

**THE CORPORATION OF THE TOWN OF CALEDON
BY-LAW NO. [By-law Number Inserted by Town]**

Being a by-law to amend Comprehensive Zoning By-law 2006-50, as amended,
with respect to implementing the Supplementary Aggregate Policy Study.

WHEREAS Section 34 of the Planning Act, as amended, permits the councils of local municipalities to pass zoning by-laws for prohibiting the use of land or the erecting, locating or using of buildings or structures for or except for such purposes as may be set out in the by-law;

AND WHEREAS the Council of The Corporation of the Town of Caledon considers it desirable to pass a zoning by-law to implement the recommendations of the Supplementary Aggregate Policy Study.

NOW THEREFORE the Council of The Corporation of the Town of Caledon enacts that By-law 2006-50 as amended, being the Comprehensive Zoning By-law for the Town of Caledon, shall be and is hereby amended as follows:

1. The following new definitions are added to Section 3.2:

Asphalt plant means an operation manufacturing asphalt through the mixing of mineral aggregates and oil or recycled asphalt material, but does not include a portable asphalt plant.

~~**Commercial Excess soil operation filling** means the importation of fill or excess soil from another site to onto a lot, but does not include importation for agricultural uses, land development purposes for lands with an appropriate Planning Act or Niagara Escarpment Planning and Development Act approval, or undertakings with approval under the Town's Site Alteration By-law.~~

Commented [JN1]: Updating term to remove "commercial" or transactional element.

Commercial peat extraction and organic soil extraction means the extraction of peat or other soil organic matter from the ground for commercial or industrial purposes.

Portable concrete batching plant means a temporary facility, to be dismantled at the completion of a construction project, where:

- a) any excavation incidental to the construction of a building or structure for which a building permit has been issued; and
- b) bulk materials uses in the process described in clause a) above are kept.

Soil dehydration services means the processing of liquified soil or other slurry-type earth into separate water and dry soil or earth.

2. The definition of gravel pit in Section 3.2 is deleted and replaced with the following four new definitions:

~~**Pit Class A** means land or land under water from which unconsolidated aggregate is being or has been excavated at a rate greater than 20,000 tonnes of aggregate annually, and that has not been rehabilitated, but does not mean land or land under water excavated for a building or structure on the excavation site.~~

~~**Pit Class A, Below Water (Category 1)** means land or land under water from which unconsolidated aggregate is being or has been excavated from below the established groundwater table at a rate greater than 20,000 tonnes of aggregate annually, and that has not been rehabilitated, but does not mean land or land under water excavated for a building or structure on the excavation site.~~

Commented [JN2]: Combining into one term: 2024 PPS 4.5.2.3 does not allow Planning Act processes to regulate depth of extraction.

~~**Pit Class A, Above Water (Category 3)** means land or land under water from which unconsolidated aggregate is being or has been excavated no closer than 1.5 metres above the established groundwater table at a rate greater than 20,000 tonnes of aggregate annually, and that has not been~~

Supplementary Aggregate Resource Policy Study
Zoning By-law Amendment

~~rehabilitated, but does not mean land or land under water excavated for a building or structure on the excavation site.~~

~~**Pit Class B** means land or land under water from which unconsolidated aggregate is being or has been excavated at a rate equal to or less than 20,000 tonnes of aggregate annually, and that has not been rehabilitated, but does not mean land or land under water excavated for a building or structure on the excavation site.~~

~~**(Pit Class B), Below Water (Category 5)** means land or land under water from which unconsolidated aggregate is being or has been excavated from below the established groundwater table at a rate equal to or less than 20,000 tonnes of aggregate annually, and that has not been rehabilitated, but does not mean land or land under water excavated for a building or structure on the excavation site.~~

~~**Pit Class B, Above Water (Category 7)** means land or land under water from which unconsolidated aggregate is being or has been excavated no closer than 1.5 metres above the established groundwater table at a rate equal to or less than 20,000 tonnes of aggregate annually, and that has not been rehabilitated, but does not mean land or land under water excavated for a building or structure on the excavation site.~~

3. The definition of quarry in Section 3.2 is deleted and replaced with the following four new definitions:

~~**Quarry Class A** means land or land under water from which consolidated aggregate is being or has been excavated at a rate greater than 20,000 tonnes of aggregate annually, and that has not been rehabilitated, but does not mean land or land under water excavated for a building or structure on the excavation site.~~

~~**(Quarry Class A), Below Water (Category 2)** means land or land under water from which consolidated aggregate is being or has been excavated from below the established groundwater table at a rate greater than 20,000 tonnes of aggregate annually, and that has not been rehabilitated, but does not mean land or land under water excavated for a building or structure on the excavation site.~~

~~**Quarry Class A, Above Water (Category 4)** means land or land under water from which consolidated aggregate is being or has been excavated no closer than 2.0 metres above the established groundwater table at a rate greater than 20,000 tonnes of aggregate annually, and that has not been rehabilitated, but does not mean land or land under water excavated for a building or structure on the excavation site.~~

~~**Quarry Class B** means land or land under water from which consolidated aggregate is being or has been excavated at a rate equal to or less than 20,000 tonnes of aggregate annually, and that has not been rehabilitated, but does not mean land or land under water excavated for a building or structure on the excavation site.~~

~~**(Quarry Class B), Below Water (Category 6)** means land or land under water from which consolidated aggregate is being or has been excavated from below the established groundwater table at a rate equal to or less than 20,000 tonnes of aggregate annually, and that has not been rehabilitated, but does not mean land or land under water excavated for a building or structure on the excavation site.~~

~~**Quarry Class B, Above Water (Category 8)** means land or land under water from which consolidated aggregate is being or has been excavated no closer than 2.0 metres above the established groundwater table at a rate equal to or less than 20,000 tonnes of aggregate annually, and that has not been rehabilitated, but does not mean land or land under water excavated for a building or structure on the excavation site.~~

Commented [JN3]: Combining into one term: 2024 PPS 4.5.2.3 does not allow Planning Act processes to regulate depth of extraction.

Commented [JN4]: Combining into one term: 2024 PPS 4.5.2.3 does not allow Planning Act processes to regulate depth of extraction.

Commented [JN5]: Combining into one term: 2024 PPS 4.5.2.3 does not allow Planning Act processes to regulate depth of extraction.

Supplementary Aggregate Resource Policy Study
Zoning By-law Amendment

4. The definition of small scale concrete batching plant in Section 3.2 is deleted and replaced with the following:

Small Scale Concrete Batching Plant means an operation primarily involved with the mixing of mineral aggregates and other ingredients to produce concrete, limited to 40 cubic metres per hour and a maximum batch hopper capacity of 1 cubic metre.

5. The first bullet in Section 4.29.3(a) is deleted and replaced with, “pit, quarry, wayside pit or quarry, portable asphalt plant, portably concrete batching plant, or expansions thereof”

6. The bullet, “an asphalt manufacturing or refining use” in Section is deleted ~~of small scale concrete batching plant~~ in Section 4.32 is deleted and replaced with a new bullet as follows: “aggregate transfer station, asphalt plant, commercial filling, commercial peat extraction and organic soil extraction, concrete batching plant, small scale concrete batching plant, and soil dehydration services.”

7. The ~~terms~~, “gravel pit” is ~~and quarry” are deleted replaced with the term “pit” and realphabetized accordingly~~ in Table 8.1.

Commented [JN6]: Editorial change, terms are added below.

8. ~~The following~~ new rows are added and alphabetized accordingly in Table 8.1:

Commented [JN7]: Editorial change, terms are added below.

- ~~Commercial filling~~
- ~~Forest management~~
- ~~Recreation, non-intensive~~

- 9.8. The MX column in Table 8.1 is deleted and replaced, and new rows are additionally added to Table 8.1 as follows:

USE	MX
Detached dwelling	✓ (4)
Commercial filling Excess soil operation	✓ (4)(5)
Farm	✓
Forest management	✓
Livestock facility and shed	✓ (4)
Outdoor storage, accessory	✓ (4)
Pit Class A, Below Water (Category 1)	✓ (4)(5)
Pit Class A, Above Water (Category 3)	✓ (5)(6)
Pit Class B, Below Water (Category 5)	✓ (5)(6)
Pit Class B, Above Water (Category 7)	✓ (4)(5)
Quarry Class A, Below Water (Category 2)	✓ (4)(5)
Quarry Class A, Above Water (Category 4)	✓ (5)(6)
Quarry Class B, Below Water (Category 6)	✓ (5)(6)
Quarry Class B, Above Water (Category 8)	✓ (4)(5)
Recreation, non-intensive	✓

Commented [JN8]: Deleted, as the updated footnote 4 covers this scenario.

Commented [JN9]: The edits to the main permitted uses are related to the point made in the clauses above related to definitions: 2024 PPS 4.5.2.3 does not allow Planning Act processes to regulate depth of extraction.

(For non-operative clarity to the above, the new rows will not include checkmarks ~~to identify~~ ing those as permitted in the other zones, and ~~no~~ uses not mentioned in this table would be added as permitted uses in ~~this the~~ MX Zone.)

- 40.9. The following new footnotes are added to Table 8.1 as follows:

~~(4) Only permitted if included as part of a licence approved under the Aggregate Resources Act.~~

Commented [JN10]: The revision to the updated footnote 4 below makes this footnote unnecessary.

(54) Only uses legally existing as of October 7, 2024. If the use is not legally existing as of October 7, 2024, the use is permitted only if included as part of a licence approved under the Aggregate Resources Act.

Commented [JN11]: Added to recognize existing ARA approvals where that component of the use is not yet established.

(65) Associated facilities to a mineral aggregate operation used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products are

Supplementary Aggregate Resource Policy Study
Zoning By-law Amendment

~~Additionally permitted only if included as part of a licence approved under the Aggregate Resources Act.~~

~~Uses essential to the extractive operation, such as crushing, screening, washing, stockpiling, blending with recycled asphalt or concrete materials, storage, weigh scales, maintenance, repair and fuel storage for vehicles related to the extraction operation, parking and office facilities, and clay products manufacturing, are additionally permitted if included as part of a licence approved under the Aggregate Resources Act. Site preparation for rehabilitation shall also be permitted.~~

Commented [JN12]: This revised footnote mirrors the corresponding “associated uses” update in Section 20.2.1(b) of the OPA. The detailed criteria and limits of this clause would be assessed as part of the Zoning By-law Amendment.

Commented [JN13]: Added to recognize existing ARA approvals where that component of the use is not yet established.

~~11.10.~~ All permitted uses are deleted from ~~Exception 333~~ in Table 13.1.

~~12.11.~~ All permitted uses are deleted from Exception 334 in Table 13.1 and replaced with the term, “wayside pit and quarry”.

Commented [JN14]: Editorial note: the uses deleted from these site-specific exceptions are covered by the parent MX zone permissions (either directly or in the broad “accessory uses” footnote 6).

~~13.12.~~ The term “gravel pit” is deleted twice under the heading “Excavation setbacks (minimum)” from Exception 334 in Table 13.1.

~~14.13.~~ All permitted uses are deleted from Exception 335 in Table 13.1 and replaced with the following terms:

- Portable processing plant for the purposes of crushing, screening and sorting aggregate
- Wayside pit and quarry

~~15.14.~~ All permitted uses are deleted from Exception 486 in Table 13.1.

~~16.15.~~ All permitted uses are deleted from Exception 603 in Table 13.1.

~~17.16.~~ Schedule “A”, Zone Map 78 of By-law 2006-50, as amended is further amended for Part of Lot 26, Concession 4 EHS (Caledon), Town of Caledon, Regional Municipality of Peel, from Extractive Industrial (MX) to Rural (A2) in accordance with Schedule “A” attached hereto.

~~18.17.~~ Schedule “A”, Zone Map 18 of By-law 2006-50, as amended is further amended for Part of Lot 27, Concession 5 WHS (Caledon), Town of Caledon, Regional Municipality of Peel, from Extractive Industrial (MX) to Agricultural (A1) and Environmental Policy Area 2 (EPA2) in accordance with Schedule “B” attached hereto.

~~19.18.~~ Schedule “A”, Zone Map 64 of By-law 2006-50, as amended is further amended for Part of Lots 13, 14 and 15, Concession 5 WHS (Caledon), Town of Caledon, Regional Municipality of Peel, from Extractive Industrial (MX) to Agricultural (A1) in accordance with Schedule “C” attached hereto.

~~20.19.~~ Schedule “A”, Zone Map 74 of By-law 2006-50, as amended is further amended for Part of Lot 16, Concessions 2 WHS and 3 WHS (Caledon), Town of Caledon, Regional Municipality of Peel, from Extractive Industrial (MX) to ~~Open Space (OS)~~ **and Rural (RU)** in accordance with Schedule “D” attached hereto.

Commented [JN15]: Reflects approved rehabilitation on 2140 Charleston Sideroad.

Read three times and finally passed in open Council on the 7th day of October, 2024.

Annette Groves, Mayor

Supplementary Aggregate Resource Policy Study
Zoning By-law Amendment

Kevin Klingenberg, Town Clerk