

## Town rejects motion to amend MZO

By Bill Rea

The Town will not be seeking an amendment to the Ministerial Zoning Order (MZO) to halt the production of hydrogen at the new Canadian Tire facility in Bolton.

Councillor Annette Groves, backed by Councillor Barb Shaughnessy, made the effort Tuesday, but they were not able to sway any of their colleagues. The debate lasted more than an hour, and included a 13-minute in-camera session, as well as some heated exchanges.

Groves and Shaughnessy dominated most of the discussion at the council table, prompting some comments from Councillor Gord McClure that did not go over well with the two proponents.

"We've got two councillors blowing off wind, and I'm sick of listening to it," he declared at one point.

"You're out of line," Shaughnessy shot back.

"He's insulting me and I'm working hard for my constituents," she added.

Groves was quick to show her indignation too.

"I do take exception to your comments," she told McClure, adding her constituents would too.

Groves's lengthy motion (it took up a complete page in the council agenda) cited the fact Canadian Tire has applied for a site plan amendment for the development, currently under construction at the corner of Coleraine Drive and Healey Road, to allow for the production and storage of hydrogen on site. The idea is to use it to fuel internal equipment.

The motion pointed out hydrogen production and storage was not included in the original site plan, and that this element can be volatile.

It also stated the MZO made no mention of hydrogen production or storage as an accessory use on the site, adding that its production is an unusual land use which is not normally associated with distribution centres.

As well, the motion stated Town bylaws do not allow "high hazard manufacture and refining uses."

Groves pointed out the Minister of Municipal Affairs is the only one who could revoke the MZO. She added she read it, and saw no mention of the manufacture of hydrogen.

Solicitor Chris Barnett told her the MZO approves primary uses on the site, such as the use of forklifts. The fuelling of these machines would be considered an accessory use. He pointed out if these machines were powered by electricity, there would be no special permission required to have equipment to charge them.

Groves countered there's nothing that says they can't bring the hydrogen to the site.

"It's a refinery, what they're doing," she said.

Barnett said it's generally not required to list all the accessory uses that could be permitted. It's usually a catch-all term, which he said can be interpreted broadly.

Shaughnessy wondered when hydrogen became considered a normal use, as she pointed out it's not mentioned in Caledon's Official Plan. She wondered what else is not mentioned there that could be considered a permitted use.

Groves commented that the community feels blindsided by the process involving this whole development. She also said Canadian Tire, in 2014, announced it was suspending plans for the use of hydrogen fuel cells on the site, promising an open and transparent process.

"This process has been completely closed," she declared. "They've gone through the back door."

There have been arguments that hydrogen doesn't present a hazard, and McClure brought that up.

"It's safer than gas," he declared. "It's safer than propane."

Groves countered the community has concerns, adding no one at the council table is an expert on hydrogen. She said that's why they want a public process on this.

Her motion originally called on Town staff to request an amendment to the MZO to include a definition for hydrogen production and storage as a land use, but she amended during the debate to ask that the production of hydrogen be prohibited, but that was defeated, as was the main motion.

Groves later said her motion was just asking the Minister to amend the MZO, adding she had been hopeful council would go along with letting the Minister decide.

"Am I disappointed that they did not?" she said. "I say yes."