Strategic Direction Report

On June 21, 2022, Staff Report 2022-0247 (Strategic Growth Direction for the Town of Caledon) and Staff Report 2022-0209 (Impacts of Bill 109, The More Homes for Everyone Act, 2022 and A Recommended Path Forward) were brought forward to Planning and Development Committee. These reports were ratified by Council on June 28, 2022. These reports indicate that:

- The Town will be initiating a Town-Wide Growth Management and Phasing Plan to provide clear guidance and direction on where, when and how the Town will grow to the 2051 planning horizon.
- The Town will require that Town-led Secondary Plans be completed in advance of development occurring.
- Where an application for urban uses outside of a settlement area is submitted without an approved secondary plan, staff should review the application for completeness and consider whether the applications are premature, not good

planning and should be recommended to Council for refusal. This approach aligns with the Region Official Plan direction on this matter.

- The Town will amend the existing development application process, including but not limited to the following changes:
 - Updating the Town's Pre-Consultation By-law, clarifying the requirements for pre-consultation and complete applications, including but not limited to:
 - Requiring public engagement prior to the formal application
 - Requiring indigenous consultation prior to the formal application
 - Obtaining various clearances and approvals (i.e. Ministry of Transportation approval, servicing approval, access approval, etc.)
 - Confirming parkland, school sites, community infrastructure needs
 - Implementing Terms of Reference for supporting studies/material.
 - Change the (then) Preliminary Meeting and Pre-Consultation Meeting processes.
 - Require that a Regional Official Plan Amendment be approved (where required), prior to accepting development applications.
 - Require that a Town-led Secondary Plan be approved prior to accepting an application for urban uses outside of a settlement area.
 - No longer permit the submission and processing of concurrent development applications.
 - Require a Draft Plan of Subdivision where new public infrastructure is proposed.
 - Updating the Town's Fee By-law to reflect the above-noted changes.

The Town's New Pre-Consultation By-law was approved by Council on June 28, 2022 and came into effect on the same day. The Town's amendment to the Fee By-law was approved by Council on July 19, 2022 and came into effect on September 1, 2022.

In accordance with these reports, and other factors as noted below, these applications should be refused for the following reasons:

- The application is premature pending the completion of the Growth Management and Phasing Plan, determining the optimal phasing of development (prioritization of Secondary Plans) to the 2051 planning horizon.
- The application is premature as the Town is required by the Provincial Policy Statement, Growth Plan, and Regional Official Plan, to protect for the GTA West Transportation Corridor, until the Province advises that lands can be removed from corridor protection.
- The Town requires that Town-led Secondary Plans be completed in advance of development occurring.
- The application is premature as it is for urban uses outside of a settlement area and there is no approved secondary plan in place.

Application History

The applications have a history extending back to December 2021. The image below summarizes key milestones in the evolution of these applications.



Further details on the application history are outlined below.

Pre-Consultation (DART) Meeting

On December 16, 2021, a Pre-Consultation (DART) Meeting was held with the applicant, Town staff and external agency staff to discuss the proposed development. The applicant was informed that the proposed development is premature. Nonetheless, the Town facilitated the Pre-Consultation (DART) Meeting and issued a Pre-Consultation (DART) Form in normal process.

The DART Form not only identified a number of studies/supporting material required for the submission of a 'complete' application(s), it also identified that further consultation was required for the following reasons:

- a) A portion of the lands is subject to the policies, provisions and requirements of the Greenbelt Plan.
- b) The lands are included within the GTA West Transportation Corridor Study Area and subject to all applicable policies and requirements. Development may not be able to proceed pending resolution of the matters connected with the approval of the proposed route.
- c) The lands are located outside of an established Settlement Boundary Area. Development applications are premature pending the fulsome completion of Region of Peel and Town of Caledon Official Plan Review processes.

The applicant/owner did not complete the further consultation in accordance with the DART Form. The DART Form expired on July 31, 2022. Applications were not submitted prior to that date, and as such a new Pre-Consultation (DART) Meeting would be required prior to any application submission.

Applicant Advised a New Pre-Consultation (DART) Meeting is Required

On July 20, 2022, the Town advised that a new Pre-Consultation (DART) Meeting (as it was then referred to as) is required and that the Town is not accepting applications without attendance at this Meeting. The new Meeting was required as the previous DART Meeting had expired and the new process was in effect.

Application Submission

Notwithstanding the above-noted conversations, the applicant delivered a paper submission of the applications on August 16, 2022.

Application Fees Returned

In consideration that the applications are premature and incomplete, the application fees have been returned to the applicant.

Applications are Incomplete

In completing a review of the applications against the original Pre-Consultation (DART) Form, staff have determined that these applications are incomplete for the following reasons:

- The Pre-Consultation (DART) Form expired on July 31, 2022, and the application material was submitted on August 16, 2022. The applicant was informed that a new Pre-Consultation (DART) Meeting was required due to the changes to the planning policy framework, application processing procedures, etc.
 - The new process would be communicated through the attendance at a Preliminary (PARC) Meeting which now has replaced the former Pre-Consultation (DART) Meeting in the revised development application process.
- The following material as noted on the Pre-Consultation (DART) Form as being required has not been received:
 - Water Balance/Budget Analysis
 - Erosion and Sediment Control Plan
 - Fiscal Impact Analysis
 - Record of Site Condition
 - Waste Management Plan
 - Comprehensive Environmental Impact Study and Management Plan (CEISMP), including the following missing material: Environmental Impact Study, a Feature Based Water Balance Risk Assessment (For Valley Corridor and Provincially Significant Wetlands), Slope Stability, Geomorphic and Erosion Hazard Delineation, Floodplain Delineation, etc.)
 - Arborist Report/Tree Inventory
 - Architectural Design Guidelines
 - Urban Design Brief
 - PINs and Parcel Abstract
- The further consultation required by the DART Form and described in detail above has not taken place.

Applications are Premature

In addition to being incomplete, it is evident from the supporting materials that have been provided that the applications are premature for the following reasons:

- *A portion of the lands are subject to the policies, provisions and requirements of the Greenbelt Plan.*
 - Staff cannot confirm that the proposed development as shown on the Plan accurately reflects the Greenbelt Plan boundary. See Schedule 'A' attached to this report.
- *The lands are included within the GTA West Transportation Corridor Study Area and are subject to all applicable policies and requirements. Development may not be able to proceed pending resolution of the matters connected with the approval of the proposed route.*
 - The GTA West Corridor bisects the property, resulting in landholdings on either side of the corridor. See Schedule 'A' attached to this report.
 - The GTA West Corridor is not reflected in the proposed Official Plan Amendment through text or visually.
 - There is no clearance letter provided from the Ministry of Transportation, releasing the lands for development.
 - The Town has received and circulated other development applications in the GTA West Corridor to the Ministry of Transportation. In those cases, the Ministry objects to approval of the applications.
- *The lands are located outside of an established Settlement Boundary Area in the Town's Official Plan and is not within an approved secondary plan.*
 - At the time of the application submission, the property was located outside of an established Settlement Area in both the Region and Town's Official Plans.
 - The Region of Peel Official Plan was approved by the Province on November 4, 2022 and designates the lands 2051 New Urban Area, Designated Greenfield Area and Employment Area. The Regional Official Plan requires the completion of a staging and sequencing plan, and that local municipal secondary plans be prioritized and approved in accordance with that plan, prior to approval of secondary plans by local municipalities (Town of Caledon). The Regional Official Plan also specifies technical analysis and studies to be included as part of those Secondary Plans. The Town's Growth Management and Phasing Plan has not yet been completed and the proposed Amendments do not reflect all submission material as required by the Region of Peel Official Plan.
 - A Town-led Secondary Plan has not been initiated nor completed. The Town's Official Plan Review is not yet completed and the lands are not yet located within a Settlement Area in the Town's Official Plan.
- The Town's Growth Management and Phasing Plan has not been completed and therefore does not identify the timing of development for these lands.
- The Town has not completed a Town-led Secondary Plan and therefore the lands are not within a Town identified settlement area. In addition, the Town has not identified the appropriate intended land use of the area. The applicant is proposing warehousing; however, through the background studies associated with the

Town's New Official Plan, the Town is seeking a diversification of employment land uses.

Transportation Network Concerns

The GTA West Corridor bisects the property, resulting in landholdings on either side of the corridor. See Schedule 'A' attached to this report.

The eastern landholdings of the subject property are proposed to receive access from an east/west transportation corridor from Dixie Road which is not proposed nor has it been evaluated by the Town. The applicant is proposing this access through an easement.

The Town has not completed the Multi-Modal Transportation Plan and the easterly connection may not be the most suitable to provide access to all lands on the east side of the corridor. The lands east of the property are also not within a Settlement Area or Secondary Plan.

Although Dixie Road is a Regional Road and truck route, access to that road cannot yet be obtained. The access to the western portion of the lands is proposed from Heart Lake Road which is not a truck route and under current design cannot manage truck traffic.

Servicing Constraints

Through the processing of existing development applications in the surrounding area, there are known servicing constraints which will also impact the development. These constraints would have been communicated and evaluated further through the Town's new revised development applications process.

At this time, Town staff understand that water and wastewater servicing will not be available until 2036 based on the Region of Peel 2020 Water and Wastewater Master Plan for the Lake Based Systems, which looked at expected growth until 2041.

Planning Review

Provincial Policy Statement, 2020

The PPS provides overall policy guidance on land use planning within Ontario. Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth. The PPS promotes the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing.

At the time of application submission, the lands were defined as being Prime Agricultural Area in the Provincial Policy Statement, 2020 (PPS), however, with the approval of the

Region of Peel's Official Plan by the province, the lands are now considered a Settlement Area within the PPS.

In accordance with the PPS, settlement areas shall be the focus of growth and development. The PPS offers direction on land use patterns within settlement areas which includes efficiently using land, resources, infrastructure and public service facilities which are planned or available. Land use patterns shall also minimize negative impacts to air quality and climate change and promote energy efficiency, prepare for the impacts of a changing climate, support active transportation, and are transit-supportive and are freight-supportive. The Town is to provide an appropriate mix and range of employment, institutional and broader mixed uses to meet long term needs, providing opportunities for a diversified economic base and ensuring the necessary infrastructure is provided to support current and projected needs.

Section 2.1 of the PPS requires natural features and areas to be protected for the long term. The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

Section 1.1.3.7 of the PPS states that planning authorities should establish and implement phasing policies to ensure:

- a) That specified targets for intensification and redevelopment are achieved prior to, or concurrent with, new development within designated growth areas; and
- b) The orderly progression of development within designated growth areas and the timely provision of the infrastructure and public service facilities required to meet current and projected needs.

In accordance with Section 1.6.6.2, municipal sewage services and water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Section 1.6.6.1.d of the PPS speaks to planning for sewage and water services shall integrate servicing and land use considerations at all stages of the planning process.

In relation to transportation systems, the PPS requires the efficient use of existing and planned infrastructure (Section 1.6.7.2) and as part of a multimodal transportation system, connectivity within and among transportation systems and modes should be maintained and, where possible, improved including connections which cross jurisdictional boundaries (Section 1.6.7.3).

The property is bisected by the GTA West Corridor, which is a planned transportation corridor. The PPS requires planning authorities to plan for an protect corridors and rights-of-way for infrastructure, including transportation, transit and electricity generation

facilities and transmission systems to meet current and projected needs. Furthermore, planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the intended purpose. New development proposed on adjacent lands to existing or planned corridors and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities. (Section 1.6.8) It is not good planning to designate and zone the property for industrial uses until the impact of development on the GTA West Corridor can be properly assessed.

The proposed applications are not consistent with the Provincial Policy Statement and it is not good planning to permit growth without an integrated planning approach to land use, environmental protection, servicing, and transportation, among other considerations.

A Place to Grow Plan

The A Place to Grow Plan provides for similar policy direction as the Provincial Policy Statement and as such staff has not included all applicable policies in the summary below.

Section 2.2.1.2 indicates that forecasted growth will be allocated with the vast majority of growth being directed to settlement areas that have a delineated built boundary, have existing or planned municipal water and wastewater systems and can support the achievement of complete communities. Growth will be limited in settlement areas that are not serviced by existing or planning municipal water and wastewater services or are in the Greenbelt Area. Within settlement areas, growth will be focused in delineated built-up areas, strategic growth areas, locations with existing or planned transit, with a priority on higher order transit where it exists or is planned and areas with existing or planning public service facilities.

Section 2.2.1.3 requires municipalities to integrate planning to manage forecasted growth be supported by planning for infrastructure and public service facilities by considering the full life cycle costs of these assets and developing options to pay for these costs over the long-term and provide direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form.

Planning for new or expanded infrastructure is to occur in an integrated manner, including evaluations of long-range scenario-based land use planning, environmental planning and financial planning, and will be supported by relevant studies and should involve:

- a) Leveraging infrastructure investment to direct growth and development in accordance with the policies and schedules of this Plan, including the achievement of the minimum intensification and density targets in this Plan;
- b) Providing sufficient infrastructure capacity in strategic growth areas;

- c) Identifying the full life cycle costs of infrastructure and developing options to pay for these costs over the long-term; and
- d) Considering the impacts of a changing climate.

The transportation system within the GGH will be planned and managed to:

- a) Provide connectivity among transportation modes for moving people and for moving goods
- b) Offer a balance of transportation choices that reduces reliance upon the automobile and promotes transit and active transportation;
- c) Be sustainable and reduce greenhouse gas emissions by encouraging the most financially and environmentally appropriate mode for tripmaking and supporting the use of zero- and low-emission vehicles;
- d) Offer multimodal access to jobs, housing, schools, cultural, and recreational opportunities, and goods and services
- e) Accommodate agricultural vehicles and equipment, as appropriate; and
- f) Provide for the safety of system users.

The proposed applications do not address the policies of the A Place to Grow Plan and it is not good planning to permit growth without an integrated planning approach to land use, environmental protection, servicing, and transportation, among other considerations.

Greenbelt Plan

The north-east corner of the property is located within the Greenbelt Plan and are designated as Protected Countryside and Natural Heritage System. The Natural Heritage System includes core areas and linkage areas of the Protected Countryside with the highest concentration of the most sensitive and/or significant natural features and functions. These areas need to be managed as a connected and integrated natural heritage system. Settlement areas outside the Greenbelt are not permitted to expand into the Greenbelt.

Within the Natural Heritage System, new development or site alteration shall demonstrate that:

- a) There will be no negative impacts on key natural heritage features or key hydrologic features or their functions
- b) Connectivity along the system and between key natural heritage features and key hydrologic features located within 240 metres of each other will be maintained or, where possible, enhanced for the movement of native plants and animals across the landscape
- c) The removal of other natural features not identified as key natural heritage features and key hydrologic features should be avoided. Such features should be incorporated into the planning and design of the proposed use wherever possible

- d) The disturbed area, including any buildings and structures, of the total developable area will not exceed 25% and the impervious surface of the total developable area will not exceed 10%; and,
- e) At least 30% of the total developable area will remain or be returned to natural self-sustaining vegetation.

The infrastructure policies of the Greenbelt Plan prohibit stormwater infrastructure in key natural heritage and key hydrologic features and their associated vegetation protection zones. For major river valleys connecting the Niagara Escarpment to Lake Ontario, naturalized stormwater management systems may be permitted within the vegetation protection zone of a significant valleyland, based on certain criteria.

The Town cannot confirm that the proposed development conforms to the policies of the Greenbelt Plan.

Region of Peel Official Plan

On the date that the applications were submitted, the Region of Peel Official Plan designated the lands as Prime Agricultural Area. On November 4, 2022, the new Region of Peel Official Plan was approved by the Province which now designates the lands as Rural System, Urban System and 2051 New Urban Area on Schedule E-1 and Employment Area on Schedule E-4. The Rural System designation applies to the portion of the lands within the Greenbelt Plan.

The Regional Official Plan is consistent with the Provincial Policy Statement and conforms to the A Place to Grow Plan and Greenbelt Plan. For the purpose of this report, staff has identified policies as they related to growth management and secondary planning.

Section 5.5.6 of the Region's Official Plan directs local municipalities to prepare growth management and phasing strategies for the Designated Greenfield Area (which includes the subject lands) within the Regional Urban Boundary. These growth management and phasing strategies will address and incorporate issues such as the improvement of live-work relationships, unit mix and housing targets, a range of employment types, the timing and efficient provision and financing of necessary Regional and local municipal services, public service facilities, fiscal impacts to the Region and the local municipalities, staged build-out and logical extensions to development, priority areas for development, the policies and targets of this Plan, prolonging agricultural uses as long as practical, and the sustainable rate of employment growth related to population growth.

In accordance with Section 5.6.20 of the Region's Official Plan, Designated Greenfield Areas policies will be implemented by the local municipalities through secondary planning and community/neighbourhood level block planning. Community/neighbourhood level block plans refer to the detailed technical level of planning that is done to address the

extent and location of secondary plan elements, including roads, lot patterns, stormwater management, facilities, park locations, proposed residential densities and employment uses, and densities, etc. The local municipalities may refer to block plans in different terms, as long as the components and intent of the detailed planning is met. Additionally, if a secondary planning process includes the technical level of detail that would normally be included in community/neighbourhood level block plans, then a separate planning process may not be required.

The Plan directs the Town to designate and delineate a structure for the Designated Greenfield Areas in the Caledon Official Plan, and provide a policy framework for secondary plans, and secondary planning boundaries, to guide future development. This work is underway through the Growth Management and Phasing Plan, and development of Secondary Plan Terms of Reference.

Where an approved secondary plan is not in place, the municipality shall develop staging and sequencing plans to provide for the orderly, fiscally responsible and efficient progression of development. The Region also requires the Town to permit approval of secondary plans in the 2051 New Urban Area only after the following are completed to the Region's satisfaction:

- A connected transportation system is planned
- Staging and sequencing plans

Finally, the Plan requires that secondary plans be supported by and undertaken in accordance with the following studies and technical analysis:

- An Agricultural Impact Assessment
- A Community Energy and Emissions Reduction Plan
- A Climate Change Adaptation Plan
- A detailed Subwatershed Study
- Environmental Implementation Reports
- Identification of a natural heritage system
- Consideration of transportation impacts

Until the completion of the Town's Secondary Plan, it is contrary to the Region's Official Plan and not good planning or in the public interest to approve the applications.

Town of Caledon Official Plan

Within the Town's Official Plan, the lands are currently designated as:

- Agricultural and Rural Area of the Growth Plan and Greenbelt Plan Area on Schedule "A1"
- Prime Agricultural Area, Environmental Policy Area and Boundary of Greenbelt Plan Area on Schedule "B"

- Greenbelt Plan Natural Heritage System on Schedule “S”

The Town is completing a review of the Official Plan and through that process, the subject lands will be added to the urban area and Designated Greenfield Area of Caledon, in accordance with the approved Regional Official Plan. The delineation of secondary plan boundaries and the development of growth management and phasing policies, will occur through the Growth Management and Phasing Plan, and be incorporated into the new Official Plan.

The Town prepares secondary plans for areas of the Town where it is considered necessary to provide more detailed planning objectives and policies for development activities. Secondary Plans may be prepared for established, partially developed or undeveloped areas within existing settlement areas within the Town in order to conform to an overall community development concept and approved planning policies. As part of the secondary planning process, the Town will include the following:

- Land use and distribution, density, and community design.
- Transportation.
- Environmental protection, enhancement and management.
- Heritage/archaeological potential.
- Stormwater management.
- Phasing requirements.
- A servicing strategy.
- Integration and compatibility of the Secondary Plan with adjacent existing and future land uses.
- Other relevant matters as deemed appropriate.

The Town is preparing updated Terms of Reference for the preparation of Secondary Plans to conform to the direction in the approved Regional Official Plan, and to build upon Town community building objectives in keeping with ‘Caledon plans Caledon’. Updates to the policies in the Official Plan related to secondary plans will also be advanced as part of the Official Plan Review.

The applications are premature in light of the planning work to be carried out to ensure comprehensive planning takes place and do not conform with the policy direction in the Town’s Official Plan. As such, approval of the proposed development does not represent good planning.

Ontario Land Tribunal Motion

As the Town did not deem the applications ‘incomplete’ within 30 days of their receipt, the applicant has filed a motion with the Ontario Land Tribunal to dispute the lack of decision

and request the Tribunal deem the applications 'complete'. A hearing date on this motion has been scheduled for April 13, 2023.

In addition to the applications being incomplete, not consistent with the PPS, not in conformity with the Growth Plan or the Greenbelt Plan, not in conformity with the Region's Official Plan, premature, not good planning in the public interest, staff are also concerned that the Town of Caledon's ability to deliver the housing pledge and appropriately planned employment uses will be compromised in the event the applications are approved.

Next Steps

Application Refusal and Appeal Rights

Planning staff is recommending that Council refuse the applications for a number of reasons as outlined within this report and including:

- In accordance with Staff Report 2022-0247, where an application for urban uses outside of a settlement area is submitted without an approved Secondary Plan, staff should review the application for completeness and consider whether the applications are premature, not good planning and should be recommended to Council for refusal.
- The Town has not completed the Growth Management and Phasing Plan or Secondary Planning for this area, as required by the approved Regional Official Plan, and it is therefore premature to confirm that this area is appropriate to develop at this time and that the intended use is appropriate for this employment area.
- Prior to submission of the applications the applicant was informed that the applications were premature for a number of reasons and attendance at another Pre-Consultation (DART) Meeting was required as the original Pre-Consultation (DART) Meeting had expired.
- The applications do not contain all required information as outlined in the original Pre-Consultation (DART) Form and are therefore incomplete.
- The lands are bisected by the proposed GTA West Corridor and do not provide for appropriate transportation connections to the existing roads and surrounding area. The Town is required to protect for the GTA West planned corridor and cannot permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose it was identified.
- Town staff understand that water and wastewater servicing will not be available until 2036 based on the Region of Peel 2020 Water and Wastewater Master Plan for the Lake Based Systems, which looked at expected growth until 2041.
- The proposed applications are premature and incomplete and are not consistent with the Provincial Policy Statement, A Place to Grow Plan, Greenbelt Plan, Region of Peel Official Plan and the Town of Caledon Official Plan.

The applicant has the right to appeal Council's decision on the applications and therefore it may result in a hearing at the Ontario Land Tribunal (OLT).

Without comprehensive, orderly planning for this development, staff are concerned that the Town of Caledon's ability to deliver the housing pledge and appropriately planned employment uses will be compromised.

Growth Management and Phasing Plan and Secondary Planning

The Town will complete the Growth Management and Phasing Plan. The outcome of this study will be the strategic and responsible identification of where, how and when to grow within the 2051 New Urban Area. The Town will then undertake Secondary Plans in accordance with the direction of the Growth Management and Phasing Plan. These Secondary Plans are critical to identify land uses, servicing requirements, transportation/access, community services, etc. Following a completed Secondary Plan, a Block Plan may be required for the area. Once the Secondary Plan and Block Plan is in effect for the lands, the owners may make development applications to proceed with development of the lands.

FINANCIAL IMPLICATIONS

There are no immediate financial implications associated with this report.

COUNCIL WORK PLAN

Sustainable Growth: Continue to advocate for provincial highway infrastructure including the Highway 427 extension and GTA West Corridor; Advance proactive infrastructure development solutions for growth management

Connected Community: Discourage non-agricultural storage on rural land; Preserve heritage and natural areas

Improved Service Delivery: Improve roads and long-term planning that maintain road standards; Plan for improved stormwater management to reduce drainage issues; Improve and innovate business processes for better customer service and service delivery

Good Governance: Balance financial planning for both operating and capital budgets; push for policies that better cover the true cost of growth; manage reasonable community expectations

ATTACHMENTS

Schedule A: Location Map – 12505 Heart Lake Road

Schedule B: Concept Plan – 12505 Heart Lake Road