MINUTES OF M756/02-2015
NIAGARA ESCARPMENT COMMISSION
GEORGETOWN, ONTARIO
February 19, 2015


Regrets: N. Borodczak, M. Miller, D. Scott.


Also Present: J. Travers, (Acting) Director, R. Pineo, Niagara Escarpment Program Team Leader, Natural Heritage and Land Use Planning Section, MNRF; R. Patrick, President, C.O.N.E.

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

Commissioner Shawn Davidson was Acting Chair.

AGENDA ITEM I – M755/01-2015

M756R1/02-2015

Moved By: Boyle
Seconded By: McGhee

“That the Commission accept the Commission Minutes of January 15, 2015 as written.”

Motion Carried

Business Arising from the Previous Minutes

Commissioner Cambray asked that NEC staff provide a progress report for the June 2015 Commission meeting on the deferred Development Permit Application H/C/2013-2014/226 (Petrovski). He also requested that staff provide a few of the key issues, if available, when reporting items for the Director's Report.
Commissioner Beattie asked that the Minutes include references made by the Commission when discussing the G and H package information. Starting at the March 2015 Commission meeting the Commission Secretary will record the discussion(s) and include a brief review of the discussion in the Minutes.

AGENDA ITEM II – Declaration of Conflicts of Interest

None declared.

AGENDA ITEM III – Applications & Planning Reports

M756R2/02-2015
Moved By: Beattie
Seconded By: Little

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

Motion Carried

IN CAMERA SESSION

The Commission moved in-camera for a presentation on the Coordinated Review and to discuss a Compliance Report.

M756R3/02-2015
Moved By: Baty
Seconded By: McQueen

“That the Commission move in-camera.”

Motion Carried

M756R4/02-2015
Moved By: Beattie
Seconded By: McQueen

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

Motion Carried
“That the Commission request NEC staff prepare a letter to Whirlpool Jet Boat Tours (WJBT), and copy the Queenston Residents Association (QRA), reminding WJBT that operations or site alterations involving development such as the introduction and use of tents and/or trailers on the Queenston dock site will require a Development Permit from the Niagara Escarpment Commission.”

Motion Carried

A5

DEVELOPMENT PERMIT APPLICATION N/A/2013-2014/152
Justin Mamone – Losani Homes
Part Lot 23, Concession 3
Town of Grimsby Niagara Region

PROPOSAL:
To undertake site grading using fill material already placed on a portion of a vacant 19.5 ha (48.3 ac) lot to prepare this area for agricultural use.

RECOMMENDATION:
That the proposal be refused for the following reasons:

1. The proposal is not associated with a permitted use in Part 1.4 (Escarpment Protection Area) of the Niagara Escarpment Plan.

2. The proposal does not meet the Objectives in Part 1.4 (Escarpment Protection Area) of the Niagara Escarpment Plan.

Note: Martin Kilian, Planner, summarized the Applicant’s request for a deferral.

“That the Commission grant the Applicant’s request for a deferral to the April 16, 2015 Commission meeting.”

Motion Carried
RE: INITIAL STAFF REPORT
PROPOSED Niagara Escarpment Plan Amendment PH 205 15
(UNION GAS)
Part Lots 10, Concessions 1 through 6, Nelson, City of Burlington and
Part Lot 10, Concession 7, Nelson
Town of Milton Halton Region

APPLICANT/OWNER: Union Gas Limited
AGENT: Harold Elston, Barriston Law LLP
RECEIVED: February 3, 2015
NEP Designation: Escarpment Rural, Protection, and Natural Areas

PROPOSAL:
To amend the Niagara Escarpment Plan (NEP) by adding a special policy to apply to a natural gas pipeline easement corridor that traverses 9.8 km of the Niagara Escarpment Plan Area in the City of Burlington and the Town of Milton in Halton Region. The pipeline corridor includes a Provincially Significant Wetland and unevaluated wetlands. Development within these wetlands will not comply with Part 2.6.10 of the NEP and requires an exception to proceed.

RECOMMENDATION:
That the Niagara Escarpment Commission instruct staff to process the proposed Amendment PH 205 15 (Union Gas) for circulation and notification pursuant to Section 6.1(2) of the Niagara Escarpment Planning and Development (NEPDA).

Note: Kim Peters, Senior Strategic Advisor, summarized the staff report and answered questions. Harold Elston, Legal Counsel, Barriston Law, Paul Rietdyk, Vice President, Engineering, Construction/Storage and Transmission Operations, Union Gas, and Mark Knight, Environmental Planner, Assessment, Permitting, Stantec, were present and answered questions.

“That the Commission accept the staff recommendation to initiate and process the proposed Amendment.”

Motion Carried
NOTE: Commissioner Beattie was noted as being in opposition to the motion.

A1

DEVELOPMENT PERMIT APPLICATION G/R/2014-2015/9080
Diana Kerbel
Lots 7, 8 & W½ 9, Concession 2
Municipality of Grey Highlands (Euphrasia) Grey County

PROPOSAL:

To utilize two existing, in-ground concrete sono tubes as a base for two deck support posts for a proposed new 6.3 m x 3.6 m (20' 8" x 11' 9") deck on the east side of an existing dwelling on a 200 ha (500 ac) existing lot. (Note: A Development Permit (G/R/214-2015/9024) has been issued for a cantilevered deck design without support posts. Upon further investigation, two concrete sono tubes were discovered which were used to support a former deck and could be used for the proposed new deck).

RECOMMENDATION:

The application be approved subject to Conditions.

Note: Rick Watt, Senior Planning Coordinator, summarized the staff report and answered questions.

Moved By: Louis
Seconded By: McQueen

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

CONDITIONS of APPROVAL

1. Non-fulfillment or breach of any one of the conditions shall render the Development Permit void.

2. A site inspection(s) to the property may be undertaken by the Niagara Escarpment Commission to ensure that the development complies with the conditions of the Development Permit. Persons may accompany the Commission representatives on the site inspection(s) who possess expert or special knowledge related to the conditions of the Development Permit.
3. No municipal Building Permit or other license, certificate, permit or similar permission relating to development shall be issued or be considered to be in force unless the Development Permit is in effect.

4. The Development Permit shall expire three years from its date of issuance unless a valid municipal Building Permit is issued within the three years and the development has been completed.

5. Development shall take place only in accordance with the Site Plan and Development Permit Application as approved, and in accordance with the following conditions.

6. No grading of or site alterations to the existing contours of the development area is permitted for the construction of the deck on the east side of the existing/original dwelling.

7. No trees other than dead or diseased trees shall be cut or removed from the development area.

8. Screening, landscaping and rehabilitation shall commence by the end of the growing season after the development is completed. All trees, shrubs and nursery stock shall be native to Ontario.

9. **Prior to the commencement of construction** of the deck to the east side of the existing dwelling, a municipal Building Permit, which is in accordance with the Development Permit Application and Site Plan as approved by the Niagara Escarpment Commission, shall be obtained from the Municipality of Grey Highlands Building Department. *(Note: A copy of the Building Permit for the deck shall be filed with the Niagara Escarpment Commission.)*

10. **Prior to the commencement of any development**, all erosion/sediment control measures shall be implemented and controls shall be maintained until all disturbed areas are stabilized to ensure that sediments do not enter any watercourse, wetland, lake, pond or sensitive area. When an erosion and sediment control plan appears to be inadequate, the deficiencies must be addressed and additional measures or practices implemented as needed. It is the responsibility of the owner to implement, monitor and maintain all erosion/sedimentation control structures and practices until vegetative cover has been successfully established. The applicant shall advise the Niagara Escarpment upon implementation of the control measures.

11. Notwithstanding Development Permits #6681/G/R/2013-2014/9016 and #6713/G/R/2014-2015/9024, a portion of deck on the east side of the existing dwelling is permitted to infringe into the 30 m (98 ft) setback from the high-water
mark of Duncan Lake. **Deck support posts shall be only placed on the two existing in-ground concrete sono tubes bases. No additional ground supports shall be permitted and no site alteration is permitted.** All other development shall be setback a minimum of 30 m (98 ft) from the high-water mark of Duncan Lake. There shall be no site alterations or the construction or placement of any building or structure, including decking, within this 30 m (98 ft) setback area and no alterations to the shoreline of the lake (e.g., docks, boardwalks, importation of beach sand) with the exception of any shoreline buffer plantings (e.g., low growing native shrub species).

12. **Prior to the commencement of any development** within any area regulated under Ontario Regulation 151/06, a Permit shall be obtained from the Grey Sauble Conservation Authority. (Note: A copy of this Permit shall be filed with the Niagara Escarpment Commission.)

13. Under Development Permit #6681/G/R/2013-2014/9016, the maximum building footprint for the dwelling shall not exceed 371 sq m (4,000 sq ft), the maximum floor area shall not exceed 558 sq m (6,000 sq ft), and the maximum dwelling height shall not exceed 10 m (32.8 ft). No future increase in maximum dwelling size and no accessory building or any structure shall be permitted within the related Condominium Unit and its exclusive use area (once the approved draft Plan of Condominium 42-CDM-2008-11 is registered). The exemption provisions of Ontario Regulation 828/90, as amended, with regard to an addition to the dwelling, the construction or addition to a porch, patio or deck, the construction of a swimming pool, and the construction of an accessory building or structure shall not apply.

NOTES:

- 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

- The applicant/owner is cautioned that during development activities, should deeply buried archaeological materials be found on the property the Ontario Ministry of Tourism, Culture and Sport and the Historic Saugeen Metis shall be notified immediately.

- The Niagara Escarpment Commission has initiated an Amendment to the Niagara Escarpment Plan (PG 203 14) to reflect the reduction in the permitted number of dwellings units from 8 to 5 under Development Permits #6681/G/R/2013-2014/9015 - 9019.

- The County of Grey has given draft approval for a five unit Plan of Condominium (42-CDM-2008-11) on the subject property.

Motion Carried
ADDENDUM STAFF REPORT
DEVELOPMENT PERMIT APPLICATION: G/T/2013-2014/9071
DEVELOPMENT PERMIT APPLICATIONS: G/R/2013-2014/9076-9097
Mac Boulter
Part Lot 5, Jones Range
Township of Georgian Bluffs (Keppel) Grey County

BACKGROUND:

At the January 15, 2015 meeting, the Commission deferred a decision on these applications proposing the development of a 22 lot subdivision, municipal roadway, municipal watermain connection and associated surface drainage management, as outlined in the following “draft minutes”:

“That the Commission defer these Applications so that the proponent can review the draft plan and consider the Commission’s following suggestions:

- Improved tree preservation and replacement tree planting plan(s) particularly on those lots located further back from the lake and natural vegetation cover between lots;
- Explore options for public access to waterfront within the subdivision lands;
- Clarification of the proposed easement / covenant respecting the drainage channel / watercourse which crosses the lands;
- Ensure that a correction is made to the final site plan so that it shows the proper cross-section of both the Western Property Line ditch and the Galloway Roadside Ditch (bottom left corner of Map 3A).
- Clarification respecting surface water management within the subdivision plan;
- New condition(s) to require inspection and maintenance of the septic systems;
- New condition forbidding further site alteration on the private lands along the shoreline;
- Consider signage on the new subdivision road to limit access to local traffic as well as constructing the subdivision road and new driveways as gravel surfaces such as tar and chipped rather than paved surfaces.”

RECOMMENDATIONS:

2. That upon confirmation of the Niagara Escarpment Commission decision, the Niagara Escarpment Commission advise the County of Grey they have no objection to the Plan of Subdivision 42T-2013-04, subject to certain conditions and as approved under the Development Permit Applications.

Note: Rick Watt, Senior Planning Coordinator, summarized the staff report and answered questions. Kathryn O’Hagan-Todd, Concerned Citizen, presented and answered questions. Darryl Robins, Engineer, and John Morton, Ecologist, Agents, presented and answered questions. Mac Boulter, Applicant, was present.

**M756R9/02-2015**

Moving By: Louis  
Seconding By: Boyle

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

**REVISED CONDITIONS of APPROVAL**

1. Non-fulfillment or breach of any one of the conditions shall render the Development Permit void.

2. A site inspection(s) to the property may be undertaken by the Niagara Escarpment Commission to ensure that the development complies with the conditions of the Development Permit. Persons may accompany the Commission representatives on the site inspection(s) who possess expert or special knowledge related to the conditions of the Development Permit.

3. No municipal Building Permit or other license, certificate, permit or similar permission relating to development shall be issued or be considered to be in force unless the Development Permit is in effect.

4. The Development Permit shall expire three years from its date of issuance unless the development has been completed.

5. Development shall take place only in accordance with the Final Site Plan and Development Permit Application as approved, and in accordance with the following conditions.

6. No grading or filling of the existing contours of the development area is permitted with the exception of that which is absolutely required for the construction of the road, watermain, natural gas, hydro and telecommunication services, and surface water management system as per the Final Site Servicing Plan, and the Master Vegetation Preservation and Landscape Plan.
7. No trees other than dead or diseased trees shall be cut or removed from the
development areas with the exception of those as identified in the Master
Vegetation Preservation and Landscape Plan and Final Site Servicing Plan.

8. Prior to the issuance of a Development Permit by the Niagara Escarpment
Commission, a Master Vegetation Preservation and Landscape Plan shall
be submitted for the approval of the Niagara Escarpment Commission, Grey
Sauble Conservation Authority and the Township of Georgian Bluffs. This Plan
shall include but not be limited to the following:

- Identify all existing treed areas within the subdivision, including trees 150
  mm and larger, species composition, understorey detail and successional
growth;
- Identify trees to be retained and protected during and after construction,
  and the protection methods required, both on the road allowance and on
  individual lots, including edge management recommendations (such as
  protection of tree drip lines) where new woodlot edges are created due to
  the construction of the road, surface water management features,
  servicing and lot development preparations;
- Identify that no site alterations or tree removal shall occur outside the
  limits of the new road allowance and outside the lot development
  envelopes, with the exception of driveways, and water, natural gas, hydro
  and telecommunication services.
- Identify the 30 m (98.4 ft) no-development / no-disturbance setback from
  the 100 year flood level of Colpoy's Bay; the variable no-development / no-disturbance
  setback between the development envelopes and the northerly boundaries
  of Lots 1-11; the 15 m (49.2 ft) no-development and tree retention
  setback from the central watercourse for Lots 6, 7, 16 & 17; and, the no-development
  boundary for vegetation community no. 6 on Lots 19–22.
- Identify that no tree removal shall be permitted within the variable no-
  development / no-disturbance setback between the development
  envelopes and the northerly boundaries of Lots 1–11.
- Identify the location, size and species of trees to be included in the
  supplemental planting along the central watercourse as recommended by
  the Natural Heritage Environmental Impact Study and the timing details of
  the planting to be done by the applicant.
- Identify that plant material shall be nursery grown stock native to the local
  area and shall not include bush dug material.
- Identify that no trees shall be removed without the written approval of the
  Township of Georgian Bluffs, the Grey Sauble Conservation Authority and
  the Niagara Escarpment Commission except those which are permitted
  under the Master Vegetation Preservation and Landscape Plan;
• Identify precautions necessary to prevent damage to existing trees and vegetated areas, including that areas within the tree protection fencing shall remain undisturbed and shall not be used for the storage of surplus soil, debris, construction/building materials or equipment; that no contaminants will be dumped or flushed where feeder roots of vegetation exist; that no vegetation or tree limbs shall be removed, pruned or otherwise damaged during the course of construction; and, that no rigging cables shall be wrapped around or installed in trees to be preserved.

• Identify that any trees noted for preservation and damaged or removed as a result of subdivision construction process, and without written approval, shall be replaced on a per caliper basis and in a location approved by the Niagara Escarpment Commission.

• Identify the locations for all permanent markers and fencing on the lots within the plan of subdivision including the 30 m (98.4 ft) setback from the 100 year flood level; the 15 m (49.2 ft) setback from the central watercourse; and, the boundary of vegetation community no 6. Permanent markers shall be located no further apart than 15 m (49.2 ft) intervals.

• All drawings submitted must be to scale (bar scale shown), reference the application number and address of the proposal, be dated (revision dates noted) and denote the author/consultant/professional preparing the information.

The approved Master Vegetation Preservation and Landscape Plan shall form part of this Development Permit and development shall proceed in accordance with the details of the Master Vegetation Preservation and Landscape Plan.

9. Prior to the issuance of a Development Permit by the Niagara Escarpment Commission, a Final Site Servicing Plan for the subdivision shall be submitted for the approval of the Township of Georgian Bluffs, Grey Sauble Conservation Authority and Niagara Escarpment Commission. The Plan shall include but not be limited to the following:

• Site servicing design for the subdivision road allowance, watermain service and drainage / storm water / surface water management facilities.
• Identify the lot boundary of each subdivision lot and the development envelope of each lot;
• Identify that all development shall be restricted to within the development envelope and that no disturbance or tree removal outside the development envelope except for the individual lot driveways and water, natural gas, hydro and telecommunication services shall be permitted;
• Identify the 30 m (98.4 ft) no-development / no-disturbance setback from the 100 year flood level of Colpoy’s Bay; the variable no-development / no-disturbance setback between the development envelopes and the northerly boundaries of Lots 1 - 11; the 15 m (49.2 ft) no-development and tree retention setback from the central watercourse for Lots 6, 7, 16 & 17; and, the no-development boundary for vegetation community no. 6 on Lots 19 – 22.
• Identify the locations for all permanent markers and fencing on the lots within the plan of subdivision including the 30 m (98.4 ft) setback from the 100 year flood level (Lots 1 – 11); the 15 m (49.2 ft) setback from the central watercourse (Lots 6, 7, 16 & 17); and, the boundary of vegetation community no. 6 (Lots 19 – 22). Permanent markers shall be located no further apart than 15 m (49.2 ft) intervals.
• Identify how all mitigation measures recommended in the Natural Heritage Environmental Impact Study and detailed in the Master Vegetation Preservation and Landscape Plan shall be implemented for site servicing;
• Identify all erosion/sediment control measures to be implemented, in keeping with the quality control measures recommended in the Functional Servicing Report and detailed in the Siltation and Erosion Control Plan;
• Identify that any excess/unused soil from the development be removed to an approved off-site location unless otherwise permitted under the Development Permit and/or Subdivision Agreement.
• Identify that any vegetation within preservation zones which is damaged by the subdivision development construction process shall be rehabilitated/replaced to the satisfaction of the Niagara Escarpment Commission.

The approved Final Site Servicing Plan shall form the Site Plan referred to in Condition # 5 and development shall proceed in accordance with the details of the approved Final Site Servicing Plan.

10. **Prior to the commencement of development**, the applicant shall obtain a Permit under Ontario Regulation 151/06 from the Grey Sauble Conservation Authority in accordance with the *Conservation Authorities Act*. (Note: A copy of the Permit shall be filed with the Niagara Escarpment Commission.)

11. **Prior to the issuance of a Development Permit from the Niagara Escarpment Commission**, a copy of the draft subdivision agreement to be entered into with the Township of Georgian Bluffs shall be submitted for the approval of the Niagara Escarpment Commission.

12. **Prior to the commencement of development**, approval for the plan of subdivision shall be obtained from the County of Grey and the subdivision shall be registered under the *Registry Act*.

13. This conditional approval shall be void if a Development Permit is not issued within one (1) year of the date of the confirmation of the Development Permit Application decision, except, if the plan of subdivision approval required under Condition # 13 is appealed, the expiry date shall be extended past the one year to 90 days from the date a decision is rendered on the plan of subdivision.
1. Non-fulfillment or breach of any one of the conditions shall render the Development Permit void.

2. A site inspection(s) to the property may be undertaken by the Niagara Escarpment Commission to ensure that the development complies with the conditions of the Development Permit. Persons may accompany the Commission representatives on the site inspection(s) who possess expert or special knowledge related to the conditions of the Development Permit.

3. No municipal Building Permit or other license, certificate, permit or similar permission relating to development shall be issued or be considered to be in force unless the Development Permit is in effect.

4. The Development Permit shall expire three years from its date of issuance unless a valid municipal Building Permit for the subdivision lot is issued within the three years and the lot development has been completed, and the provisions of the Master Vegetation Preservation and Landscape Plan have been fulfilled.

5. Development shall take place only in accordance with the Comprehensive Final Site Plan, Master Vegetation Preservation and Landscape Plan, Development Permit Application as approved, and in accordance with the following conditions.

6. No grading or filling of the existing contours of the subdivision lot is permitted with the exception of that which is absolutely required for the construction of the dwelling, sewage disposal system, driveway and water, natural gas, hydro and telecommunication services, as per the Master Vegetation Preservation and Landscape Plan.

7. No trees other than dead or diseased trees shall be cut or removed from the subdivision lot with the exception of those absolutely necessary for the construction of the dwelling, sewage disposal system, driveway and water, natural gas, hydro and telecommunication services, as per the comprehensive Final Site Plan and Master Vegetation Preservation and Landscape Plan.

8. Prior to the issuance of a Development Permit by the Niagara Escarpment Commission, a Master Vegetation Preservation and Landscape Plan shall be submitted for the approval of the Niagara Escarpment Commission, Grey Sauble Conservation Authority and the Township of Georgian Bluffs. This Plan shall include but not be limited to the following:

   - Identify all existing treed areas within the subdivision, including trees 150 mm and larger, species composition, understorey detail and successional growth;
• Identify trees to be retained and protected during and after construction, and the protection methods required, both on the road allowance and on individual lots, including edge management recommendations (such as protection of tree drip lines) where new woodlot edges are created due to the construction of the road, surface water management features, servicing and lot development preparations;

• Identify that no site alterations or tree removal shall occur outside the limits of the new road allowance and outside the lot development envelopes, with the exception of driveways and water, natural gas, hydro and telecommunication services.

• Identify the 30 m (98.4 ft) no-development / no-disturbance setback from the 100 year flood level of Colpoy’s Bay; the variable no-development / no-disturbance setback between the development envelopes and the northerly boundaries of Lots 1 - 11; the 15 m (49.2 ft) no-development and tree retention setback from the central watercourse for Lots 6, 7, 16 & 17; and, the no-development boundary for vegetation community no. 6 on Lots 19 – 22.

• Identify that no tree removal shall be permitted within the variable no-development / no-disturbance setback between the development envelopes and the northerly boundaries of Lots 1 – 11.

• Identify the location, size and species of trees to be included in the supplemental planting along the central watercourse as recommended by the Natural Heritage Environmental Impact Study and the timing details of the planting to be done by the applicant.

• Identify that plant material shall be nursery grown stock native to the local area and shall not include bush dug material.

• Identify that no trees shall be removed without the written approval of the Township of Georgian Bluffs, the Grey Sauble Conservation Authority and the Niagara Escarpment Commission except those which are permitted under the Master Vegetation Preservation and Landscape Plan;

• Identify precautions necessary to prevent damage to existing trees and vegetated areas, including that areas within the tree protection fencing shall remain undisturbed and shall not be used for the storage of surplus soil, debris, construction/building materials or equipment; that no contaminants will be dumped or flushed where feeder roots of vegetation exist; that no vegetation or tree limbs shall be removed, pruned or otherwise damaged during the course of construction; and, that no rigging cables shall be wrapped around or installed in trees to be preserved.

• Identify that any trees noted for preservation and damaged or removed as a result of subdivision construction process, and without written approval, shall be replaced on a per caliper basis and in a location approved by the Niagara Escarpment Commission.

• Identify the locations for all permanent markers and fencing on the lots within the plan of subdivision including the 30 m (98.4 ft) setback from the 100 year flood level; the 15 m (49.2 ft) setback from the central watercourse; and, the boundary of vegetation community no 6. Permanent markers shall be located no further apart than 15 m (49.2 ft) intervals.
• All drawings submitted must be to scale (bar scale shown), reference the application number and address of the proposal, be dated (revision dates noted) and denote the author/consultant/professional preparing the information.

The approved Master Vegetation Preservation and Landscape Plan shall form part of this Development Permit and development shall proceed in accordance with the details of the Master Vegetation Preservation and Landscape Plan.

9. Prior to the issuance of a Development Permit by the Niagara Escarpment Commission, a Comprehensive Final Site Plan shall be submitted for the approval of the Niagara Escarpment Commission, Township of Georgian Bluffs, and the Grey Sauble Conservation Authority. The Plan shall be comprehensive and contain but not be limited to the following:

• Location of site servicing for the subdivision (i.e., road allowance, watermain service, drainage / storm water / surface water management facilities).
• Identify the lot boundary of each subdivision lot and the development envelope of each lot.
• Identify that all development shall be restricted to within the development envelope and that no disturbance or tree removal outside the development envelope except for the driveway and water, natural gas, hydro and telecommunication services shall be permitted, as per the Master Vegetation Preservation and Landscape Plan.
• Identify the 30 m (98.4 ft) no-development / no-disturbance setback from the 100 year flood level of Colpoy’s Bay; the variable no-development / no-disturbance setback between the development envelopes and the northerly boundaries of Lots 1 - 11; the 15 m (49.2 ft) no-development and tree retention setback from the central watercourse for Lots 6, 7, 16 & 17; and, the no-development boundary for vegetation community no. 6 on Lots 19 – 22.
• Identify that no tree removal shall be permitted within the variable no-development / no-disturbance setback between the development envelopes and the northerly boundaries of Lots 1 – 11.
• Identify the locations for all permanent markers and fencing on the lots within the plan of subdivision including the 30 m (98.4 ft) setback from the 100 year flood level (Lots 1 – 11); the 15 m (49.2 ft) setback from the central watercourse (Lots 6, 7, 16 & 17); and, the boundary of vegetation community no. 6 (Lots 19 – 22). Permanent markers shall be located no further apart than 15 m (49.2 ft) intervals.
• Identify how all mitigation measures recommended in the Natural Heritage Environmental Impact Study and detailed in the Master Vegetation Preservation and Landscape Plan shall be implemented.
• Identify all erosion/sediment control measures to be implemented, in keeping with the quality control measures recommended in the Functional Servicing Report and detailed in the Siltation and Erosion Control Plan.
- Identify that any excess/unused soil from the development be removed to an approved off-site location unless otherwise permitted under the Development Permit and/or Subdivision Agreement.
- Identify that any vegetation within preservation zones which is damaged by the subdivision development construction process shall be rehabilitated/replaced to the satisfaction of the Niagara Escarpment Commission.

The approved Comprehensive Final Site Plan shall form the Site Plan referred to in Condition # 5 and development shall proceed in accordance with the details of the approved Final Site Plan.

10. **Prior to the commencement of development of the subdivision lot**, all permanent markers and fencing on the lots within the plan of subdivision including the 30 m (98.4 ft) setback from the 100 year flood level (Lots 1 – 11); the 15 m (49.2 ft) setback from the central watercourse (Lots 6, 7, 16 & 17); and, the boundary of vegetation community no. 6 (Lots 19 – 22) shall be installed to the satisfaction of the Niagara Escarpment Commission. Permanent markers shall be located no further apart than 15 m (49.2 ft) intervals.

11. **Prior to the commencement of development of the subdivision lot**, a Lot Site Plan for the lot, satisfying the requirements of the Comprehensive Final Site Plan, shall be submitted for the approval of the Niagara Escarpment Commission. The Plan shall include but not be limited to the following:

- Identify the development envelope of the lot.
- Identify the location of the dwelling, sewage disposal system (tank and tile bed) and driveway.
- Include existing lot contours, grading requirements and final grade details.
- Identify any provisions of the Master Vegetation Preservation and Landscape Plan required for the lot (e.g., permanent markers, fencing, supplemental planting, vegetation preservation buffer).
- Identify any provisions of the Final Site Servicing Plan required for development of the lot (e.g., erosion/sediment control).

Upon approval, the Lot Site Plan and shall form part of the Comprehensive Final Site Plan referred to in Condition # 5 and development shall proceed in accordance with the details of the approved Comprehensive Final Site Plan and Lot Site Plan.

12. **Prior to the commencement of development of the subdivision lot**, the final construction details for the dwelling, including exterior elevations, floor area, height above existing and proposed grades and the number of stories, shall submit for the approval of the Niagara Escarpment Commission. Upon approval, these plans will be stamped “NEC Approved” and shall form part of the Development Permit referred to in Condition # 5.
13. The dwelling shall not contain an apartment unit, a second residential unit, or an accessory dwelling unit (e.g. an “in-law suite” or “granny flat”).

14. Prior to the commencement of development, the applicant shall obtain a Permit under Ontario Regulation 151/06 from the Grey Sauble Conservation Authority in accordance with the Conservation Authorities Act, if required. (Note: A copy of the Permit shall be filed with the Niagara Escarpment Commission.)

15. Prior to the commencement of development, a Building Permit issued by the Township of Georgian Bluffs, which is in accordance with the Development Permit Application and Site Plan as approved by the Niagara Escarpment Commission, shall be obtained. (Note: A copy of the Permit shall be filed with the Niagara Escarpment Commission.)

16. Prior to the commencement of development, approval for a sewage disposal system shall be obtained from the Township of Georgian Bluffs. (Note: A copy of the Permit shall be filed with the Niagara Escarpment Commission.)

17. Prior to the commencement of development, the requirements of the Township of Georgian Bluffs Operations Department shall be satisfied with regard to the driveway entrance. (Note: A copy of the Permit shall be filed with the Niagara Escarpment Commission.)

18. Prior to the issuance of a Development Permit from the Niagara Escarpment Commission, a copy of the draft subdivision agreement to be entered into with the Township of Georgian Bluffs shall be submitted for the approval of the Niagara Escarpment Commission.

19. Prior to the commencement of development, confirmation of approval for the plan of subdivision by the County of Grey and registration of the subdivision shall be filed with the Niagara Escarpment Commission.

20. This conditional approval shall be void if a Development Permit is not issued within one (1) year of the date of the confirmation of the Development Permit Application decision, except, if the plan of subdivision approval required under Condition # 19 is appealed, the expiry date shall be extended past the one year to 90 days from the date a decision is rendered on the plan of subdivision.

NOTE:

1. 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.
At the request of Commissioner Beattie, the vote was recorded:

**For the Motion**

Alexander  
Boyle  
Cambray  
Little  
Louis  
McQueen  
Powers

**Against the Motion**

Baty  
Beattie  
Elgar  
McGhee

*Motion Carried*

**M756R10/02-2015**

<table>
<thead>
<tr>
<th>Moved By:</th>
<th>Seconded By:</th>
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</thead>
<tbody>
<tr>
<td>Cambray</td>
<td>Powers</td>
</tr>
</tbody>
</table>

“That the Commission add an additional Condition that no tree cutting in the set back between the north lot line and the development envelopes of shore lots 1 to 11 be permitted.”

*Motion Carried*

**NOTE:** The following was added to Condition 8 (i.e., Master Vegetation Preservation and Landscape Plan) for G/T/2013-2014/9071:

- Identify that no tree removal shall be permitted within the variable no-development / no-disturbance setback between the development envelopes and the northerly boundaries of Lots 1 – 11.
- The following was added to Condition 8 (i.e., Master Vegetation Preservation and Landscape Plan) and Condition 9 (i.e., Comprehensive Final Site Plan) for G/T/2013-2014/9076 – 9097:
- Identify that no tree removal shall be permitted within the variable no-development / no-disturbance setback between the development envelopes and the northerly boundaries of Lots 1 – 11.

**Broke for Lunch:** 1:25 p.m.

**Reconvened:** 1:50 p.m.
RE: STAFF REPORT
DETERMINATION OF URBAN USE
PROPOSED NIAGARA ESCARPMENT PLAN AMENDMENT
Ken Zeggil Construction Inc.
Part Lot 9, Concession 5
Clearview Township Simcoe County

RECEIVED: November 17, 2014
APPLICANT: Ken Zeggil – Owner
Deborah Alexander, Weston Consulting – Agent
NEP DESIGNATION: Escarpment Protection Area

PROPOSAL:
To amend the Niagara Escarpment Plan by adding a special policy exception to the property at 7749 County Road 9 west of the Village of Creemore, Township of Clearview, County of Simcoe, to permit the construction of a 468 sq. m. (5040 sq. ft.) addition to an existing 266 sq. m. (2867 sq. ft.) commercial woodworking shop.

STATUS:
This application has been received and requires an NEC determination as to whether the proposal constitutes an “Urban Use” under Section 6.1 (2.2) of the Niagara Escarpment Planning and Development Act”. If the Amendment is found to be an Urban Use it cannot proceed at this time.

RECOMMENDATIONS:
Staff recommends that the Niagara Escarpment Commission make the determination that:

1. The Amendment application be considered an Urban Use and may not be filed in accordance with Section 6.1 (2.2) of the Niagara Escarpment Planning and Development Act.

2. The Amendment application be retained on file, and brought forward as part of the 2015 Plan Review, provided that urban use proposals are included in the terms of reference established for the Review.
Note: Kim Peters, Senior Strategic Advisor, summarized the staff report and answered questions.
Deborah Alexander, Weston Consulting, Agent, presented and answered questions.
Ken Zeggil, Applicant, presented and answered questions.

Moved By: Powers
Seconded By: Elgar

“That the Commission direct staff to bring back an initial staff report for a Plan Amendment for an exception to the Niagara Escarpment Plan at the March or April Commission meeting as the Commission determined that it is not an urban use.”

Motion Carried

C2 SUB # 9561 and B1

RE: INTERPRETATION REPORT
Relocating a heritage dwelling to permit a second dwelling on a property within the Niagara Escarpment Plan

ISSUE:

Under the provisions of the Niagara Escarpment Plan, can a heritage dwelling which is eligible for designation be relocated from another property onto an existing lot in the Niagara Escarpment Plan Area in order for a second dwelling to be permitted?

BACKGROUND:

Niagara Escarpment Commission (NEC) staff has received a number of inquiries asking whether a heritage dwelling can be relocated onto an existing lot within the Niagara Escarpment Plan (NEP) Area in order to have two dwellings permitted on the same lot. The NEC policy framework currently permits a second dwelling on the same lot as an existing heritage dwelling in order to save heritage homes within the NEP Area. More specifically, subject to criteria, a second residence may be permitted on a property in return for permanent protection through the formal designation of the existing historic home. The recent inquiries have shed light on three related scenarios that are not currently addressed by NEP policies:

1. Would a landowner be permitted to relocate a heritage dwelling onto a vacant property within the NEP Area and then build a second dwelling?
2. Would a landowner be permitted to relocate a heritage dwelling onto a property within the NEP Area with an existing non-heritage dwelling?
3. Would a landowner be permitted to build a second dwelling on a property within the NEP Area that has an existing heritage dwelling that was relocated onto the property prior to the approval of the NEP?
RECOMMENDATIONS:

That the Niagara Escarpment Commission:

1. Interpret that a heritage dwelling cannot be relocated onto an existing lot in the NEP Area in order to permit a second dwelling on the same lot under current NEP policy.

2. Require an NEP Amendment in the event that a heritage dwelling is proposed to be relocated in the NEP Area in order to permit a second dwelling on the same lot.

3. Address the matter, as deemed necessary, as part of the 2015 Plan Review to revise the provisions of the NEP regarding the permitted use of second dwellings as they relate to heritage dwellings in the NEP Area should the NEC believe that the policy change is appropriate.

Note: Tara McKenna, Planner, and Michelle Bates, Planning Technician, summarized the staff report and answered questions. Guests were in attendance to observe.

M756R12/02-2015

Moved By: Louis
Seconded By: Little

“That the Commission accept Recommendation No. 1 only.”

Motion Carried

C1 SUB # 9560

RE: INFORMATION REPORT
Niagara Escarpment Biosphere Reserve Update

The purpose of the report was to update the Niagara Escarpment Commission (NEC) on matters related to the Niagara Escarpment Biosphere Reserve (NEBR) and several initiatives underway that are being coordinated by NEC staff.

NEXT STEPS

Staff will provide reports back on the UNECSO MAB International Coordinating Council (ICC) progress report (due February 28, 2015), the results of the UNESCO Brand and Story Toolkit Workshop taking place February 23-24, 2015 and the NEBR network meeting (May 2015) at future Commission meetings.
Note: Commissioner Louis, as the liaison between the Commission and the Niagara Escarpment Biosphere Reserve, summarized the information report.

M756R13/02-2015
Moved By: McGhee
Seconded By: Beattie

“That the Commission receive the information report.”

Motion Carried

C3

RE: INFORMATION REPORT
Application for Rezoning, 467 Charlton Avenue, City of Hamilton
OMB Hearing
Request for Delegation Status to NEC meeting of February 19, 2015

Letter dated February 5, 2015, to Ed Fothergill, Fothergill Planning and Development Inc., from Chair Don Scott advising that the Commission’s operational procedures do not permit delegations “where the Commission is party or presenter before a Board, Tribunal or Court”. Therefore the request to the Chair requesting permission to present at the February 19th Commission meeting was declined.

However, should mediation result in a settlement, then the Chair would be able to present the settlement to the Commission at which point a motion to ratify the settlement and withdraw the appeal would be considered.

Note: Bohdan Wynnycky, Manager, reviewed the staff report and answered questions.

M756R14/02-2015
Moved By: Little
Seconded By: Elgar

“That the Commission receive the information report.”

Motion Carried
INFORMATION REPORT – JOINT BOARD DECISION
Development Permit Application G/R/2012-2013/9134
Consent Application B22/2010
Grey Highlands Official Plan Amendment No. 17
Grey Highlands Zoning By-law Amendment Z39/2010
Peter Iesalnieks and Uldis Kirsteins
Part Lot 2, Concession 5
Municipality of Grey Highlands (Euphrasia) Grey County

In July 2014, a Joint Board hearing under the Consolidated Hearings Act was held in Markdale to consider appeals on applications for a Development Permit, a Consent, a local Official Plan Amendment (withdrawn at hearing), and a Zoning By-law Amendment related to the construction of a dwelling on a proposed 9.2 ha (22.7 ac) lot to be severed from an existing 19 ha (47 ac) lot. Access to the new lot would be over a shared driveway (by legal easement) which included a bridge crossing of the Beaver River.

The Niagara Escarpment Commission had objected to the Zoning By-law Amendment application and appealed the Municipality's decision to approve the amendment to the Ontario Municipal Board. The Commission also refused a Development Permit Application. The main issue with the lot creation proposal was that safe access over the Beaver River and associated floodplain to the proposed lot had not been demonstrated as required by the Provincial Policy Statement (PPS), the Niagara Escarpment Plan (NEP) and the Grey Highlands Official Plan.

The Joint Board dismissed the proponent's appeals of the Consent application and the Development Permit application, and allowed the appeals against the Zoning By-law amendment.

As the proposal was not consistent with the PPS, the Board did not make a determination on the requirements of the Grey Highlands Official Plan, the Grey County Official Plan and the NEP, but did note that the relevant provisions of these Plans would not be met.

Note: Rick Watt, Senior Planning Coordinator, briefly summarized the staff report.

Moved By: Little
Seconded By: Beattie

“That the Commission receive the information report.”

Motion Carried
INFORMATION REPORT – HEARING OFFICER DECISION

Development Permit Application S/R/2012-2013/9129 and 9130
Jim Day and Jennifer Day
Part Lot 2, Concession 5
Township of Clearview Simcoe County

On February 21, 2014, the Niagara Escarpment Commission (NEC) refused Development Permit Applications S/R/2012-2013/9129 and S/R/2012-2013/9130 made by Jim and Jennifer Day to construct a two-storey single dwelling, attached garage, driveway and sewage disposal system on property located in Lot 2, Concession 5 in Clearview and to provide access to the proposed building site through the severance and conveyance of land from a neighbouring property also owned by the applicants.

The issues on this appeal were whether the New Lots policies of the Niagara Escarpment Plan (NEP) apply to the development proposed and, if so whether “no new building lot” would be created by the severance within the meaning of the NEP.

The Hearing Officers concluded that the NEP’s New Lots policies do apply to the proposed development and that the severance would create a “new building lot”. The appeal was dismissed and NEC’s decision was confirmed.

Moved By: Powers
Seconded By: McQueen

“That the Commission receive the information report.”

Motion Carried

D2 SUB # 9563

RE: INFORMATION REPORT
Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas
Draft for Input and Discussion February 2015

The Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas was completed to help municipalities, decision-makers, farmers and others to interpret the policies in the Provincial Policy Statement, 2014 (PPS) on the uses that are permitted in ‘prime agricultural areas’. It comprises the provincial guidelines referred to in Policy 2.3.3.1 of the PPS.

Note: Ken Whitbread, Manager, advised the Commission to retain this document as it will relate to a future agriculture policy paper being prepared by NEC staff.
“That the Commission receive the information report.”

Motion Carried

D3 SUB # 9564

RE: INFORMATION REPORT
NEC Comments on the Belfountain Complex Management Plan: Strategic Directions – Phase I (Draft, January 2015)

Letter dated February 18, 2015, to Laura McDonald, Conservation Lands Planner, Credit Valley Conservation, from Anne Marie Laurence, Ecological Monitoring Specialist, providing comments on the Phase 1 management planning exercise for the Belfountain Complex located in the Region of Peel.

The lands are part of the Niagara Escarpment Parks and Open Space System (NEPOSS). The Niagara Escarpment Plan land use designations for the Belfountain Complex are Escarpment Natural Area and Escarpment Protection Area.

Note: Ken Whitbread, Manager, summarized the report and advised the Commission that the area is almost entirely designated as Species at Risk. Therefore, amendments may be required for some of the planning proposals.

“That the Commission receive the information report.”

Motion Carried

PR1

NIAGARA ESCARPMENT PLAN REVIEW 2015
DISCUSSION PAPER
TOPIC 10: Secondary Dwelling Units
Phase 2

OVERVIEW

The following three policy options were presented to the Commission at their Policy meeting of September 17, 2014:
1) Status quo, no modifications to the current NEP policy framework respecting where secondary dwelling units are currently permitted;
2) To introduce secondary dwelling units and detached garden suites as permitted uses in the Escarpment Rural Area (subject to Development Criteria); and,
3) Secondary dwelling units as a permitted use only in the Escarpment Rural Area, restricted to within an approved single dwelling or an addition to a single dwelling, also subject to Development Criteria.

Staff concluded that secondary dwelling units were not compatible uses in the Escarpment Natural Area or Escarpment Protection Area and therefore no policy options for these Land Use Designations were presented.

The Commission preferred Option 3 as presented, and made the following resolution:

_For secondary dwelling units in single dwellings to be considered permitted uses in the Escarpment Rural Area, subject to the establishment of Development Criteria, however no separate garden suites or similar detached units be permitted (in Escarpment Rural Area)._ 

CONCLUSIONS AND RECOMMENDATIONS

That the Commission identifies their preferred options for NEP Development Criteria respecting secondary dwelling units, and that these amendments be provided to the Minister of Natural Resources and Forestry, as advice on the 2015 Coordinated Plan Review.

DISCUSSION

Staff reviewed the definition for a secondary dwelling unit as provided in the Discussion paper. There is not currently a definition in the NEP.

In answer to a question from the Commission, staff advised that only one secondary dwelling unit would be permitted per dwelling, subject to criteria. However, if a lot already contained more than one single dwelling then a secondary unit would not be permitted in either dwelling. Also, the secondary dwelling unit would not be permitted in a detached accessory structure.

The Commission discussed the issue of identifying owner occupancy. The Commission preferred staff Option 2 for item d) as monitoring for compliance would be very difficult if the unit or single dwelling were restricted to owner occupancy. This choice is also consistent with other discussion papers such as agriculture regarding the issue of owner occupancy.

The Commission agreed that the secondary dwelling units not be used for tourism or vacation needs. This is easier to monitor as a dwelling being rented would have to comply with municipal building codes and if used for tourism purposes i.e., bed and breakfast, there would be advertising of some form that can be tracked by the Compliance Officer. This is different from the issue of affordable or assisted housing.
A suggestion was made to change the wording from “a” single dwelling to “one” single dwelling. Staff will amend the paper accordingly.

After a brief discussion, the Commission agreed that the floor area permitted for a second dwelling unit be less than 40% of the single dwelling to a maximum of 90 square metres or 1000 square feet excluding any basement and/or any attached garage.

In Section 8.f), the word “municipal” before the words “servicing shall be available” will be removed at the Commission’s request.

The Commission accepted the definition provided for a Second Dwelling Unit.

Note: Lisa Grbinicek, Senior Strategic Advisor, reviewed the Discussion Paper and answered questions.

Moved By: McGhee  
Seconded By: Baty

“That the Commission accept the staff recommendations with the amendments to the Discussion Paper as noted by the Commission.”

Motion Carried

PR2

NIAGARA ESCARPMENT PLAN REVIEW 2015 DISCUSSION PAPER

TOPIC 21: Cultural Heritage Policies in the Niagara Escarpment Plan Addendum 1

BACKGROUND

At the November 20th Commission meeting, staff presented a Discussion Paper on cultural heritage policies in the NEP. Staff recommended that the Commission endorse the concept of cultural heritage landscape (CHL), and that it be used in the NEP in a manner that is consistent with the PPS. Staff also recommended updates to other cultural heritage-related terminology and policies in the NEP. Both the Ministry of Tourism, Cultural and Sport (MTCS) and Ontario Heritage Trust (OHT) have provided advice on this.

The addendum to the November 20th Discussion Paper also addresses the comments and suggestions made by Commission members at the meeting, and additional advice received from MTCS and OHT.
RECOMMENDATIONS

Staff has recommended the addition of policies to the NEP to support the identification and conservation of cultural heritage landscapes in the NEP Area. Staff also modified several of the proposed scenic resources policies to ensure consistent use of terminology throughout the NEP.

Staff recommends that the Commission:

- Endorse the concept of cultural heritage landscapes, as defined in the PPS and use the term in a manner that is consistent with the PPS;
- In its advice to the Minister as part of the coordinated review, endorse policies that support the identification and conservation of cultural heritage landscapes in the NEP Area, as proposed in this paper; and
- Endorse the modifications to the scenic resources policies to ensure consistency in terminology and policy interpretation throughout the NEP.

M756R20/02-2015

Moved By: Cambray
Seconded By: Beattie

“That the Commission defer this paper to no later than the April 15, 2015 Policy meeting.”

Motion Carried

AGENDA ITEM IV – Information Reports (Packages G & H)

M756R21/02-2015

Moved By: Boyle
Seconded By: Elgar

“That the Commission receive the ‘G’ and ‘H’ package and the Deferred Items Chart.”

Motion Carried

a) Chair’s Remarks:

None at this time.

b) Director’s Report:
NEC Organizational Changes

No staffing changes to report.

Old Mohawk Road, (former) Town of Ancaster

On Wednesday, January 14th, Martin Kilian met on site with City of Hamilton and Hamilton Conservation Authority representatives as well as the proponent for a proposed lot creation plan to create up to 3 new building lots on the current property at 941 Old Mohawk Road in the former Town of Ancaster (now Hamilton) currently supporting one single dwelling. This meeting was subsequent to a formal consultation meeting held earlier at Hamilton City Hall. The site includes Urban Area and Escarpment Natural Area designations in the Niagara Escarpment Plan. Several established and potential development constraints which factor into how much development density is achievable were identified.

Red Hill Developments (former) City of Stoney Creek

On Friday, January 16th, Martin Kilian met with consultants representing Red Hill Developments Phase 1 and 2 subdivisions in the Nash Neighbourhood Secondary Plan of the former City of Stoney Creek (now Hamilton) to discuss stormwater management plans involving work within the Niagara Escarpment Plan and Development Control Areas. The parcel which is the subject of the draft approved Phase 1 subdivision is outside the NEP area. A site visit was conducted on January 23, 2015. On January 28, 2015, Martin met with City of Hamilton planning staff to obtain additional background information regarding the draft approval. A follow-up meeting hosted by Hamilton Conservation Authority is scheduled for February 18, 2015 to discuss required studies and other less environmentally-impacting alternatives.

Town of Wiarton, Waste Water Treatment Plan

On Wednesday, January 21st, Rick Watt, along with Grey Sauble Conservation Authority staff, was invited to meet with representatives from the Town of Wiarton and EXP Services Inc., a consulting engineering firm, to discuss the Municipal Class Environmental Assessment for proposed upgrades to the Wiarton Wastewater Treatment Plan. The Class EA is underway and a preferred alternative has been chosen. An ESR will be completed in March. A portion of the site, located in the adjacent Township of Georgian Bluffs, is within the Niagara Escarpment Plan and a Development Permit will be required for the upgrades.

Halton Region Official Plan Amendment 38

On Friday, January 23rd, Nancy Mott attended a pre-hearing with respect to the next phase of the ROPA 38 hearing. Site-specific and transportation appeals will be dealt with in the next phase which will commence in April. NEC staff will attend as necessary for appeals on lands within the NEP.
Scenic Resources and Cultural Heritage Landscapes

On Wednesday, January 28th, Linda Laflamme and Kim Peters met with representatives of Archaeological Services Inc. to discuss a potential research project on scenic resources and cultural heritage landscapes in the NEP Area.

Urban Uses and the 2015 Plan Review

On Wednesday, January 28th, Ken Whitbread, Kim Peters and Kellie McCormack met in Georgetown NEC offices with representatives of the Town of Milton and Halton Conservation to discuss urban uses and the Plan Review respecting certain lands in the Town that may require servicing and the opportunity to establish urban oriented parks on other land within the NEP. Submissions on these lands may be forthcoming as part of the Plan Review.

Acton Quarry

On Thursday, January 29th, Nancy Mott and Ken Whitbread met with a representative of Dufferin and their planning consultant to discuss the Development Permit application and timing of the Summary Report.

Country Heritage Park

On Thursday, January 29th, Nancy Mott and Anne Marie Laurence met with Jamie Reaume, the new CEO of Country Heritage Park to discuss park initiatives.

Queenston Heights Park

On Thursday, January 29th, Martin Kilian met with the Public Works Department of the Region of Niagara and other agencies to discuss the Region’s intent to decommission an underground reservoir located at Queenston Heights Park, a NEPOSS site owned by the Niagara Parks Commission in the Town of Niagara-on-the-Lake. Further information and detailed plans will be submitted at a later date.

Burlington – NEC Development Permits and Clearing Conditions

On Friday, January 30th, Michael Baran and Bohdan Wynnycky met with the Planning Director for the City of Burlington and his staff to discuss the streamlining of administrative processes between our respective offices, particularly when it comes to the clearing of conditions for NEC Development Permits and the City’s site plan and building permit approvals. A number of operational improvements were discussed and agreed upon which will remove redundancies, reduce the impact on planners and technical staff at both the NEC and the City, and ultimately improve customer service for landowners within NEP Development Control.
**Belfountain Conservation Area**

On Friday, January 30th, Kellie McCormack and Anne Marie Laurence met with Credit Valley Conservation Authority staff to discuss their proposal to repair and possibly redesign the terrace in Belfountain Conservation Area, which is in a state of disrepair. Other aspects of their management plan were also discussed.

**Milton Quarry**

On Tuesday, February 3rd, Nancy Mott attended the Milton Quarry Community Advisory Panel meeting. Committee membership, quorum, meeting frequency and future meeting topics were discussed. The next meeting will be in April and transportation changes in the area of the quarry may be discussed.

**Cave Springs Nature Reserve**

On Thursday, February 5th, Anne Marie Laurence and Kellie McCormack met with Niagara Peninsula Conservation Authority staff to discuss management planning for the Cave Springs Nature Reserve, which is at its initial stages. A natural heritage inventory of the property will commence this spring.

**Cootes Paradise Research and Monitoring Workshop**

On Friday, February 6th, Anne Marie Laurence participated in the Hamilton Watershed and Cootes Paradise Research and Monitoring Workshop held at the Royal Botanical Gardens, which included speakers from Conservation Halton, Hamilton Conservation Authority, the City of Hamilton, Royal Botanical Gardens and universities. Topics included restoration efforts at Crook’s Hollow dam, City of Hamilton floodplain mapping, an update on Hamilton’s Natural Areas Inventory and a report on ecosystem recovery in Cootes Paradise marsh.

**Mount Nemo**

On Friday, February 6th, Ken Whitbread and Kim Peters attended a meeting hosted by the City of Burlington regarding the Mount Nemo heritage conservation district study. A public meeting will be held on Tuesday, February 17th.

**Scott’s Falls, Town of Mono**

On Tuesday, February 10th, Ken Whitbread, Kellie McCormack and Tara Spears met in the Georgetown offices with representatives from the Town of Mono and the owners of lands which include the Scott’s Falls to discuss development opportunities on the property and the potential for certain lands to be included in the Niagara Escarpment Parks and Open Space System. Further future discussion is anticipated.
**Ontario Biodiversity Summit Advisory Group**

On Wednesday, February 11th, Anne Marie Laurence participated in a conference call as the NEC representative on the Ontario Biodiversity Summit Advisory Group. The purpose of the meeting was for the organizers to provide an update on event planning and to discuss MNRF’s involvement. The Summit will take place from May 19-22, 2015 in Niagara Falls and will provide updates on the state of Ontario’s biodiversity and showcase what is being done to protect it.

**NEW BUSINESS**

The Director, Deb Pella Keen, advised the Commission that staff is preparing and prioritizing to be ready when the launch of the Plan Review is announced. Additional Topics will be presented at the March and April meetings.

The April meeting is being held at the Holiday Inn in St. Catharines. Details will follow. Commissioner Baty suggested a few locations should the Commission have time for a bus tour.

Commissioner Cambray expressed concern with the Bruce Trail as he believes that it is still not continuous within the NEP from Niagara to Tobermory. He requested staff prepare a report on the state of the Bruce Trail as a continuous Trail. There will be further discussion on this matter at a later date.

Commissioners are confident that there will be no issues with the posting of Commissioner expenses to the NEC website in April of 2015 as the Commission is consistently in compliance with the Travel and Hospitality Directive.

The Commissioners were advised to contact the number at Canada Revenue provided in the memo which was enclosed in their February package should they have further questions regarding taxation on Per Diems and Expenses.

Director, Deb Pella Keen, announced that Tracey Mill, Acting Deputy Minister, will be returning to her home division. On February 18, 2015, the Secretary of Cabinet announced the appointment of Bill Thornton as the Deputy Minister of Natural Resources and Forestry.

The Commission extended their appreciation to Shawn Davidson for chairing the meeting.
AGENDA ITEM VI – Adjournment

M756R22/02-2015  Moved By:  Powers

“That this meeting be adjourned.”

Motion Carried

Time of Adjournment:  4:10 p.m.

______________________________
Shawn Davidson
(Acting) Chair
## Outstanding Action Items

<table>
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<tr>
<th>Item Description</th>
<th>Commission Date</th>
<th>Action Required</th>
<th>Update</th>
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<tr>
<td>Track the number of “as builds” to determine the real extent of the problem</td>
<td>August 21, 2014</td>
<td>NEC staff to consider how to statistically track the number of “as builds”</td>
<td>Staff will report back by year’s end.</td>
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<tr>
<td>Policy Paper on energy development on NEP lands</td>
<td>October 16, 2014</td>
<td>NEC staff to produce a Policy Paper</td>
<td>For spring of 2015.</td>
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<tr>
<td>Commission to invite the Ministers of Natural Resources and Forestry and Municipal Affairs and Housing to a future Commission or Policy meeting to discuss issues of mutual concern.</td>
<td>October 16, 2014</td>
<td>Commissioner Powers to arrange the meeting.</td>
<td>Commission to be advised.</td>
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<tr>
<td>Development Permit Application H/C/2013-2014/226 (Victor Petrovski) City of Burlington Halton Region</td>
<td>February 19, 2015</td>
<td>Commissioner Cambray requested NEC staff prepare a progress report on this Application as no formal date was given for the deferral at the January 15, 2015 meeting.</td>
<td>June 18, 2015 Progress Report required.</td>
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<td>Director’s Report</td>
<td>February 19, 2015</td>
<td>Commissioner Cambray requested that the Director’s Report items include a few of the key issues providing staff has this information at the time of the report.</td>
<td>Starting for the March 19, 2015 Commission Meeting Director’s Report.</td>
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<td>Commissioner Comments on items in the G and H packages</td>
<td>February 19, 2015</td>
<td>Commissioner Beattie asked if the comments made by Commissioners at the meetings regarding the G and H packages could be included in the Minutes.</td>
<td>Commission Secretary will add comments to the Minutes beginning at the March 2015 meeting.</td>
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