



# WESTON CONSULTING

planning + urban design

The Town of Caledon  
Planning and Development Division  
6311 Old Church Road  
Caledon, ON  
L7C 1J6

January 15, 2021  
5576-1

Attn.: Sylvia Kirkwood

Dear: Madam,

**RE:** Planning Justification Brief in Support of  
Application for Temporary Use By-law PRE 2020-0087

7904 Mayfield Road, Town Caledon  
Tarpa Construction Co. Limited

Weston Consulting has been retained by Tarpa Construction Co. Limited to provide professional planning services relating to 7904 Mayfield Road (Subject Property) in the Town of Caledon. The Subject Property is located on the north side of Mayfield Road, west of Humber Station Road in the Town of Caledon. It is legally described as Part of Lot 1, Concession 4, Town of Caledon, Regional Municipality of Peel, with a lot area of approximately 3.9 hectares and a lot frontage of approximately 93 metres.

This is for an application for a Zoning By-law Amendment, for the purposes of *refreshing* Temporary Use By-law 2017-42, which permits a commercial nursery and garden supply centre at 7904 Mayfield Road.

The Subject Property is currently zoned Agricultural (A1-T14) and Environmental Protection Areas (EPA1-T15) and (EPA2-T16), subject to Temporary Use By-law 2017-42. An application for a Temporary Use By-law was originally submitted in May 11, 2012, to permit the uses of a commercial nursery and garden supply centre. The Temporary Use By-law was approved on June 20, 2017, with the implementing Site Plan approval obtained on February 8, 2018, following a detailed review.

## **Current Application**

On behalf of the Tarpa Construction Co. Limited, we are requesting to extend the current Temporary Use By-law for a period of three (3) years. The Subject Property has since been developed for the approved commercial nursery and garden supply centre use. The approved and proposed structures, engineering, and landscaping works have been erected and implemented. This is evident through the Region of Peel, Town of Caledon Engineering and Landscape Department successful return of Tarpa Constructions site securities.

Since the planning approvals of these lands, no fundamental site changes/ alterations have occurred. The previously submitted/ approved plans and technical studies remain relevant and applicable to this application. The Subject Property have been developed for the approved commercial nursery and garden supply centre use. The approved structures, landscaping, grading, and land conveyances have since been erected and implemented.

## Planning Analysis

### *Provincial Policy Statement 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2020*

The Province of Ontario recently updated the Provincial Policy Statement (PPS) and Growth Plan for the Greater Golden Horseshoe (Growth Plan) in 2020. From the time when the previous application was approved in 2017 both policy documents have been updated. The proposed continues to conform to the latest policy documents.

### *Provincial Policy Statement 2020*

The continued use of the Subject Property as a commercial nursery and garden supply centre is compatible with following policies:

#### *1.7.1 "Long-term economic prosperity should be supported by:*

- a) Promoting opportunities for economic development and community investment-readiness;*
- i) Sustaining and enhancing the viability of agricultural system through protecting agricultural resources, minimizing land use conflicts, providing opportunities to support local food, and maintaining and improving the agri-food network."*

The Subject Property operates as a commercial nursery and garden supply centre which directly supports the economic prosperity of the Province which is identified as a priority in the PPS. Further, as the nature of the business retail products that directly support the *agriculture system*, the operation of the Subject Property as existing, serves to promote agricultural uses and normal farm practices. Garden supply centres and retail nurseries represent an important sector of the agricultural industry in that they support active agricultural production which allows for the production of value-added products. With the continued use of the Subject Property supporting the Province's *agriculture system*, the opportunity for land use conflicts is eliminated.

*2.3.3.1 "In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses. Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on guidelines developed by the Province or municipal approaches, as set out in municipal planning documents, which achieve the same objective;"*

The Subject Property is located within the *Prime Agricultural Area*, where permitted uses and activities are intended to be used for *agricultural uses, agriculture-related uses and on-farm*

*diversified* uses. Commercial nurseries and garden supply centres are classified as *agricultural uses* and permitted on the Subject Property. Additionally, the continued use of the commercial nursery and associated garden supply centre does not hinder surrounding agricultural operations. The proposed continual use of the Subject Property as a commercial nursery and garden supply centre maintains compatibility with surrounding agricultural uses as well as supports the surrounding agricultural industry.

*A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2020*

The Growth Plan (2020) provides a vision of Ontario's growth for building stronger, more prosperous communities in the Greater Golden Horseshoe to the year 2051. The Growth Plan forecasts that the Greater Golden Horseshoe area will increase a minimum of 14.8 million people and 7.0 million jobs by 2051. The proposed use, as a commercial nursery and garden supply centre, is considered to be an agricultural use in that the horticultural function of the nursery is the primary use on the property. The retail component is considered to be an Agricultural related use in that the retail component allows for the sale of nursery crops produced on the subject lands. The retail component is also supportive of the surrounding agricultural uses in that it allows for an outlet for the sale of locally produced agricultural products. As such, the continual use of the Subject Property to operate as a business keeps with the general intent of the Growth Plan.

*Region of Peel Official Plan*

The Subject Property is located in the *Prime Agricultural Area* and designated *Rural System* on Schedule 'D' – Regional Structure in the Region of Peel Official Plan. Key policies within the Region of Peel Official Plan include the protection of the prime agricultural area for agricultural land uses. Agricultural-related uses include farm related commercial and industrial uses that are small scale and directly related to the farm operation. The proposed continual use for the approved commercial nursery and garden supply centre use, including the approved and proposed structures/ landscaping works is a permitted use, and in conformity with the Region of Peel Official Plan.

*Town of Caledon Official Plan*

The Subject Property is designated as *Prime Agricultural Area* and *Environmental Policy Area* within *Schedule 'A' - Town of Caledon Land Use Plan*, of the Town of Caledon Official Plan. Uses permitted in the *Prime Agricultural Area* include agricultural uses, agriculture-related commercial and agriculture-related industrial uses in a single detached dwelling. The requirements of Section 6.2.13.2 must be met in order to permit the temporary use of a garden centre. Below is an analysis in how this proposal conforms to the policies contained herein:

*6.2.13.2 "Prior to the passing of a Temporary Use By-law, Council shall be satisfied that the proposed temporary use meets the following conditions":*

*a) That it is compatible with neighbouring land use activities;*

The current use of growing and selling horticultural products on site is compatible with the surrounding land uses, which are used for farming and agricultural purposes. Many properties in the immediate area presently farm for cash crop operations, the contemplated use is mindful of the neighbouring land use, while representing compatible land use.

*b) "That adequate parking can be provided";*

Upon a review of the parking requirements in Zoning By-law 2006-50, the parking on-site complies with the Zoning By-law 2006-50. The previously approved parking supply associated with original Temporary Zoning By-law Amendment remains unchanged. No changes to previous site parking arrangements are contemplated within this proposal.

*c) "That an adverse impact on traffic will not be created";*

A Traffic Impact Study was previously prepared in 2012 by Croziers and Associates which supported the original Temporary Use By-law application. It was determined that uses and functions intended for this site were supportable and feasible from a traffic perspective. Since the Site Plan approval in 2018, the previously required road widenings along Mayfield Road have since been conveyed and brought into the Region's ownership.

*d) That the construction of a permanent building or structure is not encouraged;*

The applicant previously erected a sales trailer, which was not a permanent building. The owner intends to remove the erected sales trailer upon the expiry of a new temporary use by-law ending in 2023.

*e) That the use cannot become permanent and difficult to terminate;*

Similar to the above response, the applicant previously erected a temporary sales trailer, which is not a permanent building and intends to remove the building once the use permission end upon an additional three years.

*f) That adverse environmental impacts will be avoided, minimized or mitigated;*

The applicant previously rezoned portions of the Subject Property located within the Regional Flood limit to Environmental Policy Area 1 (EPA1) Zone. The 10 metre buffer from said Regional Flood limit has been rezoned from the Agricultural (A1) Zone to Environmental Policy Area 2 (EPA2) Zone to limit uses and development within that area. In 2017, Town Planning Staff confirmed that the Temporary Use By-law is in conformity with Regional and Town policy. To date nothing in part of this application is subject to change.

The planned continued use of the property is in conformity with Regional and Town Official Plan policies. The included planning analysis illustrates conformity with Regional and Local land use policy. We are of the opinion that the continued uses of a commercial nursery and garden supply centre remain an appropriate use of land, while representing good planning.

The Subject Property has since been developed for the approved commercial nursery and garden supply centre use. Since the approval of the Temporary Zoning By-law of these lands, no fundamental site changes/alterations have occurred. The submitted plans and technical studies remain relevant and applicable. We are of the opinion that the continued uses of a commercial nursery and garden supply centre remain an appropriate use of land, while representing good planning.

We trust the above information is in order and constitutes a complete application under the *Planning Act*. We ask that formal notice of same be issued and that the application be circulated to the appropriate agencies and department for review and comment.

Should you have any questions or need additional information please do not hesitate to contact the undersigned at (416) 459-5537.

Yours truly,

**Weston Consulting**

**Per:**



Kevin Bechard, BES, M.Sc., RPP.  
Senior Associate

CC. Sylvia Kirkwood, Principal Planner, Town of Caledon  
Armando Rosano, **Tarpa Construction Ltd.**  
Dan Kraszewski, **D.J.K. Land Use Planning**