

TOWN OF CALEDON
PLANNING
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PLANNING JUSTIFICATION REPORT

OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT

NUCON PROPERTY DEVELOPMENT INC.
10795 Highway 9
Town of Caledon

February 2025
GSAI File # 972-002

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**Planning Justification Report
Official Plan and Zoning By-law Amendment
10795 Highway 9
Town of Caledon**

1.0 INTRODUCTION

Glen Schnarr and Associates Inc. has been retained by Nucon Property Development Inc. (herein referred to as the “Owner”) to provide professional planning advice and to assist in obtaining the necessary planning approvals to bring the existing business operation on-site into conformity with the applicable planning framework. In addition to the existing *Motor Vehicle Repair Facility* use, the owner is seeking to add permissions for a *Motor Vehicle Repair Facility (Modified)* use to allow for the repair of construction equipment (herein referred to as the “Proposed Development” or “Proposed Use”) on the lands municipally known as 10795 Highway 9 (herein referred to as the “Subject Property” or “Site”). The Subject Property is located south of the Highway 9 west of the Tottenham Road intersection, in the Town of Caledon, as illustrated on Figure 1 – Aerial Context Plan.

The purpose of this report is to outline the details of the Proposed Development and to evaluate its conformity in the context of the Provincial Planning Statement (2024), the Oak Ridges Moraine Conservation Plan (2017), the Region of Peel Official Plan (2022), and the Town of Caledon Official Plan (Office consolidation 2018), Future Town of Caledon Official Plan, and Zoning By-law (2006-50).

2.0 SITE AND SURROUNDINGS

The following sections describe the Subject Property’s context, adjacent land uses, and the surrounding area.

2.1 Site Description

The Subject Property is located approximately 70 metres west of the t-intersection of Highway 9 and Tottenham Road, on the south side of Highway 9, along the Town’s municipal north boundary.

The Subject Property is legally described as:

Legal Description: *PT LT 26 CON 10 ALBION PT 1, 43R17925; CALEDON*

Pin: *14340-0015*



FIGURE 1

10795 HIGHWAY 9

AERIAL CONTEXT PLAN

— Subject Property



Scale: N.T.S.
FEBRUARY 7, 2025

GSAI
Glen Schnarr & Associates Inc.

The Subject Property is an irregular shaped parcel, with an area of 3.95 hectares (9.76 acres) and a frontage of approximately 42.2 metres along Highway 9. The Subject Property contains a two-storey building fronting Highway 9 used for administrative purposes for the Owner's business operation (Building A), and an industrial garage building in the rear (Building B) with accessory open storage also at the rear of the site. Refer to Figure 1 – Aerial Context Plan for details.

2.2 Immediate Surrounding Area

Adjacent land uses include:

North: The property immediately to the north of the Subject Property 1008 Tottenham Road, is located in the town of New Tecumseth, and contains a large woodlot.

East: The property immediately to the east of the Subject Property, 10819 Highway 9, contains an industrial building with as of right permissions for *Motor Vehicle Repair Facility*, and a two-storey detached dwelling at the rear.

South: The property immediately to the south of the Subject Property (14340-002), contains a woodlot, owned by the Town Caledon.

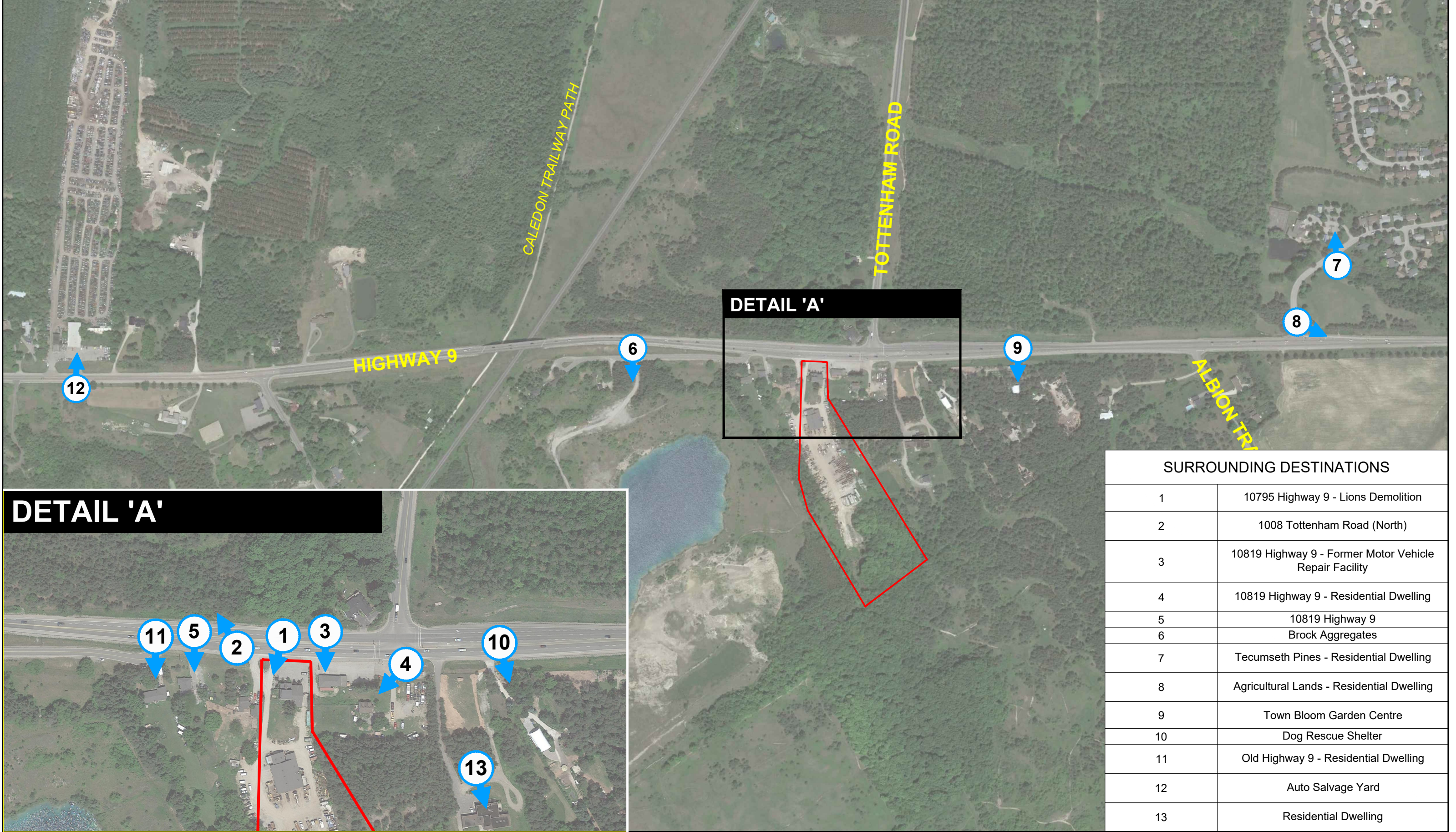
West: The property immediately to the west of the Subject Property, 10789 Highway 9, contains a vacant one-storey single detached dwelling. Further West along Old 9 Highway is Brock Aggregates a Sand and Gravel supplier yard.

2.3 Surrounding Area

The Subject Property is located within the Palgrave Estate Residential Community, which contains a mix of residential, commercial, agricultural and industrial uses. The immediate surrounding area is characterized by large lots with agricultural, commercial, and industrial uses with the exception of Tecumseth Pines, a residential subdivision which is located approximately one (1) kilometre northeast of the Subject Property that contains smaller detached dwellings.



Further east along Highway 9, the area contains a mix of agricultural, commercial and industrial uses including a garden centre and a dog shelter. Further west from the Subject Property contains a mix of residential dwellings along Highway 9, and industrial uses such as sand and aggregate supplier. Further west along Highway 9 is characterized by large-scale agricultural operations and industrial uses, such as an automotive salvage yard. Refer to Figure 2 – Surrounding Context Plan for details.

Within the context of the Town, the Subject Property is located along Caledon's north boundary, fronting onto Highway 9, which is designated as a "Primary Truck Route" by Figure 16 of the Region's Official Plan.



SURROUNDING DESTINATIONS	
1	10795 Highway 9 - Lions Demolition
2	1008 Tottenham Road (North)
3	10819 Highway 9 - Former Motor Vehicle Repair Facility
4	10819 Highway 9 - Residential Dwelling
5	10819 Highway 9
6	Brock Aggregates
7	Tecumseth Pines - Residential Dwelling
8	Agricultural Lands - Residential Dwelling
9	Town Bloom Garden Centre
10	Dog Rescue Shelter
11	Old Highway 9 - Residential Dwelling
12	Auto Salvage Yard
13	Residential Dwelling

FIGURE 2
SURROUNDING CONTEXT PLAN

 Subject Property
 Destinations



Scale: N.T.S.
FEBRUARY 7, 2025

3.0 SITE HISTORY

Based on our review of the materials provided to us by our client and public records, it appears the Subject Property has been used for various commercial and industrial-related uses since the 1970's.

The Owner purchased the Subject Property in 2006, at which time the site was being occupied by a business use that appeared to sell, store, and repair various commercial trucks and equipment on Site. The Owner purchased the property with the intention of using it as the maintenance and repair arm of their demolition and excavation business (herein referred to as "Lion's Demolition/Excavation Repair Facility").

In 2006, the Owner applied for a Site Plan Application to construct an addition to the existing industrial garage building at the rear of the Subject Property. Through the Town's review of the Site Plan Application (Town File No.: SPA 06-63), the zoning administrator identified that the use the Owner was proposing was not permitted within the existing Rural ORM (A2 - ORM) zone on the Subject Property however, it was identified that a *Motor Vehicle Repair Facility* use permitted on Site as a legal non-conforming use. It should also be highlighted that the Town's Zoning By-law at the time (and even to this day) did not include a specific definition for a demolition business operation. As a result, Town staff suggested a Minor Variance application be submitted to permit the expansion of the legal non-conforming use of a *Motor Vehicle Repair Facility* on Site to facilitate the approval of the industrial building expansion being proposed through SPA 06-63. Subsequently, the Owner submitted a Minor Variance application to expand the legal non-conforming use of a *Motor Vehicle Repair Facility* on Site, which was approved on May 16, 2007.

The Town of Caledon's Zoning By-law 2006-50 defines a *Motor Vehicle Repair Facility* use as follows:

Motor Vehicle Repair Facility means a premises used to conduct repairs of motor vehicles of a mechanical or structural nature and may include an associated towing service, motor vehicle service centre and motor vehicle rentals but does not include a motor vehicle body shop.

Since the approval of the above-noted Minor Variance application, Lion's Demolition/Excavation Repair Facility has been maintaining, repairing, and servicing its own motor vehicles and construction equipment associated with the business operation on the Site which continues to operate to this day.

In 2009, the Owner received a notice letter from the Town of Caledon stating that some of the activities on the Subject Property were **NOT** in conformance with the legal non-conforming use of a *Motor Vehicle Repair Facility*. Staff pointed out that not all the items being stored on the property (construction equipment and steel bins) were considered by the Town as *Accessory Open Storage* to the permitted *Motor Vehicle Repair Facility* use. Since 2009, the Owner has pursued several avenues in an attempt to rectify the Town's land use permission concerns, including a

Minor Variance application (2010), Legal Non-Conforming Use Application (2017), and a Temporary Use Zoning By-law Amendment (2020)). Ultimately, it was determined that an Official Plan Amendment and Rezoning application would be required to permit the repair and storage of construction equipment, and steel bins on Site.

3.1 Current Business Operation

Lion's Demolition/Excavation Repair Facility is a maintenance and repair division of a demolition and excavation business that provides demolition services in the Greater Toronto Area (GTA). As shown on Figure 3 – Development Concept Plan, there are two (2) buildings on the Subject Property (Building A & B). The building closer to Highway 9 (Building A) is used for administrative purposes related to the Lion's Demolition/Excavation Repair Facility. Building B, which is located central to the Site (the existing industrial garage building) is used as a mechanic shop to maintain, repair, and service trucks and equipment associated with the Lion's Demolition/Excavation Repair Facility (trucks, construction equipment etc.). The southern yard portion of the Subject Property is primarily used to store large trucks, and construction equipment that are waiting to be serviced/repaired.

The Owner uses the Subject Property for the maintenance, repair, and servicing of its own vehicle/equipment fleet associated with the Lion's Demolition/Excavation Repair Facility. No servicing or repair of external equipment takes place. The trucks/equipment associated with the demolition business only come to the Highway 9 property for maintenance, repair, and servicing. Once the trucks/equipment are in operational condition, they are stored and dispatched from a separate location in Toronto.

However, over the years, various other items associated with Lion's Demolition/Excavation Repair Facility have been stored on Site, which were not associated with the maintenance, repair, and servicing of the business's fleet (such as outside storage of tools, construction equipment attachments, shipping containers, push carts etc.). In an attempt to address the concerns of the Town and bring the Site back into conformity with the original intent of the *Motor Vehicle Repair Facility* use, the Owner has recently started to relocate these various items to their other properties within the GTA.

4.0 PROPOSED DEVELOPMENT

In order to address the Town of Caledon's concerns regarding various uses on the Site not being permitted under the current legal non-conforming use, the Owner is proposing to submit a site-specific Official Plan and Zoning By-Law Amendment application (herein referred to as the "Amendments") to recognize the existing Lion's Demolition/Excavation Repair Facility business operation by expanding the existing *Motor Vehicle Repair Facility* definition to allow for the repair of construction equipment.

Town staff have taken the position that not all uses on the Site (construction equipment and steel bins) are permitted under the legal non-conforming use of a *Motor Vehicle Repair Facility*. Lion's

Demolition/Excavation Repair Facility, has maintained the *Motor Vehicles Repair Facility* use aspect of its business operation (servicing/repairing motor vehicles used by their company) since the Subject Property was purchased eighteen (18) years ago.

Town staff have taken the position that the construction equipment being repaired/stored on Site is not permitted under the *Motor Vehicle Repair Facility* use definition. However, we are of the opinion that the maintenance and repair of construction equipment have a similar operational scope as the maintenance and repair of motor vehicles. Whether it is a transport truck or an excavator/steel bin, the general scope of the activity remains similar. The tools, staff, and equipment required to repair both are largely the same. Both activities require heavy lifting capabilities, specialized diagnostic tools, welding and fabrication equipment, and a workspace designed to accommodate the machinery. The core mechanical skill and repair process overlap significantly. The main difference is the size of the machinery being repaired. Repairing larger machines (construction equipment) could potentially have greater visual impacts associated with the use. Given the size and location of the existing industrial garage building on Site, the maintenance and repair of construction equipment can be accommodated within the existing building (Building B). Additionally, the location of Building B provides a large setback from Highway 9, which further mitigates any visual impact potential. Lastly, the Site provides screening from the east and west through existing vegetation and grading, further buffering the use from public view. For these reasons, we are of the opinion that the Proposed Use will have a similar impact as a *Motor Vehicle Repair Facility* use.

In order to rectify staff's concerns with respect to the construction equipment and steel bins being stored on the Site, we are proposing an Official Plan and Zoning By-Law Amendment application to convert the existing legal non-conforming *Motor Vehicle Repair Facility* use to a similar, slightly modified use to better accommodate the Owners current business operation. We are proposing to amend the existing *Motor Vehicle Repair Facility* definition as follows:

Motor Vehicle Repair Facility (Modified) means a premises used to conduct repairs of motor vehicles of a mechanical or structural nature (***including construction equipment***) and may include an associated towing service, motor vehicle service centre and motor vehicle rentals but does not include a motor vehicle body shop.

No new development is being proposed on the Subject Property at this time, however, in order to improve the ecological integrity of the Site, the Owner is proposing to provide enhancements to the existing woodlot features on the Site by expanding the Environmental Protection Area Zone limits in certain areas (herein referred to as 'woodlot enhancement areas'). These woodlot enhancement areas are intended to expand the woodlot feature beyond the staked dripline limits identified in the recent site staking exercise. Detailed planting and restoration plans can be provided at the detailed design stage to further define and improve the proposed woodlot enhancement areas. Moreover, if the proposed Amendments are approved, there will be further opportunities to enhance the Site through the Site Plan Approval process, which could include but are not limited to improvements in grading, drainage, and landscaping treatments etc.

As part of the proposal, the Site will maintain the existing access points along Highway 9 which provides access to the surface parking lot in the front of Building A and the Open Storage Area at the rear lot. All existing building setbacks will be maintained.

It is our opinion that the proposed Amendments will rectify staff concerns regarding construction equipment and steel bins on Site, ultimately bringing the Owners business into conformity with the Town's Official Plan, and Zoning By-law.

4.1 Proposed Official Plan Amendment

The Subject Property is currently designated as *Policy Area 4* on Schedule G – Palgrave Estate Residential Community in the Town of Caledon Official Plan. Permitted uses in the Policy Area 4 designation generally include agriculture and associated residential uses, intensive recreation, and legally existing uses.

In order to permit the proposed use of a *Motor Vehicle Repair Facility (Modified)*, amendments to the Town of Caledon Official Plan are required. As such, the proposed Official Plan Amendment (the “OPA”) will provide the following designations:

1. Apply a site-specific designation that will redesignate the Subject Property from “Policy Area 4” to Policy Area 4 - #” to permit the proposed *Motor Vehicle Repair Facility (Modified)* use.

A draft Official Plan Amendment is provided in Appendix I.

4.2 Proposed Zoning By-law Amendment

The Subject Property is currently zoned *Rural – Oak Ridges Moraine “A2-ORM”* and *Environmental Policy Areas 2 – Oak Ridges Moraine “EPA2-ORM”*. The A2-ORM zone primarily permits agricultural and farm-related uses such as farm equipment storage, livestock facility and open storage, accessory. The EPA2-ORM zone is more restrictive, and permits uses related to existing agricultural, forest management and utilities.

In order to permit the proposed use of a *Motor Vehicle Repair Facility (Modified)*, amendments to the Town of Caledon's Zoning By-law 2006-50 are required. The Proposed Use will be restricted to the portions of the Site zoned A2-ORM. As such, the proposed Zoning By-law Amendments (the “ZBLA”) will provide the following revisions:

1. Rezone the portion of the Subject Property from “A2 - ORM” to “A2 – ORM - #” to permit the proposed *Motor Vehicle Repair Facility (Modified)* use;
2. Rezone the portion of the Subject Property from “A2 - ORM” to “EPA2-ORM” to provide additional woodlot enhancement areas on Site.

A draft Zoning By-law Amendment is provided in Appendix II.



FIGURE 1

10795 HIGHWAY 9

AERIAL CONTEXT PLAN

 Subject Property



Scale: N.T.S.
FEBRUARY 7, 2025

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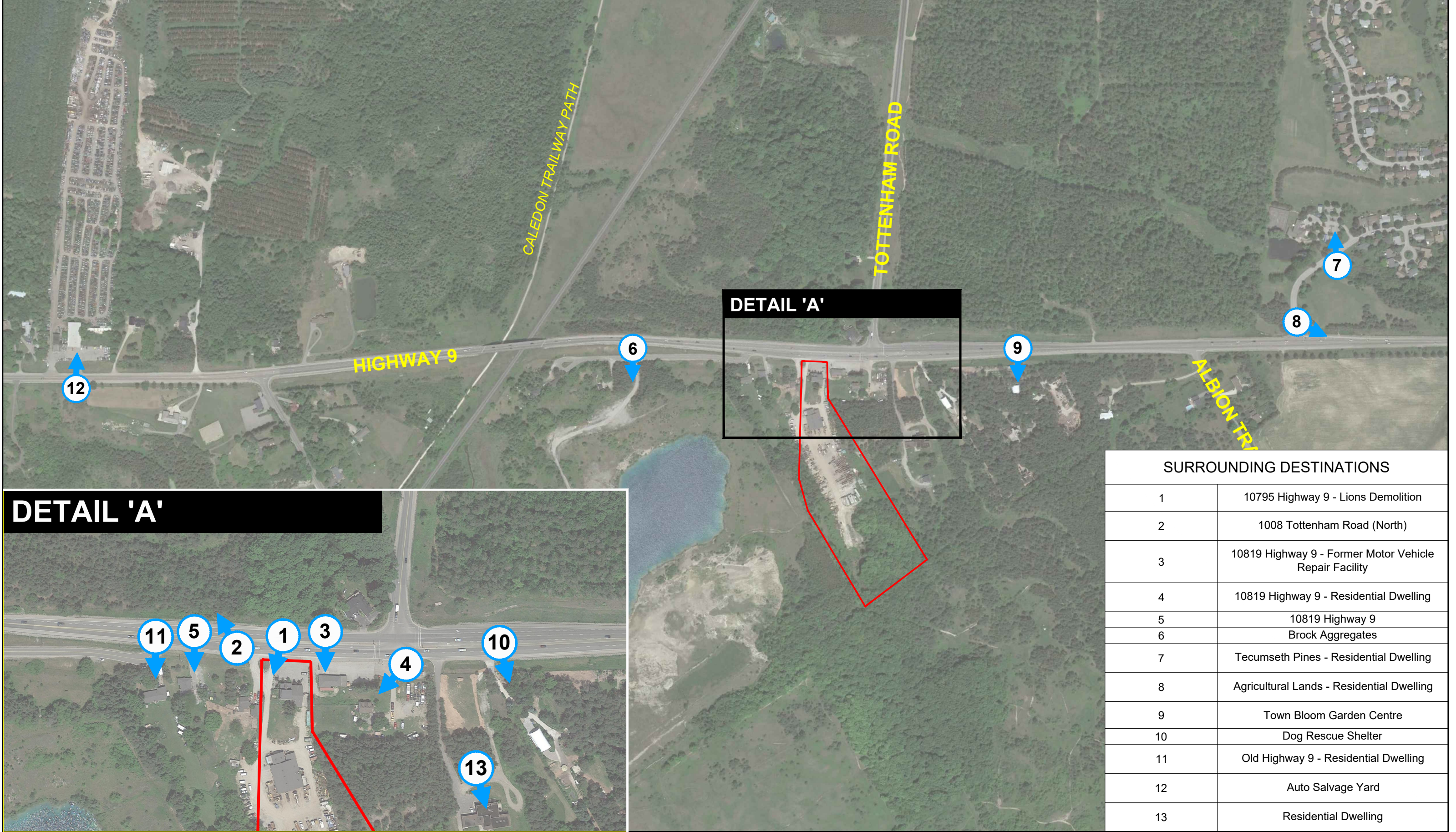
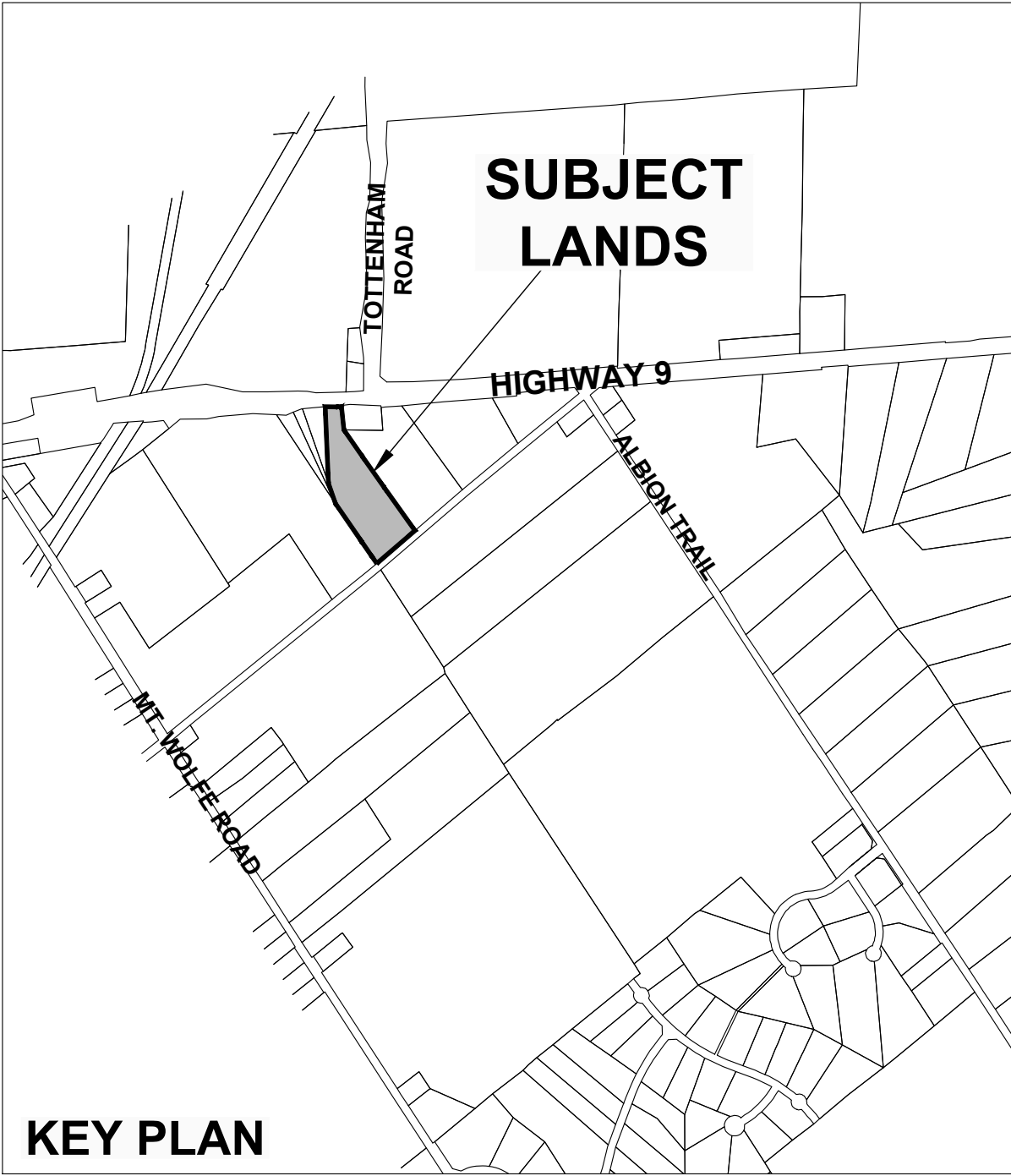
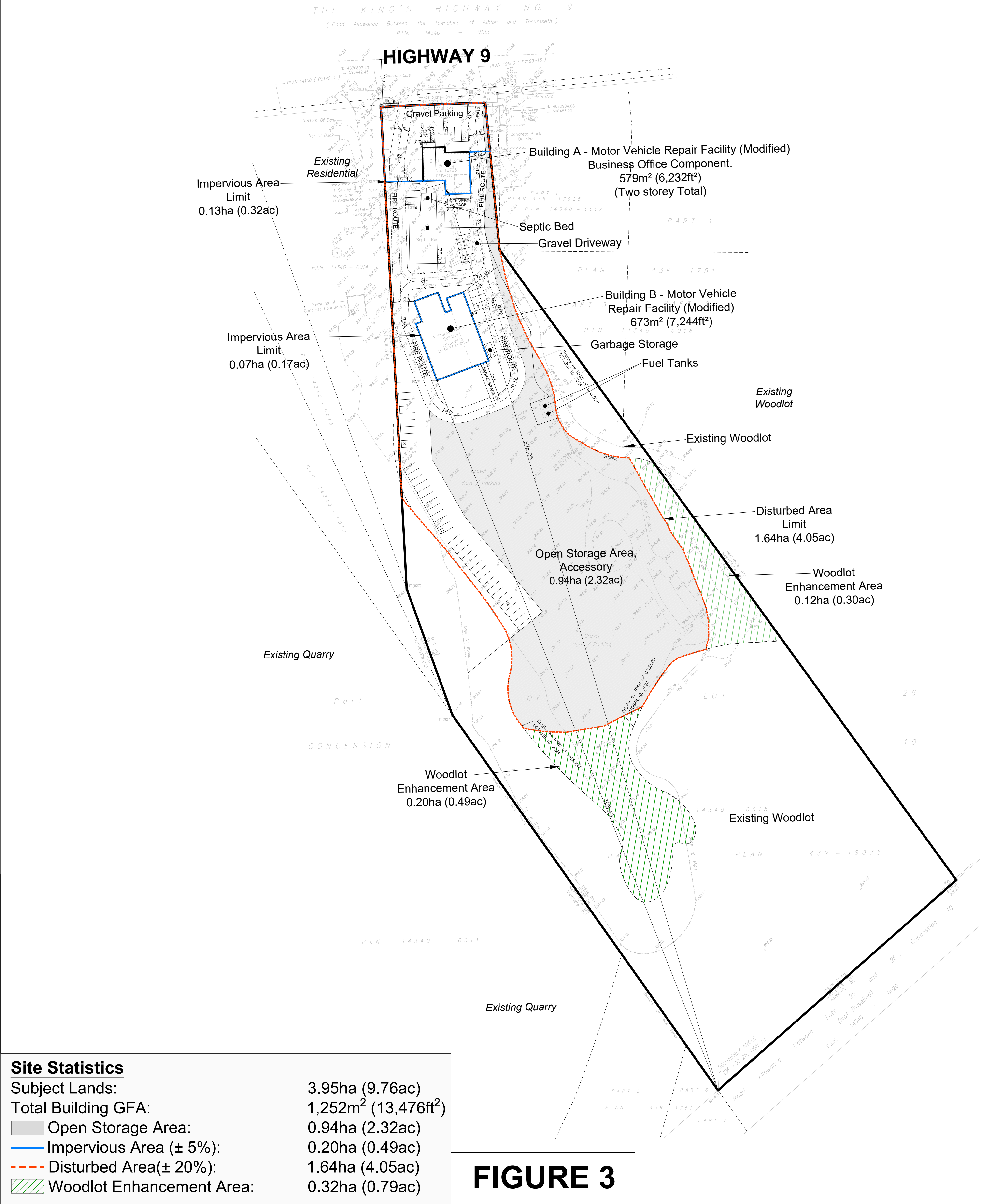


FIGURE 2

SURROUNDING CONTEXT PLAN

— Subject Property

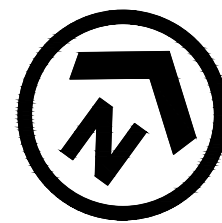
○ Destinations



DEVELOPMENT CONCEPT PLAN

10795 HIGHWAY 9
PART OF LOT 26, CONCESSION 10
GEOGRAPHIC TOWNSHIP OF ALBION
TOWN OF CALEDON
REGIONAL MUNICIPALITY OF PEEL

Notes:
Typical Perpendicular Parking Space: 2.75m x 6.0m
Typical Barrier Free Space: 3.4m x 6.0m + 1.5m Aisle
Typical Loading Space: 3.5m x 14.0m
Typical Delivery Space: 3.5m x 9.0m



SCALE:1:750
FEBRUARY 5, 2025

5.0 SUMMARY LIST OF APPLICABLE

Due to the complexity of the Subject Property and surrounding area, there are a number of different land use designations and identifiers that are referenced in this Report, which have their origins in several different applicable policy reports. Accordingly, for ease of reference, the following is a list of the Site's designations/identifiers in various applicable Provincial, Regional and Municipal documents. This is intended to be used as a guide for reading this Report.

Table 1: Applicable Designations

Policy Document	Designations
Oak Ridges Moraine Conservation Plan (2017)	- Natural Linkage Area
Greenbelt Plan (2017)	- Oak Ridges Moraine Conservation Plan Area
Region of Peel Official Plan (Office Consolidation 2022)	- Palgrave Estate Residential Community - Oak Ridges Moraine Plan Area (Natural linkage Area) - High Aquifer Vulnerability
Town of Caledon Official Plan (Office Consolidation 2018)	- Greenbelt Plan Area - Oak Ridges Moraine Conservation Plan - Palgrave Estate Residential Community - Policy Area 4 - Environmental Zone 1 - Natural Linkage Area - High Aquifer Vulnerability - Landform Conservation Area Category 2
The Future Caledon Official Plan (TBD) <i>*The Future Caledon Official Plan ('Future Caledon OP') was adopted by Town Council in March 2024. It remains before the Ministry of Municipal Affairs and Housing for approval and thus is not the in-effect Future Caledon OP.</i>	- Greenbelt Plan Area - Oak Ridges Moraine Conservation Plan - Palgrave Estate Residential Community

6.0 CURRENT LAND USE ANALYSIS

As required by Sections 2 and 3 of the *Planning Act*, the following sections demonstrate the proposed Amendment's consistency with the Provincial Planning Statement (2024) and conformity with the Oak Ridges Moraine Conservation Plan (2017), the Region of Peel Official Plan (Office Consolidation 2022), the Town of Caledon Official Plan (Office Consolidation April 2018), and the Future Caledon Official Plan.

6.1 Provincial Policies

6.1.1 Provincial Planning Statement (2024)

The Provincial Planning Statement ('PPS'), was issued under Section 3 of the *Planning Act*, as amended, and came into effect on October 20, 2024. The PPS provides policy direction on matters of provincial interest related to land use planning and development with the goal of enhancing the quality of life for all Ontarians. The *Planning Act*, as amended, requires that decisions affecting a planning matter be 'consistent with' the policies of the PPS.

Overall, the PPS provides Provincial policy direction related to Building Homes, Sustaining Strong and Competitive Communities (Chapter 2), and Infrastructure and Facilities (Chapter 3). When considered together, the PPS strongly encourages developments that provide for long-term prosperity, environmental health and social well-being, while also making the best use of available land, infrastructure and resources and facilitating economic growth. An analysis of the applicable PPS policies that apply to the Subject Property and how the Proposed Development, together with the corresponding Amendments, are consistent with these policies is provided below.

Chapter 2 of the PPS contains policy directions meant to guide how growth and development are to be managed. This is achieved by directing growth to appropriate locations. The following policies apply.

2.5 Rural Areas in Municipalities

1. Healthy, integrated and viable rural areas should be supported by:

- a) building upon rural character, and leveraging rural amenities and assets;*
- d) using rural infrastructure and public service facilities efficiently;*
- e) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;*
- g) conserving biodiversity and considering the ecological benefits provided by nature;*

The proposed Amendments are consistent with the policy direction of Section 2.5 Rural Areas in Municipalities by proposing a use that leverages the existing services available on Site. Furthermore, the proposal will diversify the economic base and employment opportunities of the area, while maintaining the rural character by allowing a long-time business in the Town to

continue to operate with minimal to no changes to the existing Site. Lastly, as outlined in the EIS prepared by Dillon Consulting included in the submission, the proposal will conserve and enhance the ecological integrity of the site by adding 0.32ha (0.79ac) of newly created woodlot enhancement areas to be added onto the existing woodlot features on Site. These newly created enhancement areas will be placed into the Environmental Protection Area Zone to ensure the long-term preservation of these features.

Section 2.8 Employment of the PPS provides the following relevant policies:

2.8 Employment

2.8.1 Supporting a Modern Economy

- 1. Planning authorities shall promote economic development and competitiveness by:*
 - a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;*
 - b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*
 - c) identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;*
 - d) encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities; and*
 - e) addressing land use compatibility adjacent to employment areas by providing an appropriate transition to sensitive land uses.*

The PPS outlines the importance of planning authorities promoting economic development and competitiveness, by encouraging an appropriate mix and range of employment uses. The permissions outlined in the proposed Amendments are consistent with achieving these policies as they will allow an existing business to continue operation within the Town of Caledon through the subtle modification/conversion of the currently permitted *Motor Vehicle Repair Facility* use. The proposed *Motor Vehicle Repair Facility (Modified)* use is consistent with the above-noted policies by promoting economic development within the Town of Caledon by providing local employment opportunities to residents and allowing a business that provides services to a number of rural sites within the Town to continue to operate. The proposed Amendments will therefore support economic development and contribute to providing a range of employment uses in the Region and in the Town of Caledon. The proposal also represents an efficient use of land and services as no new municipal service connections are required. Additionally, as shown on Figure 3 - Surrounding Context Plan, there are several commercial and industrial uses surrounding the Subject Property, which demonstrates the proposal is compatible with the surrounding area.

Chapter 3 of the PPS contains policy directions meant to guide how infrastructure and facilities are to be managed. This is to be achieved by directing growth to appropriate locations. The following policies apply.

Chapter 3: Infrastructure and Facilities

3.1 General Policies for Infrastructure and Public Service Facilities

- 1. Infrastructure and public service facilities shall be provided in an efficient manner while accommodating projected needs. Planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning and growth management so that they:
 - a) are financially viable over their life cycle, which may be demonstrated through asset management planning;*
 - b) leverage the capacity of development proponents, where appropriate;*
 - c) are available to meet current and projected needs.**

The proposed *Motor Vehicle Repair Facility (Modified)* use on the Subject Property will continue to operate using the existing private septic system and well water systems in place and will operate within the existing buildings and open storage area on Site minimizing any negative impacts and disturbances on the Subject Property. Therefore, the proposal represents an efficient use of existing services and infrastructure.

SUMMARY / CONFORMITY STATEMENT

The Provincial Planning Statement ('PPS'), 2024 outlines a series of guiding policies meant to direct land use planning and development across Ontario. As such, the PPS focuses on ensuring growth and development is directed to appropriate locations, with an emphasis on development occurring in areas well-served by infrastructure while not adversely affecting the protection of the natural environment. The above analysis demonstrates that the Proposed Development and corresponding Amendment conform to the PPS by facilitating development that will contribute to the economic opportunities within the Town of Caledon, represent an efficient use of land and services, and further conserve and enhance the biodiversity of the Site. Based on the above, it is our opinion that the proposal and corresponding Amendments are consistent with the policies of the PPS.

6.1.3 Oak Ridges Moraine Conservation Plan (2017)

The Oak Ridges Moraine Conservation Plan (ORMCP) provides both land use and resource management direction for 190,000 hectares of land and water within the Moraine. The Moraine contains a unique concentration of environmental, geological and hydrological features that are vital to the south-central Ontario ecosystem. Municipal plans are required to be brought into conformity with the ORMCP.

Within the introduction section of the ORMCP, a high-level vision is outlined through the following objectives:

Plan Objectives

The Oak Ridges Moraine Conservation Act, 2001 establishes the following objectives for the Oak Ridges Moraine Conservation Plan:

- a. protecting the ecological and hydrological integrity of the Oak Ridges Moraine Area;*
- b. ensuring that only land and resource uses that maintain, improve or restore the ecological and hydrological functions of the Oak Ridges Moraine Area are permitted;*
- c. maintaining, improving or restoring all the elements that contribute to the ecological and hydrological functions of the Oak Ridges Moraine Area, including the quality and quantity of its water and its other resources;*
- d. ensuring that the Oak Ridges Moraine Area is maintained as a continuous natural landform and environment for the benefit of present and future generations;*
- e. providing for land and resource uses and development that are compatible with the other objectives of the Plan;*

The proposed Amendments conform with the Oak Ridges Moraine Conservation Plan objectives as the proposal will maintain the ecological and hydrological function of the area as the *Motor Vehicle Repair Facility (Modified)* is not proposing any changes to the Subject Property's existing conditions and will operate similarly to the legally permitted *Motor Vehicle Repair Facility* use. The proposal will conserve and possibly enhance the Site's ecological integrity by providing 0.32ha (0.79ac) of newly created woodlot enhancement areas to be added onto the existing woodlot features on Site. These newly created enhancement areas will be placed into the Environmental Protection Area Zone to ensure the long-term preservation of these features. Additionally, improvements to the Site grading, drainage, and landscaping will also be explored through the Site Plan Application process, potentially bringing the existing Site further into conformance with the objectives outlined above.

The Subject Property is not within an identified existing urban or rural settlement, however, Highway 9 is characterized by various industrial, commercial, residential and agricultural uses,

suggesting the Proposed Use is compatible with the surrounding uses (refer to Section 2.0 Site and Surroundings and Figure 2 - Surrounding Context Plan of this Report for details).

Section 6 Existing uses, buildings and structure of the ORMCP contains the following relevant policies to the Proposed Amendments:

6. (1) *Nothing in this Plan applies to prevent,*
a. *the use of any land, building or structure for a purpose prohibited by this Plan, if the land, building or structure was lawfully used for that purpose on November 15, 2001 and continues to be used for that purpose; or*

As outlined in Section 3.0 of this report, the Town of Caledon has determined that a *Motor Vehicle Repair Facility* use is considered a legal non-conforming use on these lands. Since purchasing the property, the Owner has continuously operated its business on Site which maintains, repairs, and services its own motor vehicles and continues to operate today. Based on this, it is our opinion that a *Motor Vehicle Repair Facility* use is permitted on Site.

6. (6) *Nothing in this Plan applies to prevent the conversion of an existing use to a similar use, if the applicant demonstrates that the conversion,*
a. *will bring the use into closer conformity with this Plan; and*
b. *will not adversely affect the ecological integrity of the Plan Area*

The proposed *Motor Vehicle Repair Facility (Modified)* use will operate and function similarly to the legal non-conforming *Motor Vehicle Repair Facility* use permitted on Site and no new development or site alteration that will increase the proposal's impact is being proposed. Whether it's a commercial truck being repaired (or stored while waiting to be repaired), or construction equipment being repaired on Site, we are of the opinion that the operational impacts of each use are similar in terms of impact. The main difference is the size of the equipment being repaired. Given the size and location of the existing industrial garage building (Building B) on Site, the maintenance and repair of construction equipment can be accommodated within the existing buildings, while being adequately screened from Highway 9 and the adjacent properties, therefore having a similar impact as a *Motor Vehicle Repair Facility* use.

Moreover, the Owner is proposing to improve the ecological integrity of the Subject Property by providing woodlot enhancement areas, located adjacent to the existing woodlot features on the Site by adding 0.32ha (0.79ac) of newly created woodlot. These areas will be placed in the Environmental Protection Area Zone to ensure long-term preservation. These woodlot enhancement areas are intended to expand the woodlot feature beyond the staked dripline limits identified in the October 2024 site staking exercise. Detailed planting and restoration plans will be provided at the Site Plan stage to further explore enhancements to these features. Additionally, there may be opportunities to upgrade the Site's existing conditions through the Site Plan Approval process by providing enhanced/upgraded landscaping, grading, and drainage, potentially bringing the Site closer into conformance with the Plan. For these reasons, we are of the opinion that the proposed *Motor Vehicle Repair Facility (Modified)* use being pursued would be considered an

appropriate conversion from the already permitted *Motor Vehicle Repair Facility* use and therefore conforms to the Existing use provisions of the ORMCP.

Section 12. Natural Linkage Areas of the ORMCP contain the policies for maintaining and where possible improving the ecological integrity of the Plan Area. The Subject Property is designated “Natural Linkage Area” by the ORMCP, relevant policies include:

- 12. (1) *The purpose of Natural Linkage Areas is to maintain, and where possible improve or restore, the ecological integrity of the Plan Area, and to maintain, and where possible improve or restore, regional-scale open space linkages between Natural Core Areas and along river valleys and stream corridors, by,*
 - a. *maintaining, and where possible improving or restoring, the health, diversity, size, and connectivity of key heritage features, hydrologically sensitive features and the related ecological functions;*
 - b. *maintaining, and where possible improving or restoring natural self-sustaining vegetation over large parts of the area to facilitate movement of plants and animals;*
- 12. (2) *Natural Linkage Areas also have the objectives of,*
 - a. *accommodating a trail system through the Plan Area and trail connections to it;*
 - a1. *conserving cultural heritage resources;*
 - a2. *contributing to a regional network of green infrastructure; and*
 - b. *providing for limited economic development that is compatible with clauses (a) to (a.2) and subsection (1).*
- 12. (3) *The following uses are permitted with respect to land in Natural Linkage Areas, subject to Parts III and IV:*
 - 1. *Fish, wildlife and forest management.*
 - 2. *Conservation projects and flood and erosion control projects.*
 - 3. *Agricultural uses.*
 - 4. *Transportation, infrastructure, and utilities as described in section 41, but only if the need for the project has been demonstrated and there is no reasonable alternative.*
 - 5. *Home businesses.*
 - 6. *Home industries.*
 - 7. *Bed and breakfast establishments.*
 - 8. *Farm vacation homes.*
 - 9. *Low-intensity recreational uses as described in section 37.*
 - 10. *Unserviced parks.*
 - 11. *Mineral aggregate operations.*
 - 12. *Wayside pits.*
 - 13. *Uses accessory to the uses set out in paragraphs 1 to 12*

While the proposed *Motor Vehicle Repair Facility (Modified)* use is not explicitly permitted within *Natural Linkage Areas* designation, Section 6 outlined above permits existing uses within the ORMCP. Moreover, the proposed *Motor Vehicle Repair Facility (Modified)* use on the Subject Property does not require any additional infrastructure and will operate within the existing buildings and yard area on Site, maintaining the existing regional-scale open space linkages.

Additionally, as outlined in the Environmental Impact Assessment prepared by Dillon Consulting included in this submission package, the proposal is intended to improve the ecological integrity of the Subject Property by providing woodlot enhancements areas to the existing woodlot features on the Site. These areas will be placed in the Environmental Protection Area Zone to ensure long-term preservation. Additional, enhanced landscaping, grading and drainage features will be provided through the Site Plan Application process which will bring the Site closer into conformance with the Plan.

Section 29 Areas of High Aquifer Vulnerability provides specific policies for development within designated area. Applicable policies include:

29. (1) *Despite anything else in this Plan except subsection 6 (1) and subsection (1.1) of this section, the uses listed in subsection (5) are prohibited with respect to land in areas of high aquifer vulnerability, as shown on the map entitled “Reference Map for Ontario Regulation 140/02 (Oak Ridges Moraine Conservation Plan) made under the Oak Ridges Moraine Conservation Act, 2001” dated March, 2002, on file in the offices of the Ministry of Municipal Affairs at Toronto.*
- (5) *Subsection (1) applies to the following uses:*
- 1. Generation and storage of hazardous waste or liquid industrial waste.*
 - 2. Waste disposal sites and facilities, organic soil conditioning sites, and snow storage and disposal facilities.*
 - 3. Underground and above-ground storage tanks that are not equipped with an approved secondary containment device.*
 - 4. Storage of a contaminant listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 1990.*

The proposed Amendments conform with the ORMCP Areas of High Aquifer Vulnerability policies by proposing a conversion of an existing use. Additionally, the fuel tank located on Site is equipped with secondary containment devices. Considering this, we are of the view the proposal conforms to the above-noted policies.

Section 30 Landform conservation areas of the ORMCP contain policies related to the “Landform conservation areas (Category 2)” designation, in which a portion of the Subject Property is designated by the ORMCP. Relevant policies include:

30. (6) *An application for development or site alteration with respect to land in a landform conservation area (Category 2) shall identify planning, design and construction practices that will keep disturbance to landform character to a minimum, including,*
- a. maintaining significant landform features such as steep slopes, kames, kettles, ravines and ridges in their natural undisturbed form;*
 - b. limiting the portion of the net developable area of the site that is disturbed to not more than 50 per cent of the total area of the site; and*
 - c. limiting the portion of the net developable area of the site that has impervious surfaces to not more than 20 per cent of the total area of the site.*

The proposed Amendments conform with Policies 30.(6) of the ORMCP as the Proposed Use does not alter the existing conditions of the Subject Property therefore maintaining all landform features present. In addition, the proposal conforms with ORMCP policies related to the disturbed area and impervious surfaces as the disturbed area on Site represents approximately 1.94ha (4.05ac) or (approximately 42%) and the impervious areas represent 0.20 hectares (approximately 5%) of the total site area (Refer to Figure 3 – Development Concept Plan for details).

The intent of the Oak Ridges Moraine Conservation Plan is to provide policies for the conservation and management of both land and water within the moraine. The proposed Amendments enable the Owners business to continue to operate by expanding the permission of the *Motor Vehicle Repair Facility* use, without any changes to the physical conditions on Site, therefore preserving the existing conditions of the property. The proposed Amendments, generally conform with the plan's objectives as well as the policies for Existing Uses, Natural Linkage and Landform Conservation area of the Oak Ridges Moraine Conservation Plan.

6.1.4 Greenbelt Plan (2017)

The Subject Property is located within the Greenbelt Area but remains designated within the Oak Ridges Moraine Area. Section 2.1 Lands within the Oak Ridges Moraine Area in the Greenbelt Plan states that the Oak Ridges Moraine Conservation Act, 2001, continues to apply and that the Protected Countryside policies do not apply to lands within the Oak Ridges Moraine Area.

2.1 Lands within the Oak Ridges Moraine Area

The requirements of the ORMCP (Ontario Regulation 140/02), made under the Oak Ridges Moraine Conservation Act, 2001, continue to apply and the Protected Countryside policies do not apply, with the exception of section 3.3.

Where, by the operation of subsection 2(4) of the ORMCP, lands are within the Oak Ridges Moraine Area but are not governed by the policies of the ORMCP, such lands are deemed to be within the Protected Countryside and all of the policies of the Greenbelt Plan, except section 6, apply to the lands unless the lands:

- a) Would be subject to the Countryside or Settlement Area designations of the ORMCP if that plan applied; and*
- b) Do not connect the lands subject to the ORMCP to the Protected Countryside.*

The Subject Property is designated as “Oak Ridges Moraine Area” on Schedule 1 of the Greenbelt Plan, therefore the policies of the Greenbelt Plan do not apply to the proposed Amendments.

6.2 Regional Policies

6.2.1 Region of Peel Official Plan (2022)

The Region of Peel Official Plan (the “Regional Plan”) provides the Regional Council with a long-term strategic policy framework for guiding growth and development in Peel. The plan also focuses on the protection of the environment, managing renewable and non-renewable resources, and outlining a regional structure that manages growth in the most efficient manner. The Regional Plan must be consistent and conform with the policies of the PPS.

The Subject Property is located within the Palgrave “Palgrave Estate Residential Community” designation as shown on *Figure 4 – Regional of Peel Schedule E-1*. The General Objectives and Policies of the “Estate Residential Community” that are relevant to the proposed uses include:

- 5.7.17.1 To ensure that the development of estate residences supports the natural environment and resource objectives in this Plan.*

5.7.17.2 *To provide estate residential housing lifestyle options in Peel.*

While a *Motor Vehicle Repair Facility (Modified)* use is not explicitly permitted in the Palgrave Estate Residential Community designation, the Proposed Use being pursued is intended to be a conversion of a legal non-conforming use to a similar use (as outlined in Section 6.1.3 of this report) and is not intended to vastly change the use or scope of the Owners existing business operation. The proposed Amendments generally align with the objectives above as the proposal will allow a long-standing existing business to continue to operate while also providing opportunities to upgrade the Site's natural environment by adding woodlot enhancement areas and improving Site standards through the Site Plan Approval process. The proposed Amendments will contribute to employment in the community and conform with the policy objectives of the Regional Plan.

The Subject Property is also located within the “*Natural Linkage Areas*” designation of the Oak Ridges Moraine Conservation Plan, as shown on *Figure 5 – Region of Peel Schedule B-3 – Oak Ridges Moraine Conservation Plan Land Use Designation*. Section 2.11 provides the following policy direction:

- 2.11.13 *Identify the boundaries of the land use designations on Schedule B-3 and to recognize that the boundaries may be further refined by the Town of Caledon when the Town’s official plan and zoning by-law are amended in accordance with the Oak Ridges Moraine Conservation Act.*
- 2.11.14 *The following policies indicate the general purpose and intent of each of the ORMCP land use designations, and provide general direction regarding permitted uses. These policies are to be supported by detailed policies in the Town of Caledon Official Plan:*
- b) *Natural Linkage Areas - Maintain, and where possible, improve or restore ecological integrity and open space linkages between Natural Core Areas, river valleys, and stream corridors. New permitted uses include those that are permitted in Natural Core Areas as well as mineral aggregate operations and wayside pits, subject to other provisions in the ORMCP. Within Prime Agricultural Areas, on-farm diversified uses and agriculture-related uses are permitted subject to other provisions of the ORMCP.*

The Regional Official Plan states that “*Natural Linkage Areas*” are intended when possible to improve or restore the ecological integrity and open space linkages of natural core areas, river valleys and stream corridors. The proposed *Motor Vehicle Repair Facility (Modified)* use will function similarly to the legal non-conforming *Motor Vehicle Repair Facility* use which currently operates on Site, therefore the proposal is not anticipated to have an impact on the ecological integrity of the Site. The proposed Amendments do not require any site alteration to operate on the Subject Property. Further, while the proposal is not currently considering any site alterations, there

may be opportunities to provide enhanced landscaping, grading, and site drainage through a future Site Plan Application process. For these reasons, we are of the opinion the proposed Amendments conform to the above-noted policy.

The Subject Property is within the “High Aquifer Vulnerability” designation by the Regional Plan, as shown on *Figure 6 – Region of Peel Schedule B-4 – Aquifer Vulnerability Areas in Peel for the Oak Ridges Moraine Conservation Plan Area*. This designation indicates the area’s groundwater is susceptible to contamination from both human activity and natural resources. Policy 2.11.46 of the Regional Official Plan provides the following direction:

2.11.46 Direct the Town of Caledon to prohibit, except in accordance with Section 6 (1) and Section 29(1.1) of the ORMCP and subject to jurisdictional limitations, in areas of high aquifer vulnerability within the ORMCPA, the generation and storage of hazardous waste or liquid waste; waste disposal sites and facilities, organic conditioning sites, and snow storage and disposal facilities; underground and above ground storage tanks that are not equipped with an approved secondary containment device; and storage of a contaminant listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 1990. The prohibition of agricultural uses does not apply to agricultural land if the Owner or operator complies with the standards established under the Nutrient Management Act

The above-noted policy shall not apply to proposals falling under Section 6(1) of the ORMCP. However, the proposed *Motor Vehicle Repair Facility (Modified)* use will not store any hazardous or liquid waste, or be used as a waste disposal site. There is a fuel pump located on Site used to fuel various trucks and equipment, although, it is equipped with a secondary containment device. As such, the proposed uses conform with Policy 2.11.46 of the Regional Plan.

As discussed above the proposed Amendments conform with the Regional Plan’s policies by proposing use that is in keeping with existing uses in the area, and supports the Region’s economy by allowing a long-time business in the community to continue operations. As such, the Amendments are consistent with the area and conform to the Regional Official Plan’s policy directives for the “Palgrave Estate Residential Community”, the “Natural Linkage Areas” and areas of “High Aquifer Vulnerability” designations.

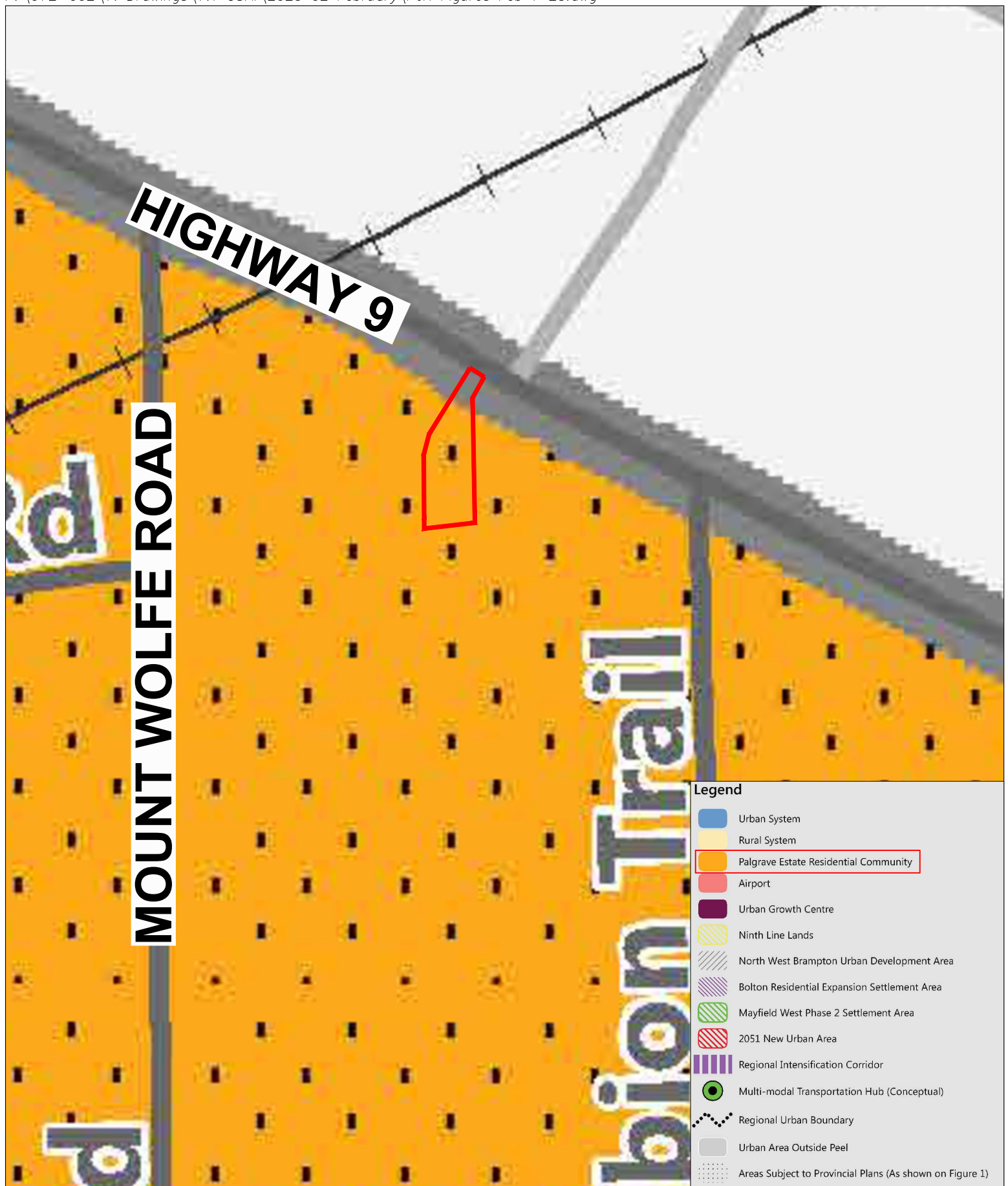


FIGURE 4
REGION OF PEEL - SCHEDULE E-1
REGIONAL STRUCTURE

— Subject Property



Scale: N.T.S.
 FEBRUARY 7, 2025

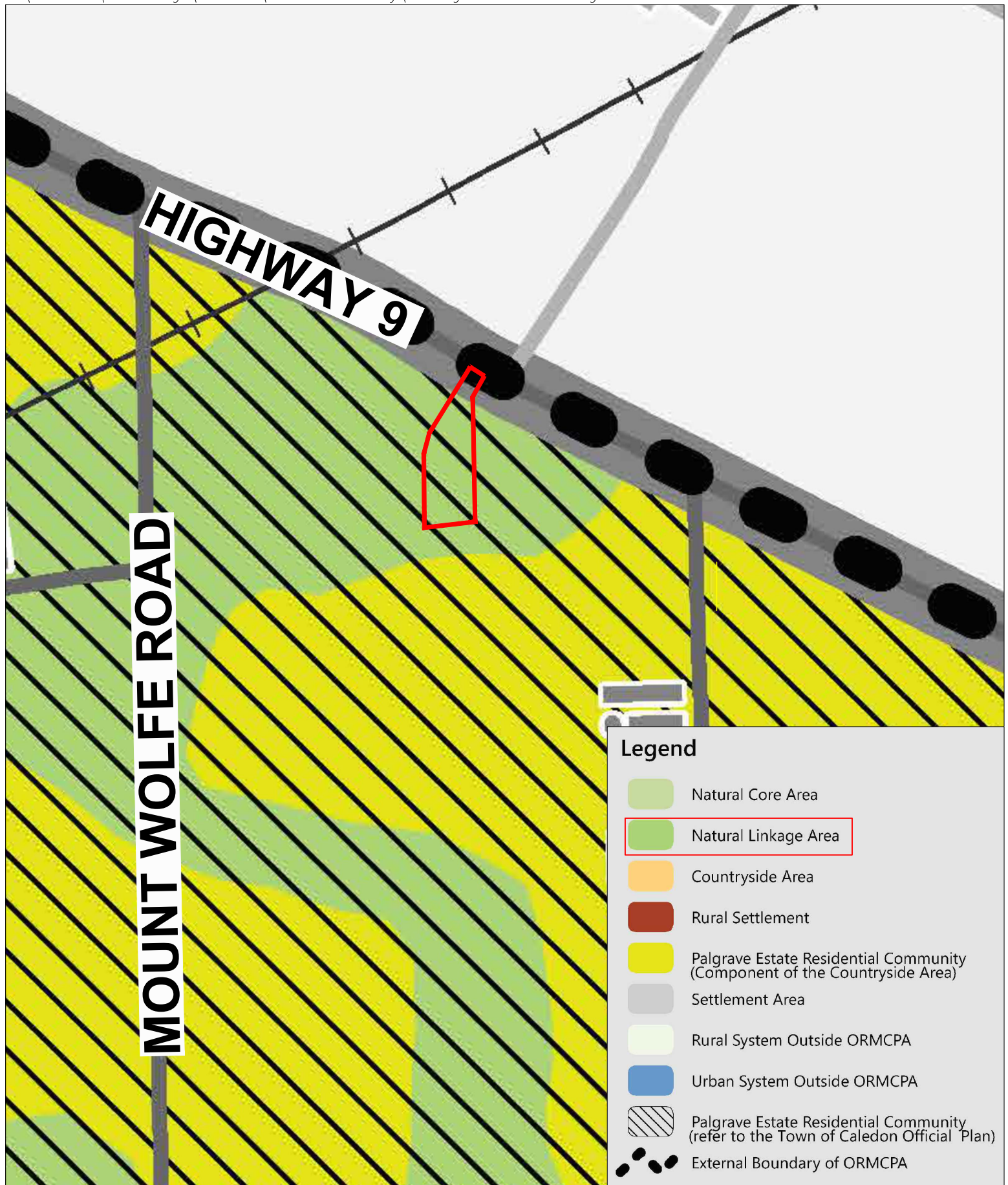


FIGURE 5
REGION OF PEEL - SCHEDULE B-3
OAK RIDGES MORaine CONSERVATION
PLAN AREA (LAND USE DESIGNATIONS)

— Subject Property



Scale: N.T.S.
 FEBRUARY 7, 2025

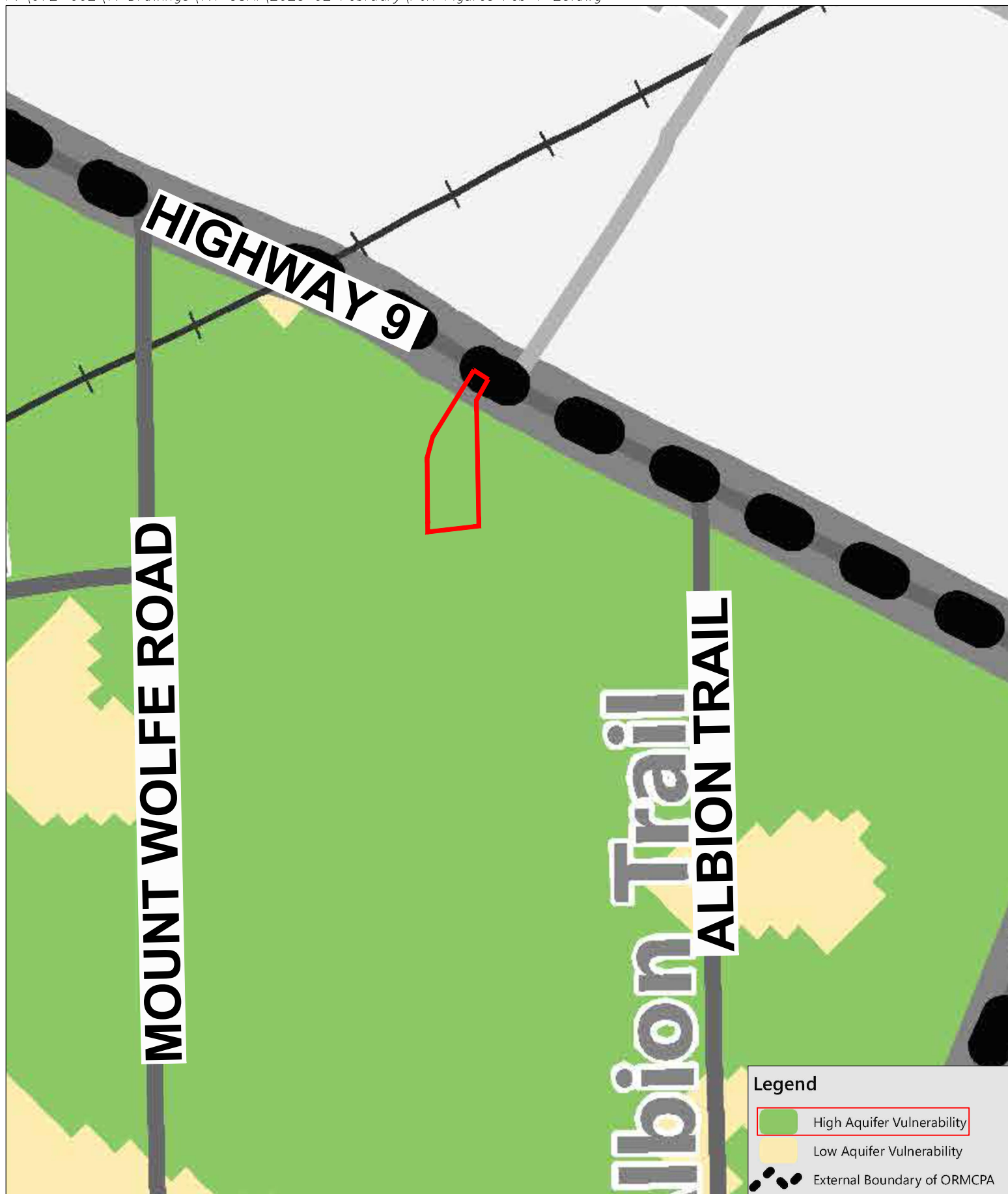


FIGURE 6
REGION OF PEEL - SCHEDULE B-4
AQUIFER VULNERABILITY AREAS IN PEEL FOR THE
OAK RIDGES MORaine CONSERVATION PLAN AREA

— Subject Property



Scale: N.T.S.
 FEBRUARY 7, 2025

6.3 Municipal Policies

The in-effect Official Plan identifies where and how the Town of Caledon is to grow up to the year 2031 based on a Town Structure comprised of various components.

We note that the Town of Caledon has recently completed the preparation of Future Caledon and it was adopted by Caledon Council in March 2024, but has not yet been approved by the Province, so it is not yet in full force and effect. The ‘Future Caledon’ initiative, as further discussed in Section 6.3.2 of this Report, has culminated in a new Town-initiated Official Plan to ensure that it conforms to the 2051 planning horizon of Provincial Plans, incorporates the outcomes of the new 2051 Region of Peel Official Plan, and implements key policy recommendations arising from the completion of recent Town initiatives and ongoing Town initiatives.

For the purpose of this Report, both plans have been reviewed and analyzed in the sections outlined below.

6.3.1 Town of Caledon Official Plan (Consolidated April 2018)

The Town of Caledon’s Official Plan (the “Official Plan”) was originally adopted in 1979 and has been systemically reviewed and amended to conform with Provincial and Regional Policies. The Town of Caledon’s Official Plan sets out the principles, goals, and objectives for how the town should grow within the Greater Toronto Area. The Official Plan must be consistent and conform with the policies of the PPS, Oak Ridges Moraine Conservation Plan, the Greenbelt Plan and the Regional Official Plan.

The Official Plan recognizes that the Town has evolved from a rural-based economy to one being influenced by adjacent urbanized areas, while maintaining strong agricultural and aggregate extraction industries. In recognizing the Town’s rural character and natural features the Official Plan provides the goals for the Town’s growth, relevant goals include:

2.2.3 Goals

- *To protect and steward ecosystems in the Town.*
- *To provide residents with a quality of community life that provides access to community based services in a manner that best responds to the need for employment, learning, shopping, culture, recreation and social opportunities.*
- *To preserve, expand and diversify the Town’s employment base.*
- *To strengthen the local economy and tax base.*
- *To allow development in a manner that provides the best opportunity to optimize municipal service provision.*

The proposed *Motor Vehicle Repair Facility (Modified)* use conforms to the Town’s goals by allowing an existing business within the Town to continue to operate which supports the growth of employment within the Town. The proposal will help preserve existing employment within the town, strengthen the local economy and tax base, and it will represent an efficient use of existing

services. Moreover, re-zoning the Site will allow for the enhancement of the ecosystem through the provision of additional woodlot enhancement areas on Site and providing enhanced landscaping and grading/site drainage on Site through the detailed design process, if the proposed Amendments are approved. Therefore, the proposed Amendments conform to the Strategic Direction's goals of the Official Plan.

The Official Plan's town structure provides a hierarchy of settlements as a growth management strategy outlining where growth shall occur in the town. The Subject Property is located within the "Palgrave Estate Residential Community" designation and within the "Oak Ridges Moraine Conservation Plan Area" as illustrated on *Figure 7 – Town of Caledon Official Plan Schedule A1*. In accommodating the Town's growth and recognizing the demand for rural estate residential development, the Palgrave Estate Residential Community population is expected to increase by roughly 9.0% from 2021 to 2031. Planning principles and general development policies related to lands within the Palgrave Estate Residential Community are further defined in the Secondary Plan Section 7.1 of the Town's Official Plan.

Section 5.13 of the Official Plan provides guidance on existing uses within the Town of Caledon.

5.13 EXISTING USES

5.13.3 Where appropriate, Council may recognize in the implementing Zoning By-law existing uses of lands, buildings or structures, that are not in conformity with the land use designation of this Plan. When determining the suitability of any existing use for consideration in this manner, Council shall refer to the Strategic Direction, Principles and Goals outlined in Section 2 of this Plan, in addition to the following criteria:

- a) The degree to which the use impacts other uses in the vicinity by exhibiting the following characteristics: noise, vibration, fumes, smoke, dust, odour, glare, unsightliness, and traffic congestion or hazards;*

This section of the report will outline how the proposed Amendments align with the exiting use policies in the Towns Official Plan.

A Noise Feasibility Study dated January 2025, has been included in the submission package which determined the predicted noise levels created by the Lions Demolition/Excavation Repair Facility on adjacent properties met the Ministry of Environment, and the Conservation and Parks (MECP) guidelines. In addition, according to the Traffic Assessment Study by CF Crozier & Associates Consulting Engineers (dated February, 2025) the Lions Demolition/Excavation Repair Facility generates negligible traffic volumes, resulting in the Site operating with low delays and no critical volume-to-capacity ratios. As such, the Traffic Assessment determined the proposal will not create any adverse impacts to the surrounding traffic network. A sufficient amount of parking is provided on the Subject Property to support the Lions Demolition/Excavation Repair Facility and conform with the Town of Caledon's Zoning By-law 2006-50 parking requirements. In addition, the Proposed Use does not require any on-street parking. Moreover, if these Amendments are

approved, there will be an opportunity to upgrade the Site through the Site Plan Approval process to address any impact concerns raised (if any). For these reasons, we are of the opinion that the Proposed Use being pursued through these Amendments is suitable for the Site.

- b) The degree to which the use impacts upon the natural environment, or is subject to, or exacerbates natural hazards;*

The proposed Amendments are intended to expand the existing legal non-conforming use permissions on Site. Existing setbacks are to be maintained to ensure that the impact of the Proposed Use is mitigated. In addition, the proposed *Motor Vehicle Repair Facility (Modified)* use is not expected to have any further impacts on the surrounding natural features than the already permitted *Motor Vehicle Repair Facility* use as it will not extend any further than the existing conditions. Moreover, the existing gasoline pump storage tank on Site has a secondary containment devices, which further mitigate any potential impacts on the natural environment.

Moreover, a scoped Environmental Impact Study was prepared by Dillon Consulting in February 2025 to identify and confirm existing conditions on Site, as well as verify the natural environment limits present within and adjacent to the Subject Property. The report concluded that candidate SWH habitat and potential SAR habitat were identified within the Study Area. However, because no new construction is being proposed and no vegetation or tree removal is required, the candidate SWH habitat and potential SAR habitat will not be impacted. However, in order to improve the ecological integrity of the Site and bring the lands into closer conformity with the ORMCP, the Owner is proposing to provide enhancements to the existing woodlot features on the Site by expanding the Environmental Protection Area Zone limits in certain areas. These woodlot enhancement areas are intended to expand the woodlot feature beyond the staked dripline limits identified in the recent site staking exercise. Detailed planting and restoration plans can be provided at the detailed design stage to further refine and improve the proposed woodlot enhancement areas. Lastly, as mentioned throughout this report, opportunities to improve the Site through the addition of enhanced landscaping, grading, and drainage features at the Site Plan stage are available, if the proposed Amendments are approved.

For these reasons, we are of the opinion that the proposed Amendments will not have negative impacts on the natural environment, and they may even provide an opportunity to enhance the natural enrichment on Site.

- c) That the provisions of the implementing Zoning By-law will permit only the existing use and will not permit any change in use or performance standard; and,*

A *Motor Vehicle Repair Facility* has been determined to be a legal non-conforming use on the Site. As stated earlier in the report, the Owner is proposing the Amendments in order to recognize the existing repair arm of the Owners business operation by expanding the existing *Motor Vehicle Repair Facility* definition to allow for the repair of construction equipment.

While Town staff have stated that not all activities on the Site (construction equipment and steel bins) are permitted under the legal non-conforming use of a *Motor Vehicle Repair Facility* use. The Lions Demolition/Excavation Repair Facility, has maintained the *Motor Vehicles Repair Facility* aspect of its business operation (servicing/repairing motor vehicles used by their company) since the Subject Property was purchased eighteen (18) years ago. We are of the opinion that the maintenance and repair of construction equipment have a similar operational scope as the maintenance and repair of motor vehicles, therefore is not expected to impact the performance standards or the Site.

Moreover, as demonstrated within Section 2.0 of this Report the surrounding area is generally characterized by large agricultural, residential, commercial, and industrial operations. The lands immediately to the east and west are both occupied by industrial land uses (Brock Aggregates to west and former Tiger Automotive to the east). The proposed *Motor Vehicle Repair Facility (Modified)* use is generally compatible with the area and is not anticipated to impact the function of the adjacent properties.

d) That recognition of the existing use in an implementing Zoning Bylaw shall not generate the need for additional or upgraded municipal services.

There are no changes to any of the buildings or structures on the Site. The proposal is not intended to require any further municipal services than what currently exists. Further, as outlined in the Site Servicing and Stormwater Management Memo, dated January 2025, there will be little to no impact to servicing, sanitary and drainage as there are no changes to the existing Site services.

For the reasons outlined above, the proposed Amendments conform with the existing use policies outlined in Section 5.13.

6.3.3 Secondary Plan - Palgrave Estate Residential Community

Section 7 of the Official Plan contains Secondary Plans and policies that relate to specific areas within the Town. The Subject Property is located within the “Palgrave Estate Residential Community” specifically designated “Policy Area 4”, and “Environmental Zone 1” (refer *Figure 8 – Town of Caledon Schedule G – Palgrave Estate Residential Community*, and *Figure 9 – Town of Caledon Schedule I – Palgrave Estate Residential Community Environmental Zoning*).

Section 7.1 of the Official Plan outlines land use policies for the “Palgrave Estate Residential Community”, which are intended to ensure orderly development within the boundaries while considering the environmental framework. Applicable policies include:

7.1.2 *Planning Principles*

7.1.2.2 *The rural character of the landscape and the community shall be maintained as new development occurs*

7.1.2.3 *Woodlots and wetlands and other ecologically significant areas, including valley and stream corridors, shall be protected from development.*

7.1.2.11 *The environmental impacts of construction and development should be minimized.*

7.1.2.13 *Mount Wolfe, lowland landforms and ORMCP Natural Core and Natural Linkage Areas shall not be developed*

The proposed Amendments are intended to maintain the existing rural character along Highway 9 within the Palgrave Estate Residential Community by maintaining the existing built form and providing no physical changes to the Subject Property. The proposed *Motor Vehicle Repair Facility (Modified)* use is compatible with the existing rural and industrial character along Highway 9, so permitting the Proposed Use is not anticipated to alter the character of the area. The Proposed Use is not anticipated to negatively impact any woodlots, wetlands or other ecological significant areas as the proposed *Motor Vehicle Repair Facility (Modified)* will operate and function similarly to the legal non-conforming *Motor Vehicle Repair Facility* use permitted on Site.

While it is identified that *Natural Linkage Areas* within the ORMCP shall not be developed, the proposed Amendments are intended to convert the existing legal non-conforming *Motor Vehicle Repair Facility* use permitted on Site to a similar use, while also bringing the Site closer into conformance to the ORMCP by providing woodlot enhancement areas on the Site. For these reasons, we are of the opinion that the proposal aligns with the principles outlined above.

The Subject Property is also designated “Policy Area 4” and “Environmental Zone 1” by the Official Plan. Relevant policies related to the “Environmental Zone 1” and “Policy Area 4” designations include the following:

7.1.3 *General Development Policies*

7.1.3.4 *The uses permitted on lands designated Policy Areas 1, 2 and 3 on Schedule G, exclusive of lands designated EZ 1 on Schedule I, of the Palgrave Estate Residential Community, will be agriculture and associated residential uses, rural estate residential uses, conservation, open space, non-intensive recreation, intensive recreation, including golf courses, residential uses on existing lots of record and new lots created by consent, **legally existing uses**, home occupations, small scale institutional uses, and presently licencing extractive industrial uses.*

The uses permitted within Policy Area 4 of the Palgrave Estate Residential Community shall include all of the uses permitted within Policy Areas 1, 2 and 3, except for rural estate residential uses, intensive recreation and small scale institutional uses, which shall not be permitted. The above-noted uses shall only be permitted if they meet all applicable provisions of this Plan.

Notwithstanding any other provisions of this Plan, within lands designated EZ 1 on Schedule I permitted uses shall only include those uses permitted in EPA, in accordance with Section 5.7.3.1.2.

5.7.3.1.2 *The uses permitted in EPA shall be limited to: legally existing residential and agricultural uses; a building permit on a vacant existing lot of record; portions of new lots; activities permitted through approved Forest Management and Environmental Management Plans; limited extractive industrial; non-intensive recreation; and, essential infrastructure. Detailed policies with respect to each of these permitted uses are provided in Sections 5.7.3.2 to 5.7.3.7 inclusive. **Within the ORMCPA or the Greenbelt Protected Countryside designation, permitted uses are also subject to the provisions of Sections 7.10 and 7.13, as applicable. Refer to Section 6.6.3.3 of this Plan for further policies respecting conflicts between the policies of this Plan and the PPS and Provincial Plans.***

As outlined above, legally existing uses are permitted within the Policy Area 4 designation, which in the case of this Site would permit a *Motor Vehicle Repair Facility* use.

The Town’s Official Plan states that the “Environmental Zone 1” designation includes more sensitive environmental features and that environmental protection measures should be a focus. As outlined in the Environmental policies of the Town’s Official Plan (S.7.1.9.2), minor

refinements to the EZ1 limits can occur without an amendment to this plan, if it is demonstrated through an appropriate study. An Environmental Impact Study was prepared by Dillon Consulting to identify and confirm existing conditions on Site, as well as verify the natural environment limits present within and adjacent to the Subject Property. The report concluded that candidate SWH habitat and potential SAR habitat were identified within the Study Area. However, because no new construction is being proposed and no vegetation or tree removal is required, the candidate SWH habitat and potential SAR habitat at the rear of the Site will not be impacted.

In addition, our client is proposing to provide woodlot enhancement areas at the rear of the Site to enhance the ecological function of the features and Site. Moreover, there may be opportunities to improve the Site grading, drainage, and landscaping through the Site Plan Approval process if this application is approved. For these reasons, we are of the opinion that the proposal will generally conform to the intent of the applicable “Policy Area 4” and “EZ1” policies.

7.1.9.2 *The general locations of EZ 1 and EZ 2 are shown on Schedule I, however the individual EZ 1 and EZ 2 features are not shown separately on the Schedule. The specific type(s) of individual EZ 1 and EZ 2 features and refinements to their boundaries shall be determined through detailed studies, such as a Natural Heritage Evaluation and/or Hydrological Evaluation, or the requirements of Section 7.1.18 where applicable. Minor changes and refinements to EZ 1 and EZ 2 shown generally on Schedule I, based on updated information from the Province or as a result of detailed studies, such as those noted above, will not require an amendment to this Plan. However, where the feature is a wetland, an Area of Natural and Scientific Interest and/or significant portions of the habitat of endangered, rare and threatened species, or their related Minimum Vegetation Protection Zones, proposed refinements to the boundary or the extent of the feature requires formal confirmation from the Province or delegated authority prior to any development*

The Subject Property is within the Oak Ridges Moraine Conservation Plan Area, designated “Natural Linkage Area” within an “High Aquifer Vulnerability” and “Landform Conservation Area Category 2” of the Oak Ridges Moraine Conservation Plan (refer to *Figure 10 – Town of Caledon Schedule S – The Greenbelt in Caledon*, *Figure 11 – Town of Caledon Schedule P – Oak Ridges Moraine Conservation Plan Land Use Designations*, *Figure 12 – Town of Caledon Schedule P-1 – Oak Ridges Moraine Conservation Plan Aquifer Vulnerability Areas*, & *Figure 13 – Town of Caledon Schedule P-2 – Oak Ridges Moraine Conservation Plan Landform Conservation Areas*).

Section 7.10 of the Official Plan contains policies related to the “Natural Linkage Area” Designation, relevant policies include:

7.10.4.7 *Oak Ridges Moraine Natural Linkage Areas*

- 7.10.4.7.1 *The purpose of the Natural Linkage Area designation is to maintain, and where possible, improve or restore, regional-scale open space linkages between Natural Core Areas and along river valleys and stream corridors. Additional purposes and objectives for Natural Linkage Areas are also found in Sections 12(1) and (2) of the ORMCP.*

Permitted uses shall include all uses permitted in the underlying land use designation, subject to all other applicable provisions of this Plan and subject to the following restrictions:

- a) Notwithstanding any other policy of this Plan, new intensive recreational uses are not permitted within Oak Ridges Moraine Natural Linkage Areas; and,*
- b) Notwithstanding any other policy of this Plan, agriculture-related industrial and commercial uses are not permitted within Oak Ridges Moraine Natural Linkage Areas.*

Though the Proposed Use is not explicitly permitted within the “Natural Linkage Areas” designation policy noted above, a *Motor Vehicle Repair Facility* use is permitted as a legally existing use on Site. The proposed Amendments seek to convert the existing *Motor Vehicle Repair Facility* use to a similar use (*Motor Vehicle Repair Facility (Modified)*), by expanding the existing *Motor Vehicle Repair Facility* definition to allow for the repair of construction equipment. The proposed Amendments maintain the existing conditions on the Subject Property, preserving the natural features on Site. Moreover, through the Amendments, the Owner is proposing to provide woodlot enhancement areas adjacent to the existing woodlots in an attempt to improve the Site’s ecological integrity. As such, the proposal is not anticipated to prohibit the objectives of “Natural Linkage Areas” and maintain the existing open space linkages surrounding the Subject Property.

Section 7.10.3.8 of the Official Plan also contains policies for “Existing Uses, Building, and Structures. The following policies are applicable to the proposal:

7.10.3.8 *Existing Uses, Buildings and Structures*

- 7.10.3.8.1 *Nothing in Section 7.10 applies to prevent the use of any land, building or structure within the ORMCPA, for a purpose prohibited by Section 7.10, if the land, building or structure was lawfully used for that purpose on November 15, 2001 and continues to be used for that purpose; or the erection or use for a purpose prohibited by this Plan of a building or structure for which a permit has been issued under subsection 8(2) of the Building Code Act, 1992 on or before November 15, 2001 if,*
- i) The permit has not been revoked under subsection 8(10) of the Building Code Act, 1992; and,*
 - ii) The building or structure when erected is used and continues to be used for the purpose for which it was erected.*

As outlined throughout this report, the Town of Caledon determined that a *Motor vehicle Repair Facility* use was considered to be a legal non-conforming use on the Site. Since this determination Lions Demolition/Excavation Repair Facility, has maintained the *Motor Vehicles Repair Facility* aspect of its business operation (servicing/repairing motor vehicles used by their company) since the Subject Property was purchased in 2006. The proposed Amendments seek to utilize the conversion of existing use policies outlined below to facilitate the proposal:

- 7.10.3.8.2 *Nothing in Section 7.10 applies to prevent the conversion of an existing use to a similar or more compatible use provided the applicant demonstrates that:*
- a) The conversion will bring the use into closer conformity with the ORMCP;*
 - b) The conversion will not adversely affect the ecological integrity of the ORMCPA;*
 - c) The conversion will protect and maintain the form, function and integrity of EPA;*
 - d) The proposed use conforms to all other provisions of this Plan; and,*
 - e) A Site Plan has been approved by the Town of Caledon.*

As outlined in the EIS prepared by Dillon Consulting, the proposed Amendments will not impact the natural features on Site because no new construction is being proposed and no vegetation or tree removal is required. Moreover, the proposal will bring the Site closer into conformity with the ORMCP by adding 0.32ha (0.79ac) of newly created woodlot enhancement areas to be added onto the existing woodlot features on Site. These newly created enhancement areas will be placed into the Environmental Protection Area Zone to ensure the long-term preservation of these features. If the proposed Amendments are approved, there will be further opportunities to enhance the Site through the Site Plan Approval process, which could include but are not limited to improvements in grading, drainage, and landscaping treatments etc.

The proposal contemplates the conversion of the existing *Motor Vehicle Repair Facility* use to allow for the repair of construction equipment. We are of the opinion that the maintenance and repair of construction equipment have a similar operational scope as the maintenance and repair of motor vehicles and that the proposed amendments satisfy the above-noted policies.

Section 7.10 of the Official Plan also contains policies for the “High Aquifer Vulnerability” designation, applicable policies include:

7.10.5.5 *Areas of High Aquifer Vulnerability*

- 7.10.5.5.1 *Within the ORMCP, notwithstanding any other provision of this Plan, except for uses that legally existed on or before November 15, 2001, the following uses are prohibited with respect to land in Areas of High Aquifer Vulnerability as identified on Schedule P-1:*

- a. *Generation and storage of hazardous waste or liquid industrial waste;*
- b. *Waste disposal sites and facilities, organic soil conditioning sites, and snow storage and disposal facilities;*
- c. *Underground and above-ground storage tanks that are not equipped with an approved secondary containment device; and,*
- d. *Storage of a contaminant listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 1990.*

The proposed *Motor Vehicle Repair Facility (Modified)* use does not require any additional infrastructure and will operate within the existing buildings and open storage area on Site and the operational scope of the modified use is similar to the already permitted *Motor Vehicle Repair Facility* use. In addition, the Owners business operation does not generate any hazardous waste or include any storage tanks. Moreover, the gasoline pump on the property contains a secondary containment device. As such, the proposed Amendments generally conform to the policies of Section 7.10.5.5.1 of the Official Plan.

Section 7.10.5.6 Oak Ridges Moraine Conservation Plan of the Official Plan also provides policy direction for “Landform Conservation Areas”, relevant policies to the proposed Amendments include:

- 7.10.5.6.1 *In accordance with Section 30 of the ORMCP, Schedule P-2 of this Plan identifies Landform Conservation Areas Category 1 and Category 2.*
- 7.10.5.6.3 *With respect to Oak Ridges Moraine Natural Core Areas, Natural Linkage Areas, and Countryside Areas, not including estate residential development in the Palgrave Estate Residential Community, an application for development with respect to land in a landform conservation area (Category 2) shall identify planning, design and construction practices that will keep disturbance to landform character to a minimum, including:*
 - a. *Maintaining significant landform features such as steep slopes, kames, kettles, ravines and ridges in their natural undisturbed form;*
 - b. *Limiting the portion of the net developable area of the site that is disturbed to not more than 50 percent of the total area of the site; and,*
 - c. *Limiting the portion of the net developable area of the site that has impervious surfaces to not more than 20 percent of the total area of the site.*
- 7.10.5.6.7 *With respect to Oak Ridges Moraine Natural Core Areas, Natural Linkage Areas, and Countryside Areas, not including estate residential development in the Palgrave Estate Residential Community, an application for development that does not constitute major development, with respect to land in a landform conservation area of either category, shall be accompanied by a site concept plan that:*

- a. Identifies the areas within which all building, grading, and related construction will occur;*
- b. Demonstrates that buildings and structures will be located within the areas referred to in clause a) so as to minimize the amount of site alteration required; and,*
- c. Provides for the protection of areas of natural and scientific interest (earth science) in accordance with Section 7.10.5.6.9.*

The proposed Amendments will result in no alteration to the Subject Property to permit the Proposed Use, therefore it will maintain the existing surrounding landform features. Furthermore, since the existing conditions are maintained no additional space within the property will be disturbed. The Proposed Use also contains open storage areas that are largely made up of gravel, which reduces impervious surfaces within the Subject Property. In addition, the proposal conforms with ORMCP policies related to the disturbed area and impervious surfaces as the disturbed area on Site represents approximately 1.94ha (4.05ac) or (approximately 42%) and the impervious areas represent 0.20 hectares (approximately 5%) of the total Site area (Refer to Figure 3 – Development Concept Plan for details). The proposal generally conforms with the policies for “Landform Conservation Areas” by maintaining the existing conditions and natural features on the Subject Property.

The proposed Amendments are appropriate and compatible for the area, support the economic growth in the area and the operational scope of the business is similar to the legally existing use permitted on the Subject Property. Further opportunities to enhance the Site through woodlot enhancement areas, improved landscaping, and upgraded Site services may be possible through the Site Plan process. As such, we are of the opinion that the proposed Amendments conform to the Town of Caledon Official Plan.

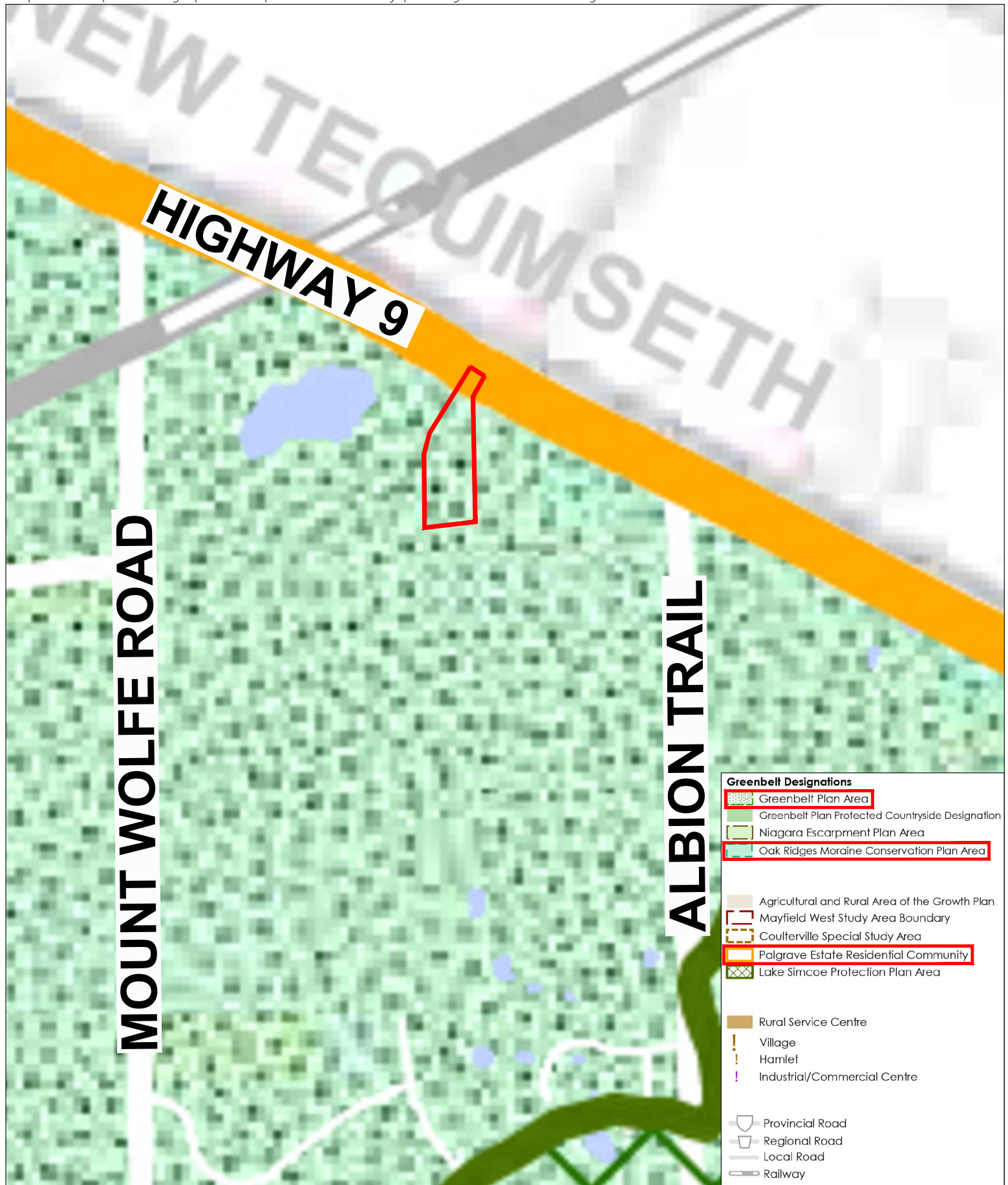


FIGURE 7
TOWN OF CALEDON - SCHEDULE A1
TOWN STRUCTURE

— Subject Property



Scale: N.T.S.
 FEBRUARY 7, 2025

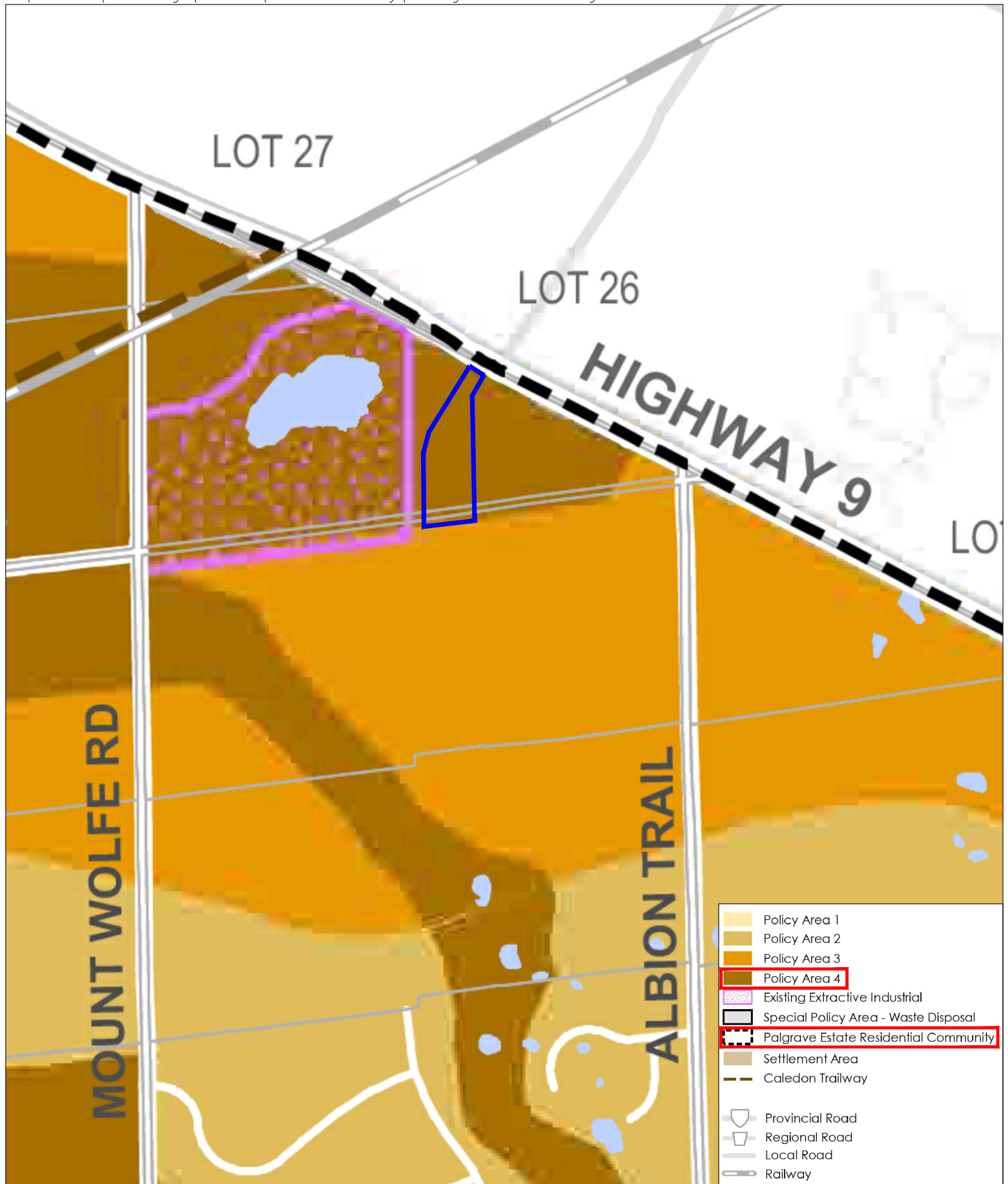


FIGURE 8
TOWN OF CALEDON - SCHEDULE G
PALGRAVE ESTATE RESIDENTIAL COMMUNITY

— Subject Property



Scale: N.T.S.
 FEBRUARY 7, 2025

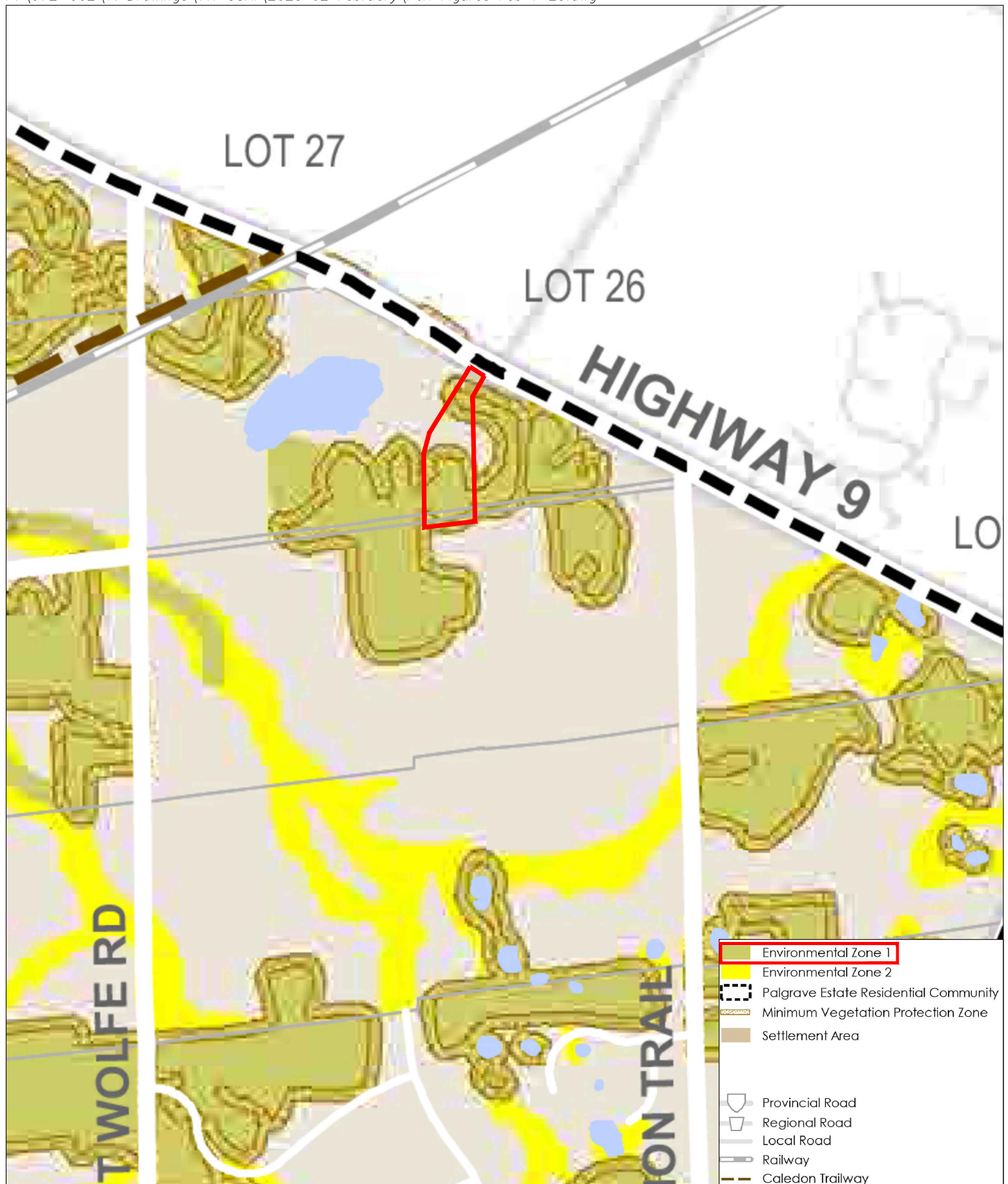


FIGURE 9
TOWN OF CALEDON - SCHEDULE I
PALGRAVE ESTATE RESIDENTIAL COMMUNITY
ENVIRONMENTAL ZONING

— Subject Property



Scale: N.T.S.
 FEBRUARY 7, 2025

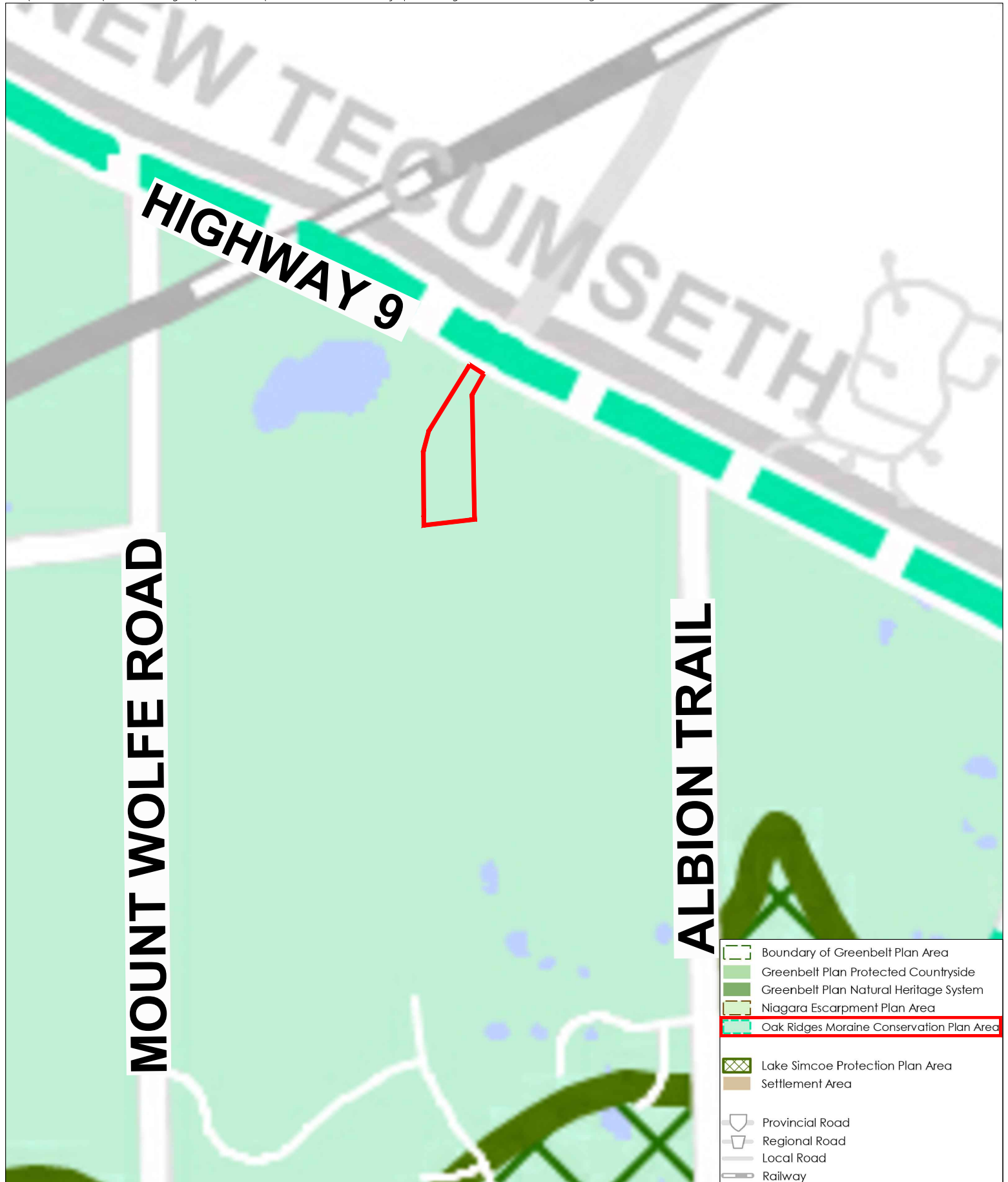
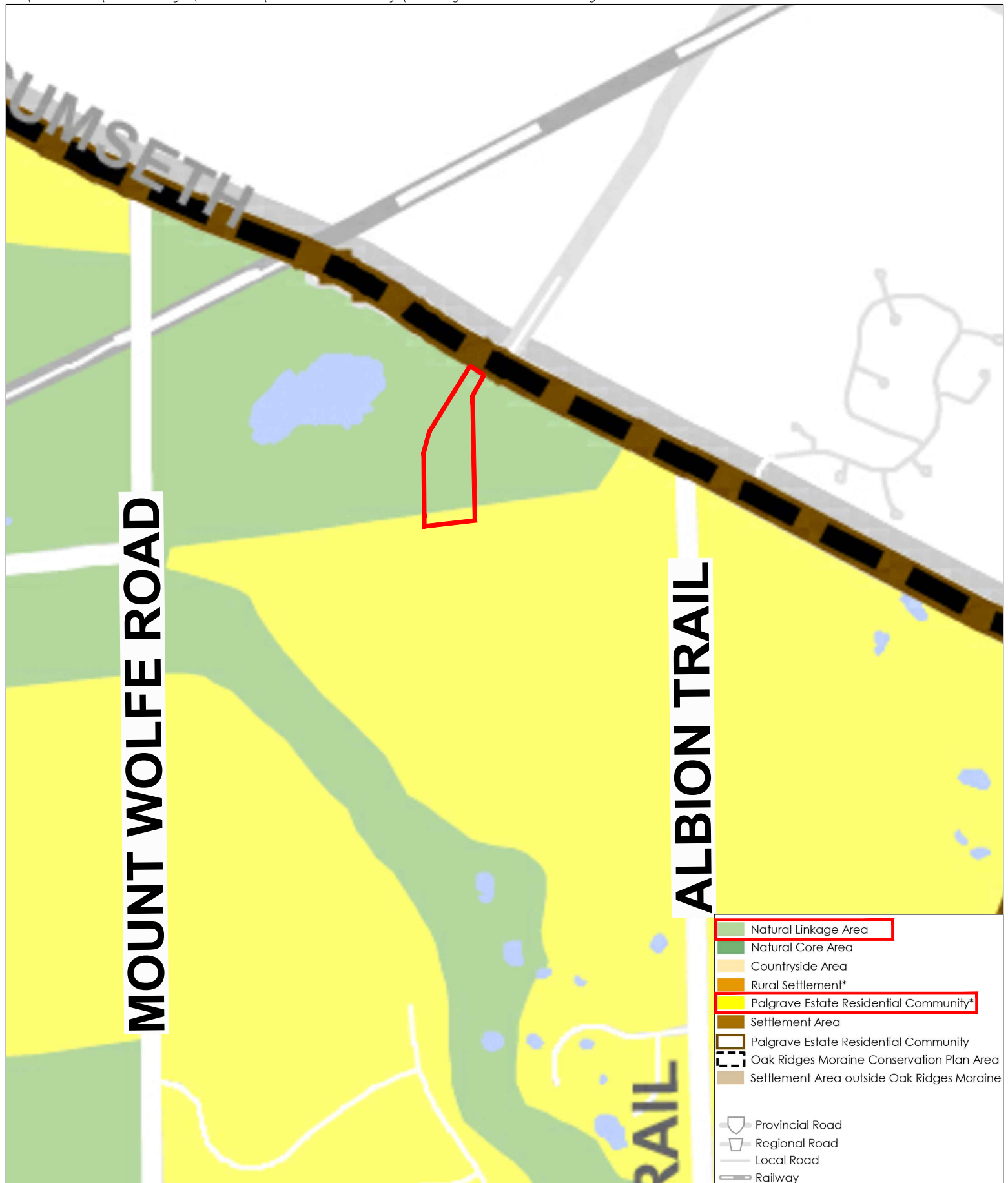


FIGURE 10
TOWN OF CALEDON - SCHEDULE S
THE GREENBELT IN CALEDON

— Subject Property



Scale: N.T.S.
 FEBRUARY 7, 2025



Scale: N.T.S.
 FEBRUARY 7, 2025

GSAI
 Glen Schnarr & Associates Inc.

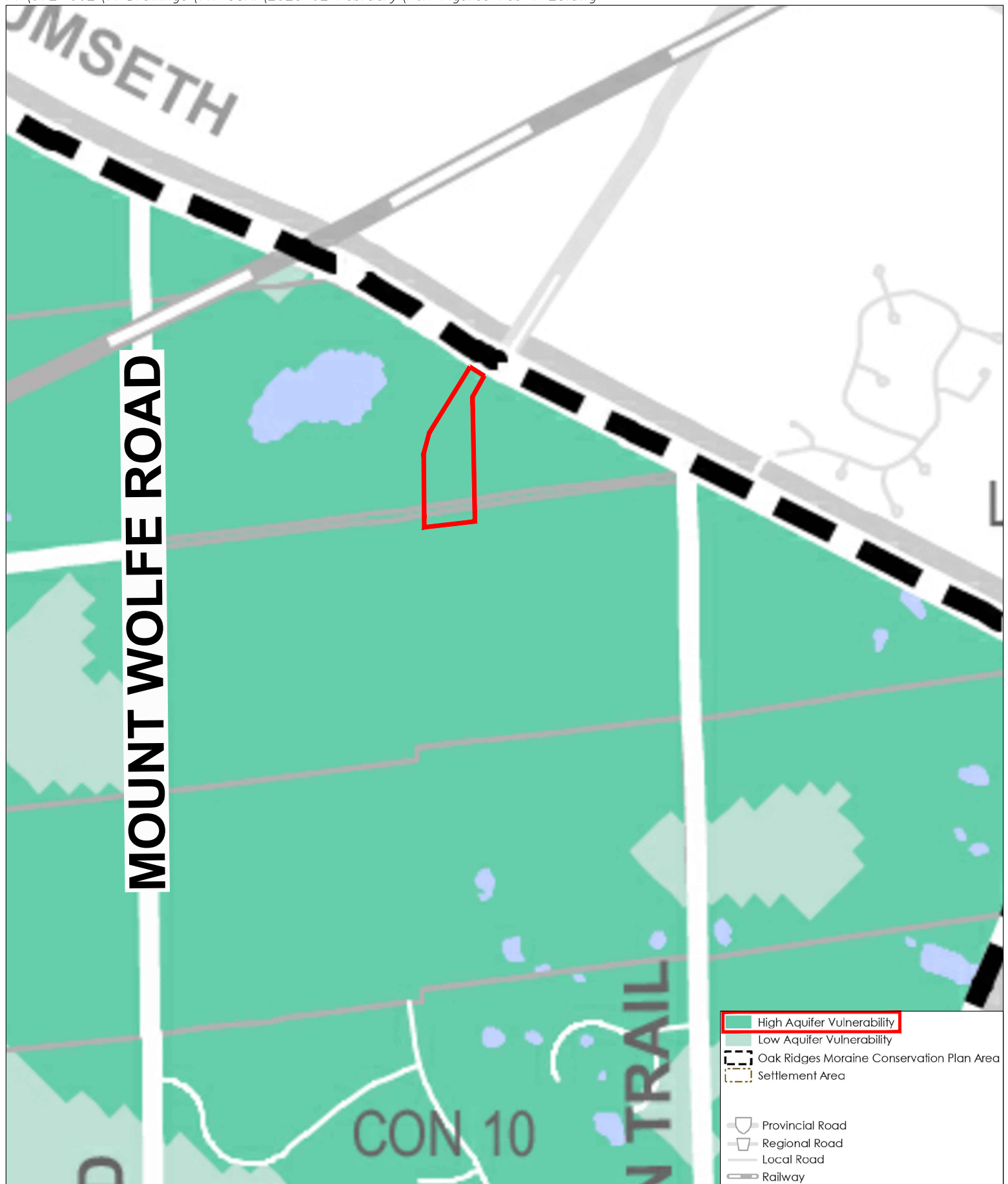


FIGURE 12
TOWN OF CALEDON - SCHEDULE P-1
OAK RIDGES MORaine CONSERVATION PLAN
AQUIFER VULNERABILITY AREAS

— Subject Property



Scale: N.T.S.
 FEBRUARY 7, 2025

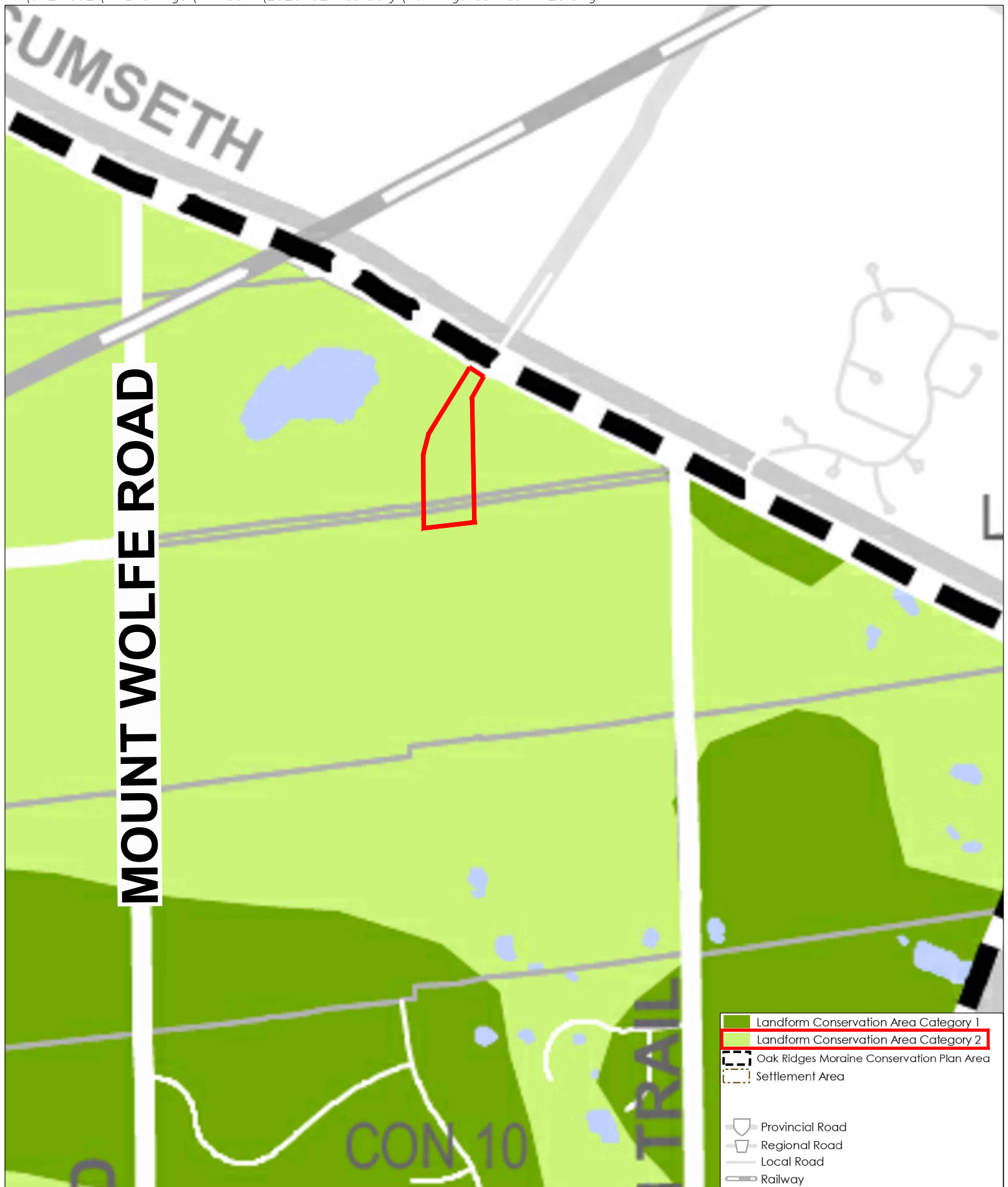


FIGURE 13
TOWN OF CALEDON - SCHEDULE P-2
OAK RIDGES MORaine CONSERVATION PLAN
LANDFORM CONSERVATION AREAS

— Subject Property



Scale: N.T.S.
 FEBRUARY 7, 2025

6.3.2 Future Town of Caledon Official Plan

The Future Caledon Official Plan (‘Future Caledon OP’) was adopted by Town Council in March 2024. It remains before the Ministry of Municipal Affairs and Housing for approval and thus is not the in-effect Future Caledon OP.

The Future Caledon OP represents an evolving policy framework as it identifies where and how the Town of Caledon is to grow up to the year 2051 based on a Town Structure. For the purpose of this Report, the March 2024 Future Caledon Official Plan, as adopted by Council, has been reviewed and evaluated. The following is an analysis of the applicable Future Caledon OP policies and an evaluation of how the Proposed Development will serve to further implement Provincial, Regional and local policy.

The Subject Property is located within the “Oak Ridges Moraine Conservation Plan” designation as illustrated on Schedule B3a, and “Palgrave Estate Residential Community” designation as illustrated on Schedule B4, Land Use.

The Future Caledon OP envisions the Town as “*a sustainable, healthy, connected and complete community with a thriving local economy*”. In recognizing the Town’s rural roots and natural environment, the Plan established the following guiding principles which are relevant to the proposal:

2.3 Guiding Principles

2.3.3 Protect Our Natural Features and Areas

2.3.7 Manage and Support Growth for Our Long-term Benefit

2.3.8 Create Healthy and Complete Communities

2.3.12 Support Strategic and Innovative Economic Opportunities

2.3.13 Strategically Manage Municipal Infrastructure

The proposed *Motor Vehicle Repair Facility (Modified)* use conforms to the Town’s guiding principles by allowing an existing business within the Town to continue to operate which supports the strategic economic opportunities within the Town. The proposal will help preserve existing employment within the town, strengthen the local economy and tax base, and it will represent an efficient use of existing services. Moreover, re-zoning the Site will aim to protect the natural areas on Site through the provision of adding woodlot enhancement areas on site and providing enhanced landscaping, grading Site drainage on Site through the detailed design process, if the proposed Amendments are approved. For these reasons, we are of the opinion the proposed Amendments conform to the guiding principles of the Future Caledon OP.

Section 3.2 of the Future Official Plan outlines policies for land use designations in Caledon. The following policies apply:

3.2 Land Use Designations

3.2.1 *Provincial plan designations are identified on Schedules B3a, B3b and B3c.*

3.2.2 *Land use designations associated with this Plan are identified on Schedule B4, Land Use Designations. In accordance with Section 1.2, lands subject to the 1978 Official Plan, as amended, are noted on Schedule B4, Land Use Designations.*

As identified in *Figure 15 – Land Use Designations*, the Site is located within the Palgrave Estate Residential Community designation. As per Section 1.2.1 of the Future Official Plan, the policies from the 1978 Official Plan, as amended are in force. Refer to Section 6.3.3 of this report for details on how the proposal conforms to the in effect Secondary Plan policies.

Chapter 25 establishes and describes the primary tools available to implement this Future Caledon OP. Specifically, Section 25.1.9 outlines the following policies for non-conforming uses:

25.1.9 *Non-conforming Uses*

- a) *The use of land, a building or a structure that does not comply with a zoning bylaw but lawfully existed prior to the approval of the zoning by-law will be recognized as a non-conforming use in accordance with the Planning Act. If such non-conforming use cease, then the rights derived from the non-conforming use will terminate.*
- b) *The Town may authorize the expansion or enlargement of a non-conforming use or a change to a non-conforming use in accordance with the Planning Act.*

As outlined throughout this report, the Town of Caledon has determined that a *Motor Vehicle Repair Facility* use is considered a legal non-conforming use on these lands. The proposed *Motor Vehicle Repair Facility (Modified)* use will operate and function similarly to the legal non-conforming use permitted on Site. No new development or Site alteration is being proposed so no additional impacts on the Site or surrounding are anticipated. The proposal will also aim to protect the natural areas on Site through the provision of adding woodlot enhancement areas on Site and possible enhancements to the landscaping, grading/site drainage will be explored through the detailed design process.

For these reasons, we are of the opinion the proposed Amendments conform to the Future Caledon OP, and the proposed *Motor Vehicle Repair Facility (Modified)* use being pursued would be considered an appropriate conversion from the already permitted *Motor Vehicle Repair Facility* use and therefore conforms to the Existing use provisions of the ORMCP.

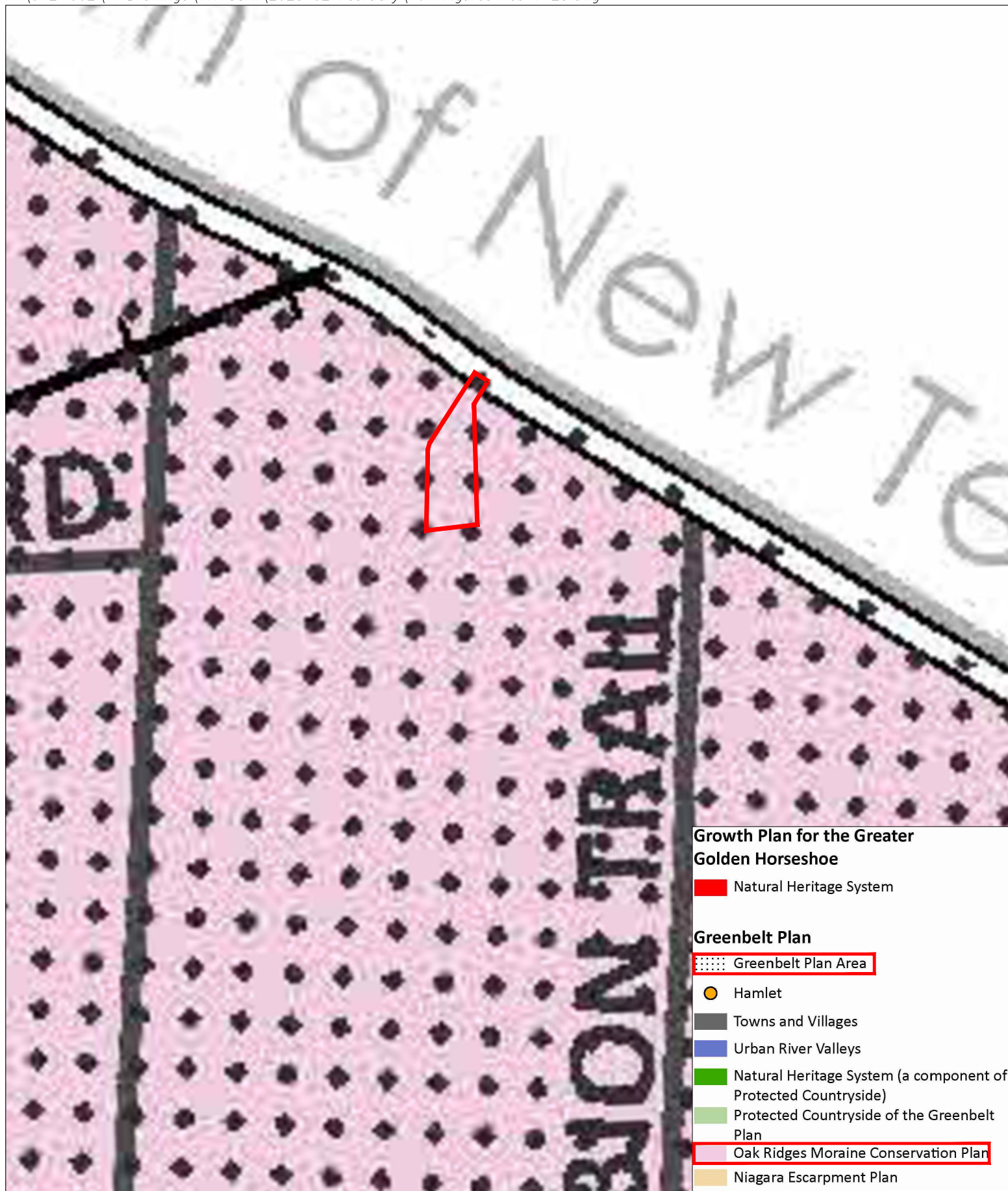


FIGURE 14
FUTURE CALEDON OFFICIAL PLAN

SCHEDULE B3a - LAND USE DESIGNATIONS
GREENBELT PLAN & GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE

— Subject Property



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FEBRUARY 7, 2025

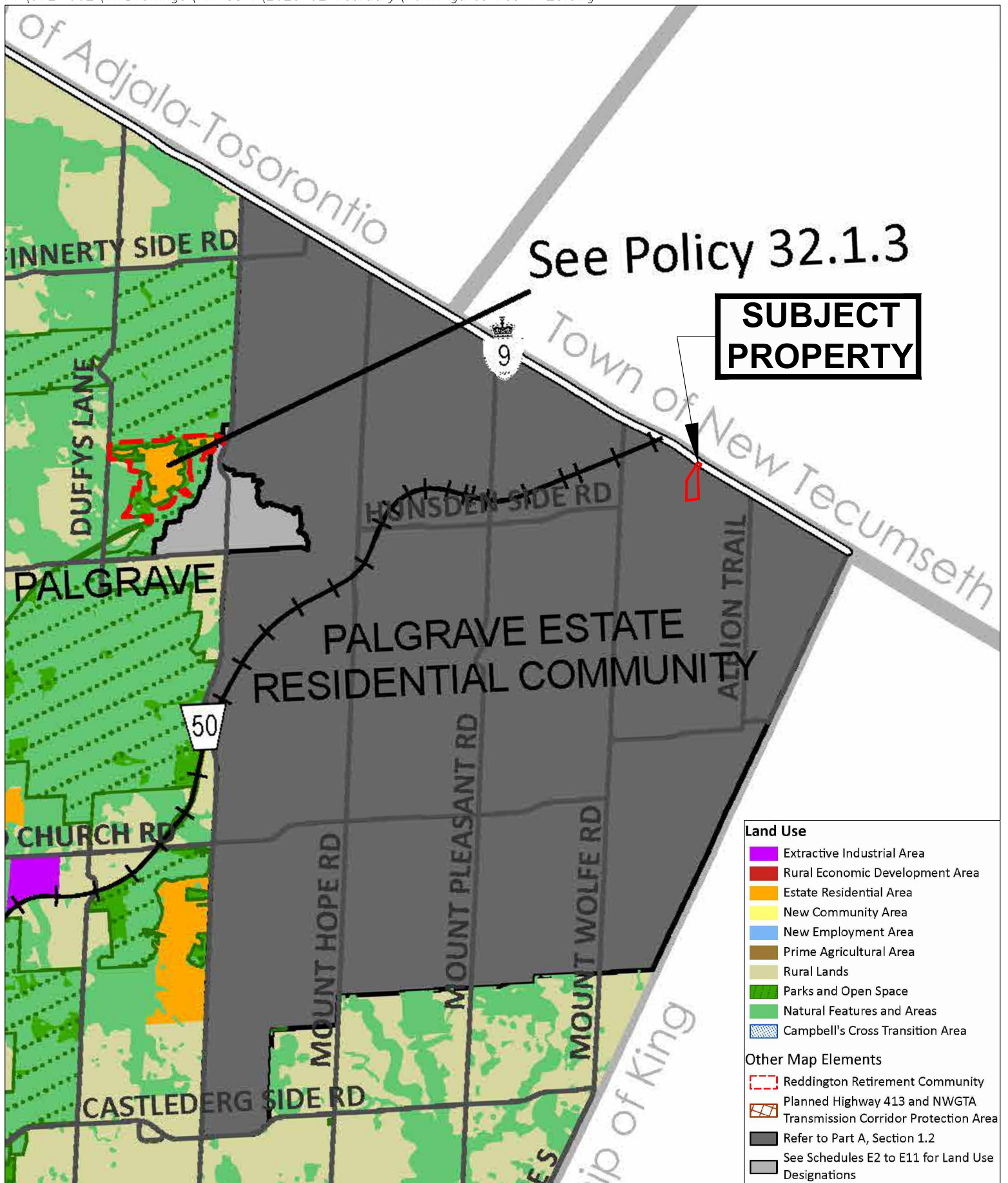


FIGURE 15
FUTURE CALEDON OFFICIAL PLAN
SCHEDULE B4 - LAND USE DESIGNATIONS

— Subject Property



Scale: N.T.S.
 FEBRUARY 7, 2025

6.3.4 Zoning By-law 2006-50 (October 19, 2006)

The Subject Property is zoned “A2 – ORM” and “EPA2 – ORM” in the Town of Caledon Zoning By-law 2006-50 (refer to *Figure 16 – Town of Caledon Zoning Map 43 – By-law 2006-50*).

The Rural Oak Ridges Moraine zone (“A2-ORM”) only permits the following uses:

- Agricultural Uses (ORM)
- Animal Agriculture (ORM),
- Bed and Breakfast Establishment (permitted in a detached dwelling only),
- Bunkhouse Accessory (permitted on lots having a minimum lot area of 6 hectares)
- Dwelling Accessory (ORM)
- Dwelling Detached (permitted only on a vacant lot of record where a single detached dwelling would have been permitted as of November 15, 2001 and accessory uses thereto)
- Environmental Management
- Farm Equipment Storage Building
- Farm Produce Outlet, Accessory
- Farm Vacation Home (ORM)
- Forest Management
- Gasoline Pump Island, Accessory
- Home Business (ORM)
- Home Industry (ORM)
- Livestock Facility
- Nursery, Horticultural
- Open Storage, Accessory
- Produce Storage Building
- Transportation, Infrastructure & Utilities

The Environmental Policy Area 2 – Oak Ridges Moraine zone (“EPA2-ORM”) only permits the following uses:

- Agricultural Uses (ORM)
- Dwelling Detached (permitted only on a vacant lot of record where a single detached dwelling would have been permitted as of November 15, 2001 and accessory uses thereto)
- Environmental Management
- Forest Management
- Home Business (ORM) (Permitted in a detached dwelling only)
- Low-Intensity Recreational Uses (ORM)
- Transportation, Infrastructure and Utilities with the exception of stormwater management ponds.

While a *Motor Vehicle Repair Facility* use is not listed as a permitted use in the applicable site zoning, it was determined to be a legal-non conforming use by Town staff in 2007. A Zoning By-

law Amendment is required to permit the proposed *Motor Vehicle Repair* Facility (Modified) use on the Site. A Draft Zoning By-law Amendment is appended to this report.

— Subject Property

7.0 SUPPORTING STUDIES

7.1 Site Servicing and Stormwater Management Memo

C.F. Crozier & Associates Consulting Engineers prepared a Site Servicing and Stormwater Management Memo, dated January 22, 2024, to review the existing conditions and evaluate the servicing capabilities of the property and stormwater management. The report notes that there is no municipal watermain within the Highway 9 Right-of-Way, and that the Subject Property lies within a rural area with no existing public water services. The existing Lions Demolition/Excavation Repair Facility is serviced by a private well, and since no changes are being proposed to the Site's existing conditions, Amendments will not affect the Site water demands. Through their investigation, the memo noted there are no municipal sanitary sewers within Right-of-Way of Highway 9 and Tottenham Road, and that the Subject Property is serviced by a private septic system. The memo determined that with no Site works being proposed, the proposal will not affect the site septic flows. In relation to drainage, the memo determined that the property generally drains overland from south to north towards the external storm sewer network. The memo notes that there is a minor area along the western property line that drains toward the neighboring site. Minor drainage upgrades could be pursued to address this through a Site Plan Application.

7.2 Noise Feasibility Study

A Noise Feasibility Study, prepared by HGC Engineering, dated January, 2025, evaluated the potential noise impact of the existing business operation on adjacent properties. The study included an analysis of noise generated from trucking, movement of equipment, and the repair activities, in accordance with the Ministry of Environment, and the Conservation and Parks (MECP) guidelines. The noise predictions indicated the sound levels at the adjacent properties were within the noise guidelines limits of the MECP. As such, no noise mitigation is required for the Subject Property.

7.3 Environmental Site Assessment - Phase 1 & 2

Safetech Environmental Ltd., prepared a Phase I and II Environmental Site Assessment. Through the analysis and site reconnaissance of the Phase I, it determined Areas of Potential Environmental Concern, which included four areas within the property that needed further investigation.

The Phase II ESA served to investigate the Areas of Potential Environmental Concern identified during the Phase I ESA. Phase II was completed in general accordance with the Canadian Standards Association (CSA) Phase II ESA Standard (Z769-00), as updated.

The soil sample results indicated that all VOCs were reported as non-detectable, or with concentrations below the 2011 MECP Table 2 SCS parameters. However, groundwater with concentrations of Chloroform as well as PHCs F2 and F3 exceeding 2011 MECP Table 2 SCS were identified on site.

7.4 Additional Environmental Site Works Memo

In response to the groundwater exceedances identified in the Phase 2 Environmental Site Assessment, the client retained Toronto Inspection to undertake various works to address the identified exceedances. Working with the Ministry of the Environment, Conservation and Parks (MECP), further investigations were undertaken. Resulting from the further investigation, soil remediation was undertaken on the site.

Test pitting investigations and an extensive monitoring program were undertaken which identified soil exceedances in areas at the rear of the site. Since 2021, an extensive amount of remediation and monitoring work has been undertaken. This work is outlined within this Environmental Update Memo. The memo concluded that as of February 2024, the MECP has advised that no further comments or concerns and no further work was recommended.

7.5 Environmental Impact Study

Dillon Consulting Limited (Dillon) have completed a scoped Environmental Impact Study (EIS) to identify and confirm existing conditions on site, as well as verify the natural environment limits present within and adjacent to the Subject Property. The report concluded that candidate SWH habitat and potential SAR habitat were identified within the Study Area. However, because no new construction is being proposed and no vegetation or tree removal is required, no impacts to the natural environment are expected

7.6 Traffic Impact Study

C.F. Crozier & Associates Inc. (Crozier) have prepared the Traffic Impact Study (TIS). The TIS analyzed the existing traffic operation conditions and the site line availability at the site access. The analysis found that a total of two-way trips during the weekday a.m. and p.m. peak hours combined. These traffic volumes are considered negligible from a traffic operations perspective and are typically not associated with traffic operational issues. Crozier's TIS concludes that the OP/ZBA application can be supported from a traffic operations and safety perspective.

8.0 CONCLUSION

It is our opinion that the proposed Official Plan and Zoning By-law Amendment is justified and represents good planning for the following reasons:

1. The proposed Amendments being pursued are intended to recognize the Owners existing business operation by expanding the existing *Motor Vehicle Repair Facility* definition to allow for the repair of construction equipment.
2. The maintenance and repair of construction equipment have a similar operational scope as the maintenance and repair of motor vehicles. The main difference is the size of the machine being repaired. Given the size and location of the existing industrial garage building (Building B) on Site, the maintenance and repair of construction equipment can be accommodated within the existing buildings, while being adequately screened from Highway 9 and the adjacent properties.
3. The proposed Amendments are consistent with the policies of the Provincial Planning Statement, by contributing to a range of employment uses that promote economic development and local employment opportunities within the Town of Caledon, and provide efficient use of existing services;
4. The proposed Amendments conform with the Oak Ridges Moraine Conservation Plan by allowing the conversion of an existing use to a similar use, while not adversely impacting the Site's ecological integrity and potentially bringing it closer into conformance by adding 0.32ha (0.79ac) of woodlot enhancement areas to the Site and potential Site upgrades at the detailed design stage;
5. The proposed Amendments conform to the Regional Official Plan policies by proposing use that is generally in keeping with existing uses in the area, and supports the Region's economy by allowing a long-time business in the community to continue operations;
6. The proposed Amendments conform with the in-effect Town of Caledon Official Plan, and adopted Future Caledon Official Plan policy objectives by providing a use that supports the economic growth in the area, is similar in operational scope to the legally existing use permitted, and enhances the ecological integrity of the Site.
7. The proposed *Motor Vehicle Repair Facility (Modified)* use is compatible with the existing rural and industrial character along Highway 9, so permitting the Proposed Use is not anticipated to alter the character of the area.
8. The findings from the required reports and studies, as summarized in Section 7.0, do not impede the Site or adjacent lands.

Respectfully submitted,

GLEN SCHNARR & ASSOCIATES INC.

Patrick Pearson, MCIP, RPP
Associate


Colin Chung, MCIP, RPP
Partner

APPENDIX "A"

ZONING BY-LAW No. 2025-XXX

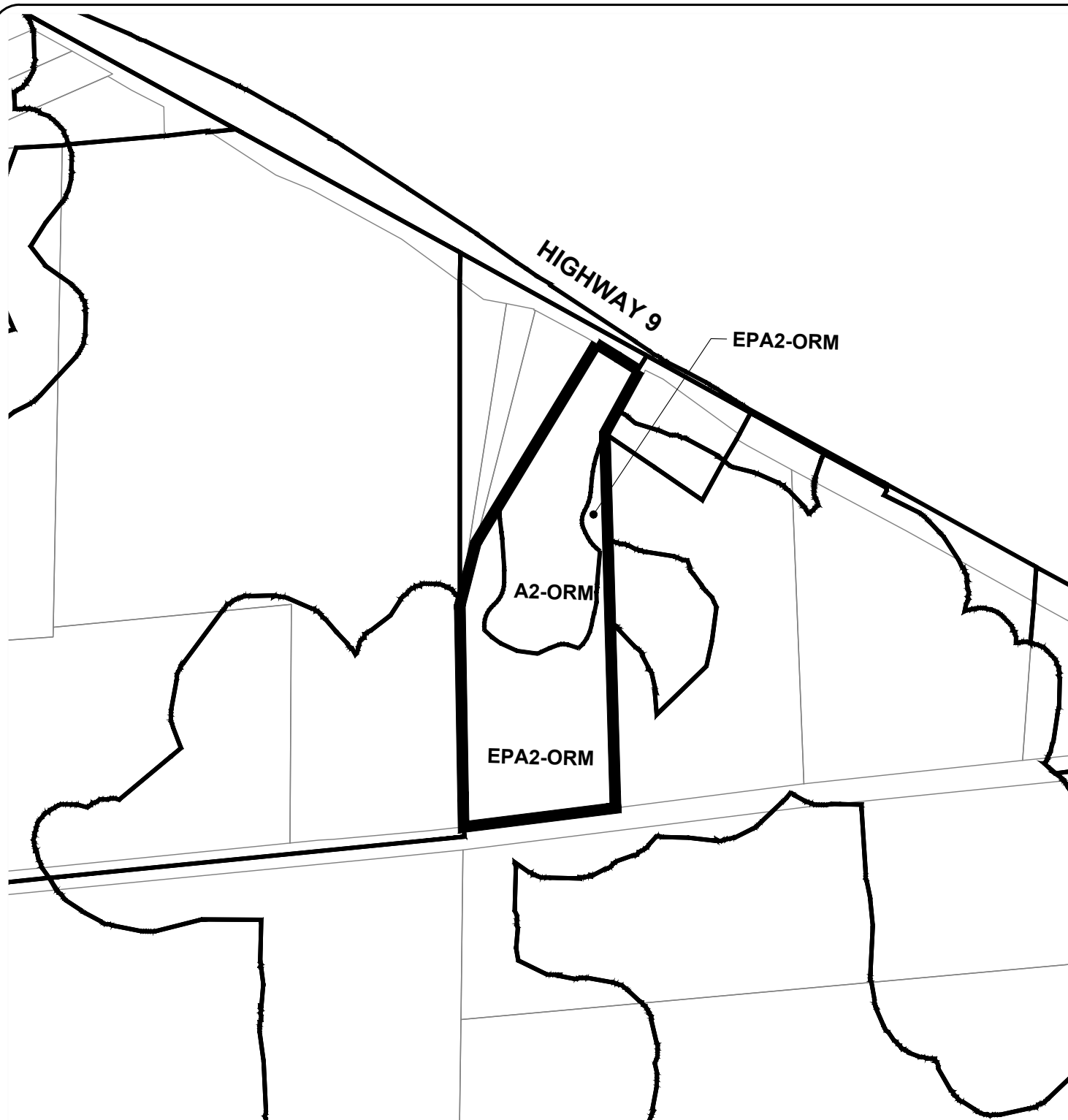
NUCON PROPERTY DEVELOPMENT INC.
PT LT 26 CON 10 ALBION PT 1,
43R17925
Town of Caledon
Region of Peel

LEGEND

 Lands to be rezoned from A2-ORM &
EPA2-ORM to A2-ORM-XXXX &
EPA2-ORM-XXXX



DRAWN BY: GSAI	FILE NO:
CHECKED BY:	DATE: February 5, 2025
SCALE: N.T.S.	REVISED:
PLANNING & DEVELOPMENT DEPARTMENT	



AMENDMENT NO. xxx
TO THE OFFICIAL PLAN FOR
THE TOWN OF CALEDON PLANNING AREA

DRAFT

THE CORPORATION OF THE TOWN OF CALEDON

BY-LAW NO. xxxx- xx

A By-law to adopt Amendment No. xxx to the 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. xxx to the Official Plan for the Town of Caledon Planning Area shall be and is hereby adopted.

Read three times and finally passed in open Council this xxth day of xxxx, xxxx

Annette Groves, Mayor

Kevin Klingenberg, Clerk

THE CONSTITUTIONAL STATEMENT

- PART A - THE PREAMBLE - does not constitute part of this amendment.
- PART B - THE AMENDMENT - consisting of the following text and Schedule "A" constitutes Amendment No. xxx of the Town of Caledon Official Plan.

DRAFT

AMENDMENT NO. xxx

OF THE TOWN OF CALEDON OFFICIAL PLAN

PART A - THE PREAMBLE

Purpose of the Amendment:

The purpose of this Amendment is to amend Schedule "G" Palgrave Estate Residential Community and add new policies permitting a *Motor Vehicle Repair Facility (Modified)* use on the subject lands.

Location:

The lands subject to this Amendment, as indicated on the attached Schedule "A", are municipally known as 10795 Highway 9, and legally known as PT LT 26 CON 10 ALBION PT 1, 43R17925; CALEDON, Town of Caledon, Regional Municipality of Peel.

Basis:

The basis for this Amendment is to amend the Town of Caledon Official Plan to permit a *Motor Vehicle Repair Facility (Modified)* use within Policy Area 4 designation on the subject lands.

In support of the application, the applicant submitted the following reports:

- Archaeological Assessment
- Environmental Impact Study (Scoped)
- Site Servicing and Stormwater Management Memo
- Phase 1 and 2 Environmental Site Assessment (Including an Environmental Update Letter)
- Hydrogeological Impact Assessment
- Noise Study
- Planning Justification Report
- Traffic Impact Study

The proposed amendment to the Official Plan to permit a *Motor Vehicle Repair Facility (Modified)* use on the site is consistent with the goals, objectives, and existing use direction of the Official Plan. The owner is seeking to add permissions for a *Motor Vehicle Repair Facility (Modified)* use to allow for the repair of construction equipment on the site, in addition to the permissions outlined within the legally permitted *Motor Vehicle Repair Facility* use.

PART B - THE AMENDMENT

This part of the document, entitled "Part B - The Amendment", and consisting of the following text constitutes Amendment No. xxx of the Town of Caledon Official Plan.

Details of the Amendment

The Town of Caledon Official Plan is amended as follows:

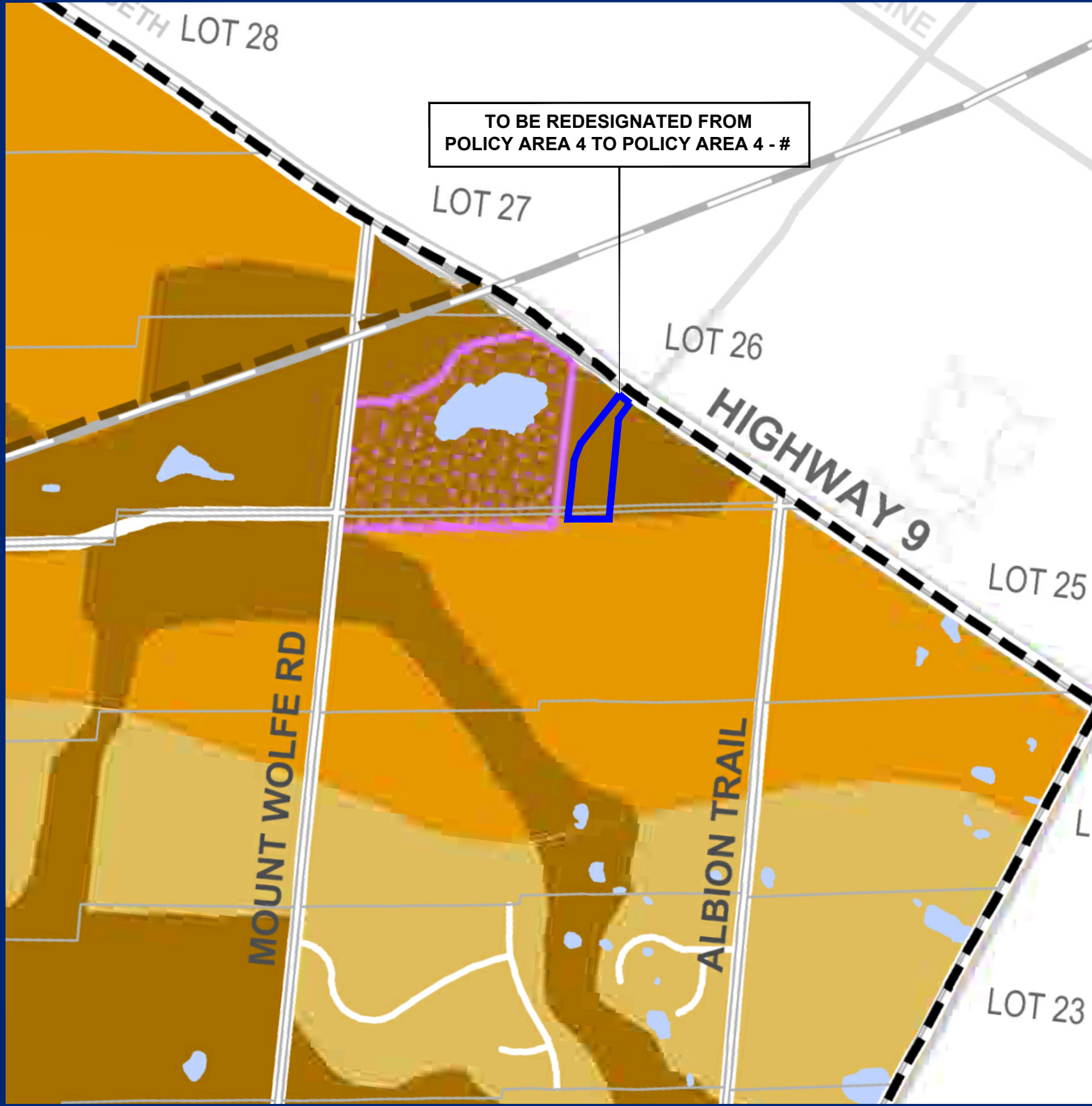
1. Section 7.1.3.4 is amended to read:

- a) Notwithstanding any other provision of this Plan, a *Motor Vehicle Repair Facility (Modified)* use shall be permitted within the Policy Area 4 designation on the lands identified on Schedule X; and,
- b) A ***Motor Vehicle Repair Facility (Modified)*** shall be defined as follows:

Motor Vehicle Repair Facility (Modified) means a premises used to conduct repairs of motor vehicles of a mechanical or structural nature ***(including construction equipment)*** and may include an associated towing service, motor vehicle service centre and motor vehicle rentals but does not include a motor vehicle body shop.

Implementation and Interpretation

The implementation and interpretation of this Amendment shall be in accordance with the policies of the Town of Caledon Official Plan.



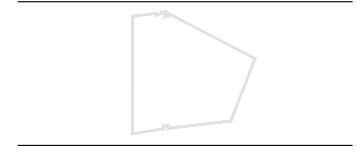
TO BE REDESIGNATED FROM
POLICY AREA 4 TO POLICY AREA 4 - #



SCHEDULE A OPA No. XX

- Subject Lands**
- Policy Area 1
- Policy Area 2
- Policy Area 3
- Policy Area 4
- Existing Extractive Industrial
- Special Policy Area - Waste Disposal
- Palgrave Estate Residential Community
- Settlement Area
- Caledon Trailway
- Provincial Road
- Regional Road
- Local Road
- Railway

Part of Lot 26, Concession 10,
Geographic Township of Albion



Appendix II

THE CORPORATION OF THE TOWN OF CALEDON
BY-LAW NO. 20xx-xxx

Being a by-law to amend Comprehensive Zoning Bylaw

2006-50, as amended, with respect to PT LT 26
CON 10 ALBION PT 1, 43R17925; CALEDON,
Town of Caledon, Regional Municipality of Peel,
municipally known as 10795 Highway 9.

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 Section 39 of the Planning Act, as amended, permits the councils of local municipalities, in a by-law passed under Section 34 of the Planning Act, as amended, to authorize the use of land, buildings or structures for any purpose set out therein that is otherwise prohibited by 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 pass a zoning by-law to permit the use of PT LT 26 CON 10 ALBION PT 1, 43R17925; CALEDON, Regional Municipality of Peel, for a Motor Vehicle Repair Facility (Modified).

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 is added to Table 13.4:

Zone Designation	Exception Number	Permitted Uses	Special Standards
A2-ORM	XXXX	Motor Vehicle Repair Facility (Modified)	Motor Vehicle Repair Facility (Modified) means a premises used to conduct repairs of motor vehicles of a mechanical or structural nature (including construction equipment) and may include an associated towing service, motor vehicle service centre and motor vehicle rentals but does not include a motor vehicle body shop. In accordance with zone standards of the existing buildings and structures.
EPA2-ORM			

2. Schedule "A", Zone Map 43 of By-law 2006-50, as amended is further amended for PT LT 26 CON 10 ALBION PT 1, 43R17925; CALEDON, Town of Caledon, Regional Municipality of Peel, from A2-ORM to A2-ORM-XXXX & the A2-ORM to EPA2-ORM in accordance with Schedule "A" attached hereto.

Read three times and finally
passed in open Council on the
XX day of XXXX, 20XX.

Annette Groves, Mayor

Kevin Klingenberg, Clerk