

Council defers decision on facilitation

By Bill Rea

Minutes of settlement have been reached in the Provincial facilitation for Bolton land use issues, but Caledon councillors have not yet accepted them.

The matter was discussed at length at Tuesday's council meeting, but was finally put off until Nov. 24, giving councillors the chance to get more information, including input from Peel Regional staff. Although there were disagreements and concerns, the vote to defer passed unanimously.

Regional council in June directed staff and solicitors to take part in the facilitation regarding Regional Official Plan Amendment (ROPA) 28, dealing with the Bolton Employment Expansion Area. This was over the objections of Caledon's five representatives at the Region.

Town councillors in September opted to take part in facilitation, while reiterating the Town's objective to protect its own ability to make planning decisions. Councillors at the time noted there was no party representing the Town's interests, and that the Town had started legal proceedings to quash the Region's decision to take part in facilitation.

Town planners reported Tuesday that there were facilitation sessions held in August, September and October.

They stated the proposed settlement consisted of two components, and they recommended they be accepted by council.

The first consisted of a request to the Ontario Municipal Board (OMB) to issue an order bringing lands on the west side of Coleraine Drive from the current boundary of the Bolton Settlement Area south to Mayfield Road into the Bolton Rural Service Centre.

The second called for the use of both the ROPA and the Bolton Residential Expansion Study (BRES) be the mechanism for implementing growth plan targets for the area by 2031.

That drew much of the opposition.

Patrick Harrington of the legal firm of Aird and Berlis, representing land owners involved in BRES, addressed council objecting to those provisions.

"ROPA 28 is an employment ROPA," he argued, adding residential expansion has been reserved for the BRES process.

He also charged combining the two processes would be redundant, wasteful and unprecedented.

The BRES work has already been done by planning consultants, and it involved a full public process. "It is redundant to do that again," Harrington commented, adding it would be wasteful. "You paid for that report to be done. It wasn't cheap."

He also said it would be unprecedented for the Region to overrule local planning.

"This was a very long process," councillor Annette Groves observed. "Complicated process. Confidential process."

She also said it all started with the Canadian Tire development at the corner of Coleraine and Healey Road, but it's evolved into discussions about where residential development will go by 2031.

The Canadian Tire development got the go-ahead with a ministerial zoning order (MZO) issued by the Minister of Municipal Affairs and Housing, and residents tried to get that revoked.

Lawyer Chris Barnett, acting for the Town, said that request had been withdrawn, meaning the MZO is in full effect.

Groves also said she had opposed facilitation, observing that it would take place behind closed doors, adding it's the facilitator who decides who can take part. She said there has been nothing regarding Canadian Tire in this issue, The matter has been over population numbers, and she argued the community raised no problems with that.

Councillor Rob Mezzapelli wondered why Canadian Tire was even being discussed, since the matter was passed by council. He said ROPA 28 was the result of an open democratic process, and the public was also involved in a lengthy process with BRES.

"I entirely support that conclusion," Mezzapelli declared, adding all but one of the land owners involved accepted the decision, even if it wasn't what they wanted. "I will not waver in my support for that."

Councillor Nick deBoer said he didn't support facilitation either, adding he supports the work done on BRES. "It will stand the test," he said.

But he also said he would support the staff recommendations because it would move things along.

Councillor Jennifer Innis was concerned that they might be rushing into things. She put forth a motion to put off decisions on the 2031 growth plan targets until the next council meeting.

"I don't have a problem with listening to more information," Mezzapelli commented, adding he hopes to get more input from Regional staff.

Barnett wasn't sure what the impact from such a move would be. There had been expectations that it would be dealt with by Town council Tuesday, and go to Regional council today (Thursday). He said the parties to facilitation might view everything in the staff

recommendations as a package deal, and he didn't want to speculate what would happen if they were split.

“This is about Caledon,” Councillor Doug Beffort declared, not worrying too much when it goes to Region. “We need time to think about what this means.”

Innis said she specified the population numbers in her motion so it would be clear there are no issues with ROPA 28.

Director of Development Approval and Planning Policy Mary Hall observed that delaying the whole matter could have consequences. “It may actually kill facilitation,” she said.

DeBoer favoured deferring the whole thing. “I think it's better to keep it together as one complete document,” he argued.