

Addendum to Report PDR-PCD-35-15

To: Chair McQueen and Members of the Planning and Community Development Committee
From: Randy Scherzer, Director of Planning
Meeting Date: October 13, 2016
Subject: **Proposed Changes to the Niagara Escarpment Plan**
Status: Recommendation adopted by Committee as presented October 13, 2016 per Resolution PCD122-16; Endorsed by County Council November 1, 2016 per Resolution CC138-16;

Recommendation(s)

- 1. THAT the Addendum to Report PDR-PCD-35-15 be received which provides further information regarding the proposed changes to the Niagara Escarpment Plan; and**
- 2. THAT the Report be sent to the Province and the Niagara Escarpment Commission as further comments regarding the proposed changes to the Niagara Escarpment Plan prior to Council approval as per Section 24.13(b) of Procedural By-law 4876-14 as amended, in order to meet the October 31, 2016 deadline.**

Background

The Province of Ontario is undertaking a coordinated review of the Growth Plan for the Greater Golden Horseshoe, the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan, and the Niagara Escarpment Plan. Initial comments were provided to the Ministry of Municipal Affairs and Housing Coordinate Land Use Planning Review Team as identified in Report - [PDR-PCD-21-15 Provincial Co-ordinated Policy Review](#). In addition to the preliminary comments identified in the above staff report, Council also approved the following motion:

AND THAT the Province be requested to review the relevance of the Niagara Escarpment Commission considering the existence of professional planning in county, regional and municipal governments.

Staff Report PDR-PCD-35-15 was presented to Committee on September 15, 2015 and the minutes from the Committee were approved by Council on October 6, 2015. The following motion was by Council on October 6, 2015:

CC137-15 Moved by: Councillor Clumpus Seconded by: Councillor Ardiel

WHEREAS the Niagara Escarpment Commission has prepared discussion papers to consider possible amendments to the Niagara Escarpment Plan to be considered by the Minister for possible inclusion in the Co-ordinated Land Use Planning Review currently being conducted by the Ministry of Municipal Affairs and Housing;

AND WHEREAS a number of the proposed changes outlined in the Niagara Escarpment Discussion Papers could have an impact on land use planning and development within parts of Grey County, including the proposal to add significant portions of land in Grey County into the Niagara Escarpment Plan as well as utilizing the significant woodlands constraint mapping to update land use designations within the Niagara Escarpment Plan;

NOW THEREFORE BE IT RESOLVED THAT Report PDR-PCD-35-15 be received;

AND THAT the Report be send to the Niagara Escarpment Commission, the Premier, the Ministry of Natural Resources and Forestry, and the Ministry of Municipal Affairs and Housing Coordinated Land Use Planning Review Team and local Members of Provincial Parliament as the County of Grey's comments regarding the proposed amendments to the Niagara Escarpment Plan which identifies concerns and questions with respect to the proposed amendments;

AND THAT if the Ministry considers including the proposed Niagara Escarpment Plan amendments as part of the Co-ordinated Land Use Planning Review that extensive consultation be required with municipalities and members of the public which would include individual notice to all landowners within the areas that are proposed to be added to the Niagara Escarpment Plan;

AND THAT the County of Grey recommend that the Niagara Escarpment Commission be dissolved given the existence of professional planning in county, regional and municipal governments.

The affected municipalities from Bruce, Grey, Simcoe and Dufferin met on August 4th, 2016 to discuss the proposed changes and the proposed expansion to the Niagara Escarpment Plan and to learn more about these matters. Two of the main areas of concern are the proposed changes to the land uses designations as well as the proposed expansion of the Niagara Escarpment Plan Area. The following matters were raised at the meeting:

- Municipalities should be considered as partners in this process as opposed to commenting agencies. Municipalities expressed that they would be willing to work with the province and Niagara Escarpment Commission to develop a more collaborative consultation process; whereby municipalities are partners in the process as opposed to commenting agencies
- The consultation process to date has not provided enough information for municipalities and landowners to comment on the proposed changes or the proposed expansion and to fully understand the potential impacts that could result if these were approved.
- The mapping provided at the open houses and on the website does not provide enough detail to determine the properties potentially affected by the proposed changes or the proposed expansion. The mapping provided also lacks detail in order to properly analyze and provide comments to the province. Municipalities indicated that more detailed mapping needs to be provided in order for the municipalities and landowners to comment on the proposed changes and the proposed expansion.
- Some municipalities have done some analysis based on the information provided to date and indicated that the proposed changes will result in a tax revenue loss as more properties will be eligible for the Conservation Land Tax Incentive Program.
- Municipalities already have official plans and zoning by-laws that are consistent with the Provincial Policy Statement. These existing planning documents already ensure that the lands proposed to be added to the Niagara Escarpment Plan will be developed in an appropriate and sustainable manner.
- Municipalities voiced strong opposition to the proposed Niagara Escarpment Plan expansion areas. Some municipalities have stated they do not see the need to expand the Niagara Escarpment Commission boundaries and that this process should be discontinued.
- Concerns were raised with respect to existing service delivery by the Niagara Escarpment Commission including delays in the approval of development permits. If the proposed changes were to be approved, and lands were to be added, this could result in further erosion of service delivery. If changes to service delivery and resource requirements have been identified to support the

proposed Niagara Escarpment Plan changes or expansion these have not been communicated to the affected municipalities or property owners.

- Some municipalities expressed concerns regarding enforcement within the Niagara Escarpment Plan area whereby enforcement is often left to local municipalities. Should the proposed changes or the proposed expansion be approved, this could cause further enforcement issues and put further pressures on local municipalities to provide resources that will need to be budgeted for.
- There appears to be discrepancies between the proposed land use designation criteria and the proposed land use designation mapping which needs to be addressed.
- Municipalities and landowners are being asked to comment on the principle of the proposed expansion to the Niagara Escarpment Plan without having details as to what the properties will be designated as. Commenting at this stage is difficult for municipalities and landowners, when the land use designations remain unknown.
- The proposed changes provide no exploration of the economic, social or tourism impacts that could result from the proposed changes.
- Municipalities suggested that the comment deadline of September 30th, 2016 (which has now been extended to October 31st, 2016) should be extended until such time as a collaborative consultation process has been completed. It was noted that expansions to the Oak Ridges Moraine Plan have been 'put off' until 2018.

County staff agrees with the above noted comments raised at the August 4th meeting.

On September 6, 2016 County Council considered the motion that was circulated based on the discussion that occurred at the August 4th, 2016 meeting. The following motions were approved by Council on September 6, 2016:

CC114-16 Moved by: Councillor Halliday Seconded by: Councillor Wright

WHEREAS the province has put forward proposed changes to the Niagara Escarpment Plan (NEP) as part of the overall Coordinated Land Use Plan Review, including proposed changes to the designations as well as proposed additions to the Niagara Escarpment Plan Area;

AND WHEREAS the consultation process to date has not provided enough information for municipalities and landowners to comment on the proposed changes and to fully understand the potential impacts that could result from the proposed changes;

AND WHEREAS the proposed changes and the proposed expansion to the Niagara Escarpment Plan will have a negative economic impact to

municipalities;

AND WHEREAS municipalities are important partners in the implementation of land use planning and provincial policies;

AND WHEREAS municipalities already have official plans and zoning by-laws that are consistent with the Provincial Policy Statement which will ensure that the lands proposed to be added to the Niagara Escarpment Plan will be developed in an appropriate and sustainable manner;

NOW THEREFORE BE IT RESOLVED THAT the Corporation of the County of Grey (“Grey County”) does not support the proposed changes or expansion to the Niagara Escarpment Plan until a collaborative consultation process has been completed, including more detailed mapping being provided to allow municipalities and landowners to better understand the proposed changes;

AND THAT Grey County requests an extension to the comment deadline of September 30th, 2016 until such time as a collaborative consultation process has been completed;

AND THAT Grey County is willing to work with the province and the Niagara Escarpment Commission on developing a more collaborative consultation process whereby municipalities are considered partners in the process;

AND THAT this motion be forwarded to the province and the Niagara Escarpment Commission as Grey County’s initial comments regarding the proposed changes and the proposed expansion to the Niagara Escarpment Plan.

CC115-16 Moved by: Councillor Eccles Seconded by: Councillor Ardiel

THAT the motion CC137-15 from October 6, 2015 Grey County Council session referring to the dissolution of the NEC be resubmitted to the review committee of the NEC initiative.

The Niagara Escarpment Commission (NEC) is responsible for administering the Niagara Escarpment Plan (NEP). The NEC has recommended a number of revisions to the NEP including a proposal to expand the NEP area. The NEC recommendations were developed through a series of discussion papers. A link to those discussion papers can be found under Related Documents section below.

An Advisory Panel chaired by David Crombie provided recommendations to the province in December 2015 regarding changes to the four provincial plans, including whether the proposed changes to the Niagara Escarpment Plan should be considered

by the Province. The report released by the Advisory Panel is entitled “Planning for Health, Property and Growth in the Greater Golden Horseshoe: 2015 to 2041”. A link to this report can be found in the Related Documents section below. In the report, the Advisory Panel recommends that the province establish a Provincially led process, in consultation with the NEC, municipalities, conservation authorities, stakeholders and the public to grow the Greenbelt (including the Oak Ridges Moraine Conservation Plan and Niagara Escarpment Plan areas) including potential additions to the NEP area as identified by the Niagara Escarpment Commission (Recommendation 71). The Advisory Panel report did note that they do not support the NEC’s recommendation to prohibit new aggregate operations in the NEP area.

Recommendation 74 from the Advisory Panel recommends to update the NEC development control process, without compromising the purpose of the Niagara Escarpment Plan, by:

1. Identifying ways to streamline the process and reduce duplication of effort;
2. Refining the planning approvals process to better focus on the outcomes and achieve greater alignment with the other plans including the use of common definitions, and;
3. Increasing support for the agricultural system and rural economy.

The Government of Ontario reviewed the recommendations from the Advisory Panel, the recommendations from the NEC, as well as comments received from the various stakeholders and the public. Based on the recommendations and comments received, the Province released proposed changes to the four provincial plans, including proposed changes to the Niagara Escarpment Plan. Links to the proposed changes to the four plans, including specific links to the proposed changes to the Niagara Escarpment Plan can be found in the Related Documents section below. The proposed changes to the Niagara Escarpment Plan can be broken down into the following three sections:

1. Proposed changes to policies and the designations within the existing NEP area;
2. Site-specific, Urban Use and NEP Boundary Amendments that include:
 - Proposals to remove land from the NEP area
 - Requests for more intensive urban or recreational development
 - Changes from one Land Use Designation to another (e.g. Escarpment Rural Area to Urban Area), and;
3. Proposed additions to the Niagara Escarpment Plan Area.

Below are some highlights of the proposed changes for each of the three sections noted above.

1. *Proposed Changes to Policies and Designations within the Existing NEP Area*

General Policy Changes

There are a number of proposed changes to the policies contained in the Niagara Escarpment Plan. Majority of the proposed policy changes are to reflect new legislation, to align language with the Provincial Policy Statement (PPS), to harmonize the NEP with the Greenbelt Plan, as well as other land use planning documents.

Aggregates

There are proposed changes to the policies regarding new Mineral Resource Extraction areas including what will be used to evaluate new aggregate operations (Section 1.2.2). New aggregate operations will only be considered in the Escarpment Rural Area which is consistent with the policies in the current NEP. However, it should be noted that the proposed changes to the land use designations would significantly reduce the Escarpment Rural Area designation which decreases the potential for new mineral aggregate operations in the NEP area.

Land Use Designation Changes (See Attached Maps)

Escarpment Natural Area (Section 1.3) – There are a number of changes proposed to the Escarpment Natural Area policies, including changes to the criteria for designating Escarpment Natural Areas. One change that was initially being contemplated in the NEC discussions papers was to include Significant Woodlands as part of the Escarpment Natural Area criteria. Significant Woodlands has not been included in the proposed criteria which is a positive change. The following are proposed changes to the Escarpment Natural Area criteria:

- The term ‘related landforms’ has been removed and replaced with ‘Escarpment Related Landforms’. The definition for ‘Escarpment Related Landforms’ has been revised by adding in the word ‘outliers’. The term ‘outliers’ is not defined in the proposed changes to the NEP, however in the NEC Discussion Paper entitled ‘Final Recommendations on Land Use Designation Criteria’ dated August 20, 2015 it was recommended that the term ‘outliers’ be included directly in the criteria for Escarpment Natural Area and Escarpment Protection Area and that the term ‘outliers’ should be defined. The suggested definition for ‘outliers’ was portions of any stratified group which lie detached, or out from the main body, intervening or connecting portion, having been removed by denudation. One of the discussion papers indicates that there are five outliers wholly or partially located in the NEP Area in Grey County, including: Camperdown, Pyette Hill, Meaford Tank Range, The Glen and Lorree. For those outliers outside or

partially outside the current NEP Area, some of these are being proposed to be added to the NEP (see below comments on the Additions to NEP Area).

Staff Comments - Based on the detailed maps provided by the NEC, by adding in the term 'outlier' as part of the criteria for Escarpment Natural Area it appears that this will result in significant additional lands being designated as Escarpment Natural Area. It is not clear from the discussion papers or the proposed changes to the Niagara Escarpment Plan as to what constitutes an 'outlier' and it is not clear as to the rationale for the inclusion of 'outliers'. It is recommended that this reference be removed from the definition of Escarpment Related Landforms and that any proposed land use designations triggered by the inclusion of 'outliers' be removed from the proposed Schedules until further information and rationale can be provided to understand these proposed changes.

- The proposal is to change the term "most significant Areas of Natural and Scientific Interest (Life Science) to "Provincially significant Areas of Natural and Scientific Interest (Life Science).

Staff comments - Staff generally do not have any concerns with this proposed change as long as this does not result in any changes to land use designations that have been decided at the Ontario Municipal Board and approved in local Official Plans. The County requests that the Province confirm this prior to considering the approval of any changes to the Niagara Escarpment Plan.

- Another criteria change for Escarpment Natural Area is to change one of the criteria from 'the most significant stream valleys and wetland associated with the Escarpment' to 'Significant valleylands and Provincially Significant Wetlands and locally significant wetlands. Locally significant wetland means a wetland greater than 5 hectares in size.

Staff comments – staff generally do not have any concerns with adding the term 'Provincially Significant Wetlands' to the Escarpment Natural Area criteria as development and site alteration is not permitted within Provincially Significant Wetlands.

With respect to the proposal to add the term Significant Valleylands and Locally Significant Wetlands, development can still be considered within these features where it can be demonstrated that there will be no negative impacts on the natural features or their ecological functions. Significant Valleylands have not been identified in the County Official Plan and have not been mapped to any significant detail to be considered for inclusion as

a land use designation criteria. Other Identified Wetlands have been identified as potential constraints in the County Official Plan, however the 'Other Identified Wetlands' would not be consistent with the proposed Locally Significant Wetlands criteria in the NEP (wetlands greater than 5 hectares). The County Official Plan treats natural heritage features (other than PSW's) as potential constraints as opposed to a land use designation.

County staff recommend that the NEP not include the terms Significant Valleylands or Locally Significant Wetlands (i.e. wetlands greater than 5 hectares) in the NEP as a Land Use Designation. It is recommended that policies be included in the NEP to indicate that any development proposed within Significant Valleylands, or other wetlands must address the policies contained in municipal official plans.

By changing the Escarpment Natural Area criteria as proposed in the NEP, the Escarpment Natural Area could increase by a total of 10,793 hectares in Grey County. The Escarpment Natural Area designation is one of the more restrictive designations in the NEP and therefore this change could have an impact on future development. By designating additional lands as Escarpment Natural Area, there is also the potential for loss of property tax revenue as these lands would become eligible for the Conservation Lands Tax Incentive Program (CLTIP). Using the proposed Escarpment Natural Area mapping, and based on the current uptake of the CLTIP (being over 70% uptake in the County), it is estimated that the proposed changes to the Escarpment Natural Area designations could result in an estimated total loss of property tax revenue of \$698,900 (\$293,700 for the County of Grey and \$405,200 for the local municipalities). The total estimated property tax loss for each of the local municipalities equates to approximately \$53,000 for Georgian Bluffs, \$20,000 for Chatsworth, \$142,500 for Grey Highlands, \$87,610 for Meaford and \$102,000 for Blue Mountains. A link to the methodology used to calculate the estimated property tax loss can be found in the Related Documents section.

Escarpment Protection Area (Section 1.4)

Similar to the Escarpment Natural Area criteria, the Province is proposing to add the term 'Escarpment Related landforms' to the Escarpment Protection Area criteria with the definition of the term including the word 'outliers'.

Staff comments - By adding this criterion, outliers would be designated as either Escarpment Natural Area or Escarpment Protection Areas which could have an impact on development in these areas. The staff comments as outlined in the

Escarpment Natural Area regarding 'outliers' apply to the Escarpment Protection Area as well.

The proposed changes to the Escarpment Protection Area criteria also include changing the criteria from 'Regionally Significant Areas of Natural and Scientific Interest (Life Science) or areas designated as environmentally sensitive by municipalities or conservation authorities' to 'Areas of Natural and Scientific Interest (Life Science) or environmentally sensitive or environmentally sensitive areas designated by municipalities or conservation authorities. Environmentally sensitive or environmentally sensitive areas are not defined.

Staff comments – The County has not identified regional ANSI's or Environmentally Sensitive Area's in the County Official Plan. In looking at the detailed mapping provided by the NEC, there appears to be some areas identified as the criteria used for changing the designation to Escarpment Protection Area. As a result of the County not mapping these features, it is unclear as to why the rationale has been used for changing the designations to Escarpment Protection Area. By not defining these terms, it is unclear as to what the NEC is using to identify these areas. It appears that the areas in question are currently designated Escarpment Natural Area and are recommended to be changed to Escarpment Protection Area. However, the Escarpment Protection Area criteria does not indicate that previously designated Escarpment Natural Areas will be designated as Escarpment Protection. It is recommended that these areas be revisited and if they do not meet the Escarpment Protection Area or the Escarpment Natural Area criteria they should be mapped as Escarpment Rural Area.

Escarpment Recreation Area (Section 1.8)

There are a number of policy changes to the Escarpment Recreation Area section. The majority of these changes appear to be straightforward. There are several policies that recognize the permitted uses contained in local official plans and secondary plans such as the Town of The Blue Mountains Official Plan, the Grey Highlands Official Plan and the Castle Glen Secondary Plan, including any subsequent amendments to those Plans, where such amendments are not on conflict with the Niagara Escarpment Plan.

There are a number of changes proposed to the Escarpment Recreation Area Development Objectives (section 1.8.5). One of the proposed changes includes that 'new lots within Escarpment Recreation Areas shall not be created if such lots encroach into Escarpment Natural, Escarpment Protection, Escarpment Rural or Mineral Resource Extraction Areas in order to provide more area for development'. A similar policy has been added for enlarging lots within the Escarpment Recreation Area.

Staff comment – the above proposed policies could be problematic as the NEC land use designations do not follow property boundaries. Therefore there may be times where there will be multiple designations on a property and this policy could prevent the ability to sever those properties. It is recommended that these policies be revisited.

Proposed Development Objective 1.8.5(7) speaks to development on the Escarpment slope and indicates that in the Town of The Blue Mountains and in the Municipality of Grey Highlands no additional development, including the creation of new lots, shall be permitted on the Escarpment slope above the contour identifying the toe of the Escarpment slope or the applicable property boundary deemed to be the toe of the Escarpment slope, except for those uses approved as part of the Town of The Blue Mountains Official Plan, the Castle Glen Secondary Plan or the Grey Highlands Official Plan. The land use schedules in the proposed NEP identify the proposed Escarpment Toe and the Escarpment Brow. The Escarpment Brow is typically the uppermost part of the Escarpment slope or face and the Escarpment Toe is the lowest point on the Escarpment slope or face. The Escarpment Slope (Face) is the area between the Escarpment Brow and Toe. The definitions for Escarpment Brow and Toe are proposed to change.

Staff comments – The NEC has proposed Escarpment Toe and Brow mapping in the past through a previous Niagara Escarpment Plan Amendment - NEPA 175 08. The County raised a number of concerns regarding proposed NEPA 175 08 including concerns with respect to the proposed Escarpment Toe and Brow ([PDR-PCD-10-09](#)). Local municipalities and developers also raised concerns with this proposed amendment back in 2009. It appears that the proposed Escarpment Toe and Brow is similar to the Toe and Brow proposed as part of NEPA 175 08.

As identified in the comments associated with NEPA 175 08, the County requested that a consistent approach be applied when determining the locations of the Escarpment Brow and Toe and to use the approaches recognized and approved by the Ontario Municipal Board in local Official Plans and through specific development proposals. This would entail excluding existing developments and lands designated for development by having the Escarpment Brow and Toe follow designations using property boundaries and contour lines where applicable. The Escarpment designation in the Town of The Blue Mountains Official Plan is based on prominent Escarpment slopes. Based on the fact that the NEC supported the approval of the Town Plan through Minutes of Settlement, County staff recommends that the Escarpment Brow and Toe follow the Escarpment designation in the Town Plan where appropriate, and to remain outside of areas where development is permitted (e.g. Castle Glen Secondary

Plan) as well where development has already occurred. Similarly, the Escarpment Brow and Toe approved as part of the Grey Highlands Official Plan should be used when identifying the proposed Brow and Toe in the Municipality of Grey Highlands.

It also appears that the proposed Escarpment Toe and Brow have been used to make changes to the proposed land use designations, including new Escarpment Natural Areas and Escarpment Protection Areas. Further information should be provided as to how the Escarpment Toe and Brow was identified and if in fact the Toe and Brow are the lowest and uppermost points of the escarpment slope. It is recommended that the Province not approve the proposed Escarpment Toe and Brow until the above matters have been addressed.

There are some proposed changes to the Escarpment Recreation Area designation. Some of the proposed changes include removing Provincial Parks. However there appears to be further changes beyond the removal of Provincial Parks. Specifically, there are areas proposed to be removed from the Escarpment Recreation Area designation in between Talisman and Beaver Valley Ski Club, as well as areas in the Town of The Blue Mountains.

Staff comments – County staff have no concerns with removing Provincial Parks from the Escarpment Recreation Areas. However, it is recommended that the Escarpment Recreation Area designations outside of Provincial Parks remain unchanged in Grey County

Niagara Escarpment Parks and Open Space (Appendix 1)

There are some proposed changes to the Niagara Escarpment Parks and Open Space (NEPOSS) policies – Appendix 1. The current Niagara Escarpment Plan incorrectly identifies the Pretty River Forest Tract owned by the County as being part of the Pretty River Provincial Park. As such, the County is unable to manage this forest tract without an amendment to the NEP. The proposed changes to the NEPOSS recognizes the Pretty River Tract being separate from the Pretty River Provincial Park. The Pretty River Tract is identified as a Resource Management Area and the proposed description is that this is a 120 hectare lot owned by the County and that forest management, hunting and hiking occur on this property.

Staff comments – the County staff support the proposed changes to recognize the Pretty River Forest tract as a Resource Management Area. Should this policy change be approved, the County will be able to manage the forest property in a sustainable manner.

2. Site Specific, Urban Use and NEP Boundary Amendments (Grey County)

Requests for urban uses or changes to existing urban boundaries can only be considered during a review of the Niagara Escarpment Plan. A link to the proposed site specific, urban use and NEP Boundary Amendments document can be found in the Related Documents section below. There are two requests that have been received for urban boundary changes within Grey County. These can be found at Page 117 and 119 of the NEC document.

One of the proposed changes has been requested by a landowner to extend the Minor Urban Centre boundary of Kimberley to include the entire subject lands within the Minor Urban Centre designation. Currently only half of the property is within the Minor Urban Centre and the landowner wishes to redevelop the property in keeping with the multiple residential zoning in the Grey Highlands Zoning By-law. Currently, only a portion of the property is designated in the County Official Plan and the Grey Highlands Official Plan as part of the settlement area designation. The current settlement area boundaries reflect the existing Minor Urban Centre boundary in the Niagara Escarpment Plan. Should the NEC approve this amendment, amendments would be required to the County Official Plan, the Grey Highlands Official Plan as well as the Grey Highlands Zoning By-law in order to consider zoning the remaining part of the property to allow the multiple residential use. A portion of these lands are identified as Significant Woodlands and therefore an Environmental Impact Study may be required to develop on the portion that is outside of the current multi-residential zone. Staff generally does not have a concern with the proposed amendment.

The other urban boundary request is from the Township of Georgian Bluffs. The Township is requesting that a portion of the Warton-Keppel Airport be designated as Urban Area with policies to recognize the existing commercial, industrial, institutional uses (aircraft storage and repair, jet fuel sales, flight training), as well permission for new warehouse and office space. County staff generally have no concerns with the proposed urban boundary change request. Should the Province approve this request, the County Official Plan, the Georgian Bluffs Official Plan and the Georgian Bluffs Zoning would need to be amended. Appropriate policies and permitted uses would be considered at the time of amending the local municipal documents to ensure that any new development would be compatible with the existing uses on site as well as compatible with the surrounding land uses. Any servicing and environmental matters can be dealt with through the amendments to the municipal planning documents.

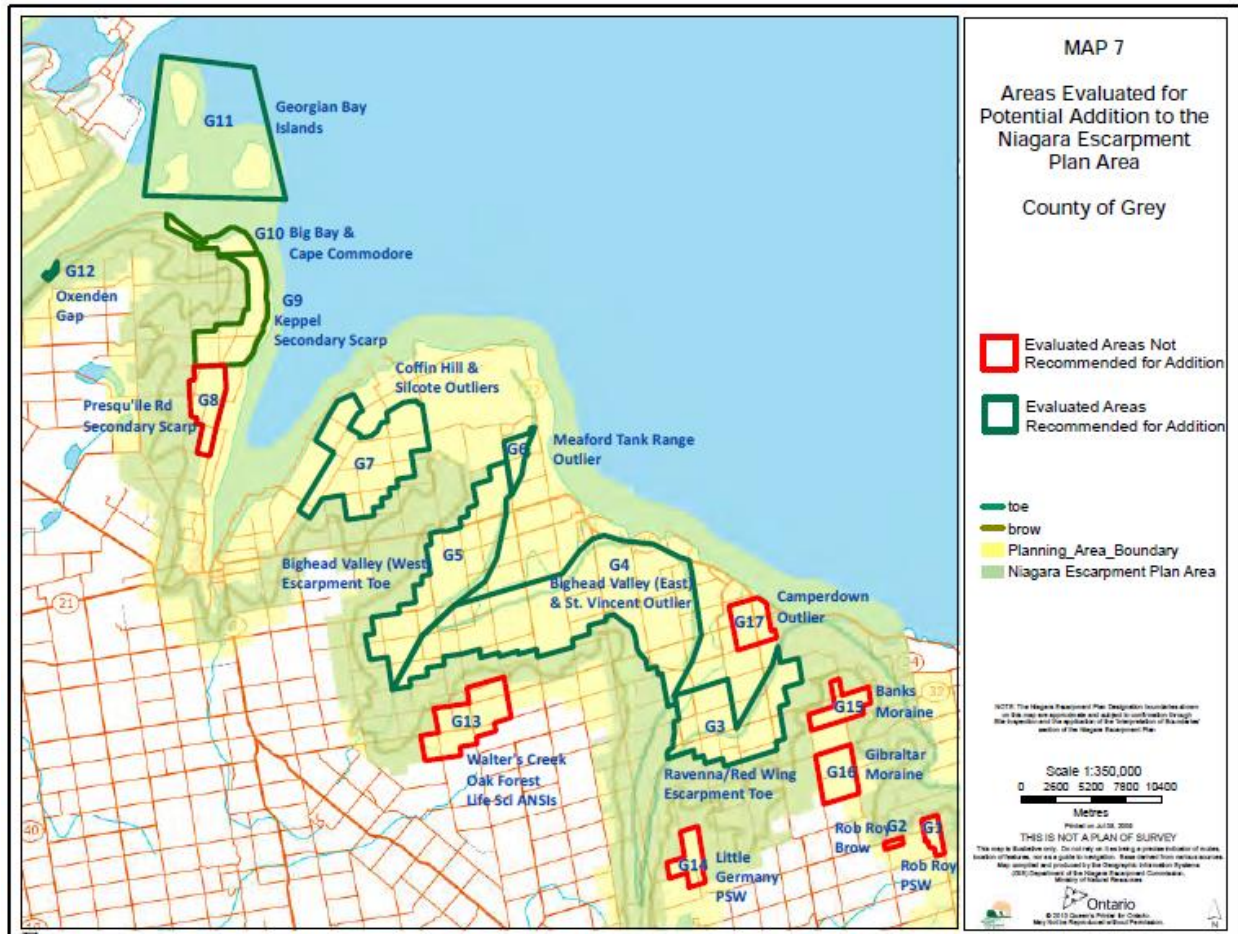
3. Proposed Additions to the NEP Area

The Province is also seeking comments as to whether or not the proposed additions to the Niagara Escarpment Plan Area should be considered. The NEC endorsed the following set of criteria to consider the addition of lands to the NEP Area as part of the Coordinated Land Use Planning Review:

1. Lands must be included in the NEP Area and abut the existing NEP Area;
2. The proposed NEP Area addition must conform to three or more of the following attributes:
 - a. The proposed addition contains Escarpment brow, toe, slope, secondary scarp or outlier;
 - b. The proposed addition contains a significant Escarpment-related landform, as defined in the NEP;
 - c. The proposed addition constitutes part of a Provincial Park, nature preserve, Conservation Area or similar public holding that is only partially within the NEP Area;
 - d. The proposed addition includes portions of Escarpment-related natural heritage features that are partially outside of the NEP Boundary, and are essential to maintaining the integrity of the entire natural heritage feature. These lands would include Provincial and Regional Life Science ANSI's, Significant Woodlands, Provincially or Locally Significant Wetlands, headwaters, waterfalls and environmentally sensitive areas (ESA);
 - e. The lands have been assigned a high scenic value (i.e. those ranked as attractive, very attractive or outstanding) in the Niagara Escarpment Landscape Evaluation Studies;
 - f. The lands contain an Escarpment-related cultural heritage feature as defined in the NEP.

Using the above criteria, NEC staff evaluated areas to be potentially added to the NEP Area. Within Grey County the areas that were evaluated for potential addition are shown in Map 1 below:

Map 1 – Areas Evaluated for Potential Addition to the Niagara Escarpment Plan Area – County of Grey



Based on the areas evaluated in Grey County, NEC staff recommended that the following areas be included in the NEP Area (see Map 1 above):

- Ravenna, Redwing, Mill Creek Escarpment Toe – G3
- Bighead Valley and St. Vincent Outlier – G4
- Bighead Valley Escarpment Toe and Slope – G5
- Meaford Tank Range Outlier – G6
- Coffin Hill and Silcote Outliers – G7
- Keppel Secondary Scarp – G9
- Big Bay and Cape Commodore – G10
- Georgian Bay Islands (includes White Cloud Island, Griffith Island and Hay Island*) – G11 **note – Hay Island is part of Bruce County*
- Oxenden Gap – G12

The total area recommended for addition to the NEP within Grey County is 31,939 hectares which represents approximately 70% of the total area that is proposed to be added to the NEP. Of the approximately 32,000 hectares proposed to be added to the NEP Area, 2/3rds of the proposed additions are within the Municipality of Meaford

(20,921 hectares). There are also proposed additions in the Township of Georgian Bluffs (4,247 hectares), the Town of The Blue Mountains (4,463 hectares), the Municipality of Grey Highlands (2,307 hectares) and a very small portion in the Township of Chatsworth (0.06 hectares).

Staff comments: Consultation regarding the proposed additions of the Niagara Escarpment Plan has been limited. Many landowners are not aware that their properties may be affected by these proposed changes. Should the proposed areas be added to the NEP Area, municipalities would lose decision making control for development proposed within these areas as the authority would rest with the NEC. This could have an impact on the development potential for these lands depending upon the final NEP land use designations. The Province and the NEC have indicated that there are no proposed land use designations that have been developed for the proposed areas for addition. By not knowing what these lands will be designated as, it is difficult to determine the extent of the impact of the proposed additions.

Upon reviewing the criteria and the specific analysis for the areas evaluated for potential addition, it is not clear how some of these areas were recommended for addition and how some were not recommended for addition. It appears that some of the criteria are subjective which may affect the results of the evaluation (e.g. scenic values). There are also some criteria using the proposed escarpment toe and brow, and outliers. As noted previously, it is not clear how some of these features were derived and therefore it is difficult to analyze the evaluation results.

Given the proposed changes to the NEP Land Use Designation criteria described above, a good portion of these lands would likely be designated as Escarpment Natural Area and Escarpment Protection Area which have fairly restrictive policies for any new development or lot creation. Should the majority of these lands be designated as Escarpment Natural Area, there is also the potential for loss of property tax revenue as these lands would become eligible for the Conservation Lands Tax Incentive Program. Based on the proportion of the proposed Escarpment Natural Area within the current NEP Area (43%) and based on the current uptake of CLTIP eligible lands in Grey County (over 70%) this could be quite significant. There is also the potential property tax revenue loss that may result in there being less development potential on the affected lands.

The County is also of the opinion that these areas already have planning policies that would ensure that these lands would be developed in a sustainable and appropriate manner. These policies are contained in the County Official Plan,

local municipal official plans and zoning by-laws, all of which must be consistent with the Provincial Policy Statement.

The County Transportation Services has also reviewed the proposed additions to the NEP Area. County Transportation Services has indicated the proposed additions would increase the total kilometres of road within the NEP Area (from 146 kilometres to 206 kilometres of road). Transportation Services have indicated that this would increase the need to apply to the NEC for permits for road construction by over 40%. They note that this will result in increased staff time for permit applications and site visits, increased AutoCAD time for permit drawings, and additional correspondence time for their administration staff. They note that they replace culverts and complete road construction frequently and the amount of additional work could be significant.

For the above noted reasons, the County does not support the proposed additions to the Niagara Escarpment Plan and therefore the County requests that the Province not support the proposed additions.

Municipal Comments

The general consensus from the municipalities in Grey County that are affected by the proposed NEP changes and proposed additions is that they do not support them for similar reasons as identified in this report. Some municipalities are currently in the process of finalizing their local municipal comments regarding the proposed changes to the Niagara Escarpment Plan and will be submitting their comments to the Province prior to the October 31st deadline. Many municipalities have asked for more time to understand the extent of these proposed changes. County staff agrees that in order to fully assess the proposed changes, further time is required.

Public Comments

Staff continue to receive a number of calls and emails expressing concerns about the proposed changes to the Niagara Escarpment Plan. There have been several conversations with folks associated with Griffith Island which is one of the islands that is recommended to be added to the Niagara Escarpment Plan. Many landowners have expressed concerns with the lack of information that they have access to in order to determine the potential impact of the proposed changes on their property.

Financial / Staffing / Legal / Information Technology Considerations

Should the proposed changes to the NEP be approved by the Minister, there is the potential for loss of property tax revenue as lands proposed to be designated as

Escarpment Natural Area would become eligible for the Conservation Lands Tax Incentive Program. It is estimated that the total potential property tax revenue loss could equate to approximately \$700,000. This does not include the potential property tax loss from the lands proposed to be added to the NEP Area. Should the Ministry approve the proposed amendments to the NEP, additional staff time would also be required to update official plans and zoning by-law amendments to ensure that they are in conformity with the revised NEP. Additional staff time could also be required to comment on the additional development permits that would need to be reviewed to determine conformity with the County Official Plan and consistency with the Provincial Policy Statement.

Link to Strategic Goals / Priorities

Action 2.10, under Goal 2 of the County's Strategic Plan requires the continued management of growth and the application of sound land use planning principles. Policies that exist in the Provincial Policy Statement, the County Official Plan, municipal official plans and zoning by-law amendments ensure that growth is managed and that sound land use planning principles are applied. Therefore, County staff question the necessity of the proposed changes to the Niagara Escarpment Plan, including the proposed addition of new lands to the Niagara Escarpment Plan.

Related Documents and Attachments

1. Map Proposed Niagara Escarpment Plan Designations
2. [NEC Discussion Papers](#)
3. [Advisory Panel Report](#)
4. [Coordinated Land Use Planning Review - Proposed Revisions to the Four Provincial Plans](#)
5. [Proposed Niagara Escarpment Plan](#)
6. [Proposed Site Specific, Urban Use and NEP Boundary Amendments](#)
7. [Proposed Additions to the Niagara Escarpment Plan](#)
8. [Methodology for Estimated Property Tax Loss Revenue](#)

Respectfully submitted by,

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Director of Planning and Development

