

# Map 1B Niagara Escarpment Plan

2521 Escarpment Road  
File: P/C/2022-2023/175

- Subject Property
- Plan Designations**
- Escarpment Natural Area
- Escarpment Protection Area
- Escarpment Rural Area
- Mineral Resource Extraction Area
- Roads
- Waterbodies
- Watercourse
- Upper Tier Municipality
- Lower/Single Tier Municipality
- Lot and Concession Boundary
- Parcel Boundary
- Ownership Boundary

NOTE: The Niagara Escarpment Plan Designation boundaries shown on this map are approximate and subject to confirmation through Site Inspection and the application of the 'Interpretation of Boundaries' section of the Niagara Escarpment Plan

Scale 1:10,000  
0 75 150 225 300



Metres

Printed on Jun 21, 2022

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This map is illustrative only. Do not rely on it as being a precise indicator of routes, location of features, nor as a guide to navigation. Base derived from various sources.  
Map compiled and produced by the Geographic Information Systems (GIS) Department of the Niagara Escarpment Commission, Ministry of Natural Resources

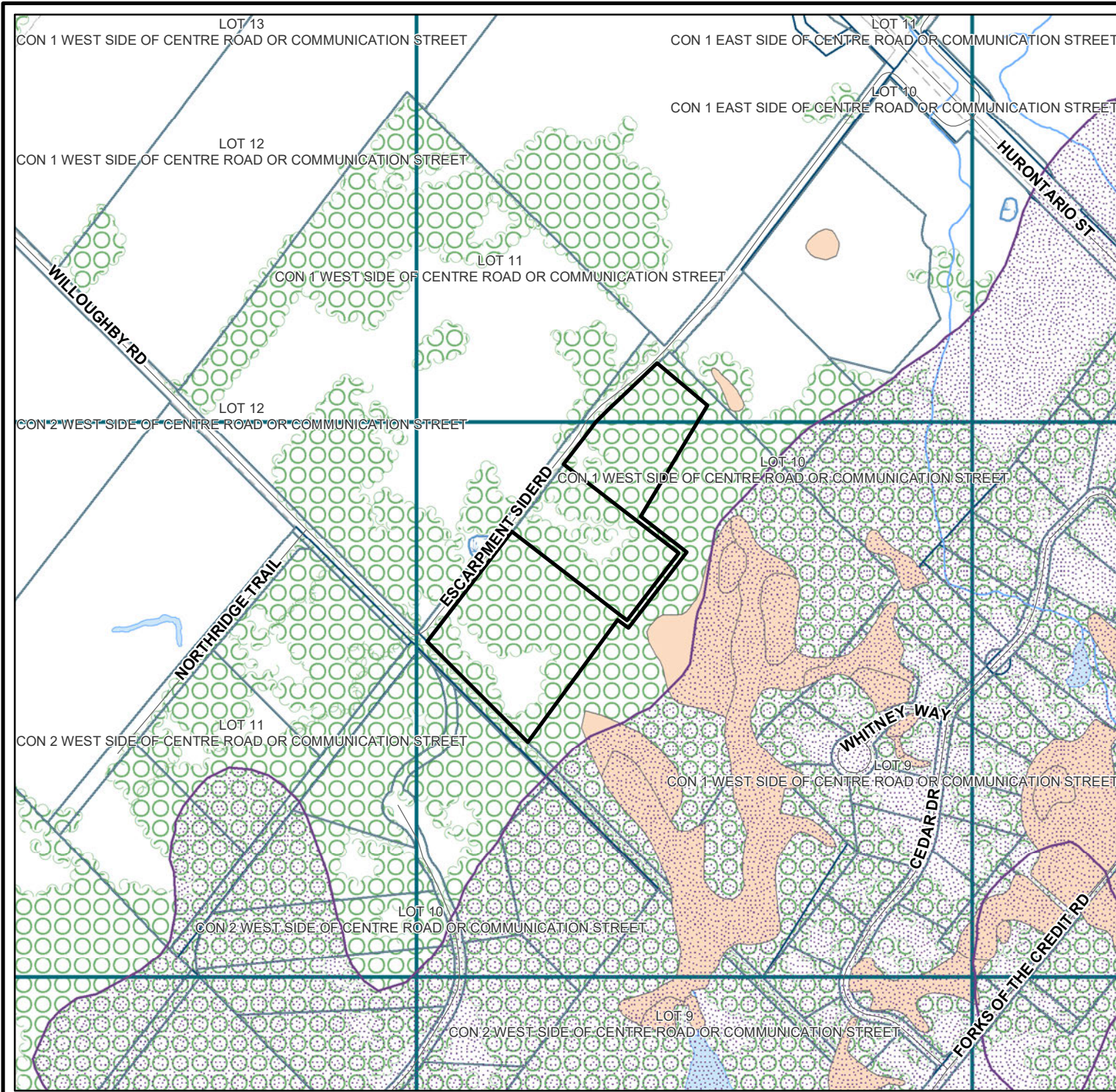


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## Map 2A Natural Heritage Features

2521 Escarpment Road  
File: P/C/2022-2023/175



- Subject Property
- Roads
- Unevaluated Wetlands
- Waterbodies
- Watercourse
- Upper Tier Municipality
- Lower/Single Tier Municipality
- Lot and Concession Boundary
- Parcel Boundary
- Ownership Boundary
- Wooded Area
- ESA - Peel
- Provincially tracked species (1km grid)
- Evaluated Wetlands**
- Evaluated Wetlands

Natural Heritage Features Data Source: Ontario's  
Ministry of Natural Resources - Natural Resource  
Values and Information System (NRVIS).

Scale 1:10,000  
0 75 150 225 300

Metres

Printed on Jun 21, 2022

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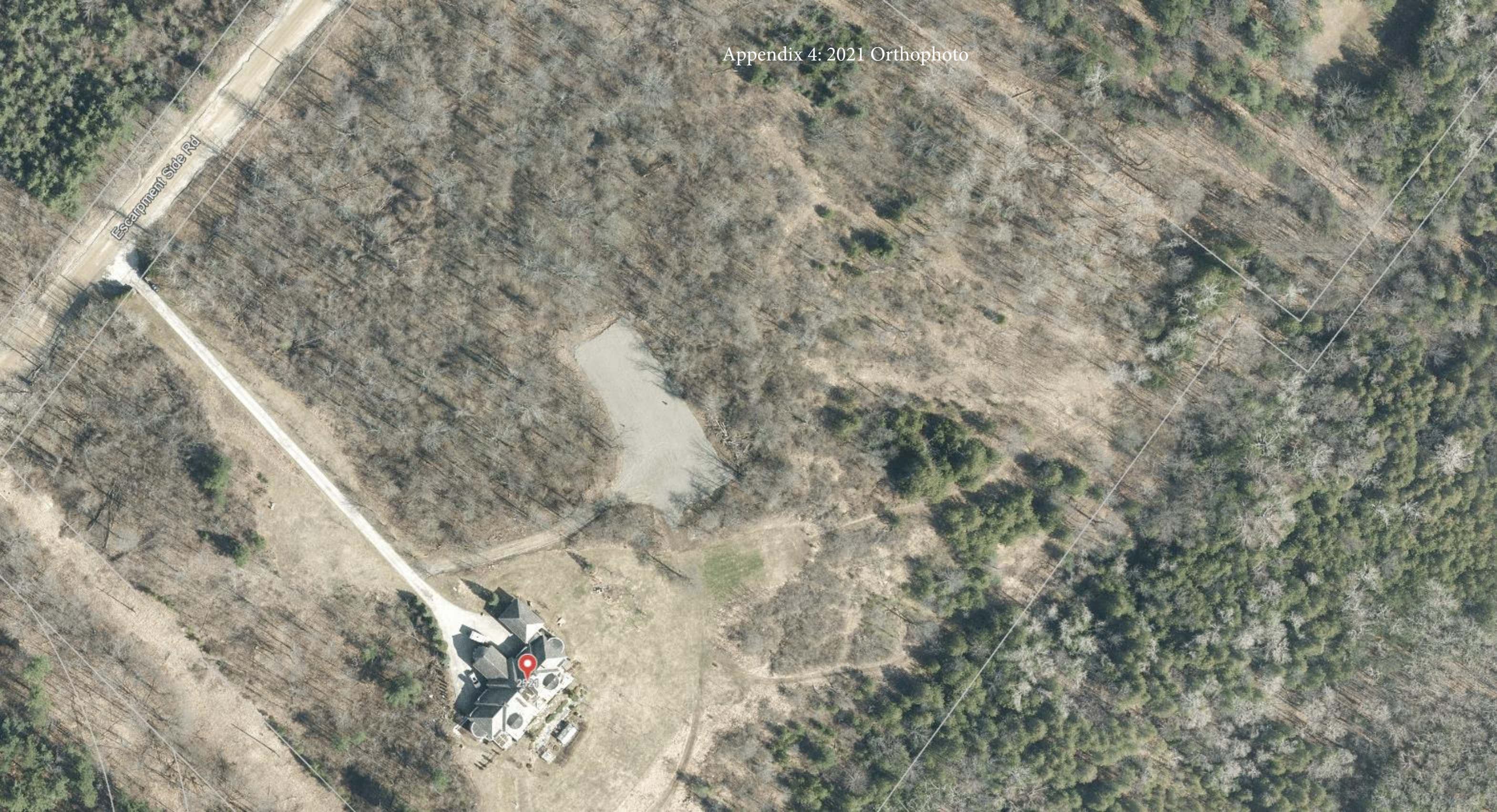
Appendix 4: 2001 Orthophoto



Appendix 4: 2020 Orthophoto



Appendix 4: 2021 Orthophoto



Appendix 4: 2022 Orthophoto



Appendix 4: 2023 Orthophoto

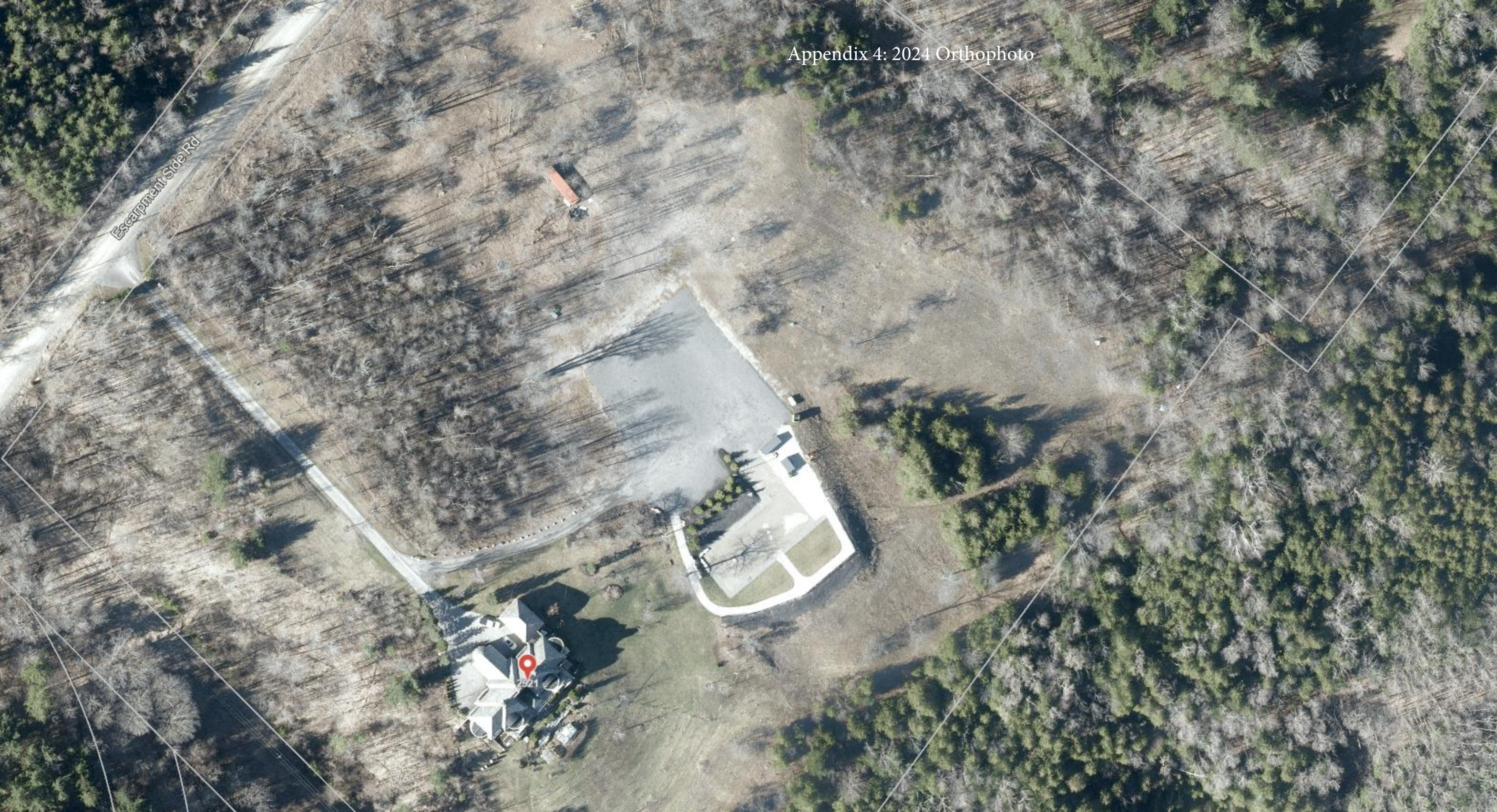


Escarpment Side Rd

2521



Appendix 4: 2024 Orthophoto





May 22, 2024

Sent by Email Only

**Brandon Henderson**  
**Niagara Escarpment Commission**  
**232 Guelph Street**  
**Georgetown, ON L7G 4B1**

Dear Mr. Henderson,

**Re: Application for Niagara Escarpment Development Permit Application**  
**2521 Escarpment Sideroad**  
**Part Lot 10, Concession 5 (WHS) Caledon**  
**Town File No.: 2223-0175**  
**NEC File No.: P/C/2022-2023/175**

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In response to the revised materials provided in support of the Request for Comments concerning the above-noted Development Permit Application, the Town of Caledon offers the following comments.

### **Background**

In the letter from Aird Berlis dated November 7, 2023, the following information was provided:

- The proposed event venue is owned by [REDACTED] and operated by Krapez Estate Vineyard and Caledon Mountain Events.
- The wedding venue will be serviced with the following:
  - Six (6) portable toilets from May to October
  - External water source proposed.
  - A parking area to accommodate 75 parking spaces with 50 additional parking spaces immediately adjacent to the driveway.
  - No new access is proposed.
  - 4 permanent employees and 25 temporary employees during the spring/summer seasons.
  - Retail use and office space for the vineyard is located inside the existing residence.
  - No winery exists, is requested or is planned on the Site.
  - Food will be catered and will not be made on-site
- The vineyard was established in 2019; Crops changed (from apples to vineyards) in 2019.
- Functional Servicing Report and Transportation Impact Study are to be prepared by the applicant.

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

The subject property is designated Rural Lands and Environmental Policy Area (EPA) on Schedule 'A' of the Town of Caledon Official Plan. Permitted uses within Rural Lands include uses identified in the Prime Agricultural Area which includes agricultural uses, on-farm diversified uses and a single detached dwelling and accessory uses.

The Provincial Policy Statement, (the “PPS”) defines rural lands as a system of lands that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas and other resource areas. When directing development on rural lands, planning authorities shall apply the relevant policies of Section 1, 2 and 3 of the PPS.

According to the PPS, on-farm diversified uses “means uses that are secondary to the principal agricultural use of the property and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses the produce value-added agricultural products.”



Agri-tourism uses means “those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.”

The Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas assists decision-makers interpreting the policies of the PPS on the uses permitted in prime agricultural areas including guidance on on-farm diversified uses. The criteria as provided by the PPS policies and definitions for on-farm diversified uses are contained below.

1.	Located on a farm	<p>The planning authority may require evidence that the property is actively farmed such as if the property qualifies for the Farm Property Class under the Assessment Act, 1990.</p> <p>According to the AgMaps by the Ministry of Agricultural, Food and Rural Affairs, the property is not identified as Farm Property Class Tax Rated Parcel.</p>
2.	Secondary to the principle agricultural uses of the property.	Agricultural use must remain the dominant use of the property.
3.	Limited in area.	<p>The guidelines recommend that the standard for the acceptable area occupied by an on-farm diversified uses is up to 2% of a farm parcel to a maximum of 1 ha.</p> <p>The ‘limited in area” requirement should be based on the total land area that is unavailable for agricultural production as a result of the on-farm diversified use. This includes buildings, outdoor storage, landscaped areas, berms, well and septic systems, parking, and new road access.</p> <p>The applicant needs to provide a concept plan that shows the area of the wedding venue that includes the tent, associated landscaping, storage containers, toilet and waters supply area, landscape areas, parking, walkways, new driveway, and additional parking area.</p>
4.	Includes, but is not limited to, home occupations, home industries, agri-tourism uses and uses the produce value-added agricultural products.	As proposed, the wedding venue cannot be considered an agri-tourism venture due to the reasons above..
5.	Shall be compatible with, and shall not hinder, surrounding agricultural operations.	A Noise Impact Report has been submitted. A Traffic Impact Study is expected to be submitted by the applicant. At this time, the full effects of the proposed use cannot be determined.

Section 2.1.1 of the PPS states that natural features and areas shall be protected for the long term. The PPS also states that development and site alteration shall not permitted on adjacent lands to the natural heritage features and areas unless the ecological function of the adjacent lands have been evaluated and



it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

Section 2.6.2 of the PPS states that development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.

**Region of Peel Official Plan**

The subject property is located within Escarpment Protection Area (B-2) and designated Core Areas of the Greenlands System (Schedule C-2), Rural Lands (D-1).

The Rural Lands designation permits agricultural uses and normal farm practices, agriculture-related uses and on-farm diversified uses in accordance with provincial standards. Other rural uses that are compatible with the rural landscape and surrounding uses, can be sustained by rural service levels and will not impact adjacent agricultural operations and other resource-based uses are permitted. Other uses are identified in Section 5.7.19.7 of the Regional Official Plan.

The Core Areas of the Greenland are to be identified, protected, and restored. These areas prohibit development and site alteration. Any exceptions would require demonstration that there will be no negative impacts on the natural features or their ecological functions, and that there is no reasonable alternative; avoidance is not possible, and any impact is mitigated through restoration or enhancement.

Section 2.14.17 states that in the event that a portion of the Core Areas are damaged or destroyed by human or natural causes, there shall be no adjustment to the boundary or designation of these areas in the Region of Peel.

**Town of Caledon Official Plan**

The subject property is designated as Rural Lands and Environmental Policy Area (EPA) on Schedule ‘A’, Town of Caledon Land Use Plan in the Town of Caledon Official Plan.

*Rural Lands Designation*

Permitted uses in the Rural designation shall include uses permitted in the Prime Agricultural Area outlined in Section 5.1, which includes agricultural uses, on-farm diversified uses and a single detached dwelling and accessory uses in accordance with Section 5.14.

Section 5.1.1.8.1 of the Official Plan provides direction on criteria for On-Farm Diversified Uses.

Section 5.1.1.8.8a of the Official Plan states a business/facility for the hosting of events and/or business for catering of events may be permitted as an On-Farm Diversified Use subject to the policy of Section 5.1.1.8.2, site plan control, and a rezoning to an appropriate zone.

The below table outlines the criteria as per Section 5.1.1.8.1 of the Official Plan and associated comments:

	<b>Criteria (Section 5.1.1.8.1)</b>	<b>Comments</b>
a)	Be owned by and directly involve the owner/operator of the farm operation and may involve resident on-farm family members and/or have a limited number of full-time or seasonal employees in keeping with the scale of the use.	The wedding venue is owned by [REDACTED] and operated by [REDACTED] Estate Vineyard and Caledon Mountain Events, which are operated by the [REDACTED] family.

b)	Ensure that the proposed use shall not have a negative effect on the enjoyment and privacy of neighbouring properties.	A Noise Impact Report has been submitted. A Traffic Impact Study is expected to be submitted by the applicant. At this time, the full effects of the proposed use cannot be determined.
c)	Ensure that the proposed use can be serviced with an appropriate water supply and means of sewage disposal.	The proposed use will be serviced with portable toilets between May and October. There is no additional water usage proposed. The event venue will be supplied by an external water source.
d)	Ensure that the proposed use will not have an Adverse Effect on neighbouring wells.	The event venue will be supplied by an external water source.
e)	Ensure that the proposed use has adequate on-site parking facilities, in addition to the parking required for the principal use on the property, and such parking is provided in locations compatible with surrounding land uses.	There was no parking justification report prepared to support the number of spaces provided, and staff are not in supportive of the proposed parking location.
f)	Ensure that the proposed use provides adequate setbacks and landscaping.	To be shown on the concept plan and implemented through site plan control.
g)	Ensure that the buildings and structures housing the proposed use are located within the existing farm building cluster where possible and utilize a common driveway with the principal use of the property.	A new internal driveway was constructed to provide access to the parking lot associated with the wedding venue. There are no existing farm building clusters. The main house is utilizing space for a bridal suite and a retail store associated with the wedding venue.
h)	Ensure that the proposed access to the site shall not have a negative effect on local traffic;	This cannot be confirmed until a satisfactory Traffic Impact Study is provided.
i)	Ensure that the proposed use enhances the agriculture and rural character of the Town and promotes where possible the preservation of historic buildings and structures and/or the establishment of a built form that is compatible with the rural surroundings;	There are no historic buildings on the Site. The wedding venue is not directly related to the growing of grapes.
j)	Ensure that signage related to the use is designed and located in accordance with the Town's Sign By-law and, where applicable, the development criteria contained in applicable provincial Plans.	To be reviewed further.

#### *Environmental Policy Area (EPA)*

Any proposed development adjacent to an Environmental Policy Area (EPA) is required to complete an Environmental Impact Study and Management Plan (the "EIS" and "MP") to the satisfaction of the Town and other relevant agencies. The purpose of the EIS and MP is to identify existing ecosystem forms, functions, and integrity with the EPS and further refine the limits of the EP, if appropriate, at a more detailed scale.

Section 5.7.3.1.6 of the Official Plan states that lands designated EPA are not to be damaged or destroyed. In the event that an EPA is damaged or destroyed without required approvals, there shall be no adjustment to the boundary or redesignation of these areas, and the Town and Region of Peel will require replacement or rehabilitation of the affected ecosystem features, functions and/or landforms.



### **Town of Caledon Zoning By-law 2006-50, as amended**

The subject lands are within the Development Control area pursuant to the Niagara Planning and Development Act and subject to permit requirements under Ontario Regulation 685/50.

### **Town of Caledon – Development Engineering Comments**

- No concerns at the Development Permit stage.

### **Town of Caledon – Heritage Comments**

- The proponent has not provided the required correspondence from the Ministry of Citizenship and Multiculturalism (MCM) confirming the position expressed pg. 11 of the Planning Justification Report for the property, that the property does not have archaeological potential.
- As the correspondence has not been provided and the property is identified as having archaeological potential:
  - The development proponent shall retain an archaeologist, licensed by the Ministry of Citizenship and Multiculturalism (MCM) under the provisions of the Ontario Heritage Act (R.S.O 2005 as amended), to carry out and submit a minimum Stage 1-2 archaeological assessment for the entirety of the subject lands as part of a complete application.
  - Should any significant archaeological resources be encountered, the development proponent shall mitigate any adverse impacts through preservation or resource removal and documentation (Stages 3-4 archaeological assessment) to the satisfaction of the MCM and the Town of Caledon Heritage staff prior to development approval. The archaeological assessment(s) must be completed in accordance with the most current Standards and Guidelines for Consultant Archaeologists.
  - No demolition, construction, grading or other soil disturbances shall take place on the subject lands prior to the Town of Caledon Heritage staff receiving, to their satisfaction, all completed archaeological assessment(s) and the MCM compliance letter(s) indicating that all archaeological licensing and technical review requirements have been satisfied and the report(s) has been entered into the Public Registry.
  - Significant archaeological resources will be incorporated into the proposed development through either in situ preservation or interpretation where feasible or may be commemorated and interpreted through exhibition development on site including, but not limited to, commemorative plaquing.
  - If the subject lands were previously assessed, the development proponent must provide a copy of the archaeological assessment(s) and the associated MCM compliance letter(s) indicating that all archaeological licensing and technical review requirements have been satisfied and the report(s) has been entered into the Public Registry.

### **Town of Caledon – Development Planning Comments**

1. The proposed development has not demonstrated consistency with the PPS for the following reasons:
  - It has not been demonstrated that the wedding venue can be classified as an on-farm diversified use as per provincial standards. The applicant needs to provide a concept plan that calculates the area of the wedding venue that includes the tent, associated landscaping, storage containers, toilet and water supply area, landscape areas, parking, walkways, new driveway, and additional parking area. The acceptable area occupied by an on-farm diversified uses is up to 2% of a farm parcel to a maximum of 1 ha.



- The EIS submitted in support of the proposed development has not demonstrated conformity with Section 2.1 of the PPS. Natural heritage policy conformance must be demonstrated in the EIS and reflected in an updated Planning Justification Report.
  - There has been no correspondence provided from the Ministry of Citizen and Multiculturalism confirming that the property does not have archaeological potential as per the Planning Justification Report. The property is identified as having archaeological potential based on the Town's Archaeological Management Plan mapping. Therefore, a Stage 1-2 archaeological assessment is required for the entirety of the subject lands.
  - If this Development Permit is approved, Town staff will be seeking additional approvals through the Town's Site Plan Control process.
2. The proposed wedding venue has not demonstrated conformity to the Region of Peel Official Plan and Town of Caledon Official Plan for the following reasons:
- The applicant has not demonstrated that the use is considered an on-farm diversified use. The applicant needs to provide confirmation that the lands are considered farmland and how the use directly relates to agricultural, supportive of agricultural or able to co-exist with agricultural without conflict. The compatibility of the proposed use with the surrounding rural land could not be fully assessed without all the required reports being submitted.
  - Aerial imagery in 2023 demonstrates that approximately 1.6 hectares of the mapped Core Woodland designation in the Regional Official Plan has been removed. Section 2.14.17 of the Regional Official Plan states that in the event that a portion of the Core Areas are damaged or destroyed by human or natural causes, there shall be no adjustment to the boundary or designation of these areas in the Region of Peel. Furthermore, if the Core Area is damaged or destroyed, the Region or local municipality will require replacement or restoration of the ecological feature and/or function. Therefore, the Core Woodland designation remains in place despite the removal of trees. The proposed use is partially located in the Core Area designation and is not a permitted use within the Core Area designation.
  - The EIS submitted did not confirm the limits of the designated Environmental Policy Area (EPA) as per Section 3.2.4.8 of the Town of Caledon Official Plan.
  - The EIS needs to be revised to assess what portions of the subject property meet EPA designation criteria based on the conditions present prior to the commencement of clearing and address all relevant Ecosystem Framework/EPA policies. The EIS needs to be further revised to address comments provided in the Town of Caledon Natural Heritage Review Letter dated April 12, 2024 (attached).
  - As per Caledon Official Plan Policy 5.7.3.1.6, EPA lands are not to be damaged or destroyed unless as a result of an approved permitted uses. If they are destroyed without the required approvals, replacement or rehabilitation of the affected feature and its functions is required. Therefore, if it is determined that any of the cleared areas met EPA criteria, the report and related submission materials must include appropriate replacement and rehabilitation.
  - As per Section 3.6.4 of the Regional Official Plan, in cooperation with the local municipalities, the Region is to ensure the adequate assessment archaeological assessment where necessary or appropriate. Section 3.3.3.2.2 of the Official Plan states that in areas of archaeological potential on lands proposed for development or redevelopment, the Town shall require archaeological assessments. As per Town Heritage

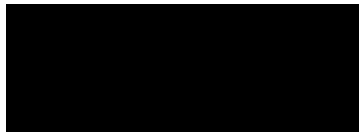


comments, a Stage 1-2 archaeological assessment is required for the entirety of the subject lands as archaeological potential has been identified on the site.

Based on the above, the Town of Caledon cannot support the proposed development on the subject property as it does not conform to provincial policy and does not conform to regional and Town planning policy. Therefore, the Town of Caledon cannot support the associated Development Permit Application submitted by the applicant to the NEC for the subject property.

If you want to discuss these comments further, please contact the undersigned.

Sincerely,



Valerie Schmidt, MCIP, RPP  
GSP Group Inc. on behalf of the Town of Caledon

cc: Carmine Caruso, Manager, Development  
Adam Wendland, Senior Planner, Development  
Jason Elliott, Senior Environmental Planner  
Cassandra Jasinski, Heritage Planner  
[Redacted], Owner





**TO:** Valerie Schmidt, GSP, on behalf of the Town; Adam Wendland, Acting Manager of Development Planning, Town of Caledon

**SUBJECT:** Natural Heritage Review Comments  
2521 Escarpment Sideroad  
First Submission  
Town File No. NEC 2223-0175

**DATE:** April 12, 2024

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**Material Reviewed**

- First Submission Materials:
  - Request For Comments Letter from NEC dated September 28, 2022
  - Planning Justification Report prepared by Reipma Consultants Inc., dated October 19, 2022
  - Environmental Impact Study prepared by R. J. Burnside & Associates Ltd., dated October 2022
  - Noise Impact Assessment prepared by R. J. Burnside & Associates Ltd., dated October 18, 2022
  - Town of Caledon Comments on First Submission dated April 24, 2023
- Second Submission Materials:
  - Response to Comments prepared by Aird Berlis dated November 7, 2023
  - Ongoing Tree Maintenance Program prepared by Acorn Tree Care dated November 6, 2023
- NEC Development Permit issued for the property dated April 14, 1997
- NEC Exemption issued for the property dated June 28, 2004

**Background**

Town comments on the first submission materials were provided on April 24, 2023. Among other things, those comments highlighted inconsistencies and concerns with the submitted materials and that there was insufficient information to confirm conformity with Official Plan policy. Prior to 2023, Credit Valley Conservation Authority (CVC) conducted natural heritage review of development applications on behalf of the Town. However, Bill 23 now prohibits them from doing so. As such, Town comments also required a peer review of the Environmental Impact Study at the sole cost of the Owner. A peer review has not been conducted. CVC provided comments on the first submission solely in relation to their regulated responsibilities (i.e., they did not review the materials for natural heritage requirements).

A second submission in the fall of 2023 consisted of a response to comments and two technical memorandums that provided an update and details on tree removals. Instead of a peer review, as the Town now has natural heritage staff, the first and second submissions were reviewed with comments provided below.

The Town's comments on the first submission noted that significant tree removal had occurred on the property. Inspection of aerial imagery reveals that this began circa 2021 when a parking lot and associated driveway was developed in a wooded area mapped as Core Woodland and continued in the mapped Core Woodland in 2022 and 2023 to accommodate a wedding venue



and a vineyard (although the latter is not evident on aerial imagery). Except for scattered trees that remain, 2023 aerial imagery indicates that approximately 1.6ha of the mapped Core Woodland had been removed.

Town Municipal Law Enforcement (MLE) was consulted to inquire if any action has occurred relative to the Town's Woodland Conservation Bylaw. They indicated that they have been on site multiple times to investigate as the tree removals progressed, advised the applicant after the initial removals that they must cease removals, and never gave any permissions to continue removals. Additionally, they indicated that in 2023 they notified the Niagara Escarpment Commission and their Enforcement division indicated that they would take on enforcement responsibilities. As such, MLE is not proceeding with any enforcement responsibilities relative to the Woodland Conservation Bylaw.

CVC was consulted to inquire if they had given any advice to the applicant regarding the mapped Core Woodland prior to 2023. They indicated that they never indicated to the applicant that the wooded area did not qualify as a woodland or Core Woodland. Further, they indicated that observations from 2022 site visits indicated that the wooded areas that were present at that time and now have been removed appeared to support woodland tree density. Finally, they confirmed that their January 2023 comments only reflected their regulatory role and did not address woodland issues.

The NEC permit being sought as outlined in the Request For Comments (RFC) dated September 28, 2022 is to recognize the establishment of a commercial wedding and event venue as an on farm diversified use. However, the Planning Justification Report (PJR) outlines two main businesses that exist and are proposed on the property: an event venue using temporary tents and a vineyard and winery. Further, the dimensions of the various development elements outlined in the RFC are not consistent with what is present on the site in 2023 aerial imagery or as described in the PJR and Environmental Impact Study (EIS). Figure 3 of the EIS also displays inconsistent development details relative to the body of the report, the RFC and aerial imagery. Finally, the PJR and the EIS discuss the presence of 4 ha of vineyard on the property but only 1.2 ha and 2.6 ha of vineyard is apparent on 2022 and 2023 aerial imagery respectively.

Due to all the inconsistencies outlined above, it appears that some of the proposed development was omitted from (vineyard, parking lot driveway, tent entranceways and grading, and storage area around event tent) and/or misrepresented (dimensions and locations) in the RFC. As such, the development existing on the subject property on 2023 aerial imagery and further delineated in the second submission materials was considered to be the development proposal for the purposes of this review.

A site visit was conducted on April 12, 2024 with the landowner, their consultants, and NEC and Regional staff. During the site visit the applicant indicated that additional tree removals from the wooded area occurred in February 2024. Evidence of these removals was observed. It was also observed that the wooded area surrounding the removal area appeared to meet woodland tree density.

### **First Submission Comments**

#### General Comments:

- OP Policy 6.7.35 includes a change in land use (e.g., natural area to vineyard) and the removal or destruction of woodlands as development. Therefore, the vineyard must be





considered part of the development proposal despite it not being included in the Request for Comments from the NEC.

- The majority of the property, including where tree removal has occurred is mapped as Core Woodland in the Regional Official Plan. Town OP Policies 3.2.3.1.1 and 3.2.4.4 indicate that Core Woodlands are/shall be designated Environmental Protection Area (EPA) and are subject to the associated policies. While only a portion of the property is mapped as EPA in the OP, Policy 5.7.3.1.4 indicates that as more detailed information becomes available through approved studies or site investigations, minor refinements to the limits of EPA may occur without amendment of the plan. Therefore, an EIS in support of development on the property must assess whether the mapped Core Woodland meets the associated criteria. It is not appropriate to rely on EPA mapping – the site conditions must be assessed. However, the submitted EIS did not undertake this evaluation. Unless it is demonstrated that the mapped Core Woodland does not meet the associated criteria, the Town assumes that it does and will apply the EPA provisions.
- Policy 5.7.3.1.6 indicates that lands designated EPA are not to be damaged or destroyed unless as a result of an approved permitted use. Further it indicates that if EPA is damaged or destroyed without the required approvals, there shall be no boundary adjustment and the Town will require replacement or rehabilitation of the affected features and functions. Policy 5.7.3.1.2 includes legally existing agricultural uses but does not include new agriculture as permitted uses in EPA. Therefore, unless the vineyard and/or the wedding event venue are deemed to be legally existing agricultural uses, they are not permitted in EPA.
- The Response to Comments on the first submission materials dated November 7, 2023 state that the vineyard is replacing existing apple orchards that have been in production since 1998. Further, it notes that the owners have changed crops from apples to vineyards. It is noted that aerial imagery available to the Town from 2001 to 2023 displays no evidence of an apple orchard. While it is not disputed that apple trees are present within it, the wooded area appears entirely natural with no evidence of an orchard, agricultural activity, or associated maintenance.
- In addition to EPA/Core Woodlands, the Town protects Other Woodlands. Policy 3.2.5.3.2 indicates that new development is not permitted in Other Woodlands unless it is demonstrated that it will not result in degradation of ecosystem integrity. If it was demonstrated that the wooded area did not meet Core Woodland criteria, an EIS in support of development on the property must assess whether the wooded area meets the Other Woodland criteria and whether the proposal would degrade ecosystem integrity. The EIS did not undertake this evaluation.
- Given the preceding comments, Town of Caledon Official Plan natural heritage policy has not been appropriately addressed in the submission materials. Unless the wedding event venue and/or the vineyard are deemed legally existing agricultural uses, they are not permitted uses in the EPA OP land use designation and neither are permitted in Other Woodlands if it would impact ecosystem integrity. As the proposal does not appear to be a legally existing agricultural use and because all available evidence including the EIS which indicates that the removed wooded area was a woodland (refer to comments below for more details), discussion with CVC (detailed above), aerial imagery, and observations made during the April 12, 2024 site visit, it is assumed that the tree removals occurred within Core Woodland and Town policy requires that the woodland be restored.



Detailed Comments:

Planning Justification Report (comments concerning the Niagara Escarpment Plan (NEP) were included where they relate to Town OP policy):

- The rationale provided to demonstrate compliance with Sections 1.4.1.3 and 1.4.1.5 of the NEP is inappropriate as it omits the subject lands which are part of the natural heritage system associated with the NEP area. Further, it assumes that the agricultural use within the natural areas on the subject lands is permitted which has not been established from an OP perspective.
- The rationale provided to demonstrate compliance with Section 2.2.1 of the NEP is inappropriate as it has no regard for the natural heritage component of the Escarpment environment.
- The statement that no vegetation is needed to be removed or will be removed to accommodate the development and event tents is incorrect. A substantial amount of natural vegetation has been removed to accommodate the proposal. Additionally, the report acknowledges that trees were removed for the parking lot.
- The statement that the event tent is not located within or adjacent to any natural heritage features is inaccurate. The tent is partially located within former natural area that the EIS identified as woodland and is mapped as Core Woodland in the Regional Official Plan (refer to EIS comments for more details).
- The fact that the development is not permitted in Key Natural Heritage Features of the NEP and development should avoid other natural areas in the NEP was omitted.
- The statement that most of the development is on existing lawn or tennis court is inaccurate. Comparison of 2020 versus 2023 aerial imagery reveals that very little of the development is located on former lawn. Additionally, the area where the parking lot is located was wooded prior to 2021 aerial imagery and the NEC permit for the tennis court from 1997 displays a different location and configuration for the tennis court with a much smaller size than what has been constructed. As such, almost all of the development occurs outside of existing lawn or tennis court within former natural area. Further, if the 1997 permit expired prior to 2021, it is not appropriate to consider the tennis court as ever existing.
- Emerald Ash Borer (EAB) damage and a small forest fire are outlined as reasons for locating and expanding the parking lot. As per OP Policy 6.7.191, woodlands experiencing tree mortality are still considered woodlands. Therefore, these factors do not affect development permissions/prohibitions in woodlands.
- In Section 6.1 when discussing compliance with the NEP On-Farm Diversified Use Policy 2.8.7 (g), the area of the event venue is indicated to be 1,886m<sup>2</sup> and therefore, at 1.7% of the total lot area, less than the 2% maximum. This differs slightly from the area of the event venue elements outlined in Section 5.0 of the report and more significantly from the area of the event venue elements outlined in the NEC RFC which totals 2,209m<sup>2</sup> (2.1% of total lot area), and the area of the event venue on 2023 aerial imagery which totals approximately 3942m<sup>2</sup> (parking lot and associated driveway, tents, and entranceways - 3.7% of total lot area).
- The discussion in Section 6.2 on conformity with Section 2.1 of the Provincial Policy Statement is not fulsome or appropriate. Natural heritage policy conformance must be demonstrated in the EIS (refer to comments below) with the results summarized in the PJR.



- Section 6.4 inaccurately outlines the Town of Caledon Official Plan land use designations on the subject lands and omits any discussion of relevant Environmental Policy Area land use designation policies. Refer to comments on the EIS for more details.
- Sections 7.0 and 8.0 must be updated with the results of the EIS once that report has addressed the comments provided below.

EIS:

The report inaccurately indicates that the subject lands are designated Rural Lands with the lands to the south, east and west designated Environmental Policy Area (EPA). EPA is mapped on the south, east and west portions of the part of the subject lands being proposed for development (i.e., not only on adjacent properties). Additionally, as per OP Policy 3.2.4.8, one purpose of the EIS is to confirm the limits of EPA including the identification of ecosystem components that are not currently mapped as EPA but meet EPA designation criteria and are therefore subject to EPA policy protection.

The report only identifies the elements outlined in the NEC RFC as the development proposal. While it acknowledges that 4ha of the subject property has been planted as vineyard and Figure 3 of the report displays the location of four vineyard areas, the report appears to consider the vineyard as existing at the time of evaluation on September 23, 2022.

As per OP Policy 5.7.3.1.2, the only permitted uses in EPA relevant to the subject property are legally existing residential and agricultural uses. Further, OP Policy 6.7.55 indicates that existing development/uses are limited to those which existed at the time when Official Plan Amendment 124 was adopted. As OPA 124 was adopted long before any areas of vineyard or wedding event venue were established on the property (which appears on aerial imagery to have started circa 2021), it is not clear that these uses within EPA on the property is permitted.

Aerial imagery displays a progression of cleared area beginning in 2021 to accommodate event and agricultural development. Based on the foregoing, the EIS must be revised to assess what portions of the subject property meet EPA designation criteria based on the conditions present prior to the commencement of clearing and address all relevant Ecosystem Framework/EPA policies. It is noted that the report indicates that “the flora and vegetation community within the cleared area appeared by air photos to be the same as the remaining naturalized area that was reviewed”. Further, the report identifies that remaining naturalized area as a deciduous woodland (WODM4) using the Ecological Land Classification System. Additionally, the Response to Comments on the first submission displays the “Cleared Area 2023” within the WODM4 woodland identified in the EIS. As such, the EIS is indicating that the area cleared up to 2022 appeared to be woodland and that all areas cleared since 2022 was woodland. The report must assess whether the identified woodland area, including the area now cleared, meets/met the woodland definition as per OP Policy 6.7.191 and whether it meets the definition of Woodland Core Area or Woodland (Other) as per OP Policies 6.7.190 and 6.7.192 respectively. Additionally, the report must assess what components of the Ecosystem Framework outlined in Table 1 of the OP are present. Once this is determined, the report must demonstrate how the applicable Performance Measures (i.e., policies) are met.

As per OP Policy 5.7.3.1.6, EPA lands are not to be damaged or destroyed unless as a result of an approved permitted use. If they are destroyed without the required approvals, replacement or



rehabilitation of the affected feature and its functions is required. Therefore, if it is determined that any of the cleared area met EPA criteria, the report and related submission materials must include appropriate replacement or rehabilitation.

In addition to addressing the proceeding general comments, the following detailed comments must also be addressed.

- Section 3.7 states that the proposed development appears to be outside of the Regional Official Plan Core Areas designation. However, as can be seen in light green in the screenshot below, the development including the parking lot and associated driveway, a portion of the event tent, all of the other tents, grading, pathways and Blocks 3 and 4 of the vineyard (as per Figure 3) are located within the mapped Core Area. While the limits of Core Area must be confirmed by the study, note that, as per OP Policy, Woodland Core Areas shall be designated EPA and subject to the EPA land use policies.



- The study area displayed on Figure 2 does not include adjacent lands. All lands within 120m of the property must be included.
- Section 4.2/Appendix A indicate that none of the potential Species at Risk (SAR) birds were identified during the site visit. However, this is to be expected because a breeding bird survey was not completed and the site visit took place after the majority of migratory birds would have left the area. As such, no conclusions can be drawn on bird presence/absence. Without a proper bird survey, the presence of all species for which suitable habitat is available within 120m of the subject lands must be assumed and incorporated into the assessment. Further, Appendix A and Section 4.2 must be consistent. Additionally, ensure that all SAR categories are correct in the assessment.
- Section 5.1 indicates that the groundlayer of the woodland on the subject lands is dominated by the highly invasive Dog-strangling Vine. Consistent with OP Policy 5.7.3.7.5, the report should consider opportunities for management of the species.
- As core features were not identified in the report, the statement in Section 5.2 that the



subject woodland is not anticipated to provide a high-quality linkage between core features is not understood. Regardless, it appears that the linkage function of the woodland to wetland and woodland immediately north of Escarpment Sideroad has been impacted by the clearing and development activities. This should be reflected in the report.

- Section 6.2 inappropriately indicates that there are no Significant Woodlands identified in the study area or adjacent properties as an assessment was not completed. The report must be revised to include an assessment as outlined in preceding comments. Any woodland identified as Core Woodland or Other Woodland is considered Significant Woodland in the Town's OP.
- Section 6.3 indicates that there are no Significant Valleylands as none are identified on mapping. The study must assess whether any are present based on the conditions present and Official Plan criteria. Notably, Credit Valley Conservation mapping displays a tributary of Black Creek in the lowland adjacent to the site.
- The Significant Wildlife Habitat (SWH) assessment in Section 6.4 must include all SWH identified within 120 m of the subject lands that were identified in Appendix B. Additionally, Appendix B must assess all of the Special Concern species discussed in Section 4.2/Appendix A under the Special Concern and Rare Wildlife Species category. The inclusion of Butternut in this category is inappropriate.
- Section 7.0 only discusses the elements of the proposal outlined in the NEC RFC. The report must assess all development for policy conformance including both the event venue (parking lot and associated driveway, grading, pathways/entranceways, and tents) and agricultural uses (vineyards).
- Section 7.0 indicates that the clearing of vegetation was focused on removing dead Ash trees and references the Town's Woodland Conservation Bylaw. It is not clear when the clearing took began relative to the submission of the NEC Development Permit application on June 17, 2022. However, it appears that at least a portion of the tree clearing took place after that date. Consistent with 7.1.4 (v) of the bylaw, it is inappropriate to consider tree removals under the bylaw when the lands are subject to a NEC Development Permit application (i.e., they must be considered through Official Plan policy). It is appropriate to consider any removals that took place prior to the submission of the application under the bylaw. However, it appears that permissions under the bylaw have been improperly discussed. As per 7.1.1 (iii) of the bylaw, up to 20 trees can be removed without a permit provided that their removal will not reduce the number of trees below the minimum number necessary to constitute a woodland. As indicated throughout the report, the woodland was partially cleared to accommodate development. As such, it appears that removals occurred such that former woodland areas are no longer woodland. The report must be revised to account for all clearing activities and when they occurred and discuss associated policy/bylaw conformance.
- The impact and mitigation analysis in Section 8.0 is not acceptable as it:
  - Appears to have omitted adjacent lands where many features and functions are located. The identification of a buffer from development that is necessary to ensure no negative impacts is required.
  - Considers land clearing a short-term impact when it is permanent.
  - Considers the former bird habitat in the development area to be low-quality without the benefit of any bird surveys and indicates that its removal is unlikely to affect bird populations without any rationale. Successional areas often contain higher bird diversity than forested habitats and habitat removal and adjacent



- development is known to affect the presence and abundance of birds in an area.
- Indicates that suburban wildlife is anticipated to be present in the woodland when the subject lands are in a rural area with minimal residential development.
- Indicates the erosion and sediment control (ESC) fencing will be implemented. However, the development is already in place and it doesn't appear that such fencing was implemented (for example refer to the pictures included in the PJR which display bare graded areas without ESC fencing).
- Indicates that impacts from lights will be low because there is existing lighting from adjacent properties and the urban environment when the subject lands are in a rural area with minimal residential development.
- Indicates that noise impacts will be confined to areas within direct vicinity of the site but the noise report indicates that the loud speaker system, even when operated to limit noise, will cause 60 dB of noise within the edge of the nature reserve to the south and 33dB of noise 500m away on the opposite side of the nature reserve. While it is agreed that this is a moderate impact, it is not agreed that it is acceptable because wildlife is likely accustomed to noise from quarry operations, roads and residential properties. The subject lands are in a rural area with minimal residential development and traffic, the quarry is located 900+m away and the events will operate into the night. Therefore, this rationale is not accepted, and the moderate impact must be mitigated.
- Section 9.0 assessed incorrect natural heritage policy as outlined in the preceding comments.
- Once the report is revised to address all preceding comments, Section 10.0 must be revised accordingly.

## **Second Submission Comments**

### **Response to Comments:**

- It is indicated that the vineyard was established in 2019 by replacing existing apple orchards that were in production since 1998. There is no evidence of apple orchards on aerial imagery dating back to 2001. Additionally, the EIS did not identify an apple orchard on the property including in the wooded area. Rather, it identified portions of the now cleared wooded area as woodland and other portions that were previously cleared as appearing to have been woodland. Further, there is no evidence of clearing or a vineyard anywhere on the property in the 2020 aerial. The 2021 aerial displays the establishment of vines in the existing manicured area adjacent to the dwelling but none in the wooded area. Based on the foregoing, there does not appear to have been any agricultural use in the former wooded area that has now been cleared.
- It is indicated that the applicant disagrees with the Town's comment that a peer review of the EIS will be required. Further, it is indicated that because CVC has conducted several site visits, provided detailed mapping of their regulated area to ensure the vineyard would be located outside of it, and their final site visit was before they were prohibited from commenting from a natural heritage perspective, their comments should not be disregarded or discounted. The Town no longer requires a peer review of the EIS as the review of the EIS is contained herein. Further, comments from CVC are not being disregarded or discounted. As outlined above, discussion with CVC confirmed that their January 2023 comments were solely from their regulatory perspective. Their regulatory perspective does not include woodlands. Therefore, their advice relating to the limits of





the regulated area is not relevant to the protection of woodlands. Further, CVC confirmed that they never indicated to the applicant that the wooded area did not qualify as a woodland or Core Woodland. Further, they indicated that observations from their 2022 site visit indicated that the wooded areas that were present at that time and now have been removed appeared to support woodland tree density.

- It is indicated that the vegetation that was removed as well as the remaining woodland does not represent Significant Woodland as defined by the Peel-Caledon Significant Woodlands and Significant Wildlife Habitat Study (June 2009). This statement is made in the Technical Memorandum #1 without any supporting rationale. More importantly, the relevant policy test is whether the wooded area meets/met Official Plan criteria for woodland, Core Woodland, and/or Other Woodland; the latter two constitute Significant Woodlands in the Town and associated policy conformance must be demonstrated as outlined above.
- It is indicated that the mowing/mulching of early successional vegetation around the domestic apple trees and removal of invasive vegetation, trees and dead ash is allowed by the Town's Woodland Conservation Bylaw. It is not clear what provisions of the bylaw are being invoked; however, that statement appears to be inaccurate as trees as defined in the bylaw of any size that are located within a woodland are regulated, there are no provisions in the bylaw related to invasive vegetation, and hazard trees must have a target which cannot be considered to be present given the proposal has not been approved. Additionally, it is indicated that Municipal Law Enforcement had no concerns about the location of the current and future vineyards and that they approved the expansion of the vineyards towards Escarpment Sideroad. As outlined above, discussion with MLE staff indicated that these statements are incorrect.
- The response to Regional comment #5 indicates an understanding that the intent of ROP Core Woodland designation is to protect the highest quality features in a contiguous network and appears to posit that the woodland area that has been cleared on the property was low quality. This is a misunderstanding of the ROP which indicates that woodlands only need to meet one of various criteria to qualify as Core Woodlands that includes woodland size which is unrelated to quality or contiguity. Further, the subject portion of the mapped Core Woodland is part of a 274ha mapped Core Woodland polygon which is contiguous with other mapped Core Woodland areas in Peel and woodland beyond Peel which stretch for kilometers. It is not appropriate to assess the subject portion of the mapped Core Woodland in isolation.
- The response to Regional comment #5 also indicates that early successional trees colonized the wooded area following the cessation of mowing. Inspection of aerial imagery reveals no evidence of mowing in the wooded area since at least 2001. This suggests that there has not been an active agricultural operation in the wooded area for two and a half decades at minimum.

Burnside Technical Memorandum #1:

- An updated figure of existing conditions dated May 9, 2023 is referenced. This was not found. However, Figure 2 dated October 26, 2023 displays additional wooded area removal beyond the 2023 aerial imagery available to the Town. The memo indicates that all 2023 work was completed within the Rural Lands designation. As noted above, it is not appropriate to rely on OP mapping. One purpose of an EIS is to identify any areas that meet EPA and Other Woodland criteria and demonstrate associated policy



conformance. Any areas that qualify as EPA shall be designated EPA.

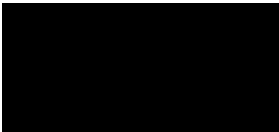
- The memo summarizes Significant Wildlife Habitat findings from the EIS. Note that SWH comments on the EIS have been provided above that should be addressed.

Acorn Tree Care Arborist Memo:

- It is indicated that the wooded area removals focused on hazard trees that posed a threat to existing buildings and the proposed site for the wedding venue and vineyard. It is not clear what existing buildings are referenced, but no existing buildings are relevant to the cleared woodland area. As the wedding event venue and vineyard are proposed (despite being implemented), it is not appropriate to consider them a target for hazard tree removal. The statement that the tree maintenance program "was developed as part of the creation of a vineyard and wedding venue" highlights that hazards trees were inappropriately identified and removed before the use was approved.
- It is indicated that the wooded area removals also focused on invasive species removal. Invasive species removal is supported to rehabilitate a natural area. It is not appropriate to remove invasive species in order to establish a development area. In other words, invasive species can be managed within a protected woodland but their removal can't be used to disqualify a woodland from being considered as such.
- It is indicated that the wooded area removals adhered to the standards of all Town bylaws. As outlined in various comments above, this appears to be inaccurate.

End of Comments

Regards,



Jason Elliott, Senior Environmental Planner  
905-584-2272 ext. 4420



June 25, 2024

Brandon Henderson  
Niagara Escarpment Commission  
232 Guelph Street  
Georgetown, ON L7G 4B1

## Public Works

10 Peel Centre Dr.  
Suite A  
Brampton, ON  
L6T 4B9  
tel: 905-791-7800

[peelregion.ca](http://peelregion.ca)

**Re: Application for NEC Development Permit  
2521 Escarpment Side Road  
Caledon  
NEC File: P/C/2022-2023/175  
Region File: NEC 175 (2022-2023)**

Dear Brandon Henderson,

Region of Peel staff have reviewed the above noted application, attended a site visit on the subject property on April 12, 2024, and reviewed Town of Caledon (the "Town") Planning and Natural Heritage staff comments submitted to Niagara Escarpment Commission (NEC) staff via email on May 22, 2024. Regional staff offer the following revised comments for NEC staff to consider as part of their review of this proposal.

### Revised Comments:

- In the 'Second Submission Response to Agency Comments' (November 7, 2023), the existing vineyards as depicted on the revised Site Plan (October 12, 2023), do not match the existing area as identified in the 'First Submission' Site Plan (June 1, 2022). The revised Site Plan does not clearly define the limits of the existing and future vineyards, nor the size. It is also noted that the depicted existing and future vineyards are located within woodlands on the subject property that are designated as Core Area of the Greenlands System in the Region's Official Plan. The Region does not support the establishment of new agricultural, agriculture related, and on-farm diversified uses within a Core Area. Additional comments speaking to Core Area policies, permissions, and restrictions can be found later in this letter.
- The 'Comment Response Matrix prepared November 7, 2023' states that a winery is not proposed for the subject lands. Whereas, the 'Planning Justification Report' (PJR), completed by Riepma Consultants Inc (October 19, 2022), states a winery is proposed on the subject lands. Town comments also address inaccuracies and inconsistencies with the submitted PJR and Regional staff are in support of the Town's review and comments.
- The subject property is located in the regulated area of the Credit Valley Conservation Authority (CVC). The Region relies on the environmental expertise of the CVC for the review of development applications located within or adjacent to the Conservation Authority regulated areas in Peel and the impact of natural hazards on the proposed development. We therefore request that the NEC staff

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consider comments from the CVC and incorporate their requirements appropriately, to the satisfaction of the CVC.

As you are aware, due to changes to the *Conservation Authorities Act*, made through the *More Homes Built Faster Act*, CVC is no longer providing technical review comments on natural heritage and other non-natural hazard related matters. As such, CVC is unable to provide comment on the Environmental Impact Study (October 2022) and Technical Memorandum #1 (November 2, 2023) completed by R. J. Burnside, and the Arborist Report (November 6, 2023) completed by Acorn Tree Care. Due to the change in responsibilities of the CVC, Regional staff indicated to the Agent on file via email on January 15, 2024, that Regional staff were waiting to receive comments from the Town regarding the environmental review of the application. Regional staff are in receipt of the Town's comments and are satisfied with the Town's review of the above-mentioned study, memorandum, and report. Regional staff will therefore not pursue a separate peer review of the aforementioned submission materials and are in support of the Town's comments.

### Continuing Comments:

- Under the Niagara Escarpment Plan (NEP) the subject lands are designated as Escarpment Protection Area (NEP 1.4). Within this designation, single dwellings and agricultural uses (vineyard) are permitted. However, the proposed winery (agriculture-related use/on-farm diversified use) and seasonal commercial wedding and event venue (on-farm diversified use) are only permitted within prime agricultural areas, and the subject property is not within a prime agricultural area as designated in the Region or Town's Official Plans. The applicant must confirm that the proposed development meets all applicable provisions of the Niagara Escarpment Plan (NEP) and is satisfactory to the NEC.
- Please be advised the woodlands on the subject property are designated as Core Area of the Greenlands System in Peel in the Region's Official Plan, meet criteria for identification as a Woodland Core Area in the Town's Official Plan, and are considered to be significant woodlands in accordance with the policies of the Region and Town's Official Plans. These policies implement the provincial direction to identify, designate, and protect significant woodlands. It is recommended that the NEC apply the Region's criteria in determining woodland significance in the NEP Area in the absence of detailed criteria for identifying significant woodlands in the NEP Area by the Ministry of Natural Resources. The criteria for consideration can be found in the Core Area, Natural Area and Corridor, and Potential Natural Area and Corridor policies of the Region's Official Plan as well as Table 1. The policies and criteria are based on a technical study (Peel-Caledon Significant Woodlands and Significant Wildlife Habitat Study Final Report, June 2009) that was completed jointly by the Region and Town as a part of a previous review of the Region and Town's Official Plans.
- The subject land is located within a Core Area of the Greenlands System in Peel as identified under policy 2.3.2 of the Region's Official Plan and a Core Woodland of the Greenlands System in Peel as identified under policy 2.3.2.2 of the Regional

## Public Works

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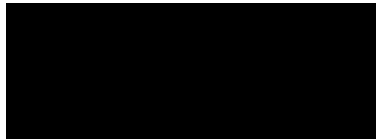
[peelregion.ca](http://peelregion.ca)

Official Plan. Development and site alteration are prohibited in Core Areas of the Greenlands System, with exceptions for certain uses identified in policy 2.3.2.6. Agricultural uses, agriculture-related uses, and on-farm diversified uses are not identified as exceptions per policy 2.3.2.6.

- The recent removal of Core Woodlands to establish a portion of the vineyard and commercial wedding and event use or further removals for any new or expanded agricultural use, agriculture-related use, or on-farm diversified use, is not supported by the Region's Official Plan policy 2.3.2.6. It is recommended that the NEC confirm and be satisfied on the significance of the woodland under the NEP, and how the removal of portions of the woodland to date meets the NEP Escarpment Protection Area and Development Criteria.

If you have any questions or concerns, please contact me at your earliest convenience at 905-791-7800 ext. 4349 or by email at: [Chrissy.Pelopidas@peelregion.ca](mailto:Chrissy.Pelopidas@peelregion.ca)

Yours truly,



Chrissy Pelopidas  
Planner, Development Services



**Credit Valley  
Conservation**  
inspired by nature

January 11, 2023

Niagara Escarpment Commission  
232 Guelph Street  
Georgetown, ON L7G 4B1

**Attention: Kim Peters**

**Re: P/C/2022-2023/175 (CVC File NEC 22/23/175)**  
[REDACTED]  
**2521 Escarpment Sideroad**  
**Part of Lot 10, Concession 1**  
**Town of Caledon**

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Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

1. Delegated Responsibilities – providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the *Provincial Policy Statement (2020)*;
2. Regulatory Responsibilities – providing comments to ensure the coordination of requirements under the *Conservation Authorities Act Section 28 regulation*, to eliminate unnecessary delay or duplication in process.

**CVC REGULATED AREA:**

The property contains portions of wetland (Credit Forks Provincially Significant Wetland Complex) and watercourses, as well as the associated floodplain, slope and erosion/meander belt hazards. CVC regulates 120 m from the boundaries of provincially significant wetlands (PSW) and 15 m from the greatest extent of hazards associated with the watercourses. As such, portions of the property are subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

**PROPOSAL:**

We understand that the proposal is to recognize the establishment of a commercial wedding and event venue taking place every year from May 30th to October 30th (a total of 6 months) on every weekend as an on farm diversified use on an existing 10.61 ha (26.23 ac) lot consisting of:

- a ± 360 sq m (± 3,875 sq ft) event tent (wedding)
- a ± 72 sq m (± 775 sq ft) catering tent
- ± 27 sq m (± 290 sq ft) portable toilet trailer
- ± 1,750 sq m (± 18,836 sq ft) asphalt parking lot to accommodate 125 vehicles

The materials provided also identify that works have occurred to support the operation of a vineyard on the property.

January 11, 2023

Re: P/C/2022-2023/175 (CVC File NEC 22/23/175)  
Mark & Elizabeth Krapez  
2521 Escarpment Sideroad  
Part of Lot 10, Concession 1  
Town of Caledon

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**COMMENTS:**


CVC staff attended a site visit on November 23, 2022 and completed a scoped review of the Environmental Impact Study (R.J. Burnside & Associates limited, October 2022). The following comments are made based on our regulatory responsibilities under the *Conservation Authorities Act* and Ontario Regulation 160/06.


The EIS notes that, "the development is located outside of Regulated Area" (Table 9-1, page 26). However, Figure 2 (Existing Conditions) of the EIS shows the "Cleared Area" extending into the "CVC Regulation Limit". The applicant is to note that any earthworks (e.g., placement of fill, site grading, etc.) does require a CVC permit. Please confirm whether earthworks were undertaken within the CVC Regulated Area. If development, including placement of fill or site grading, occurred within the Regulated Area, a CVC permit will be required, and CVC staff will advise on further information needed.

The owner and their representatives are to be aware that a portion of the property is regulated by CVC and any future development, including but not limited to the placement of fill or site grading, within the Regulated Area will require prior approval from CVC. We recommend early consultation should any future development be proposed on this property.

We trust that these comments are sufficient. If you have any questions or concerns, please do not hesitate to contact the undersigned at 905-670-1615 (x 325).

Sincerely,

  
Trisha Hughes  
Planner

cc:  (owner)  
Jim Wallace (agent)  
Niagara Escarpment Commission, Attn: Joe Muller, Eric Griffin, Brandon Henderson  
Region of Peel, Attn: Dylan Prowse and Christina Marzo  
Town of Caledon, Attn: Sean Kenney, Ayla Alves, Stewart McIntosh