MINUTES OF M776/02-2017
NIAGARA ESCARPMENT COMMISSION
GEORGETOWN, ONTARIO
February 16, 2017


Regrets: S. Davidson.


Also Present: R. Patrick, President, C.O.N.E.

Meeting called to order: 10:00 a.m.

Chair Don Scott presided.

APPROVAL OF POLICY MINUTES – P74/12-2016

M776R1/02-2017 Moved By: Downey
Seconded By: Little

“That the Commission accept the Policy Minutes of December 14 and 15, 2016, as written with a minor change to page 3 to add Commissioner Greig to the ‘For the Motion’ vote on page 3, that the third bullet on page 39 be deleted, and that the second bullet read, ‘To ensure severances are not permitted for a lot which contains a detached secondary dwelling unit.’”

Motion Carried
APPROVAL OF POLICY MINUTES – P775/01-2017

M776R2/02-2017

Moved By: Little
Seconded By: Greig

“That the Commission accept the Policy Minutes of January 26 and 27, 2017, and the Commission minutes of November 17, 2016, as written with a minor change to page 3 from Agenda Item A2 to include condition 21 to change Agenda Item A1 to Agenda Item A3 on page 7, and to revise New Business on page 15 to reflect Commission appointments be staggered to match municipal appointments.”

Motion Carried

Business Arising from the Previous Minutes

None.

CONFLICTS OF INTEREST – Declaration of Conflicts of Interest

None declared.

MOTION FOR SPEAKERS

M776R3/02-2017

Moved By: Little
Seconded By: VanderBeek

“That the persons representing the Applications listed on the Agenda be invited to address the Commission.”

Motion Carried

PR1

STAFF REPORT

RE: Co-ordinated Land Use Plan Review - Land Use Designation Criteria and Mapping

RECOMMENDATION:

That the Commission endorse the final Niagara Escarpment Plan Land Use Designation maps (provided), and the maps be sent to the Minister of Natural Resources and Forestry as the Commission’s recommendations on the Niagara Escarpment Plan Land Use Designation Maps for the Co-ordinated Plan Review.
BACKGROUND

The Niagara Escarpment Plan (NEP) was one of the first environmental land use plans which established a foundation based on a land use designation system with identified criteria designed to explicitly map natural features and areas, with accompanying Permitted Uses and land use policies. The ability to delineate and map areas and apply specific land use designations is a key strength of the NEP. The existing NEP land use designation mapping dates to the original 1985 NEP. In many areas, the mapping is now out of date and does not accurately reflect the features and areas on the ground today.

The proposed amendments to the Land Use Designation Criteria are for the purposes of providing greater clarity and enhanced consistency in interpretation as well as for the purposes of updating and modernizing terminology and language respecting natural heritage features and areas, consistent with the other Provincial Plans and the Provincial Policy Statement (PPS, 2014). Proposals for the introduction of new or modified land use designation criteria and related definitions were also recommended in order to capture significant natural features and areas not currently addressed in the Escarpment Natural Area, Escarpment Protection Area and Escarpment Rural Area designations.

After taking into consideration the comments that were received from the Co-ordinated Review Phase 2 consultation, staff presented the Commission with the final proposed Land Use Designation Criteria, data sources and methodology to be used in preparing the NEP land use designation maps at the December 15, 2016 Commission meeting. The Commission endorsed staff’s recommendations and instructed staff to apply the criteria in preparing the final proposed NEP Land Use Designation Maps as advice to the Minister for the Co-ordinated Plan Review.

SUMMARY OF NEC RECOMMENDATIONS (December 2016)

The Commission recommended the following amendments to the Land Use Designation Criteria:

- Updates to the language of the existing Land Use Designation Criteria and definitions using modern standards and Provincial terminology (e.g., Provincially Significant Wetlands and Significant Valleylands).
- That all wetlands 5 ha in size or greater (in addition to Provincially Significant Wetlands) be included in Escarpment Natural Area (Criterion 4).
- Outliers as a new Criterion for the Escarpment Natural Area (Criterion 1) and Escarpment Protection Area (Criterion 1), and that a definition for outliers be included in Appendix 2 of the NEP.
• To use the “scarp areas” brow as defined in the 1977 Preliminary Proposals mapping in order to map the related Land Use Designation Criteria that rely on the brow and toe.
• To introduce a new criterion for the Escarpment Rural Area designation to better reflect lands that are in a state of rehabilitation or succession, for example, after an aggregate licence is surrendered and the lands are rehabilitated.
• To improve the Escarpment Recreation Area Criterion through a number of minor housekeeping modifications; specifically, to identify ski areas, lakeshore cottage areas, resort development areas (as opposed to the current terminology of “centres”).
• That staff further investigate the mapping discrepancies for the proposed Recreation Area designation in the Town of the Blue Mountains identified in the consultation submissions (from the municipality), and to ensure consistency with Tribunal decisions.

The maps presented reflect over 3 years of review, including preparation of a number of evidence-based NEC Discussion Papers which included rigorous review of the other provincial plans, evaluation of data sources and methodologies and thoughtful consideration of all of the comments received. Staff is confident that the final proposed Land Use Designation Criteria and methodology applied in producing the maps is robust and defensible, and is consistent with the Purpose and Objectives of the Plan and the Act, and is consistent and supportive of provincial policy direction, most notably the recent Provincial Wetland Strategy (by including all wetlands 5 ha or greater in the Escarpment Natural Area).

CONCLUSION:

Staff has applied the final Commission-endorsed Land Use Designation Criteria to produce the NEP Land use Designation maps at a scale of 1:50,000, using the existing NEP map as a base. Comments received during Phase 2 consultation have been considered in the preparation of the final recommended maps, and subject to the Commission’s final endorsement, the maps will be sent to the Minister of Natural Resources and Forestry (MNRF) as the NEC’s final recommendations on the Niagara Escarpment Plan Land Use Designation Maps.

DISCUSSION

The Commission acknowledged the degree of quality work that had been undertaken by staff in updating the maps.

The Commission noted that former township names on the maps were out of date and requested they be removed from all maps prior to being sent to the Minister of Natural Resources and Forestry (MNRF).
**Note:** Lisa Grbinicek, NEC Senior Strategic Advisor and Daniel Ventresca, GIS Officer presented and answered questions.

**M776R4/02-2017**

**Moved By:** Cambray  
**Seconded By:** Borodczak

“That the Commission endorse the final Niagara Escarpment Plan Land Use Designation maps with the former township names removed.”

*Motion Carried*

**A4**

**DEVELOPMENT PERMIT APPLICATION P/R/2014-2015/199**

Lorenzo D’Urso  
Part Lot 13, Concession 4 EHS  
Town of Caledon, Region of Peel

**PROPOSAL:**

To construct a ±44.6 sq. m. building (pool cabana) which is ±4.75 m (±15 feet) in height which is accessory to an existing residential use and trellis which is ±40 sq. m. in size and ±2.7 m (±9 feet) in height, on an existing 24.3 ha (60.03 ac) lot.

**RECOMMENDATION:**

The application be approved subject to the Conditions listed on the attached Appendix.

**Note:** Debbie Ramsay, Manager, presented and answered questions.  
Karen Rosenbrock, Agent, was present to answer questions.

**M776R5/02-2017**

**Moved By:** Louis  
**Seconded By:** Beattie

“That the Commission accept the staff recommendation with the following conditions.”

**CONDITIONS of APPROVAL**

P/R/2014-2015/199

1. Development shall occur in accordance with the Site Plan, Development Permit Application and Conditions as approved.

2. The Development Permit shall expire three years from its date of issuance unless the development has been completed in accordance with the Development Permit.
3. The landowner shall advise the Niagara Escarpment Commission in writing of the start and the completion date of the development. This notice shall be provided to the NEC 48 hours prior to the commencement of development, and within 14 days upon completion.

4. No site alteration of the existing contours of the property including the placement or stockpiling of fill on the property is permitted with the exception of that identified within the development envelope in accordance with the approved Site Plan.

5. No vegetation shall be cut or removed from the development envelope except for that identified within the development envelope in accordance with the approved Site Plan.

6. All disturbed areas shall be re-vegetated and stabilized, in accordance with the approved Site Plan, by the end of the first growing season following the completion of site grading and building construction. All trees, shrubs and nursery stock shall be native to Ontario. Only in extenuating circumstances will non-native material be considered. Native plant material should be sourced from local plant nurseries when available; bush dug plant material is not acceptable.

7. **Prior to issuance of a Development Permit**, the applicant shall provide final building plans and site plans showing the location and dimensions of the structures, including site grading.

8. This condition approval shall lapse one year (1 year) for the date of issuance.

**Notes:**

a) This Development Permit does not limit the need for or the requirements of any other approval, license or certificate under any statute (e.g., Ontario Building Code, Conservation Authorities Act, Endangered Species Act, etc.).

b) The Niagara Escarpment Commission supports the protection of the night sky from excessive residential lighting and recommends that the applicant obtain information on shielding the night sky through the use and operation of appropriate lighting fixtures. This information is available at [www.darksky.org](http://www.darksky.org).

*Motion Carried*
LANDOWNER REQUEST FOR REVISE AGREEMENT ON TITLE
Darrell Bolton
Part 2, 16R9872, Part Lot 18, Concession 2
Township of Georgian Bluffs (Sarawak), County of Grey

PROPOSAL:

To revise the Agreement on Title of Part 2, 16R9872, Part Lot 18, Concession 2, Township of Georgian Bluffs (Sarawak), County of Grey to allow construction of a dwelling, sewage disposal system and driveway on the .62 ha (1.5 ac) [15.1 m (49.5 ft) wide by 411.5m (1,350 ft) long] portion of the subject property located outside of the Niagara Escarpment Plan. The total property is 12.1 ha (30 ac) in size.

Note: Under the Agreement on Title, the 12.1 ha (30 ac) property is not recognized as an “existing lot of record” under the Niagara Escarpment Plan.

RECOMMENDATION:

That the Agreement on Title for Part 2, 16R9872, Part Lot 18, Concession 2, Township of Georgian Bluffs (Sarawak), County of Grey be revised as follows:

1. That only one dwelling shall be permitted within the west-half of Township Lot 18, Concession 2 (i.e., within Part 1, 16R9872, as constructed under Development Permit G/R/2014-2015/9008).

2. That the area of Part 2 within the NEP is not considered as an existing lot of record under the NEP.

3. That any development of Part 2 shall occur exclusively outside of the NEP, and, no new development (i.e., construction, site alterations, change in use, etc.) shall be permitted in the area of Part 2 located within the NEP.

4. That prior to any development of Part 2 outside of the NEP, the easterly boundary of Part 2 shall be extended a minimum of 30 metres (100 feet) to the east. Confirmation of this extension shall be provided in writing by an Ontario lawyer in good standing, and, a copy of the property survey by an Ontario Land Surveyor identifying the NEP boundary and the no development area in Part 2 shall be provided to the Niagara Escarpment Commission.

DISCUSSION

The Commission noted that the location of the proposed development is secondary to establishing if the subject property should be considered a lot of record under the Niagara Escarpment Plan.
Note: Rick Watt, Senior Planning Coordinator, presented and answered questions.

M776R6/02-2017 Moved By: Cambray
Seconded By: Louis

“That the request to revise the Agreement on Title of Part 2, 16R9872, Part Lot 18, Concession 2, Township of Georgian Bluffs (Sarawak), County of Grey to allow construction of a dwelling, sewage disposal system and driveway on the .62 ha (1.5 ac) [15.1 m (49.5 ft) wide by 411.5m (1,350 ft) long] portion of the subject property located outside of the Niagara Escarpment Plan be deferred for one month to allow staff to seek legal advice regarding the unrecognized subject lot of record.”

Motion Carried

A2 and B1

DEVELOPMENT PERMIT APPLICATION H/R/15-16/300
Ruth Victor and Associates
5503 Blind Line
Part Lot 4, Concessions 3, NS
City of Burlington, Regional Municipality of Halton

PROPOSAL:

1) To construct a 1 storey (plus walkout basement and mezzanine levels), 1043.28 sq m (11,218.06 sq ft) accessory barn for storage, workshop and private recreational purposes (including an associated private sewage disposal system), with a maximum height of 13.5 m (44.3 ft), a 1 storey 164.52 sq m (1769 sq ft) stable entrance addition (linkage between the existing stable and indoor riding arena # 2), with a maximum height of 6.4 m (21 ft), and a 1 storey, 351.0 sq m (3,774 sq ft) drive shed, with a maximum height of 6.3 m (20.7 ft).

2) To recognize and continue the use of a farm help apartment within an existing horse stable (established by a previous landowner), installation of a 1885 sq m (20,269 sq ft) gravel-surfaced outdoor storage area, installation of one, ± 1.2 sq m non-illuminated front entry sign (Shenandoah Equestrian), demolition of a 1 storey, ± 640 sq m (± 6882 sq ft) pole barn and tree removal, on an existing 18.81 ha (46.5 ac) lot.

RECOMMENDATION:

That the proposal be approved subject to the conditions on the attached Appendix.
DISCUSSION

The Commission inquired about the past tree cutting and landscaping plan to be submitted, and requested that trees required in the plan be large trees; David Nelson, the applicant’s agent, requested that the 10 m buffer noted in Condition 8 be reduced to 3 m. Nikki Ferreira, the neighbour, concurred with the 3 m buffer, and noted that all concerns raised had been addressed to her satisfaction. The Planner recommended that Condition 10 be amended to include ‘private school or outdoor equestrian facility’ as part of the list of prohibited uses. The Commission requested that this be included as a separate clause in the pending Agreement. Mr. Nelson clarified that the equestrian events, shows, special events or tournaments referred to in Condition 12 were for the Applicant’s clients only and that no horse shows would take place.

Note: Michael Baran, Planner, presented and answered questions. David Nelson, Agent, presented and answered questions. Nikki Ferreira, Neighbour, presented and answered questions.

M776R7/02-2017

Moved By: Elgar
Seconded By: Downey

“That the Commission accept the staff recommendation with the following revised Conditions.”

CONDITIONS OF APPROVAL

1. Development shall occur in accordance with the Site Plan, Development Permit Application and Conditions as approved.

2. The Development Permit shall expire three years from its date of issuance unless the development has been completed in accordance with the Development Permit.

3. The landowner shall advise the Niagara Escarpment Commission (NEC) in writing of the start and the completion date of the development. This notice shall be provided to the NEC forty-eight (48) hours prior to the commencement of development, and within fourteen (14) days upon completion.

4. No site alteration of the existing contours of the property including the placement or stockpiling of fill on the property is permitted with the exception of that identified on the approved Site Plan.

5. No vegetation shall be cut or removed from the development sites except for that identified on the approved Site Plan.
6. All disturbed areas shall be re-vegetated and stabilized, in accordance with the approved Site Plan and through Condition 8, by the end of the first growing season following the completion of site grading and building construction. All trees, shrubs and nursery stock shall be native to Ontario. Native plant material should be sourced from local plant nurseries when available; bush dug plant material is not acceptable.

7. Appropriate erosion/sediment controls (e.g. silt fencing) and where applicable, tree protection measures (e.g. tree hoarding), shall be installed around all parts of the development site prior to commencing development. Photographs verifying the installation of the fencing/hoarding shall be submitted to the Niagara Escarpment Commission prior to commencing construction. The controls shall be maintained until the works are completed and the sites are stabilized.

8. **Prior to the issuance of a Development Permit**, the owner/applicant shall submit a Comprehensive Landscaping Plan prepared by a qualified professional to the satisfaction of the Niagara Escarpment Commission. The approved Plan shall be a part of the Development Permit.

   The Plan shall prescribe native tree planting in conjunction with a 3.0 metre wide planting strip/buffer adjacent to the abutting residential property at the southwest lot corner. The Plan shall include details for the type, size and numbers of all new plant material to the satisfaction of the Niagara Escarpment Commission.

9. **Prior to the issuance of a Development Permit**, final floor plans and elevations of the accessory barn (for storage, workshop and private recreational purposes), the driveshed and stable entry addition shall be submitted to the Niagara Escarpment Commission for approval. The plans shall include a schedule signed by the architect/designer confirming the gross floor area of each applicable building level and the maximum height of the building/structure, as defined by the Niagara Escarpment Commission.

10. **Prior to the issuance of a Development Permit**, the landowner shall (at the landowner’s expense), enter into an Agreement (to be registered on title) with the Niagara Escarpment Commission pursuant to Section 24(2.1) of the Niagara Escarpment Planning and Development Act, which shall ensure that:

    a) The accessory barn (for storage, workshop and private recreational purposes) shall not contain a kitchen facility and shall not be used as a second dwelling, apartment unit, farm help apartment/accessory dwelling unit or used for home business, commercial, industrial, institutional or livestock purposes.

    b) The accessory barn (for storage, workshop and private recreational purposes) shall not be used for the purpose of or in conjunction with a private school and/or an outdoor education facility.
c) The gravel-surfaced outdoor storage area located at the southwest corner of the subject lands shall not be used for commercial or industrial purposes, or for the storage of any fuels, chemicals, manure, etc.

11. Exterior site lighting (buildings, driveways and gravel-surfaces outdoor storage area) shall be designed to be minimal, subdued, of low height and downward facing.

12. The equestrian facility and associated property shall not be open to or be used by the general public for equestrian events, shows, special events, trials or tournaments.

13. The temporary farm help apartment in the horse barn shall be permitted on the property for a period of up to three (3) years from the date of the issuance of a Development Permit, at which time the temporary farm help apartment shall be removed/decommissioned to the satisfaction of the Niagara Escarpment Commission, or re-application made by the landowner and approvals received prior to the lapsing date of the Development Permit from the Niagara Escarpment Commission.

14. Should the requirement for farm help cease within the three (3) year life of this Permit, the temporary farm help apartment shall immediately be removed/decommissioned to the satisfaction of the Niagara Escarpment Commission.

15. This conditional approval expires one (1) year from the date of confirmation of the decision to approve the Development Permit Application. Condition #’s 8, 9 and 10 of this conditional approval shall be fulfilled before the expiry date.

Notes/Advisories:

1. This Development Permit does not limit the need for or the requirements of any other approval, license or certificate under any statute (e.g., Ontario Building Code (including security payment, grading, drainage and fencing and details, possible Load Exemption and Site Alteration Permits, etc., per City of Burlington requirements).

2. The entire property is identified as having archaeological potential. Although an archaeological assessment is not required, the landowner is cautioned that during development activities, should deeply buried archaeological materials be found on the property, the Ministry of Tourism, Culture and Sport (MTCS) should be notified immediately (416-212-8886 or archaeology@ontario.ca). In the event that human remains are encountered during construction, the proponent should immediately contact both the MTCS and the Registrar or Deputy Registrar of The Cemeteries Regulation Unit, Ministry of Government and Consumer Services (416-326-8393 or 1-800-889-9768 or consumer@ontario.ca).
3. The Niagara Escarpment Commission supports the protection of the night sky from excessive residential lighting and recommends, in conjunction with Condition 11, that the landowner obtains information on shielding the night sky through the use and operation of appropriate lighting fixtures. This information is available at www.darksky.org.

Motion Carried

Broke for lunch: 11:55 a.m.

Reconvened: 12:45 p.m.

A3

STAFF REPORT
Major Amendment to the Master Plan for the Mount Nemo Conservation Area, City of Burlington, Halton Region

PROPOSAL:

Conservation Halton and the City of Burlington as proposing to construct a 29-car parking lot on lands within the Mount Nemo Conservation Area, at the corner of Walker’s Line and No.2 Sideroad. A major amendment to the Master Plan for Mount Nemo Conservation Area is being sought to enable this undertaking to proceed.

Conservation Halton has submitted a planning justification report (Appendix 1) and amendment document, including site plan and revised Master Plan mapping (Appendix 2) in support of the proposed amendment. The amendment will require: i) re-zoning a portion of the park’s Resource Management Zone to Access Zone; and ii) addition of the parking lot to Master Plan mapping and site plans. These changes are illustrated on Figure 3.2 within the amendment document in Appendix 2.

It should also be noted that construction of the parking lot is being co-ordinated with realignment of the intersection of No.2 Sideroad and Walker’s Line, consisting of road resurfacing and the construction of new paved shoulders, drainage swales and ditches. Development Permit Application H/T/2015-2016/390 is approved (Director’s Approval), and is awaiting fulfillment of the conditions of approval.

SUMMARY:

The proposed parking lot supports the objectives of the NEP by providing access to the Escarpment and opportunities for outdoor recreation. There are not any significant
natural heritage features that will be impacted by the proposed parking lot. Tree removal is limited to that which is absolutely necessary, and removed trees will be replaced at a ratio of 3:1. Furthermore, the parking lot will enhance community safety by providing a safe alternative to parking on the road shoulder. Construction is being coordinated with road improvements immediately adjacent to the proposed parking lot. Through the NEPOSS master plan amendment process, Conservation Halton and the City of Burlington have consulted extensively with park users and neighbouring landowners. There are no objections to the proposed parking lot, and minor design modifications have been made in order to respond to comments received.

RECOMMENDATIONS:

1. That the Commission endorse the amendment to the Mount Nemo Master Plan.
2. That the Master Plan amendment be forwarded to the MNRF for final approval.

DISCUSSION:

A Commissioner expressed concern municipal activities are having an impact in lands designated Escarpment Protection, and that approval may set a precedent that lowers the standard of protection in Escarpment Protection Areas.

Note: Kim Peters, Senior Strategic Advisor, presented and answered questions.

M776R8/02-2017
Moved By: Elgar
Seconded By: Little

“That the Commission accept the staff recommendations.”

Motion Carried

A7

STAFF REPORT
Request for “Delay”: Brock University Request for Boundary Interpretation

BACKGROUND

On February 7, 2017, Tom Richardson, counsel for Brock University, submitted a letter to the NEC requesting that NEC staff delay its report to Commission on the issue of the boundary interpretation between Urban Area and Escarpment Natural Area on the University’s lands on Lockhart Drive in the City of St. Catharines. This matter was before the Commission previously in February and April 2016. Mr. Richardson cited two reasons for the request to delay:
i) Brock University, through its planning consultant, made submissions to the Coordinated Review. The City of St. Catharines also made submissions to the Coordinated Review with respect to the Lockhart Drive lands. No response has been received.

ii) Brock University is in the process of initiating an application to amend the Official Plan of the City of St. Catharines with respect to the Lockhart Drive lands. That application will allow the Region, the City and the NEC to apply the appropriate policies to these lands.

Staff is recommending that the Commission proceed with considering the boundary interpretation at this meeting. Although the boundary interpretation request could be dealt with outside of the Coordinated Review directly by the NEC (as it has been doing), Brock University has made a submission through the Coordinated Review that could be considered by the Minister. Therefore, it is appropriate that the Commission take a position on the boundary interpretation if the Minister does decide to consider it through the Coordinated Review.

**RECOMMENDATIONS:**

Since the University and the City of St. Catharines have requested that the matter be dealt with through the Coordinated Review, staff recommends that the Commission take a position on the boundary interpretation at this meeting in order to meet the government’s stated winter 2017 timeline. Therefore, staff is recommending:

1. That the Commission proceed with considering the boundary interpretation on the Brock University properties on Lockhart Drive at the February 16, 2017 meeting;

2. That the Commission inform the Ministry of Natural Resources and Forestry of its position on the boundary interpretation so that the government can consider the Commission’s position, if it chooses to consider the comments submitted by Brock University and the City of St. Catharines during the Coordinated Review.

M776R9/02-2017

Moved By: Louis
Seconded By: Little

“That the Commission proceed with considering the boundary interpretation on the Brock University properties on Lockhart Drive.”

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

Motion Carried

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

Motion Carried

“That the Commission accept the legal advice regarding previous Environmental Review Tribunal hearings related to the Brock University boundary interpretation.”

Motion Carried

DISCUSSION:

The Commission inquired if a Commission decision on the boundary interpretation would impact Brock University’s request submitted through the Coordinated Plan Review; the agent was not given any instruction to withdraw the application.

Note: Kim Peters, Senior Strategic Advisor, presented and answered questions.

Thomas A. Richardson, Solicitor for Brock University, presented and answered questions.

A6

RE: Brock University Request for Boundary Interpretation

BACKGROUND:

Brock University, through Mr. Thomas A. Richardson, has made multiple submissions on Brock University’s Lockhart Drive lands to the NEC outside of the province’s Co-
Urban Area. However, current NEC mapping designates the lands as a combination of Urban Area and Escarpment Natural Area. The NEC has considered and responded to Brock University’s submissions outside of the Co-ordinated Review process.

As noted in Part 1.1 of the NEP, “the exact delineation of designation boundaries on specific sites will be done by the implementing body through the application of the designation criteria using the most detailed or up-to-date information available and site inspections.” NEC staff considered the Niagara Escarpment Plan land use designation criteria and objectives, the Provincial Policy Statement, and information available from the Natural Heritage Information Centre, the Niagara Peninsula Conservation Authority, and the Environmental Constraints Report provided by the applicant.

In considering these policies and information, staff recommends that the amount of Escarpment Natural Area on the subject lands should be interpreted to include all of the woodland and wet areas between the Escarpment toe and Lockhart Drive. This is appropriate in that this area meets the objectives and criteria for Escarpment Natural Area. The Urban Area designation should be limited to areas where urban development already exists. Staff also recommends that cleared area behind the Brock Research and Innovation Centre be re-designated as Escarpment Protection Area.

RECOMMENDATION:

That the Commission endorse staff’s boundary interpretation, as shown on the report’s Attachment 5.

Note: Kim Peters, Senior Strategic Advisor, presented and answered questions. Thomas A. Richardson, Solicitor for Brock University, presented and answered questions.

M776R14/02-2017

Moved By: Louis
Seconded By: Little

“That the Commission accept the staff boundary interpretation on the Brock University properties on Lockhart Drive.”

Motion Carried

NOTE: The Commission requested that the February 16, 2017 Commission meeting date be added to the Attachment 5 map.
RE: IN CAMERA SESSION
Legal advice regarding offer to settle.

M776R17/02-2017
Moved By: Borodczak
Seconded By: Baty

“That the Commission move in-camera.”

Motion Carried

M776R18/02-2017
Moved By: Elgar
Seconded By: Baty

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

Motion Carried

INFORMATION REPORTS – G Package

M776R19/02-2017
Moved By: Elgar
Seconded By: Little

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

Motion Carried

DISCUSSION:

The Commission noted that development permit application P/F/2016-2017/162, to restore and “daylight” 800m of natural stream be considered for an award.

The Commission expressed concern that many development permit applications approved at the Director level are being appealed. Staff will review and report back.

NEW BUSINESS:

A Commissioner requested an update on the Co-ordinated Review submission from the Town of Pelham requesting the addition of the Fonthill Kame to the Niagara Escarpment Plan Area. Staff will follow up and report back with options to protect the kame to the Commission in April 2017.
The Commission requested an update on the medical marijuana greenhouse application hearing, and asked to revisit the policy paper written in 2015.

**ADJOURNMENT**

**M776R19/02-2017**

Moved By: McQueen

“That this meeting be adjourned.”

Motion Carried

**Time of Adjournment:** 3:05 p.m.

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Don Scott
Chair