

Housing Accelerator Fund, Ontario Regulation conversations come forward in Site Alteration By-law discussion

By Riley Murphy

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A motion put on the floor of the April 21 Planning and Development meeting, sparked conversation regarding the Ontario Government's housing acceleration fund, new rules and regulations, and how the Site Alteration by-law comes into it all.

Previously, the Town of Caledon had been drafting a new site alteration by-law to repeal and replace the Town's current fill by-law.

The by-law aims to regulate the placement/removal of vegetation, topsoil, fill, and/or alterations to grading or drainage on private lands.

After much pushback from the community and vocal concerns, Councillor Lynn Kiernan tabled a motion to keep the existing Fill By-law in full force and effect.

Many delegates came forward to present their thoughts on the by-law that day, including discussions on Ontario's Housing Accelerator Fund (HAF).

HAF is a billion-dollar federal initiative administered by the Canada Mortgage and Housing Corporation to fast-track the creation of over 380,000 new homes across Canada by 2033.

The Town of Caledon will receive nearly \$14 million from the Government of Canada's Housing Accelerator Fund HAF in early 2025 to fast-track 2,628 new homes by 2028.

During the planning and development meeting, it was discussed that the Site Alteration By-law is a part of this, helping to speed up the process so housing can occur.

With the money received from HAF for the Town of Caledon, 27 deliverables were identified, 25 of which have been realized; the remaining two are the Site Alteration By-law and Town-owned lands for affordable housing.

Staff shared if the Site Alteration By-Law was not included in their deliverables, the risk is that they could lose funding, but it is not clear from the federal government on how they distribute the funds; it could be a small reduction, the entire allotment of money, or returning money that has already been received.

?I'm not comfortable with having the federal government give us money and decide what's best for Caledon. I think that should be done here and with the people. I have had hundreds of emails asking that this site alteration by-law be scrapped,? said Kiernan, speaking to her motion.

Delegates came forward to the meeting with the same thoughts, hoping to keep the existing by-law with a few amendments that strengthen certain areas.

A large issue raised by many was the enforcement of the current by-law and the need for stronger regulations.

Also, regarding regulations, discussions focused on the current by-law and its alignment with Ontario regulations.

Delegate Diana Mollicone says she supports the intent of the motion, but has concerns with gaps in the current by-law.

"I think it is a Caledon-wide agreement that we all want better oversight, stronger environmental protection, and a system that works for residents and not against them in an active manner. My concern isn't the intent. My concerns are the gaps in the current by-law that I believe we can tighten without the need to broaden the floodgates for large-scale commercial development," said Mollicone.

In her presentation, she showed that Ontario Regulation 406/19 introduced a system-wide approach to excess soil management, including tracking from source to destination and classification, and the current Fill By-law only includes a certification meeting EPA contaminant standards as part of the application.

It also focuses on placement at the site but does not cover all regulatory framework requirements.

"While not mandated to change, Per Section 3.5 of the Planning Act ? municipal decisions and by-law need to be consistent with provincial framework," stated the presentation.

Staff voiced agreement, saying that the existing Fill by-law does not comply with the mentioned provincial policies and regulations, adding that it does not align with other regulations, such as the Record of Site Conditions and General Waste Management.

Also, it does not comply with other agencies, such as the Conservation Authority and Peel Region.

"Changes to the Conservation Authorities Act and the Municipal Law Act have shifted responsibility to the municipality that are not reflected in the current Fill by-law," said staff.

Councillor Nick de Boer said "the proposed new fill by-law allows for large-scale fill operations, whereas the previous one did not."

Staff answered that the new by-law intends to provide a framework under which they could handle large-scale fill operations over 10,000 cubic metres, and moves the Town away from an exemption model, with hopes to move to a regulatory framework that provides a consistent intent and approach across any fill operation, regardless of zoning.

Councillor Christina Early also asked if "anybody be able to fill a pit without the approval of Council," to which Staff answered that any fill operation over 10,000 cubic metres comes before Council for approval.

Amanda Corbett from the Caledon Community Road Safety Advocacy group added that much of their concern is regarding illegal land use.

"The Illegal Land Use Task Force Work Plan was approved by Council in February of 2025. One of the items in the work plan was to review and update the fill by-law, and that was due to be completed by the end of quarter one of calendar 2025," says Corbett. "That's well over a year ago now, and we're still waiting."

Corbett said there should be a way to reach a compromise to incorporate changes that are not contentious, that can help address legitimate concerns and improve the situation, "instead of throwing out the baby with the bathwater."

Concerns also rose to the aspect of the motion stating that no substantially similar Site Alteration By-law be reintroduced for Council's consideration for a minimum period of five years, which was stated to "handcuff" future Councils.

de Boer put forward an amendment to remove this part of the motion.

Councillor Cosimo Napoli brought forward topics to be considered going forward with the by-law, including clear and enforceable limits on the scale of fill activity, transparency, financial protection and security, proactive enforcement, and Council oversight.

"Caledon needs an updated fill by-law, but it must be done right, this by-law must prevent abuse not legitimize it, it must protect

residents' rural lands and municipal infrastructure while allowing reasonable and responsible land alterations,? he said, ending with his support for a repeal and replacement of the current by-law.

Mayor Annette Groves alluded to a current illegal operation in Caledon, and under the current by-law, there is ?nothing we can do to stop this illegal operation that's been going on for years,? she said.

Councillor Doug Maskell voiced concerns that, with the passing of this motion, public consultation scheduled for May would be lost, as would the focus group set for this issue.

Staff answered that, with the remaining parts of the motion, it would not affect the upcoming public consultation.

In the end, the motion was carried unanimously.

It was moved that the existing Fill By-law remain in full force and effect and not be repealed or replaced, and that Staff be directed to prioritize enforcement of the existing Fill By-law.

The motion will come forward for final ratification at the April 28 Council meeting.