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October 4, 2021  
HPGI File: 17497

**Regional Planning and Growth Management**

100 Peel Centre Drive, Suite A  
Brampton, ON  
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**Attn: Tara Buonpensiero, Acting Manager, Policy Development  
Kathryn Dewar, Principal Planner**

**Re: Request for Urban Area Boundary Expansion (Palgrave Settlement Area)  
Region of Peel Municipal Comprehensive Review  
8575 Patterson Sideroad, Town of Caledon  
Ross & Linda Gray**

Further to previous comment letters provided directly by the Owners, Ross and Linda Gray, dated March 6, 2019, April 18, 2019 and November 18, 2020 and March 10, 2021, Humphries Planning Group Inc. (HPGI) is providing further comments in support of the request that the subject property, 8575 Patterson Road in the Town of Caledon, be included within the Town's settlement boundary for Palgrave. These comments are being made in relation to Peel Region's Municipal Comprehensive Review (MCR) in support of the inclusion of the subject property within the Town of Caledon's urban boundary to accommodate a future residential area expansion for the Palgrave Rural Settlement Area.

**Reply to Region Response on Request**

Regional Staff advised they will not consider the request that the subject property be included within the Town's Rural settlement boundary for Palgrave because the site is designated Natural Core area and such an expansion would require an amendment to the ORMCP. The Summary of Comments Table, August 6, 2021, notes that for this request #46, a request for 32 hectares be included in a Settlement Boundary Expansion. This is not correct, as the request was for approximately 16 hectares, specifically the portion of the

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DIRECTION REQUIRED \_\_\_\_\_  
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property designated 'Countryside Area' within the Rural settlement boundary for Palgrave. Please note that the land use designations map of the ORMCP with the property boundaries is provided below as **Figure 1** and illustrates the portions of the property that are within the 'Countryside Area' and 'Natural Core Area'.



**Figure 1**– ORMCP Land Use Designation Map ( - - - - subject property)

This illustrates that roughly half of the property is designated 'Countryside Area' which would permit that portion of the subject property to be included within the Town's Rural settlement boundary for Palgrave without amendment to the ORMCP. As such, **to clarify the request is to include the portion of the property designated 'Countryside Area' within the Rural settlement boundary for Palgrave.**

HPGI has also reviewed Hemson Consulting's Planning Letter on Rural Settlements, dated August 6, 2021, which incorrectly illustrates the extent of the lands requested for the Rural Settlement boundary expansion in Map 1. The letter also states in response to subject request #46:

The expansion of Settlement Areas into Natural Linkage Areas and Natural Core Areas is prohibited.

Again, the request is to include the portion of the property designated 'Countryside Area' within the Rural settlement boundary for Palgrave, not the portion designated 'Natural Core Area.'

The Hemson letter goes onto state that the ORMCP does not permit the expansion of Rural Settlement Areas. While expansion of Hamlets in the Greenbelt Plan is not permitted, as the Growth Plan only allows it in Towns and Villages of the Greenbelt Plan area, the ORMCP does not state that Rural Settlement Areas cannot be expanded into lands designated Countryside Area. The Implementation Section of the ORMCP only puts such restrictions on Natural Core and Natural Linkage Areas:

An upper-tier or single-tier municipality may consider the need to change or refine the boundaries of Settlement Areas as part of a municipal comprehensive review undertaken in accordance with policy 2.2.8 of the Growth Plan for the Greater Golden Horseshoe. Settlement Area boundaries are not permitted to expand into Natural Core Areas or Natural Linkage Areas.

The ORMCP also does not state that all Rural Settlement Areas are Hamlets per the extract below from the Introduction:

Within the Countryside Areas, the Oak Ridges Moraine Land Use Designation Map also identifies and delineates Rural Settlements. These are existing hamlets or similar small, generally long-established communities that are identified in official plans.

In fact, Palgrave is illustrated as it's own specific community with a Estate Residential Community component, rather than a Hamlet. As such, it is our opinion that the proposed request to include the portion of the property designated 'Countryside Area' within the Rural settlement boundary for Palgrave is authorized by the ORMCP.

The Hemson letter further states that Palgrave is 75 hectares and according to Growth Plan policy 2.2.8.3 k) only a 5% expansion would be permitted, specifically 3.75 hectares. However, as outlined in HPGI's previous letter, when the Rural Estate Residential Area designation is included within the Palgrave *Settlement Area*, the overall area is approximately 426 hectares (1,052 acres) in size. A 5% increase is equal to 21 hectares (51.8 acres), which is below the requested increase of approximately 16 hectares (39.5 acres) for the 8575 Patterson Sideroad property.

Additional Planning rationale to support the request, beyond what is contained in the previous comment letters is also provided below:

#### **Provincial Policy Statement (2020)**

The Provincial Policy Statement (the PPS) is the guiding document providing policy direction on matters of Provincial interest related to planning and development in the Province of Ontario. The PPS sets the policy foundation to regulate land use and development while also supporting the Provincial goal to enhance the quality of life for Ontarians. An amended version of the PPS came into effect on May 1, 2020, replacing the previous version dated April 30, 2014. The *Planning Act* (the "Act") requires that all decisions that affect planning matters be consistent with policy statements issued under the Act, including the PPS.

Section 1.4 of the PPS addresses housing and contains policies which call for an appropriate range and mix of housing types and densities to be provided in order to meet the projected requirements of current and future residents. The following policies are applicable to the proposed request:

*1.4.3 Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:*

- a) a) establishing and implementing minimum targets for the provision of housing which is affordable to low- and moderate-income households and which aligns*

*with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;*

*b) permitting and facilitating:*

- 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*
- 2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*

The inclusion of a portion of the Subject Property into the Palgrave Rural Settlement area would allow for a greater variety of residential building forms including single detached dwellings, retirement styled units or higher density dwelling units, which will support the overall diversification of housing options and densities within Palgrave, which is largely Estate Residential. This would expand housing options and choices for future residents and gaining residents. It would also assist in diversifying the existing supply and stock of housing options in the area, and in doing so, improve equity, affordability, the environment and local quality of life. As such, the request is consistent with these policies of the PPS, as it would an increase in the *mix* and supply of *housing*.

#### **A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020**

While the Provincial Policy Statement provides overall policy direction related to matters of provincial interest, the Growth Plan for the Greater Golden Horseshoe (the “Growth Plan”) provides strategic guidance for the growth and development of communities within the Greater Golden Horseshoe (“GGH”). The Growth Plan was released by the Province in 2006, however, it was recently updated in 2019 and further amended in 2020. The new Growth Plan builds upon the previous version of the Growth Plan and provides enhanced policy direction to guide development in the Golden Horseshoe region to the year 2051. All

decisions made on or after May 16, 2019, with respect to any planning matter for lands within the Growth Plan area are required to comply with policies of the Growth Plan (2019) and Amendment 1 (2020).

Section 2.2.6 of the Growth Plan provides policies relative to the diversification of housing types and tenures and dictates that a greater variety of appropriate residential uses will be supported to accommodate the growth forecasts. Municipalities will promote a range and mix of residential uses by:

*Section 2.2.6*

- 1. Upper- and single-tier municipalities, in consultation with lower-tier municipalities, the Province, and other appropriate stakeholders, will:*
  - a. support housing choice through the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan by:*
    - i. identifying a diverse range and mix of housing options and densities, including additional residential units and affordable housing to meet projected needs of current and future residents; and*
    - ii. establishing targets for affordable ownership housing and rental housing;*
  - b. identify mechanisms, including the use of land use planning and financial tools, to support the implementation of policy 2.2.6.1 a);*
  - c. align land use planning with applicable housing and homelessness plans required under the Housing Services Act, 2011;*
  - d. address housing needs in accordance with provincial policy statements such as the Policy Statement: "Service Manager Housing and Homelessness Plans"; and*

- e. *implement policy 2.2.6.1 a), b), c) and d) through official plan policies and designations and zoning by-laws.*

The request, if approved, would help to increase residential housing options and densities in Palgrave, which support the provision of a diversity of housing opportunities and unit types within this area. As such, this would contribute to the diversification of available housing stock by providing more housing options and ultimately more housing choices beyond Estate Residential dwellings to accommodate all ages, families and incomes. Based on this and the analysis of the criteria contained in Section 2.2.8 – Settlement Area Expansions in our previous comment letter, the proposed request conforms to the policies of the Growth Plan.

**Oak Ridges Moraine Conservation Plan (ORMCP), 2017**

Under the Oak Ridges Moraine Plan (ORMCP), the Subject Property is partially designated ‘Countryside Area’ and partially ‘Natural Core Area.’ The property was previously used for a Mineral aggregate operation; however, this use has not existed on the property for some time. The ORMCP has specific policies with regards Mineral aggregate operations in Section 35, specifically:

*35. (1) An application for a mineral aggregate operation or wayside pit shall not be approved unless the applicant demonstrates,*

- a) *that the quantity and quality of groundwater and surface water in the Plan Area will be maintained and, where possible, improved or restored;*
- b) *that as much of the site as possible will be rehabilitated,*
  - (i) in the case of land in a prime agricultural area, by returning substantially all the land to a condition in which the soil capacity for agriculture is on average the same as it was before the mineral aggregate operation or wayside pit began operating, and*

- (ii) in all other cases, by establishing or restoring natural self-sustaining vegetation;*
- c) if there are key natural heritage features on the site or on adjacent land, that their health, diversity, size and connectivity will be maintained and, where possible, improved or restored; and*
- d) if there are areas of natural and scientific interest (earth science) on the site or on adjacent land, that the geological or geomorphological attributes for which they were identified will be protected.*

Also, Section 36 of the ORMCP states:

*36. Municipalities and the mineral aggregate industry are encouraged to work together to develop and implement comprehensive rehabilitation plans for parts of the Plan Area that are affected by mineral aggregate operations.*

The Mineral aggregate operation policies of the ORMCP, would permit such an operation to be reintroduced on the Subject Property, which is not a Prime Agricultural Area, subject to the appropriate rehabilitation plan to ensure vegetation and features are maintained, improved, restored or enhanced. The original Mineral aggregate operation was never subject to a rehabilitation plan however, one could be completed, which includes future residential uses, through the inclusion of a portion of the Subject Property in the Palgrave Rural settlement area, along with the appropriate preservation and enhancement of existing natural features.

#### **Town of Caledon Official Plan, 2018 Consolidation**

The Subject Property is designated Sand & Gravel Resource Fragment in the Town of Caledon Official Plan, 2018 consolidation, Appendix II – Aggregate Resource Fragments.





**Figure 2–** Town of Caledon OP – Appendix II – Aggregate Resource Fragments

Based on the policies of Section 5.11 - Mineral Resources of the Town’s Official Plan, an Aggregate operation could be reintroduced on the Subject Property, subject to meeting certain criteria outlined in the policies. Also, such resources could be used on site as part of a future development, in accordance with Policy 5.11.2.9.6 of the Town’s OP, which states:

*Resource use on-site may be considered prior to the development of areas of resource that were identified in the Caledon Community Resources Study, but are not included in the CHPMARA on Schedule L due to their size, shape and other*

*factors. These fragments are identified on Appendix II to this Plan. The Applicant for development must identify the quantity and quality of the resource, demonstrate how the material will be used onsite, the timing of rehabilitation of the site, and evaluate the suitability of sites for resource use on-site in conformity with the environmental and groundwater protection policies of this Plan.*

Again, the original Mineral aggregate operation was never subject to a rehabilitation plan however, one could be completed, which includes future residential uses, through the inclusion of a portion of the Subject Property in the Palgrave Rural settlement area, could also utilize existing resources on site and provide for the appropriate preservation and enhancement of existing natural features.

**Further Items of Note**

As previously indicated in other correspondence, it is our understanding that Palgrave School is currently underutilized and the School Board has been busing students from longer distances in order to support it. This request for a Rural Settlement boundary expansion on a portion of the Subject Property would help support the school by providing for additional residents, and potentially including families with school age children, through a larger and more diverse housing supply.

A portion of Patterson Sideroad currently encroaches on the Subject Property, in some areas as much as 10.06m (33 feet) and Bell Canada is encroaching up to 4.88m (16 feet) on the Subject Property. Hydro One recognized the problem in 2000 and shifted its poles to the other side of the road before the end of the westerly portion of the Subject Property. Now the new 5G network that is being installed Subject Property has to be removed, as it is built on part of the encroachment on Subject Property. For several years the Owner has tried to resolve the problem, but nothing has been resolved. By including the Subject Property as part of a Rural Settlement boundary expansion, this would possibly resolve the problem by allowing for Planning applications to be submitted on the Subject Property, whereby property dedication could be requested as a condition of approval. This would avoid the

need to have the road shifted and all utilities removed from the Subject Property. We request a meeting with the Region and Town to discuss this particular issue further.

**Conclusion**

Based on the above, it is HPGI's opinion that the portion of the subject property designated as Countryside Area in the ORMCP should be considered for a settlement area boundary expansion as part of the ongoing MCR and Official Plan Review process and represents an appropriate extension to the Palgrave Rural Settlement Area. In addition to the previously submitted comment letters, the above noted analysis outlines how, specifically related to the Growth Plan, ORMCP and Town policies, it is appropriate to consider a settlement area boundary expansion to the Palgrave Rural Settlement Area and how a portion of the subject property is an ideal candidate from a residential growth site selection perspective and a logical place to accommodate a minor share of the overall future planned growth in the Town and Region.

If you have any questions or concerns, please contact the undersigned at ext. 244 or Mark McConville at ext. 246.

Yours truly,

**HUMPHRIES PLANNING GROUP INC.**



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