



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
2016 COUNCIL MEETING

AGENDA

DATE: Wednesday, October 5, 2016

CLOSED MEETING: 12:00 P.M.

REGULAR MEETING: 1:00 P.M.

≠ Denotes resolution prepared

1. Call the Meeting to Order
2. Disclosure of Pecuniary Interest & the General Nature Thereof.
3. **CLOSED ITEMS** ≠
 - (a) Confidential Verbal Report from Karen Landry, CAO/Clerk, regarding litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board, and a request under the Municipal Freedom of Information and Protection of Privacy Act, if the council, board, commission or other body is the head of an institution for the purposes of that Act – 599 Arkell Rd.
 - (b) Confidential Verbal Report from Karen Landry, CAO/Clerk, regarding litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board with respect to Slotegraaf Construction Inc. 4421 Sideroad 10 North
 - (c) Confidential Verbal Report from Karen Landry, CAO/Clerk regarding litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board, and personal matters about an identifiable individual, including municipal or local board employees with respect to 4006 Highway 6.
4. Adoption and Receipt of Minutes of the Previous Meeting.≠
 - (a) Closed Council Meeting – September 7, 2016
 - (b) Public Meeting Minutes- September 8, 2016
 - (c) Special Council Meeting- September 14, 2016
 - (d) Council Meeting – September 21, 2016
5. Business Arising Out of the Minutes.
6. **PUBLIC MEETINGS**
 1. Public Information Meeting - Zoning Applications- CBM and Aberfoyle Snowmobiles
*note this Public Information Meeting will be held on October 4, 2016 at 7:00 p.m. at the Municipal Complex – 7404 Wellington Rd. 34



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- a. REPORT PD-2016-025 Public Meeting - Rezoning Application, File D14/CBM - 2443109 Ontario Inc c/o CBM Aggregates - Part Lot 25, Concession 7, McLean Road W and Brock Road S.
2. Public Information Meeting – Comprehensive Zoning By-law
*note this Public Information Meeting will be held on October 20, 2016 at 6:00 p.m. at the Puslinch Community Centre – 23 Brock Road South
 - a. REPORT PD-2016-026 Public Meeting – Official Plan Application File OP-2016-05 and Rezoning Application File D14/LEA - Glenn and Mary Leachman – Aberfoyle Snomobiles - Concession 7 & 8, Part Lot 23, 92 Brock Road S, Aberfoyle.

7. **COMMUNICATIONS ≠**

1. 2016 Compliance Assessment Reports
 - (a) Cox Construction, Lot 13 Concession 4, License ID# 624889
 - (b) Dufferin Aggregates, Mill Creek Pit, License ID# 5738, Lot 21-24, Concession 2,1
 - (c) Dufferin Aggregates, Aberfoyle Pits, License IDs# 5483 and 5609
2. Change to the November Puslinch Council Meeting Schedule
3. Optimist Club fee reduction request ≠
 - a. Correspondence dated September 19 requesting a fee reduction for the Optimist Club 40th Celebration.
4. Rotary Club fee reduction request ≠
 - a. Correspondence requesting a fee reduction for the Annual Pasta Dinner.
5. Environmental Registry Alert
 - a. Environmental Compliance Approval – Russel Metals Inc. – 24 Nicholas Beaver Road.
6. **Intergovernmental Affairs≠**
 - (a) Various correspondence for review.

8. **DELEGATIONS / PRESENTATIONS ≠**

None



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9. **REPORTS**

1. **Puslinch Fire and Rescue Services**

None

2. **Finance Department ≠**

(a) REPORT FIN-2016-018 Municipal Performance Measurement Program
Report for 2015

3. **Administration Department ≠**

b. REPORT ADM-2016-018 Automatic Aid Agreement with the Corporation of
the City of Cambridge – Fire and Emergency Services Agreement– Puslinch
Fire Rescue Services

(e) REPORT ADM-2016-019 Agreement – Securities – Temporary Residence
during Construction – Delegated Authority

4. **Planning and Building**

None

5. **Roads & Parks Department**

(a) Walking Trail at the Puslinch Community Centre
Verbal Update from Don Creed, Director of Public Works and Parks

6. **Recreation Department**

None

7. **Mayor's Updates**

None

10. **NOTICES OF MOTION**

None



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11. **COMMITTEE MINUTES** ≠

- (a) Recreation Committee Minutes – July 19, 2016
- (b) Heritage Committee Minutes – July 25, 2016

12. **MUNICIPAL ANNOUNCEMENTS**

13. **UNFINISHED BUSINESS**

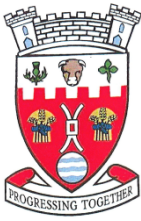
14. **BY-LAWS** ≠

- (a) 066/16 a by-law to amend by-law number 19/85, as amended, being the
- (b) A BY-LAW TO AMEND BY-LAW NUMBER 19/85, AS AMENDED, BEING THE ZONING BY-LAW OF THE TOWNSHIP OF PUSLINCH
- (c) 067/16 Being a by-law to delegate authority to the Chief Building Official and the CAO/Clerk to execute agreements
- (d) 068/16 Being a by-law to authorize the entering into an Agreement with The Corporation of the City of Cambridge regarding an Automatic Aid Agreement.

15. **CONFIRMING BY-LAW** ≠

- (a) By-law to confirm the proceedings of Council for the Corporation of the Township of Puslinch.

16. **ADJOURNMENT** ≠



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH PUBLIC MEETING MINUTES

DATE: Thursday, September 8, 2016

TIME: 7:00 p.m.

PLACE: Puslinch Municipal Complex

FILE NUMBER: 2017 Proposed User Fees and Charges
C01 FEE

MEMBERS: Mayor Dennis Lever – Chair
Councillor Matthew Bulmer
Councillor Susan Fielding – Regrets
Councillor John Sepulis
Councillor Ken Roth

The Mayor called the meeting to order.

Presentations:

Paul Creamer, Director of Finance/Treasurer provided an overview of the proposed 2017 user fee by-law, including:

- Where do Township Revenues come from
- User fee input into the budget
- Why user fees are collected
- Proposed changes for 2017, including impact on each department (particularly the Building department, Planning and Development and Parks).

Questions/Comments:

Margaret Hauwert addressed Council with respect to:

- A request for further clarification on the recovery rate for the various clubs that operate in the Township, particularly a clarification on what the service fees are for the different service clubs.

P. Creamer indicated that the review of service club fees is subject to a separate process that will consider an equitable recovery rate for all service club organizations.

Kathy White addressed Council with respect to:

- Inquiry into the operational costs for the Puslinch Community Centre and the rate of recovery.

P. Creamer clarified that the Township does not recover its expenses related to the operation of any of its parks and recreation facilities. He also noted that it is common across the Province to not recover all expenses related to recreation facilities.

ADJOURNMENT:

The meeting adjourned at 7:21 p.m.



MINUTES

DATE: Wednesday, September 14, 2016

TIME: 1:00 p.m.

The September 14, 2016 Special Council Meeting was held on the above date and called to order at 1:00 p.m. in the Council Chambers, Aberfoyle.

1. **ATTENDANCE:**

Mayor Dennis Lever
Councillor Matthew Bulmer
Councillor Susan Fielding
Councillor Ken Roth
Councillor John Sepulis

STAFF IN ATTENDANCE:

1. Karen Landry, CAO/Clerk
2. Paul Creamer, Director of Finance/Treasurer
3. Mary Hasan Director of Finance/Treasurer
4. Don Creed, Director of Public Works and Parks
5. Steve Goode, Fire Chief
6. Luis Gomes - Deputy Fire Chief of Operations
7. Jason Benn, Chief Fire Prevention Officer
8. John Uptegrove, Training Officer
9. Nina Lecic, Deputy Clerk

OTHERS IN ATTENDANCE

2. **DISCLOSURE OF PECUNIARY INTEREST & THE GENERAL NATURE THEREOF:**

None

3. **COMMUNICATIONS:**

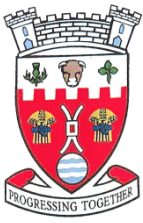
(a) Service Level Meeting Dates were set as follows:

- September 14, 2016 at 1:00 p.m.
- October 6, 2016 at 9:00 a.m.
- November 22, 2016 at 9:00 a.m.

4. **FIRE DEPARTMENT REPORTS:**

(a) Report FIR-2016-003 Master Fire Plan Recommendations and Service Level Review – Fleet and Equipment ≠

	Recommendation, as outlined in FIR-2016-003	Council Direction
#45	Staff recommends that Council consider replacing Pump 31 and Tanker 37 in 2025 with a Pumper/Tanker apparatus. The proposed Pumper/Tanker apparatus would require a 1250 U.S. G.P.M. pump, 3000 U.S. GAL. water tank, foam injection system, firefighting equipment and capable of carrying five (5) firefighters.	Council is in support of the staff recommendation. Council directed staff to watch for a used vehicle that would meet this need, and to then determine if there would be a financial benefit in making a purchase prior to 2025.
#45	Staff recommends based on the low frequency use that Tanker 38 lifecycle capital replacement schedule be increased from the current twenty (20) years to twenty – five (25) years and further that this schedule be formally adopted on a go	Council is in support of the staff recommendation.



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	<p>forward basis and that future capital budget allocations reflect this schedule subject to the budget approval practices of the day.</p> <p>Increasing the lifecycle of Tanker 38 will have no impact to the fire and rescue services provided by the Township fire department and/or ratepayer's personal insurance.</p>	
#41	<p>That the Township of Puslinch prioritize the purchase of a replacement 75 foot Quint for Aerial #33".</p>	<p>The Township purchased a 2003 Aerial #33 in 2016.</p>
#42	<p>That subject to the purchase of a new or used 75 foot Quint that the Township revise the major apparatus replacement plan to accommodate a 20 year life cycle from the time of construction for the purchased apparatus.</p> <p>Staff are not in support of this Master Fire Plan regarding the Quint 20 year lifecycle recommendation.</p> <p>Staff recommend that the 2003 Aerial (Quint) maintain a twenty – five (25) year lifecycle replacement schedule; and</p> <p>Further that the Aerial (Quint) replacement schedule be formally adopted on a go forward basis and that future capital budget allocations reflect this schedule subject to the budget approval practices of the day.</p>	<p>Council is in support of the staff recommendation.</p>
#43	<p>That the Township of Puslinch purchase a 4-wheel drive pick-up truck capable of carrying 5 to 6 volunteer firefighters and associated department equipment.</p> <p>Staff are in support of the Master Fire Plan recommendation regarding the pickup truck.</p> <p>Staff recommend that Council consider inter corporate transfer of the Chief Building Official Chevrolet Silverado pick-up truck to fire and rescue services division in 2017; and</p> <p>Further that the Township fire and rescue services pickup have a lifecycle replacement schedule of five (5) years; and</p> <p>Further that the CBO pick-up truck after the five (5) year lifecycle schedule be incorporated in the fire department capital replacement program/forecasts commencing in 2017</p>	<p>Refer to Resolutions 2016-335 and 2016-336.</p> <p>Council directed staff to obtain multiple quotes regarding the installation of emergency lights.</p>
#44	<p>That the PFRS develop a life cycle replacement plan for all equipment including firefighters bunker gear and self-contained breathing apparatus based on industry best practices and manufacturers' directions.</p> <p>Staff are in support of this recommendation and will report back to Council during the 2017 budget deliberations.</p>	<p>Staff will report back on this recommendation.</p>



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Resolution 2016-334

Moved by Councillor Roth and
Seconded by Councillor Bulmer

That Report FIR-2016- 003 regarding Master Fire Plan Recommendations and Service Level Review – Fleet and Equipment be received.

CARRIED

Resolution 2016-335

Moved by Councillor Fielding and
Seconded by Councillor Bulmer

THAT Council approves the inter corporate transfer of a vehicle from the Building Department to be used by the Fire Department.

RECORDED VOTE	YES	NO	CONFLICT	ABSENT
Councillor Bulmer	x			
Councillor Roth		x		
Mayor Lever	x			
Councillor Sepulis	x			
Councillor Fielding	x			
TOTAL	4	1		

CARRIED

Resolution 2016-336

Moved by Councillor Roth and
Seconded by Councillor Bulmer

THAT the Fire Department makes use of the vehicle transferred from the Building Department;

AND THAT the Fire Department reports back six months after the transfer on how the vehicle has been used, with detailed tracking information on the use of the vehicle, and at that time Council will evaluate the effectiveness of the overall utilization by the department.

RECORDED VOTE	YES	NO	CONFLICT	ABSENT
Councillor Bulmer	x			
Councillor Roth		x		
Mayor Lever	x			
Councillor Sepulis	x			
Councillor Fielding	x			
TOTAL	4	1		

CARRIED

(b) FIR-2016-004 Master Fire Plan Recommendations and Service Level Review – Administration, Training, Fire Suppression and Communications ≠

	Recommendation as outlined in Staff Report FIR-2016-004	Council Direction
#1	<p>Master Plan: That the Mission Statement of the Puslinch Fire and Rescue Services be updated to include a Vision Statement and to reflect the framework of the OFMEM PFSG 03-02-13 “Master Planning Process for Fire Protection” subject to approval of the proposed Master Fire Plan by Council.</p> <p>Staff recommend that Council consider adopting the following mission statement for the Township fire and rescue service department:</p> <p>“Puslinch Fire and Rescue Service – Our Community, Our Commitment to Educate, Prevent and Serve those in need”</p>	<p>Council is in support of this recommendation.</p>



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	Township Staff recommend that a Vision Statement be developed after the completion of the Township Master Fire Plan Recommendations and Service Review by Council. The decisions made by Council during the fire and rescue service review will help guide the development of a Vision Statement. The Township fire and emergency services Vision Statement will determine where we want to go, what we want to become and what we want to accomplish.	
#3	The Township Master Fire Plan recommended “That the administrative workspace for the PFRS be reviewed in consideration of the recommendations of the Master Fire Plan and the current facilities review of the Township administrative offices”	Council deferred consideration of this item pending an overall review of all the Township’s facilities.
#8	The Township Master Fire Plan recommended “that the Township prioritize the full implementation of the updated fire dispatch services agreement with the City of Guelph including the provisions of performance measures similar to those identified within the NFPA 1221 standard, or alternatively begin investigating alternative solutions for the provisions of full fire dispatch services” Staff are in support of this recommendation Staff recommend that the Township and the City of Guelph Fire Dispatch Service to amend the agreement to include performance measures for call taking and dispatching that meet NFPA 1221 standards and to repeal By-law 29/15.	Council is in support of this recommendation. Staff is to bring forward a by-law to repeal the by-law that authorized the execution of an agreement that is to be amended to include performance measures. Council requested staff to advise whether there will be any savings in dispatch equipment when Guelph implements full service.
#7	That following Council’s consideration of the proposed Master Fire Plan that the Fire Chief be directed to review the current Mutual Aid Agreements in consideration of the fire suppression deployment options and utilization of automatic aid presented within the proposed Master Fire Plan.	Council is in support of this recommendation.
#38	That Council authorize the Chief Administrative Officer and Fire Chief to approach the City of Guelph to negotiate an Automatic Aid Agreement for the provision of fire suppression services as reflected in the proposed Master Fire Plan.	Council is in support of this recommendation.
#22 & 23	That the PFRS reduce the current level of emergency response services to Confined Space Rescue and Slope/High Angle Rope Rescue incidents from an operational capability to an awareness level of response, and that these service levels be reflected in the proposed E & R By-law. That the Fire Chief be directed to investigate the options available for the delivery of operational level emergency response for incidents including Confined Space, High Angle Rope,	Council is in support of this recommendation.



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	<p>Trench Rescue and Hazmat response.</p> <p>Staff are in support of this Master Fire Plan recommendations.</p> <p>The Establishing and Regulating By-law # 12/10 will be revised to reflect the level of Confined Space services approved by Council.</p>	
#22 & 23	<p>That the PFRS reduce the current level of emergency response services to Confined Space Rescue and Slope/High Angle Rope Rescue incidents from an operational capability to an awareness level of response, and that these service levels be reflected in the proposed E & R By-law.</p> <p>That the Fire Chief be directed to investigate the options available for the delivery of operational level emergency response for incidents including Confined Space and Steep/High Angle Rope response.</p> <p>Staff are in support of proposed contract agreement between the Township and Centre Wellington fire department for Slope/High Angle rope rescue service.</p> <p>The Establishing and Regulating By-law #12/10 will be revised to reflect the level of specialized services approved by Council.</p>	<p>Council is in support of this recommendation.</p> <p>Council request that staff provide a chart outlining the various services the Fire Department provides and the level of that service (i.e. Animal service rescue)</p> <p>Council requested that staff consider the development of an information package for new residents that includes:</p> <ul style="list-style-type: none"> • Fire service levels • Burning regulations and costs to a resident when the fire department responds to a call for burning without a permit • Recreation facilities

Resolution 2016-337

Moved by Councillor Roth and
Seconded by Councillor Sepulis

That the Slope/High Angle and confined space rescue equipment be disposed of to the Township of Centre Wellington in exchange for Centre Wellington providing this service to the Township.

CARRIED

	Recommendation as outlined in Staff Report FIR-2016-004	Council Direction
#29	<p>That the Fire Chief be directed to develop a department policy for responding to medical responses that details the types of medical responses, requirements for volunteer firefighters responding, and requirements for data collection to be presented to Council for consideration and approval and inclusion within the recommended updated Establishing and Regulating By-law.</p> <p>Staff recommend that for Council consider and approve draft Guideline # 6-111 "Firefighter Use of Green Lights" (Schedule "D") and Guideline # 6-113 "Responding to Medical Emergencies in Personal Vehicles" (Schedule "E").</p>	<p>Council directed the CAO/Clerk and Fire Chief to report back and clarify the distinction between policy and guidelines within the proposed draft guidelines.</p>
#33	<p>That the Township target an area not greater than five kilometres from the fire station to recruit six additional volunteer firefighters. This</p>	<p>Council is in support of this recommendation and the removal of the residency requirement.</p>



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	<p>may include their residence or place of work in attempting to reduce the turnout times of the PFRS from the current 80th percentile for fire calls of 10.8 minutes to the comparator municipalities identified of 6.6 minutes.</p> <p>Staff recommend that preference be given to firefighter candidates that reside and/or work within 5 kilometres of the fire station</p>	
#35	<p>That a revised on-call process be implemented to ensure a minimum response to include a minimum of six volunteer firefighters and a senior officer at all times.</p> <p>Staff are in support of the current crew on call schedule and developing a senior officer on call schedule.</p>	<p>Council is in support of this recommendation and staff are to report back on the implementation of a senior officer 24/7 on-call schedule.</p>
#36	<p>That a revised call-out process be considered to provide an option for alerting either the on-call crew, our alternatively all of the fire suppression resources of the PFRS.</p>	<p>Staff are to report back on the alternatives regarding equipment and costs.</p>
	<p>Staff recommend that the Township fire and rescue services continue to provide the current level of tiered response service as outlined in the 2012 Memorandum of Understanding for the Activation of Tiered Response agreement between the Township and Guelph Wellington Emergency Medical Services (Schedule "H")</p>	<p>Council is in support of the staff recommendation.</p>
		<p>Council directed staff to continue providing motor vehicle responses and requested that future reports separate the number of motor vehicle responses on the 401 from other Township roads.</p>

Resolution 2016-338

Moved by Councillor Sepulis and
Seconded by Councillor Roth

That Report FIR-2016- 004 regarding Master Fire Plan Recommendations and Service Level Review – Administration, Training, Fire Suppression and Communications be received.

CARRIED

(c) Next service level meeting agenda

5. CONFIRMING BY-LAW

(a) By-Law to confirm the proceedings of Council for the Corporation of the Township of Puslinch

Resolution 2016-339

Moved by Councillor Roth and
Seconded by Councillor Bulmer

That the following By-law be taken as read three times and finally passed in open Council:

By-Law 062/16 being a by-law to confirm the proceedings of Council for the Corporation of the Township of Puslinch at its meeting held on the 14th of September, 2016.

CARRIED



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6. **ADJOURNMENT:**

Resolution No. 2016-340:

Moved by Councillor Roth and
Seconded by Councillor Sepulis

That Council hereby adjourns at 5:08 p.m.

CARRIED

Dennis Lever, Mayor

Karen Landry, CAO/Clerk



MINUTES

DATE: September 21, 2016

TIME: 7:00 p.m.

The September 21, 2016 Regular Council Meeting was held on the above date and called to order at 7:00 p.m. in the Council Chambers, Aberfoyle.

1. **ATTENDANCE:**

Mayor Dennis Lever
Councillor Matthew Bulmer
Councillor Susan Fielding
Councillor Ken Roth
Councillor John Sepulis

STAFF IN ATTENDANCE:

1. Karen Landry, CAO/Clerk
2. Mary Hasan, Director of Finance/Treasurer
3. Don Creed, Director of Public Works and Parks
4. Nina Lecic, Deputy Clerk

OTHERS IN ATTENDANCE

1. Doug Smith
2. Mary Tivy
3. Cheryl McLean
4. Lois Howlett
5. Donald Stewart
6. Rena Finlan
7. Barb McKay
8. Jenny Warren
9. Karen Lever
10. Rob Stovel
11. Ron Scheckenberger
12. David Bouck
13. Ron Sciedel
14. Don McKay
15. Kathy White
16. Aldo Salis
17. Kyle Davis

2. **DISCLOSURE OF PECUNIARY INTEREST & THE GENERAL NATURE THEREOF:**

Councillor Fielding declared a pecuniary interest with respect to Items 7 (2), 7 (3), and 8 (4)(b) - Proposed Residential Plan of Subdivision Township File D14/DRS - Zoning By-law Amendment DRS Developments Ltd. - Queen & Church Streets, Morriston – because a family member has dealings with DRS Developments. Councillor Fielding left the Council table and did not partake in any discussions or voting on the matter.

3. **ADOPTION OF THE MINUTES: ≠**

- (a) Closed Council Meeting – August 10, 2016
- (b) Council Service Level Review Meeting – Fire Services – September 7, 2016
- (c) Council Meeting – September 7, 2016
- (d) Closed Council Meeting – September 7, 2016

Resolution No. 2016-341:

Moved by Councillor Roth and
Seconded by Councillor Bulmer



That the minutes of the following meetings be adopted as written and distributed:

- (a) **Closed Council Meeting – August 10, 2016**
- (b) **Council Service Level Review Meeting – Fire Services – September 7, 2016**
- (c) **Council Meeting – September 7, 2016**
- (d) **Closed Council Meeting – September 7, 2016**

CARRIED

4. BUSINESS ARISING OUT OF THE MINUTES:

Councillor Bulmer requested that Harden Environmental prepare an annual report, to be posted on the Township website, providing an overview of the overall water takings in Puslinch, along with a breakdown of the individual permits to take water and their percentages of the overall takings.

Mayor Lever suggested that staff work with Mr. Denhoed.

5. PUBLIC MEETINGS:

- 1. Zoning – CBM and Aberfoyle Snowmobiles

*note this Public Information Meeting will be held on October 4, 2016 at 7:00 p.m. at the Municipal Complex – 7404 Wellington Rd. 34

6. COMMUNICATIONS: ≠

1. Roszell Pit- License No. 625189

- a. Harden Environmental Thermal Impact correspondence dated September 7, 2016.

Stan Denhoed, Harden Environmental was in attendance to respond to questions.

2. Nestle Waters Permit to take Water Process

- a. Harden Environmental correspondence dated September 9, 2016.

3. 2016 Compliance Assessment Reports

- a. Capital Paving Inc. - Wellington Pit, License Number 20085, Lots 7 and 8, Concession 3
- b. Capital Paving Inc., Pit 1, License Number 5465, Lot 22, Concession 7, 4459 Concession 7
- c. Robert Gibson Consulting Services Inc. - McKenzie Brothers (Guelph) Limited, License Number 15338, Part Lot 3, Concession 9
- d. Robert Gibson Consulting Services Inc. - McKenzie Brothers (Guelph) Limited, License Number 5709, Part Lots 3 -5, Concession 9

4. Monthly Monitoring Report, Mill Creek Pit, License #5738, Pt Lot 24, Conc 1 and Pt Lots 21-24, Conc 2

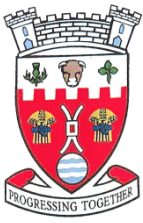
- a. Dufferin Aggregate Correspondence dated September 13, 2016

5. Public Notice- Radio Communication Tower Implementation Project at 7471 McLean Road, Puslinch ON N1H 6H9

- a. Metrolinx correspondence dated September 1, 2016.

6. Proposed Rogers Communications Wireless Telecommunication Antenna Installation at 1216 Victoria Road South

- a. Communication dated September 7, 2016.



7. Fletcher Creek- Greenbelt Signs

- a. Correspondence from the Hamilton Conservation Authority dated September 13, 2016.

Council directed staff to send a letter to the Hamilton Conservation Authority supporting their opinion that Fletcher Creek is not an appropriate venue for this type of event due to ecological and logistical concerns.

8. Update on the City of Guelph and Guelph/ Eramosa Tier 3 Study

- a. Correspondence from Kyle Davis, Risk Management Official, Wellington Source Water Protection, dated September 15, 2016.

Note: Staff is in the process of inviting Grand River Conservation Area representatives to make a presentation with respect to this matter at the October 19, 2016 Council Meeting.

9. Intergovernmental Affairs#

Resolution No. 2016-342

Moved by Councillor Sepulis and
Seconded by Councillor Fielding

That the Intergovernmental Affairs correspondence items listed on the Council Agenda for the September 21, 2016 Council meeting be received.

CARRIED

7. DELEGATIONS/PRESENTATIONS#

1. 7:05 p.m. – Nancy Reid (Stantec) and Mark Stone (MLS Consulting) regarding the Township of Puslinch Comprehensive Zoning By-law Project (Project Overview and Issue Identification).

Resolution No. 2016-343

Moved by Councillor Fielding and
Seconded by Councillor Sepulis

That Council receives the presentation by Nancy Reid (Stantec) and Mark Stone (MLS Consulting) regarding the Township of Puslinch Comprehensive Zoning By-law Project.

CARRIED

Councillor Fielding disclosed a pecuniary interest, left the Council table, and refrained from discussion and voting on item # 2 below:

2. 7:45 p.m. – Rob Stovel and Ron Scheckenberger regarding the Wellington Country Report on Zoning By-law Amendment DRS Developments Ltd. (See Item 8 (4)(b))

Resolution No. 2016-344

Moved by Councillor Bulmer and
Seconded by Councillor Roth

That Council receives the presentation by Rob Stovel and Ron Scheckenberger regarding the Wellington Country Report on Zoning By-law Amendment DRS Developments Ltd.

CARRIED

Councillor Fielding disclosed a pecuniary interest, left the Council table, and refrained from discussion and voting on item # 3 below:

3. Correspondence from Donald and Barbara McKay, and Mary Tivy regarding DRS Developments dated September 19, 2016



Resolution No. 2016-345

Moved by Councillor Roth and
Seconded by Councillor Bulmer

THAT Council receives the correspondence from Donald and Barbara McKay, and Mary Tivy regarding DRS Developments dated September 19, 2016.

CARRIED

8. REPORTS: ≠

1. Puslinch Fire and Rescue Services

None

2. Finance Department

None

3. Administration Department

- (a) **Application for Absolute Title** Part Lot 16, Concession 8. ≠
Correspondence from Miller Thompson dated August 30, 2016.

Note: Staff has no objection to the application.

Resolution No. 2016-346

Moved by Councillor Fielding and
Seconded by Councillor Sepulis

THAT Council receives the application for absolute title under the Land Titles Act by Thomasfield Homes Limited for lands legally described as Part Lot 16, Concession 8;

AND THAT Council has no objection to the application for absolute title.

CARRIED

4. Planning and Building Department

- (a) **REPORT PD-2016-024** Holding Removal – Rezoning Application – Wayne and Dianne Taylor – Lot 292 (2 Lakeshore Drive PVT) - File No. D14/TAY - Part Lot 21, Concession 8, Plan 61M203, formerly municipally known as 7541 Wellington Road 34, Township of Puslinch. ≠

Resolution No. 2016-347

Moved by Councillor Roth and
Seconded by Councillor Bulmer

THAT Report PD-2016-024 regarding the Rezoning Application – Wayne and Dianne Taylor – Lot 292 (2 Lakeshore Drive PVT) - File No. D14/TAY - Part Lot 21, Concession 8, Plan 61M203, formerly municipally known as 7541 Wellington Road 34, Township of Puslinch be received; and

THAT Council authorize the request to remove the Holding (h1) Provision from Zoning By-law 19/85, as amended, for Lot 292 (2 Lakeshore Drive PVT), on the lands described as Part Lot 21, Concession 8, Plan 61M203, formerly municipally known as 7541 Wellington Road 34; and

THAT Council enact a by-law to authorize the removal of the Holding (h1) Provision.

CARRIED

Councillor Fielding disclosed a pecuniary interest, left the Council table, and refrained from discussion and voting on item # (b) below:



- (b) **Wellington County report**- Proposed Residential Plan of Subdivision Township File D14/DRS - Zoning By-law Amendment DRS Developments Ltd. - Queen & Church Streets, Morriston ≠

Resolution No. 2016-348

Moved by Councillor Bulmer and
Seconded by Councillor Sepulis

That Council support the proposed plan of subdivision and related conditions of draft plan approval as outlined in this Report dated September 12, 2016; and

That Council pass a By-law to amend Zoning By-law 19/85 for the proposed plan of subdivision on the subject lands as outlined in this Report dated September 12, 2016; and

That staff prepare a subdivision agreement between the municipality and Owner/Developer for the proposed subdivision for Council's consideration; and

That the County Amend condition No. 17 to include "monitoring of surface waters" and to add the "operation and function" of the pond; and

That securities be held to provide for the monitoring and function of the pond for a period of time to be determined by the Township; and

That the costs for Township's review of the monitoring reports be paid by the developer; and

That condition No. 6 be amended to add fencing requirements; and

That staff advise the County's Director of Planning and Development of the Township's decision.

CARRIED

Councillor Bulmer requested that the draft conditions go to the Heritage Advisory Committee for review.

5. Roads & Parks Department

None

6. Recreation Department

None

7. Mayor's Updates

None

9. NOTICE OF MOTION

None

10. COMMITTEE MINUTES

None

11. MUNICIPAL ANNOUNCEMENTS

- (a) Councillor Bulmer notified Council that he attended the International Plowing Match on September 20, 2016 and gave compliments to Wellington County for the event.



Mayor Lever echoed those comments and gave compliments on the Township's booth, and all the staff involved.

- (b) Councillor Bulmer presented Council with a thank you plaque for the financial support from the Friends of Mill Creek. Going forward, Council was in support of foregoing the plaque and receiving a thank you letter instead, as the proceeds would directly go to the creek.
- (c) Councillor Fielding notified Council that the Puslinch Lake Conservation Area raised \$5 000 at the Hoe Down held on September 4, 2016, making the total for 2016 thus far \$70 000.
- (d) Councillor Roth notified Council that he, along with Councillor Sepulis and Mayor Lever, attended the open house at Royal Canin and gave compliments on the cleanliness of the facility. Mayor Lever echoed those comments, giving compliments on the cleanliness, the skilled staff and high end technology.
- (e) Mayor Lever notified Council that the 6th Annual Community Shredding Event originally scheduled for September 6th was re-scheduled to Saturday, September 24, 2016 due to weather.
- (f) Mayor Lever notified Council that he attended the Mayor's breakfast in Halton, along with the local MP and MPP.

12. UNFINISHED BUSINESS

None

13. CLOSED MEETING

14. BY-LAWS:

- (a) 063/16 Being a By-Law to repeal By-law 029/15 being a By-law to authorize the entering into an Agreement with the Corporation of the City of Guelph regarding the Fire Dispatch Agreement.
- (b) 064-16 Being a By-Law to amend By-law 19/85, as amended, being the Zoning By-Law of the Township of Puslinch. (See Item 8(4)(a))

Resolution No. 2016-349

Moved by Councillor Bulmer and
Seconded by Councillor Roth

That the following By-laws be taken as read three times and finally passed in open Council:

- (a) **063/16 Being a By-Law to repeal By-law 029/15 being a By-law to authorize the entering into an Agreement with the Corporation of the City of Guelph regarding the Fire Dispatch Agreement.**
- (b) **064-16 Being a By-Law to amend By-law 19/85, as amended, being the Zoning By-Law of the Township of Puslinch. (See Item 8(4)(a))**

CARRIED

15. CONFIRMING BY-LAW

- (a) By-Law to confirm the proceedings of Council for the Corporation of the Township of Puslinch

Resolution No. 2016-350

Moved by Councillor Roth and
Seconded by Councillor Bulmer

That the following By-law be taken as read three times and finally passed in open Council:

By-Law 065/16 being a by-law to confirm the proceedings of Council for the Corporation of the Township of Puslinch at its meeting held on the 21st day of September, 2016.

CARRIED



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
SEPTEMBER 21, 2016 COUNCIL MEETING

16. **ADJOURNMENT:**

Resolution No. 2016-351

Moved by Councillor Bulmer and
Seconded by Councillor Roth

That Council hereby adjourns at 9:18 p.m.

CARRIED

Dennis Lever, Mayor

Karen Landry, CAO/Clerk



REPORT PD-2016-025

INFORMATION REPORT

FROM: Kelly Patzer, Development Coordinator

DATE: October 4, 2016

SUBJECT: Public Meeting - Rezoning Application, File D14/CBM - 2443109 Ontario Inc c/o CBM Aggregates - Part Lot 25, Concession 7, McLean Road W and Brock Road S.

BACKGROUND:

1. Purpose of Report

This report is to provide an outline to Council and the Public of application D14/CBM and the review completed to date in advance of the Public Meeting being held Tuesday October 4th, 2016 at 7 p.m. regarding the Zoning By-law Amendment on the lands located on Brock Road S. and McLean Road S.

2. Application

An application has been submitted to rezone a portion of the subject property from Agricultural (A) Zone and Extractive (EX1-3) Zone to a specialized Industrial (IND-_) Zone to expand the list of permitted uses on the subject lands to include office, commercial and industrial uses.

A specific development proposal has not been made with this application but a development concept plan has been designed to capture the maximum capacity of the site.

A Planning Justification report prepared by Glen Schnarr & Associates Inc., attached, has been submitted as part of the application package. Other submission documents include a Technical Studies Report prepared by Golder Associates and a Traffic Impact Study prepared by Paradigm Transportation Solutions Limited.

3. Location & Site Characteristics

The subject land proposed to be rezoned is approximately 13.2 hectares (32.6 acres) in size, located at the northwest corner of McLean Road West and Brock Road South (Wellington Road 46), legally known as Part of Lot 25, Concession 7. The parcel of land

has been severed from the SMC “Aberfoyle Pit North” mineral aggregate resource operation under County of Wellington Consent file No.B111/14. Industrial and extractive uses surround the lands, as shown below.



Source: County of Wellington 2015 Air Photo & Parcel Fabric

APPLICATION CHRONOLOGY:

1. Township of Puslinch Zoning Application

The application was submitted and deemed complete in June 2016.

2. Notice:

July 8, 2016: Notice of a Complete Application was mailed to required agencies and property owners within 120 metres of the subject property and a notice sign has been placed on the subject property.

September 9, 2016: Notice of a Public Meeting was published in The Wellington Advertiser and mailed to required agencies and property owners within 120 metres of the subject property.

September 13, 2016: Application presented for comment at the Planning Development and Advisory Committee.

October 4, 2016: Public Meeting to be held at Township of Puslinch

3. Staff, Agency & Public Circulation Comments:

The zoning application first submission was circulated for review to the Township's consultants and External Agencies for comment and are attached.

The application was commented on by the Planning & Development Advisory Committee (PDAC) at the September 13, 2016 meeting. PDAC is in support of the rezoning application.

At the July 25, 2016 Heritage Committee meeting, the Committee advised that they do not have any comments regarding the Notice of Complete Application for the application.

The Township has not received any written comments from the public in support of or against the rezoning application. Any further comments received, including those at the Public Meeting, will be reviewed and included in the final Recommendation Report.

APPLICABLE LEGISLATION & REQUIREMENTS:

1. County of Wellington Official Plan

Schedule A7 of the Official Plan (Puslinch) designates the property partially as 'Secondary Agricultural Area' and partially as 'Rural Employment Area. The property is located within the 'PA7-1' (Puslinch Economic Development Area) Special Policy Area, that is intended to be a predominant location for economic activity and employment opportunities in the Township of Puslinch.

2. Township of Puslinch Zoning By-Law

The subject lands are zoned Agricultural (A) Zone and Extractive (EX1-3) Zone and proposed to be zoned Industrial Special (IND-_) Zone.

The permitted uses in the proposed IND-_ Zone include:

- bakery
- bank
- building or construction contractor's yard
- business office, professional office, or administrative office
- clinic
- dry cleaner's distribution station
- factory outlet
- industrial use
- personal service shop
- public use
- retail lumber and building supply yard
- restaurant

- service trade
- transport terminal
- veterinarian's clinic
- warehouse
- public indoor storage facility
- Retail uses or a showroom ancillary to an above-listed permitted use.

CONCLUSION:

Once all relevant information, reports and comments have been reviewed and completed, a final Recommendation Report will be brought forward to Council with any required proposed amending By-law which will summarize all agency and public comments and assess the merits of the application.

ATTACHMENTS:

Attachment "A": County of Wellington Planning Report and Consultant/Agency Review Comments

Attachment "B" – Planning Justification Report & Development Concept Plan prepared by Glen Schnarr & Associates Inc.



**PLANNING REPORT
for the TOWNSHIP OF PUSLINCH**

Prepared by the County of Wellington Planning and Development Department

DATE: September 28, 2016
TO: Kelly Patzer, Development Coordinator
Township of Puslinch
FROM: Aldo L. Salis, Manager of Development Planning
County of Wellington
SUBJECT: **PUBLIC MEETING D14/CBM – WR46 at McLean Road West**
Zoning By-law Amendment
Part of Lot 25, Concession 7
Township of Puslinch

SUMMARY

The purpose of this zoning by-law amendment application is to allow for the development of new employment lands in the Aberfoyle industrial/commercial corridor at Brock and McLean Roads. Various service commercial and industrial uses are proposed for the subject land. A public meeting is scheduled for October 4, 2016. This report provides a preliminary overview of the proposal, highlights of some of the applicable planning policies to be considered, and explains the next steps in the application process.

INTRODUCTION

We have received a copy of the Notice of Public Meeting regarding the above-referenced application and provide the following comments for Council’s consideration.

The land subject to the proposed zoning by-law amendment is located on the west side of Wellington Road 46 (Brock Road) north of McLean Road West. **Figure 1** illustrates the location of the subject land. This property (recently severed from the larger CBM/St. Marys Cement property to the west) is approximately 13 hectares (32 acres) in land area. The surrounding land uses include: extractive industrial, transport storage and repair, material warehousing and shipping, and general industrial uses. Immediately adjacent and south of the subject property (along McLean Road) is a property that was recently rezoned to a specialized zone to permit transport truck repair and other industrial uses.

DEVELOPMENT PROPOSAL

The purpose of the amendment is to rezone the subject land (currently Agricultural and the Extractive Industrial EXI-3 Zone) to a site-specific zoning category to allow for the establishment of various industrial/service commercial uses. A development scenario proposed by the applicant would provide a total floor area of approximately 37,000 m sq. (400,000 sq. ft.) of office and warehouse uses in three separate buildings. The site would be serviced by private well and septic, storm water management, parking and loading areas, with approximately 35% of the site to be landscaped. The only full retail use proposed at this time is a building supply and lumber establishment. Retail sales and showroom space ancillary to a main permitted use is also proposed for the subject property. However, no specific uses or tenants are secured at this time.

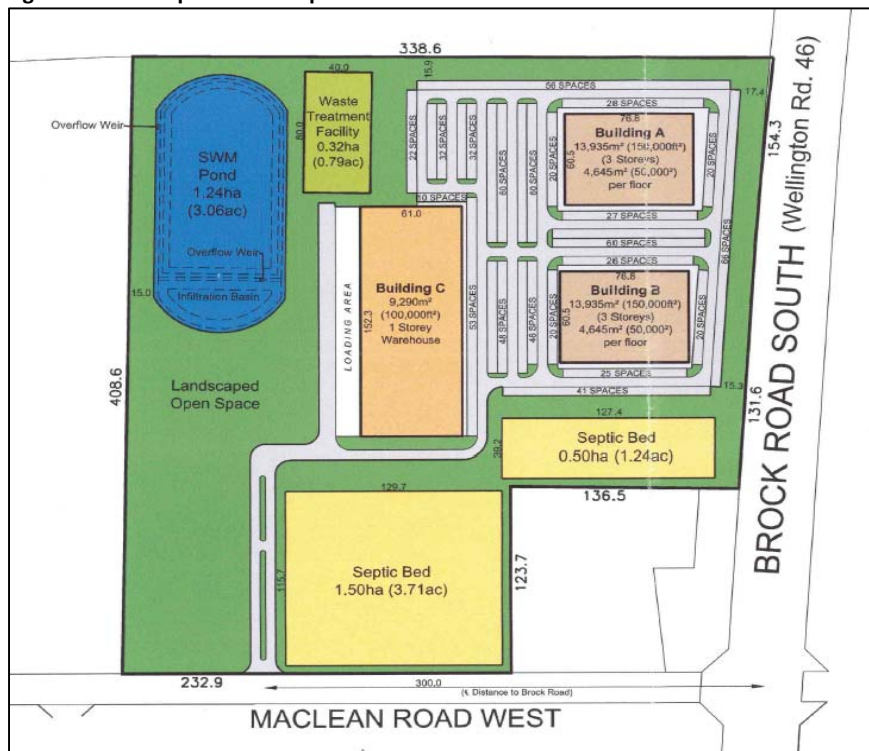
A 0.3 metre reserve was established along the Wellington Road 46 (Brock Road) through the consent process. As such, vehicle access for the site is restricted to McLean Road. The concept plan below (**Figure 2**) illustrates the driveway access that would be established for the proposed development.

The subject property is currently vacant, but part of a Provincially licensed aggregate extraction use (operated by CBM Aggregates). We understand that the aggregate material from this site has been extracted and the land is undergoing final rehabilitation with the aggregate license being surrendered in the near future.

Figure 1 Property Location



Figure 2 – Development Concept



PROVINCIAL PLANNING POLICY

The Provincial Growth Plan (Places to Grow) encourages employment growth through the “development of vacant and/or underutilized properties and to provide “an appropriate mix of employment uses including industrial, commercial and institutional uses...”. The Provincial Policy Statement (2014) provides similar policy direction regarding the provision and promotion of employment lands at appropriate locations and under appropriate conditions. Such development is to consider the adequacy of site services, transportation systems, and protection of the natural environment, among other matters. Wellington Road 46 is a major road that is designed to accommodate a relatively high volume of traffic (including truck traffic). Comments regarding traffic and the suitability of the road network will be provided by County Engineering Services under separate review.

COUNTY OFFICIAL PLAN

According to Schedule A7 (Puslinch) of the Official Plan, the street frontage portions of the subject property is designated RURAL EMPLOYMENT AREA. The lands to the rear are within the Puslinch Economic Development Area (Special Policy Area PA7-1). This special area is intended to provide locations for economic activity and employment opportunities in the Township. The Special Policy Area identifies the predominant location for business and industry in Puslinch “as after-uses when the extractive or aggregate-related activities have either ceased or are incorporated into an after-use”.

Dry industrial uses and commercial development requiring large lots, major road access or proximity to rural resources are permitted in rural employment areas. Accessory uses including the retail sales of products produced on site may be allowed. Appropriate zoning is used to implement these policies. The applicant has prepared a draft zoning by-law to introduce site specific zone that includes a variety of industrial and service commercial land uses that they believe are appropriate and technically feasible at this site.

In support of their rezoning application, the proponent has filed with their rezoning application:

- planning report
- natural environment assessment
- geotechnical and hydrogeological assessment, and
- stormwater management report.

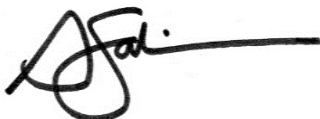
A review of the above-noted reports and studies will be conducted by the applicable public agencies, the Township’s peer review consultants, and others, with responses/comments provided by such agencies or consultants through the planning review process.

NEXT STEPS

The public meeting for this application is scheduled for October 4, 2016. Staff will be in attendance at the public meeting to hear the applicant’s presentation, public input, and Council discussion. We trust that these initial comments are of assistance to the Township. Our planning recommendations will be provided following the public meeting and resolution of any outstanding issues.

Respectfully submitted,

COUNTY OF WELLINGTON PLANNING AND DEVELOPMENT DEPARTMENT



Aldo L. Salis, M.Sc., MCIP, RPP
Manager of Development Planning



COUNTY OF WELLINGTON

MEMORANDUM

TO: Kelly Patzer, Development Coordinator – Township of Puslinch
Aldo Salis, Manager of Development Planning – County of Wellington

FROM: Pasquale Costanzo, Technical Services Supervisor – County of Wellington

RE: D11/CBM – St. Mary's Cement Aberfoyle, (2443109 Ontario Inc.)
Brock Road South at McLean Road, Part Lot 25, Concession 7, Puslinch

DATE: September 2, 2016

The County of Wellington Road Division has reviewed the first submission for a proposed rezoning as noted above and has the following comments

- The provided Traffic Impact Study will be forwarded to our consultant to be peer reviewed
- No objection in regards to the provided Stormwater Management Plan
- Access onto Brock Road (Wellington Road 46) for this proposed development will not be granted as outlined in the County's official plan

Sincerely

A handwritten signature in black ink, appearing to read "Pasquale Costanzo".

Pasquale Costanzo C.E.T.
Technical Services Supervisor

From: [Jason Benn](#)
To: [Kelly Patzer](#)
Subject: D11/CBM (2443109)
Date: July-25-16 2:01:28 PM
Attachments: [water tank specifications.doc](#)

Good afternoon,

In regards to the property mentioned above, 3.2.5.7.(1) requires that an adequate supply of water for firefighting purposes. I have attached a copy of the requirements from the fire service for tank installation and hydrant requirements.

Nothing further at this time.

Yours in fire safety

Jason Benn *CMM, JFIS-II*

Chief Fire Prevention Officer
Puslinch Fire & Rescue Services
7404 Wellington Rd. 34
Guelph, ON N1H 6H9
Tel: 519-821-3010
Fax: 519-936-6421
Email: jbenn@puslinch.ca

Prevention Begins With You!





August 5, 2016
Our File: 116006-11

Township of Puslinch
RR 3, 7404 Wellington Road 34
Guelph, ON N1H 6H9

Attention: Ms. Kelly Patzer
Development Coordinator

Re: D11/CBM- 2443109 Ontario Inc.
Zoning By-law Amendment Application
Township of Puslinch

Dear Ms. Patzer,

We have reviewed the application in support of the Zoning By-Law Amendment for Brock Road South and Mclean Road W, Part Lot 25, Concession 7, Township of Puslinch.

Documents submitted and reviewed include:

- Planning Justification Report, prepared by Glen Schnarr & Associates Inc., dated May 2016
- Technical Studies Report, prepared by Golder Associates, dated April 2016
- Traffic Impact Study, prepared by Paradigm, dated
- Zoning By-law Amendment Application
- Proposed By-law

Based on our review of the documents listed above, we have no comments regarding the proposed zone change.

A detailed analysis will be completed during the Site Plan Approvals Process on all supporting documents once a more detailed plan for the development has been determined.

If you have any questions or require additional information, please do not hesitate to contact us.

Yours truly,

GM BLUEPLAN ENGINEERING LIMITED

Per:

A handwritten signature in blue ink, appearing to read 'Steve Conway', is written over a light blue horizontal line.

Steve Conway, C.E.T., rcsi, PMP
Senior Project Manager, Partner
SC/jl



File: 3617
By: Email

August 11, 2016

Township of Puslinch
7404 Wellington Road 34
Guelph, Ontario
N1H 6H9

Attention: Ms. Kelly Patzer
Development Coordinator

Dear: Ms. Patzer

Re: CBM Aberfoyle Lands, D14/CBM

As requested, I reviewed the Technical Studies Report prepared by Golder Associates, particularly the Section on Natural Environment, along with the proposed Development Concept Plan and other supporting documentation. I also briefly inspected the site on August 10th. CBM is proposing to rezone the 13.2 ha (32.6 acres) parcel of land located along Brock Road South and McLean Road from its current Extractive (ExI-3) and Agricultural (A) zoning to a specialized Hamlet Commercial Zone (C1-_) that allows a broader range of permitted commercial and industrial uses.

Based upon the information submitted and my observations of existing site conditions I offer the following comments.

1. The description of ELC vegetation communities given in Table 1 is inconsistent with the mapping shown in Figure 4 and my observations of existing vegetation conditions. For example, the Fresh White Cedar Coniferous Forest (FOC2-2) described in Table 1 is not shown in Figure 4 and in fact does not exist on the landscape today. In contrast, the coniferous plantation established along Brock Road exists and is shown in Figure 4 but is not described in Table 1. Furthermore, the spatial distribution of the Mineral Cultural Woodland (CUW1) does not reflect the distribution I observed or is shown on the GRCA website. These errors and omissions should be corrected as the information presented is very confusing.

2. Although CBM can remove vegetation under their existing aggregate extraction license prior to re-zoning as stated in the Golder report, it is generally accepted that sites should not be disturbed while they are under review for a planning application. Further disturbance of this site is therefore not recommended at this point in time.

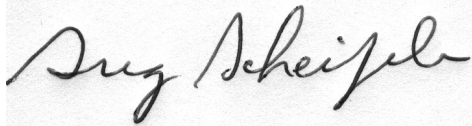
3. Although there are no significant natural heritage features on this site consideration should be given to retaining established tree cover along Brock Road, particularly the white pine and white spruce trees in the coniferous plantation and any healthy basswood and white elm trees in the central hedgerow (FOD7). The area along Brock Road is identified as Landscaped Open Space on the Development Concept Plan so it seems reasonable to retain existing good quality trees in this area. If site grading and/or servicing requirements make tree saving unfeasible in this area the pine and spruce trees are of suitable size and quality for transplanting with a spade truck elsewhere on site.

4. Approximately 35% of the property is now proposed as landscaped open space accordingly to the proposed Development Concept Plan and this landscaping must be consistent with the requirements in the Puslinch Design Guidelines.

Aside from the items listed above, I have no concerns from a natural environment perspective with the proposed rezoning application.

Yours truly,

GWS Ecological & Forestry Services Inc.

A handwritten signature in black ink, appearing to read "Greg Scheifele". The signature is written in a cursive style and is positioned above the printed name and title.

Greg W. Scheifele, M. A., R.P.F.

Principal Ecologist/Forester

CC: Aldo Salis, County of Wellington



Harden Environmental Services Ltd.
4622 Nassagaweya-Puslinch Townline Road
R.R. 1, Moffat, Ontario, L0P 1J0
Phone: (519) 826-0099 Fax: (519) 826-9099

Groundwater Studies

Geochemistry

Phase I / II

Regional Flow Studies

Contaminant Investigations

OMB Hearings

Water Quality Sampling

Monitoring

Groundwater Protection
Studies

Groundwater Modeling

Groundwater Mapping

Permits to Take Water

Environmental Compliance
Approvals

Our File: 16-27

August 8, 2016

Township of Puslinch
7404 Wellington Road 34
Guelph, ON, N1H 6H9

Attention: Ms. Kelly Patzer
Development Coordinator

Dear Ms. Patzer;

Re: Puslinch File: D11/CBM (2443109 Ontario Inc)

We have reviewed the following reports:

Glen Schnarr and Associates Inc. Planning Justification Report

*Golder Associates Technical Studies Report CBM St. Marys Cement
Aberfoyle Lands Re-Zoning*

We have reviewed the re-zoning application for Puslinch file D11 CBM St Marys Cement. The proposal is for re-zoning to allow for two office buildings and warehouse space on the site. Preliminary estimates include the use of 81,000 litres of water per day taken from a bedrock well(s) and treatment and subsurface disposal of the same volume of sewage effluent.

Shallow groundwater flow is northward towards active and inactive aggregate extraction areas. It is likely that the majority of effluent from the large septic system will travel beyond the property line onto the adjacent lands and discharge to the existing pit ponds. However, the site a) lies within the area of influence of the Nestle Waters Canada production well and vertically downward gradients and b) is situated in an upland area with natural downward gradients. Golder Associates also consults to Nestlé Waters Canada and is aware of hydrogeological conditions in the area. We expect that consideration of downward contaminant migration be addressed by the proponent. We expect that any water wells penetrating the Vinemount Member be cased into the upper Goat Island Formation, thereby isolating the deeper aquifer from the Guelph and overburden aquifers.

Our detailed comments are as follows;

Sewage System

The reporting assumes the potential for a variety of uses at the site and therefore uses an estimate of sewage flows based on possible employee numbers. If the rezoning is approved then more detailed work contained within an Environmental Compliance Approval (ECA) issued by the Ministry of the Environment and Climate Change (MOECC) will be required.

The Golder report assumes that the sewage generated will be from employee washrooms and allowable dry industrial uses.

The documentation describes a relatively comprehensive sewage effluent treatment process. Prior to permitting this volume of treated effluent to be released into the subsurface, effluent concentrations of other pertinent parameters should be discussed and examined to ensure that no long term groundwater impacts result from this development.

The effluent dilution calculation assumes that the background nitrate concentration is zero, although monitoring well 14-6 has a nitrate concentration of 2.73 mg/L. Adding another 5 mg/l of nitrate, in the effluent, to the existing background concentration amount may result in unacceptable groundwater nitrate concentrations. We expect that the MOECC will comment on the use of background nitrate concentrations in the ECA process.

This site is within the catchment area of Nestlé Waters Canada production well and other domestic water supply wells. The introduction of 81,000 L containing 5 mg/L will inject a significant mass of nitrogen into the subsurface. Contributing such a large mass of nitrogen to the subsurface every year may result in long term degradation of the underlying aquifers. A more fulsome discussion of where contaminants will ultimately flow should be presented and consideration for emerging contaminants of concern (e.g. pharmaceuticals) must be included.

Water Supply

The proposal suggests that the Gasport formation should provide sufficient water for the development. We agree that the water is available however other permits to take water and the cumulative impacts on the aquifer need to be discussed. The area of influence of the Nestlé Waters Canada well extends beneath this site and beyond. The additional taking of 81,000 l/day from the Gasport Aquifer should have a more thorough discussion in terms of potential impact to adjacent wells including Nestlé Waters Canada and Meadows of Aberfoyle. A permit to take water will be required from the MOECC.

Infiltration and Groundwater Recharge

Low Impact Development (LID) design has been incorporated into this proposal including grassed swales, infiltration trenches and an infiltration basin. Using these techniques they estimate that infiltration will be reduced by less than 10% from predevelopment conditions.

Sincerely,

Harden Environmental Services Ltd.

A handwritten signature in black ink, appearing to read 'S. Denhoed', followed by a horizontal line extending to the right.

Stan Denhoed, P.Eng., M.Sc.
Senior Hydrogeologist



**PLAN REVIEW REPORT TO: Township of Puslinch
Kelly Patzer, Development Coordinator**

DATE: August 2nd, 2016 **YOUR FILE:** D11/CBM
GRCA FILE: D11-CBM – Brock Road S and McLean Road W, Part Lot 25, Concession 7,
Township of Puslinch

RE: **Application for Zoning By-Law Amendment D11/CBM**
Brock Road S and McLean Road W, Part Lot 25, Concession 7, Township of
Puslinch
CBM (2443109 Ontario Inc.)

GRCA COMMENT:*

The Grand River Conservation Authority (GRCA) has no objection to the zoning by-law amendment to allow for a specialized Hamlet Commercial zone.

BACKGROUND:

1. Resource Issues:

Information currently available at this office indicates that the lands contain no resource features.

2. Legislative/Policy Requirements and Implications:

None.

3. Additional Information/Suggestions provided in an advisory capacity:

- We would defer review of the Storm water management review and any tree preservation or landscape review to the Township of Puslinch.
- The note on Page 8 of the Golder's report identifies Bank Swallow as onsite and further comments that the MNR will be engaged in management of the species under the ESA. Our office has no objections the direction provided, however, would recommend that correspondence from the MNR be provided as supporting documentation stating that the proposed strategy is acceptable and has been carried out.

Please note that a review fee of \$380 will be invoiced to the applicant.

Should you have any questions or require further information, please do not hesitate to contact me at extension 519-621-2763 ext. 2236.

Yours truly,



Nathan Garland
Resource Planner
Grand River Conservation Authority

* ***These comments are respectfully submitted to the Committee and reflect the resource concerns within the scope and mandate of the Grand River Conservation Authority.***

c.c. Sarah Wilhelm/Aldo Salis – County of Wellington (via email)
Karen Bennett – Glen Schanrr and Associates Inc. (via email)
2443109 Ontario Inc. (David Hanratty) – applicant (via email and mail)

**Planning Justification Report for Zoning By-law Amendment
SMC Aberfoyle North Lands
Part of Lot 25, Concession 7; Part of Road Allowance between
Concessions 7 & 8
Township of Puslinch, County of Wellington**

1.0 INTRODUCTION

Glen Schnarr & Associates Inc. has been retained by St. Marys Cement (SMC) to assist in obtaining a Zoning By-law Amendment to change the existing zoning designation and expand the list of permitted uses for approximately 13.2 hectares (32.6 acres) of land within the ‘Aberfoyle Pit North’ lands for employment uses. The subject lands are located on the west side of Brock Road South (Wellington Road No. 46) and north of MacLean Road West, in the Township of Puslinch.

The purpose of this report is to outline the nature of the proposed development and to evaluate the proposal in the context of the policies of the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, the County of Wellington Official Plan, and the Township of Puslinch Zoning By-law. Summaries and conclusions of required supporting studies are also included towards the end of this report.

2.0 SITE DESCRIPTION AND SURROUNDING LAND USES

The SMC ‘Aberfoyle Pit North’ pit lands total approximately 163.6 hectares (404.3 acres) in size and are located on the north side of Highway 401, just west of Brock Road interchange and just east of the Highway 6 North interchange with Highway 401. The subject lands to be rezoned in this Zoning By-law Amendment Application pertain to a parcel of land 13.2 hectares (32.6 acres) in size, located at the northwest corner of MacLean Road and Brock Road South (Wellington Road 46), legally known as Part of Lot 25, Concession 7; Part of Road Allowance between Concessions 7 & 8. The subject lands were previously severed from the original property via a consent application, under subsection 53(42) of the Planning Act, in December, 2014 (file number B111/14).

The subject lands to be rezoned are illustrated in Figure 1 – *Location Plan*. The subject lands were previously part of the larger mineral aggregate resource operation. The site is currently licensed under the Aggregate Resources Act (ARA) and available resources have been fully extracted. The property has been rehabilitated with the exception of a small area in the northwest corner of the site. This small corner has been extracted but not fully rehabilitated as it has been contoured but not seeded. The ARA licence will need to be surrendered at a later point during the planning approval process.

The lands to the immediate south of the subject lands consist of existing office and industrial uses including a two-storey office building for TransX (private transportation company) and an Esso gas station. To the east of the subject lands across Brock Road South is Maple Leaf Food’s newly built distribution centre. To the west and north of the subject lands are existing mineral aggregate

extraction operations. A GO Transit ‘park and ride’ lot and bus stop is located kitty corner from the subject lands at the southeast intersection of Brock Road South and McLean Road. This GO Transit bus stop provides access to routes leading to Mississauga, Milton, Guelph, and Kitchener/Waterloo.

3.0 DEVELOPMENT PROPOSAL

SMC is proposing to rezone an area of 13.52 ha (32.6 acres) of the lands located at the northwest quadrant of MacLean Road and Brock Road from its existing ‘Extractive – EXI-3’ and ‘Agricultural-A’ to ‘Industrial – IND-X (Special Provision)’ in order to facilitate the future development of office/industrial uses. A *Development Concept Plan* is enclosed as an appendix at the end of this report. The concept plan contemplated for this application is very preliminary and consists of two buildings (Buildings A and B) at a maximum of three storeys in height for a total gross floor area of 27,870 m² (300,000 square feet) in addition to one warehouse building (Building C) at one storey in height. Building C would represent a gross floor area of 9,290 m² (100,000 square feet). The proposed development scenario, while preliminary, has been based in part on the capacity of the proposed septic system, including anticipated effluent volumes and estimated number of employees. In summary, three buildings have been proposed, as follows:

- Two buildings at 3-storeys each (total office GFA = 300,000 sq. ft.); plus
- One 1-storey building with 100,000 sq. ft.

It is anticipated that the two 3-storey buildings with a total GFA of 300,000 sq. ft. can accommodate approximately 1000 employees (based on the assumption that 1 employee occupies 300 sq. ft.) Further, it is anticipated that the warehouse building would accommodate approximately 100 employees (bases on the assumption that 1 employee occupies 100 sq. ft.). One vehicular access is proposed via MacLean Road along the south lot line. The development concept plan provides a surface parking area with a total of 772 parking spaces to contemplate the office rate for parking at a rate of 1 space per 40 m² (662 spaces) for buildings A & B and the industrial rate at 1 space per 100 m² (89 spaces) for the proposed warehouse building. The concept also includes two septic beds with sizes of 1.5 hectares (3.71 acres) and 0.5 ha for a total of 2.0 hectares (4.94 acre) for septic bed, a 1.24 hectare (3.06 acre) stormwater management pond and a waste treatment facility at 0.32 hectares (0.79 acres) in size within the subject lands.

As of May 2016, SMC does not have a specific user for the proposed development. Accordingly, the purpose of this rezoning application is to enact a site specific IND zone for the property that provides a range of compatible and appropriate uses. The proposed concept plan meets the IND Zone requirements for lot area, lot frontage, all yard depths, maximum lot coverage (which is in effect treated as FSI), and minimum landscaped area.

4.0 LAND USE POLICIES

4.1 Provincial Policy Statement

The Provincial Policy Statement (PPS 2014) provides policy direction on matters of provincial interest related to land use planning and development. Section 3 of the *Planning Act* requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act. Section 1 of the PPS outlines policies associated with future development and land use patterns.

Sections 1.1.1 and 1.1.4.1 states:

“1.1.1 Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open space uses to meet long term needs;*

1.1.4.1 Healthy, integrated and viable rural areas should be supported by:

- e) using rural infrastructure and public service facilities efficiently;*
- f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;*

The proposed Zoning By-law Amendment conforms to Sections 1.1.1 and 1.1.4.1 as the subject lands will promote efficient development and land use patterns and can provide a range of future employment related uses that will contribute to the range and mix of existing land uses within the County of Wellington. By rezoning the subject lands to accommodate a range of industrial and office uses, it will also promote a diversification of the economic base of the Township, ultimately contributing to the increased long-term well-being of the municipality. The proposed rezoning will make use of the existing transportation infrastructure and public service facilities provided along Highway 401 and existing roads, thereby representing an efficient use of existing transportation infrastructure.

The PPS contains policies related to Employment and Employment Areas (Section 1.3):

“1.3.1 Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment and institutional uses to meet long-term needs;*
- b) providing opportunities for a diversified economic base, including*

maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;

1.3.2.3 *Planning authorities shall protect employment areas in proximity to major goods movement facilities and corridors for employment uses that require those locations.”*

The proposed Zoning By-law Amendment conforms to Section 1.3 as it provides an opportunity for new economic development uses to meet long-term needs of the community. Furthermore, with the subject land’s size and proximity to the Highway 401 corridor, it can support a wide range of economic activities, which will encourage a diversified local economy.

Section 1.6 of the PPS provides policies relating to Infrastructure and Public Service Facilities:

“1.6.6.4 *Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not provided, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts.”*

The proposed rezoning conforms to Section 1.6 as private sewage and water services will be provided on-site to accommodate future uses. In addition, the subject lands’ close proximity and access to Highway 401 will make efficient use of existing and planned transportation infrastructure.

Section 2.5 of the PPS contains policies related to Mineral Aggregate Resources:

“2.5.3.1 *Progressive and final rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible. Final rehabilitation shall take surrounding land use and approved designations into consideration”*

The proposed rezoning application conforms to Section 2.5 as the available resources on the subject lands have been fully extracted and rehabilitated with the exception of a small area in the northwest corner of the site. This small corner has been extracted but not rehabilitated as it has been contoured but not seeded. The ARA (Aggregate Resources Act) license will need to be surrendered at a later point during the planning approval process.

4.2 Growth Plan for the Greater Golden Horseshoe

The Growth Plan for the Greater Golden Horseshoe (Growth Plan) is intended to be a framework for implementing strong prosperous communities and a competitive economy through managing growth in the region to 2041. Growth Plan policies relevant to the proposed development include Policy 2.2.2 ‘Managing Growth’, which states:

“2.2.2.1 Population and employment growth will be accommodated by –

- f) ensuring the availability of sufficient land for employment to accommodate forecasted growth to support the GGH's economic competitiveness*
- g) planning and investing for a balance of jobs and housing in communities across the GGH to reduce the need for long distance commuting and to increase the modal share for transit, walking and cycling”*

The proposed Zoning By-law Amendment promotes the policies of the Growth Plan as it ensures the availability of sufficient land for employment to accommodate forecasted growth in order to support the Greater Golden Horseshoe's economic competitiveness.

The Growth Plan also contains policies which relate to employment areas, which are defined as areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities. Rezoning the lands at the northwest corner of MacLean Road and Brock Road will create a new employment area within the Greater Golden Horseshoe consistent with the Wellington County Official Plan. Further, Section 2.2.6 of the Growth Plan provides policy directives specific to Employment Lands. Relevant policies to the proposed Zoning By-law Amendment include:

“2.2.6.2 Municipalities will promote economic development and competitiveness by –

- a) providing for an appropriate mix of employment uses including industrial, commercial and institutional uses to meet long-term needs*
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses*
- c) planning for, protecting and preserving employment areas for current and future uses”*

The proposed Zoning By-law Amendment promotes the Employment Land policies of the Growth Plan by providing for an appropriate mix of employment uses to meet long-term needs. By rezoning the lands to facilitate future development of comprehensive industrial and prestige industrial uses, opportunities exist on the subject lands to allow for a diversified economic base.

4.3 County of Wellington Official Plan

The County of Wellington Official Plan (Last Revision March 9, 2015) provides land use policies to guide development within the County. It also gives direction for lands within the Township of Puslinch given the absence of a local Official Plan for the Township.

As shown on Figure 2 – *Excerpt of Wellington County Official Plan* in the appendix of this report, the subject lands are located within two designations in the Official Plan’s Rural System: ‘Secondary Agricultural Area’ and ‘Rural Employment Area’.

The Secondary Agricultural Area designation is defined as non-prime agricultural areas where some agricultural uses can be sustained. Permitted uses and activities within Secondary Agricultural Areas include small-scale commercial, industrial and institutional uses in addition to prime agricultural area uses and public service facilities (as per Section 6.5 of the Official Plan). Commercial, industrial and institutional uses are permitted, subject to certain requirements including:

- that adequate water and sanitary servicing can be provided;
- that the use is compatible with the surrounding area;
- that the proposed location is appropriate for market and land considerations;
- that the use is small in scale and contained within one lot; and,
- that the use will not preclude agricultural or aggregate operations.

The proposed Zoning By-law Amendment and development concept conform to the Secondary Agricultural designation in providing sufficient land area to accommodate sanitary treatment and a septic system, and is surrounded by similar adjacent compatible uses including a Maple Leaf Food’s distribution centre to the east, and a two-storey office building for a transportation company to the south. In light of the surrounding employment uses and moreover there is limited future potential for these lands to be used for high quality agricultural purposes. In our opinion, it is logical and appropriate to seek employment uses on the subject lands, consistent with the County of Wellington Official Plan.

The Rural Employment Area designation is defined as areas for industrial and limited commercial uses which benefit from a rural location for transportation access, land parcel size and natural resource considerations (as per Section 6.8 of the Official Plan). This designation permits dry industrial uses such as manufacturing, processing, fabrication and assembly of raw materials or repair, servicing, distribution and storage of materials, as well as service-focused commercial uses including business or professional offices, agricultural machinery sales, small scale motels or restaurants, and limited accessory retail. The Official Plan states that detailed land use regulations are to be determined by the Zoning By-law and that proposed uses shall be compatible with the surrounding area.

It is also important to note that Section 4.2 the County of Wellington Official Plan includes policies for economic development including industrial and commercial uses, particularly within the Rural System. Subsection 2.4.3 notes that “*opportunities for industrial, commercial and recreation activities will be supported in appropriate locations*” and that within the Rural System, such opportunities “*will be considered where they offer advantages to businesses such as larger sites, compatibility or proximity to resources or major transportation facilities*”. These policies are reinforced in subsection 4.2.5 for ‘Rural Opportunities’ which outlines that the Rural System business opportunities benefit from larger lot sizes and access to major roads.

As depicted in Figure 2 – *Excerpt of Wellington County Official Plan Schedule A7*, the subject lands are also located within the ‘PA7-1’ (Puslinch Economic Development Area) Special Policy Area. This is an area that is intended to be a predominant location for economic activity and employment opportunities in the Township of Puslinch. The ‘PA7-1’ Special Policy Area specifically notes that

extractive uses with the policy area “*should be considered for industrial, commercial, institutional and/or recreational activities or natural area as after-uses when the extractive or aggregate-related activities have either ceased or are incorporated into an after-use*”. This policy accurately describes the subject lands which have served as a mineral aggregate resource operation and are now a strong candidate for a new compatible land use and serves to compliment the County’s vision for economic development.

The proposed Zoning By-law Amendment conforms to the County of Wellington Official Plan as it proposes compatible uses on a large, fully extracted aggregate operation site that will be available to accommodate a range of employment opportunities. Furthermore, the proposal intends to accommodate for a range of employment and business opportunities, while taking advantage of existing transportation infrastructure due to the site’s close proximity to major roads, Highway 401 and a GO Transit Park & Ride lot.

4.4 Town of Puslinch Zoning By-law

As shown on Figure 3 - *Excerpt of Township of Puslinch Zoning By-law (Schedule A)*, a portion of the subject lands that are designated Secondary Agricultural Area in the Official Plan is zoned ‘Extractive – EXI-3’. Similarly the parts of the subject lands that are designated Rural Employment Area in the Official Plan are zoned ‘Agricultural’ in the Township of Puslinch Zoning By-law 19/85 (November 2014 Consolidation).

An ‘Extractive – EXI’ zone permits a single dwelling unit, agricultural use, aggregate storage area, gravel pit, quarry, public use and retail outlet or business office accessory to a permitted use. The exception ‘3’ restricts the extraction of aggregate resources below a point, which is one (1) metre above the high water table. The ‘Agricultural’ zone permits agricultural uses, a single detached dwelling, home occupation, and open space and conservation uses. General industrial and office uses are currently not permitted under the existing zones. In order to facilitate the future development of industrial and commercial uses on the subject lands, a Zoning By-law Amendment application is required.

5.0 PROPOSED ZONING BY-LAW AMENDMENT

To allow for the development of the proposed development, it is proposed that the subject lands be rezoned from ‘Extractive – EXI-3’ and ‘Agricultural – A’ to ‘Industrial – IND-X (Special Provision)’ zone in order to permit a range of industrial and commercial uses. A copy of the draft implementing zoning by-law is attached as Appendix 1 to this report.

6.0 SUPPORTING STUDIES AND PLANS

The Development Review Meeting on April 24, 2013, and again in June, 2014 set out the required supporting studies to support the proposed rezoning. These studies have been prepared and are submitted in conjunction with the Zoning By-law Amendment Application. We have summarized the findings of each report in this section.

6.1 Technical Studies Report

The supporting Technical Studies Report prepared by Golder Associates Ltd. (Golder) dated April 2016 has been prepared to support this rezoning application. The report provides technical studies to address the requirements of the County of Wellington and Township of Puslinch. This report includes a Natural Environment Assessment, a Geotechnical Assessment, a Hydrogeological Assessment and a Stormwater Management Assessment.

6.1 a) Natural Environmental Assessment

An assessment was conducted to determine if any significant environmental features exist on the subject lands. There are no surface water features or wetlands found on the subject lands. In addition, all of the plant species identified through the vegetation surveys are secure and common in Ontario.

With regards to wildlife, habitat on the subject lands are characterized primarily by disturbed areas and cultural vegetation communities, and no vegetated connections or corridors with off-site features were found. A total of 35 bird species were observed in the study area during the breeding bird surveys. However, it was determined that there are no habitats in the study area for avian SAR that warranted species-specific surveys. A total of four (4) mammal species were observed in the study area and represent a common community of species. All mammal species observed during the surveys are very common provincially and globally. One species, milksnake, is designated special concern and was identified as having moderate potential to be found on the subject lands given the suitable habitat. As milksnake is designated special concern, neither its habitat nor individuals are protected. Therefore, during construction a worker awareness program is recommended as sufficient to protect any milksnake that may be on the subject lands.

An assessment was also completed to assess the natural heritage features and functions located on the subject lands.

Based on the assessment completed, the following features do not occur within the subject lands:

- Significant wetlands;
- Significant woodlands;
- Significant valleylands; and
- Significant Areas of Natural and Scientific Interest (ANSI)

There is no suitable habitat for endangered or threatened species on the subject lands, or in the study area. Further, there are no surface water features on the subject lands. Based on the surface water assessment, local drainage to off-site natural systems, or fish habitat, will not be affected by the proposed rezoning and proposed conceptual development.

An analysis was conducted on seasonal concentration areas, and no seasonal concentration areas were identified in the study area. Furthermore, no migration corridors or specialized habitats were identified in the study area. Finally, no vegetation communities in the subject lands are ranked extremely rare or rare-uncommon.

6.1 b) Geotechnical Assessment

Based on the results of the investigation carried out by Golder, the subsurface soil conditions are generally considered to be suitable to support the proposed development.

6.1 c) Hydrogeological Assessment

It has been determined that the bedrock aquifers in the Guelph Formation and the Gasport Formation in the area have been shown to provide good water quantity and quality and are used for various purposes. The water supply could be obtained from one or more wells depending on the demand required and it is recommended that the siting of the well be sufficiently far from the area for the proposed septic tile bed. Water taking for typical industrial/commercial uses is not expected to create well interference with neighboring wells.

Given the hydrogeological conditions, it is recommended that fully raised tile beds be constructed. The existing topography of the subject lands will require grading of the tile bed area prior to construction. The conceptual site plan developed as part of this application has set aside an area of approximately 2 ha (divided over 2 blocks consisting of 1.5 ha and 0.5 ha) for the construction of a subsurface septic disposal system. A septic bed impact assessment was conducted, and confirmed that nitrate, nitrite and total phosphorus concentrations are generally low at the wells monitored at the site.

A communal wastewater treatment process must be provided given the anticipated volume of effluent generated each day based on the proposed preliminary concept plan. Given the size of the system and effluent objectives it is recommended that a treatment process involving pre-treatment, post-treatment, denitrification and disposal bed be provided. With the exception of the disposal bed and forcemains, the entire treatment process would be located within the proposed treatment plan which would include electrical power (including emergency), potable water supply and heating.

There is no expectation of water quality impact as a result of the proposed effluent discharge. There are no surface water receptors within 300 m of the proposed tile bed locations, the shallow water table is not at risk of eclipsing Ontario Drinking Water Standards and the bedrock aquifer is naturally protected by the geologic conditions.

6.1 d) Stormwater Management

A conceptual plan has been prepared to illustrate a proposed development pursuant to the 'IND-Zone'. The proposed post development condition contains four buildings (1 warehouse, two 3 storey buildings and a wastewater treatment facility), paved parking, sidewalks and driveway, lawn/grass areas, septic bed, infiltration basin and a Stormwater Management pond.

Under the post development scenario, it is anticipated that the runoff from the total catchment area will flow towards the northwest into the proposed stormwater management pond and will continue to contribute to the water table.

Proposed Low Impact Development (LID) features in the post-development scenario include an infiltration basin to receive runoff from the roof of the buildings and enhanced grass swales and infiltration trenches to receive runoff from the parking area. Modelling data indicates that LID features will largely compensate the infiltration volume reductions estimated for the post-development scenario.

It is important to note that the SWM pond size shown on the preliminary development concept plan of 1.24 ha is currently oversized. As the rezoning process progresses, more definitive calculations will be provided to more accurately size the SWM pond.

6.1 e) Conclusions:

Based on the technical studies completed by Golder, the following conclusions include:

- There are no anticipated unacceptable impacts on natural features in the area of the subject lands as a result of the conceptual development;
- The subsurface native soil conditions are generally considered to be suitable to support the proposed conceptual development; however, fill materials encountered within a limited area on site are unsuitable and must be removed prior to development;
- A suitable water supply can be likely established from the bedrock aquifer, specifically within the Gasport Formation;
- A septic system area has been identified that can accommodate a daily average effluent loading of approximately 81,000 L/day of treated septic effluent;
- The septic system has been sized for the appropriate number of employees proposed to be accommodated in this development proposal. This was determined using a rate of effluent generated per employee of 75 L/employee/8 hour shift, which would result in a daily effluent volume of 81,000 L/day, which in turn corresponds to 1,080 employee shifts per day.
- Tertiary treatment of septic effluent will be required with a sewage treatment plant with nitrate removal;
- LID features will be required to compensate the infiltration volume reductions that will occur during post development;
- An infiltration basin and wet pond, designed for enhanced water quality treatment, will be required for storage and water quality requirements; and
- The proposed SWM pond will provide a permanent pool, extended detention volume, and additional freeboard with overflow from the SWM pond being directed to the adjacent pit lake.

5.2 Traffic Impact Study

The supporting Traffic Impact Study prepared by Paradigm Transportation Solutions dated April 2016 has been prepared to determine the impact of the proposed development on the existing surrounding road network. It has been determined that:

- The intersection of Brock Road and MacLean Road within the study area is currently operating within acceptable levels of service during the AM and PM peak hours;
- Once completed, the development is expected to generate 613 AM peak hour trips and 552 PM peak hour trips;

- The intersection of Brock Road and McLean Road within the study area is expected to operate within acceptable levels of service in the AM and PM peak hours during the 2021 background traffic conditions;
- During the AM peak hour, the northbound left turn movement is expected to be approaching capacity. Optimizing the signal phase timings and intersection cycle length is expected to be able to accommodate the forecasted traffic demand.
- By 2021 with build-out of the subject site, the intersection of Brock Road and McLean Road is expected to operate with an overall LOS C in the AM peak hour. The northbound left turn movement is expected to operate with a volume to capacity ratio of 0.94 and a LOS E. The southbound movement at the intersection of McLean Road and the Site Driveway is expected to operate with LOS C during the 2021 AM peak hour;
- During the 2021 PM peak hour with build-out of the subject site, the intersection of Brock Road and McLean Road is expected to operate with an overall LOS D. The eastbound left-through turn movement, eastbound right turn movement, and the northbound left turn movement are expected to all operate with LOS F and volume to capacity ratios greater than 1.0. The westbound left-through turn movement will operate with LOS E and a volume to capacity ratio of 0.90; and
- The southbound movement at the intersection of McLean Road and the Site Driveway is expected operate with LOS F during the 2021 PM peak hour.

The report recommends that the applications be approved as proposed with the following conditions:

- the County of Wellington monitor traffic conditions at the Brock Road and McLean Road intersection to adjust signal timing;
- signal timing at the Brock Road and McLean Road intersection be optimized for peak hour;
- exclusive left and right turn lanes for the eastbound and westbound approaches at the intersection of Brock Road and McLean Road to be implemented upon full development of the site;
- a westbound right turn lane and eastbound left turn lane be constructed at the intersection of McLean Road and the site driveway; and
- if warranted by the County of Wellington, a traffic signal may be constructed at the intersection of McLean Road and the site driveway.

The report recommends that the first office building be approved prior to the construction of recommended improvements. Until sufficient monitoring occurs that confirms the assumptions of the report it must be considered that traffic patterns may develop in a manner that requires adjustment to the improvements. If required, a report addendum will address changing traffic patterns and required improvements.

7.0 CONCLUSION

The proposed Zoning By-law Amendment is justified and represents good planning for the following reasons:

1. The proposal conforms to and promotes the policies of the Provincial Policy Statement, the Growth Plan, and the County of Wellington Official Plan.

2. The proposed zoning by-law amendment will ensure that land will be available to accommodate a range of employment and commercial opportunities to meet projected needs in the County of Wellington;
3. Amending the Zoning By-law to permit a range of commercial and industrial uses on the subject lands would be consistent with the County's vision for areas of previous extractive uses that are within the 'Puslinch Economic Development Area';
4. The proposed rezoning will make use of the existing transportation infrastructure and public service facilities provided along Highway 401 and existing local collector roads, thereby representing an efficient use of existing rural infrastructure, which avoids uneconomical expansion of public services;
5. The proposed development will be on private servicing and will be consistent with surrounding existing developments.

Respectfully submitted,

GLEN SCHNARR & ASSOCIATES INC.



Karen Bennett, MCIP, RPP
Associate



Evan Perlman, M.Pl.
Planner

Figures:

1. Location Plan
2. Excerpt of Wellington County Official Plan (Schedule A7)
3. Excerpt of Township of Puslinch Zoning By-law (Schedule A)
4. Development Concept Plan (Scenario B)

Appendix:

1. Draft Zoning By-law Amendment

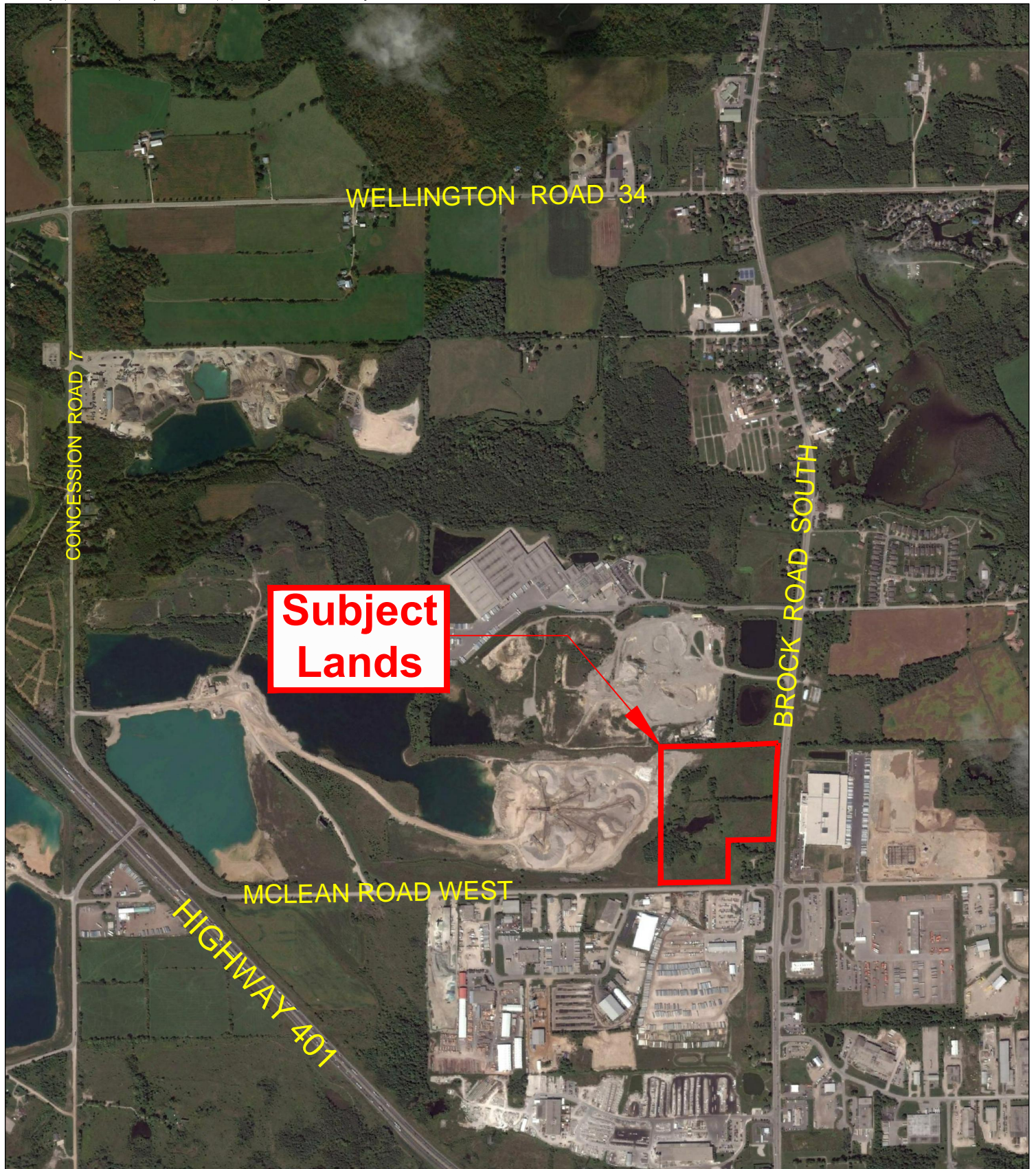


Figure 1 - Location Plan

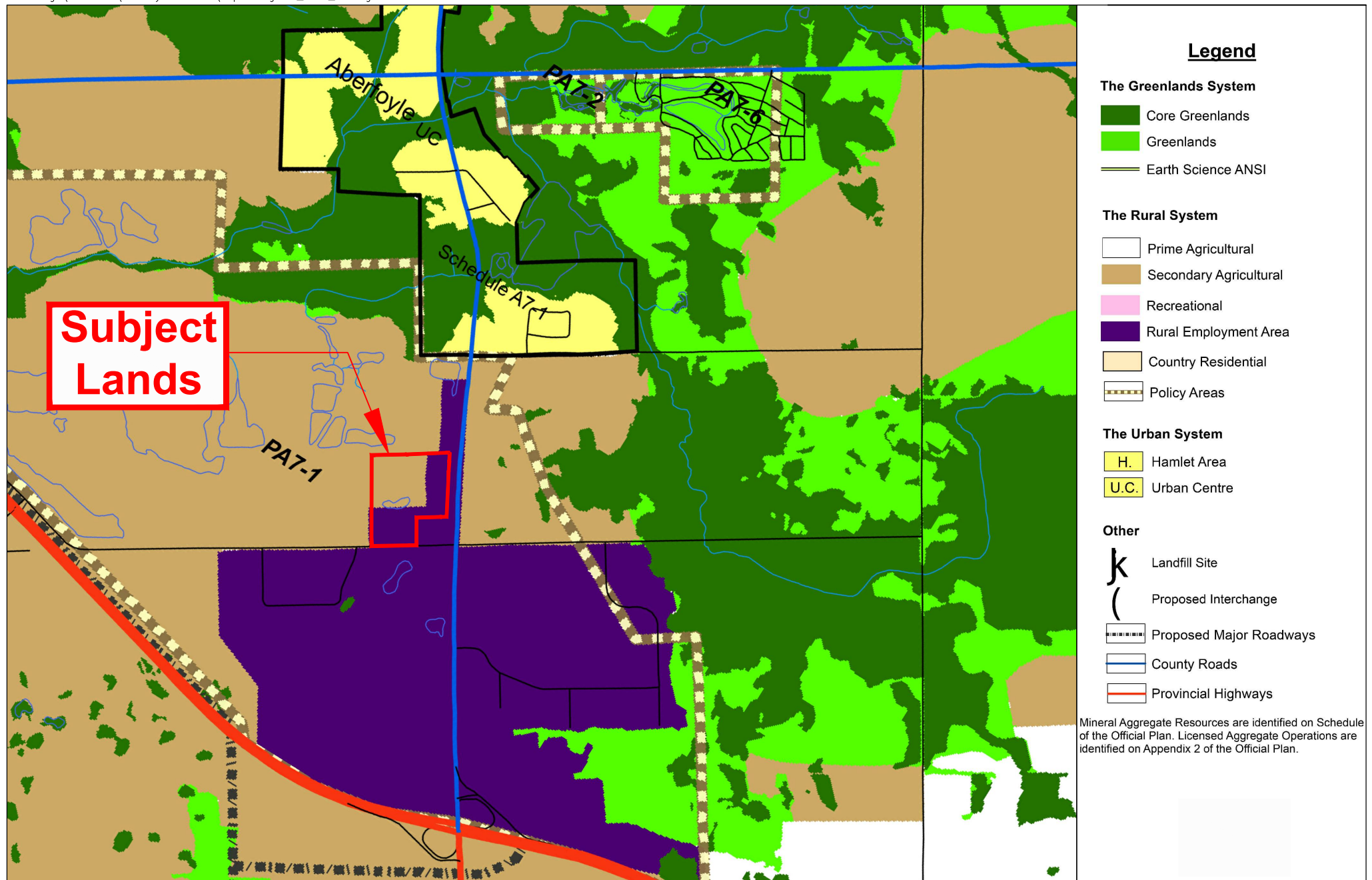
— Subject Lands



January 6, 2016



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Legend

The Greenlands System

- Core Greenlands
- Greenlands
- Earth Science ANSI

The Rural System

- Prime Agricultural
- Secondary Agricultural
- Recreational
- Rural Employment Area
- Country Residential
- Policy Areas

The Urban System

- H. Hamlet Area
- U.C. Urban Centre

Other

- K Landfill Site
- (Proposed Interchange
- Proposed Major Roadways
- County Roads
- Provincial Highways

Mineral Aggregate Resources are identified on Schedule of the Official Plan. Licensed Aggregate Operations are identified on Appendix 2 of the Official Plan.

Figure 2 - Excerpt of Wellington County Official Plan (Schedule A7)

Subject Lands



January 6, 2016



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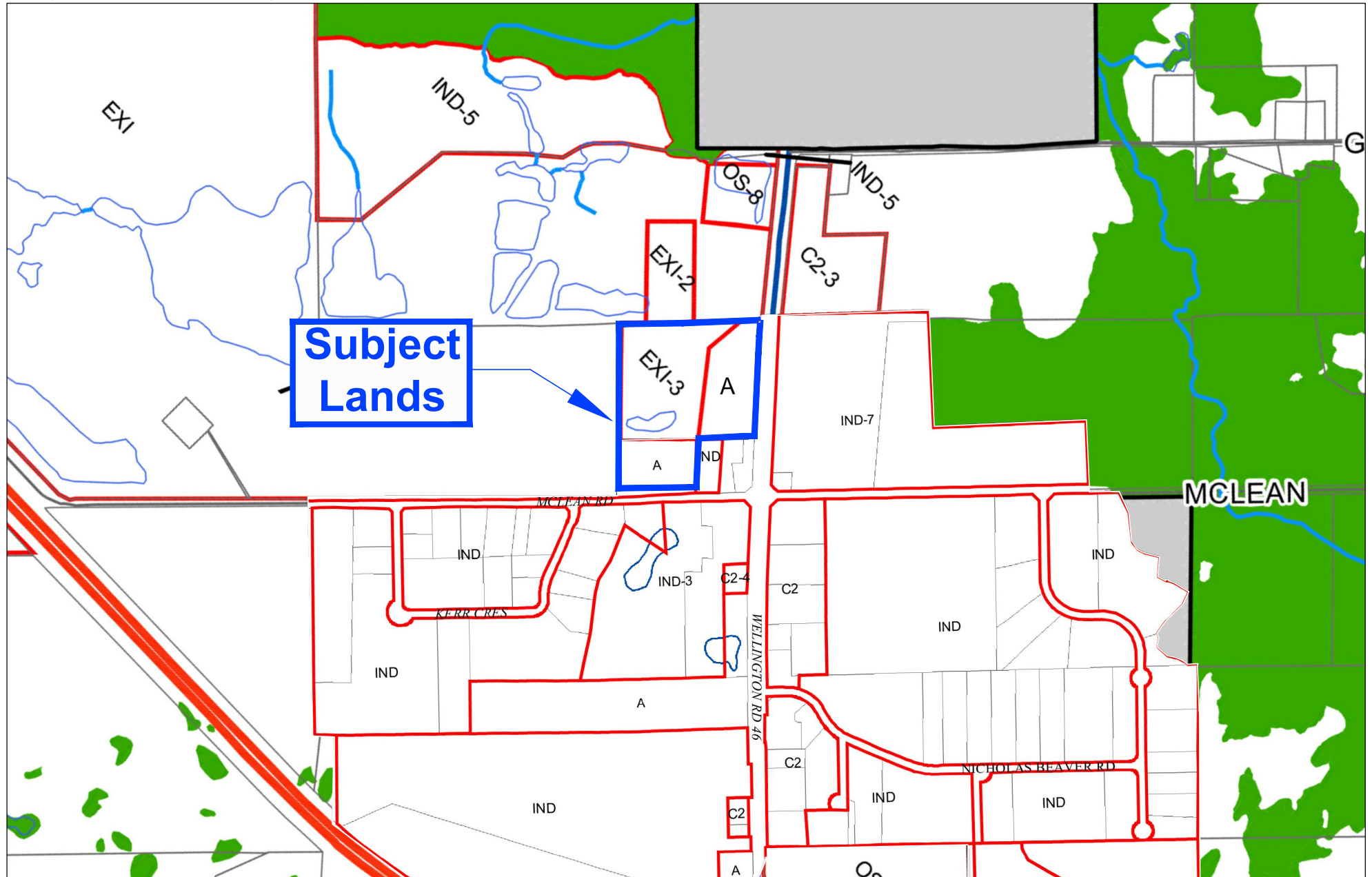


Figure 3 - Excerpt of Township of Puslinch
Zoning By-Law (Schedule A)

— Subject Lands

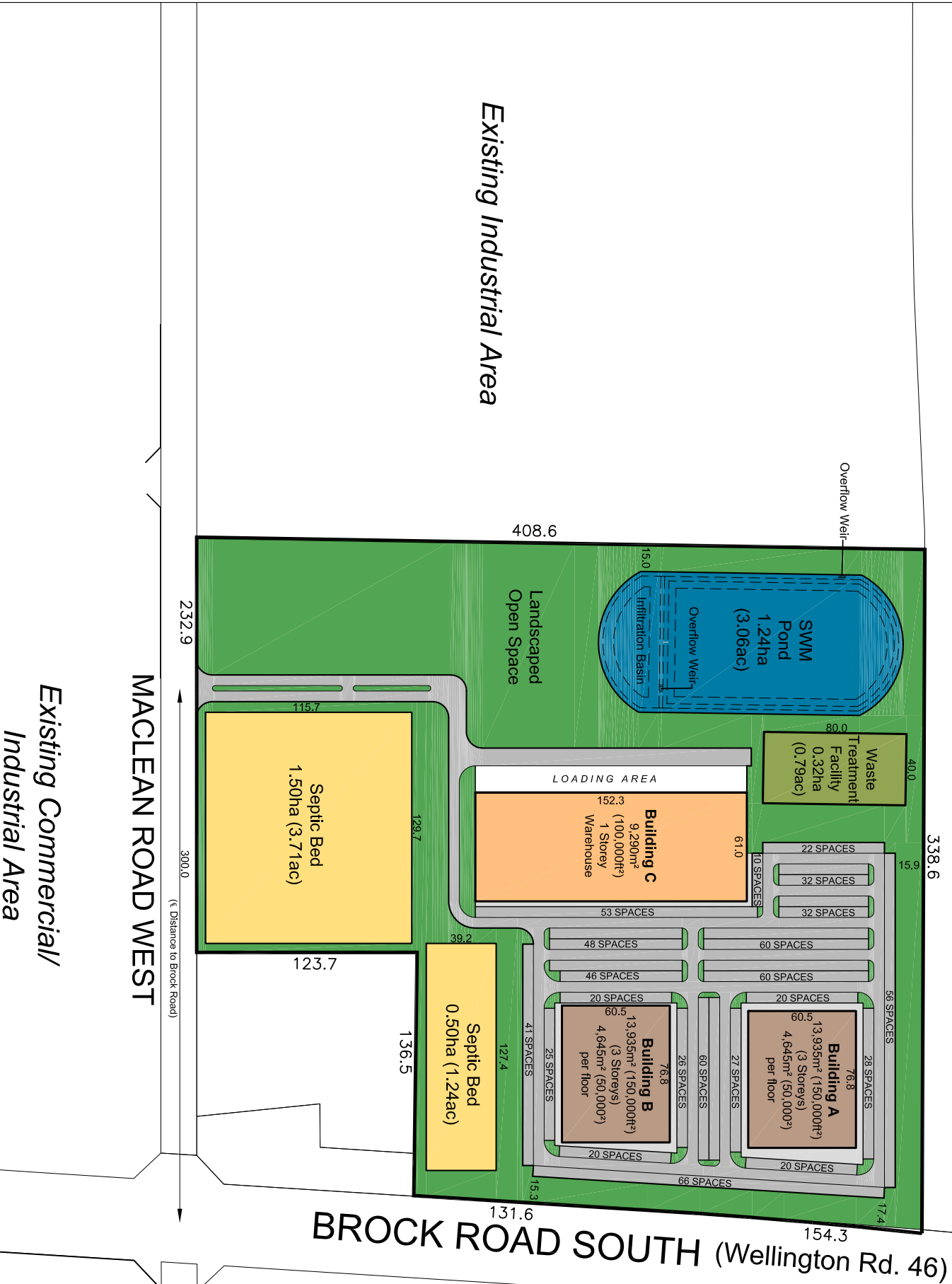


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Existing Industrial Area



Existing Commercial/
Industrial Area

Existing
Agricultural Area



Scale 1:3000
March 7, 2016



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DEVELOPMENT CONCEPT PLAN

Scenario 'B'

(3 STOREY OFFICE OPTION & WAREHOUSE)

SMC ABERFOYLE NORTH LANDS

PART OF LOT 25,
CONCESSION 7
PART OF ROAD ALLOWANCE
BETWEEN CONCESSIONS 7 & 8
TOWNSHIP OF PUSLINCH
COUNTY OF WELLINGTON

Development Statistics

Total Area: 13.52ha (33.41ac)

Buildings A-B (3 Storeys): 13,935m² (150,000ft²)
Total Floor Area: 27,870m² (300,000ft²)
(6.9% Coverage; 20.6% FSI)

Buildings C (1 Storey): 9,290m² (100,000ft²)
(6.9% Coverage; 6.9% FSI)

SWM Pond: 1.24ha (3.06ac)
(9.2% Coverage)

Parking & Drive Aisles: 3.01ha (7.44ac)
(22.3% Coverage)

Septic Bed: 2.00ha (4.94ac)
(14.8% Coverage)

Waste Treatment Facility: 0.32ha (0.79ac)
(2.4% Coverage)

Walkways: 0.30ha (0.74ac)
(2.2% Coverage)

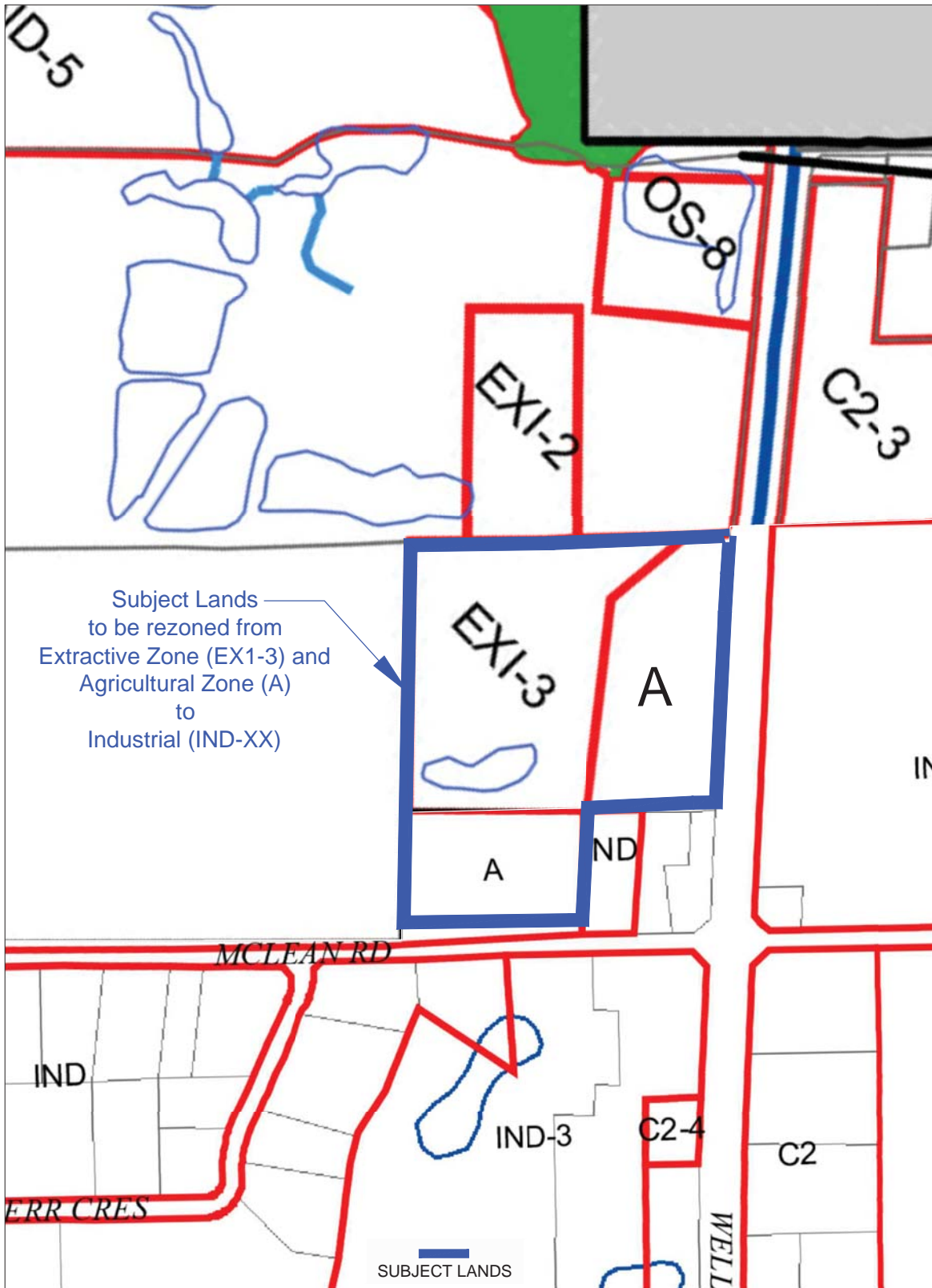
Landscaped Open Space: 4.79ha (11.83ac)
(35.3% Coverage)

IND Zone - Notes

- 25% Minimum Landscaped Open Space
- Parking Rate: 1/40m² (Office - 662) and 1/100m² (Warehouse - 89), therefore **751 Parking Spaces required** (per Office rate and assumes 5% deduction for interior walls, etc.)
- 772 Parking Spaces Provided**
- Typical Parking Space: 3m x 6m
- Typical Handicapped Parking Space: 4m x 6m

*Development Concept Plan
for Discussion Purposes Only*

Schedule A



Subject Lands
to be rezoned from
Extractive Zone (EX1-3) and
Agricultural Zone (A)
to
Industrial (IND-XX)

NOT TO SCALE

THIS IS SCHEDULE 'A'
TO BY-LAW _____ - 2016
PASSED THE _____ DAY OF _____, 2016



SIGNING OFFICERS

MAYOR

CLERK



REPORT PD-2016-026

INFORMATION REPORT

FROM: Kelly Patzer, Development Coordinator

DATE: October 4, 2016

SUBJECT: Public Meeting – Official Plan Application File OP-2016-05 and Rezoning Application File D14/LEA - Glenn and Mary Leachman - Aberfoyle
Snomobiles - Concession 7 & 8, Part Lot 23, 92 Brock Road S, Aberfoyle.

BACKGROUND:

1. Purpose of Report

This report is to provide an outline to Council and the Public of applications OP-2016-05 and D14/LEA and the review completed to date in advance of the Public Meeting being held Tuesday October 4th, 2016 at 7 p.m. regarding the Official Plan and Zoning By-law Amendments on the lands located on 92 Brock Road South and Gilmour Road.

2. Applications

Official Plan Amendment OP-2016-05 proposes to re-designate an area of land from Residential to Central Business District on Schedule A7-1(Aberfoyle), to identify a Special Policy Area within the Central District Business designation on Schedule A7-1 and to amend Section 9.8 of the Official Plan to add new Special Policy Area PA7-8.

Zoning By-law Amendment D14/LEA proposes to amend the Township of Puslinch's Zoning By-law 19/85 from Agricultural (A) Zone to a specialized Hamlet Commercial (C1-_) Zone to permit the development of a recreational vehicles and lawn and garden equipment sales and service establishment including a showroom, offices, parts and accessory sales and repair shop and storage building. Other proposed permitted uses on the property include those normally permitted in the C1 Zone and additional uses such as a garden centre or nursery, veterinarian's clinic and restaurant including drive-in/fast food/take-out.

A Planning Justification report, attached, has been submitted as part of the application package. A Stormwater Management Design and Servicing Brief, Grading & Servicing Plan and Noise Feasibility Study are also included in the submission documents package.

3. Location & Site Characteristics

The subject land consists of two separate abutting parcels within the Village of Aberfoyle. The abutting lands to the north are existing commercial businesses. Meadows of Aberfoyle condominium is located east of the proposed development, with a proposed residential parcel between the proposed commercial lands and the condominium subdivision. The Nestle lands are located on the west side of Brock Road directly across from 92 Brock Road S. Three residential properties directly abut the parcel to the south.



Source: County of Wellington 2015 Air Photo & Parcel Fabric

APPLICATION CHRONOLOGY:

1. Township of Puslinch Zoning Application

The application was submitted and deemed complete in June 2016.

2. Notice:

July 8, 2016: Notice of a Complete Application (Zoning) was mailed to required agencies and property owners within 120 metres of the subject property. A notice sign has been placed on the subject property.

August 11, 2016: Notice of Application for Official Plan Amendment was circulated by the County of Wellington.

September 9, 2016: Notice of a combined Public Meeting for Official Plan Amendment and Zoning By-law Amendment was published in The Wellington Advertiser and mailed to required agencies and property owners within 120 metres of the subject property and those who have requested notification.

September 13, 2016: Application presented for comment at the Planning Development and Advisory Committee.

October 4, 2016: Public Meeting to be held at Township of Puslinch

3. Staff, Agency & Public Circulation Comments:

The zoning application was circulated for review to the Township's consultants and External Agencies for comments. The County of Wellington Planning report detailing the proposed rezoning is attached together with all staff/consultant comments received.

The application was commented on by the Planning & Development Advisory Committee (PDAC) at the September 13, 2016 meeting. PDAC is in support of the rezoning application.

To date the Township has received written comments from the Public summarized as:

- one letter in opposition of the proposal
- two requests for further information of the development proposal
- one objection to the proposed permitted use of a fast food establishment
- one letter that states concern of commercial uses encroaching into a rural residential community and the possible decrease of property values.
- A letter detailing concerns for excessive outdoor noise from the operation of any ATV's outdoors, traffic the business will generate, the lack of any proposed elevation plans and detailed site plan and ground pollution from oil and gas

At the July 25, 2016 Heritage Committee meeting, the Committee made the following comments regarding the Zoning By-Law Amendment Application:

“The Committee advised that they reviewed the corresponding documents with respect to the Zoning By-Law Amendment Application – Leachman – Aberfoyle Snowmobiles. Ms. Mary Tivy inquired about the existing building on the property and expressed interest in the cultural value of the stone structure.”

Any further comments received, including those at the Public Meeting, will be reviewed and included in the final Recommendation Report.

APPLICABLE LEGISLATION & REQUIREMENTS:

1. County of Wellington Official Plan

Schedule A7-1 of the Official Plan (Aberfoyle) designates the lands as 'Commercial Business District' and 'Residential'. Objectives of the Central Business District, Section 8.4.2, include ensuring that the downtown remains the primary focus for retail, office, service, administrative and cultural activities; to provide adequate commercial facilities to serve the needs of the local community and surrounding population and to protect the heritage buildings and structures in the downtown area and ensure that the attractive streetscape is retained and, where possible enhanced.

The Residential Designation of the Official Plan, Section 8.3, states Wellington is strongly committed to preserving the character and integrity of existing residential areas and will make reasonable efforts to ensure that development is compatible with established neighbourhoods. Wellington is also committed to ensuring that controlled growth and development occur within the community in order to maintain and enhance the small town character of urban centres.

2. Township of Puslinch Zoning By-Law

The lands are located within the Village of Aberfoyle and are zoned Agricultural. Permitted uses in the A Zone include agricultural uses, a single detached dwelling, a home occupation, retail farm sales outlet accessory to an agricultural use. The rezoning proposed a site specific Hamlet Commercial Zone (C1-_) Zone to permit the uses currently listed in the C1 Zone and in addition:

- bank
- business or professional office
- clinic
- existing dwelling or dwelling unit
- garden centre or nurseries
- personal service shop
- public use
- recreation vehicle and lawn and garden equipment sales and service
- restaurant, including drive-in; fast food; take out
- retail store
- service trade
- veterinarian's clinic.

CONCLUSION:

Once all relevant information, reports and comments have been reviewed and completed, a final Recommendation Report will be brought forward to Council with any required proposed amending By-law which will summarize all agency and public comments and assess the merits of the application.

ATTACHMENTS:

Attachment "A" - County of Wellington Planning Report & Staff/Consultant Reviews

Attachment "B" – Planning Justification Report prepared by JL Cox Planning Consultants Inc.

Attachment 'A'



PLANNING REPORT for the TOWNSHIP OF PUSLINCH

Prepared by the County of Wellington Planning and Development Department

DATE: September 28 2016
TO: Kelly Patzer, Development Coordinator
Township of Puslinch
FROM: Aldo L. Salis, Manager of Development Planning
County of Wellington
SUBJECT: **PUBLIC MEETING – Aberfoyle Snomobiles**
County Official Plan Amendment File OP-2016-05 and
Township Zoning By-law Amendment File #D14/LEA
Part of Lot 25, Concession 7 (92 Brock Road, Aberfoyle)
Township of Puslinch

SUMMARY

The purpose of the Official Plan and Zoning By-law amendment applications is to allow for the establishment of a new retail and service establishment for recreational vehicles in the Aberfoyle Urban Centre. Other service commercial uses are also proposed. A public meeting is scheduled for October 4, 2016. This report provides a preliminary overview of the proposal, highlights some of the applicable planning policies to be considered, and explains the next steps in the planning review process.

INTRODUCTION

We have received a copy of the Notice of Public Meeting regarding the above-referenced applications and provide the following comments for Council's consideration.

The land subject to the proposed planning applications is located on the east side of Wellington Road 46 (Brock Road) north of Gilmour Road in Aberfoyle. **Figure 1** illustrates the location of the subject property of approximately 3 hectares (7.5 acres).

The subject property contains a small residential dwelling and ancillary buildings and large open space. The land uses surrounding this property include: residential to the south, east and northeast; commercial to the immediate northwest; and agricultural/open space and industrial to the west and southwest.

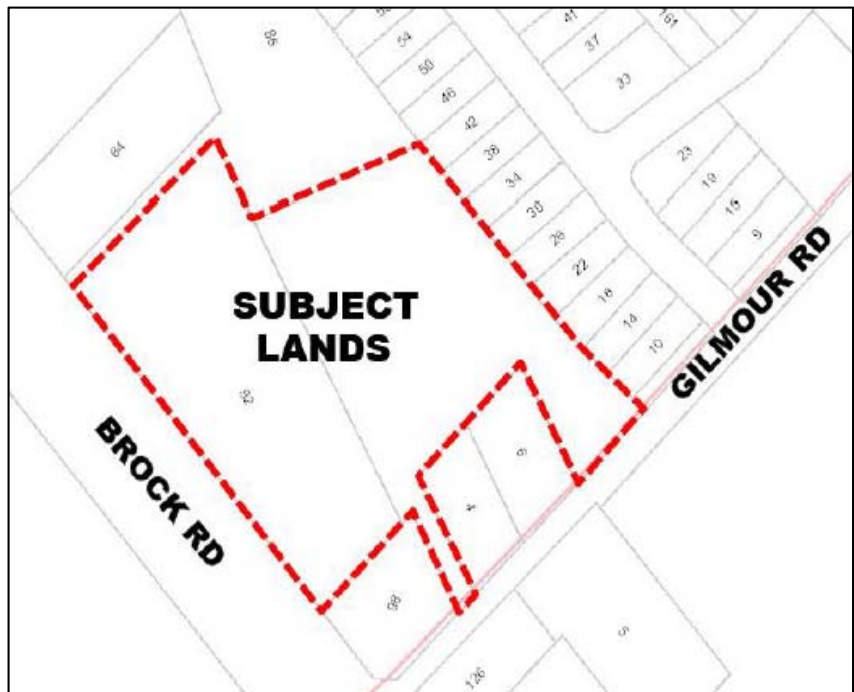


Figure 1 – Property Location

PROPOSAL

The purpose of the amendments to the planning documents is to permit a new retail and service establishment for recreational vehicles. These changes would permit Aberfoyle Snomobiles to relocate their business to the subject property (i.e. move the Arctic Cat shop currently located at 60 Brock Road immediately north of the Aberfoyle Mill Restaurant to 92 Brock Road). The applicant is also proposing that other service commercial and ancillary uses be permitted for the subject property. a new commercial building is proposed for the front portion of the property close to Brock Road (as illustrated as Subject Land on **Figure 2 – Site Information**). These lands are to be developed for commercial purposes while the rear lands (balance of the applicant’s holding) is to remain with the Residential designation (currently zoned Agricultural) and used for residential purposes. This proposed residential use would be adjacent to the residential lots within the Meadows of Aberfoyle community.

Figure 2 - Site Information

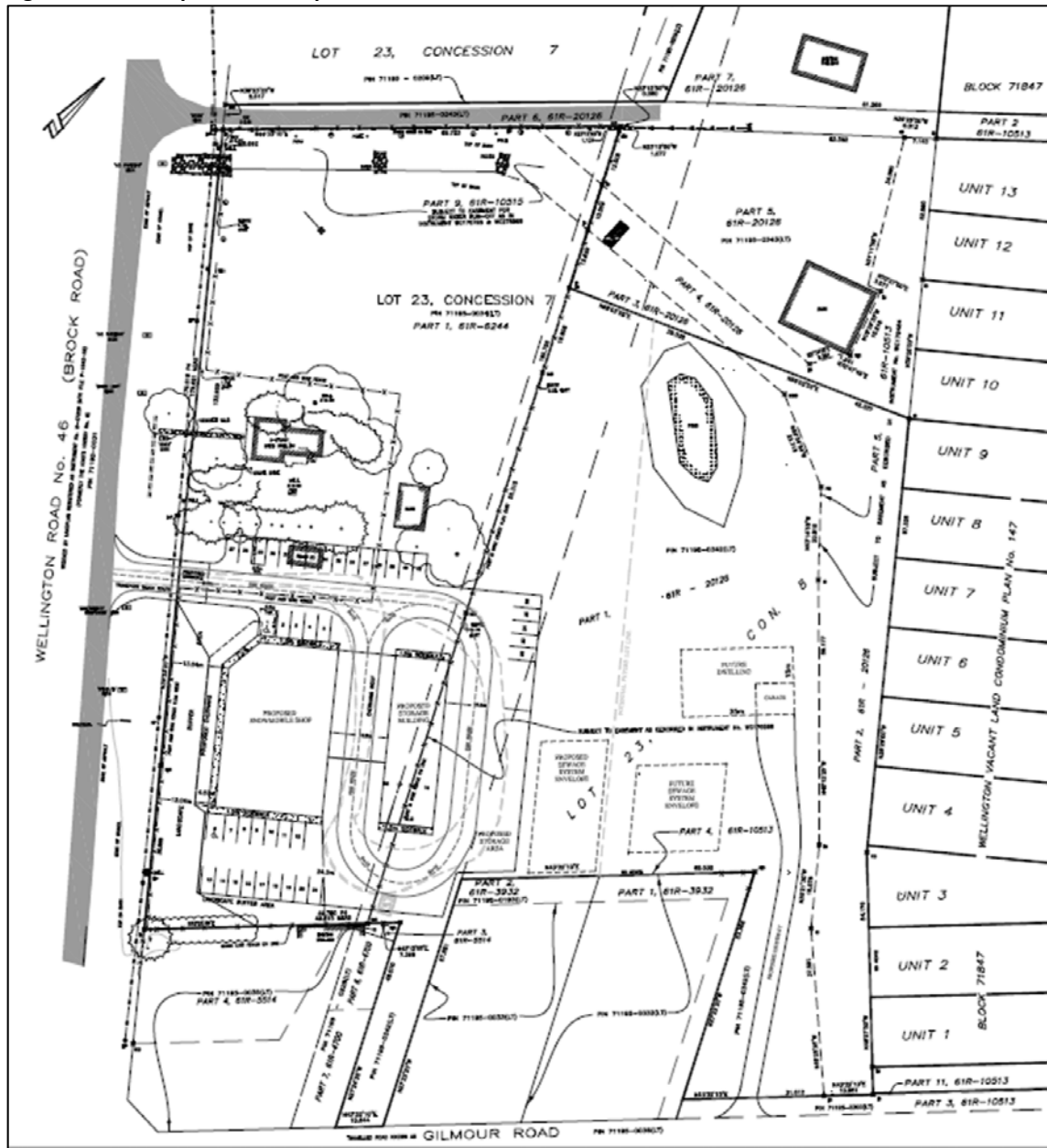


In terms of the proposed built form, it is the intent of the owners to construct a new commercial building close to Wellington Road 46 (Brock Road). Immediately to the rear of the main building is a recreational vehicle storage/repair building. Vehicle access would be limited to one driveway from Brock Road. Parking and loading would be situated close to the commercial building at the front of the property as illustrated on **Figure 3 – Development Concept** provided below.

The proponent wishes to introduce some limited commercial uses to the proposed site specific zoning for the property in order to provide development options for the Aberfoyle community. However, it is our understanding that at this time there is no intent to develop the area surrounding the existing brick dwelling (area to the north). No changes are proposed for the land zoned Natural Environment (NE).

The proposed recreational sales and service establishment would be serviced by private well and septic, storm water management, parking and loading areas, and landscaping. If the proposed planning amendments are approved, the development of this commercial property would be subject to the Township’s site plan approval process. The Puslinch Design Guidelines would apply to this site.

Figure 3 – Development Concept



PROVINCIAL PLANNING POLICY

The Provincial Growth Plan (Places to Grow) encourages employment growth through the “development of vacant and/or underutilized properties and to provide “an appropriate mix of employment uses including industrial, commercial and institutional uses...”. The Provincial Policy Statement (2014) provides similar policy direction regarding the provision and promotion of employment lands at appropriate locations and under appropriate conditions. Such development is to consider the adequacy of site services, transportation systems, and protection of the natural environment, and compatibility, among other matters.

COUNTY OFFICIAL PLAN

The subject property is located in the ABERFOYLE URBAN CENTRE of the County Official Plan. The current designation of the property is Central Business District (CBD) and Residential. A portion of land at the north end of the property is within the Core Greenlands designation (reflected by the NE Zone).

Section 8.4.1 of the County Official Plan states that the predominant use of land in areas designated Central Business District (CBD) shall be for general commercial purposes. The Plan further states that "urban centres are to be a strong focus for business, administrative, and cultural activities and remains the primary gathering place combining both commerce and social functions". While the CBD category allows for a range of commercial development, this designation does not specifically address the proposed 'recreational sales and service uses'. The applicant wishes to amend the Official Plan to add these specific land uses.

More specifically, the proposed Official Plan Amendment is to add a new Special Policy Area for the subject property in order to include: "recreational vehicle sales and service establishment, lawn and garden equipment sales and service, a garden centre or nursery and a veterinarian's clinic; as well as the existing dwelling unit." The proposed Official Plan Amendment is to also extend the CBD designation to incorporate the proposed development area (Subject Lands) as shown on **Figure 2**.

In assessing the proposed development, consideration should be provided to the following Urban Centre policy:

8.4.6 Design Considerations

When considering any development or redevelopment within the CBD, Council shall ensure that such proposals are both aesthetic and functional with respect to building height, bulk, setback, landscaping, parking and vehicular circulation. In addition, where any development or redevelopment is proposed adjacent to residential areas, appropriate measures shall be taken to provide adequate setbacks and screening for the residential areas.

Accordingly, the applicant will need to demonstrate that the proposed new uses are appropriate and compatible with surrounding properties and land uses. In an attempt to ensure that existing and proposed uses are compatible and that adverse impacts are kept to a minimum, appropriate mitigation measures should be provided where practical. This can include site specific zoning regulation (i.e. setbacks, limitation or prohibition of land uses, etc.) and the implementation of building and site design controls (i.e. architectural features, building orientation, landscaping, etc.).

PROPOSED REZONING

In terms of the proposed rezoning, the purpose is to amend current Agricultural Zone on the subject land to a specialized commercial zone to implement the intent of the Official Plan (to be amended) and permit recreational vehicles sales and service, lawn and garden equipment sales and service, and ancillary uses including a showroom, offices, parts and accessory sales, and repair and storage building. Other proposed uses for the subject property are to include those normally permitted in the Hamlet Commercial (C1) Zone plus a garden centre or nursery, veterinarian's clinic, and restaurant (including drive-in/fast food/take-out).

In support of their rezoning application, the proponent has filed with their rezoning application:

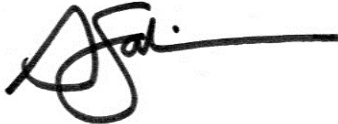
- planning justification report
- site services report with grading and servicing plans
- storm water management report, and
- noise feasibility study

A review of the above-noted reports and studies will be conducted by the applicable public agencies, the Township's peer review consultants, and others, with responses/comments provided by such agencies and consultants through the planning review process.

NEXT STEPS

The public meeting for these applications is scheduled for October 4, 2016. Staff will be in attendance at the public meeting to hear the applicant's presentation, public input, and Council discussion. We trust that these initial comments are of assistance to the Township. Our planning recommendations will be provided following the public meeting and resolution of any outstanding issues.

Respectfully submitted,
COUNTY OF WELLINGTON PLANNING AND DEVELOPMENT DEPARTMENT

A handwritten signature in black ink, appearing to read 'A. Salis', with a long horizontal line extending to the right.

Aldo L. Salis, M.Sc., MCIP, RPP
Manager of Development Planning

TOWNSHIP OF PUSLINCH



Township of Puslinch

7404 Wellington Road 34

Guelph, ON, N1H 6H9

T: (519) 763 – 1226

F: (519) 763 – 5846

www.puslinch.ca

File: D11/LEA (Leachman – Aberfoyle Snomobiles)

Location: 92 Brock Road S and a portion of the property to the rear with frontage on Gilmour Rd., Township of Puslinch

Date: July 15, 2016

Re: First Circulation

There are three easements indicated on the preliminary proposed plans submitted, two of which are explained in the chart as for storm water run-off. The third however is in the area of the proposed storage building and may interfere with the current proposal; as no portion of the proposed buildings may be constructed within an existing easement.

Please provide additional information with regard to the easement indicated as Instrument No. WC170568 including the extent of the coverage of this easement of the properties in question.

A handwritten signature in black ink, appearing to read 'Robert Kelly', is written over a white background.

Robert Kelly, CBCO RASDT
Chief Building Official



Harden Environmental Services Ltd.
4622 Nassagaweya-Puslinch Townline Road
R.R. 1, Moffat, Ontario, L0P 1J0
Phone: (519) 826-0099 Fax: (519) 826-9099

Groundwater Studies
Geochemistry
Phase I / II
Regional Flow Studies
Contaminant Investigations
OMB Hearings
Water Quality Sampling
Monitoring
Groundwater Protection
Studies
Groundwater Modeling
Groundwater Mapping
Permits to Take Water
Environmental Compliance
Approvals

Our File: 1626

August 4, 2016

Township of Puslinch
7404 Wellington Road 34
Guelph, ON, N1H 6H9

Attention: Ms. Kelly Patzer
Development Coordinator

Dear Ms. Patzer;

Re: Puslinch File: D11/LEA (Leachman – Aberfoyle Snowmobiles)

We have reviewed the following reports:

*JL Cox Planning Consultants Inc. Aberfoyle Snowmobiles Relocation
Planning Justification Report*

*Van Harten Surveying Inc. Stormwater Management Design and
Servicing Brief*

We have reviewed the re-zoning application for file D11 – Leachman –
Aberfoyle Snowmobiles.

Our comments are as follows;

The reporting does not indicate the number of employees that will be
working at the facility and does not estimate sewage effluent volumes. It
also does not indicate if the sewage effluent stream will be entirely
domestic sewage or if there may be effluent from a servicing or
maintenance facility.

Sewage System

- 1) It must be confirmed that the proposed sewage system (tile
bed) is at least 15 metres from any existing drilled well and 30 m from
any dug well
- 2) It must be confirmed that no effluent from service areas will be
directed into the Class 4 septic system.
- 3) The completion depth and description of geological strata

recorded for nearby wells must be provided to confirm that there is adequate vertical separation between well intake and septic system. The purpose of this is to confirm that the new septic system will not be emplaced upgradient of existing wells, notwithstanding the required 15 m separation.

3) A nitrate impact analysis as detailed in MOE Procedure D-5- 4 is required to minimize the potential for adverse groundwater impacts.

Water Supply

The Zoning by-law amendment application indicates that the property will be serviced by a communal water supply, the servicing brief indicates that a private well will be drilled. If the well is drilled into the Goat Island or Gasport formations, the well will have to be steel cased to a depth a minimum of 0.3 metres below the Vinemount Formation.

Infiltration and groundwater recharge

Approximately 10% of the existing site will become impermeable due to the proposed development. However, the facility will have gravel parking and driveway areas and runoff will directed into permeable swales on the site and stormwater retention facilities on site, therefore it is anticipated that infiltration to groundwater will be maintained at the site.

Sincerely,

Harden Environmental Services Ltd.

A handwritten signature in black ink, appearing to read 'S. Denhoed', with a long horizontal line extending to the right.

Stan Denhoed, P.Eng., M.Sc.
Senior Hydrogeologist



File: 3616
By: Email

August 9, 2016

Township of Puslinch
7404 Wellington Road 34
Guelph, Ontario
N1H 6H9

Attention: Ms. Kelly Patzer
Development Coordinator

Dear: Ms. Patzer

Re: Aberfoyle Snowmobiles – 92 Brock Road South, D14/LEA

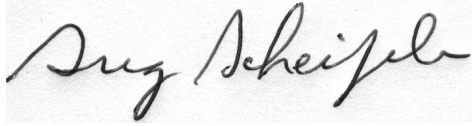
As requested, I have reviewed the Planning Justification Report prepared by JL Cox Planning Consultants for the proposed relocation of Aberfoyle Snowmobiles Ltd. I also reviewed the Stormwater Management Design and Servicing Brief prepared by Van Harten Surveying, including a Grading and Servicing Plan for the subject lands which are located on the east side of Brock Road and north of Gilmour Road. The proposed development involves the construction of two new buildings and a gravel driveway and parking area. It will be serviced by a private well and sewage system. A dry stormwater management (SWM) pond is proposed to control post development run-off volumes and a permit from the GRCA will be required to construct this facility at the proposed location. The existing house will be retained and a second single detached residential lot is to be created on the east side of the property adjacent to the Aberfoyle Meadows subdivision. An Official Plan and Zoning by-law Amendment are required in order for this development to proceed.

There are no natural heritage features on the site or on adjacent lands. Trees are only found around the existing residence or along lot lines and based on the proposed Grading and Servicing Plan they are all to be retained. Where parking areas or other facilities are proposed in close proximity to existing trees protective fencing (eg. paige wire farm fence and/or silt screen depending upon proposed grade changes) should be installed at least 1 m from the dripline of trees wherever possible. This tree protection fencing should be shown on the Site Plan. Other environmental items that need to be addressed include a planting plan for the SWM facility and a Landscape Plan for undeveloped portions of the site. Proposed landscaping should be consistent with the requirements outlined in the Puslinch Design Guidelines.

Please contact me if further clarification is needed on these matters.

Yours truly,

GWS Ecological & Forestry Services Inc.

A handwritten signature in black ink, appearing to read "Greg Scheifele", written over a light gray rectangular background.

Greg W. Scheifele, M. A., R.P.F.
Principal Ecologist/Forester

CC: Aldo Salis, County of Wellington
Stan Denhoed, Harden Environmental
Steve Conway, GM BluePlan
Nathan Garland, GRCA



August 5, 2016
Our File: 116006-10

Township of Puslinch
RR 3, 7404 Wellington Road 34
Guelph, ON N1H 6H9

Attention: Ms. Kelly Patzer
Development Coordinator

Re: D11/LEA – Leachman/Aberfoyle
Snowmobiles
Zoning By-law Amendment – 92 Brock
Road S, Township of Puslinch

Dear Ms. Patzer,

We have reviewed the application in support of the Zoning By-Law Amendment for 92 Brock Road South, in the Township of Puslinch.

Documents submitted and reviewed include:

- Application for Zoning By-law Amendment Application, dated July 25, 2016
- Planning Justification Report, prepared by JL Cox Planning Consultants Inc., dated May 31, 2016
- Preliminary Site Plan prepared J.L. Cox Planning Consultants Inc.
- Noise Feasibility Study, prepared by Howe Gastmeier Chapnik Limited, dated May 6, 2016
- Stormwater Management Design and Servicing Brief, prepared by Van Harten Surveying Inc, dated May 18, 2016
- Grading and Servicing Plan, prepared by Van Harten Surveying Inc, rev.1 February 10, 2016

Based on our review of the documents listed above, we have the following comments:

General

- 1) As per By-Law 19/85 – The Applicant must erect a planting or privacy fence on all lots lines that abuts Residential Zone that is not separated by a road. This comment can be addressed through the Site Plan Approval process.
- 2) The Applicant must provide the required minimum 3m buffer from all properties that are not zoned commercial (all residential properties).
- 3) The Applicant shall provide evidence that the 25% open space requirements have been met with the planned lot severance.
- 4) The proposed storage building is currently located within an easement. Please justify the existing easement or relocate the proposed storage building.
- 5) The Applicant shall indicate the parking requirements for the proposed development on the site plan.
- 6) Please indicate the existing 2-story dwelling's septic bed location.
- 7) GM BluePlan defers comments regarding the relocation of the residential lot line to the County of Wellington.
- 8) Aberfoyle Meadows has a communal well system; therefore GMBP defers comment regarding wellhead protection to Township's hydrogeologist.
- 9) The lot contains a GRCA regulated area. The Applicant shall consult with the GRCA to determine if a permit is required.

Servicing and Stormwater Management

- 1) The Applicant shall limit grading works to the subject property only.

- 2) During the Site Plan Approval Process, the Applicant shall provide enhanced stormwater quality treatment prior to discharge from the site.
- 3) During the Site Plan Approval Process, the Applicant shall ensure the correct setback for the sewage septic system from all applicable structures and lot lines to meet the minimum requirements set forth in the Ontario Building Code.
- 4) The Horton Infiltration parameters listed within the report tables do not correspond with existing MIDUSS parameters. This comment can be addressed through the Site Plan Approval process.

Noise Feasibility Study

- 1) Rooftop HVAC units have only be accounted for during daytime operation. Please demonstrate that the night noise level criteria are met for this development.
- 2) Please clarify if the operation and testing of the recreation equipment onsite has been accounted for with the Noise Feasibility Study.

If you have any questions or require additional information, please do not hesitate to contact us.

Yours truly,

GM BLUEPLAN ENGINEERING LIMITED

Per:

A handwritten signature in blue ink, appearing to read 'Steve Conway'.

Steve Conway, C.E.T., rcsi, PMP
Senior Project Manager, Partner
SC/mh

From: [Jason Benn](#)
To: [Kelly Patzer](#)
Subject: D11/LEA Aberfoyle Snowmobiles 92 Brock Rd South
Date: July-25-16 1:55:14 PM
Attachments: [water tank specifications.doc](#)

Kelly,

In regards to the property mentioned above, 3.2.5.7.(1) requires that an adequate supply of water for firefighting purposes. I have attached a copy of the requirements from the fire service for tank installation and hydrant requirements.

Nothing further at this time.

Yours in fire safety

Jason Benn *CMM, JFIS-II*

Chief Fire Prevention Officer
Puslinch Fire & Rescue Services
7404 Wellington Rd. 34
Guelph, ON N1H 6H9
Tel: 519-821-3010
Fax: 519-936-6421
Email: jbenn@puslinch.ca
Prevention Begins With You!





September 29th, 2016

County of Wellington
Administration Centre
74 Woolwich Street
Guelph, ON N1H 3T9

Attn: Gary Cousins, Director

Dear Mr. Cousins,

**Re: OP-2016-05
Aberfoyle Snowmobiles
Part of Lot 23, Concession 7 - Township of Puslinch**

The Grand River Conservation Authority (GRCA) has now had the opportunity to review the information submitted in support of the Official Plan Amendment. The intent of the application is to allow for the applicant to create a commercial zone for the establishment of a commercial business.

Our office has no objections to the approval of the Official Plan Amendment.

General Comments:

Review of the Storm water management report and approach is currently satisfactory for the consideration of the Official Plan Amendment; however additional details will be required with respect to water quality mitigation and management as part of the Site Plan review or permit application.

Should you have any questions regarding this letter, please contact me at 519-621-2763 ext. 2236.

Yours truly,

A handwritten signature in black ink, appearing to read "Nathan Garland".

Nathan Garland
Resource Planner
Grand River Conservation Authority

c.c. Karen Landry, Township of Puslinch
John Cox, JL Cox Planning Consultants Inc. 17 Spencer Crescent, Guelph, ON N1L 6H9



UPPER GRAND DISTRICT SCHOOL BOARD
500 Victoria Road North, Guelph, Ontario N1E 6K2
Phone: (519) 822-4420 Fax: (519) 822-2134

Martha C. Rogers
Director of Education

August 26, 2016

PLN: 16-55
File Code: R14
Sent by: mail & email

Gary Cousins, RPP, MCIP
Director of Planning and Development
County of Wellington
74 Woolwich Street
Guelph, Ontario N1H 3T9

Dear Mr. Cousins;

**Re: OP-2016-05 – Aberfoyle Snowmobiles, Glenn and Mary Leachman (2381154 Ontario Inc.)
Part of Lot 23, Concession 7, Puslinch Township**

Planning staff at the Upper Grand District School Board have received and reviewed the above noted application for an Official Plan Amendment to change Schedule A7-1 and add a new Special Policy Area to permit a recreational vehicle sales and service establishment.

Please be advised that the Planning Department **has no objection** to the proposed amendment.

Should you require additional information, please feel free to contact me.

Sincerely,

Emily Bumbaco
Planning Technician
emily.bumbaco@ugdsb.on.ca

RECEIVED
SEP 01 2016
Township of Puslinch

cc – Karen Landry, CAO/Clerk, Township of Puslinch
JL Cox Planning Consultants, Agent

CLERK'S DEPARTMENT	
TO	KP
Copy	
Please Handle	<input checked="" type="checkbox"/>
For Your Information	
Council Agenda	
File	

ATTACHMENT 'B'

RECEIVED
Township of Puslinch
JUN 03 2016

Aberfoyle Snomobiles Relocation

Planning Justification Report

In Support of

Official Plan and Zoning Bylaw Amendment Applications

for

92 Brock Road South

Township of Puslinch

May 31, 2016

Prepared By:
JL Cox Planning Consultants Inc.
Guelph ON



1. Introduction

This report is prepared in support of Official Plan and Zoning Bylaw amendment applications to permit the relocation of Aberfoyle Snomobiles to 92 Brock Road South in the Hamlet of Aberfoyle, Township of Puslinch. The application proposes to re-designate the lands from Central Business District and Residential to a specialized Central Business District designation and rezone a portion of the lands from Agricultural (A) to Hamlet Commercial (C1) with special regulations.

1.1. The Property

The legal description of the subject property is Part Lot 23, Concession 7, Township of Puslinch. The entire area of the subject property is approximately 2.9 ha. (7.1 ac.) with a frontage of over 170 m. on Brock Road South (also known as Wellington Road 46).

The entire property consists of two separately owned parcels. The portion fronting on Brock Road is owned by Glenn and Mary Leachman. The other portion is owned by 2381154 Ontario Inc., which is owned by the principals of Aberfoyle Snomobiles, including Glenn and Mary Leachman.

The topography is fairly level, with a gradual slope of less than 2 metres from the rear of the property to Brock Road. A drainage easement is located along the east or rear boundary of the property and along the north side of the property to Brock Road with an outlet under the road. This portion of the property will also be used to accommodate the drainage for the proposed use.

1.2. The Business

Aberfoyle Snomobiles have operated at a leased location known as 60 Brock Road South a short distance to the north of the subject property; and also located within the Hamlet of Aberfoyle. The business has been at that location since 1971, and is a long standing local family owned business. Aberfoyle Snomobiles sells Arctic Cat snowmobiles and ATV's and accessory trailers. Arctic Cat and aftermarket parts, oil, garments and accessories are also sold. Sale of lawn and garden equipment may also be considered to produce an offset to the current seasonal nature of the business.

The current location is undersized and lacks adequate building space to accommodate the growth of the business. The proposed relocation will allow the business to expand some aspects of the operation such as the showroom area and operate in a more efficient manner.

1.3. Land Use Context

The lands are largely vacant, currently having a two storey brick dwelling, small barn and shed located on them. It is intended to retain the house for residential purposes, and for possible commercial expansion in the future.

The surrounding land uses include a variety of commercial, industrial and residential uses, including:

- Commercial to the north consisting of the Aberfoyle Mill restaurant
- Residential to the east consisting of Aberfoyle Meadows subdivision.
- Residential and agricultural uses to the south along Gilmour Road
- Commercial use to the west consisting of lands owned by Nestle Waters Canada

An aerial photograph of the subject lands and surrounding area is attached as Figure 1.

1.4. The Proposal

A preliminary site plan for the proposed development of the property is attached to this report. The key plan sets out the ownership of the separate parcels comprising the entire holding.

The proposal for the property is to develop it as follows:

- The proposed recreational vehicles sales establishment will be located in the southwest corner of the site adjacent to Brock Road. It's use will consist of two (2) buildings: a building containing a showroom, offices, parts and accessory sales and repair shop and a storage building for recreational vehicles to the rear of the main building and facing directly toward it. The space between the two (2) buildings will be used for vehicular access and drop off.
- The north part of the property will be retained with the existing house and drainage facilities. This will provide a transition to the commercial uses to the north, the closest of which is Aberfoyle Mill.
- The rear portion of the property is proposed to be used as a large single detached residential lot to be used by one of the owners of Aberfoyle Snomobiles. It is proposed to be retained as a separate parcel and not be redesignated or rezoned for commercial use. This will provide a residential buffer between the

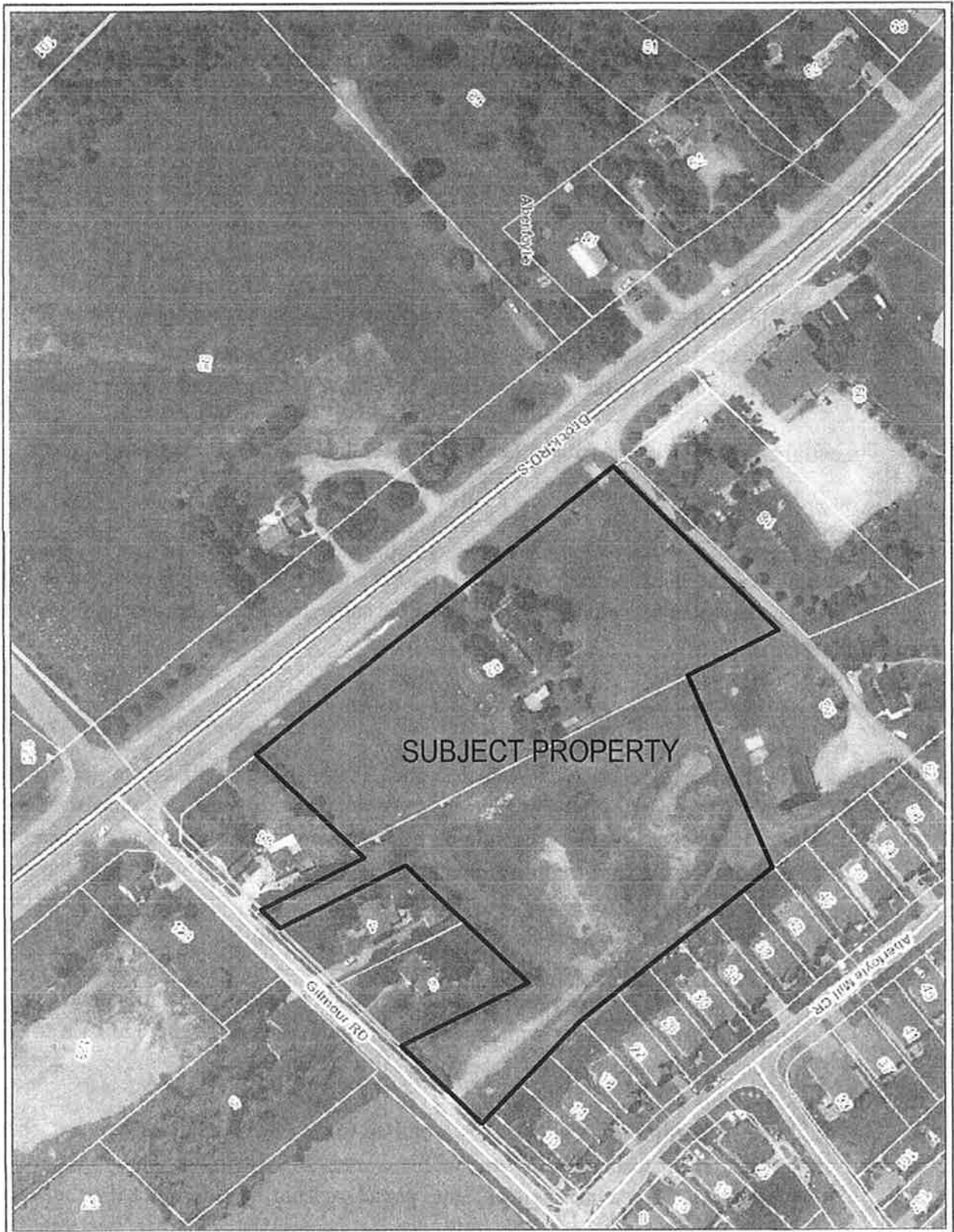


FIGURE 1

commercial facility and residential uses in Aberfoyle Meadows subdivision. A lot line adjustment will be required as part of the planning approvals process to add part of the rear portion of the property to the front portion to create the residential lot.

A conceptual site plan for the proposed development of the property is attached to this report.

2. Land Use Policies and Regulations

2.1. Provincial Policy Statement (2014)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The Provincial Policy Statement is issued under the authority of Section 3 of the Planning Act which requires that, *"decisions affecting planning matters shall be consistent with policy statements issued under the Act"*. The current PPS came into effect on April 30, 2014.

The Hamlet of Aberfoyle is considered as a settlement area defined under PPS 2014. Section 1.1.3.1 states that:

"Settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted."

The subject application provides for a new "employment" use on the property. The application is consistent with Section 1.3.1 of the PPS (2014) which states:

"Planning Authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment and institutional uses to meet long term needs*
- b) Providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses."*

The PPS (2014) further states in Section 1.7 that municipalities should support long term economic prosperity by:

"c) maintaining and, where possible, enhancing the vitality and validity of downtown and main streets:"

The subject use is currently located in an area designated as part of the Central Business District, and it has been located there for many years. The business requires a new location to provide a larger building and lot area to facilitate its growth. This meets the objective of the PPS (2014) of providing a choice of suitable sites for employment uses and taking into account the needs of existing businesses. The applications will also create an opportunity to locate a new use within the Central Business District designation on the property the business will be vacating. The proposed amendments are therefore consistent with the PPS (2014).

2.2. Places to Grow Plan (2006)

The Ministry of Public Infrastructure and Renewal released the Growth Plan for the Greater Golden Horseshoe Growth Plan Area in 2006 (office consolidation June, 2013) to manage growth in Ontario. The property is located in the Greater Golden Horseshoe Growth Plan Area outside a Built-Up Area as designated within the Plan.

Section 2.2.6.2 b) provides an identical policy to Section 1.3.1 of the PPS (2014) referenced above encouraging diverse economic opportunities in municipalities. Based on the foregoing, the subject applications are consistent with the policies of the Growth Plan (2006).

2.3. County of Wellington Official Plan

The Wellington County Official Plan was approved on May 6, 1999 and has been subsequently amended several times. The subject lands are designated Central Business District on Schedule A7-1, which is the land use plan for the Hamlet of Aberfoyle.

The Central Business District (CBD) designation is intended to recognize downtown areas as the focus for business, administrative and cultural activities. The uses permitted in the CBD include a variety of retail, office, service, administrative, religious, cultural and entertainment uses. Service uses include restaurants, personal service establishments and financial institutions and does not include a use such as a recreational vehicle sales and service establishment.

As previously noted, Aberfoyle Snomobiles has been located within the CBD of Aberfoyle for 35 years. The proposed new site at 92 Brock Road South is also located where the CBD so an Official Plan Amendment is proposed to provide site special

approval to permit a recreational vehicle sales and service establishment on the property. Aside from having co-existed with other uses in the CBD for a considerable period of time, Aberfoyle Snomobiles also has a retail function selling parts, accessories and garments as well as the office function associated with the business.

It should also be noted that the CBD of the Hamlet of Aberfoyle is not a typical concentration of retail, office and personal service uses. Other uses which have been permitted by site-specific zoning amendments include a large flea market, a furniture, antiques and home furnishing store, and other antique sales outlets. These uses cater to a wider range of customers than those located within and near Aberfoyle, in a similar way to Aberfoyle Snomobile's business.

Section 8.4.6 of the Official Plan sets out design considerations for development or redevelopment within the CDD, stating:

"When considering any development or redevelopment within the CBD, Council shall ensure that such proposals are both aesthetic and functional with respect to building height, bulk, setback, landscaping, parking and vehicular circulation. In addition, where any development or redevelopment is proposed adjacent to residential areas, appropriate measures shall be taken to provide adequate setbacks and screening for the residential areas."

It is intended that the buildings be designed to be compatible with the existing buildings in the hamlet. The existing house will be retained for residential and potential future commercial use. Design considerations are further discussed under Section 3.5 of this report.

Aberfoyle Snomobiles, if their relocation is approved, will be vacating a building which then can accommodate an additional commercial use within the CBD.

With regard to access, Section 9.8.1 of the Official Plan sets out policies specific to the Township of Puslinch with respect to access to Wellington Road 46 (Brock Road). Section 9.8.1 a) sets out criteria to be considered where direct access is being proposed to Wellington Road 46 including speed limit, sighting distance, grades, width of the roadway and access point, distance between entrances and projected trips. Section 9.8.1 e) states:

"In areas designated industrial or commercial, a maximum of one driveway for commercial or industrial access is permitted for each existing property with up to 100 metres of frontage along the county road where access is acceptable;"

Further information is set out in Section 3.1 of this report regarding access for the proposed use.

Zoning Bylaw 19-85

Zoning Bylaw 19-85 is the comprehensive zoning bylaw for the Township of Puslinch. It was approved by the Ontario Municipal Board on May 12, 1986 and has been amended numerous times.

The subject lands are currently zoned Agricultural (A) zone in the Zoning Bylaw. Application has been made to amend the zoning to a specialized C1 category to permit "a recreation vehicle and lawn and garden equipment sales and service". In addition the requested zoning will permit other uses normally permitted when a C1 zone as well as some additional uses which would be suitable for the type of buildings proposed on the site.

The proposal includes:

- a bank
- a business or professional office
- a clinic
- an existing dwelling or dwelling unit
- garden centre or nurseries
- a personal service shop
- a public use
- a recreation vehicle and lawn and garden equipment sales and service
- a restaurant, including drive-in; fast food; take-out
- a retail store
- a service trade
- a veterinarian's clinic

The subject lands comply with the minimum requirements of the C1 zone category.

3. Other Approval Considerations

3.1. Site Access and Traffic

As noted, the subject property fronts onto Wellington Road 46, (Brock Road) and County roads are considered in the Official Plan to be major roadways. Such major roadways are expected to provide for and service high volumes of traffic including truck traffic.

Information was requested from the owners regarding traffic generated by their business, and they provided the following information:

- Units (ATV's, snowmobiles, trailers) arrive approximately 2-3 times per month by transport truck. At the existing location they have to back in to the site off Wellington Road 46 but at the proposed location will be able to turn internally on site resulting in improved traffic flow.
- Other saleables arrive daily by courier (UPS, Fedex) typically once per day.
- Customers typically arrive by smaller vehicles such as a truck or SUV. The busiest months are October to March, with an average of 14 per day whereas April to September are less busy and average 8 per day based on sales receipts.
- There are currently seven (7) employees arriving Monday to Friday and Saturdays except during the summer months when the business is closed on Saturdays.

It should be again noted that the business is already located on Wellington Road 46 a short distance north of the proposed new location.

Based on the above information discussions were held with Wellington County Roads Division staff. Based on the information supplied, Road Division staff advised in an email dated October 20, 2015 that a traffic impact study would not be required.

The site also has access to Gilmour Road via a 10 metre wide portion of a closed road allowance. No use is proposed to made of this access other than as a potential emergency access should access temporarily not be available from Brock Road.

3.2. Environmental Consideration

There are no proposed fuel storage tanks on site either above ground or underground. Gasoline fuel required on-site is limited to 20 litre CSA approved storage containers. There is also limited oil and other fuel related products available for sale on site. The property is not located with a wellhead protection area as identified in proposed Official Plan Amendment No. 98 of the County of Wellington which identifies such areas.

The proposed site plan was circulated to Grand River Conservation Authority (GRCA) for preliminary review in October, 2015. By email response dated November 6, 2015, GRCA did not see any significant concerns and advised they would provide full comments when finally circulated by the Township. They noted that most of the development is outside the area regulated by GRCA.

3.3. Grading and Drainage

A stormwater management design has been prepared by Van Harten Surveying Inc. and is being submitted with the planning applications. Stormwater from the property will generally continue to flow to the northwest corner of the property as is currently the case, and will include a proposed stormwater management pond. The proposed facilities are adequate to control the 5 year and 100 year storm to at or below existing run-off water rates, as required by the municipality.

3.4. Noise Impacts

The owner retained HGC Engineering to prepare a noise feasibility study for the proposed development which is being submitted with the planning applications. An analysis was conducted to determine the potential impact of noise from rooftop HVAC units, truck deliveries and sounds from repair bays which may be open on the existing sensitive receptors near the subject site. The analysis, assuming typical worst-case equipment and operating scenarios, indicates that the noise impact of the proposed development on the sensitive receptors can comply with MOECC criteria without additional noise mitigation.

3.5. Design Considerations

To ensure that the proposed use is compatible with surrounding uses, the following considerations have been made in the proposed design for the property:

- a) The rear portion of the property will be retained on a separate lot for residential use to provide compatibility with the residential use of the properties in Aberfoyle Meadows subdivision. This also provides a substantial distance buffer between the proposed use and adjacent subdivision.
- b) The existing house and surrounding trees on the property will be retained. The house is a traditional two (2) storey red brick house and will maintain the mixed residential and commercial character of the existing development along Wellington Road 46.
- c) The buildings will be designed to have a semi-rural character consistent with what exists in Aberfoyle. Parking will be located in the side and rear yards rather than the front yard to maintain the streetscape. The storage building proposed on the site will only have access from the front facing Wellington Road 46, and vehicle unloading will take place between the main building and storage building to minimize visual impacts from the road and adjacent properties.
- d) Landscaping and fencing can be used to further buffer the proposed use from adjacent properties.

4. Conclusions

The proposed Official Plan and Zoning Bylaw amendments will designate and zone the property at 92 Brock Road South to permit the relocation of Aberfoyle Snomobiles, to the property.

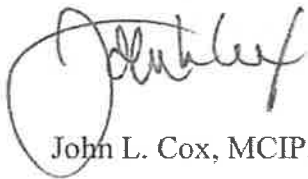
- a) Aberfoyle Snomobiles is a long standing family owned business which has been located in the hamlet of Aberfoyle since 1971.
- b) The proposed amendments are consistent with applicable Provincial policies which encourage municipalities to provide for a range of suitable sites for employment uses to meet the needs of both existing and future businesses and to permit the lands where the business is currently located to be redeveloped to a use which enhances the downtown area.
- c) The proposed use is similar to other uses which have been permitted within the Hamlet Commercial area as designated within the Wellington County Official Plan.
- d) A zoning amendment for the property from A Agricultural to Specialized C1 Hamlet Commercial is required to permit the proposed relocation of the business to the new site.

- e) The Wellington County Roads Division has agreed to permit one access for commercial purposes, to be constructed to meet the County's criteria. The proposed site meets the criteria of the Wellington County Official Plan for a vehicular access for commercial use on a major road.
- f) The site is not located within a wellhead protection area as identified by the County of Wellington, and storage of any potential contaminants on-site is very limited.
- g) Functional stormwater management and servicing reports prepared by Van Harten Surveyors Inc. have been submitted indicating how the use will be accommodated on the site meeting Township standards.
- h) HGC Engineering were retained to complete a noise feasibility study of the proposed use and determined that anticipated noise impact from the proposed use can comply with MOECC criteria without additional noise mitigation.
- i) The design of the site has been done to preserve the original house and trees to retain semi-rural character of the site. The design of the buildings proposed and their location and configuration on the property will also maintain this semi-rural character. A proposed new residential use and distance separation are being used to buffer the proposed use from existing residential development to the east.

Based on the foregoing, it is my opinion that the requested Official Plan and Zoning Bylaw amendments are appropriate and represent good planning.

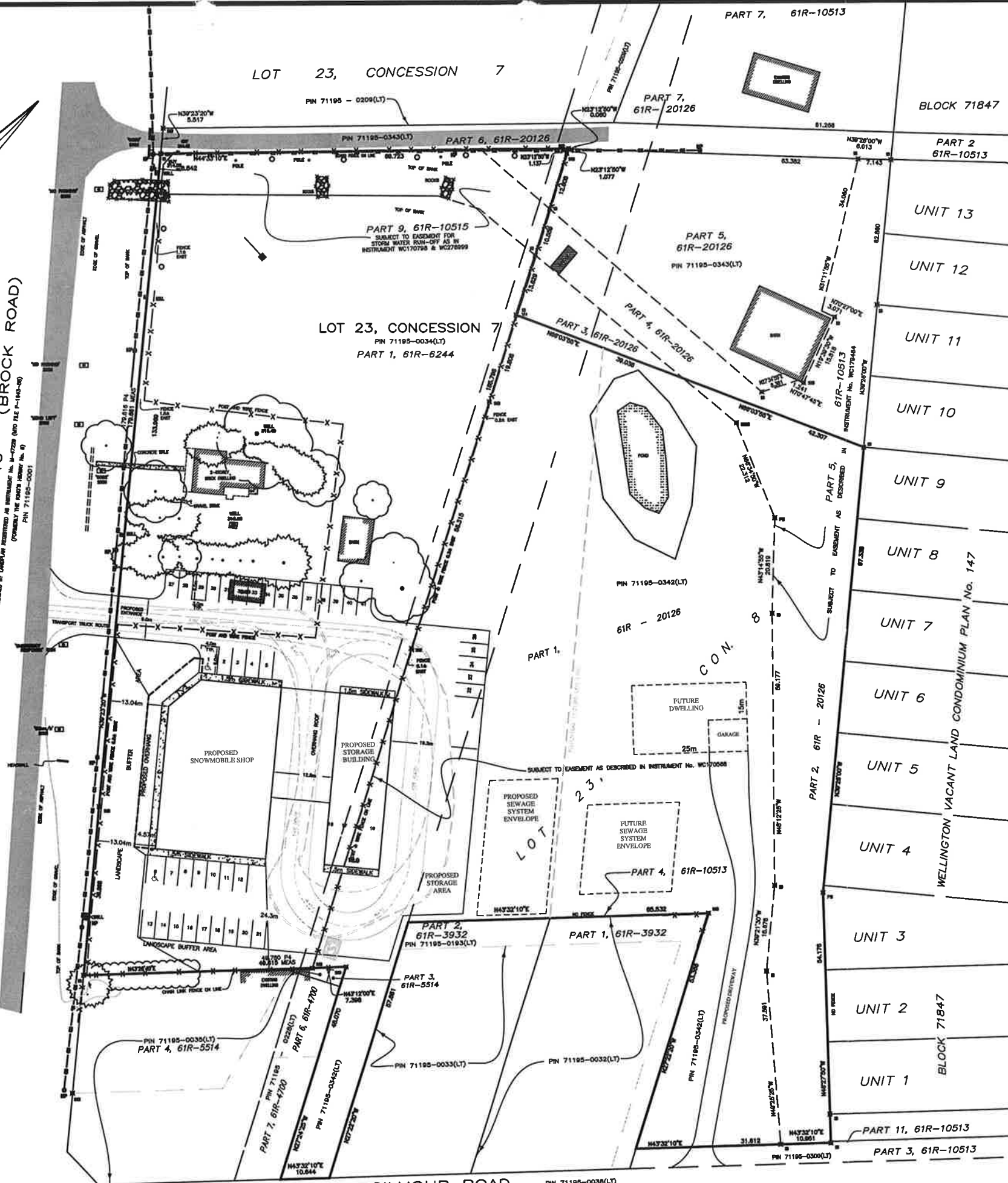
Respectfully submitted,

JL Cox Planning Consultants Inc.



John L. Cox, MCIP, RPP

WELLINGTON ROAD No. 46 (BROCK ROAD)



- LEGEND:**
- DENOTES SURVEY MONUMENT SET
 - DENOTES SURVEY MONUMENT FOUND
 - SIB DENOTES .025 x .025 x 1.20 STANDARD IRON BAR
 - IB DENOTES .015 x .015 x 0.60 IRON BAR
 - SSIB DENOTES .025 x .025 x 0.80 SHORT STANDARD IRON BAR
 - WIT DENOTES WITNESS
 - CC DENOTES CUT CROSS
 - 1155 or VH DENOTES VAN HARTEN SURVEYING INC., O.L.S.'s
 - 375 DENOTES BLACK SHOEMAKER et al., O.L.S.'s
 - P4 DENOTES DEPOSITED PLAN 61R-8244 BY (375)
- ALL SURVEY MONUMENTS ARE 375 UNLESS OTHERWISE NOTED

- EXISTING ELEVATION ≈ 201.55
- BELL PEDESTAL BELL
- HYDRO POLE HP
- GUY WIRE GW
- LIGHT STANDARD LS
- SIGN
- OVERHEAD HYDRO OH
- FENCELINE X
- DITCH/SWALE
- CENTRELINE OF ROAD
- EDGE OF BUSH
- TOP OF BANK
- CONCRETE
- ASPHALT
- GRAVEL
- WATER
- DECIDUOUS TREE
- CONIFEROUS TREE
- SAPLING SACP or SAPD

SUBJECT PROPERTY:

82 BROCK ROAD SOUTH
 PIN 71195-0034 (LT)
 PART OF LOT 23, CONCESSION 7 AND PART OF THE ROAD ALLOWANCE BETWEEN CONCESSIONS 7 & 8
 BEING PART 1, 61R-8244
 TOWNSHIP OF PUSLINCH
 SUBJECT TO EASEMENT:

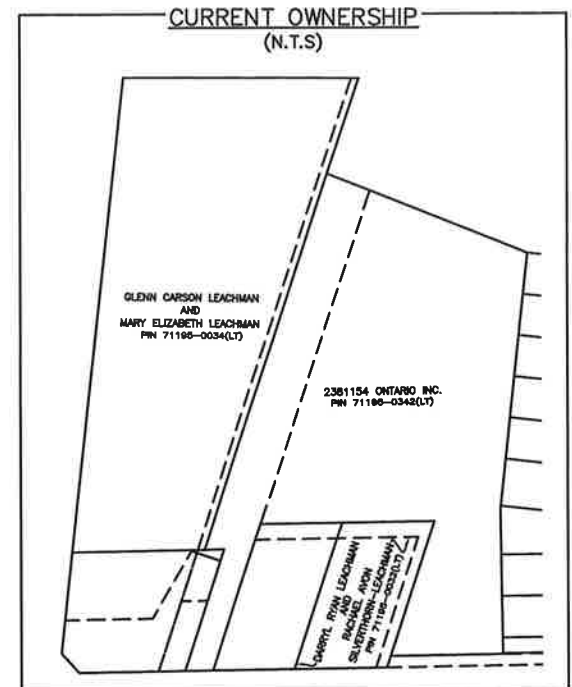
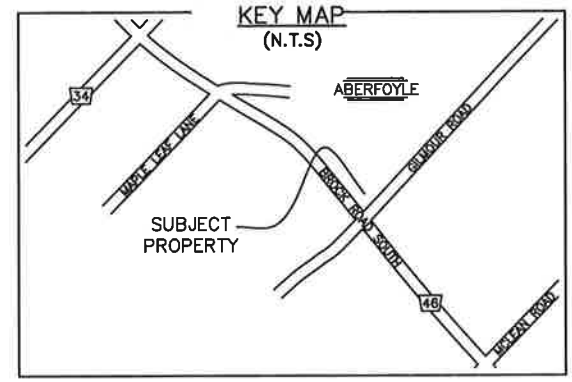
- INSTRUMENT WC170798 OVER PART 9, 61R-10513 FOR STORM WATER DRAINAGE IN FAVOUR OF PARTS 1 & 2, 61R-10513
- INSTRUMENT WC278998 OVER PART 9, 61R-10533 FOR STORM WATER DRAINAGE IN FAVOUR OF UNITS 1-55 WELLINGTON VACANT LAND CONDOMINIUM PLAN No. 147

BEARING AND COORDINATE NOTES:

1. BEARINGS ARE GRID BEARINGS AND ARE DERIVED FROM GPS OBSERVATIONS AND ARE REFERRED TO THE UTM PROJECTION, ZONE 17, NAD 83-CSRS (2010) ADJUSTMENT.
2. DISTANCES SHOWN ON THIS PLAN ARE ADJUSTED GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY AN AVERAGED COMBINED SCALE FACTOR OF 0.999915.
3. COORDINATES ON THIS PLAN ARE UTM, ZONE 17, NAD83-CSRS (2010) ADJUSTMENT AND ARE BASED ON GPS OBSERVATIONS TO A NETWORK OF PERMANENT GPS REFERENCE STATIONS.

BENCHMARK:

ELEVATIONS ARE BASED ON GPS OBSERVATIONS TO PERMANENT REFERENCE STATIONS AND HAVE BEEN CORRECTED TO ORTHOMETRIC ELEVATIONS WITH GEOID MODEL HT-2, AS SUPPLIED BY NATURAL RESOURCES CANADA.



PRELIMINARY SITE PLAN

PART OF LOT 23, CONCESSION 7
 PART OF ROAD ALLOWANCE BETWEEN
 CONCESSIONS 7 & 8
 CLOSED BY TOWNSHIP OF PUSLINCH
 BY-LAW 34-1989, INSTRUMENT No. ROS609892
 TOWNSHIP OF PUSLINCH
 COUNTY OF WELLINGTON

PREPARED FOR: ABERFOYLE SNOMOBILES LTD.
 PROJECT No. 21527-13
 DRAWING SCALE 1 : 1000

METRIC:
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

J.L. Cox Planning Consultants Inc.
 Urban And Rural Planning Services
 17 Spencer Crescent,
 Guelph, Ontario
 N1L 1N1
 Tel. (519) 836-5622

From: [Karen Landry](#)
To: [Nina Lecic](#)
Subject: FW: CARS Report 2016
Date: September-28-16 9:18:50 AM
Attachments: [PuslichTwpCARS.16.pdf](#)

From: Cox -. Reception [<mailto:cox-reception@coxconstruction.ca>]
Sent: Tuesday, September 27, 2016 12:08 PM
To: Karen Landry
Subject: CARS Report 2016

Hi there,

Attached please find a copy of our Compliance Assessment Reports as required under the Aggregate Resources Act.

If you have any questions please don't hesitate to contact me.

Have a great day!

Sandra Deekon
Payroll/Administration



Cox Construction Limited P.O. Box 427 Guelph Ontario N1H 6K5
P: 519 824-6570 | **F:** 519 824-6579 | **Email** cox-reception@coxconstruction.ca

Licensees Compliance Assessment Report - Aggregate Resources Act

Background Information

Year: 2016

Licensee: Cox Construction Ltd.

Licence ID #: 624889

MNR District/Area Office: Guelph

Lot: 13

Conc.: 4

Geographic Twp.: Puslinch

Municipality: Wellington

Observations

OPERATING STANDARDS	IN COMPLIANCE?			COMMENTS	Remedial Action?
	Yes	No	N/A		
A - Site Access					
A1	Boundaries (clearly marked)		x	Northern boundary to be re-staked	Y
A2	Entrance and Exits (location/closed)	√			
A3	Lease/Ownership/Extraction Agreement			Owner Operated	
B - Site Protection					
B4	Fencing	√			
B5	Fencing (site plan variation or temporary relief granted)	√			
B6	Screening (trees/berms)	√			
B7	Setbacks (15m / 30m or other)	√		Override of setbacks permitted abutting existing licensed pit to west	
C - Operational Details					
C8	Operating Sequence	√		Extraction of aggregate near completion as reserves have been depleted	
C9	Stripping (overburden)	√			
C10	Overburden Seeded	√			
C11	Extraction Depth	√			Lowest floor elevation +/- 328 m
C12	Buildings/Scales (location)	√		No buildings or scales	
C13	Equipment (any specific conditions or restrictions)	√			
C14	Plant (location/any specific conditions or restrictions)	√			
C15	Scrap (location/removal)	√			
C16	Stockpiles (location)	√			
C17	Topsoil (location/seeded)	√			
C18	Excavation Faces	√			
C19	Ponds (location/depth)	√			
C20	Internal Roads (any specific conditions or restrictions)	√			
C21	Haul Routes (external/any specific conditions or restrictions)	√			
C22	Blast Monitoring Report (quarries only)		√		
C23	Dust Suppression	√			
C24	Hours of Operation (any specific conditions or restrictions)	√			
C25	Well Monitoring Reports	√			
C26	Identification Sign (as per Sect 5.22 of Provincial Standards)	√			
C27	Orderly Conditions	√			
C28	Blasting Hours (quarries only)		√		

Note: Any ("No") requires completion of Page 3

THIS SECTION MUST BE COMPLETED WHEN REMEDIAL ACTION IS REQUIRED

OPERATING STANDARDS from Pg. 1 (e.g. B4 – Fencing)	Remedial Action Required	Deadline Date	MNR Direction (for MNR use only)
<i>EXAMPLE B4 - Fencing</i>	<i>200 ft of West boundary to be fenced</i>	<i>June 15 / 99</i>	

SEE NOTES BELOW REGARDING REMEDIAL ACTION DEADLINE DATES

A1 - Boundaries	Northern boundary to be re-staked	Oct. 15, 2016	

Yes a Sketch is Included? (see note below) Licence ID #: 624889 No Additional Detailed Information Attached

- You must provide a sketch if remedial action is required or progressive rehabilitation has been performed.**
- In order to extend the 90-day remedial action deadline date, you must obtain the Aggregate Inspector's approval (in writing) prior to filing the report with the Inspector or local MNR office.**

Date Submitted to MNR: Y / M / D	16/ 09 /30	<i>Please ensure that the site plan you have is the most current, approved plan and is the same as the one MNR has on file.</i>
Is the site held in reserve? NO		

Copies of Report Sent to:	County/Regional Municipality	Local Municipality	Ministry of Natural Resources
(by September 30th)	YES	YES	YES

TO BE COMPLETED BY PERSON CONDUCTING REVIEW (including on-site inspection)			
Date Inspected: Y / M / D	16/07/11	Review Conducted by: R Stovel (Please Print)	Signature (if different than licensee):
Name of Company and Address: Stovel and Associates Inc. 655 Orangeville Road, Fergus ON, N1M 1T9			
Position with Company: President			

Signature of Licensee or Authorized Official:
--

FOR MNR OFFICE USE ONLY				
Accepted by MNR: (✓ one)	YES <input type="checkbox"/> NO <input type="checkbox"/>	Date Accepted: Y / M / D	/ /	MNR Signature:
Field Audit by MNR: (✓ one)	YES <input type="checkbox"/> NO <input type="checkbox"/>	Date Inspected: Y / M / D	/ /	MNR Signature:
Follow up Notice Required?	YES <input type="checkbox"/> NO <input type="checkbox"/>	Licence ID #:		

- Pursuant to Subsection 57(4) of the ARA, it is an offence to furnish false information.
- You must provide a sketch if remedial action is required or progressive rehabilitation has been performed.
- In order to extend the 90-day remedial action deadline date, you must obtain the Aggregate Inspector's approval (in writing) prior to filing the report with the Inspector or local MNR office.
- Please submit this report to the local Aggregate Inspector who administers your site, or the local MNR office.

(NOTE: ALL INFORMATION IN RESPECT OF THIS REPORT IS AVAILABLE FOR PUBLIC REVIEW)

Licensees Compliance Assessment Report - Aggregate Resources Act

Background Information

Year: 2016

Licensee: Cox Construction Ltd.

Licence ID #: 625710

MNR District/Area Office: Guelph

Lot: 13

Conc.: 4

Geographic Twp.: Puslinch

Municipality: Wellington

Observations

OPERATING STANDARDS	IN COMPLIANCE?			COMMENTS	Remedial Action?
	Yes	No	N/A		
A - Site Access					
A1	Boundaries (clearly marked)	√			Y
A2	Entrance and Exits (location/closed)	√			
A3	Lease/Ownership/Extraction Agreement			Owner Operated	
B - Site Protection					
B4	Fencing	√			
B5	Fencing (site plan variation or temporary relief granted)	√			
B6	Screening (trees/berms)	√			
B7	Setbacks (15m / 30m or other)	√		Override of setbacks permitted abutting existing licensed pit to west	
C - Operational Details					
C8	Operating Sequence	√			
C9	Stripping (overburden)	√			
C10	Overburden Seeded	√			
C11	Extraction Depth	√			Lowest floor elevation NA
C12	Buildings/Scales (location)	√		No buildings or scales	
C13	Equipment (any specific conditions or restrictions)	√			
C14	Plant (location/any specific conditions or restrictions)	√			
C15	Scrap (location/removal)	√			
C16	Stockpiles (location)	√			
C17	Topsoil (location/seeded)	√			
C18	Excavation Faces	√			
C19	Ponds (location/depth)	√			
C20	Internal Roads (any specific conditions or restrictions)	√			
C21	Haul Routes (external/any specific conditions or restrictions)	√			
C22	Blast Monitoring Report (quarries only)			√	
C23	Dust Suppression	√			
C24	Hours of Operation (any specific conditions or restrictions)	√			
C25	Well Monitoring Reports	√			
C26	Identification Sign (as per Sect. 5.22 of Provincial Standards)	√			
C27	Orderly Conditions	√			
C28	Blasting Hours (quarries only)			√	

Note: Any ("No") requires completion of Page 3

Observations (continued)						
OPERATING STANDARDS	IN COMPLIANCE?			COMMENTS	Remedial Action?	
	Yes	No	N/A			
D – Rehabilitation					Y	
D29 Disturbed Hectarage	√			Current year - # of hectares 0	Total # of hectares 0	
D30 Progressive rehabilitation	√			Current year - # of hectares 0	Total # of hectares 0	
D31 Sloping of Faces	√					
D32 Grades/Contours/Elevations	√					
D33 Importation of Material (inert)	√					
D34 Vegetation	√					
D35 Final Rehabilitation	√					
E - Prescribed Conditions (For Licences issued after June 27, 1997)						
E36 Other Monitoring Reports			√			
E37 Requirements of C of A's			√			
E38 Noise Mitigation			√			
E39 Fuel Storage Tanks			√			
E40 Spills Plan			√			
E41 Permit to Take Water			√			
E42 Dust Suppression Measures Req'd. (Haul routes, equip, etc)			√			
F - Other Conditions (As indicated on either Site Plan or Licence)						
F43 tonnage						
F44						
F45						
General Comments:						
Site just licensed. Licensed received in June 2016. No disturbance at time of site visit.						
Prior to opening of site, the southerly and westerly licence limits must be staked.						
Licence ID#: 625710						

Note: Any ("No") requires completion of Page 3

Date Submitted to MNR: Y / M / D	16/ 09 /30	<i>Please ensure that the site plan you have is the most current, approved plan and is the same as the one MNR has on file.</i>
Is the site held in reserve? NO		

<i>Copies of Report Sent to:</i>	<i>County/Regional Municipality</i>	<i>Local Municipality</i>	<i>Ministry of Natural Resources</i>
(by September 30th)	YES	YES	YES

TO BE COMPLETED BY PERSON CONDUCTING REVIEW (including on-site inspection)			
Date Inspected: Y / M / D	16/07/11	Review Conducted by: R Stovel (Please Print)	Signature (if different than licensee):
Name of Company and Address: Stovel and Associates Inc. 655 Orangeville Road, Fergus ON, N1M 1T9			
Position with Company: President			

Signature of Licensee or Authorized Official:
--

FOR MNR OFFICE USE ONLY				
Accepted by MNR: (✓ one)	YES <input type="checkbox"/> NO <input type="checkbox"/>	Date Accepted: Y / M / D	/ /	MNR Signature:
Field Audit by MNR: (✓ one)	YES <input type="checkbox"/> NO <input type="checkbox"/>	Date Inspected: Y / M / D	/ /	MNR Signature:
Follow up Notice Required?	YES <input type="checkbox"/> NO <input type="checkbox"/>	Licence ID #:		

- Pursuant to Subsection 57(4) of the ARA, it is an offence to furnish false information.
- You must provide a sketch if remedial action is required or progressive rehabilitation has been performed.
- In order to extend the 90-day remedial action deadline date, you must obtain the Aggregate Inspector's approval (in writing) prior to filing the report with the Inspector or local MNR office.
- Please submit this report to the local Aggregate Inspector who administers your site, or the local MNR office.

(NOTE: ALL INFORMATION IN RESPECT OF THIS REPORT IS AVAILABLE FOR PUBLIC REVIEW)

Licensees Compliance Assessment Report - Aggregate Resources Act

Background Information

Year: 2016

Licensee: Cox Construction Ltd

Licence ID #: 20212

MNR District/Area Office: Guelph

Lot: 8 to 10

Conc.: 4

Geographic Twp.: Puslinch

Municipality: Wellington

Observations

OPERATING STANDARDS	IN COMPLIANCE?			COMMENTS	Remedial Action?
	Yes	No	N/A		
A - Site Access					
A1 Boundaries (clearly marked)		x		Boundary between this licence and existing Puslinch Pit needs to be re-staked	Y
A2 Entrance and Exits (location/closed)	√			Entrance across Forestell Road has not been constructed yet	
A3 Lease/Ownership/Extraction Agreement				Owner Operated	
B - Site Protection					
B4 Fencing		x		Repairs required along Laird Road and western boundary	Y
B5 Fencing (site plan variation or temporary relief granted)	√				
B6 Screening (trees/berms)	√				
B7 Setbacks (15m / 30m or other)	√				
C - Operational Details					
C8 Operating Sequence	√				
C9 Stripping (overburden)	√				
C10 Overburden Seeded	√				
C11 Extraction Depth	√			Lowest floor elevation +/- 316	
C12 Buildings/Scales (location)	√				
C13 Equipment (any specific conditions or restrictions)	√				
C14 Plant (location/any specific conditions or restrictions)	√				
C15 Scrap (location/removal)	√				
C16 Stockpiles (location)		x		Concrete and RAP piles in Phase 1 (northwest of asphalt plant) to be removed	Y
C17 Topsoil (location/seeded)	√				
C18 Excavation Faces	√				
C19 Ponds (location/depth)	√				
C20 Internal Roads (any specific conditions or restrictions)	√				
C21 Haul Routes (external/any specific conditions or restrictions)	√				
C22 Blast Monitoring Report (quarries only)			√		
C23 Dust Suppression	√				
C24 Hours of Operation (any specific conditions or restrictions)	√				
C25 Well Monitoring Reports		x		Water monitoring report required	Y
C26 Identification Sign (as per Sect. 5.22 of Provincial Standards)	√				
C27 Orderly Conditions	√				
C28 Blasting Hours (quarries only)			√		

Note: Any (4"No") requires completion of Page 3

Observations (continued)

OPERATING STANDARDS	IN COMPLIANCE?			COMMENTS	Remedial Action?
	Yes	No	N/A		
D – Rehabilitation					
D29 Disturbed Hectarage	✓			Current year - # of hectares 1.0 Total # of hectares 3.0	Y
D30 Progressive rehabilitation	✓			Current year - # of hectares 0 Total # of hectares 0	
D31 Sloping of Faces	✓				
D32 Grades/Contours/Elevations	✓				
D33 Importation of Material (inert)	✓				
D34 Vegetation	✓				
D35 Final Rehabilitation	✓				
E - Prescribed Conditions (For Licences issued after June 27, 1997)					
E36 Other Monitoring Reports			✓		
E37 Requirements of C of A's			✓		
E38 Noise Mitigation			✓		
E39 Fuel Storage Tanks			✓		
E40 Spills Plan			✓		
E41 Permit to Take Water			✓		
E42 Dust Suppression Measures Req'd (Haul routes, equip, etc.)			✓		
F - Other Conditions (As indicated on either Site Plan or Licence)					
F43 tonnage					
F44					
F45					
General Comments:					
Berm construction was started in 2012. Haul road onto Laird Road was installed. Extraction at the site (north end near Laird Road) was recently started. Only a small portion of Phase 1 extracted.					
Extraction mainly concentrated on abutting licence #5710.					
Licence ID#: 20212					

Note: Any (4“No”) requires completion of Page 3

THIS SECTION MUST BE COMPLETED WHEN REMEDIAL ACTION IS REQUIRED

OPERATING STANDARDS from Pg. 1 (e.g. B4 – Fencing)	Remedial Action Required	Deadline Date	MNR Direction (for MNR use only)
<i>EXAMPLE B4 - Fencing</i>	<i>200 ft of West boundary to be fenced</i>	<i>June 15 / 99</i>	

SEE NOTES BELOW REGARDING REMEDIAL ACTION DEADLINE DATES

B4 - Fencing	Fence repairs along Laird Road and NW limits needed.	Nov. 15, 2016	
A1- Boundary	Boundary between existing Puslinch Pit and this licence to be staked	Nov. 15, 2016	
C25- Monitoring	Water monitoring report from required	Nov. 15, 2016	
C16- Stockpiles	Concrete and RAP stockpiles in Phase 1 to be removed	Nov. 15, 2016	

Yes a Sketch is Included (see note below)	Licence ID #: 20212	Yes Additional Detailed Information Attached
---	---------------------	--

- **You must provide a sketch if remedial action is required or progressive rehabilitation has been performed.**
- **In order to extend the 90-day remedial action deadline date, you must obtain the Aggregate Inspector's approval (in writing) prior to filing the report with the Inspector or local MNR office.**

Date Submitted to MNR: Y / M / D	16/ 09 /30	Please ensure that the site plan you have is the most current, approved plan and is the same as the one MNR has on file.
Is the site held in reserve? No		

Copies of Report Sent to:	County/Regional Municipality	Local Municipality	Ministry of Natural Resources
(by September 30th)	YES	YES	YES

TO BE COMPLETED BY PERSON CONDUCTING REVIEW (including on-site inspection)			
Date Inspected: Y / M / D	16/08/15	Review Conducted by: R Stovel (Please Print)	Signature (if different than licensee):
Name of Company and Address: Stovel and Associates Inc. 655 Orangeville Road, Fergus ON N1M 1T9			
Position with Company: President			

Signature of Licensee or Authorized Official:

FOR MNR OFFICE USE ONLY				
Accepted by MNR: (✓ one)	YES <input type="checkbox"/> NO <input type="checkbox"/>	Date Accepted: Y / M / D	/ /	MNR Signature:
Field Audit by MNR: (✓ one)	YES <input type="checkbox"/> NO <input type="checkbox"/>	Date Inspected: Y / M / D	/ /	MNR Signature:
Follow up Notice Required?	YES <input type="checkbox"/> NO <input type="checkbox"/>	Licence ID #:		

- Pursuant to Subsection 57(4) of the ARA, it is an offence to furnish false information.
- You must provide a sketch if remedial action is required or progressive rehabilitation has been performed.
- In order to extend the 90-day remedial action deadline date, you must obtain the Aggregate Inspector's approval (in writing) prior to filing the report with the Inspector or local MNR office.
- Please submit this report to the local Aggregate Inspector who administers your site, or the local MNR office.

(NOTE: ALL INFORMATION IN RESPECT OF THIS REPORT IS AVAILABLE FOR PUBLIC REVIEW)

Licensees Compliance Assessment Report - Aggregate Resources Act

Background Information

Year: 2016

Licensee: Cox Construction Ltd.

Licence ID #: 20749 (Nigro)

MNR District/Area Office: Guelph

Lot: 11 & 12

Conc.: 4

Geographic Twp.: Puslinch

Municipality: Puslinch (County of Wellington)

Observations

OPERATING STANDARDS	IN COMPLIANCE?			COMMENTS	Remedial Action?
	Yes	No	N/A		
A - Site Access					Y
A1 Boundaries (clearly marked)	√				
A2 Entrance and Exits (location/closed)	√				
A3 Lease/Ownership/Extraction Agreement			Owner Operated		
B - Site Protection					
B4 Fencing	√				
B5 Fencing (site plan variation or temporary relief granted)	√				
B6 Screening (trees/berms)	√				
B7 Setbacks (15m / 30m or other)	√				
C - Operational Details					
C8 Operating Sequence	√				
C9 Stripping (overburden)	√				
C10 Overburden Seeded	√				
C11 Extraction Depth	√			Lowest floor elevation +/- 323 masl	
C12 Buildings/Scales (location)	√				
C13 Equipment (any specific conditions or restrictions)	√				
C14 Plant (location/any specific conditions or restrictions)	√				
C15 Scrap (location/removal)	√				
C16 Stockpiles (location)	√				
C17 Topsoil (location/seeded)	√				
C18 Excavation Faces	√				
C19 Ponds (location/depth)	√				
C20 Internal Roads (any specific conditions or restrictions)	√				
C21 Haul Routes (external/any specific conditions or restrictions)	√				
C22 Blast Monitoring Report (quarries only)			√		
C23 Dust Suppression	√				
C24 Hours of Operation (any specific conditions or restrictions)	√				
C25 Well Monitoring Reports		x			Y
C26 Identification Sign (as per Sect. 5.22 of Provincial Standards)	√				
C27 Orderly Conditions	√				
C28 Blasting Hours (quarries only)			√		

Note: Any (4"No") requires completion of Page 3

THIS SECTION MUST BE COMPLETED WHEN REMEDIAL ACTION IS REQUIRED

OPERATING STANDARDS from Pg. 1 (e.g. B4 – Fencing)	Remedial Action Required	Deadline Date	MNR Direction (for MNR use only)
<i>EXAMPLE B4 - Fencing</i>	<i>200 ft of West boundary to be fenced</i>	<i>June 15 / 99</i>	

SEE NOTES BELOW REGARDING REMEDIAL ACTION DEADLINE DATES

C25- Water Monitoring	Water monitoring report to be prepared and submitted	Nov. 15, 2016	

Yes Sketch Included? (see note below) Licence ID #: 20749 No Additional Detailed Information Attached

- You must provide a sketch if remedial action is required or progressive rehabilitation has been performed.
- In order to extend the 90-day remedial action deadline date, you must obtain the Aggregate Inspector's approval (in writing) prior to filing the report with the Inspector or local MNR office.

Date Submitted to MNR: Y / M / D	29/ 09 /16	Please ensure that the site plan you have is the most current, approved plan and is the same as the one MNR has on file.
Is the site held in reserve? No		

Copies of Report Sent to:	County/Regional Municipality	Local Municipality	Ministry of Natural Resources
(by September 30th)	YES	YES	YES

TO BE COMPLETED BY PERSON CONDUCTING REVIEW (including on-site inspection)			
Date Inspected: Y / M / D	16/08/11	Review Conducted by: R Stovel (Please Print)	Signature (if different than licensee):
Name of Company and Address: Stovel and Associates Inc. 655 Orangeville Road, Fergus ON N1M 1T9			
Position with Company: President			

Signature of Licensee or Authorized Official:

FOR MNR OFFICE USE ONLY				
Accepted by MNR: (✓ one)	YES <input type="checkbox"/> NO <input type="checkbox"/>	Date Accepted: Y / M / D	/ /	MNR Signature:
Field Audit by MNR: (✓ one)	YES <input type="checkbox"/> NO <input type="checkbox"/>	Date Inspected: Y / M / D	/ /	MNR Signature:
Follow up Notice Required?	YES <input type="checkbox"/> NO <input type="checkbox"/>	Licence ID #:		

- Pursuant to Subsection 57(4) of the ARA, it is an offence to furnish false information.
- You must provide a sketch if remedial action is required or progressive rehabilitation has been performed.
- In order to extend the 90-day remedial action deadline date, you must obtain the Aggregate Inspector's approval (in writing) prior to filing the report with the Inspector or local MNR office.
- Please submit this report to the local Aggregate Inspector who administers your site, or the local MNR office.

(NOTE: ALL INFORMATION IN RESPECT OF THIS REPORT IS AVAILABLE FOR PUBLIC REVIEW)



CRH Canada Group Inc.
2300 Steeles Ave W, 4th floor
Concord, Ontario
L4K 5X6 Canada

T. 905-761-7100
F. 905-761-7200

www.crhcanada.com

Ministry of Natural Resources and Forestry
GUELPH DISTRICT
Ontario Government Bldg
1 Stone Rd West
Guelph, ON
N1G4Y2

September 26, 2016

Attention: Ms. *Seana Richardson*

Subject: Dufferin Aggregates 2016 Compliance Assessment Reports – Mill Creek Pit

Dear Ms. *Richardson*,

Please find enclosed the Dufferin Aggregates 2016 Compliance Assessment Report for Mill Creek Pit, Licence ID No. 5738.

Please do not hesitate to contact our office should you have any questions.

Yours truly,

Nicolle Bellissimo

Nicolle Bellissimo
Environment and Resource Coordinator

cc: Clerk - County of Wellington
Dan O'Leary - University of Guelph
CAO/Clerk - Township of Puslinch

RECEIVED

SEP 28 2016

Township of Puslinch

CLERK'S DEPARTMENT	
TO	
Copy	
Please Handle	
For Your Information	
Council Agenda	
File	

Instructions

- Please submit this report to the local Aggregate Inspector who administers your site, or the local Ministry of Natural Resources and Forestry (MNR) office.
- Pursuant to subsection 57(4) of the *Aggregate Resources Act* (ARA), it is an offence to furnish false information.
- You must provide a sketch if remedial action is required or progressive rehabilitation has been performed.
- In order to extend the 90-day remedial action deadline date, you must obtain the Aggregate Inspector's approval (in writing) prior to filing the report with the Inspector or local MNR office.

Note: All information in respect of this report is available for public review.

Part 1. Background Information

Year 2016	Licensee University of Guelph	Licence ID Number 5738	
Lot 21-24, 24	Concession 2,1	Geographic Township Puslinch Township	
MNR District/Area Office Guelph		Municipality County of Wellington	

Part 2. Observations

Note: Any "No" requires completion of Part 3. Remedial Actions.

Operating Standards	In compliance?			Comments	Remedial Action?
	Yes	No	N/A		
A. Site Access					
A1 Boundaries (clearly marked)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Licensed boundaries are marked with wire fencing and posts	<input type="checkbox"/>
A2 Entrance and Exits (location/closed)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Access to site through phase 1 and phase 2 is restricted by locked gates	<input type="checkbox"/>
A3 Lease/Ownership/Extraction Agreement				Site owned by University of Guelph. Dufferin Aggregates, a division of CRH Canada Group Inc. operates site as per...	<input type="checkbox"/>
B. Site Protection					
B4 Fencing	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Fences are inspected regularly and repaired as required. Have been in contact with MNR for request of fencing relief...	<input checked="" type="checkbox"/>
B5 Fencing (site plan variation or temporary relief granted)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		West boundary is exempt from fencing and demarcated by erected signs. Temporary fencing relief granted by MNR to facilitate setback removal of east and west boundaries of ...	<input type="checkbox"/>
B6 Screening (trees/berms)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Site is well screened by berms and tree cover	<input type="checkbox"/>
B7 Setbacks (15m / 30m or other)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Removal of setbacks granted by MNR to facilitate extraction of east and west setback areas of Phase 2.	<input type="checkbox"/>
C. Operational Details					
C8 Operating Sequence	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Current operations are in Phase 2.	<input type="checkbox"/>
C9 Stripping (overburden)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Stripping of overburden completed in 2016 to facilitate setback removals.	<input type="checkbox"/>
C10 Overburden Seeded	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Overburden seeding will be completed once Phase 3 pond has been fully shaped. Southwestern portion of Phase 3 pond ...	<input type="checkbox"/>

Operating Standards	In compliance?			Comments	Remedial Action?
	Yes	No	N/A		
C11 Extraction Depth	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Underwater extraction is 8 - 10m below the ground elev Lowest floor elevation (m) +/- 290	<input type="checkbox"/>
C12 Buildings/Scales (location)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Buildings are located as per site plan	<input type="checkbox"/>
C13 Equipment (any specific conditions or restrictions)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Equipment operating are as per operational plan (Note 30)	<input type="checkbox"/>
C14 Plant (location/any specific conditions or restrictions)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Processing plant is located as per operational plan (Note 5)	<input type="checkbox"/>
C15 Scrap (location/removal)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Scrap stored in designated area as per site plan and removed regularly (Note 22)	<input type="checkbox"/>
C16 Stockpiles (location)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Stock piles are located in area illustrated on site plans	<input type="checkbox"/>
C17 Topsoil (location/seeded)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Topsoil piles are vegetated	<input type="checkbox"/>
C18 Excavation Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Excavation is occurring in Phase 2 setbacks.	<input type="checkbox"/>
C19 Ponds (location/depth)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Excavation is occurring below water and pond levels are monitored as required	<input type="checkbox"/>
C20 Internal Roads (any specific conditions or restrictions)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Internal roads are well maintained and controlled with traffic signs	<input type="checkbox"/>
C21 Haul Routes (external/any specific conditions or restrictions)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Followed as per license conditions and dust control measures implemented as required	<input type="checkbox"/>
C22 Blast Monitoring Report (quarries only)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
C23 Dust Suppression	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Internal roads and entrances treated for dust with water and liquid or flake calcium chloride. Entrance sweeping is ...	<input type="checkbox"/>
C24 Hours of Operation (any specific conditions or restrictions)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Operations: 7 am to 7 pm Mon – Fri, 7 am – noon Sat. Shipping: 6 am to 7 pm Mon – Fri, 7 am – noon Sat.	<input type="checkbox"/>
C25 Well Monitoring Reports	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Submitted monthly and annually as required to MNR, MOECC, GRCA, & Township.	<input type="checkbox"/>
C26 Identification Sign (as per Section 5.22 of Provincial Standards)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Identification signs are posted at phase 1 and phase 2 entrances	<input type="checkbox"/>
C27 Orderly Conditions	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Site is operating in an orderly condition and is well maintained	<input type="checkbox"/>
C28 Blasting Hours (quarries only)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>

D. Rehabilitation

D29 Disturbed Hectarage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Current Year - Number of Hectares <u>4.86</u>	Total Number of Hectares <u>88.75</u>	<input type="checkbox"/>
D30 Progressive Rehabilitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Current Year - Number of Hectares <u>0.15</u>	Total Number of Hectares <u>26.27</u>	<input type="checkbox"/>
D31 Sloping of Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Outstanding pond faces will be sloped and rehabilitated once silt pond is developed and as per rehabilitation plan.		<input type="checkbox"/>
D32 Grades/Contours/Elevations	<input checked="" type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>
D33 Importation of Material (inert)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No inert material imported for rehabilitation		<input type="checkbox"/>

Operating Standards	In compliance?			Comments	Remedial Action?
	Yes	No	N/A		
D34 Vegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Tree planting activities completed in Spring 2016 in Phase 3.	<input type="checkbox"/>
D35 Final Rehabilitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>

**E. Prescribed Conditions
(For Licences issued
after June 27, 1997)**

E36 Other Monitoring Reports	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
E37 Requirements of C of A's	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
E38 Noise Mitigation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
E39 Fuel Storage Tanks	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
E40 Spills Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
E41 Permit to Take Water	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
E42 Dust Suppression Measures Req'd. (Haul routes, equip, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>

**F. Other Conditions (As
indicated on either Site
Plan or Licence)**

F43 Tonnages	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Maximum annual limit of 2,000,000 tonnes	<input type="checkbox"/>
F44	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
F45	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
F46	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
F47	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>

General Comments

Section Comments (continued): A3 ... an extraction agreement | B4 ... letter sent to MNRF (see attached drawing)

B5 ... Phase 2 | C10 ... was seeded in Fall 2015 | C23...completed as required to control dust (Note 10) .

General: Total area rehabilitated includes a portion of final lake, shoreline, & perimeter berms that remain as part of final rehabilitation. Not all lake areas are reported as final rehab as some shoreline areas have not been rehabilitated.

Rehab/disturbed (D29/30) #s were updated from 2015 based on revised calculations.

MNRF granted approval in February 2016 to temporarily stockpile overburden within license boundary south of phase 2 pond. This was requested to facilitate the setback removals in Phase 2 as approved by MNRF. If temporary stockpiles are not fully removed within 90 days of submission of this report, MNRF inspector will be informed.

Licence ID Number: 5738

Part 3. Remedial Actions

This part must be completed when remedial action is required.

- You must provide a sketch if remedial action is required or progressive rehabilitation has been performed.
- In order to extend the 90-day remedial action deadline date, you must obtain the Aggregate Inspector's approval (in writing) prior to filing the report with the Inspector or local MNRF office.

Operating Standard	Remedial Action Required	Deadline Date	MNRF Direction (for MNRF use only)
Example: B4 Fencing	200 feet of West boundary to be fenced	2016/06/15	
B4	Fences are inspected regularly and repaired as required. Fencing relief request submitted to MNRF for the western boundary of south of Phase 2 pond (see attached drawing)	2016/12/15	

Sketch Included?
 Additional Detailed Information Attached
 Licence ID Number: 5738

Part 4. Submission

Please ensure that the site plan you have is the most current, approved plan and is the same as the one MNRF has on file.

Date Submitted to MNRF (yyyy/mm/dd)

2016/09/27

Is the site held in reserve?

Yes

No

Copies of Report Sent to (by September 30):

County/Regional Municipality

Local Municipality

Ministry of Natural Resources and Forestry

Part 5. To be Completed by Person Conducting Review (including on-site inspection)

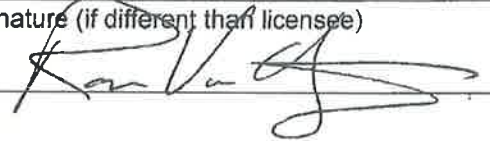
Date Inspected (yyyy/mm/dd)

2016/08/11

Review Conducted by (Please Print)

Ron Van Ooteghem

Signature (if different than licensee)



Name of Company

Dufferin Aggregates, a division of CRH Canada Group Inc.

Unit Number

Street Number

2300

Street Name

Steeles Avenue West, 4th Floor

PO Box

City/Town

Concord

Province

Ontario

Postal Code

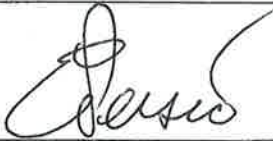
L4K 5X6

Position with Company

Site Manager

Part 6. Signature of Licensee or Authorized Official

Signature



Part 7. For MNRF Office Use Only

Accepted by MNRF

Yes

No

Date Accepted (yyyy/mm/dd)

MNRF Signature

Field Audit by MNRF

Yes

No

Date Inspected (yyyy/mm/dd)

MNRF Signature

Follow up Notice Required

Yes

No

Licence ID Number



Legend	
— Yellow line	Relief from fencing granted by MNRF
— Red line	Requested relief from fencing
— Green line	Existing fence



CRH Canada Group Inc.
2300 Steeles Ave W, 4th floor
Concord, Ontario
L4K 5X6 Canada

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www.crhcanada.com

Ministry of Natural Resources and Forestry
GUELPH DISTRICT
Ontario Government Bldg
1 Stone Rd West
Guelph, ON
N1G 4Y2

September 26, 2016

Attention: Ms. Diane Schwier

Subject: Dufferin Aggregates 2016 Compliance Assessment Reports - Aberfoyle Pits

Dear Ms. Schwier,

Please find enclosed the 2016 Compliance Assessment Reports for the following Dufferin Aggregates licensed properties in the Township of Puslinch, County of Wellington:

1. Aberfoyle Pit#1 Licence #5483
2. Aberfoyle Pit #2 Licence #5609

Please do not hesitate to contact our office should you have any questions.

RECEIVED

SEP 28 2016

Township of Puslinch

Yours truly,

Nicolle Bellissimo
Environment and Resource Coordinator

cc: Clerk - County of Wellington
CAO, Clerk - Township of Puslinch

CLERK'S DEPARTMENT	
TO	
Copy	
Please Handle	
For Your Information	
Council Agenda	
File	



Instructions

- Please submit this report to the local Aggregate Inspector who administers your site, or the local Ministry of Natural Resources and Forestry (MNR) office.
Pursuant to subsection 57(4) of the Aggregate Resources Act (ARA), it is an offence to furnish false information.
You must provide a sketch if remedial action is required or progressive rehabilitation has been performed.
In order to extend the 90-day remedial action deadline date, you must obtain the Aggregate Inspector's approval (in writing) prior to filing the report with the Inspector or local MNR office.

Note: All information in respect of this report is available for public review.

Part 1. Background Information

Table with 4 columns: Year (2016), Licensee (Dufferin Aggregates, a division of CRH Canada Group Inc.), Licence ID Number (5483 Aberfoyle Pit 1), Lot (23,24), Concession (7), Geographic Township (Puslinch), MNR District/Area Office (Guelph), Municipality (County of Wellington)

Part 2. Observations

Note: Any "No" requires completion of Part 3. Remedial Actions.

Table with 4 main columns: Operating Standards, In compliance? (Yes/No/N/A), Comments, Remedial Action? Rows include A. Site Access (A1-A3) and B. Site Protection (B4-B7).

C. Operational Details

Table with 4 main columns: Operating Standards, In compliance? (Yes/No/N/A), Comments, Remedial Action? Rows include C8-C10.

Operating Standards	In compliance?			Comments	Remedial Action?	
	Yes	No	N/A			
C11 Extraction Depth	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Max depth in the pond areas Lowest floor elevation (m) <u>303 masl</u>	<input type="checkbox"/>	
C12 Buildings/Scales (location)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As per the site plan	<input type="checkbox"/>	
C13 Equipment (any specific conditions or restrictions)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	
C14 Plant (location/any specific conditions or restrictions)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Importation allowed from licensed sites for processing.	<input type="checkbox"/>	
C15 Scrap (location/removal)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Scrap removed from site on an on-going basis.	<input type="checkbox"/>	
C16 Stockpiles (location)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	
C17 Topsoil (location/seeded)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	
C18 Excavation Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	
C19 Ponds (location/depth)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
C20 Internal Roads (any specific conditions or restrictions)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	
C21 Haul Routes (external/any specific conditions or restrictions)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	
C22 Blast Monitoring Report (quarries only)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	
C23 Dust Suppression	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Water and or dust suppressant is utilized to mitigate dust	<input type="checkbox"/>	
C24 Hours of Operation (any specific conditions or restrictions)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	
C25 Well Monitoring Reports	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	
C26 Identification Sign (as per Section 5.22 of Provincial Standards)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Posted at the entrance	<input type="checkbox"/>	
C27 Orderly Conditions	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	
C28 Blasting Hours (quarries only)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	
D. Rehabilitation						
D29 Disturbed Hectareage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Current Year - Number of Hectares <u>0</u>	Total Number of Hectares <u>30.94</u>	<input type="checkbox"/>
D30 Progressive Rehabilitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Current Year - Number of Hectares <u>0</u>	Total Number of Hectares <u>3.51</u>	<input type="checkbox"/>
D31 Sloping of Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>
D32 Grades/Contours/Elevations	<input checked="" type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>
D33 Importation of Material (inert)	<input checked="" type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>

Operating Standards	In compliance?			Comments	Remedial Action?
	Yes	No	N/A		
D34 Vegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
D35 Final Rehabilitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>

**E. Prescribed Conditions
(For Licences issued
after June 27, 1997)**

E36 Other Monitoring Reports	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
E37 Requirements of C of A's	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
E38 Noise Mitigation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
E39 Fuel Storage Tanks	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
E40 Spills Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
E41 Permit to Take Water	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
E42 Dust Suppression Measures Req'd. (Haul routes, equip, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>

**F. Other Conditions (As
indicated on either Site
Plan or Licence)**

F43 Yearly Tonnage Limit	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Max annual tonnage limit is 500,000 tonnes	<input type="checkbox"/>
F44	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
F45	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
F46	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
F47	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>

General Comments

D29 & D30 – Disturbed Hectareage and Progressive Rehabilitation numbers have changed since 2015 based on review of AutoCAD files.

Licence ID Number: 5483

Part 3. Remedial Actions

This part must be completed when remedial action is required.

- You must provide a sketch if remedial action is required or progressive rehabilitation has been performed.
- In order to extend the 90-day remedial action deadline date, you must obtain the Aggregate Inspector’s approval (in writing) prior to filing the report with the Inspector or local MNRF office.

Operating Standard	Remedial Action Required	Deadline Date	MNRF Direction (for MNRF use only)
Example: B4 Fencing	200 feet of West boundary to be fenced	2016/06/15	

Sketch Included?
 Additional Detailed Information Attached
 Licence ID Number: 5483

Part 4. Submission

Please ensure that the site plan you have is the most current, approved plan and is the same as the one MNRF has on file.

Date Submitted to MNRF (yyyy/mm/dd)

2016/09/27

Is the site held in reserve?

Yes

No

Copies of Report Sent to (by September 30):

County/Regional Municipality

Local Municipality

Ministry of Natural Resources and Forestry

Part 5. To be Completed by Person Conducting Review (including on-site inspection)

Date Inspected (yyyy/mm/dd)

2016/06/02

Review Conducted by (Please Print)

Chris Fleming

Signature (if different than licensee)

Name of Company

Dufferin Aggregates, a Division of CRH Canada Group Inc.

Unit Number

FLR 4

Street Number

2300

Street Name

Steeles Avenue West

PO Box

City/Town

Concord

Province

Ontario

Postal Code

L4K 5X6

Position with Company

Site Manager

Part 6. Signature of Licensee or Authorized Official

Signature

Part 7. For MNRF Office Use Only

Accepted by MNRF

Yes

No

Date Accepted (yyyy/mm/dd)

MNRF Signature

Field Audit by MNRF

Yes

No

Date Inspected (yyyy/mm/dd)

MNRF Signature

Follow up Notice Required

Yes

No

Licence ID Number

Instructions

- Please submit this report to the local Aggregate Inspector who administers your site, or the local Ministry of Natural Resources and Forestry (MNRF) office.
- Pursuant to subsection 57(4) of the *Aggregate Resources Act* (ARA), it is an offence to furnish false information.
- You must provide a sketch if remedial action is required or progressive rehabilitation has been performed.
- In order to extend the 90-day remedial action deadline date, you must obtain the Aggregate Inspector's approval (in writing) prior to filing the report with the Inspector or local MNRF office.

Note: All information in respect of this report is available for public review.

Part 1. Background Information

Year 2016	Licensee Dufferin Aggregates, a division of CRH Canada Group Inc.	Licence ID Number 5609 Aberfoyle Pit 2
Lot 22,23	Concession 9	Geographic Township Puslinch
MNRF District/Area Office Guelph		Municipality County of Wellington

Part 2. Observations

Note: Any "No" requires completion of Part 3. Remedial Actions.

Operating Standards	In compliance?			Comments	Remedial Action?
	Yes	No	N/A		
A. Site Access					
A1 Boundaries (clearly marked)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		The west boundary between Dufferin and CBM are marked with stakes as per the site plans.	<input type="checkbox"/>
A2 Entrance and Exits (location/closed)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
A3 Lease/Ownership/Extraction Agreement				Owned by Dufferin Aggregates (CRH Canada Group Inc.)	<input type="checkbox"/>
B. Site Protection					
B4 Fencing	<input type="checkbox"/>	<input checked="" type="checkbox"/>		South and East fence repairs and replacement required	<input checked="" type="checkbox"/>
B5 Fencing (site plan variation or temporary relief granted)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
B6 Screening (trees/berms)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Tree screens and berms in place	<input type="checkbox"/>
B7 Setbacks (15m / 30m or other)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Setbacks along North boundary between Dufferin and CBM have been approved for removal	<input type="checkbox"/>
C. Operational Details					
C8 Operating Sequence	<input checked="" type="checkbox"/>	<input type="checkbox"/>		As per the site plan.	<input type="checkbox"/>
C9 Stripping (overburden)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
C10 Overburden Seeded	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>

Operating Standards	In compliance?			Comments	Remedial Action?	
	Yes	No	N/A			
C11 Extraction Depth	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Max depth in the pond areas Lowest floor elevation (m) <u>312 masl</u>	<input type="checkbox"/>	
C12 Buildings/Scales (location)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	
C13 Equipment (any specific conditions or restrictions)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No equipment on site	<input type="checkbox"/>	
C14 Plant (location/any specific conditions or restrictions)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		No plant on site	<input type="checkbox"/>	
C15 Scrap (location/removal)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	
C16 Stockpiles (location)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	
C17 Topsoil (location/seeded)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	
C18 Excavation Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	
C19 Ponds (location/depth)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pond depth appr 10-14m	<input type="checkbox"/>	
C20 Internal Roads (any specific conditions or restrictions)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	
C21 Haul Routes (external/ any specific conditions or restrictions)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	
C22 Blast Monitoring Report (quarries only)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	
C23 Dust Suppression	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Water and or dust suppressant is utilized to mitigate dust	<input type="checkbox"/>	
C24 Hours of Operation (any specific conditions or restrictions)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Township of Puslinch bylaw being adhered to – 8 am to 6 pm Monday to Friday	<input type="checkbox"/>	
C25 Well Monitoring Reports	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Submitted as required	<input type="checkbox"/>	
C26 Identification Sign (as per Section 5.22 of Provincial Standards)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Posted at the entrance	<input type="checkbox"/>	
C27 Orderly Conditions	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	
C28 Blasting Hours (quarries only)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	
D. Rehabilitation						
D29 Disturbed Hectarage	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Current Year - Number of Hectares <u>0</u>	Total Number of Hectares <u>68.03</u>	<input type="checkbox"/>
D30 Progressive Rehabilitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Current Year - Number of Hectares <u>0</u>	Total Number of Hectares <u>0</u>	<input type="checkbox"/>
D31 Sloping of Faces	<input checked="" type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>
D32 Grades/Contours/ Elevations	<input checked="" type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>
D33 Importation of Material (inert)	<input checked="" type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>

Operating Standards	In compliance?			Comments	Remedial Action?
	Yes	No	N/A		
D34 Vegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
D35 Final Rehabilitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>

**E. Prescribed Conditions
(For Licences issued
after June 27, 1997)**

E36 Other Monitoring Reports	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
E37 Requirements of C of A's	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
E38 Noise Mitigation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
E39 Fuel Storage Tanks	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
E40 Spills Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
E41 Permit to Take Water	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
E42 Dust Suppression Measures Req'd. (Haul routes, equip, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>

**F. Other Conditions (As
indicated on either Site
Plan or Licence)**

F43 Yearly Tonnage Limit	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Max annual tonnage limit is 1,000,000 tonnes	<input type="checkbox"/>
F44	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
F45	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
F46	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
F47	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>

General Comments

D29 & D30 – Disturbed Hectareage and Progressive Rehabilitation numbers have changed since 2015 based on review of AutoCAD files.

Licence ID Number: 5609

Part 3. Remedial Actions

This part must be completed when remedial action is required.

- You must provide a sketch if remedial action is required or progressive rehabilitation has been performed.
- In order to extend the 90-day remedial action deadline date, you must obtain the Aggregate Inspector's approval (in writing) prior to filing the report with the Inspector or local MNRF office.

Operating Standard	Remedial Action Required	Deadline Date	MNRF Direction (for MNRF use only)
Example: B4 Fencing	200 feet of West boundary to be fenced	2016/06/15	
B4 Fencing	Repair and replace fencing as per the drawing	2016/12/15	

Sketch Included? Additional Detailed Information Attached Licence ID Number: 5609

Part 4. Submission

Please ensure that the site plan you have is the most current, approved plan and is the same as the one MNRF has on file.

Date Submitted to MNRF (yyyy/mm/dd)

2016/09/27

Is the site held in reserve?

Yes

No

Copies of Report Sent to (by September 30):

County/Regional Municipality

Local Municipality

Ministry of Natural Resources and Forestry

Part 5. To be Completed by Person Conducting Review (including on-site inspection)

Date Inspected (yyyy/mm/dd)

2016/08/30

Review Conducted by (Please Print)

Chris Fleming

Signature (if different than licensee)

Name of Company

Dufferin Aggregates, a Division of CRH Canada Group Inc.

Unit Number

FLR 4

Street Number

2300

Street Name

Steeles Avenue West

PO Box

City/Town

Concord

Province

Ontario

Postal Code

L4K 5X6

Position with Company

Site Manager

Part 6. Signature of Licensee or Authorized Official

Signature

Part 7. For MNRF Office Use Only

Accepted by MNRF

Yes

No

Date Accepted (yyyy/mm/dd)

MNRF Signature

Field Audit by MNRF

Yes

No

Date Inspected (yyyy/mm/dd)

MNRF Signature

Follow up Notice Required

Yes

No

Licence ID Number

Aberfoyle Lic # 5609

No Trespassing Signs Replaced

Fence Repaired

Fence Replaced



TOWNSHIP OF PUSLINCH

Change to the November Puslinch Council meeting schedule:

- Meetings are taking place the second and fourth Wednesday of the month

The November Council schedule is:

- November 9, 1:00 p.m.
- November 23, 7:00 p.m.



The Puslinch website has been updated to reflect this schedule

From: [Karen Landry](#)
To: ["vinniesmrfixit@hotmail.com"](mailto:vinniesmrfixit@hotmail.com)
Cc: [Nina Lecic](#)
Subject: FW: Oct. 15th 2016 40th Celebration
Date: September-19-16 4:05:07 PM

From: vince klimkosz [<mailto:vinniesmrfixit@hotmail.com>]
Sent: Monday, September 19, 2016 9:40 AM
To: Jessie Beauclaire
Subject: Oct. 15th 2016 40th Celebration

Good Morning,

I am writing to see if you can put this into Councils agenda, I know it is last minute, but knowing you, your going to make it happen.

I am hoping that council will consider a fee reduction/waiver for the Optimist Club 40th Celebration on Oct. 15th 2016.

The Optimist Club has been serving the township for 40 years, as one of the most active service clubs in the community. Over 40 years, we have donated back to the community and helped out with various community events.

Throwing a 40th celebration is not a cheap undertaking, and I hope that council will consider our request.

Vinnie Klimkosz, Optimist Club of Puslinch president 2016



Rotary Club of Guelph South

Mailing Address: P.O. Box 21060, Campus Drugmart Ltd.
Guelph, Ontario N1G 3A2

To Puslinch Council

The Rotary Club of Guelph will be holding the 15th. Annual Pasta Dinner at the Community Centre on Feb 17, 2017.

As many of you know, the primary beneficiary of this event is Sunrise Therapeutic Riding and Learning Centre, an incredible charity right here in Puslinch. Our club has also supported the Parish Nurse Program and the Puslinch Pioneer.

We also donate a considerable amount of food to the Guelph Drop In Centre at the end of the evening.

As you also know, the cost of renting the Community Centre has increased significantly over the years, thus reducing the amount of money we can disburse locally.

We respectfully request that you extend the charitable discount to us for this event.

Celia Clark

A handwritten signature in blue ink that reads "C. E. Clark".

Chair of 2017 Pasta Dinner

Peter Clark

A handwritten signature in blue ink that reads "P. J. Clark".

Treasurer, Rotary Club of Guelph South

7377 Calfass Road
Puslinch, Ontario, N0B 2J0
Tel: 519-766-1097
Email: celia-pete@digitalfrog.com

Nina Lecic

From: Karen Landry
Sent: September-27-16 12:17 PM
To: Nina Lecic
Subject: FW: "guelph" in New Instrument Decision Notice:
Proponent: Russel Metals Inc.
6600 Financi

From: Environmental Registry Alerts [<mailto:registryalerts@eco.on.ca>]
Sent: Tuesday, September 27, 2016 12:00 PM
To: Karen Landry
Subject: "guelph" in New Instrument Decision Notice: Proponent: Russel Metals Inc. 6600 Financia...

“guelph” in New Instrument Decision Notice: Proponent: Russel Metals Inc. 6600
Financial DriveMississauga

Proponent: Russel Metals Inc.
Instrument: Environmental Compliance Approval (project type: air) - EPA Part II.1-air
Ministry: Ministry of the Environment and Climate Change
Date Decided: 2016-09-27
URL: <http://www.ebr.gov.on.ca/ERS-WEB-External/...>
Registry #: 012-4896

1 Excerpt Mentions “guelph”:

“...Toronto Ontario
M4V 1P5
Phone: (416) 314-8001
Fax: (416) 314-8452
Toll Free Phone: (800) 461-6290
Location(s) Related to this Instrument:

24 Nicholas Beaver Road
Puslinch
County of Wellington N1H 6H9

TOWNSHIP OF PUSLINCH

The following government offices have additional information regarding this Decision. To arrange a viewing of these documents please call the Ministry Contact or the Office listed below.

Guelph District Office
1 Stone Road West
Floor 4
Guelph Ontario
N1G 4Y2
Phone: (519) 826-4255
Toll Free Phone: (800) 265-8658

Environmental Approvals Access and Service Integration Branch
135 St. Clair Avenue West
Floor 1
Toronto Ontario
M4V1P5
Phone: (416) 314-8001
Toll Free Phone: (800) 461-6290

The documents linked below are provided for the purposes of enhancing public consultation. All links will open in a new window

1. Copy Of Environmental Compliance Approva
l # 4594-..."

Ministry #: 4594-9VET2G

The *Environmental Commissioner of Ontario* is not responsible for any consequences arising from missed Registry notices. Under the Environmental Bill of Rights, the Environmental Registry site at <http://www.ebr.gov.on.ca/> is the authoritative source for public notices about environmental matters being proposed by Ontario government ministries.

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Instrument Decision Notice:

Proponent: Russel Metals Inc.
6600 Financial Drive
Mississauga Ontario
Canada L5N 7J6

Instrument Type: Environmental Compliance Approval (project type: air) - EPA Part II.1-air

EBR Registry Number:

012-4896

Ministry Reference Number:

4594-9VET2G

Ministry:

Ministry of the Environment
and Climate Change

Date Proposal loaded to the Registry:

August 11, 2015

Date Decision loaded to the Registry:

September 27, 2016

Keyword(s): Air

Decision on Instrument:

An amended Environmental Compliance Approval (Air & Noise) has been issued to Russel Metals Inc., a facility which processes and distributes steel products ranging in sizes, shapes and specifications, located at 24 Nicholas Beaver Road, Puslinch, Ontario.

The activities at the facility include

- receiving and storing sheet metals,
- plasma cutting,
- laser cutting,
- flame cutting (beveling),
- press forming and
- grinding.

The Approval includes the replacement of

- one (1) flame cutter,
- removal of four (4) exhaust systems and laser cutting stations,
- the replacement of one (1) laser station and
- the addition of one (1) grinding unit.

The attached Certificate document is intended for posting on the Environmental Registry in order to provide the reader with the substantive content of the issued instrument. Please note the official version may be differently formatted or otherwise contain minor variations from this version.

Comment(s) Received on the Proposal: 0

Public Consultation on the proposal for this decision was provided for 45 Days, from August 11, 2015 to September 25, 2015.

As a result of public consultation on the proposal, the Ministry received a total of 0 comments.

Contact:

Application Assessment
Officer
Ministry of the Environment
and Climate Change
Operations Division
Environmental Approvals
Access and Service
Integration Branch
Application Assessment Unit
135 St. Clair Avenue West
Floor 1
Toronto Ontario
M4V 1P5
Phone: (416) 314-8001
Fax: (416) 314-8452
Toll Free Phone: (800) 461-6290

Location(s) Related to this Instrument:

24 Nicholas Beaver Road
Puslinch
County of Wellington N1H 6H9

TOWNSHIP OF PUSLINCH

Additional Information:

The following government offices have additional information regarding this

Leave to Appeal Provisions:

Any resident of Ontario may seek leave to appeal this decision, by serving written Notice, within 15 days of September 27, 2016 upon all of the following:

Appellate Body:

Secretary
Environmental Review Tribunal
655 Bay Street
Floor 15
Toronto
M5G 1E5
Phone: (416) 212-6349
Fax: (416) 326-5370
Toll Free Phone: (866) 448-2248

Environmental Commissioner of Ontario:

Environmental Commissioner of Ontario
1075 Bay Street
Suite 605
Toronto Ontario
M5S 2B1
Phone: (416) 325-3377
Toll Free Phone: (800) 701-6454

Issuing Authority:

Rudolf Wan
Supervisor
Environmental Approvals Branch
135 St. Clair Avenue West
Floor 1
Toronto Ontario
M4V 1P5
Phone: (416) 314-7009
Toll Free Phone: (800) 461-6290

Proponent:

Russel Metals Inc.
6600 Financial Drive
Mississauga Ontario
Canada L5N 7J6

The Notice must be signed and dated and include all of the following information:

1. The EBR Registry Number, the Ministry Reference Number, the Proponent's name and address to whom the instrument was issued and the location of Activity. (All available from this Registry posting)
2. A copy of any comments that were submitted on the original proposal, if comments were not submitted, an explanation of your interest in seeking leave to appeal the decision is required.
3. A description of the grounds for the application for leave to appeal including information that demonstrates that:
 - (a) there is a good reason to believe that no reasonable person, having regard to the relevant law and any government policies developed to guide decisions of that kind, could have made the decision; and
 - (b) the decision in respect of which an appeal is sought could result in significant harm to the environment.
4. The portion of the instrument or each term or condition in the instrument in respect of which the leave to appeal is applied for.

Decision. To arrange a viewing of these documents please call the Ministry Contact or the Office listed below.

Guelph District Office
1 Stone Road West
Floor 4
Guelph Ontario
N1G 4Y2
Phone: (519) 826-4255
Toll Free Phone: (800) 265-8658

Environmental Approvals
Access and Service
Integration Branch
135 St. Clair Avenue West
Floor 1
Toronto Ontario
M4V1P5
Phone: (416) 314-8001
Toll Free Phone: (800) 461-6290

The documents linked below are provided for the purposes of enhancing public consultation.

All links will open in a new window

1. [**Copy Of Environmental Compliance Approval # 4594-9VET2G**](#)

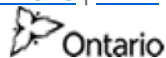
5. The grounds on which you intend to reply at the hearing, in the event that the leave to appeal is granted, in relation to each portion that you are seeking leave to appeal.

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From: [Great Lakes and Water Policy Section \(MNRF\)](#)
To: [Great Lakes and Water Policy Section \(MNRF\)](#)
Subject: Conservation Authorities Act Review Facilitator's Report
Date: September-26-16 3:30:21 PM
Attachments: [CA Act Review Phase 2 Engagement Sessions Summary Report \(FINAL with Appendix\).pdf](#)

Hello,

Please find attached a copy of a report summarizing feedback provided to the Ministry of Natural Resources and Forestry on proposed priorities for updating the *Conservation Authorities Act*.

The feedback contained within this report was provided to the Ministry during five multi-stakeholder engagement sessions held in early summer of 2016.

If you would like to stop receiving information on the *Conservation Authorities Act* Review please respond to this email asking to be removed from our distribution list.

Thank you,

Water Resources Section
Natural Resources Conservation Policy Branch
Ministry of Natural Resources and Forestry
mnrwaterpolicy@ontario.ca



Stage II Engagement Sessions Summary Report

Prepared by Lura Consulting and Planning Solutions Inc. for:
The Ministry of Natural Resources and Forestry
August 2016



This report was prepared by Lura Consulting and Planning Solutions Inc., the independent facilitators and consultation specialists for the Conservation Authorities Act Review Stage II engagement sessions conducted in June 2016. If you have any questions or comments regarding this report, please contact:

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Appendix A – Workshop Summary Reports

1. Introduction

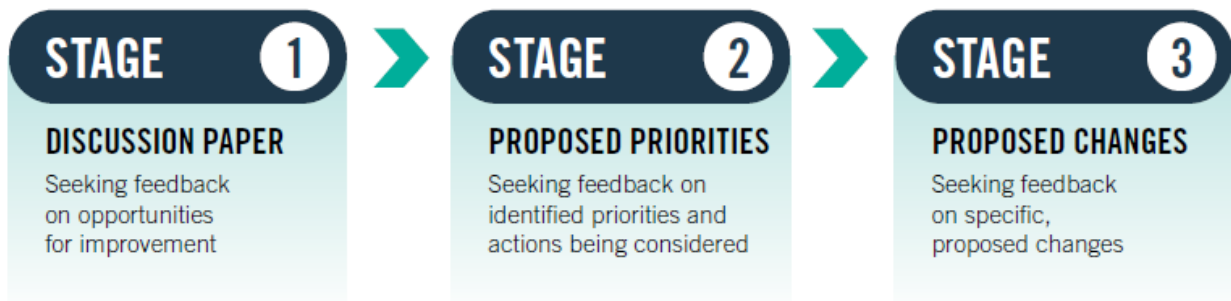
Background

The *Conservation Authorities Act*, enacted in 1946, allows municipalities in a common watershed to establish a conservation authority in conjunction with the province to deliver a local resource management program at the watershed scale for both provincial and municipal interests.

In November 2014, the Parliamentary Assistant to the Minister of Natural Resources and Forestry (MNRF) was given a mandate to engage with ministries, municipalities, Indigenous Peoples and stakeholders to initiate a review of the *Conservation Authorities Act*. The review was launched the following summer, with the objective to identify opportunities to improve the legislative, regulatory and policy framework that currently governs the creation, operation and activities of conservation authorities, including addressing roles and responsibilities, governance and funding of conservation authorities in resource management and environmental protection.

Overall Conservation Authorities Act Review Process

THE CONSERVATION AUTHORITIES ACT REVIEW PROCESS



There are several stages in the *Conservation Authorities (CA) Act* Review process, with opportunities for public input at each stage. The first stage began in July 2015 and sought feedback on opportunities to improve the *CA Act*. A discussion paper was posted on the Environmental Registry (EBR Registry Number 012-4509) for a 91-day public review and comment period. Stage 2 began in May 2016 and focused on seeking feedback on proposed priorities identified from feedback during the first stage, as well as the development of specific actions for implementation over the short, medium and long term. A consultation document outlining proposed priorities for updating the Act was posted on the Environmental Registry (EBR Registry Number 012-7583) for a 120 day public review and comment period. During the third stage specific changes to the *CA Act* will be proposed and further consulted on.

Overview of Stage I

Stage I consultations included over 20 stakeholder and Indigenous engagement sessions in addition to targeted meetings across the province to obtain feedback on three areas:

- **Governance:** The processes, structures, and accountability frameworks within the Act which direct conservation authority decision-making and operations;
- **Funding mechanisms:** The mechanisms put in place by the Act to fund conservation authorities; and
- **Roles and responsibilities:** The roles and associated responsibilities that the Act enables conservation authorities to undertake.

The Stage I review process resulted in extensive feedback. Over 270 submissions were provided to the Ministry during the public commenting period from individuals and groups representing 10 different sectors. Analysis of this feedback helped to identify a number of priority areas for improvement.

Objectives for Stage II

In response to feedback obtained through the initial stage of the Ministry's review, the government established five priorities for updating the Act's legislative, regulatory and policy framework:

1. Strengthening oversight and accountability in decision-making.
2. Increasing clarity and consistency in roles and responsibilities, processes and requirements.
3. Improving collaboration and engagement among all parties involved in resource management.
4. Modernizing funding mechanisms to support conservation authority operations.
5. Enhancing flexibility for the province to update the *Conservation Authorities Act* framework in the future.

These priority areas as well as a series of potential actions were outlined in the discussion paper – *Conserving Our Future: Proposed Priorities for Renewal*. In May and June 2016, MNRF led a second round of public and stakeholder consultations through 5 regional multi-stakeholder engagement sessions. The sessions provided an opportunity for participants to learn about and provide input to the five priority areas. Lura Consulting and Planning Solutions Inc. were retained to facilitate the engagement sessions and report on the feedback provided by participants.

This report provides a summary of the consultation program and key consultation activities undertaken as part of the regional multi-stakeholder engagement sessions, as well as the feedback received through those sessions. It does not include feedback submitted to the Environmental Registry, or input from Indigenous engagement sessions which took place and will be reported on separately.

Feedback obtained through Stage II consultations will be used by MNRF staff to develop specific changes to *the Conservation Authorities Act* and associated policy and regulatory framework. Any specific

proposed changes will be subject to further public consultation as appropriate, for example through subsequent Environmental Registry postings.

2. Methodology for Stage II Multi-Stakeholder Consultation Program

Throughout June 2016, MNRF hosted full-day workshops in five locations across Ontario as part of the Stage II consultation program. The dates, locations and number of participants at each workshop are listed in the table below. The purpose of the workshops was to provide an overview of and receive feedback on the five priority areas for improving the *CA Act*. The workshops consisted of an overview plenary presentation with time for questions of clarification, followed by facilitated discussion. The facilitated discussions were designed to encourage dialogue and obtain feedback on the five priority areas for improving the *CA Act*. A discussion guide was provided to participants during the workshops as well as form to rank the proposed actions.

Date	Location	Number of Participants
June 3, 2016	Ottawa	23
June 7, 2016	Thunder Bay	7
June 9, 2016	London	57
June 13, 2016	Newmarket	59
June 15, 2016	Sudbury	12
Total		158

A summary of the comments and suggestions provided by participants during the workshops is presented in the next section.

3. Summary of Participant Feedback

This section presents the overarching key themes that emerged from the feedback obtained at the regional sessions, and is followed by a summary of participant feedback organized according to the five priority areas: (1) Strengthening Oversight and Accountability, (2) Increasing Clarity and Consistency, (3) Improving Collaboration and Engagement, (4) Modernizing Funding Mechanisms, and (5) Enhancing Flexibility for the Province. Each section contains highlights and common themes that emerged throughout the sessions. Sector-specific perspectives are also noted. Individual workshop summary reports are provided in Appendix A.

Overarching Key Themes

The following points highlight the recurring comments, concerns and/or advice which emerged from the five sessions.

- Include integrated watershed management (IWM) in the Act as the overarching approach to conservation.
- Recognize that each CA is inherently unique. Local conditions and circumstances influence programs and services (particularly in Northern and rural communities); legislative changes must recognize the need for continued local autonomy (i.e., flexibility).
- Reinstatement of the provincial/municipal partnership as the collaborative model that was envisioned for CAs.
- Establish a multi-ministerial body to promote dialogue and collaborative decision-making regarding CA roles and responsibilities.
- Increase and diversify provincial funding to CAs to support the implementation of conservation programs and services.
- Ensure that any new or additional programs and services are delegated with adequate resources (particularly funding).
- Update provincial policies and technical guidelines to ensure they reflect the current suite of issues facing CAs.
- Ensure the interests of all stakeholders (e.g., OFAH members, agricultural sector, landowners, Indigenous Peoples) are considered during decision-making processes.
- Establish a provincial “one-window” to streamline planning processes and approvals, with clear expectations for provincial, municipal and CA roles and responsibilities.
- Concerns, as expressed by CAs, that the potential actions do not reflect the fundamental issues affecting CAs (e.g., reinstating the pre-1995 relationship between the province and CAs, provincial support in terms of funding, etc.).
- Concerns, as expressed by CAs, that the review focuses on CA Act processes and procedures instead of protecting and enhancing the natural environment through the CA Act.

Priority #1: Strengthening Oversight and Accountability

A. Updating the Act to reflect modern legislative structures and accountabilities

Participants consistently expressed support for including a purpose statement in the CA Act that includes integrated watershed management (IWM) as the overarching approach to conservation. There was also support from participants at the Newmarket session for including a vision, mission, and values for CAs that can be updated on a regular basis.

There was consistent feedback that the province needs to ensure there is flexibility within the legislation as priorities vary across different watersheds and will change over time (e.g., climate change considerations). Local autonomy is very important to CAs.

Feedback from participants at the Ottawa, Thunder Bay, and London sessions indicated support for defining the roles and responsibilities of various parties involved in providing oversight. It was noted that there is a misunderstanding among the public, municipalities, and other ministries about what CA responsibilities entail.

It was suggested by participants at the London session that the CA Act be modernized so that it is easier to update in the future (i.e., include certain aspects as regulation and policy rather than legislation so they can be updated more frequently). There was also support from participants at the Thunder Bay and Newmarket sessions to update provincial policies and technical guidelines to ensure they reflect the current suite of issues facing CAs.

Feedback from participants at the Ottawa, Thunder Bay, London, and Newmarket sessions suggested that updates to the CA Act should include an improved appeal process for planning and permitting.

B. Adopting and/or aligning with governance best management practices

Feedback from the Newmarket session indicated that the existing governance model is working well; it was also noted that many CAs comply with codes of conduct and/or currently provide board member orientation. On the other hand, participants from the Ottawa, Thunder Bay and London sessions indicated a need for more training and guidance to improve consistency in governance. It was also noted that there is a need to clarify how conflicts of interest among board members should be addressed.

It was suggested that the MNRF should provide some minimum guidance for governance best management practices which CAs can then adapt at the local level. Some participants (London) suggested that operational audits of CAs should be reinstated.

Feedback from participants at the Ottawa, Thunder Bay and London sessions suggested following the governance model used by Public Health Units as an example of best practices, particularly with respect to determining an avenue for appeals regarding codes of conduct or conflict of interest.

C. Enhancing provincial oversight

Participants from all the sessions raised the concern that if the province is going to delegate additional CA programs and services, or increase direction and oversight of programs, additional funding should be provided to CAs. Participants also cautioned that local flexibility for CAs should not be reduced through increased provincial oversight.

Feedback from the Newmarket session suggested establishing a third-party process or mechanism to address public concerns and ensure CAs are accountable to their legislated roles and responsibilities (e.g., Ontario Municipal Board, appeal mechanism, penalties); while there is currently a process for CA permit applicants to appeal permit decisions to the Mining and Lands Commissioner, there are no formal mechanisms to appeal other matters (e.g., disclosure of information).

Feedback from the Ottawa session suggested establishing meaningful key performance indicators to measure the impact of CA programs and services for larger, strategic and regional initiatives. Examples of key performance indicators suggested by participants focused on ecological services provided

through CA, regional and provincial initiatives, and climate change and carbon sequestration results associated with CA programs and initiatives. Participants from the Thunder Bay and Sudbury sessions highlighted the need to achieve a balance of provincial and municipal oversight to allow local flexibility based on watershed needs.

D. Enhancing municipal oversight

Participants from the Ottawa and Thunder Bay sessions expressed support to enhance municipal oversight, but indicated there is a need to clearly articulate what the enhancement entails. Participants from the Ottawa and Sudbury sessions noted that there is already accountability and oversight at the municipal level through the CA board.

Feedback from the Sudbury session indicated concern that enhancing municipal oversight may impact the ability of CAs to make critical decisions objectively (e.g., review permits, perform advisory function). It was suggested that the roles and responsibilities of municipalities in relation to CAs should be clarified, including fiduciary duties.

There was a suggestion from participants at the Newmarket session that mandatory review periods for municipality/CA Memoranda of Understanding (MOUs) and Service Level Agreements be considered (e.g., every five years); this would ensure that MOUs and service agreements remain current.

E. Developing or updating criteria for establishing, enlarging, amalgamating or dissolving a CA

Participants expressed support for developing criteria for establishing, enlarging, amalgamating or dissolving a CA. It was noted by participants from the Thunder Bay session that regional differences should be reflected in the criteria (e.g., if the CA were to be enlarged in Northern Ontario there is no mechanism to levy unorganized townships).

Participants from the London session suggested implementing a process to achieve minor CA boundary adjustments as some municipalities are located in two or more CAs.

Several participants raised concerns about municipalities within a watershed having the opportunity to opt out of a CA as there needs to be holistic management of natural resources on a watershed scale.

Priority #2: Increasing Clarity and Consistency

A. Clearly delineating between mandatory and optional programs and services

Participants generally expressed support for this potential action, specifically as a means to enhance the clarity and consistency of CA regulatory roles and responsibilities. Participant feedback from the Newmarket session cautioned that there are trade-offs to delineating between mandatory and optional programs and services, including the concern that doing so will reduce CA flexibility and autonomy.

Feedback from the Ottawa session also highlighted the need to consider different watershed needs across the province and the ability of different CAs to deliver mandated programs and services (i.e., different capabilities in terms of resources). There was some feedback from the London session which suggested that programs and services pertaining to flood and hazard management, in particular, should be mandatory, however IWM was iterated as the preferred approach to conservation at all the sessions (and as a means to provide flexibility).

It was also repeatedly noted that appropriate tools (e.g., sustainable funding from the province, provincial guidance/collaboration) are needed to ensure the delivery of CA programs and services.

B. Establishing a Provincial Policy Directive

Participant feedback consistently voiced support to establish a Provincial Policy Directive. The benefits associated with this potential action include:

- Clarifying CA roles and responsibilities;
- Developing an integrated policy framework (that aligns with other provincial legislation and identifies the hierarchy between them); and
- Establishing a policy framework that has a purpose and is tied to outcomes.

Participants from the Ottawa session iterated the concern that specifying CA roles and responsibilities will limit CA flexibility and autonomy, as the Act is currently written to allow CAs to adapt to the needs of their watershed. Feedback from the Newmarket and London sessions echoed the need to retain flexibility, but noted that enough direction should be provided to facilitate compliance. IWM was suggested by CAs as the basis of the policy directive as it recognizes the multiples roles and responsibilities CAs undertake.

C. Providing clarity and consistency in CA's regulatory roles and responsibilities

Participant feedback indicated broad support for this potential action and its intended outcomes. It was noted that consolidating and codifying regulatory requirements will help reduce the potential for misinterpretation, and associated legal disputes. Several key terms were also identified that are used inconsistently and need to be clarified: conservation land, wetland, watercourse, natural heritage, natural resources and integrated watershed management.

It was suggested at the Sudbury session that clarifying key terms can be addressed through the Act or supporting regulations, while most of the objectives of this potential action could be implemented through responsive policies or enabling provisions. Feedback from participants in Ottawa suggested the use of legislative mechanisms, such as the statute's preamble, to clarify CA roles and responsibilities.

Concerns were raised at the Newmarket session, particularly by landowners, regarding the inconsistent delivery of CA programs and services. It was noted by CA staff that this is a separate issue from clarifying CA roles and responsibilities, and is primarily due to resource constraints facing CAs (e.g., qualified staff, mapping tools, funding, etc.); the need for more funding, as well as coordinating and sharing resources between provincial, municipal and CA partners were suggested to help address this issue. A few participants also advised that promoting consistency in the delivery of CA programs and services is well defined in the Conservation Authority Liaison Committee (CALC) Report.

Participant feedback also highlighted the following considerations with regard to this potential action:

- Recognize the multiple roles and responsibilities CAs currently undertake in the Act (e.g., hazard management, watershed management, commenting on environmental assessments, service provider, regulator, and land owner).
- Update policy and procedure documents to clarify areas of jurisdiction, roles and responsibilities.
- Note that communication and public education are important “soft tools” that can help improve clarity, consistency and transparency (in terms of CA roles and responsibilities).

The need to ensure a balance between clarifying CA roles and responsibilities while retaining flexibility to respond to individual watershed needs, as well as using IWM as an overarching framework for CAs was also iterated in the feedback to this potential action.

D. Enhancing compliance and enforcement of regulatory requirements

Support for this potential action varied among participants. Feedback from the Ottawa, Newmarket, and London consultations expressed support to update regulatory compliance tools and mechanisms (e.g., stop work orders, increasing fines, etc.), while feedback from Thunder Bay participants expressed concerns about the cost of implementing this action, and suggested that it should be less of a priority. There was no feedback specific to this potential action from the Sudbury session.

Participant feedback from the Ottawa, Newmarket, London and Thunder Bay consultations all indicated that current regulatory compliance tools are insufficient, and that legal proceedings are costly and time consuming, negatively impacting limited CA resources. More provincial support for legal proceedings (e.g., funding, guidance, creating a mechanism to recover costs from appeals and fines) was suggested.

Feedback from landowners at the Newmarket session identified the need for a process to address conflicts of interests to ensure CAs (and their boards) are accountable and transparent. Feedback from both the Newmarket and London sessions suggested that education and collaboration should be promoted to improve CA’s relationships with landowners regarding the enforcement of regulations.

E. Streamlining planning and permitting requirements and processes

Feedback obtained from all the regional sessions consistently expressed support for this potential action. It was noted that it is important to make planning and permitting processes more user-friendly as this will result in more buy-in and positive relationships between CAs and their watershed communities.

Several suggestions to streamline planning and permitting requirements and processes were raised by participants, including but not limited to: pre-consultation meetings and/or checklists; establishing universal review timelines; updating guidance documents; using different classes of approvals (e.g., Class Environmental Assessment (EA) approach), establishing a “one-window” permit approval approach, updating administrative processes and procedures; and increasing collaboration and partnerships between the province, municipalities and CAs, with input from stakeholders and the public.

Priority #3: Improving Collaboration and Engagement

A. Establishing a provincial “one-window”

Participants generally expressed support for the establishment of a provincial “one-window” to act as a single point of contact for CAs at the Ministry level. This approach would be beneficial to enhance communication and exchange information between the province and CAs, and provide support/advice to CAs. It was noted by participants at the Thunder Bay session that this approach could also provide efficiencies for CAs with respect to gaining access to funding opportunities.

Participants at the Newmarket session suggested that MOUs should be required to ensure the “one-window” approach is clear to all parties involved and that a provincial “one-window” should also address challenges facing the development community regarding permitting issues.

B. Establishing a business relationship with Conservation Ontario

Regarding the role of Conservation Ontario (CO) and its relationship with CAs, participants from the Ottawa and London sessions suggested that MNRF should consider the model used by the Association of Municipalities of Ontario (AMO) as a best practice.

There was concern expressed by CAs at most of the sessions that CO should not take on a governing or oversight role. It was noted that CO’s current role is working well. With dedicated provincial funding, CO could provide strategic guidance and coordinate resources (e.g., training, best practices, templates) more consistently. There was also support for CO’s ongoing role in public education, communication and advocacy for CAs.

C. Enhancing Indigenous Peoples' participation

Participants consistently noted that enhancing Indigenous Peoples' participation in CA processes is important; however resources and guidance are needed as there are many challenges in conducting meaningful engagement. CAs would like to see the province provide templates and best practices for engaging with Indigenous Peoples.

It was also noted by participants at the London session that Indigenous Peoples' participation should be at a watershed and strategic planning level rather a project by project level; however there is a need for more support in achieving this. In some areas, First Nations advisory committees are working well.

It was suggested that the Federal government should also provide funding to CAs for facilitating Indigenous Peoples' participation.

D. Enhancing public and stakeholder participation

There was general support for enhancing public and stakeholder participation in CA processes to ensure a broad range of interests are considered (e.g. landowners, farmers) and increase transparency. From the perspective of some landowners, stakeholder engagement is not occurring consistently across CAs. A guidance document for CAs could help improve consistency.

It was noted that some CAs have more capacity and experience than others in engaging the public and stakeholders. Additional staff and financial resources are needed by smaller CAs to manage stakeholder engagement.

Feedback from the Ottawa, London and Sudbury sessions noted that advisory or ad hoc committees have worked well to enhance stakeholder participation.

Some participants feel that there is a lack of understanding amongst community members regarding the mandate and role of CAs. Enhancing education and awareness of the various roles of CAs, municipalities and the province would be beneficial. Similarly, it is important to employ a culture of collaboration with landowners. There needs to be more transparency, two-way communication and sharing of information between CAs and landowners.

E. Supporting CAs in sharing and coordinating resources

There was support for encouraging CAs to share data, science and information as well as achieve administrative efficiencies; however this should not be prescribed in the CA Act. It was noted that sharing and coordinating resources and best practices between CAs is already happening at the local level.

Concerns were expressed that it may be challenging to share information and resources in an equitable manner. The province should provide resources to CAs. Questions were raised regarding who would be financially responsible for coordinating resources.

Priority #4: Modernizing Funding Mechanisms

There was consensus across the regional sessions that long-term sustainable funding must be prioritized for CAs to be able to deliver programs and services effectively. A multi-ministry approach to funding was emphasized because CAs deliver locally on priorities for many ministries (e.g., MOECC).

A. Enhancing clarity, consistency and accountability around municipal levies

Participant feedback consistently indicated that there is a need to simplify and clarify the funding formula for municipal levies and clarify the intent of the levy.

There was concern raised by participants at the Ottawa, Thunder Bay, London and Newmarket sessions that smaller municipalities do not have the capacity (e.g., tax base) to support CAs. It was suggested that a funding formula should be considered to equalize funding between CAs (based on population, programming, species at risk, watershed characteristics, etc.) paid by the province.

Participants at the Newmarket and Sudbury sessions expressed concerns that the present funding model creates a conflict of interest between CAs and municipalities and limits CA autonomy from municipalities.

There was a suggestion from participants at the Newmarket and London sessions for municipal levies for CA programs and services to be included as a separate line item on municipal tax bills (e.g., comparable to water rates) to increase public awareness.

B. Promoting clarity, consistency and accountability around fees and generated revenue

Participants noted that clarity around fees and how they can be used by a CA would be beneficial. It was suggested that MNRF should provide clear guidance on acceptable revenue streams. Similarly, there was support from participants at the Ottawa session for establishing a framework to calculate fees to improve transparency as it is undertaken differently by all CAs.

Participants suggested that other mechanisms to generate revenue be included in the CA Act (e.g., development charges). There was support from participants at the Newmarket session for establishing a mechanism for CAs to capture funds from compliance and enforcement activities (e.g., penalties, legal processes). It was also suggested that the opportunity for CAs to release conservation land with marginal natural heritage benefits for other uses be considered; the resources spent to maintain these lands could be re-deployed elsewhere. Participants from the Thunder Bay session were also supportive

of innovative opportunities for municipal funding arrangements (e.g., new tax classification for CA owned hazard-related lands, tax rates reflective of the land use and benefit provided).

Participants at the Ottawa and London sessions noted that some CAs need support to justify user fees as the public does not understand how they are established. Participants at the Newmarket session also suggested encouraging regular communication and collaboration on fees (e.g., liaison committee, bi-annual meetings with stakeholders).

Participants from the Newmarket and Thunder Bay session stated that there is also a need to establish a mechanism to mediate disputes regarding fees (e.g., appeal to a third-party such as the OMB).

C. Improving fiscal oversight and transparency

Many participants expressed that municipal oversight and transparency is already strong.

Participants from the Ottawa and Sudbury sessions expressed the need to ensure board members understand the fiduciary responsibility of their role to the CA and watershed (e.g., provide training).

Feedback from the Ottawa, London, and Sudbury sessions indicated that there is a desire for standardized and consistent budgeting practices; however, participants from the Newmarket session expressed that standardizing budget templates may add complexity and an administrative burden. It was noted that some municipalities currently ask for compliance with their own budget formats.

D. Improving clarity in the use of provincial funding processes

Participants at all the session continually indicated that more provincial funding and resourcing is needed and that this should be a prioritized action. Diversifying the funding mechanisms available to CAs was broadly supported (e.g., development charges, utility fees, external funding).

There was concern raised by participants at the Newmarket session about the requirement to reapply for certain grants annually as it is an administrative burden for many CAs. Feedback from the Thunder Bay and London sessions indicated that CAs should be able to apply directly for Trillium funding to streamline the process.

Participants at the London session noted that the timing of the release of transfer payments creates challenges for CAs (i.e. fiscal years are not aligned). A multi-year funding model would create greater efficiencies in administering programs. It was also noted that the transfer payment should be indexed to the rate of inflation. Municipalities are currently making up the difference for inflation increases.

Priority #5: Enhancing Flexibility for the Province

A. Giving the Minister the authority to use the Act to develop additional natural resource conservation and management programs and services in the future

Participant feedback expressed general support regarding this potential action if the purpose is to enable the Minister to be more responsive to contemporary issues (e.g., climate change), and recognize the multiple roles and responsibilities CAs currently undertake. It was suggested by participants at the Newmarket session that more information about this potential action is needed to clarify its intent (and what types of programs and services could be delegated), as it could be misinterpreted as a movement toward a more “command and control” approach by the province.

There was some concern raised that specifying too many details in the Act will reduce flexibility for CAs and municipalities, and that other mechanisms or tools should be considered to delegate responsibilities (e.g., MOUs, Ministerial Mandates, Provincial Policy Statement, regulations).

Feedback from most of the regional sessions also stressed that if new or additional programs and services are delegated, they should be accompanied by appropriate tools and resources, particularly funding, to ensure they are implemented.

B. Giving the Minister the authority to formally delegate the delivery of current and additional natural resource conservation and management programs and services to conservation authorities in the future

Participant feedback regarding this potential action was similar to that received for the preceding action; as such, participants from the Sudbury session suggested combining the first two potential actions under this priority area.

Feedback iterated the need to clarify the intent of the potential action and provide examples of what may be delegated to provide CAs with more certainty. Comments also emphasized that the province should provide appropriate tools and resources, especially funding, with any new delegated programs and services.

Participant feedback from the Newmarket session also suggested establishing a multi-ministerial body to delegate additional programs and services through a collaborative decision-making process, while feedback from the London session indicated that there is a general feeling that this kind of delegation already can and does take place.

C. Giving the Minister the authority to formally delegate the delivery of current and additional natural resource conservation and management programs and services to other public bodies, not-for-profit organizations, municipalities and other Ministries

Participant feedback regarding this potential action varied. On one hand, feedback from the Newmarket and London sessions expressed support for this potential action, as it would potentially increase or free CA capacity for other programs and services. There was some support to delegate education and outreach activities to other bodies, but not regulatory CA functions.

On the other hand, feedback from the Ottawa session raised a broad range of concerns that this potential action: will lead to the privatization of programs and services, delegate responsibilities away from CAs; impact the ability of CAs to negotiate funding; and that CA programs and services will be duplicated by other organizations leading to inefficiency and increased confusion regarding CA roles. Participants at the London session also conveyed concerns that focused on the need to consider CAs before external partners, and ensuring appropriate oversight and accountability of external partners if programs and services are delegated to them.

Feedback also iterated the idea that it may be more appropriate for a multi-ministerial body to delegate programs and services to other organizations, and that the province should provide appropriate tools and resources, especially funding, with any new delegated programs and services.

D. Giving the Minister the authority to deliver additional natural resource conservation and management programs and services throughout the province

Participant response to this potential action varied by region. Participants at the Sudbury session expressed support for this potential action as it would enable the consistent delivery of CA programs and services outside CA boundaries by MNR or another organization. They suggested delegating programs and services to other bodies through other legislation. Feedback from Thunder Bay participants highlighted the need to communicate and consult on any proposed changes to the regulations of the Act. Feedback from the remaining sessions is consistent with the comments reported for the preceding potential action.

Other Actions Being Considered

A. Reducing administrative burdens associated with appointing and replacing board members and obtaining approval of board per diems

Participant feedback indicated support for this potential action. Comments regarding per diems revealed a range of concerns that need to be addressed, including reducing the administrative burden associated with obtaining approval of board per diems, particularly if they are appealed to the Ontario Municipal Board (OMB). Participants from London and Ottawa suggested the need to explore existing best practices for approving per diems to avoid OMB approval, or letting the CA board decide. There is

also some concern that per diems are not equitable across CAs, and that some municipalities permit them while others do not.

Feedback also highlighted the need to clarify the process to appoint and remove CA board members. Concerns were expressed at the Newmarket session that some CA boards are not reflective of watershed stakeholders (e.g., farmers, landowners, etc.) and that there is a need to balance CA board composition to reduce political influence. Participants highlighted the need for more provincial guidance and collaboration with CAs, and suggested establishing an accreditation process to appoint members (e.g., university accreditation panels) or a code of conduct to address these concerns.

B. Aligning board terms with the municipal elections cycle

Participants at the London, Newmarket and Ottawa sessions generally support aligning board terms with the municipal elections cycle. They also highlighted: the need to maintain flexibility for CAs; consider term limits for board members (e.g., 8 years), and consider appointing members as outlined in the Municipal Act (i.e., eliminate the three-year maximum term). There were no comments specific to this potential action from participants at the Thunder Bay and Sudbury sessions.

C. Developing and orientation and training program for board members

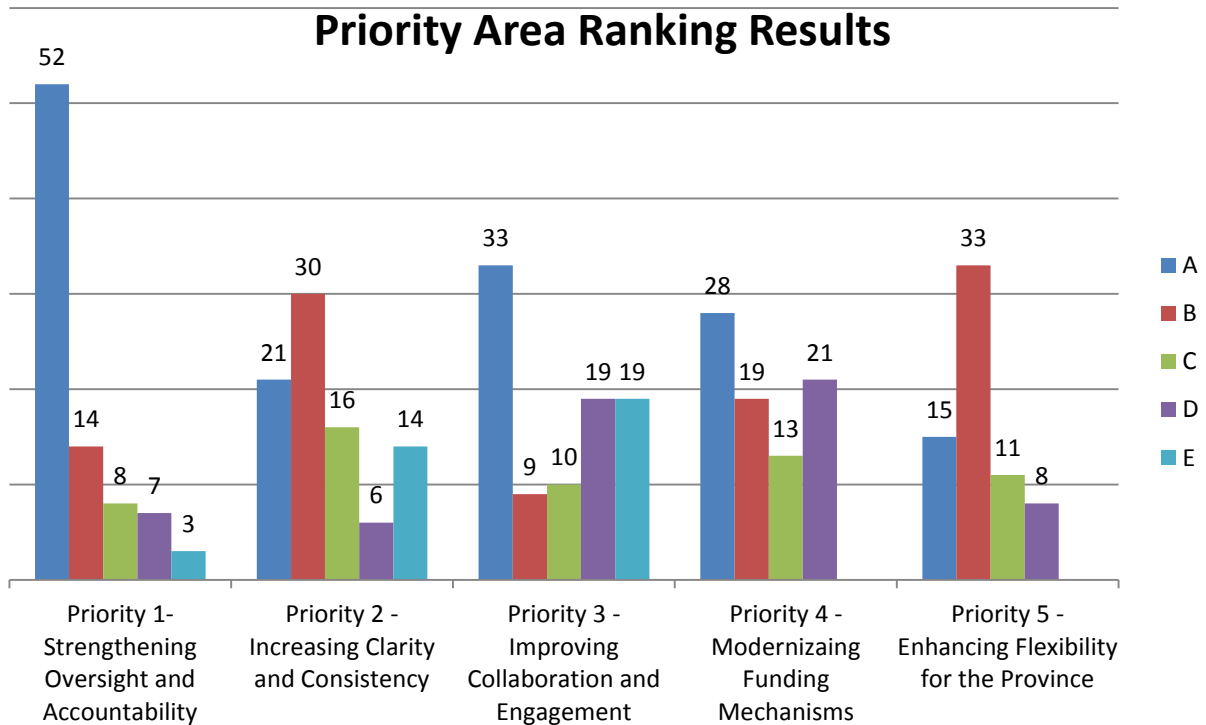
There was agreement among participants regarding the need to develop a provincially mandated orientation and training program for board members to ensure that they are informed of their role and function, particularly their fiduciary obligations. Feedback indicated that many CAs already provide training for board members; it was suggested that training tools and best practices should be shared via CO. Some participants also feel that the provision of board member training should be led by CO, with provincial support.

D. Developing a coordinated communications plan outlining any changes to conservation authority operations, programs and services resulting from the review in partnership with municipalities and conservation authorities

Feedback in response to this potential action varied. Participants in London expressed support for a coordinated communications plan, while participants in Newmarket suggested that the province should provide more guidance on communications related to specific issues (e.g., outreach, consultation and managing controversial matters). It was noted in Ottawa that some CAs already coordinate communications, however there is support to align them with CO communications. Participant feedback in Thunder Bay acknowledged the importance of consultation and communication between CAs and the MNRF regarding changes to the regulations of the *CA Act*, and iterated the need to maintain flexibility for CAs. Comments specific to this potential action were not conveyed in Sudbury.

4. Action Ranking Exercise

At the end of each of the engagement sessions, participants were asked to choose the most important potential action under each priority area. The combined results of this optional exercise are presented in the graph below. Note that some attendees did not participate in the ranking because they felt the potential actions do not reflect the fundamental issues affecting CAs. The results in the graph represent the number of attendees that chose to respond and do not represent a statistically significant sample. A total of 90 completed forms were received. The potential actions under each priority area are represented by the letters A to E in the graph below.



Appendix A – Workshop Summary Reports

This summary of participant feedback has been prepared by Lura Consulting and Planning Solutions Inc. to provide the Ministry of Natural Resources and Forestry with the recurring themes and priorities raised by participants during the Ottawa session of the Conservation Authorities Act Review, Phase II. The feedback from each individual session will be used to compile a final engagement session report.

Introduction

The Ministry of Natural Resources and Forestry (MNRF) is undertaking a phased review of the Conservation Authorities Act. The intent of the review is to identify opportunities to improve the legislative, regulatory and policy framework that currently governs the creation, operation and activities of conservation authorities (CAs). In Phase I of the review, completed in 2015, MNRF led an extensive consultation process to engage stakeholders in a discussion about opportunities to improve the Conservation Authorities Act, which resulted in extensive feedback.

Based on the input received in Phase I of the review, MNRF has released the document, *Conserving Our Future: Proposed Priorities for Renewal*, that outlines a series of actions that could be taken under five proposed priority areas for improvement: (1) Strengthening Oversight and Accountability, (2) Increasing Clarity and Consistency, (3) Improving Collaboration and Engagement, (4) Modernizing Funding Mechanisms, and (5) Enhancing Flexibility for the Province. In June 2016, MNRF led a second round of consultations with a diversity of stakeholders to obtain input on the potential actions outlined within the five priority areas.

On June 3, 2016, the MNRF hosted a full-day workshop in Ottawa, at the Holiday Inn Express Hotel & Suites Ottawa West - Napean as part of the Phase II consultation program. The purpose of the workshop was to provide an overview of the five priority areas for improving the Conservation Authorities Act. The workshop consisted of an overview plenary presentation with time for questions of clarification, followed by three rounds of facilitated small group discussions. The facilitated discussions were designed to encourage dialogue and obtain feedback on the five (5) priority areas for improving the Conservation Authorities Act.

A total of 23 individuals participated in the workshop, including participants from the following organizations:

- Cataraqui Region CA
- City of Ottawa
- Greenspace Alliance of Canada's Capital
- Minto Communities
- Mississippi Valley CA
- Ontario Federation of Agriculture
- Ontario Federation of Anglers and Hunters
- Rideau Valley CA
- Robinson Consultants / DSAO
- South Nation River CA

- Township of Leeds and the Thousand Islands
- Township of Montague

This report presents a summary of the comments and suggestions provided by participants during the workshop.

Summary of Participant Feedback

The summary of participant feedback is organized according to the five priority areas: (1) Strengthening Oversight and Accountability, (2) Increasing Clarity and Consistency, (3) Improving Collaboration and Engagement, (4) Modernizing Funding Mechanisms and (5) Enhancing Flexibility for the Province. Each priority area contains a synopsis of the overall key themes and issues as well as specific feedback received through plenary discussions (see Appendix A) and completed discussion guides relating to each discussion question.

The following points highlight the recurring comments, concerns and/or advice which emerged from the Ottawa session.

- Ensure additional programs and services are delegated with adequate resources (particularly funding).
- Ensure CAs have the resources (e.g., funding, skilled staff, etc.) and tools (e.g., updated mapping) to deliver the variety of mandated programs and services they are responsible for, including tools to enforce regulatory compliance (e.g., stop work orders).
- Consider legislative (e.g., an appeal mechanism) and non-legislative mechanisms (e.g., add a purpose statement to the act, update the policies and procedures manual, identify key performance indicators, develop a communications strategy, etc.) to update the act.
- Ensure the proposed changes maintain flexibility and local autonomy (for municipalities and CAs).
- Move forward with the establishment of a provincial “one-window” approach and ensure it is adequately resourced.
- Establish a multi-ministry body to coordinate CA programs and services.
- Prioritize efforts to enhance First Nations, public and stakeholder engagement; suggested mechanisms include (e.g., ad hoc committees, advisory committees, staffing policies).
- Establish a strategy to improve the sharing and coordination of resources among CAs (e.g., who, what, where, how, etc.).
- Diversify the funding mechanisms available to CAs (e.g., development charges, utility fees, external funding).
- Ensure fees are established in a transparent manner and correspond to the services provided by CAs.

- Ensure funding mechanisms are flexible to meet the diverse needs of CAs across the province (i.e., flexible fee structure).
- Provide board members with training to ensure they understand their fiduciary responsibilities to the authority and watershed (e.g., budgeting, reporting, etc.).
- Consider other mechanisms or tools to delegate programs and services to other bodies or organizations (e.g., MOUs, Ministerial Mandates, Provincial Policy Statement, regulations, other statutes, etc.)

Priority #1: Strengthening Oversight and Accountability

Overall key themes/issues:

- Consider legislative (e.g., add a purpose statement to the act, add an appeal mechanism) and non-legislative opportunities (e.g., update the policies and procedures manual, identify key performance indicators, develop a communications strategy, etc.) to strengthen oversight and accountability.
- Ensure delegated programs and services are accompanied by adequate resources (particularly funding).
- Clarify the intent of enhancing provincial and municipal oversight and how it will be applied in practice; there were comments both in support of and against increasing oversight.

A. Updating the Act to reflect modern legislative structures and accountabilities

Participant feedback expressed support to:

- Update the Act to reflect modern legislative structures and accountabilities (e.g., purpose statement).
- Clarify the roles of parties that provide oversight (e.g., municipalities, CA board).

Participant feedback highlighted the following considerations:

- Ensure there is an opportunity for stakeholders (e.g., the province, municipalities and CAs) to comment and agree on the purpose statement before it is added to the Act and regulations.
- Clarify the process to appoint CA board members.
- Consider appointing non-municipal representatives to CA boards to ensure broad representation of stakeholder perspectives (e.g. agricultural representatives).
- Update the policies and procedures manual (which has not been undertaken since 1985).

B. Adopting and/or aligning with governance best management practices

Participant feedback expressed support to:

- Update best management practices to enhance governance (and transparency); integrated watershed management was noted as the most important approach.

Participants highlighted the need to consider the model used by health units (as an example of a governance best practice).

C. Enhancing provincial oversight

Participants expressed support to enhance provincial oversight (as long as resources are sufficient to implement delegated programs and services).

Participant feedback raised the following concerns and/or issues:

- Concerns about enhancing provincial oversight – clarify how enhanced oversight will operate in practice;
- Concerns about introducing new acts or regulations that would “limit” decision-making by municipalities – ensure flexibility at the local level;
- Concern that there is no simple or streamlined alternative dispute resolution process for CA decisions (e.g., bottleneck of issues pending before the mining commissioner); and
- Clarify the role of CAs in terms of provincial oversight (i.e., what are CAs providing?).

Participant feedback highlighted the following considerations:

- Ensure new programs or services are delegated to CAs with appropriate resources and support (particularly funding);
- Establish meaningful key performance indicators to measure the impact of CA programs and services (for larger, strategic and regional initiatives);
- Consider an appeal mechanism/alternative dispute resolution process for CA decisions – look to other agencies for models or best practices of appeal mechanisms.
- Consider the need for a communications strategy that can be used by all CAs to increase awareness of the purpose of CAs; promote accountability and transparency, etc.

D. Enhancing municipal oversight

Participants expressed support to enhance municipal oversight, but indicated there is a need to clearly articulate what the enhancement would be.

The CA board (which is comprised of municipal representatives) already provides municipal oversight.

E. Developing or updating criteria for establishing, amalgamating or dissolving a CA

Participant feedback highlighted the following considerations:

- Consider opportunities for CAs to share administrative roles and responsibilities (e.g., two boards, one administration in Quinte).
- Consider the model used to provide additional resources for prescribed tasks to implement Source Water Protection (SWP) initiatives.
- Consider amalgamating some CAs to overcome issues related to limited resources.

Priority #2: Increasing Clarity and Consistency

Overall key themes/issues:

- Ensure delegated programs and services are accompanied by adequate resources (particularly funding).
- Ensure the potential actions maintain flexibility and local autonomy (for municipalities and conservation authorities).
- Move forward with the development of an integrated legislative and policy framework.
- Ensure conservation authorities have the tools needed to deliver the variety of programs and services delegated to them, including tools to enforce compliance with regulatory requirements.
- Consider a suite of mechanisms to increase clarity and consistency (e.g., a preamble, Provincial Policy Statement).

A. *Clearly delineating between mandatory and optional programs and services*

Participant feedback raised the following concerns and/or issues:

- Concern about changing processes abruptly; there needs to be a transition plan.
- Concern about reducing local autonomy (both municipal and CA).

Participant feedback highlighted the following considerations:

- Ensure mandated programs and services are accompanied by supporting tools (e.g., funding, provincial guidance/assistance).
- Clarify what will be *mandatory* and what will be *optional*, if the terms are retained.
- Consider the ability of different CAs to deliver mandated programs and services (i.e., different capabilities in terms of resources) and different watershed needs.

B. *Establishing a Provincial Policy Directive*

Participant feedback expressed support to:

- Address the overlap and/or misalignment between different statutes that delegate programs and services to CAs; this may require updating other legislation.
- Develop an integrated policy framework.
- Specify CA roles and responsibilities through a Provincial Policy Directive (e.g., Provincial Policy Statement)

Participants raised the concern that specifying CA roles and responsibilities will limit flexibility; the Act is currently written to allow CAs to adapt to the needs of their watershed.

C. Providing clarity and consistency in conservation authorities' regulatory roles and responsibilities

Participant feedback expressed support to:

- Consolidate CA roles and responsibilities outlined in other statutes.
- Define undefined terms.
- Align terminology used in different statutes (e.g., wetland).

Participants raised the concern that policies and regulations are not applied consistently by CAs.

Participant feedback highlighted the following considerations:

- Clarify the purpose of the act, its objectives and the tools available to implement them.
- Recognize the multiple roles and responsibilities CAs currently undertake in the Act (e.g., hazard management, watershed management, commenting on environmental assessments, service provider, regulator, and land owner).
- Consider the unintended consequences of clarifying CA roles and responsibilities (e.g., limiting the scope of CA activities).
- Consider legislative mechanisms to clarify roles and responsibilities (e.g., the statute's preamble).

D. Enhancing compliance and enforcement of regulatory requirements

Participants expressed support to update regulatory compliance tools and mechanisms. Some participants noted that the Ontario Building Code could be used as a model for implementing stop work orders.

Participant feedback raised the following concerns and/or issues:

- Concern that regulatory compliance tools are insufficient.
- Concern that legal proceedings are costly and time consuming, negatively impacting limited CA resources.

E. Streamlining planning and permitting requirements and processes

Participant feedback expressed support to:

- Streamline planning and permitting requirements and processes (e.g., simplify the process).
- Ensure the right tools are available to streamline planning and permitting processes.
- Adopt a risk-based approach to approvals; it was noted that more information is need to articulate how this will be applied in practice.

Participants raised concerns about a one-window approach as the “big picture” impact of iterative decisions is not clear.

Participants highlighted the need to define the value of watersheds/natural resources in the act.

Priority #3: Improving Collaboration and Engagement

Overall key themes/issues:

- Move forward with the establishment of a provincial “one-window” approach and ensure it is adequately resourced.
- Establish a multi-ministry body to coordinate CA programs and services.
- Prioritize efforts to enhance First Nations, public and stakeholder engagement, suggested mechanisms include (e.g., ad hoc committees, advisory committees, staffing policies).
- Establish a strategy to improve the sharing and coordination of resources among CAs (e.g., who, what, where, how, etc.).

A. Establishing a provincial “one-window” approach

Participants were supportive of prioritizing the establishment of a provincial “one-window” approach; it was noted that this potential action is closely linked to sharing and coordinating resources among CAs.

Participant feedback highlighted the following considerations:

- Establish a “one-window” approach to streamline the approval process for site plan assessments; CAs could serve as the primary point of contact.
- Ensure the “one-window” approach is appropriately resourced.
- Establish a multi-ministry body (instead of promoting multi-ministry coordination) to coordinate CA programs and services.

B. Establishing a business relationship with Conservation Ontario

Participant feedback raised the following concerns and/or issues:

- Recognize that Conservation Ontario is already undertaking this potential action.
- Concern about Conservation Ontario being a governing body.

Participants suggested that MNRF consider the model used by the Association of Municipalities of Ontario (AMO) as a best practice.

C. Enhancing Indigenous People’s participation

Participant feedback expressed support to:

- Enhance the capacity of First Nations to participate in CA processes.
- Provide resources to enhance First Nation participation in CA processes.

D. Enhancing public and stakeholder participation

Participant feedback expressed support to:

- Enhance public and stakeholder participation to ensure a broad range of interests is considered; this should be prioritized. It was noted that some CAs have more capacity and experience engaging the public and stakeholders than others.

Participant feedback highlighted the following considerations:

- Consider the use of advisory committees or ad hoc committees to enhance stakeholder participation;
- Ensure a broad representation of stakeholder interests on CA boards (e.g., farmers);
- Consider the need for a communications strategy that can be used by all CAs to broaden awareness and engage stakeholders and the public; and
- Consider developing a CA staffing policy to employ more First Nations and/or newcomers.

E. Supporting conservation authorities in sharing and coordinating resources

Participant feedback expressed support to:

- Promote sharing and coordinating resources among CAs (e.g., GIS, data, etc.); it was noted that this is already happening between some CAs (e.g., program level staff sharing data, issuing joint publications; meetings involving CA board members).

Participant feedback raised the following concerns and/or issues:

- Concern that current efforts to share and coordinate resources are ineffective; it was suggested that the province should establish a strategy to improve data sharing.
- Clarify who will be financially responsible for coordinating resources.
- Consider other mechanisms to encourage collaboration between CAs (e.g., Source Water Protection model).

Participant feedback highlighted the following considerations:

- Consider cost-sharing or equalization payments across CAs.
- Consider the need for mechanisms to enable collaboration between CAs and CAs and their government partners.

Priority #4: Modernizing Funding Mechanisms

Overall key themes/issues:

- Prioritize the need for additional funding to implement the delivery of CA programs and services.
- Diversify the funding mechanisms available to conservation authorities (e.g., development charges, utility fees, external funding).
- Ensure fees are established in a transparent manner and correspond to the services provided by conservation authorities.
- Ensure funding mechanisms are flexible to meet the diverse needs of conservation authorities across the province (i.e., flexible fee structure).
- Provide board members with training to ensure they understand their fiduciary responsibilities to the board and watershed (e.g., budgeting, reporting, etc.).

A. Enhancing clarity, consistency and accountability around municipal levies

Participant feedback raised the following concerns and/or issues:

- Recognize that the apportionment process is fair, but too complicated.
- Concern about changing the process by which CAs work with participating municipalities; the current process works well.
- Concern that smaller municipalities do not have the capacity (e.g., tax base) to support CAs; some of the financial responsibility should be “uploaded” to the province.

Participant feedback highlighted the following considerations:

- Consider simplifying the funding process (instead of clarifying it).
- Clarify the process regarding municipal levies for the public.
- Consider a minimum value for levies (e.g., \$10,000 to \$15,000).
- Ensure proper representation and/or transparency in the process to determine levies; it should reflect the ability of municipalities to pay.
- Consider a charge on the water rate as a mechanism to generate revenue.
- Eliminate geo-referencing – maintaining the current system is not equitable.
- Ensure efforts to standardize processes are also flexible to recognize the needs/diversity of CAs.
- Advocate for more provincial funding; there is a need to diversify funding sources.

B. Promoting clarity, consistency and accountability around fees and generated revenue

Participants raised the concern that more transparency is needed in how fees are established; consistency is an issue across the province, but may not be practical/achievable.

Participant feedback highlighted the following considerations:

- Include the purpose of fees and what they include in the act.

- Consider a fee structure that recognizes the variation of CA needs and resources across the province.
- Establish a framework to calculate fees (that will improve transparency as it is undertaken differently by all CAs).
- Recognize that provincial direction should focus on cost recovery.
- Consider an appeal mechanism instead of a fee structure.
- Consider the model used in the Municipal Act.
- Consult stakeholders and the public about the fee structure, if one is proposed.
- Consider the need for fees to correlate to the service provided.
- Ensure fees are relevant for farmers (it could be too costly for some/not relevant).
- Include other mechanism to generate revenue in the Act (e.g., development charges).
- Clarify the status of CAs (e.g., non-profit vs. government agency) as this impedes access to funding.
- Need to invest in water protection and define mechanisms to fund water protection (not infrastructure) and plan for natural asset management, ecological goods and services).

C. Improving fiscal oversight and transparency

Participant feedback highlighted the following considerations:

- Look at governance in a collective way (e.g., working relationship between the board and municipalities should be governance-based).
- Ensure board members understand the fiduciary responsibility of their role to the authority and watershed (e.g., provide training).
- Provide guidance in terms of a standard budgeting process for operations (e.g., group budgeting items such as land management, water management, etc.).
- Consider requiring the Chair of CAs to report to councils.
- Consider the need for consistency in terms of reporting to municipalities how funding is spent.
- Make information regarding fees and revenue generated accessible to the public.
- Consider opportunities to strengthen reporting to Councils.

D. Improving clarity in the use of provincial funding processes

Participants raised the following concerns and/or issues:

- Recognize that some CAs are limited in their ability to raise funds.
- Recognize that CAs cannot apply for external funding (e.g., Ontario Trillium grants).

Participant feedback highlighted the following considerations:

- Consider the need for more provincial funding; this should be a prioritized action.
- Ensure the information required to meet eligibility criteria is useful to both the province and municipalities (i.e., avoid creating an administrative burden).
- Recognize that third-party audits already ensure accountability.
- Clarify the eligibility criteria for all groups, not just CAs.

Priority #5: Enhancing Flexibility for the Province

Overall key themes/issues:

- Ensure delegated programs and services receive the appropriate resources (particularly funding) to facilitate implementation.
- Clarify the intent of the potential actions to ensure they are interpreted consistently and correctly.
- Consider other mechanisms or tools to delegate programs and services to other bodies or organizations (e.g., MOUs, Ministerial Directives, Provincial Policy Statement, regulations, other statutes, etc.)

A. Giving the Minister the authority to use the Act to develop additional natural resource conservation and management programs and services in the future

Participants were supportive of this potential action in principle if the intent is to consolidate roles and responsibilities from different statutes, not “download” more responsibilities without resources (e.g., funding).

Participant feedback raised the following concerns and/or issues:

- Concerns that specifying too many details in the Act will reduce flexibility for CAs and municipalities.
- Concern that CAs will be required to undertake the delivery of more programs and services without the required funding.

Participant feedback highlighted the following considerations:

- Clarify the purpose of the Conservation Authorities Act (operations vs. programming).
- Consider other mechanisms or tools to delegate responsibilities (e.g., MOUs, Ministerial Mandates, Provincial Policy Statement, regulations).
- Ensure collaboration between CAs to encourage consistency in the delivery of programming and services.
- Recognize the unique capabilities and needs of each CA and the need for flexibility.

B. Giving the Minister the authority to formally delegate the delivery of current and additional natural resource conservation and management programs and services to conservation authorities in the future

Participant feedback expressed support to:

- Support this potential action if the intent is to consolidate roles and responsibilities from different statutes, not “download” more responsibilities.

Participant feedback raised the following concerns and/or issues:

- Concern about the “heavy handed” approach and language of the potential actions; the concern is that the province is moving toward a “command and control” approach.
- Concern about the capacity of different CAs to implement additional programs and services (particularly without additional funding).
- Clarify what will be delegated to provide more certainty.
- Concern that municipalities will be financially responsible for the additional programs and services if funding is not provided.

Participant feedback highlighted the following considerations:

- Clarify the intent of the potential actions to ensure they are interpreted consistently and correctly.
- Clarify the types of programs and services that could be delegated.

C. Giving the Minister the authority to formally delegate the delivery of current and additional natural resource conservation and management programs and services to other public bodies, not-for-profit organizations, municipalities and other Ministries

Participant feedback raised the following concerns and/or issues:

- Concern that delegating programs and services to other bodies will lead to the privatization of these programs and services (i.e., flexibility without accountability).
- Concern that this potential action will delegate responsibilities away from CAs.
- Concern about losing the ability to negotiate funding if programs and services are delegated to other bodies or organizations.
- Concern about the delivery of programs and services through other organizations or bodies given the retrenchment of MNRF resources.
- Concern that delegating programs and services to other bodies or organizations will duplicate the services and programs provided by CAs.

D. Giving the Minister the authority to deliver additional natural resource conservation and management programs and services throughout the province

Participant feedback highlighted the following considerations:

- Note that in some cases, there is already wording in the Act that addresses the intent of this potential action (e.g., where there is no CA).

Other Actions to Consider

Overall key themes/issues:

- Continue exploring opportunities to improve the role and function of board members (e.g., fiduciary duties, decision-making authority, compensation, terms, etc.).
- Build on existing communication efforts utilized by conservation authorities.

A. Reducing administrative burdens associated with appointing and replacing board members and obtaining approval of board per diems.

Participant feedback raised the following concerns and/or issues:

- Concern regarding the approval of per diems as they are appealed to the Ontario Municipal Board (OMB); it was suggested that the CA board should decide, not the OMB.
- Concern that compensation is not equitable across CAs.

Participant noted that appointing and replacing board members is not a problem for all CAs.

B. Aligning board terms with the municipal elections cycle.

Participants support the action to align board terms with the municipal elections cycle.

Participants suggested the need to consider term limits for board members (e.g., 8 years).

C. Developing and orientation and training program for board members.

Participants were supportive of developing a training program for board members; specifically fiduciary training (functional responsibility for reporting to municipalities and responsibility of municipality to select board members).

D. Developing a coordinated communications plan outlining any changes to conservation authority operations, programs and services resulting from the review in partnership with municipalities and conservation authorities

Participant feedback highlighted the following considerations:

- Note that some CAs already coordinate communications.
- Align CA communications with communications at Conservation Ontario.
- Foster effective exchange of programs needed to support collaboration.

Additional Comments

Additional comments provided by participants include:

- Ensure the interests of all stakeholders (e.g., OFAH members, agricultural sector) are considered during decision-making processes; this can be achieved in part through more outreach and education.
- Suggest that CAs fill the gap in forest management and protection in Southern Ontario; forests play an important role in the hydrological cycle. Conservation authorities may be better positioned to undertake on the ground initiatives that MNRF does not have capacity for.
- Consider monitoring landscape management at multiple scales (e.g., provincial, watershed, etc.).

Appendix A – Questions of Clarification

The following topics and themes were discussed after the overview presentation:

Presentation

- Ensure the presentation includes a balanced summary of the feedback received during the first phase of consultations (e.g., positive feedback, opportunities for improvement, feedback by sector, etc.).
- Highlight the range of comments received regarding the CAs' Mandate (presented as an area of general disagreement).
- Concern that a focus on a “core hazards role” will limit the scope of CA roles and responsibilities; there is a need to recognize the diversity of programs and services CAs provide.
- Clarify whether the amalgamation of CAs is being considered by the province.

Priority Areas

- Ensure the potential actions proposed to improve the coordination of CA services (e.g., one-window approach) are carefully considered and will be adequately resourced.
- Note that the potential actions do not reflect the fundamental issues affecting CAs (i.e., they miss the mark).
- Include integrated watershed management as an overarching approach in the Act.
- Recognize the multiple roles and responsibilities CAs currently undertake under the Act.
- Recognize that each CA is different; while consistency is an important objective it may lead to structural issues.
 - Each CA provides services that reflect the needs of its respective watershed.
 - Some CAs do not have the capacity (e.g., staff, financial resources, tools, etc.) to undertake integrated watershed management.
- Explain the rationale to include policies formally requiring CAs to undertake “other duties as assigned” given that they do not have the ability to say “no”.
 - Concern was expressed that municipalities will be financially responsible for “other duties as assigned” if funding is not provided with the assigned duties.
 - Concern was expressed that this potential action is a “command and control” approach and that other mechanisms could be used to delineate roles and responsibilities (e.g., MOUs, Ministerial Mandates).
- Include the six primary roles and responsibilities CAs currently undertake in the Act (e.g., hazard management, watershed management, commenting on environmental assessments, service provider, regulator, and land owner).
 - Conservation authorities can coordinate processes requiring collaboration among multiple stakeholders (e.g., integrated watershed management).
 - Ensure watershed management is integrated (i.e., someone need to be the “stick”).

- Consider the unintended consequences of clarifying CA roles and responsibilities (e.g., limiting the scope of CA activities).
- Consider clarifying certain issues (e.g., roles and responsibilities, climate change) in the statute's preamble.

Participation and Feedback during Consultations

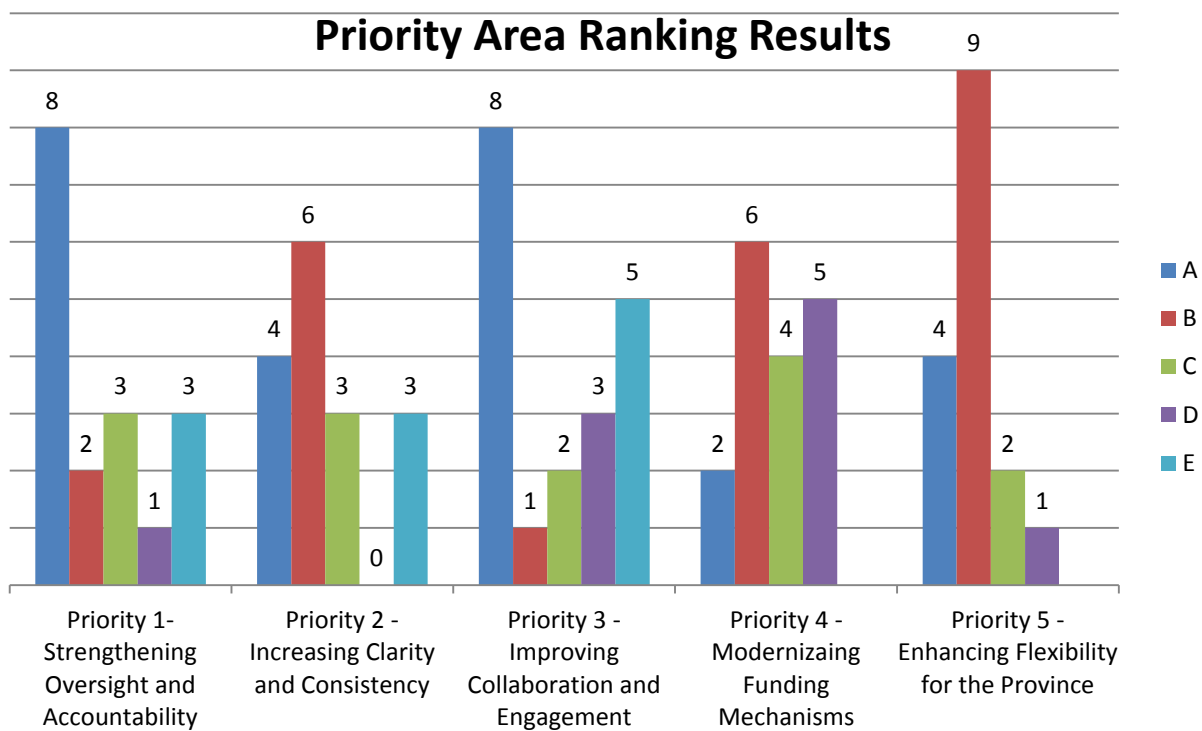
- Ensure stakeholders who participated in the first phase of consultations receive notification of consultation sessions going forward.

Other

- Recognize that there is no CA that oversees the Ottawa River.

Appendix B – Ranking Results

At the end of the session participants were asked to choose the most important potential action under each priority area. The results of this optional exercise are presented in the graph below. Note that some attendees did not participate in the ranking because they felt the potential actions do not reflect the fundamental issues affecting CAs. The results represent the number of attendees that chose to respond and do not represent a statistically significant sample. Eighteen (18) completed forms were received. The potential actions under each priority area are represented by the letters A to E in the graph below.



Additional comments

- Reduce red tape! Streamline permit application process.
- Clarify the intent of the potential actions under Priority #5.
- Develop opportunities to distribute funds across regions/province more effectively (e.g., cost sharing).
- Align the Conservation Authorities Act with other provincial legislation (e.g., Drainage Act, Ontario Water Resources Act).
- Make as many changes by updating the policies and procedures manual instead of revising the act.
- Include integrated watershed management in the purpose statement of the act.

- Concern about the need for the potential actions under Priority #5 in the act.
- Align board member appointments with the municipal election cycle.
- Concern about the need for Ontario Municipal Board (OMB) approval for board per diems.
- “Upload” funding of CAs to the province.

This summary of participant feedback has been prepared by Lura Consulting and Planning Solutions Inc. to provide the Ministry of Natural Resources and Forestry with the recurring themes and priorities raised by participants during the Thunder Bay session of the Conservation Authorities Act Review, Phase II. The feedback from each individual session will be used to compile a final engagement session report.

Introduction

The Ministry of Natural Resources and Forestry (MNRF) is undertaking a phased review of the Conservation Authorities Act. The intent of the review is to identify opportunities to improve the legislative, regulatory and policy framework that currently governs the creation, operation and activities of conservation authorities. In Phase I of the review, completed in 2015, MNRF led an extensive consultation process to engage stakeholders in a discussion about opportunities to improve the Conservation Authorities Act, which resulted in extensive feedback.

Based on the input received in Phase I of the review, MNRF has released the document, *Conserving Our Future: Proposed Priorities for Renewal*, that outlines a series of actions that could be taken under five proposed priority areas for improvement: (1) Strengthening Oversight and Accountability, (2) Increasing Clarity and Consistency, (3) Improving Collaboration and Engagement, (4) Modernizing Funding Mechanisms, and (5) Enhancing Flexibility for the Province. In June 2015, MNRF led a second round of consultations with a diversity of stakeholders to obtain input on the potential actions outlined within the five priority areas.

On June 7, 2016, the MNRF hosted a full-day workshop in Thunder Bay at the West Thunder Community Centre as part of the Phase II consultation program. The purpose of the workshop was to provide an overview of the five priority areas for improving the Conservation Authorities Act. The workshop consisted of an overview plenary presentation with time for questions of clarification, followed by three rounds of facilitated small group discussions. The facilitated discussions were designed to encourage dialogue and obtain feedback on the five (5) priority areas for improving the Conservation Authorities Act.

A total of 7 individuals participated in the workshop, including participants from the following organizations:

- Lakehead Region Conservation Authority (LRCA)
- Ministry of Environment and Climate Change
- Township of Gillies

This report presents a summary of the comments and suggestions provided by participants during the workshop.

Summary of Participant Feedback

The summary of participant feedback is organized according to the five priority areas: (i) Overview Summary (1) Strengthening Oversight and Accountability, (2) Increasing Clarity and Consistency, (3) Improving Collaboration and Engagement, (4) Modernizing Funding Mechanisms and (5) Enhancing Flexibility for the Province. Each priority area contains a synopsis of the overall key themes and issues as well as specific feedback received through plenary discussions (see Appendix A) and completed discussion guides relating to each discussion question.

The following points highlight the recurring comments, concerns and/or advice which emerged from the Thunder Bay session.

- Northern Ontario in general and northwestern Ontario specifically exhibits a number of unique conditions, circumstances and challenges, not the least of which include unorganized territory, a large geography/spatial extent and frequently, an inaccessible land base.
- Local autonomy is critical; flexibility is essential to long term success.
- Education is imperative to improved understanding and awareness of the role and responsibilities of conservation authorities (CAs).
- Collaboration and cooperation are important fundamental principles. There are many examples where fees are set collaboratively and instances where CAs advance win/win solutions that promote mutually beneficial results. This latitude and flexibility is necessary and CAs must be given the opportunity to continue to develop workable solutions on a project-specific basis.
- Recognize that legislative changes need to be supported by long term sustainable funding. A long term financial commitment is essential.
- There are a number of legislative changes that should be considered as priorities by the province including:
 - Defining a clear purpose and meaning in the Act regarding the role and mandate of CAs;
 - Coordination and collection of scientific data and information – potential role for Conservation Ontario;
 - The need to enhancing the dialogue with First Nations but also with other stakeholders.
- There are a number of supporting actions that can realize significant change including training for CA Board Members, and province-wide initiatives led by Conservation Ontario to improve communication, education and awareness of the role of CAs.
- Need to ensure that municipalities are not handicapped by new statutory provisions.
- Recognize that these actions are not mutually exclusive and that some may be associated with increased funding requirements.
- Any ministerial changes to the regulation must be done in consultation with CAs.
- Legislative changes need to reflect the diversity that exists in conditions, circumstances and situations across the province (e.g. use of, access to and management strategies associated with conservation areas – very different in northern Ontario than in southern Ontario.)
- Keep it flexible. “Max flex” needs to be the operative principle moving forward regarding legislative change. Stay true to the role and mandate of CAs. Be realistic and be innovative.

Priority #1: Strengthening Oversight and Accountability

Overall key themes/issues:

- Maintaining local autonomy for CAs and flexibility in the CA Act is important for long term success.
- Enhancing communication and dialogue is important for improving understanding and awareness of a CAs role and mandate.
- The unique set of circumstances and challenges in northern Ontario should be considered in changes to the Act.

A. Updating the act to reflect modern legislative structures and accountabilities

Participant feedback expressed support to modernize the Act to define a clear statement of purpose and the roles and responsibilities of various parties in providing oversight. It was noted that there is a misunderstanding among the public, municipalities, and other ministries about what a CA is responsible for.

Participants highlighted that communication between CA board members and with participating municipalities across a CA is important to establish a clear understanding of which programs are managed by CAs and why.

B. Adopting and/or aligning with governance best management practices

Participant feedback highlighted the following considerations:

- CAs should already be following governance best management practices and this is less of a priority than other actions.
- The MNRF should provide some minimum guidance for best management practices which CAs can then adapt at the local level.
- The model followed by Health Units should be examined when determining an avenue for appeals regarding codes of conduct or conflict of interest.

C. Enhancing provincial oversight

Participants raised the concern that CAs may lose local flexibility through actions that increase provincial oversight.

D. Enhancing municipal oversight

Participant feedback expressed support to:

- Enhance municipal oversight regarding the scope and focus of CA programs and services.
- Achieve a balance of provincial and municipal oversight to allow local flexibility.

E. Developing or updating criteria for establishing, amalgamating or dissolving a CA

Participant feedback highlighted the following considerations:

- Regional differences should be reflected in the criteria for establishing, enlarging, amalgamating or dissolving a CA.
- Enlargement of CAs in northern Ontario to follow the scientific watershed would require additional provincial funding. There is no mechanism to levy unorganized townships and there would be a large financial burden on member municipalities of the LRCA.

Priority #2: Increasing Clarity and Consistency

Overall key themes/issues:

- There is support for providing clarity and consistency in a CAs regulatory roles and responsibilities. Consolidating and codifying regulations would reduce the potential for misinterpretation of the regulations.
- There are challenges in negotiating with landowners and enforcing regulatory requirements. Education and enhancement of the CAs relationship with landowners is important to address this.

A. Clearly delineating between mandatory and optional programs and services

Participant feedback expressed support to:

- Clearly delineate between mandatory and optional programs and services.
- Provide clarity and consistency in a CAs regulatory roles and responsibilities.

B. Establishing a Provincial Policy Directive

No specific feedback on this topic.

C. Providing clarity and consistency in conservation authorities' regulatory roles and responsibilities

Participants were supportive of providing clarity and consistency in a CAs regulatory roles and responsibilities. Participants noted that consolidating and codifying regulations would reduce the potential for misinterpretation of the regulations and the associated legal disputes. Defining undefined terms in the Act was also supported.

D. Enhancing compliance and enforcement of regulatory requirements

Participant feedback highlighted the following considerations:

- Enhancing compliance and enforcement of regulatory requirements was identified as an expensive action and therefore less important.

- There are challenges in negotiating with landowners and enforcing regulatory requirements. The appeal process is expensive for CAs.
- CAs want to be viewed as an approachable body that works with landowners rather than an enforcement authority. Education is important to enhance this relationship.
- Technical guidelines need to be updated (e.g., guidelines with respect to bedrock) to improve enforcement of regulations. It is easier for staff to administer regulations when they are provided with clear definitions.

E. Streamlining planning and permitting requirements and processes

Participant feedback highlighted the following considerations:

- CAs will get more buy in from the community when they have positive relationships through planning and permitting processes.
- It is important to make planning and permitting processes user-friendly to the public.

Priority #3: Improving Collaboration and Engagement

Overall key themes/issues:

- The establishment of a provincial “one-window” should be prioritized.
- There is support for Conservation Ontario to remain an advocate of CAs rather than provide specific direction on CA programs.
- Actions relating to enhancing Indigenous Peoples’, public, and stakeholder participation would require additional financial and staff resources for CAs to manage.
- Enhancing education and awareness in the community of the various roles of CAs, municipalities and the province would be beneficial.

A. Establishing a provincial “one-window” approach

Participants expressed support to prioritize the establishment of a provincial “one-window”. It was noted that this approach could also provide efficiencies with respect to gaining access to funding opportunities.

Participants expressed that coordinating the collection and sharing of science and information should be done by one body for cost and operational efficiencies as opposed to coordinated by both Conservation Ontario and a provincial “one-window”.

B. Establishing a business relationship with Conservation Ontario

Participants raised the following concerns and/or issues:

- There was a preference for Conservation Ontario to remain an advocate of CAs rather than a body that directs how programs should be run or what programs should be delivered.

- Providing education and raising awareness on the role of CAs was a suggested role for Conservation Ontario.

C. Enhancing Indigenous People's participation

Participants raised the following concerns and/or issues:

- There are challenges with engaging Indigenous Peoples'. It requires a more fulsome consultation process.
- It was suggested that the federal government should provide funding for Indigenous People's participation in CAs. Given the ability for the province to effect change in this area, it is less of a priority action.

D. Enhancing public and stakeholder participation

Participants raised the following concerns and/or issues:

- Actions relating to enhancing Indigenous Peoples', public, and stakeholder participation are important; however they would require additional financial and staff resources for CAs to manage.
- A lot of resources are required to engage the public with a small amount of feedback received in return. Education may be more effective in terms of use of CA resources.

Participants highlighted that there is a lack of understanding amongst the community regarding a CAs mandate and role. Enhancing education and awareness of the various roles of CAs, municipalities and the province would be beneficial.

E. Supporting conservation authorities in sharing and coordinating resources

Participants noted that supporting CAs in sharing and coordinating resources is less of a priority. Sharing of resources is already happening at the local level where it makes sense.

Priority #4: Modernizing Funding Mechanisms

Overall key themes/issues:

- Sustainable long term funding is required to deliver CA programs and services and support provincial direction. A multi-ministry approach to funding should be considered.
- Regional differences should be taken into account when determining funding levels (e.g., lower population base and greater distances in northern Ontario).
- Consider innovative opportunities for municipal funding arrangements, e.g., new tax classification for CA owned hazard-related lands, tax rates reflective of the land use and benefit provided.

A. Enhancing clarity, consistency and accountability around municipal levies

Participant feedback highlighted the following considerations:

- It is important to avoid downloading provincial costs to municipalities through CA levies.
- Regional differences should be taken into account when determining funding levels (e.g., lower population base, greater distances in northern Ontario). It was noted that population data being used is inaccurate; Stats Canada data is preferred.

B. Promoting clarity, consistency and accountability around fees and generated revenue

Participant feedback highlighted the following considerations:

- CAs in northern Ontario experience challenges in generating funds through the operation of conservation areas. Member municipalities must be levied for the maintenance of conservation lands.
- Delivering consistent permitting fees across northern Ontario is a challenge when travel distances vary greatly.

C. Improving fiscal oversight and transparency

Participant feedback highlighted the following considerations:

- Improving fiscal oversight and transparency was indicated as less important. There is a sense that municipal oversight and transparency is already strong.
- Standardizing budgeting requirements may not be suitable for all CAs. Adjusting existing processes will require additional resources.
- A clarification was made that municipalities have a role in CA budget approval as opposed to oversight.

D. Improving clarity in the use of provincial funding processes

Participants highlighted that if a CA could apply directly for Trillium funding the process would be more streamlined.

E. Other Feedback on Priority #4

Additional participant feedback on priority #4 included:

- Sustainable long term funding is required to deliver CA programs and services and support provincial direction.
- CAs provide a range of environmental and health benefits. A multi-ministry approach to funding should be explored, e.g., funding from the Ministry of Health.
- Consider innovative opportunities for municipal funding arrangements, e.g., new tax classification for CA owned hazard-related lands, tax rates reflective of the land use and benefit provided.

Priority #5: Enhancing Flexibility for the Province

Overall key themes/issues:

- It was emphasized that the CA Act should be written broadly to allow for flexibility and consideration of future emerging issues.
- There is a preference for consultation and communication between CAs and the MNRF regarding changes to the regulations of the CA Act.

A. Giving the Minister the authority to use the act to develop additional natural resource conservation and management programs and services in the future

B. Giving the Minister the authority to formally delegate the delivery of current and additional natural resource conservation and management programs and services to conservation authorities in the future

C. Giving the Minister the authority to formally delegate the delivery of current and additional natural resource conservation and management programs and services to other public bodies, not-for-profit organizations, municipalities and other Ministries

D. Giving the Minister the authority to deliver additional natural resource conservation and management programs and services throughout the province

Participant feedback highlighted the following considerations related to Priority #5:

- Consultation and communication between CAs and the MNRF is important regarding changes to the regulations of the CA Act.
- Ensuring flexibility is maintained in the CA Act is important to allow for consideration of future emerging issues such as climate change impacts.

Other Actions to Consider

Overall key themes/issues:

- All potential actions should be considered in conjunction with fiscal realities.
- A low cost form of alternative dispute resolution for permitting appeals should be made mandatory prior to matters being handled through the court system.
- There is concern that judges do not have the same knowledge as the Ontario Mining and Lands Commissioner. Education should be provided to the judiciary on conservation so that informed decisions can be made.
- The CA Act should be written broadly to allow for flexibility. Control is better applied through directives and regulations.
- Actions should reflect the diversity of conditions and circumstances of the CAs across the province.

A. Additional actions for the Ministry to take

Participant feedback highlighted the following actions for the Ministry to take:

- A regular review of the regulations and directives of the CA Act should be undertaken; however the legislation itself does not need to be reviewed as frequently.
- Regarding the enforcement of regulations, it was suggested that all appeals should go to the Ontario Mining and Lands Commissioner (OMLC) or another form of dispute resolution where the costs are lower before going through the court system.
 - There was concern that judges do not have the same knowledge as the OMLC. Education should be provided to the judiciary on the role of conservation and the CA Act to allow them to make informed decisions.

B. Considerations when developing any additional actions

Participants highlighted the following considerations when developing additional actions:

- It was emphasized that the CA Act should be written broadly to allow for flexibility. Control is better applied through directives and regulations.
- Northern Ontario faces unique challenges with an expansive geography and an absence of infrastructure and transportation modes. There should also be recognition that there is a large geographical area outside of CA jurisdiction in northern Ontario and what happens within the greater watershed affects other CA municipalities.

C. Feedback on additional potential actions proposed by the Ministry

Participants highlighted that reducing the administrative burden associated with appointing or replacing board members is less of a priority. With respect to aligning board terms with the municipal election cycle, there is a preference for ensuring some continuity and knowledge transfer of board members between terms.

Appendix A – Questions of Clarification

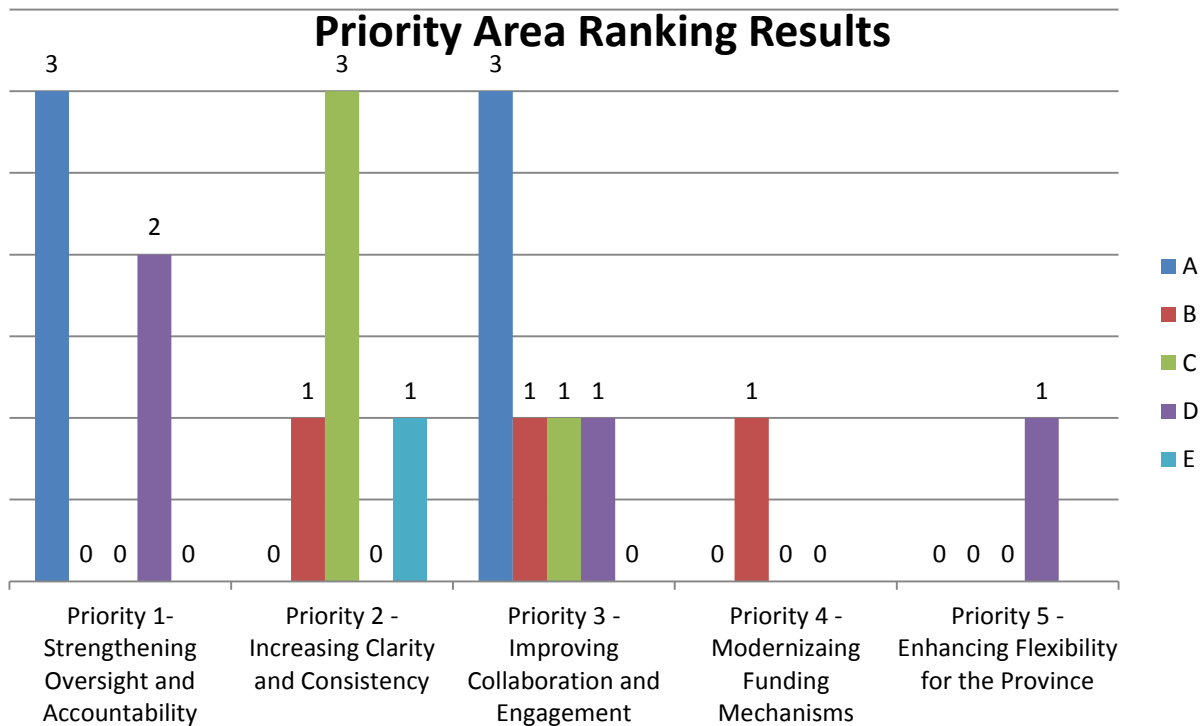
The following topics and themes were discussed after the overview presentation:

Q. Prior to 1995 there was a formal CA branch within MNR. Is there any consideration for reinstating that branch? LRCA is the only CA in northwestern Ontario and we are delivering the mandated programs. How does MNRF engage with those other municipalities about things like flood plain mapping? We also have unorganized townships adjacent to us where people are building without permits in the flood plain. Where could those municipalities go? The CA branch concept may still have some validity. Lots of northern Ontario is not covered by a CA.

A. We have heard from other stakeholders that the MNRF needs to be right-sized to reflect the CA program. With respect to your point about unorganized townships, outside of CA territory the natural hazard program is delivered by the MNRF.

Appendix B – Ranking Results

At the end of the session participants were asked to choose the most important potential action under each priority area. The results of this optional exercise are presented in the graph below. Note that some attendees did not participate in the ranking because they felt the potential actions do not reflect the fundamental issues affecting CAs. The results represent the number of attendees that chose to respond and do not represent a statistically significant sample. Five (5) completed forms were received. The potential actions under each priority area are represented by the letters A to E in the graph below. At the end of the session, participants were asked to choose the most important potential action under each priority area. The results of this exercise are presented below.



This summary of participant feedback has been prepared by Lura Consulting and Planning Solutions Inc. to provide the Ministry of Natural Resources and Forestry with the recurring themes and priorities raised by participants during the London session of the Conservation Authorities Act Review, Phase II. The feedback from each individual session will be used to compile a final engagement session report.

Introduction

The Ministry of Natural Resources and Forestry (MNRF) is undertaking a phased review of the Conservation Authorities Act. The intent of the review is to identify opportunities to improve the legislative, regulatory and policy framework that currently governs the creation, operation and activities of conservation authorities. In Phase I of the review, completed in 2015, MNRF led an extensive consultation process to engage stakeholders in a discussion about opportunities to improve the Conservation Authorities Act, which resulted in extensive feedback.

Based on the input received in Phase I of the review, MNRF has released the document, *Conserving Our Future: Proposed Priorities for Renewal*, that outlines a series of actions that could be taken under five proposed priority areas for improvement: (1) Strengthening Oversight and Accountability, (2) Increasing Clarity and Consistency, (3) Improving Collaboration and Engagement, (4) Modernizing Funding Mechanisms, and (5) Enhancing Flexibility for the Province. In June 2016, MNRF led a second round of consultations with a diversity of stakeholders to obtain input on the potential actions outlined within the five priority areas.

On June 9, 2016, the MNRF hosted a full-day workshop in London at the Double Tree by Hilton as part of the Phase II consultation program. The purpose of the workshop was to provide an overview of the five priority areas for improving the Conservation Authorities Act. The workshop consisted of an overview plenary presentation with time for questions of clarification, followed by three rounds of facilitated small group discussions. The facilitated discussions were designed to encourage dialogue and obtain feedback on the five (5) priority areas for improving the Conservation Authorities Act.

A total of 57 individuals participated in the workshop, including participants from the following organizations:

- Ausable Bayfield Conservation Authority
- Bruce County Federation of Agriculture
- Canadian Environmental Law Association
- Catfish Creek Conservation Authority
- Chippewas of the Thames First Nation
- City of Cambridge
- City of Hamilton
- Conservation Ontario
- County of Oxford
- Ducks Unlimited
- EnPointe Development
- Essex Region Conservation Authority
- Grand River Conservation Authority
- Halton Region Conservation Authority

- Hamilton Region Conservation Authority
- Kettle Creek Conservation Authority
- Lake Erie North Shore Landowners Association
- London Development Institute
- Long Point Region Conservation Authority
- Lower Thames Valley Conservation Authority
- Maitland Valley Conservation Authority
- Municipality of Brockton
- Niagara Peninsula Conservation Authority
- Niagara Region
- Ontario Farm Environment Coalition
- Ontario Federation of Agriculture
- Saugeen Conservation Authority
- Six Nations Lands and Resources
- St. Clair Region Conservation Authority
- Stantec
- Town of Hanover
- Upper Thames River CA
- Watterworth Farms

This report presents a summary of the comments and suggestions provided by participants during the workshop.

Summary of Participant Feedback

The summary of participant feedback is organized according to the five priority areas: (1) Strengthening Oversight and Accountability, (2) Increasing Clarity and Consistency, (3) Improving Collaboration and Engagement, (4) Modernizing Funding Mechanisms and (5) Enhancing Flexibility for the Province. Each priority area contains a synopsis of the overall key themes and issues as well as specific feedback received through plenary discussions (see Appendix A) and completed discussion guides relating to each discussion question.

The following points highlight the recurring comments, concerns and/or advice which emerged from the London session.

- There is support for updating the CA Act to reflect modern legislative structures, specifically by adding a clear purpose statement and principles/objectives that the legislation is trying to achieve.
- The core mandate of CAs can fluctuate so it must be flexible with a focus on Integrated Watershed Management (IWM).
- There needs to be more training across all CAs to improve consistency in governance.
- Establishing a provincial “one-window” approach is a top priority.
- CAs need more provincial assistance to undertake precise mapping; it is challenging to make good decisions with inaccurate and inconsistent data.
- Indigenous Peoples’ participation should be at a watershed and strategic planning level rather than a project by project level, however there is not a clear path to achieve this.

- It is important to foster a culture of CAs working together with landowners with regard to planning and permitting. There needs to be more transparency, communication and sharing of information between CAs and landowners to enhance this relationship and achieve solutions.
- Increasing access to funding should be a top priority; funding should be aligned with a CAs mandate. A multi-ministry approach to funding should be undertaken.
- There is support for clarifying municipal levies. Apportionment of levies and the funding formula need to be enhanced, better defined and made consistent.
- Clarity around fees and how they can be used by a CA would be beneficial. It was suggested that the Ministry should provide clear guidance on acceptable revenue streams.
- There is a desire for standardized and consistent budgeting practices; however, standardizing budget templates may add complexity and an administrative burden.
- There is support from some participants for the Minister to have authority and flexibility to expand natural resource conservation and management programs and services.
- Appropriate support and funding is required for any additional programs or services delegated to CAs.

Priority #1: Strengthening Oversight and Accountability

Overall key themes/issues:

- There is support for updating the CA Act to reflect modern legislative structures, specifically by adding a clear purpose statement and principles/objectives that the legislation is trying to achieve.
- When adding a purpose statement to the CA Act, it is important to find a balance and provide enough flexibility to accommodate the context-specific circumstances of each CA.
- There needs to be more training across all CAs to improve consistency in governance.
- If the province is going to direct additional CA programs and services, the necessary funding should be provided.
- Municipalities should not be able to remove themselves from a CA as this would have a large financial impact on a CA.
- Developing or updating criteria for establishing, amalgamating or dissolving a CA is necessary, however it might not have a place within the CA Act.

A. *Updating the Act to reflect modern legislative structures and accountabilities*

Participant feedback expressed support to:

- Update the CA Act to reflect modern legislative structures, specifically by adding a clear purpose statement and principles/objectives that the legislation is trying to achieve.
- Clearly define and communicate to the public the purpose of CAs.
- Define the roles and responsibilities of various parties.

Participant feedback highlighted the following considerations:

- It is important to find a balance and provide enough flexibility to accommodate the context-specific circumstances of each CA.
- Focus on articulating desired outcomes, rather than how to achieve them. This will provide guidance while also allowing some flexibility.
- Look to the model of Public Health Units for structuring the CA Act and regulations.
- Changes to the CA Act should be aligned with the Municipal Act.
- Modernize the CA Act so it is easier to update in the future (i.e., include certain aspects as regulation and policy rather than legislation so they can be adapted more frequently).
- Updates to the CA Act should include an improved appeal process for planning and permitting.

B. Adopting and/or aligning with governance best management practices

Participants expressed that there needs to be more training across all CAs to improve consistency in governance. It was noted that there needs to be clarity on how conflicts of interest among board members are addressed. Participants suggested that operational audits should be reinstated.

C. Enhancing provincial oversight

Participants expressed support to enhance provincial oversight if it results in more standardized operating practices for all CAs.

Participants raised the concern that if the province is going to direct additional CA programs and services, the necessary funding should be provided.

D. Enhancing municipal oversight

Participants emphasized that municipalities do not want to be the regulatory body for flooding and hazards; the CA model is best for this.

E. Developing or updating criteria for establishing, amalgamating or dissolving a CA

Participants expressed concern that municipalities should not be able to remove themselves from a CA as this would have a large financial impact on a CA and its ability to fulfill its roles. If a municipality were to be removed it would continue to receive benefits provided by a CA without having to provide funding.

Participant feedback highlighted the following considerations:

- Developing or updating criteria for establishing, amalgamating or dissolving a CA is less important. Having criteria is necessary, but this might not have a place within the CA Act.
- Consider a process to achieve minor CA boundary adjustments as some municipalities are located in two or more CAs.

Priority #2: Increasing Clarity and Consistency

Overall key themes/issues:

- There is support for clearly delineating between required programs and services (with appropriate funding sources) and those that are discretionary.
- Appropriate funding mechanisms are needed to support the required CA programs and services.
- The core mandate of CAs can fluctuate so it must be flexible with a focus on IWM.
- Clarify the hierarchy of various legislation, regulations, policies, and plans.
- It is important to update regulatory requirements and keep them current rather than create additional requirements.
- A solutions-based approach rather than a fine-based approach should be established to address compliance and enforcement issues.
- More collaborative decision-making should be implemented to improve the relationship with landowners regarding enforcement of regulations.
- There is support for establishing and encouraging streamlined and consistent planning and permitting processes among the different CAs.

A. *Clearly delineating between mandatory and optional programs and services*

Participants expressed support for clearly delineating between required programs and services (with appropriate funding sources) and those that are discretionary.

Participants raised the concern that appropriate funding mechanisms are needed to support the required programs and services.

Participant feedback highlighted the following considerations:

- Flood and hazard issues should be mandatory and everything else should be discretionary.
- Stronger collaboration needs to happen to support integrated watershed planning.

B. *Establishing a Provincial Policy Directive*

Participant feedback expressed support for providing some level of provincial policy direction.

Participant feedback raised the following concerns and/or issues:

- The position of the policy directive needs to be clear in terms of how it falls in the hierarchy of other provincial policy directives.

Participant feedback highlighted the following considerations:

- Consider developing agreements between CAs and the provincial government (similar to agreements with universities) to outline roles and responsibilities specific to each CA.

- The core mandate of CAs can fluctuate so it must be flexible with a focus on IWM.
- Policy directives should be outcome-based rather than prescriptive.

C. Providing clarity and consistency in conservation authorities' regulatory roles and responsibilities

Participant feedback expressed support to:

- Clarify the hierarchy of various legislation, regulations, policies, and plans.
- Clarify the roles and responsibilities of the various provincial ministries and stakeholders (e.g. municipalities, agencies, etc.).

Participant feedback raised the following concerns and/or issues:

- There is a need for watershed plans to have a formal status/authority and fit within the hierarchy of policy documents and link to municipal plans.
- Public perceptions of a CA's role are often unclear; CAs are seen as regulators more than conservation champions.

Participant feedback highlighted the following considerations:

- It is important to update regulatory requirements and keep them current rather than create additional requirements.
- Many CAs are not aware of the provincial resources and guidance tools available to them.
- Policy and procedure documents should be updated to clarify areas of jurisdiction, roles and responsibilities.
- There is support for creating consistency across CAs but if this cannot be achieved the rationale for inconsistency should be communicated.
- There is a need for greater clarity on who is responsible for the regulation of wetlands and natural heritage among municipalities, provincial agencies and CAs.

D. Enhancing compliance and enforcement of regulatory requirements

Participant feedback expressed support to:

- Modernize the regulatory compliance and enforcement approach.
- Increase clarity and transparency in compliance and enforcement processes.
- Provide CAs with the ability to issue stop work orders.

Participant feedback raised the following concerns and/or issues:

- CAs do not have the same abilities as municipalities to issue stop work orders.
- Fines are not high enough to deter some landowners from noncompliance with regulations.
- The cost of legal action against landowners is prohibitively expensive for CAs.
- Money collected from fines does not go directly back to CAs.

- There are sometimes perceived conflicts of interest between CA board members and landowners.
- There is a need to provide clarity on where the authority lies for planning and permitting.

Participant feedback highlighted the following considerations:

- Enforcement is currently complaint-based; there is a need for more proactive enforcement of regulations.
- A solution-based approach rather than a fine-based approach should be established to address compliance and enforcement issues.
- More collaborative decision-making should be implemented to improve the relationship with landowners regarding enforcement of regulations.
- Establish a mechanism for CAs to receive the money collected from fines.

E. Streamlining planning and permitting requirements and processes

Participant feedback expressed support to:

- Establish and encourage streamlined and consistent planning and permitting processes among the different CAs.
- Expedite the permitting process and reduce duplication in the review of applications.

Participant feedback highlighted the following considerations:

- Explore the use of different classes of approvals to expedite the permitting process (similar to the Class Environmental Assessment (EA) approach).
- Use collaborative multi-departmental/agency committees to review permits (similar to some drainage committees) rather than a linear process.
- Landowners see five levels of government regulation for their land (federal, provincial, regional, municipal and CA). There needs to be coordinated and streamlined “one-window” permit approval approach.
- The permitting process is currently set up for “getting to no”; it needs to be rethought as a process for “getting to yes”.
- Liaison committees should be considered as an effective tool for sharing knowledge with the public on completing permit applications.

Priority #3: Improving Collaboration and Engagement

Overall key themes/issues:

- Establishing a provincial “one-window” approach should be a top priority.
- CAs need more provincial assistance to undertake precise mapping; it is challenging to make good decisions with inaccurate and inconsistent data.
- Some CAs do not want Conservation Ontario to be an oversight body or have an oversight role. Conservation Ontario’s current role is working well.
- Indigenous Peoples’ participation should be at a watershed and strategic planning level rather than a project by project level, however there is not a clear path to achieve this.
- Develop a guidance document on public and stakeholder participation. Engagement should be considered as a guideline, rather than a regulation.
- It is important to employ a culture of collaboration with landowners. There needs to be more transparency, communication and sharing of information between CAs and landowners. In some areas landowners are not sure who to contact when they have questions/concerns.

A. Establishing a provincial “one-window” approach

Participant feedback expressed support to:

- Establish a provincial “one-window” approach as a top priority.
- Develop a single point of contact at the ministry level to exchange information and provide support/advice.
- Develop a “multi-ministry body” where inquiries are filtered through a group rather than one person. The committee should have representation from different ministries and CAs.

Participant feedback highlighted the following considerations:

- CAs need more provincial assistance to undertake precise mapping; it is challenging to make good decisions with inaccurate and inconsistent data.
- A “one-window” approach will facilitate more interaction between CAs and ministries.

B. Establishing a business relationship with Conservation Ontario

Participant feedback raised the following concerns and/or issues:

- Some CAs do not want Conservation Ontario to be an oversight body or have an oversight role. Conservation Ontario’s current role is working well.
- No regulation role for Conservation Ontario is required.

Participant feedback highlighted the following considerations:

- Define ‘business relationship’ and consult with CAs on this.
- Look at the Association of Municipalities of Ontario (AMO) model for ideas on enhancing the relationship between CAs and Conservation Ontario.

C. Enhancing Indigenous Peoples' participation

Participant feedback raised the following concerns and/or issues:

- Indigenous Peoples' participation should be at a watershed and strategic planning level rather than a project by project level, however there is not a clear path to achieve this.

Participant feedback highlighted the following considerations:

- Indigenous Peoples' participation requires more discussion and direction from the province.
- CAs would like to see the province provide templates/best practices for agreements for engaging with Indigenous Peoples.

D. Enhancing public and stakeholder participation

Participant feedback expressed support to:

- Develop a guidance document on public and stakeholder participation. Engagement should be considered as a guideline, rather than a regulation.

Participant feedback highlighted the following considerations:

- Some CAs are already incorporating multiple opportunities for public and stakeholder participation, however funding and resources are limited.
- It is important to employ a culture of collaboration with landowners. There needs to be more transparency, communication and sharing of information between CAs and landowners. In some areas landowners are not sure who to contact when they have questions/concerns.
- There needs to be a standardized process in place that CAs must follow when entering a landowners' property including providing adequate notification.
- Ad hoc and advisory committees for CAs have been successful for enhancing stakeholder engagement.
- The Planning Act outlines mandatory public consultation policies, but they do not foster authentic and genuine engagement opportunities. This should not be repeated in the CA Act. The aim should be on leading genuine engagement that is reflective of modern engagement and communication mechanisms.

E. Supporting conservation authorities in sharing and coordinating resources

Participant feedback expressed support to:

- Encourage CAs to share data, science, and information.
- Explore the opportunity for certain CAs to be 'centers of excellence' for specific topic areas to reduce duplication of resources.
- Encourage CAs to work together to achieve administrative efficiencies, but do not prescribe it.

Participant feedback raised the following concerns and/or issues:

- Supporting CAs in sharing and coordinating resources is important, but language and liability need to be considered (e.g., risk management on sharing information).
- Each CA has a different way of sharing information (e.g., they don't all have an open-data policy).
- It will be challenging to share information and resources in an equitable manner. Perhaps the provincial and federal government should be providing resources to CAs.

Participant feedback highlighted the following considerations:

- There is a need to draw provincial and federal governments back into Great Lakes shoreline protection. Everyone needs to be involved.
- Consider shared target setting for CA Key Performance Indicators (KPIs) across larger eco-zones rather than a single CA.

Priority #4: Modernizing Funding Mechanisms

Overall key themes/issues:

- Increasing access to funding should be a top priority. Funding should be aligned with CAs' mandate.
- There is support for clarifying municipal levies. Apportionment of levies and the funding formula need to be enhanced, better defined and made consistent.
- Clarity around fees and how they can be used by a CA would be beneficial. It was suggested that the Ministry should provide clear guidance on acceptable revenue streams.
- There is a desire for standardized and consistent budgeting practices; however, standardizing budget templates may add complexity and an administrative burden.
- The timing of the release of transfer payments creates challenges for CAs (i.e. fiscal years are misaligned). A multi-year funding model would create greater efficiencies in administering programs.
- Multi-ministerial funding opportunities should be explored as well as federal funding opportunities to address the sustainable funding needs of CAs.

A. Enhancing clarity, consistency and accountability around municipal levies

Participants expressed support for clarifying municipal levies. It was noted that apportionment of levies and the funding formula need to be enhanced, better defined and made consistent.

Participant feedback raised the following concerns and/or issues:

- There is some discrepancy between the CA Act and Ontario Regulation 139/96 (Municipal Levies). The language needs to be clarified. This would help avoid lengthy appeal processes.

- Some member municipalities feel they don't have enough influence on the CA budget and that there is an imbalance of representation of municipalities on CA boards.
- The intent of the municipal levy has to be made clear. There is confusion regarding whether the levy is a tax or a collection of charges for the CA. If it is not a tax, municipalities should have more of a say with respect to its uses.

Participants emphasized that there is a desire for fairness and impartiality among small and large CAs; one size does not fit all. Population density and different sizes of CAs mean that a standard formula is likely not effective. There needs to be an equalization mechanism for municipal levies.

B. Promoting clarity, consistency and accountability around fees and generated revenue

Participants expressed that clarity around fees and how they can be used by a CA would be beneficial. It was suggested that the Ministry should provide clear guidance on acceptable revenue streams.

Participant feedback highlighted the following considerations:

- Ensure changes to the CA Act do not limit a CAs ability to raise funds.
- Some CAs need support in justifying user fees as the public does not usually understand how they are derived.

C. Improving fiscal oversight and transparency

Participants expressed that there are no major issues with fiscal oversight and transparency.

Participant feedback highlighted the following considerations:

- There is a desire for standardized and consistent budgeting practices; however, standardizing budget templates may add complexity and an administrative burden. Some municipalities currently ask for compliance with their own budget formats.
- There is concern that municipalities may ask to have too much involvement in budgeting by increasing municipal oversight through changes to the CA Act.

D. Improving clarity in the use of provincial funding processes

Participants raised the following concerns and/or issues:

- The timing of the release of transfer payments creates challenges for CAs (i.e. fiscal years are misaligned). A multi-year funding model would create greater efficiencies in administering programs.
- The transfer payment should be indexed to the rate of inflation. Municipalities are currently making up the difference for inflation increases.
- CAs should be eligible for Trillium funds and development charges.

Participant feedback highlighted the following considerations:

- Increasing access to funding should be a top priority. Funding should be aligned with a CA's mandate.
- Multi-ministerial funding opportunities should be explored as well as federal funding opportunities to address the sustainable funding needs of CAs.
- Without secure and stable funding there is an inability to plan for the future.
- New legislation that impacts CAs (e.g., Accessibility for Ontarians with Disabilities Act, Health and Safety legislation) is increasing costs for CAs but budgets are not increasing to reflect this.

Priority #5: Enhancing Flexibility for the Province

Overall key themes/issues:

- There is support from some participants for the Minister to have authority and flexibility to expand resource conservation and management programs and services.
- Appropriate support and funding is required for any additional programs or services delegated to CAs.
- External partners need to have the right expertise and capacity to deliver natural resource conservation and management programs and services. Appropriate oversight and transparency is required for any external partner activities.

A. Giving the Minister the authority to use the Act to develop additional natural resource conservation and management programs and services in the future

Participant feedback expressed support for giving authority to the Minister to develop additional natural resource conservation and management programs and services. It was noted that duplication of efforts should be avoided.

B. Giving the Minister the authority to formally delegate the delivery of current and additional natural resource conservation and management programs and services to conservation authorities in the future

Participants emphasized that additional programs and services delegated to CAs must be accompanied by appropriate funding. There was a general feeling that delegation is already happening but there is a need to better define the scope of what/when/how delegation can occur.

C. Giving the Minister the authority to formally delegate the delivery of current and additional natural resource conservation and management programs and services to other public bodies, not-for-profit organizations, municipalities and other Ministries

Participants expressed support for enhancing natural resource conservation and management in areas not currently within the jurisdiction of a CA.

Participant feedback highlighted the following considerations:

- External partners need to have the right expertise and capacity to deliver natural resource conservation and management programs and services.
- Appropriate support and oversight of external partners is needed if they are delegated to deliver programs and services.
- Appropriate accountability and transparency measures must be in place.
- CAs should be considered before external partners in the delivery of additional programs and services since the framework is already in place.

D. Giving the Minister the authority to deliver additional natural resource conservation and management programs and services throughout the province

Participants noted the importance of avoiding any duplication of services or programs already in place.

Other Actions to Consider

Overall key themes/issues:

- It is important to reduce the administrative burden associated with obtaining approval of board per diems. Existing best practices should be applied as an alternative to requiring OMB approval for per diems.
- There is support for aligning board terms with the municipal elections cycle, while still maintaining flexibility for individual CAs.
- Orientation and training should be developed for board members with acknowledgement of local differences in each CA.
- CAs should be encouraged to share code of conduct documents and tools to support board member training.

A. Reducing administrative burdens associated with appointing and replacing board members and obtaining approval of board per diems.

Participants expressed that it is important to reduce the administrative burden associated with obtaining approval of board per diems. It was suggested that existing best practices be applied as an alternative to requiring OMB approval for per diems.

B. Aligning board terms with the municipal elections cycle.

Participants expressed support for aligning board terms with the municipal elections cycle, while still maintaining flexibility for individual CAs to determine term length.

C. Developing an orientation and training program for board members.

Participants expressed support for developing an orientation and training program for board members. Many CAs already undertake new board member training. It was suggested that CAs share code of conduct documents and tools to increase the level of board member competence. It was noted that training should also acknowledge the local differences in each CA.

D. Developing a coordinated communications plan outlining any changes to conservation authority operations, programs and services resulting from the review in partnership with municipalities and conservation authorities

Participants expressed support for a coordinated communications plan; however questions were raised regarding who would be responsible for this and whether it is a potential role for Conservation Ontario.

Additional Comments

Additional comments provided by participants include:

- A multi-stakeholder CA commission that reports to the Minister should be established. It could act as a review and guidance body and ongoing communication channel between CAs and the MNRF.
- Education and training should be provided to the courts/legal system to provide a stronger foundation of knowledge when addressing appeals to planning and permitting in the CA Act.
- Regarding composition of the CA board, it was suggested that it is unfair to grant additional seats to double-tier municipalities. There is a need for more consistency among all CAs. It was also noted that the ideal board composition is a mixture of individuals engaged in governance (e.g., municipal councillors) and those who are experts in the field (e.g., engineers, environmental groups, etc.).
- It was suggested that an agriculture expert be employed by the CA so landowners can reach out to discuss agriculture-related questions/concerns.
- Participants discussed the idea of listing CA levies separately on property tax bills to draw the connection that it is a levy on the homeowner.
- There was support for maintaining biophysical boundaries for CAs rather than municipal/political boundaries.

Appendix A – Questions of Clarification

The following topics and themes were discussed after the overview presentation:

Q. What is the timeline for amending the CA Act?

A. That is up to the government. Our plan is to report back on the feedback that we receive from these sessions and the Environmental Registry to the Minister and Cabinet in the fall 2016. Based on what they hear, they will make decisions about whether legislative changes will move forward and where it will fit on the legislative agenda.

Q. Should we try to involve our MPP in the proposed changes?

A. If you have concerns locally that you feel that your MPP should be made aware of, you can copy them on you correspondence with us. Your MPP would welcome talking to you about it.

Q. With the introduction of the provincial Climate Change Action Plan, will this slow down the process to update the CA Act? How does that plan fit in?

A. There are so many different pieces that are ongoing and that fit together. There is work being done on the four land use plans, the Aggregate Resources Act, and climate change. The government has a broad and aggressive agenda. Because of that, we are having a lot of inter-ministerial discussion about the various reviews that are ongoing and how we can coordinate.

Q. Once the legislative changes are proposed, do you anticipate it going to Committee?

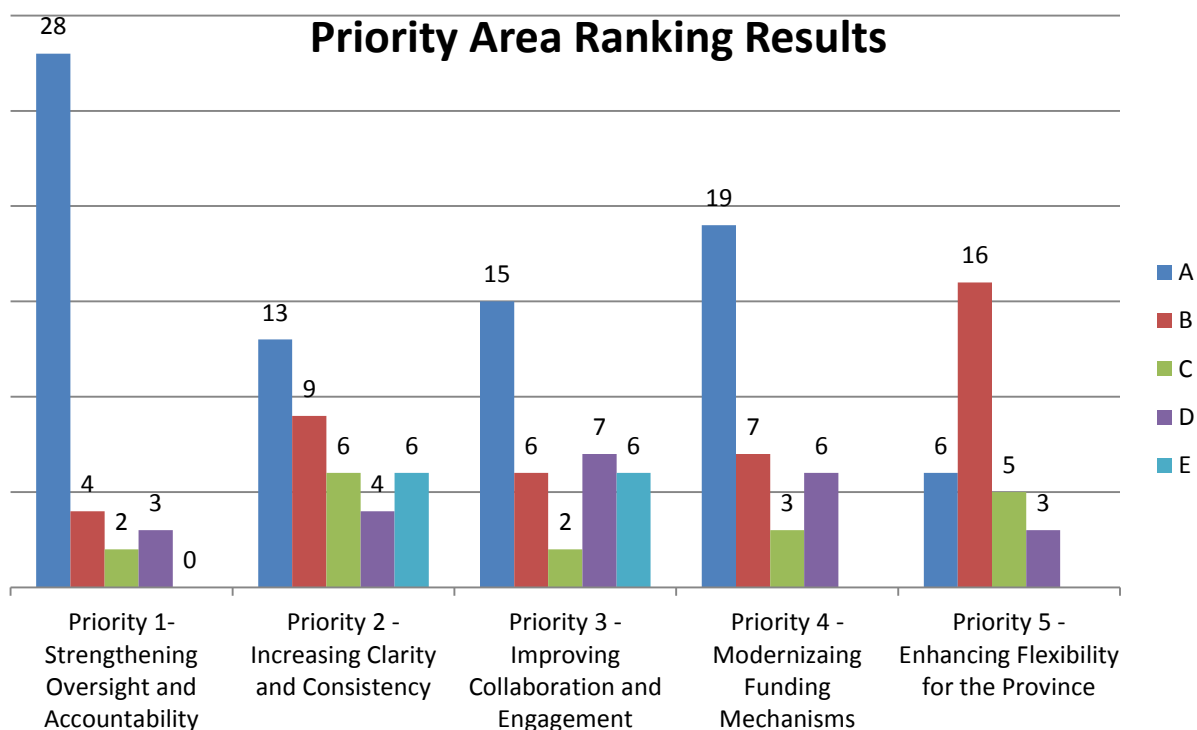
A. That is a decision that is made by the government and Cabinet.

Q. Every ministry or group has a Provincial Policy Statement on what the province wants them to do and a lot of them are conflicting. Which one has as higher priority? As a private landowner, how do we know what takes precedent? It is not clear.

A. That is common feedback we have heard. The Drummond Report released a few years ago highlighted this overlap and confusion between provincial/municipal/CA roles and responsibilities in permitting. We will talk about that today. We would like your thoughts on how to streamline it and where those issues exist. We also encourage you to submit your comments to the Environmental Registry so it can be received formally in writing.

Appendix B – Ranking Results

At the end of the session participants were asked to choose the most important potential action under each priority area. The results of this optional exercise are presented in the graph below. Note that some attendees did not participate in the ranking because they felt the potential actions do not reflect the fundamental issues affecting CAs. The results represent the number of attendees that chose to respond and do not represent a statistically significant sample. Thirty-seven (37) completed forms were received. The potential actions under each priority area are represented by the letters A to E in the graph below.



Additional comments

- Collaborate with other ministries to prevent overlap and accelerate the process to update the CA Act.
- Provide clear direction on IWM as the prime focus for CAs.
- Add a separate CA levy line on property tax bills.
- Developing an inter-ministerial committee should be a priority.
- Any of the actions to enhance flexibility for the province should come with financial support if mandated.

- Focus should be on clearly identifying roles and providing appropriate funding levels.
- Any delegation of new responsibility requires funding resources.
- Prioritize a “one-window” approach for direction on legislation/regulation at the CA level (e.g., Department of Fisheries and Oceans Agreements) to reduce duplication and maintain a strong local watershed perspective.
- Clarify the role of board members as representing the watershed, not the municipality.
- Promote/incent/encourage CA partnerships where capacity is needed.
- Reduce administrative burdens experienced by CAs in the delivery of programs and services.
- Move CA oversight to the Ministry of Environment and Climate Change.
- Remove planning and permitting from CA programs. Improve the appeal process if planning is to remain under CA jurisdiction and make it consistent with the Planning Act.

This summary of participant feedback has been prepared by Lura Consulting and Planning Solutions Inc. to provide the Ministry of Natural Resources and Forestry with the recurring themes and priorities raised by participants during the Newmarket session of the Conservation Authorities Act Review, Phase II. The feedback from each individual session will be used to compile a final engagement session report.

Introduction

The Ministry of Natural Resources and Forestry (MNRF) is undertaking a phased review of the Conservation Authorities Act. The intent of the review is to identify opportunities to improve the legislative, regulatory and policy framework that currently governs the creation, operation and activities of conservation authorities (CAs). In Phase I of the review, completed in 2015, MNRF led an extensive consultation process to engage stakeholders in a discussion about opportunities to improve the Conservation Authorities Act, which resulted in extensive feedback.

Based on the input received in Phase I of the review, MNRF has released the document, *Conserving Our Future: Proposed Priorities for Renewal*, that outlines a series of actions that could be taken under five proposed priority areas for improvement: (1) Strengthening Oversight and Accountability, (2) Increasing Clarity and Consistency, (3) Improving Collaboration and Engagement, (4) Modernizing Funding Mechanisms, and (5) Enhancing Flexibility for the Province. In June 2015, MNRF led a second round of consultations with a diversity of stakeholders to obtain input on the potential actions outlined within the five priority areas.

On June 13, 2016, the MNRF hosted a full-day workshop in Newmarket, Holiday Inn Express & Suites Newmarket as part of the Phase II consultation program. The purpose of the workshop was to provide an overview of the five priority areas for improving the Conservation Authorities Act. The workshop consisted of an overview plenary presentation with time for questions of clarification, followed by three rounds of facilitated small group discussions. The facilitated discussions were designed to encourage dialogue and obtain feedback on the five (5) priority areas for improving the Conservation Authorities Act.

A total of 59 individuals participated in the workshop, including participants from the following organizations:

- AWARE Simcoe
- Blue Mountain Watershed Trust
- Building Industry and Land Development Association
- Central Lake Ontario CA
- Christian Farmers Federation of Ontario
- Conservation Ontario
- County of Simcoe
- Credit Valley CA
- Dillon Consulting Limited
- Ducks Unlimited Canada
- Friends of the Rouge Watershed

- Ganaraska Region CA
- Green Durham Association
- Halton Region CA
- Kawartha Region CA
- Lake Erie North Shore Landowners Association
- Lake Simcoe Region CA
- Mattamy Corporation
- Member of the Public
- Midhurst Ratepayers Association
- MMM Group Limited
- Niagara Peninsula CA
- Nottawasaga Valley CA
- Ontario Federation of Agriculture
- Ontario Federation of Anglers and Hunters
- Ontario Home Builders Association
- Ontario Stone, Sand and Gravel Association
- Peterborough County
- Region of Peel
- Regional Municipality of Durham
- Simcoe County Federation of Agriculture
- Toronto and Region CA
- Town of Bradford West Gwillimbury
- Town of Springwater
- Waterfront Toronto

This report presents a summary of the comments and suggestions provided by participants during the workshop, and received during the two-week comment period after the session.

Summary of Participant Feedback

The summary of participant feedback is organized according to the five priority areas: (1) Strengthening Oversight and Accountability, (2) Increasing Clarity and Consistency, (3) Improving Collaboration and Engagement, (4) Modernizing Funding Mechanisms and (5) Enhancing Flexibility for the Province. Each priority area contains a synopsis of the overall key themes and issues as well as specific feedback received through plenary discussions (see Appendix A) and completed discussion guides relating to each discussion question.

The following points highlight the recurring comments, concerns and/or advice which emerged from the Newmarket session.

- Concern that the potential actions do not reflect the fundamental issues affecting CAs.
- Concern that the review focuses on processes and procedures instead of protecting and enhancing the natural environment.
- Increase and diversify provincial funding to CAs to support the implementation of conservation programs and services (e.g., access to funds generated through the provincial cap and trade system).
- Reinstate the provincial partnership; this is a critical component that is missing from the collaborative model that was envisioned for CAs.

- Establish a multi-ministerial body to promote dialogue and collaborative decision-making regarding CA roles and responsibilities.
- Consider an evolving provincial role that could see Provincial Resource Managers (under the leadership of MNRF) act as information coordinators and process conveners.
- Add a purpose statement to the Act that includes Integrated Watershed Management (IWM) as this is the tool and the basis for collaboration, partnership and engagement of all stakeholder and government interest.
- Consider legislative changes that focus on positive approaches (e.g., relationship building, collaboration, IWM) to improve conservation efforts instead of increasing oversight.
- Recognize that CAs are inherently unique. Local conditions and circumstances influence programs and services; legislative changes must recognize the need for continued local autonomy (i.e., flexibility).
- Establish a third-party process or mechanism to resolve disputes with CAs (e.g., Ontario Municipal Board, appeal mechanism, penalties).
- Update and expand the tools available to support compliance and enforcement of regulatory requirements (e.g., stop work orders).
- Provide provincial support to navigate legal proceedings (e.g., funding, guidance).
- Establish a mechanism for CAs to capture funds from compliance and enforcement activities (e.g., penalties, legal processes).
- Consider non-legislative approaches to streamline planning and permitting requirements and processes (e.g., pre-consultation meetings and/or checklists, collaborating with municipalities, updating guidance documents).
- Establish a provincial “one-window”, with clear expectations for provincial, municipal and CA roles and responsibilities.
- Increase funding to Conservation Ontario (CO) to enhance capacity, consistency and transparency through leadership.
- Consider the provision of orientation and training by CO, with assistances from CAs.
- Promote two-way dialogue with a broad spectrum of stakeholders, particularly landowners and farmers, through a variety of mechanisms (e.g., committees, online participation).
- Build on existing communication and public education strategies to increase clarity, consistency and transparency.
- Consider mandatory requirements for public meetings (comparable to provisions under the Planning Act).
- Consider a funding formula to equalize funding between CAs (based on population, programming, species at risk, watershed characteristics, etc.) paid by the province.
- Promote the establishment of fees through a collaborative process to ensure they are clear and predictable.
- Address gaps in the potential actions identified by participants (e.g., actions to enhance land securement).

- Learn from other reviews that have been completed in the past and have been carried out across other jurisdictions (e.g., Coordinated Review).

Priority #1: Strengthening Oversight and Accountability

Overall key themes/issues:

- Concern that the potential actions do not reflect the fundamental issues affecting CAs; the review should focus on collaboration and partnership and advancing a healthy watershed.
- Add a purpose statement to the Act that includes integrated watershed management as the overall approach to conservation.
- Establish a multi-ministerial body to promote dialogue and collaborative decision-making.
- Consider legislative changes that focus on positive approaches (e.g., relationship building, collaboration, integrated watershed management) to improve conservation efforts (instead of increasing oversight).
- Find a balance between prescriptive policies and maintaining flexibility for CAs.
- Establish a third-party process or mechanism to resolve disputes with CAs (e.g., Ontario Municipal Board, appeal mechanism, penalties).
- Reinstate MNRF representation on CA Boards.
- Consider mandatory review periods for municipality/CA MOUs and Service Level Agreements (e.g., every five years).

A. *Updating the Act to reflect modern legislative structures and accountabilities*

Participants expressed support to update the vision of the Act.

Participant feedback raised the following concerns and/or issues:

- Concern that consultations on potential policy changes are not being undertaken consistently by the Ministry of Natural Resources and Forestry (MNRF).
- Concern that there are no clear objectives or outcomes that the review is trying to address (e.g., a healthy watershed).

Participant feedback highlighted the following considerations:

- Define the purpose and mandate of the Act in the legislation (i.e., form follows function).
- Add a purpose statement to the Act that:
 - Includes integrated watershed management (IWM) as the overall approach to conservation;
 - Includes a vision, mission, and values for CAs that can be updated on a regular basis.
- Include a purpose statement in the legislation or in the Provincial Policy Statement (PPS); the PPS must indicate that it is mandatory for CAs to develop watershed and subwatershed plans.

- Focus legislative changes on positive approaches (e.g., relationship building) rather than oversight.
- Ensure flexibility within the legislation as priorities vary across the region and will change over time (e.g., climate change considerations).
- Ensure policies are prescriptive (to improve clarity) and flexible to address the diverse qualities and circumstances of CAs throughout the province.
- Find a balance between prescriptive policies and maintaining flexibility for CAs; avoid creating or exacerbating inconsistencies.
- Consider including best practices from other statutes (e.g., Not-For-Profit Corporations Act) in the legislation to increase transparency.
- Update provincial policies and technical guidelines to ensure they reflect the current suite of issues facing CAs.
- Update and revise legislative requirements for watershed and subwatershed planning, using the approach that was in place when CAs submitted watershed plans to the province for review and approval (and funding).
- Reinstate compulsory integrated watershed planning and subwatershed planning; the model worked and was highly effective.

B. Adopting and/or aligning with governance best management practices

Participant feedback highlighted the following considerations:

- Note that the existing governance model is working well; many CAs comply with codes of conduct or provide board member orientation.
- Establish an inter-ministerial body to promote dialogue and collaborative decision-making; funding should be tied to the provincial mandate; the Fish and Wildlife Commission was offered as a suggestion.
- Enhance CA collaboration and governance; there is a need to improve relationship building rather than changing the governance structure.
- Note that CA boards are following best management practices; this does not need to be included in the legislation.
- Consider formal agreements with sectoral groups (e.g., MOUs with agricultural community; MOUs with development community, etc.) to formalize the approach on a watershed basis and ensure that those working with CAs promote the collaborative partnership model. This should be an enabling provision and not a prescriptive provision to allow for local flexibility.

C. Enhancing provincial oversight

Participants expressed support to enhance provincial oversight; however it was noted that CA autonomy is also important.

Participant feedback raised the following concerns and/or issues:

- Concern that CAs are not accountable to any organization/the public.
- Concern that more programs and services will be delegated to CAs without funding through increased provincial oversight.
- Concern that CAs have lost a partner at the provincial level.

Participant feedback highlighted the following considerations:

- Note that there is already accountability and oversight at the provincial level.
- Broaden the provincial oversight model to a multi-ministerial approach with dedicated funding.
- Establish a third-party process or mechanism to address public concerns and ensure CAs are accountable to their legislated roles and responsibilities (e.g., Ontario Municipal Board, appeal mechanism, penalties); while there is currently an appeal process of a CA decision/lack of decision to the Mining and Lands Commissioner, there are no formal mechanisms to appeal any matter that is unrelated to a board decision (e.g., disclosure of information).
- Consider retaining a third-party consultant to review each CA to identify what is working well and where there is room for improvement.
- Consider an “accreditation” process to assess CA operations and provide advice on an annual basis, serving a peer-review, assistance-based function.
- Enhance provincial coordination of CA programs and services to enhance consistency (leadership rather than oversight).
- Reinstate MNRF representation on CA boards to improve consistency in governance.
- Focus on relationship building between CAs, municipal and provincial partners and watershed stakeholders.
- Move away from organizational silos.
- Strengthen the research efforts at MNRF to provide CAs with better policy direction.
- Consider a role for MNRF to serve as a resource manager at the province, playing a stronger liaison role with other ministries and agencies.
- Ensure CA partners (e.g., non-profit organizations) are given the opportunity to comment on any proposed changes related to this potential action that would affect their operations (e.g., CA approvals).

D. Enhancing municipal oversight

Participants expressed support to enhance local decision-making; accountability should be at the local level.

Participant feedback highlighted the following considerations:

- Note that there is already accountability and oversight at the municipal level.
- Consider mandatory review periods for municipality/CA MOUs and Service Level Agreements (e.g., every five years); this would ensure that MOUs and Service Level Agreements remain current.

E. Developing or updating criteria for establishing, enlarging, amalgamating or dissolving a CA

Participants raised concerns about municipalities within a watershed opting out of a CA; there needs to be holistic management of natural resources on a watershed scale.

Priority #2: Increasing Clarity and Consistency

Overall key themes/issues:

- Add IWM to the Act to help increase clarity and consistency.
- Clarify CA roles and responsibilities (including non-regulatory expectations).
- Ensure CAs have access to the tools and resources (e.g., funding, maps, and communication materials) required to implement the consistent delivery of programs and services.
- Clarify the roles of various ministries (e.g., Ministry of Natural Resources and Forestry, Ministry of Environment and Climate Change).
- Build on communication and public education strategies to increase clarity, consistency and transparency.
- Update and expand the tools available to support compliance and enforcement of regulatory requirements (e.g., stop work orders).
- Provide provincial support for legal proceedings (e.g., funding, guidance).
- Consider non-legislative approaches to streamline planning and permitting requirements and processes (e.g., pre-consultation meetings and/or checklists, collaborating with municipalities, updating guidance documents).

A. Clearly delineating between mandatory and optional programs and services

Participant feedback highlighted the following considerations:

- Provide sustainable funding for mandated programs and services.
- Provide provincial direction for funding (instead of delineating between mandatory and optional programs and services).

Participants noted that there are trade-offs to clearly delineating between mandatory and optional programs and services (e.g., increasing clarity/reducing flexibility).

B. Establishing a Provincial Policy Directive

Participant feedback expressed support to:

- Establish a provincial policy directive to identify and define CA roles and responsibilities that is current and up to date.
- Establish a provincial policy directive that has a purpose and is tied to outcomes.
- Establish a harmonized policy framework (that aligns with other provincial legislation).

Participant feedback highlighted the following considerations:

- Use integrated watershed management (IWM) as an approach to recognize the multiples roles and responsibilities CAs undertake.
- Develop a policy “roadmap” to delineate which policies CAs must adhere to (e.g., what’s in/what’s out).
- Retain flexibility, but provide enough direction in the provincial policy directive to facilitate compliance.

C. Providing clarity and consistency in CA’s regulatory roles and responsibilities

Participant feedback expressed support to:

- Enhance the clarity and consistency of CA roles and responsibilities (this is beneficial from a staffing/resourcing perspective).
- Provide clarification of key terms (e.g. conservation of land, wetland).
- Ensure nomenclature is aligned across different statutes (e.g. natural heritage, natural resources, etc.).

Participant feedback raised the following concerns and/or issues:

- Concern that some CAs do not have staff with the requisite skills (e.g., engineers) to review permit applications.
- Recognize that some CAs do not have the capacity (e.g., resources such as qualified staff, mapping tools, funding, etc.) to deliver programs and services consistently; more funding is needed to address this issue.
- Concern that CAs address landowner concerns inconsistently.
- Concern that CA Act regulations are implemented inconsistently by CA boards (e.g., s. 28 regulations pertaining to certain categories of wetlands).

Participant feedback highlighted the following considerations:

- Add IWM to the legislation to help increase clarity and consistency (and identify linkages to other legislation with corresponding policies).
- Emphasize that the core focus of CAs should be watershed planning.
- Note that clarity and consistency are two different issues:
 - There is a need to clarify CA roles and responsibilities (including non-regulatory expectations); and
 - There is a need to ensure the consistent delivery of programs and services across the CA landscape; this is well defined in the Conservation Authority Liaison Committee (CALC) Report.
- Ensure CAs staff have access to the tools and resources (e.g., funding, maps, and communication materials) required to implement policy objectives consistently; it was noted that municipal staff also need clarity and tools to support CAs.

- Establish rules/procedures to ensure programs and services are delivered consistently in areas where there is no CA (i.e., by MNRF or another body).
- Clarify the roles of various ministries (e.g., Ministry of Natural Resources and Forestry, Ministry of Environment and Climate Change) as they relate to supporting CAs regulatory roles and responsibilities.
- Suggest sharing and coordinating resources between MNRF and CAs to overcome resource limitations.
- Note that communication and public education are important “soft tools” that can help improve clarity, consistency and transparency (in terms of CA roles and responsibilities).
- Provide training for CA staff.
- Note that the programs and services delivered by CAs are based on the needs of their respective watersheds.
- Consider the need to increase transparency; freedom to access MOUs was suggested as an option.
- Recognize that CAs are the conduit to the province, municipality and landowners.
- Provide provincial leadership and funding.
- Learn from the original establishment of the Conservation Authorities Act developed for planning at the watershed level.

D. Enhancing compliance and enforcement

Participants expressed support to enhance compliance and enforcement.

Participant feedback raised the following concerns and/or issues:

- Concern that there is no process to address conflicts of interest (i.e., ensure CAs are accountable and transparent).
- Concern that legal proceedings are costly and time consuming, negatively impacting limited CA resources.
- Concern that too much flexibility makes compliance and enforcement a challenge.
- Concern about inconsistent CA board decisions.

Participant feedback highlighted the following considerations:

- Update and expand the tools available to support compliance and enforcement of regulatory requirements (e.g., stop work orders).
- Clarify which tools will be updated.
- Provide provincial support for legal proceedings (e.g., funding, guidance).
- Establish a mechanism to recover legal costs.
- Update fines to ensure they correspond to the environmental impact incurred.
- Ensure that municipalities comply with legislation designed to protect watersheds (e.g., Lake Simcoe Protection Act).

- Ensure individuals adjudicating legal proceedings understand the CA Act.
- Establish linkages between Acts that promote Integrated Watershed Management to enhance consistency and facilitate compliance.

E. Streamlining planning and permitting requirements and processes

Participant feedback expressed support to:

- Streamline planning and permitting requirements and processes to increase clarity and predictability for end-users (e.g., landowners, developers, non-profit partner organizations).
- Increase consistency on rules of engagement, performance standards and timelines (aligned with the Planning Act).

Participant feedback highlighted the following considerations:

- Consider pre-consultation meetings and/or checklists; these have worked well in municipal planning processes.
- Collaborate with municipalities to identify what constitutes a complete application.
- Establish universal timelines for permit reviews with municipalities.
- Update guidance documents to help streamline processes (e.g., flood line mapping).
- Update administrative processes and procedures to improve CA efficiencies.
- Promote the management of natural resources on a watershed basis; this requires collaboration and partnerships between the province, municipalities and CAs with input from the public and stakeholders.
- Consider a triage approach for fast tracking urgent applications (e.g., emergency works).

Priority #3: Improving Collaboration and Engagement

Overall key themes/issues:

- Concern that the potential actions in this priority area do not reflect the fundamental issues affecting CAs.
- Support to establish a “one-window”, with clear expectations for provincial, municipal and CA roles and responsibilities.
- Support Conservation Ontario’s efforts to provide more strategic and policy direction, with dedicated funding.
- Provide more guidance and resources (e.g., funding) to CAs to enhance First Nations engagement in CA processes.
- Include IWM in the Act to as an approach to promote partnerships and relationship building (i.e., consultation should be included in the development of integrated watershed plans).
- Promote two-way dialogue with a broad spectrum of stakeholders, particularly landowners and farmers, through a variety of mechanisms (e.g., committees, online participation).
- Provide funding to support collaboration and engagement.

A. Establishing a provincial “one-window”

Participants expressed support to enhance communication and coordination with the province and CAs.

Participant feedback raised the following concerns and/or issues:

- Concern about the effectiveness of a “one-window” approach; there is a need to clarify roles and responsibilities at each legislative/planning layer to ensure the approach streamlines the current planning and approvals process.
- Concern about “silos” at the provincial level and the need for multi-ministry alignment and integration.

Participant feedback highlighted the following considerations:

- Bring provincial ministries together to address challenges facing the development community regarding permitting issues.
- Require MOUs to ensure the “one-window” approach is clear to all parties involved.

B. Establishing a business relationship with Conservation Ontario

Participants expressed support for Conservation Ontario (CO), with dedicated provincial funding, to provide strategic direction and planning policy coordination. CO could provide a coordinated service on behalf of the province, tied to CA MOUs. CO could also provide more comprehensive training for conservation authorities.

Participants (some) raised concerns that there is no oversight of Conservation Ontario.

C. Enhancing Indigenous Peoples’ participation

Participant feedback raised the following concerns and/or issues:

- Concern that there is a lack of funding provided to CAs to conduct engagement with Indigenous Peoples.
- Concern that there are challenges in engaging Indigenous Peoples (no examples were provided), requiring a more thoughtful process.
- Do not legislate the duty to consult with Indigenous Peoples to municipalities or CAs. There is a unique process and timeframe required; First Nations groups have different needs and preferences for participation.

Participant feedback highlighted the following considerations:

- Create opportunities for Indigenous Peoples to serve on CA boards; this is welcomed by CAs.
- Note that First Nations advisory committees are working well in some areas.
- Provide guidance on how to engage Indigenous Peoples.

D. Enhancing public and stakeholder participation

Participant feedback expressed support to:

- Increase stakeholder representation in CA decision-making processes (specifically the agricultural sector).
- Establish agriculture advisory committees for CAs.

Participant feedback raised the following concerns and/or issues:

- Concern that meaningful engagement with landowners is not taking place consistently across the province.
- Concern that there is a lack of appreciation of agricultural goods and services provided by farmers.
- Note that farmers are experiencing engagement fatigue.
- Concern that there is no mention of IWM; it is a critically important approach and tool to promote partnerships and relationship building.
- Enhance two-way dialogue with stakeholders (e.g., instead of education).

Participant feedback highlighted the following considerations:

- Include engagement activities in process improvements and guidelines, not in the Act.
- Ensure a broad spectrum of stakeholders (e.g., landowners, farmers) is represented/consulted in CA decision-making processes.
- Consider a mechanism to address complaints regarding CAs.
- Inform CA board decisions through proactive discussions with multiple stakeholders; this will improve transparency.
- Note that the development of integrated watershed plans should include consultation as part of the process to identify priorities.
- Consider mandatory requirements for public meetings if there are changes that impact landowners.
- Improve relationship building through ancillary means (e.g., engagement and information sharing can be made more effective by using technology to live-stream meetings, etc.)
- It is important that landowners are informed of significant natural features (e.g., wetlands) located on their properties.
- Consider a Conservation Authority Liaison Committee to improve harmonization.

E. Supporting CAs in sharing and coordinating resources

Participant feedback highlighted the following considerations:

- Consider the need for additional funding to support collaboration and engagement (e.g., staff, financial resources).

- Note that many CAs already share best management practices and resources; there is no need to set prescriptive guidance.
- Promote partnerships and relationship building between CAs, municipalities and the province.
- Promote service level agreements between CAs and municipalities to coordinate the sharing of resources.
- Strengthen partnerships with non-profit organizations.

Priority #4: Modernizing Funding Mechanisms

Overall key themes/issues:

- Increase and diversify provincial funding to CAs to support the implementation of conservation programs and services (e.g., provincial cap and trade system).
- Concern that the present funding model creates a conflict of interest between CAs and municipalities.
- Consider a funding formula to equalize funding between CAs (based on population, programming, species at risk, watershed characteristics, etc.) paid by the province.
- Include levies for CA programs and services as a separate line item on municipal tax bills.
- Promote the establishment of fees through a collaborative process to ensure they are clear and predictable.
- Establish a mechanism to mediate disputes regarding fees (e.g., appeal to a third-party such as the OMB).
- Establish a mechanism for CAs to capture funds from compliance and enforcement activities (e.g., penalties, legal processes).
- Increase funding to CO to enhance capacity, consistency and transparency.

A. Enhancing clarity, consistency and accountability around municipal levies

Participant feedback raised the following concerns and/or issues:

- Concern that the present funding model creates a conflict of interest between CAs and municipalities (and limits opportunities for CAs to disagree with municipalities); the province should provide funding.
- Concern about the varying ability of different municipalities, particularly smaller or rural municipalities, to provide funding and the impact to CA programs and services.
- Concern that the varying levels of financial resources available to CAs throughout the province contributes to inconsistent program delivery and implementation of CA Act regulations.

Participant feedback highlighted the following considerations:

- Note that some CAs have good relationships with the municipalities in their watersheds; there is no need to include prescriptive language regarding this potential action.
- Provide direction to encourage CA and municipal collaboration (where it is needed).

- Consider a funding formula to equalize funding between CAs (based on population, programming, species at risk, watershed characteristics, etc.) paid by the province.
- Include levies for CA programs and services as a separate line item on municipal tax bills (e.g., comparable to water rates).
- Do not define eligibility criteria for municipal levies within the Act.
- Establish a working group with the Association of Municipalities of Ontario (AMO) regarding funding; the current budgeting process is not adequate.
- Consider the other models for funding to address the disparity of CA resources (e.g., Ontario Municipal Partnership Fund).

B. Promoting clarity, consistency and accountability around fees and generated revenue

Participants expressed support to enhance accountability around fees and generated revenue (e.g., report on how/where funds used).

Participants raised concerns about the exclusion of other revenue generating mechanisms in the proposed actions; existing mechanisms to generate revenue (e.g., the delivery of recreational programs and services) should be maintained, and new ones considered.

Participant feedback highlighted the following considerations:

- Undertake an evidence-based review of fees (e.g., similar to the study completed on development charges).
- Consider the need to standardize fees; CO could facilitate this, but would require financial support from the province.
- Promote collaborative fee setting but recognize that there are many CAs who already do this.
- Encourage regular communication and collaboration on fees (e.g., liaison committee, bi-annual meetings with stakeholders).
- Ensure the fee structure is clear and predictable.
- Educate stakeholders to convey that fees vary for multiple reasons (e.g., reflect internal capacity and capabilities, complexity, etc.).
- Establish a minimum standard of service delivery for CAs; some flexibility is needed to recognize the capabilities of different CAs.
- Establish a mechanism to mediate disputes regarding fees (e.g., appeal to a third-party such as the OMB).
- Ensure the language regarding fees in the Act is defensible.
- Establish a mechanism for CAs to capture funds from compliance and enforcement activities (e.g., penalties, legal processes).
- Consider the opportunity for CAs to release conservation land with marginal natural heritage benefits for other uses; the resources spent to maintain these lands could be re-deployed elsewhere.

C. Improving fiscal oversight and transparency

Participants are concerned that CA roles and responsibilities are expanding without a parallel increase in funding.

Participant feedback highlighted the following considerations:

- Ensure funding is tied to programs and services to enhance accountability.
- Provide funding through CO to enhance capacity, consistency and transparency.
- Provide support to publicly share financial statements.
- Note that CAs support the need to be fiscally accountable, however staff time should not be scrutinized.
- Consider increasing the percentage of funding allocated for administrative responsibilities (e.g., grant writing, financial reporting, etc.); a considerable amount of staff time is spent on these duties.

D. Improving clarity in the use of provincial funding processes

Participant feedback raised the following concerns and/or issues:

- Concern about the historical decrease of provincial funding.
- Concern about the requirement to reapply for certain grants annually; this is an administrative burden for many CAs.

Participant feedback highlighted the following considerations:

- Increase and diversify provincial funding to CAs to support the implementation of conservation programs and services (e.g., provincial cap and trade system).
- Increase provincial funding to support CO policy development and leadership.
- Facilitate access to federal funding for water management (e.g., Building Canada Fund).
- Link the natural heritage system to green infrastructure to access new funding streams.
- Establish eligibility criteria for Ontario Trillium grants.
- Restrict CA access to Ontario Trillium grants; they are a critical source of funding for non-profit organizations.
- Note that municipalities do not fund CAs, they levy on behalf of the province.
- Partner with post-secondary institutions to explore alternative funding mechanisms.
- Consider a mechanism for CAs to negotiate natural heritage benefits through new development (e.g., new access roads, riparian improvements, etc.).

Priority #5: Enhancing Flexibility for the Province

Overall key themes/issues:

- Supportive of developing or delegating additional programs and services to CAs as long they are appropriately funded.
- Include IWM as an approach to conservation in the Act to provide ongoing flexibility.
- Establish a multi-ministerial body to delegate programs and services to CAs or other bodies through a collaborative decision-making process.

A. Giving the Minister the authority to use the Act to develop additional natural resource conservation and management programs and services in the future throughout the province

Participants expressed support to give the Minister authority to use the Act to develop additional programs and services, recognizing that this enables the Minister to be more responsive to contemporary issues.

Participant feedback raised the following concerns and/or issues:

- Concern that this potential action will be misinterpreted as the province moves toward a “command and control” approach.

Participant feedback highlighted the following considerations:

- Clarify the intent of this potential action.
- Note that the Minister already has the flexibility to do this.

B. Giving the Minister the authority to formally delegate the delivery of current and additional natural resource conservation and management programs and services to conservation authorities in the future

Participants support this potential action in principle as long as any additional programs and services are delegated with funding.

Participants suggested establishing a multi-ministerial body to delegate additional programs and services through a collaborative decision-making process.

C. Giving the Minister the authority to formally delegate the delivery of current and additional natural resource conservation and management programs and services to other public bodies, not-for-profit organizations, municipalities and other Ministries

Participant feedback expressed support to delegate the delivery of programs and services to other bodies or organizations to eliminate duplication; this will increase capacity for other programs and services.

Participants raised concerns that regulated programs and services should not be delegated to other bodies; there was support to delegate education and outreach activities to other bodies.

Participant feedback highlighted the following considerations:

- Clarify the mandate of CAs; ensure stakeholders (e.g., landowners) have the opportunity to review the revised mandate.
- Note that it may be more appropriate for a multi-organizational body to delegate programs and services to other organizations.
- Provide funding to CAs to deliver programs and services.
- Delegate programs and services with funding to CAs first as there is a framework for delivery already in place.

D. Giving the Minister the authority to deliver additional natural resource conservation and management programs and services throughout the province

Actions C and D were discussed together; comments regarding this action were captured under the preceding Action C.

Other Actions to Consider

Overall key themes/issues:

- Consider the provision of orientation and training by CO, with assistances from CAs.
- Reinstate provincial presence on CA boards (to enhance the relationship between MNRF and CAs).

A. Reducing administrative burdens associated with appointing and replacing board members and obtaining approval of board per diems

Participants expressed support for the potential actions in this priority area.

Participant feedback highlighted the following considerations:

- There is a need to balance CA board composition to reduce political influence.
- Ensure representation on CA boards is reflective of watershed stakeholders (e.g., farmers).
- Consider an accreditation process to appoint members (e.g., university accreditation panels).
- Provide provincial guidance to help resolve issues and ensure adherence to policies.

B. Aligning board terms with the municipal elections cycle

Participants expressed support to align board terms with council terms.

Participants suggested that appointing CA board members should be undertaken in the same way members are appointed to other committees under the Municipal Act (i.e., eliminate the three-year term).

C. Developing an orientation and training program for board members

Participants expressed support to educate CA board members to enhance governance.

Participants expressed concerns that some CA boards function as a regulatory body.

Participant feedback highlighted the following considerations:

- Include natural heritage as a topic for orientation and training.
- Consider the provision of board member orientation and training by CO, with assistances from CAs; however this should not be mandatory.
- Share best practices through CO (e.g., orientation manuals).
- Reinstate provincial presence on CA boards (to enhance the relationship between MNRF and CAs).
- Consider an oath of office requirement for CA board members.

D. Developing a coordinated communications plan outlining any changes to conservation authority operations, programs and services from the review in partnership with municipalities and conservation authorities

Participants suggested providing CAs with guidance and/or training on outreach, consultation and managing controversial issues.

Additional Comments

- There is a strong need to align provincial policies (e.g., Drainage Act, Conservation Authorities Act), not just modify the Conservation Authorities Act, and address any inconsistencies in a holistic manner.

- Consider a land securement strategy for CAs.
- Recognize that government funding and support is aligned with the social service and health sector; there is a strong connection and alignment between environmental health and human health – this connection needs to be made as CA priorities are connected to environmental health and human health outcomes.
- Concern that the current view of the environment is too myopic – there is a tendency to focus on the environment from the lens of toxics and contaminants. There is a need to view the environment and the natural world as the foundation for healthy communities and healthy people. CAs already adopt this view. Organizationally particularly at the provincial level, the environment needs to be managed holistically.
- Recognize the need for planning based on the carrying capacity of a watershed.
- Concern that review of provincial legislation and supporting policies is being conducted on an ad hoc basis; there is a need for outcome specific directions and a general clean-up of provincial legislation overall.

Appendix A – Questions of Clarification

The following topics and themes were discussed after the overview presentation:

Conserving our Future (Document)

- Concern that the potential actions do not reflect the fundamental issues affecting CAs
- Concern that too much weight was placed on negative issues raised during the first round of consultations.

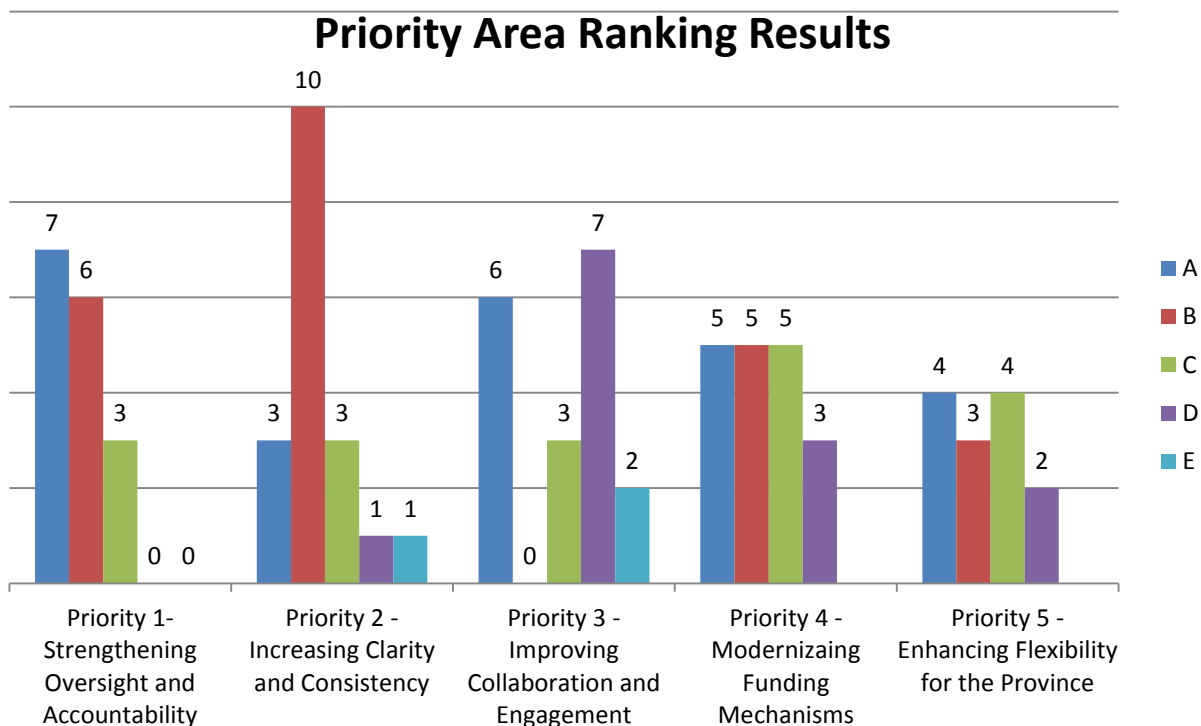
Priority Areas

- Clarify whether the potential actions include direction for a land securement strategy.
- Confirm the roles of elected board members.
- Establish a working group with the Association of Municipalities of Ontario (AMO) regarding funding; the current budgeting process is not adequate.
- Concern that feedback obtained during consultations will be influenced by the discussion questions; a bigger picture perspective is needed.
- Concern that the potential actions are a misguided attempt to reduce CA autonomy.
- Speak to the implications of the proposal to increase watershed planning presented during the current round of consultations on the Coordinated Review.
- Clarify who will lead the proposed one-window approach (e.g., province, CAs).
- Note that the Ministry of Natural Resources and Forestry and the Ministry of the Environment and Climate Change need to resume a leadership role (in terms of funding and resources).
- Review the opportunities and solutions that have emerged through academic research with respect to the role and function of CAs.
- Concern that the terms “natural heritage” and “natural resources” are defined and applied inconsistently.
- Consider a mechanism for municipalities to opt out of conservation programs.
- Consider the other provincial reviews that are currently underway (e.g., Coordinated Review, Aggregates Act Review); ensure that provincial legislation is aligned.
- Consider restoring the funding that was allocated to watershed and sub-watershed studies, which are being proposed in the Coordinated Review.
- Concern that the review focuses on processes and procedures instead of protecting and enhancing the natural environment; note that integrated watershed management (IWM) provides a comprehensive approach.
- Support the need for a clear purpose statement.
- Acknowledge that the ability of CAs to deliver programs and services varies based on available resources (e.g., funding, tools, staff, etc.), as demonstrated in the implementation of source water protection initiatives.
- Consider a mechanism for third party appeals.
- Consider a mechanism for landowners to ensure CAs are accountable.

- Support the priorities and potential actions proposed through this review.
- Ensure a broad spectrum of stakeholder interests (e.g., landowners) are considered in decision-making processes or the formation of a multi-body organization; there is a need for CAs to enhance current engagement and outreach efforts.
- Note that some CAs have a long history of working collaboratively with landowners; agree there is a need to resume the education and outreach that used to be done, and the funding to make it feasible.
- Ensure there is a clear delineation between Priorities 1 (Oversight and Accountability), 4 (Funding Mechanisms) and 5 (Flexibility); any delegated responsibilities must be funded.
- Consider how the potential actions work together to provide clarity and predictability for end-users (e.g., industry, landowners).
- Ensure the cost structure for permits is transparent (e.g., different prices for different applications).
- Concern about the priority areas and potential actions; the review should focus on how CAs can help realize provincial and municipal sustainability objectives.
- Note that the Conservation Authorities Act does provide direction for programming and is intended to be broad; do not introduce changes that would restrict the original vision of the act.
- Recognize that environmental outcomes are based in part on the attitudes and actions of landowners.
- Ensure CAs have the requisite tools and resources to translate policies into action.

Appendix B – Ranking Results

At the end of the session participants were asked to choose the most important potential action under each priority area. The results of this optional exercise are presented in the graph below. Note that some attendees did not participate in the ranking because they felt the potential actions do not reflect the fundamental issues affecting CAs. The results represent the number of attendees that chose to respond and do not represent a statistically significant sample. Twenty-Four (24) completed forms were received. The potential actions under each priority area are represented by the letters A to E in the graph below.



Additional comments

- Acknowledge integrated watershed management (IWM) as CA focus.
- Align provincial funding with CAs core mandate.
- Establish the purpose of the CAs in order to develop and implement an IWM program within their watersheds. The function and accountability, consistency, engagement and funding will follow.
- Establish a vision for CAs then set priorities from there. Implement IWM at the local level with strong provincial (i.e., inter-ministerial) policy and guidance.

- Disband Conservation Ontario (CO).
- Concern that the priorities and actions are not in line with the issues facing CAs (the ranking exercise is not valuable).
- Consult with municipalities and CAs regarding the potential actions in Priority #5.
- Amalgamate small CAs.
- Ensure CAs have qualified staff.
- Mandate stakeholder/landowner positions on each CA Board of Directors.
- Consider the need for creative discussion about a broad suite of funding approaches and mechanisms.
- Set the value of CAs (and IWM) within complete communities and a sustainable future; this is the first priority.
- Concern that the potential actions are too obscure to rank; the detailed proposals will be more important.
- Create a provincial based commission or committee that is multi-stakeholder.
- Increase provincial funding and accountability to eliminate conflict of interest.
- Note that all the priorities go hand in hand.
- Support training for CA board members.
- Consider the need for an ombudsman.
- Consider the mandate should focus on conservation or sustainability.

This summary of participant feedback has been prepared by Lura Consulting and Planning Solutions Inc. to provide the Ministry of Natural Resources and Forestry with the recurring themes and priorities raised by participants during the Sudbury session of the Conservation Authorities Act Review, Phase II. The feedback from each individual session will be used to compile a final engagement session report.

Introduction

The Ministry of Natural Resources and Forestry (MNRF) is undertaking a phased review of the Conservation Authorities Act. The intent of the review is to identify opportunities to improve the legislative, regulatory and policy framework that currently governs the creation, operation and activities of conservation authorities. In Phase I of the review, completed in 2015, MNRF led an extensive consultation process to engage stakeholders in a discussion about opportunities to improve the Conservation Authorities Act, which resulted in extensive feedback.

Based on the input received in Phase I of the review, MNRF has released the document, *Conserving Our Future: Proposed Priorities for Renewal*, that outlines a series of actions that could be taken under five proposed priority areas for improvement: (1) Strengthening Oversight and Accountability, (2) Increasing Clarity and Consistency, (3) Improving Collaboration and Engagement, (4) Modernizing Funding Mechanisms, and (5) Enhancing Flexibility for the Province. In June 2015, MNRF led a second round of consultations with a diversity of stakeholders to obtain input on the potential actions outlined within the five priority areas.

On June 15, 2016, the MNRF hosted a full-day workshop in Sudbury, 117 Elm Street as part of the Phase II consultation program. The purpose of the workshop was to provide an overview of the five priority areas for improving the Conservation Authorities Act. The workshop consisted of an overview plenary presentation with time for questions of clarification, followed by three rounds of facilitated small group discussions. The facilitated discussions were designed to encourage dialogue and obtain feedback on the five (5) priority areas for improving the Conservation Authorities Act.

A total of 12 individuals participated in the workshop, including participants from the following organizations:

- Nickel District CA
- Sault Ste. Marie Region CA
- North Bay-Mattawa CA
- Conservation Ontario
- Ontario Rivers Alliance
- Junction Creek Stewardship Committee Inc.
- Mattagami Region CA
- Ontario Federation of Agriculture

This report presents a summary of the comments and suggestions provided by participants during the workshop.

Summary of Participant Feedback

The summary of participant feedback is organized according to the five priority areas: (1) Strengthening Oversight and Accountability, (2) Increasing Clarity and Consistency, (3) Improving Collaboration and Engagement, (4) Modernizing Funding Mechanisms, and (5) Enhancing Flexibility for the Province. Each priority area contains a synopsis of the overall key themes and issues as well as specific feedback received through plenary discussions (see Appendix A) and completed discussion guides relating to each discussion question.

The following points highlight the recurring comments, concerns and/or advice which emerged from the Sudbury session.

- Include integrated watershed management (IWM) in the Act as the overarching approach to conservation.
- Recognize that the interface between CAs and municipalities is multifaceted.
- Recognize that CA roles and responsibilities have expanded beyond hazard management.
- Establish a multi-ministerial body to promote dialogue and collaborative decision-making regarding CA roles and responsibilities (i.e., enhance provincial partnership).
- Consider opportunities to effect positive change from a non-statutory lens (e.g., resource sharing).
- Find a balance between clarifying roles and responsibilities and ensuring CAs have the flexibility (and autonomy) to respond to the needs of their respective watersheds.
- Build on existing CA communication and education initiatives.
- Ensure a broad spectrum of stakeholder interests are represented and considered in CA processes.
- Increase and diversify funding sources to enable the delivery of CA programs and services.
- Ensure that new or additional programs and services are delegated with funding.
- Clarify the process to appoint (and remove) CA board members.
- Emphasize collaboration and partnership.

Priority #1: Strengthening Oversight and Accountability

Overall key themes/issues:

- Include integrated watershed management (IWM) in the Act as the overarching approach to conservation.
- Recognize that CA roles and responsibilities have expanded beyond hazard management.
- Concern that there is a conflict of interest between municipalities and CAs due to the current funding structure; the province should fund CAs.
- Clarify the role and responsibilities of municipalities in relation to CAs.
- Establish a multi-ministerial body to promote dialogue and collaborative decision-making regarding CA roles and responsibilities.

A. Updating the Act to reflect modern legislative structures and accountabilities

Participants expressed support to add a purpose statement to the Act.

Participant feedback highlighted the following considerations:

- Include integrated watershed management (IWM) in the Act as the approach to conservation.
- Recognize the range of CA roles and responsibilities (i.e., the core focus has expanded beyond hazard management). There are multiple provincial acts and policies that rely on CAs to implement them.
- Support outreach and education initiatives to increase awareness and accountability of CA roles and responsibilities.

B. Adopting and/or aligning with governance best management practices

Participants raised the need to establish a multi-ministerial body to oversee the multiples roles and responsibilities of CAs.

C. Enhancing provincial oversight

Participant feedback highlighted the following considerations:

- Provide CAs with assistance to ensure programs and services are delivered consistently (e.g., best practices, resources, etc.).

D. Enhancing municipal oversight

Participant feedback raised the following concerns and/or issues:

- Concern that enhancing municipal oversight will impact the ability of CAs to make critical decisions objectively (e.g., review permits, perform advisory function).

- Note that while many CAs carry out services per the Planning Act, they do not have planning agreements with municipalities.
- Remove this potential action; there should be no municipal oversight or direction of CAs.
- Concern that there is a conflict of interest between municipalities and CAs due to the current funding structure; the province should fund CAs.

Participant feedback highlighted the following considerations:

- Clarify the role and responsibilities of municipalities in relation to CAs, including fiduciary duties. Different municipal departments (e.g., planning, engineering, politicians) have different expectations of CAs which can be difficult to navigate.
- Note that CAs need to maintain a strong collaborative relationship with municipalities.
- Note that municipal oversight is important; CAs have to be accountable to municipalities as they provide funding through levies.
- Ensure municipal oversight allows flexibility of CA roles based on watershed needs.

E. Developing or adopting criteria for establishing, enlarging, amalgamating or dissolving a CA

Participant feedback highlighted the following considerations:

- Ensure the Ministry of Natural Resources and Forestry (MNRF) is properly resourced to follow through with any proposed actions to strengthen oversight and accountability.
- Concern that there is a disconnect between CAs (particularly smaller CAs) and MNRF (i.e., in terms of guidance and support).

Priority #2: Increasing Clarity and Consistency

Overall key themes/issues:

- Concern that CA roles and responsibilities are being expanded without the appropriate funding.
- Define IWM to establish an overarching framework for CAs.
- Find a balance between clarifying roles and responsibilities and ensuring CAs have the flexibility to respond to the needs of their respective watersheds.

A. Clearly delineate between mandatory and optional programs and services

Participants expressed support to delineate between mandatory and optional programs and services (to enhance consistency and certainty in their delivery).

B. Establishing a Provincial Policy Directive

Participants expressed the need to update provincial policies and guidelines to reflect contemporary issues facing CAs.

C. Providing clarity and consistency in CA's regulatory roles and responsibilities

Participants are concerned that CA roles and responsibilities are being expanded without the appropriate funding.

Participant feedback highlighted the following considerations:

- Note that clarifying definitions and terminology can be addressed through the Act or supporting regulations, while most of the other potential actions can be implemented through responsive policies or enabling provisions.
- Clarify the following terms and definitions: watercourse, conservation land, wetlands.
- Note that all the potential actions under this priority are important.
- Support the provision of ongoing training (i.e., non-regulatory actions) to enhance consistency.
- Define IWM to establish an overarching framework for CAs.
- Find a balance between clarifying roles and responsibilities and ensuring CAs have the flexibility to respond to the needs of their respective watersheds.

D. Enhancing compliance and enforcement of regulatory requirements

No comments specific to this potential action were received.

E. Streamlining planning and permitting requirements and processes

Participants expressed support to establish a streamlined approach for planning and permitting requirements, as long it recognizes the need for flexibility (i.e., one size fits all is not appropriate).

Participant feedback raised the following concerns and/or issues:

- Concern that streamlining will eliminate safeguards that are currently in place. A risk-based approach should be based on a comprehensive approach to conservation.

Participant feedback highlighted the following considerations:

- Establish a risk-based approach that is common to all CAs, particularly staff who make decisions.
- Provide enabling tools to guide and define CA decision-making (e.g., communication tools, MNRF permit by regulation).
- Identify where known wetlands are to better communicate regulated areas during land transfer processes.
- Ensure information is readily accessible to the public and on the internet (i.e., a different business model based on openness and transparency that is resourced).

Priority #3: Improving Collaboration and Engagement

Overall key themes/issues:

- Note that the five priority areas are not mutually exclusive.
- Establish a business relationship with Conservation Ontario.
- Provide funding to coordinate resource sharing (e.g., databases).
- Ensure a broad spectrum of stakeholder interests are represented and considered in CA processes.

A. Establishing a provincial “one-window”

Participants are concerned that changes in provincial or municipal support (i.e., staffing, funding, etc.) will impact the “one-window” approach.

B. Establishing a business relationship with Conservation Ontario

Participants expressed support to establish a business relationship with Conservation Ontario (CO), particularly to coordinate resources among CAs (e.g., training, best practices, templates). It was noted that this already takes place but is not applied consistently in practice as more funding is needed for implementation.

Participant feedback highlighted the following considerations:

- Strengthen collaboration between MNRF, CO and CAs.
- Provide funding to establish a central repository of CA resources.

C. Enhancing Indigenous Peoples participation

Participants expressed support to enhance indigenous participation.

D. Enhancing public and stakeholder participation

Participants are concerned that different stakeholder perspectives are not voiced often; different perspectives can enlighten the discussion and should not be confused with being non-compliant.

Participant feedback highlighted the following considerations:

- Ensure CA board members represent a diversity of interests.
- Provide funding for the educational programming that CAs provide; it is an essential component of collaboration and engagement.
- Note that some CAs are very good at engaging stakeholders and the public (e.g., committees, advisory groups, etc.).

E. Supporting CAs in sharing and coordinating resources

Participant feedback highlighted the following considerations:

- Note that partnerships can increase capacity and flexibility for CAs, particularly from a community perspective (e.g., collect data, etc. with minimal funding).
- Provide funding to establish a resource database of studies, data, etc. that is available to the public.

Priority #4: Modernizing Funding Mechanisms

Overall key themes/issues:

- Provide CAs with the leverage to ask municipalities for more funding.
- Concern about the conflict of interest between municipalities and CAs due to the current funding structure; the province should fund CAs.

A. Enhancing clarity, consistency and accountability around municipal levies

Participants expressed support for the need to define costs in municipal levies.

Participants noted that it is not clear whether reviewing apportionment is valuable as it will be difficult to do so.

Participant feedback highlighted the following considerations:

- Note that there is already significant consultation between some CAs and municipalities before the CA budget is voted on.
- Provide CAs with the leverage to ask municipalities for more funding.
- Enhance communication and education to realize the potential actions listed here.

B. Promoting clarity, consistency and accountability around fees and generated revenue

Participants noted that fees vary by watershed to reflect local needs. Reconvening the CALC table should be considered as a non-regulatory change.

C. Improving fiscal oversight and transparency

Participants expressed support to clarify the role of municipalities in overseeing CA budget processes if the intent is to educate (as opposed to a change in the budget process).

Some participants are concerned about the conflict of interest between municipalities and CAs due to the current funding structure; the province should fund CAs. It was noted that CAs exist at the request

of their municipalities, and while it essential to ensure CAs can make decisions objectively there is an underlying relationship between municipalities and CAs that cannot be severed.

Participant feedback highlighted the following considerations:

- Consider the need to provide funding based on the value (for money) of CA programs and services.
- Build on existing communication and education efforts to broaden awareness of the benefits of CA programs and services.
- Create a reporting template for financial reporting.

D. Improving clarity in the use of provincial funding processes

One participant explained that municipal representatives sit on CA boards that can provide clarity regarding eligibility criteria. Increase awareness to ensure this is universally known.

Priority #5: Enhancing Flexibility for the Province

Overall key themes/issues:

- Ensure that new or additional programs and services are delegated with funding.

A. Giving the Minister the authority to use the Act to develop additional natural resource conservation and management programs and services in the future throughout the province

B. Giving the Minister the authority to formally delegate the delivery of current and additional natural resource conservation and management programs and services to conservation authorities in the future

Participants suggested combining the first two potential actions under this priority area. They noted that new or additional programs and services should be delegated with funding.

Participants raised the need to ensure delegated programs and services are implemented (i.e., accountability mechanisms for reporting outcomes and auditing, MOUs).

C. Giving the Minister the authority to formally delegate the delivery of current and additional natural resource conservation and management programs and services to other public bodies, not-for-profit organizations, municipalities and other Ministries

D. Giving the Minister the authority to deliver additional natural resource conservation and management programs and services throughout the province

Participants expressed support for this potential action as it would enable the consistent delivery of CA programs and services outside CA boundaries by MNRF or another organization.

Participants suggested delegating programs and services to other bodies through other legislation.

Other Actions to Consider

Overall key themes/issues:

- Clarify the process to appoint (and remove) CA board members.

A. Reducing administrative burdens associated with appointing and replacing board members and obtaining approval of board per diems

Participant feedback highlighted the following considerations:

- Clarify the process to appoint (and remove) CA board members; this could be included in a regulation.
- Consider a mechanism (at the municipal level) to remove CA board members.
- Clarify who is responsible for approving CA board per diems. Some municipalities permit them while others do not.
- Consider a code of conduct for CA board members (including non-politicians).

B. Aligning board terms with the municipal elections cycle

No comments specific to this potential action were received.

C. Developing an orientation and training program for board members

Participants noted that that board members need to be educated and informed (i.e., provide training where needed).

D. Developing a coordinated communications plan outlining any changes to conservation authority operations, programs and services resulting from the review in partnership with municipalities and conservation authorities

No comments specific to this potential action were received.

Additional Comments

- Concern that the CA Act review is not focusing on what CAs are doing well. There are also other CA roles and responsibilities that need to be captured (e.g., low impact development, Great Lakes Initiative, etc.). The legislation should empower CAs help the province meet its objectives (i.e. enabling change).

Appendix A – Questions of Clarification

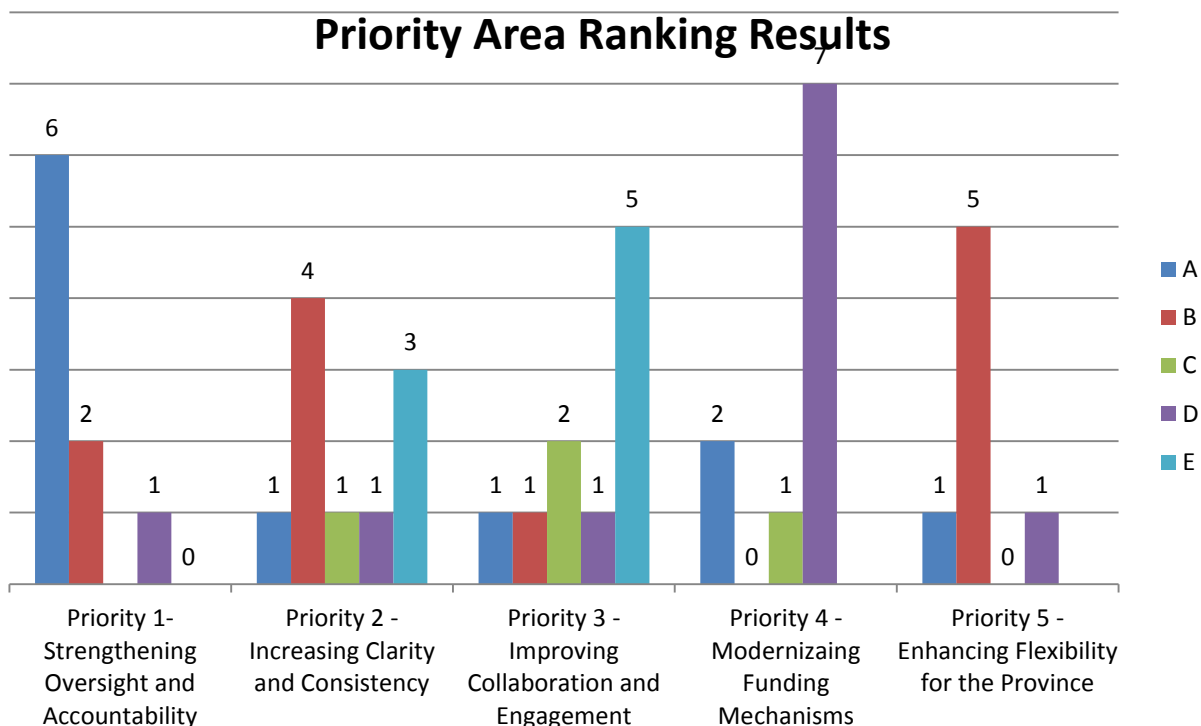
The following topics and themes were discussed after the overview presentation:

Priority Areas

- Clarify the intent of the potential actions under Priority #5.
- Concern that the potential actions under Priority #5 could be used to reduce or expand CA roles and responsibilities unilaterally.
- Note that CAs can only legally operate within their watershed boundaries; some CAs have had to decline programs and services outside their watershed boundaries for this reason. This is an important opportunity to address this gap as it is more likely to occur in Northern Ontario.
- Concern that there is a conflict of interest between municipalities and CAs due to the current funding structure (i.e., CAs carrying out municipal interests, CAs treated as municipal department).
- Note that CAs require flexibility and autonomy (from municipalities) to deliver programs and services based on their watershed needs.
- Ensure CA Act legislation recognizes the different capabilities across CAs. There may be opportunities for some CAs to share resources, but the full spectrum of implications should be considered (i.e., CAs with large watersheds and small staff, instances where best practices are not transferrable as in Northern Ontario).
- Note that there are trade-offs in terms of CA autonomy and independence when it comes to sharing resources (e.g., office space) with municipalities.
- Consider the opportunities and gaps not captured in the priority areas and potential actions.
- Concern that an increase in CA autonomy will lead to the inconsistent application of provincial policies and regulations, particularly in Northern Ontario. CAs and municipalities should operate collaboratively (this would be beneficial from an agricultural perspective).

Appendix B – Ranking Results

At the end of the session participants were asked to choose the most important potential action under each priority area. The results of this optional exercise are presented in the graph below. Note that some attendees did not participate in the ranking because they felt the potential actions do not reflect the fundamental issues affecting CAs. The results represent the number of attendees that chose to respond and do not represent a statistically significant sample. Ten (10) completed forms were received. The potential actions under each priority area are represented by the letters A to E in the graph below.



Additional comments

- Increase provincial funding to meet the mandate requirements of the provincial government.
- Empower CAs with a motherhood statement as a precursor to the Act – as the leaders of integrated watershed management (IWM) and all the provincial goals that can be achieved (e.g., climate change, wetland policy, etc.).
- Prioritize funding to CAs.
- Address core issues before contemplating flexibility.
- Resource everything.
- Note that municipalities should not have more oversight or be allowed to provide more direction.

- Strengthen CA capacity to enforce compliance.
- Enhance data sharing and collaboration with relevant community partners.
- Recognize that funding for large CAs with a small tax base (e.g., Conservation Sudbury) is inadequate to support a broad/comprehensive range of programs.

From: [Finn, Michele](#)
To: ["brant@brant.ca"](#); ["lwolfe@brantford.ca"](#); ["mono@townofmono.com"](#); ["info@orangeville.ca"](#); ["jtelfer@shelburne.ca"](#); ["township@amaranth-eastgary.ca"](#); ["township@amaranth-eastgary.ca"](#); ["info@melancthontownship.ca"](#); ["info@mulmur.ca"](#); ["mail@townofgrandvalley.ca"](#); ["info@dufferincounty.ca"](#); ["service@oshawa.ca"](#); ["clerks@pickering.ca"](#); ["cfleming@clarington.net"](#); ["info@durham.ca"](#); ["martin_derond@ajax.ca"](#); ["cassels@whitby.ca"](#); ["brock@townshipofbrock.ca"](#); ["mail@scugog.ca"](#); ["info@town.uxbridge.on.ca"](#); ["info@haldimandcounty.ca"](#); ["info@hamilton.ca"](#); ["info@kawarthalakes.on.ca"](#); ["info@niagarafalls.ca"](#); ["webadmin@portcolborne.ca"](#); ["clerks@stcatharines.ca"](#); ["clerk@thorold.com"](#); ["clerk@welland.ca"](#); ["ralph.walton@niagararegion.ca"](#); ["generalinquiries@lincoln.ca"](#); ["lbubanko@forterie.on.ca"](#); ["Administration-Office-General@grimsby.ca"](#); ["hdowd@notl.org"](#); ["clerks@pelham.ca"](#); ["ssmith@wainfleet.ca"](#); ["reception@westlincoln.com"](#); ["ritchiec@northumberlandcounty.ca"](#); ["general@brighton.ca"](#); ["admin@porthope.ca"](#); ["info@trenchills.ca"](#); ["webmaster@cobourg.ca"](#); ["alnhald@alnhaldimand.ca"](#); ["clerk@cramahetownship.ca"](#); ["info@hamiltontownship.ca"](#); ["cityhall@brampton.ca"](#); ["public.info@mississauga.ca"](#); ["info@peelregion.ca"](#); ["info@caledon.ca"](#); ["cityptbo@peterborough.ca"](#); ["info@trentlakes.ca"](#); ["bbonisteel@asphodelnorwood.com"](#); ["services@cavanmonaghan.net"](#); ["info@dourodummer.on.ca"](#); ["havbelmet@hbmtwp.ca"](#); ["c.parent@northkawartha.on.ca"](#); ["info@osmtownship.ca"](#); ["twpsel@nexicom.net"](#); ["cityinfo@barrie.ca"](#); ["corporate@orillia.ca"](#); ["info@simcoe.ca"](#); ["rmurphy@townofbwg.com"](#); ["townhall@collingwood.ca"](#); ["inquiry@innisfil.ca"](#); ["admin@midland.ca"](#); ["clerk@newtecumseth.ca"](#); ["hbryce@penetanguishene.ca"](#); ["clerk@wasagabeach.com"](#); ["lkeenan@townshipaditos.on.ca"](#); ["pfettes@clearview.ca"](#); ["bsander@essatownship.on.ca"](#); ["info@oro-medonte.ca"](#); ["ramara@ramara.ca"](#); ["hsander@townshipofsevern.com"](#); ["info@springwater.ca"](#); ["taytownship@tay.ca"](#); ["dluker@tiny.ca"](#); ["accesstoronto@toronto.ca"](#); ["questions@cambridge.ca"](#); ["christine.tarling@kitchener.ca"](#); ["sgreatrix@waterloo.ca"](#); ["wkaren@regionofwaterloo.ca"](#); ["info@wellesley.ca"](#); ["info@wilmot.ca"](#); ["woolwich.mail@woolwich.ca"](#); ["info@guelph.ca"](#); ["donnab@wellington.ca"](#); ["info@erin.ca"](#); ["minto@town.minto.on.ca"](#); ["kokane@centrewellington.ca"](#); ["general@get.on.ca"](#); ["reception@mapleton.ca"](#); [Admin](#); ["township@wellington-north.com"](#); ["customerservice@markham.ca"](#); ["clerks@vaughan.ca"](#); ["accessyork@york.ca"](#); ["info@aurora.ca"](#); ["town@eastwillimbury.ca"](#); ["info@georgina.ca"](#); ["info@newmarket.ca"](#); ["clerks@richmondhill.ca"](#); ["isabel.leung@townofws.ca"](#); ["online@king.ca"](#); ["inquiries@norfolkcounty.ca"](#)
Cc: [McCarthy, Sheila](#); [Milne, Graham](#)
Subject: Halton Region Correspondence: LPS106-16 - Supplementary Report - Coordinated Provincial Plan Review
Date: September-27-16 10:47:19 AM
Attachments: [Halton Region Correspondence - LPS106-16 - Supplementary Report - Coordinated Provincial Plan Review.pdf](#)

Please find attached a copy of the above-noted Council resolution.

Sincerely,

Michele Finn

Michele Finn

Committee Assistant

Office of the Regional Clerk
 Legislative & Planning Services
Halton Region

905-825-6000, ext. 7747 | 1-866-442-5866



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Thank you



Legislative & Planning Services
Department
Office of the Regional Clerk
1151 Bronte Road
Oakville ON L6M 3L1

VIA EMAIL

September 19, 2016

Ministry of Municipal Affairs, Cindy Tan
Ministry of Natural Resources and Forestry, Ala Boyd
Eleanor McMahon, MPP, Burlington
Indira Naidoo-Harris, MPP, Halton
Kevin Flynn, MPP, Oakville
Ted Arnott, MPP, Wellington-Halton Hills
Niagara Escarpment Commission, Kim Peters
City of Burlington, Angela Morgan
Town of Halton Hills, Suzanne Jones
Town of Milton, Troy McHarg
Town of Oakville, Vicki Tytaneck
Association of Municipalities of Ontario, Pat Vanini
All Municipalities within the Greater Golden Horseshoe Growth Plan

Please be advised that at its meeting held Wednesday, September 14, 2016, the Council of the Regional Municipality of Halton adopted the following resolution:

RESOLUTION: LPS106-16 - Supplementary Report - Coordinated Provincial Plan Review

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.

Included please find a copy of Report No. LPS106-16 for your information.

If you have any questions please contact me at extension 7110 or the e-mail address below.

A handwritten signature in blue ink, appearing to read 'G. Milne', enclosed within a faint, light blue circular stamp.

Graham Milne
Deputy Clerk and Supervisor of
Council & Committee Services
graham.milne@halton.ca



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
Planning Official



Mark G. Meneray
Chief 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
Tel. # 7208
Tel. # 7987

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
Planning Official



Mark G. Meneray
Chief 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
Tel. # 7208
Tel. # 7987

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)

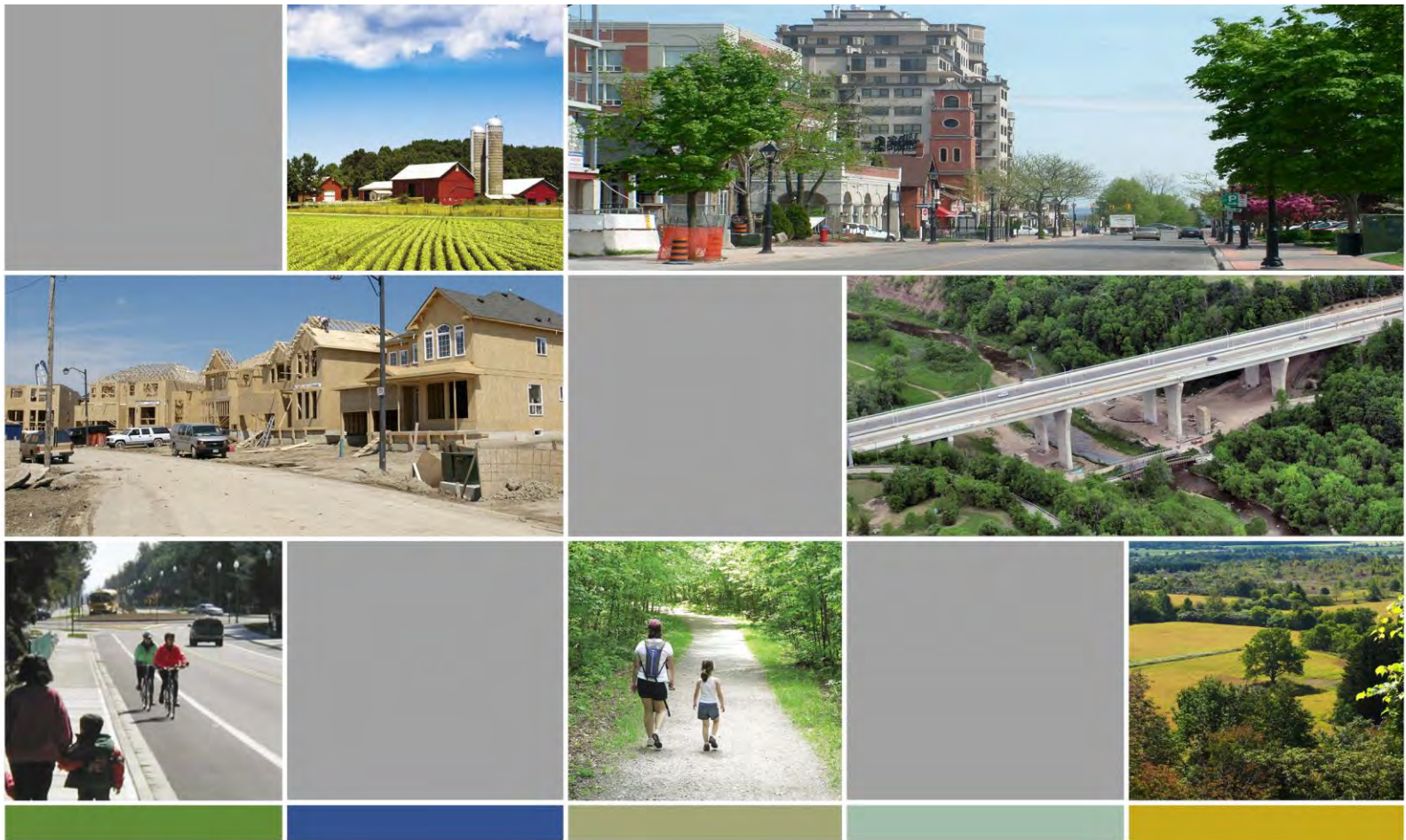
Halton Area Planning Partnership (HAPP)

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,

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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>Terminology and definitions should be consistent between the Growth Plan, the Greenbelt Plan, the Niagara Escarpment Plan and the Provincial Policy Statement.</p> <p>Growth Plan policies and the population and employment forecasts found in Schedule 3 must be updated together.</p> <p>Timing between the Growth Plan, the Big Move and other Provincial plans should be aligned.</p>

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Proposed Growth Plan	HAPP Comments	Recommendations or Improvement
<p>2. Provincial Funding</p>	<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>Municipalities require funding to incentivize intensification and build the infrastructure to support it (including transit).</p> <p>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.</p>
<p>3. Transitioning to the Intensification and Density Targets</p>	<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>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.</p> <p>The Growth Plan should include a new term and definition for the developed portions of the DGA.</p> <p>The intensification target should be measured across Halton, from 2031 to 2041.</p>

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Proposed Growth Plan	HAPP Comments	Recommendations or Improvement
<p>4. Agriculture, Agricultural System and Agricultural Support Network</p>	<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>HAPP members would appreciate more information on how municipalities can bolster the economic, community and social supports in the agricultural community.</p> <p>Terms such as "regional agricultural infrastructure" must be defined to provide clarity for municipalities and other stakeholders.</p>
<p>5. Guidelines, Impact Assessments, Performance Indicators and Identification Criteria</p>	<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>HAPP members expect a full consultation process on the materials prepared by the Province to assist in the</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>implementation of the Growth Plan.</p> <p>The Growth Plan should defer to local, detailed, mapping and data where it exists.</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.	The land needs assessment must consider municipal positions and / or Official Plans and recognize that Greater Golden Horseshoe municipalities are at different stages in

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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>their development.</p> <p>Provincial ministries must conform with the Growth Plan in order to implement it.</p> <p>All Provincial ministries must support the Growth Plan through capital investment, timely reviews of plans and collaboration.</p> <p>Municipalities should not be forced to bear the fiscal burden of defending Growth Plan conformity amendments to Official Plans at Ontario Municipal Board hearings.</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.	Municipalities need further guidance on implementing policies related to climate change net-zero communities.

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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"> 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>; 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; c) integrate and sustain the viability of transit services, where such services are planned or available; 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"> i. a range of transportation options, including options for the safe, comfortable and convenient use of <i>active transportation</i>; ii. a <i>compact built form</i> that reduces dependence on the automobile; iii. <i>public service facilities</i>, co-located and integrated in community hubs, that are accessible by <i>active transportation</i> and transit; iv. convenient access to local, healthy and affordable food options, including through urban agriculture; and 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, 	<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
	<p>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:</p>	<p>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).</p>
2.2.2 Built-up Areas		
	<p>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>.</p>	<p>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.</p> <p>Alternatively, the Province could provide transition policies to address the change in intensification targets.</p>
2.2.3 Urban Growth Centres	<p>2. <i>Urban growth centres</i> will be planned:</p> <ul style="list-style-type: none"> 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. 	<p>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.</p>
2.2.4 Transit Corridors and Station Areas	<p>1. <i>Priority transit corridors</i> will be delineated in official plans.</p>	<p>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.</p>

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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"> a) connections to local and regional transit services to support <i>transit service integration</i>; b) <i>infrastructure</i> to support <i>active transportation</i>, including sidewalks, bicycle lanes and secure bicycle parking; and c) commuter pick-up/drop-off areas. 	<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"> a) 200 residents and jobs combined per hectare for those that are served by subways; b) 160 residents and jobs combined per hectare for those that are served by light rail transit or bus rapid transit; or c) 150 residents and jobs combined per hectare for those that are served by express rail service on the GO Transit network. 	<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"> 1) the timeframes for implementation of the planning requirements; 2) the boundaries of the planning area that will be subject to the planning requirements; and 3) any additional requirements that may apply in relation to these areas. 	<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"> a) <i>natural heritage features and areas, natural heritage systems and floodplains</i>, provided <i>development</i> is prohibited in these areas; b) rights-of-way for: <ul style="list-style-type: none"> i. electricity transmission lines; ii. <i>energy transmission pipelines</i>; iii. <i>freeways</i>, as defined by and mapped as part of the Ontario Road Network; and iv. railways; and c) <i>prime employment areas</i> that have been designated in official plans in accordance with policy 2.2.5.5. 	<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"> a) there are existing or planned <i>infrastructure</i> and <i>public services facilities</i> to support proposed growth and the development of <i>complete communities</i>; b) the <i>infrastructure</i> and <i>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; 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; d) the proposed expansion aligns with a <i>stormwater master plan</i> or equivalent that has been completed in 	<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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	<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"> i. the lands do not comprise <i>specialty crop areas</i>; ii. there are no reasonable alternatives that avoid <i>prime agricultural areas</i>; and iii. there are no reasonable alternatives on lower priority agricultural lands in <i>prime agricultural areas</i>; <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"> i. the <i>settlement area</i> to be expanded is identified in the Greenbelt Plan as a Town/Village; ii. the proposed expansion would be modest in size; iii. the proposed expansion would be serviced by <i>municipal water and wastewater systems</i>; and iv. expansion into the Natural Heritage System that has been identified in the Greenbelt Plan is prohibited. 	

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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"> 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; 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"> i. will service only the growth allocated to the <i>settlement area</i> with the <i>urban growth centre</i>; and ii. has been approved under an environmental assessment; or c) the extension had all necessary approvals as of 	<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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	[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"> a) are informed by <i>watershed planning</i>; 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; c) incorporate appropriate <i>low impact development</i> and <i>green infrastructure</i>; d) identify the need for stormwater retrofits, where appropriate; 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 f) include an implementation and maintenance plan. 	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"> b) uses an integrated approach that includes <i>low impact development</i> and <i>green infrastructure</i> 	It is requested that this policy be revised: “...will be supported where appropriate ” – 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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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"> 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); b) a proposal for <i>development or site alteration</i> will demonstrate that: <ul style="list-style-type: none"> i. there will be no negative impacts on <i>key hydrologic features or key natural heritage features</i> and their functions; 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; 	<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>
<p>4.2.3 Key Hydrologic Features, Key Hydrologic Areas and Key Natural Heritage Features</p>	<p>1. <i>Development or site alteration</i> is not permitted in <i>key hydrologic features or key natural heritage features</i>, with the exception of:</p> <ul style="list-style-type: none"> a) forest, fish and wildlife management; 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; c) activities that create or maintain <i>infrastructure</i> authorized under an environmental assessment process; d) <i>mineral aggregate operations</i> and wayside pits and quarries; e) existing uses as of [placeholder for effective date], subject to the following criteria: 	<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"> 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 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 f) small scale structures for recreational uses, including boardwalks, footbridges, fences, docks and picnic facilities, if measures are taken to minimize negative impacts. 	
	<ul style="list-style-type: none"> 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"> a) in relation to <i>significant groundwater recharge areas</i>, 	<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>	
	<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.</p>	<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.</p>
<p>4.2.4 Lands Adjacent to Key Hydrologic Features and Key Natural Heritage Features</p>	<p>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.</p>	<p>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>
	<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>	<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.</p>
<p>4.2.6 Agricultural System</p>	<p>1. The Province will identify the <i>agricultural system</i> for</p>	<p>In municipalities where agricultural systems have been</p>

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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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	<ul style="list-style-type: none"> e) maintaining, improving and providing opportunities for agriculture-supportive <i>infrastructure</i> both on and off farms. 	
4.2.7 Cultural Heritage Resources	<ul style="list-style-type: none"> 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		
	<ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> 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>: <ul style="list-style-type: none"> i. <i>significant wetlands</i>; ii. <i>habitat of endangered species and threatened species</i>; and 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; 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: <ul style="list-style-type: none"> i. how the <i>water resource system</i> will be protected or enhanced; and 	

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	<ul style="list-style-type: none"> 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 c) any application for a new <i>mineral aggregate operation</i> will be required to demonstrate: <ul style="list-style-type: none"> 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>; 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 iii. how the <i>water resource system</i> will be protected or enhanced; 	<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"> a) any excess soil or fill is reused on-site or locally to the maximum extent possible; and 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. 	<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"> 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; b) develop greenhouse gas inventories for transportation, buildings, waste management and municipal operations; and 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. 	<p>inventories and in the determination of communities as ‘net-zero’.</p>

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5 Implementation and Interpretation		
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"> a) the <i>built boundary</i>; b) the size and location of the <i>urban growth centres</i>; c) a standard methodology for land needs assessment; d) <i>prime employment areas</i>, where necessary; and e) data standards for monitoring implementation of this Plan. 	<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"> a) <i>priority transit corridors</i> and planning requirements for <i>priority transit corridors</i>; b) mapping of the <i>agricultural system</i> for the <i>GGH</i> and related guidance; c) mapping of the <i>natural heritage system</i> for the <i>GGH</i>; and d) guidance on <i>watershed planning</i>. 	<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"> 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; b) identifying minimum density targets for <i>strategic growth areas</i> in accordance with this Plan; 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; d) allocating forecasted growth to the horizon of this Plan to the lower-tier municipalities; and e) providing policy direction on matters that cross municipal boundaries. 	
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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7 Definitions		
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.

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
	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 wetlands</u> and <u>significant ANSIs</u> 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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Numeric Reference	Policy Text	Comments
	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"> a) has sparse or patchy vegetation that is dominated by plants that are: <ul style="list-style-type: none"> i. adapted to severe drought and low nutrient levels; and ii. maintained by severe environmental limitations such as drought, low nutrient levels and periodic disturbances such as fire; b) has less than 25 per cent tree cover; c) has sandy soils (other than shorelines) exposed by natural erosion, depositional process or both; and 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. <p>(Proposed Greenbelt Plan, 2016)</p>	<p>It is recommended that the specific MNR 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"> 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; 	<p>It is recommended that the specific MNR 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 MNR's current 'evaluation procedure' for identifying these features</p>

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	<p>b) has from 25 per cent to 60 per cent tree cover;</p> <p>c) has mineral soils; and</p> <p>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.</p> <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> <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 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>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>

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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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Proposed Greenbelt Plan	HAPP Recommendations
Harmonization and Alignment Between Plans	<p>Consistency in the use, location and referencing of definitions of key terms in the Greenbelt Plan and the Growth Plan are requested.</p>
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>

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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>

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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, prime agricultural areas and rural lands</i>. The <i>Natural System</i> 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"> • Protects against the loss and fragmentation of the agricultural land base and supports agriculture as the predominant land use; • Gives permanent protection to the natural heritage and water resource systems that sustain ecological and human health and 	<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>

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	<p>that form the environmental framework around which major urbanization in south-central Ontario will be organized;</p> <ul style="list-style-type: none"> • Provides for a diverse range of economic and social activities associated with rural communities, agriculture, tourism, recreation and resource uses; and • Builds resilience to and mitigates climate change. 	
<p>1.2.2 Protected Countryside Goals</p>	<p>To enhance our urban and rural areas and overall quality of life by promoting the following matters within the Protected Countryside:</p>	<p>“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>
	<p>2. Environmental Protection</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>6. Climate Change</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>Section 1.0 – Introduction: 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, prime agricultural areas and 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 and 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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	<p>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.</p>	<p>It is recommended that this be revised to:</p> <p>“...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.”</p>
	<p>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>.</p> <p>Also described in this section are policies regarding parkland, open space and trails in the Greenbelt.</p>	<p>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.</p> <p>This policy is recommended to be revised to:</p> <p>“Hamlets or <u>Developed Shorelines</u>....”</p>
	<p>Section 6.0 – Urban River Valley Policies: 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.</p>	<p>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.</p>
<p>1.4.3 How to use this Plan</p>	<p>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.</p>	
	<p>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</p>	<p>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.</p> <p>The policy is recommended to be revised to:</p> <p>“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></p>

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	<p>Valley designation on Schedule 1. If so, the specific policies set out in section 6.0 for the designation apply.</p>	<p>and 6.0 for the designation apply.”</p>
	<p>2. 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 (3rd 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 3.1 , 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 or adjacent to the Urban River Valley designation on Schedule 1. If so, the specific policies set out in sections 3.2.6 and 6.0 for the designation apply.”

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3 Geographic Specific Policies in the Protected Countryside		
	<p>Prime agricultural areas, are those lands designated as such within official plans.</p> <p>Rural lands 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.	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. It is recommended that this be revised to: “...Agricultural Support Network be encouraged to be maintained and enhanced. “
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.	Clarification of the role and applicability of municipally developed guidelines and the ability of municipalities to be more restrictive than the province, are requested. Additionally, the finalization of the Draft Permitted Uses in Prime Agricultural Areas Guidelines is requested.
	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> .	This policy is too flexible to be implemented, including the use of “may be” and “generally discouraged”. 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. The application of a no negative impact standard for the introduction of a non-agricultural use would contribute to the quality of AIAs undertaken. It is recommended that municipalities be included in the development and review of proposed guidelines.
	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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	<p><i>assessment</i> should be considered.</p>	<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 Natural Heritage System 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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	<p>systems will comprise and function as a connected natural heritage system.</p>	
<p>3.2.2 Natural Heritage System Policies</p>	<p>For lands within the Natural Heritage System of the Protected Countryside the following policies shall apply:</p>	
	<p>3. New <i>development or 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, rivers and streams, including 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> <p>1. <i>Major development</i> may be permitted where it is demonstrated that:</p> <p>a) The hydrologic functions of these areas shall be protected and, where possible, improved or restored through;</p> <p>i. The identification of planning, design and construction practices and techniques; and</p> <p>ii. Meeting other criteria and direction set out in the <i>watershed or subwatershed plan</i>.</p>	<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>
	<p>5. A proposal for new <i>development or 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:</p>	<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, which identify a vegetation protection zone which:</p>
	<p>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:</p> <p>f) The municipality or other approval authority has also considered the following in relation to determining any potential impacts of the proposal:</p>	<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 (the Blue Urban River Valley Lines on Schedule 4) and connect the Greenbelt to inland <i>lakes</i> and the Great Lakes (the Green Dashed River Valley Connect Lines on 4), 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>	<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.</p>
3.3.2 Parkland, Open Space and Trail Policies		
	<p>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</p>	<p>It is recommended that a definition be provided for sensitive landscapes in this plan and the other provincial plans as appropriate.</p>
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 sensitive 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"> 1. <i>Settlement areas</i> outside the Greenbelt are not permitted to expand into the Greenbelt. 2. Municipalities shall incorporate policies in their official plans to facilitate the development of community hubs that: <ol style="list-style-type: none"> a) enable the co-location of public services to promote cost-effectiveness and service integration; b) facilitate access through locations served by a range of transportation options including <i>active transportation</i> and, where available, transit; c) give priority to existing <i>public service facilities</i> within settlement areas as the preferred location, where appropriate; and d) enable the adaptive reuse of existing facilities and 	<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"> 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>. 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. 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. 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"> a) Any excess soil or fill is re-used on-site or locally, to the maximum extent possible; 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. 	
<p>3.4.5 Additional Policies for Settlement Area Expansion</p>	<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"> 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: 	<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 or 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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	<p>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>.</p>	<p>not suggest that all forms of infrastructure be extended beyond settlement areas.</p>
<p>4.2.3 Stormwater Management and Resilient Infrastructure Policies</p>	<p>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:</p> <ol style="list-style-type: none"> 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>. 	<p>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.</p>
<p>4.3.2 Non-Renewable Resource Policies</p>	<p>For lands within the Protected Countryside, the following policies shall apply:</p>	
	<ol style="list-style-type: none"> 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. 	<p>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).</p>
	<ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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"> 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; 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 iii. How the Water Resource System will be protected or enhanced; and <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"> a) Rehabilitated area will be maximized and disturbed area minimized on an ongoing basis during the life-cycle of an operation; b) Progressive and final rehabilitation efforts will contribute to the goals of the Greenbelt Plan; 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 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>. 	<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 Plan and existing municipal and provincial policies.”</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"> 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; 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"> 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 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; 	<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"> 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; 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 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. 	<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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<p>4.4 Cultural Heritage Resources</p>	<p>For lands within the Protected Countryside, the following policies shall apply:</p> <ol style="list-style-type: none"> 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. 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. 	<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>
<p>4.6 Lot Creation</p>	<p>For lands falling within the Protected Countryside, the following policies shall apply:</p> <ol style="list-style-type: none"> 1. Lot creation is discouraged and may only be permitted for: <ol style="list-style-type: none"> 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; b) within the <i>specialty crop area</i> and <i>prime agricultural area</i>, <ol style="list-style-type: none"> 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 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; 	<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 <i>GGH</i>. 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><u>“...upper-tier and single-tier municipalities 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><u>“... provide planning policies to encourage and enhance the Agricultural Support Network...”</u></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"> • Providing supportive council resolutions; • Demonstrating how the proposed lands connect physically or functionally to the Greenbelt; and • 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. 	<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"> • Lands containing natural and hydrologic features, including coastal wetlands; and/or • Lands designated in official plans for uses such as parks, open space, recreation, conservation and environmental protection. 	<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’ 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 areas</i> 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” “...create a <u>continuous</u> productive land base...”</p>
Cultural Heritage	<i>Built heritage resources, cultural heritage landscapes</i> and	This definition should have the word “Means” at the beginning, to be

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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>

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		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"> a) Has sparse or patchy vegetation that is dominated by plants that are: <ul style="list-style-type: none"> i. Adapted to severe drought and low nutrient levels; and ii. Maintained by severe environmental limitations such as drought, low nutrient levels and periodic disturbances such as fire; b) Has less than 25 per cent tree cover; c) Has sandy soils (other than shorelines) exposed by natural erosion, depositional process or both; and <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"> 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; b) Has from 25 per cent to 60 per cent tree cover; c) Has mineral soils; and 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. 	<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>

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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

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	<p>agricultural purposes or no longer exhibits tallgrass prairie characteristics) that:</p> <ul style="list-style-type: none">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;b) Has less than 25 per cent tree cover;c) Has mineral soils; andd) 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>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
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& Chief Planning Official
Halton Region

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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"> - 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. - Agricultural areas also help contribute to the mitigation of climate change and can act as carbon sinks.
	<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"> - Provides food stability/security and economic development. - Provides local food and other commodities such as ornamentals (horticulture) nutraceuticals, fibre products, biomass, etc.
	<p><i>The Greenbelt Act, 2005</i> 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	<p>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>	<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>
	<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.</p>	<p>There needs to be a fuller explanation of what the Natural Heritage System is composed of.</p>
How to Read a Provincial Plan	<p>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.</p>	<p>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.</p>
How to Read this Plan	<p>Part 3: This section describes describes the Niagara Escarpment Parks and Open Space System.</p>	<p>Remove second “describes”.</p>

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:	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. 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.
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"> i. key natural heritage features and other natural features in accordance with Part 2.7 ii. key hydrologic features and areas in accordance with Part 2.6 iii. <i>cultural heritage resources</i> in accordance with Part 2.10 iv. <i>scenic resources</i> in accordance with Part 2.13 v. adjacent Escarpment Natural, Protection and Rural Areas vi. adjacent <i>Escarpment Related Landforms</i>, and vii. existing and Optimum Routes of the Bruce Trail <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> <p>a) change the numbering or ordering of the Niagara Escarpment Plan, provided sections are not added or deleted;</p> <p>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>;</p> <p>c) correct grammatical or typing errors that do not affect the intent of the Niagara Escarpment Plan's policies or Maps or Appendices;</p> <p>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;</p> <p>e) correct references to legislation or regulations in the Niagara Escarpment Plan where the legislation or regulations have been replaced or changed;</p> <p>f) change measurement to different units of measure in the Niagara Escarpment Plan provided the measurement remains the same;</p> <p>g) make a boundary interpretation where such an interpretation is made under Part 1.1 of the Niagara Escarpment Plan;</p> <p>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;</p> <p>i) change the Niagara Escarpment Parks and Open Space</p>	

	<p>System descriptions in Appendix 1 of the Niagara Escarpment Plan;</p> <ul style="list-style-type: none"> j) add properties to Appendix 3, the Residential Protected Heritage Properties Listing of the Niagara Escarpment Plan, in accordance with Part 2.10.5; 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; 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; 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; 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>; 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 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. 	<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	<p>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.</p>	<p>Please change to “To recognize, protect and enhance the...”.</p>
1.3.3 Permitted Use	<p>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>	<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>
	<p>7. <i>infrastructure</i> where the project has been deemed necessary to the public interest after all other alternatives have been considered;</p>	<p>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?</p>
	<p>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;</p>	<p>Examples aren’t necessary if the terms are defined.</p>
	<p>11. essential <i>watershed management</i> and flood and erosion control projects carried out or supervised by a <i>public agency</i>;</p>	<p>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.”</p>
	<p>12. limited expansion of the existing small sandstone <i>quarries</i> subject to Part 2.9;</p>	<p>What does “limited” mean? This seems open to interpretation. Also, the cumulative effects of successive expansions must be considered.</p>
	<p>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);</p>	<p>All site specific permitted uses should be listed after the general list of permitted uses.</p>

	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	<ol style="list-style-type: none"> 1. Provided no new building <i>lot(s)</i> is created, a severance may be permitted: <ol style="list-style-type: none"> a) for the purpose of <i>correcting conveyances</i>, provided the correction does not include the recreation of merged <i>lots</i>; b) for the purpose of enlarging existing <i>lots</i>; c) as part of, or following, the acquisition of lands by a <i>public body</i>; or 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>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 agreement</i> ;	and Growth Plan e.g. Built heritage resources (definition).
1.4.4 New lots	<ol style="list-style-type: none"> 1. Provided no new building <i>lot(s)</i> is created, a severance may be permitted: <ol style="list-style-type: none"> a) for the purpose of <i>correcting conveyances</i>, provided the correction does not include the recreation of merged lots; b) for the purpose of enlarging existing <i>lots</i>; c) as part of, or following, the acquisition of lands by a <i>public body</i>; or 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>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	<ol style="list-style-type: none"> 1. Provided no new building <i>lot(s)</i> is created, a severance may be permitted: <ol style="list-style-type: none"> a) for the purpose of <i>correcting conveyances</i>, provided the correction does not include the recreation of merged lots; b) for the purpose of enlarging existing lots; c) as part of, or following, the acquisition of lands by a public body; or 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>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"> a) the <i>protection</i> of the <i>Escarpment environment</i>; b) the <i>protection</i> of natural heritage features and functions; c) the <i>protection</i> of hydrologic features and functions; d) the <i>protection</i> of the agricultural lands, including <i>prime agricultural areas</i> and <i>specialty crop areas</i>; e) the <i>conservation of cultural heritage resources</i>; f) considerations for reductions in greenhouse gas emissions and improved resilience to the impacts of a changing climate; g) sustainable use of water resources for ecological and servicing needs; and 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. 	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"> 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; 2. Designed to be temporary and not to be utilized after extraction has ceased; and 3. Located in a manner that does not affect the final rehabilitation or enhancement of the site in accordance with an approved
	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, zoning by-law, or other planning approval</i> 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”

<p>2.2 General Development Criteria</p>	<p>1. Permitted uses may be allowed, provided that:</p> <ul style="list-style-type: none"> 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; b) the site is not prone to natural hazards, and the development will not impact the control of these natural hazards including <i>flooding hazards, erosion hazards, or other water-related hazards</i> and hazard events associated with unstable soil or unstable bedrock; 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 <i>building 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 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 <i>building 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, equestrian centres, and commercial, industrial, institutional, warehousing, office, manufacturing</i> and similar uses that may serve or be related to agriculture. 	<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"> a) maximizes energy efficiency and conservation and 	<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>
<p>Home Occupations and Home Industries</p>	<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> <ul style="list-style-type: none"> i. the use of a common driveway; and ii. the use of shared residential services where possible (e.g., septic system for domestic waste only, well, parking). <p>i) <i>Home occupations</i> and <i>home industries</i> shall:</p> <ul style="list-style-type: none"> i. be secondary to the primary residential or <i>agricultural use</i> on the lot; ii. be operated by residents of the <i>household</i> on the <i>lot</i>; and 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). <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>Secondary Dwelling Units</p>	<p>8. The following provisions apply to secondary <i>dwelling units</i>:</p> <ul style="list-style-type: none"> a) a single secondary <i>dwelling unit</i> may be permitted per <i>existing lot of record</i>; 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; 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>; 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>; 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>; 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 g) a <i>home occupation</i> or <i>home industry</i> shall not be permitted within a secondary <i>dwelling unit</i>. 	<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 “<i>Escarpment environment</i>” is problematic throughout the Plan. The definition for “<i>Escarpment environment</i>” 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 <i>Escarpment environment</i>, 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	<p>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).</p>	<p>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”?</p>
	<p>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>.</p>	<p>It is not clear what “minor in proportion” means.</p> <p>See comments above with respect to the use of the term “Escarpment environment” and “minimal negative impact”</p>
	<p>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.</p>	<p>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.</p> <p>See comments above with respect to the use of the term “Escarpment environment” and “minimal negative impact”</p>
Existing Waste Related Facilities	<p>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-related</i> 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:</p> <ul style="list-style-type: none"> a) recycling and/or compost facilities, serving the local community; b) temporary storage of household wastes (paint, etc.) serving the local community; 	<p>Subsection a) “small scale” should be left in and should be defined.</p>

	<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 polices 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"> a) the number, distribution and density of vacant <i>lots</i> in the area; b) the additional <i>lots</i> that may be created in conformity with the Plan; c) the consequences of the development of the <i>lots</i> with regard to the objectives of the designation; and d) providing for or protecting public access to the Niagara Escarpment, including the <i>Bruce Trail corridor</i>. 	<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"> 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; 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; 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 d) severance of existing dwelling shall not conflict with Part 2.4.17 a) below. <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"> 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; 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>; 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 	<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>
<p>Farm Consolidations, Surplus Residences and APO Lots</p>	<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"> a) the <i>lot</i> shall be limited to the minimum size needed to 	

	<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) - “...as defined in this plan...” not necessary if existing use is a defined term.</p>
<p>2.5 Development Affecting Steep Slopes and Ravines</p>	<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>

	<p>established by means of a site inspection by the <i>implementing authority</i>, and these lines will be plotted on proposed development plans.</p>	
	<p>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.</p>	<p>Based on a geotechnical assessment? Is there a minimum setback? Guidelines would be helpful.</p>
	<p>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>.</p>	<p>See comments above.</p>
<p>2.6 Development Affecting Water Resources</p>	<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"> • <i>permanent and intermittent streams</i>; • <i>lakes</i> (and their littoral zones); • <i>seepage areas and springs</i>; and <i>wetlands</i>. 	<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>
	<p>The following policies apply to key hydrologic features throughout the Niagara Escarpment Plan Area:</p>	<p>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>
	<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, provided negative impacts on the Escarpment environment will be minimal;</i></p> <p>c) <i>conservation and flood or erosion control projects, but only after all alternatives have been considered;</i></p> <p>d) <i>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 infrastructure, but only where the project has been deemed necessary to the public interest after all other alternatives have been considered.</i></p> <p>e) <i>Infrastructure, but only where the project has been deemed necessary to the public interest after all other alternatives have been considered.</i></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> <ul style="list-style-type: none"> i. 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; ii. 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 iii. key natural heritage features. <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"> i. natural features should be preserved; ii. temporary vegetation and/or mulching should be used to protect critical areas exposed during development; 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; iv. sediment control devices should be installed to remove sediment from run-off due to changed soil surface conditions during and after construction; and 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>. <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" In general, this section is confusing.
	1. Any development within the Escarpment Natural Area,	

	<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"> a) 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 b) 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. 	<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"> • <i>Wetlands</i> • <i>Habitat of endangered species and threatened species</i> • <i>Fish habitat</i> • <i>Life Science Areas of Natural and Scientific Interest</i> 	<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"> • Earth Science <i>Areas of Natural and Scientific Interest</i> • <i>Significant valleylands</i> • <i>Significant woodlands</i> • <i>Significant wildlife habitat</i> 	
	<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> <ol style="list-style-type: none"> 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; b) <i>forest, fisheries</i> and <i>wildlife management</i>, provided impacts on the <i>Escarpment environment</i> will be minimized; c) <i>conservation</i> and flood or erosion control projects, but only after all alternatives have been considered; d) hiking trails or boardwalks on parks and open space lands that are in an approved Park and Open Space System Master/Management Plan; e) <i>infrastructure</i>, but only where the project has been deemed necessary to the public interest and there is no other alternative; and f) <i>mineral aggregate operations</i>, subject to all relevant Development Criteria, including Part 2.9. 	<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> <ol style="list-style-type: none"> 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; b) identifies planning, design and construction 	<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>	<p>escarpment environment are applicable.</p>
2.8 Agriculture	<p>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>	<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"> 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. 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.

		<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>
<p>Agriculture-related Uses</p>	<p>6. <i>Agriculture-related uses</i> may be permitted, provided the following criteria are met:</p> <ul style="list-style-type: none"> a) the use is a farm-related commercial or farm-related industrial use; b) the use is compatible with and does not hinder surrounding agricultural operations; c) the use is directly related to farm operations in the area; d) the use supports agriculture; e) the use provides direct products and/or services to farm operations as a primary activity; f) the use benefits from being in close proximity to farm operations; g) the use results in no <i>negative impact</i> on the <i>Escarpment environment</i>; h) existing buildings, structures or facilities on the property should be used, where possible; 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 j) the land supporting an <i>agriculture-related use</i> shall not be severed from a farm lot exclusively for the 	<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>

	<p>purposes of the <i>agriculture-related use</i>.</p>	<p>Also, see earlier comments related to APO lots and inconsistent policies throughout the Plan.</p>
<p>On-farm Diversified Uses</p>	<p>7. <i>On-farm diversified</i> uses may be permitted, provided the following criteria are met:</p> <ul style="list-style-type: none"> a) the use is located on the farm <i>property</i>; b) the use is secondary to the principal <i>agricultural use</i> on the farm <i>property</i>; c) the use is compatible with and does not hinder surrounding agricultural operations; 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 m²); 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; f) the use results in no <i>negative impact</i> on the <i>Escarpment environment</i>; g) existing buildings, structures or facilities on the <i>property</i> should be used, where possible; 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 <i>Escarpment's open landscape character</i>; 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 j) the land supporting the use shall not be severed from the farm lot exclusively for the <i>on-farm diversified use</i>. 	<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: <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> 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> <ul style="list-style-type: none"> b) demonstrate how <i>cultural heritage resources</i> will be <i>conserved</i>. 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; 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; 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; 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. g) Minimize <i>negative impacts</i> of mineral aggregate operations and their <i>accessory uses</i> on surrounding land uses; 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; 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 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>Subsection f) - Unclear how to "avoid, minimize and mitigate impacts".</p>
	<p>5. The mineral aggregate operation shall be screened while</p>	<p>Please re-word to say: "The licenced mineral aggregate operation</p>

	<p>it is in progress and, where possible, prior to extraction in a manner compatible with the surrounding <i>Escarpment environment</i>.</p>	<p>shall be screened while it is in progress and, where possible, prior to extraction in a manner compatible with the surrounding Escarpment environment.”</p>
	<p>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.</p>	<p>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.</p> <p>Change “revegetate” to “re-vegetate” and “regrading” to “re-grading”.</p>
<p>2.8 Agriculture</p>	<p>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.</p>	<p>It would be beneficial if this policy placed a volumetric restriction on the quantity of fill to be imported.</p>

	<p>11. Rehabilitation shall incorporate the following:</p> <ul style="list-style-type: none"> a) natural heritage and hydrologic features and functions shall be restored or enhanced; 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; c) excess <i>topsoil</i> and overburden are to be retained and stabilized for future rehabilitation; 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; 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>; f) rehabilitation on the site shall contribute to the <i>open landscape character</i> and the surrounding <i>Escarpment environment</i>; 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; 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 	<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 or 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	<p>The objective is to conserve the Escarpment’s cultural heritage resources, including significant built heritage resources, cultural heritage landscapes, and archaeological resources.</p>	<p>Built heritage resources is a defined term in the draft Greenbelt Plan and PPS; however, “significant built heritage resources” is not.</p>
	<p>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>.</p>	<p>Recommend that this be worded the same as 4.4.1 of the draft Greenbelt Plan.</p>
2.11 Recreation	<p>The objective is to minimize any <i>negative impact of recreational development on the Escarpment environment</i>.</p>	<p>See previous comments regarding “negative impact” and “Escarpment environment”.</p>
	<p>3. In Escarpment Rural Areas, permitted recreation uses shall have minimal <i>negative impact</i> on the <i>Escarpment environment</i>.</p>	<p>See previous comments regarding “negative impact” and “Escarpment environment”.</p>
	<p>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>	<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>	<p>Please add “where appropriate and feasible” to the end of the sentence.</p>
	<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>	<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”.</p>
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?

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

	<p>2. All uses within the corridor shall be designed to minimize the need for environmental change (e.g., tree removal).</p>	<p>Is this policy necessary, given others in this section?</p>
	<p>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.</p>	<p>See previous comments re: no negative impact/compatible and Escarpment environment.</p>
	<p>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>.</p>	<p>See previous comments re: minimize negative impact and Escarpment environment.</p>

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"> 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; 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; c) secondary <i>Bruce Trail access points</i> should be limited in size to minimize impacts on the <i>Escarpment environment</i>; 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; 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 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). 	<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	<p><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.</p> <p>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</p>	<p>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.</p> <p>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.</p>

	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?

	<p>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.</p>	<p>Will the NEPOSS Manual need to be revised once the NEP is finalized?</p>
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"> • Bruce Peninsula National Park • Inglis Falls Conservation Area • Mono Cliffs Provincial Park • Terra Cotta Conservation Area • Crawford Lake Conservation Area • Cootes Paradise Sanctuary • Dundas Valley Conservation Area • Ball’s Falls Conservation Area • Queenston Heights (Brock’s Monument) 	<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"> • orientation – to tell visitors where they are in relation to other parks, open spaces, trails, natural features and points of interest; • 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); 	<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"> • interpretation – to familiarize visitors with the features of a park or open space; and • recreation – to identify and provide information on how to participate in nearby Escarpment recreational activities. <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>
<p>3.1.3.2 Modifications to the List of Nodal Parks</p>	<p>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.</p>	<p>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.</p>
<p>3.1.4 Parks and Open Space Classification Policy</p>	<p>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>	<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"> • Nature Reserve • Natural environment • Recreation • Cultural Heritage • Escarpment Access • Resource Management Area <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	<ol style="list-style-type: none"> 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?</p>
3.1.6 Recreation and Commercial Uses in Parks and Open Spaces	<ol style="list-style-type: none"> 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>
	<ol style="list-style-type: none"> 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>
	<ol style="list-style-type: none"> <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>

	<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"> a) the use is approved by the landowner after a detailed environmental review; or b) the use is required for human safety (e.g., emergency access) where there is no feasible alternative; or c) the use has been appropriately identified in an approved Master/Management Plan, and a detailed environmental review has been conducted. 	<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>
<p>3.3 Municipal Parks and Open Space</p>	<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, cultural heritage landscapes and 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"> 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 	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	Means <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>	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>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"> 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>); b) domestic storage and composting of waste sites; c) existing hospital incinerators; d) agricultural waste sites (e.g., agricultural manure and disposal); e) on-site incinerators at the site of a crematorium within the meaning of the <i>Cemeteries Act</i>; f) on-site incinerators at the site of a veterinary hospital/clinic; g) recycling depots for paper, glass and cans etc., serving the local community; and disposal of domestic sewage sludge on farmland. 	Subsection g) - The definition should continue to refer to the use as "small scale".

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71082

September 28, 2016

Dear Head of Council:

I am pleased that the Rural Ontario Municipalities Association annual meeting will be held from January 29-31, 2017, in Toronto. I will be there along with many of my cabinet colleagues to further strengthen our government's relationship with Ontario's diverse municipalities. Coming from the north, I place a high value on our small rural and northern communities. I also know the many challenges they face.

The ROMA conference presents a great chance for us to come together and discuss issues and opportunities that are important to building strong and vibrant communities across the province. A communication from my Ministry staff will be sent to your clerks and CAOs with information on how to request a delegation meeting, similar to the process used in the past. Ministers will also be available to answer your questions during the Ministers' Forum.

My colleagues and I look forward to seeing you at the ROMA conference in January.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bill Mauro'.

Bill Mauro
Minister

From:
To:

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Subject: Town of Aurora Council Resolution of Sep 13/16 - OMB Reform Update
Date: September-23-16 5:28:20 PM
Attachments: [Letter-Premier Wynne-Aurora Council Resolution-OMB Reform Update.pdf](#)

To: All Ontario Municipalities

Please find attached correspondence further to the Town of Aurora Council meeting of September 13, 2016, regarding a resolution adopted by Council respecting Ontario Municipal Board Reform Update.

Kind regards,
Linda

Linda Bottos
Council/Committee Secretary

Town of Aurora
100 John West Way, Box 1000
Aurora, Ontario L4G 6J1

Phone: 905-727-3123 ext 4225
Fax: 905-726-4732
lbottos@aurora.ca
www.aurora.ca



Legislative Services
Lisa Lyons
905-726-4771
townclerk@aurora.ca

Town of Aurora
100 John West Way, Box 1000
Aurora, ON L4G 6J1

September 23, 2016

DELIVERED BY E-MAIL TO:

kwynne.mpp.co@liberal.ola.org

The Honourable Kathleen Wynne
Premier of Ontario
Legislative Building, Queen's Park
Toronto, ON M7A 1A1

Dear Premier:

**Re: Town of Aurora Council Resolution of September 13, 2016
Report No. CS16-020 – Ontario Municipal Board (OMB) Reform Update**

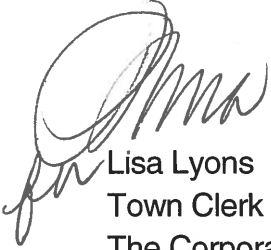
Please be advised that this matter was considered by Council at its Council meeting held on September 13, 2016, and in this regard Council adopted the following resolution:

1. **That Report No. CS16-020, and the attached Municipal Summit OMB Reform: Process & Powers Recommendations, be received; and**
2. **That Council endorse the recommendation contained in Attachment 1 to Report No. CS16-020, being:**
 - a) **That the jurisdiction of the Ontario Municipal Board (OMB) be limited to questions of law or process and, specifically, when considering appeals, that the OMB be required to uphold any planning decision(s) of municipal councils unless said decision(s) is contrary to the processes and rules set out in legislation; and**
3. **That a copy of the recommendation be sent to the Honourable Kathleen Wynne, Premier of Ontario, the Honourable Bill Mauro, Minister of Municipal Affairs, Mr. Patrick Brown, Leader of the Progressive Conservative Party, Ms. Andrea Horwath, Leader of the New Democratic Party, and all Members of Provincial Parliament in the Province of Ontario; and**
4. **That a copy of the recommendation be sent to the Association of Municipalities of Ontario (AMO), all Ontario municipalities, and the York Regional Chair for consideration.**

The Honourable Kathleen Wynne, Premier of Ontario
Re: Town of Aurora Council Resolution of September 13, 2016
September 23, 2016
Page 2 of 2

The above is for your consideration and any attention deemed necessary.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Lisa Lyons', written over a circular stamp or seal.

Lisa Lyons
Town Clerk
The Corporation of the Town of Aurora

LL/lb

Attachment (Municipal Summit OMB Reform: Process & Powers Recommendations)

Copy: The Honourable Bill Mauro, Minister of Municipal Affairs
Mr. Patrick Brown, Leader of the Progressive Conservative Party
Ms. Andrea Horwath, Leader of the New Democratic Party
All Members of Provincial Parliament in Ontario
Association of Municipalities of Ontario
All Ontario Municipalities
Mr. Wayne Emmerson, York Region Chairman and CEO

MUNICIPAL SUMMIT

OMB REFORM: PROCESS & POWERS



RECOMMENDATIONS

MUNICIPAL SUMMIT ON OMB REFORM: PROCESS AND POWERS

While each community is indeed unique, when it comes to planning matters, many of our communities encounter the same issues. When considering development proposals within the context of approved Official Plans – there is on-going pressure to alter their Official Plans to approve project-specific amendment requests. Repeated appeals to the OMB of Municipal councils' planning decisions to uphold their Official Plans and deny project-specific amendment requests, results in multiple communities fighting the same fight - wasting untold taxpayer dollars in the process. It is a lengthy, costly, and frustrating process and one that is clearly not working.

Discussions around the need for OMB reform are not new. As an issue it has jumped from the back burner to the front burner and back again many times over the past two decades. However, despite the many years of discussion, there has been little material change to the scope of powers, procedures or predictability of decision making of the OMB. This had led to frustration for the key stakeholders in the process – Municipal leaders, the development community and - most important - the residents and communities affected by planning decisions and OMB rulings regarding same.

OMB processes and scope of power have not kept pace with the changes in municipal planning necessitated by the explosion of growth in our communities. Effective planning requires certainty and predictability in the processes that govern it. What is needed, therefore, is clarity of the role and scope of power of all those with the authority for decision making.

In light of the pending Provincial review of the OMB, this is an opportune time for elected representatives – those decision-makers on the front lines of municipal planning - to work together and advocate for appropriate and effective reform(s) of the OMB.

Elected officials from across the Province have been asking for change for a long time and now, as a result of the **Summit on OMB Reform – Process and Powers** have come together to identify common goals and common solutions and to advocate for those changes in planning legislation. With reform, it is hoped that Municipalities will have more authority and predictability in local planning decisions.

Background

The impetus for the Municipal Summit on OMB Reform came from a motion brought forward by Councillor Tom Mrakas to Aurora Town Council in January of 2016 that spoke to the need to address the scope and powers of the OMB. Subsequent to that, and within the context of the need for OMB reform, an additional motion was put forward jointly by Councillor Michael Thompson and Councillor Tom Mrakas that spoke to the specific planning issue of development of open space/parkland and the need for criteria against which both municipalities and the OMB can consider when reviewing said development requests.

It was in the context of these two unanimously supported motions that the idea for a Municipal Summit on OMB reform was born. Following quickly on the heels of the passing of both motions, a Municipal Summit Planning Working Group was created to begin the work of creating the Summit. The event, held in the Markham Civic Centre on May 14th, was the result of months of hard work by this dedicated group of 17 elected officials from 12 municipalities across the GTA.

The Municipal Summit was a unique event; a grass roots gathering of elected officials from every corner of our Province, working together towards the common goal of affecting real change in the decision-making processes that affect how our communities are planned.

The daylong event featured a number of important speakers including Ms. Helen Cooper, Former Mayor of Kingston, Chair of the Ontario Municipal Board, AMO President; Mr. John Chipman, Author “Law Unto Itself”, former editor of the Ontario Municipal Board Reports; Ms. Valerie Shuttleworth Chief Planner for York Region; Mr. Leo Longo, Senior Partner Aird & Berlis LLP and Mr. Joe Vaccaro, CEO of the Ontario Home Builders Association. The panelists engaged attendees and solicited their input directly through breakout groups. Our guest Moderator, Mr. Bill Hogg, brought together the outcome of both the broader discussions as well as the break out groups so as to identify common themes that would inform the proposed recommendation(s)

Recommendations

At the outset, the purpose of the Summit was to identify common themes and common principles of reform that would modernize the process and procedures of the OMB. The purpose of which is to ensure that decisions of the Board reflect and respect the uniqueness of every community. In reviewing the comments of the attendees and the panelists as well as the municipal leaders that have weighed in through emails and other communication, and taking into consideration the over 100 municipalities that have endorsed the motion(s) advocating reform, the consensus view spoke to a clear need to review the scope of powers of the OMB.

Thus, the recommendations of the Summit can be boiled down to one overarching recommendation:

Limit the jurisdiction of the OMB to questions of law or process. Specifically, when considering appeals, require the OMB to uphold any planning decision(s) of Municipal Councils unless said decision(s) is contrary to the processes and rules set out in legislation.

A decision by a Municipal Council to uphold their Official Plan – a Plan that conforms to provincial legislation and is approved by the Province through the delegated authority of the relevant Regional government - should not be subject to appeal unless that decision is contrary to the processes and rules set out in legislation. Further, OMB decision-making processes/procedures should be predicated on the principle that planning

decisions of a local Municipal Council as they relate to their Official Plan will be upheld unless they are contrary to the processes and rules set out in legislation.

The recent changes to the Planning Act (Bill 73) as they speak to limits on appeals – namely that Official Plans cannot be appealed within the first two years of adoption - are a good first step, but they don't go far enough. The consensus of attendees was that appeals should be strictly limited. Some felt that amendment requests should not be allowed to be put forward at all unless proponents can demonstrate that the proposed changes to the Official Plan or zoning by-law fulfill a changing community need or in some way better the community. The onus should be on the applicant to demonstrate to the local Municipal Council that the changes to the Official Plan necessitated by a proposed project or development benefit the community and/or enhance it. If a Council sees that there is a clear benefit to the community then it is within the Councils authority to grant the amendments. However, if a Council feels that the application does not somehow better the community, then Council has full authority to deny the application without it being subject to appeal.

There should be consistency in the scope of authority of Municipal Councils. Any other decision by a Municipal Council is only subject to appeal through a judicial review the scope of which is errors in process or law. The question then is - why are planning decisions different? The answer is they should not.

As it stands now, Municipalities are required to review application after application, requesting amendment after amendment; considering each in isolation as opposed to the integrated whole. Piecemeal planning negates the utility and functionality of Official Plans. Multiple changes to a Municipal Plan required by multiple project-specific amendment requests compromises the integrity of the Official Plan and indeed the planning process as a whole.

Municipal planning is a complex process. But the current legislation does not recognize or reflect that complexity. The legislation does not adequately address what can be appealed, who can put forward an appeal, and the relative weight that Municipal Council decisions will be given in the adjudication of appeals. Similarly, vague terminology – such as “...due consideration” – significantly impacts the predictability of decision making processes of the Board. Even timelines for decision-making are unworkable. Despite the fact that even mildly contentious development proposals require considerable amount of time to compile the information necessary for informed Council decisions, a decision must be rendered within 180 days or face appeal. This is not good planning. This is ineffective and inefficient public planning.

Clearly there does still need to be a degree of flexibility in the decision making processes. It is not the expectation that Official Plans are carved in stone. However, the drivers of community change should be the community itself. Planning legislation – including the OMB Act - should outline in very specific and very limited terms the basis upon which a Municipal Council decision to refuse an amendment to its Official Plan or zoning bylaw can be appealed. Concomitantly, decisions by the OMB when considering appeals of local Council planning decisions should reflect and respect the vision of the communities as defined in their Official Plans.

In closing, we recognize that our communities are dynamic. They continue to grow and evolve over time. But with that evolution comes a very real pressure to manage that growth in a way that is respectful of the unique character of the affected communities.

Through necessary legislative reform and the clarification of the scope of power and authority of all decision making bodies – both elected and appointed - predictable, appropriate decision-making processes can be achieved.

We thank the panelists, our moderator, our sponsors and most of all everyone who participated in this process, for the incredible input and hard work that has been undertaken.

Sincerely,

The Members of the OMB Reform Summit Working Group:

Councillor Tom Mrakas, Chair (Aurora)
Councillor Michael Thompson (Aurora).
Councillor Marianne Meed Ward (Burlington)
Councillor Nicholas Ermeta (Cambridge)
Councillor Frank Sebo (Georgina)
Councillor Cathy Downer (Guelph)
Councillor Yvonne Fernandes (Kitchener)
Councillor Karen Rea (Markham)
Regional Councillor Nirmala Armstrong (Markham)
Councillor Don Hamilton (Markham)
Councillor Christina Bisanz (Newmarket)
Councillor Karen Cilevitz (Richmond Hill)
Councillor David West (Richmond Hill)
Councillor & Deputy Mayor Pat Molloy (Uxbridge)
Councillor Marilyn Iafrate (Vaughan)
Councillor Alan Shefman (Vaughan)
Councillor Mary Ann Grimaldi (Welland)
Councillor Steve Yamada (Whitby)


**Certificate with respect to approval of
 a draft plan of condominium subdivision
 by The Corporation of the City of Guelph**

I, Tina Agnello, Deputy City Clerk of The Corporation of the City of Guelph, hereby certify that the Notice of Decision of a Draft Plan of Condominium Subdivision, (23CDM16504) for Blocks 1, 2 and 11, Registered Plan 61M-206, municipally known as 74, 75 and 91 Swan Drive, in the City of Guelph, County of Wellington, was sent to the persons and public bodies prescribed under subsection 51 (37) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended. I also certify that the 20 day objection period expired on the 14th day of September, 2016, and to that date, no notice of objection or request for a change in the provisions of the decision of the draft plan of condominium subdivision has been filed by any person with the City Clerk's Department. A declaration to this effect is on file.

In accordance with subsection 51 (41) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, this Draft Plan of Condominium Subdivision is deemed to have been approved on the 15th day of September, 2016.

Dated this 20th day of September, 2016.

CLERK'S DEPARTMENT	
TO	
Copy	
Please Handle	
For Your Information	
Council Agenda	
File	



 Deputy City Clerk

RECEIVED

SEP 27 2016

Township of Puslinch

Certified copy to:

Michael Witmer, Planner, City of Guelph
 Assessment Commissioner, Municipal Property Assessment Corporation
 Black, Shoemaker, Robinson & Donaldson Ltd., Applicant
 Guelph Watson 5-3 Inc., Owner

City Hall
 1 Carden St
 Guelph, ON
 Canada
 N1H 3A1

Copies to:

List attached hereto

T 519-822-1260
 TTY 519-826-9771

**Distribution list with respect to the approval of draft plan of
condominium subdivision by The Corporation of the City of Guelph for
23CDM16504**

MMM Group Limited, (Bell Canada)
Canada Post
Manager of Community Planning and Development, Canadian Nation Railway Properties
Clerk, Township of Guelph/Eramosa
Clerk, Township of Puslinch
CAO, County of Wellington
Guelph Hydro Electric Systems Inc.
Planning & Design Section, Corridor Control Office, Ministry of Transportation
Manager OPE, Rogers Cable TV Ltd.
Gwen Keep, Union Gas Limited
Jennifer Passy, Upper Grand District School Board
Dan Duszczyzyn, Wellington Catholic District School Board
City Solicitor, City of Guelph
Director of Finance, City of Guelph
Steve Gill, Guelph Police Services
City Engineer, City of Guelph
Program Manager-Open Spaces Planning, City of Guelph
Fire Chief, City of Guelph
Economic Development, City of Guelph
Randy Harris, City of Guelph
Manager of Development Planning, City of Guelph
Program Manager-Zoning, City of Guelph
Parks Planner



Stantec Consulting Ltd.
1-70 Southgate Drive, Guelph ON N1G 4P5

September 20, 2016
File: 160961133

Attention: Ms. Kelly Patzer, Development Coordinator

Township of Puslinch
7404 Wellington Road 34
Guelph, ON N1H 6H9

Dear Ms. Patzer,

Reference: Union Gas Guelph Reinforcement Pipeline Project – Notice of Project Deferral

To ensure the continued reliable, safe delivery of natural gas and serve an increased demand in the City of Guelph and surrounding area, Union Gas Limited (Union Gas) was proposing to construct a new natural gas pipeline between the existing Union Gas stations on Wellington Road 34 and Forestell Road.

Based on current information and a recent analysis of market demand, construction of the proposed project will be deferred until future market reviews determine there is sufficient demand. As a result, Stantec Consulting Ltd. will not be moving forward with the environmental study of the construction and operation of the proposed project at this time.

If you have any questions or comments regarding the project, please do not hesitate to contact the undersigned.

Regards,

STANTEC CONSULTING LTD.

A handwritten signature in black ink that reads "Steve Thurtell".

Steve Thurtell, M. Sc., P. Ag., CISEC

Senior Project Manager
Phone: (519) 780-8108
steve.thurtell@stantec.com

c. Evan Tomek, Union Gas
Doug Schmidt, Union Gas

From: [Tara Kretschmer](#)
To: 311@toronto.ca; aclarke@gorebay.ca; admin@carlingtownship.ca; admin@dawneuphemia.on.ca; admin@dnetownship.ca; admin@eganville.com; admin@frontofyonge.com; admin@greatermadawaska.com; admin@hiltontownship.ca; admin@jocelyn.ca; admin@mcgarry.ca; admin@merrickville-wolford.ca; admin@midland.ca; admin@mindenhills.ca; admin@nipissingtownship.com; admin@nothmiddlesex.on.ca; admin@northstormont.ca; admin@papineaucameron.ca; admin@porthope.ca; Admin; admin@ryersontownship.ca; admin@siouxlookout.ca; admin@southfrontenac.net; admin@zorra.on.ca; administration@calvintownship.ca; administration@county-lambton.on.ca; administration@greenstone.ca; administration@lambtonshores.ca; administration@town.ignace.on.ca; administration@valharty.ca
Subject: [SPAM] Request Support of Resolution # 2016.16.07
Date: September-16-16 9:02:08 AM
Attachments: [image001.png](#)
[Dutton Dunwich Resolution 2016.16.07.pdf](#)

Good morning,

Please see the attached for Resolution #2016.16.07, passed by the Council of the Corporation of the Municipality of Dutton Dunwich, we would appreciate your support of this resolution.

Thank you,

Tara Kretschmer
Archival, Records and Research



199 Currie Road, PO Box 329
Dutton, Ontario N0L 1J0
T 519.762.2204 F 519.762.2278

www.duttondunwich.on.ca
[twitter @DuttonDunwich](https://twitter.com/DuttonDunwich)

If you have any accommodation needs or require communication supports or alternate formats, please let me know.



COUNCIL RESOLUTION

#6

Res: 2016-16.07

Wednesday Sept 14th, 2016

Moved by:

[Signature] Bob

Seconded by:

[Signature] Fleck

WHEREAS the cost of hydro continues to climb to rates which are crippling to our residents and businesses;

AND WHEREAS the Government of Ontario, through the Independent Electricity System Operator's LRP I- RFP process, awarded a wind turbine project for 57.5 MW to Invenergy LLC in March 2016 for the *Strong Breeze Wind Project* in the Municipality of Dutton Dunwich;

AND WHEREAS this wind turbine project was awarded to assist the Government of Ontario to meet its long term green energy goals;

AND WHEREAS this municipality stated clearly to the Government of Ontario that it was opposed to hosting this project;

AND WHEREAS it is unfair that the people of rural Ontario, who have opposed industrial wind turbine projects in their municipality, have to live with all of the detrimental elements of these projects while their neighbours in cities, who may benefit from any power produced therefrom, do not;

NOW THEREFORE BE IT RESOLVED THAT the Municipality of Dutton Dunwich call on Premier Wynne and the Province of Ontario to provide a 100% Hydro rate reduction to residential occupancies in Dutton Dunwich and a 100% Hydro rate reduction to business or commercial operations in order to compensate for the hosting of a wind project and to assist to build up its rural Ontario citizens and economy;

AND THAT Premier Wynne and the Government of Ontario provide full funding to enable businesses in the Municipality of Dutton Dunwich as a forced wind turbine host municipality, to be completely outfitted with renewable energy capability to operate their businesses and be removed from the grid without penalty. The removal from the grid should assist the government with its overall targets.

AND THAT this resolution be circulated to all Ontario municipalities for support.

<u>Recorded Vote</u>	<u>Yeas</u>	<u>Nays</u>
I. Fleck	✓	
D. McKillop		✓
M. Hentz	✓	
B. Purcell	✓	
C. McWilliam - Mayor	✓	

Carried: I HEREBY DECLARE THIS TO BE A TRUE AND EXACT COPY OF THE ORIGINAL DOCUMENT AS AT *Sept 15, 2016*

[Signature]
Mayor *[Signature]*
Dep Clerk, Mun. of Dutton/Dunwich

Defeated: HEATHER BOUW, Deputy Clerk, Corporation of the Municipality of Dutton /Dunwich, Commissioner for taking affidavits, County of Elgin

Mayor



email

RECEIVED

SEP 12 2016

CITY CLERK'S OFFICE

September 7, 2016

Hugh Handy
GSP Group Inc.
72 Victoria Street South
Kitchener, ON
N2G 4Y9

Dear Mr. Handy:

**RE: 1219 Gordon Street, Draft Plan of Condominium,
Condominium File No.: 23CDM-16505**

As City Council's delegated approval authority for most condominium applications in the City of Guelph, I would like to confirm that your condominium application for draft plan approval has been reviewed by the Planning, Urban Design and Building Services. As of the date of this letter, I am issuing draft plan approval the condominium plan (23CDM16505) for 1219 Gordon Street under Section 51 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, subject to the conditions attached.

By copy of this letter, I am requesting the City Clerk to initiate the Notice of Decision circulation which will be mailed in accordance with Section 51(37) of the *Planning Act*. This Notice of Decision of the approval of the draft plan including conditions will be circulated for a 20 day time period during which any person or public body may file a notice of appeal of the decision. Should no appeals be filed, the approval of the condominium plan of subdivision shall be deemed to have been made on the day after the last day for appealing the decision.

Once your condominium plan has received draft plan approval, when you wish to register your plan, please contact Planning, Urban Design and Building Services and advise in writing how you have satisfied all of the conditions of draft plan approval. Please comprehensively include all necessary clearance documentation with this request.

If you have any questions on this file, please contact Michael Witmer, Development Planner II, Planning, Urban Design, and Building Services at (519) 837-5616, extension 2790.

Yours truly,

**Todd Salter
General Manager
Planning, Urban Design and Building Services**

RECEIVED

SEP 19 2016

Handwritten initials 'AS'

Attach.

MW/ts

Township of Puslinch

- c: Scott Higgins, 2418958 Ontario Inc. (Owner) (hard copy only)
- City Clerk's Office General Inbox (hard copy & email)
- Kealy Dedman, City Engineer (email only)
- Donna Jaques, City Solicitor (email only)
- Sylvia Kirkwood, Manager of Development Planning (email only)

City Hall
1 Carden St
Guelph, ON
Canada
N1H 3A1

T 519-822-1260
TTY 519-826-9771

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REPORT



TO General Manager of Planning, Urban Design and Building Services

SERVICE AREA Infrastructure, Development and Enterprise

DATE September 7, 2016

SUBJECT Proposed Draft Plan of Residential Condominium Subdivision:
1219 Gordon Street (23CDM-16505) 2418958 Ontario Inc. (c/o HIP Developments)

REPORT NUMBER 16-71

RECOMMENDATION

THAT the City of Guelph, pursuant to Section 51(31) of the *Planning Act* R.S.O. 1990, c.P.13, as amended, and By-law (2003)-17128, hereby grants draft plan approval to Condominium Application No. 23CDM-16505 on the lands municipally known as 1219 Gordon Street and legally described as PART OF LOT 5, CONCESSION 7, GEOGRAPHIC TOWNSHIP OF PUSLINCH, CITY OF GUELPH subject to the conditions outlined in **Attachment 2**.

BACKGROUND

Summary of Proposal

An application has been submitted to the City for draft plan approval of a standard condominium plan (File No. 23CDM-16505) with a total of one-hundred and seventy-five (175) units. The one-hundred and seventy-five (175) units will include seventy-seven (77) apartment dwelling units, three (3) commercial units, and ninety-five (95) off-street parking spaces. Common element areas will comprise of the rooftop terrace, lobby, common corridors, five (5) barrier-free accessible parking spaces and amenity rooms. The condominium will apply to a six (6) storey , 75-unit mixed use apartment building. The condominium is proposed to be registered in one (1) single phase.

Location

1219 Gordon Street (**Attachment 1**); legally described as PART OF LOT 5, CONCESSION 7, GEOGRAPHIC TOWNSHIP OF PUSLINCH, CITY OF GUELPH.

REPORT

The City of Guelph is in receipt of an application for a Draft Plan of Condominium Subdivision (File No. 23CDM-16505) from GSP Group inc. on behalf of 2418958 Ontario Inc. (c/o HIP Developments). The application was initially received on May 24, 2016. Two revisions were made to the application, and were received on June 14, 2016 and July 4, 2016 respectively. The application was deemed to be complete on July 4, 2016. The application pertains to lands

municipally known as 1219 Gordon Street (**Attachment 1**). The subject property has an area of approximately 0.88 hectares.

The applicant is requesting draft plan approval for a one-hundred and seventy-five (175) unit condominium. The one-hundred and seventy-five (175) units will include seventy-seven (77) apartment dwelling units in a six (6) storey apartment building, three (3) commercial units on the ground floor of the apartment building, and ninety-five (95) off-street parking space units. An additional five (5) parking spaces will be barrier free and accessible, and provided as common elements for the condominium. The application is for a standard plan of condominium, and is proposed to be registered in one (1) single phase (**Attachment 3**).

The residential condominium units are proposed to be limited to the interior dwelling unit itself. The dwelling units will not have exterior private amenity space in the form of balconies. The three (3) commercial condominium units will be on the ground floor and face Gordon Street. The ninety-five (95) unitized parking spaces will be located throughout the property, including within a decked parking structure accessed off Gordon Street. Five (5) additional barrier-free, accessible parking spaces will also be provided throughout the site and form part of the condominium's common elements. The remaining components of the condominium will form part of the common elements, which includes but is not limited to the roof terrace, lobby and elevators, common corridors/hallways, amenity rooms, drive aisles and exterior landscaping.

The land and building would be subdivided in accordance with the attached proposed Draft Plan of Condominium (**Attachment 3**).

The subject property is partially designated 'Neighbourhood Centre (4650 m²)' (southern portion) and 'Medium Density Residential' in the current Official Plan (northern portion). The subject property is zoned NC-8 (Specialized Neighbourhood Commercial). This application for Draft Plan of Condominium approval does not affect the site's present Official Plan designations or zoning.

Site plan approval (Site Plan File No.: SP13A044) was first issued by the City for this development on August 13, 2015. Following the initial site plan approval, the developer requested modifications to the approved building elevation plans. Final and revised site plan approval (Site Plan File No.: SP15A057) was issued by the City for this development on November 24, 2015 (**Attachment 4**) related to the elevation plan modifications. Building permits have been issued and construction is ongoing. The proposed draft plan of condominium is consistent with the approved site plans.

Planning, Urban Design and Building Services Comments

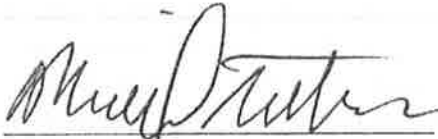
Planning, Urban Design and Building Services staff recommend approval of this application for Draft Plan of Condominium, subject to the conditions outlined in **Attachment 2**. The development has received the necessary site plan approval and construction is currently underway. The draft plan approval conditions recommended in **Attachment 2** will ensure that site development is completed and maintained to the satisfaction of the City, prior to the registration of the plan of condominium.

DEPARTMENTAL & AGENCY CONSULTATION

The summary of departmental and agency comments received in the review of the application is included in **Attachment 5**.

ATTACHMENTS

- Attachment 1** - Location Map (1219 Gordon Street)
- Attachment 2** - Draft Plan Conditions for Proposed Draft Plan of Condominium 23CDM-16505
- Attachment 3** - Proposed Condominium Plan - 23CDM-16505
- Attachment 4** - Approved Site Plan - SP13A044
- Attachment 5** - Department/Agency Comment Checklist

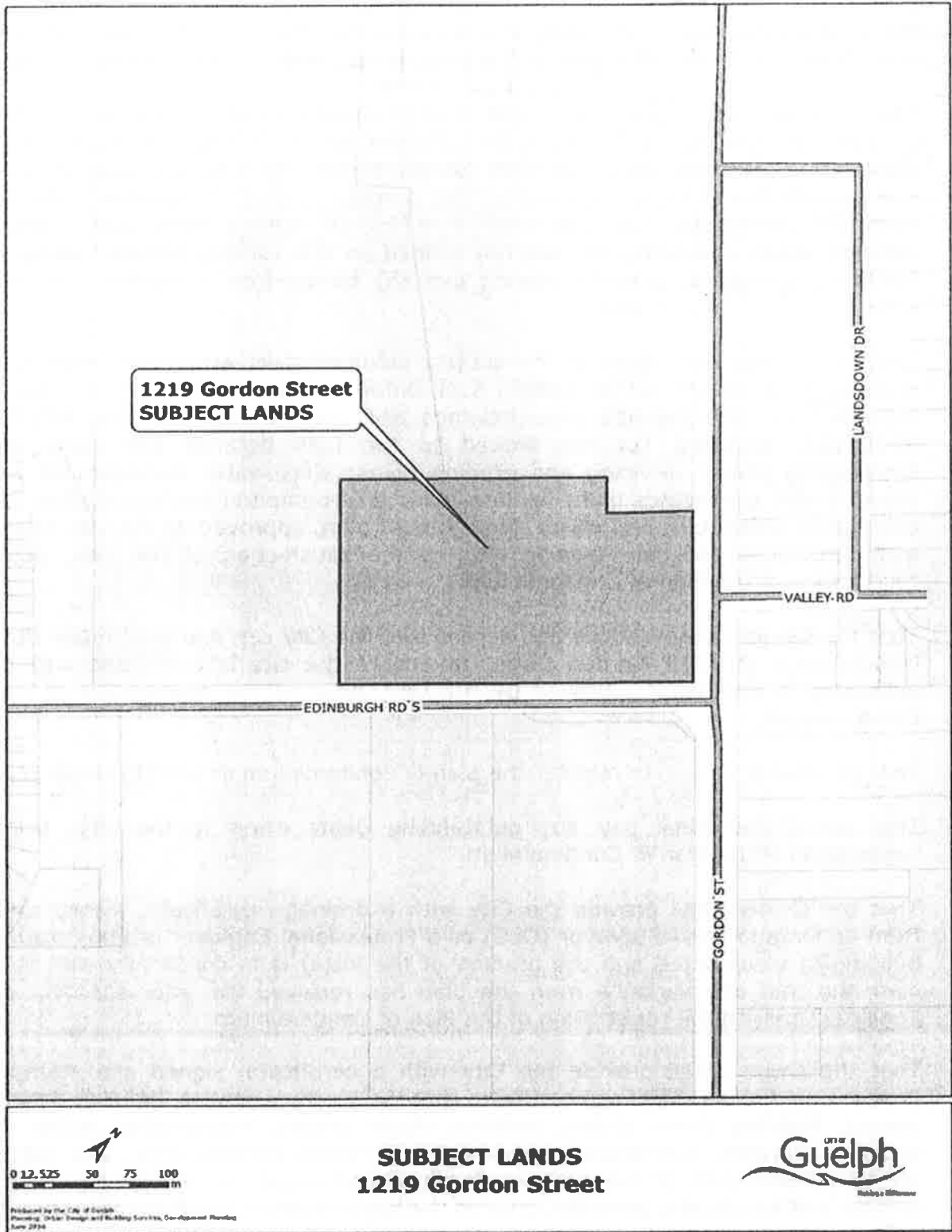


Prepared By:
Michael Witmer
Development Planner II



Approved By:
Todd Salter
General Manager of Planning, Urban
Design and Building Services

**ATTACHMENT 1
Location Map**



ATTACHMENT 2
23CDM-16505 – Draft Plan Conditions

PREAMBLE: Draft Plan Approval will lapse and expire after five years (5) from date of issuance of approval from the General Manager of Planning, Urban Design, and Building Services.

- 1) That this approval applies to a Draft Plan of Condominium known as '23CDM-16505', prepared by Van Harten Surveying Inc., Project No. 23627-16, dated June 30, 2016 for the lands municipally known as 1219 Gordon Street, illustrating a total of one-hundred and seventy-five (175) units, comprised of seventy-seven (77) apartment dwelling units, three (3) commercial units, and ninety-five (95) off-street parking spaces, and common element areas consisting of, but not limited to the rooftop terrace, lobby, common corridors, elevators, amenity rooms, five (5) barrier-free accessible parking spaces, drive aisles and landscaping.
- 2) That the Owner shall develop the subject lands in strict accordance with the Ontario Building Code as set out in Section 6 of Ontario Regulation 48/01, as amended from time to time, and the site plan drawings and reports from File Nos. SP13A044 and SP15A057, including but not limited to the fully detailed site plan; elevations; landscaping plans; servicing and grading plans; stormwater management report and plans; traffic geometrics plan; lighting plan; environmental implementation report and associated addendum; and waste management plan, approved by the City in accordance with Section 41 of the *Planning Act*, to the satisfaction of the City, prior to the registration of the Plan of Condominium.
- 3) That the Owner acknowledges and agrees that the City can and shall make detailed site inspection(s) at 1219 Gordon Street to ensure the site is completed and developed according to the plans approved by the City, prior to the registration of the Plan of Condominium.
- 4) That the Owner agrees to register the plan of condominium in one (1) single phase.
- 5) That the Owner shall pay any outstanding debts owed to the City, prior to the registration of the Plan of Condominium.
- 6) That the Owner shall provide the City with a drainage certificate, signed and stamped from an Ontario Land Surveyor (OLS) or a Professional Engineer (P.Eng) stating that the building(s) constructed and the grading of the lot(s) is in conformity with the drainage plan and that any variance from the plan has received the prior approval of the City Engineer, prior to the registration of the Plan of Condominium.
- 7) That the Owner shall provide the City with a certificate, signed and stamped from a Professional Engineer (P.Eng) certifying that the sanitary sewers, building drains, building sewers, building storm drains, building storm sewers, watermains, water distribution system, hydrants, catchbasins, roadways, driveways, parking areas and sidewalks that are to become part of the common facilities and areas, are in good repair, free from defects and functioning properly, prior to the registration of the Plan of Condominium.

-
- 8) That a Professional Engineer (P.Eng) and/or Ontario Land Surveyor (OLS) shall identify all the sanitary sewers, building drains, building sewers, building storm drains, storm sewers, stormwater management system, watermains and water distribution system, serving the site and also identifies the locations where easements are required prior to the registration of the Plan of Condominium.
 - 9) That an independent lawyer shall certify that proposed condominium phase (if any) has easements for all the sanitary sewers, building drains, building sewers, building storm drains, storm sewers, stormwater management system, watermains and water distribution system serving the condominium phase, which are located on private lands other than the lands included in the phase being registered, prior to the registration of the Plan of Condominium.
 - 10) That the Owner shall have the Professional Engineer (P.Eng) who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system, and that the storm water management system was approved by the City and that it is functioning properly, prior to the registration of the Plan of Condominium.
 - 11) That prior to the registration of the Plan of Condominium, an independent lawyer shall certify that the following irrevocable commitment has been incorporated into the Condominium Declaration: *The Condominium Corporation, or its assigns or successors, agrees to provide the City of Guelph with comprehensive annual post-construction monitoring reports related but not limited to the oil-grit separator and stormwater management pond, groundwater monitoring, and terrestrial monitoring as per the recommendations of the approved Environmental Implementation Report (EIR, December 2014), EIR Addendum Letter (January 28, 2014) and EIR Addendum Response to Comments (February 25, 2014), prepared by Natural Resource Solutions Inc, and that such reports shall cover a minimum period of two (2) years following completion of construction and occupancy of the subject lands.*
 - 12) That prior to the registration of the Plan of Condominium, an independent lawyer shall certify that the following irrevocable commitment has been incorporated into the Condominium Declaration: *"In the event an annual monitoring report (prepared under the recommendations of the approved EIR, EIR Addendum Letter and EIR Addendum Response to Comments) results in a recommendation for site modification to address the functionality of the storm system, a recommendation to address identified groundwater impacts, and/or a recommendation to implement mitigation measures related to an identified ecological concern, the condominium Corporation, or its assigns or successors, agrees to pay for the cost of design and implementation of said recommendation, to the satisfaction of the General Manager of Planning, Urban Design, and Building Services or his/her designate."*
 - 13) That prior to the registration of the Plan of Condominium, an independent lawyer shall certify and demonstrate that the following provisions and/or warning clauses have been incorporated into the Condominium Declaration:
 - a) *"Fire Access Routes that are required to be constructed under the Ontario Building Code, the Ontario Fire Code or are required by Municipal By-law are specifically*

provided to facilitate access for firefighting operations and shall not be obstructed by gates, fences, building materials, vehicles or any other form of obstruction. The construction of a gate or fence within a fire route is not permitted and is a direct contravention of Division B, Sentence 2.5.1.2(1) of the Ontario Fire Code, as amended."

- b) *"That private sidewalks, driveways and parking areas are to be maintained in a snow free condition and void of any obstructions twelve (12) months of the year."*
- c) *"The Corporation understands and acknowledges that the City may require the Corporation to restrict the existing full move driveway access to Edinburgh Road South to a right-in/right-out only access in the future, following the completion of a collision analysis by the City."*

- 14) The Owner shall acknowledge in writing that the property owner and/or Condominium Corporation is aware of the Region of Waterloo International Airport Zoning Regulations Notice issued under the federal *Aeronautics Act* (Registration *SOR/2006-78* on April 28, 2006) and registered on title on the subject lands as instrument No. WC243602 on May 4, 2009, and that they understand their responsibility to make all users of the land aware of the restrictions under these Regulations which may include but not limited to height restrictions on buildings or structures, height of natural growth, interference with communications, and activities or uses that attract birds, prior to the registration of the Plan of Condominium.
- 15) That the Owner shall consult with Canada Post on the location(s) for any mail boxes and delivery equipment and further, shall provide written confirmation to the City from Canada Post that all mail delivery requirements for the development have been satisfied, prior to the registration of the Plan of Condominium.
- 16) The Owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' Environmental Handbook, to all future homeowners or households within the plan, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City prior to registration the Plan of Condominium.
- 17) That the Owner shall confirm in writing that the approved *Homeowners Environmental Stewardship Guide* site specific Environmental Handbook insert for 1219 Gordon Street (Solstice II) dated January 28, 2014 (from the Environmental Implementation Report Addendum Letter) has been distributed, provided and made available to all residential and commercial unit owners and tenants, prior to registration the Plan of Condominium.
- 18) That further to the requirements outlined in Condition 3, any works not completed as per the approved site plan(s) shall be completed prior to the registration of the Plan of Condominium, and/or the Owner shall pay to the City a financial security* amount representing 100 percent of the value of the outstanding items therein as agreed to by the Manager of Development Planning.
- 19) That the Owner agrees to provide the City's Planning, Urban Design and Building Services staff with a digital file of the draft Registered Condominium Plan(s) in an AutoCAD (*.dwg) format prior to the registration of the Plan of Condominium.

-
- 20) Prior to the City's final approval of the Plan of Condominium, the City shall be comprehensively advised in writing by the Owner how conditions 1 through 19 have been satisfied or acknowledged, whatever the case shall be.

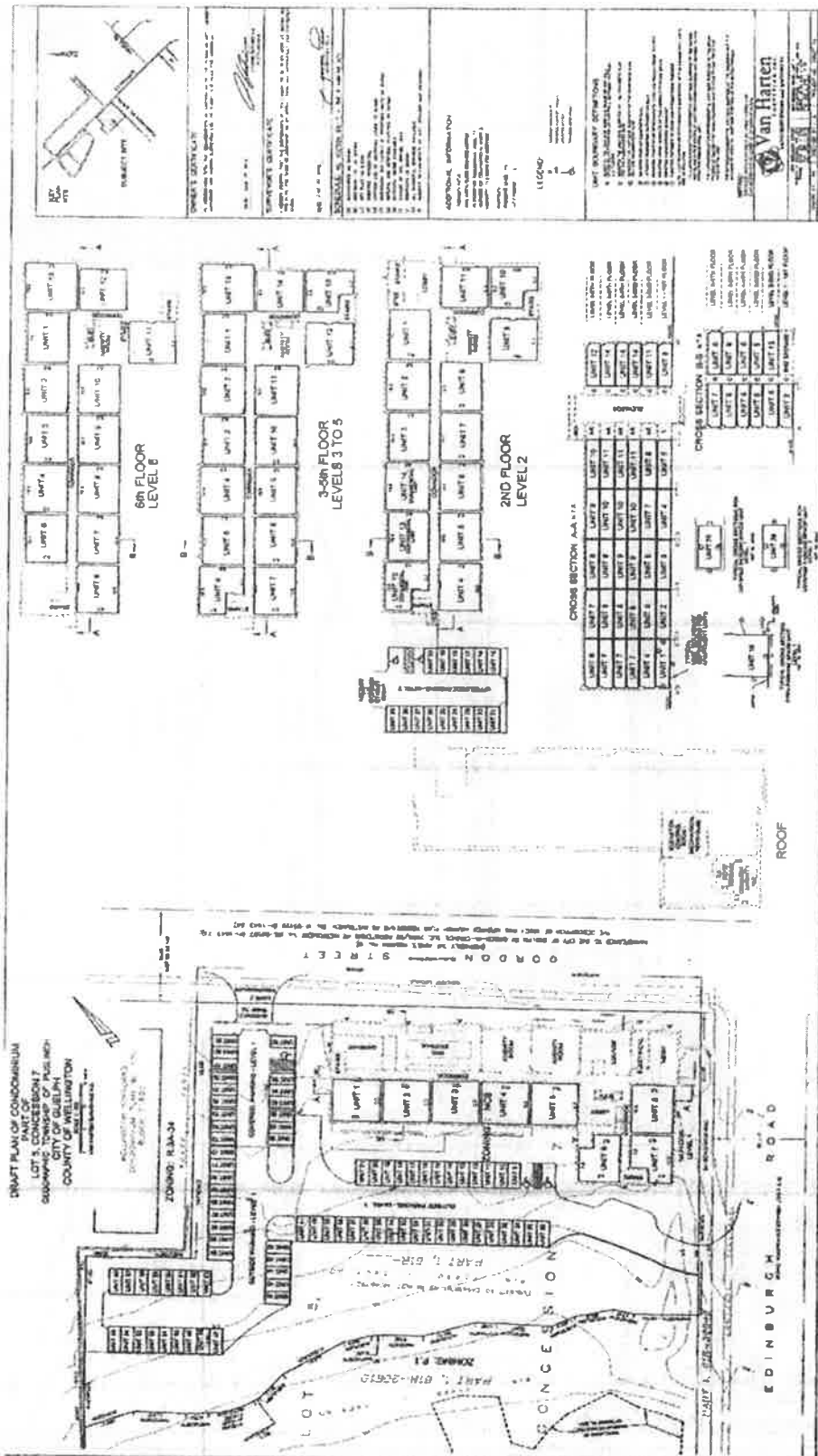
NOTES:

- 1) Draft Plan of Condominium approval will expire five (5) years from the date draft plan approval is issued.
- 2) The condominium plan for Registration must be in conformity with Ontario Regulation 43/96 as amended, under the *Registry Act*.
- 3) *Financial securities provided to the City in the form of a letter of credit must be done in accordance with the City's Letter of Credit Policy, as per By-law (2011)-19263. A template for letters of credit to be submitted to the City is available upon request through Planning staff.
- 4) Digital submissions to the City (i.e. AutoCad drawings) can be emailed directly to planning@guelph.ca and/or the Planner on file, referencing the file number and municipal address, or submitted directly to Planning, Urban Design and Building Services on a CD/DVD.
- 5) The Owner is responsible for contacting respective telecommunications providers (Bell Canada, Rogers Cable, etc.) and making necessary arrangements to ensure that adequate wire-line communication/telecommunication infrastructure is sufficiently available to service the development.
- 6) The Developer is responsible for maintenance of the Tree Protection Fence / Heavy-Duty Silt Fence during construction until the site is stabilized to the satisfaction of the Environmental Inspector or qualified biologist to ensure that trees being retained and their root systems are protected. The Developer is responsible for the removal of the Tree Protection Fence/ Heavy Duty Silt Fence. Any minimal damage (i.e. damage to limbs or roots) to trees intended to be retained during construction must be pruned using proper arboricultural techniques. Should any of the trees intended to be retained be seriously damaged or die as a result of construction activities, the City will be consulted and presented with a proposed plan of action (i.e. treatment or compensation). Replacement species are to be reviewed by a Certified Ontario Landscape Architect (OALA) or Certified Arborist and the City of Guelph. Watering and pruning of newly planted trees will be carried out by the Developer as required during the warranty period (approximately 2 years).
- 7) The Owner is advised that the lands, or a portion of the lands, are subject to the Region of Waterloo International Airport Zoning Regulations issued under the federal *Aeronautics Act* (Registration *SOR/2006-78* on April 28, 2006). Specifically, the subject lands have been identified as being within the "Take-off/Approach Surface" area. The purpose of the Airport Zoning Regulations is two-fold:

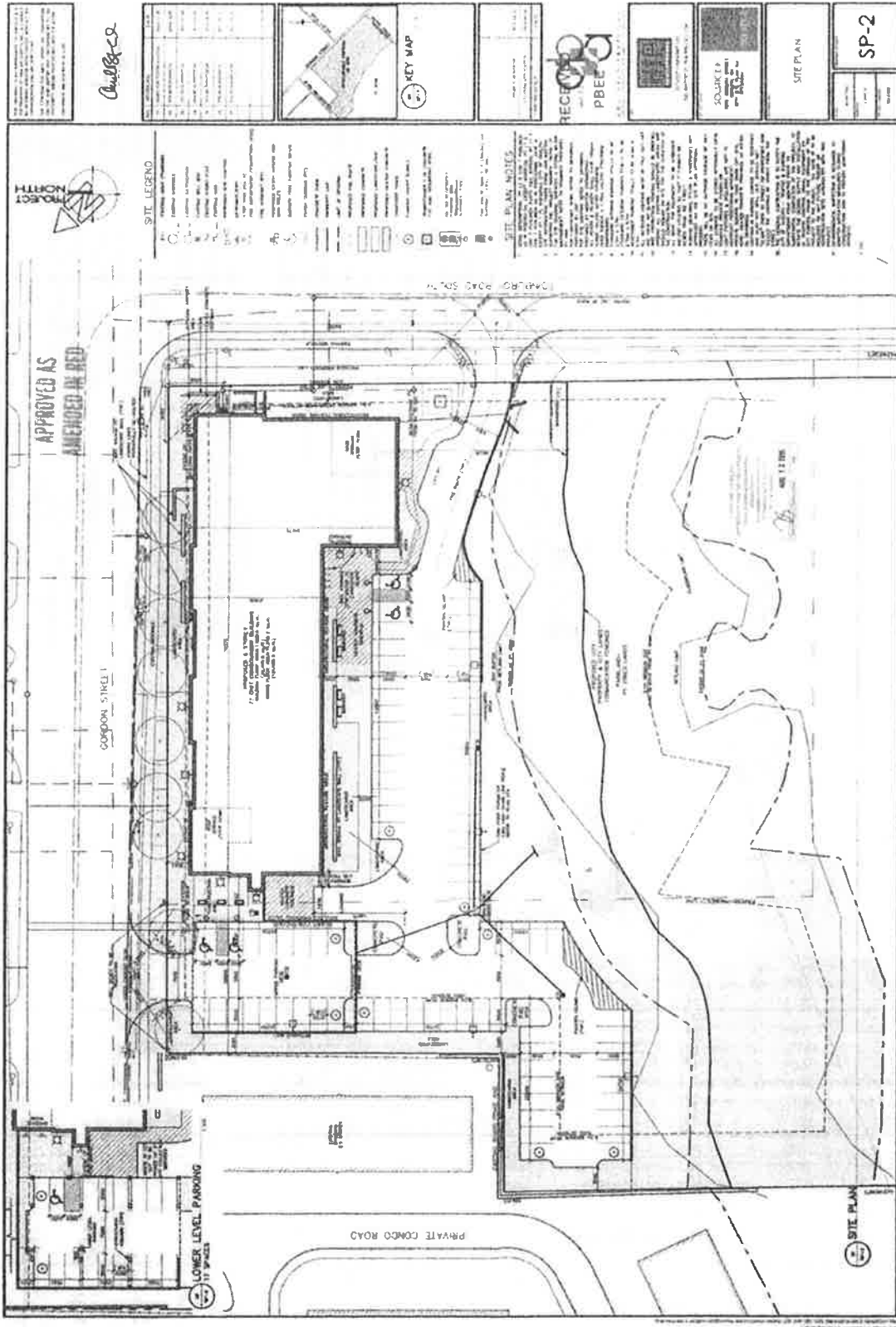
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- a) to prevent lands adjacent to or in the vicinity of the Region of Waterloo International Airport site from being used or developed in a manner that is incompatible with the safe operation of the airport or an aircraft; and
 - b) to prevent lands adjacent to or in the vicinity of facilities used to provide services relating to aeronautics from being used or developed in a manner that would cause interference with signals or communications to and from aircraft or to and from those facilities.

It will be the Condominium Corporation's responsibility to be aware of, and to make all users of the land aware of the restrictions under these Regulations which may include but not limited to height restrictions on buildings or structures, height of natural growth, interference with communications, and activities or uses that attract birds.

Attachment 3 Proposed Condominium Plan



Attachment 4 Approved Site Plan



**Attachment 5
Department/Agency Comment Checklist**

<u>RESPONDENT</u>	<u>NO OBJECTION OR COMMENT</u>	<u>CONDITIONAL SUPPORT</u>	<u>ISSUES/CONCERNS</u>
Development Planning		✓	<ul style="list-style-type: none"> • Standard condominium conditions • Post-construction monitoring provision as per EIR • Airport Zoning Warning Clause • Site Specific Environmental Stewardship Guide distribution
Engineering and Capital Infrastructure Services		✓	<ul style="list-style-type: none"> • Standard Engineering condominium conditions (certificates, easements, etc.) • Edinburgh Road South right-in/right-out provision
Parks and Recreation	✓		
Economic Development	✓		
Fire Department		✓	<ul style="list-style-type: none"> • Acknowledgement of no obstruction (fence, gate, vehicles) within fire route
Guelph Police Services	✓		
Building Services (incl. Zoning)	✓		
Guelph Hydro	✓		
Telecommunications (Bell, Rogers)	✓		<ul style="list-style-type: none"> • Bell – Confirmation of available wire-line service
Upper Grand District School Board	✓		
Wellington Catholic District School Board	✓		
Union Gas	✓		
Canada Post		✓	<ul style="list-style-type: none"> • Confirmation of arrangements for mail delivery

**23CDM-16505 – 1219 Gordon Street
Conditions of Draft Plan Approval**

PREAMBLE: Draft Plan Approval will lapse and expire after five years (5) from date of issuance of approval from the General Manager of Planning, Urban Design, and Building Services.

- 1) That this approval applies to a Draft Plan of Condominium known as '23CDM-16505', prepared by Van Harten Surveying Inc., Project No. 23627-16, dated June 30, 2016 for the lands municipally known as 1219 Gordon Street, illustrating a total of one-hundred and seventy-five (175) units, comprised of seventy-seven (77) apartment dwelling units, three (3) commercial units, and ninety-five (95) off-street parking spaces, and common element areas consisting of, but not limited to the rooftop terrace, lobby, common corridors, elevators, amenity rooms, five (5) barrier-free accessible parking spaces, drive aisles and landscaping.
- 2) That the Owner shall develop the subject lands in strict accordance with the Ontario Building Code as set out in Section 6 of Ontario Regulation 48/01, as amended from time to time, and the site plan drawings and reports from File Nos. SP13A044 and SP15A057, including but not limited to the fully detailed site plan; elevations; landscaping plans; servicing and grading plans; stormwater management report and plans; traffic geometrics plan; lighting plan; environmental implementation report and associated addendum; and waste management plan, approved by the City in accordance with Section 41 of the *Planning Act*, to the satisfaction of the City, prior to the registration of the Plan of Condominium.
- 3) That the Owner acknowledges and agrees that the City can and shall make detailed site inspection(s) at 1219 Gordon Street to ensure the site is completed and developed according to the plans approved by the City, prior to the registration of the Plan of Condominium.
- 4) That the Owner agrees to register the plan of condominium in one (1) single phase.
- 5) That the Owner shall pay any outstanding debts owed to the City, prior to the registration of the Plan of Condominium.
- 6) That the Owner shall provide the City with a drainage certificate, signed and stamped from an Ontario Land Surveyor (OLS) or a Professional Engineer (P.Eng) stating that the building(s) constructed and the grading of the lot(s) is in conformity with the drainage plan and that any variance from the plan has received the prior approval of the City Engineer, prior to the registration of the Plan of Condominium.
- 7) That the Owner shall provide the City with a certificate, signed and stamped from a Professional Engineer (P.Eng) certifying that the sanitary sewers,

building drains, building sewers, building storm drains, building storm sewers, watermains, water distribution system, hydrants, catchbasins, roadways, driveways, parking areas and sidewalks that are to become part of the common facilities and areas, are in good repair, free from defects and functioning properly, prior to the registration of the Plan of Condominium.

- 8) That a Professional Engineer (P.Eng) and/or Ontario Land Surveyor (OLS) shall identify all the sanitary sewers, building drains, building sewers, building storm drains, storm sewers, stormwater management system, watermains and water distribution system, serving the site and also identifies the locations where easements are required prior to the registration of the Plan of Condominium.
- 9) That an independent lawyer shall certify that proposed condominium phase (if any) has easements for all the sanitary sewers, building drains, building sewers, building storm drains, storm sewers, stormwater management system, watermains and water distribution system serving the condominium phase, which are located on private lands other than the lands included in the phase being registered, prior to the registration of the Plan of Condominium.
- 10) That the Owner shall have the Professional Engineer (P.Eng) who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system, and that the storm water management system was approved by the City and that it is functioning properly, prior to the registration of the Plan of Condominium.
- 11) That prior to the registration of the Plan of Condominium, an independent lawyer shall certify that the following irrevocable commitment has been incorporated into the Condominium Declaration: *The Condominium Corporation, or its assigns or successors, agrees to provide the City of Guelph with comprehensive annual post-construction monitoring reports related but not limited to the oil-grit separator and stormwater management pond, groundwater monitoring, and terrestrial monitoring as per the recommendations of the approved Environmental Implementation Report (EIR, December 2014), EIR Addendum Letter (January 28, 2014) and EIR Addendum Response to Comments (February 25, 2014), prepared by Natural Resource Solutions Inc, and that such reports shall cover a minimum period of two (2) years following completion of construction and occupancy of the subject lands.*
- 12) That prior to the registration of the Plan of Condominium, an independent lawyer shall certify that the following irrevocable commitment has been incorporated into the Condominium Declaration: *"In the event an annual monitoring report (prepared under the recommendations of the approved EIR, EIR Addendum Letter and EIR Addendum Response to Comments) results in a recommendation for site modification to address the functionality of the storm system, a recommendation to address identified*

groundwater impacts, and/or a recommendation to implement mitigation measures related to an identified ecological concern, the condominium Corporation, or its assigns or successors, agrees to pay for the cost of design and implementation of said recommendation, to the satisfaction of the General Manager of Planning, Urban Design, and Building Services or his/her designate."

- 13) That prior to the registration of the Plan of Condominium, an independent lawyer shall certify and demonstrate that the following provisions and/or warning clauses have been incorporated into the Condominium Declaration:
 - a) *"Fire Access Routes that are required to be constructed under the Ontario Building Code, the Ontario Fire Code or are required by Municipal By-law are specifically provided to facilitate access for firefighting operations and shall not be obstructed by gates, fences, building materials, vehicles or any other form of obstruction. The construction of a gate or fence within a fire route is not permitted and is a direct contravention of Division B, Sentence 2.5.1.2(1) of the Ontario Fire Code, as amended."*
 - b) *"That private sidewalks, driveways and parking areas are to be maintained in a snow free condition and void of any obstructions twelve (12) months of the year."*
 - c) *"The Corporation understands and acknowledges that the City may require the Corporation to restrict the existing full move driveway access to Edinburgh Road South to a right-in/right-out only access in the future, following the completion of a collision analysis by the City."*
- 14) The Owner shall acknowledge in writing that the property owner and/or Condominium Corporation is aware of the Region of Waterloo International Airport Zoning Regulations Notice issued under the federal *Aeronautics Act* (Registration *SOR/2006-78* on April 28, 2006) and registered on title on the subject lands as instrument No. WC243602 on May 4, 2009, and that they understand their responsibility to make all users of the land aware of the restrictions under these Regulations which may include but not limited to height restrictions on buildings or structures, height of natural growth, interference with communications, and activities or uses that attract birds, prior to the registration of the Plan of Condominium.
- 15) That the Owner shall consult with Canada Post on the location(s) for any mail boxes and delivery equipment and further, shall provide written confirmation to the City from Canada Post that all mail delivery requirements for the development have been satisfied, prior to the registration of the Plan of Condominium.
- 16) The Owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' Environmental Handbook, to all future homeowners or households within the plan, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the

City prior to registration the Plan of Condominium.

- 17) That the Owner shall confirm in writing that the approved *Homeowners Environmental Stewardship Guide* site specific Environmental Handbook insert for 1219 Gordon Street (Solstice II) dated January 28, 2014 (from the Environmental Implementation Report Addendum Letter) has been distributed, provided and made available to all residential and commercial unit owners and tenants, prior to registration the Plan of Condominium.
- 18) That further to the requirements outlined in Condition 3, any works not completed as per the approved site plan(s) shall be completed prior to the registration of the Plan of Condominium, and/or the Owner shall pay to the City a financial security* amount representing 100 percent of the value of the outstanding items therein as agreed to by the Manager of Development Planning.
- 19) That the Owner agrees to provide the City's Planning, Urban Design and Building Services staff with a digital file of the draft Registered Condominium Plan(s) in an AutoCAD (*.dwg) format prior to the registration of the Plan of Condominium.
- 20) Prior to the City's final approval of the Plan of Condominium, the City shall be comprehensively advised in writing by the Owner how conditions 1 through 19 have been satisfied or acknowledged, whatever the case shall be.

NOTES:

- 1) Draft Plan of Condominium approval will expire five (5) years from the date draft plan approval is issued.
- 2) The condominium plan for Registration must be in conformity with Ontario Regulation 43/96 as amended, under the *Registry Act*.
- 3) *Financial securities provided to the City in the form of a letter of credit must be done in accordance with the City's Letter of Credit Policy, as per By-law (2011)-19263. A template for letters of credit to be submitted to the City is available upon request through Planning staff.
- 4) Digital submissions to the City (i.e. AutoCad drawings) can be emailed directly to planning@queph.ca and/or the Planner on file, referencing the file number and municipal address, or submitted directly to Planning, Urban Design and Building Services on a CD/DVD.
- 5) The Owner is responsible for contacting respective telecommunications providers (Bell Canada, Rogers Cable, etc.) and making necessary arrangements to ensure that adequate wire-line

communication/telecommunication infrastructure is sufficiently available to service the development.

- 6) The Developer is responsible for maintenance of the Tree Protection Fence / Heavy-Duty Silt Fence during construction until the site is stabilized to the satisfaction of the Environmental Inspector or qualified biologist to ensure that trees being retained and their root systems are protected. The Developer is responsible for the removal of the Tree Protection Fence/ Heavy Duty Silt Fence. Any minimal damage (i.e. damage to limbs or roots) to trees intended to be retained during construction must be pruned using proper arboricultural techniques. Should any of the trees intended to be retained be seriously damaged or die as a result of construction activities, the City will be consulted and presented with a proposed plan of action (i.e. treatment or compensation). Replacement species are to be reviewed by a Certified Ontario Landscape Architect (OALA) or Certified Arborist and the City of Guelph. Watering and pruning of newly planted trees will be carried out by the Developer as required during the warranty period (approximately 2 years).
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 - a) to prevent lands adjacent to or in the vicinity of the Region of Waterloo International Airport site from being used or developed in a manner that is incompatible with the safe operation of the airport or an aircraft; and
 - b) to prevent lands adjacent to or in the vicinity of facilities used to provide services relating to aeronautics from being used or developed in a manner that would cause interference with signals or communications to and from aircraft or to and from those facilities.

It will be the Condominium Corporation's responsibility to be aware of, and to make all users of the land aware of the restrictions under these Regulations which may include but not limited to height restrictions on buildings or structures, height of natural growth, interference with communications, and activities or uses that attract birds.



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Council Agenda	Oct 5/16
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905.336.1158
Fax: 905.336.7014
2596 Britannia Road West
Burlington, Ontario L7P 0G3
conservationhalton.ca

Protecting the Natural
Environment from
Lake to Escarpment

September 16, 2016

Mayor Lever and Members of Council
Karen Landry, Clerk-Treasurer
Township of Puslinch
RR #3
Guelph ON N1H 6H9

RECEIVED
SEP 20 2016
Township of Puslinch

Dear Mayor Lever and Members of Council:

Re: Conservation Halton 2017 Budget

Pursuant to Ontario Regulation 139/96 (as amended by O.R. 106/98), notice is hereby given that Conservation Halton will be considering its 2017 Budget, including municipal levy, at the Conservation Halton Board of Directors meeting at 4:00 pm, October 20, 2016 at the Conservation Halton Administration Office located at 2596 Britannia Road West, Burlington. The meeting is open to the public.

All watershed municipalities are being provided with a notice of the meeting. Municipalities may wish to direct their appointed representative as to how they should vote with respect to non-matching levy. The weighted voting procedure required under Regulation 139/96 provides that each member votes in proportion to their municipality's share of the current value assessment, as modified.

Please contact me for further information pertaining to the Conservation Halton 2017 Budget.

Yours truly,

Hassaan Basit
CAO/Secretary-Treasurer

cc Marnie Piggot, Director Financial and Administrative Services, Conservation Halton
Mary Hasan, Director of Finance/Treasurer, Township of Puslinch

Notice of the Decision
of a Draft Plan of Condominium Subdivision
by The Corporation of the City of Guelph

IN THE MATTER of a decision for approval of a Draft Plan of Condominium Subdivision for Part of Lot 5, Concession 7, Geographic Township of Puslinch, (23CDM16505), municipally known as 1219 Gordon Street, in the City of Guelph, County of Wellington.

TAKE NOTICE that the General Manager of Planning, Urban Design and Building Services of The Corporation of the City of Guelph gave approval for a Draft Plan of Condominium Subdivision on the 7th day of September, 2016, under subsection 51 (31) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, in respect to Part of Lot 5, Concession 7, Geographic Township of Puslinch, (23CDM16505), municipally known as 1219 Gordon Street, in the City of Guelph, County of Wellington.

AND TAKE NOTICE that the applicant, or any person or public body that made a written submission before the Decision may, at any time before the approval of the final plan of condominium subdivision, appeal any of the conditions imposed by the General Manager of Planning Services, Urban Design and Building Services of the Corporation of the City of Guelph to the Ontario Municipal Board by filing a notice of appeal with the Clerk of The Corporation of the City of Guelph.

AND THAT any appeal to the Ontario Municipal Board in respect of the decision to approve the draft plan of condominium subdivision, or any of the conditions of the draft plan of condominium subdivision may be made by filing with the Clerk of The Corporation of the City of Guelph, not later than the 5th day of October, 2016, at 4:30 p.m., a notice of appeal setting out the objection and reasons in support of the objection. The applicable **fee of \$300.00, paid by certified cheque or money order**, made payable to the "Minister of Finance", must also be submitted with the appeal.

A copy of the Decision, including the conditions, is included. All of the related information for the draft plan of condominium subdivision is available for inspection at Planning Services, Urban Design and Building Services office, City Hall, 3rd Floor, 1 Carden Street, Guelph, Ontario, during business hours (8:30 a.m. to 4:30 p.m., Monday to Friday).

You will be entitled to receive notice of any changes to the conditions of approval of the draft plan of condominium subdivision if you have made a written request to be notified of changes to the conditions.

No person or public body shall be added as a party to the hearing of the appeal regarding any changes to the conditions of approval unless the person or public body, before the decision, made written submissions or a written request to be notified of changes to the conditions.

CLERK'S DEPARTMENT	
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RECEIVED

SEP 19 2016

Township of Puslinch

Only individuals, corporations or public bodies may appeal decisions in respect of a proposed plan of condominium subdivision to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf. If you wish to appeal to the Ontario Municipal Board, the requisite appeal forms are available from the Ontario Municipal Board on their website at www.omb.gov.on.ca, or you may obtain the appeal forms from the City Clerk's Department, c/o ServiceGuelph, 1st Floor, City Hall, 1 Carden Street, Guelph, Ontario.

Any and all written submissions relating to this application that were made prior to the decision and any and all oral submissions related to this application have been taken into consideration in making the final decision on this matter.

DATED at the City of Guelph this 15th day of September, 2016.

Stephen O'Brien
City Clerk
Guelph City Hall
1 Carden Street
Guelph, Ontario N1H 3A1



REPORT ADM–2016-018

TO: Mayor and Members of Council

FROM: Nina Lecic, Deputy Clerk

DATE: October 19, 2016

SUBJECT: Automatic Aid Agreement with the Corporation of the City of Cambridge – Fire and Emergency Services Agreement– Puslinch Fire Rescue Services

FILE No.: L04-CAM

RECOMMENDATIONS

THAT Report ADM–2016-018 regarding the Agreement with the Corporation of the City of Cambridge for Fire and Emergency Services be received;

AND THAT Council enact a by-law to authorize the Mayor and Clerk to execute a renewal Agreement for the provision of Automatic Aid, for 2017.

PURPOSE

The purpose of this report is to renew an Automatic Aid Agreement with the Corporation of the City of Cambridge for Fire and Emergency Services in a designated service area within the Township of Puslinch. This is a renewal of the terms of an existing Automatic Aid Agreement dated December 16th, 2015.

SUMMARY

The current Agreement with the Corporation of the City of Cambridge expires on December 31, 2016. The Township is recommending a continuation with the provision of the services from the City of Cambridge for a period of one (1) year to provide additional time for the CAO/Clerk and Fire Chief to negotiate a revised Automatic Aid Agreement, as in accordance with the Master Fire Plan recommendation number 31 (**see Schedule C – excerpt from Master Fire Plan**) and in addition *(**see Schedule D – Excerpt from Master Fire Plan - Section 7 pg. 110**). The Township and the City have commenced negotiations regarding a revised agreement.

Below is a summary of the terms of the Agreement as follows:

TERM OF LICENCE

This Agreement shall be in effect January 1, 2017 expiring December 31, 2017, subject to prior termination as hereinafter set forth.

Township Responsibilities;

- That the Township Fire Department shall provide assistance or relieve the Cambridge Fire Department from any further responsibility at the scene as soon as reasonably practical should the estimated duration of the incident exceed one **(1) hour**
- To pay for the one **(1) year term** to the City of Cambridge, for the duration of this Agreement (a fee that is based on one hundred percent (100%) of the total Cambridge per capita direct and indirect costs for fire protection in the City (exclusive of Fire Prevention and Public Education costs), using cost and population figures for the preceding year, multiplied by the population of the serviced area. (fee outlined in financial obligations section of this report) ***See attached Schedule B for rate per capita.**
- The population of the serviced area will be determined on a yearly basis from the population figures as agreed to by the Township and City
- Township must identify all properties within the area covered by this Agreement by civic addresses in accordance with the policy established by the Fire Department for rural areas

City Responsibilities;

- The City will receive all alarms of fire or other emergencies within the contract area (**specified in Schedule A of the Agreement**) and dispatch the required emergency vehicles as outlined in the City's practices
- The City will respond immediately with its own equipment and personnel to all fire and other emergency calls occurring in the service area of the Township specified in **Schedule A**
- **Structure fires – the agreed coverage area will receive the same response as provided within the City**
- The Incident Commander (IC) may call for additional assistance
- The Cambridge Fire Department will notify the Township Fire Chief or Designate of any structure fire as soon as possible and the estimated duration of attendance
- Supply all information to the Township regarding fires and emergencies they attend within the service area
- Any response by the Cambridge Fire Department to King's Highway or rights-of-way within the Township shall be classed as an emergency call under the Agreement with the Township and it is the responsibility of the City of Cambridge to claims costs related to said call from the Ministry of Transportation and or any other applicable source (Insurance Company)
- This agreement applies to any and all fire or other emergency related calls made to the City by a municipal officer of the Township, by a resident of the Township or any other person
- All reports to the Fire Marshall must be completed by the City in accordance with the Fire Protection and Prevention Act as they are related to fire calls and emergency calls that originate in the Township

- The level of service that is provided by the City is subject to the availability of resources that are not required to manage an unrelated emergency within the City

SCOPE

- City of Cambridge to provide Fire and Emergency Services to the Serviced Area as further described and represented in Schedule A, in order to provide this service for the residents and property of the Township

TERMINATION

- The City may immediately terminate said Agreement upon giving notice to the Township where:
 - The Township breaches any provisions in the Agreement
 - The Township breaches any confidentiality or conflict of interest obligation set out in the Agreement
 - The Township, prior to or after executing the Agreement, makes a material misrepresentation or omission or provides materially inaccurate information to the City
- **Either party shall have the right to terminate the Agreement, for any reason, upon providing one hundred and eighty (180) days notice to the other Party.**

FINANCIAL IMPLICATIONS

- An all-inclusive estimated fee to be calculated on a per capita basis as outlined in the 2012 agreement * , in four (4) equal instalments in March, June, September and December of 2016 is payable to the City of Cambridge Fire Department for the services outlined in the Agreement Schedules (Schedule A)

* Estimate subject to final 2017 budget approved by the City of Cambridge and the Township

*Please note the fee payable for 2016 is \$115,100. The total fee payable in 2015 was also \$115,100.

APPLICABLE LEGISLATION AND REQUIREMENTS

Municipal Act, 2001, C25 - Sections 19 and 20

Fire Protection and Prevention Act, 1997 - Sections 2(5) and 2(6) and amendments thereto

ATTACHMENTS

Schedules

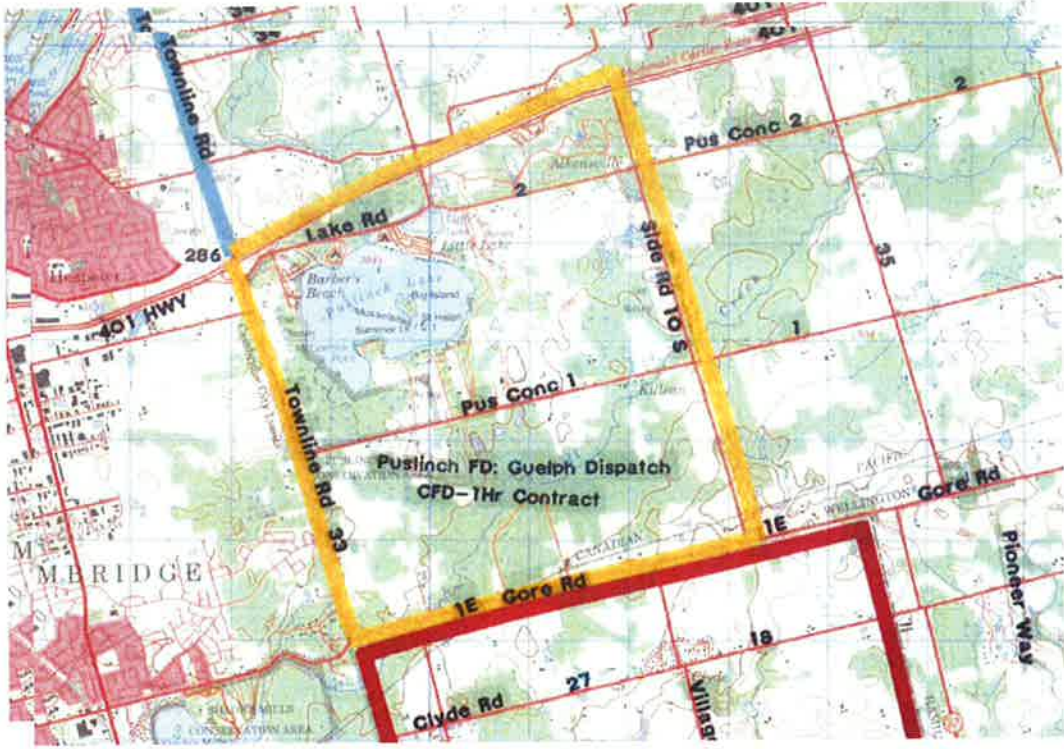
Schedule A – Serviced Area

Schedule B – City of Cambridge – Fire Contract Fees (2015 & 2016 Budget)

Schedule C – Recommendation number 31 – Excerpt from Master Fire Plan

Schedule D – Excerpt from Master Fire Plan – Section 7, pg. 110

**SCHEDULE "A"
Served Area**



**CITY OF CAMBRIDGE
FIRE CONTRACT FEES
BASED ON 2015 BUDGET EXPENSES AND 2016 BUDGET**

Description	2015 Budget		2016 Budget
<u>Direct Costs</u>			
Administration Fire Salary & Benefits	801,700		812,700
Administration Fire Other Costs	117,300		139,700
Fire Prevention Salary & Benefits - Removed	963,500		1,029,500
Fire Prevention Other Costs - Removed	7,100		6,500
Fire Mechanical Salary & Benefits	258,900		282,500
Fire Mechanical Other Costs	770,400		782,200
Fire Training Salary & Benefits	153,900		163,300
Fire Training Other Costs	26,300		52,300
Fire Communications Salary & Benefits	790,200		852,100
Fire Communications Other Costs	91,800		93,300
Fire Suppression Salary & Benefits	15,367,200		16,527,600
Fire Suppression Other Costs	0		
Fire Station #1	146,000		153,400
Fire Station #2	20,100		20,900
Fire Station #3	33,600		29,700
Fire Station #4	38,000		38,500
Fire Station #5	32,600		32,700
Fire Public Safety Salary & Benefits	0		
Fire Public Safety Other Costs	438,700		442,000
Fire Public Education Salary & Benefits - Removed	156,700		166,000
Fire Public Education Other Costs - Removed	7,900		42,500
Departments to be Removed - Fire Prevention & Public Education	(1,135,200)		(1,244,500)
<u>Other Direct Costs</u>			
Computer Application Cost - FDM, and Telestaff -Web based	4,400	1.50%	4,500
Computer Application Annual Support & Maintenance Cost - CRISIS, FDM, and Telestaff	8,400	1.50%	8,500
Upgrades Every Three Years to FDM, and Telestaff	1,700	1.50%	1,700
PC cost with replacement every three years	22,100	1.50%	22,400
Total Direct Costs	<u>19,123,300</u>		<u>20,460,000</u>
<u>Indirect Costs</u>			
Mayor & Council	166,700		
CAO	88,800		

**CITY OF CAMBRIDGE
FIRE CONTRACT FEES
BASED ON 2015 BUDGET EXPENSES AND 2016 BUDGET**

Description	2015 Budget	2016 Budget
Communications	112,500	
Legal	126,700	
Admin City Clerk	292,800	
Election	22,700	
Admin Corporate Services	85,000	
Accounting & Budget	292,500	
Purchasing	72,800	
Technology Services	318,600	
Human Resources	459,800	
Insurance Costs	264,200	
Mayor & Council		172,700
Office of the City Manager - Admin		94,900
City Solicitor		127,000
Admin Corporate Services		88,700
Admin City Clerk		287,300
Election		22,400
Human Resources		484,900
Communications		137,300
Technology Services		334,900
Admin CFO		105,000
Internal Audit & Insurance		262,300
Accounting & Budget		305,100
Purchasing		73,400
Total Indirect Costs	<u>2,303,100</u>	<u>2,495,900</u>
Total Costs	<u>21,426,400</u>	<u>22,955,900</u>
Population Cambridge	135,138	136,489
Per Capita Costs	158.55	168.19
Population Puslinch	734	734
Cost to Puslinch	<u>116,400</u>	<u>123,500</u>

Depth of Response Staffing Performance Objective:

That the Township of Puslinch should be **striving to achieve a depth of response deployment to all fire related emergency calls of four firefighters to low risk occupancies, 14 firefighters to moderate risk occupancies, and 24 firefighters to high risk occupancies.**

Response Time Performance Objective:

That the Township of Puslinch should be **striving to achieve the response time performance objective referenced within the NFPA 1720 Rural Area Demand Zone including a minimum of six firefighters responding within a 14 minute response time (turnout time + travel time) with a performance objective of 80%.**

29. That the PFRS continue to participate in the Superior Tanker Shuttle Accreditation process, and where possible identify additional alternative water supply locations to provide further enhancements to the accreditation.
30. That the Fire Chief be directed to develop a department policy for responding to medical responses that details the types of medical responses, requirements for volunteer firefighters responding, and requirements for data collection to be presented to Council for consideration and approval and inclusion within the recommended updated Establishing and Regulating By-law.
31. That Council authorize the Chief Administrative Officer and Fire Chief to approach the City of Cambridge to negotiate a revised Automatic Aid Agreement for the provision of fire suppression services as reflected in the proposed Master Fire Plan.
32. That Council authorize the Chief Administrative Officer and Fire Chief to approach the City of Guelph to negotiate an Automatic Aid Agreement for the provision of fire suppression services as reflected in the proposed Master Fire Plan.
33. That Council implement the strategies to optimize the Volunteer Firefighter Recruitment Process identified within the proposed Master Fire Plan including increasing the approved complement of the PFRS by 6 volunteer firefighters.
34. That consideration be given to reducing the hours of work for the part-time Fire Chief from the current 30 hours per week to 24 hours per week.
35. That consideration be given to making the position of part-time Deputy Fire Chief of Administration permanent with direct responsibility for the Fire Prevention, Public Education and Training Divisions with a set schedule of 24 hours per week.
36. That consideration be given to making the position of part-time Deputy Fire Chief of Operations permanent with direct responsibility for the Fire Suppression Division with a set schedule of 24 hours per week.
37. That Council implement the strategy to optimize the use of part-time resources included within the proposed Master Fire Plan.
38. That a revised on-call process be implemented to ensure a minimum response to include a minimum of six volunteer firefighters and a senior officer at all times.



City of Cambridge Fire Protection Agreement

The Township of Puslinch currently purchases fire and emergency services from the City of Cambridge for responses within a defined area of the south-western portion of the Township, specifically the Puslinch Lake District. The service area defined by this agreement is shown in **Figure 21**.

The current agreement dated February 1st, 2012 was approved by Council resolution on February 15th, 2012 for a duration starting February 1st, 2012 to December 31st, 2015. The agreement requires the City of Cambridge to receive all alarms for fires and other emergencies within the contracted area and dispatch the required emergency vehicles and staff in keeping with the established practices of the Cambridge Fire Department.

Within the agreement the Cambridge Fire Department response is defined as a maximum of six vehicles and sixteen full-time firefighters responding on the first alarm. The Township is required to relieve the Cambridge Fire Department vehicles and staffing from the incident as soon as reasonably practical should the estimated duration of the incident exceed one hour in duration.

The costs associated with this agreement are currently recovered from residents within the contracted service area by the Township. The special area levy for this agreement was \$108,000 in 2014 and will be \$115,100 in 2015.

Table 18 summarizes the number of emergency calls responded to by the Cambridge Fire Department for the 5-year period 2010 to 2014.

TABLE 18: CAMBRIDGE FIRE DEPARTMENT RESPONSES

Year	Number of Emergency Responses
2010	73
2011	60
2012	59
2013	59
2014	71



REPORT ADM-2016-019

TO: Mayor and Members of Council

FROM: Karen Landry, CAO/Clerk

MEETING DATE: October 5, 2016

SUBJECT: Agreement – Securities – Temporary Residence during Construction – Delegated Authority
Our File: A09DEL

RECOMMENDATIONS

That Report ADM-2016-019 regarding Agreement – Securities – Temporary Residence during Construction – Delegated Authority be received; and

That Council enact a By-law to delegate authority to the Chief Building Official and the CAO/Clerk to execute Temporary Residence during Construction Agreements in the standard form as outlined in Schedules A and B of Report ADM-2016-019; and

That the policy established by Resolution 8 passed by Council on March 7, 2012 is deemed no longer in effect.

DISCUSSION

Background

Township Council passed By-law 42/16 on July 20, 2016 to amend the Township's Zoning By-law. Section 3(27) was added and states:

3(27) Temporary Residence During Construction

- a) Where a single detached dwelling is being constructed on a vacant lot in an Agricultural (A) Zone, a mobile home may be located and used as a temporary residence on the same lot during the construction of a new residence for a period of time not to exceed 12 months after the building permit for the new dwelling is issued, provided all requirements of the Chief Building Official are satisfied, including the provision of adequate sewage disposal and water supply, and the posting of sufficient securities to ensure the removal of the temporary dwelling.
- b) Where a new single detached dwelling is being constructed to replace an existing single detached dwelling on the same lot in an Agricultural (A) Zone, the existing

dwelling may continue to be used as a temporary residence during the construction of the new residence for a period of time not to exceed 12 months after the building permit for the new dwelling is issued, provided all requirements of the Chief Building Official are satisfied, including the provision of adequate sewage disposal and water supply, and the posting of sufficient securities to ensure the removal of the temporary dwelling.

On March 7, 2012, Council passed the following resolution:

That the Council of the Township of Puslinch does hereby establish a policy for the following requests:

- Existing house to remain standing until new house is constructed
- Temporary trailer placed on site until new house is constructed
- To allow an existing accessory building to be left on a parcel without a dwelling

to include the following:

- That a minor variance approval is required
- That a security deposit in the amount of \$20,000 be submitted to and held by the Township of Puslinch
- That the existing dwelling on the property be demolished within 18 months after the issuance of a building permit, whichever is less
- That only one house shall be occupied at a time on the property
- That the temporary trailer is to be removed no later than 60 days following the issuance of an occupancy permit
- That the accessory building is removed or a permit for a single family dwelling is received within 6 months of the Minor Variance approval

With the approval of Zoning By-law Amendment 42/16 together with the adoption of the recommendations contained in this report, the above resolution is to be formally deemed no longer to be in effect by Council.

Purpose

The purpose of this report is to obtain delegated authority from Council to authorize the Chief Building Official or the CAO/Clerk to execute a standard agreement with the owner of property who is utilizing section 3(27) of the Township's Zoning By-law as noted above.

Staff recommend the passing of a by-law to delegate this routine administrative authority to the Chief Building Official and the CAO/Clerk to enter into a standard form of agreement attached as Schedules "A" and "B" to this Report. The purpose is to facilitate the timely processing of the collection of securities and the execution of the agreement without causing undue delay to the home owner during the Building Permit Application submission process.

The purpose of the standard form of agreements attached as Schedules A and B is to ensure the party posting the securities agrees and understands the purpose and authority for holding and drawing on the securities by the Township.

FINANCIAL IMPLICATIONS

At this time, staff recommend that the \$500.00 agreement fee included in the Township's User Fee By-law not be imposed for the agreements attached as Schedules "A" and "B" as they are simple in form and will not be registered on title. Staff will consider during a review of the 2018 User Fees By-law the establishment of a tiered agreement fee structure based on the complexity and the nature of the agreement.

APPLICABLE LEGISLATION AND REQUIREMENTS

Outlined below is an excerpt from Municipal Act, 2001 as amended regarding Council's power to delegate.

General power to delegate

23.1 (1) Without limiting sections 9, 10 and 11, those sections authorize a municipality to delegate its powers and duties under this or any other Act to a person or body subject to the restrictions set out in this Part. 2006, c. 32, Sched. A, s. 15.

Scope of power

- (2)** The following rules apply to a by-law delegating any of the municipality's powers or duties:
1. A delegation may be revoked at any time without notice unless the delegation by-law specifically limits the municipality's power to revoke the delegation.
 2. A delegation shall not limit the right to revoke the delegation beyond the term of the council which made the delegation.
 3. A delegation may provide that only the delegate can exercise the delegated power or that both the municipality and the delegate can exercise the power.
 4. A delegation or deemed delegation under paragraph 6 of a duty results in the duty being a joint duty of the municipality and the delegate.
 5. A delegation may be made subject to such conditions and limits as the council of a municipality considers appropriate.
 6. Where a power is delegated, the power is deemed to be delegated subject to any limits on the power and to any procedural requirements, including conditions, approvals and appeals which apply to the power and any duties related to the power are deemed to be delegated with the power

Same

- (3) The conditions and limits referred to in paragraph 5 of subsection (2) may include such matters as the following:
1. A requirement that the delegate act by by-law, resolution or otherwise, despite subsection 5 (3).
 2. Procedures that the delegate is required to follow.
 3. The accountability of the delegate and the transparency of the delegate's actions and decisions.

Restriction re delegation of legislative and quasi-judicial powers

23.2 (1) Sections 9, 10 and 11 do not authorize a municipality to delegate legislative and quasi-judicial powers under any Act except those listed in subsection (2) and the legislative and quasi-judicial powers under the listed Acts may be delegated only to,

- (a) one or more members of its council or a council committee;
- (b) a body having at least two members of whom at least 50 per cent are,
 - (i) members of its council,
 - (ii) individuals appointed by its council,
 - (iii) a combination of individuals described in subclauses (i) and (ii); or
- (c) an individual who is an officer, employee or agent of the municipality.

Restriction re applicable Acts

(2) For the purposes of subsection (1), the listed Acts are this Act, the *Planning Act*, a private Act relating to the municipality and such other Acts as may be prescribed.

Restriction re certain corporations

(3) Despite clause (1) (b), no delegation of a legislative or quasi-judicial power shall be made to a corporation incorporated in accordance with section 203.

Restriction re officers, employees, etc.

(4) No delegation of a legislative power shall be made to an individual described in clause (1) (c) unless, in the opinion of the council of the municipality, the power being delegated is of a minor nature and, in determining whether or not a power is of a minor nature, the council, in addition to any other factors it wishes to

consider, shall have regard to the number of people, the size of geographic area and the time period affected by an exercise of the power.

Same

- (5) Without limiting subsection (4), the following are examples of powers considered to be of a minor nature:
1. The power to close a highway temporarily.
 2. The power to issue and impose conditions on a licence.
 3. The powers of the council of a municipality that are described in the following provisions of the old *Municipal Act*, as those provisions read on December 31, 2002:
 - i. Paragraphs 107, 108, 109 and 110 of section 210.
 - ii. Paragraph 3 of section 308.
 - iii. Subsection 312 (2) and clauses 312 (4) (a) and (b).

Regulations

- (6) The Minister may make regulations prescribing Acts for the purpose of subsection (2).

Powers that cannot be delegated

- 23.3 (1) Sections 9, 10 and 11 do not authorize a municipality to delegate any of the following powers and duties:
1. The power to appoint or remove from office an officer of the municipality whose appointment is required by this Act.
 2. The power to pass a by-law under Parts VIII, IX and X.
 3. The power to incorporate corporations in accordance with section 203.
 4. The power to adopt an official plan or an amendment to an official plan under the *Planning Act*.
 5. The power to pass a zoning by-law under the *Planning Act*.
 6. The powers to pass a by-law under subsections 108 (1) and (2) and 110 (3), (6) and (7).
 7. The power to adopt a community improvement plan under section 28 of the *Planning Act*, if the plan includes provisions that authorize the exercise of any power under subsection 28 (6) or (7) of that Act or under section 365.1 of this Act.
 8. The power to adopt or amend the budget of the municipality.
 9. Any other power or duty that may be prescribed.

Delegation of administrative powers

- (2) Nothing in subsection (1) prevents a municipality from delegating its administrative powers.

Regulations

- (3) The Minister may make regulations,
 - (a) restricting or imposing conditions on the power of a municipality to delegate its power and duties;
 - (b) prescribing powers and duties for the purpose of paragraph 9 of subsection (1)

ATTACHMENTS

Schedule A: Agreement to reside in the existing house until the new house is constructed

Schedule B: Agreement to construct and reside in a mobile home during the construction of a dwelling

SCHEDULE 'A'

AGREEMENT

BETWEEN:

XXX

HERINAFTER REFERRED
TO AS "**LAST NAME**"

AND

**THE CORPORATION OF THE
TOWNSHIP OF PUSLINCH**

HEREINAFTER REFERRED
TO AS THE "TOWNSHIP"

WHEREAS **LAST NAME** has requested to reside in the existing house until the new house is constructed as permitted under Section 3(27), General Provisions, Temporary Residence During Construction, of Township Zoning By-law, and;

WHEREAS the **LAST NAME** agrees with the Township to the following:

1. That "**LAST NAME**" shall file with the Township a security deposit in the amount of \$20,000 in a form satisfactory to the Township at the time of submission of a Building Permit for the proposed new dwelling located at Part Lot **X, Concession X, MUNICIPAL ADDRESS**, Township of Puslinch.
2. That said security deposit shall be held by the Township to ensure the existing dwelling is demolished from the lands no later than 12 months after the issuance of a building permit for the new dwelling, or 90 days after the issuance of an occupancy permit, whichever is less.
3. That in the event an occupancy permit is not issued 12 months after the issuance of a building permit and the existing dwelling is not demolished, the security deposit shall be forfeited to the Township and the Township shall be at liberty to apply for a Court Order for the removal of the existing dwelling and the costs shall be payable by **LAST NAME**.

4. In the event that the existing dwelling is demolished and the demolition permit is finalized prior to the stipulated timelines, the Township will return the security deposit in its entirety to **OWNER** within ten (10) business days.

Dated this _____ day of _____, 20**XX**

WITNESS

OWNER

ROBERT KELLY, Chief Building Official
The Corporation of the
Township of Puslinch

SCHEDULE 'B'

AGREEMENT

BETWEEN:

XXX

HEREINAFTER REFERRED
TO AS "**LAST NAME**"

AND

**THE CORPORATION OF THE
TOWNSHIP OF PUSLINCH**

HEREINAFTER REFERRED
TO AS THE "TOWNSHIP"

WHEREAS **LAST NAME** has requested to construct and reside in a mobile home during the construction of a dwelling as permitted under Section 3(27), General Provisions, Temporary Residence During Construction, of Township Zoning By-law, and;

WHEREAS the **LAST NAME** agrees with the Township to the following:

1. That **LAST NAME** shall file with the Township a security deposit in the amount of \$20,000 in a form satisfactory to the Township at the time of submission of a Building Permit for the mobile home located at Part Lot **X**, **Concession X**, **MUNICIPAL ADDRESS**, Township of Puslinch.
2. That said security deposit shall be held by the Township to ensure the mobile home is removed from the lands no later than 12 months after the issuance of a building permit for the dwelling, or 90 days after the issuance of an occupancy permit, whichever is less.
3. That building permits are obtained by **LAST NAME** for the installation of the temporary mobile home and an adequate sewage system in accordance with the Ontario Building Code.
4. That a Building Permit for the dwelling be issued within 2 months of an occupancy permit for the mobile home.

5. That in the event a Building Permit is not applied for and issued within two months of the issuance of an occupancy permit for the mobile home, the security deposit shall be forfeited to the Township and the Township shall be at liberty to apply for a Court Order for the removal of the mobile home and the costs shall be payable by **LAST NAME**.
6. That in the event an occupancy permit for the dwelling is not issued 12 months after the issuance of a building permit for the dwelling and the mobile home is not removed, the security deposit shall be forfeited to the Township and the Township shall be at liberty to apply for a Court Order for the removal of the mobile home and the costs shall be payable by **LAST NAME**.
7. In the event that the mobile home is removed and the demolition permit is finalized prior to the stipulated timelines, the Township will return the security deposit in its entirety to **OWNER** within ten (10) business days.

Dated this _____ day of _____, 20**XX**

WITNESS

OWNER

ROBERT KELLY, Chief Building Official
The Corporation of the Township of Puslinch



MINUTES

MEMBERS PRESENT

Daina Makinson, Sitting Chair
Kevin Johnson
June Williams
Margaret Hauwert

MEMBERS ABSENT

None.

TOWNSHIP STAFF

Marissa Herner, Legislative Assistant
Jessie Beauclaire, C.S.R.
Karen Landry, CAO/Clerk
Don Creed, Director of Public Works and Parks

1. CALL TO ORDER

The meeting was called to order at 7:00 p.m.

2. DISCLOSURE OF PECUNIARY INTEREST

None.

3. APPROVAL OF MINUTES

a) May 17, 2016 – Regular Meeting

Moved by June Williams and then Seconded by Kevin Johnson **REC-2016-027**

That the Minutes of the Recreation Committee meeting dated May 17, 2016 be adopted.

CARRIED

4. DELEGATIONS/PRESENTATIONS

None.

5. REGULAR BUSINESS

1. Chair Appointment Process

To provide clarification, Ms. Karen Landry, CAO/clerk, advised that the absence of the Committee Chair, the Vice-Chair assumes the role and responsibilities of the Chair.

Ms. Landry advised that at the August 10, 2016 Council meeting, Council will be selecting a representative to fill the Councillor Vacancy and appointing a Council representative to the Recreation Committee.

As the Committee does not meet in August, Ms. Landry advised that the appointment of a Chair of the Committee will be determined at the September meeting.



2. Pickleball Verbal Update

Ms. Margaret Hauwert provided the Committee with an update regarding her meeting with a representative from the Pickleball Association.

To assist with promoting pickleball, Ms. Hauwert expressed that the Pickleball Association is willing to assist a group if they are seeking to begin a pickleball league utilizing the Optimist Recreation Centre gymnasium.

Members of the Committee advised that there is a desire for pickleball in the Township, but there would have to be a group that is seeking to facilitate the organization of a league, such as a group of residents or an organization such as the YMCA/YWCA.

The Committee advised that they would like staff to connect with Linda Killough, Programs Manager, YMCA/YWCA, to continue discussions about the YMCA/YWCA using Township facilities for various programs such as pickleball, PD days, and holiday activities.

3. Facility Financials and Revenues Discussion

Mr. Kevin Johnson inquired with Township Staff about the facility financials that the Committee received at the previous Committee meeting. More specifically, Mr. Johnson asked staff whether it is accurate that the revenues from 2016 are down in comparison to the previous year.

Ms. Marissa Herner advised that over the past few months the Township has been in a state of transition. More specifically, Ms. Herner advised that the Township has inputted all facility data in to Keystone, which is a more comprehensive electronic system for tracking facility revenues that is connected to Accounts Receivable. Ms. Herner advised that a new module has been released in Keystone that allows Staff to print monthly financials that will capture in detail the financials for each facility.

Ms. Herner noted that it would be inaccurate to compare the monthly revenues from 2015 and 2016, as the process for collecting and quantifying this data has changed with the integration of the facility rentals in to Keystone.

Beginning at the next meeting in September, Ms. Herner advised that the Committee can expect the new facility financials for their review.

4. Basketball Court ≠

Ms. June Williams expressed to the Committee that the Optimist Club will be supporting the initiative to have a basketball court in the park on Boreham Drive with Council's approval.

Ms. Williams advised that the Optimist Club have visited the park with Mr. Don Creed, Director of Public Works and Parks, to determine where the basketball court would be located and ensure there is suitable elevation and drainage.

In regards to landscaping, Ms. Williams advised that Dave Bouck of Davan Landscaping has volunteered to lead the construction of the basketball court. Ms. Williams advised that the Optimist Club is speaking with other local contractors with respect to sourcing material suppliers and "in kind" assistance.



The Committee requested that the Optimist Club provide a sketch of the basketball court before submitting their proposal to Council.

Moved by Mr. Kevin Johnson and then Seconded by Margaret Hauwert **REC-2016-28**

CARRIED

6. FINANCIAL REPORTS

1. Revenue and Expenses

None.

2. Revenue Summaries

None.

7. CLOSED MEETING

None.

8. ADJOURNMENT

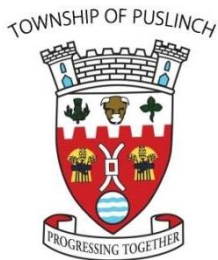
Moved by Kevin Johnson and then Seconded by June Williams **REC-2016-29**

The Recreation Committee Meeting hereby adjourns at 7:32 p.m.

CARRIED

9. NEXT MEETING

Tuesday, Sept 20, 2016 at 7:00 p.m. in the Council Chambers.



Heritage Committee
Monday, July 25, 2016
1:00 p.m.
Council Chambers, Aberfoyle

MINUTES

MEMBERS PRESENT

Mary Tivy – Chair
John Arnold
Cameron Tuck
Barb Jefferson
John Levak

TOWNSHIP STAFF

Karen Landry – CAO/Clerk
Marissa Herner – Legislative Assistant

1. CALL TO ORDER

The meeting was called to order at 1:00 p.m.

2. OPENING REMARKS

Mary Tivy made a few opening remarks noting that the Committee was going to discuss the Regular Business items on the agenda and then begin their Tour as scheduled.

3. DECLARATION OF PECUNIARY INTEREST

None stated.

4. APPROVAL/ADOPTION OF MINUTES

Moved by: Cameron Tuck Seconded by: John Arnold

That the minutes of the Heritage Committee meeting dated May 2, 2016 be adopted.

CARRIED

5. REGULAR BUSINESS

- a) Zoning By-Law Amendment Application – Leachman – Aberfoyle Snowmobiles (92 Brock Rd. S. and a portion of the property to the rear with frontage on Gilmour Rd.).

The Committee advised that they reviewed the corresponding documents with respect to the Zoning By-Law Amendment Application – Leachman – Aberfoyle Snowmobiles.

Ms. Mary Tivy inquired about the existing building on the property and expressed interest in the cultural value of the stone structure.

- b) Notice of Complete Application – Brock Rd. and McLean Rd. West.

The Committee advised that they do not have any comments regarding the Notice of Complete Application for Brock Rd. and McLean Rd. West.

- c) Notice of Complete Application – Brock Rd. and Gilmour Rd.

The Committee advised that they do not have any comments regarding the Notice of Complete Application for Brock Rd. and Gilmour Rd.

6. **SUMMER TOUR OVERVIEW**

The Committee recessed and the tour commenced following Agenda Item 5 – Regular Business.

The Committee conducted a tour of the properties listed below.

- a) **1:45 p.m.** – Ellis Chapel: 6705 Ellis Rd., Puslinch
- b) **2:30 p.m.** – 6524 Roszell Rd., Puslinch
- c) **3:30 p.m.** – 66 Queen St., South, Morriston (Calfass Farmhouse owned by Dave Bouck)
- d) Walking Tour of Village of Morriston and visit to Winer Farm

7. **ADJOURNMENT**

The meeting adjourned at 3:30 p.m.

8. **NEXT MEETING**

September 26, 2016 – 7:00 p.m.

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER 066/16

A BY-LAW TO AMEND BY-LAW NUMBER 19/85, AS AMENDED,
BEING THE ZONING BY-LAW OF THE TOWNSHIP OF PUSLINCH

WHEREAS, the Council of the Corporation of the Township of Puslinch deem it appropriate and in the public interest to amend By-Law Number 19/85 pursuant to Section 34 of the Planning Act, R.S.O. 1990 as amended;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF PUSLINCH ENACTS AS FOLLOWS:

1. That Map A-5 (Schedule 'A') of Zoning By-law 19/85 is hereby amended by revising the **Hamlet Residential (HR) Zone** and adding the **Natural Environmental (NE-16) Zone** to a portion of of the lands legally described as: Lots 9 and 10, south side of Queen Street, Lots 49, and 50 and Part of Lot 48 south side of Victoria Street, and Part of Victoria and Fisher Streets, Colfas' Survey, Reg. Plan 135, Part of NE Lot 31, Concession 7, as illustrated on Schedule "A" of this By-law.
2. That subsection 20(4) SPECIAL PROVISIONS (for the Natural Environment Zone) is hereby amended by adding the following new exception:

“(p) **NE-16 (Church and Queen Streets – Morriston)**

Notwithstanding the provisions of Section 20(2), or any other provisions to the contrary, for the lands zoned **NE-16** the permitted uses are restricted to:

- forest management
- fish and wildlife management
- flood control
- erosion control
- storm water management

Notwithstanding the provisions of Section 3(25)(a), the minimum building setback from the **NE-16** Zone is 15 metres. The required setback to the NE-16 limit may be further reduced pursuant to the requirements of 3(25)(c) of this By-law. The encroachment within the setback area by the existing heritage dwelling immediately abutting the NE-16 Zone is recognized by this By-law.”

3. This By-law shall become effective from the date of passage by Council and come into force in accordance with the requirements of the Planning Act, R.S.O. 1990, as amended.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 5th DAY
OF OCTOBER 2016.**

Dennis Lever, Mayor

Karen Landry, CAO/Clerk

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NO. 066/16

SCHEDULE " A "



This is Schedule "A" to By-law No. 066/16

Passed this 5th day of October, 2016.

Dennis Lever, Mayor

Karen Landry, CAO/Clerk

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER 067/16

Being a by-law to delegate authority to the Chief Building Official and the CAO/Clerk to execute agreements

WHEREAS the *Municipal Act*, S.O. 2001, c.25 authorizes a municipality to delegate its powers and duties;

AND WHEREAS Council deems it expedient to delegate authority to the Chief Building Official and the CAO/Clerk to execute agreements for the collection of securities by an owner to temporarily permit residing in an existing home until a new home is construction or to construct and reside in a mobile home during the construction of a dwelling;

NOW THEREFORE the Corporation of the Township of Puslinch hereby enacts as follows:

1. That the standard form of Agreements attached as Schedules "A" and "B" are hereby approved.
2. That the Chief Building Official or the CAO/Clerk are hereby authorized to execute the standard form of Agreements attached as Schedules "A" and "B" on behalf of the Township.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 5th DAY OF OCTOBER, 2016.

Dennis Lever, Mayor

Karen Landry, CAO/Clerk

SCHEDULE 'A'

AGREEMENT

BETWEEN:

XXX

HERINAFTER REFERRED
TO AS "**LAST NAME**"

AND

**THE CORPORATION OF THE
TOWNSHIP OF PUSLINCH**

HEREINAFTER REFERRED
TO AS THE "TOWNSHIP"

WHEREAS **LAST NAME** has requested to reside in the existing house until the new house is constructed as permitted under Section 3(27), General Provisions, Temporary Residence During Construction, of Township Zoning By-law, and;

WHEREAS the **LAST NAME** agrees with the Township to the following:

1. That "**LAST NAME**" shall file with the Township a security deposit in the amount of \$20,000 in a form satisfactory to the Township at the time of submission of a Building Permit for the proposed new dwelling located at Part Lot **X, Concession X, MUNICIPAL ADDRESS**, Township of Puslinch.
2. That said security deposit shall be held by the Township to ensure the existing dwelling is demolished from the lands no later than 12 months after the issuance of a building permit for the new dwelling, or 90 days after the issuance of an occupancy permit, whichever is less.
3. That in the event an occupancy permit is not issued 12 months after the issuance of a building permit and the existing dwelling is not demolished, the security deposit shall be forfeited to the Township and the Township shall be at liberty to apply for a Court Order for the removal of the existing dwelling and the costs shall be payable by **LAST NAME**.

4. In the event that the existing dwelling is demolished and the demolition permit is finalized prior to the stipulated timelines, the Township will return the security deposit in its entirety to **OWNER** within ten (10) business days.

Dated this _____ day of _____, 20**XX**

WITNESS

OWNER

ROBERT KELLY, Chief Building Official
The Corporation of the
Township of Puslinch

SCHEDULE 'B'

AGREEMENT

BETWEEN:

XXX

HEREINAFTER REFERRED
TO AS "**LAST NAME**"

AND

**THE CORPORATION OF THE
TOWNSHIP OF PUSLINCH**

HEREINAFTER REFERRED
TO AS THE "TOWNSHIP"

WHEREAS **LAST NAME** has requested to construct and reside in a mobile home during the construction of a dwelling as permitted under Section 3(27), General Provisions, Temporary Residence During Construction, of Township Zoning By-law, and;

WHEREAS the **LAST NAME** agrees with the Township to the following:

1. That **LAST NAME** shall file with the Township a security deposit in the amount of \$20,000 in a form satisfactory to the Township at the time of submission of a Building Permit for the mobile home located at Part Lot **X**, **Concession X**, **MUNICIPAL ADDRESS**, Township of Puslinch.
2. That said security deposit shall be held by the Township to ensure the mobile home is removed from the lands no later than 12 months after the issuance of a building permit for the dwelling, or 90 days after the issuance of an occupancy permit, whichever is less.
3. That building permits are obtained by **LAST NAME** for the installation of the temporary mobile home and an adequate sewage system in accordance with the Ontario Building Code.
4. That a Building Permit for the dwelling be issued within 2 months of an occupancy permit for the mobile home.

5. That in the event a Building Permit is not applied for and issued within two months of the issuance of an occupancy permit for the mobile home, the security deposit shall be forfeited to the Township and the Township shall be at liberty to apply for a Court Order for the removal of the mobile home and the costs shall be payable by **LAST NAME**.
6. That in the event an occupancy permit for the dwelling is not issued 12 months after the issuance of a building permit for the dwelling and the mobile home is not removed, the security deposit shall be forfeited to the Township and the Township shall be at liberty to apply for a Court Order for the removal of the mobile home and the costs shall be payable by **LAST NAME**.
7. In the event that the mobile home is removed and the demolition permit is finalized prior to the stipulated timelines, the Township will return the security deposit in its entirety to **OWNER** within ten (10) business days.

Dated this _____ day of _____, 20**XX**

WITNESS

OWNER

ROBERT KELLY, Chief Building Official
The Corporation of the Township of Puslinch

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER 068/16

Being a by-law to authorize the entering into an Agreement with The Corporation of the City of Cambridge regarding an Automatic Aid Agreement.

WHEREAS the *Municipal Act*, S.O. 2001, c.25 authorizes a municipality to enter into Agreements;

AND WHEREAS the Council for the Corporation of the Township of Puslinch deems it appropriate to enter into an Agreement with The Corporation of the City of Cambridge regarding an Automatic Aid Agreement in respect of certain initial responses to certain fires in certain situations in certain geographical areas;

NOW THEREFORE the Corporation of the Township of Puslinch hereby enacts as follows:

1. That the Corporation of the Township of Puslinch enter into an Agreement with The Corporation of the City of Cambridge with respect to an Automatic Aid Agreement for a period between January 1, 2017 and December 31, 2017.
2. THAT the Mayor and Clerk are hereby authorized to execute the Agreement.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 5th DAY OF OCTOBER 2016

Dennis Lever, Mayor

Karen Landry, CAO/Clerk

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER 069/16

Being a by-law to confirm the proceedings of the Council of the Corporation of the Township of Puslinch at its meeting held on October 5, 2016.

WHEREAS by Section 5 of the *Municipal Act, 2001, S.O. 2001, c.25* the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Section 5, Subsection (3) of the *Municipal Act*, a municipal power including a municipality's capacity, rights, powers and privileges under section 8, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS it is deemed expedient that the proceedings of the Council of the Corporation of the Township of Puslinch at its meeting held October 5, 2016 be confirmed and adopted by By-law;

NOW THEREFORE the Council of the Corporation of the Township of Puslinch hereby enacts as follows:

- 1) The action of the Council of the Corporation of the Township of Puslinch, in respect of each recommendation contained in the reports of the Committees and each motion and resolution passed and other action taken by the Council at said meeting are hereby adopted and confirmed.
- 2) The Head of Council and proper official of the Corporation are hereby authorized and directed to do all things necessary to give effect to the said action of the Council.
- 3) The Head of Council and the Clerk are hereby authorized and directed to execute all documents required by statute to be executed by them, as may be necessary in that behalf and the Clerk authorized and directed to affix the seal of the said Corporation to all such documents.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 5th DAY OF OCTOBER, 2016.

Dennis Lever, Mayor

Karen Landry, C.A.O./Clerk