

Ontario Land Tribunal rules in favour of Bolton asphalt plant

Town says it's disappointed in Tribunal's decision

By Zachary Roman

The Ontario Land Tribunal has approved land use changes that will allow MJJJ Developments to open and operate an asphalt plant on Coleraine Drive in Bolton.

The Town of Caledon issued a statement on October 4 that it had attempted to appeal the Tribunal's decision numerous times and that it was disappointed in the ruling passed down by the Tribunal.

Mayor Allan Thompson said he was "incredibly" disappointed in the decision.

"I assure Caledon residents that members of Council and Town staff have worked tirelessly over the last two years to appeal this decision. However, we have now exhausted all legal avenues," said Thompson. "I trust the work we have done will motivate the new term of Council to ensure affected residents continue to be supported as they grapple with this change."

The Ontario Land Tribunal's (OLT) approval of the asphalt plant was made on an interim basis, as the following items still need to be completed by MJJJ Developments: an Environmental Compliance Approval issued by the Ministry of the Environment, Conservation and Parks concerning noise and air emissions for the plant; final planning instruments submitted to the Tribunal; and a site plan application submission that's found to be satisfactory.

Caledon's Chief Administrative Officer, Carey Herd, said she shares in the disappointment felt by Caledon's Mayor and Council but seeks consolation in knowing the Town "explored every legal avenue" to appeal the OLT's decision.

"Council and Town staff remain committed to ensuring the proposal meets all legal standards and will regulate the construction and operation of the asphalt plant as appropriate," said Herd.

According to the Town, it has not received additional material about the asphalt plant site plan, and the time of the plant's opening is not yet known.

The Citizen previously reported that on January 16, 2019, a number of Caledon residents and business officials overwhelmingly opposed the proposed asphalt plant at a Town Hall meeting.

At the meeting, resident Sara Valente brought forth an online petition and said it had about 1,200 signatures from people that were opposed to changing zoning to allow the asphalt plant.

Businesses and property owners near the proposed plant location also expressed how the plant could negatively impact their products and property values.

The following month, on February 19, 2019, Council unanimously rejected MJJJ Developments' application for zoning changes for an asphalt plant.

At the meeting, Mayor Thompson and Council noted comments made online by residents disparaging the applicant's reputation went too far. A lawyer representing MJJJ Developments at the meeting said the company had not been given adequate time to respond to concerns expressed by the Town and Caledon residents at the January Town Hall.

In its October 4, 2022 statement, the Town said when the OLT approved zoning changes for the asphalt plant in 2021, Council

unanimously passed a resolution to take the steps necessary to appeal the decision. However, all appeals made by the Town have been denied, and the OLT's decision is now final and will allow the plant to be built.