# AMENDMENT NO. 1 TO THE FUTURE CALEDON OFFICIAL PLAN (OFFICIAL PLAN FOR THE TOWN OF CALEDON PLANNING AREA)

#### THE CORPORATION OF THE TOWN OF CALEDON

#### BY-LAW NO. 2024-XXX

A By-law to adopt Amendment No. 1 to the Future Caledon Official Plan (Official Plan for the Town of Caledon).

WHEREAS the Council of the Corporation of the Town of Caledon, in accordance with the provisions of the Planning Act, R.S.O. 1990, as amended, HEREBY ENACTS AS FOLLOWS:

1. Amendment No. 1 to the Future Caledon Official Plan (Official Plan for the Town of Caledon)shall be and is hereby adopted.

Read three times and finally passed in open Council this 7<sup>th</sup> day of October, 2024.

Annette Groves, Mayor

Kevin Klingenberg, Town Clerk

#### THE CONSTITUTIONAL STATEMENT

PART A - THE PREAMBLE - does not constitute part of this Amendment.

PART B - THE AMENDMENT - consisting of amendments to the Text and Schedules of the Official Plan for the Town

Schedules of the Official Plan for the Town of Caledon constitutes Amendment Amendment No. 1 to the Future Caledon Official Plan (Official Plan for the Town of

Caledon).

#### **AMENDMENT NO. 1**

#### TO THE FUTURE CALEDON OFFICIAL PLAN

#### **PART A - THE PREAMBLE**

#### **Purpose of the Amendment:**

The purpose of Official Plan Amendment No. 1 is to amend the Town of Caledon Official Plan to introduce policies related to mineral aggregate resources and associated mapping edits implementing the Supplementary Aggregate Resource Policy Study and continued phased implementation of the Future Caledon Official Plan.

#### Location:

All lands in the Town are subject to this Amendment.

#### Basis:

On October 18, 2022, the Council of the Town of Caledon enacted Interim Control By-law No. 2022-075. The By-law prohibited any new aggregate operations from being established during this period and was later extended to October 18, 2024. Council also enacted a Resolution that required:

The Caledon Supplementary Aggregate Resources Policy Study be undertaken to review the findings and recommendations of the joint Peel and Caledon Aggregate Policy review as well as Caledon's Rehabilitation Master Plan, and determine how to address those findings and recommendations in the Caledon Official Plan and Zoning By-law 2006-50, as amended.

The goals of the Study were as follows:

- Prepare a background report that provides context and policy analysis for consideration by Council
- Conduct a public consultation program with residents, Indigenous communities, stakeholders, agencies, and Council members
- Draft a policy options report for review and consideration by Council, that
  may contain recommendations for amendments to the new Official Plan
  and/or Zoning By-law as deemed necessary

The overall intent of the Study is to update the existing municipal planning policies including some of Study considered the relevant Caledon results from the Joint Aggregate Policy Review and to use theits proposed revisions to the High Potential Mineral Aggregate Resource Areas (HPMARA): Mapping Methodology Discussion Paper prepared jointly with the Region of Peel, and plus the Transportation Technical Paper. The Study will also build upon the adopted Aggregate Rehabilitation Master Plan that must be considered in the update to the new Caledon Official Plan.

The Study process has included a comprehensive engagement program, including consultation with a resident working group, known as the Aggregate Resources Community Working Group (ARCWG), liaison conversations with Peel Region and Credit Valley Conservation, and liaison conversations with representation from the Ontario Stone, Sand & Gravel association. Other deliverables resulting from the Study include a <a href="Status Update Report">Status Update Report</a>, <a href="Background Report">Background Report</a>, and <a href="Policy Options Report">Policy Options Report</a>.

Coupled with a detailed land use planning policy analysis (including a detailed consideration of the applicability of the Greenbelt Plan's Policy 4.3.2.10 related to the prior completion of comprehensive aggregate studies) and technical input from discipline experts during the ARCWG and liaison conversations portion of the project, the end result are the following policy insertions and mapping edits to the Future Caledon Official Plan. Adoption of this amendment would complete this phase of the Town's official plan review. The amendment is being considered under Section 26 of the Planning Act.

#### PART B - THE AMENDMENT

This part of the document, entitled "Part B - The Amendment", and consisting of the following Text, Tables, Figures and Schedules constitutes Amendment No. 1 to the Official Plan of the Town of Caledon.

## **Details of the Amendment**

The Future Caledon Official Plan is amended as follows:

- 1. Section 1.2.1(g) is deleted.
- 2. The bulleted paragraph in Section 2.3.5 is deleted and replaced as follows:
  - "Policies about mineral aggregate resources are found in Chapter 20, Mineral Aggregate Resources."
- 3. A new Section 11.2.18 is added as follows:
  - "The Town will work with the Province and Region as applicable, development proponents, and existing users to investigate the building of bypasses around settlement areas where truck volumes or the type of goods being hauled merit consideration of this approach."
- 4. The following words are added to the end of Section 11.3.8(d):
  - ", including trucks hauling mineral aggregates."
- 5. By deleting and replacing Section 13.5.1(f) with the following:
  - "f) Mineral aggregate operations and wayside pits and quarries subject to Provincial policy (including, but not limited to Section 4.3.2.10 of the Greenbelt Plan) and Chapter 20 of this Plan."
- 6. By deleting the phrase, "(to be added through a future phase of the Official Plan Review as noted in Part A, Section 1.2)" from Sections 13.5.2(d) and (f).
- 7. By adding new Sections 17.13 and 17.14 as follows:

#### "17.13 Commercial Filling and Excess Soil

- a) Commercial filling shall only permitted through an amendment to this plan.
- b) Notwithstanding subsection (a) above, commercial filling associated with mineral aggregate extraction is permitted where it

**Commented [JN1]:** These sections have moved from Chapter 20 to the employment designations section, with revisions below.

- was permitted as part of an approved Aggregate Resources Act licence issued on or before \_\_\_\_\_\_, 2024.
- c) Notwithstanding subsection (a) above, commercial filling is permitted accessory to 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 Bylaw, subject to any conditions associated with those approvals.
- d) Until such time as a study is completed that may update these policies, conformity with all policies of this Plan shall be demonstrated. Where conflicting policies exist, the strictest policy shall apply.

# 17.14 Soil Dehydration Services (Hydrovac)

- a) Soil dehydration services shall only permitted through an amendment to this plan.
- b) Until such time as a study is completed that may update these policies, conformity with all policies of this Plan shall be demonstrated. Where conflicting policies exist, the strictest policy shall apply."
- 8. The Town of Caledon Official Plan is amended bBy deleting the current Section 20 and adding a new Section 20 as shown on Schedule 1.
- 9. By adding a new Section 23.11 as follows:

### 23.11 Permanent Concrete and Asphalt Plants

- a) Where permanent concrete batching and asphalt plants are permitted in this Plan, material stockpiling, fuel storage and transfer, processing equipment, areas for storing or processing recycled mineral aggregates, and vehicle parking shall be designed:
  - i) To require a barrier to ensure no leachate or spills can reach the water table.
  - ii) To conform to the <u>all other</u> policies of Section 20.5.9 of this Plan, including but not limited to Section 20.5.9.
  - iii) If on lands designated Mineral Resource Extraction Area, that conformity to the policies of Section 20 of this Plan is
- 10. The second duplicated subsection 27.7.2 (a) (beginning with "For clarity,") is relettered to become subsection (k).
- 11. A new subsection (j) is added to Section 27.2.2 as follows:

"Mineral Aggregate Applications

**Commented [JN2]:** This section has moved from Chapter 20 to the employment designations section, with revisions below.

**Commented [JN3]:** This revision eliminates the need for sub (iii) and clarifies all policies apply.

In addition to the studies identified above, the following technical reports and studies may be required for applications for new mineral aggregate extraction:

- i) Blast impact assessment, including a blast design report and protocol, flyrock management plan and vibration management plan
- ii) Haul route safety analysis, and confirmation the Applicant is prepared to enter into agreements with the appropriate public bodies to ensure the timely completion of any necessary road improvements
- iii) Haul route condition analysis, and confirmation the Applicant is prepared to enter into agreements with the appropriate public bodies to ensure the timely completion of any necessary road improvements
- iv) Overburden (site preparation) study.
- v) A complete set of site plan drawings and notes to satisfy Aggregate Resources Act requirements
- vi) In place of a local subwatershed study, the Applicant may undertake a comprehensive broader scale environmental study that includes any areas functionally connected with the resource area. This report is to be considered in conjunction with an environmental impact study/assessment.
- vii) A statement describing its public consultation process used to introduce the proposal to the immediately surrounding community and to describe to the community the nature of impacts to be expected and the means proposed to mitigate those impacts to acceptable limits.
- viii) Written confirmation of the quality and quantity of the resource based on professional assessment.

Information required under this Section of the Plan shall be prepared in a manner that meets *Accessibility for Ontarians with Disabilities Act* standards, and is able to be downloaded and printed.

- 12. The following new definitions are added to the Glossary in Section 31:
  - "Adaptive Management Plan means an approach to managing complex natural systems by continually improving management policies and practices based on learning from the outcomes of operational programs that include monitoring and evaluation."

"Aggregate Transfer Station means an industrial facility where aggregate products are temporarily stored prior to shipment and may include facilities for the administration or management of the business and the storage of required equipment, but does not include the retail sale of aggregate products."

"Caledon High Potential Mineral Aggregate Resources Areas or CHPMARAs mean lands identified as having a high quality mineral

Commented [JN4]: Staff requested addition to clarify intent (definition matches Town ZBL).

aggregate resource that may be appropriate for mineral aggregate extraction."

"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."

"Comprehensive Rehabilitation means rehabilitation of land from which mineral aggregate resources have been extracted that is coordinated and complementary, to the extent possible, with the rehabilitation of other sites in an area where there is a high concentration of mineral aggregate operations."

#### "Mineral Aggregate Extraction means:

- a) lands under license or permit, other than for wayside pits and quarries, issued in accordance with the Aggregate Resources Act:
- for lands not designated under the Aggregate Resources Act, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
- c) associated facilities 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."

"Mineral Aggregate Resources means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the Aggregate Resources Act suitable for construction, industrial, manufacturing and maintenance purposes, but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the Mining Act."

"Wayside Pit and Quarry means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way."

# 13. A new Section 32.1.23 is added as follows:

"On the property identified by Roll Number 212403001002610, located south of Charleston Side Road and connection through Winston Churchill Boulevard and Shaws Creek Road, while there is no active mineral aggregate operation on site, both an above water table or below water table operation is permitted. An Environmental Impact Study and monitoring plans shall be completed that demonstrates conformity with the relevant policies of Section 20.3 of this Plan. (OPA 161 / former Section 5.11.2.2.1, and OPA 1, By-law 2024
\_\_future James Dick Construction Limited lands.)"

### 14. A new Section 32.1.23 is added as follows:

"The Coulterville Special Study Area is shown on Schedule E1 to this Plan. This Special Study Area contains outstanding natural environmental features and cultural heritage features together with

more intensive tourism development, as well as less intensive tourism and recreation opportunities, rural uses (including agricultural uses), existing aggregate operations, and CHPMARAs. In addition, a portion of the Coulterville Special Study Area is located within the Niagara Escarpment Plan area and is subject to the policies of the Niagara Escarpment Plan.

The identification of the Coulterville Special Study Area acknowledges, in particular, the need to examine the issue of appropriate after use of lands currently being used for aggregate extraction and to develop either additional detailed guidelines for rehabilitation and after-uses and potentially additional more detailed policies within the policy framework provided by the Town of Caledon Official Plan and in conformity with the Niagara Escarpment Plan. The study will help ensure that such after uses will be complimentary to the natural environmental features and cultural heritage features within the Study Area and will respect both continuing aggregate extraction, as well as the identification of Caledon High Potential Mineral Aggregate Resource Areas found within and in proximity to the Study Area.

- a) The study to be carried out within the Coulterville Special Study Area will be done in consultation with stakeholders, appropriate ministries and agencies, the Niagara Escarpment Commission and the Region of Peel, and will investigate the appropriateness of after uses such as residential development, non-intensive and intensive recreational development, agriculture, tourism development including limited accommodation, and high technology research institutes, other compatible rural economic development uses within the policy framework provided by the Town's Official Plan and in conformity with the Niagara Escarpment Plan and the Greenbelt Plan.
- b) The results of the study will be required to be formally considered through the appropriate decision-making process under the Planning Act and where applicable, the Niagara Escarpment Planning and Development Act.
- c) In the interim, prior to the completion and approval of the study, the appropriate designations and applicable policies for the designations apply in the Coulterville Special Study Area.
- 15. Schedule 'B4' is amended by redesignating lands from Extractive Industrial Area to Rural Lands as shown on Schedule 2A to this amendment
- 16. Schedule 'B4' is amended by redesignating lands from Extractive Industrial Area to Rural Lands and Natural Features and Areas as shown on Schedule 2B this amendment.
- 17. Schedule 'B4' is amended by redesignating lands from Extractive Industrial Area to Prime Agricultural Area and Natural Features and Areas as shown on Schedule 2C to this amendment.
- 18. Schedule 'B4' is amended by redesignating lands from Extractive Industrial Area to Prime Agricultural Area and Natural Features and Areas as shown on Schedule 2D to this amendment.

# Supplementary Aggregate Resource Policy Study Official Plan Amendment 1

- 19. Schedule 'B4' is amended by redesignating lands from Extractive Industrial Area to Parks and Open Space and Natural Features and Areas as shown on Schedule 2E to this amendment.
- 20. Schedule 'C1' is amended by designating identified roads as Mineral Aggregate Haul Routes as shown on Schedule 3 to this amendment.
- 21. Schedule 'E1' is amended by adding the Coulterville Special Study Area identifier as shown on Schedule 4 to this amendment.
- 22. Schedules 'E4' and 'E5' are amended by replacing the words, 'Extractive Industrial Area' in the legend with the words, 'Mineral Resource Extraction Area', as shown on Schedules 5 and 6 to this amendment.
- 22.23. A new Schedule E12 is added as shown on Schedule 7 to this amendment.

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