

Rw-EI-1

LEGISLATIVE SERVICES	
COPY TO:	FOR:
Chair	Committee
CAO	
Corporate Services	Council
Public Works	
Employee and Business Services	July 7, 2011 JRC
Health Services	File
Human Services	
Peel Living	

June 8, 2011

Town of Caledon
6311 Old Church Rd,
Caledon, ON
L7C 1J6

Attention: Ms C Blakely, Senior Development Planner

Subject: Agricultural Assessment Report. Kaneff Properties Ltd. Application for Official Plan and Zoning By-Law amendments for 18 Holes of Golf on Pt Lots 1,2&3 Con 1 Dated Dec. 13, 2010. T.O.C. File #'s POPA 10-02 & RZ 10-16.

Dear Ms. Blakely

In its submission to T.O.C. on Dec. 13, 2010 Kaneff Properties Ltd. included an Agricultural Assessment Report as required by the TOC Official Plan and as detailed in the Mandatory Pre-Consultation Meeting Form Dated Dec 10/2009 (Exhibit A).

The Report was prepared by Stantec Consulting Ltd for Kaneff Properties Ltd. and is dated Feb 12, 2004. It concludes that the subject site is not Prime Agricultural land and is unsuitable for agriculture.

On March 18, 2004, R Gepp, Director of Development Planning Services for the Region of Peel, made a request (Exhibit C) to the OMAF and the OMMA on behalf of the NEC, for an expeditious review of the Stantec Report.

On April 15, 2004, the OMAF and Region of Peel staff conducted a visit to the subject site and in her response to the NEC on May 10, 2004, C. Neumann, Rural Planner for the Region, concluded that "The property is actively farmed, contains predominately classes 1,2 & 3 prime agricultural soils and is part of a larger contiguous prime agricultural Area". (Exhibit B)

You have indicated to me that the Town of Caledon does not intend to peer review the Agricultural Impact Assessment Report, excepting Minimum Distance Separation. Agricultural use of the land may have changed since Exhibit B was prepared but it is essentially a peer review of the Stantec Agricultural Assessment Report. Exhibit B should as a minimum, raise serious concerns at the Town of Caledon, Region of Peel and the OMAF about the accuracy of the Stantec report and prompt further peer review before any decisions on O.P. or Zoning By-Law amendments are taken.

Yours truly,

Pete Livingston

Attachments: Exhibits A, B & C

Copies:

- Ms. K Landry, Clerk T.O.C. for Delivery to the Mayor Morrison and Members of Council
- Ms. C Reed, Clerk R.O.P. for Delivery to Chair Kolb and Members of Regional Council
- Mr T. Slomke, Director of Development Services R.O.P.
- Mr D. Cooper, Manager, Environmental & Land Use Policy O.M.A.F.R.A.
- Mr G. Broll, Glen Schnarr and Associates Inc.

REFERRAL TO _____
 RECOMMENDED _____
 DIRECTION REQUIRED _____
 RECEIPT RECOMMENDED

RECEIVED

JUN 13 2011

REGION OF PEEL
CLERKS DEPT.



Version 1
**MANDATORY PRE-CONSULTATION
 MEETING FORM**

Date Dec. 10/09 Ward Number 1

Applicant Information:		Project Name: Kaneff (Royal Caledon Golf Course)	
Name: <u>Glen Schnarr & Glen Broil</u>	Lead Planner: <u>Casey Blakely</u>	Attendees: <u>Glen Schnarr, Glen Broil, Chris Crozier, Nick Mogan, David MacGillivray, Rick Hubbard, Ken Whitebread, Michael Baron, Kennedy Self, Josh Campbell, Richard Clark, Kai Yew & Casey Blakely</u>	
Telephone Number: <u>(905)568-8888 extension #236 Glen Broil</u>	E-mail Address: <u>glenb@gsai.ca</u>		
Agent: <input checked="" type="checkbox"/> Owner <input type="checkbox"/>			

Property Information:		Proposal: <u>Proposed Golf Course</u>
Municipal Address: _____	Legal Description: <u>Part lots 1, 2 & 3, Con 1 EHS</u>	Sq. Ft: _____
Site Area: _____ (Ha)	_____ (Ac)	

Applicable Provincial Plans:

Town Official Plan: _____ Regional Plan: _____

Zoning By-law: _____

Conservation Authority: CVC TRCA NVCA LSRCA

Existing Planning Applications on the Property

File Number	Type	Status

Planning Application Type(s):	Agencies to be Contacted:
Plan of Subdivision <input type="checkbox"/>	Region of Peel <input checked="" type="checkbox"/>
Plan of Condominium <input type="checkbox"/>	Conservation Authority <input checked="" type="checkbox"/>
Official Plan Amendment <input checked="" type="checkbox"/>	Niagara Escarpment Commission <input checked="" type="checkbox"/>
Zoning By-law Amendment <input checked="" type="checkbox"/>	Ministry of Transportation <input checked="" type="checkbox"/>
	Hydro One <input checked="" type="checkbox"/>
	Utilities/Telecommunications <input checked="" type="checkbox"/>
	Enbridge Gas Distribution Inc. <input checked="" type="checkbox"/>
	Other: _____ <input type="checkbox"/>

Other Approvals/Requirements:	Agencies to be Contacted:
Niagara Escarpment Development Permit <input checked="" type="checkbox"/>	Region of Peel <input checked="" type="checkbox"/>
Building Permit <input checked="" type="checkbox"/>	Conservation Authority <input checked="" type="checkbox"/>
Development Charges <input checked="" type="checkbox"/>	Niagara Escarpment Commission <input checked="" type="checkbox"/>
Cash-in-Lieu of Parkland <input checked="" type="checkbox"/>	Ministry of Transportation <input checked="" type="checkbox"/>
Conservation Authority Approval <input checked="" type="checkbox"/>	Hydro One <input checked="" type="checkbox"/>
Fill Permit <input checked="" type="checkbox"/>	Utilities/Telecommunications <input checked="" type="checkbox"/>
Securities <input checked="" type="checkbox"/>	Enbridge Gas Distribution Inc. <input checked="" type="checkbox"/>
Other: _____ <input type="checkbox"/>	

Complete Application Requirements

Item	Required	No. of Copies	Item	Required	No. of Copies
Completed Application Form	✓	25	Demarcation of Physical and Top of Bank	✓	16
Fee(s)	✓	25	Demarcation of Areas Regulated by a Conservation Authority	✓	16
Mandatory Pre-Consultation Meeting Form completed and signed by both applicant and Town staff	✓	25	Demarcation of Limits of Natural Heritage Systems, Ecosystem Components, Natural Hazards	✓	16
Survey Plan	✓	25	Architectural Design Plan		
Scalable Concept Plan	✓	25	Architectural Design Guidelines		
Plan of Subdivision	✓		Urban Design Brief		

GSAI
 GSAI/KPL
 GSAI
 KRASICK, MCMILLAN
 BTI

CFC
 SAVANTA
 SAVANTA

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Item	Required	No. of Copies	Item	Required	No. of Copies
Plan of Condominium			Neighborhood Concept Plan		
Draft Official Plan Amendment	✓	25	Visual Impact Report	✓	10
Draft Zoning By-law Amendment	✓	25	Park/Open Space Concept Plan		
Planning Justification Report	✓	25	Facility Fit Plan		
Stormwater Management Report	✓	16	On-street Parking Analysis		
Environmental Implementation Report Management Plan	✓	16	On-street Utilization Plan		
Comprehensive Broader Scale Environmental Study			Cultural Heritage Survey	✓	4
Phase 1 Environmental Site Assessment	✓	16	Cultural Heritage Impact Statement (may be required pending results of Built Heritage and Cultural Heritage Survey)	✓	4
Grading and Drainage Plan	✓	16	Heritage Landscape Assessments	✓	4
Agricultural Impact Assessment, including and MOS	✓	10	Archaeological Heritage Resource Assessment	✓	4
Sanitary Sewer and Water Servicing Study			Aggregate Resource Impact Study		
Functional Servicing Report	✓	16	Rehabilitation Plan		
Transportation Study			Commercial Impact Study		
Traffic Impact Study	✓	16	Housing Distribution Assessment		
Hydrogeological Impact Assessment	✓	16	Fiscal Impact Analysis		
Water Resources Study	✓	16	Fiscal Market Study		
Water Balance/Budget Analysis	✓	16	Golf Course Management Plan	✓	16
Soil Stability Report	✓	16	Justification & Needs Report	✓	10
Geotechnical Report	✓	16			
Noise and Vibration Study					
Air Quality Assessment					
Landform Conservation Plan	✓	16			
Vegetation Analysis	✓	16			
Tree Preservation Plan	✓	16			

GS&I
GS&I
GS&I
CFC
SAVANNA

TP
CFC/BTi

STANTEC

CFC

RVA

TP

TP

CFC/TP

CFC

TP

BTi

SAVANNA

BTi & SAVANNA

BTi?

BTi / GS&I

AA

BTi

GS&I.

Notes: The Town of Caledon will review the application submission and provide written confirmation with respect to the completeness of an application within thirty (30) days of its submission.

Once an application is deemed complete, it will be immediately circulated for agency review, and a Notice of Application will be issued by the Town as per Planning Act requirements.

Applicant to confirm the wording and file number of Notice of Application Signage with lead planner upon the determination that application is complete.

This form addresses only those items that are required in order for the Town to deem that application complete and be able to begin the review process. As a result of comments received during the processing of the application(s), amendments, addendums, and/or additional studies and material may be required.

Further Consultation Required? Yes No
 If yes, indicate details of further consultation: a) as per cvc's e-mail dated Dec. 11/09, applicant will scope the EIR Terms of Reference and meet with Town and agency staff. b) site visit and staking with Town of Caledon agency staff and applicant (please call to arrange a time).
 SAVANNA / CFC/TP

Mandatory Pre-Consultation Meeting Expiry Date: June 16, 2010 (6 months)

Note: As per By law No. 2008 118, a new Mandatory Pre Consultation Meeting will be required should the application not be submitted by this date. If additional consultation is required, it should be held prior to the expiry date to ensure all matters have been addressed and the application submission is complete.

The proposal as described on this form has been reviewed during the Mandatory Pre-Consultation Meeting and both the applicant and Town of Caledon staff are in agreement that the items checked on the list contained in this Form identify all material that will be required for the indicated application to be deemed complete.

Applicant:
Name: Glen Broll (Agent) Signature _____ Date: _____

Lead Planner:
Name: Casey Blakely Signature C. Blakely Date: Dec. 16 / 09

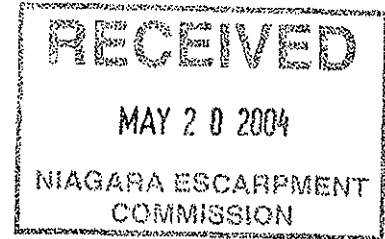
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EXHIBIT B

Ministry of
Agriculture and Food

Ministère de
l'Agriculture et de
l'Alimentation

Wellington Place
RR# 1
Fergus, Ontario N1M 2W3
Tel: (519) 846-0941
Fax: (519) 846-8178



**Resources Management Branch
Agricultural Land Use**

May 10, 2004

Ken Whitbread, Manager
Niagara Escarpment Commission
232 Guelph Street
Georgetown, Ontario
L7G 4B1

Dear Mr. Whitbread:

Re: Development Permit Application P/L/03-04/195 (Kaneff Properties Limited)
Part Lots 1, 2, and 3, Concession 1, EHS
Town of Caledon, Region of Peel

Staff of this Ministry have completed a review of the above noted proposal and supporting documentation (Agricultural Impact Assessments by Stantec dated August 6, 2003 and February 12, 2004). Consideration has been given to the matter in terms of the goals and objectives of this Ministry and the criteria and policies contained in the Provincial Policy Statement (PPS), including Policy 2.1 (Agricultural Policies) which is the provincial policy on planning for agriculture. Staff have also considered this document with respect to other relevant documents such as this ministry's Farm Practices Position Statements and the *Nutrient Management Act*. Please consider the following comments.

The subject lands are approximately 309 acres in size and the proposal is for an 18-hole golf course, practice range, clubhouse, maintenance building and associated golf course infrastructure such as irrigation ponds.

The subject lands are currently used for agriculture, including approximately 3 apple orchards. There is also some forested land associated with the Credit River. According to the consultant's report, approximately 56% of the subject lands are considered as prime agricultural lands (i.e. Classes 1, 2, and 3 lands). The subject property also forms part of a larger contiguous prime agricultural area.

OMAF and Peel Region staff conducted a site visit on April 15, 2004. As noted in the attached comments from this Ministry's Land Resource Specialist, the subject property contains more contiguous prime agricultural land that was identified by the consultant. In addition, the property contains more orchard area than was identified by the consultant.



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As noted in the consultant's report, there are approximately 8 livestock facilities surrounding the subject property. The Minimum Distance Separation (MDS) data and calculation sheets should be provided to ensure the MDS was calculated correctly for each barn.

In conclusion, the subject property is actively farmed, contains predominately classes 1, 2 and 3 prime agricultural soils and is part of a larger contiguous prime agricultural area.

Should you have any questions regarding the above or wish to discuss the matter further, please do not hesitate to contact me at the above noted telephone number. By copy of this letter to the Region of Peel, we are informing them of our technical comments on the matter.

Yours truly,



Carol Neumann
Rural Planner

attachment

Cc: D. Cooper, OMAF
E. Wilson, OMAF
R. Gepp, Region of Peel
V. Doyle, MMAH

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OMAF comments regarding the Agricultural Impact Assessment Report for Part of Lots 1, 2, and 3, Concession 1, EHS, Town of Caledon owned by Kaneff Properties Limited

Report Concerns

1. Soil survey site investigation data in the form of soil profile descriptions and slope measurements are not provided. Much of the subject land soil landscapes are downgraded to varying degrees due to topographic limitations. Site data including slope measurements would have provided better understanding of the compilation of the soil capability map.
2. There is no discussion of the existing CLI mapping which shows the subject land as primarily class 1 and 2F soils. The existing CLI also shows an unclassified wetland organic soil area, and small areas of 3T and 4W soils.
3. For further perspective on topographic limitations, slope classes were derived from the provincial digital elevation model. A map of these slope classes shows more topographic limitations than on the existing CLI mapping but less than on the consultant's mapping.
4. The report does not state the average crop heat unit regime (27-2900 CHU) which is quite favourable for field crop production.
5. Some discussion of the natural value of the wetland is relevant rather than merely including it in calculations of areas of agricultural capability and prime land.

Site Visit

The OMAF Rural Planner and Land Resource Specialist along with concerned planners from Peel Region traversed the property on April 15, 2004. We drove and walked through the property and evaluated land use and capability mapping provided by Stantec. A number of slope measurements were taken using a hand held clinometer. No soil profiles were logged.

1. There is general correlation in the relative landscape trend amongst the consultants mapping of topographic limitations, the slope classes portrayed on the map derived from the provincial DEM, and what was observed during the site visit. However, it is my opinion that in general, the lands are not limited by topography to quite the degree stated and shown by the consultant.
2. Much of the land is being row cropped, including areas which are classified by the consultant as predominantly 4T and therefore marginal for row crop production. It is my opinion that these lands are not as fragmented by low capability land as stated.
3. On a lot of slopes there may have been significant soil erosion damage. Again, presentation of soil profile data might have given some idea of the extent of the damage.
4. From my investigation and review, the extent of prime land is somewhat higher than and not as fragmented as that concluded by the consultant.

Eric Wilson
Land Resource Specialist
OMAF

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EXHIBIT C



■ ■ ■
Planning

Friday, March 18, 2004

Mr. Victor Doyle, Manager-Municipal Services Office-Central Ontario
777 Bay Street, 2nd Floor
Ministry of Municipal Affairs
M5G 2E5

and

Mr. David Cooper, Manager Agricultural Land Use
OMAF Agricultural Land Use
3rd Floor South
1 Stone Road, Guelph, Ontario
N1G 4Y2

Dear Mr. Doyle and Mr. Cooper:

Re: Request by Region of Peel for OMAF to review Agricultural Justification Report on the Kaneff Proposed Royal Caledon Golf and Country Club, Part Lots 1, 2 and 3, Concession 1, EHS
Town of Caledon, Region of Peel

The Region of Peel Planning Department is requesting an expeditious review of an Agricultural Justification Report for a proposed golf course. The site is located at the corner of Olde Base Line and Kennedy Road in the Town of Caledon. The application will involve removing some 300 acres of Prime Agricultural Land in order to create a 18 Hole golf course. This request is being formally submitted to you through the provincial One-Window approach, but we are under a great deal of pressure to respond quickly to the proposal.

I believe the same request was made by the NEC Planner-Michael Baran as the application is subject to a Development Permit and conflicts with the Niagara Escarpment Plan policies. We have been advised by NEC staff that the NEP only permits golf courses in non-agricultural areas. Agricultural areas are defined as: a) "specialty crop areas, b) soil classes 1, 2, 3-CLI and c) small pockets of marginal land within or associated with a) and b)". As you are aware, NEC staff sent a 'Preliminary Agricultural Assessment' to OMAF for review and stated that if the area is determined to be an 'agricultural area', then a NEP amendment is required.

It is imperative that OMAF provide both the Region and the NEC with their comments on this technical Agricultural report. This is important as the consultant is arguing the lands are not Prime Agricultural Lands and were incorrectly identified as Class 1-3 by the Canada Land Inventory. The basis of protection of Prime Agricultural Areas in the Regional Official Plan is the Canada Land Inventory. Additionally, the consultant is stating that the lands throughout the golf course are not suitable for agriculture due to the topography of the site.

Part of the property is also within the Oak Ridges Moraine Conservation Plan Area. Therefore the proposal does not satisfy the provisions of the ORMCP which only allows a golf course in areas that are not prime agricultural land and not designated primarily for agricultural uses. The Region

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of Peel and Town of Caledon Official Plans designate most of the Kaneff site as a Prime Agricultural Area.

It is a policy of the ROP that all policies contained within the Regional Plan must adhere to the ORMCP, the NEP and Provincial Policy. ORMCP Policy 13 (5) states: "the uses described in paragraph 14 and 15 of subsection (3) which includes golf courses are prohibited in:

(a) prime agricultural areas [defined as: a) land where fruit and vegetable crops and greenhouse crops are grown, b) agriculturally developed organic soil land, or c) land with Class 1,2,or 3 soils according to the Canada land inventory] and,

(b) areas designated primarily for agricultural uses in the applicable official plan."

Schedule B of the ROP entitled "Prime Agricultural Area" places most of the golf course proposal within the Prime Agricultural Area and Policy 3.2.2.1 of the ROP states that "it is a policy of Regional Council to protect the Prime Agricultural Area for agriculture as shown on Schedule 'B'.

The consultant's report is predicated on the fact that if the lands are not PAL (prime agricultural land) then it would no longer be subject to the provisions of the ROP and the ORMCP. This has major implications for the Regional Official Plan and the provincial ORMCP

Could you or Carol Neumann advise the Region as to when OMAF could review this technical report? Please contact Brian Hudson by phone or e-mail (HUDSONB@REGION.PEEL.ON.CA) 791-7800, ext 4346) or Louis Spittal at 905-791-7800 extension 4715.

Sincerely,

Robert Gepp, Director
Development Planning Services
Region of Peel