

Meeting Minutes



ARCWG Sub-Meeting: Environmental Policy

Location:	Caledon Town Hall, Mayfield-Palgrave Room 6311 Old Church Rd, Caledon East, ON
Date:	May 14, 2024
Time:	10:30am – 12:00pm

In Attendance

Nick McDonald (NMc), Joe Nethery (JN), Neil Morris (NM), Ian Sinclair (IS), David Sylvester (DS), Cheryl Connors (CC), Jane Thompson (JT)

Agenda Items

Nick's Presentation

- IS: The 125 hectares standard became a thing. The Region of Peel's Official Plan called out 125 hectares standard and the Province said it must not be company prohibition for aggregates. Bureaucratic expediency becomes a thing. Now it has become an entity and is difficult to control.
 - NMc: The 125 hectares standard has been out there for a while. I guess from a water resource planning perspective, it does not mean all applications get made.
 - NMc: Policy framework implements Provincial and Regional policy.

Questions and Discussion

- Link to March 24 Nick/Meridian memo to Council <https://pub-caledon.escribemeetings.com/filestream.ashx?DocumentId=38242>
- DS: In terms of terminology nomenclature, what is the difference between natural environment policy and natural heritage policy?
 - NMc: One difference between the old and new plan. The natural environment system combines the water resource system and the natural heritage system. The most significant feature on either side is the Natural

- Feature Area (core) and the less significant feature is the Supporting Feature Area.
- NMc: There are redundancies. For example, wetlands are both natural heritage and water features. It is complex but it is the Province that has created this complex system.
 - DS: Do aggregate matters get caught in this?
 - NMc: An applicant would be spending considerable time reviewing those features.
 - DS: Can a proponent exploit redundancy or other redundancy issues?
 - NMc: No, the policies are very clear. I would rather use the word overlap. Anytime an application comes forward for an Official Plan amendment, it can open these policies for review.
 - NM: With respect to the Provincial Policy Statement section 2.1, Can you give a sense if the Official Plan goes beyond that?
 - NMc: The Provincial policies take precedence over anything else. There are additional details in other jurisdictions. 85% of Caledon is covered by a Provincial Plan. For example, the Greenbelt Plan says that the Town's Official Plan cannot be more restrictive than it is on aggregates. The Provincial Policy Statement generally affects 15% of the Town (8% rural and 7% urban).
 - NM: Aggregate and agriculture have some specific exceptions. Can you outline these?
 - NMc: Current aggregate policies continue to apply. Through this study, you will get those answers. There have been many conflicts of aggregate policy and other Provincial policies, frequently dealt with in Tribunal hearings. The Province says aggregate is the only land use not subject to a "no negative impact" test.
 - CC: We have moved from a systems-based approach to a feature-based approach. We are not looking at interconnectivity. The Town does not have the resources to perform the work conservation authorities used to do. Is there a risk of losing parts of the system through development, especially with no conservation authorities reviewing?
 - NMc: There is a system: the natural heritage system and water resource system create new natural features and areas. Applications must consider and protect features, along with adjacent lands. There is potential for enhancing the environment wherever possible. The Provincial plans in Caledon also apply and maintain the systems-based approach.
 - The modification in today's agenda reconfirms that all corridors are protected.
 - Conservation authority bureaucracy is being removed. The Town will have to provide environmental review and resources to deliver.
 - Every conservation authority has regulations. Regulated wetlands still require permitting and conservation authorities have a review role. The regulation also allows for unregulated wetlands to potentially be added in.

- The Aggregate Act is superior to the Conservation Authority Act, but conservation authorities can still provide comments.
- **CC: The Town needs to find a way to deal with the loss of conservation authorities.** There is added complexity in Caledon with a strong Mayor power, how is this all related?
 - NM: Conservation authorities had longstanding MOUs to review environmental matters and natural heritage issues. Conservation authorities have expertise but that is largely being moved over to the private sector.
 - NMc: It is tough hiring staff these days.
 - NM: In most cases, the proponent has to pay for review.
- IS: Maybe we should be discussing a two-part phasing of an application process. If they can't solve water, there is no sense in continuing. Has anyone else done that?
 - NMc: Not that I'm aware of. Aggregate Resources Act standards are not set up that way.
- IS: In the first Caledon Official Plan, there were 2 schedules: natural heritage and hazard. That has created a lot of confusion. Has anyone ever gone back and pulled hazards out from natural heritage?
 - NMc: I think to an extent this has been done. Hazard identification is very site-specific and good for zoning.
 - IS: There are great concerns about what they were going to do. The MNRF put it through and were very secretive.
- IS: To comment on Natural Heritage, they were using their rights and not the Official Plans. Provinces pushed the MNRA.
 - IS: In the 90s, we worked to give environmental planning roles to conservation authorities to support their continued existence. The General Regulation took the designating feature very far and sometimes did not follow the Official Plan.
- JT: Something I learned from working with the conservation authorities is that they have an enormous amount of data that is no longer used in the process. **The Town should put in the Official Plan that the data will be accessed and used by the Town.**
- NM: As a policy idea, we should have **effective cost recovery for peer reviews, specific to aggregate matters.** Noise and air quality should also be captured under cost recovery.
- IS: The policy approach to natural heritage and hazards is fine. I will reiterate the issue that the draft was released on August 1, 2023. That is when people are on holiday and not paying attention. There was no intent to put draft paper copies out there. There is still no attempt to contact people with a proper presentation or engage the community. This is not the way for the Town to behave against its residents. The onus is on us to read the Official Plan. That is not reasonable.

- CC: There should have been a presentation. I find that language open to interpretation, so right now what we see in the Town is the developers doing what they want anyway.
- IS: We are not responsible for that.
- CC: There is a lack of trust for members of the Town to process.
- NM: Unfortunately, JT was not here when there were good responses in addressing JT's concerns.
 - JN: Leave that with me.
- JN: Large group this Thursday.