

Residents' group taking Caledon to court over 12 zoning bylaws

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Local Journalism Initiative Reporter

A residents' group is taking legal action against the Town of Caledon.

On December 9, Democracy Caledon announced it was taking legal action against the Town over its decision to pre-zone 5,000 acres of mostly prime agricultural land for 35,000 housing units across 12 new urban development areas.

Democracy Caledon has hired legal counsel, and it filed a notice of application in the Ontario Superior Court of Justice on December 5. The Court served the notice to the Town of Caledon on December 6.

In a media release, Democracy Caledon representatives said its lawyers contend that Caledon Council's approval of the 12 zoning bylaws does not conform to the Official Plans of Caledon and Peel Region and can be quashed for 'illegality' under section 273 of the Municipal Act.

In a media release issued December 10, Town of Caledon communications staff said the 12 zoning bylaws were enacted in accordance with provincial legislation, and that the bylaws keep with all requirements of Ontario's Planning and Municipal acts.

Caledon Mayor Annette Groves was quoted in the release, and said "our solicitors have advised that this lawsuit is completely without merit, and the Town will be vigorously defending it."

Debbe Crandall, President of Democracy Caledon, said if its court action is successful, Caledon will have to go back to the drawing board "to do proper planning for phased and managed growth."

"A phased approach to planning would mean an orderly rollout of water lines, sewers, roads and other public services, thus better protecting Caledon ratepayers from an as-yet undetermined property tax increase needed to pay for the developers' wish list," she continued.

The Town's media release states all lands in the 12 zoning bylaws are within Caledon's urban boundary or are adjacent to existing settlement areas, and that secondary plans will be required for all the lands as "part of the Town's comprehensive planning approach."

Groves said that Democracy Caledon is circulating "fake news" to raise fears within the Caledon community.

Crandall said Democracy Caledon, through its legal action, is trying to protect Caledon's farmland and greenspace, taxpayers, and democratic process.