

Terms of Reference: Compatibility and Mitigation Study

Purpose:

- To assess potential adverse effects to *sensitive land uses*¹ and impacts to *major facilities*² (as defined in the *Provincial Policy Statement*) and recommend separation distances and mitigation measures to prevent adverse effects or impacts to surrounding land uses.

Required in Support Of:

- Through an Inquiry Meeting or Preliminary (PARC) Meeting, staff will confirm if a Compatibility and Mitigation Study is required.
- Consistent with Provincial D-Series Guidelines, if a land use proposal would place a new or expanding sensitive land use within a major facility's Area of Influence (AOI) or a new or expanding major facility would capture sensitive land uses within its AOI, a compatibility study will be required.
- These Studies may be required in support of the following applications:
 - Official Plan Amendments (including Secondary Plans and Block Plans)
 - Zoning By-law Amendments
 - Draft Plans of Subdivision
 - Draft Plan of Condominium
 - Consents
 - Minor Variances
 - Site Plans

Prepared By:

- A Consultant (or Consultants) that is/are fully accredited, qualified and/or certified in the relevant matters being evaluated and recommended (noise, air quality, vibration, etc.) with experience preparing technical assessments.

Peer Review and Scoping:

- The Town will require a peer review of this document at the sole cost of the owner/applicant submitting the development application.
- On a project-by-project basis, the Town will identify any possible scoping of the study, or alternatively, other considerations to be incorporated into the study.

¹ Sensitive land uses - means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities (PPS)

² Major facilities - means facilities which may require separation from sensitive land uses, including but not limited to airports, manufacturing uses, transportation infrastructure and corridors, rail facilities, marine facilities, sewage treatment facilities, waste management systems, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities (PPS)

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Content:

- Section 1: Executive Summary
- Section 2: Introduction
 - Site Location and Context: Information on the site (location, property size, existing uses), surrounding land, access, servicing, etc. A site description of the current designation, zoning, and use of the site and the existing site conditions (topography, historical significance, potential contamination, and natural features) is also required.
 - Description of Proposal: Indicate the proposed development, type of development application and proposed activities and identify a need within the planning horizon of the Official Plan for the proposed use.
 - Purpose: Identify the reason and objectives for the Study, including:
 - A brief description of the proposed *major facility* or *sensitive land use*; and,
 - An explanation of how provincial, regional and municipal planning requirements and other provincial directives will be satisfied.
- Section 3: Contextual Analysis
 - Identify the study area:
 - For proponents of *major facilities*, the study area would be the AOI;
 - For proponents of *sensitive land uses*, the study area should be large enough to include all *major facilities* that capture the proposed *sensitive land use* in their AOIs.
 - Provide the classification of the proposed *major facility* or, if a *sensitive land use* is proposed, of the *major facilities* within the study area.
 - Provide detailed mapping identifying the following:
 - Location of the proposed use;
 - All existing and planned *major facilities* or *sensitive land uses* in the study area; and,
 - The separation distance between the proposed *sensitive land use* (or proposed *major facility*) and existing and planned *major facilities* (or *sensitive land uses*) within the study area, including whether the proposed *sensitive land use* is captured within any AOIs and Minimum Separation Distances (MSD) or whether any *sensitive land uses* are captured within the AOI or MSD of the proposed *major facility*).

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- Section 4: Land Use Compatibility Assessment
 - Overview methodology used to assess adverse effects (with reference to D-Series Guidelines best practices).
 - Assess adverse effects being generated by each *major facility* and for proposed *sensitive land uses*, potential impacts to *major facilities*, including:
 - How the potential adverse effects may impact *sensitive land uses* within its AOI informed by required technical assessments (e.g. noise impact studies, vibration studies, air quality studies, odour studies, etc.); and,
 - Possible operational impacts (e.g. ability to expand) on existing or planned *major facilities*, where applicable.
 - For each *major facility* within the study area, provide information that informed the assessment(s) of adverse effects, such as:
 - The duration, timing and types of operational activities, shipping, receiving and other transport activities, and outputs/contaminants associated with major facilities;
 - The hours of operation/normal use periods for *sensitive land uses*;
 - Design details and number, type and location of windows and doors in *sensitive land use* buildings;
 - Wind patterns (predominant winds, wind roses), topography and natural and man-made barriers/buffers (e.g. elevation, vegetation, walls, berms, ground and surface water) in the study area;
 - Any existing complaint history (where available) associated with the operation of the *major facility* (or *major facilities*) which would impact *sensitive land uses*, and any actions undertaken to address the concerns.
 - Analyze the proposed development against the appropriate environmental land use planning guidelines published by the Province (D-series guidelines).
 - Describe engagement completed with residents or *major facility* owners within the study area, including who was contacted, how they were contacted, what opportunities were provided for input into the proposal and how the input was incorporated into the compatibility study.
 - Assess and describe all existing approvals or other authorizations from the MOECP, such as an Environmental Compliance Approval or a Registration in the Environmental Activity and Sector Registry for *major facilities* whose AOI includes any portion of the applicant's property as well as any impacts to the above generated by the proposal.
- Section 5: Supporting Studies/ Key Findings
 - Outline the relevant supporting studies, if required, submitted with the applications for the proposed development and provide a summary of the key findings or outcomes of the assessments.

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- Section 6: Mitigation
 - Describe proposed mitigation measures (if required), when they will be implemented and how they will be maintained.
 - Demonstrate how the recommendations adhere to all MOECP minimum standards for noise, dust and odour as set out in all applicable environmental legislation, regulations and guidelines.
 - Provide an analysis of how the mitigation measures improve compatibility of the proposed use.
 - Include a description of the extent to which a proposed development and associated mitigation may require future permissions or other authorizations from the MOECP or other ministries, such as an ECA or and EASR.
- Section 7: Policy Analysis
 - Discuss how the proposed development and any proposed mitigation measures are in accordance with the *Planning Act* (as amended), are consistent with the Provincial Policy Statement and conforms to The Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan, the Town of Caledon Official Plan and relevant Provincial D-Series Guidelines, as they relate to compatibility between *major facilities* and *sensitive land uses*.
- Section 8: Summary and Conclusion
 - Describe whether the proposed *sensitive land use* is expected to experience adverse effects from the nearby *major facilities*, the proposed *major facility* is expected to have adverse effects on the nearby *sensitive land uses*, or the proposed *sensitive land use* is expected to have impacts on nearby *major facilities*.
 - Provide a recommendation of whether the proposed development should be approved based on the analysis completed in general documentation and technical studies.
 - Propose a separation distance from the proposed use to the *major facilities* or *sensitive land uses* within the study area, whichever is applicable, and within which adverse effects or impacts would not be expected. This should be provided both without mitigation measures and, if any are necessary, with proposed mitigation measures implemented.
- Section 9: Background Information
 - Appendix 1: Aerial Photograph - Identifying the parcel of land and surrounding land uses
 - Appendix 2: Proposed Development or Concept Plan
 - Appendix 3: *Major Facility and Sensitive Land Use Map*
 - Appendix 4: Applied Terms of Reference and Scope Details
 - Appendix 5: Literature Cited
 - Appendix 6: Other Data Sources Used
 - Appendix 7: Methodologies and List of People Contacted
 - Appendix 8: Curriculum Vitae (CV) of Those Who Prepared the Assessment

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Additional Resources:

- Environmental Land Use Planning Guidelines
- Draft Land Use Compatibility Guideline