MINUTES OF M757/03-2015
NIAGARA ESCARPMENT COMMISSION
GEORGETOWN, ONTARIO
March 19, 2015


Regrets: N. Borodczak, D. Scott.


Also Present: Elizabeth Kerr, Counsel, Legal Services Branch, MNRF; R. Pineo, Niagara Escarpment Program Team Leader, Natural Heritage and Land Use Planning Section, MNRF; S. Cooper, Land Use & Planning Advisor, Natural Heritage and Land Use Planning Section, MNRF; R. Patrick, President, C.O.N.E.

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

Commissioner Tom Boyle was Acting Chair.

AGENDA ITEM I – M756/02-2015

M757R1/03-2015 Moved By: McQueen
Seconded By: McGhee

“That the Commission accept the Commission Minutes of March 19, 2015 as written.”

Motion Carried

Business Arising from the Previous Minutes

Commissioner Beattie requested updates on the Red Hill Developments and Mount Nemo items that were in the February meeting G package.
AGENDA ITEM II – Declaration of Conflicts of Interest

None declared.

AGENDA ITEM III – Applications & Planning Reports

M757R2/03-2015

Moved By: Miller
Seconded By: Little

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

Motion Carried

A4

Development Permit Application H/E/2008-2009/326
Proposed Niagara Escarpment Plan Amendment PH 180
Holcim (Canada) Inc. (Dufferin Aggregates)
Part of Lots 23 and 24, Concession 3 and Part of Lots 20-25, Concession 4
Town of Halton Hills, Halton Region

PROPOSAL:

Dufferin Aggregates has applied to amend the Niagara Escarpment Plan (PH 180 09) and has submitted a Development Permit application (H/E/08-09/326) to permit an expansion of the existing Acton Quarry

Chronology of applications and reviews/consultations:
Pre-consultation: 2006 – 2009
JART PIC’s: March 2008, November 2010, March 2012
JART technical review: 2009 – 2013
Application revised: May 2012, April 2014
Statutory Public Meeting: September 2013
Applicant/agency consultation: 2013 – 2014
Region of Halton approval in principle: June 2014
Town of Halton Hills approval in principle: June 2014
Applicant/Agency consultation regarding AMP: Summer 2014
Conservation Halton Board endorsement: February 2015

Following a period of pre-consultation, the initial applications by Dufferin for a NEPA and DPA were filed in 2009. Dufferin proposed to expand their existing quarry north and south of 22 Sideroad in 3 additional phases. Phase 4, 5E, 6E and part of 7 were in the NEP Area. Phases 5W, 6W and part of Phase 7 were in the Greenbelt Plan Area.
Within the NEP, Dufferin seeks a Mineral Resource Extraction Area designation for some of their lands currently designated Escarpment Rural Area in order to expand their existing quarry southeast of Acton. In addition, Dufferin proposes to change the designation of other lands in their ownership from Escarpment Rural Area to Escarpment Natural Area (46 hectares). As outlined in the *Aggregate Resources Act* Summary Statement and Planning Report Addendum (MHBC, June 2012), Dufferin proposed to convey approximately 600 hectares (2511 acres) to the Town for future recreation (active recreation uses north of 22 Sideroad and passive/conservation uses south of 22 Sideroad), public education and water management purposes. The proposed licensed area within the NEP would represent 5.5% of Dufferin’s total land holdings of 630 hectares and the extraction area would be 4.4%. Approximately 47.9% of Dufferin’s land would not be developed for mineral aggregate extraction purposes. Approximately 38 million tonnes of dolostone are available within the proposed quarry footprint. The production limit would be 4 million tonnes per year (as is the case for the existing quarry) and approval of the Amendment would extend the life of the quarry by approximately 25 years.

In response to agency comments, identification of regulated habitat of endangered species and Provincially Significant Wetlands, the original application was revised in 2012. In a report dated May 15, 2014, NEC staff advised that the final revision to the applications were made in May 2014 as a result of the MNRF identifying the need for a study of the migration and dispersal habitat of the Jefferson Salamander in the area of the previously proposed Phase 7 of the quarry.

Through the consultation review process, the proposed initial total extraction area has been reduced from 99 ha. to 65.5 ha. The proposed licensed area has been reduced from 124.4 ha. to 65.6 ha., and the total proposed land not being developed for aggregate purposes has been increased from 202.5 ha. to 301.1.

**CONCLUSION:**

Having concluded that the Dufferin applications are not in conflict with the NEP except for the special exceptions applied for, that the site specific policy and map changes can be supported, that the conditions of Development Permit approval are appropriate to the operation, rehabilitation and proposed after use of the quarry and Dufferin lands and provided that the MNRF approves the licence in a form which will give effect to and enforce the AMP in substantially the form presented, NEC staff support the proposed amendment for the expansion of the Acton quarry.

**SUMMARY RECOMMENDATION:**

The Commissions position on the applications should be:

1. That the Niagara Escarpment Commission endorse Niagara Escarpment Plan Amendment No. 180, (Dufferin Acton Quarry Expansion, Phase 4 and 5 East, Appendix 2) and Development Permit Application H/E/08-09/326 subject to conditions outlined in Appendix 3;
2. That the Niagara Escarpment Commission advise the Ministry of Natural Resources and Forestry that it has no objection to the approval of the licence application (Category 2, Class A, Below Water Table Quarry) based on the site plans dated January 9, 2015, following the issuance of the Development Permit;

3. That the Niagara Escarpment Commission advise the Region of Halton that it has no comment on objection to the Region taking a position on the Official Plan amendment application by Dufferin (RQ 53A);

4. That the Niagara Escarpment Commission advise the Town of Halton Hills that it has no comment on objection to the Town taking a position on the Official Plan and Zoning by-law amendment applications by Dufferin (D09OPA09.001, D14ZBA09.004);

5. That a copy of this report be provided to the Ministry of Natural Resources and Forestry, the Region of Halton, the Town of Halton Hills, Conservation Halton, Credit Valley Conservation, Holcim (Canada) Inc. and any other agencies and members of the public that have requested notice of the Commission’s position.

Note: Depending on the nature of the objections/appeals, the NEC will be returning to the Commission to discuss the nature of staff’s involvement at the anticipated future Joint Board hearing

M757R3/03-2015

Moved By: Elgar
Seconded By: Beattie

“That the Commission hear from members of the public.”

Motion Carried

DISCUSSION:

Mr. Whitbread advised the Commission that all conditions of approval will be transferred to any new owners and will still be binding if there should be a change in ownership of the lands in question, and that sufficient water and vegetation monitoring and contingency plans are in place.

One member of the public inquired about water, air quality and plant management. The MHBC Planning consultant invited her to review the management plans after the meeting.

Note: Nancy Mott, Senior Strategic Advisor, gave a presentation and overview of the staff report and answered questions.
Ruksana Mirza, Senior Vice-President of Sustainable Development, Dufferin Aggregates, a division of Holcim (Canada) Inc., presented and answered questions.
Brian Zeman, MHBC Planning, the Agent, presented and answered questions.
“That the Commission accept the staff recommendations with the following conditions.”

Proposed Conditions of Development Permit H/E2008-2009/326

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

2. A site inspection or inspections to the property may be undertaken by the Niagara Escarpment Commission (NEC) and/or its staff to ensure that the development complies with the conditions of the Development Permit. Persons who possess professionally recognized expert or special knowledge related to the conditions of the Development Permit may accompany the NEC representative on the site inspection(s).

3. No building permit or other licence, certificate, permit or other permission relating to the development shall be issued or be considered to be in force unless a Development Permit is in effect. The Development Permit shall be in force throughout the site preparation, extraction and final rehabilitation of the quarry and during ongoing maintenance of the rehabilitated quarry.

4. This Development Permit shall not issue until the NEC has been notified by the Ministry of Natural Resources and Forestry (MNRF) that a Category 2 – Class “A” Licence to permit a quarry below water table pursuant to the Aggregate Resources Act is ready to be issued in accordance with the Site Plans. A copy of the approved licence and Site Plans shall be filed with the NEC and these shall be the Site Plans and licence referred to under Condition 6.

5. This Development Permit shall not issue until the NEC has been provided with copies of the following Acton Quarry agreements validly executed and enforceable by all parties against the owner and operator in a form which the NEC is satisfied ensures the effective implementation of all environmental monitoring, mitigation and protection systems and not in conflict with the provisions of the Niagara Escarpment Plan and the provisions of this Development Permit:

   a) Water Management Agreement
   b) Adaptive Management Plan Agreement
   c) Ecological Enhancement Plan Agreement
   d) Haul Route Agreement
   e) Public Benefits and Environmental Protection Framework Agreement
   f) Land Conveyance Agreement.
6. Prior to site disturbance the owner/operator shall provide copies of the following
documents and development shall take place only in accordance with the
following documents as approved and that form part of this Permit:

   a) the Phase 4 Vegetation Inventory Plans Blocks 1 to 4 dated June 2013
      prepared by McNaughton Hermsen Britton Clarkson Planning Limited
      (MHBC);
   b) the Operational Plan, the Rehabilitation Plan and the Visual Planting Plan
      (“the Plans”) prepared by MHBC dated March 3, 2009 and further revised
      on January 9, 2015 and submitted for the purpose of the Category 2 –
      Class “A” request for licence to the MNRF, or in accordance with any
      revision or other change to the Plans as may be recommended and
      approved by the MNRF
   c) the Updated Performance-Based Adaptive Management Plan (AMP)
      prepared by Conestoga Rovers & Associates dated November 2014 as
      approved by the MNRF in accordance with Section 6.0 of the AMP;
   d) the Acton Quarry Extension Updated Ecological Enhancement Plan (EEP)
      prepared by Goodban Ecological Consulting Inc. dated September 2014
      approved by the Region of Halton;
   e) the Water Management System drawings prepared by Conestoga Rovers
      & Associates dated November 26, 2014 and revised January 14, 2015
      and March 3, 2015;
   f) the Third Line Channel Improvement drawings prepared by Conestoga
      Rovers & Associates dated November 19, 2014;
   g) the agreements referred to in Condition 5;

7. For Phase 4, the following stipulations apply to the Operational, Visual Planting
   and Vegetation Inventory Plans and these Plans shall be provided to the NEC.

   a) Vegetation shown on the Vegetative Inventory Plans and vegetation to be
      planted as shown on the Visual Planting Plan both of which shall be
      inspected annually by the Owner to ensure adequacy of the visual
      mitigation.
   b) Annual confirmation of the visual mitigation conditions will be provided in
      writing by the Owner to the NEC.
   c) Where the annual monitoring indicates that the visual mitigation is no
      longer adequate, the Owner shall prepare and implement a mitigation plan
      to the satisfaction of the NEC.

8. The AMP shall remain in full force and effect until rehabilitation is complete and
   the ARA Licence is surrendered by MNRF. Following the surrender of the ARA
   Licence the water management and mitigation shall be operated in accordance
   with the Ontario Water Resources Act approvals and the Water Management
   Agreement. The operator shall provide to the NEC copies of all monitoring
   reports identified in the AMP, Part II, Section J within 30 days following their
   completion in accordance with the requirements of the AMP.
9. The owner and operator shall conduct all development in accordance with the *Endangered Species Act* and prior to site disturbance in an area requiring registrations, authorizations or permits under the Endangered Species Act (including but not limited to the Phase 4 removal of structures and installation of water management system south of Phase 2/5E), the quarry owner/operator shall provide to the NEC:

a) advice in writing from the MNRF that all required registrations, permits and authorizations under the *Endangered Species Act* have been obtained.

b) a copy of the registrations, authorizations and permits issued under the *Endangered Species Act* as determined by the MNRF.

10. This Development Permit allows for the installation of monitoring and recharge wells, diffuse discharges, mitigation water supply wells, piping, related services, facilities and structures, and the temporary stockpiling of overburden related to the implementation of the surface water and ground water mitigation and management system both inside and outside the licensed boundary. The quarry owner/operator shall also implement all the requirements imposed by the MNRF and/or the Ministry of the Environment and Climate Change (MOECC), in respect of the on-site and off-site long term operation, management and monitoring of this system. A comprehensive test of the water management system will be undertaken to the satisfaction of the MNRF to demonstrate its effectiveness. Notwithstanding, the extraction of Phase 5E and Phase 4 (above water) may proceed prior to the test. A copy of the test results shall be provided to the NEC.

11. The quarry owner/operator shall obtain and provide the NEC a Permit-To-Take-Water (PTTW) from the MOECC, as required, for the proposed quarry dewatering and an Environmental Compliance Approval (ECA) for the discharge of water. The quarry owner/operator shall comply with the terms and conditions of the PTTW and ECA. Any extensions, amendments or replacements of such PTTW and ECA that are inconsistent with the Adaptive Management Plan or Schedule 4 “Water Hierarchy and Allocation” of the Water Management Agreement as determined by the NEC, shall require a further Development Permit. The owner/operator shall circulate the NEC a copy of any PTTW or ECA applications for review prior to their approval. Notwithstanding, the extraction of Phase 5E and Phase 4 (above water) may proceed prior to obtaining the PTTW and ECA.

12. Prior to site disturbance, the NEC shall be provided copies of the approved amendments to the Region of Halton and Town of Halton Hills Official Plans to permit the expansion of the quarry and the NEC shall determine the amendments are not in conflict with Niagara Escarpment Plan Amendment 180 and this Development Permit.

13. Prior to the issuance of the Development Permit, the quarry owner/operator shall enter into an agreement with the NEC pursuant to S.24(2.1) of the Niagara Escarpment Planning and Development Act, *(NEPDA)* in a form acceptable to the NEC which shall be registered on title at the quarry owner/operator’s expense in priority to all encumbrances, with respect to the following:
a) committing to include the lands as shown on Schedule B to Amendment 180 to the Niagara Escarpment Plan in the Niagara Escarpment Parks and Open Space System; and,

b) providing for an independent peer review report by a qualified consultant at the operator’s expense on the monitoring reports required pursuant to the AMP which are not included in a peer review report provided to the NEC under another agreement referred to in this Development Permit.

14. Prior to site disturbance, any single dwellings or accessory structures within the licenced area or outside the licence boundary as contemplated by “the Plans” may be demolished and the sites rehabilitated under this Permit subject to the provisions of the Endangered Species Act, if required, and no further Development Permit is required for this purpose.

15. a) No grading of the existing contours within the licensed area is permitted with the exception of that which is a necessary part of the quarry operation in the area designated Mineral Resource Extraction Area including, but not restricted to, stripping of overburden, construction of berms (visual and acoustic), internal haul routes, removal and stockpiling of overburden, removal and stockpiling of aggregate, drainage and dewatering works, mitigation and monitoring works, reforestation and progressive and final rehabilitation.

b) Grading in the area of the subject property designated Escarpment Rural Area in the Niagara Escarpment Plan shall be limited to: the new quarry entrance from 3rd Line, acoustic and visual berm construction, water management and monitoring equipment and the EEP.

16. Mineral aggregate extraction shall not occur within the buffers in the Escarpment Rural Areas within the Niagara Escarpment Plan.

17. The existing processing area, including the office and maintenance buildings may be used for the processing/shipping of aggregate from the quarry extension (including Phases 4, 5 East, 5 and 6 West) provided that the two licensed sites are under common ownership, including related companies and are operated by a common licensee in a single, integrated operation. As part of the final rehabilitation of the subject lands, the processing plant and any accessory and incidental uses associated with the mineral aggregate operation shall be decommissioned and removed from the property which is the subject of this Development Permit. This Development Permit allows for the placement of overburden and topsoil within the processing area outside of the licence area for the purpose of site rehabilitation once operations are completed. Plans for such rehabilitation shall be filed with the NEC for its review and approval as part of this Development Permit prior to such rehabilitation taking place.
18. Amendments to the “Site Plans” which form part of the licence(s) issued under the Aggregate Resources Act may be made under this Development Permit where the NEC has advised in writing that it is satisfied following circulation of such an amendment to it by the MNRF that the amendment is minor in nature and therefore would not constitute a change to the Conditions of this Permit. The approved amendments to the “Plans” must be filed with the NEC prior to development.

19. This Permit and its conditions apply to the owner of the land and operator of the quarry and may be transferred to subsequent owners and operators with the consent in writing of the NEC which shall not be unreasonably withheld provided the new owners and operators are at all times bound by the Agreements referred to in Condition 5.

Note: This Development Permit may be approved pursuant to and only following approval of NEPA 180.

This Development Permit only applies to lands within the Niagara Escarpment Plan that are regulated by Development Control.

Proposed Niagara Escarpment Plan Amendment PH 180

This amendment is effective in conjunction with an application for a Development Permit (File No. H/E/08/09-326) and the related ARA licence to be issued substantially in accordance with the site plans prepared by McNaughton Hermsen Britton Clarkson dated January 19, 2015.

Motion Carried

Broke for Lunch: 12:40 p.m.

Reconvened: 1:05 p.m.

IN CAMERA SESSION:

Appeal against Zoning By-Law No. 14-241
Vetco Holdings Inc.
467 Charlton Avenue East
City of Hamilton

PURPOSE

To provide an update on the NEC’s appeal of Hamilton’s Zoning By-Law No. 14-241 to the Ontario Municipal Board (OMB).
“That the Commission move in-camera.”

Motion Carried

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

Motion Carried

Note: Martin Kilian, Planner, and Linda Laflamme, Landscape Architect, presented and answered questions.

“That the Commission direct the staff as follows:

RECOMMENDATION

That the NEC attempt to dispose of its appeal against the decision of the Council of the City of Hamilton to pass Zoning By-Law No. 14-241, based on Minutes of Settlement to be prepared to the satisfaction of the NEC."

Motion Carried

A1

Development Permit Application H/F/2013-2014/265
Margaret Tracz and Philip Smith
Part Lot 21, Concession 1, NDS
City of Burlington, Halton Region

PROPOSAL (H/F/2013-2014/265):

To import up to 500 truckloads of fill/topsoil to cover an area of approximately 1.6 ha (4 ac) for the purpose of improving drainage/planting conditions in conjunction with a tree farm/nursery.
RECOMMENDATION: That the application be refused.

M757R8/03-2015
Moved By: Little
Seconded By: McGhee

“That the Commission accept the staff recommendation for the following reasons.”

REASONS FOR REFUSAL

1. The proposed development is not integral, incidental or accessory to an agricultural operation/use.
2. The proposed development is not permitted as a stand-alone land use in the Escarpment Protection and Escarpment Rural Areas.
3. The proposed development conflicts with Part 2.2.2 of the Niagara Escarpment Plan.

Motion Carried

A2

Development Permit Application H/A/2014-2015/127
Margaret Tracz and Philip Smith
Part Lot 21, Concession 1, NDS
City of Burlington, Halton Region

PROPOSAL:

To construct a 1 storey addition to an existing horse barn to serve as a riding arena, including an enclosed linkage from the proposed riding arena to the horse barn, and to convert an existing riding arena to a hay storage barn following construction of the new riding arena.

RECOMMENDATION:

That the application be approved with conditions.

Note: Michael Baran, Planner, presented and answered questions. Phillip Smith, Applicant, was present and answered questions.

M757R9/03-2015
Moved By: Little
Seconded By: McQueen

“That the Commission accept the staff recommendation, with an additional condition that the arena will not be used for public events, horse shows/competitions, with the following conditions.”
1. Non-fulfilment 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 representative 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 licence, certificate, permit or other similar permission relating to development shall be issued or be considered to be in force unless a 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 submitted (except where special conditions are to apply as noted below).

6. No grading of the existing contours of the lot in the area of the development with the exception of that which is required for construction of the additions to the existing horse barn (riding arena and linkage – hydro only) and conversion of the existing riding arena to a hay storage building. Note: grading activities shall not involve the importation/placement of fill.

7. No trees other than dead or diseased trees shall be cut or removed from the lot in the area of the development except those absolutely necessary for construction of the additions to the existing horse barn (riding arena and linkage – hydro only) and conversion of the existing riding arena to a hay storage building.

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. All exposed areas resulting from construction shall be stabilized with suitable ground cover (e.g., mulch, seed) immediately upon completion of the construction.

10. Appropriate erosion/sediment control and tree protection measures (e.g. silt fencing/tree hoarding) shall be installed around all parts of the development site prior to commencing development/demolition and photographs verifying the installation of the fencing shall be submitted to the Niagara Escarpment Commission prior to commencing construction. The controls shall be maintained until the works are completed and the site is stabilized.
11. **Prior to the issuance of a Development Permit**, final floor plans and elevations of the additions to the existing horse barn (riding arena and linkage – hydro only) 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.

12. The additions to the existing horse barn (riding arena and linkage – hydro only) and the existing riding arena to be converted to a hay storage building shall not be used as a second dwelling, apartment unit, or an accessory dwelling unit (e.g., a farm help accommodation; “in-law suite”, “granny flat”) or, for home business, commercial, industrial, institutional purposes or for the accommodation of livestock.

13. The owner/applicant shall obtain a municipal Building Permit(s) for the additions to the existing horse barn (riding arena and linkage – hydro only) from the City of Burlington, prior to commencing construction.

14. Prior to the issuance of a municipal Building Permit, the owner/applicant shall provide a detailed site plan accurately identifying the existing building footprints, proposed additions, realignment of the exercise track (culvert may be necessary under track to allow surface drainage from new barn to existing pond), locations of downspouts on the new barn additions and swales to direct drainage, etc., to the satisfaction of the City of Burlington Site Engineering Department.

15. The holding of public events, horse shows/competitions shall not be permitted on the property.

16. 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.

*Motion Carried*

**A3**

Development Permit Application G/R/2013-2014/9132, 9133 and 9134

Alexander Edgar Stuart and Clayton Scott

Part Lots 7 and 8, Concession 11

Town of The Blue Mountains, Grey County

PROPOSAL:

Three Development Permit Applications were submitted together for the purpose of reconfiguring four existing lots of unequal size into four lots of more equitable size. No new building lots will be created as a result of this proposal.
RECOMMENDATION:

That the application be approved with conditions.

Note: Kristine Loft, Planning Consultant, was present to answer questions. Alexander Stuart, Applicant, was present to answer questions.

M757R10/03-2015

Moved By: Powers
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 the existing contours of the development area is permitted with the exception of that which is absolutely required for the construction of the dwelling, sewage disposal system and driveway.

7. No trees other than dead or diseased trees shall be cut or removed from the development area with the exception of those absolutely necessary for the construction of the dwelling, sewage disposal system and driveway. Tree removal shall be kept to a minimum to retain the visual character of the property and the ecological values of the treed area(s).
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. The dwelling shall not contain an apartment unit, a second residential unit, or an accessory dwelling unit (e.g., an “in-law suite” or a “granny flat”).

10. **Prior to the onset of construction**, the owner shall obtain a Building Permit(s) issued by the Town of The Blue Mountains Chief Building Official, which is in accordance with the Development Permit Application and Development Permit in effect, as approved by the Commission.

11. **Prior to the onset of construction**, an entrance permit shall be obtained by the owner(s) and issued by the Town’s Engineering and Public Works Department, which is in accordance with the Development Permit Application and the Development Permit in effect.

12. **Prior to the issuance of a Development Permit by the Niagara Escarpment Commission**, the applicant shall submit, for the approval of the Niagara Escarpment Commission, final construction details for the dwelling and the accessory building, including exterior elevations, floor area, height above existing and proposed grades and the number of stories. Upon approval, these plans will be stamped “NEC Approved” and shall then form part of the Development Permit referred to in Condition # 5. Development shall occur in accordance with the approved final construction details.

13. **Prior to the issuance of a Development Permit by the Niagara Escarpment Commission**, an accurate and detailed Final Landscape/Site Plan shall be submitted for the approval of the Niagara Escarpment Commission. This plan shall include the final location of all buildings and facilities, shall identify the areas of tree retention and the areas of new tree planting designed to buffer the visual impact of all new development. The approved Final Landscape/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.

14. **Prior to the issuance of a Development Permit by the Niagara Escarpment Commission**, the Niagara Escarpment Commission shall be satisfied that the conditions of Development Permit Applications G/R/2013-2014/9133 and G/R/2013-2014/9134 conditions shall be fulfilled.

15. **Prior to the issuance of a Development Permit by the Niagara Escarpment Commission**, the proponent shall obtain approval for the proposed lot creation from the Town of the Blue Mountains.

16. **Prior to the commencement of development**, the lot shall be registered in accordance with the *Registry Act*. 
17. 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 Consent required under Condition # 15 is appealed, the expiry date shall be extended past the one year to 90 days from the date a decision is rendered on the Consent.

Note: 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.

CONDITIONS of APPROVAL  G/R/2013-2014/9133

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 the existing contours of the development area is permitted with the exception of that which is absolutely required for the refurbishing of the dwelling (log house), and conversion of the shed/cabin to an accessory building.

7. No trees other than dead or diseased trees shall be cut or removed from the development area with the exception of those absolutely necessary for the refurbishing of the dwelling (log house), and conversion of the shed/cabin to an accessory building. Tree removal shall be kept to a minimum to retain the visual character of the property and the ecological values of the treed area(s).

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. The dwelling shall not contain an apartment unit, a second residential unit, or an accessory dwelling unit (e.g., an “in-law suite” or a “granny flat”).

10. The accessory building shall not be used as a dwelling unit, for human habitation / accommodation, for commercial / industrial uses or for animal husbandry purposes.

11. Prior to the onset of construction, the owner shall obtain a Building Permit(s) issued by the Town of The Blue Mountains Chief Building Official, which is in accordance with the Development Permit Application and Development Permit in effect, as approved by the Commission.

12. Prior to the issuance of a Development Permit by the Niagara Escarpment Commission, a land survey completed by a qualified individual of the existing two-car garage and the existing shed/cabin to be converted to an accessory building to confirm site location as it relates to the lot line to the satisfaction and clearance of the Town, at the Owner’s sole cost; and if the site location is within the Town’s 10th Line Road Allowance, an Encroachment Agreement shall be executed between the Owner and the Town, to the Town’s satisfaction, at the Owner’s sole cost. The survey shall be incorporated into the Final Site Plan and will form part of the Development Permit Application referred to in Condition #5. Development shall occur in accordance with the approved Final Site Plan.

13. Prior to the issuance of a Development Permit by the Niagara Escarpment Commission, an accurate and detailed Final Site Plan shall be submitted for the approval of the Niagara Escarpment Commission. The approved 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.

14. Prior to the issuance of a Development Permit, the owner shall register an Agreement on the title to the property pursuant to section 24(2.1) of the Niagara Escarpment Planning and Development Act (NEPDA) and provide proof of registration to the NEC. The Agreement shall be made at the owner’s expense and its wording shall be satisfactory to the Niagara Escarpment Commission. The Agreement shall ensure compliance with the requirements of this development permit, including but not limited to ensuring that the cabin building’s use shall be converted by removal of any kitchen and bathroom facilities and limited to non-habitable use only.

15. Prior to the issuance of a Development Permit by the Niagara Escarpment Commission, the Niagara Escarpment Commission shall be satisfied that the conditions of Development Permit Applications G/R/2013-2014/9132 and G/R/2013-2014/9134 shall be fulfilled.

16. Prior to the issuance of a Development Permit by the Niagara Escarpment Commission, the proponent shall obtain approval for the proposed lot addition from the Town of The Blue Mountains and obtain registration from the Land Registry Office.
17. 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 Consent required under Condition # 16 is appealed, the expiry date shall be extended past the one year to 90 days from the date a decision is rendered on the Consent.

Note: 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.

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 the existing contours of the development area is permitted with the exception of that which is absolutely required for the demolition of the existing dwelling, and construction of the new dwelling, sewage disposal system and driveway.

7. No trees other than dead or diseased trees shall be cut or removed from the development area with the exception of those absolutely necessary for the demolition of the existing dwelling, and construction of the new dwelling, sewage disposal system and driveway. Tree removal shall be kept to a minimum to retain the visual character of the property and the ecological values of the treed area(s).

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. The dwelling shall not contain an apartment unit, a second residential unit, or an accessory dwelling unit (e.g., an “in-law suite” or a “granny flat”).

10. **Prior to the onset of demolition**, demolition permit(s) shall be obtained by the owner and issued by the Town’s Chief Building Official which is in accordance with the Development Permit Application and the Development Permit in effect.

11. **Prior to the onset of construction**, building permit(s) shall be obtained by the owner and issued by the Town’s Chief Building Official which is in accordance with the Development Permit Application and the Development Permit in effect.

12. **Prior to the onset of installation**, on-site sewage permit(s) shall be obtained by the owner and issued by the Town’s Chief Building Official which is in accordance with the Development Permit Application and the Development Permit in effect. Note: The sewage disposal system should be designed by a qualified individual and mitigation measures implemented should karst features be discovered during excavation.

13. **Prior to the commencement of construction of the new dwelling**, the existing dwelling shall be demolished in its entirety and the site returned to a tidy state, to the satisfaction and clearance of the NEC and Town.

14. **Prior to the commencement of development**, an entrance permit shall be obtained by the owner and issued by the Town’s Engineering and Public Works Department, which is in accordance with the Development Permit Application and the Development Permit in effect.

15. **Prior to the issuance of a Development Permit by the Niagara Escarpment Commission**, the applicant shall submit, for the approval of the Niagara Escarpment Commission, **final construction details** for the dwelling, including exterior elevations, floor area, height above existing and proposed grades and the number of stories. Upon approval, these plans will be stamped “NEC Approved” and shall then form part of the Development Permit referred to in Condition # 5. Development shall occur in accordance with the approved final construction details.

16. **Prior to the issuance of a Development Permit by the Niagara Escarpment Commission**, an accurate and detailed **Final Landscape/ Tree Preservation Plan** shall be submitted for the approval of the Niagara Escarpment Commission. This plan shall include the final location of all buildings and facilities, shall identify the areas of tree retention and the areas of new tree planting designed to buffer the visual impact of all new development. The approved Final Landscape/ Tree Preservation 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.
17. **Prior to the issuance of a Development Permit by the Niagara Escarpment Commission**, an accurate and detailed **Final Site Plan** shall be submitted for the approval of the Niagara Escarpment Commission. The approved Final Site Plan shall reflect the revised building envelope that maintains a 15 m (50 ft) setback from the forested edge and shall form the Site Plan referred to in Condition # 5. Development shall proceed in accordance with the details of the approved Final Site Plan.

18. **Prior to the issuance of a Development Permit by the Niagara Escarpment Commission**, and prior to registration of the consents through Development Permit Applications G/R/2013-2014/9132 and G/R/2013-2014/9133, the proponent shall complete a transfer of lands so as to merge the two registered lots together and provide evidence that they are not separately conveyable in the future, to the satisfaction and clearance of the Town and the Niagara Escarpment Commission. The reconfigured lot shall be registered in accordance with the Registry Act.

19. Prior to the issuance of a Development Permit by the Niagara Escarpment Commission, the Niagara Escarpment Commission shall be satisfied that the Conditions of Development Permit Applications G/R/2013-2014/9132 and G/R/2013-2014/9133 shall be fulfilled.

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 Consent required under Condition # 18 is appealed, the expiry date shall be extended past the one year to 90 days from the date a decision is rendered on the Consent.

**Note:** 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**

**C1 SUB # 9565**

**RE:** Staff Report  
Ontario’s Climate Change Discussion Paper 2015  
Ministry of the Environment and Climate Change (MOECC)

**BACKGROUND:**

The Ministry of Environment and Climate Change (MOECC) has released a Discussion Paper that describes the government’s long-term vision of a low-carbon economy in Ontario. MOECC’s vision includes:
To establish Ontario as a leader in climate change mitigation and science;
To leave a legacy of a healthy world for our children and future generations;
To redesign and build a strong carbon neutral economy, communities, infrastructure and energy; and,
To protect ecosystems, including air, land and water.

The 2015 Coordinated Plan Review provides an opportunity to amend the NEP to highlight the Plan’s commitment and importance in climate change resilience, mitigation and monitoring, contributing to MOECC’s vision and goals. It is anticipated that all the provincial plans may introduce statements and/or policies with objectives respecting climate change.

RECOMMENDATIONS:

1. That the Commission endorse the vision and principles of MOECC’s Discussion Paper; and,

2. That the Commission direct staff, in consultation with MOECC and other partners, to draft an introductory paragraph outlining objectives and/or policies for inclusion in the NEP related to the Plan’s contribution to addressing climate change impacts, as part of the 2015 Coordinated Plan Review.

Note: Anne Marie Laurence, Ecological Monitoring Specialist, presented and answered questions.

M757R11/03-2015

Moved By: Elgar
Seconded By: McGhee

“That the Commission accept the staff recommendation, and that staff will bring the paragraph on climate change to the Commission when complete for consideration as part of the Coordinated Plan Review.”

Motion Carried
C2

RE: Initial Staff Report
Proposed Niagara Escarpment Plan Amendment PS 206 15
Ken Zeggil Construction Ltd.
Part Lot 9, Concession 5
Clearview Township, Simcoe County

PROPOSAL:

To amend the Niagara Escarpment Plan by adding a special policy exception to the property at 7749 County Road 9, Township of Clearview, County of Simcoe, to permit the construction of a 468 m² (5040 sq ft) addition to an existing 266 m² (2867 sq ft) commercial woodworking shop.

SUMMARY RECOMMENDATION:

Instruct staff to process the proposed Amendment PS 206 15 (Ken Zeggil Construction Ltd.) for circulation and notification pursuant to Section 7 and Section 10 of the Niagara Escarpment Planning and Development Act (NEPDA).

M757R12/03-2015
Moved By: Louis
Seconded By: Davidson

“That the Commission accept the staff recommendation.”

Motion Carried

C3 SUB # 9566

RE: Staff Report
Changes to Industry Canada’s Radio Communications and Broadcasting Antenna Systems Consultation Protocol

ISSUE:

In July 2014, a revised Industry Canada consultation protocol for telecommunication towers came into effect. Telecommunication service providers and broadcasters must now adhere to higher standards when it comes to consulting with land use authorities and stakeholders regarding the installation of telecommunication towers. The Industry Canada protocol prescribes the minimum consultation requirements that telecommunication providers must meet when proposing a location and design for new or altered towers.
The NEC’s protocol was last updated in May 2013, when the Commission approved revisions to the NEC protocol to reflect the Federation of Canadian Municipalities and the Canadian Wireless Telecommunications Association’s joint consultation protocol. With the recent improvements to Industry Canada’s protocol, the NEC’s protocol should be updated again.

**SUMMARY RECOMMENDATION:**

That the Commission endorse changes to the Niagara Escarpment Commission’s *Consultation Protocol for Radiocommunication and Broadcasting Antenna Systems in the Niagara Escarpment Plan Area* to reflect the changes to the Industry Canada default protocol.

**M757R13/03-2015**

Moved By: Cambray
Seconded By: Little

“That the Commission accept the staff recommendation.”

*Motion Carried*

**C4 SUB # 9567**

**RE:** Presentation Request
Niagara Peninsula Conservation Authority

**BACKGROUND:**

On March 5, 2015, the Project Lead, Mark Brickell, Niagara Peninsula Conservation Authority, sent an e-mail to the Chair Don Scott requesting permission from the Niagara Escarpment Commission for a delegation at the April 16, 2015 Commission meeting to present matters related to the development of a future Cave Springs Management Plan.

**DISCUSSION:**

The Commission received a request (G8) from the Niagara Peninsula Conservation Authority (NPCA) to give a presentation regarding the Cave Springs Conservation Management Plan. The NEC will contact the NPCA to ensure that it is understood that the Cave Springs Conservation Area Site Management Plan Terms of Reference Objectives quoted are meant for the Parks System and do not all have to be satisfied for an individual park.
“That the Commission accept a presentation by the Niagara Peninsula Conservation Authority on Cave Springs Conservation Area’s proposed Management Plan at the Thursday, April 16, 2015 Commission meeting. The presentation must be no longer than 15 minutes total including a question and answer session.”

Motion Carried

C5 SUB # 9568

RE: Staff Report
Provincial Coordinated Land Use Planning Review and NEC Submissions

BACKGROUND:

Now that the coordinated review has been formally announced, the Commission should determine an appropriate process for providing advice to the Minister of Natural Resources and Forestry based on the anticipated timelines for the review.

The process staff proposes is intended to coordinate the Commission’s comments and/or advice with the level of detail expected at each phase of the review. Based on the number of completed NEC Discussion Papers, the NEC is well-positioned to submit a comprehensive set of proposed Plan amendments that are supported by evidence-based policy research and development, and have been vetted and endorsed by the Commission.

Although the Commission may be ready to bring forward some proposed amendments during the first phase of the review, it is important that the Commission wait until the results of Phase 1 public and stakeholder consultations and expert advisory panel report are available. The Commission should consider these inputs prior to submitting its advice to the Minister.

RECOMMENDATION:

The Commission endorse the proposed process for submitting advice and recommendations to the Minister of Natural Resources and Forestry during the Provincial Land Use Planning Review.

Staff will continue to update the Commission on the Provincial Land Use Planning Review, as necessary.
“That staff match issues with the Topics list, assign levels of importance for each and present to the Commission at the May meeting; more fulsome staff reports to be presented with recommendations at a later time.”

Motion Carried

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

“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.

Jefferson Salamander Implementation/Recovery Team

On Tuesday, February 17th, Lisa Grbinicek attended a meeting of the Jefferson Salamander (JESA) Implementation and Recovery Team at the University of Guelph. The purpose of the meetings (which are generally held twice a year), is to receive updates on JESA work from across the province in order to better understand roles and responsibilities in JESA protection and to discuss the future direction of the team. The topics of discussion included updates for the 2014 field season, 2015 field projects and plans, and data management. Additionally, guest presenters provided an overview of research currently taking place on using environmental DNA (eDNA) for monitoring JESA.

UNESCO Brand and Story Toolkit Pilot Project

On Sunday February 22nd, Deb Pella Keen, Bohdan Wynnycky, Ken Whitbread, Danielle D’Silva and Lisa Grbinicek hosted a tour of the Niagara Escarpment Biosphere Reserve (NEBR) for Meriem Bouamrane, UNESCO EuroMAB Programme, and two consultants from a UK-based marketing agency called WITHIN People Ltd., highlighting the natural diversity and examples of sustainable development in the biosphere reserve.
On Monday February 23rd, a cross-section of NEBR practitioners participated in a UNESCO-led communication and branding toolkit workshop in Georgetown, Ontario. WITHIN People Ltd. facilitated a productive working session that identified key objectives, messages and tactics of engagement and communication for the NEBR using the world biosphere brand framework. The outputs of the session will be shared with a broader network of NEBR practitioners and will help inform a communications plan for the NEBR.

On Tuesday February 24th, Lisa Grbinicek, Danielle D'Silva and Bohdan Wynnycky participated in a testing of the toolkit and provided feedback to the coordinators which will be used to refine and adapt the toolkit in preparation for presentation at EuroMAB 2015 in Estonia.

**Cheltenham Badlands**

On Wednesday, February 25th, Anne Marie Laurence participated in a meeting via teleconference with the Cheltenham Badlands Planning Team. The meeting was to discuss an immediate action plan for the Badlands to address the safety issue at the site. The landowner (Ontario Heritage Trust) is proposing to install temporary fencing to prohibit public access until a management plan is prepared.

**Speyside Public School Property**

On Thursday, February 26th, Ken Whitbread and Kim Peters met with planning consultants who are representing the new owners of the Speyside Public School on Regional Road 25 in the Town of Halton Hills. The school has been vacant for approximately 12 years. The new owners wish to establish a private Christian school, including a worship space. The applicants will be bringing forward a Plan Amendment application to re-establish the existing institutional use.

**NEC and MNRF Planning Meeting**

On Friday, February 27th, NEC Development Control planning and policy staff hosted a meeting with MNRF District Planners and Management Biologists at the NEC Georgetown Office. The purpose of the meeting was to gain a better understanding of roles and responsibilities for natural heritage screening associated with NEC Development Permit Applications. NEC reviewed the DP review process and presentations were made by MNRF staff on confirming habitat and assessing potential impacts to species at risk, and presented species at risk screening tools that will assist planners in the review of DP Applications.

**Winona Pipe and Concrete**

On Tuesday, March 3rd, Martin Kilian and Kim Peters met with the owners of Winona Pipe and Concrete in the Town of Grimsby. They were informed about the Provincial Land Use Planning Review, and were strongly encouraged to submit a Plan Amendment application during the plan review to formally recognize the expansion of their business on to the adjacent lot, which is considered an “urban use.”
MNRF NEP Meeting

On Wednesday, March 4 Deb Pella Keen, Kim Peters and Ken Whitbread from NEC and representatives of the MNRF NEP Program team met in Peterborough to discuss matters related to the NEP including regulations and current Plan Amendments and the future cooperative actions related to the Coordinated Provincial Plan Review which formally commenced on February 27. This was a regular bi-annual meeting. Amongst other matters, the NEC indicated that the NEC would continue with its review of Topics and also consider providing formal overarching NEC advice to the Minister by the consultation deadline at the end of May.

Ministry’s Science and Policy Bootcamp

On Wednesday, March 11th and Thursday, March 12th, Kim Peters participated in MNRF’s Science and Policy Bootcamp in Peterborough. The course is intended to examine the interface between science and policy through a leadership lens, and build staff management, leadership, and communication skills.

Bruce Trail Conservancy

On Thursday, March 12th, Deb Pella Keen, Bohdan Wynnycky and Ken Whitbread from NEC met with Beth Gilhespy of the Bruce Trail Conservancy respecting the NEP and matters relating to the securement of the BTC and the routing of the trail. The NEC agreed to assist the BTC with its securement program and take part in future discussions (yet to be arranged) with park agencies to facilitate the establishment of the trail on public lands in the NEP. The BTC found that the footpath and its impacts were being confused with more active trails and intensive recreational uses that were more likely to cause environmental problems, thus causing difficulty for the trail to locate on some public lands.

NEC and MMAH Mapping Modernization Meeting

On Tuesday, March 17th, Dan Ventresca and Ken Whitbread from NEC met with representatives of MMAH respecting regulations defining the boundaries of the Parkway Belt West Plan, the Greenbelt Plan and the NEP. The MMAH is currently updating and modernizing its regulations and required some clarity on the NEC’s regulation mapping modernization initiative and the mapping which is taking place at the MMAH. Areas of apparent mapping overlap and clarity on boundaries between Provincial Plans were also discussed. NEC and MMAH will continue to work together to ensure alignment on projects as appropriate.
BACKGROUND

As noted in previous discussion papers, current NEP policies speak to agriculture and the importance of agriculture in the cultural landscape and the range of permitted uses for agricultural-related uses is greater than other types of uses in most of the land use designations of the NEP. However, the language in the NEP could be improved to more clearly convey the NEC’s vision and goals for agriculture in the NEP and to introduce current agriculture-related terminology. Opportunities exist to update the NEP so that the language is more consistent with the 2014 PPS, without compromising the overall purpose and objectives of the NEPDA and NEP. In addition, there is also an opportunity to improve, streamline and clarify NEP agriculture policies.

RECOMMENDATION

Staff recommends that the Commission consider the information and options presented in this paper.

DISCUSSION

The NEC staff should review the use of ‘specialty crop’ in section 2.10 for consistency in the paper and ‘on farm’ and ‘off farm’ uses. Otherwise, the recommendations were endorsed.

Note: Kellie McCormack, Senior Strategic Advisor, presented and answered questions.

M757R17/03-2015

Moved By: Davidson
Seconded By: McGhee

“That the Commission accept the staff recommendation.”

Motion Carried
**PR2**

**NIAGARA ESCARPMENT PLAN REVIEW 2015**
**ADDENDUM**
**TOPIC 14: Niagara Escarpment Parks and Open Space System (NEPOSS)**

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**BACKGROUND**

This addendum report follows the December 2013 and June 2014 reports and incorporates the Commission’s input.

**RECOMMENDATION**

That the Commission considers NEC staff’s recommended changes to the NEP presented in the Addendum Report and Attachment.

**Note:** Anne Marie Laurence, Senior Strategic Advisor, presented and answered questions.

**Moved By: Davidson**

**Seconded By: Powers**

“That the Commission accept the staff recommendation.”

*Motion Carried*

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**PR3**

**NIAGARA ESCARPMENT PLAN REVIEW 2015**
**DISCUSSION PAPER**
**TOPIC 1: LAND USE DESIGNATION CRITERIA MAPPING: CITY OF HAMILTON**

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**BACKGROUND**

The existing Land Use Designation mapping dates back to the original NEP approved in 1985. At the April 17, 2013 Niagara Escarpment Commission (NEC) Policy Meeting and the June 20, 2013 Commission meeting, staff presented a 2015 Plan Review Discussion Paper and Addendum Discussion Paper which outlined options for proposed amendments to the existing NEP Land Use Designation Criteria, including the introduction of new Designation Criteria for consideration by the Commission.

Consistent with the Commission endorsed recommendations, the proposed updated and amended Land Use Designation Criteria have now been applied to create revised
draft NEP Land Use Designation maps for Bruce County, Simcoe County, Dufferin County, Halton Region, Niagara Region and Peel Region (Town of Caledon). This Report serves to provide additional detail, where required, with respect to the data applied in the mapping of certain Land Use Designation Criteria specific to the City of Hamilton.

RECOMMENDATION

That the Commission receive the Land Use Designation Criteria mapping for the City of Hamilton as presented, and that staff continue the mapping of the various scenarios of NEP Land Use Designation Criteria for the remaining Escarpment municipality of Grey County for presentation at a future meeting.

Note: Lisa Grbinicek, Senior Strategic Advisor, and Daniel Ventresca, GIS Specialist, presented and answered questions.

M757R19/03-2015

Moved By: Davidson
Seconded By: Alexander

“That the Commission accept the staff recommendation.”

Motion Carried

NEW BUSINESS

The April meeting is being held at the Holiday Inn in St. Catharines. The evening session on Wednesday, April 15, 2015 will be a town hall session held at the Holiday Inn in St. Catharines. The meeting will start at 8:30 am on Thursday, April 16th, 2015.

AGENDA ITEM VI – Adjournment

M757R20/03-2015

Moved By: Powers

“That this meeting be adjourned.”

Motion Carried

Time of Adjournment: 4:50 p.m.

_____________________________
Tom Boyle
(Acting) Chair
## OUSTANDING ACTION ITEMS

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Commission Date</th>
<th>Action Required</th>
<th>Update</th>
</tr>
</thead>
<tbody>
<tr>
<td>Track the number of “as builts” 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 builts”</td>
<td>Staff will report back by year’s end in May Commission package.</td>
</tr>
<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>
</tr>
<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>
</tr>
<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>
</tr>
<tr>
<td>Commissioner Comments on items in the G and H packages</td>
<td>March 19, 2015</td>
<td>Commissioner Miller requested further details on G8, Progress Report on NE Biosphere Reserve</td>
<td>Director Pella Keen to circulate related transmittal email to the Commission in April Commission package.</td>
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</tbody>
</table>