

WELCOME



Community Meeting- Dec 11 2024



AGENDA

1. Welcome & Land Acknowledgement
2. Review Of Agenda & Guidelines
3. Background & Recap
4. Polling Results & Stats
5. Q & A
6. Legal Action Summary
7. Q & A
8. Why We're Taking This Legal Action
9. Calls To Action & Fundraising
10. Closing

WHO IS DEMOCRACY CALEDON?

Democracy Caledon is a not-for-profit volunteer-led organization started by concerned Caledon residents.

Our focus is on empowering citizens to engage in local governance.

Our initiatives aim to promote transparency, accountability, and community participation. By supporting Democracy Caledon, you are contributing to the betterment of local governance and the overall well-being of fellow residents.

We are taking this action to ensure the Town of Caledon does not become a template for developer-led land use planning in the Province of Ontario.

**WHAT WE
WERE TOLD WE
WOULD GET**



WHAT GROVES PROMISED...

FARMS IN CALEDON

"We need to strike a healthy balance between food security and the environment and protecting the value of farmland. We need to ensure we can grow our own food locally and not depend on other countries to feed our families"

GOVERNING

"(These MZOs) have absolutely no regard or respect for our citizens and residents, they are undemocratic, and they circumvent public engagement. It lacks accountability and transparency"

RESPECT FOR TAXPAYERS

"Taxpayers need to trust that their representatives will treat their hand earned money with respect and efficiently"

BROKEN PROMISES

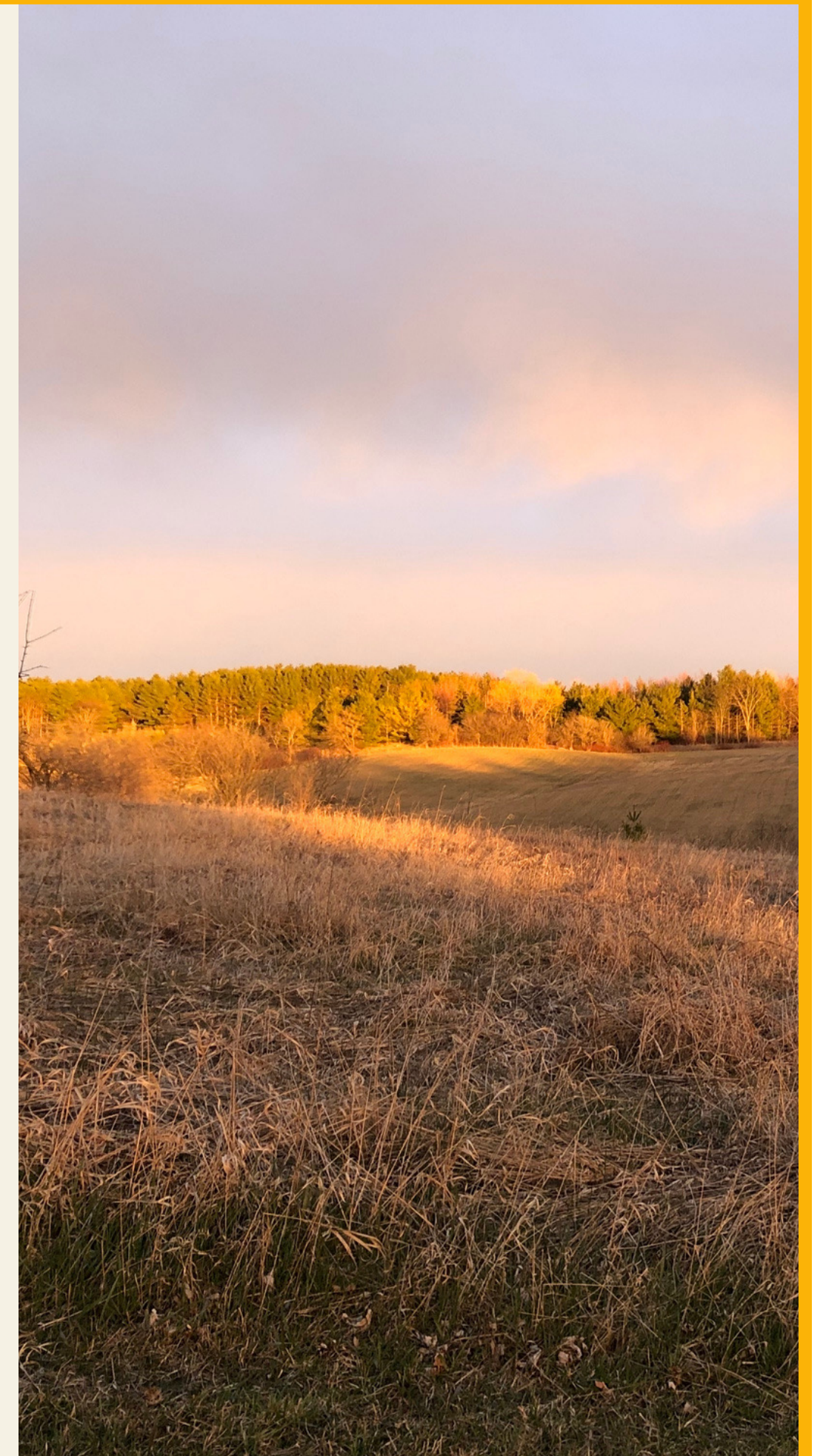


BROKEN PROMISES



GROWTH AND DEVELOPERS

- "As your mayor, I will ensure that growth pays for growth and that the infrastructure is in place before development happens. And I will also ensure that developers do not plan our community but the people plan our own community and our future."
- There was no mention of her supporting the largest development proposal in Caledon's history growth and development in her campaign platform





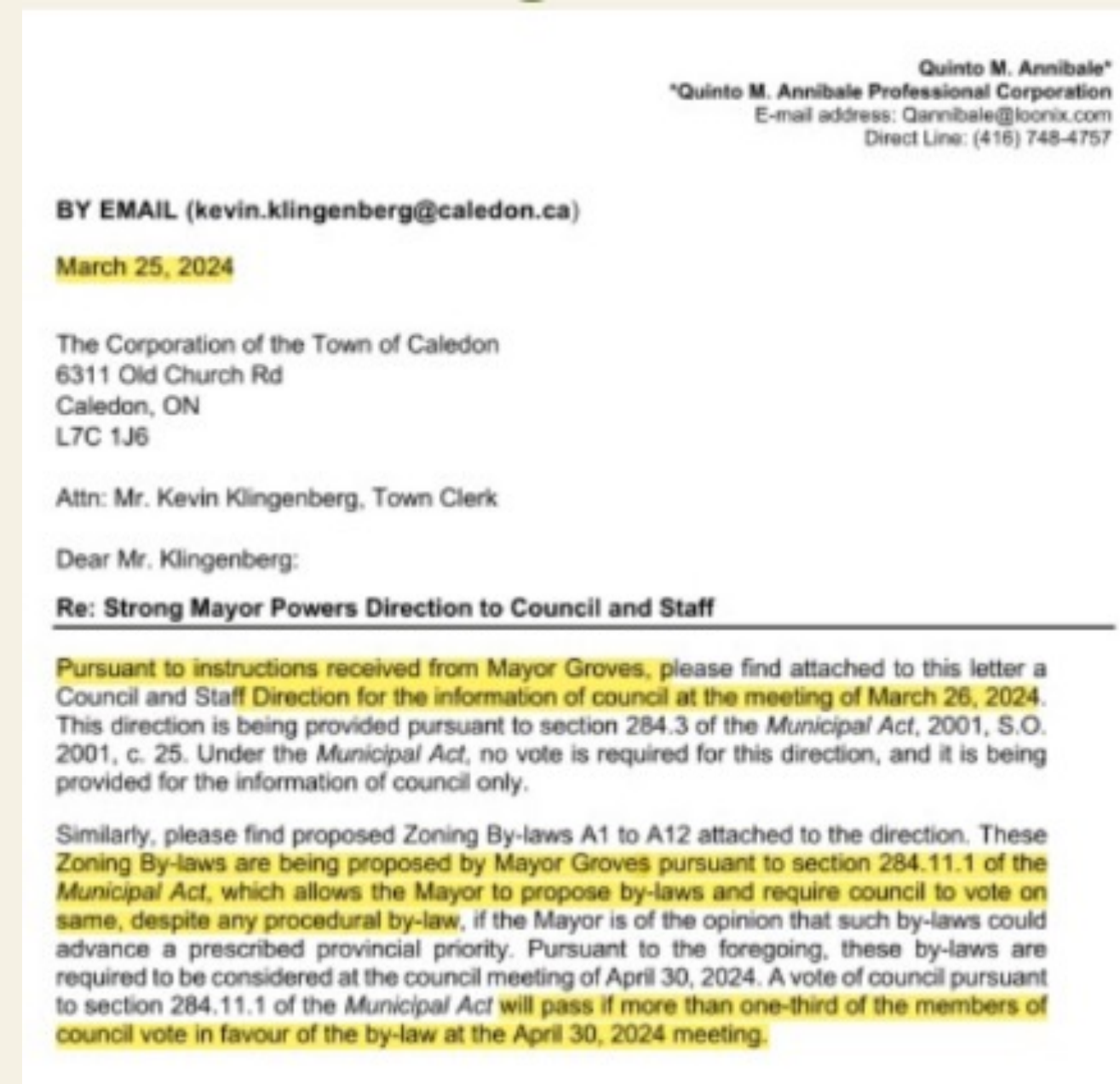
**WHAT WE
GOT**

CALEDON MAYOR GIVEN STRONG MAYOR POWERS

- February 21, 2023 – Caledon Council endorses Province of Ontario's Housing Pledge and Mayor Groves is delegated Strong Mayor power
- 13,000 residential units to be built in Caledon by 2031
 - Roughly 30,000 to 40,000 people
 - Significant growth for Caledon

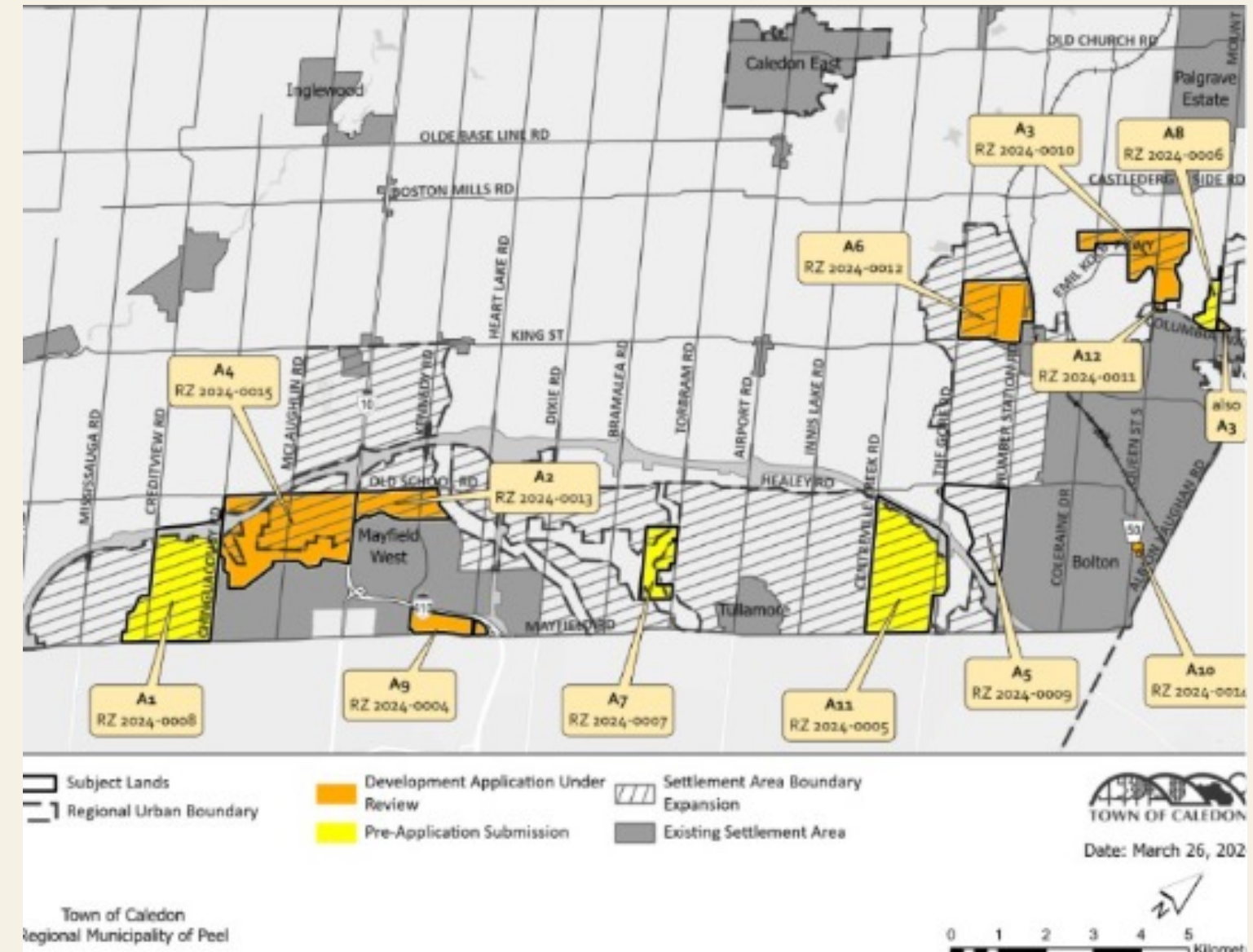
TOWN RECEIVES LETTER From Quinto Annibale

- Direction given to use outside, planning & law firms under “instructions” from Mayor Groves
- Note the advice to use Strong Mayor Powers to implement 12 zoning By-law amendments
- Note very short timelines



A1 – A12 REZONING Lands

- 35,000 Residential units
- Roughly 100,000 additional population
- On 5,000 acres of Caledon's best farmland
- Triples and adds to Caledon's 13,000 residential units, far exceeding the Housing Pledge
- Three weeks notice for one public meeting for 12 zoning bylaws.



DEMOCRACY CALEDON PUBLIC MEETING APRIL 17/24

- Over 150 people in attendance.
Standing room only
- Extremely strong opposition to 12 zoning
By-law amendments and use of Strong
Mayor Powers



REGION OF PEEL AND ONTARIO HOUSING MINISTER PROVIDE COMMENTS

Region of Peel – Issues 12 letters (one for each amendment) stating:

- They are premature
- Most of these parcels not required to meet Housing Pledge
- Significant cost implications to “fast-track” servicing 5,000 acres of farmland out of sequence with Regional servicing plans

Minister of Housing – Issues letter stating:

- parcels A1, A2, A4, A5 and A11 are within narrowed area of interest and A9 is within focused analysis area (Hwy. 413 area)
- Rezoning is inconsistent with Caledon Official Plan, Peel Official Plan and Provincial Planning (formerly policy) Statement

MAYOR MAKES PUBLIC PROMISE

AT MAY 18/24 COMMUNITY INFORMATION SESSION

Mayor Groves was asked publicly and directly if she would not force a vote until after the summer period to better allow the public to review.

The unequivocal answer from Mayor Groves was "Yes"

ONE MONTH LATER

- Multiple public delegation asking to defer until the Fall brings forward motion to defer.
It fails

Yes	Sheen	Kiernan	Early		
No	Groves	Russo	Rosa	Napoli	Maskell
Conflict	deBoer				

- Council then voted on 11 of the 12 amendments:

Yes	Groves	Russo	Rosa	Napoli	Maskell
No	Sheen	Kiernan	Early		
Conflict	deBoer				

- 12th zoning By-law pass on July 23, 2024

FREQUENTLY UNANSWERED QUESTIONS

- Why hasn't the Mayor governed as she promised she would?
- Why didn't mayoral candidate Groves tell voters she would develop Caledon like this when she was campaigning?
- Why hasn't Council protected agriculture and green spaces under their control

FREQUENTLY UNANSWERED QUESTIONS

- Why use Strong Mayor Powers to initiate this process?
- Why rush this at the expense of following the traditional planning process and virtually shutting the public out?
- Why use an outside planning and law firm who are or have represented developers who will benefit from this rezoning? How isn't this a conflict of interest?
- Why did the Mayor "Instruct" this firm to do all this work? Why wasn't the Mayor directed to do so by Council at a public meeting?
- Why were Regional and Provincial letters of concern not shared with Council and the public at the April public meeting?

FREQUENTLY UNANSWERED QUESTIONS

- Why were over 15 Senior Management staff either terminated or resigned?
- What will happen to road congestion & road safety?
- How much will it really cost to service all this growth?
- How much debt will the Town incur?
- How much will property taxes rise?
- How much will community service levels drop?

FREQUENTLY UNANSWERED QUESTIONS

- How will we preserve the character of this community?
- How will this help Caledon plan Caledon?
- Why isn't the majority of Council listening to their residents on this?

- Who are they listening to?

POLLING RESULTS AND STATS



COMMUNITY SURVEY RESULTS

Caledon opinions on proposed re-zoning and development of Caledon farmland.

On July 20-21, 2024 Pallas data, a market research firm based in Toronto conducted a survey sponsored by the Small Change Fund on behalf of Democracy Caledon.

The Poll sampled 302 adults 18 years of age and older living in town of Caledon via automated telephone interview to both landlines and cellular.

The survey asked the following questions:

THE SURVEY QUESTIONS IN CONTEXT

1. On March 26, 2024, Caledon Mayor, Annette Groves announced that she was using her Strong Mayor Powers to pre-zone 5000 acres of farmland to build 35 000 homes, this pre-zoning approvals exceeds commitment by the Town's Housing Pledge to build the 13 000 homes required by the Ontario government.

Do you Support Council's decision to pre-zone 5000 acres of farmland for development?

2. The Town of Caledon has not completed a comprehensive forecast of the financial impact of servicing lands, or the impact on property taxes.

Do you consider Caledon Council's decision to zone lands without a comprehensive financial forecast to be a responsible decision?

3. How concerned are you about the financial impact of this decision on your property taxes?

THE SURVEY QUESTIONS IN CONTEXT

4. Do you support an independent inquiry into the financial implications of the decision by Caledon Council?
5. Do you agree or disagree that the decision to rezone these lands primarily favours developers?
6. How important will this decision be in deciding who you vote for in the next municipal election?

CALEDON COMMUNITY SURVEY RESULTS

Do you Support Council's decision to pre-zone 5000 acres of farmland for development?

Strong opposition to pre-zoning of caledon farmland 60%

Do you consider Caledon Council's decision to zone lands without a comprehensive financial forecast to be a responsible decision?

Concerns about lack of financial forcasse 76%

How concerned are you about the financial impact of this decision on your property taxes?

Concerns about property taxes 64%

Do you support an independent inquiry into the financial implications of the decision by Caledon

Strong support for independent inquiry 59%

Do you agree or disagree that the decision to rezone these lands primarily favours developers?

Residents believe re-zoning favours developers 58%

How important will this decision be in deciding who you vote for in the next municipal election?

Over half say this issue will impact their 2026 vote 80%



QUESTIONS?

LEGAL ACTION SUMMARY

BY DAVID DONNELLY



Caledon's Day in Court: Quashing 12 Illegal By-laws

Presented by: David Donnelly
December 11, 2024

Who We Are: Dentons & Donnelly Law

Roberto Aburto is a partner in Dentons Ottawa's [Real Estate](#) group and a member of the municipal, land use planning and development law group. He brings specialized skills in municipal law, administrative law, and civil litigation involving real estate, showcasing a deep understanding of intricate legal matters.

- Advised in defending the validity of an interim control by-law as counsel for the municipality. [ClubLink Corporation ULC v Oakville \(Town\)](#), 2017 CanLII 29557 (ON OMB) .
- Advised as counsel at the Divisional Court, successfully dismissing an appeal challenging an LPAT decision. [IN8 \(The Capitol\) Developments Inc. v Building Kingston's Future](#), 2020 ONSC 6151



David Donnelly, MES, LL.B

David Donnelly is one of Canada's leading environmental lawyers and an award-winning advocate for smart growth. He has represented public interest groups and ratepayers in some of Ontario's key environmental battles, including: - Oak Ridges Moraine hearing in Richmond Hill; - Big Bay Point OMB mega-marina hearing; - Nelson Aggregates Joint Board hearing; and - Walkerton Commission of Inquiry.

David is a founding member of some of Ontario's most important environmental campaigns, including the Greenbelt, Green Energy Act, SLAPP suit legislation and smart growth/Green Building Standards. He goes to court regularly to protect greenspace, aboriginal cultural heritage and to prosecute environmental offences.

David has a law degree from the University of Windsor and a Master's degree in Environmental Studies from York University. Prior to practicing law, David was a professional planner and the executive director of Environmental Defense Canada from 1988 to 1996.

Before founding Donnelly Law, David practiced at a premiere boutique litigation firm in Toronto's historic Gooderham "Flatiron" Building.

What are the sources of law?

Brief Conclusion

It is my opinion the proposed Zoning By-law Amendments (“ZBLA”) do not conform with the Town of Caledon Official Plan (“TCOP”), Future Caledon Official Plan (“FCOP”) and Region of Peel Official Plan (“RPOP”). Under section 24 of the Ontario Planning Act, no bylaw shall be passed that does not conform to an official plan.

Under 237 of the Ontario *Municipal Act*, **a non-conforming bylaw is illegal** and should be quashed.

Background

On December 5, 2024 Democracy Caledon's lawyers filed an application to have a court "quash" (a legal term for "cancel") 12 ZBLAs relating to the re-zoning of nearly 5,000 acres of land to permit 35,000 new houses on land not approved for development.

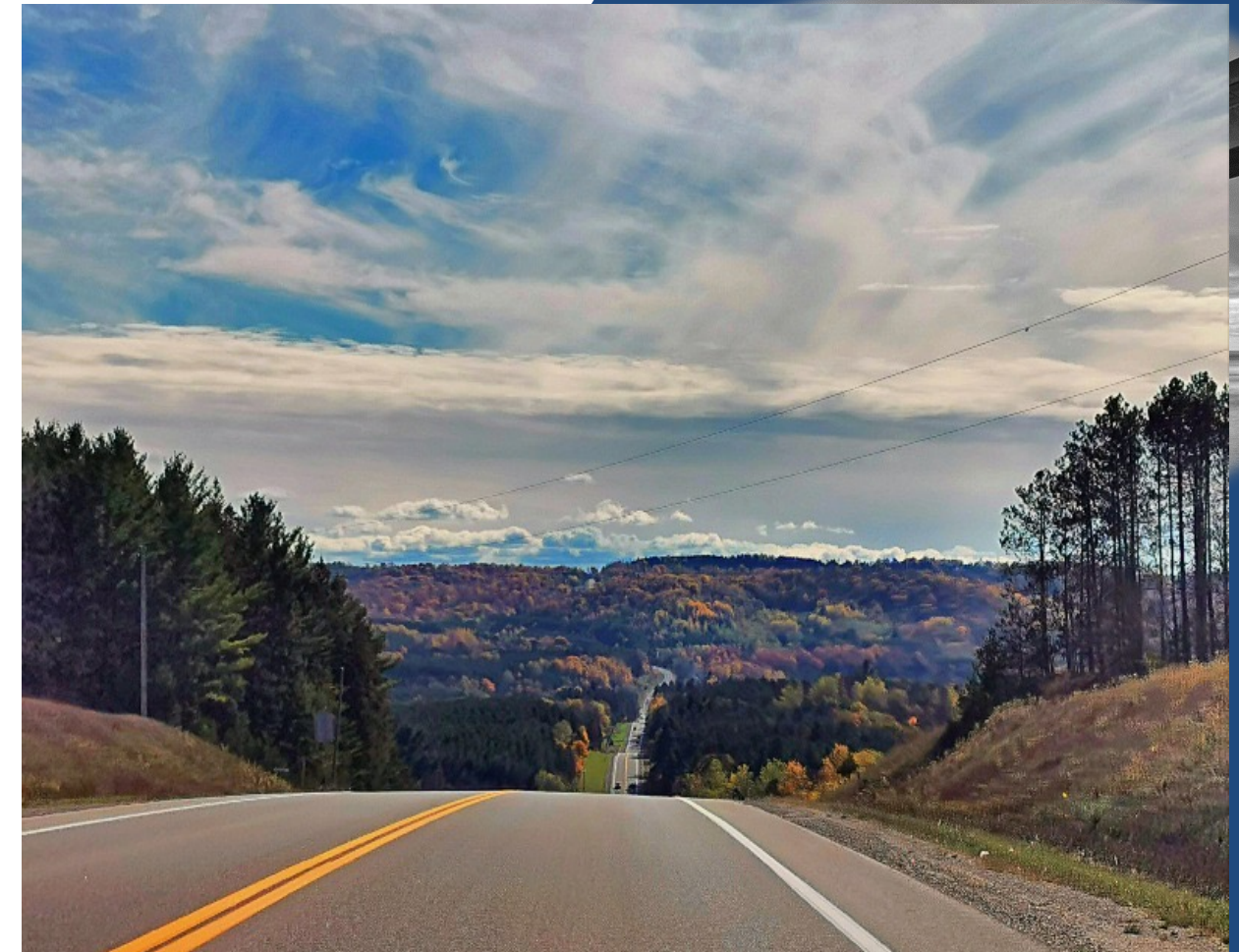
Was this approved in your Official Plan?



Legal Analysis

The law in Ontario is clear, official plans are legal instruments, they must be complied with, and according to the Ontario Court of Appeal the proper interpretation of an official plan is a question of law. Official plans are **critically important for the fiscal and environmental well-being of a municipality**. They are crucial to establishing public trust and financial stability, by making development and infrastructure spending transparent and predictable through a rigorous public **consultation process**.

[The politics of the link : an examination of the fixed corridor in Prince Edward Island \(smu.ca\)](#)





Peel Official Plan

Both the FCOP and RPOP are explicit, Council must receive supporting technical studies before approving new development. Section 5.5.6 of RPOP requires mandatory studies to guarantee efficient infrastructure planning and development:

Direct the local municipalities [Caledon], in cooperation with the Region, to prepare growth management and phasing strategies for Designated Greenfield Areas.

Future Caledon Official Plan

Section 21.1.7 of FCOP is equally clear, requiring extensive guidance regarding the need for secondary plans before new zoning is allowed:

Applications for development within the designated greenfield area should only be submitted where a secondary plan is in effect.

No secondary plans are in effect for the 12 ZBLA properties. Furthermore, Council did not receive the mandatory “supporting studies and technical analysis prepared to the satisfaction of the Town.” (FCOP, s. 24.3.2)

Public Agencies on our Side

The court will also take note of the correspondence from the Region of Peel and Toronto Region Conservation Authority. These public agencies submitted comments calling the ZBLAs premature, inconsistent with the Provincial Policy Statement, and more alarmingly that the **Environmental Protection Areas mapping was “incorrect or entirely absent”**.

Duffins Rouge Agricultural Preserve



Image courtesy TRCA

Durham Region Unlikely Sprawl Fighters

In Durham Region, approximately 1,820 hectares (4,500 acres) of land in three locations were removed from the Greenbelt Plan Area.

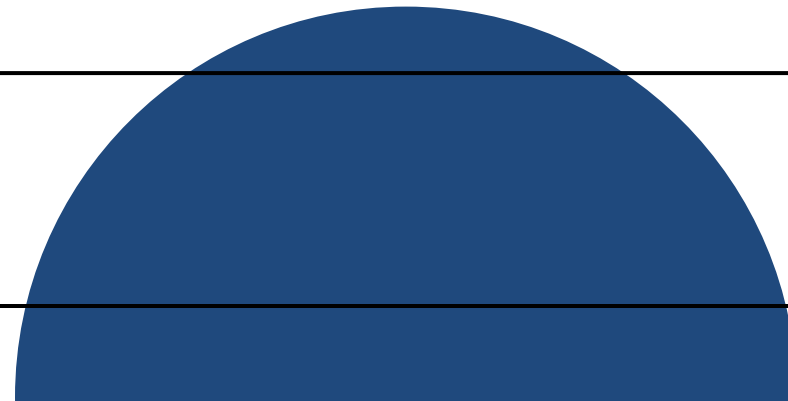
On December 14, 2022, Regional Council considered Report #2022-COW-31 which outlined the government's plan to remove lands from the Greenbelt. Attached to Report #2022-COW-31 was a letter from the Chief Administrative Officer to the Minister of Municipal Affairs dated December 1, 2022, **expressing a variety of concerns with the proposed Greenbelt removals (e.g. servicing, timing, financing, environmental)**. At the December 14th meeting, Regional Council further Report #2023-P-28 Page 3 of 8 amended the staff recommendation by adding two new clauses which call on the province to **return environmental and Greenbelt protections to all of the areas being removed**.

Press Release: Town of Caledon disappointed by more scare tactics

December 10, 2024

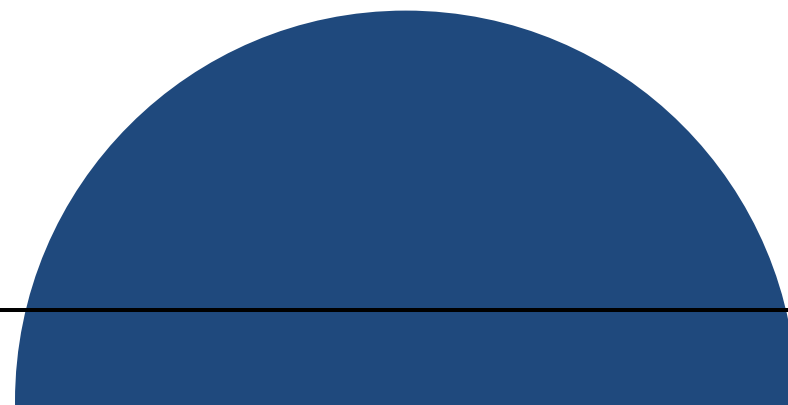
All lands addressed by the 12 zoning by-laws sit within Caledon's urban boundary or are adjacent to an existing settlement area, as established by the Town's Official Plan. Secondary plans are required for all parcels addressed by the by-laws as part of the Town's comprehensive planning approach. Six of the 12 by-laws were subsequently appealed to the Ontario Land Tribunal and were approved following a settlement with the province.

"Our solicitors have advised that this lawsuit is **completely without merit**, and the Town will be vigorously defending it," continued Groves.



Conclusion

The bottom line is simply that the Caledon ZBLAs do not conform to the governing Official Plans. This is illegal. The Town has put the proverbial cart before the horse, disregarding mandatory policies designed to ensure that municipalities carefully plan development. Democracy Caledon's court application sends a powerful message across Ontario to municipal councils: respect your Official Plans and the people that invested time and energy to see them adopted.



Thanks!

Do you have any questions?

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QUESTIONS?

WHY WE ARE TAKING THIS LEGAL ACTION

- The Mayor pushed ahead with a summer vote, breaking her promise
- The Mayor ignored the Ontario Minister of Municipal Affairs and Housing Paul Calandra, the Region of Peel, the Toronto and Region Conservation Authority and hundreds of Caledon residents
- There's too much at stake to **not** take action:
 - Solid financial future for the Town and its residents
 - Public accountability and trust in institutions/rules of law & planning
 - Preserving good farmland, greenspace, Greenbelt and water systems
 - The interests of Caledon's residents to plan our own community

WHAT ARE THE RISKS IF WE DO NOTHING

- Significant property tax increase
- Reduced community services
- Rising municipal debt
- More traffic congestion & decreased traffic safety
- Reduced public participation
- More sprawl and less compact walkable communities
- More flooding & reduced groundwater levels
- Loss of farmland
- Loss of greenspace, Greenbelt & critical wildlife habitat



Call to Action

01

Send Emails

04

Talk with Friends & Neighbours

02

Personal messages

05

Ask Allies To Pass Resolutions

03

Wear Button

06

Make A \$ Donation



THANK YOU