Meetings called to order: Thursday, January 26, 2017 at 9:30 a.m.

Chair Don Scott presided.

Conflicts of Interest

None declared.

Introductions

The Chair welcomed Elizabeth Kerr and Sunny Zhai, Counsel for Ministry of Natural Resources and Forestry Legal Services Branch.
OPENING REMARKS AND PRELIMINARY MATTERS

Debbie Ramsay, manager, reviewed 2015 Coordinated Plan Review analysis process for the site-specific amendment applications to be reviewed at this meeting.

STAFF REPORT

Re: Coordinated Land Use Planning Review:
Final Recommendations to the Minister of Natural Resources and Forestry on Site Specific Amendments to the Niagara Escarpment Plan

OVERVIEW OF STAFF RECOMMENDATIONS ON THE SITE SPECIFIC AMENDMENTS TO THE NEP:

- NEC staff have evaluated each site specific amendment request based on factors that include:
  - Requirements of the NEPDA, including the applicant’s justification for the amendment.
  - Consideration of the purpose, objectives and policies of the NEP. Consideration of the May 2016 government’s proposed amendments to the NEP, and the Commission’s recommendations made in December, 2016, keeping in mind that until Cabinet makes its decision, the content of the final NEP remains unknown.
  - Whether requests for urban designations, servicing and uses have been supported through a municipal comprehensive review of urban land needs and growth areas, per the requirements of the Growth Plan.
  - Situations where the proposal may have merit, but staff have identified concerns that require further study, information and/or consultation in order to resolve. In some cases, Commission staff have identified whether the request is able to proceed through the normal NEP Amendment process (e.g. is not a request for an urban use or for one of the designations identified in section 6.1(2.2) of the NEPDA).

- In several cases, there was little or no justification provided by the applicant, which has made it extremely difficult for staff to evaluate the proposal in terms of the requirements of the NEPDA and the NEP. The absence of comments from many municipalities also made it difficult to assess how requests for urban designations and uses fit with their long term planning.

- Each amendment contains a recommendation that ‘the Commission recommend to the Minister that the amendment be supported or refused.'
RECOMMENDATION:

That the Niagara Escarpment Commission (NEC):
- support the staff recommendations set out in the attachments to this report and
- send the recommendations to the Minister of Natural Resources and Forestry as the NEC’s recommendations on applications for site specific amendments to the Niagara Escarpment Plan (NEP) made during the Review of the NEP.

Note: It was noted that any Plan Amendment Applications that do not seek a designation change to urban designations and urban uses may be considered at any time and do not have to wait until a Niagara Escarpment Plan Review.

P75R1/01-2017

Moved By: McQueen
Seconded By: Beattie

“That the Commission move in-camera.”

Motion Carried

P75R2/01-2017

Moved By: McQueen
Seconded By: Elgar

“That the Commission move out-of-camera.”

Motion Carried

AGENDA ITEMS – GROUP A

UA 01 – Mountain Road, Niagara Falls

City of Niagara Falls
Lands north of Mountain Road, between Garner Rd and Regional landfill
Lot 13 & 14 and Part Lots 7, 27 & 28, Stamford
City of Niagara Falls, Niagara Region

CURRENT NEP DESIGNATION:
Escarpment Natural Area and Escarpment Rural Area

PROPOSAL:
To remove the subject lands totalling approximately 168 hectares from the NEP Area, or alternatively, to re-designate the subject lands to Urban Area, to facilitate the development of Niagara Region’s Gateway Economic Zone.
RECOMMENDATION:
That the Commission recommend to the Minister that the proposal to remove the subject lands from the NEP Area be refused, and that the proposal to re-designate the subject lands to Urban Area be refused.

P75R3/01-2017
Moved By: Borodczak
Seconded By: Alexander

“That the Niagara Escarpment Commission accept the staff recommendation.”

Motion Carried

UA 7: Lincoln – King Street, Beamsville

Private Individual
4818 King Street (Beamsville)
Part Lots 14 & 15, Concession 4, Clinton
Town of Lincoln, Niagara Region

CURRENT NEP DESIGNATION:
Escarpment Rural Area

PROPOSAL:
To remove approximately 2.9 hectares of land designated as Escarpment Rural Area from the NEP Area on a 12.8 hectare property that also falls within the Protected Countryside of the Greenbelt Plan, and is also partially within the Beamsville settlement area.

SUMMARY RECOMMENDATION:
That the Commission recommend to the Minister that the proposed removal of lands from the NEP Area be refused.

P75R4/01-2017
Moved By: Beattie
Seconded By: Cambray

“That the Niagara Escarpment Commission accept the staff recommendation.”

Motion Carried

UA 8: Lincoln – Vineland

Vineland Missionary Church
Part Lot 1, Concession 5, Clinton
3874 Victoria Avenue (Vineland)
Town of Lincoln, Niagara Region

CURRENT NEP DESIGNATION:
Escarpment Protection Area
PROPOSAL:
To remove a 0.4-hectare portion of the 1.8-hectare Vineland Missionary Church property from the NEP Area because the majority of the property is outside of the NEP Area, and the portion within the NEP Area contains a portion of the church and the church parking lot.

SUMMARY RECOMMENDATION:
That the Commission recommend to the Minister that the amendment for a minor adjustment of the outer boundary of the NEP Area be approved, and by doing so remove the requested portion of the subject lands from the NEP Area.

P75R5/01-2017

Moved By: Cambray
Seconded By: Davidson

“That the Niagara Escarpment Commission accept the staff recommendation.”

Motion Carried

UA 25 – Paletta: 4300 Cedar Springs Road

Paletta International Corporation, P&L Livestock Limited
Diana Vlasic, Metropolitan Consulting (agent)
4300 Cedar Springs Road
City of Burlington, Region of Halton

CURRENT NEP DESIGNATION: Escarpment Protection Area and Escarpment Rural Area

PROPOSAL: Change designation of the portion of the subject lands that are currently designated Escarpment Protection Area to Escarpment Rural Area and delete the property from the Greenbelt Plan.

RECOMMENDATION: That the Niagara Escarpment Commission recommend to the Minister that the application be refused.

Note: A letter emailed from Turkstra, Mazza Associates, Lawyers, was received on January 25, 2017 in reference to all Plan Amendment Applications received from Paletta International Corporation and P & L Livestock Limited. Copies of the letter were provided to the Commission. Staff analyzed the additional information provided in the letter, and concluded that the information did not alter the Staff Recommendations.

P75R6/01-2017

Moved By: Elgar
Seconded By: Greig

“That the Niagara Escarpment Commission accept the staff recommendation.”

Motion Carried
**UA 26 - Paletta: 2800 No. 2 Sideroad**

Paletta International Corporation, P & L Livestock Limited  
Diana Vlasic, Metropolitan Consulting Inc. (Agent)  
Part Lots 12 & 13, Conc. 2 NDS  
2800 No. 2 Sideroad  
City of Burlington, Region of Halton

**CURRENT NEP DESIGNATION:** Escarpment Natural Area and Escarpment Protection Area.

**PROPOSAL:** To change the designation to Escarpment Rural Area or delete the property from the Niagara Escarpment Plan.

**RECOMMENDATION:** That the Commission recommend to the Minister that the application to change the designation to Escarpment Rural Area or remove the property from the Niagara Escarpment Plan should be refused.

**P75R7/01-2017**  
Moved By: Borodczak  
Seconded By: Louis

“That the Niagara Escarpment Commission accept the staff recommendation.”  

*Motion Carried*

**UA 27 – Paletta: 3050 Guelph Line**

Paletta International Corporation, P&L Livestock Limited  
Diana Vlasic, Metropolitan Consulting Inc. (Agent)  
3050 Guelph Line  
City of Burlington, Region of Halton

**CURRENT NEP DESIGNATION:** Escarpment Natural Area and Escarpment Protection Area

**PROPOSAL:** Change the designation of the property from Escarpment Natural Area and Escarpment Protection Area to Escarpment Rural Area or delete the property from the Niagara Escarpment Plan Area.

**RECOMMENDATION:** That the Commission recommend to the Minister that the application should be refused.
P75R8/01-2017  Moved By:  Elgar  
Seconded By:  Cambray  

“That the Niagara Escarpment Commission accept the staff recommendation.”  
Motion Carried

C2  
Staff Report  
Appeal against the decision of the Committee of Adjustment for the Town of Grimsby to approve Consent Application No. B02/17  
Adrian, Evelyn, Frederick & Katherine Koorneef  
314 Main Street East, Town of Grimsby, Region of Niagara  

PURPOSE  
To request confirmation by the Niagara Escarpment Commission (NEC) of an appeal filed by the NEC through the Chair to the Ontario Municipal Board against a decision by the Committee of Adjustment for the Town of Grimsby to approve a consent that would permit the creation of a building on lands designated Urban Area, Escarpment Natural Area and Escarpment Protection Area, regardless of NEC objections submitted to the Town of Grimsby on December 23, 2016.

RECOMMENDATION  
That the NEC confirm the appeal against the decision of the Committee of Adjustment for the Town of Grimsby to approve Consent Application No. B02/17.

P75R9/01-2017  Moved By:  Beattie  
Seconded By:  Borodczak  

“That the Commission move in-camera.”  
Motion Carried

P75R10/01-2017  Moved By:  Louis  
Seconded By:  Bordczak  

“That the Commission move out-of-camera.”  
Motion Carried

P75R11/01-2017  Moved By:  Louis  
Seconded By:  Little  

“That the Commission accept the Staff Report.”  
Motion Carried
BACKGROUND

The purpose of this report is to inform the Niagara Escarpment Commission (NEC) with respect to a Minor Variance application proposing development within the Niagara Escarpment Plan (NEP) area. This application was not previously brought before the NEC, but the final decision yet to be made on the application will have a direct impact on the policies of the NEP.

In December of 2015, NEC staff responded to the Town of Grimsby Committee of Adjustment’s (C of A) request for comments on the application which at that time requested variances to certain minimum yard setbacks (excluding a rear yard variance), a variance to the maximum lot coverage, and a variance to the maximum building height, to accommodate the development of a specific building plan for a single dwelling on a vacant lot. Schedule 1 (attached) shows a site plan with an overlay of the applicable NEP designations. In this area of the NEP, the Development Control area does not cover the lots within Corporation Plan No. 4. Accordingly, the Development Control area boundary runs along the subject property and excludes it.

NEC staff recognized that, as an agency of interest to the outcome of this case, but having no status in the proceedings, it would be prudent to contact the OMB and request a copy of the OMB decision on behalf of the NEC.

P75R12/01-2017

Moved By: Cambray
Seconded By: Beattie

“That the Commission receive the Staff Report.”

Motion Carried

INFORMATION REPORTS – G Package

P75R13/01-2017

Moved By: McQueen
Seconded By: Davidson

“That the Commission receive the “G” package.”

Motion Carried
UA 28 – Paletta: 4257 Guelph Line

Paletta International Corporation, P & L Livestock limited
Diana Vlasic, Metropolitan Consulting Inc. (Agent)
Pt. Lots 13, 14, & 15, Conc. 2 NDS
4257 Guelph Line
City of Burlington, Region of Halton

CURRENT NEP DESIGNATION: Escarpment Natural Area, Escarpment Protection Area, Escarpment Rural Area, and a small portion of the Mount Nemo Minor Urban Centre.

PROPOSAL: To change the designation the entire property Escarpment Rural Area or to remove the property from Niagara Escarpment Plan.

RECOMMENDATION: That the Commission recommend to the Minister that the application be refused.

P75R14/01-2017

Moved By: Borodczak
Seconded By: Louis

“That the Niagara Escarpment Commission accept the staff recommendation.”

Motion Carried

UA 29 – Paletta: 3075 Dundas Street

Paletta International Corporation, P & L Livestock limited
Diana Vlasic, Metropolitan Consulting Inc. (Agent)
Lot 15, Con. 1, 3075 Dundas Street
City of Burlington, Region of Halton

CURRENT NEP DESIGNATION: Escarpment Protection Area, Escarpment Rural Area

PROPOSAL: To remove the property from the Niagara Escarpment Plan (NEP) or to remove the portion of the property designated as Escarpment Natural Area from the Niagara Escarpment Plan.

RECOMMENDATION: That the Commission recommend to the Minister that the application be refused.

P75R15/01-2017

Moved By: Greig
Seconded By: Louis

“That the Niagara Escarpment Commission accept the staff recommendation.”

Motion Carried
**UA 30 – Paletta: 4267 Walker’s Line**

Paletta International Corporation  
Diana Vlasic, Metropolitan Consulting Inc. (Agent)  
Lt. 9, Conc. 2, 4267 Walker’s Line,  
City of Burlington, Region of Halton  

**CURRENT NEP DESIGNATION:** Escarpment Protection Area and Escarpment Rural Area  

**PROPOSAL:** To change the designation of a portion of the property to Escarpment Rural Area from Escarpment Protection Area; remove property from the Niagara Escarpment Plan (NEP)  

**RECOMMENDATION:** That the Niagara Escarpment Commission recommend to the Minister that the application should be refused.  

**P75R16/01-2017**  
Moved By: Baty  
Seconded By: Horner  

“That the Niagara Escarpment Commission accept the staff recommendation.”  

Motion Carried  

**UA 31 – 1041 Dundas Street**

Paletta International Corporation, P&L Livestock  
1041 Dundas Street  
City of Burlington, Region of Halton  

**CURRENT NEP DESIGNATION:** Escarpment Rural Area  

**PROPOSAL:** To remove the property from the Niagara Escarpment Plan (NEP).  

**RECOMMENDATION:** That the Commission recommend to the Minister that the application be refused.  

**P75R17/01-2017**  
Moved By: Borodczak  
Seconded By: McQueen  

“That the Niagara Escarpment Commission accept the staff recommendation.”  

Motion Carried
UA 32 – Paletta: 1155 Dundas Street

Paletta International Corporation, P&L Livestock

Lt. 23, Conc. 4 NDS
1155 Dundas Street
City of Burlington, Region of Halton

CURRENT NEP DESIGNATION: Escarpment Rural Area

PROPOSAL: To remove the property from the Niagara Escarpment Plan (NEP).

RECOMMENDATION: That the Commission recommend to the Minister that the application be refused.

P75R18/01-2017

Moved By: Elgar
Seconded By: Horner

“That the Niagara Escarpment Commission accept the staff recommendation.”

Motion Carried

UA 34 – Paletta: 3151 Dundas Street

Paletta International Corporation, P&L Livestock
3151 Dundas Street
City of Burlington, Region of Halton

CURRENT NEP DESIGNATION: Escarpment Natural Area, Escarpment Protection Area, Escarpment Rural Area

PROPOSAL: To remove property from the Niagara Escarpment Plan (NEP).

RECOMMENDATION: That the Commission recommend to the Minister that the application be refused.

P75R19/01-2017

Moved By: Baty
Seconded By: McQueen

“That the Niagara Escarpment Commission accept the staff recommendation.”

Motion Carried

Broke for lunch at 11:55 a.m.
Reconvened at 12:45 p.m.
AGENDA ITEMS – GROUP A (continued)

UA 35 – Paletta: 3415 Cedar Springs Rd.

Paletta International Corporation, P&L Livestock
3415 Cedar Springs Road
City of Burlington, Region of Halton

CURRENT NEP DESIGNATION: Escarpment Rural Area

PROPOSAL: To remove the property from the Niagara Escarpment Plan (NEP).

RECOMMENDATION: That the Commission recommend to the Minister that the application be refused.

P75R20/01-2017
Moved By: Louis
Seconded By: McQueen

“That the Niagara Escarpment Commission accept the staff recommendation.”

Motion Carried

UA 36 – Paletta 2260 No.1 Sideroad

Paletta International Corporation, P&L Livestock
2260 No.1 Sideroad
City of Burlington, Region of Halton

CURRENT NEP DESIGNATION: Escarpment Natural Area, Escarpment Protection Area.

PROPOSAL: To remove the property from the Niagara Escarpment Plan (NEP) and to change the designation on a portion of the subject lands from Escarpment Protection Area to Escarpment Natural Area.

RECOMMENDATION: That the Commission recommend to the Minister that the application be refused.

P75R21/01-2017
Moved By: Cambray
Seconded By: Louis

“That the Niagara Escarpment Commission accept the staff recommendation.”

Motion Carried


**UA 37 – Paletta 2161 No.1 Sideroad**

Paletta International Corporation, P&L Livestock  
2161 No.1 Sideroad  
City of Burlington, Region of Halton

**CURRENT NEP DESIGNATION:** Escarpment Rural Area

**PROPOSAL:** To delete property from the Niagara Escarpment Plan (NEP) Area.

**RECOMMENDATION:** That the Commission recommend to the Minister that the application should be refused.

**P75R22/01-2017**  
Moved By: Louis  
Seconded By: Greig

“That the Niagara Escarpment Commission accept the staff recommendation.”

*Motion Carried*

**UA 38 – Paletta 4335 No.1 Sideroad**

Paletta International Corporation, P&L Livestock  
4335 No.1 Sideroad  
City of Burlington, Region of Halton

**CURRENT NEP DESIGNATION:** Escarpment Natural Area, Escarpment Rural Area

**PROPOSAL:** To remove property from the Niagara Escarpment Plan (NEP).

**RECOMMENDATION:** That the Commission recommend to the Minister that the application be refused.

**P75R23/01-2017**  
Moved By: Borodczak  
Seconded By: Elgar

“That the Niagara Escarpment Commission accept the staff recommendation.”

*Motion Carried*

**UA 39 – Paletta 4353 Walkers Line**

Paletta International Corporation, P&L Livestock  
4353 Walkers Line  
City of Burlington, Region of Halton

**CURRENT NEP DESIGNATION:** Escarpment Protection Area
**PROPOSAL:** To remove property from the Niagara Escarpment Plan (NEP) and to redesignate a portion of the subject property from Escarpment Protection Area to Escarpment Rural Area.

**RECOMMENDATION:** That the Commission recommend to the Minister that the application should be refused.

P75R24/01-2017 Moved By: Elgar
Seconded By: Horner

“That the Niagara Escarpment Commission accept the staff recommendation.”

Motion Carried

**UA 23: Old Waterdown Road & Mountain Brow Road**

Private Individuals
1761 Old Waterdown Road
398 Mountain Brow Road
City of Burlington, Region of Halton

**CURRENT NEP DESIGNATION:**
Escarpmnt Natural Area
Escarpmnt Protection Area

**PROPOSAL:**
Removal from the Greenbelt Plan

**RECOMMENDATION:**
That the Commission recommend to the Minister that the proposed amendment be refused.

P75R25/01-2017 Moved By: Louis
Seconded By: Little

“That the Niagara Escarpment Commission accept the staff recommendation.”

Motion Carried

**UA 43: Bluffs of Burlington Plan of Subdivision**
Diana Vlasic (Agent)
Paletta International Corporation (Applicant)
Registered Plan 20M-883 (Phase 1)
Registered Plan 20M-990(Phase 2)
Bluffs of Burlington Plan of Subdivision
Lots 14 & 15, Concession 2 NDS
City of Burlington, Region of Halton
PROPOSAL:
Removal from the Niagara Escarpment Plan for:
Mount Nemo Minor Urban Centre
Bluffs of Burlington Plan of Subdivision
2637 Bluffs Way

RECOMMENDATION:
That the Commission recommend to the Minister that the proposed amendment be refused.

P75R26/01-2017
Moved By: Elgar
Seconded By: Borodczak

“That the Niagara Escarpment Commission accept the staff recommendation.”
Motion Carried

AGENDA ITEMS GROUP B

UA 33 – Paletta: 3095 Dundas Street
Paletta International Corporation, P&L Livestock
3095 Dundas Street
City of Burlington, Region of Halton

PROPOSAL: Remove the property from the Niagara Escarpment Plan Area

RECOMMENDATION: That the Commission recommend the Minister that the application should be refused.

P75R27/01-2017
Moved By: Davidson
Seconded By: McQueen

“That the Niagara Escarpment Commission refuse the staff recommendation due to the mixed used nature of the property, few natural features, and 50% of property being outside of the Plan Area.”
Motion Defeated

P75R28/01-2017
Moved By: Elgar
Seconded By: Borodczak

“That the Niagara Escarpment Commission accept the staff recommendation.”
Motion Carried
**UA 02 – City of Niagara Falls & Cotton Holdings Inc.**
Cotton Holdings Inc. & City of Niagara Falls  
1919, 1959, 2025, 2125, Fruitbelt Parkway  
1985 Stanley Avenue  
Part Lots 4 & 14, Stamford  
City of Niagara Falls, Niagara Region

**PROPOSAL:**

Cotton Holdings Inc. has submitted a site-specific proposal for their 2.8-hectare property (2125 Fruitbelt Parkway) to re-designate from Escarpment Protection Area and Escarpment Rural Area to Urban Area.

The City of Niagara Falls has requested removal of Fruitbelt Parkway and nearby lands at 1919, 1959, 2025 Fruitbelt Parkway (and including Cotton Holdings land at 2125 Fruitbelt Parkway), and 1985 Stanley Ave, from the NEP Area.

**RECOMMENDATIONS:**

That the Commission recommend to the Minister that the application by Cotton Holdings Inc. to re-designate the subject lands at 2125 Fruitbelt Parkway from Escarpment Protection Area and Escarpment Rural Area to Escarpment Urban Area, be approved, in those areas identified on Appendix A.

That the Commission recommend to the Minister that the application by the City of Niagara Falls and Niagara Region to remove the subject lands from the NEP Area be refused.

**DISCUSSION**

On January 27, 2017, the Commission accepted the staff recommendation to recommend to the Minister that the application to re-designate the subject lands at 2125 Fruitbelt Parkway from Escarpment Rural Area to Urban Area be supported. The Escarpment Protection Area in the northwesterly corner is not suitable for re-designation to Urban Area given the brow bisects the property in this area.

The Commission further recommended that subject to the City of Niagara Falls indicating support for the modified proposal; that the additional subject lands at 1919, 1959 and 2025 Fruitbelt Parkway and 1985 Stanley Ave, be re-designated from Escarpment Rural Area to Urban Area.

Staff also noted a correction for both the Recommendation (pg. 1) and Summary Recommendation (pg. 11), should be revised to read as follows: That the Commission advise recommend to the Minister that the application by the City of Niagara Falls and Niagara Region to remove the subject lands from the NEP Area be refused.
P75R29/01-2017
Moved By: Alexander
Seconded By: Baty

“That the Niagara Escarpment Commission accept the staff recommendation as amended.”

Motion Carried

UA 4 –Stamford (Kanef)
Kanef Capital Properties Inc.

Royal Niagara Golf Club
Part Lots 5, 6, Concession 10
Region of Niagara, City of St. Catharines

CURRENT NEP DESIGNATION:

Escarpment Protection Area
Niagara Escarpment Parks and Open Space System (St. Lawrence Seaway Authority)

PROPOSAL:

To re-designate an approximately 17 hectare parcel of undeveloped lands along Glendale Avenue from Escarpment Protection Area to Urban Area to facilitate more intensive urban and recreational development (residential).

Note: Kanef Properties identified in their October 26, 2016 submission on the Co-ordinated Plan Review that they have reduced the area that is part of the application for Urban Area designation from the original application. The proposal no longer includes consideration of the lands along Taylor Road previously identified as “Area 2”.

RECOMMENDATION:

That the Commission recommend to the Minister that the application be refused.

P75R30/01-2017
Moved By: Little
Seconded By: Louis

“That the Niagara Escarpment Commission accept the staff recommendation.”

Motion Carried

UA 10 Albright Centre, Hillside Drive, Beamsville
Albright Centre
5050 Hillside Drive, Beamsville
Parts Lot 17, Concession 5
Town of Lincoln, Niagara Region
CURRENT NEP DESIGNATION(S):
Escarpment Protection Area and Escarpment Natural Area

PROPOSAL:
To re-designate approximately 14.2 hectares of the subject property from Escarpment Protection Area to Urban Area to accommodate future expansion needs of a housing and long-term care facility for the elderly.

RECOMMENDATION:
That the Commission recommend to the Minister that the application to re-designate the developed portion of the Escarpment Protection Area on the subject property to Urban Area be approved (as identified on Appendix A).

P75R31/01-2017

Moved By: Louis
Seconded By: Horner

“That the Niagara Escarpment Commission accept the staff recommendation.”

Motion Carried

UA 11 – Town of Grimsby
Town of Grimsby
Lots 21 & 22, Concession 2
Part Lots 17, 18, 19, 20 & 23, Concession 2
Part Lots 22 & 23, Concession 3
Town of Grimsby, Niagara Region

CURRENT NEP DESIGNATION:
Escarpment Protection Area

PROPOSAL:
To re-designate approximately 191 hectares of subject lands from Escarpment Protection Area to Urban Area, to recognize existing urban development.

Note: The Town’s proposal also includes lands owned by Winona Concrete and Pipe Products Ltd (487 & 489 Main Street West), who have applied separately for an amendment for their properties. The proposal related to the Winona Concrete and Pipe products Ltd. properties are dealt with separately in a site-specific amendment proposal UA 12.

RECOMMENDATION:
That the Commission recommends to the Minister that the application to re-designate the subject lands from Escarpment Protection Area to Urban Area be refused.
P75R32/01-2017

Moved By: Beattie
Seconded By: Louis

“That the Niagara Escarpment Commission accept the staff recommendation.”

Motion Carried

UA 13: Highway No. 8

DiCenzo Construction Company Limited/GSP Group (Agent)
658 Highway No. 8
Part Lot 14, Concession 3
City of Hamilton

CURRENT NEP DESIGNATION: Escarpment Protection Area

PROPOSAL:
To re-designate a 1.3 ha portion of an 11.6 ha property from Escarpment Protection Area to Urban Area to support development (expansion) of a residential subdivision situated on the west side of subject lands.

RECOMMENDATION:
The NEC recommends to the Minister that the application to re-designate the subject lands from Escarpment Protection Area to Urban Area be refused.

P75R33/01-2017

Moved By: Beattie
Seconded By: Davidson

“That the Niagara Escarpment Commission accept the staff recommendation.”

Motion Carried

UA 03 – Walker Environmental Group Inc.

Walker Environmental Group Inc.
Part Lots 4 & 12, City of Thorold, Part Lots 30, 31 & 49, City of Niagara Falls
Region of Niagara

CURRENT NEP DESIGNATION: Mineral Resource Extraction Area (MREA), Escarpment Natural, Escarpment Protection and Escarpment Rural Areas with a NEPOSS overlay.

PROPOSAL:
Change the designation of a portion of the subject lands currently designated MREA to Urban Area with special provisions to recognize existing uses and future waste management and recycling uses.
RECOMMENDATION: That the Commission recommend to the Minister that the application be approved.

P75R34/01-2017

Moved By: McQueen
Seconded By: Borodczak

“That the Niagara Escarpment Commission accept the staff recommendation.”

Motion Carried

UA 6: Lincoln – Louth
Part Lot 18 Concession 5, Louth (Jordan)
Town of Lincoln, Niagara Region

Appletree Developments Limited
123 Springfield Boulevard
Ancaster, ON L9K 1H8

CURRENT NEP DESIGNATION:
Escarpment Protection Area
Escarpment Natural Area (small amount)

PROPOSAL:
To re-designate the subject lands (8.5 hectares) to allow for urban single family home residential development. The applicant did not identify which land use designation is requested.

SUMMARY RECOMMENDATION:
That the Commission recommend to the Minister that the amendment be refused.

P75R35/01-2017

Moved By: Cambray
Seconded By: Horner

“That the Niagara Escarpment Commission accept the staff recommendation.”

Motion Carried

UA 9: Lincoln – Campden
Part Lot 7 Concession 6, Clinton
Village of Campden
Town of Lincoln, Niagara Region

Sunrise Eggs Limited
123 Springfield Boulevard
Ancaster, ON L9K 1H8
CURRENT NEP DESIGNATION:
Escarpment Rural Area
Urban Area (small amount)

PROPOSAL:
To re-designate the subject lands (11.2 hectares) to allow for urban single family home residential development. (Note: the applicant did not specify what designation he is seeking.)

SUMMARY RECOMMENDATION:
That the Commission recommend to the Minister that the proposed amendment be refused.

P75R36/01-2017
Moved By: Baty
Seconded By: Louis

“That the Niagara Escarpment Commission accept the staff recommendation.”

Motion Carried

UA 18: Olympic Drive, City of Hamilton

40 Olympic Drive (owned by the City of Hamilton)
70 Olympic Drive (owned by Hydro One Networks Inc.)
Part Lots 19 & 20, Concession 1, West Flamborough
City of Hamilton

City of Hamilton
71 Main Street West
Hamilton, ON L8R 2K3

CURRENT NEP DESIGNATION:
Escarpment Rural Area
Escarpment Natural Area (portion of 70 Olympic Drive only)

PROPOSAL:
To re-designate the 6-hectare property at 40 Olympic Drive (Olympic Sports Park) and the 4.7-hectare property at 70 Olympic Drive (Hydro One ownership) as Urban Area.

RECOMMENDATION:
That the Commission recommend to the Minister that the proposed re-designation of Escarpment Rural Area to Urban Area should be approved, but that the proposed re-designation of Escarpment Natural Area to Urban Area on the area within the Cootes Paradise Environmentally Sensitive Area (ESA), Provincially Significant Wetland (PSW) and Provincial Life Science Area of Natural and Scientific Interest (ANSI) should not be approved.
“That the Niagara Escarpment Commission accept the staff recommendation.”

Motion Carried

**UA 15: Hamilton – Barton**

1375 Stone Church Road East (60 Arbour Road)  
Part Lots 1 & 2, Concession 7, Barton  
City of Hamilton

Hamilton Conservation Authority  
838 Mineral Springs Road  
Dundas, ON L9H 5E3

**CURRENT NEP DESIGNATION:**
Escarpet Protection Area  
Niagara Escarpment Parks and Open Space System (NEPOSS)

**PROPOSAL:**
To re-designate a portion of a 7.6-hectare property within the Mount Albion Conservation Area from Escarpment Protection Area to Urban Area, permit a severance (approximately 2 hectares), and removal of the severed parcel from NEPOSS.

**RECOMMENDATION:**
That the Commission recommend to the Minister that the proposed amendment be refused.

“That the proposal be amended and approved as follows: ‘To re-designate 1.01 hectares of a 7.6-hectare property within the Mount Albion Conservation Area, from Escarpment Protection Area to Urban Area, and permit the severance of the Urban Area portion from the remainder of the lot. The severed parcel will be removed from the Niagara Escarpment Parks and Open Space System.’ The approval is justified because of the lot’s close proximity to other industrial uses and proximity to the Red Hill Expressway.”

Motion Carried
P75R39/01-2017
Moved By: Elgar
Seconded By: Louis

“That the Niagara Escarpment Commission re-open the Motion.”

Motion Defeated

UA 16: Hamilton – Jerseyville Road

Robert E. Wade Park
385 Jerseyville Road West
City of Hamilton

City of Hamilton
71 Main Street West
Hamilton, ON L8R 2K3

CURRENT NEP DESIGNATION:
Escarpein Rural Area
Escarpein Natural Area

PROPOSAL:
To re-designate the 18.2-hectare city park as Urban Area.

RECOMMENDATION:
That the Commission recommend to the Minister that the re-designation of Escarpment Rural Area to Urban Area be supported, but that the Escarpment Natural Area designation be retained on the area that is designated as an Environmentally Sensitive Area and also within the Ancaster Creek Valley Provincial Life Science Area of Natural and Scientific Interest (ANSI).

P75R40/01-2017
Moved By: Louis
Seconded By: Davidson

“That the Niagara Escarpment Commission accept the Staff Recommendation.”

Motion Carried

UA 20: Hamilton – Dundas Street East

Private Individuals
513, 531, 537 & 545 Dundas Street East
518 Parkside Drive
Part Lot 2, Concession 3, East Flamborough
City of Hamilton
AGENT:
Nancy Frieday
Wellings Planning Consultants, Inc.
564 Emerald Street
Burlington, ON
L7R 2N8

CURRENT NEP DESIGNATION:
Escarpe Rural Area

PROPOSAL:
To re-designate the subject lands (26.4 hectares), from Escarpment Rural Area to Urban Area to include the lands in the Waterdown settlement area in the City of Hamilton.

SUMMARY RECOMMENDATION:
That the Commission recommend to the Minister that the proposed re-designation of the lands to Urban Area be refused.

Deferred to January 27, 2017.

UA 44: Milton – Tremaine Road

Sidhu Agricultural Farm Inc.
6740 Tremaine Road
Part Lot 10, Concession 7, Nelson
Town of Milton, Halton Region

AGENT:
Barbir and Associates Planning Consultants
345 Melrose Street
Etobicoke, ON M8Z 1G9

CURRENT NEP DESIGNATION:
Escarpe Rural Area

PROPOSAL:
To re-designate a 36.4-hectare agricultural property to Urban Area, or to remove the lands from the NEP Area.

SUMMARY RECOMMENDATION:
That the Commission recommend to the Minister that the proposed amendment be refused.
P75R41/01-2017
Moved By: Louis
Seconded By: Horner

“That the Niagara Escarpment Commission accept the Staff Recommendation.”
Motion Carried

UA 60: Bayview St.
Private Individual & County of Bruce
Bayview St.
Town Plot of Wiarton & Part Lot A, Concession 24
Township of South Bruce Peninsula, County of Bruce

CURRENT NEP DESIGNATION:
Escarpton Natural Area

PROPOSAL:
To re-designate the subject lands from Escarpment Natural Area to Urban Area to recognize that four residential lots totaling 1.4 hectares (privately owned), and two town owned lots (totalling 2.2 hectares) are functionally part of the existing Urban Area.

RECOMMENDATION:
That the Commission recommend to the Minister that the proposal to re-designate the subject lands from Escarpment Natural Area to Escarpment Urban Area be approved, on the portion of the subject lands east of Bayview Street.

P75R42/01-2017
Moved By: Louis
Seconded By: Little

“That the Niagara Escarpment Commission accept the Staff Recommendation.”
Motion Carried

UA 59 – Wiarton Airport, 177964 Grey Road 18
Township of Georgian Bluffs
Jung Oh, Township Planner
177964 Grey Road 18
Township of Georgian Bluffs, County of Grey

CURRENT NEP DESIGNATION: Urban Area, Escarpment Protection Area and Escarpment Rural Area
PROPOSAL:
Original application: Expand the Wiarton Urban Area by 323 ha to include the portion of the Wiarton Keppel International Airport within the NEP Area and re-designate the Urban Area with policies to recognize the existing commercial, industrial and institutional uses (aircraft storage and repair, jet fuel sales, flight training) as well as permission for new warehouse and office space.

Revised application: The Township revised its original amendment request from Phase 1 of the Co-ordinated Review and is now requesting the re-designation of a much smaller portion of the property. It is seeking to re-designate the Escarpment Protection Area to Urban Area (31.58 ha). A portion of the airport lands is proposed to be used as a Community Hub offering Township services, government services, offices for local businesses and a restaurant together with existing airport uses using existing buildings and airport facilities.

RECOMMENDATION: That the Commission recommend to the Minister that the amendment be refused.

P75R43/01-2017 Moved By: McQueen
Seconded By: Downey

“That the Niagara Escarpment Commission approve the revised proposal based on policies supporting economic growth in the Provincial Policy Statement.”

At the request of Commissioner McQueen, the vote was recorded:

For the motion: Against the Motion:

Davidson Alexander
Downey Baty
McQueen Beattie
Greig Borodczak
Horner Cambray
VanderBeek Elgar
Little
Louis

Motion Defeated

P75R44/01-2017 Moved By: Louis
Seconded By: Little

“That the Niagara Escarpment Commission accept the Staff Recommendation.”

Motion Carried

Meeting adjourned at 4:45 p.m.
Reconvened January 27, 2017 at 9:00 a.m.

AGENDA ITEMS – GROUP B (continued)

UA 5 – 5523 Townline Road, Niagara-on-the-Lake

Queenston Quarry Reclamation Company
James Parkin, MHBC Planning (agent)
Property Location: 5523 Townline Road, Niagara-on-the-Lake, Niagara Region

CURRENT NEP DESIGNATION: Escarpment Natural, Escarpment Protection, Escarpment Rural Area, partially within the St. David’s Minor Urban Centre (MUC)

PROPOSAL: To designate the Escarpment Rural Area lands to Escarpment Recreation Area to permit the re-development of the former quarry for commercial and recreation uses and to allow a connection to urban (municipal) services. No change to the MUC or to the existing site specific policies for the subject lands are proposed.

RECOMMENDATION: That the Commission advise the Minister that the application should be approved with appropriate special policies.

P75R45/01-2017
Moved By: Alexander
Seconded By: Cambray

“That the Niagara Escarpment Commission accept the Staff Recommendation with the correction to Schedule A.”

Motion Carried

UA 55 – 933158 Airport Road

2222699 Ontario Inc.
933158 Airport Road
Town of Mono, County of Dufferin

CURRENT NEP DESIGNATION: Escarpment Natural and Escarpment Protection Area

PROPOSAL: Change designation from Escarpment Natural and Escarpment Protection Area to Escarpment Recreation Area to permit use of property for water sports on existing 15 ha lake, winter sports (skating, cross country skiing, and snowshoeing), health and recreation retreat centre (3-storey lodge and cabins), barn for 10 horses on an 82.62 hectare lot or extend the boundary of the Mono Mills Minor Urban Centre to include the subject lands. Preserve and enhance the natural environment of the southeast and northern portions of the site through creation of upland and wetland forest. Public horse/walking trail proposed.
RECOMMENDATION:
That the Commission advise the Minister that the application should be refused.

P75R46/01-2017
Moved By: Louis
Seconded By: Downey

“That the Niagara Escarpment Commission accept the Staff Recommendation.”
Motion Carried

UA 57 – Duntroon Highlands Resorts Ltd.

APPLICANT / SUBJECT PROPERTY:
Duntroon Highlands Resorts Ltd.
1226 Concession 10
Township of Clearview, Simcoe County
Lots 22 & 23, Concession 11

Deferred to afternoon session.

UA 40: Burlington – Bell School Line

A1A Farm Inc.
Part Lot 9, Concession 6, Nelson
6550 Bell School Line
City of Burlington, Halton Region

AGENT:
Barbir and Associates Planning Consultants
345 Melrose Street
Etobicoke, ON M8Z 1G9

CURRENT NEP DESIGNATION:
Escarpeement Rural Area

PROPOSAL:
To re-designate a 38.4-hectare agricultural property to Minor Urban Centre, or to remove the lands from the NEP Area.

SUMMARY RECOMMENDATION:
That the Commission recommend to the Minister that the proposed amendment be refused.

P75R47/01-2017
Moved By: Louis
Seconded By: Horner

“That the Niagara Escarpment Commission accept the Staff Recommendation.”
UA 58: Grey Highlands

Private Individual
235325 Grey County Road 13
Part Lot 6, Concession IV, Euphrasia
Municipality of Grey Highlands (Kimberley), County of Grey

CURRENT NEP DESIGNATION:
Minor Urban Centre (Kimberley)
Escarpment Protection Area

PROPOSAL:

To extend the Minor Urban Centre boundary of Kimberley to include the entirety of a 0.8 hectare property.

SUMMARY RECOMMENDATION:

That the Commission recommend to the Minister that the extension of Minor Urban Centre boundary for Kimberley be refused.

DISCUSSION

Staff explained that Minor Urban Centre boundary should only be reconfigured at the time of a municipal comprehensive review, when the boundary could be considered in its entirety, and not only in the context of one lot. It was noted by NEC staff that reconfiguration of the Minor Urban Centre boundary does not require a NEP amendment, provided that there is no overall increase in the area of the Minor Urban Centre. For example, the boundary could be extended on the east side of County Road 13, if an equal amount of land is removed on the west side. Since there are hazard lands within the Minor Urban Centre on the west side of County Road 13, these could be removed from the Minor Urban Centre because they cannot be developed. However, the potential visual impacts and other development criteria should be considered if additional lands were added to the Minor Urban Centre on the east side of County Road 13.

P75R48/01-2017

Moved By: Borodczak
Seconded By: Davidson

“That the Niagara Escarpment Commission accept the Staff Recommendation.”

Motion Carried

UA 51 - Poltawa Country Club

Poltawa Country Club (Agent: Ron Chyczij)
55 Odessa Boulevard (Terra Cotta)
Part Lot 27 and 28, Concession 5 WHS and 6 WHS
Town of Caledon, Region of Peel
**CURRENT NEP DESIGNATION:**
Escarpment Rural Area and Escarpment Natural Area

**PROPOSAL:**
To expand the boundaries of the Terra Cotta Minor Urban Centre (MUC) to include the Poltawa Country Club lands (approximately 40 hectares in size).

**RECOMMENDATION:**
That the Commission recommend to the Minister that the proposal to expand the boundaries for the Terra Cotta Minor Urban Centre to include the Poltawa Country Club lands, be approved.

P75R49/01-2017
Moved By: Downey
Seconded By: Louis

“That the Niagara Escarpment Commission accept the Staff Recommendation.”

**UA 53: Cheltenham**

Town of Caledon
Lot 31, Concession 3 West of Centre Road
Lot 29 & Lot 30 Concession 4, West of Centre Road
Town of Caledon, Region of Peel
**CURRENT NEP DESIGNATION:**
Escarpment Rural Area and Escarpment Natural Area

**PROPOSAL:**
Minor enlargement or rounding-out of the current boundary of the Cheltenham Minor Urban Centre (MUC) in order to better reflect developed properties that are either partially contained within or directly adjacent to the MUC boundary.

**RECOMMENDATION:**
That the Commission recommends to the Minister that the amendment for a minor enlargement of the current boundary of the Cheltenham Minor Urban Centre to include the adjacent identified subject properties, be approved.

P75R50/01-2017
Moved By: Davidson
Seconded By: Horner

“That the Niagara Escarpment Commission accept the Staff Recommendation.”
**UA 54: INGLEWOOD**

Town of Caledon  
McColl Drive and 15825 and 15835 McLaughlin Rd  
Town of Caledon, Region of Peel  
Lot 3, Concession 1 West side of Concession Rd

**CURRENT NEP DESIGNATION:**  
Escarpment Rural Area

**PROPOSAL:**  
Minor enlargement or rounding-out of the current boundary of the Inglewood Minor Urban Centre to include the Ingleview subdivision.

**RECOMMENDATION:**

That the NEC recommends to the Minister that the application to include the Ingleview subdivision lands, including the Bethel Hospice in the boundary of the Inglewood Minor Urban Centre be approved.

_P75R51/01-2017_  
Moved By: Louis  
Seconded By: Borodczak

“That the Niagara Escarpment Commission accept the Staff Recommendation.”

Motion Carried

**AGENDA ITEMS GROUP C**

**UA 19: Hamilton – York Road**

Private individual  
296 York Road  
Part Lot 21, Concession 1, West Flamborough  
City of Hamilton

**CURRENT NEP DESIGNATION:**  
Escarpment Natural Area  
Escarpment Protection Area

**PROPOSAL:**  
To re-designate the 0.8-hectare property from Escarpment Natural and Protection Area to Urban Area, or amend the NEP to enable a connection to municipal sewer to replace an aging septic system.

**RECOMMENDATION:**
That the Commission advise the Minister that a site-specific policy amendment to allow for a connection to the municipal sewer be approved.

DISCUSSION

A Commissioner questioned why the Urban Area designation would not be appropriate in this case, since it is part of a strip of urban uses along Olympic Drive and York Road, including the Hydro One property, the Olympic Sports Park, and the garden centre. Staff explained that there are significant natural heritage features on the property, and the existing dwelling is a permitted use in the existing Escarpment Natural and Protection Area designations. Furthermore, the Cootes-to-Escarpment EcoPark land management strategy recommends that there be no further changes to an urban designation within the EcoPark area. Staff took this into consideration, especially given the natural heritage features on and adjacent to the property.

P75R52/01-2017

Moved By: VanderBeek
Seconded By: McQueen

“That the Niagara Escarpment Commission amend the Staff Recommendation to change the designation to Urban Area.”

Motion Defeated

P75R53/01-2017

Moved By: Elgar
Seconded By: Louis

“That the Niagara Escarpment Commission accept the Staff Recommendation.”

Motion Carried

UA 22: Burlington – Mountain Brow Road

Private Individual
768 Mountain Brow Road,
Part Lots 12 & 13, Concession 2
City of Burlington, Region of Halton

CURRENT NEP DESIGNATION:
Escarpment Natural Area
Escarpment Protection Area

PROPOSAL:
To allow a site-specific amendment for municipal water servicing to a residential lot outside the City of Burlington’s urban boundary due to failure of the private on-site well.

RECOMMENDATION:
That the Commission recommend to the Minister that a site-specific policy amendment to allow for a connection to the municipal water service be approved.
DISCUSSION
A Commissioner expressed concern that it should be the municipality that determines if a property can be connected to municipal services. Staff explained that such a connection would first require a Development Permit from the NEC before the municipality could give its approval, and that an amendment to the NEP was needed so that a Development Permit could be issued. Staff noted that the City of Hamilton had expressed concern that the NEP amendment would compel them to provide servicing. Staff explained that the amendment was intended to facilitate a servicing connection by making an exception to NEP policies, and that it in no way compelled the City to provide servicing.

P75R54/01-2017

Moved By: Elgar
Seconded By: Borodczak

“That the Niagara Escarpment Commission accept the Staff Recommendation.”

Motion Carried

UA 45 Town of Milton: Part Lots 14 & 15, Concession 1, Trafalgar
Town of Milton/Barb Koopmans, Commissioner, Planning and Development
Part of Lots 14 & 15, Concession 1, Trafalgar (north side Main Street West, Town of Milton)
Town of Milton/Region of Halton

CURRENT NEP DESIGNATION: Escarpment Rural Area

PROPOSAL: To provide urban services to a portion of the 31.8 ha property to facilitate the future development of a public park with active and passive recreational uses such as sports fields with lighting, small pavilion, picnic area, play structures, washrooms, parking and trails; include the subject lands in the Niagara Escarpment Parks and Open Space System (NEPOSS).

RECOMMENDATION:

That the Commission advise the Minister that the application should be approved.

P75R55/01-2017

Moved By: Elgar
Seconded By: Alexander

“That the Niagara Escarpment Commission accept the Staff Recommendation.”

Motion Carried
**UA 46: Part Lots 1 & 2, Concession 1, Esquesing and Part Lots 1, 2 and 3, Concession 7, Nassagaweya**

Town of Milton, Barbara Koopmans, Director of Planning and Development
Part Lots 1 & 2, Concession 1, Esquesing and Part Lots 1, 2 and 3, Concession 7, Nassagaweya; northeast and northwest corners of Steeles Avenue West and old Tremaine Road.
Town of Milton, Region of Halton

**CURRENT NEP DESIGNATION:** Escarpment Natural Area and Escarpment Protection Area

**PROPOSAL:** To provide urban services to a portion of the 114.8 hectare lands owned by the Town of Milton to facilitate the development of passive recreation uses in a future Town park and to include the subject lands as part of the Niagara Escarpment Parks and Open Space System (NEPOSS).

**RECOMMENDATION:**

That the Commission recommend to the Minister that the application should be approved.

**P75R56/01-2017**

Moved By: Elgar
Seconded By: Cambray

“That the Niagara Escarpment Commission accept the Staff Recommendation as amended to read ‘shall be permitted to connect to municipal servicing subject to the approval of such servicing by the Region of Halton’”.

Motion Carried

**UA 47: Milton – Kelso Road**

Conservation Halton
Kelso/Glen Eden Conservation Area
5234 Kelso Road
Part Lots 1-5, Concessions 6 and 7
Town of Milton, Region of Halton

**AGENT:**
Debra Kakaria
MHBC Planning Consultants
230-7050 Weston Road
Woodbridge, ON L4L 8G7

**CURRENT NEP DESIGNATION:**
Escarpe Natural Area
Escarpe Protection Area
Niagara Escarpment Parks and Open Space System (NEPOSS) – Recreation Class Park
PROPOSAL:
To extend municipal water and wastewater services to the Kelso/Glen Eden Conservation Area.

SUMMARY RECOMMENDATION:
That the Commission recommend to the Minister that the proposed amendment to allow municipal water and wastewater services at Kelso/Glen Eden Conservation Area be approved.

P75R57/01-2017
Moved By: Elgar
Seconded By: Beattie

“That the Niagara Escarpment Commission accept the Staff Recommendation as amended to read ‘shall be permitted to connect to municipal servicing subject to the approval of such servicing by the Region of Halton’”.

Motion Carried

UA 48 – Country Heritage Park, 8560 Tremaine Road

Country Heritage Park Agricultural Society
8560 Tremaine Road
Town of Milton, Region of Halton

CURRENT NEP DESIGNATION:
Escarpmont Protection Area

PROPOSAL:
Allow connection to municipal urban services (wastewater) as the existing septic system is failing and not adequate to support the existing park activities.

RECOMMENDATION:
That the Niagara Escarpment Commission recommend to the Minister that the application be approved.

P75R58/01-2017
Moved By: Elgar
Seconded By: Greig

“That the Niagara Escarpment Commission accept the Staff Recommendation.”

Motion Carried

Broke for lunch at 11:45 a.m.

Reconvened at 12:30 p.m.
**UA 20: Hamilton – Dundas Street East**

Private Individuals  
513, 531, 537 & 545 Dundas Street East  
518 Parkside Drive  
Part Lot 2, Concession 3, East Flamborough  
City of Hamilton

**AGENT:**  
Nancy Frieday  
Wellings Planning Consultants, Inc.  
564 Emerald Street  
Burlington, ON  
L7R 2N8

**CURRENT NEP DESIGNATION:**  
Escarpment Rural Area

**PROPOSAL:**  
To re-designate the subject lands (26.4 hectares), from Escarpment Rural Area to Urban Area to include the lands in the Waterdown settlement area in the City of Hamilton.

**SUMMARY RECOMMENDATION:**

That the Commission recommend to the Minister that the proposed re-designation of the lands to Urban Area be refused.

**DISCUSSION**

A Commissioner expressed concern that the applicant would be blocked for another ten years if the request was refused, and that there should be a way to consider the request during the City of Hamilton’s municipal comprehensive review, which would commence soon, and that there was evidence supporting the need for additional lands to be added to the urban settlement area. Staff responded that lands under consideration as part of an urban boundary expansion should be considered as part of a comparative assessment to determine the most suitable area for urban development, and that this assessment had not yet taken place.

**Note:** Letters emailed from Turkstra, Mazza Associates, Lawyers, and Wellings Planning Consultants Inc. were received on January 25, 2017. Copies of the letters were provided to the Commission. Staff analyzed the additional information provided in the letter, and concluded that the information did not alter the Staff Recommendation.

**P75R59/01-2017**  
Moved By: VanderBeek  
Seconded By: Downey
“That the Niagara Escarpment Commission recommend approval of the Proposal subject to a favourable municipal comprehensive plan review.”

P75R60/01-2017  
Motion Tabled  
Moved By: Greig  
Seconded By: Beattie

“That the Commission move in-camera.”

Motion Carried

P75R61/01-2017  
Moved By: Davidson  
Seconded By: Cambray

“That the Commission move out-of-camera.”

Motion Carried

P75R62/01-2017  
Moved By: Baty  
Seconded By: Beattie

“That the Commission receive the information provided in-camera.”

Motion Carried

At the request of Commissioner Little, the vote for P75R1/56-2017 was recorded:

For the motion:  
Downey  
McQueen  
VanderBeek

Against the Motion:  
Alexander  
Baty  
Beattie  
Borodczak  
Cambray  
Davidson  
Elgar  
Greig  
Horner  
Little  
Louis

Motion defeated

P75R63/01-2017  
Moved By: Baty  
Seconded By: Beattie

“That the Niagara Escarpment Commission accept the Staff Recommendation.”

AGENDA ITEMS – GROUP D

UA 12: Main Street, Grimsby

Winona Concrete and Pipe Products, Ltd.
487 & 489 Main Street West
Part Lot 20, Concession 2, Grimsby
Town of Grimsby, Niagara Region

AGENT:
Upper Canada Consultants
261 Martindale Road, Unit #1
St. Catharines, ON  L2W 1A1

CURRENT NEP DESIGNATION:
Escarpmnt Protection Area

PROPOSAL:
To amend the NEP to enable the expansion of an existing industrial use, which exceeds the allowable expansion for an existing use under current NEP policies.

SUMMARY RECOMMENDATION:

That the Commission recommend to the Minister that the proposed amendment to allow for the expansion of an existing industrial use be approved.

P75R64/01-2017

Moved By:       Beattie
Seconded By:    Baty

“That the Niagara Escarpment Commission accept the Staff Recommendation.”

Motion Carried Unanimously

UA 14: Hamilton – Mohawk Road

Private Individual, on behalf of East Mountain Community Group

Mohawk Sports Park
1100 Mohawk Road East
City of Hamilton

CURRENT NEP DESIGNATION:
Urban Area
PROPOSAL:
- To include portions of the 57.5-hectare Mohawk Sports Park in the Urban River Valley Greenbelt Plan designation.

RECOMMENDATION:
That the Commission not make a recommendation to the Minister on the proposed Greenbelt Plan designation. Changes to the Greenbelt Plan are not within the jurisdiction of the NEC.

P75R65/01-2017

Moved By: VanderBeek
Seconded By: Cambray

“That the Niagara Escarpment Commission accept the Staff Recommendation as amended, as follows: ‘That the Commission not make a recommendation to the Minister on the proposed Greenbelt Plan designation, and that the Commission endorse the existing Niagara Escarpment Plan designations.’”

Motion Carried

UA 49: Halton Hills – Regional Road 25

Private Individual
11445 Regional Road 25
Part Lot 18, Concession 3, Esquesing
Town of Halton Hills
Halton Region

AGENT:
Nicholas Dell
Greg Dell & Associates Planning and Land Development Consultants
75 Bristol Road, Unit 182
Mississauga, ON L4Z 3P2

CURRENT NEP DESIGNATION:
Escarpment Rural Area

PROPOSAL:
- To amend the NEP to enable the re-establishment of an institutional use (1,826 square metre) on a 2.6 hectare property that no longer has status as an existing use in the NEP. A worship space in the existing gymnasium is proposed as an accessory use.

RECOMMENDATION:
That the Commission recommend to the Minister that a site-specific policy amendment to re-establish a school use on the subject property be approved.
P75R66/01-2017

Moved By: Elgar
Seconded By: Louis

“That the Niagara Escarpment Commission accept the Staff Recommendation.”

Motion Carried

UA 56: Mulmur

Pine River Institute
606060 River Road
Part Lots 12 & 13, Concession 3, West of Hurontario
Township of Mulmur, Dufferin County

AGENT:
Roderick H. Young, Architect
102 Laclie Street
Orillia, ON L3V 6H9

CURRENT NEP DESIGNATION:
Escarpe Natural Area
Escarpe Protection Area

PROPOSAL:
• To amend the NEP to enable the construction of a 613 square-metre dormitory associated with a youth treatment centre on a 79.6 hectare lot.

RECOMMENDATION:

That the Commission recommend to the Minister that the proposed amendment be approved.

P75R67/01-2017

Moved By: Louis
Seconded By: Horner

“That the Niagara Escarpment Commission accept the Staff Recommendation.”

Motion Carried

UA 57 – Duntroon Highlands Resorts Ltd.

Duntroon Highlands Resorts Ltd.
1226 Concession 10
Township of Clearview, Simcoe County
Lots 22 & 23, Concession 11
CURRENT NEP DESIGNATION:
Escarpet Natural Area and Escarpment Protection Area

PROPOSAL:

Option 1: Request for a site specific policy exception permitting the expansion of an existing golf clubhouse facility to accommodate larger group functions (e.g.; banquet and wedding facilities; guest accommodations (6-8 rooms)).

Option 2: Request for a re-designation to Escarpment Recreation Area (from Protection Area) within Escarpment Natural Area, to allow for a Country Inn that would include dining, banquet and wedding facilities, meeting room, spa, tennis court, swimming pool and accommodations with 20 guest rooms.

Note: With respect to Option 2 above, the Applicant’s request as submitted was “to re-designate to Escarpment Recreation Area within Escarpment Natural Area…” Staff has logically interpreted the request for the re-designation to Escarpment Recreation Area to be applied to on the Escarpment Protection Area portion of the subject lands, given that this is where the existing golf course use is situated. A re-designation of the Escarpment Natural Area would, in staff’s opinion, not achieve what the Applicant is seeking, that is for an expansion of an existing use (which again, is situated in the Escarpment Protection Area). Staff has assessed all options in the analysis below.

RECOMMENDATION:

With respect to Applicant’s Option 1: That the Commission recommend to the Minister that the application for a site specific policy exception permitting the expansion of an existing clubhouse facility to accommodate larger group functions such as banquets and weddings, guest accommodations (6-8 rooms) be refused.

With respect to Applicant’s Option 2: That the Commission recommend to the Minister that the application for re-designation of the Escarpment Natural Area to Escarpment Recreation Area (staff’s interpretation of the request at the time), to allow for a Country Inn that would include dining, banquet and wedding facilities, meeting rooms, spa, tennis court, swimming pool and accommodations with 20 guest rooms be refused.

DISCUSSION

The Commission expressed concern that limits on existing businesses to expand to some degree is necessary in order to allow businesses to continue to operate successfully. Expansion (of golf courses) in rural communities is sometimes necessary to stay in business. Limiting business expansion may go against economic policies in the Provincial Policy Statement.

The Commission did not support the Staff Recommendation to refuse the proposal, and requested that staff return with a draft Amendment for Option 1 – expansion of the existing clubhouse facility to accommodate group functions/events, including weddings and guests.
Staff provided an Appendix Schedule A for a site-specific policy exception for an expansion of the existing clubhouse facility to a total maximum of 740 sq ft (8000 sq m) and guest accommodations to a maximum of 6 rooms, within the Escarpment Protection Area designation.

**P75R68/01-2017**

*Moved By:* Beattie  
*Seconded By:* VanderBeek

“That the Niagara Escarpment Commission Commission support Staff’s proposed Amendment as presented.”

*Motion Carried*

**UA 17 Springhill**

Private Landowners/IBI Group (Agent)  
42 Springhill Street  
Part Lots 10 & 11, Concession 1 West  
City of Hamilton

**CURRENT NEP DESIGNATION:**  
Escarpean Natural Area / Greensville Minor Urban Centre

**PROPOSAL:**  
To re-designate a portion of the subject property from Escarpment Natural Area to Escarpment Protection Area.

**RECOMMENDATION:**  
To support the re-designation of a portion of the subject property from Escarpment Natural Area to Escarpment Protection Area as identified by staff on Schedule A.

**P75R69/01-2017**

*Moved By:* Borodczak  
*Seconded By:* Louis

“That the Niagara Escarpment Commission accept the Staff Recommendation.”

*Motion Carried*

**UA 21 McMaster University**

McMaster University c/o Robert Craik  
1105 Lower Lions Club Road  
Part Lots 51-53, Concession 1  
City of Hamilton

**CURRENT NEP DESIGNATION:**
Escarpment Protection Area and Escarpment Natural Area

PROPOSAL:
To construct of a 5,000 sq ft institutional building on the subject lands, owned by McMaster University, to be used for educational purposes. The building is proposed to include washroom facilities, a classroom, lab and storage space.

RECOMMENDATION:
That the Commission recommends to the Minister that the application be refused.

P75R70/01-2017
Moved By: Beattie
Seconded By: Louis

“That the Niagara Escarpment Commission accept the Staff Recommendation.”

Motion Carried

UA 42 Burlington- Dundas Street

Applicant: Private Individual
Agent: Arnold Foster, LLP
2373 Dundas Street,
Part Lot 17, Concession 1 NDS
City of Burlington, Halton Region

CURRENT NEP DESIGNATION:
Escarpment Protection Area

PROPOSAL:
To recognize a bed and breakfast, reception/conference facility as a Permitted Use in the Escarpment Protection Area, including the hosting of banquets and special events (including weddings), and to permit new construction/upgrades to the facility and accessory buildings consistent with the proposed use.

RECOMMENDATION:
That the Commission recommend to the Minister that the application be approved.

P75R71/01-2017
Moved By: Louis
Seconded By: VanderBeek

“That the Niagara Escarpment Commission accept the Staff Recommendation.”

Motion Carried

UA 52 – Cheltenham Badlands

Private Individual
Cheltenham Badlands
Part Lot 34, Concession 3, West of Centre Road
Town of Caledon, Region of Peel

CURRENT NEP DESIGNATION:
Escarpe Protection Area/NEPOSS Escarpment Access Park

PROPOSAL:
To change the Niagara Escarpment Parks and Open Space System (NEPOSS) park classification of the 36.5 ha Escarpment Access park to the ‘Nature Reserve’ classification, in order to provide additional protection to the Provincially Significant Earth Science Area of Natural and Scientific Interest (ANSI).

SUMMARY RECOMMENDATION:
That the Commission recommend to the Minister that the amendment to change the NEPOSS park classification on the Cheltenham Badlands property be refused as the appropriate classification should be considered and determined through the comprehensive Master Planning process and does not require an Amendment to the NEP, once the Master Plan is approved.

P75R72/01-2017

Moved By: Horner
Seconded By: Greig

“That the Niagara Escarpment Commission accept the Staff Recommendation.”

Motion Carried

UA 41: Memorial Gardens Cemetery

Larkin & Associates Planning Consultants (Agent)
Cosmopolitan Associates (Applicant)
Arbor Memorial Inc. (Owner)
3383 Guelph Line
Part Lot 15, Concession 1 NDS
City of Burlington, Region of Halton

CURRENT NEP DESIGNATION:
- Escarpment Protection Area
- Escarpment Natural Area

PROPOSAL:
- Recognize the existing cemetery as a permitted use in the Niagara Escarpment Plan, so that development of burial gardens can continue on the property.
- Permit a proposed Funeral Establishment as an accessory use to the cemetery.

RECOMMENDATION:
- That the Niagara Escarpment Commission recommend to the Minister that the proposed amendment be approved.
“**That the Niagara Escarpment Commission accept the Staff Recommendation.**”

*Motion Carried*

**UA 24 – Paletta International Corporation, 66 Horning Road**

Paletta International Corporation  
Diana Vlasic, Metropolitan Consulting  
66 Horning Road  
City of Burlington, Region of Halton

**CURRENT NEP DESIGNATION:** Escarpment Natural Area, Escarpment Protection Area; within North Aldershot Policy Area

**PROPOSAL:** Change designation of subject lands (3.7 ha) from Escarpment Natural Area and Escarpment Protection Area to Escarpment Rural Area and allow municipal servicing in the NEP Area for a draft approved subdivision partly within and outside the NEP Area.

**RECOMMENDATION:**
That the Commission recommend to the Minister that the application not be approved.

“**That the Niagara Escarpment Commission accept the Staff Recommendation.**”

*Motion Carried*

**UA 50 – Jazbrick Group, 13357 22nd Sideroad**

Jazbrick Group

Property Location: 13357 22nd Sideroad, Town of Halton Hills, Region of Halton

**CURRENT NEP DESIGNATION:**  
Escarptment Rural Area, Mineral Resource Extraction Area

**PROPOSAL:** To designate the portion of the existing licensed shale quarry that is designated Escarpment Rural Area as Mineral Resource Extraction Area and not to apply the proposed Escarpment Natural Area designation on portions of the licensed site.
RECOMMENDATION:

That the Commission recommend to the Minister that the application should be refused.

P75R75/01-2017

Moved By: Little
Seconded By: Louis

“That the Niagara Escarpment Commission accept the Staff Recommendation.”

Motion Carried

UA 61: Hope Bay Rd.

County of Bruce
2 Hope Bay Road
Town Plot of Adair (Albermarle)
County of Bruce, Town of South Bruce Peninsula

CURRENT NEP DESIGNATIONS:
Escarpe Natural Area, Escarpment Protection Area and Escarpment Recreation Area

PROPOSAL:
Site-specific amendment to allow for the relocation of a large septic field associated with a 5.2 ha campground from its current location within the Escarpment Recreation Area, to a new 2.4 ha lot addition designated as Escarpment Protection Area.

RECOMMENDATION: N/A

The County of Bruce withdrew the proposal in their October 27, 2016 submission on the Co-ordinated Review.

P75R76/01-2017

Moved By: Davidson
Seconded By: Downey

“That the Niagara Escarpment Commission accept the Staff Recommendation.”

Motion Carried

UA 62: Dyer’s Bay Minor Urban Centre

County of Bruce
Part Lot 33, Concession 9, East of Bury Road (Lindsay)
Britain Lake Road
Municipality of Northern Bruce Peninsula (Dyer’s Bay)
CURRENT NEP DESIGNATION:
Escarpment Natural Area, Escarpment Protection Area and Minor Urban Centre

PROPOSAL:
To remove the subject property entirely from the Dyer’s Bay Minor Urban Centre.

RECOMMENDATION: N/A
The request was withdrawn; the matter can be re-visited outside of the Plan Review and does not require an amendment to the NEP, subject to the municipality reflecting the modification in their Official Plan.

P75R77/01-2017
Moved By: Davidson
Seconded By: Greig

“That the Niagara Escarpment Commission accept the Staff Recommendation.”
Motion Carried

P75R78/01-2017
Moved By: Beattie
Seconded By: Borodczak

“That the Niagara Escarpment Commission staff add the Commission’s recommendations to the staff report (Commission meeting January 26 and 27, 2017), using its best judgement to capture the Commission’s direction to staff, and forward the Commission’s recommendations to the Minister as soon as possible for consideration in the provincial government’s Coordinated Review. ”
Motion Carried

APPROVAL OF MINUTES – M775/11-2016

DISCUSSION
Commissioner Cambray requested that the November minutes better reflect his comments regarding the positive aspects of adding lands to the NEP Area.

P75R79/01-2017
Moved By: Cambray
Seconded By: Borodczak

“That the Commission accept the Commission Minutes of November 17, 2016, as written with the following addition: ‘Some Commissioners expressed support for adding areas to the NEP that would not be controversial, for example, lands already in public ownership. The Commission should seek to protect more lands that are part of the Escarpment landscape. There was also concern expressed that the Commission was not proceeding with additions because of a few objections. In response, staff noted that objections were not limited to private landowners, but also included significant objections from several municipalities.’”
Motion Carried
NEW BUSINESS

Niagara Region planner Martin Kilian is retiring effective January 31, 2017. The Commission thanked him for his 35 years of dedicated service and hard work.

The Commission thanked staff for excellent reports and maps, and dedication and hard work through the Plan Review.

ADJOURNMENT

P75R80/01-2017  Moved By: Davidson

“That this meeting be adjourned.”

Motion Carried

Time of Adjournment: Friday, January 27, 2017 at 2:40 p.m..

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Don Scott
Chair