



## The Regional Municipality of Halton

Report To:	Regional Chair and Members of Regional Council
From:	Mark G. Meneray, Commissioner, Legislative & Planning Services and Corporate Counsel
Date:	September 14, 2016
Report No. - Re:	LPS106-16 - Supplementary Report - Coordinated Provincial Plan Review

### RECOMMENDATION

1. THAT Regional Council endorse the Supplementary Report – Coordinated Provincial Plan Review.
2. THAT the Regional Clerk forward a copy of Report No. LPS106-16 with Report No. LPS79-16 to the Ministry of Municipal Affairs, the Ministry of Natural Resources and Forestry, Halton's MPPs, the Niagara Escarpment Commission, the City of Burlington, the Town of Halton Hills, the Town of Milton, the Town of Oakville, the Association of Municipalities and all municipalities within the Greater Golden Horseshoe Growth Plan area for their information.

### REPORT

#### **Executive Summary**

- At its meeting of September 7, 2016, Halton Region Planning and Public Works Committee requested that a supplemental report to Report No. LPS79-16 be prepared outlining five additional comments and recommendations to contribute to the Halton Area Planning Partnership (HAPP) Report on the Coordinated Provincial Plans Review.

#### **Regional Council Additional Comments**

##### **1. Limitation of Official Plan Amendment Applications and Appeals to Change Established Municipal Urban Structure**

The current Growth Plan for the Greater Golden Horseshoe (Growth Plan) requires a Municipal Comprehensive Review (MCR) to be completed to address where and how a community is to grow. The Growth Plan requires an MCR to be completed for any urban boundary expansion and also restricts private initiated urban boundary expansions. The same restriction does not exist on private initiated applications that

would change the urban structure of a community. As part of an MCR, municipalities establish an urban structure, including intensification growth nodes and corridors based on policy direction in the Growth Plan and the Regional Official Plan. This urban structure is not offered any protection from privately initiated Official Plan amendments.

Halton Region recommends that restrictions be placed on the initiation of private Official Plan Amendments' large-scale proposals outside of designated Urban Structure (Designated Greenfield Area and Build Boundary Area) as established through a Municipal Comprehensive Review (MCR) process. Restricting these amendments outside of an MCR process will strengthen the ability of municipalities to plan for, finance and service growth in accordance with the planned urban structure of their Official Plans.

## **2. Remove Appeal of Regional Official Plan Amendments that Implement the Growth Plan**

The Region of Halton has spent the past six years defending its Official Plan before the Ontario Municipal Board (OMB) in the implementation of the Growth Plan. The proposed amendments to the Growth Plan establishes new targets of 60% intensification and 80 people and jobs per hectare, which if no transition is provided would require the Region to start over and turn the clock back on implementation of the Growth Plan and be faced with duplicating the same process before the OMB. The HAPP submission strongly suggests that transition is needed to ensure we are moving forward and not turning the clock back. The implementation of the Growth Plan has been significantly delayed due to the number of appeals to the (OMB).

The Region of Halton recommends that all Regional Official Plans and amendments that implement the Growth Plan and have been approved by the Province be sheltered from any appeals to the OMB.

## **3. Development Charges Update**

The Growth Plan has an underlying principle that growth should pay for growth. The current Development Charges Act does not allow for the full cost of growth to be recovered through development charges.

Halton Region continues to strongly recommend that the Province amend the Development Charges Act to enable municipalities to fully recover the cost of all growth-related services associated with implementing the Provincial Plans.

## **4. Provincial Funding and Need for Provincial Plan Secretariat**

The implementation of the Growth Plan requires significant investment in infrastructure from all three levels of government: Provincial, Regional and Municipal. The Regional and Municipal levels of government are required to plan for capital infrastructure required to accommodate growth; this is the basis for Capital planning

and Development Charges. The Province needs to establish Capital Plans being a minimum forecast period of 10 years to address Provincial investment in infrastructure required to implement the Growth Plan.

The Region recommends that the Province develop a Provincial Secretariat comprised of all Ministries involved in the delivery of community infrastructure to support implementation of the Provincial Plans. The Secretariat would be responsible for capital planning, coordinating the funding and timely delivery of provincial infrastructure such as schools, hospitals and transportation/transit to ensure that municipalities have appropriate infrastructure and services in place to build complete communities, as envisioned in the Growth Plan and implementing Official Plans.

## **5. Climate Change and Net Zero Communities**

Halton Region requests that the Province provide additional details, information, and clarification regarding the policies addressing Climate Change and the development of Net Zero Communities in the proposed updated Provincial Plans. In addition, the Region is requesting that the Province consider making amendments to the Ontario Building Code to enable municipalities to enhance energy efficiency and lower-carbon standards in new construction to implement these policies.

## **6. Affordability and Single Family Homes**

In addition to the comments provided for Growth Plan Policy 2.2.1 in the HAPP submission, Halton Regional Council has requested that the following comment be considered:

“Restricting supply of single detached homes must drive up the price of this form of housing by failing to meet the demand for this form of housing.”

## FINANCIAL/PROGRAM IMPLICATIONS

The cost of preparing the joint HAPP submission on the 2016 Co-ordinated Plans Review has been financed through the Legislative and Planning Services approved 2016 operating budget.

Respectfully submitted,



Ron Glenn  
Director, Planning Services and Chief  
Planning Official



Mark G. Meneray  
Commissioner, Legislative & Planning  
Services and Corporate Counsel

Approved by



Jane MacCaskill  
Chief Administrative Officer

If you have any questions on the content of this report,  
please contact:

Ron Glenn  
Dan Tovey  
Brooke Marshall

Tel. # 7208  
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Attachments: None



## The Regional Municipality of Halton

Report To:	Chair and Members of the Planning and Public Works Committee
From:	Mark G. Meneray, Commissioner, Legislative & Planning Services and Corporate Counsel
Date:	September 7, 2016
Report No. - Re:	LPS79-16 - Co-ordinated Provincial Plans Review, HAPP Comments and Recommendations

### RECOMMENDATION

1. THAT Regional Council endorse the Halton Area Planning Partnership's 2016 Coordinated Plan Review Joint Submissions on the Proposed Growth Plan, Proposed Greenbelt Plan and Proposed Niagara Escarpment Plan to the Ministry of Municipal Affairs, provided as Attachments #1-3 to Report No. LPS79-16.
2. THAT the Regional Clerk forward a copy of Report No. LPS79-16 to the Ministry of Municipal Affairs, the Ministry of Natural Resources and Forestry, Halton's MPPs, the Niagara Escarpment Commission, the City of Burlington, the Town of Halton Hills, the Town of Milton and the Town of Oakville for their information.

### REPORT

#### **Executive Summary**

- On May 10, 2016, as a second phase of consultation on the Co-ordinated Plan Review initiative, the Province of Ontario released the proposed revised provincial land use plans for the Greater Golden Horseshoe: 1) Growth Plan for the Greater Golden Horseshoe; 2) Greenbelt Plan; 3) Niagara Escarpment Plan; and 4) Oak Ridges Moraine Conservation Plan.
- Halton Area Planning Partnership's (HAPP) joint submission focuses on the three land use plans that are applicable to Halton Region: 1) Growth Plan, 2) Greenbelt Plan and 3) Niagara Escarpment Plan.
- The nine most significant recommendations to the Province identified as part of the HAPP review of the Growth Plan, Greenbelt Plan and Niagara Escarpment Plan are: 1) Harmonization and Alignment; 2) Intensification and Density Targets; 3) Guidelines, Impact Assessment and Criteria Development; 4) Provincial Funding 5) Agriculture Systems, Supportive, Related and Diversified Policies; 6) Mapping Updates to the Plans; 7) Urban River Valleys, 8) Climate Change and Net-Zero Communities, and 9) Site Specific Recommendations.

- The deadline to respond to the Province has been extended to October 31, 2016.

## **Co-ordinated Plans 2016 Review Background**

The Province initiated the Co-ordinated Plan Review of the four provincial land use plans in 2015 and received extensive feedback following this initial round of consultations with stakeholders and the public. Halton Region and its local municipalities provided input on the initial consultation through a joint Halton Area Planning Partnership (HAPP) submission that was endorsed by Regional Council through Report No. LPS56-16. An Advisory Panel also provided its recommendations in December 2015 in their report “Planning for Health, Prosperity and Growth in the Greater Golden Horseshoe: 2015 – 2041”.

The Province of Ontario has now reviewed and considered all feedback received during the first round of consultation and on May 10, 2016 has released revisions to the proposed land use plans to the public for consideration and consultation.

As noted in Report No. LPS62-16, Regional staff identified the main policy changes to the proposed revised plans, outlined the Province’s public engagement strategy on the plans and set out the Region’s approach to reviewing the plans in consultation with Regional departments and local staff and the preparation of a joint HAPP submission for Council’s consideration and endorsement. This report provides HAPP’s comments and recommended changes to the provincial land use plans for consideration by Council in advance of the Province’s October 31, 2016 deadline.

The following discussion outlines the main changes to the proposed revised plans and highlights HAPP’s most significant recommended revisions.

## **Discussion**

### Proposed Changes to the Plans

The proposed Growth Plan contains increases to intensification and density targets, policies to address climate change and the introduction of a natural heritage system for the entire Greater Golden Horseshoe area.

The proposed Greenbelt Plan contains the introduction of an Agricultural System and Agricultural Support Network, proposals for the introduction of impact assessments and classification methodologies to identify special land use areas and key landscape features which have not been consistently identified at this time.

The proposed Niagara Escarpment Plan contains changes that bring the plan closer to harmonization with these other plans while strengthening the “environment first” principle of the Niagara Escarpment Plan.

## Significant HAPP Recommendations on the Proposed Revised Plans.

Several considerations are common across the plans and constitute the most significant recommendations developed by HAPP in the development of the Joint Responses found in Appendices #1 – 3 of this report. The Appendices contain a discussion of recommendations, as well as both general and policy-specific comments directed at each plan individually/independently.

Having said this, the nine items discussed below represent the key recommendations identified by HAPP which constitute the most significant commentary to be submitted to MMAH in response to the proposed revised Growth Plan, Greenbelt Plan and Niagara Escarpment Plan.

### **1. Harmonization and Alignment**

Although efforts have been made to harmonize definitions across the Plans, further harmonization is required. The coordination of provincial plans in the Greater Toronto and Hamilton Area (GTHA) provides strength and consistency but each plan would benefit from being structured as independent policy documents to ensure each plan can be read independently or in conjunction with the other plans. Ensuring that the definitions and methodologies for assessing key features are aligned among the plans is integral to balancing the requirements of each plan and achieving consistent implementation throughout the Greater Golden Horseshoe (GGH) and beyond.

### **2. Intensification and Density Targets**

HAPP is generally supportive of the increased density and intensification targets in the proposed Growth Plan. Although the 60 per cent intensification target is generally supported, HAPP recommends that it should be phased in commencing at 2031 and be measured over the 2031 to 2041 time period, at the upper-tier level. Measuring the target from 2031 to 2041 will give municipalities time to determine the appropriate locations for intensification and build the infrastructure required to support it.

All HAPP members feel strongly that the 80 people and jobs per hectare target should only apply to unplanned and undeveloped areas of the “designated greenfield area” (DGA). The DGA is defined by the proposed revised Growth Plan as the “area within a settlement area that is required to accommodate forecasted growth to the horizon of this Plan and is not built-up area”. Applying this target to the entire DGA implies that area-specific plans currently in progress should be revised to meet the new target and that unplanned areas will need to be planned at very high densities in order to balance-out previously planned land. The 80 people and jobs per hectare target should exclude all employment areas, land used for infrastructure and portions of the DGA planned under a prior existing policy regime. This will result in a measure that accurately reflects Halton Region’s efforts to increase DGA densities.

### **3. Guidelines, Impact Assessment and Criteria Development**

The proposed plans identify several yet undeveloped provincial guidelines, impact assessment methodologies, as well as system and key feature identification criteria. Development of a land budget methodology is of particular priority. HAPP recommends that these tools be developed quickly and in consultation with municipalities to reflect and respect existing criteria and processes, be harmonized across provincial plans and continue to permit municipalities with more restrictive requirements to continue to be more restrictive. HAPP notes that a greater commitment is needed from all Provincial ministries and agencies in advancing the objectives of the Plans. Capital investments must align with the goals of the Plans.

### **4. Provincial Funding**

New Provincial funding models and financial tools are required to implement all three Plans. The base assumptions for municipal revenue streams should be reviewed and updated so that new, innovative tools can provide sustainable funding for municipalities within the GGH. Given the Growth Plan's intensification target of 60 per cent and 80 people and jobs target, there is an urgent need for the Province to provide stable, predictable, long-term funding to improve aging infrastructure, invest in transit and community infrastructure and to manage growth to achieve thriving, livable, compact, pedestrian friendly and "complete communities to meet the people's needs for daily living throughout an entire lifetime". Funds are also required to combat climate change, build agricultural support networks and develop community hubs.

### **5. Agriculture Systems, Supportive, Related and Diversified Policies**

The plans provide greater support for agriculture and the agricultural community by introducing and allowing for agriculture-related and on-farm diversified uses. However, it is requested that clarification regarding issues of compatibility, identification of an agricultural system and the implementation of an agricultural support network be provided.

### **6. Mapping Updates to the Plans**

Clarification on the methods and data utilized in the development of mapping updates in both the Niagara Escarpment and Greenbelt Plans is requested. Greater consultation with municipalities and the public on the proposed mapping changes is needed to better understand the potential implications and to ensure that the most locally relevant and rigorous data available are used in the updating of provincial mapping.

Additionally, an appropriate municipal response to site specific requests to modify land use in the NEP would require Official Plan Amendment (OPA) applications to be submitted to the relevant municipalities for review. Additional information and an application submission to Regional and Local OPA processes would be required, prior

to a municipal comprehensive review of the proposed changes in the Niagara Escarpment Plan.

## **7. Urban River Valleys**

It is requested that Fourteen Mile Creek below the Queen Elizabeth Way Highway to Lake Ontario be included in the Urban River Valley mapping. Use of municipal mapping of urban river valleys is requested to ensure the consistency of location, valley widths and public owned lands. Additionally, it is requested that all symbols, colours and boundaries used on the maps comprising the Greenbelt Plan include complete and thorough accompanying legends.

## **8. Climate Change and Net-Zero Communities**

The introduction of policies addressing climate change and the concept of net-zero communities has been done without any accompanying clarification of definitions or explanatory guidance to assist municipalities in understanding the implications or application of these policies.

## **9. Site Specific Recommendations**

Two site specific recommendations are being supported by HAPP for inclusion in the Greenbelt Plan area. It is requested that the approved Glen Williams boundary contained in the Halton Hills Official Plan be used to define the boundaries of the Greenbelt Plan Protected Countryside area. Additionally, it is requested that the Cootes to Escarpment EcoPark receive recognition in the Greenbelt Plan, similar to the manner in which the Rouge River Watershed has been recognized.

## **Conclusion**

HAPP generally supports the modifications proposed in the updated Growth Plan, Greenbelt Plan and the Niagara Escarpment Plan. Commencement of the drafting of new guidelines, systems identification and impact assessment methodologies identified in the Plans is anticipated, and HAPP are seeking to participate in these processes. Regional staff will continue to monitor and apprise Council of any changes resulting from the Proposed Co-ordinated Plans consultation process, and on the development and consultation on the proposed methodologies as they become available.

## FINANCIAL/PROGRAM IMPLICATIONS

The cost of preparing the joint HAPP submission on the 2016 Co-ordinated Plans Review has been financed through the Legislative and Planning Services approved 2016 operating budget.

Respectfully submitted,



Ron Glenn  
Director, Planning Services and Chief  
Planning Official



Mark G. Meneray  
Commissioner, Legislative & Planning  
Services and Corporate Counsel

Approved by



Jane MacCaskill  
Chief Administrative Officer

If you have any questions on the content of this report,  
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Attachments: Attachment #1 - HAPP Proposed Growth Plan Joint Submission (under separate cover)  
Attachment #2 - HAPP Proposed Greenbelt Plan Joint Submission (under separate cover)  
Attachment #3 - HAPP Proposed Niagara Escarpment Plan Joint Submission (under separate cover)

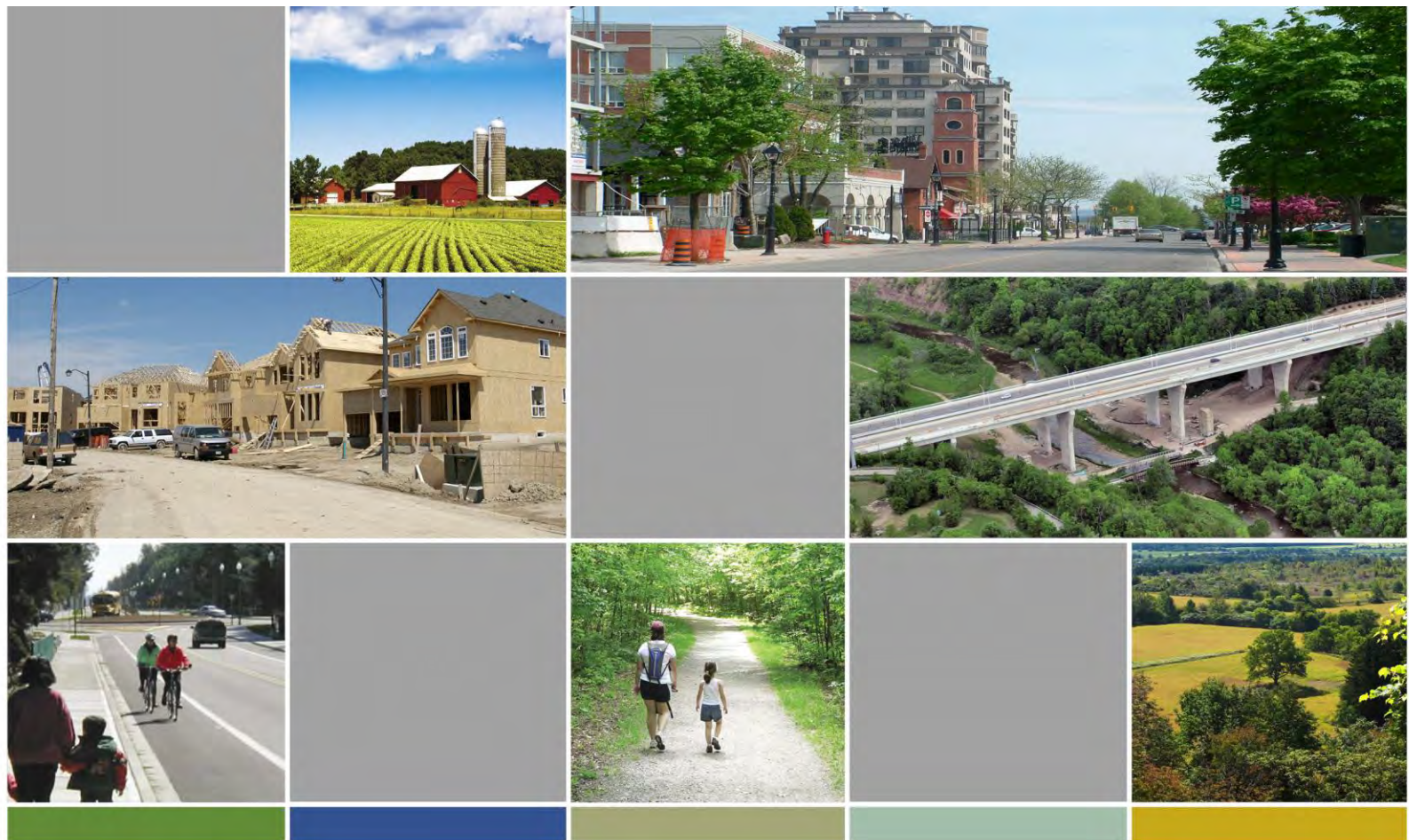
# Halton Area Planning Partnership (HAPP)

## 2016 Coordinated Plan Review

### Proposed Growth Plan

### Joint Submission

September 2016



## Introduction

The Halton Area Planning Partnership (HAPP) is comprised of Halton Region and the following Local Municipalities: the City of Burlington, the Town of Halton Hills, the Town of Milton, and the Town of Oakville.

This submission represents HAPP's response to the document "Proposed Growth Plan (2016), May 2016" (Proposed Plan) which was placed on the Environmental Registry as a Policy Proposal Notice (EBR Registry Number: 012-7194) on May 10, 2016.

Proposed changes to the Growth Plan include increases to intensification and density targets, policies to address climate change and the introduction of a natural heritage system for the entire Greater Golden Horseshoe.

The Halton Area Planning Partnership (HAPP) now takes this opportunity to have its collective voice heard by responding to the Proposed Growth Plan. HAPP's submission provides comments on the Growth Plan's proposed changes and provides HAPP's key recommendations in this letter.

HAPP's response includes:

1. This letter, which contains:
  - a. HAPP's Key Points regarding the whole of the document;
2. Appendix 1, which contains:
  - a. General comments regarding the whole of the Proposed Plan;
  - b. Comments specific to individual policies within the Proposed Plan

## Background

A co-ordinated review of the four Provincial land use plans was undertaken in 2015. The Government of Ontario received extensive feedback after the initial round of consultations with stakeholders and the public. An Advisory Panel also provided its recommendations in December 2015 in their report, "Planning for Health, Prosperity and Growth in the Greater Golden Horseshoe: 2015 – 2041".

The Government of Ontario has reviewed and considered all feedback received from stakeholders, the public, Indigenous communities and the Advisory Panel's recommendations. The government is now proposing changes to the four plans. The following Key Points outline the general policy comments developed collaboratively among the members of HAPP for the province's consideration before completion of the Coordinated Plans review.



## Key Points of HAPP's Response

### 1. Harmonization and Alignment

Although efforts have been made to harmonize definitions across the Plans and with the PPS, opportunities still exist to better harmonize terminology, definitions and, where appropriate, policies. For example the Growth Plan provides definitions for key hydrologic areas, key hydrologic features, and key natural heritage features but the definitions differ from those found in the Greenbelt Plan. Aligning these elements is integral to balancing the requirements of each plan and achieving consistent implementation throughout the Greater Golden Horseshoe (GGH) and beyond.

HAPP members note that efficiencies can be gained by aligning the review of Growth Plan policies with the review of the Schedule 3 population and employment forecasts. Density and intensification targets affect strategies to accommodate population and employment forecasts. Informed discussions on the total amount of people and jobs a given municipality can accommodate cannot take place without considering how the totals will be accommodated – the reverse is also true. Aligning these elements will ensure that municipalities and other stakeholders have access to all relevant information when commenting on proposed changes to the Plans.

The Growth Plan should also be harmonized with other Provincial plans, such as the Ministry of Transportation Greater Golden Horseshoe Multi-Modal Transportation Plan and the Metrolinx Regional Transportation Plan. Within these plans, capital investments should be closely tied to policies – if a project has funding, municipalities can be certain that improvements to provincial or federal infrastructure will be made. The Growth Plan cannot be successfully implemented without harmonized plans at the provincial level.

### 2. Provincial Funding

Growth Plan implementation will not happen without stable, predictable, Provincial funding. Given the Growth Plan's proposed intensification target of 60 per cent, the need for funds to incentivize intensification, improve aging infrastructure and invest in transit is critical. Municipalities will also require funds for other components of the Growth Plan, such as community energy plans, agricultural support networks and community hubs. Expecting municipalities to pay for these additional community elements without providing additional revenue through funding or funding tools is unrealistic and will lead to stalled (or non-existent) implementation.

New funding models and financial tools are required to implement the Growth Plan's vision of "complete communities." The base assumptions for municipal revenue streams should be reviewed and updated so that new, innovative tools can provide sustainable funding for municipalities within the GGH. The proposed Growth Plan will ultimately change the way that communities are planned and built, however without corresponding changes to the ways in which infrastructure, community services and amenities are financed and delivered, municipalities will not be able to successfully



implement the policies of the proposed plan. In order to achieve vibrant, compact, pedestrian friendly, complete communities for all people at all stages of life as envisioned in the plan, appropriate Provincial funding is required

### **3. Transitioning to the Intensification and Density Targets**

HAPP is generally supportive of the increased density and intensification targets in the proposed Growth Plan subject to Provincial support of the following qualifiers and additional comments found in Appendix 1. These include consideration of municipal need for time to transition from the existing targets to the proposed targets. Several land use planning initiatives are underway and will continue as planned while Growth Plan conformity exercises are completed.

A significant portion of Halton's growth is directed to its Designated Greenfield Area (DGA). Though HAPP is supportive of excluding Prime Employment Areas from density calculations, there are a number of low density features that should also be excluded, such as all roads and non-linear infrastructure that cannot be built more compactly (like sewage treatment plants). As well, schools and parks are important elements of complete communities that are also difficult to develop more compactly and as a result, should also be excluded from the 80 residents/ha target. The new target should only be measured over residential / mixed use areas (not employment areas).

All HAPP members feel strongly that the 80 people and jobs per hectare target should only apply to unplanned and undeveloped areas of the Designated Greenfield Area (DGA). Applying this target to the entire DGA implies that in progress area-specific plans should be revised to meet the new target, and that unplanned areas will have to be planned at very high densities in order to balance out previously planned land. HAPP suggests that the Province develop a new term and definition for the "developed portion" of the DGA applicable at date of adoption of this amendment to the Plan.

Though HAPP members generally support the 60 per cent intensification target, it should be phased in commencing at 2031, and be measured over the 2031 to 2041 time period, at the upper-tier level. Measuring the target from 2031 to 2041 will give municipalities time to determine the appropriate locations for intensification and build the infrastructure required to support it. Applying the target at the upper-tier level ensures that intensification is directed to areas in Halton that can adequately support it (such as areas served by transit).

### **4. Agriculture, Agricultural System and Agricultural Support Network**

The Proposed Growth Plan provides greater support for agriculture and the agricultural community by introducing and allowing for agriculture-related and on-farm diversified uses, which is supported. However, HAPP's previous submission noted the need for policies that would support a 'systems' approach for agricultural processes, which was not fully addressed in any of the plans.



The concept of an 'Agricultural Support Network' has been introduced into both the Greenbelt Plan and the Growth Plan. The definition for 'Agricultural Support Network' does not separate economic development supporting goals and land uses throughout rural municipalities. The vague nature of the definition and implied land use implications of this network may create confusion about how the economic, community and social support systems that are part of rural communities and lands may be supported by municipalities.

Furthermore, the definition for 'Agricultural Support Network' suggests that it includes elements such as "regional agricultural infrastructure". Given that "infrastructure" is also a defined term, it is not clear what the intent of "regional agricultural infrastructure" is. It is critical that municipalities understand the implications of this. In addition, the policy direction for municipalities as it relates to the 'Agricultural Support Networks' is unclear, as the language used throughout the Greenbelt Plan is inconsistent (i.e., shall versus encourage).

## **5. Guidelines, Impact Assessments, Performance Indicators and Identification Criteria**

The Greenbelt Plan and the Growth Plan both refer to a number of forthcoming provincial guidelines and systems mapping initiatives (e.g., watershed planning guidelines, agricultural system mapping, natural heritage systems mapping). As well, reference is frequently made to yet undeveloped classification systems (LEAR, Key Natural Heritage Systems, and Agricultural Systems), identification criteria (Natural Heritage Features), and impact assessment requirements (Agricultural Impact Assessments) throughout the plans.

HAPP is supportive of the development of Provincial guidelines and methodologies to support the municipal implementation of Growth Plan policies. HAPP members are looking forward to a full consultation process on the standardized land needs methodology and watershed planning guidelines (particularly as it relates to settlement boundary expansions). Among other considerations, the Province should consider that HAPP recognizes the land budget methodology and guidelines are required as a prerequisite to implementation of the amended Growth Plan. Therefore, HAPP requests that the standardized land needs assessment methodology be prioritized accordingly.

These tools should be developed quickly, and in consultation with municipalities. It is recommended that the new tools reflect and respect existing criteria and processes in place at the municipal level, be harmonized across provincial plans, and continue to permit municipalities with the opportunity to be more restrictive.

Municipalities and other public agencies frequently have sound, detailed data used in the development of their own mapping, which reflects local conditions and have resulted in the development of a comprehensive and refined product. These methodologies and



resulting mapping are locally significant and should be used in the development of potential provincial land use system mapping changes.

Greater clarity is needed with regard to the expectations of municipalities and other public bodies as it relates to developing and reporting on performance indicators. Guidance and support from the Province to undertake this work is critical.

## **6. Implementation**

When contemplating the development of the land needs assessment, consideration must be given to distinguishing between Designated Greenfield Areas and Built-Up Areas. Furthermore, there needs to be methodology to assist in forecasting job growth/redevelopment capacity within existing employment areas. Doing so would recognize that all municipalities within the Greater Golden Horseshoe are at different stages of development and a single greenfield oriented land needs assessment is not appropriate in all cases. HAPP members also recommend that the Growth Plan defer to municipal positions, and / or municipal Official Plans concerning the designation of Prime Employment Areas and Priority Transit Corridors, as well as the mapping of Natural Heritage and Agricultural Systems.

Since the release of the Growth Plan in 2006, Halton has been subject to a number of Provincial projects that conflict with Growth Plan principles. For example, GO Transit built a large parking structure at a key intersection in the Midtown Oakville Urban Growth Centre. Provincial policy and funding formulas for school boards does not mandate or facilitate compact school design and community hubs. These examples underscore that in order to ensure that the Growth Plan is implemented successfully, all Provincial ministries must adhere to Growth Plan policies.

HAPP notes that a greater commitment is needed from all Provincial ministries and agencies in advancing the objectives of the Growth Plan. Capital investments must align with the goals of the Growth Plan. Provincial reviews of Growth Plan supportive infrastructure should be prioritized. Partnerships between municipalities and Provincial agencies need to be fostered to accelerate the development of community facilities.

Finally, the Province should support municipalities' efforts to implement the Growth Plan by sheltering official plan conformity amendments from appeals to the Ontario Municipal Board, expediting the appeal process, or providing funds for municipalities' defense. Significant changes to the built-form in the GGH cannot occur without significant changes to underlying processes.

## **7. Climate Change and Net-Zero Communities**

The introduction of policies addressing climate change and the concept of net-zero communities has been done without accompanying clarification of definitions or explanatory guidance to assist municipalities understanding the implications or



application of these policies. Further information and clear guidance on the goals of these policies and infrastructure changes which will be needed, are required.

## **Conclusion**

HAPP is supportive of the general principles put forward in the Proposed Growth Plan, and appreciates the work that has gone into harmonizing the Growth Plan with the Greenbelt Plan. The success of the Growth Plan's implementation is dependent on long-term stable and predictable funding and funding tools from the Province for transit and infrastructure (particularly in intensification areas). HAPP members anticipate a full consultation on guidelines and methodologies developed by the Province to aid in implementation (particularly the standardized land needs assessment).

Thank you for providing the Region and its Local Municipalities the opportunity to comment on the development of these policy changes.

Respectfully submitted,

**Ron Glenn, MCIP, RPP**  
Director of Planning Services  
& Chief Planning Official  
**Halton Region**

**Mary Lou Tanner MCIP, RPP**  
Director of Planning & Building  
**City of Burlington**

**John Linhardt, MCIP, RPP**  
Executive Director of Planning &  
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**Barb Koopmans MCIP, RPP**  
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Development  
**Town of Milton**

**Mark Simeoni, MCIP, RPP**  
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## APPENDIX 1a: Joint HAPP Response to Proposed Changes to the *Growth Plan* (May 2016)

Co-ordinated Land Use Planning Review - *Halton Region, City of Burlington, Town of Oakville, Town of Halton Hills, and Town of Milton*

Proposed Growth Plan	HAPP Comments	Recommendations or Improvement
<p>1. Harmonization and Alignment</p>	<p>Although efforts have been made to harmonize definitions across the Plans and with the PPS, opportunities still exist to better harmonize terminology, definitions and, where appropriate, policies. For example the Growth Plan provides definitions for key hydrologic areas, key hydrologic features, and key natural heritage features but the definitions differ from those found in the Greenbelt Plan. Aligning these elements is integral to balancing the requirements of each plan and achieving consistent implementation throughout the Greater Golden Horseshoe (GGH) and beyond.</p> <p>HAPP members note that efficiencies can be gained by aligning the review of Growth Plan policies with the review of the Schedule 3 population and employment forecasts. Density and intensification targets affect strategies to accommodate population and employment forecasts. Informed discussions on the total amount of people and jobs a given municipality can accommodate cannot take place without considering how the totals will be accommodated – the reverse is also true. Aligning these elements will ensure that municipalities and other stakeholders have access to all relevant information when commenting on proposed changes to the Plans.</p> <p>The Growth Plan should also be harmonized with other Provincial plans, such as the Ministry of Transportation Greater Golden Horseshoe Multi-Modal Transportation Plan and the Metrolinx Regional Transportation Plan. Within these plans, capital investments should be closely tied to policies – if a project has funding, municipalities can be certain that improvements to provincial or federal infrastructure will be made. The Growth Plan cannot be successfully implemented without harmonized plans at the provincial level.</p>	<p><b>Terminology and definitions should be consistent between the Growth Plan, the Greenbelt Plan, the Niagara Escarpment Plan and the Provincial Policy Statement.</b></p> <p><b>Growth Plan policies and the population and employment forecasts found in Schedule 3 must be updated together.</b></p> <p><b>Timing between the Growth Plan, the Big Move and other Provincial plans should be aligned.</b></p>

## APPENDIX 1a: Joint HAPP Response to Proposed Changes to the *Growth Plan* (May 2016)

Co-ordinated Land Use Planning Review - *Halton Region, City of Burlington, Town of Oakville, Town of Halton Hills, and Town of Milton*

Proposed Growth Plan	HAPP Comments	Recommendations or Improvement
2. Provincial Funding	<p>Growth Plan implementation will not happen without stable, predictable, Provincial funding. Given the Growth Plan's proposed intensification target of 60 per cent, the need for funds to incentivize intensification, improve aging infrastructure and invest in transit is critical. Municipalities will also require funds for other components of the Growth Plan, such as community energy plans, agricultural support networks and community hubs. Expecting municipalities to pay for these additional community elements without providing additional revenue through funding or funding tools is unrealistic and will lead to stalled (or non-existent) implementation.</p> <p>New funding models and financial tools are required to implement the Growth Plan's vision of "complete communities." The base assumptions for municipal revenue streams should be reviewed and updated so that new, innovative tools can provide sustainable funding for municipalities within the GGH. The proposed Growth Plan will ultimately change the way that communities are planned and built, however without corresponding changes to the ways in which infrastructure, community services and amenities are financed and delivered, municipalities will not be able to successfully implement the policies of the proposed plan. In order to achieve vibrant, compact, pedestrian friendly, complete communities for all people at all stages of life as envisioned in the plan, appropriate Provincial funding is required</p>	<p><b>Municipalities require funding to incentivize intensification and build the infrastructure to support it (including transit).</b></p> <p><b>Municipalities will not be able to build "complete communities" without changes to the base assumptions used for municipal revenue streams, or new funding tools that guarantee sustainable, long term funding.</b></p>
3. Transitioning to the Intensification and Density Targets	<p>HAPP is generally supportive of the increased density and intensification targets in the proposed Growth Plan subject to Provincial support of the following qualifiers and additional comments found in Appendix 1. These include consideration of municipal need for time to transition from the existing targets to the proposed targets. Several land use planning initiatives are underway and will continue as planned while Growth Plan conformity exercises are completed.</p>	

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Proposed Growth Plan	HAPP Comments	Recommendations or Improvement
	<p>A significant portion of Halton's growth is directed to its Designated Greenfield Area (DGA). Though HAPP is supportive of excluding Prime Employment Areas from density calculations, there are a number of low density features that should also be excluded, such as all roads and non-linear infrastructure that cannot be built more compactly (like sewage treatment plants). As well, schools and parks are important elements of complete communities that are also difficult to develop more compactly and as a result, should also be excluded from the 80 residents/ha target. The new target should only be measured over residential / mixed use areas (not employment areas).</p> <p>All HAPP members feel strongly that the 80 people and jobs per hectare target should only apply to unplanned and undeveloped areas of the Designated Greenfield Area (DGA). Applying this target to the entire DGA implies that in progress area-specific plans should be revised to meet the new target, and that unplanned areas will have to be planned at very high densities in order to balance out previously planned land. HAPP suggests that the Province develop a new term and definition for the "developed portion" of the DGA applicable at date of adoption of this amendment to the Plan.</p> <p>Though HAPP members generally support the 60 per cent intensification target, it should be phased in commencing at 2031, and be measured over the 2031 to 2041 time period, at the upper-tier level. Measuring the target from 2031 to 2041 will give municipalities time to determine the appropriate locations for intensification and build the infrastructure required to support it. Applying the target at the upper-tier level ensures that intensification is directed to areas in Halton that can adequately support it (such as areas served by transit).</p>	<p><b>The density target should exclude all employment areas, lands used for inherently non-compact infrastructure and portions of the DGA planned under a prior policy regime.</b></p> <p><b>The Growth Plan should include a new term and definition for the developed portions of the DGA.</b></p> <p><b>The intensification target should be measured across Halton, from 2031 to 2041.</b></p>

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Proposed Growth Plan	HAPP Comments	Recommendations or Improvement
4. Agriculture, Agricultural System and Agricultural Support Network	<p>The Proposed Growth Plan provides greater support for agriculture and the agricultural community by introducing and allowing for agriculture-related and on-farm diversified uses, which is supported. However, HAPP's previous submission noted the need for policies that would support a 'systems' approach for agricultural processes, which was not fully addressed in the any of the plans.</p> <p>The concept of an 'Agricultural Support Network' has been introduced into both the Greenbelt Plan and the Growth Plan. The definition for 'Agricultural Support Network' does not separate economic development supporting goals and land uses throughout rural municipalities. The vague nature of the definition and implied land use implications of this network may create confusion about how the economic, community and social support systems that are part of rural communities and lands may be supported by municipalities.</p> <p>Furthermore, the definition for 'Agricultural Support Network' suggests that it includes elements such as "regional agricultural infrastructure". Given that "infrastructure" is also a defined term, it is not clear what the intent of "regional agricultural infrastructure" is. It is critical that municipalities understand the implications of this. In addition, the policy direction for municipalities as it relates to the 'Agricultural Support Networks' is unclear, as the language used throughout the Greenbelt Plan is inconsistent (i.e., shall versus encourage).</p>	<p><b>HAPP members would appreciate more information on how municipalities can bolster the economic, community and social supports in the agricultural community.</b></p> <p><b>Terms such as "regional agricultural infrastructure" must be defined to provide clarity for municipalities and other stakeholders.</b></p>
5. Guidelines, Impact Assessments, Performance Indicators and Identification Criteria	<p>The Greenbelt Plan and the Growth Plan both refer to a number of forthcoming provincial guidelines and systems mapping initiatives (e.g., watershed planning guidelines, agricultural system mapping, natural heritage systems mapping). As well, reference is frequently made to yet undeveloped classification systems (LEAR, Key Natural Heritage Systems, and Agricultural Systems), identification criteria (Natural Heritage Features), and impact assessment requirements (Agricultural Impact Assessments) throughout</p>	<p><b>HAPP members expect a full consultation process on the materials prepared by the Province to assist in the</b></p>

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Proposed Growth Plan	HAPP Comments	Recommendations or Improvement
	<p>the plans.</p> <p>HAPP is supportive of the development of Provincial guidelines and methodologies to support the municipal implementation of Growth Plan policies. HAPP members are looking forward to a full consultation process on the standardized land needs methodology and watershed planning guidelines (particularly as it relates to settlement boundary expansions). Among other considerations, the Province should consider that HAPP recognizes the land budget methodology and guidelines are required as a prerequisite to implementation of the amended Growth Plan. Therefore, HAPP requests that the standardized land needs assessment methodology be prioritized accordingly.</p> <p>These tools should be developed quickly, and in consultation with municipalities. It is recommended that the new tools reflect and respect existing criteria and processes in place at the municipal level, be harmonized across provincial plans, and continue to permit municipalities with the opportunity to be more restrictive.</p> <p>Municipalities and other public agencies frequently have sound, detailed data used in the development of their own mapping, which reflects local conditions and have resulted in the development of a comprehensive and refined product. These methodologies and resulting mapping are locally significant and should be used in the development of potential provincial land use system mapping changes.</p> <p>Greater clarity is needed with regard to the expectations of municipalities and other public bodies as it relates to developing and reporting on performance indicators. Guidance and support from the Province to undertake this work is critical.</p>	<p><b>implementation of the Growth Plan.</b></p> <p><b>The Growth Plan should defer to local, detailed, mapping and data where it exists.</b></p>
6. Implementation	When contemplating the development of the land needs assessment, consideration must be given to distinguishing between Designated Greenfield Areas and Built-Up Areas.	<b>The land needs assessment must consider municipal positions and / or Official Plans and recognize that Greater Golden Horseshoe municipalities are at different stages in</b>

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Proposed Growth Plan	HAPP Comments	Recommendations or Improvement
	<p>Furthermore, there needs to be methodology to assist in forecasting job growth/redevelopment capacity within existing employment areas. Doing so would recognize that all municipalities within the Greater Golden Horseshoe are at different stages of development and a single greenfield oriented land needs assessment is not appropriate in all cases. HAPP members also recommend that the Growth Plan defer to municipal positions, and / or municipal Official Plans concerning the designation of Prime Employment Areas and Priority Transit Corridors, as well as the mapping of Natural Heritage and Agricultural Systems.</p> <p>Since the release of the Growth Plan in 2006, Halton has been subject to a number of Provincial projects that conflict with Growth Plan principles. For example, GO Transit built a large parking structure at a key intersection in the Midtown Oakville Urban Growth Centre. Provincial policy and funding formulas for school boards does not mandate or facilitate compact school design and community hubs. These examples underscore that in order to ensure that the Growth Plan is implemented successfully, all Provincial ministries must adhere to Growth Plan policies.</p> <p>HAPP notes that a greater commitment is needed from all Provincial ministries and agencies in advancing the objectives of the Growth Plan. Capital investments must align with the goals of the Growth Plan. Provincial reviews of Growth Plan supportive infrastructure should be prioritized. Partnerships between municipalities and Provincial agencies need to be fostered to accelerate the development of community facilities.</p> <p>Finally, the Province should support municipalities' efforts to implement the Growth Plan by sheltering official plan conformity amendments from appeals to the Ontario Municipal Board, expediting the appeal process, or providing funds for municipalities' defense. Significant changes to the built-form in the GGH cannot occur without significant</p>	<p><b>their development.</b></p> <p><b>Provincial ministries must conform with the Growth Plan in order to implement it.</b></p> <p><b>All Provincial ministries must support the Growth Plan through capital investment, timely reviews of plans and collaboration.</b></p> <p><b>Municipalities should not be forced to bear the fiscal burden of defending Growth Plan conformity amendments to Official Plans at Ontario Municipal Board hearings.</b></p>

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Proposed Growth Plan	HAPP Comments	Recommendations or Improvement
	changes to underlying processes.	
7. Climate Change and Net-Zero Communities	The introduction of policies addressing climate change and the concept of net-zero communities has been done without accompanying clarification of definitions or explanatory guidance to assist municipalities understanding the implications or application of these policies. Further information and clear guidance on the goals of these policies and infrastructure changes which will be needed, are required.	<b>Municipalities need further guidance on implementing policies related to climate change net-zero communities.</b>

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**Co-ordinated Land Use Planning Review - Halton Region, City of Burlington, Town of Oakville, Town of Halton Hills, and Town of Milton**

Numeric Reference	Policy Text	Comments
2.2 Policies for Where and How to Grow		
2.2.1 Managing Growth		
	<p>3. Applying the policies of this Plan will support the achievement of <i>complete communities</i> that:</p> <ul style="list-style-type: none"> <li>a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services and <i>public service facilities</i>;</li> <li>b) provide for a diverse range and mix of housing, including secondary suites and <i>affordable</i> housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;</li> <li>c) integrate and sustain the viability of transit services, where such services are planned or available;</li> <li>d) support overall quality of life, including human health, for people of all ages and abilities through the planning for and provision of:               <ul style="list-style-type: none"> <li>i. a range of transportation options, including options for the safe, comfortable and convenient use of <i>active transportation</i>;</li> <li>ii. a <i>compact built form</i> that reduces dependence on the automobile;</li> <li>iii. <i>public service facilities</i>, co-located and integrated in community hubs, that are accessible by <i>active transportation</i> and transit;</li> <li>iv. convenient access to local, healthy and affordable food options, including through urban agriculture; and</li> <li>v. a supply of parks, trails and other recreation facilities needed to support planned population and employment growth in a timely manner, particularly as <i>built-up areas</i> are intensified.</li> </ul> </li> </ul>	<p>Higher density housing forms will be required to meet the DGA density targets. This will negatively affect the affordability of single detached homes.</p>  <p>Currently, parks are included in DGA density calculations. It is requested that these areas be excluded from density calculations to facilitate implementation of policy direction.</p>

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Numeric Reference	Policy Text	Comments
	4. Upper- and single-tier municipalities will each develop an integrated approach to planning and managing growth to the horizon of this Plan, which will be implemented through a municipal comprehensive review and other supporting documents and will:	It is recommended that this policy be modified to ensure that an MCR within existing settlement areas should continue to apply to all municipalities (lower tier).
2.2.2 Built-up Areas		
	3. All upper- and single-tier municipalities will, at the time of their next <i>municipal comprehensive review</i> , increase their minimum intensification target such that a minimum of 60 per cent of all residential development occurring annually within each upper- and single-tier municipality will be within the <i>built-up area</i> .	Measuring the intensification target annually is inappropriate given the time lag between development approvals and occupancy. This policy should direct municipalities to achieve the intensification target from 2031 to 2041, with detailed implementation policies specified in Official Plans.  Alternatively, the Province could provide transition policies to address the change in intensification targets.
2.2.3 Urban Growth Centres	2. <i>Urban growth centres</i> will be planned: a) as focal areas for investment in regional <i>public service facilities</i> , as well as commercial, recreational, cultural and entertainment uses; b) to accommodate and support the transit network at the regional scale and provide connection points for inter- and intra-regional transit; c) to serve as high-density major employment centres that will attract provincially, nationally or internationally significant employment uses; and d) to accommodate significant population and employment growth.	Clarification is required on how this transit network will be established and how coordination will occur as it requires alignment between Provincial, Regional, and local services providers.
2.2.4 Transit Corridors and Station Areas	1. <i>Priority transit corridors</i> will be delineated in official plans.	These corridors are multi-jurisdictional, and inclusion in Official Plans will require direction from the province to clarify who is responsible to identify and protect these areas.

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Numeric Reference	Policy Text	Comments
	<p>3. Upper- and single-tier municipalities, in consultation with lower-tier municipalities, will determine the size and shape of <i>major transit station areas</i> and delineate their boundaries in official plans.</p>	<p>This process should be led by lower-tier municipalities (not upper- and single tier municipalities).</p>
	<p>4. <i>Major transit station areas</i> will be planned and designed to be <i>transit-supportive</i> and to achieve <i>multimodal</i> access to stations and connections to nearby <i>trip generators</i> by providing, where appropriate:</p> <ul style="list-style-type: none"> <li>a) connections to local and regional transit services to support <i>transit service integration</i>;</li> <li>b) <i>infrastructure</i> to support <i>active transportation</i>, including sidewalks, bicycle lanes and secure bicycle parking; and</li> <li>c) commuter pick-up/drop-off areas.</li> </ul>	<p>It is requested that multi-purpose trails be included in this definition.</p>
	<p>5. <i>Major transit station areas</i> will be planned to achieve, by 2041 or earlier, a minimum gross density target of:</p> <ul style="list-style-type: none"> <li>a) 200 residents and jobs combined per hectare for those that are served by subways;</li> <li>b) 160 residents and jobs combined per hectare for those that are served by light rail transit or bus rapid transit; or</li> <li>c) 150 residents and jobs combined per hectare for those that are served by express rail service on the GO Transit network.</li> </ul>	<p>It is requested that land used for transit stations and associated parking be considered to be excluded from this density calculation.</p>

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Numeric Reference	Policy Text	Comments
	<p>10. The Province may identify additional <i>priority transit corridors</i> or <i>mobility hubs</i> and planning requirements for <i>priority transit corridors</i> or <i>mobility hubs</i>, to support the optimization of transit investments across the <i>GGH</i>, which may specify:</p> <ol style="list-style-type: none"> <li>1) the timeframes for implementation of the planning requirements;</li> <li>2) the boundaries of the planning area that will be subject to the planning requirements; and</li> <li>3) any additional requirements that may apply in relation to these areas.</li> </ol>	<p>The Province should identify additional priority transit corridors in consultation with municipalities.</p>
2.2.5 Employment		
	<p>4) The Minister may identify other <i>prime employment areas</i>.</p>	<p>The Minister should take heed of local Council positions and land use plans when identifying prime employment areas. This process should be fully transparent and consultative.</p> <p>More clarity is requested on the need and purpose of prime employment areas based on land needs assessment. The list of permitted uses appears to be limited to low density employment uses, such as logistics and warehousing, and could preclude the evolution of such areas over time to other higher employment generating uses without undertaking significant additional study.</p>
2.2.7 Designated Greenfield Areas		
	<p>2. The <i>designated greenfield area</i> of each upper- or single-tier municipality will be planned to achieve a minimum density target that is not less than 80 residents and jobs combined per hectare within the horizon of this Plan.</p>	

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Numeric Reference	Policy Text	Comments
	<p>3. The minimum density target will be measured over the entire <i>designated greenfield area</i> of each upper- or single-tier municipality, excluding the following:</p> <ul style="list-style-type: none"> <li>a) <i>natural heritage features and areas, natural heritage systems and floodplains</i>, provided <i>development</i> is prohibited in these areas;</li> <li>b) rights-of-way for: <ul style="list-style-type: none"> <li>i. electricity transmission lines;</li> <li>ii. <i>energy transmission pipelines</i>;</li> <li>iii. freeways, as defined by and mapped as part of the Ontario Road Network; and</li> <li>iv. railways; and</li> </ul> </li> <li>c) <i>prime employment areas</i> that have been designated in official plans in accordance with policy 2.2.5.5.</li> </ul>	<p>This target should exclude all employment lands, lands used for infrastructure and portions of the DGA planned through a prior policy regime.</p> <p>A new term and definition should be created to refer to developed DGA lands.</p>
2.2.8 Settlement Area Boundary Expansions		
	<p>2. Where the need for a <i>settlement area</i> boundary expansion has been justified in accordance with policy 2.2.8.1, the <i>municipal comprehensive review</i> will determine the feasibility of a <i>settlement area</i> boundary expansion and identify the most appropriate location based on the following:</p> <ul style="list-style-type: none"> <li>a) there are existing or planned <i>infrastructure and public services facilities</i> to support proposed growth and the development of <i>complete communities</i>;</li> <li>b) the <i>infrastructure and public service facilities</i> needed would be financially viable over the full life cycle of these assets, based on mechanisms such as asset management planning and revenue generation analyses;</li> <li>c) the proposed expansion aligns with a water and wastewater master plan or equivalent that has been completed in accordance with the policies in subsection 3.2.6;</li> <li>d) the proposed expansion aligns with a <i>stormwater master plan</i> or equivalent that has been completed in</li> </ul>	<p>Requirements b) through g), and i) are typically completed at the Secondary or Area-Specific Plan stage. As written, this policy implies that the entire “whitebelt” of a municipality must be studied prior to determining where the settlement area expansion will go.</p> <p>Clarification on the scale of these studies at the settlement expansion stage is requested. Some of these concepts are vague, or are used to describe a specific process used by lower tiers of government.</p> <p>The use of vague language such as “where possible” when referring to the protection of Natural Heritage and Agricultural Systems implies that settlement areas trump these systems. These elements should be balanced.</p>

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Numeric Reference	Policy Text	Comments
	<p>accordance with the policies in subsection 3.2.7;</p> <p>e) a <i>subwatershed plan</i> or equivalent has demonstrated that the proposed expansion, including the associated servicing, would not negatively impact the <i>water resource system</i>, including the <i>quality and quantity of water</i>;</p> <p>f) <i>key hydrologic areas</i> and <i>natural heritage systems</i> should be avoided where possible;</p> <p>g) for <i>settlement areas</i> that receive their water from or discharge their sewage to inland lakes, rivers or groundwater, a completed environmental assessment for new or expanded services has identified how expanded water and wastewater treatment capacity would be addressed in a manner that is fiscally and environmentally sustainable;</p> <p>h) <i>prime agricultural areas</i> should be avoided where possible. Where <i>prime agricultural areas</i> cannot be avoided, an <i>agricultural impact assessment</i> will be used in determining the location of the expansion based on minimizing and mitigating the impact on the <i>agricultural system</i> and evaluating alternative locations across the upper-or single-tier municipality in accordance with the following:</p> <ul style="list-style-type: none"> <li>i. the lands do not comprise <i>specialty crop areas</i>;</li> <li>ii. there are no reasonable alternatives that avoid <i>prime agricultural areas</i>; and</li> <li>iii. there are no reasonable alternatives on lower priority agricultural lands in <i>prime agricultural areas</i>;</li> </ul> <p>i) the <i>settlement area</i> to be expanded is in compliance with the <i>minimum distance separation formulae</i>;</p> <p>j) any impacts on agricultural operations and on the <i>agricultural support network</i> from expanding <i>settlement areas</i> would be avoided or, if avoidance is not possible,</p>	

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	<p>minimized and to the extent feasible mitigated as determined through an <i>agricultural impact assessment</i>;</p> <p>k) the policies of Sections 2 (Wise Use and Management of Resources) and 3 (Protecting Public Health and Safety) of the PPS are applied;</p> <p>l) the proposed expansion would meet any applicable requirements of the Greenbelt, Oak Ridges Moraine Conservation, Niagara Escarpment and Lake Simcoe Protection Plans and any applicable source protection plan; and</p> <p>m) within the Protected Countryside in the <i>Greenbelt Area</i>:</p> <ul style="list-style-type: none"> <li>i. the <i>settlement area</i> to be expanded is identified in the Greenbelt Plan as a Town/Village;</li> <li>ii. the proposed expansion would be modest in size;</li> <li>iii. the proposed expansion would be serviced by <i>municipal water and wastewater systems</i>; and</li> <li>iv. expansion into the Natural Heritage System that has been identified in the Greenbelt Plan is prohibited.</li> </ul>	

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Numeric Reference	Policy Text	Comments
3 Infrastructure to Support Growth		
3.2 Policies for Infrastructure to Support Growth		
3.2.1 Integrated Planning	5. The Province will work with public sector partners, including Metrolinx, to identify strategic <i>infrastructure</i> needs to support the implementation of this Plan through multi-year <i>infrastructure</i> planning for the <i>transportation system</i> and <i>public service facilities</i> .	<p>The province must take the lead and demonstrate its commitment to the Growth Plan itself by focusing its investment in public service facilities in a manner consistent with this Plan.</p> <p>This section should state that the Province will prioritize and expedite reviews of Environmental Assessments for Growth Plan required infrastructure.</p>
3.2.6 Water and Wastewater Systems		
	<p>3. For <i>settlement areas</i> that are serviced by rivers, inland lakes or groundwater, municipalities will not be permitted to extend water or wastewater services from a Great Lakes source unless:</p> <ul style="list-style-type: none"> <li>a) the extension is required for reasons of public health and safety, in which case, the capacity of the water or wastewater services provided in these circumstances will be limited to that required to service the affected <i>settlement area</i>, including capacity for planned development within the approved <i>settlement area</i> boundary;</li> <li>b) in the case of an upper- or single-tier municipality with an <i>urban growth centre</i> outside of the <i>Greenbelt Area</i>, the need for the extension has been demonstrated and the extension: <ul style="list-style-type: none"> <li>i. will service only the growth allocated to the <i>settlement area</i> with the <i>urban growth centre</i>; and</li> <li>ii. has been approved under an environmental assessment; or</li> </ul> </li> <li>c) the extension had all necessary approvals as of</li> </ul>	<p>It is requested that the Province provide clarity on the intent of this policy. Guidance on how settlement areas can transition between groundwater use (more rural development) to lake based water use (more urban development) is requested.</p>

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Numeric Reference	Policy Text	Comments
	[placeholder for effective date] and is only to service growth within a <i>settlement area</i> boundary that was approved and in effect as of that date.	
3.2.7 Stormwater Management	<p>1. Municipalities will develop <i>stormwater master plans</i> or equivalent for serviced <i>settlement areas</i> that:</p> <ul style="list-style-type: none"> <li>a) are informed by <i>watershed planning</i>;</li> <li>b) examine the cumulative environmental impacts of stormwater from existing and planned development, including an assessment of how extreme weather events will exacerbate these impacts;</li> <li>c) incorporate appropriate <i>low impact development</i> and <i>green infrastructure</i>;</li> <li>d) identify the need for stormwater retrofits, where appropriate;</li> <li>e) identify the full life cycle costs of the stormwater <i>infrastructure</i>, including maintenance costs, and develop options to pay for these costs over the long-term; and</li> <li>f) include an implementation and maintenance plan.</li> </ul>	Provincial direction on assessing the effects of extreme weather events is required to support municipalities.
	<p>2. Proposals for large-scale <i>development</i> proceeding by way of secondary plans, plans of subdivision and vacant land plans of condominium, and proposals for resort <i>development</i>, will be supported by a <i>stormwater management plan</i> or equivalent, that:</p> <ul style="list-style-type: none"> <li>b) uses an integrated approach that includes <i>low impact development</i> and <i>green infrastructure</i></li> </ul>	It is requested that this policy be revised: “...will be supported <i>where appropriate</i> ” – some soil types/topography are not suitable for LID.
3.2.8 Public Service Facilities	2. <i>Public service facilities</i> and public services should be co-located in community hubs and integrated to promote cost-effectiveness.	It is requested that school boards and other public service providers be brought into the process of identifying and working to develop community hubs, with the province, to bring these initiatives into compliance with the land use densities and directions of this plan.

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Numeric Reference	Policy Text	Comments
4 Protecting What is Valuable		
4.2 Policies for Protecting What is Valuable		
4.2.1 Water Resource Systems	3. Decisions on allocation of growth and planning for water, wastewater and stormwater <i>infrastructure</i> will be informed by <i>watershed planning</i> . Decisions on <i>settlement area</i> boundary expansions and secondary plans for <i>designated greenfield areas</i> will be informed by a <i>subwatershed plan</i> or equivalent.	<p>Watershed planning is large scale and multi-jurisdictional. This policy appears to imply that watershed plans will be needed to allocate growth. The level of detail typically gleaned from a watershed plan is not consistent with what would be needed to inform a boundary expansion.</p> <p>Clarification regarding the timing, agency responsible and intended implementation of this policy be provided to ensure that growth allocations may be initiated prior to completion of full watershed plans.</p>
4.2.2 Natural Heritage Systems	1. A comprehensive, integrated and long-term approach will be implemented to maintain, restore or enhance the diversity and connectivity of natural heritage features and areas in a given area, and their long-term ecological functions.	It is requested that the entirety of the Natural Heritage Systems policies (4.2.2) be made more consistent with those in the Greenbelt Plan.
	2. Official plans will incorporate a <i>natural heritage system</i> as mapped by the Province, and will apply appropriate designations and policies to maintain, restore or improve the diversity and connectivity of the system and the long-term ecological or <i>hydrologic functions</i> of the features and areas as set out in the policies in this subsection and the policies in subsections 4.2.3 and 4.2.4.	It is requested that where a municipality has a natural heritage system in place, that natural heritage system should be referenced instead of the Provincial version.
	3. In implementing policy 4.2.2.2, a municipality may refine the boundaries of the <i>natural heritage system</i> in a manner that is consistent with this Plan as well as the upper-tier official plan, where applicable.	<p>It is requested that this policy be replaced with the following:</p> <p>“Where an upper tier municipality has already mapped a natural heritage system in their Official Plan and has existing protection and enhancement policies in force as of [placeholder for the date this plan comes into effect], the Official Plan policies and mapping should be deemed to conform to the NHS as mapped by the Province.”</p>

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	<p>4. Within the <i>natural heritage system</i> identified in accordance with policy 4.2.2.2:</p> <ul style="list-style-type: none"> <li>a) the full range of existing and new <i>agricultural uses, agriculture-related uses, on-farm diversified uses</i> and normal farm practices are permitted, subject to policy 4.2.2.4 c);</li> <li>b) a proposal for <i>development or site alteration</i> will demonstrate that: <ul style="list-style-type: none"> <li>i. there will be no negative impacts on <i>key hydrologic features</i> or <i>key natural heritage features</i> and their functions;</li> <li>ii. connectivity for the movement of plants and animals along the <i>natural heritage system</i>, and between <i>key natural heritage features</i> and <i>key hydrologic features</i> located within 240 metres of each other will be maintained and, where possible, enhanced;</li> </ul> </li> </ul>	<p>The addition of the distance of 240m or less separation between features is intended to provide clarity to this policy. However, it is requested that the source or justification of the distance chosen be provided either in this plan or in a guidelines document.</p> <p>Clarification is requested on whether there are intended to be limits to the number or extent of features to be connected as a result of this policy (e.g., certain number of metres away from core features).</p> <p>Some level of flexibility must be applied to development that occurs within the 240 metre connectivity area. There will be many cases where existing development (e.g. farm clusters, roads and other infrastructure) exist within the 240 metre area. Achieving connectivity in these areas may not be possible, and it would be more appropriate to direct new development to the areas that are already disturbed (e.g. new agricultural buildings or additions within an existing farm cluster).</p>
4.2.3 Key Hydrologic Features, Key Hydrologic Areas and Key Natural Heritage Features	<p>1. <i>Development or site alteration</i> is not permitted in <i>key hydrologic features</i> or <i>key natural heritage features</i>, with the exception of:</p> <ul style="list-style-type: none"> <li>a) forest, fish and wildlife management;</li> <li>b) conservation and flood or erosion control projects, but only if the projects have been demonstrated to be necessary, and after all alternatives have been considered;</li> <li>c) activities that create or maintain <i>infrastructure</i> authorized under an environmental assessment process;</li> <li>d) <i>mineral aggregate operations</i> and wayside pits and quarries;</li> <li>e) existing uses as of [placeholder for effective date], subject to the following criteria:</li> </ul>	<p>The similar policy in the Greenbelt Plan is found in 3.2.2 Natural Heritage System Policies, and it is requested in the GBP that the policies include Key Hydrological features/areas as is done in the Growth Plan.</p> <p>It is requested that the Growth Plan and the Greenbelt Plan be harmonized.</p>

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	<ul style="list-style-type: none"> <li>i. expansions to existing buildings and structures, accessory structures and uses, and conversions of legally existing uses which bring the use more into conformity with this Plan are permitted subject to a demonstration that the use does not expand into the <i>key hydrologic feature</i> or <i>key natural heritage feature</i> or its associated <i>vegetation protection zone</i>, unless there is no other alternative in which case any expansion shall be limited in scope and kept within close geographical proximity to the existing structure; and</li> <li>ii. expansions to existing buildings and structures for <i>agricultural uses, agriculture-related uses, on-farm diversified uses</i> and residential dwellings may be considered within <i>key hydrologic features</i> or <i>key natural heritage features</i> and their associated <i>vegetation protection zones</i> if it is demonstrated that there is no alternative, and the expansion in the feature is minimized and mitigated and, in the <i>vegetation protection zone</i>, is directed away from the feature to the maximum extent possible; and</li> <li>f) small scale structures for recreational uses, including boardwalks, footbridges, fences, docks and picnic facilities, if measures are taken to minimize negative impacts.</li> </ul>	
	<ul style="list-style-type: none"> <li>2. Within a <i>key hydrologic area</i>, large-scale <i>development</i> proceeding by way of secondary plans, plans of subdivision and vacant land plans of condominium, and resort <i>development</i> may be permitted where it is demonstrated that <i>hydrologic functions</i> will be protected and that the <i>development</i> will maintain, improve, or restore the <i>quality and quantity of water</i>, such that: <ul style="list-style-type: none"> <li>a) in relation to <i>significant groundwater recharge areas</i>,</li> </ul> </li> </ul>	<p>It is recommended that is policy be harmonized or made more consistent with the similar policy in the Greenbelt Plan 3.2.4 and 3.2.5.</p>

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	<p>pre-development infiltration on the site will be maintained, improved, or restored;</p> <p>b) in relation to <i>highly vulnerable aquifers</i>, the quality of water infiltrating the site will be maintained; and</p> <p>c) in relation to <i>significant surface water contribution areas</i>, the <i>quality and quantity of water</i>, including baseflow, will be protected.</p>	
	4. Policy 4.2.3.1 does not apply to <i>key natural heritage features</i> that are not in the <i>natural heritage system</i> identified in accordance with policy 4.2.2.2, but policy 2.1 of the PPS, 2014 will continue to apply.	It is recommended that this sub-policy should be moved to the beginning of the policy to enhance clarity about the intended application of the policies.
4.2.4 Lands Adjacent to Key Hydrologic Features and Key Natural Heritage Features	1. A proposal for <i>development</i> or <i>site alteration</i> within 120 metres of a <i>key natural heritage feature</i> or <i>key hydrologic feature</i> will require a natural heritage evaluation or hydrologic evaluation that identifies a <i>vegetation protection zone</i> . The <i>vegetation protection zone</i> for <i>key hydrologic features</i> , <i>fish habitat</i> , and <i>significant woodlands</i> will be no less than 30 metres wide. The <i>vegetation protection zone</i> will be established to achieve and be maintained as natural, self-sustaining vegetation.	Clarification is requested regarding the intention of requiring inclusion of a 30m VPZ which is not also extended to all Key Natural Heritage and Key Hydrological Features.
	<p>5. Policies 4.2.4.1, 4.2.4.2, 4.2.4.3, 4.2.4.4 and 4.2.4.5 do not apply, but policies 2.1 and 2.2 of the PPS, 2014 will continue to apply, to:</p> <p>a) <i>key hydrologic features</i> that are within a <i>settlement area</i> boundary;</p> <p>b) <i>key natural heritage features</i> that are within a <i>settlement area</i> boundary;</p> <p>c) <i>key natural heritage features</i> that are outside a <i>settlement area</i> boundary but are not in the <i>natural heritage system</i> identified in accordance with policy 4.2.2.2.</p>	It is recommended that this sub-policy should be moved to the beginning of the policy to enhance clarity about the intended application of the policies.
4.2.6 Agricultural System	1. The Province will identify the <i>agricultural system</i> for	In municipalities where agricultural systems have been

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	the <i>GGH</i> .	identified and mapped, these more detailed and locally scaled systems should be referenced by the province.
	4. The geographic continuity of the agricultural land base and the functional and economic connections to the <i>agricultural support network</i> will be maintained and enhanced.	<p>This policy is not consistent with the policy below (4.2.6.6) where the language related to “maintain and enhance” the agricultural support network is not as strong (“encourage” is used instead of “will”).</p> <p>It is requested that the language be changed to encourage for consistency and to reflect lack of available tools to guarantee maintenance of an agricultural support network under the <i>Planning Act</i>.</p>
	<p>6. Municipalities are encouraged to implement strategies and other approaches to sustain and enhance the <i>agricultural system</i> and the long-term economic prosperity and viability of the agri-food sector, including the maintenance and improvement of the <i>agricultural support network</i> by:</p> <p>a) providing opportunities to support local food, urban and near-urban agriculture, and promoting the sustainability of agricultural, agri-food and agri-product businesses through protecting agricultural resources and minimizing land use conflicts;</p> <p>b) considering the <i>agricultural support network</i> in planning decisions to protect or enhance critical agricultural assets. Where negative impacts on the <i>agricultural system</i> are unavoidable, they will be assessed and mitigated to the extent feasible;</p> <p>c) undertaking long-term planning for agriculture, integrating agricultural economic development, <i>infrastructure</i>, goods movement and freight considerations with land use planning;</p> <p>d) preparing regional agri-food strategies or establishing or consulting with agricultural advisory committees or liaison officers; and</p>	<p>No specific definition is provided in either this plan or the Greenbelt Plan for Agriculture-supportive infrastructure, and the definition for infrastructure does not support the protection of agriculture as is intended in both plans.</p> <p>A specific definition for agriculture-supportive infrastructure is requested.</p>

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	e) maintaining, improving and providing opportunities for agriculture-supportive <i>infrastructure</i> both on and off farms.	
4.2.7 Cultural Heritage Resources	1. <i>Cultural heritage resources</i> will be conserved in accordance with the policies in the PPS, to foster a sense of place and benefit communities, particularly in <i>strategic growth areas</i> .	There is a similar policy in the Greenbelt Plan that quotes the PPS policy (instead of referencing it). It is requested that PPS policy references are made consistently in both plans.
4.2.8 Mineral Aggregate Resources		
	<p>3. Notwithstanding the policies of subsections 4.2.2, 4.2.3 and 4.2.4, within the <i>natural heritage system</i> identified in accordance with policy 4.2.2.2, <i>mineral aggregate operations</i> and wayside pits and quarries are subject to the following:</p> <p>a) no new <i>mineral aggregate operation</i> and no wayside pit and quarry, or any ancillary or accessory use thereto will be permitted in the following <i>key natural heritage features</i> and <i>key hydrologic features</i>:</p> <p>i. <i>significant wetlands</i>;</p> <p>ii. <i>habitat of endangered species and threatened species</i>; and</p> <p>iii. <i>significant woodlands</i> unless the <i>woodland</i> is occupied by young plantation or early successional habitat, as defined by the Province, in which case, the application must demonstrate that policies 4.2.8.5 b) and c) and 4.2.8.6 c) have been addressed and that they will be met by the operation;</p> <p>b) an application for a new <i>mineral aggregate operation</i> or new wayside pit and quarry may only be permitted in <i>key natural heritage features</i> and <i>key hydrologic features</i> not identified in 4.2.8.3 a) and any <i>vegetation protection zone</i> associated with such features where the application demonstrates:</p> <p>i. how the <i>water resource system</i> will be protected or enhanced; and</p>	

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	<ul style="list-style-type: none"> <li>ii. that policies 4.2.8.5 b) and c) and 4.2.8.6 c) have been addressed, and that they will be met by the operation; and</li> <li>c) any application for a new <i>mineral aggregate operation</i> will be required to demonstrate: <ul style="list-style-type: none"> <li>i. how the connectivity between <i>key hydrologic features</i> and <i>key natural heritage features</i> will be maintained before, during and after the extraction of <i>mineral aggregate resources</i>;</li> <li>ii. how the operator could immediately replace any habitat that would be lost from the site with equivalent habitat on another part of the site or on adjacent lands; and</li> <li>iii. how the <i>water resource system</i> will be protected or enhanced;</li> </ul> </li> </ul>	<p>4.2.8.3 c) ii While this requirement is generally supported, further clarity on exactly what is meant by this clause and how it can be demonstrated in an application should be provided.</p>
	<p>4. In <i>prime agricultural areas</i>, applications for new <i>mineral aggregate operations</i> will be supported by an <i>agricultural impact assessment</i> and, where possible, will seek to maintain or improve connectivity of the <i>agricultural system</i>.</p>	<p>It is requested that the province provide guidelines that describe how a mineral aggregate operation can maintain or improve the connectivity of the agricultural system.</p>
4.2.9 A Culture of Conservation		
	<p>3) Municipalities and industry will use best practices for the management of excess soil and fill generated during any <i>development</i> or <i>site alteration</i>, including <i>infrastructure</i> development, so as to ensure that:</p> <ul style="list-style-type: none"> <li>a) any excess soil or fill is reused on-site or locally to the maximum extent possible; and</li> <li>b) fill received at a site will not cause an adverse effect with regard to the current or proposed use of the property or the natural environment.</li> </ul>	<p>It is requested that the site alteration best practices referenced in this policy be developed by the province for consistency.</p> <p>If a municipality has already developed a set of requirements for soil management during site alteration, then existing criteria should be considered and retain the ability to be more stringent than those developed by the province should that be the outcome.</p>
4.2.10 Climate Change		
	<p>2. In planning to reduce greenhouse gas emissions and address the impacts of climate change, municipalities</p>	<p>It is requested that the province develop metrics and methodologies which will assist in the development of GHG</p>

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	<p>are encouraged to:</p> <ul style="list-style-type: none"><li>a) develop strategies to reduce greenhouse gas emissions and to improve resilience to climate change through land use planning, planning for <i>infrastructure</i>, including transit and energy, and the conservation objectives in policy 4.2.9.1;</li><li>b) develop greenhouse gas inventories for transportation, buildings, waste management and municipal operations; and</li><li>c) establish municipal interim and long-term greenhouse gas emission reduction targets that support provincial targets and reflect consideration of the goal of <i>net-zero communities</i>, and monitor and report on progress made towards the achievement of these targets.</li></ul>	<p>inventories and in the determination of communities as ‘net-zero’.</p>

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<b>5 Implementation and Interpretation</b>		
5.2.2 Supplementary Direction	<p>1. In order to implement this Plan, the Minister will, where appropriate, identify, establish or update the following:</p> <ul style="list-style-type: none"> <li>a) the <i>built boundary</i>;</li> <li>b) the size and location of the <i>urban growth centres</i>;</li> <li>c) a standard methodology for land needs assessment;</li> <li>d) <i>prime employment areas</i>, where necessary; and</li> <li>e) data standards for monitoring implementation of this Plan.</li> </ul>	<p>Provincial guidance is also requested for natural heritage and hydrologic evaluations.</p> <p>Updates to the Built Boundary should be made on a predictable, scheduled basis.</p> <p>The standardized land needs assessment should factor in the range and mix of employment types.</p>
	<p>2. In order to implement this Plan, the Province will, where appropriate, identify, establish or update the following:</p> <ul style="list-style-type: none"> <li>a) <i>priority transit corridors</i> and planning requirements for <i>priority transit corridors</i>;</li> <li>b) mapping of the <i>agricultural system</i> for the GGH and related guidance;</li> <li>c) mapping of the <i>natural heritage system</i> for the GGH; and</li> <li>d) guidance on <i>watershed planning</i>.</li> </ul>	<p>Municipal participation is essential for identifying, establishing or updating these items.</p> <p>Provide clarification on whether priority transit corridors may include local transit corridors.</p> <p>It is requested that mapping of the agricultural and natural heritage systems reflect the more detailed and locally relevant mapping undertaken by municipalities, should these maps have already been developed through a local process.</p>
	<p>3. Where this Plan indicates that supplementary direction will be provided for implementation but the direction has not yet been issued, all relevant policies of this Plan continue to apply, and any policy that relies on supplementary direction should be implemented to the fullest extent possible.</p>	<p>Municipalities should be consulted in the development of these items, as some will have land budget impacts.</p>
5.2.3 Co-ordination	<p>2. Upper-tier municipalities, in consultation with lower-tier municipalities, will, through a <i>municipal comprehensive review</i>, provide policy direction to</p>	<p>A consistent methodology is required for the determination of capacity in built-up areas, which acknowledges the challenges of increasing density in built up areas.</p>

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	<p>implement the policies of this Plan, including:</p> <ul style="list-style-type: none"> <li>a) identifying minimum intensification targets for lower-tier municipalities based on the capacity of <i>built-up areas</i>, including the applicable minimum density targets for <i>strategic growth areas</i> in this Plan, to achieve the minimum intensification target in this Plan;</li> <li>b) identifying minimum density targets for <i>strategic growth areas</i> in accordance with this Plan;</li> <li>c) identifying minimum density targets for the <i>designated greenfield areas</i> of the lower-tier municipalities, to achieve the minimum density target for <i>designated greenfield areas</i> in this Plan;</li> <li>d) allocating forecasted growth to the horizon of this Plan to the lower-tier municipalities; and</li> <li>e) providing policy direction on matters that cross municipal boundaries.</li> </ul>	
5.2.5 Targets	<p>3. A lower-tier municipality with an <i>urban growth centre</i> will have a minimum intensification target that is equal to or higher than the minimum intensification target for the corresponding upper-tier municipality.</p>	<p>Studies are required to determine whether Milton can accommodate the 60 per cent target, though there is support for this target at the Regional level.</p>
5.2.7 Schedules and Appendices	<p>1. The Minister will review the schedules in this Plan, including the forecasts contained in Schedule 3, at least every five years in consultation with municipalities, and may revise the schedules, where appropriate.</p>	<p>This section is silent on updates to the policies in the Growth Plan. All forecasts, targets, schedules and policies should be updated comprehensively, ideally every ten years.</p>

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<b>7 Definitions</b>		
Active Transportation	Human-powered travel, including but not limited to, walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed. (PPS, 2014)	It is requested that references to “non-motorized” forms of transportation are removed in other areas of this plan to ensure consistency with this definition.
Agricultural Impact Assessment	A study that evaluates the potential impacts of non-agricultural development on agricultural operations and the <i>agricultural system</i> and recommends ways to avoid or, if avoidance is not possible, minimize and mitigate adverse impacts.	<p>Clarification needs to be provided by the province through guidelines, terms of reference or other criteria to assist in determining impacts on the Agricultural System, which includes the support network in addition to the agricultural land base.</p> <p>If municipalities have existing AIA criteria, these municipalities should be consulted in the development of provincial criteria, and maintain the ability to be more stringent than potential provincial guidance.</p>
Built Heritage Resource	A building, structure, monument, installation or any manufactured remnant that contributes to a property’s cultural heritage value or interest as identified by a community, including an Aboriginal community. <i>Built heritage resources</i> are generally located on property that has been designated under Parts IV or V of the Ontario Heritage Act, or included on local, provincial and/or federal registers. (PPS, 2014)	It is recommended that this definition be modified to reference local heritage registers (Sec. 4.2.7.1)
Compact Built Form	A land use pattern that encourages the efficient use of land, walkable neighbourhoods, mixed land uses (residential, retail, workplace and institutional) all within one neighbourhood, proximity to transit and reduced need for <i>infrastructure</i> . <i>Compact built form</i> can include detached and semi-detached houses on small lots as well as townhouses and walk-up apartments, multi-storey commercial developments, and apartments or offices above retail. Walkable neighbourhoods can be characterized by roads laid out in a well-connected network, destinations that are easily accessible by <i>active transportation</i> , sidewalks with minimal interruptions for vehicle	Compact Built Form may reduce infrastructure requirements in the long term. However, intensification for the purposes of increasing the compact form of development may require retrofitting/ upsizing of existing infrastructure to ensure that increased demand is accommodated when higher than initial infrastructure design.

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	access, and a pedestrian friendly environment along roads to encourage <i>active transportation</i> .	
Frequent Transit	A public transit service that runs at least every 15 minutes in both directions throughout the day and into the evening every day of the week.	It is recommended that this definition be changed to include:  “...service that <u>typically</u> runs at least.....”
Key Hydrologic Features	Permanent streams, intermittent streams, inland lakes, seepage area and springs and <i>wetlands</i> . The identification and delineation of <i>key hydrologic features</i> will be informed by <i>watershed planning</i> , and other evaluations and assessments.	It is recommend that a definition for the term ‘intermittent stream’ be provided as its interpretation could be varied (i.e. does it include ‘ephemeral streams’?).  The Evaluation, Classification and Management of Headwater Drainage Feature Guidelines January 2014 provide useful definitions for ‘intermittent flow’ and ‘ephemeral flow’.
Major Transit Station Area	The area including and around any existing or planned <i>higher order transit</i> station or stop within a <i>settlement area</i> ; or the area including and around a major bus depot in an urban core. <i>Major transit station areas</i> generally are defined as the area within an approximate 500m radius of a transit station, representing about a 10-minute walk.	There is an inconsistency in this definition with the Mobility Hub Guidelines, which state that it takes only 8 minutes to walk 500m.  It is recommended that the words “or stop” be removed from this definition to ensure that only those areas which are identified as major transit station areas are considered for application of the intensification target of 150 people/jobs per Ha.
Municipal Comprehensive Review	A new official plan, or an official plan amendment, initiated by an upper- or single-tier municipality under section 26 of the Planning Act that comprehensively applies the policies and schedules of this Plan.	This definition appears to exclude lower-tier municipalities from initiating MCRs.  It is requested that this be corrected to be inclusive of local municipalities.
Natural Heritage System	A system made up of natural heritage features and areas, and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. These systems can include <i>key natural heritage features</i> , federal and provincial parks and conservation	This definition uses <u>significant</u> wetlands and <u>significant</u> ANSIs whereas the definition of Key Natural Heritage Features and Key Hydrologic Features does not include <u>significant</u> for these terms.  It is recommended that the reference to significant wetlands/ANSIs is not creating a conflict with the

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	reserves, other natural heritage features and areas, lands that have been restored or have the potential to be restored to a natural state, associated areas that support <i>hydrologic functions</i> , and working landscapes that enable ecological functions to continue. (Based on PPS, 2014 and modified for this Plan)	definitions/policies in this plan which address Key Hydrologic Features and Key Natural Heritage Features.
Sand Barren	<p>Land (not including land that is being used for agricultural purposes or no longer exhibits sand barren characteristics) that:</p> <ul style="list-style-type: none"> <li>a) has sparse or patchy vegetation that is dominated by plants that are: <ul style="list-style-type: none"> <li>i. adapted to severe drought and low nutrient levels; and</li> <li>ii. maintained by severe environmental limitations such as drought, low nutrient levels and periodic disturbances such as fire;</li> </ul> </li> <li>b) has less than 25 per cent tree cover;</li> <li>c) has sandy soils (other than shorelines) exposed by natural erosion, depositional process or both; and</li> <li>d) has been further identified, by the Ministry of Natural Resources and Forestry or by any other person, according to evaluation procedures established by the Ministry of Natural Resources and Forestry, as amended from time to time.</li> </ul> <p>(Proposed Greenbelt Plan, 2016)</p>	<p>It is recommended that the specific MNRF evaluation procedures be referenced and used to identify Sand Barrens when the process is more generally referenced in sub-clause d).</p> <p>Additionally, this definition would only capture a subset of the ELC sand barrens which may lead to confusion. A more thorough and accurate definition should be included in this plan and the Greenbelt Plan.</p>
Savannah	<p>Land (not including land that is being used for agricultural purposes or no longer exhibits savannah characteristics) that:</p> <ul style="list-style-type: none"> <li>a) has vegetation with a significant component of non-woody plants, including <i>tallgrass prairie</i> species that are maintained by seasonal drought, periodic disturbances such as fire, or both;</li> </ul>	<p>It is recommended that the specific MNRF evaluation procedures be referenced and used to identify Savannahs when the process is more generally referenced in sub-clause d).</p> <p>It is noted that this definition for Savannah is different than the Ecological Land Classification manual (1998) that is MNRFs current 'evaluation procedure' for identifying these features</p>

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Numeric Reference	Policy Text	Comments
	<ul style="list-style-type: none"> <li>b) has from 25 per cent to 60 per cent tree cover;</li> <li>c) has mineral soils; and</li> <li>d) has been further identified, by the Ministry of Natural Resources and Forestry or by any other person, according to evaluation procedures established by the Ministry of Natural Resources and Forestry, as amended from time to time.</li> </ul> <p>(Proposed Greenbelt Plan, 2016)</p>	<p>which may lead to confusion.</p> <p>Should this definition be modified to reflect the Ecological Land Classification manual, then the definition in the Greenbelt Plan should be modified to match.</p>
Significant Woodland	<p>A <i>woodland</i> which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. These are to be identified using criteria established by the Province. (Based on PPS, 2014 and modified for this Plan)</p>	<p>At this time, no provincially established criteria for the identification of Significant Woodland has been created, instead guidelines have been developed with municipalities tasked with generating criteria based on the guidelines. Given this, municipal criteria should be recognized in this definition, or provincial criteria should be developed.</p>
Tallgrass Prairies	<p>Land (not including land that is being used for agricultural purposes or no longer exhibits tallgrass prairie characteristics) that:</p> <ul style="list-style-type: none"> <li>a) has vegetation dominated by non-woody plants, including tallgrass prairie species that are maintained by seasonal drought, periodic disturbances such as fire, or both;</li> <li>b) has less than 25 per cent tree cover;</li> <li>c) has mineral soils; and</li> <li>d) has been further identified, by the Minister of Natural Resources and Forestry or by any other person, according to evaluation procedures established by the Ministry of Natural Resources and Forestry, as amended from time to time.</li> </ul>	<p>It is recommended that the specific MNRF evaluation procedures be referenced and used to identify Tallgrass Prairies when the process is more generally referenced in sub-clause d).</p>

## APPENDIX 1b: Joint HAPP Response to Proposed Changes to the *Growth Plan* (May 2016)

Co-ordinated Land Use Planning Review - *Halton Region, City of Burlington, Town of Oakville, Town of Halton Hills, and Town of Milton*

Numeric Reference	Policy Text	Comments
	(Proposed Greenbelt Plan, 2016)	
Transportation System	A system consisting of facilities, corridors and rights-of-way for the movement of people and goods, and associated transportation facilities including transit stops and stations, sidewalks, cycle lanes, bus lanes, high occupancy vehicle lanes, rail facilities, parking facilities, park-and-ride lots, service centres, rest stops, vehicle inspection stations, inter-modal facilities, harbours, airports, marine facilities, ferries, canals and associated facilities such as storage and maintenance. (PPS, 2014)	The definition is requested to include reference to multi-use paths in addition to sidewalks.
Trip Generators	Destinations with high population densities or concentrated activities which generate a large number of trips (e.g., <i>urban growth centres</i> and other downtowns, <i>major office</i> and <i>office parks</i> , <i>major retail</i> , <i>employment areas</i> , community hubs and other <i>public service facilities</i> and other mixed-use areas)	The definition is requested to be revised to: “...with high population <u>and/or employment</u> densities..”
Wetlands	Lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of <i>wetlands</i> are swamps, marshes, bogs and fens.  Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit <i>wetland</i> characteristics are not considered to be <i>wetlands</i> for the purposes of this definition. (PPS, 2014)	It is requested that this definition be modified to include the final piece of the definition in the Greenbelt Plan:  “Wetlands are further identified by the Ministry of Natural Resources and Forestry, or by any other person, according to valuation procedures established by the Ministry of Natural resources and Forestry, as amended from time to time.”  If it is considered to not be appropriate to include this additional section of the definition, clarification is requested to provide the rationale for the difference.

# Halton Area Planning Partnership (HAPP)

## 2015 Coordinated Plan Review

### Proposed Greenbelt Plan

### Joint Submission

September 2016



## **Introduction**

The Halton Area Planning Partnership (HAPP) is comprised of Halton Region and the following Local Municipalities: the City of Burlington, the Town of Halton Hills, the Town of Milton, and the Town of Oakville.

This submission represents HAPP's response to the document "Proposed Greenbelt Plan (2016), May 2016" (Proposed Plan) which was placed on the Environmental Registry as a Policy Proposal Notice (EBR Registry Number: 012-7195) on May 10, 2016. The Greenbelt Plan is being reviewed in a co-ordinated manner along with three other provincial land use plans, two of which apply in Halton Region – The Growth Plan for the Greater Golden Horseshoe and The Niagara Escarpment Plan. This is an opportunity to address challenges with the plans in a cohesive way.

Proposed changes to the Greenbelt Plan include changes to policies and mapping within the Plan, the introduction of Agricultural System and Agricultural Support Network, proposals for the introduction of impact assessments and classification methodologies to identify special land use areas and key landscape features which have not been consistently identified to this time.

The Halton Area Planning Partnership (HAPP) now takes this opportunity to have its collective voice heard by responding to the Proposed Plan. HAPP's submission provides comments on the Greenbelt Plan's proposed changes and provides HAPP's key recommendations in this letter.

HAPP's response includes:

1. This letter, which contains:
  - a. HAPP's Key Points regarding the whole of the document;
2. Appendix 1, which contains:
  - a. General comments regarding the whole of the Proposed Plan;
  - b. Comments specific to individual policies within the Proposed Plan

## **Background**

A co-ordinated review of the four Provincial land use plans was undertaken in 2015. The Government of Ontario received extensive feedback after the initial round of consultations with stakeholders and the public. An Advisory Panel also provided its recommendations in December 2015 in their report, "Planning for Health, Prosperity and Growth in the Greater Golden Horseshoe: 2015 – 2041".

The Government of Ontario has reviewed and considered all feedback received from stakeholders, the public, Indigenous communities and the Advisory Panel's recommendations. The government is now proposing changes to the four plans. The

following Key Points outline the general policy comments developed collaboratively among the members of HAPP for the province's consideration before completion of the Coordinated Plans review.

## **Key Points of HAPP's Response**

### **1. Harmonization and Alignment**

Although efforts have been made to harmonize definitions across the Plans and with the PPS, opportunities still exist to better harmonize terminology, definitions and, where appropriate, policies. For example the Greenbelt Plan provides definitions for key hydrologic areas, key hydrologic features, and key natural heritage features, but these definitions differ from those found in the Growth Plan. As well, natural heritage system and natural heritage areas are referred to in the Greenbelt Plan but are not defined within the plan. Aligning these elements is integral to balancing the requirements of each plan and achieving consistent implementation throughout the Greater Golden Horseshoe (GGH) and beyond.

Consistent development and application of key terms and definitions are again requested among the provincial plans. This includes careful attention to be paid to the development of the content, use, location and referencing of definitions of key terms across the Coordinated Plans. The inclusion of policies and feature identification criteria within definitions, or the inclusion of definitions within policies, detracts from clear interpretation and implementation of the plans. Definitions should be found in the definitions sections, policies in the policy sections, and methodologies and identification criteria established in secondary implementation documents.

### **2. Agriculture, Agricultural System and Agricultural Support Network**

The draft Greenbelt Plan provides greater support for agriculture and the agricultural community by introducing and allowing for agriculture-related and on-farm diversified uses in the Greenbelt Plan Area, which is supported. However, HAPP's previous submission noted the need for policies that would support a 'systems' approach for agricultural processes, which was not fully addressed in the Greenbelt Plan.

The concept of an 'Agricultural Support Network' has been introduced into both the Greenbelt Plan and the Growth Plan. The definition for 'Agricultural Support Network' does not separate economic development supporting goals and land uses throughout rural municipalities. The vague nature of the definition and implied land use implications of this network may create confusion about how the economic, community and social support systems that are part of rural communities and lands may be supported by municipalities.

Furthermore, the definition for 'Agricultural Support Network' suggests that it includes elements such as "regional agricultural infrastructure". Given that "infrastructure" is also

a defined term, it is not clear what the intent of “regional agricultural infrastructure” is. It is critical that municipalities understand the implications of this. In addition, the policy direction for municipalities as it relates to the ‘Agricultural Support Network’s is unclear, as the language used throughout the Greenbelt Plan is inconsistent (i.e., shall versus encourage).

### **3. Guidelines, Impact Assessments, Performance Indicators, Identification and Environmental Quality Criteria**

The Greenbelt Plan and the Growth Plan both refer to a number of forthcoming provincial guidelines and systems mapping initiatives (e.g., watershed planning guidelines, agricultural system mapping, natural heritage systems mapping). As well, reference is frequently made to yet undeveloped classification systems (LEAR, Key Natural Heritage Systems, and Agricultural Systems), identification criteria (Natural Heritage Features), and impact assessment requirements (Agricultural Impact Assessments) throughout the plans.

These tools should be developed quickly, and in consultation with municipalities. It is recommended that the new tools reflect and respect existing criteria and processes in place at the municipal level, be harmonized across provincial plans, and continue to permit municipalities with more restrictive requirements to be more restrictive. In addition, the Province’s proposal to lead a process to identify areas to be added to the Protected Countryside must be done in consultation with municipalities.

Municipalities and other public agencies frequently have sound, detailed data used in the development of their own mapping, which reflects local conditions and have resulted in the development of a comprehensive and refined product. These methodologies and resulting mapping are locally significant and should be used in the development of potential provincial land use system mapping changes.

Greater clarity is needed with regard to the expectations of municipalities and other public bodies as it relates to developing and reporting on performance indicators. Guidance and support from the Province to undertake this work is critical.

### **4. Provincial Systems Mapping**

As part of the second round of consultation on the provincial plans, the province has indicated that GTHA scale mapping is intended to be undertaken to identify and establish, or update Natural Heritage Systems, Natural Systems, Agricultural System, Prime Agricultural Areas, and Urban River Valley connections. These initiatives will occur at a higher scale than those that have been undertaken by many municipalities in these areas.

These initiatives appear to provide consistent identification of these important land use systems and features as part of the Greenbelt Plan update. However, methodologies for these initiatives are not yet established, nor are the relative application of municipal land

use and system identification maps which have already been determined and brought into force in Official Plans. It is requested that municipal data and mapping be used to refine provincial maps as they are revised or developed.

## **5. Site Specific Recommendations**

It is requested that the Cootes to Escarpment EcoPark receive recognition in the Greenbelt Plan similar to the way in which the Rouge River Watershed has been recognized. This would include the introduction of general policies regarding the Province's commitment to support and protect this significant area. We strongly encourage the Province to incorporate the policies provided in draft in Appendix 1.b Section 3.2.8.

It is requested that the approved Glen Williams boundary (which pre-dated the Greenbelt Plan) contained in the Halton Hills Official Plan be used to define the boundaries of the Greenbelt Plan Protected Countryside, including adding into the Protected Countryside an area to east of Glen Williams paralleling Tenth Line and removing from the Greenbelt Plan Protected Countryside, the lots on the west side of Confederation Street.

## **6. Urban River Valleys**

Fourteen Mile Creek Valley is proposed to be added to the Urban River Valley (URV) designation; however the addition is mapped on Schedule 1 only as far south as the QEW. To achieve consistency with the proposed mapping of the other rivers added to the URV and the intent of the URV designation to show connections to Lake Ontario, consider adding the remaining portion of the Fourteen Mile Creek Valley down to Lake Ontario.

It is unclear how the widths for the Urban River Valleys were determined, as they do not appear to reflect the actual valley widths, hazard lands or municipally identified Natural Heritage System mapping. Use of municipal mapping of urban river valleys is requested to ensure consistency of location, valley widths and public owned lands.

Additionally, it is requested that all symbols, colours and boundaries used on the maps of the Greenbelt Plan are included in complete and thorough accompanying legends.

## **7. Climate Change and Net-Zero Communities**

The introduction of policies addressing climate change and the concept of net-zero communities has been done without accompanying clarification of definitions or explanatory guidance to assist municipalities in understanding the implications or application of these policies. Further information and clear guidance on the goals of these policies and infrastructure changes which will be needed, are required.

## Conclusion

Thank you for providing the Region and its local municipalities the opportunity to comment on the development of these policy changes.

Respectfully submitted,

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## APPENDIX 1: Joint HAPP Response to Proposed Changes to the Greenbelt Plan (May 2016)

Co-ordinated Land Use Planning Review - Halton Region, City of Burlington, City of Oakville, Town of Halton Hills, and Town of Milton

Proposed Greenbelt Plan	HAPP Recommendations
Harmonization and Alignment Between Plans	Consistency in the use, location and referencing of definitions of key terms in the Greenbelt Plan and the Growth Plan are requested.
Agriculture and Agricultural Systems	<p>Clarification is requested regarding the applicability of Agricultural Impact Assessments for the introduction of Agriculture Related and On Farm Diversified uses on agricultural lands. As well, consultation on the determination of triggers would be applied to require these assessments are required.</p> <p>Clarification of what is and is not included in the Agriculture Support Network is requested to assist in determining the boundaries and limits of this network. This will assist municipalities in determining how to best support and encourage the Agricultural Support Network.</p> <p>As well, clarification of the intended role of municipalities to support of what appear to be economic development goals (Agricultural Support Network) when support of the network is required (Shall protect). Policies addressing this should be modified to change "...shall be maintained and protected..." to "...encourage the maintenance and protection of ..." throughout the Greenbelt Plan.</p> <p>Additionally, the use of the term 'Agricultural-supportive Infrastructure' needs to be defined in the Plan. The existing definition of infrastructure identifies "physical structures that form the foundation for development", which would make the introduction of policies related to agricultural-supportive infrastructure unsupportable if it is used to justify extension of municipal water and sanitary services outside the Urban Area.</p>
Guidelines, Impact Assessments, Performance Indicators, Identification and Environmental Quality Criteria	<p>The Province's proposal to lead a process to identify areas to be added to the Protected Countryside is requested to be undertaken in consultation with municipalities. Additionally, municipalities are requesting to be consulted during the development of any proposed criteria developed for the purposes of identifying land use, agricultural or natural systems, or significant areas to be added to the Greenbelt, under this plan.</p> <p>It is requested that the provincial plans clarify the use of existing municipal impact assessment, identification criteria, or mapping methods, which may be more detailed than those to be developed by the province, to be able to continue to apply the more comprehensive approach, and support more stringent measures used in Official Plans by municipalities.</p> <p>Additionally, greater clarity is needed with regard to the expectations of municipalities and other public bodies as it relates to development and implementation of performance indicators and monitoring requirements. Guidance and support from the Province to undertake this work is critical.</p>

## APPENDIX 1: Joint HAPP Response to Proposed Changes to the Greenbelt Plan (May 2016)

Co-ordinated Land Use Planning Review - *Halton Region, City of Burlington, City of Oakville, Town of Halton Hills, and Town of Milton*

Provincial Systems Mapping	<p>Where municipal refinement of Prime Agriculture, Natural Heritage or land use map layers have been completed, it is requested that the Province update their maps to reflect the more detailed and refined local data and mapping.</p> <p>This request includes consideration of the implications of proposed mapping changes, and the opportunity to use existing mapping and systems identification undertaken by municipalities to bring the province into sync with municipal analysis, data and municipal scale mapping.</p>
Site Specific Recommendations	<p>It is requested that the Cootes to Escarpment EcoPark receive recognition in the Greenbelt Plan similar to the way in which the Rouge River Watershed has been recognized. This would include the introduction of general policies regarding the Province's commitment to support and protect this significant area. We strongly encourage the Province to incorporate the policies provided in draft in Appendix 1.b Section 3.2.8 of this submission.</p> <p>It is requested that the approved Glen Williams boundary (which pre-dated the Greenbelt Plan) contained in the Halton Hills Official Plan be used to define the boundaries of the Greenbelt Plan Protected Countryside, including adding into the Protected Countryside an area to east of Glen Williams paralleling Tenth Line and removing from the Greenbelt Plan Protected Countryside, the lots on the west side of Confederation Street.</p>
Urban River Valleys	<p>Fourteen Mile Creek Valley is proposed to be added to the Urban River Valley designation; however the addition is mapped on Schedule 1 only as far south as the QEW. To achieve consistency with the proposed mapping of the other rivers added to the URV and the intent of the URV designation to show connections to Lake Ontario, consider adding the remaining portion of the Fourteen Mile Creek Valley down to Lake Ontario.</p> <p>It is unclear how the widths for the Urban River Valleys were determined, as they do not appear to reflect the actual valley widths, hazard lands or municipally identified Natural Heritage System mapping. Use of municipal mapping of urban river valleys is requested to ensure consistency of location, valley widths and public owned lands.</p> <p>Additionally, it is requested that all symbols, colours and boundaries used on the maps of the Greenbelt Plan are included in complete and thorough accompanying legends.</p>
Climate Change and Net-Zero Communities	<p>The introduction of policies addressing climate change and the concept of net-zero communities has been done without accompanying clarification of definitions or explanatory guidance to assist municipalities in understanding the implications or application of these policies. Further information and clear guidance on the goals of these policies and infrastructure changes which will be needed, are required.</p>

## APPENDIX 1: Joint HAPP Response to Proposed Changes to the Greenbelt Plan (May 2016)

Co-ordinated Land Use Planning Review - Halton Region, City of Burlington, City of Oakville, Town of Halton Hills, and Town of Milton

Numeric Reference	Policy Text	Comments and Recommendations
1 Introduction		
1.1 Context	<p>Ontario's Climate Change Strategy, 2015 reaffirms the government's commitment to meet its long-term targets to reduce greenhouse gas emissions. Protecting agricultural lands, water resources and natural areas, and building compact and <i>complete communities</i> that are walkable and transit-supportive where appropriate will help reduce greenhouse gas emissions and will work toward the long-term goal of <i>net-zero communities</i>. Greenhouse gas emissions can be offset by "carbon sinks" found in natural areas such as the Greenbelt that also includes agricultural lands, <i>green infrastructure</i> and other greenspaces.</p>	<p>The carbon sink function of natural areas largely already exists (as their associated vegetation is largely already on the landscape) and therefore so does their associated emission offsetting. Climate change is happening despite this existing function therefore it is not clear how emissions can be offset by natural areas as only the conversion of more land into natural area through the Plan would achieve this.</p> <p>To be more accurate and to ensure that the protection of natural areas will not be incorrectly construed as providing additional climate change mitigation it is suggested that the wording be revised to:</p> <p>"Greenhouse gas emissions <u>reduction as currently provided by</u> natural areas such as the Greenbelt that also includes agricultural lands, green infrastructure and other greenspaces."</p>
	<p>The <i>Agricultural System</i> is a group of inter-connected elements that collectively create a viable, thriving agricultural sector and is made up of <i>specialty crop areas</i>, <i>prime agricultural areas</i> and <i>rural lands</i>. The Natural System identifies lands that support both natural heritage and hydrologic features and functions. Both systems maintain connections to the broader agricultural and natural systems of southern Ontario.</p>	<p>This context statement should be amended to replace "collectively create" with "are necessary to create". The components of a system do not in themselves create a viable system, but the collected components are needed to create a viable system.</p>
1.2 Vision and Goals		
1.2.1 Vision	<p>The Greenbelt is a broad band of permanently protected land which:</p> <ul style="list-style-type: none"> <li>Protects against the loss and fragmentation of the agricultural land base and supports agriculture as the predominant land use;</li> <li>Gives permanent protection to the natural heritage and water resource systems that sustain ecological and human health and</li> </ul>	<p>It is recommended that this be revised to:</p> <p>"<u>Contribute to</u> resilience and <u>mitigation of the effects of</u> climate change."</p>

## APPENDIX 1: Joint HAPP Response to Proposed Changes to the Greenbelt Plan (May 2016)

Co-ordinated Land Use Planning Review - Halton Region, City of Burlington, City of Oakville, Town of Halton Hills, and Town of Milton

	<p>that form the environmental framework around which major urbanization in south-central Ontario will be organized;</p> <ul style="list-style-type: none"> <li>• Provides for a diverse range of economic and social activities associated with rural communities, agriculture, tourism, recreation and resource uses; and</li> <li>• Builds resilience to and mitigates climate change.</li> </ul>	
1.2.2 Protected Countryside Goals	To enhance our urban and rural areas and overall quality of life by promoting the following matters within the Protected Countryside:	“rural areas” is not a defined term in this document – the term should be changed to “rural lands” to reflect the definition and how the rest of the document has been amended.
	<p><b>2. Environmental Protection</b></p> <p>a) Protection, maintenance and enhancement of natural heritage, hydrologic and <i>landform features</i>, areas and functions, including protection of habitat for flora and fauna and particularly species at risk;</p> <p>b) Protection and restoration of natural and open space connections between the Oak Ridges Moraine, the Niagara Escarpment, Lake Ontario, Lake Simcoe and the major river valley lands, while also maintaining connections to the broader natural systems of southern Ontario beyond the <i>GGH</i> such as the Great Lakes Coast, the Carolinian Zone, the Lake Erie Basin, the Kawartha Highlands and the Algonquin to Adirondacks Corridor;</p> <p>c) Protection, improvement or restoration of the quality and quantity of ground and surface water and the hydrological integrity of watersheds; and</p> <p>d) Provision of long-term guidance for the management of natural heritage and water resources when contemplating such matters as watershed/subwatershed and stormwater management planning, water and wastewater servicing, development, <i>infrastructure</i>, open space planning and management, aggregate rehabilitation and private or public</p>	<p>1.2.2.2 a) This policy does not reflect a systems approach. It is recommended that this be revised to include natural heritage systems and linkages to hydrologic system as follows:</p> <p>“Protection, maintenance and enhancement of natural heritage, hydrologic and landform features, <u>areas, functions and systems</u>, including protection of <u>connectivity as well as</u> habitat for flora and fauna and particularly species at risk”</p>

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	stewardship programs.	
	<p><b>6. Climate Change</b></p> <p>a) Integrating climate change considerations into planning and managing the <i>Agricultural System</i>, Natural Heritage System and Water Resource System to improve resilience and protect carbon sequestration potential, recognizing that the Natural Heritage System is also a component of <i>green infrastructure</i>; and</p> <p>b) Integrating climate change considerations into planning and managing growth by incorporating techniques to reduce greenhouse gas emissions in resilient <i>settlement areas</i> and <i>infrastructure</i> located within the Greenbelt.</p>	1.2.2.6 b) A definition of resilient needs to be provided in this plan and in the Growth Plan.
1.2.3 Urban River Valley Goals		
1.4.2 Structure of the Plan	<p>The Greenbelt Plan consists of:</p> <p><b>Section 1.0 – Introduction:</b> Describes the context for the Greenbelt Plan in southern Ontario and introduces the Plan’s Vision and Goals. The legislative authority for the Plan and how it is to be used and applied within the land use planning system are also set out in this section.</p>	
	<p>The <i>Agricultural System</i> is comprised of the agricultural land base (<i>specialty crop areas</i>, <i>prime agricultural areas</i> and <i>rural lands</i>) and the <i>Agricultural Support Network</i>. The <i>Agricultural Support Network</i> is a collection of elements that support agricultural viability, but is not a designation with a list of permitted uses. While the Greenbelt Plan identifies the boundaries of the <i>specialty crop areas</i>, it relies on official plans to further delineate the <i>prime agricultural area</i> and <i>rural lands</i></p>	<p>Identification of Prime Agricultural Areas in Official Plans through LEAR studies locally determined refinements of the provincial LEAR Prime Agricultural Areas.</p> <p>The policy should be revised to replace “further delineate” with “refine”.</p>
	<p><i>Settlement Areas</i> are comprised of Towns/Villages and Hamlets. Although this Plan shows boundaries for Towns/Villages, Hamlets are only shown as symbols. In both cases, this Plan defers to official plans for the detailed delineation of <i>settlement area</i></p>	<p>This paragraph has been slightly modified for additional clarity. For additional clarity, it would be useful to be specific on the circumstances under which the plan does apply to lands outside Towns/Villages and Hamlets (i.e. per external connections and urban river valley policies).</p>

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	boundaries. Generally, this Plan does not apply to lands within the boundaries of Towns/Villages and Hamlets. Official plans will continue to govern land use within these <i>settlement areas</i> . However, where expansions to <i>settlement areas</i> are proposed in the Greenbelt, the policies of both this Plan and the Growth Plan apply to such expansions.	It is recommended that this be revised to:  “...However, where expansions to <i>settlement areas</i> are proposed in the Greenbelt, <u>and where land use decisions are made in relation to lands designated as urban river valley on Schedules 1 and 2</u> , the policies of both this Plan and the Growth Plan apply.”
	Lands in the Protected Countryside will be within one of the following policy areas: the agricultural land base ( <i>specialty crop areas, prime agricultural areas, rural lands</i> ), Towns/Villages, Hamlets or Shoreline Built-up Areas. In addition, lands may also be subject to the policies of the Natural Heritage System, Water Resource System, <i>key hydrologic areas, key natural heritage features</i> and <i>key hydrologic features</i> .  Also described in this section are policies regarding parkland, open space and trails in the Greenbelt.	The use of “Shoreline Built-up Areas” is not consistent with the use of “Developed Shoreline” in Section 4.1.3 Developed Shoreline Policies later in this plan.  This policy is recommended to be revised to:  “Hamlets or <u>Developed Shorelines</u> ....”
	<b>Section 6.0 – Urban River Valley Policies:</b> Sets out policies for the Urban River Valley designation that applies to publicly owned urban river valley lands brought into the Greenbelt by amendment after approval of the Plan in 2005.	The Urban River Valley Policies are not appropriately placed in this plan. These policies should precede Section 4 – General Policies in the Protected Countryside. As well, Urban River Valley policies, and the features that they address, are external connections beyond the Greenbelt, which suggests that the external connections policies of Section 3.2.6 should be referenced.
1.4.3 How to use this Plan	The following is a brief description of how this Plan, read in its entirety, affects a specific area, land use or <i>development / infrastructure</i> /resource proposal.	
	1. Refer to Schedule 1 to determine if the lands are located within the NEP Area or the Oak Ridges Moraine Area. If the property is located in either of these areas, the policies of the NEP or the ORMCP continue to apply as set out in section 2.0. If the lands are located in the Protected Countryside designation, then the entirety of the Greenbelt Plan’s relevant policies apply. Determine if the lands are located within the Parkway Belt West Plan. If so, the policies of the Parkway Belt West Plan continue to apply as set out in section 2.0. Determine if the lands are located within the Urban River	Section 3.2.6 External Connections policies should be referenced in this section. As well, direction to apply the provisions in Section 3.2.6 that address lands adjacent to the lands designated as Urban River Valley.  The policy is recommended to be revised to:  “Determine if the lands are located within <u>or adjacent to</u> the Urban River Valley designation on Schedule 1. If so, the specific policies set out in <u>sections 3.2.6</u>

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	Valley designation on Schedule 1. If so, the specific policies set out in section 6.0 for the designation apply.	<u>and</u> 6.0 for the designation apply.”
2.	<p>If lands are within the Protected Countryside, determine which of the Geographic Specific Policies apply as described in section 3.0. This is accomplished by a series of steps.</p> <p>Refer to Schedules 1, 2 and 3 of this Plan to determine if the lands are located within a <i>specialty crop area</i> or a Town/Village or Hamlet. If lands are located in a <i>specialty crop area</i>, refer to the policies of this Plan. If lands are located in a Town/Village or Hamlet, refer to official plans.</p> <p>If the lands are not in a <i>specialty crop area</i> or Town/Village or Hamlet, determine in which municipality the lands are located and refer to the official plans that are in effect to determine if the lands are designated prime agricultural area or <i>rural lands</i> (or a similar designation). Once this determination is made, refer to the <i>Agricultural System</i> policies of this Plan (section 3.1) to determine if there are any additional restrictions or requirements relating to <i>prime agricultural areas</i> or <i>rural lands</i>.</p> <p>Refer to Schedule 4 of this Plan to determine if the lands are located within the Natural Heritage System. If so, refer to the Natural System policies of section 3.2, which is an overlay on top of the agricultural land base designations of the <i>Agricultural System</i> within official plans.</p> <p>Refer to official plans, data or information on natural features from provincial, municipal and agency (e.g. conservation authority) sources, and conduct a preliminary assessment of the property to determine if there are any <i>key natural heritage features</i>, <i>key hydrologic features</i>, or <i>key hydrologic areas</i> on the lands. If so, refer to the policies of sections 3.2.4 and 3.2.5 of this Plan.</p>	<p>Clarification is needed to make this instruction on how to read the plan consistent with that in section 1.4.2 (3<sup>rd</sup> section).</p> <p>A definition of the Agricultural Land Base needs to be added to this plan and if there is the intent to use this term, to consistently apply it.</p> <p>There is no inclusion of reference to adjacent lands. To resolve this, it is recommended to be revised to:</p> <p>“...key hydrologic areas <u>on or within 120m of key features.</u>”</p>

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2 Greenbelt Plan		
2.3 Lands within the Parkway Belt West Plan Area	The requirements of the Parkway Belt West Plan, deemed to be a development plan under the Ontario Planning and Development Act, 1994 continue to apply to lands within the Parkway Belt West Plan Area and the Protected Countryside policies do not apply with the exception of sections 3.2 and 3.3.	It is recommended that the following addition be made:  “...with the exception of sections <u>3.1</u> , 3.2 and 3.3.”
2.5 Lands within the Urban River Valley Area	Lands within the Urban River Valley designation, as shown on Schedule 1, are subject to the policies of section 6.0 and the Protected Countryside policies do not apply except as set out in that section.	These comments are similar to those in section 1.4.3.1.  Section 3.2.6 External Connections policies should be referenced in this section. As well, direction to apply the provisions in Section 3.2.6 that address lands adjacent to the lands designated as Urban River Valley.  The policy is recommended to be revised to:  “Determine if the lands are located within <u>or adjacent to</u> the Urban River Valley designation on Schedule 1. If so, the specific policies set out in <u>sections 3.2.6 and</u> 6.0 for the designation apply.”

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3 Geographic Specific Policies in the Protected Countryside		
	<p><b>Prime agricultural areas</b>, are those lands designated as such within official plans.</p> <p><b>Rural lands</b> are those lands outside of <i>settlement areas</i> which are not <i>prime agricultural areas</i> and which are generally designated as rural or open space within official plans.</p> <p>At the time of a municipal comprehensive review under the Growth Plan, upper and single-tier municipalities may have to amend their official plan designations for <i>prime agricultural areas</i> and <i>rural lands</i> in accordance with the policies of section 5.3.</p>	<p>The definition of Prime Agricultural Areas is provided in the Definition Section of this plan, and is unnecessary in this section of this plan.</p> <p>The definition of rural lands is provided in Definition Section of this plan, and is unnecessary in this section of this plan.</p> <p>As well, this definition/statement is an expansion of the other definition and this may lead to confusion.</p>
3.1.2 Speciality Crop Area Policies	For lands falling within the <i>specialty crop area</i> of the Protected Countryside the following policies shall apply:	
	<p>1. <i>Normal farm practices</i> and a full range of <i>agricultural, agriculture-related</i> and <i>on-farm diversified uses</i> are supported and permitted. Proposed <i>agriculture-related uses</i> and <i>on-farm diversified uses</i> shall be compatible with and shall not hinder surrounding agricultural operations. Criteria for these uses shall be based on provincial Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas.</p>	<p>Clarification of the role and applicability of municipally developed guidelines and the ability of municipalities to be more restrictive than the province are requested.</p> <p>Additionally, the finalization of the Draft Permitted Uses in Prime Agricultural Areas Guidelines is requested.</p>
	<p>5. Land use compatibility shall be promoted to avoid, or where avoidance is not possible, minimize and mitigate adverse impacts on the <i>Agricultural System</i>, where <i>agricultural uses</i> and non-agricultural uses interface, based on provincial guidance.</p>	<p>This policy implies that potential impacts of non-agricultural uses on any part of or on the entire agricultural system need to be determined when changes to land use are being considered. This is too vague, as the agricultural system is composed of both agricultural land base and the support network, it is unclear how areas of impact would be determined.</p> <p>This policy is recommended to be clarified through the application of a scale or range of potential influence, indication if Agricultural Impact Assessments are required, and the mechanism to identify the boundaries of the Agricultural System.</p> <p>Guidance from the province is necessary to address these issues. This appears</p>

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		to introduce the concept of buffering / edge planning between agricultural lands and proposed non-compatible land uses.
	6. The geographical continuity of the agricultural land base and the functional and economic connections to the <i>Agricultural Support Network</i> shall be maintained and enhanced.	<p>This statement appears to be a goal or objective, instead of a policy. This statement is not implementable as written and is not consistent with the softer language in policy 3.1.5.</p> <p>It is recommended that this be revised to:</p> <p>“...Agricultural Support Network be encouraged to be maintained and enhanced. “</p>
3.1.3 Prime Agricultural Area Policies	For lands falling within the <i>prime agricultural area</i> of the Protected Countryside the following policies shall apply:	
	1. <i>Normal farm practices</i> and a full range of <i>agricultural, agriculture-related</i> and <i>on-farm diversified uses</i> are supported and permitted. Proposed <i>agriculture-related uses</i> and <i>on-farm diversified uses</i> shall be compatible with and shall not hinder surrounding agricultural operations. Criteria for these uses shall be based on provincial Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas.	<p>Clarification of the role and applicability of municipally developed guidelines and the ability of municipalities to be more restrictive than the province, are requested.</p> <p>Additionally, the finalization of the Draft Permitted Uses in Prime Agricultural Areas Guidelines is requested.</p>
	3. Non-agricultural uses may be permitted subject to the policies of sections 4.2 to 4.6. These uses are generally discouraged in <i>prime agricultural areas</i> and may only be permitted after the completion of an <i>agricultural impact assessment</i> .	<p>This policy is too flexible to be implemented, including the use of “may be” and “generally discouraged”.</p> <p>Establishment of clear direction on the need for, content of and establishment of a baseline standard to be achieved for consideration of approval for proposed non-agricultural uses are necessary from the province.</p> <p>The application of a no negative impact standard for the introduction of a non-agricultural use would contribute to the quality of AIAs undertaken.</p> <p>It is recommended that municipalities be included in the development and review of proposed guidelines.</p>
	5. Land use compatibility shall be promoted to avoid, or if avoidance is not possible, minimize and mitigate adverse	This policy implies that potential impacts of non-agricultural uses on any part of or on the entire agricultural system need to be determined when changes

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	impacts on the <i>Agricultural System</i> , where <i>agricultural uses</i> and non-agricultural uses interface, based on provincial guidance.	<p>to land use are being considered. This is too vague, as the agricultural system is composed of both agricultural land base and the support network, it is unclear how areas of impact would be determined.</p> <p>This policy is recommended to be clarified through the application of a scale or range of potential influence, indication if Agricultural Impact Assessments are required, and the mechanism to identify the boundaries of the Agricultural System.</p> <p>Guidance from the province is necessary to address these issues. This appears to introduce the concept of buffering / edge planning between agricultural lands and proposed non-compatible land uses.</p>
	6. The geographical continuity of the agricultural land base and the functional and economic connections to the <i>Agricultural Support Network</i> shall be maintained and enhanced.	<p>This statement appears to be a goal or objective, instead of a policy. This statement is not implementable as written and is not consistent with the softer language in policy 3.1.5.</p> <p>It is recommended that this be revised to:</p> <p>“...Agricultural Support Network be encouraged to be maintained and enhanced. “</p>
3.1.4 Rural Lands Policies	For lands falling within the <i>rural lands</i> of the Protected Countryside the following policies shall apply:	
	2. <i>Rural lands</i> may contain existing agricultural operations and provide important linkages between <i>prime agricultural areas</i> as part of the overall <i>Agricultural System</i> . <i>Normal farm practices</i> and a full range of <i>agricultural, agriculture-related</i> and <i>on-farm diversified uses</i> are supported and permitted. Proposed <i>agriculture-related uses</i> and <i>on-farm diversified uses</i> should be compatible with and should not hinder surrounding agricultural operations. Criteria for these uses shall be based on provincial Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas.	<p>Clarification of the role and applicability of municipally developed guidelines and the ability of municipalities to be more restrictive than the province, are requested.</p> <p>Additionally, the finalization of the Draft Permitted Uses in Prime Agricultural Areas Guidelines is requested.</p> <p>Remove “existing” agricultural operations, as rural lands should allow for existing or future agricultural uses.</p> <p>In the case where criteria have been developed by municipalities, municipal guidelines/policies will also need to be considered.</p>
	4. Other uses may be permitted subject to the policies of sections 4.1 to 4.6. Where non-agricultural uses are proposed, the completion of an <i>agricultural impact</i>	Clarification of this policy is recommended through the establishment of clear, consistent Agricultural Impact Assessment procedures. This would include the establishment of direction on the need for, content of and

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	assessment should be considered.	<p>establishment of a baseline standard to be achieved for consideration of approval for proposed non-agricultural uses are necessary from the province</p> <p>Guidance from the province is necessary to address these issues. This appears to introduce the concept of buffering / edge planning between agricultural lands and proposed non-compatible land uses.</p>
	<p>5. <i>New multiple lots or units for residential development</i>, (e.g. estate residential subdivisions and adult lifestyle or retirement communities), whether by plan of subdivision, condominium or severance, shall not be permitted in <i>rural lands</i>. Notwithstanding this policy, official plans may be more restrictive than this Plan with respect to residential severances. Official plans shall provide guidance for the creation of lots within <i>rural lands</i> not addressed in this Plan. Regardless, new lots for any use shall not be created if the creation would extend or promote strip development.</p>	<p>Some confusion has been encountered in the past relating to whether this policy would apply to new retirement community and/or long term care communities not requiring lot creation; and therefore not triggering a plan of subdivision, condominium, group home or severance application. It is noted that the impact on the agricultural land base may be comparable for such land uses. It is recommended that this policy be rewritten to eliminate this confusion.</p>
	<p>7. Land use compatibility shall be promoted to avoid, or if avoidance is not possible, minimize and mitigate adverse impacts on the <i>Agricultural System</i>, where <i>agricultural uses</i> and non-agricultural uses interface, based on provincial guidance.</p>	<p>This policy implies that potential impacts of non-agricultural uses on any part of or on the entire agricultural system need to be determined when changes to land use are being considered. This is too vague, as the agricultural system is composed of both agricultural land base and the support network, it is unclear how areas of impact would be determined.</p> <p>This policy is recommended to be clarified through the application of a scale or range of potential influence, indication if Agricultural Impact Assessments are required, and the mechanism to identify the boundaries of the Agricultural System.</p> <p>Guidance from the province is necessary to address these issues. This appears to introduce the concept of buffering / edge planning between agricultural lands and proposed non-compatible land uses.</p>
	<p>8. The geographical continuity of the agricultural land base and the functional and economic connections to the <i>Agricultural Support Network</i> shall be maintained and enhanced.</p>	<p>This statement appears to be a goal or objective, instead of a policy. This statement is not implementable as written and is not consistent with the softer language in policy 3.1.5.</p>

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		<p>It is recommended that this be revised to:</p> <p>“...Agricultural Support Network be encouraged to be maintained and enhanced. “</p>
	<p>9. Where <i>public service facilities</i> exist on <i>rural lands</i>, consideration should be given to maintaining and adapting these as community hubs where feasible, to meet the needs of the community.</p>	<p>Public service facilities include a large range of uses and structures and this policy wants to see these uses/sites (which may be legal non-conforming) expand to be community hubs which is not a defined term in this document.</p> <p>Additionally, this appears to contradict the provincial direction of directing growth to Settlement Areas, and this will need to be addressed. Community hubs should be directed to Settlement Areas, however the policies must also recognize that there will be circumstances where a new public service facility must be provided outside of a settlement area (e.g. fire and ambulance services, road maintenance facilities).</p> <p>The development of community hub guidelines, and these future guidelines should be referenced similarly to other proposed guidelines in this plan.</p>
3.1.5 Agricultural Support Network	<p>Planning authorities are encouraged to implement strategies and other approaches to sustain and enhance the <i>Agricultural System</i> and the long-term economic prosperity and viability of the agri-food sector, including the maintenance and improvement of the <i>Agricultural Support Network</i> by:</p>	<p>This policy encourages agricultural economic development but the responsibility for maintenance and improvement of the network is unclear, and could have financial implications for municipalities beyond regular economic development responsibilities.</p> <p>Focus on Agri-food instead of agriculture in general is limiting and may encourage less attention to be paid to the protection and support for non-food related agriculture.</p> <p>It is recommended that this be revised to replace agri-food with agriculture.</p> <p>It is recommended that the role and responsibility of municipalities to maintain and improve the Agricultural Support Network be clearly outlined.</p>
	<p>e) Providing opportunities for agriculture-supportive <i>infrastructure</i> both on and off farms.</p>	<p>There is no definition of “agriculture-supportive infrastructure”, and a definition is necessary to clarify what is intended.</p> <p>The definition of infrastructure identifies physical structures that form the foundation for development, which would make this policy unsupportable if it is used to justify extension of municipal water and sanitary services outside the Urban Area.</p>

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3.1.6 Agricultural System Connections	The <i>Agricultural System</i> is connected both functionally and economically to the agricultural land base and agri-food sector beyond the boundaries of the Greenbelt. Agriculture is the predominant land use in the Greenbelt and is an important economic factor in the quality of life for communities in and beyond the Greenbelt.	Focus on Agri-food instead of agriculture in general is limiting and may encourage less attention to be paid to the protection and support for non-food related agriculture.  It is recommended that this be revised to replace agri-food with agriculture.
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3.2 Natural System		
3.2.1 Description		
	<p>The Natural System within the Protected Countryside functions at three scales:</p> <p>3. The system is supported by a multitude of natural and hydrologic features and functions found within the GGH but outside of the NEP and the ORMCP. In particular, the numerous watersheds, subwatersheds and groundwater resources, including the network of tributaries that support the major river systems identified in this Plan, are critical to the long-term health and sustainability of water resources and biodiversity and overall ecological integrity. Official plans and related resource management efforts by conservation authorities and others shall continue to assess and plan for these natural and hydrologic features in a comprehensive and integrated manner, through the identification and protection of natural systems, building upon and supporting the natural systems identified within the Greenbelt.</p> <p>The Natural System is made up of a Natural Heritage System and a Water Resource System that often coincide given ecological linkages between terrestrial and water based functions.</p>	<p>3.2.1.3 Natural systems do not stop at the boundaries of the Niagara Escarpment or Oak Ridges Moraine and this policy needs to be clarified.</p> <p>It is recommended that this policy be revised to remove “outside of the NEP and the ORMCP”.</p> <p>Definitions, (natural system definition) should be moved to the definition section of this plan and be consistent among the provincial plans.</p>
	<p>The <b>Natural Heritage System</b> includes core areas and linkage areas of the Protected Countryside with the highest concentration of the most sensitive and/or <i>significant</i> natural features and functions. These areas need to be managed as a connected and integrated natural heritage system given the functional inter-relationships between them, and the fact this system builds upon the natural systems contained in the NEP and the ORMCP (see Schedule 4) and will connect with the Natural Heritage System that will be identified through the Growth Plan. Together, these</p>	<p>Consistency of the content and location of definitions among the provincial plans, including referencing of the Provincial Policy Statement, if the source of the definition, should be applied throughout this and the other plans.</p>

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	systems will comprise and function as a connected natural heritage system.	
3.2.2 Natural Heritage System Policies	For lands within the Natural Heritage System of the Protected Countryside the following policies shall apply:	
	<p>3. New <i>development</i> or <i>site alteration</i> in the Natural Heritage System (as permitted by the policies of this Plan) shall demonstrate that:</p> <p>a) There will be no negative effects on <i>key natural heritage features</i> or <i>key hydrologic features</i> or their functions;</p> <p>b) <i>Connectivity</i> along the system and between <i>key natural heritage features</i> and <i>key hydrologic features</i> located within 240 metres of each other, is maintained, or where possible, enhanced for the movement of native plants and animals across the landscape;</p> <p>c) The removal of other natural features not identified as <i>key natural heritage features</i> and <i>key hydrologic features</i> should be avoided. Such features should be incorporated into the planning and design of the proposed use wherever possible;</p> <p>d) The disturbed area, including any buildings and structures, of any site does not exceed 25 per cent (40 per cent for golf courses);</p> <p>e) The impervious surface does not exceed 10 per cent of the total developable area, except for uses described in and governed by sections 4.1.2 and 4.3.2;</p> <p>f) The compatibility of the project with the natural surroundings is optimized; and</p> <p>g) At least 30 per cent of the <i>total developable area</i> of the site will remain or be returned to <i>natural self-sustaining vegetation</i>, recognizing that section 4.3.2 establishes specific standards for the uses described there.</p>	<p>3.2.2.3 b) The addition of the distance of 240m or less separation between features is intended to provide clarity to this policy. However, it is requested that the source or justification of the distance chosen be provided either in this plan or in a guidelines document.</p> <p>Clarification is requested on whether there are intended to be limits to the number or extent of features to be connected as a result of this policy (e.g., certain number of metres away from core features).</p> <p>Some level of flexibility must be applied to development that occurs within the 240 metre connectivity area. There will be many cases where existing development (e.g. farm clusters, roads and other infrastructure) exist within the 240 metre area. Achieving connectivity in these areas may not be possible, and it would be more appropriate to direct new development to the areas that are already disturbed (e.g. new agricultural buildings or additions within an existing farm cluster).</p> <p>f) This policy is very weak and does not provide direction on how to determine “compatibility”, “optimization” and does not clarify what is intended by “project”.</p> <p>Presumably, an incompatible “project” would have significant implications and should be reconsidered or rejected during a permitting or design process.</p> <p>This policy should be removed or revised to address the issues above.</p>

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3.2.3 Water Resource System Policies	The following Water Resource System policies apply throughout the Protected Countryside:	
	1. All planning authorities shall provide for a comprehensive, integrated and long-term approach for the protection, improvement or restoration of the quality and quantity of water. Such an approach shall consider all hydrologic features and functions and include a systems approach to the inter-relationships between and/or among recharge/discharge areas, shorelines, aquifers, headwaters and surface waters (i. e. <i>Lakes</i> , rivers and streams, including <i>intermittent streams</i> ).	It is unclear if these policies apply to settlement areas. 3.2.2.5 NHS does not apply in existing boundaries of settlement areas, but this provision is not in this section. The language should be consistent with NHS policies and with policies in Growth Plan.
	2. Watersheds are the most meaningful scale for hydrological planning, and municipalities together with conservation authorities shall ensure that <i>watershed planning</i> is completed to inform decisions on growth, development, <i>settlement area</i> boundary expansions and planning for water, wastewater and stormwater <i>infrastructure</i> .	<p>This policy has been strengthened with the change from “should” to “shall”, but this may lead to confusion about the need and mechanism to require a watershed plan.</p> <p>Guidance and funding to support municipalities are requested from the province for the development of these plans.</p> <p>Given the scale of watershed plans, and the number of municipal and conservation authority jurisdictions that could be involved, the province should provide clear guidance on which agencies should lead development of these plans. As well, provincial direction is requested regarding determination of triggers for their watershed study initiation, content, process and baseline standards to be met.</p>
	3. Cross-jurisdictional and cross-watershed impacts need to be considered in the development of <i>watershed plans</i> . The development of <i>watershed plans</i> and watershed management approaches in the Protected Countryside shall be integrated with watershed planning and management in the NEP, the ORMCP and the Growth Plan.	Watershed and water-related policies of draft Niagara Escarpment Plan do not align with similar policies of draft Greenbelt Plan. Greater harmonization is requested.

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3.2.4 Key Hydrologic Areas		
	<p>For lands within a key hydrologic area in the Protected Countryside, the following policies apply:</p> <ol style="list-style-type: none"> <li>1. <i>Major development</i> may be permitted where it is demonstrated that: <ol style="list-style-type: none"> <li>a) The hydrologic functions of these areas shall be protected and, where possible, improved or restored through; <ol style="list-style-type: none"> <li>i. The identification of planning, design and construction practices and techniques; and</li> <li>ii. Meeting other criteria and direction set out in the <i>watershed or subwatershed plan</i>.</li> </ol> </li> </ol> </li> </ol>	<p>3.2.4.1 a) ii) It is recommended that this be revised to read:</p> <p>“Meeting other criteria and direction set out in the watershed or subwatershed plan <u>where one exists.</u>”</p> <p>Clarification is requested to confirm whether key hydrologic areas must include all three areas (sig groundwater recharge areas, highly vulnerable aquifers <u>and</u> sig surface water features), or just one of three to be considered a key hydrologic area.</p>
	<ol style="list-style-type: none"> <li>5. A proposal for new <i>development</i> or <i>site alteration</i> within 120 metres of a <i>key natural heritage feature</i> within the Natural Heritage System or a <i>key hydrologic feature</i> anywhere within the Protected Countryside requires a natural heritage evaluation or a hydrological evaluation, which identify a <i>vegetation protection zone</i> which:</li> </ol>	<p>The identification or inclusion of a vegetation protection zone is not always possible in the types of development and site alteration permitted within Key Hydrologic Features and Key Natural Heritage Features as per Section 3.2.5.1.</p> <p>It is recommended that this policy be revised to:</p> <p>requires a natural heritage evaluation or a hydrological evaluation, <del>which identify a vegetation protection zone</del> which:</p>
	<ol style="list-style-type: none"> <li>8. Notwithstanding the policies of section 3.2.5.5, a natural heritage evaluation or hydrologic evaluation is not required for new buildings and structures for <i>agricultural, agriculture-related</i> and <i>on-farm diversified uses</i> located within 120 metres of a <i>key natural heritage feature</i> and/or <i>key hydrologic feature</i>, provided the features and their functions are protected from the impacts of the proposed building or structure by meeting the following requirements: <ol style="list-style-type: none"> <li>f) The municipality or other approval authority has also considered the following in relation to determining any potential impacts of the proposal:</li> </ol> </li> </ol>	<p>8. f) This policy is not clear when referring to other approval authority. It is recommended that this be revised to:</p> <p>“The municipality or other approval authority, <u>as appropriate</u>, ...”</p>

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3.2.6 External Connections	The Natural Heritage System is connected to local, regional and provincial scale natural heritage, water resource and agricultural systems beyond the boundaries of the Greenbelt and includes those areas designated as Urban River Valley in the Plan.	This policy limits consideration of Urban River Valleys to those that have been designated. At this time, there is only 1 designated URV. This may limit consideration of protection and support for URVs that have been identified on Schedules 1 and 4, but not yet designated.
	To support the connections between the Greenbelt's Natural System and the local, regional and broader scale natural heritage systems of southern Ontario, such as the Lake Ontario shoreline, including its remaining coastal <i>wetlands</i> , the Great Lakes Coast, Lake Simcoe, the Kawartha Highlands, the Carolinian Zone and the Algonquin to Adirondack Corridor, the federal government, municipalities, conservation authorities, other agencies and stakeholders should:	Clarification is required to provide direction on the process and trigger for involvement of representatives from each level of government and stakeholders identified in this policy.
	<p>The river valleys that run through existing or approved urban areas and connect the Greenbelt to inland <i>lakes</i> and the Great Lakes, including areas designated as Urban River Valley, are a key component of the long-term health of the Natural System. In recognition of the function of the urban river valleys, municipalities and conservation authorities should:</p> <p>3. Integrate <i>watershed planning</i> and management approaches for lands both within and beyond the Greenbelt taking into consideration the goals and objectives of protecting, improving and restoring the Great Lakes.</p>	<p>It is recommended that this be revised to :</p> <p>"The river valleys that run through existing or approved urban areas <u>(the Blue Urban River Valley Lines on Schedule 4)</u> and connect the Greenbelt to inland <i>lakes</i> and the Great Lakes <u>(the Green Dashed River Valley Connect Lines on 4)</u>, including areas designated as Urban River Valley, are a key component of the long-term health of the Natural System. In recognition of the function of the urban river valleys, municipalities and conservation authorities should:"</p> <p>3. It would be beneficial to reference the specific geographic areas being discussed in this policy.</p>
	These external connections are generally depicted by a dotted green line on Schedules 1 to 4, but are not within the regulated boundary of the Greenbelt Plan. Many of the external connections shown on Schedules 1, 2 and 4 at the time of the Plan's approval in 2005 have been added to the Greenbelt Plan as Urban River Valley areas and are subject to the policies of section 6.0 of this Plan.	<p>The identified Urban River Valleys do not appear to reflect the physical width of the actual valleys, hazard lands, or NHS that may have been identified by municipalities or CAs.</p> <p>The Plan proposes to replace the dashed green line in urban areas with a new Blue Urban River Valley line.</p> <p>The policy reference should be expanded to include a reference to the policies in section 3.2.6.</p>

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### **Recommended Section 3.2.8:**

As included to recognize the Rouge River Watershed, it is recommended that the Cootes to Escarpment EcoPark System be identified in the Introduction to Section 3.2 'Natural System' of The Greenbelt Plan with the inclusion of a new Sub-Section 3.2.8 entitled 'Cootes to Escarpment EcoPark System'.

The following text is suggested for inclusion in Section 3.2.8 (or similar):

"The Cootes to Escarpment EcoPark System is recognized as a collaboration of nine land-owning agencies and organizations in the Hamilton-Burlington area that is working to protect and restore natural lands and establish ecological corridors or connection between existing partner lands in an area that is one of the most biologically rich areas in Canada.

This current Cootes to Escarpment EcoPark System partner lands cover approximately 3,900 hectares in the Hamilton-Burlington area at the western end of Lake Ontario. These lands stretch from the western terminus of the Desjardins Canal in Hamilton (to the west) to Brant Street in Burlington (to the east) and from the Niagara Escarpment (to the north) and the south shore of Cootes Paradise, Royal Botanical Gardens and Highway 403 (to the south).

The Cootes to Escarpment EcoPark System is a parks and open space system, rather than a single park. While lands remain in the ownership of the partner agencies and organizations, the partners are united in their defined mission which is to collaboratively continue preserving and enhancing the natural lands using a sustainable approach that balances natural ecosystem health with responsible human appreciation and activities.

Land use planning and resource management within those portions of the Cootes to Escarpment EcoPark System within the Protected Countryside shall comply with the provisions of this Plan.

The Province should, in partnership with the Cootes to Escarpment EcoPark System partners:

- a. Recognize the Cootes to Escarpment EcoPark System as an outstanding example of a collaborative initiative to expand the Province's parks and open space system.
- b. Encourage and support the further development and management of the Cootes to Escarpment EcoPark System and its associated open space recreational infrastructure and trails network.
- c. Promote good stewardship practices for public and private lands within and adjacent to the Cootes to Escarpment EcoPark System.
- d. Consider the Cootes to Escarpment EcoPark System and other similar collaborative efforts to expand the Province's Open Space System as priority areas for annual funding by the Province in relation to land securement, open space infrastructure development and management, and private lands stewardship activities."

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3.3 Parkland, Open Space and Trails		
3.3.1 Description	<p>A system of parklands, open spaces, water bodies, and trails across the Greenbelt is necessary to provide opportunities for recreation, tourism, and appreciation of cultural heritage and natural heritage. They serve as an important component of <i>complete communities</i> and provide important benefits to support environmental protection, improved air quality and climate change mitigation. This system currently supports a variety of passive and active uses, as well as health, economic and other quality of life benefits within the Greenbelt.</p> <p>A system of parklands, open spaces, water bodies, and trails helps address the causes and impacts of climate change by capturing and storing carbon, recharging aquifers and protecting biodiversity and sensitive areas.</p>	Existing parklands, open spaces, agricultural practices and natural heritage features and systems contribute to an existing level of carbon sequestration that is part of the existing carbon emissions balance. No additional sequestration will be added by existing ecosystems, only the creation of new natural areas, such as woodlands, forests, will contribute additional carbon sequestration.
3.3.2 Parkland, Open Space and Trail Policies		
	2. Encourage the development of a trail plan and a coordinated approach to trail planning and development in the Greenbelt to enhance key existing trail networks and to strategically direct more intensive activities away from sensitive landscapes; and	It is recommended that a definition be provided for sensitive landscapes in this plan and the other provincial plans as appropriate.
3.3.3 Municipal Parkland, Open Space and Trail Strategies		
	<p>4. Include the following considerations in municipal trail strategies:</p> <p>g) Ensuring the protection of the <b>sensitive</b> key natural heritage features and key hydrologic features and functions of the landscape.</p>	<p>It is recommended that trails be encouraged to connect residential areas and community amenities and services:</p> <p><u>h) Encourage trail connections to be created between residential areas, community amenities and services to enhance mobility throughout communities.</u></p>

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3.4 Settlement Areas		
3.4.1 Description	<p><i>Settlement areas</i> within the Greenbelt support and provide significant economic, social and commercial functions to <i>prime agricultural areas</i> and <i>rural lands</i>. They are an integral part of the long-term economic and social sustainability of the Greenbelt and this Plan envisions that they continue to evolve and grow in keeping with their rural and/or existing character.</p> <p>Land use patterns within <i>settlement areas</i> shall support the development of <i>complete communities</i> that support the long-term goal of becoming <i>net-zero communities</i>. The development of <i>complete communities</i> shall in part be achieved by facilitating the development of community hubs that involve the co-location of public services to address local community needs in convenient locations that are accessible by <i>active transportation</i> and, where available, transit.</p>	<p>Policies that stress land use patterns within settlement areas are somewhat out of place in the Greenbelt Plan.</p> <p>Promotion of community hubs in all settlement areas may not be appropriate. Further clarification of community hubs, including a definition, should be provided by the province.</p>
3.4.2 General Settlement Area Policies	<p>For lands within Towns/Villages and Hamlets in the Protected Countryside, the following policies shall apply:</p> <ol style="list-style-type: none"> <li>1. <i>Settlement areas</i> outside the Greenbelt are not permitted to expand into the Greenbelt.</li> <li>2. Municipalities shall incorporate policies in their official plans to facilitate the development of community hubs that: <ol style="list-style-type: none"> <li>a) enable the co-location of public services to promote cost-effectiveness and service integration;</li> <li>b) facilitate access through locations serviced by a range of transportation options including <i>active transportation</i> and, where available, transit;</li> <li>c) give priority to existing <i>public service facilities</i> within settlement areas as the preferred location, where appropriate; and</li> <li>d) enable the adaptive reuse of existing facilities and</li> </ol> </li> </ol>	<p>The policies included in this section appear to be outside the scope of the Greenbelt Plan. While issues of soil and fill management are environmental management policies, community hub location, active transportation and facility use policies are better suited to the Growth Plan.</p> <p>If these policies are to remain in the Greenbelt Plan, the following requests and recommendations are proposed:</p> <p>Further clarification of community hubs is requested to reduce the opportunity for misinterpretation.</p> <p>This policy appears to be out of place in the Greenbelt Plan. This could simply be a Growth Plan policy and removed from this plan.</p> <p>To ensure a consistent provincial approach, it is recommended that the MOECC Soil Management Framework (under development) be referenced here (3.4.2.6).</p>

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	<p>spaces in <i>settlement areas</i>, where appropriate.</p> <ol style="list-style-type: none"> <li>3. Municipalities shall collaborate and consult with service planning, funding and delivery sectors to facilitate the co-ordination and planning of community hubs and other <i>public service facilities</i>.</li> <li>4. Municipalities shall integrate climate change considerations into planning and managing growth in <i>settlement areas</i> in accordance with policy 4.2.10 of the Growth Plan.</li> <li>5. Municipalities are encouraged to develop soil re-use strategies as part of planning for growth and to integrate sustainable soil management practices into planning approvals.</li> <li>6. Municipalities and industry shall use best practices for the management of excess soil and fill generated during any <i>development</i> or <i>site alteration</i>, including <i>infrastructure</i> development, so as to ensure that: <ol style="list-style-type: none"> <li>a) Any excess soil or fill is re-used on-site or locally, to the maximum extent possible;</li> <li>b) Fill received at a site will not cause an adverse effect with regard to the current or proposed use of the property or the natural environment.</li> </ol> </li> </ol>	
3.4.5 Additional Policies for Settlement Area Expansion	<p>For <i>settlement areas</i> within the Protected Countryside, notwithstanding the policies of section 5.2.1, the following additional policies apply to municipally initiated <i>settlement area</i> expansion proposals:</p> <ol style="list-style-type: none"> <li>1. Where a municipality had initiated the consideration of a <i>settlement area</i> expansion prior to the date this Plan came into effect, such an expansion may be considered through the municipality's exercise to bring its official plan into conformity with this Plan as described in the municipal implementation policies of section 5.3. The proposed expansion shall:</li> </ol>	<p>The language "prior to the date this Plan came into effect" needs to be changed so it is clear if the policy refers to the 2005 Plan or the new Plan. For example, in section 4.3.2.9, the date is provided, which makes the interpretation very clear.</p>

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4 General Policies for the Protected Countryside		
4.1.1 General Non-Agricultural Use Policies		
	<p>2. Proposals for non-agricultural uses must demonstrate that:</p> <p>c) There are no negative impacts on key natural heritage features and <del>for</del> key hydrologic features or their functions; and</p>	<p>It is recommended that Section 4.1.1.2 c) be revised to include:</p> <p>“... functions, <u>as well as to linkages between these features....”</u></p>
	<p>For non-agricultural uses, the following policies apply:</p> <p>3. Where non-agricultural uses are proposed in <i>rural lands</i>, the completion of an <i>agricultural impact assessment</i> should be considered.</p>	<p>This policy should be strengthened to require an Agricultural Impact Assessment, with a baseline standard that needs to be met before approval of a permit for a non-agricultural use to be in keeping with the policies protecting the Agricultural System.</p> <p>It is recommended that this policy be revised to:</p> <p><u>“...must be considered before approval of a permit for a non-agricultural use. The AIA must demonstrate that it is in keeping with the policies protecting the Agricultural System”</u></p>
4.1.3 Developed Shoreline Area Policies	<p>Policy 4.2.4.5 of the Growth Plan applies to shoreline areas within the Protected Countryside.</p>	<p>A definition of a Developed Shoreline is required in this plan to provide clarity.</p> <p>Policy 4.2.4.5 of the Growth Plan, as referenced in this policy should be included in this plan to alleviate the need to move between plans to understand the policies.</p>
4.2.1 General Infrastructure Policies		
	<p>2. The location and construction of infrastructure and expansions, extensions, operations and maintenance of infrastructure in the Protected Countryside, are subject to the following:</p> <p>g) Where infrastructure crosses specialty crop areas and prime agricultural areas, an agricultural impact assessment shall be undertaken.</p>	<p>4.2.1.2) g) Clarification of the content, methodology and criteria for consideration to introduce infrastructure into specialty crop and prime agricultural areas is required. The establishment of a no negative impact standard, or its equivalent, would be of assistance.</p>
	<p>3. <i>Infrastructure</i> serving the agricultural sector, such as agricultural irrigation systems, may need certain elements to be located within</p>	<p>Infrastructure to support agriculture needs to be clearly defined in this plan to assist in determining the types of infrastructure intended, and</p>

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	the <i>vegetation protection zone</i> of a <i>key natural heritage feature</i> or <i>key hydrologic feature</i> . In such instances, these elements of the <i>infrastructure</i> may be established within the feature itself or its associated <i>vegetation protection zone</i> but all reasonable efforts shall be made to keep such <i>infrastructure</i> out of <i>key natural heritage features</i> or <i>key hydrologic features</i> or the <i>vegetation protection zones</i> .	not suggest that all forms of infrastructure be extended beyond settlement areas.
4.2.3 Stormwater Management and Resilient Infrastructure Policies	In addition to the policies of section 4.2.1, for stormwater management <i>infrastructure</i> in the Greenbelt Plan the following policies shall apply:  1. Stormwater management ponds are prohibited in <i>key natural heritage features</i> or <i>key hydrologic features</i> or their <i>vegetation protection zones</i> , except for those portions of the Protected Countryside that define the major river valleys that connect the Niagara Escarpment and Oak Ridges Moraine to Lake Ontario. In these areas, naturalized stormwater management ponds are permitted provided they are located a minimum of 30 metres away from the edge of the river/stream and outside the <i>vegetation protection zones</i> of any <i>key natural heritage features</i> or <i>key hydrologic features</i> .	This general prohibition should apply to all Storm Water Management infrastructure, with the exception of conveyance pipes and outlet structures where necessary, and subject to no negative impacts to Key Natural Heritage Features and Key Hydrologic Features.
4.3.2 Non-Renewable Resource Policies	For lands within the Protected Countryside, the following policies shall apply:	
	2. Non-renewable resources are those non-agriculture-based natural resources that have a finite supply, including mineral aggregate resources. Aggregates, in particular, provide significant building materials for our communities and <i>infrastructure</i> , and the availability of aggregates close to market is important both for economic and environmental reasons.	This is not a policy and should be removed from this section. This would be appropriate in an introductory or descriptive section at the beginning of the natural resources policy section (4.3).
	3. Notwithstanding the Natural System policies of section 3.2 of this Plan, within the Natural Heritage System, <i>mineral aggregate operations</i> and wayside pits and quarries are subject to the following:  c) Any application for a new <i>mineral aggregate operation</i> shall be	

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	<p>required to demonstrate:</p> <ul style="list-style-type: none"> <li>i. How the <i>connectivity</i> between <i>key natural heritage features</i> and <i>key hydrologic features</i> will be maintained before, during and after the extraction of mineral aggregates;</li> <li>ii. How the operator could immediately replace any habitat that would be lost from the site with equivalent habitat on another part of the site or on adjacent lands; and</li> <li>iii. How the Water Resource System will be protected or enhanced; and</li> </ul> <p>d) An application to expand an existing <i>mineral aggregate operation</i> may be permitted in the Natural Heritage System, including in <i>key natural heritage features</i>, <i>key hydrologic features</i> and in any associated <i>vegetation protection zones</i>, only if the related decision is consistent with the PPS and satisfies the rehabilitation requirements of this section</p>	<p>c) ii) A definition needs to be provided for “adjacent lands. This policy should include language to ensure that requirements are ecologically reasonable and maintain existing features.</p> <p>d) This policy should reference requirements of new operations as established in the ARA.</p>
	<p>5. New and existing <i>mineral aggregate operations</i> and wayside pits and quarries, within the Protected Countryside shall ensure that:</p> <ul style="list-style-type: none"> <li>a) Rehabilitated area will be maximized and disturbed area minimized on an ongoing basis during the life-cycle of an operation;</li> <li>b) Progressive and final rehabilitation efforts will contribute to the goals of the Greenbelt Plan;</li> <li>c) Any excess disturbed area above the maximum allowable disturbed area as determined by the Ministry of Natural Resources and Forestry will be rehabilitated. For new operations the total disturbed area shall not exceed an established maximum allowable disturbed area; and</li> <li>d) The applicant demonstrates that the quantity and quality of groundwater and surface water will be maintained as per Provincial Standards under the <i>Aggregate Resources Act</i>.</li> </ul>	<p>5) b) This policy should be strengthened through inclusion of reference to municipal Ops.</p> <p>It is recommended that this be revised to:</p> <p>“...goals of the Greenbelt <u>Plan and existing municipal and provincial policies.</u>”</p>
	<p>6. When operators are undertaking rehabilitation of <i>mineral aggregate operation</i> sites in the Protected Countryside, the</p>	<p>Does this imply that existing ARA licences will be reviewed and amended where necessary to ensure that the objectives below are</p>

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	<p>following policies apply:</p> <ul style="list-style-type: none"> <li>a. The disturbed area of a site shall be rehabilitated to a state of equal or greater <i>ecological value</i>, and for the entire site, long-term ecological integrity shall be maintained or restored, and to the extent possible, improved;</li> <li>b. If there are <i>key natural heritage features</i> or <i>key hydrologic features</i> on the site, or if such features existed on the site at the time of an application: <ul style="list-style-type: none"> <li>i. The health, diversity and size of these <i>key natural heritage features</i> and <i>key hydrologic features</i> shall be maintained or restored and, to the extent possible, improved; and</li> <li>ii. Any permitted extraction of mineral aggregates that occurs in a feature shall be completed, and the area shall be rehabilitated, as early as possible in the life of the operation;</li> </ul> </li> </ul>	<p>addressed? Has this happened? It should be clarified whether this policy applies to existing or future rehabilitation plans, or both.</p> <p>6) a) It is recommended that this be revised to:  “...<u>connectivity is maintained and</u> long term ecological integrity...”</p> <p>6) b) ii) It is recommended that this be revised to:  “ ... shall be rehabilitated <u>to its pre-extraction state as much as possible or subject to d) below</u>, as early as possible...”</p>
	<p>7. Final rehabilitation for new <i>mineral aggregate operations</i> in the Natural Heritage System shall meet these additional policies:</p> <ul style="list-style-type: none"> <li>a. Where there is no underwater extraction, an amount of land equal to that under natural vegetated cover prior to extraction, and no less than 35% of the land subject to each license in the Natural Heritage System, is to be rehabilitated to forest cover, which shall be representative of the natural ecosystem in that particular setting or ecodistrict;</li> <li>b. Where there is underwater extraction, no less than 35% of the non-aquatic portion of the land subject to each license in the Natural Heritage System is to be rehabilitated to forest cover, which shall be representative of the natural ecosystem in that particular setting or ecodistrict; and</li> <li>c. Rehabilitation shall be implemented so that the connectivity of the <i>key natural heritage features</i> and the <i>key hydrologic features</i> on the site and on adjacent lands shall be maintained or restored, and to the extent possible, improved.</li> </ul>	<p>Any application, whether for brand new or expansion requires a new licence.</p> <p>6) a) It is recommended that this be revised to:  “Where there is <u>no extraction below the water table...</u>”</p> <p>6) b) It is recommended that this be revised to:  “Where there is <u>no extraction below the water table...</u>”</p> <p>6) c) It is recommended that this be revised to:  “...to the extent possible, improved <u>in keeping with municipal Official Plan Natural Heritage System.</u>”</p>

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4.4 Cultural Heritage Resources	<p>For lands within the Protected Countryside, the following policies shall apply:</p> <ol style="list-style-type: none"> <li>1. <i>Significant cultural heritage resources</i> including <i>built heritage resources, cultural heritage landscapes</i> and <i>archaeological resources</i> shall be <i>conserved</i> in order to foster a sense of place and benefit communities.</li> <li>3. Municipalities are encouraged to consider the Greenbelt's vision and goals in preparing archaeological management plans and municipal cultural plans in their decision-making.</li> </ol>	<p>1) Does this policy imply that archaeological resources can be removed to allow for development? This needs to be clarified and as does the definition of Conserved.</p> <p>3) This policy requires clarification regarding whether municipalities are to consider the Greenbelt's vision in plan preparation <u>and</u> decision-making.</p>
4.6 Lot Creation	<p>For lands falling within the Protected Countryside, the following policies shall apply:</p> <ol style="list-style-type: none"> <li>1. Lot creation is discouraged and may only be permitted for: <ol style="list-style-type: none"> <li>a) outside the <i>specialty crop area</i> and <i>prime agricultural area</i>, the range of uses permitted by the policies of this Plan;</li> <li>b) within the <i>specialty crop area</i> and <i>prime agricultural area</i>, <ol style="list-style-type: none"> <li>i. <i>agricultural uses</i> where the severed and retained lots are intended for <i>agricultural uses</i> and provided the minimum lot size is 16 hectares (or 40 acres) within <i>specialty crop areas</i> and 40 hectares (or 100 acres) within <i>prime agricultural areas</i>; and</li> <li>ii. <i>agriculture-related uses</i>, provided that any new lot shall be limited to the minimum size needed to accommodate the use and appropriate sewage and water services;</li> </ol> </li> </ol> </li> </ol>	<p>a) Clarification to ensure that municipalities can retain the ability to be more restrictive through official plan policies is requested.</p> <p>b) This policy appears to encourage further fragmentation of lots in prime agricultural areas. There is no mechanism to maintain properties in agriculture-related uses over time. Clarification to ensure that municipalities can retain the ability to be more restrictive through official plan policies is requested.</p> <p>Conversely, this policy could be removed from the Greenbelt Plan to alleviate the possibility of confusion and fragmentation.</p>

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5 Implementation		
5.3 Municipal Implementation of Protected Countryside Policies		
	<p>The province, in collaboration with the municipalities, shall undertake an exercise to provide consistent identification, mapping and protection of the <i>Agricultural System</i> across the GGH. Within the Protected Countryside, upper-tier and single-tier municipalities shall refine official plan mapping to bring <i>prime agricultural areas, specialty crop areas, and rural lands</i> into conformity with provincial mapping through a municipal comprehensive review under the Growth Plan. These refinements shall only be carried out where there are inconsistencies at municipal boundaries or discrepancies between provincial and municipal mapping that are significant. Aside from addressing these issues, municipalities shall continue to retain existing designations for <i>prime agricultural areas</i> within the Protected Countryside.</p>	<p>This policy is recommended to be amended to recognize the mapping done by municipalities that are more detailed and reflective of local conditions. This is especially true of Prime Agriculture where the results of LEAR studies are refinements of provincial land use identification processes.</p> <p>It is recommended that this be revised to:</p> <p>“...upper-tier and single-tier municipalities <u>shall collaborate with provincial ministries to refine mapping to ensure that provincial maps reflect municipal refinements of local mapping. This shall be done in keeping with provincial methodologies and guidance. This would apply to prime agricultural areas, specialty crop areas, and rural lands.</u>”</p>
	<p>Policies to support the <i>Agricultural Support Network</i> do not require separate land use designations in official plans. Municipalities are expected to provide policies to maintain and enhance the <i>Agricultural Support Network</i> and to identify the physical location of elements in the <i>Agricultural Support Network</i> in collaboration with the province. This work will assist with the long-term viability of the agri-food sector by planning for agriculture and the rural economy.</p>	<p>This could be a massive exercise and it will be difficult to know how far to take it, especially related to the agri-food sector. How does the province intend to keep the “physical location of elements in the Agricultural Support Network” current, given the wide reach of the system over such a large geographic area?</p> <p>It is recommended that this be revised to:</p> <p>“... provide <u>planning</u> policies to <u>encourage</u> and enhance the Agricultural Support Network...”</p>
5.7.1 Growing the Greenbelt		
5.7.1.4 Municipal Requests	<p>The Province shall also consider requests from municipalities to grow the Greenbelt with the Protected Countryside and/or Urban River Valley designations. In considering municipal requests, the province shall be guided by criteria which were developed for municipalities through a public consultation</p>	<p>Consider clarifying the means by which requests to grow the Greenbelt may be made:</p>

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	<p>process and released in 2008. These criteria include:</p> <ul style="list-style-type: none"> <li>• Providing supportive council resolutions;</li> <li>• Demonstrating how the proposed lands connect physically or functionally to the Greenbelt; and</li> <li>• Demonstrating that a proposal would complement the Growth Plan and support other related provincial initiatives such as the Great Lakes Strategy and Climate Change Strategy and Action Plan.</li> </ul>	<p>“... requests from <u>single, upper and lower tier</u> municipalities to grow the Greenbelt ....”</p> <p>“... requests from <u>any</u> municipality to grow the Greenbelt ....”</p>
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6 Urban River Valley Policies		
6.1 Description	<p>The Urban River Valley designation as shown on Schedule 1 applies to lands within the main corridors of river valleys connecting the rest of the Greenbelt to the Great Lakes and inland lakes. The lands in this designation comprise river valleys and associated lands and are generally characterized by being:</p> <ul style="list-style-type: none"> <li>• Lands containing natural and hydrologic features, including coastal wetlands; and/or</li> <li>• Lands designated in official plans for uses such as parks, open space, recreation, conservation and environmental protection.</li> </ul>	<p>Mapping of these Urban River Valleys show a designation limit of 60 metres from either side of the Water’s Edge. This approach does not reflect the natural changes to river channels due to natural processes.</p> <p>Top of bank should be referenced for the identification of any delineation of the urban river valleys, or their potential future corridor buffers.</p>
6.2 Policies	<p>1. Only publicly owned lands are subject to the policies of the Urban River Valley designation. Any privately owned lands within the boundary of the Urban River Valley area are not subject to the policies of this designation. For the purposes of this section, publicly owned lands means lands in the ownership of the province, a municipality, or a local board, including a conservation authority.</p>	<p>Only publicly owned lands are subject to the policies of the Urban River Valley designation. However, the policies of this designation may be applied to privately owned lands within the boundary of the Urban River Valley area at the discretion of a municipality. For the purposes of this section, publicly owned lands means lands in the ownership of the province, a municipality, or a local board, including a conservation authority.</p>

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Definitions		
<i>Agricultural Impact Assessment</i>	Means a study that evaluates the potential impacts of non-agricultural development on agricultural operations and the <i>Agricultural System</i> and recommends ways to avoid, or if avoidance is not possible, minimize and mitigate adverse impacts.	Clarification needs to be provided through guidelines, terms of reference or other criteria to assist in determining impacts on the Agricultural System, which includes the support network in addition to the agricultural land base.
<i>Agricultural Support Network</i>	Means within the <i>Agricultural System</i> , a network that includes elements important to the viability of the agri-food sector such as: regional agricultural infrastructure and transportation networks, on-farm buildings and infrastructure, agricultural services, farm markets, distributors and first-level processing, and vibrant, agriculture-supportive communities.	<p>The Agri-food sector reference should be revised to be the Agricultural sector.</p> <p>The concept of an 'Agricultural Support Network' has been introduced into both the Greenbelt Plan and the Growth Plan. The definition for 'Agricultural Support Network' suggests that it includes elements such as "regional agricultural infrastructure".</p> <p>Given that "infrastructure" is also a defined term, it is not clear what the intent of "regional agricultural infrastructure" is. It is critical that municipalities understand the implications of this.</p> <p>In addition, the policy direction for municipalities as it relates to the 'Agricultural Support Network's is unclear, as the language used throughout the Greenbelt Plan is inconsistent (i.e., shall versus encourage).</p>
Agricultural System	Means a group of inter-connected elements that collectively create a viable, thriving agricultural sector. It has two components: 1) an agricultural land base comprised of <i>prime agricultural</i> areas including <i>specialty crop areas</i> and <i>rural lands</i> that together create a continuous, productive land base for agriculture; 2) an <i>Agricultural Support Network</i> , which includes <i>infrastructure</i> , services and agri-food assets important to the viability of the sector.	<p>This definition should be revised to replace " <u>agri-food assets</u>" with "<u>agricultural</u>" assets to ensure that all agricultural activity is included.</p> <p>As well, the use of "continuous" may not support near urban and urban agricultural lands from being considered part of a productive land base for agricultural production. Local food production on smaller, often isolated lands in and adjacent to urban development can be very productive.</p> <p>It is recommended that this be revised to"</p> <p>"...create a <u>continuous</u> productive land base..."</p>
Cultural Heritage	<i>Built heritage resources, cultural heritage landscapes and</i>	This definition should have the word "Means" at the beginning, to be

## APPENDIX 1: Joint HAPP Response to Proposed Changes to the Greenbelt Plan (May 2016)

Co-ordinated Land Use Planning Review - Halton Region, City of Burlington, City of Oakville, Town of Halton Hills, and Town of Milton

Resources	<i>archaeological resources.</i>	consistent with the other definition formats.
Highly Vulnerable Aquifers	Means aquifers, including lands above the aquifers, on which external sources have or are likely to have a significant adverse effect.	<p>This term comes straight from the Source Water Protection exercises, yet there is no reference to the mapping of the highly vulnerable aquifers in the definition.</p> <p>This definition should reference the policies in the PPS 2014, the Clean Water Act and identification of these areas should be in keeping with Highly Vulnerable Aquifers mapping as revised from time to time.</p>
Key hydrologic areas	Means a <i>key hydrologic area</i> as described in section 3.2.4.	The definition found in the Growth Plan should be included in this definition section for consistency and to eliminate the need to have both plans to understand the content of this plan.
Key hydrologic features	Means a <i>key hydrologic feature</i> as described in section 3.2.5.	<p>The definition found in the Growth Plan should be included in this definition section for consistency and to eliminate the need to have both plans to understand the content of this plan.</p> <p>Regulated floodplains are included in the RNHS as key features but not included in the Greenbelt (and others) policies as key hydrologic features, and should be included in the Greenbelt Plan, or referenced as part of watershed/sub-watershed plans.</p>
Key natural heritage features	Means a <i>key natural heritage feature</i> as described in section 3.2.5.	The definition found in the Growth Plan should be included in this definition section for consistency and to eliminate the need to have both plans to understand the content of this plan.
Prime agricultural lands	<p>Means:</p> <p>a) <i>specialty crop areas</i>, and/or</p> <p>b) Canada Land Inventory Class 1, 2 or 3 lands, as amended from time to time, in this order of priority for protection (PPS, 2014).</p>	<p>This definition is a modification of the PPS 2014 Prime Agricultural Area definition. This definition should be consistent with the PPS and consistent with the Prime Agricultural Area definitions included in the other Provincial Plans.</p> <p>This definition has also been modified in the Growth Plan to include the Agricultural Lands definition as part of the Prime Agricultural Area definition.</p>

## APPENDIX 1: Joint HAPP Response to Proposed Changes to the Greenbelt Plan (May 2016)

Co-ordinated Land Use Planning Review - *Halton Region, City of Burlington, City of Oakville, Town of Halton Hills, and Town of Milton*

		Consistency needs to be applied.
Sand barrens	<p>Means land (not including land that is being used for agricultural purposes or no longer exhibits sand barrens characteristics) that:</p> <ul style="list-style-type: none"> <li>a) Has sparse or patchy vegetation that is dominated by plants that are: <ul style="list-style-type: none"> <li>i. Adapted to severe drought and low nutrient levels; and</li> <li>ii. Maintained by severe environmental limitations such as drought, low nutrient levels and periodic disturbances such as fire;</li> </ul> </li> <li>b) Has less than 25 per cent tree cover;</li> <li>c) Has sandy soils (other than shorelines) exposed by natural erosion, depositional process or both; and</li> </ul> <p>Has been further identified, by the Ministry of Natural Resources and Forestry or by any other person, according to evaluation procedures established by the Ministry of Natural Resources and Forestry, as amended from time to time.</p>	<p>The specific document which contains the necessary methodology for identification of sand barrens, or the criteria themselves, should be included in the policy to ensure consistent standards and approaches to classification and identification are used throughout the province.</p> <p>If the appropriate applicable methodology is to be used from the ELC (Ecological Land Classification) Manual, please include a reference to the document specifically, recognizing that the methodology may be amended from time to time.</p>
Savannah	<p>Means land (not including land that is being used for agricultural purposes or no longer exhibits savannah characteristics) that:</p> <ul style="list-style-type: none"> <li>a) Has vegetation with a significant component of non-woody plants, including tallgrass prairie species that are maintained by seasonal drought, periodic disturbances such as fire, or both;</li> <li>b) Has from 25 per cent to 60 per cent tree cover;</li> <li>c) Has mineral soils; and</li> <li>d) Has been further identified, by the Ministry of Natural Resources and Forestry or by any other person, according to evaluation procedures established by the Ministry of Natural</li> </ul>	<p>The specific document which contains the necessary methodology for identification of savannahs, or the criteria themselves, should be included in the policy to ensure consistent standards and approaches to classification and identification are used throughout the province.</p> <p>If the appropriate applicable methodology is to be used from the ELC (Ecological Land Classification) Manual, please include a reference to the document specifically, recognizing that the methodology may be amended from time to time</p>

## APPENDIX 1: Joint HAPP Response to Proposed Changes to the Greenbelt Plan (May 2016)

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	Resources and Forestry, as amended from time to time.	
Significant	<p>Means:</p> <p>a) In regard to <i>wetlands and life science areas of natural and scientific interest</i>, an area identified as provincially significant using evaluation procedures established by the Ministry of Natural Resources and Forestry, as amended from time to time;</p> <p>b) In regard to <i>woodlands</i>, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. The Province (Ministry of Natural Resources and Forestry) identifies criteria relating to the forgoing;</p> <p>c) In regard to other features and areas in section 3.2.4 of this Plan, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of the Natural Heritage System. The Province (Ministry of Natural Resources and Forestry) identifies criteria relating to the forgoing; and</p> <p>d) In regard to <i>cultural heritage resources</i>, resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people.</p> <p>While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.</p>	<p>A specific document which contains the necessary methodology for identification of woodlands, or the criteria themselves, should be included in the policy to ensure consistent standards and approaches to classification and identification are used throughout the province.</p> <p>Although guidelines for their identification have been provided by the Province in the Natural Heritage Reference Manual, specific criteria has not been provided by the Province to date.</p> <p>Rather, municipalities provide identification criteria based on the provincial guidelines. Recognizing this, it is unclear how Significant Woodlands under this plan will be identified. It is recommended that municipal criteria consistent with the Natural Heritage Reference Manual be invoked in the definition</p>
Tallgrass prairies	Means land (not including land that is being used for	Recommend stating the specific MNRF evaluation procedures to be used to

## APPENDIX 1: Joint HAPP Response to Proposed Changes to the Greenbelt Plan (May 2016)

Co-ordinated Land Use Planning Review - *Halton Region, City of Burlington, City of Oakville, Town of Halton Hills, and Town of Milton*

	<p>agricultural purposes or no longer exhibits tallgrass prairie characteristics) that:</p> <p>a) Has vegetation dominated by non-woody plants, including tallgrass prairie species that are maintained by seasonal drought, periodic disturbances such as fire, or both;</p> <p>b) Has less than 25 per cent tree cover;</p> <p>c) Has mineral soils; and</p> <p>d) Has been further identified, by the Minister of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources and Forestry, as amended from time to time.</p>	<p>identify Tallgrass Prairies as referenced in sub-clause d) that are acceptable for their identification.</p>
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# Halton Area Planning Partnership (HAPP)

## 2015 Coordinated Plan Review

### Draft Niagara Escarpment Plan

### Joint Submission

September 2016



## Introduction

The Halton Area Planning Partnership (HAPP) is comprised of Halton Region and the following Local Municipalities: the City of Burlington, the Town of Halton Hills, the Town of Milton, and the Town of Oakville. The Town of Oakville has reviewed and is supportive of the principles embodied in the Joint Response, however, since no part of the Niagara Escarpment Plan Area is included within the Town of Oakville, the Town has not specifically commented on this review.

This submission represents HAPP's response to the document "Proposed Niagara Escarpment Plan (2016), May 2016" (Proposed Plan) which was placed on the Environmental Registry as a Policy Proposal Notice (EBR Registry Number: 012-7228) on May 10, 2016. The Niagara Escarpment Plan (NEP) is being reviewed in a co-ordinated manner along with three other provincial land use plans – The Growth Plan for the Greater Golden Horseshoe, The Greenbelt Plan and The Oak Ridges Moraine Conservation Plan. This is an opportunity to address challenges with the plans in a cohesive way.

Proposed changes to the Niagara Escarpment Plan include changes to policies and mapping within the Plan, several proposed site specific, urban boundary and urban use amendments as well as additions of land to the Niagara Escarpment Plan Area.

The Halton Area Planning Partnership now takes this opportunity to have its collective voice heard by responding to the Proposed Plan. HAPP's submission provides comments on the Proposed Plan's proposed changes and provides HAPP's key recommendations in this letter.

HAPP's response includes:

1. This letter, which contains:
  - a. HAPP's Key Points regarding the whole of the document;
2. Appendix 1, which contains:
  - a. General comments regarding the whole of the Proposed Plan;
  - b. Comments specific to individual policies within the Proposed Plan

## Background

A co-ordinated review of the four Provincial land use plans was undertaken in 2015. The Government of Ontario received extensive feedback after the initial round of consultations with stakeholders and the public. An Advisory Panel also provided its recommendations in December 2015 in their report, "Planning for Health, Prosperity and Growth in the Greater Golden Horseshoe: 2015 – 2041".

The Government of Ontario has reviewed and considered all feedback received from stakeholders, the public, Indigenous communities and the Advisory Panel's



recommendations. The government is now proposing changes to the four plans. In this, the second round of consultation, the NEC must review and assess all comments received, and will provide its final recommendations to the government in accordance with the Niagara Escarpment Planning and Development Act. The government will consider these recommendations in making final changes to the NEP, including any decisions regarding site-specific amendments and additions to the NEP Area.

## **Key Points of HAPP's Response**

### **1. Harmonization and Alignment**

Although efforts have been made to harmonize definitions in the NEP with the other Provincial Plans, opportunities still exist to better harmonize terminology, definitions and policies. In particular, the water resource and natural heritage-related terminology, definitions and policies in the draft NEP are not consistent with the Greenbelt Plan or PPS. In some cases, NEP policies are less stringent or are not as clear as similar policies of the Greenbelt Plan (e.g. key hydrologic feature, key natural heritage feature) (refer to Parts 2.6 and 2.7).

While an opportunity exists to better align the Plans, the purpose and objectives of the NEP should not be compromised. HAPP's previous submission noted support for retaining and strengthening the NEP as an "environment first" plan and recommended that additional development criteria relating to natural heritage systems, key environmental features, linkages and buffers be included in the Plan.

### **2. "Escarpment Environment"**

The use of the term "Escarpment environment" is problematic throughout the NEP. The definition for "Escarpment environment" includes physical and natural heritage features and cultural heritage and scenic resources, which as individual components are required to meet different tests under other policies of the Plan or PPS. For some components (e.g. scenic resources), it may not be appropriate or possible to demonstrate "no negative impact". In other cases, "minimal negative impact" or "substantial negative impact" conflicts with other policies in the Plan and the test is not strong enough (i.e. some natural heritage features are required to meet the test of no negative impact). This could lead to conflict and challenges as it relates to Plan interpretation.

### **3. Natural Heritage System**

The Niagara Escarpment Plan uses a confusing array of terminology to describe natural heritage and other environmental features, functions and systems e.g. natural system, Escarpment environment, Escarpment features, natural heritage system, natural environment, landscape approach, environmentally sensitive, environmentally



significant, significant natural areas, and natural features. That terminology is found throughout the Plan, but only “natural environment” and “Escarpment environment” are defined. The “Landscape Approach” section within the Introduction should more clearly describe the natural heritage system approach, how it is related to the Greenbelt Plan and when mapping will be available showing key natural heritage features, enhancements to the key features, linkages, buffers or vegetation protection zones, watercourses and wetlands.

The existing “Landscape Approach” is based on a 1974 study. This study must be updated today to reflect changes to science and policy, including natural heritage system and cultural heritage landscaping planning.

Sections 2.6 and 2.7, Development Affecting Water Resources and Development Affecting Natural Heritage respectively, should be linked together in the same manner as in the Greenbelt Plan.

#### **4. Agriculture and Agricultural System**

The draft NEP provides greater support for agriculture and the agricultural community by introducing agriculture-related and on-farm diversified uses as permitted uses in the NEP Area, which is supported. However, HAPPs previous submission also noted the need for policies that would support a ‘systems’ approach for agricultural processes, which was not addressed in the NEP. Better support for an ‘agricultural systems’ approach in the NEP, as well as clarifying some of the agriculture policies in Part 2 of the NEP is needed.

There is an opportunity to enhance the support of an agricultural system by embracing the Agricultural Support Network policies of the Proposed Greenbelt Plan. Agricultural lands on the Escarpment are an integral part of the economic, social, cultural heritage and visual identity components of the landscape. From a social and resource point of view, it is imperative that the Agricultural System is sustained and enhanced through the creation of an Agricultural Support Network that is integrated with municipal strategies.

#### **5. Proposed Mapping Changes**

HAPPs’ previous submission recommended that the NEP be brought up-to-date by incorporating advances in science and planning into the Plan. Although updated mapping, based on current and rigorously tested data, is supported, it is not immediately clear how the maps were updated (i.e., updates were not only based on current designation criteria but it also included a change to the definition of “Escarpment related landforms”). In addition, it is not clear what sources or scales of data were used to inform the mapping changes. As a result, there is insufficient information for HAPP to comment on the proposed mapping changes, and consultation with municipalities and the public is needed to better understand the potential implications of the



changes. Municipal mapping may also need to be amended as a result of changes to the NEP. Municipalities and other public agencies may have better and more detailed data to support mapping changes.

## **6. Qualifying language**

Although qualifying language has been reduced when compared to the current NEP, the draft NEP still contains numerous instances of vague and unclear language. For example, the following adjectives are used throughout the Plan: “proportionate”, “minimal”, “minor” and “substantial”. The use of these adjectives, without clear criteria or guidelines, leads to inconsistent application of policy and interpretation challenges.

## **7. Additions to the NEP**

No additions to the NEP were proposed for Halton, as none of the parcels in Halton met the criteria to be considered for addition. In the case of publically owned lands, where a willing public agency exists, it is not clear why the land could not be added to the NEP Area.

## **8. Proposed Site Specific, Urban Boundary and Urban Use Amendments**

There is insufficient information for HAPP to comment on the site specific, urban boundary or urban use amendment requests that have been submitted to the Province for evaluation. Many of the proposals would require amendments to Regional and Local Official Plans, which would require the submission of detailed planning studies, comprehensive municipal evaluation and public consultation.

## **9. Criteria for Designation**

Several criteria are considered when mapping out the boundaries for each designation. It is unclear how the criteria are applied, and to what degree they are applied, as well as whether all or some of the criteria are considered when designating lands. It would be beneficial if a document detailing “Application of Criteria for Designation Guidelines” was included to explain the process and offer added transparency.

## **10. Less Restrictive**

Recognizing that the Niagara Escarpment Plan is an “environment first” Plan, it is incongruous that there are sections within the Proposed NEP that appear to be less restrictive than the Greenbelt Plan. For instance, in section 2.7.5, the vegetation protection zone does not prescribe a minimum buffer area whereas the Greenbelt Plan prescribes a 30m minimum for certain key natural heritage and key hydrologic features.



The qualifier “small scale” has been removed from policy language in several instances. In many cases, there seems to be a reliance on language that ties back to other qualifiers (e.g. escarpment environment definition) that are in place ostensibly to prevent unwanted results of development. In order to preserve the Escarpment landscape, controls must be put in place to preserve the visual and environmental components and to minimize the impacts of development on the landscape.

## **11. Climate Change and Net Zero Communities**

The introduction of policies addressing climate change and the concept of net-zero communities has been done without accompanying clarification of definitions or explanatory guidance to assist municipalities in understanding the implications or application of these policies. Further information and clear guidance on the goals of these policies and infrastructure changes which will be needed are required.

## **Conclusion**

HAPP is generally supportive of the revisions to the Niagara Escarpment Plan. However, there remain gaps in policy, especially with harmonization with the other Provincial Plans, which need to be addressed. As a response to the immense pressures that intensification strategies will have on Southern Ontario, there remains an opportunity to advance the status of the Niagara Escarpment Plan as a true “environment first” plan that is required for the permanent preservation of this UNESCO World Biosphere Reserve.

Thank you for providing the Region and its local municipalities, through HAPP, the opportunity to comment on the development of these policy changes.

Respectfully submitted,

**Ron Glenn, MCIP, RPP**  
Director of Planning Services  
& Chief Planning Official  
**Halton Region**

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Director of Planning & Building  
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**Town of Halton Hills**

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Commissioner of Planning &  
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Halton Region

Bronwyn Parker  
Senior Planner.  
Town of Milton

General Comments	
1. Harmonization and Alignment	<p>Although efforts have been made to harmonize definitions in the NEP with the other Provincial Plans, opportunities still exist to better harmonize terminology, definitions and policies. In particular, the water resource and natural heritage-related terminology, definitions and policies in the draft NEP are not consistent with the Greenbelt Plan or PPS. In some cases, NEP policies are less stringent or are not as clear as similar policies of the Greenbelt Plan (e.g. key hydrologic feature, key natural heritage feature) (refer to Parts 2.6 and 2.7).</p> <p>While an opportunity exists to better align the Plans, the purpose and objectives of the NEP should not be compromised. HAPPs previous submission noted support for retaining and strengthening the NEP as an “environment first” plan and recommended that additional development criteria relating to natural heritage systems, key environmental features, linkages and buffers be included in the Plan.</p>
2. “Escarpment Environment”	<p>The use of the term “Escarpment environment” is problematic throughout the NEP. The definition for “Escarpment environment” includes physical and natural heritage features and cultural heritage and scenic resources, which as individual components are required to meet different tests under other policies of the Plan or PPS. For some components (e.g., scenic resources), it may not be appropriate or possible to demonstrate “no negative impact”. In other cases, “minimal negative impact” or “substantial negative impact” conflicts with other policies in the Plan and the test is not strong enough (i.e., some natural heritage features are required to meet the test of no negative impact). This could lead to conflict and challenges as it relates to Plan interpretation.</p>
3. Natural Heritage System	<p>The Niagara Escarpment Plan uses a confusing array of terminology to describe natural heritage and other environmental features, functions and systems e.g. natural system, Escarpment environment, Escarpment features, natural heritage system, natural environment, landscape approach, environmentally sensitive, environmentally significant, significant natural areas, and natural features. That terminology is found throughout the Plan, but only “natural environment” and “Escarpment environment” are defined. The “Landscape Approach” section within the Introduction should more clearly describe the natural heritage system approach, how it is related to the Greenbelt Plan and when mapping will be available showing key natural heritage features, enhancements to the key features, linkages, buffers or vegetation protection zones, watercourses and wetlands.</p> <p>Sections 2.6 and 2.7, Development Affecting Water Resources and Development Affecting Natural Heritage respectively, should be linked together in the same manner as in the Greenbelt Plan.</p>
4. Agriculture and Agricultural System	<p>The draft NEP provides greater support for agriculture and the agricultural community by introducing agriculture-related and on-farm diversified uses as permitted uses in the NEP Area, which is supported. However, HAPPs previous submission also noted the need for policies that would support a ‘systems’ approach for agricultural processes, which was not addressed in the NEP. Better support for an ‘agricultural systems’ approach in the NEP, as well as clarifying some of the agriculture policies in Part 2 of the NEP is needed.</p> <p>The Niagara Escarpment Commission has an opportunity to enhance its support of an agricultural system by embracing the Agricultural Support Network policies of the Proposed Greenbelt Plan. Agricultural lands on the Escarpment are an integral part of the economic, social, cultural heritage and visual identity components of the landscape. From a social and resource point of view, it is imperative that the Agricultural System is sustained and enhanced through the creation of an Agricultural Support Network that is integrated with municipal strategies.</p>

5. Proposed Mapping Changes	HAPPs previous submission recommended that the NEP be brought up-to-date by incorporating advances in science and planning into the Plan. Updated mapping, based on up-to-date and rigorously tested data, is supported. However, it is not immediately clear how the maps were updated (i.e., updates were not only based on current designation criteria but it also included a change to the definition of ‘Escarpment related landforms’). In addition, it is not clear what sources or scales of data were used to inform the mapping changes. Greater consultation with municipalities and the public on the proposed mapping changes is needed to better understand the potential implications. Municipal mapping may also need to be amended as a result of changes to the NEP. Municipalities and other public agencies may have better and more detailed data to support mapping changes.
6. Qualifying Language	Although qualifying language has been reduced when compared to the current NEP, the draft NEP still contains numerous instances of vague and unclear language. For example, the following adjectives are used throughout the Plan: “proportionate”, “minimal”, “minor” and “substantial”. The use of these adjectives, without clear criteria or guidelines, leads to inconsistent application of policy and interpretation challenges.
7. Additions to the NEP	No additions to the NEP were proposed for Halton, as none of the parcels in Halton met the criteria to be considered for addition. In the case of publically owned lands, where a willing public agency exists, it is not clear why the land could not be added to the NEP Area.
8. Site Specific, Urban Boundary and Urban Use Amendments	There is insufficient information for HAPP to comment on the site specific, urban boundary or urban use amendment requests that have been submitted to the Province for evaluation. Many of the proposals would require amendments to Regional and Local Official Plans, which would require the submission of detailed planning studies, comprehensive evaluation and public consultation.
9. Criteria for Designation	Several criteria are considered when mapping out the boundaries for each designation. It is unclear how the criteria are applied, and to what degree they are applied, as well as whether all or some of the criteria are considered when designating lands. It would be beneficial if a document detailing “Application of Criteria for Designation Guidelines” was included to explain the process and offer added transparency.
10. Less Restrictive	<p>Recognizing that the Niagara Escarpment Plan is an “environment first” Plan, it is incongruous that there are sections within the Proposed NEP that appear to be less restrictive than the Greenbelt Plan. For instance, in section 2.7.5, the vegetation protection zone does not prescribe a minimum buffer area whereas the Greenbelt Plan prescribes a 30m minimum for certain key natural heritage and key hydrologic features.</p> <p>The qualifier “small scale” has been removed from policy language in several instances. In many cases, there seems to be a reliance on language that ties back to other qualifiers (e.g. escarpment environment definition) that are in place ostensibly to prevent unwanted results of development. In order to preserve the Escarpment landscape, controls must be put in place to preserve the visual and environmental components and to minimize the impacts of development on the landscape.</p>
11. Climate Change and Net Zero Communities	The introduction of policies addressing climate change and the concept of net-zero communities has been done without accompanying clarification of definitions or explanatory guidance to assist municipalities in understanding the implications or application of these policies. Further information and clear guidance on the goals of these policies and infrastructure changes which will be needed are required.

Numeric Reference	Policy Text	Comments
Introduction		
The Niagara Escarpment Plan	<p>The particular combination of geological and ecological features along the Niagara Escarpment results in a landscape unequalled in Canada. The natural areas found across the Niagara Escarpment act to clean the air, provide drinking water and support recreational activities that benefit public health and overall quality of life, in addition to helping to address and mitigate the effects of climate change. In addition, the region's cultural heritage, including <i>Aboriginal</i> and European settlement, is visible on the Escarpment landscape. These resources need to be protected over the long-term to ensure that the connection to our shared past is maintained and that quality of life is not diminished as growth takes place.</p>	<p>Please consider adding agriculture to the features list:</p> <ul style="list-style-type: none"> <li>- It is also an area rich in agricultural resources and includes one of the largest wine producing regions in Canada, e.g. Tender fruit speciality crop area, etc.</li> <li>- Agricultural areas also help contribute to the mitigation of climate change and can act as carbon sinks.</li> </ul>
	<p>Human impact on the <i>Escarpment environment</i> is reflected in a variety of ways. The Escarpment area is the site of a large mineral aggregate extraction industry. Demand for permanent and seasonal residences in many areas is intense. Farming ranges from the cultivation of tender fruit and other specialty crops in the Niagara Peninsula to the raising of beef cattle in Bruce County and providing local food to Ontario's largest population centres nearby. The proximity of that large population also makes the Escarpment a popular tourist destination.</p>	<p>An agricultural systems approach should be identified here and the Escarpment's agricultural strengths should be included:</p> <ul style="list-style-type: none"> <li>- Provides food stability/security and economic development.</li> <li>- Provides local food and other commodities such as ornamentals (horticulture) nutraceuticals, fibre products, biomass, etc.</li> </ul>
	<p><i>The Greenbelt Act</i>, 2005 authorized the preparation of the Greenbelt Plan, which was first approved in February, 2005. The Greenbelt Plan identifies where urbanization should not occur in order to provide permanent protection of the agricultural land and the ecological features and functions occurring in the Greenbelt Plan Area, which includes the Niagara Escarpment Plan Area, as well as the Oak Ridges Moraine Conservation Plan Area, and the Protected Countryside of the Greenbelt Plan. The Greenbelt Plan provides that the policies of the Niagara Escarpment Plan are the policies of the Greenbelt Plan for the Niagara Escarpment Plan Area and the Protected Countryside policies do not apply with the exception of section 3.3 (Parkland, Open Space and Trails).</p>	<p>"...permanent protection of the agricultural land..." – remove "the".</p>

Landscape Approach	The landscape approach of the Niagara Escarpment Plan compliments the other natural systems as identified within the Greenbelt Plan and the Oak Ridges Moraine Conservation Plan. The Natural Systems are made up of natural heritage features and hydrologic features that often coincide, given ecological linkages between terrestrial and water-based functions.	<p>The NEC recognizes the natural environment throughout but has policies that can impact agricultural production in a negative manner. Given that agricultural lands are a finite non-renewable resource, the NEC should recognize the importance of this resource and its contribution to the quality of life of Ontarians, and the role that farmers play with respect to stewardship.</p> <p>The document guides farming but does not recognize its importance in any way.</p>
	The natural system in the Niagara Escarpment Plan is managed as a connected and integrated landscape, given the functional inter-relationships between them and the fact that this system complements the natural systems contained in the Greenbelt and the Oak Ridges Moraine Conservation Plan. Together with the surrounding landscape, these systems work towards functioning as a connected natural heritage system.	There needs to be a fuller explanation of what the Natural Heritage System is composed of.
How to Read a Provincial Plan	The Niagara Escarpment Plan builds upon the policy foundation provided by the Provincial Policy Statement and provides additional land use planning policies for the maintenance of the Niagara Escarpment and land in its vicinity, substantially as a continuous <i>natural environment</i> and to ensure that only such development occurs as is <i>compatible</i> with that <i>natural environment</i> . The Niagara Escarpment Plan is to be read in conjunction with the Provincial Policy Statement but shall take precedence over the policies of the Provincial Policy Statement to the extent of any conflict. Where the Niagara Escarpment Plan is silent on policies contained within the Provincial Policy Statement, the policies of the Provincial Policy Statement continue to apply, where relevant.	The NEC does not seem to balance the needs of the natural heritage system with the needs of the agricultural system. It should be stated clearly that agriculture is supported as a complementary and compatible use outside of the Key Features of the natural heritage system.
How to Read this Plan	<b>Part 3:</b> This section describes describes the Niagara Escarpment Parks and Open Space System.	Remove second “describes”.

Performance Indicators and Monitoring	In coordination with the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan and the Growth Plan for the Greater Golden Horseshoe, and consistent with the Provincial Policy Statement, performance indicators will be developed and performance monitoring will be undertaken as follows:	<p>Monitoring objectives appear to have changed away from environmental monitoring towards policy implementation. It should be made clear that environmental monitoring will continue to ensure the permanence of the natural heritage features and system. We suggest the original objectives should still be relevant.</p> <p>Monetary resources should be allocated to the tasks of monitoring. Collaboration with agencies (e.g. municipalities and conservation authorities) in the sharing of available data should be recognized and encouraged.</p>
Part 1 Land Use Policies		
1.2.2 Amendments for Mineral Extraction	2. In considering applications for amendments to the Niagara Escarpment Plan to re-designate Escarpment Rural Area to Mineral Resource Extraction Area designation, the demonstration of need for <i>mineral aggregate resources</i> , including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of <i>mineral aggregate resources</i> locally or elsewhere.	The Region and its local municipalities have, and continue to argue (through Aggregate Resources Act consultation) that the demonstration of need is very necessary.

	<p>3. In evaluating applications for amendments to the Niagara Escarpment Plan to redesignate Escarpment Rural Area to Mineral Resource Extraction Area, the following matters, in addition to any other policies of the Plan, will be considered:</p> <p>a) <i>Protection of the Escarpment environment</i>, namely:</p> <ul style="list-style-type: none"> <li>i. key natural heritage features and other natural features in accordance with Part 2.7</li> <li>ii. key hydrologic features and areas in accordance with Part 2.6</li> <li>iii. <i>cultural heritage resources</i> in accordance with Part 2.10</li> <li>iv. <i>scenic resources</i> in accordance with Part 2.13</li> <li>v. adjacent Escarpment Natural, Protection and Rural Areas</li> <li>vi. adjacent <i>Escarpment Related Landforms</i>, and</li> <li>vii. existing and Optimum Routes of the Bruce Trail</li> </ul> <p>b) Opportunities for achieving the objectives of Section 8 of the <i>Niagara Escarpment Planning and Development Act</i> through the final rehabilitation of the site;</p> <p>c) The <i>protection of prime agricultural areas and specialty crop areas</i> and the capability of the land for <i>agricultural uses</i> and its potential for rehabilitation for <i>agricultural uses</i>; and</p> <p>d) Opportunities to include rehabilitated lands in the Niagara Escarpment Parks and Open Space System.</p>	<p>A systems approach should be articulated here as per the PPS.</p> <p>Subsection a) - Please add “enhancement” to the policy e.g. “Protection and enhancement...”.</p> <p>Subsection a) - The use of the term “Escarpment environment” is problematic throughout the Plan. The definition for “Escarpment environment” includes physical and natural heritage features, cultural and scenic resources, which all need to meet different tests under the Plan or PPS. It may not be appropriate to demonstrate “minimal negative impact” on all elements of the Escarpment environment, as some natural heritage features are required to meet different tests (e.g., no negative impact) while others (e.g. cultural and scenic resources) do not.</p> <p>Subsection c) - The protection of the agricultural system should be the focus here to keep this policy in line with the Growth Plan.</p>
	<p>4. Amendment applications must be accompanied by:</p> <p>a) information on the location of the site in relation to the Escarpment and to the Escarpment Rural, Protection and Natural Area designations;</p> <p>b) information to support the requirements of this Plan, along with information submitted to meet the requirements of the <i>Aggregate Resources Act</i>, including site plans submitted under Section 8 and reports</p>	<p>Public and agency input should also be evaluated and used in a determination of whether an application should be advanced.</p>

	<p>submitted under Section 9 of that Act; and</p> <p>e) information on the ultimate use of the site in conformity with the Escarpment Rural, Protection or Natural Area designations.</p>	
1.2.3 Exceptions	<p>An amendment to the Niagara Escarpment Plan will not be required to:</p> <ul style="list-style-type: none"> <li>a) change the numbering or ordering of the Niagara Escarpment Plan, provided sections are not added or deleted;</li> <li>b) consolidate amendments into the Niagara Escarpment Plan where such amendments have been approved under the provisions of the <i>Niagara Escarpment Planning and Development Act</i>;</li> <li>c) correct grammatical or typing errors that do not affect the intent of the Niagara Escarpment Plan's policies or Maps or Appendices;</li> <li>d) correct references to municipal names, names of ministries or agencies, or the names of park and open space areas in the Niagara Escarpment Plan where names have been changed;</li> <li>e) correct references to legislation or regulations in the Niagara Escarpment Plan where the legislation or regulations have been replaced or changed;</li> <li>f) change measurement to different units of measure in the Niagara Escarpment Plan provided the measurement remains the same;</li> <li>g) make a boundary interpretation where such an interpretation is made under Part 1.1 of the Niagara Escarpment Plan;</li> <li>h) acquire and dispose of public land and add parks or open space to the Niagara Escarpment Parks and Open Space System in accordance with Parts 3.4 and 3.5, the policies that govern the acquisition and disposal of public land, and the addition of parks and open space under the Niagara Escarpment Plan;</li> <li>i) change the Niagara Escarpment Parks and Open Space</li> </ul>	

	<p>System descriptions in Appendix 1 of the Niagara Escarpment Plan;</p> <ul style="list-style-type: none"> <li>j) add properties to Appendix 3, the Residential Protected Heritage Properties Listing of the Niagara Escarpment Plan, in accordance with Part 2.10.5;</li> <li>k) add properties to Appendix 4, the Nature Preserve Properties Listing of the Niagara Escarpment Plan, in accordance with Parts 2.2.1 (c) and Part 2.4.14;</li> <li>l) make a change to the list of Nodal Parks identified in Part 3 of this Plan, in accordance with Part 3.1.2, Nodal Parks;</li> <li>m) when a Minor Urban Centre is deleted as a designated rural settlement area by a municipality in an approved <i>official plan</i> and/or <i>secondary plan</i>, it may be removed from the list of Minor Urban Centres and the Maps of the Niagara Escarpment Plan modified accordingly;</li> <li>n) make a revision to the boundary of a Listed Minor Urban Centre, only if the boundary has been redefined to reduce the area of a Minor Urban Centre by within the area of the former boundary a municipality, in an approved <i>official plan</i> and/or <i>secondary plan</i>;</li> <li>o) permit new Mineral Resource Extraction Areas producing less than 20,000 tonnes (22,000 tons) annually in the Escarpment Rural Area without an amendment to the Plan; or</li> <li>p) add properties to Appendix 5, the <i>Agricultural Purposes Only lot</i> Property Listing, in accordance with Part 2.2. (d) and 2.4.27 of this Plan.</li> </ul>	<p>Subsection n) needs to be re-worded – fractured sentence structure.</p>
1.3 Escarpment Natural Area	<p>Escarpment features that are in a relatively natural state and associated <i>valleylands</i>, <i>wetlands</i> and forests that are relatively undisturbed are included within this designation. These areas contain important <i>cultural heritage resources</i>, in addition to <i>wildlife habitat</i> and geological and natural heritage features that provide essential ecosystem services, including water storage, water and air filtration, biodiversity, crop pollination, carbon storage and resilience to climate change. These are the most significant natural and <i>scenic resources</i> of the Escarpment and resemble the core areas of a Natural Heritage System. The policies aim to maintain and enhance these natural areas.</p>	<p>The second sentence should also reference natural heritage functions.</p> <p>In the second last sentence, “resemble” should not be used. Not all Escarpment Natural areas will be the same as the NHS, and the ecological functions within the Escarpment Natural area may not be the same either. This sentence could be used to say that if the features and functions of the Escarpment Natural area do not meet or resemble the NHS features and functions, it can be determined that the area should not be designated as Escarpment Natural area.</p>

		<p>There should be an explanation as to how the land use designations work together to create a NHS.</p> <p>There should also be a way of identifying the difference between natural occurring features and man-made features e.g. reservoirs – irrigation ditches in Niagara compared to natural ponds.</p>
1.3.1 Objectives	1. To recognize and protect the natural heritage system associated with the Niagara Escarpment Plan area and maintain the most natural Escarpment features, <i>valleylands</i> , <i>wetlands</i> and related significant natural areas.	Please change to “To recognize, protect and enhance the...”.
1.3.3 Permitted Use	4. recreation uses, such as nature viewing and <i>trail activities</i> , except motorized vehicle trails or the use of motorized trail vehicles. Golf facilities and <i>accessory uses</i> and facilities to golf facilities, ski hills, hotel and resort uses are not permitted;	<p>Non-intensive and passive uses should remain as the descriptor of this policy.</p> <p>It may be risky to list examples in this way. “Non-intensive recreation” should be used and defined instead.</p>
	7. <i>infrastructure</i> where the project has been deemed necessary to the public interest after all other alternatives have been considered;	Is a study (e.g. EA) required for a use/project to be deemed necessary to public interest as in the case of municipal infrastructure?
	8. <i>accessory uses</i> , including <i>accessory facilities</i> (e.g., a garage, swimming pools or tennis courts) and <i>signs</i> , and the site alterations required to accommodate them;	Examples aren’t necessary if the terms are defined.
	11. essential <i>watershed management</i> and flood and erosion control projects carried out or supervised by a <i>public agency</i> ;	How is “essential” defined and determined? HAPP recommends that a definition such as the following be added: “Essential means that which is deemed necessary to the public interest after all alternatives have been considered and, where applicable, as determined through the Environmental Assessment process.”
	12. limited expansion of the existing small sandstone <i>quarries</i> subject to Part 2.9;	What does “limited” mean? This seems open to interpretation. Also, the cumulative effects of successive expansions must be considered.
	14. notwithstanding the policies of subsection 3 of this section, no <i>single dwellings</i> shall be permitted in those parts of Lots 7, 8 and the West Half of Lot 9, Concession 2, Municipality of Grey Highlands (formerly Euphrasia Township) designated Escarpment Natural Area (see Amendment 19);	All site specific permitted uses should be listed after the general list of permitted uses.

	17. a second <i>single dwelling</i> on a <i>property</i> and subject to a <i>heritage conservation easement agreement</i> , provided it is compatible with the terms of the <i>easement agreement</i> ;	Should the heritage designation be one that is listed in the OHA instead of an easement? It may be beneficial to use similar cultural heritage related language that is used in the Greenbelt and Growth Plan e.g. Built heritage resources (definition).
1.3.4 New Lots	<p>1. Provided no new building <i>lot(s)</i> is created, a severance may be permitted:</p> <p>a) for the purpose of <i>correcting conveyances</i>, provided the correction does not include the recreation of merged <i>lots</i>;</p> <p>b) for the purpose of enlarging existing <i>lots</i>;</p> <p>c) as part of, or following, the acquisition of lands by a <i>public body</i>; or</p> <p>1. as part of, or following, the acquisition of lands by an approved <i>conservation organization</i> for the purpose of establishing a <i>nature preserve</i>.</p>	<p>Subsection a) - “recreation” should be “re-creation”.</p> <p>It may be beneficial to stipulate here that such lot line adjustments should not result in increased fragmentation of the natural heritage and hydrologic features and functions of the escarpment environment.</p>
1.4 Escarpment Protection Area	<p>Escarpment Protection Areas are important because of their visual prominence and their environmental significance, including increased resilience to climate change through the provision of essential ecosystem services. They are often more visually prominent than Escarpment Natural Areas. Included in this designation are <i>Escarpment related landforms</i> and natural heritage and hydrologic features that have been significantly modified by land use activities, such as agriculture or residential development, and include lands needed to buffer Escarpment Natural Areas and natural areas of regional significance. These areas also resemble the core areas of a Natural Heritage System.</p>	<p>What is “regional significance”? Does it refer to ESAs or ANSIs as per 1.4.2.3? This should be clarified and/or defined.</p> <p>In the last sentence, “resemble” should not be used. Not all Escarpment Protection areas will be the same as the NHS, and the functions within the Escarpment Protection area may not be the same either. This sentence could be used to say that if the features and functions of the Escarpment Protection area do not meet or resemble the NHS features and functions, it can be determined that the area should not be designated as Escarpment Protection area.</p> <p>The second sentence should also reference natural heritage functions.</p> <p>There should be an explanation as to how the land use designations work together to create a NHS.</p>
	The policies aim to maintain and enhance the remaining natural heritage and hydrologic features and the <i>open landscape character</i> of the Escarpment and lands in its vicinity.	Add “and functions” after “features”.
1.4.1 Objectives	3. To recognize and protect the natural heritage system	Please change to “To recognize, protect and enhance the...”.

	associated with the Niagara Escarpment Plan area and maintain natural areas of regional significance.	
	6. To protect the agricultural lands, including <i>prime agricultural areas</i> and <i>specialty crop areas</i> .	Agricultural uses should be protected as well as land.
1.4.3 Permitted Uses	6. in non- <i>prime agricultural areas</i> and non- <i>specialty crop areas</i> , recreational uses, such as picnic sites, day use sites, unserviced camp sites, and trail uses. Golf facilities and <i>accessory uses</i> to golf facilities, courses ski hills, hotel and resort uses are not permitted;	It may be risky to list examples in this way. “Non-intensive recreation” should be used and defined instead.
	9. <i>infrastructure</i> , however, only linear facilities will be permitted in <i>prime agricultural areas</i> and <i>specialty crop areas</i> ;	Is a study (e.g. EA) required to for a use/project to be deemed necessary to public interest as in the case of municipal infrastructure?
	10. <i>accessory uses</i> , including <i>accessory facilities</i> (e.g., a garage, swimming pool or tennis court) and <i>signs</i> , and the site alterations required to accommodate them;	Examples aren’t necessary if the terms are defined.
	11. in non- <i>prime agricultural areas</i> , and non- <i>specialty crop areas</i> , <i>institutional uses</i> ;	“small scale” should be left in and should be defined.
	15. limited expansion of the existing small sandstone <i>quarries</i> , subject to Part 2.9;	What does “limited” mean? This seems open to interpretation. Also, the cumulative effects of successive expansions must be considered.
	18. notwithstanding the policies of subsections 3 and 4 of this section and of Part 2.2.3, a maximum of eight <i>single dwellings</i> (including those accessory to an agricultural operation) are permitted within those parts of Lots 7, 8 and the West Half of Lot 9, Concession 2, Municipality of Grey Highlands (formerly Euphrasia Township) designated Escarpment Protection Area on Map 1 attached to Amendment No. 19 to the Niagara Escarpment Plan. No new <i>single dwellings</i> are permitted within the said Escarpment Protection Area unless they are located within the “Development Area” shown on Map 1 (see Amendment 19);	All site specific permitted uses should be listed after the general list of permitted uses.
	20. recycling depots for paper, glass and cans etc., serving the local community;	“small scale” should be left in and should be defined.
	24. a second <i>single dwelling</i> on an <i>existing lot of record</i> where there is an existing <i>single dwelling</i> on a <i>property</i> subject to a <i>heritage conservation easement agreement</i> ,	Should the heritage designation be one that is listed in the OHA instead of an easement? HAPP recommends the use of similar cultural heritage related language that is used in the Greenbelt

	provided it is compatible with the terms of the <i>easement</i> agreement;	and Growth Plan e.g. Built heritage resources (definition).
1.4.4 New lots	<p>1. Provided no new building <i>lot(s)</i> is created, a severance may be permitted:</p> <p>a) for the purpose of <i>correcting conveyances</i>, provided the correction does not include the recreation of merged lots;</p> <p>b) for the purpose of enlarging existing <i>lots</i>;</p> <p>c) as part of, or following, the acquisition of lands by a <i>public body</i>; or</p> <p>d) as part of, or following, the acquisition of lands by an approved <i>conservation organization</i> for the purpose of establishing a <i>nature preserve</i>.</p>	<p>Subsection a) - “recreation” should be “re-creation”.</p> <p>It may be beneficial to stipulate here that such lot line adjustments should not result in increased fragmentation of the natural heritage and hydrologic features and functions of the escarpment environment.</p>
1.5 Escarpment Rural Area	Escarpment Rural Areas are an essential component of the Escarpment corridor, including portions of the Escarpment and lands in its vicinity. They provide a buffer to the more ecologically sensitive areas of the Escarpment and resemble the linkage areas of a Natural Heritage System.	<p>In the last sentence, “resemble” should not be used. Not all Escarpment Rural areas will be the same as the NHS linkage and/or enhancement areas, and the functions within the Escarpment Rural area may not be the same either. This sentence could be used to say that if the features and functions of the Escarpment Rural area do not meet or resemble the NHS features and functions of linkages and/or enhancement areas, it can be determined that the area should not be designated as Escarpment Rural area.</p> <p>The second sentence should also reference natural heritage functions.</p> <p>There should be an explanation as to how the land use designations work together to create a NHS.</p>
1.5.1 Objectives	5. To protect the agricultural lands, including <i>prime agricultural areas</i> and <i>specialty crop areas</i> .	<p>Remove “the”.</p> <p>Agricultural uses should be protected as well as land.</p>
	7. To provide for the consideration of the designation of new Mineral Resource Extraction Areas which can be accommodated by an amendment to the Niagara Escarpment Plan.	If they can be considered, they don’t need to be accommodated Change to “...which requires an amendment...”.
1.5.2 Criteria for Designation	4. Lands that have potential for enhanced ecological values	Add “to” between “due” and “their”.

	through natural succession processes or due their proximity to other ecologically or hydrologically significant lands, areas or features.	
1.5.3 Permitted Uses	10. <i>infrastructure</i> , however, only linear facilities may be permitted in <i>prime agricultural areas</i> and <i>specialty crop areas</i> ;	Is a study (e.g. EA) required to for a use/project to be deemed necessary to public interest as in the case of municipal infrastructure?
	11. <i>accessory uses</i> , including <i>accessory facilities</i> (e.g., a garage, swimming pools or tennis courts) and <i>signs</i> , and the site alterations required to accommodate them;	Examples aren't necessary if the terms are defined.
	12. non-farm ponds;	HAPP has concerns with permitting non-farm ponds without a list of restrictions and/or a hydrologic study. Restrictions and/or a hydrologic study should include: size and placement e.g. number of square metres, off-line, not within NHS features, must not have a negative impact to surface and/or groundwater resources. There should be development criteria added.
	13. in non- <i>prime agricultural areas</i> and non- <i>specialty crop areas</i> , <i>institutional uses</i> ;	"small scale" should be left in and should be defined.
	23. recycling depots for paper, glass and cans etc., serving the local community;	"small scale" should be left in and should be defined.
1.5.4 New Lots	<p>1. Provided no new building <i>lot(s)</i> is created, a severance may be permitted:</p> <p>a) for the purpose of <i>correcting conveyances</i>, provided the correction does not include the recreation of merged lots;</p> <p>b) for the purpose of enlarging existing lots;</p> <p>c) as part of, or following, the acquisition of lands by a public body; or</p> <p>1. as part of, or following, the acquisition of lands by an approved <i>conservation organization</i> for the purpose of establishing a <i>nature preserve</i>.</p>	<p>Subsection a) - "recreation" be "re-creation"?</p> <p>It may be beneficial to stipulate here that such lot line adjustments should not result in increased fragmentation of the natural heritage and hydrologic features and functions of the escarpment environment.</p>
1.6.8 Development and Growth Objectives	4. Development and growth should avoid Escarpment Protection Areas, and be directed to Escarpment Rural Areas in a manner consistent with Escarpment Rural Area Objectives and Part 2, the Development Criteria of this Plan.	Will guidance be provided to municipalities regarding how to entrench these provisions in a zoning by-law?
	9. Growth and development in Minor Urban Centres shall be compatible with and provide for:	Are studies required?

	<ul style="list-style-type: none"> <li>a) the <i>protection</i> of the <i>Escarpment environment</i>;</li> <li>b) the <i>protection</i> of natural heritage features and functions;</li> <li>c) the <i>protection</i> of hydrologic features and functions;</li> <li>d) the <i>protection</i> of the agricultural lands, including <i>prime agricultural areas</i> and <i>specialty crop areas</i>;</li> <li>e) the <i>conservation of cultural heritage resources</i>;</li> <li>f) considerations for reductions in greenhouse gas emissions and improved resilience to the impacts of a changing climate;</li> <li>g) sustainable use of water resources for ecological and servicing needs; and</li> <li>h) compliance with the targets, criteria and recommendations of applicable water, wastewater and stormwater master plans, approved watershed planning and/or subwatershed plan in land use planning.</li> </ul>	Subsection d) - Remove “the” before agricultural lands
	11. Adequate public access to the Escarpment should be provided by such means as parking areas, walkways or pedestrian trails (e.g., the Bruce Trail).	It is not clear how this provision is to be implemented or enforced and who the responsible body is.
1.7.5 Development Objectives	1. All development shall be of an urban design <i>compatible</i> with the <i>scenic resources</i> of the Escarpment. Where appropriate, provision for maximum <i>heights</i> , adequate setbacks and screening are required to minimize the visual impact of urban development on the <i>Escarpment environment</i> .	Guidance for this provision should be made available to municipalities.
	2. Development within Urban Centres should encourage reduced energy consumption, improved air quality, reduced greenhouse gas emissions (consistent with provincial reduction targets to 2030 and 2050) and work towards the long-term goal of net-zero communities and increased resilience to climate change, including through maximizing opportunities for the use of <i>green infrastructure</i> .	Guidance for this provision should be made available to municipalities.
1.8.2 Criterion for Designation	1. Established, identified or approved recreation areas (e.g., ski areas, lakeshore cottage areas, and resort development areas).	Why “ski areas” and not “ski centres” as above? What is the difference?

1.8.3 Permitted Uses	18. Non-farm ponds.	HAPP has concerns with permitting non-farm ponds without a list of restrictions and/or a hydrologic study. Restrictions and/or a hydrologic study should include: size and placement e.g. number of square metres, off-line, not within NHS features, must not have a negative impact to surface and/or groundwater resources. There should be development criteria added.
1.9.3 Permitted Uses	4. the recycling and re-processing of materials originally produced from aggregate, that is accessory and subordinate to the <i>mineral extraction operation</i> licensed pursuant to the <i>Aggregate Resources Act</i> ;	There should be additional controls such as: <ol style="list-style-type: none"> <li>1. “provided that the facilities are directly associated with the extraction of mineral aggregate resources from an integrated mineral aggregate operation, which may consist of more than one <i>Aggregate Resources Act</i> Licence;</li> <li>2. Designed to be temporary and not to be utilized after extraction has ceased; and</li> <li>3. Located in a manner that does not affect the final rehabilitation or enhancement of the site in accordance with an approved</li> </ol>
	13. a portable asphalt plant in an above water table location in Part of Lot 28, Concession 10, Township of Georgian Bluffs (formerly Township of Keppel), County of Grey under Amendment 167 to this Plan may be permitted for a period not to exceed December 31, 2014 for part of Township Lots 26, 27 and 28, Concession 10, Township of Georgian Bluffs (formerly Township of Keppel), County of Grey;	Site specific uses should be listed at the end of the permitted uses list.
	14. <i>single dwellings, secondary dwelling units</i> and associated <i>accessory uses</i> (e.g., a garage or storage building) once the licence has been surrendered;	The site should be re-designated to the appropriate designation before this use is permitted (subject to 1.9.5).  As the <i>Aggregate Resources Act</i> identifies that a licence may be surrendered or revoked, “or revoked” should be added.

1.9.5 After Uses	Following the surrender of the licence issued pursuant to the <i>Aggregate Resources Act</i> , an amendment to the Niagara Escarpment Plan is required to change the land use designation of the <i>lot</i> from Mineral Resource Extraction Area to a land use designation that has designation criteria <i>compatible</i> with the rehabilitation completed on the <i>property</i> , adjacent land uses and the purpose and objectives of the Niagara Escarpment Plan.	<p>“...compatible with the rehabilitation completed”? What if it’s abandoned before rehab?</p> <p>“Surrender” is an ARA term specific to the owner completing rehab and surrendering the licence. The licence could also be “revoked” where the owner may or may not have completed rehab.</p> <p>Is this applicant or NEC initiated? When is it done? Individual application or at time of Plan review? The NEC should initiate the amendment in a reasonable time frame.</p>
Part 2 Development Criteria		
2.1 Introduction	The development criteria will also be used as minimum standards for assessing the conformity of local <i>official plans, secondary plans</i> and, where applicable, zoning bylaws and for administering site-plan control approvals. If an <i>official plan, secondary plan</i> , zoning by-law, or other planning approval is silent on one or more development criteria included in this Plan, the development criteria of this Plan still apply.	This should read “the development criteria of this Plan apply”, rather than “still apply”

2.2 General Development Criteria	<p>1. Permitted uses may be allowed, provided that:</p> <ul style="list-style-type: none"> <li>a) the long-term ecological function and biodiversity of the site is maintained, restored or, where possible, improved having regard to single, multiple or successive development that have or are likely to occur;</li> <li>b) the site is not prone to natural hazards, and the development will not impact the control of these natural hazards including <i>floodings hazards, erosion hazards, or other water-related hazards</i> and hazard events associated with unstable soil or unstable bedrock;</li> <li>c) notwithstanding the provisions of subsections a) and b) above, a <i>property</i> listed as a <i>nature preserve</i> in Appendix 4 of this Plan, acquired by an approved <i>conservation organization</i>, shall not be used as a building <i>lot</i> or for any other purpose inconsistent with the maintenance and <i>protection</i> of the natural features and values for which the <i>nature preserve</i> was established; or</li> <li>d) notwithstanding the provisions of sub-sections a), b) and c) above, a <i>property</i> listed as an <i>APO lot</i> in Appendix 5 of this Plan, when associated with a <i>farm consolidation</i>, shall not be used as a residential building <i>lot</i> or for any other purpose inconsistent with an <i>agricultural use</i>. Permitted agricultural development on such <i>lots</i> shall be limited to existing <i>agricultural uses, existing agriculture-related uses</i> and existing <i>on-farm diversified uses</i>, but excluding <i>wineries</i>, equestrian centres, and commercial, industrial, <i>institutional</i>, warehousing, office, manufacturing and similar uses that may serve or be related to agriculture.</li> </ul>	<p>What about lands adjacent to the site?</p> <p>Subsection a) - “regard to single, multiple or successive development that have or are likely to occur;” – it is challenging to predict what development is likely to occur.</p> <p>Subsection b) - “the site is not prone to natural hazards...” - this language is not consistent with PPS (“development shall be directed to areas outside” and “development will not create new or aggravate existing hazards”</p>
	<p>3. Any development permitted should be designed and located in such a manner as to promote design and orientation that:</p> <ul style="list-style-type: none"> <li>a) maximizes energy efficiency and conservation and</li> </ul>	<p>Will Provincial Guidelines be developed as it relates to climate change and land use planning?</p> <p>It can be inferred that this policy relates to climate change;</p>

	<p>considers the mitigating effects of vegetation;</p> <p>b) maximizes opportunities for the use of renewable energy systems and alternative energy systems; and</p> <p>c) reduces greenhouse gas emissions so that the development is contributing to the goal of net-zero communities in Minor Urban Centres, Urban Areas, and Escarpment Recreation Areas.</p>	<p>however, it should be more explicit.</p> <p>Subsection a) - See above comment - “and considers the mitigating effects of vegetation” – as it relates to climate change (not noise, for example)</p> <p>Subsection c) - “net zero communities” is a defined term in the other draft Plans so should be defined in the NEP.</p> <p>How can this be achieved via the NEP if municipal official plans/zoning applies in these areas? Further direction to be provided?</p>
	<p>5. <i>Institutional uses</i> permitted in Escarpment Protection Areas and Escarpment Rural Areas shall have no <i>negative impact</i> on the <i>Escarpment environment</i>.</p>	<p>The use of the term “Escarpment environment” is problematic throughout the Plan. The definition for “Escarpment environment” includes physical and natural heritage features, cultural and scenic resources, which all need to meet different tests under the Plan or PPS. In this case, it may not be appropriate to demonstrate “no negative impact” on all elements of the Escarpment environment.</p>
Home Occupations and Home Industries	<p>7. <i>Home occupations</i> and <i>home industries</i> in Urban Areas, Minor Urban Centres and Escarpment Recreation Areas are subject to the policies for such uses as set out in the municipal <i>official plan</i> and/or zoning by-law. In the case of all other land use designations, the following provisions apply to <i>home occupations</i> and <i>home industries</i> as defined by this Plan:</p> <p>a) in the Escarpment Natural Area designation, <i>home occupations</i> shall be located in the <i>single dwelling</i> or in an addition to the dwelling;</p> <p>b) in the Escarpment Protection Area, Escarpment Rural Area and Mineral Resource Extraction Area designations, <i>home occupations</i> and <i>home industries</i> shall be located in the <i>single dwelling</i> or in an addition to the dwelling, unless the need to locate it within an <i>accessory facility</i> can be justified;</p> <p>c) <i>home occupations</i> or <i>home industries</i> should normally be limited to one per <i>lot</i>;</p>	<p>Subsection c) – it is clear how “should normally be limited” could be implemented in subsection c).</p>

	<p>d) where the <i>home occupations</i> or <i>home industries</i> is located within the <i>single dwelling</i> or in an addition to the dwelling, not more than 25 per cent of the total floor area, including any addition to the dwelling, shall be devoted to the use to a maximum of 100 square metres (1,075 square feet);</p> <p>e) where the <i>home occupation</i> or <i>home industry</i> is located in an <i>accessory facility</i>, not more than 100 square metres (1,075 square feet) of the building shall be devoted to the use;</p> <p>f) in no instance shall there be more than 125 square metres (1,345 square feet) devoted to the use, where the <i>home occupation</i> or <i>home industry</i> is located within the <i>single dwelling</i> or in an addition to the dwelling and an <i>accessory facility</i>;</p> <p>g) the total floor area requirements set out in sub-sections d), e) and f) above shall apply where there is more than one <i>home occupation</i> or <i>home industry</i> on a <i>lot</i>;</p> <p>h) Where the <i>home occupation</i> or <i>home industry</i> is located in an <i>accessory facility</i>, the following apply:</p> <ol style="list-style-type: none"> <li>i. the use of a common driveway; and</li> <li>ii. the use of shared residential services where possible (e.g., septic system for domestic waste only, well, parking).</li> </ol> <p>i) <i>Home occupations</i> and <i>home industries</i> shall:</p> <ol style="list-style-type: none"> <li>i. be secondary to the primary residential or <i>agricultural use</i> on the lot;</li> <li>ii. be operated by residents of the <i>household</i> on the <i>lot</i>; and</li> <li>iii. be located in a manner that considers potential land use compatibility issues, such as noise, odour and dust, with adjacent more sensitive uses (e.g., residential, daycare).</li> </ol> <p>j) Municipal <i>official plan</i> policies and standards (e.g., lot size, parking, floor area, retail space) must be</p>	<p>Subsection i) - "Home occupations and home industries shall....or agricultural use on the lot" – Is this policy intended to apply to On Farm Diversified Uses?</p> <p>Subsection k) - Is this policy intended for other uses, as well?</p> <p>Subsection k) - Flood and fill regulation refers to the previous Conservation Authority regulation.</p>
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	<p>met;</p> <p>k) municipal and agency permit, licensing and approval requirements must be satisfied (e.g., building, access, health, safety, flood and fill regulations); or</p> <p>l) where a Development Permit is required for a <i>home occupation</i> or <i>home industry</i>, such a Permit is only transferable to a new owner where the purpose of the <i>home occupation</i> or <i>home industry</i> remains the same.</p>	
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<p><i>Secondary Dwelling Units</i></p>	<p>8. The following provisions apply to secondary <i>dwelling units</i>:</p> <ul style="list-style-type: none"> <li>a) a single secondary <i>dwelling unit</i> may be permitted per <i>existing lot of record</i>;</li> <li>b) notwithstanding the above, a secondary <i>dwelling unit</i> shall not be permitted on an <i>existing lot of record</i> where there is more than one <i>single dwelling</i>, including any dwelling approved under Part 2.2.4 b) of this Plan;</li> <li>c) the secondary <i>dwelling unit</i> shall be contained entirely within a <i>single dwelling</i> or in an addition to a single dwelling and shall not be permitted in a detached <i>accessory facility</i>;</li> <li>d) the floor area of a secondary <i>dwelling unit</i> shall be proportionate in size to the <i>single dwelling</i> and shall have minimal <i>negative impact</i> on the <i>Escarpment environment</i>;</li> <li>e) where municipal <i>official plan</i> policies permit secondary <i>dwelling units</i>, the municipal standards (e.g., lot size, parking requirements, maximum floor area, licencing) shall be met, and adequate municipal servicing shall be available to accommodate the secondary <i>dwelling unit</i> (including septic and water), to the satisfaction of the municipality and the <i>implementing authority</i>;</li> <li>f) secondary <i>dwelling units</i> shall not be permitted in a <i>group home</i> or a <i>single dwelling</i> containing a <i>bed and breakfast</i>; and</li> <li>g) a <i>home occupation</i> or <i>home industry</i> shall not be permitted within a secondary <i>dwelling unit</i>.</li> </ul>	<p>Subsection d) - It is not clear what “proportionate in size” means in subsection d) and will be difficult to regulate – for consistency in policy implementation, a maximum size should be established.</p> <p>Subsection d) - “and shall have minimal <i>negative impact</i> on the <i>Escarpment environment</i>” - The use of the term “Escarpment environment” is problematic throughout the Plan. The definition for “Escarpment environment” includes physical and natural heritage features, cultural and scenic resources, which all need to meet different tests under the Plan or PPS. In this case, it may not be appropriate to demonstrate “minimal negative impact” on all elements of the Escarpment environment, as some natural heritage features are required to meet different tests (e.g., no negative impact).</p> <p>Subsection e) - “municipal servicing”: this should simply read “servicing” as municipal services (urban water/wastewater services) may not be permitted in the rural area.</p>
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2.3 Existing Uses	3. Where an <i>existing use</i> has a substantial <i>negative impact</i> on the <i>Escarpment environment</i> , the property owner shall be encouraged to bring the use into closer conformity with the objectives of the applicable designation of the Niagara Escarpment Plan (e.g., erect a fence around a wrecking yard or install manure storage facilities).	As noted above, the use of the term “Escarpment environment” is problematic throughout the Plan. What does “substantial negative impact” mean in the context of each of the elements considered under “Escarpment environment”?
	4. An expansion or enlargement of a building, structure or facility associated with an <i>existing use</i> shall be minor in proportion to the size and scale of the use, building or structure, including its related buildings and structures at the time it became an <i>existing use</i> as defined by the Plan. An expansion or enlargement to a building, structure or facility associated with an <i>existing use</i> will be considered minor where the expansion or enlargement is no more than 25 per cent of the original development footprint, unless it can be demonstrated that a greater expansion or enlargement will have minimal <i>negative impact</i> on the <i>Escarpment environment</i> .	It is not clear what “minor in proportion” means.  See comments above with respect to the use of the term “Escarpment environment” and “minimal negative impact”
	5. An expansion or enlargement of a building, structure or facility associated with an <i>existing use</i> must be <i>compatible</i> with surrounding land uses, have minimal <i>negative impact</i> on the <i>Escarpment environment</i> and be consistent with the relevant Development Criteria in Part 2.	This new policy contradicts subsection 2.3.2 above which requires expansions to demonstrate no negative impacts (rather than minimal). As such, it should be deleted.  See comments above with respect to the use of the term “Escarpment environment” and “minimal negative impact”
Existing Waste Related Facilities	6. On existing <i>waste disposal sites</i> in the Escarpment Natural, Escarpment Protection, Escarpment Rural Areas and Mineral Resource Extraction Area designations, the following municipal <i>waste</i> -related facilities may be permitted without an amendment to the Plan provided the impact to the <i>Escarpment environment</i> is minimal and it can be demonstrated that the objectives and development criteria of the Plan are met:  a) recycling and/or compost facilities, serving the local community;  b) temporary storage of household wastes (paint, etc.) serving the local community;	Subsection a) “small scale” should be left in and should be defined.

	<p>c) containers and weight scales; and</p> <p>d) other <i>accessory uses</i> normally associated with the <i>waste disposal site</i>, serving the local community.</p> <p>But does not include:</p> <p>e) any expansion or alteration to an existing <i>waste disposal site</i> from what has been approved under the <i>Niagara Escarpment Planning and Development Act</i> and the <i>Environmental Protection Act</i> and/or the <i>Environmental Assessment Act</i> (including any expansion in area or height of a landfill or any change in the type of <i>waste</i> material being disposed of, such as a change from non-hazardous solid industrial waste to municipal waste);</p> <p>f) incineration facilities (including energy from <i>waste</i> facilities); and</p> <p>g) packer and/or recycling plants or similar uses.</p> <p>Notwithstanding the criteria above, land filling on the <i>property</i> of an existing operating <i>waste disposal site</i> or an existing closed <i>waste disposal site</i> may be permitted if it is determined that such filling is consistent with the Environmental Compliance Approvals under the <i>Environmental Protection Act</i> or is required for site remediation or decommissioning. The fill must be inert or of a quality and condition deemed suitable for the site by the Ministry of the Environment and Climate Change. Where possible, such activities will be consistent with maintaining and enhancing the <i>scenic resources</i> of the Escarpment.</p>	<p>Should require a hydro-geological study and should show that fill will not adversely affect private wells.</p> <p>This is not in-keeping with an “environment first” philosophy.</p> <p>“Where possible, such activities will be consistent with maintaining and enhancing the <i>scenic resources</i> of the Escarpment.” – how can this be achieved? Are guidelines forthcoming?</p>
2.4 Lot Creation	<p>5. New lots must:</p> <p>a) maintain and enhance the existing community character and/or <i>open landscape character</i> of the <i>Escarpment environment</i>; and</p> <p>b) maintain and enhance existing natural heritage and hydrologic features and functions.</p>	<p>It would not always be feasible to enhance the existing community character and/or open landscape character of the Escarpment environment through the creation of a new lot. As such, this clause should be revised as follows (or similar):</p> <p>Subsection a) - “maintain and enhance, where feasible, the existing community character and/or open landscape character of the Escarpment environment”</p>

		<p>Again, it is problematic to use “Escarpment environment” as it is worded in this policy.</p> <p>Subsection b) - It would not always be feasible to enhance <u>all</u> existing natural heritage and hydrologic features and functions through a lot creation, especially if they are far removed from the proposed development. As such, this clause could be revised as follows (or similar):</p> <p>“maintain and enhance, <u>where feasible</u>, the features <u>and</u> functions of the Escarpment environmental within or adjacent to the proposed new lot”.</p> <p>It may be beneficial to include a policy here that restricts the size of the lot to the minimum size required to accommodate the use and appropriate sewage and water services and prohibits increased fragmentation of natural heritage and hydrologic features and areas to further protect the escarpment environment. This would be consistent with policies regarding lot creation in the protected countryside of the Greenbelt Plan.</p> <p>“maintain and enhance existing natural heritage and hydrologic features and functions.” – This conflicts with other policies in this Plan and PPS; some features are required to meet the no negative impact test.</p>
	<p>6. Prior to commenting upon <i>new lots</i>, the <i>implementing authority</i> shall consider:</p> <ul style="list-style-type: none"> <li>a) the number, distribution and density of vacant <i>lots</i> in the area;</li> <li>b) the additional <i>lots</i> that may be created in conformity with the Plan;</li> <li>c) the consequences of the development of the <i>lots</i> with regard to the objectives of the designation; and</li> <li>d) providing for or protecting public access to the Niagara Escarpment, including the <i>Bruce Trail corridor</i>.</li> </ul>	<p>Subsection c) - What does “consequences of the development” mean?</p>
	<p>15. Where more than one <i>single dwelling</i> exists on the same <i>lot</i>, a <i>new lot</i> may be created for the additional</p>	

	<p>dwelling(s) provided that:</p> <ul style="list-style-type: none"> <li>a) neither the dwelling on the <i>new lot</i> nor the dwelling(s) to be retained were approved on the basis that they would be for temporary use or as a <i>dwelling unit</i> accessory to agriculture;</li> <li>b) all the dwellings on the <i>property</i> are <i>existing uses</i> as defined in this plan and have received approval from the municipality;</li> <li>c) both the dwelling on the <i>new lot</i> and the dwelling retained are in a reasonable standard for habitation and have been used as a <i>dwelling unit</i> within the year before making application to sever; and</li> <li>d) severance of existing dwelling shall not conflict with Part 2.4.17 a) below.</li> </ul> <p>Notwithstanding the above, a <i>new lot</i> shall not be created for a mobile or portable <i>dwelling unit</i>.</p>	<p>Subsection d) – There is no 2.4.17 a), just 2.4.17</p>
	<p>19. Lot creation in <i>prime agricultural areas</i> is discouraged and may only be permitted for:</p> <ul style="list-style-type: none"> <li>a) <i>agricultural uses</i>, provided that the <i>lots</i> satisfy the New Lots provisions in Part 1 of the Plan, are of a size appropriate for the type of <i>agricultural uses(s)</i> common in the area, and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;</li> <li>b) <i>agriculture-related uses</i>, provided that the <i>lot</i> satisfies the New Lots provisions in Part 1 of the Plan and have minimal impact on the <i>Escarpment environment</i>;</li> <li>c) a <i>residence surplus to a farm operation</i>, as a result of a <i>farm consolidation</i> as provided for in this Plan; or</li> </ul>	<p>Do these policies belong under the heading “Farm Consolidations, Surplus Residences and APO Lots”?</p> <p>Subsection b) - See comments above regarding “minimal impact” and Escarpment environment.</p> <p>Subsection d) - How is “deemed necessary” determined? By way of an Environmental Assessment?</p>
Farm Consolidations, Surplus Residences and APO Lots	<p>21. The <i>lot</i> associated with the residence that has been rendered surplus to an agricultural operation through a <i>farm consolidation</i> may be severed provided the following criteria are met:</p> <ul style="list-style-type: none"> <li>a) the <i>lot</i> shall be limited to the minimum size needed to</li> </ul>	

	<p>accommodate the use and appropriate sewage and water services;</p> <p>b) the <i>implementing authority</i> ensures that new residential dwellings are prohibited on any <i>remnant lot</i> of farmland created by the severance using the approach recommended by the Province, or based on municipal approaches that achieve the same objective;</p> <p>c) the <i>Lot(s)</i> shall not limit the agricultural viability or use of the <i>remnant APO lot</i> because of the location of the surplus residence or existing buildings (e.g., key-hole lot situations);</p> <p>d) the proposed surplus residence was not originally approved on the basis that it was for temporary use or as a <i>dwelling unit</i> accessory to agriculture;</p> <p>e) the proposed surplus residence is an <i>existing use</i>, as defined in this plan, and has been determined to be habitable under the provisions of the Ontario Building Code at the time of the application for severance;</p> <p>f) the proposed surplus residence has been built and occupied for not less than ten (10) years, at the time of the application for severance;</p> <p>g) the application for severance of the surplus residence must occur within two (2) years of the date that the lands were acquired as part of a <i>farm consolidation</i>; and</p> <p>h) a <i>lot</i> supporting a mobile or portable dwelling or as a <i>dwelling unit</i> accessory to agriculture shall not be severed as <i>property</i> with a surplus residence.</p>	<p>Subsection e) - “<u>...as defined in this plan...</u>” not necessary if existing use is a defined term.</p>
2.5 Development Affecting Steep Slopes and Ravines	<p>The objective is to ensure that development affecting steep slopes (e.g., Escarpment slopes, rock faces, <i>talus slopes</i>) and ravines does not result in <i>negative impacts</i> to the <i>Escarpment environment</i> or in unsafe conditions.</p>	<p>To achieve greater harmony with the other Plans and PPS, it may be worthwhile to rename this section “natural hazards” and include policies related to flooding and erosion hazards under this section.</p> <p>Again, the use of “negative impacts” and “Escarpment environment” is problematic.</p>
	<p>1. The crest or brow and toe of the slope or ravine shall be</p>	<p>Plotted on development plan by a surveyor?</p>

	established by means of a site inspection by the <i>implementing authority</i> , and these lines will be plotted on proposed development plans.	
	2. The <i>implementing authority</i> will establish a minimum development setback from the brow or crest and toe of a slope or ravine, and no disturbance of grades or vegetation below the crest or brow and above the toe shall occur.	Based on a geotechnical assessment? Is there a minimum setback? Guidelines would be helpful.
	3. Where this setback cannot be achieved on an <i>existing lot of record</i> on a steep slope or ravine, the setback may be varied or eliminated to the satisfaction of the <i>implementing authority</i> .	See comments above.
2.6 Development Affecting Water Resources	<p>The objective is to ensure that development affecting hydrologic features will have no <i>negative impacts</i> on the features or their <i>hydrologic functions</i>, or on supporting natural heritage features and functions at the local and watershed level.</p> <p>Development shall only be permitted where it will ensure the <i>protection</i> of vulnerable surface water features and groundwater features from development that may adversely affect the quality and quantity of ground and surface waters in the vicinity of the Escarpment.</p> <p>The following are key hydrologic features within the meaning of the Plan:</p> <ul style="list-style-type: none"> <li>• <i>permanent and intermittent streams</i>;</li> <li>• <i>lakes</i> (and their littoral zones);</li> <li>• <i>seepage areas and springs</i>; and <i>wetlands</i>.</li> </ul>	<p>Again, to achieve greater harmony with the other Plans and PPS, it may be worthwhile to rename this section “Water Resource System Policies”</p> <p>“Key Hydrologic Areas” – HAPP recommends that the same concepts be introduced into the NEP as it has been with the other Plans.</p>
	The following policies apply to key hydrologic features throughout the Niagara Escarpment Plan Area:	The term “key hydrologic features” is used here. Does it mean the same as in the other provincial plans? It is not defined in the draft NEP. See comments regarding 2.6.2 below.
	<p>1. <i>Development</i> is not permitted in key hydrologic features with the exception of the following, which may be permitted, subject to compliance with all other relevant development criteria:</p> <p>a) development of a <i>single dwelling</i> and <i>accessory facilities</i> outside of a <i>wetland</i> on an <i>existing lot of record</i>, provided there is no <i>negative impact</i> to the feature or its</p>	<p>Subsection a) - A study (e.g. an Environmental Impact Assessment, hydrologic evaluation) should be required to make a determination of development potential.</p>

	<p>functions;</p> <p>b) <i>forest, fisheries and wildlife management</i>, provided <i>negative impacts</i> on the <i>Escarpment environment</i> will be minimal;</p> <p>c) <i>conservation</i> and flood or erosion control projects, but only after all alternatives have been considered;</p> <p>d) hiking trails or boardwalks on parks and open space lands that are in an approved Niagara Escarpment Parks and Open Space Master/Management Plan; or <i>infrastructure</i>, but only where the project has been deemed necessary to the public interest after all other alternatives have been considered.</p> <p>e) <i>Infrastructure</i>, but only where the project has been deemed necessary to the public interest after all other alternatives have been considered.</p>	<p>Subsection a) - Again, problematic to use Escarpment environment and state that negative impacts will be minimal.</p> <p>Subsection c) - How is this determined? By way of an Environmental Assessment?</p> <p>Subsection e) - How is “deemed necessary” determined? By way of an Environmental Assessment?</p>
	<p>2. If, in the opinion of the <i>implementing authority</i>, a proposal for <i>development</i> within 120 metres of a key hydrologic feature has the potential to result in a <i>negative impact</i> to the feature and/or its functions, a hydrologic evaluation will be required that:</p> <p>a) Demonstrates that the development, including any alteration of the natural grade or drainage, will have no <i>negative impact</i> on:</p> <ol style="list-style-type: none"> <li>the key hydrologic feature or on the <i>hydrologic functions</i> of that feature, including ground and surface water quality and quantity, natural <i>streams</i> or drainage patterns;</li> <li>the overall water budget for the watershed, including existing and planned municipal drinking water systems, or the quality, quantity or character of ground and surface water supplies; and</li> <li>key natural heritage features.</li> </ol> <p>b) Identifies planning, design and construction practices that will minimize erosion, sedimentation</p>	<p>The Province and/or NEC should develop a guideline for hydrologic evaluations in consultation with municipalities to assist in the implementation of this policy.</p> <p>It would also be helpful to stipulate that the implementing authority will consult with other relevant agencies with respect to this determination. As such, the following revision is suggested (or similar):</p> <p>“If, in the opinion of the implementing authority, <u>in</u> consultation with municipalities and other relevant agencies, a proposal for <i>development</i> within 120 metres of a key hydrologic feature has the potential to result in a <i>negative impact</i> to the feature and/or its functions, a hydrologic evaluation will be required that:”</p> <p>This differs from 3.2.5.5 of the Greenbelt Plan.</p> <p>Subsection i) - Key hydrologic feature is a defined term in the Greenbelt Plan and Growth Plan; recommend that it be defined in the same manner as the Growth Plan.</p> <p>Subsection a) ii - Does this mean a water budget analysis may be</p>

	<p>and the introduction of nutrients or pollutants and maintain, and where possible, improve or restore the health, diversity and size of the key hydrologic feature, including:</p> <ul style="list-style-type: none"> <li>i. natural features should be preserved;</li> <li>ii. temporary vegetation and/or mulching should be used to protect critical areas exposed during development;</li> <li>iii. <i>topsoil</i> should not be removed from the site, but rather, should be stored and redistributed as a suitable base for seeding and planting;</li> <li>iv. sediment control devices should be installed to remove sediment from run-off due to changed soil surface conditions during and after construction; and</li> <li>v. construction in or across a <i>watercourse</i> or <i>wetland</i> should be appropriately timed to minimize impacts on <i>fish</i> and <i>wildlife habitat</i>.</li> </ul> <p>c) Determines the minimum <i>vegetation protection zone</i> required to maintain and enhance the key hydrologic feature and its functions.</p>	<p>required for a single residential dwelling? Are agricultural, agriculture-related or on-farm diversified uses exempt from the need for these evaluations subject to criteria?</p> <p>Subsection b) - Sediment and erosion control guidelines or best management practices should be made available.</p> <p>Subsection b) - There may be other methods that may be just as appropriate.</p>
	<p>4. In the case of <i>permanent</i> and <i>intermittent streams</i> and <i>seepage areas and springs</i>, the determination of the <i>vegetation protection zone</i> shall include, without limitation, an analysis of land use, soil type and slope class. Criteria established by the Government of Ontario, as amended from time to time, can be used to assist with this.</p>	<p>This is not clear. "...can be used to assist with this" is not proper policy language and should be re-worded.</p>
	<p>5. New buildings and structures for <i>agricultural uses</i> are not required to establish a condition of <i>natural self-sustaining vegetation</i> within a <i>vegetation protection zone</i> if the land is, and will continue to be, used for agricultural purposes. Despite this exemption, <i>agricultural uses</i> should pursue best management practices to protect and/or restore key hydrologic features and functions.</p>	<p>This differs from sections 3.2.5.7 and 3.2.5.8 of the draft Greenbelt Plan. Those Greenbelt Plan policies should be used here.</p>
Sewage Systems	<p>6. Notwithstanding Part 2.6.2 above, no sewage system shall be allowed closer than 30 metres (approximately</p>	<p>"the distance may be varied...to the satisfaction of the implementing authority" – Based on what criteria? Will</p>

	100 feet) from a key hydrologic feature. Where the setback cannot be achieved on an <i>existing lot of record</i> , the distance may be varied depending upon the sensitivity of the feature, to the satisfaction of the <i>implementing authority</i> .	guidelines be established? There is too much room for inconsistent application and interpretation of policy.
Water Quality and Quantity	7. Changes to the natural drainage should be avoided.	Is this title necessary or just put all water policies together under one section?
	8. No alteration of natural <i>streams</i> or drainage patterns shall occur within the <i>vegetation protection zone</i> , where, in the opinion of the <i>implementing authority</i> , such action would negatively impact the quality and quantity of groundwater features and/or surface water features.	"in the opinion of the implementing authority" - Based on what criteria? Will guidelines be established? Too much room for inconsistent application and interpretation of policy.
	9. Permitted Uses that involve water taking or undertake <i>stream</i> diversions must be demonstrated to be an essential part of their operation and shall be of a scale and intensity that will not adversely affect water quality, quantity and the <i>Escarpment environment</i> . Water taking must be accessory to the principle use except in the case of municipal water supply facilities. Increasing the capacity of existing water taking as a principle use shall not be permitted except for municipal water supply facilities.	How is this demonstrated? What sort of study would be required?  Reference potential water taking restrictions associated with source protection plan policies (i.e. where consumptive water taking represents a significant threat).
Source Protection	10. The <i>Implementing Authority</i> shall protect vulnerable surface and groundwater areas from development that may negatively impact the quality and quantity of groundwater features and surface water features, including through consideration of source protection plans developed under the <i>Clean Water Act</i> .	"...consideration of source protection plans" – Language must be stronger than "consideration", must be consistent with the approved source protection plan for the area.  Vulnerable is a defined term in the PPS and Greenbelt Plan.
	11. Notwithstanding Part 2.6.1, a pond on the Escarpment slope is permitted on the <i>property</i> shown on Schedule A to Amendment PD 170 07, located at Part of the East Half of Lots 9 and 10, Concession 5 E.H.S. (Town of Mono).	Is this related to source protection? Not clear why this site specific policy is under this heading. Should it be moved under another heading?
2.7 Development Affecting Natural Heritage	The objective is to ensure that development affecting natural heritage features will have no <i>negative impacts</i> on the features or their functions, or on the supporting hydrologic features and functions, in order to maintain the diversity and connectivity of the broader Natural System.	Again, to achieve greater harmony with the other Plans and PPS, it may be worthwhile to rename this section "Natural Heritage System Policies"
	1. Any development within the Escarpment Natural Area,	In general, this section is confusing.

	<p>the Escarpment Protection Area or the Escarpment Rural Area land use designations permitted by the policies of this plan shall be required to demonstrate that:</p> <ol style="list-style-type: none"> <li>the diversity and connectivity between key natural heritage features and key hydrologic features located within 240 metres of each other is maintained, or where possible, enhanced for the movement of native plants and animals across the landscape; and</li> <li>the removal of other natural features not identified as key natural heritage features or key hydrologic features should be avoided. Such features should be incorporated into the planning and design of the proposed use, wherever possible.</li> </ol>	<p>Subsection a) - 240m is also the value referenced in the current Greenbelt Plan (3.2.2.4) and draft Greenbelt Plan and Growth Plan. Where does the value of 240m come from? Has a minimum corridor width been established for this connection or is this to be done via an EIS, SWS or similar study? Is there a limit to when features are to be connected? (e.g., certain number of metres away from core features). Some level of flexibility must be applied to development that occurs within the 240 metre connectivity area. There will be many cases where existing development (e.g. farm clusters, roads and other infrastructure) exist within the 240 metre area. Achieving connectivity in these areas may not be possible, and it would be more appropriate to direct new development to the areas that are already disturbed (e.g. new agricultural buildings or additions within an existing farm cluster).</p> <p>Subsection b) - What are “other natural features”?</p>
	<p>2. Where policies or standards of other <i>public agencies/bodies</i> or levels of government exceed the policies related to key natural heritage features or key hydrologic features in this Plan, such as may occur with <i>habitat of endangered species and threatened species</i> under the <i>Endangered Species Act, 2007</i>, with natural hazards where section 28 regulations of the <i>Conservation Authorities Act</i> apply, or with fisheries under the <i>Federal Fisheries Act</i>, the most restrictive provision or standard applies.</p>	<p>If examples are to be included here it would be useful to include municipal tree removal and site alteration by-laws as examples also. Alternatively, examples could be removed from the policy.</p>
	<p>The following are key natural heritage features within the meaning of the Plan:</p> <ul style="list-style-type: none"> <li>• <i>Wetlands</i></li> <li>• <i>Habitat of endangered species and threatened species</i></li> <li>• <i>Fish habitat</i></li> <li>• <i>Life Science Areas of Natural and Scientific Interest</i></li> </ul>	<p>This should be listed before the policies for this section start.</p> <p>Natural heritage features is a defined term in the Greenbelt Plan and Growth Plan; recommend that the NEP contain the same definition.</p>

	<ul style="list-style-type: none"> <li>• Earth Science <i>Areas of Natural and Scientific Interest</i></li> <li>• <i>Significant valleylands</i></li> <li>• <i>Significant woodlands</i></li> <li>• <i>Significant wildlife habitat</i></li> </ul>	
	<p>3. <i>Development</i> is not permitted in key natural heritage features with the exception of the following, which may be permitted, subject to compliance with all other relevant development criteria:</p> <ul style="list-style-type: none"> <li>a) development of a <i>single dwelling</i> and <i>accessory facilities</i> outside a <i>wetland</i> on an <i>existing lot of record</i>, provided there is no <i>negative impact</i> to the feature or its functions;</li> <li>b) <i>forest, fisheries</i> and <i>wildlife management</i>, provided impacts on the <i>Escarpment environment</i> will be minimized;</li> <li>c) <i>conservation</i> and flood or erosion control projects, but only after all alternatives have been considered;</li> <li>d) hiking trails or boardwalks on parks and open space lands that are in an approved Park and Open Space System Master/Management Plan;</li> <li>e) <i>infrastructure</i>, but only where the project has been deemed necessary to the public interest and there is no other alternative; and</li> <li>f) <i>mineral aggregate operations</i>, subject to all relevant Development Criteria, including Part 2.9.</li> </ul>	<p>Subsection c) - How is this determined? By way of an Environmental Assessment?</p> <p>Subsection e) - How is “deemed necessary” determined? By way of an Environmental Assessment?</p> <p>Subsection f) - Does this set up unrealistic expectations to list as an exception?</p>
	<p>4. If, in the opinion of the <i>implementing authority</i>, a proposal for development within 120 metres of a key natural heritage feature has the potential to result in a <i>negative impact</i> to the feature and/or its functions, a natural heritage evaluation will be required that:</p> <ul style="list-style-type: none"> <li>a) demonstrates that the development, including any alteration of the natural grade or drainage, will have no <i>negative impact</i> on the key natural heritage feature or on the related functions of that feature;</li> <li>b) identifies planning, design and construction</li> </ul>	<p>The Province and/or NEC should develop a guideline for natural heritage evaluations in consultation with municipalities to assist in the implementation of this policy.</p> <p>If an application triggers both a Natural Heritage Evaluation and a Hydrologic Evaluation, the two studies should be amalgamated where feasible. As currently written, the separate policies could be interpreted to preclude this as a possibility.</p> <p>It would be helpful to stipulate that the implementing authority</p>

	<p>practices that will minimize erosion, sedimentation and the introduction of nutrients or pollutants and maintain, and where possible, improve or restore the health, diversity and size of the key natural heritage feature; and</p> <p>c) determines the minimum <i>vegetation protection zone</i> required to maintain and enhance the key natural heritage feature and its functions.</p>	<p>will consult with other relevant agencies with respect to this determination. As such, the following revision is suggested (or similar):</p> <p>If, in the opinion of the <i>implementing authority</i>, in consultation with municipalities and other relevant agencies, a proposal for development within 120 metres of a key natural heritage feature has the potential to result in a <i>negative impact</i> to the feature and/or its functions, a natural heritage evaluation will be required that:</p> <p>The Greenbelt Plan policies appear to be more restrictive than draft NEP.</p>
	<p>5. A <i>vegetation protection zone</i> shall:</p> <p>a) be of sufficient width to protect the key natural heritage feature and its functions from the impacts of the proposed change and associated activities that may occur before, during, and after, construction, and where possible, restore or enhance the feature and/or its function;</p> <p>b) be established to achieve, and be maintained as <i>natural self-sustaining vegetation</i>; and</p> <p>c) in the case of <i>areas of natural and scientific interest</i> (earth science and life science), include without limitation, an analysis of land use, soil type and slope class, using criteria established by the Government of Ontario, as amended from time to time.</p>	<p>Subsection a) - The Greenbelt Plan and Growth Plan require, under many circumstances, a minimum VPZ of 30m. The 30m VPZ should also be included, but could also add that the 30m VPZ is a minimum.</p>
	<p>6. Notwithstanding Parts 2.7.3, 2.7.4 and 2.7.5 above, development within the <i>habitat of endangered species and threatened species</i>:</p> <p>a) located within Escarpment Natural Areas and Escarpment Protection Areas, except for development referred to in Parts 2.7.3 a) b) c) d) or e), will not be permitted; and</p> <p>b) located within Escarpment Rural Areas, Mineral Resource Extraction Areas, Urban Areas, Minor Urban Centres and</p>	<p>It is recommended that for the permitted uses (2.7.3 a) b) c) d) or e)) a clause be added that approval is still "pursuant to and subject to the policies of the Endangered Species Act, 2007 and all other relevant policies of the Plan.". The inclusion of this clause in 2.7.6 b) but not here may cause confusion or misinterpretation.</p> <p>Approvals from the MNRF may still be required for the proposed use/development. In this case, proponent may still be required</p>

	Escarpment Recreation Areas may be permitted pursuant to and subject to the policies of the <i>Endangered Species Act, 2007</i> and all other relevant policies of the Plan.	to meet the requirements of the ESA and associated regulation.  What if ESA changes? Include "...as amended..."?
Development with other Natural Features	8. Development within all other natural features, including <i>valleylands</i> , <i>woodlands</i> and <i>wildlife habitat</i> , may be permitted only if the impact of the development on the natural feature and its functions is minimal.	It is recommended that a definition be provided for 'minimal' as this could be widely interpreted. While 2.7.9 provides some clarification in this regard, those policies relate mainly to woodlands and tree-cutting but don't speak to valleylands and wildlife habitat specifically.  The term "ravines" is used in 2.5 but the term "valleylands" is used in this section; recommend that valleylands be used throughout the Plan to be consistent with PPS.  Development may not be permitted within these features according to other legislation or regulations.  How will impact be determined? Is a study required?
	9. Development in all <i>woodlands</i> should maintain and enhance the <i>woodland</i> and associated <i>wildlife habitats</i> . All development involving the cutting of trees requires approval from the <i>implementing authority</i> , subject to the following criteria:  a) cutting of trees shall be limited to the minimum necessary to accommodate the permitted use;  b) using tree-cutting methods designed to minimize <i>negative impacts</i> on the <i>natural environment</i> , including surface drainage and groundwater;  c) minimizing disruption of <i>wildlife habitat</i> in the area;  d) retaining the diversity of native tree species;  e) aiming over the long term to retain or enhance the quality, appearance and biodiversity of the <i>woodland</i> ;  f) cutting of trees within highly sensitive areas, such as steep slopes, unstable soils, stream valleys, <i>wetlands</i> and areas of <i>significant</i> groundwater recharge and discharge shall be avoided and only	Subsection b) - "minimize negative impacts on the natural environment" How is this achieved given how broad the definition of natural environment is? Negative impacts are defined relative to specific features and not necessarily one in the same with the definition for natural environment.  Subsection c) - How is this achieved? Will guidelines be produced?  Subsection e) - "...quality and appearance" seem unsuitable descriptors here. Suggested revision:  "aiming over the long term to maintain and enhance the biodiversity of the woodland;"  Previous comments related to no negative impact and

	<p>permitted where necessary to accommodate permitted uses and where it has been demonstrated that there will be no <i>negative impact</i> on the <i>Escarpment environment</i>;</p> <p>g) protecting of trees to be retained by acceptable means during construction; and</p> <p>h) maintaining of existing tree cover or other stabilizing vegetation, on steep slopes in excess of 25 per cent (1:4 slope).</p>	escarpment environment are applicable.
2.8 Agriculture	The objective is to encourage <i>agricultural uses</i> in agricultural areas, especially in <i>prime agricultural areas</i> and <i>specialty crop areas</i> , to protect such areas, to permit uses that are compatible with farming and to encourage <i>accessory uses</i> that directly support continued <i>agricultural use</i> .	<p>There are no provisions in this section for non-agricultural uses in prime agricultural or specialty crop areas. There are provisions in the PPS and draft Greenbelt Plan.</p> <p>The draft Greenbelt Plan makes reference to Permitted Use Guidelines; the NEP should also make reference to these Guidelines.</p>
Water Quality and Quantity Source Protection	<p>3. <i>Topsoil</i> augmentation on pasture or cropland may be permitted if it is in accordance with Part 2.13 (Scenic resources and <i>Landform Conservation</i>) and if it is supported by a report from a <i>certified agrologist</i> or agricultural engineer establishing that the development serves to enhance the agricultural capability of the site. A fill management plan may be required at the discretion of the <i>implementing authority</i>, depending upon the quantity of fill and the ecological and landscape sensitivity of the site. Placement of fill that does not meet the definition of <i>topsoil</i> will not be permitted on pasture or cropland.</p>	<p>The definition for “topsoil” seems weak. This section could be exploited by applicants such that it may be used to augment the applicant’s bottom line. HAPP suggests adding the following criteria to be met by the applicant:</p> <ol style="list-style-type: none"> <li>1. “...to enhance the agricultural capability...” should be strengthened by perhaps ensuring that the topsoil is <u>required</u> to bring the agricultural capability to a capability level equal to or better than the surrounding soils in the area and on the site through a justification report by a certified agrologist.</li> <li>2. Any fill imported onto a site must meet or exceed existing on-site soil quality conditions. The objective is that imported <i>topsoil</i> shall meet Table 1 of the Soil and Groundwater and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act, R.S.O 1990, c.E.19, unless, at the discretion of the implementing authority, a different Table Standard is deemed safe and appropriate. This assessment will be based upon site conditions, the quantity of fill/topsoil proposed and a consideration of possible impacts on human health and the environment.</li> </ol>

		<p>3. The augmentation operation and outcome does not have a negative impact on surrounding properties.</p> <p>4. Must adhere to the MOECC policy framework and Guide for Best Management Practices for Excess Soil Management.</p>
	<p>4. New development adjacent to <i>prime agricultural areas</i> and <i>specialty crop areas</i> should only be permitted where the new development incorporates suitable methods to minimize land use conflicts.</p>	<p>The draft Greenbelt Plan and Growth Plan make reference to the need for AIAs; the NEP should also make reference to AIAs.</p> <p>See comments above regarding non- agricultural uses. Does new development infer non-agricultural?</p>
Agriculture-related Uses	<p>6. <i>Agriculture-related uses</i> may be permitted, provided the following criteria are met:</p> <ul style="list-style-type: none"> <li>a) the use is a farm-related commercial or farm-related industrial use;</li> <li>b) the use is compatible with and does not hinder surrounding agricultural operations;</li> <li>c) the use is directly related to farm operations in the area;</li> <li>d) the use supports agriculture;</li> <li>e) the use provides direct products and/or services to farm operations as a primary activity;</li> <li>f) the use benefits from being in close proximity to farm operations;</li> <li>g) the use results in no <i>negative impact</i> on the <i>Escarpment environment</i>;</li> <li>h) existing buildings, structures or facilities on the property should be used, where possible;</li> <li>i) all buildings, structures and facilities, including parking areas, associated with the use shall be designed and located to have minimal impact on the adjacent land uses and the Escarpment's <i>open landscape character</i>; and</li> <li>j) the land supporting an <i>agriculture-related use</i> shall not be severed from a farm lot exclusively for the</li> </ul>	<p>The draft Greenbelt Plan makes reference to Permitted Use Guidelines; the NEP should also make reference to these Guidelines.</p> <p>Should there be size restrictions for agriculture-related uses?</p> <p>Subsection a) - This is in the definition of agriculture-related use; therefore, it is not necessary to include as a policy.</p> <p>Subsection c) -This is in the definition of agriculture-related use; therefore, it is not necessary to include as a policy.</p> <p>Subsections e) and f) -This is in the definition of agriculture-related use; therefore, it is not necessary to include as a policy.</p> <p>Subsection e) - It is not clear what is meant by "as a primary activity".</p> <p>See previous comments re: no negative impact and Escarpment environment.</p> <p>Subsection j) - "exclusively for the purposes of the <i>agriculture-related use</i>." Should be deleted;</p>

	purposes of the <i>agriculture-related use</i> .	Also, see earlier comments related to APO lots and inconsistent policies throughout the Plan.
On-farm Diversified Uses	<p>7. <i>On-farm diversified</i> uses may be permitted, provided the following criteria are met:</p> <ul style="list-style-type: none"> <li>a) the use is located on the farm <i>property</i>;</li> <li>b) the use is secondary to the principal <i>agricultural use</i> on the farm <i>property</i>;</li> <li>c) the use is compatible with and does not hinder surrounding agricultural operations;</li> <li>d) the use is limited in area to up to two per cent of a farm <i>lot</i>, to a maximum of one hectare (10,000 m<sup>2</sup>);</li> <li>e) the use includes, but is not limited to, <i>home occupations, home industries, agri-tourism uses</i> and uses that produce value-added agricultural products;</li> <li>f) the use results in no <i>negative impact</i> on the <i>Escarpment environment</i>;</li> <li>g) existing buildings, structures or facilities on the <i>property</i> should be used, where possible;</li> <li>h) all buildings, structures and facilities, including parking areas, associated with the use shall be designed and located to have minimal impact on the principal <i>agricultural use</i>, adjacent land uses and the Escarpment's <i>open landscape character</i>;</li> <li>i) restaurants, hotels and similar uses shall not be permitted as an <i>on-farm diversified use</i>. Development permits for occasional special events may be permitted; and</li> <li>j) the land supporting the use shall not be severed from the farm lot exclusively for the <i>on-farm diversified use</i>.</li> </ul>	<p>The draft Greenbelt Plan makes reference to Permitted Use Guidelines; should the NEP also make reference to these Guidelines?</p> <p>Should there be a total area/size limit for agriculture-related and on-farm diversified uses combined on one lot?</p> <p>Subsection d) - The 2% requirement allows larger farms to get larger buildings. There are many smaller farm parcels that will be penalized. It is more important that the uses are in keeping with the scale and footprint of the existing farm cluster of buildings.</p> <p>Many of the criteria proposed for agriculture-related and on-farm diversified uses are the same; therefore, could be combined into one to avoid duplication.</p> <p>Subsection f) - See previous comments re: no negative impact and Escarpment environment.</p> <p>Subsection i) - Guidelines identified café's, small restaurants, cooking classes and local stores as examples – should be consistent!</p> <p>Subsection i) – Event facilities, banquet halls and conference facilities should not be permitted.</p>

		If agri-tourism is to be promoted, facilities should be permitted to order food at a small scale so that visitors can stay the whole day.
Wineries	8. <i>Wineries are permitted as an agriculture-related use and/or on-farm diversified use.</i>	It is not clear how wineries can be considered an agriculture-related <u>and/or</u> an on-farm diversified use. Who determines whether it will be considered an agriculture-related vs. an on-farm diversified use? It is likely that the proponent will choose the least restrictive use (i.e., agriculture -related). Are wineries subject to the agriculture -related and on-farm diversified use policies, in addition to those noted below?
2.9 Mineral Aggregate Resources	The objective is to minimize the impact of <i>mineral aggregate operations</i> and their <i>accessory uses</i> on the <i>Escarpment environment</i> and to support a variety of approaches to rehabilitation to restore the <i>Escarpment environment</i> and provide for re-designation to land use designations <i>compatible</i> with the adjacent land uses.	The Region and its local municipalities have, and continue to, argue (through Aggregate Resources Act consultation) that the demonstration of need is very necessary.
	1. No new <i>mineral aggregate operation</i> and no <i>wayside pits and quarries</i> , or any <i>accessory use</i> thereto, will be permitted in the following key natural heritage features and any <i>vegetation protection zone</i> associated therewith: a) <i>wetlands</i> ; and b) <i>significant woodlands</i> , unless the <i>woodland</i> is occupied by young plantation or early successional habitat (as defined by the Ministry of Natural Resources and Forestry).	What about expansions to existing operations?  Would the woodland be deemed significant if it's a young plantation?  Subsection b) - Provide a definition and criteria for "significant woodland".
	2. No new <i>mineral aggregate operation</i> and no <i>wayside pits and quarries</i> , or any <i>accessory use</i> thereto will be permitted in the any other key natural heritage feature, natural feature or key hydrologic feature, or any <i>vegetation protection zone</i> associated therewith, unless it has been demonstrated that there will be no <i>negative impacts</i> on the feature or its functions or the <i>Escarpment environment</i> .	"No negative impact" and "Escarpment environment" comments apply here.
	3. Extractive operations including <i>wayside pits and quarries</i> and haul routes shall be required to: a) demonstrate how all other natural heritage features and functions will be protected or enhanced before,	Subsection a) - What about other key hydrologic features and functions –they should also be addressed in this policy.

	<p>during and after extraction;</p> <p>b) demonstrate how <i>cultural heritage resources</i> will be <i>conserved</i>.</p> <p>c) demonstrate how the Escarpment's <i>scenic resources</i> and <i>open landscape character</i> will be maintained or enhanced, before, during and after the extraction;</p> <p>d) demonstrate how key hydrological features will be protected or enhanced before, during and after extraction, including the maintenance of the groundwater and surface water quantity and quality;</p> <p>e) demonstrate how the connectivity between key natural heritage features and key hydrologic features will be maintained before, during and after the extraction of mineral aggregates;</p> <p>f) in <i>prime agricultural areas</i>, a new or expanding <i>mineral aggregate operation</i>, will undertake an Agricultural Impact Assessment to determine how to avoid, minimize and mitigate impacts on agricultural lands and operations.</p> <p>g) Minimize <i>negative impacts</i> of mineral aggregate operations and their <i>accessory uses</i> on surrounding land uses;</p> <p>h) complete progressive and final rehabilitation of the licensed site to provide equal or greater ecological values, including utilizing native species, in order to accommodate subsequent land use designations <i>compatible</i> with the surrounding land uses;</p> <p>i) within the licensed area but outside of the area of extraction, protect the <i>Escarpment environment</i> during periods of extraction and rehabilitation; and</p> <p>j) minimize <i>negative impacts</i> of mineral aggregate operations and their <i>accessory uses</i> on parks, open space and the existing and optimum routes of the Bruce Trail.</p>	<p>Subsection f) - Unclear how to “avoid, minimize and mitigate impacts”.</p>
	5. The mineral aggregate operation shall be screened while	Please re-word to say: “The licenced mineral aggregate operation

	it is in progress and, where possible, prior to extraction in a manner compatible with the surrounding <i>Escarpment environment</i> .	shall be screened while it is in progress and, where possible, prior to extraction in a manner compatible with the surrounding Escarpment environment."
	7. <i>Progressive rehabilitation</i> may include the use of off-site material, where on-site material is not available. Minimal amounts of off-site material that may be required to stabilize and revegetate disturbed areas shall not include any major regrading toward a planned after-use with the deposition of off-site material.	Bringing in off-site materials should be subject to a Development Permit so that the public can be consulted and advised of potential truck traffic, noise and dust effects.  Change "revegetate" to "re-vegetate" and "regarding" to "re-grading".
2.8 Agriculture	9. The use of off-site material shall not be permitted unless it is determined through appropriate environmental, technical and planning studies that doing so will achieve greater long-term ecological and land use compatibility (e.g., the importation of <i>topsoil</i> to improve site capability for agriculture, forestry or habitat diversity) and the <i>implementing authority</i> is satisfied that the use of off-site material does not constitute a commercial fill or landfill operation.	It would be beneficial if this policy placed a volumetric restriction on the quantity of fill to be imported.

	<p>11. Rehabilitation shall incorporate the following:</p> <ul style="list-style-type: none"> <li>a) natural heritage and hydrologic features and functions shall be restored or enhanced;</li> <li>b) aquatic areas remaining after extraction shall be rehabilitated as representative of the natural ecosystem in that particular setting or ecodistrict, and the combined terrestrial and aquatic rehabilitation shall maintain and enhance the ecological value of the site;</li> <li>c) excess <i>topsoil</i> and overburden are to be retained and stabilized for future rehabilitation;</li> <li>d) all excavated <i>pit</i> and <i>quarry</i> walls are to be sloped and rehabilitated in accordance with best practices. On sites where a higher standard of rehabilitation is justified (e.g., to improve land use compatibility) or on sites where <i>topsoil</i> and/or land fill material is scarce, alternative approaches to slope standards may be applied. Sections of <i>pit</i> or <i>quarry</i> faces may be left exposed for aesthetic or educational purposes or to create habitat diversity in an approved rehabilitation plan;</li> <li>e) vegetation, including seeding, crops, trees and shrubs, shall be planted as soon as possible as part of <i>progressive rehabilitation</i> of the <i>pit</i> or <i>quarry</i>;</li> <li>f) rehabilitation on the site shall contribute to the <i>open landscape character</i> and the surrounding <i>Escarpment environment</i>;</li> <li>g) within <i>prime agricultural areas</i>, Mineral Resource Extraction Areas are to be returned or rehabilitated to a condition in which substantially the same areas and same average soil capability for agriculture to be restored;</li> <li>h) in <i>specialty crop areas</i>, Mineral Resource Extraction Areas are to be returned or rehabilitated to a condition in which substantially the same areas and same average soil capability for agriculture to be</li> </ul>	<p>Subsection a) – should read “enhanced, where feasible.”</p> <p>These rehabilitation policies should also address other ecological protection and enhancement concepts such as: net ecological gain, mitigation of negative impacts from past operations to the extent feasible (see PPS 2014, sec. 2.5.3.1), and consideration of comprehensive rehabilitation planning where there is a concentration of mineral aggregate operations (see PPS 2014, sec. 2.5.3.2).</p> <p>Subsection g) - This must meet the same standards and expectations as 2.9.7 above.</p> <p>Subsection i) – “rehabilitation” should be “rehabilitation”</p>
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	<p>restored, the same range and productivity of specialty crops common in the area can be achieved, and, where applicable, the microclimate on which the site and surrounding area may be dependent for specialty crop production will be maintained or restored;</p> <p>i) within <i>prime agricultural areas</i> or <i>specialty crop areas</i>, where rehabilitation to the conditions set out in (g) and (h) above is not possible or feasible due to the depth of planned extraction or due to the presence of a substantial deposit of high quality <i>mineral aggregate resources</i> below the water table warranting extraction, agricultural rehabilitation in the remaining areas will be maximized as a first priority; and</p> <p>j) in areas below water table extraction, mineral aggregate operations requiring perpetual water management after rehabilitation is complete should be avoided except where it can be demonstrated that such actions would support other public water management needs.</p>	<p>Subsection j) - Long term maintenance and cost implications for public agencies that end up acquiring these lands needs to be addressed.</p> <p>What are “other public water management needs”? If unavoidable, perpetual water management costs should be fully borne by the proponent.</p>
2.10 Cultural Heritage	The objective is to conserve the Escarpment’s cultural heritage resources, including significant built heritage resources, cultural heritage landscapes, and archaeological resources.	Built heritage resources is a defined term in the draft Greenbelt Plan and PPS; however, “significant built heritage resources” is not.
	1. The objective is to <i>conserve</i> the Escarpment’s <i>cultural heritage resources</i> , including <i>significant built heritage resources</i> , <i>cultural heritage landscapes</i> , and <i>archaeological resources</i> .	Recommend that this be worded the same as 4.4.1 of the draft Greenbelt Plan.
2.11 Recreation	The objective is to minimize any <i>negative impact of recreational development on the Escarpment environment</i> .	See previous comments regarding “negative impact” and “Escarpment environment”.
	3. In Escarpment Rural Areas, permitted recreation uses shall have minimal <i>negative impact</i> on the <i>Escarpment environment</i> .	See previous comments regarding “negative impact” and “Escarpment environment”.
	4. Where they may be permitted, golf courses shall be designed and maintained to minimize impact on the <i>Escarpment environment</i> . This shall include provision for the <i>protection</i> of hydrologic and natural heritage	<p>What BMPs? Are there Provincial Guidelines to be developed? Industry BMPs? This is not clear.</p> <p>See previous comments regarding “negative impact” and</p>

	features and functions, minimizing the application of pesticides and fertilizers, and to minimize regrading, land contour changes, and the placement or excavation of fill, in accordance with best management practices.	"Escarpment environment".
	7. Trails will be located and designed to avoid, wherever possible, steep slopes, <i>wetlands</i> , erosion-prone soils, <i>prime agricultural areas</i> and ecologically sensitive areas, such as deer-wintering yards, <i>significant wildlife habitat</i> and <i>Areas of Natural and Scientific Interest</i> .	Please add "Active transportation facilities including" to the beginning of the first sentence.
2.12 Infrastructure	The objective is to design and locate <i>infrastructure</i> corridors and facilities so that the least possible impact occurs in the <i>Escarpment environment</i> and to encourage <i>green infrastructure</i> , where appropriate.	See previous comments regarding "least possible impact" and "Escarpment environment"
	1. All new and expanded <i>infrastructure</i> corridors and facilities shall be demonstrated to have been planned in an integrated fashion, to ensure the most value out of existing <i>infrastructure</i> and that the most cost-effective and sustainable <i>infrastructure</i> alternatives have been identified.	"corridors and facilities" is in the definition of infrastructure; therefore, it is not necessary to include in this policy  For municipal infrastructure include reference to Municipal Class EA Process
	2. All new and expanded <i>infrastructure</i> corridors and facilities shall be sited and designed to minimize the <i>negative impact</i> on the <i>Escarpment environment</i> and be consistent with the objectives of this Plan. Examples of such siting and design considerations include, but are not limited to the following:  a) blasting, grading and tree removal should be minimized where possible through realignment and utilization of devices, such as curbs and gutters, retaining walls and tree wells;  b) finished slopes should have grades no steeper than 50 per cent (1:2 slope) and be planted; large cuts should be terraced to minimize surface erosion and slope failure;  c) site rehabilitation should use native species of vegetation and maintain and enhance the <i>Escarpment environment</i> ;  d) a development setback from the Escarpment brow	See previous comments regarding "minimize the negative impact" and "Escarpment environment".

	<p>shall be established by the <i>implementing authority</i> to minimize <i>visual impacts</i>; and</p> <p>a) <i>visual impacts</i> on the <i>Escarpment environment</i> from <i>infrastructure</i> corridors and facilities should be minimized by siting, structural design, colouration and landscape planting and/or vegetation screening.</p>	
	<p>5. New and expanded <i>infrastructure</i> corridors and facilities shall avoid Escarpment Natural Areas, unless the project has been deemed necessary to the public interest after all other alternatives have been considered.</p>	Please add “where appropriate and feasible” to the end of the sentence.
	<p>6. New and expanded <i>infrastructure</i> corridors and facilities should avoid <i>Prime Agricultural Areas</i> and <i>Specialty Crop Areas</i>, wherever possible, and will be required to demonstrate, through the completion of an Agricultural Impact Assessment, how <i>prime agricultural areas</i> and <i>specialty crop areas</i> will be protected or enhanced, including an examination of alternative locations that would better protect the agricultural land base. Where avoidance is not possible, only linear facilities shall be permitted in <i>prime agricultural areas</i> and <i>specialty crop areas</i>.</p>	<p>Permitted uses listed in Part 1 state that only linear infrastructure is permitted in prime agricultural and specialty crop areas.</p> <p>At what stage? Municipal Class EA?</p>
	<p>7. Municipal or Private Communal servicing, including stormwater management ponds and sewage and water services, shall not be located in or extended into Escarpment Natural Area, Escarpment Protection Area, Escarpment Rural Area, or Mineral Resource Extraction Area, unless such servicing is required to address failed individual on-site sewage or water services, or to ensure the protection of public health where it has been determined by a medical officer of health (or health authority) that there is a public health concern associated with the existing services. The capacity of services provided in these circumstances will be restricted to that required to service the affected area, and shall not allow for growth or development beyond what is permitted in this Plan.</p>	There may be justification beyond health but still relates to public safety (e.g., fire). Recommend that this policy be expanded to include “public health and safety”.
2.13 Scenic Resources and Landform Conservation	The objective is to ensure that development shall have minimal <i>negative impact</i> on the <i>scenic resources</i> of the Escarpment.	How is this reasonably achieved or measured?

	1. Development shall ensure the <i>protection</i> of the <i>scenic resources</i> of the Escarpment.	It would be more appropriate to use “should” rather than “shall”. It is challenging to ensure the protection of scenic resources, given its definition.
	2. Where a <i>visual impact</i> on the <i>scenic resources</i> is identified as a concern by the <i>implementing authority</i> , a <i>visual impact assessment</i> shall be required.	Please add “where appropriate and feasible” to the end of the sentence.
	4. Appropriate siting and design measures shall be used to minimize the impact of development on the <i>scenic resources</i> of the Escarpment, including: <ul style="list-style-type: none"> <li>a) setbacks and maximum building <i>heights</i>;</li> <li>b) orientation and <i>height</i> of built form to reduce visibility and <i>skylining</i>;</li> <li>c) clustering of buildings where appropriate;</li> <li>d) minimizing the development footprint and changes to the existing topography and vegetation;</li> <li>e) use of natural topography and vegetation as screening for visual mitigation;</li> <li>f) where there is minimal existing screening or vegetation that cannot be retained, providing new planting (native species) to screen development;</li> <li>g) use of non-reflective materials on roofs and walls along with measures to reduce reflectivity associated with windows; and</li> <li>h) minimize the effect from exterior lighting (e.g., lighting directed downward).</li> </ul>	It would be more appropriate to use “should” rather than “shall”. It may be challenging to meet all of these requirements (e.g., non-reflective materials).
2.14 The Bruce Trail	1. The Trail shall be designed and located within the corridor so as to: <ul style="list-style-type: none"> <li>a) ensure no <i>negative impact</i> on the <i>Escarpment environment</i>;</li> <li>b) minimize potential conflicts with adjacent private landowners and surrounding land uses (e.g., agriculture, housing); and</li> <li>c) comply with municipal <i>official plans</i> and by-laws (where applicable).</li> </ul>	See previous comments re: no negative impact and Escarpment environment.

	2. All uses within the corridor shall be designed to minimize the need for environmental change (e.g., tree removal).	Is this policy necessary, given others in this section?
	3. All <i>Trail activities</i> shall be <i>compatible</i> with the <i>Escarpment environment</i> and community character of the area, avoiding, wherever possible the, need for major engineering works and site alteration over the long term.	See previous comments re: no negative impact/compatible and Escarpment environment.
	4. In locations that are particularly sensitive to foot traffic, or that experience heavy use, periodic reroutes of the Trail may be necessary to allow for natural regeneration and minimize <i>negative impacts to the Escarpment environment</i> .	See previous comments re: minimize negative impact and Escarpment environment.

Bruce Trail Access Points	<p>8. Secondary <i>Bruce Trail access points</i> may occur between Escarpment Parks or Open Spaces, provided the following design standards can be met:</p> <ul style="list-style-type: none"> <li>a) secondary <i>Bruce Trail access points</i> should generally be located within 500 metres (1,650 feet) of the Bruce Trail and be connected by a side trail;</li> <li>b) secondary <i>Bruce Trail access points</i> should be located a minimum of 50 metres (164 feet) from residences, sensitive features or other adjacent uses (e.g., agriculture) that may be adversely affected by increased access;</li> <li>c) secondary <i>Bruce Trail access points</i> should be limited in size to minimize impacts on the <i>Escarpment environment</i>;</li> <li>d) where necessary, secondary <i>Bruce Trail access points</i> parking areas should be fenced and visually buffered with <i>berms</i> and/or vegetative screening;</li> <li>e) secondary <i>Bruce Trail access points</i> shall not be established in remote areas, or near sensitive areas or features where the <i>Escarpment environment</i> might be endangered or compromised by increased public access; and</li> <li>f) the location and design of secondary <i>Bruce Trail access points</i> shall satisfy all municipal and provincial road access requirements (e.g., sight-lines, drainage).</li> </ul>	<p>Subsection c) - See previous comments re: no negative impact and Escarpment environment.</p> <p>Subsection e) - Not clear what “the <i>Escarpment environment</i> might be endangered” means.</p>
3.1 The Niagara Escarpment Parks and Open Space System	<i>Public agencies/bodies</i> and approved <i>conservation organizations</i> that own and manage lands within NEPOSS (“ <i>NEPOSS agencies</i> ”) must comply with the policies in Part 3 of this Plan.	Recommend that “must comply” be reworded to state that public agencies that own or manage lands within NEPOSS are encouraged to follow the NEPOSS Management/Master Plan process and any development/activities proposed within NEPOSS parks or open spaces shall comply with the policies of the Plan.
	The Ministry of Natural Resources and Forestry coordinates the development and administration of the NEPOSS, including approval of Master/Management Plans. The Niagara Escarpment Commission works collaboratively with the Ministry of Natural	This paragraph should make clear whether the NEC will or will not provide recommendations on the approval of the Master/Management Plan to the MNRF.

	Resources and Forestry to ensure that recreational activities and development within NEPOSS are consistent with the objectives and policies of this Plan.	
	The System in its entirety is shown on Map 10. Maps 1 to 9 identify Public Land (in the Niagara Escarpment Parks and Open Space System) as an overlay, including lands owned/managed by the Bruce Trail Conservancy acquired specifically to protect the <i>Bruce Trail corridor</i> . This overlay is part of the Niagara Escarpment Plan but is not a land use designation.	Map 10 has not been provided for our review.
3.1.1 Objectives	NEPOSS is a provincially coordinated system that secures and protects <i>significant</i> Escarpment features and scenic landscapes and provides the public with opportunities for <i>compatible</i> recreation in a manner that satisfies the broad park and open space objectives set out in this Plan. NEPOSS also helps to improve resilience, provide for <i>green infrastructure</i> , and mitigate the impacts of climate change by capturing and storing carbon, recharging aquifers and protecting biodiversity and sensitive areas across the Escarpment. In this context, the objectives of NEPOSS are:	This preamble to the objectives here refers to significant escarpment features. It would be beneficial to refer to these as key natural heritage and key hydrologic features for accuracy.  Not clear what would be considered “compatible recreation”.  Is there opportunity for the Objectives and Policies of NEPOSS to better support active transportation?
	1. to protect the Niagara Escarpment’s natural heritage resources and <i>cultural heritage resources</i> ;	Natural heritage features, functions and areas are the terms used in the other Plans and PPS. Recommend that natural heritage resources be amended to be more consistent with the nomenclature of other Provincial documents.
	6. to maintain and enhance the <i>natural environment</i> of the Niagara Escarpment, including the <i>protection</i> of natural heritage and hydrologic features and functions;	Definition for “natural environment” is very broad. It may be not be possible to maintain and enhance all elements included in definition.
3.1.2 Parks and Open Space System Concept	The System, which is linear in nature, is based on public lands acquired to protect natural heritage resources and <i>cultural heritage resources</i> along the Escarpment. The System focuses on environmental <i>protection</i> while providing opportunities for public access, appreciation, education, and <i>compatible</i> outdoor recreation.	See comment above regarding the use of “compatible outdoor recreation”.  Natural heritage features, functions and areas are the terms used in the other Plans and PPS. Recommend that natural heritage resources be amended to be more consistent with the nomenclature of other Provincial documents.
3.1.2.1 NEPOSS Council	The NEPOSS Council, which is comprised of representatives from <i>NEPOSS agencies</i> as defined in Appendix 2 of this Plan, is intended to advance NEPOSS objectives. The Council will provide advice to the Ministry of Natural Resources and Forestry and the Niagara Escarpment Commission on NEPOSS policies, programs and issues.	“as defined in Appendix 2 of this Plan” is not necessary given that <i>NEPOSS agencies</i> is italicized and defined.
3.1.2.2 NEPOSS Planning Manual	The NEPOSS Planning Manual (“the Manual”) was developed by	Is there an update schedule for this manual?

	the Ministry of Natural Resources and Forestry in consultation with the Niagara Escarpment Commission and <i>NEPOSS agencies</i> . The Manual, in conjunction with Part 3, provides minimum standards and a consistent approach for the development of Master/Management Plans for lands within NEPOSS. The Manual provides more detailed guidelines for park and open space classifications and zones.	Will the NEPOSS Manual need to be revised once the NEP is finalized?
3.1.3 Nodal Parks	<p>To promote the Escarpment's diverse environments for public benefit and to provide destination and starting points within the NEPOSS, the following nine focal areas (Nodal Parks) have been selected:</p> <ul style="list-style-type: none"> <li>• Bruce Peninsula National Park</li> <li>• Inglis Falls Conservation Area</li> <li>• Mono Cliffs Provincial Park</li> <li>• Terra Cotta Conservation Area</li> <li>• Crawford Lake Conservation Area</li> <li>• Cootes Paradise Sanctuary</li> <li>• Dundas Valley Conservation Area</li> <li>• Ball's Falls Conservation Area</li> <li>• Queenston Heights (Brock's Monument)</li> </ul>	<p>The Province should consider recognizing the Cootes to Escarpment EcoPark System in The Greenbelt Plan and The Niagara Escarpment Plan in the same way that the Greenbelt Plan describes and encourages support for the development of the Rouge Park.</p> <p>The Cootes to Escarpment EcoPark System could be considered as being listed as a Nodal Park within Section 3.1.3. A short description of the Cootes to Escarpment EcoPark System in Section 3.1.3 could include the following text:</p> <p>"The Cootes to Escarpment EcoPark System has parallels with the Niagara Escarpment Parks and Open Space System and is an example of interagency cooperation involving nine land-owning partners who are working to protect, connect and restore more than 3,900 hectares at the western end of Lake Ontario. The Cootes to Escarpment EcoPark System includes lands both within and outside the Niagara Escarpment Plan area. Land classification within the Niagara Escarpment Plan area is completed in accordance with NEPOSS guidelines."</p>
3.1.3.1 Administrative Role of Nodal Parks	<p>Each geographic segment of the Escarpment is to include one or more Nodal Parks based on areas that are most representative. Administratively, Nodal Parks perform the following functions:</p> <ul style="list-style-type: none"> <li>• orientation – to tell visitors where they are in relation to other parks, open spaces, trails, natural features and points of interest;</li> <li>• education – to stimulate an understanding of the Niagara Escarpment and its natural heritage resources and <i>cultural heritage resources</i> (e.g., UNESCO <i>Biosphere Reserve</i> designation);</li> </ul>	<p>Natural heritage features, functions and areas are the terms used in the other Plans and PPS. Recommend that natural heritage resources be amended to be more consistent with the nomenclature of other Provincial documents.</p>

	<ul style="list-style-type: none"> <li>• interpretation – to familiarize visitors with the features of a park or open space; and</li> <li>• recreation – to identify and provide information on how to participate in nearby Escarpment recreational activities.</li> </ul> <p>As permitted in Part 3.1.6.2, a Nodal Park may contain buildings or facilities (e.g., visitor centre, administrative office space) appropriately scaled for the site to support uses directly related to its educational and administrative role in NEPOSS. In addition, to support and enhance their role in the System, Nodal Parks may include special purpose buildings with meals and overnight accommodations, in accordance with Part 3.1.6.4. Literature promoting the Niagara Escarpment UNESCO World <i>Biosphere Reserve</i>, the Niagara Escarpment Plan and NEPOSS should be available at the Nodal Parks in order to promote the distinctiveness and visual identity of the System. While not all Nodal Parks may include visitor reception or related facilities, the long-term goal is to have fully operational Nodal Parks that are representative of the unique geographic regions of the Niagara Escarpment.</p>	<p>What does “appropriately scaled” mean? How is this determined? Will criteria be developed? Needs to be clear and transparent.</p> <p>Not clear what is intended or expected of NEPOSS agencies by the statement: “...the long-term goal is to have fully operational Nodal Parks that are representative of the unique geographic regions of the Niagara Escarpment.”</p>
3.1.3.2 Modifications to the List of Nodal Parks	New Nodal Parks may be added to the list or existing Nodal Parks replaced without requiring an amendment to the Niagara Escarpment Plan, provided the Ministry of Natural Resources and Forestry and the Niagara Escarpment Commission are satisfied, following public and stakeholder consultation, that the addition would be consistent with NEPOSS Objectives in Part 3.1.1 and the Nodal Park concept in Part 3.1.3.	If new Nodal Parks are added to the list of existing nodal parks, without an amendment to the NEP, will this approved new list be publically available? This section should clarify this matter and indicate where the approved new list can be reviewed.
3.1.4 Parks and Open Space Classification Policy	Parks and open spaces in NEPOSS will be assigned a classification based on the predominant characteristics of the <i>property</i> . The recreational potential or intended use is a secondary consideration. The classification is based on the natural heritage resources and <i>cultural heritage resources</i> and will guide the management of the park or open space. The classification will be subject to confirmation when a Master/Management Plan is prepared or revised. Exceptions to the classification policy include: (i) lands owned by Ontario Parks, (ii) lands owned by Parks Canada, (iii) lands owned by Transport Canada and (iv) lands acquired specifically for the <i>Bruce Trail corridor</i> not listed in Appendix 1 of	<p>It is not clear who will confirm the park classification, nor who will approve the classification. This section should be revised to specify that the confirmation of classifications will occur by the owner of the park(s) when a Master/Management Plan is prepared or revised to the satisfaction of the NEC.</p> <p>Is there an approach for park systems, where multiple parks exist in proximity to one another in a specific geographic area and are managed by multiple land owners?</p>

	<p>this Plan. Park and open space classifications will ensure the maintenance of diversity in the System. There are six park and open space classes:</p> <ul style="list-style-type: none"> <li>• Nature Reserve</li> <li>• Natural environment</li> <li>• Recreation</li> <li>• Cultural Heritage</li> <li>• Escarpment Access</li> <li>• Resource Management Area</li> </ul> <p>Brief descriptions of the park classification within NEPOSS are outlined below:</p>	<p>In such areas, there is more than one property, and more than one classification. Could the owners coordinate with one another to develop one management plan—to reduce costs involved?</p> <p>“The classification is based on the natural heritage resources and cultural heritage resources...” - Should scenic resources also be included? Natural heritage features, functions and areas are the terms used in the other Plans and PPS. Recommend that natural heritage resources be amended to be more consistent with the nomenclature of other Provincial documents.</p>
Nature Reserve	<p>These areas represent and protect the most <i>significant</i> natural heritage features and landforms along the Niagara Escarpment, such as provincially significant <i>wetlands</i> and provincially significant <i>Areas of Natural and Scientific Interest</i>. Management practices will ensure that the features and values for which the reserve was established are protected.</p> <p>Access to these areas will not be widely promoted and activities will be limited to those that can further scientific understanding and education (i.e., scientific research, natural history interpretation, and trails). The minimum amount of facilities necessary to support these activities will be provided.</p>	<p>The term “natural heritage features” is used in this section but not consistently used elsewhere throughout the Plan.</p> <p>Both Life and Earth Science ANSIs?</p>
Natural Environment	<p>These lands are characterized by, and serve to protect, a variety of outstanding natural heritage resources and <i>cultural heritage resources</i>, and <i>scenic resources</i>.</p> <p>Activities may range from back-country hiking in the interior of these areas to car-camping and day use activities in more developed or accessible areas.</p>	<p>See comment above regarding nomenclature and the use of the term natural heritage resources.</p>
Recreation	<p>These are some of the best recreational environments along the Escarpment that occur naturally or can be developed to provide a</p>	<p>Not clear what is intended by “supporting infrastructure for recreational activities, where appropriate”. Will criteria be</p>

	<p>variety of outdoor recreational opportunities in attractive Escarpment surroundings. Recreation parks or open spaces may include day-use activities, outdoor recreational activities, which may include hiking, mountain biking, <i>rock climbing</i>, <i>zip lines</i> and athletic fields, and supporting <i>infrastructure</i> for recreational activities where appropriate. Facilities for overnight camping may also be provided, including <i>campgrounds</i>, temporary yurts, tents, lean-to's and unserviced camper's cabins. Special purposes buildings that include overnight accommodations and meals for guests may also be permitted in accordance with Part 3.1.6.4.</p>	<p>developed? Infrastructure for recreational uses would differ than what the definition for "infrastructure" in the Plan currently suggests. Infrastructure for recreational purposes may include lighting, fencing, irrigation, maintenance/storage buildings, servicing, etc.</p>
Escarpment Access	<p>These generally small areas will complement the larger, and in some cases, more developed parks or open spaces by providing opportunities for public access to the Niagara Escarpment. These areas may provide modest facilities to support day use activities at points of interest (e.g., trailheads, picnic sites, scenic areas, fishing areas, beaches).</p>	<p>What does "generally small" mean?</p>
Resource Management Access	<p>This classification includes certain public lands that are managed primarily to provide resource related benefits, such as forest products, fish and wildlife, or flood control.</p> <p>These areas also provide recreation opportunities and protect natural heritage resources and <i>cultural heritage resources</i>. In most cases, these areas will include more resource management activities relative to other classifications in the System.</p>	<p>Natural heritage features, functions and areas are the terms used in the other Plans and PPS. Recommend that natural heritage resources be amended to be more consistent with the nomenclature of other Provincial documents.</p>
3.1.5 Parks and Open Space Zone Policy	<p>An inventory of natural heritage resources and <i>cultural heritage resources</i> is essential to develop park and open space zones, with consideration given to the underlying land use designation(s) of the Niagara Escarpment Plan. The development of zone mapping and zone policies is required for orderly planning, <i>compatible</i> development and effective management of a park or open space. Zones recognize that every park or open space includes a particular combination of <i>significant</i> natural heritage resources and <i>cultural heritage resources</i> and potential or existing development. Zones will assign uses to lands based on their significance for <i>protection</i> and their potential for recreation within the context of the Park and Open Space Classification Policy in Part 3.1.4. It is anticipated</p>	<p>How is an "inventory of natural heritage resources and cultural heritage resources" accomplished? Via what sort of study?</p> <p>Natural heritage features, functions and areas are the terms used in the other Plans and PPS. Recommend that natural heritage resources be amended to be more consistent with the nomenclature of other Provincial documents.</p>



3.1.5.1 Master/Management Planning Policy		<p>Could one management plan be undertaken for systems of parks (like the Cootes to Escarpment EcoPark System)?</p> <p>Is a Master Plan required for a park and open space? How does the MNRF intend to require this of agencies/municipalities?</p>
3.1.5.2 Aboriginal Engagement and Public Stakeholder Consultation	<p>1. Public and stakeholder consultation will be undertaken by a <i>NEPOSS agency</i> during the Master/Management planning process, in accordance with the Manual and respective <i>NEPOSS agency</i> policies, procedures and guidelines. Comments received through the consultation process will be considered in the development of the Master/Management Plan.</p>	It should be “required” to engage/consult?
3.1.6 Recreation and Commercial Uses in Parks and Open Spaces	<p>1. Permitted uses and the recreational experience within a park or open space are closely linked to the area’s values and objectives. Where permitted by the park and open space classification, recreational uses and development will be incidental or secondary to the <i>protection</i> of natural heritage resources and <i>cultural heritage resources</i>.</p>	What is meant by “recreational uses and development”? Different from the listed uses in 3.1.6.3?
	<p>4. Notwithstanding Part 3.1.6.3, special purpose buildings designed and operated to support environmental, cultural and/or UNESCO World <i>Biosphere Reserve</i> programming that include meals and overnight accommodations for specific park user groups (e.g., school boards, youth organizations, hiking clubs) may be permitted as an <i>accessory use</i> in Nodal parks or Recreation parks if appropriately scaled for the site and identified in the Development Zone of an approved Master/Management Plan.</p>	Again, what does “appropriately scaled” mean?
	<p>6. <i>Rock climbing</i> may be permitted in other park and open space classes, where a climbing management plan to address and minimize environmental impacts is developed by the <i>NEPOSS agency</i> in consultation with the Niagara Escarpment Commission and the Ministry of Natural Resources and Forestry.</p>	The policy should stipulate that Rock climbing is prohibited in nature reserve areas, as defined in Part 3.1.4.

	<p>9. The establishment of a new trail within a Nature Reserve or Nature Reserve Zone as defined in Parts 3.1.4 and 3.1.5 respectively may be permitted if, in consultation with the Niagara Escarpment Commission and Ministry of Natural Resources and Forestry:</p> <ul style="list-style-type: none"> <li>a) the use is approved by the landowner after a detailed environmental review; or</li> <li>b) the use is required for human safety (e.g., emergency access) where there is no feasible alternative; or</li> <li>c) the use has been appropriately identified in an approved Master/Management Plan, and a detailed environmental review has been conducted.</li> </ul>	<p>Subsection a) - Criteria or specific study requirements for “detailed environmental review”?</p>
	<p>10. Off-road vehicles, as defined in the <i>Off-Road Vehicles Act</i>, are not permitted in Nature Reserve or Natural Environment parks or Nature Reserve Zones. The use of off-road vehicles may be permitted (e.g., for hazardous tree removal, maintenance or emergency access), provided there are no feasible alternatives.</p>	<p>This policy contains internal contradictions. We suggest the following revisions to eliminate contradictions (or similar): “Off-road vehicles, as defined in the <i>Off-Road Vehicles Act</i>, are not permitted in Nature Reserve or Natural Environment parks or Nature Reserve Zones for recreational purposes. The use of off-road vehicles by the implementing authority or authorized agency/contractor may be permitted for non-recreational purposes to assist in parks and open space operations/management (e.g., for hazardous tree removal, maintenance or emergency access), provided there are no feasible alternatives.”</p>
	<p>12. Motorized snow vehicles may be permitted in other park and open space classes and zones in an approved Master/Management Plan, except where the use is restricted to Ontario Federation of Snowmobile Club trails managed in partnership with the <i>NEPOSS agency</i> to ensure environmentally responsible and sustainable use.</p>	<p>What is intended by “environmentally responsible and sustainable use”?</p>
3.3 Municipal Parks and Open Space	<p>Municipal parks and open spaces not identified in Appendix 1 or on Map 10 may, upon request by the municipality and with agreement of the Ministry of Natural Resources and Forestry and the Niagara Escarpment Commission, be included in NEPOSS.</p>	<p>Earlier in Part 3 it can be inferred that it is not optional (i.e., if land is owned/managed by a public agency in the NEP it must be part of NEPOSS).</p>

7 Definitions	The following definitions have been compiled to assist the reader with the interpretation of the Niagara Escarpment Plan. Where indicated, there are a number of the terms that are used in this glossary that originated in the Provincial Policy Statement, 2014. For convenience, these definitions have been reproduced in this glossary with the same meaning and definition as in the Provincial Policy Statement, 2014.	Normal Farm Practices is defined in the other Plans and is referenced in the NEP; therefore, recommend that it be included in this Plan.  The definition for “Bruce Trail” should not be deleted.
Accessory Facility	A detached building, structure or other installation that is not used for human habitation and for which the use of is naturally and normally incidental subordinate, and exclusively devoted to a principal use located on the same lot.	What does this term mean in the context of parks/open spaces?
Accessory Use	The use of any land, building, structure or facility that is naturally and normally incidental, subordinate and exclusively devoted to the principal use located on the same lot.	What does this term mean in the context of parks/open spaces?
Compatible	Where the building, structure, activity or use blends, conforms or is harmonious with the <i>Escarpment environment</i> .	The use of this term throughout the Plan is problematic. Not clear how compatible will be determined; requires clear and consistent criteria.
Conserve/conserved/conservation	In a cultural heritage context means the identification, <i>protection</i> , management and use of <i>built heritage resources</i> , <i>cultural heritage landscapes</i> and <i>archaeological resources</i> in a manner that ensures their <i>cultural heritage value or interest</i> is retained under the <i>Ontario Heritage Act</i> . This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments (Provincial Policy Statement, 2014).	The PPS only refers to the term “conserved”.
Conservation Organization	A non-government conservation body that includes a land trust, conservancy or similar not-for-profit agency governed by a charter or articles of incorporation or letters patent, and with by-laws and objectives that support the protection of the natural environment of the Niagara Escarpment. Such an organization must have registered charitable status. <i>A conservation organization shall be considered to have an “approved” status under this Plan once the Ministry of Natural Resources and Forestry and Niagara Escarpment Commission have been satisfied that a conservation organization has an</i>	Does the NEC have a separate policy that would provide guidance on the conservation organization approval criteria and the approval process? We understand one was approved by the NEC on June 15, 2006, but are unsure whether it is still applicable. If it is still applicable, this policy should be referenced specifically in this definition.  Please also specify where the list of “approved” conservation organizations can be viewed by the public.

	environmental purpose consistent with the purpose, objectives and policies of the Niagara Escarpment Plan. This would include commitment, public support, organizational ability, sustained activity in the interests of conservation over several years and a legally binding arrangement to ensure that all lands acquired or held as nature preserves remain protected should the organization cease to exist.	
Cultural heritage value or interest	A <i>property</i> may be determined to have <i>cultural heritage value or interest</i> if it meets one or more of the criteria found in Ontario Regulation 9/06 under the <i>Ontario Heritage Act</i> . A <i>property</i> may be determined to have <i>cultural heritage value or interest</i> of provincial significance if it meets one or more of the criteria found in Ontario Regulation 10/06 under the <i>Ontario Heritage Act</i> .	Regulations are subject to change; therefore, recommend that this definition refer more generally to the parent legislation or include “as amended from time to time”.
Endangered Species	Means a species that is classified as an <i>endangered species</i> in Ontario Regulation 230/08 (Species at Risk in Ontario List) made under the <i>Endangered Species Act, 2007</i> , as it may be amended from time to time.	Definition in PPS for this term; therefore, the definition in the NEP should be harmonized.
Escarpment environment	The physical and natural heritage features and cultural heritage and <i>scenic resources</i> associated with the Escarpment landscape.	<p>The use of the term “Escarpment environment” is problematic throughout the Plan. The definition for “Escarpment environment” includes physical and natural heritage features, cultural and scenic resources, which all need to meet different tests under the Plan or PPS. It may not be appropriate to demonstrate “minimal negative impact” on all elements of the Escarpment environment, as some natural heritage features are required to meet different tests (e.g., no negative impact) while others (e.g. cultural and scenic resources) do not.</p> <p>As noted above, the use of the term “Escarpment environment” is problematic throughout the Plan. What does “substantial negative impact” (2.3.3) mean in the context of each of the elements considered under “Escarpment environment”?</p> <p>“minimize negative impacts on the natural environment”. How is this achieved given how broad the definition of natural environment is? Negative impacts is defined relative to specific features and not necessarily one in the same with the definition for natural environment.</p> <p>The revised definition should be expanded to include natural</p>

		heritage areas, key hydrologic features, natural heritage systems, and the ecological functions associated with each.
Event	In the case of a <i>winery</i> , this means an <i>event</i> that is accessory to the principal use of the <i>property</i> .	It may be worthwhile to expand this definition to account for events that are unrelated to wineries (that would require a Development Permit).
Forest Management	The sustainable management of forests for the production of wood and wood products, and to provide outdoor recreation, to maintain, restore or enhance environmental conditions for wildlife, and for the <i>protection</i> and production of water supplies.	Should be made clear how this differs or relates to woodland management.
Heritage Conservation Easement Agreement	Means a covenant or agreement that may be entered into by the owner of real <i>property</i> and either a municipality or the Ontario Heritage Trust, is registered on title and executed with the primary purpose of preserving, conserving and maintaining a cultural heritage feature or resource, or preventing its destruction, demolition or loss. A heritage conservation easement may be entered into under either Parts II (Section 10) or IV (Section 37) of the <i>Ontario Heritage Act</i> .	Should the buildings not be designated?
Home Industry	A use, providing a service primarily to the rural or farming community and that is accessory to a <i>single dwelling</i> or agricultural operation, performed by one or more residents of the <i>household</i> on the same <i>property</i> . A <i>home industry</i> may be conducted in whole or in part in an <i>accessory facility</i> and may include an animal kennel, carpentry shop, a metal working shop, a welding shop, an electrical shop or blacksmith's shop, etc., but does not include an auto repair or paint shop, or furniture stripping.	The definition should continue to refer to the use as "small scale".
Infrastructure	Means physical structures (facilities and corridors) that form the foundation for development. <i>Infrastructure</i> includes <i>green infrastructure</i> and <i>utilities</i> as defined in this Plan, in addition to transportation corridors and facilities, including rights-of-way for the movement of people and goods.	Do any other of the examples provided in the PPS definition for infrastructure apply to the NEP?
Institutional Use	Use of land, building or structure for some public or social purpose that may include governmental, religious, educational, charitable, philanthropic, hospital or other similar use, including cemeteries, to serve the immediate community.	Would a privately owned cemetery be considered an institutional use?
Negative Impact	Means <ul style="list-style-type: none"> <li>a) in regard to water, degradation to the quality or quantity of surface or ground water, key hydrologic features and their related <i>hydrologic functions</i>, due to single, multiple</li> </ul>	The use of the term "Escarpment environment" is problematic throughout the Plan. The definition for "Escarpment environment" includes physical and natural heritage features, cultural and scenic resources, which all need to meet different

	<p>or successive development;</p> <p>b) in regard to key and other natural heritage features, degradation that threatens the health and integrity of the natural features or <i>ecological functions</i> for which an area is identified due to single, multiple or successive development;</p> <p>c) in regard to <i>fish habitat</i>, any permanent alteration to, or destruction of <i>fish habitat</i>, except where, in conjunction with the appropriate authorities, it has been authorized under the <i>Fisheries Act</i>;</p> <p>d) in regard to <i>scenic resources</i>, a degradation to the quality of the <i>visual impact</i>; and</p> <p>e) in regard to <i>cultural heritage resources</i>, degradation or destruction of <i>built heritage resources</i>, <i>cultural heritage landscapes</i>, <i>archaeological resources</i>, including a <i>visual impact</i>, when <i>heritage attributes</i> include the visual setting of a <i>cultural heritage resource</i> and other features of <i>significant cultural heritage value or interest</i>, including heritage and archaeological sites of critical importance to Aboriginal peoples.</p>	<p>tests under the Plan or PPS. It may not be appropriate to demonstrate “minimal negative impact” on all elements of the Escarpment environment, as some natural heritage features are required to meet different tests (e.g., no negative impact) while others (e.g. cultural and scenic resources) do not.</p> <p>What does “substantial negative impact” (2.3.3) mean in the context of each of the elements considered under “Escarpment environment”?</p> <p>“minimize negative impacts on the natural environment”. How is this achieved given how broad the definition of natural environment is? “Negative impacts” is defined relative to specific features and not necessarily one in the same with the definition for natural environment.</p> <p>Subsection d) - How will degradation of the quality of the visual impact be determined?</p>
NEPOSS agency	<i>Public agencies/bodies</i> and approved conservation organizations that own/manage land within NEPOSS.	The term “conservation organizations” should be italicized as it is a defined term.
Scenic quality	A reference to the scenic rankings derived from the Niagara Escarpment Plan: A Landscape Evaluation Study and updates to the study. There are six rankings: Very Attractive, Attractive, Average, Low and Very Low.	The definition for scenic quality refers to items that are not referenced anywhere within the NEP (external old study/guidelines). HAPP recommends that the definition be updated to reflect current terminology.
Significant	<p>Means</p> <p>a) in regard to <i>wetlands</i> and <i>areas of natural and scientific interest</i>, an area identified as provincially significant by the Ministry of Natural Resources and Forestry using evaluation procedures established by the Province, as amended from time to time;</p> <p>b) in regard to <i>woodlands</i>, an area that is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the</p>	<p>Subsection b) - This definition should be revised to specify what to do when no MNRF criteria exists, or where a municipality has opted to develop its own criteria that goes above and beyond the MNRF criteria.</p>

	<p>amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. These are to be identified using criteria established by the Ministry of Natural Resources and Forestry;</p> <p>c) in regard to other features and areas, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system. These are to be identified using criteria established by the Ministry of Natural Resources and Forestry; and</p> <p>d) in regard to cultural heritage and archaeology, resources that have been determined to have <i>cultural heritage value or interest</i> for the important contribution they make to our understanding of the history of a place, an event, or a people.</p> <p>Criteria for determining significance for the resources identified in sections c) and d) are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used.</p> <p>While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.</p>	
Stream/watercourse	A feature having defined bed and banks, through which water flows at least part of the year.	This is not the same definition used in CA Act/regulation – that definition should be used.
Threatened species	Means a species that is classified as a <i>threatened species</i> in Ontario Regulation 230/08 (Species at Risk in Ontario List) made under the <i>Endangered Species Act, 2007</i> , as it may be amended from time to time.	Recommend that this definition be harmonized with PPS definition.
Trail activities	Recreation oriented to trails, (e.g., horseback riding, cross-country skiing, hiking, snowmobiling).	HAPP recommends that “cycling” be added.
Vegetation protection zone	A vegetated buffer area surrounding a key natural heritage feature or key hydrologic feature within which only those land uses permitted within the feature itself are permitted. The width of the <i>vegetation protection zone</i> is to be determined when new development occurs within 120 metres of a key natural heritage	Why is the 2005 Greenbelt Plan referenced? Recommend that the Greenbelt Plan, Growth Plan and NEP all use the same definition. No need to cross-reference other Plans.

	feature or key hydrologic feature, and is to be of sufficient size to protect the feature and its functions from the impacts of the proposed change and associated activities that will occur before, during, and after, construction, and where possible, restore or enhance the feature and/or its function (Greenbelt Plan, 2005).	
Waste disposal site	<p>Any land or land covered by water, upon, into or through which, or building or structure in which <i>waste</i> is deposited, stored and processed and includes such sites defined and classified in regulations under the <i>Environmental Protection Act</i>, as amended, including derelict motor vehicles sites, transfer or container stations or incineration sites, but does not include:</p> <ul style="list-style-type: none"> <li>a) a structure that is wholly utilized for the temporary collection of <i>waste</i> (e.g., commercial and industrial dumpsters associated with an <i>existing use</i>);</li> <li>b) domestic storage and composting of waste sites;</li> <li>c) existing hospital incinerators;</li> <li>d) agricultural waste sites (e.g., agricultural manure and disposal);</li> <li>e) on-site incinerators at the site of a crematorium within the meaning of the <i>Cemeteries Act</i>;</li> <li>f) on-site incinerators at the site of a veterinary hospital/clinic;</li> <li>g) recycling depots for paper, glass and cans etc., serving the local community; and disposal of domestic sewage sludge on farmland.</li> </ul>	<p>Subsection g) - The definition should continue to refer to the use as "small scale".</p>