
Stovel and Associates Inc.
Planners, Agrologists and Environmental Consultants

December 01, 2025

Genevieve Scott
978 1st Avenue W
Owen Sound, ON
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RE: Peer Review of AIA – CBM Caledon Quarry
18722 Main Street
Part of Lots 15-18, Concession 4 WSCR
Part of Lot 16, Concession 3 WSCR
(Former geographic Township of Caledon)
Town of Caledon
Region of Peel

Dear Ms. Scott:

Stovel and Associates Inc. (SAI) was retained by the Town of Caledon to complete a peer review of the 2nd submission by Colville Consulting Inc. (“Colville”) regarding the Agricultural Impact Assessment (“AIA”) for 18722 Main Street, Town of Caledon, Region of Peel. The following pages summarize the results of this peer review.

New Documentation Reviewed by SAI

The following documents/correspondence were reviewed as part of the 2nd submission:

- Red-Lined Site Plans for the Caledon Pit & Quarry (DRAFT), dated May, 2025 (MHBC Planning Urban Design and Landscape Architecture).
- CAART Response Attachments – Agriculture.
- CAART Matrix – Agriculture.
- Email Correspondence from Sean Colville to Stovel and Associates Inc., dated April 07, 2025.

In addition, SAI participated in a virtual meeting with Sean Colville and Town staff/consultants, CBM representatives, and Karen Bennett (CBM Planning Consultant) on September 26, 2025. No minutes were produced for this virtual meeting.

The CAART Response Attachments included the following attachments:

- A. Town of Caledon Official Plan Schedule A which included a delineation of the Licence Boundary and proposed Limit of Extraction.
- B. Region of Peel Official Plan Schedule D-1 & D-2. Schedule D-1 illustrated the designated areas of Prime Agricultural Areas, Rural Lands and Rural Settlements. Schedule D-2 included the High Potential Mineral Aggregate Resource Areas. The Licence Boundary and Limit of Extraction was illustrated on both Schedules D-1 and D-2.
- C. Assessment of Consistency with Agricultural Policy. This Attachment provided a planning conformity assessment with: Provincial Planning Statement (PPS) 2024; Aggregate Resources Act; Greenbelt Plan; Region of Peel Official Plan; Town of Caledon Official Plan. Of note, PPS 2024 provided new policy structure for the consideration of aggregate extraction in prime agricultural areas and the need to complete rehabilitation back to an agricultural condition. As well, the Growth Plan provisions no longer apply as the Province replaced the Growth Plan for the Greater Golden Horseshoe with PPS 2024.
- D. Corrections to Site Area and Related Impacts.

Documentation Reviewed By SAI as part of First Peer Review

The documents reviewed as part of the first peer review include the following:

- Agricultural Impact Assessment for CBM Caledon Pit/Quarry, Colville Consulting Inc., December 2022 (Revised July 2023).
- *Guidelines on Permitted Uses in Ontario Prime Agricultural Areas: Publication 851*. Ministry of Agriculture, Food and Rural Affairs, 2016.
- *Draft Agricultural Impact Assessment (AIA) Guidance Document*. Ministry of Agriculture, Food and Rural Affairs, 2018.
- Site Plans for Caledon Pit & Quarry Part of Lots 15-18, Concession 4 WSCR and Part of Lot 16, Concession 3 WSCR (former geographic Township of Caledon) Town of Caledon, Region of Peel, MHBC, August 2023.

Changes to Provincial Planning Policy and Implications with the Peer Review

The Provincial Planning Statement (PPS), 2024 is a streamlined province-wide land use planning policy framework that replaced both the [Provincial Policy Statement, 2020](#) and [A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019](#). It came into effect October 20, 2024.

As a result of changes to the PPS 2024, Colville noted that the Alternative Site Assessment is no longer required. Clarification was also provided by Colville regarding the use of the Hoffman Productivity Index (“HPI”). The HPI is no longer relevant to the AIA as it was used as part of the consideration of Alternative Sites. This represents a significant departure from the AIA that was submitted by Colville.

Also, PPS Policy 4.5.4.2 provides a new policy structure on when complete rehabilitation back to an agricultural condition is required. The following table sets out the differences

between the 2020 and 2024 policy regarding the need to complete rehabilitation to an agricultural condition. (SAI struck out the sections from PPS 2020 that no longer apply).

Table 1: Comparison of Provincial Policy – When Complete Rehabilitation to an Agricultural Condition is Not Required (2020 to 2024)

Provincial Policy Statement, 2020	Provincial Planning Statement, 2024
<p>2.5.4.1 (Extraction in Prime Agricultural Areas)</p> <p>Complete rehabilitation to an agricultural condition is not required if:</p> <p>a) outside of a specialty crop area, there is a substantial quantity of mineral aggregate resources below the water table warranting extraction, or the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible;</p> <p>b) in a specialty crop area, there is a substantial quantity of high quality mineral aggregate resources below the water table warranting extraction, and the depth of planned extraction makes restoration of pre-extraction agricultural capability unfeasible;</p> <p>c) other alternatives have been considered by the applicant and found unsuitable. The consideration of other alternatives shall include resources in areas of Canada Land Inventory Class 4 through 7 lands, resources on lands identified as designated growth areas, and resources on prime agricultural lands where rehabilitation is feasible. Where no other alternatives are found, prime agricultural lands shall be protected in this order of priority: specialty crop areas, Canada Land Inventory Class 1, 2 and 3 lands; and</p> <p>d) agricultural rehabilitation in remaining areas is maximized.</p>	<p>4.5.4.2 (Extraction in Prime Agricultural Areas)</p> <p>Despite policy 4.5.4.1.b), complete rehabilitation to an agricultural condition is not required if:</p> <p>a) the depth of planned extraction makes restoration of pre-extraction agricultural capability unfeasible; and</p> <p>b) agricultural rehabilitation in remaining areas is maximized.</p>

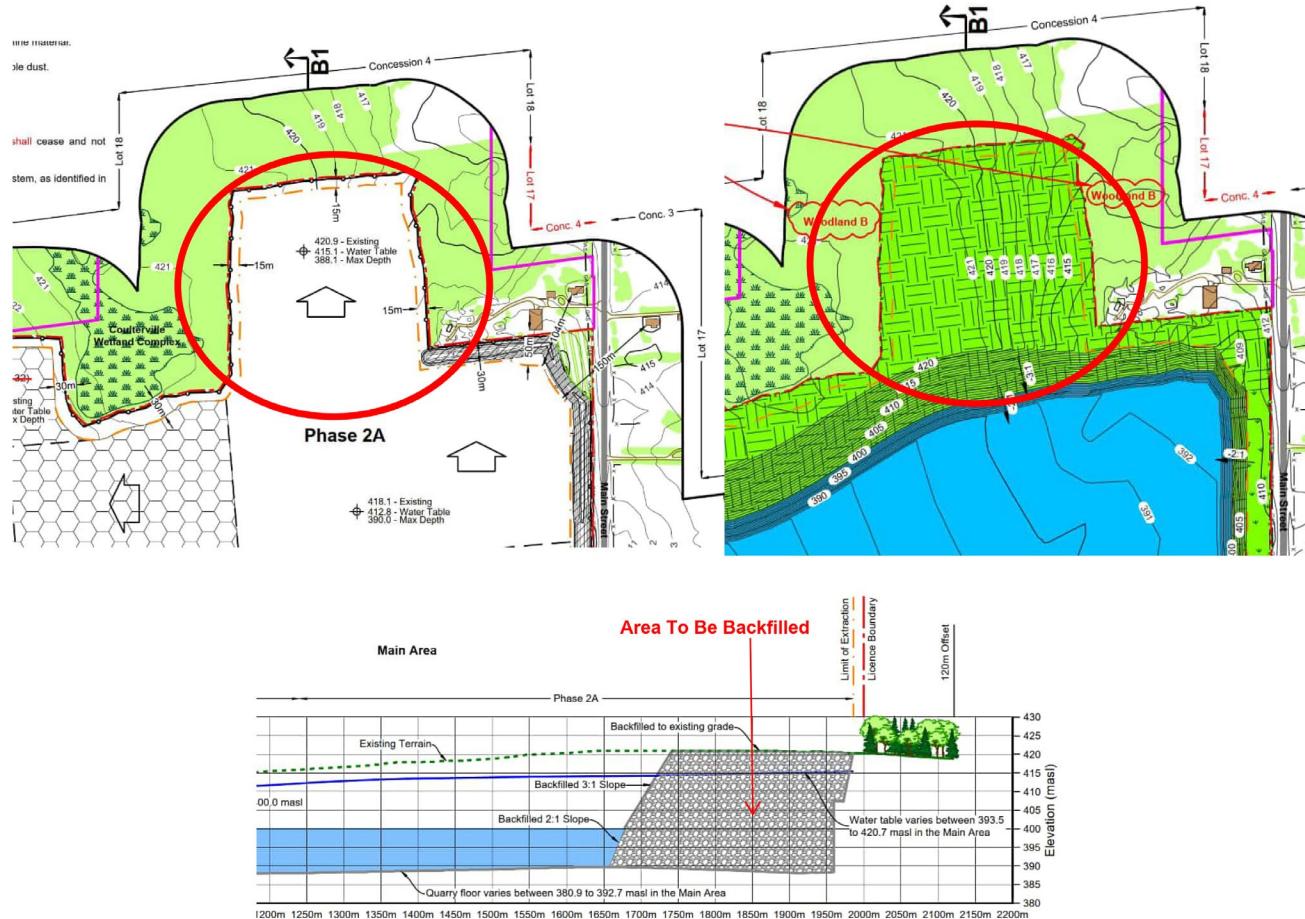
In considering PPS policy 4.5.4.2, Colville has made the determination that the proposed depth of the planned extraction makes restoration of pre-extraction agricultural capability unfeasible. No documentation was provided by Colville to support this conclusion. In discussions with Mr. Colville, he indicated that that all of the overburden is considered to

be sand and gravel that will be extracted.

Preliminary Review of Site Plans

The following excerpts include portions of the subject property from the Operations Page, Rehabilitation Page and Cross-Section of the Caledon Pit & Quarry Site Plan (MHBC, March 2025). The area in question is located in the Northeastern Portion of the Main Quarry and is identified as a part of Phase 2A in the Operations Plan. Extraction in this area extends well below the water table, i.e. estimated to be 27 m below the water table. The Rehabilitation Plan illustrates that this area will be restored to a tableland vegetation unit (described as a Woodland on the Site Plan). To achieve this, the Licensee will need to backfill the area with overburden. The source and volume of this backfill material is not documented in the AIA. The rehabilitation program for Phase 2A represents the type of restoration that SAI requested documentation and consideration by Colville.

SAI completed a preliminary volume calculation of material required for rehabilitation of Phase 2A. The rough calculated volume is estimated to be in excess of 1 million m³. The source of this material must be determined as Colville has indicated that all available overburden will be extracted and used a commercial source of sand and gravel resources.



Agricultural Rehabilitation in Remaining Areas is Maximized

In consideration of the provincial policy requirement to ensure that agricultural rehabilitation in remaining areas is maximized, the following factors should be considered:

- Provide a detailed description of the mineral aggregate operation, particularly as it relates to rehabilitation.
- From the Site Plan, identify what areas are proposed to be rehabilitated to a tableland condition.
- Provide a description of the onsite mineral aggregate resource (unconsolidated materials) with particular attention paid to the identification of onsite overburden that will not be used for the production of sand and gravel resources.
- Provide a Soil Budget identifying volume estimates for Topsoil, Subsoil and Overburden that will be stripped from the Area Proposed to be Extracted and compare that with soil requirements to meet the progressive and final rehabilitation needs for the subject site.
- Assess options for rehabilitation that could result in maximizing agricultural rehabilitation. For instance, could soil resources that are being proposed for use to establish side slopes be used to backfill the quarry floor (below the water table).
- Provide an evaluation of the potential for impacts on existing agricultural soils in the setback areas from site activities such as stockpiling soil resources and the creation of perimeter berming.
- Following the consideration of available soil resources and the anticipated water table elevations, identify areas (if any) that could be rehabilitated back to a table land condition. For instance, calculate the volume of material that will be used to create side slopes below the water table. Identify and discuss opportunities to use this material for agricultural rehabilitation purposes.

It is also recommended that, given that a portion of the site will be rehabilitated to a tableland condition, soil management measures be set out for inclusion on the Site Plan.

Colville should also review the Site Plan to ensure that all remaining lands with the setback areas are returned to an agricultural condition (where relevant) and if there are any opportunities to enhance existing agricultural lands. Opportunities for agricultural enhancement could include the southern portion of the North Quarry and the western portion of the Main Quarry. The goal of this analysis to maximize agricultural rehabilitation in the remaining areas of the subject property.

Removal of Prime Agricultural Land

The AIA and response in the CAART Comment Summary Table continue to indicate that the “proposed operation will remove approximately 119 ha of prime agricultural land from the agricultural land base”. However, Attachment D of the 2nd Submission indicates that *“the report should have stated that approximately 89.87 ha of prime agricultural land would be removed from the agricultural land base as a result of the proposed aggregate operation.”*

It would be helpful to provide a map and a table that describes the following for the PSA and the Area (i.e. North, South and West Areas):

- The Area (in hectares) and % Coverage of the Licence and Area to be Extracted per CLI Class.

This updated Table should replace Table 2 as described in Section 5.5.2 (page 24) of the AIA. This will help to clarify the statements made by Colville.

Assessment of Impacts - Agricultural Operations

SAI requested additional information with respect to Farm Operation No. 1 and recommended that a Farm Data Sheet be delivered to the owner of this property. Colville, in the CAART Comment Summary Table, Colville responded that:

“Farm Data Sheets are primarily used to calculate MDS setback requirements. Given that the MDS Formulae do not apply to aggregate operations, Farm Data Sheets were not provided to landowners within the Study Area.”

It is understood that Farm Data Sheets can be used to calculate MDS requirements, but the information provided by the farmer can also verify the type and number of livestock, type of manure treatment systems and size and type of barns. SAI is requesting this type of information on Farm Operation No. 1.

SAI requested information on the farms associated with the Primary Study Area (i.e. the lands subject to the planning and licence application). These lands are either owned or controlled by CBM. Colville responded in the CAART Comment Summary Table that,

“Nutrient Management Plans (NMPs) are not publicly available and attempts to obtain any possible NMPs from landowners in the Study Area is not a required component of an AIA, nor contemplated in OMAFRA’s Draft AIA Guidance Document”.

SAI requests that Colville advise whether any of the livestock farms within the PSA have a NMP.

Fragmentation of Agricultural Lands

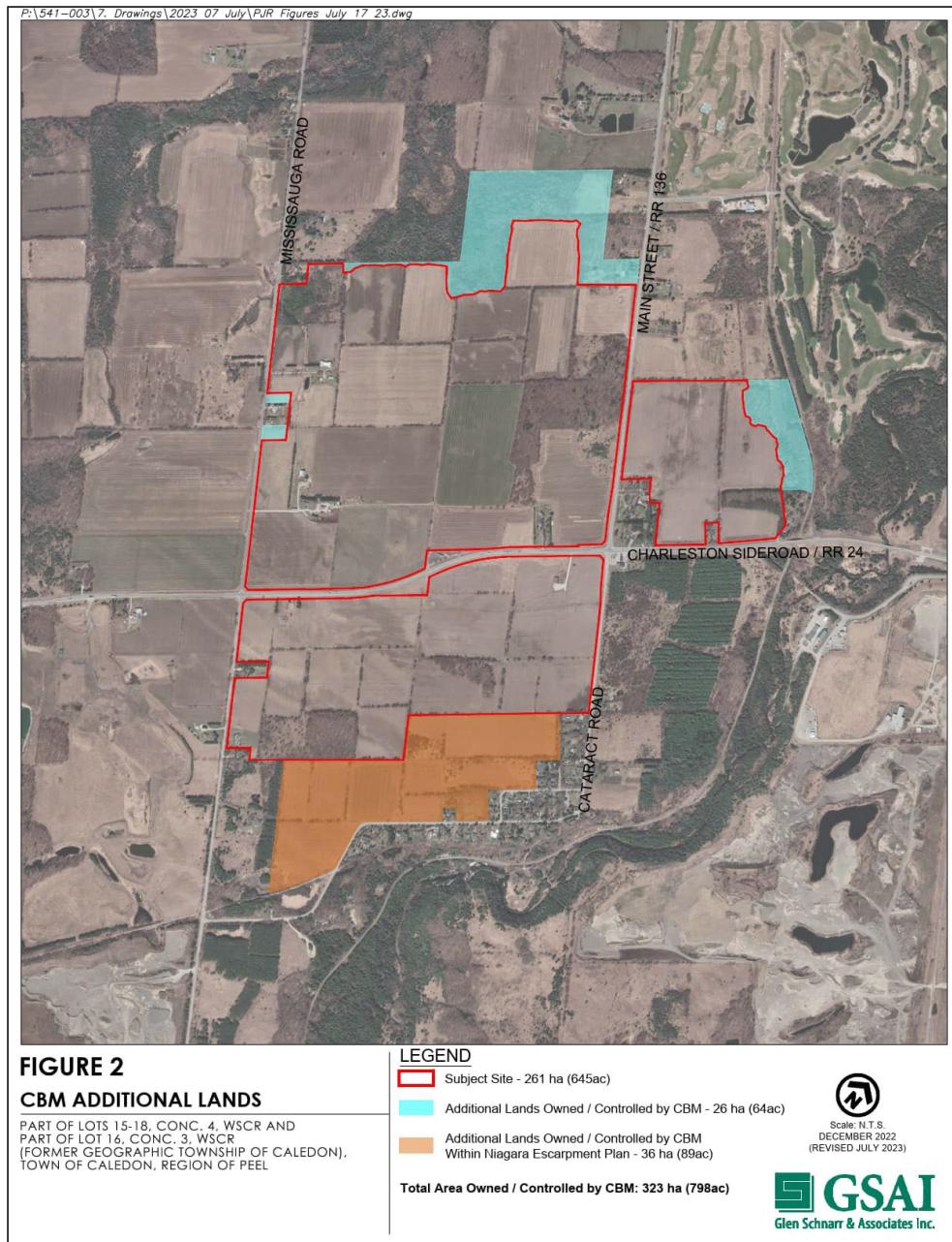
The AIA and supplementary information provided in the 2nd Submission do not address following comments related to future ownership of the CBM additional lands.

Section 6.1.2 notes that CBM owns/controls 323 ha. SAI requested a map in the AIA that illustrates what lands are owned vs controlled by CBM. Colville stated in the CAART Comment Summary Table that he is unaware of any map that has been prepared showing this information. The following Figure (CBM Additional Lands) has been extracted from the Planning Report prepared by GSAI. This figure illustrates the additional lands owned by the applicant. It is my understanding that since the preparation of the this figure, CBM has purchased another property and it is anticipated that this map will be updated. It is assumed that there are no additional lands owned (or under Agreement) by CBM. The AIA notes that 258 ha are currently cultivated, but clarification as to the extent of lands that will be removed from production would be helpful.

Given the existing lot fabric within the PSA and the SSA, it is possible that over 15 separate rural parcels could have access to the quarry lakes.

- Will the lands associated with the development will remain in one consolidated land parcel (lot lines merge) or will the existing lot lines be maintained?
- Will the future ownership and use of the subject property (and adjacent lands owned or leased by the applicant) conform to the uses associated with the PAA or will the development of a large recreational lake area result in pressure to develop the lands for more intensive non-agricultural land uses in the future?

This ownership and resulting lot fabric on the subject property should be described by Colville. The potential for impacts on the adjacent agricultural system should be addressed. Future potential impacts related to MDS 2 setbacks should be evaluated by the agricultural consultant. Mechanisms to mitigate potential impacts, including the use of agricultural easements, should be evaluated to ensure no future impacts on the agricultural system result from the proposed development.



Agricultural Technical Recommendations

The Site Plan lists two recommendations related to Agricultural Technical Recommendations. These are as follows (the strike through was completed by SAI to illustrate a recent red-line change on the Site Plans):

- ♦ *Lands that are currently in agricultural production and not required for immediate extraction and site preparation shall be kept in agricultural production for as long as possible.*

- ◆ *The Licensee shall document any complaints involving the local agricultural community and as part of the annual Compliance Assessment Report shall provide information to MNRF on the nature of the complaint and actions taken by the licensee to address the issue.*

SAI requests clarification as to the reason why the strike through of the words “*for as long as possible*” was completed.

As previously noted, SAI notes that the Site Plan does not include provisions for soil stripping, soil storage and soil re-application procedures. Colville addressed this comment in the CAART Comment Summary Table: *“If the lands were to be rehabilitated for an agricultural afteruse, the notes would have provided much more detail based on the agricultural rehabilitation procedures outline in the Agricultural Impact Assessment Guidance Document. Addressing the provisions identified by CAART are necessary and important when rehabilitating the site back to an agricultural after use. However, the land within the extraction area will not be returned to an agricultural after use capable of producing arable crops. Therefore, there is no need to provide the specific provisions identify by CAART.”* SAI disagrees with this position. As shown previously in this letter report, Stage 2A is proposed to be rehabilitated for a Woodland. The same types of soil management measures need to complete agricultural rehabilitation will be needed to rehabilitate portions of the site to a Woodland condition.

Review of Agricultural Policies

Section 2 of the AIA provides an assessment of conformity with agricultural policies contained in the Provincial Policy Statement (“PPS”) 2020, Aggregate Resources Act (“ARA”), Greater Golden Horseshoe Growth Plan, Greenbelt Plan, Region of Peel Official Plan and Town of Caledon Official Plan. Comments related to the Provincial Planning Statement, 2024 were previously addressed in this letter report.

Additional analysis related to the ARA, Greenbelt Plan and Caledon Official Plan are requested, as noted below.

i) Aggregate Resources Act (ARA)

The CAART Comment Summary Table addresses ARA provision 12(1)(d), (f) and (g). These provisions from the ARA are copied below.

Matters to be considered

12 (1) In considering whether a licence should be issued or refused, the Minister or the Tribunal, as the case may be, shall have regard to,

- (a) the effect of the operation of the pit or quarry on the environment;***
- (b) the effect of the operation of the pit or quarry on nearby communities;***
- (c) any comments provided by a municipality in which the site is located;***
- (d) the suitability of the progressive rehabilitation and final rehabilitation plans for the site;***

- (e) any possible effects on ground and surface water resources including on drinking water sources;
- (f) any possible effects of the operation of the pit or quarry on agricultural resources;
- (g) any planning and land use considerations;
- (h) the main haulage routes and proposed truck traffic to and from the site;
- (i) the quality and quantity of the aggregate on the site;
- (j) the applicant's history of compliance with this Act and the regulations, if a licence or permit has previously been issued to the applicant under this Act or a predecessor of this Act; and
- (k) such other matters as are considered appropriate.

SAI disagrees with the response to 12(1)(d) given the previous comments in this letter report. There are inconsistencies in the statements made regarding the availability of overburden for rehabilitation purposes, yet Phase 2A appears to be entirely filled with overburden (assumingly from onsite sources) to create a tableland woodland. SAI roughly estimates that over 1 million m³ of material is required to bring this area into a tableland condition. Could this area be rehabilitated to an agricultural condition? Are soil management measures needed to ensure a productive end use for Phase 2A? Could a different area, i.e. the North Area, be rehabilitated to an agricultural condition using a similar volume of material?

ii) Greenbelt Plan

Colville provided an assessment of some of the Greenbelt Plan policies as it relates to agriculture in the Attachment C of the 2nd submission. The following statement was provided in the 2nd submission regarding conformity with Section 4.3.2.5 of the Greenbelt Plan:

"Although agricultural rehabilitation within the extraction area will not be feasible due to the depth of extraction, the proposed mineral aggregate extraction will result in the formation of a lake which will maintain connectivity to the agricultural system. The agricultural system is comprised of a group of inter-connected elements that collectively create a viable, thriving agri-food sector. The formation of a lake will result remove lands from agricultural land base, however the lake will not impact surrounding agricultural uses or the agri-food network."

Based on the information provided in the AIA and 2nd Submission, it is difficult to understand how connectivity of the agricultural system will be maintained. This should be explained. As well, the AIA and supporting supplemental information do not satisfy the intent of 4.5.4 of the PPS (which former PPS policies are referenced in the Greenbelt Plan). Further analysis and documentation is required.

iii) Town of Caledon Official Plan (Caledon Official Plan)

The AIA identifies the relevant policies and land use schedules. The following concluding

paragraph was included in the AIA under Section 2.6:

"A significant portion of the Subject Site consists of non-prime agricultural lands. The proposed CBM Caledon Pit/Quarry will result in substantial aggregate extraction below the water table and restoration of pre-extraction capability will be unfeasible. The final rehabilitation will not include plans for a return to an agricultural condition."

As previously noted, Phase 2A on the Site Plan illustrates an area that will be rehabilitated for a woodland condition. A substantial volume of backfill will be needed to complete this rehabilitation effort. Colville has previously indicated that overburden is not available for backfilling or rehabilitation purposes as it will all be used for commercial aggregates, yet Phase 2A appears to illustrate backfilling. Does this restoration effort represent an opportunity to rehabilitate a portion of the site to an agricultural condition? Could the backfill be used in another portion of the proposed quarry to restore to an agricultural condition? Could soil resources used for backfilling side slopes below the water table be used to restore a portion of the site to an agricultural condition?

These types of questions should be addressed/clarified by Colville prior to asserting that the proposal conforms to the Town's Official Plan policies.

SAI Comment on Town of Caledon Official Plan

The AIA should address the potential for conservation easements on the subject land and adjacent lands owned or under lease by the applicant, as a means to mitigate the potential loss of Prime Agricultural lands in the PAA. The conservation easement policy is set out in OP Policy 5.1.1.22:

5.1.1.22 Conservation Easements for Agricultural Land

5.1.1.22.1 The Town of Caledon will, in conjunction with the Province, Region of Peel, universities and non-government organizations encourage opportunities for the research into the use of conservation easements or other methods to promote agricultural land and to identify and develop partnerships with appropriate granting organizations with the potential to compensate landowners.

Colville has responded in the CAART Summary Table that "*This policy is intended to be addressed by the Town of Caledon and not the proponents of the aggregate operation.*" SAI will defer to the Town to determine if there is an opportunity to utilize a Conservation Easement for Agricultural Land on the CBM Land Holdings.

Closing

In closing, Stovel and Associates Inc. ("SAI") completed a second peer review of the Agricultural Impact Assessment ("AIA") and associated documents prepared in support of an application for a Pit & Quarry Licence in the Town of Caledon.

It is important to recognize that an AIA is required to describe the relevant agricultural policies and requirements contained in Provincial Plans, PPS and other applicable requirements such as the Aggregate Resources Act, as well as relevant agricultural policies and requirements contained in municipal, regional, or local official plans and zoning by-laws and explain how the proposed development is consistent with these policies. The current AIA is deficient in this regard and a revised AIA or supplementary report should be prepared to address these deficiencies. It is recognized that due to the fact that the PPS was replaced in 2024, significant portions of the analysis in the AIA is deemed to be inapplicable. However, a re-write of the report or a supplementary report is viewed as being essential.

At this stage, SAI is of the opinion that the AIA does not meet the requirements set out in the Planning Policy Framework. Further clarification and documentation is required.

Respectfully submitted,

Robert Stovel

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Robert L. Stovel, B.Sc.