April 27, 2023

# A1 STAFF REFERRAL REPORT

**RE: PROPOSED Niagara Escarpment Plan Amendment PH 219 20 and**

**Development Permit Application H/E/2020-2021/108**

**Part Lots 1 & 2, Concession 1 NS, Part Lots 2, 3 & 4 RP20R7439, Part Lots 1 & 2, Concession 2 NS, Part Lots 1 & 2, Concession 3 NS, Part Lots 17 &18, Concession 2, NDS**

**City of Burlington, Region of Halton**

**Applicant:** Nelson Aggregate Co. (the “Proponent”)

c/o Quinn Moyer

**Owner:** 546958 ONTARIO LIMITED

**Agent:** MacNaughton, Hermson, Britton, Clarkson Planning (MHBC), Ltd.

**Received:** May 15, 2020

**NEP Designations (current):** Escarpment Rural Area

Mineral Resource Extraction Area

**EXECUTIVE SUMMARY:**

The purpose of this report is to recommend that the Commission refuse the Development Permit application and refer the applications to amend the Niagara Escarpment Plan (“NEP”) to the Ontario Land Tribunal (the “OLT”). If this occurs, the Proponent can take steps to consolidate the appeals of the two applications to the NEC with related appeals under the *Planning Act* and the *Aggregate Resources Act*.

Applications for an amendment to the Niagara Escarpment Plan (NEP) and for a Development Permit under NEP have been submitted to the NEC to permit expansion of the existing Nelson Aggregate Co. quarry south of No. 2 Sideroad, west into adjacent lands toward Cedar Springs Road, in the City of Burlington and for continued use of the existing infrastructure to process the supplementary aggregate source material. Additional approvals needed to achieve this quarry expansion and operation include applications for:

* Class A License (to the Ministry of Natural Resources and Forestry, Aggregate Resources Act)
* Official Plan Amendment (to the Region of Halton, under the Planning Act)
* Official Plan Amendment (to the City of Burlington, under the Planning Act)

Documentation supporting all of these applications has been submitted by the proponent with up to three iterations of reports to the Joint Application Review Team (“JART”): review and reporting by the NEC, Region of Halton, City of Burlington and Conservation Halton (the JART members) on the latest submissions from June 27, 2022, are still ongoing and additional information is required for the agencies to address their overlapping interests.

The proponent has already appealed to the OLT for non-decision on the upper tier (Region of Halton) and lower tier (City of Burlington) municipal Official Plan Amendment (OPA) applications, and the Aggregate Resources Act license application. The proponent has requested the OLT to incorporate these collective matters under a consolidated hearing.

The applications to the NEC proceeded through the agency and public consultation process including posting of the proposed amendment on the Environmental Registry. Objections to the NEP Amendment applications have been lodged by members of the public, the Region of Halton, the City of Burlington, Conservation Halton, and non-governmental organizations. Because of these objections, the Commission’s referral of the NEP Amendment application to the Ontario Land Tribunal (OLT), is required under Section 10(3) of the Niagara Escarpment Planning and Development Act (NEPDA).

With respect to the Development Permit application, it cannot be approved unless the NEP amendment application is first granted.

The Proponent is aware that the applications to the NEC are the last remaining applications to expand its quarry operation that have not yet been appealed. To address this the Proponent wrote to the NEC on March 27, 2023 asking that the NEP amendment application be referred to the OLT as required by the NEPDA (Attachment 4). The Proponent also indicated it has no objection if the NEC refuses the development permit application so it can be appealed and consolidated with the related appeals.

If the applications to the NEC are forwarded to the OLT, NEC staff will continue to work with the Proponent, municipalities, conservation authority, and ministry staff to obtain outstanding information necessary to determine whether the proposed quarry expansion is consistent with / does not conflict with the NEP. NEC counsel and staff would report back to the NEC and seek further instructions as the information gathering and appeal processes unfold.

**PROPOSAL:**

1. A Niagara Escarpment Plan Amendment (NEPA) for a site-specific change of land use designation from Escarpment Rural Area to Mineral Resource Extraction Area for approximately 78.3 ha (193.5 ac.), related to a Class A License application under the Aggregate Resources Act, within lands described as Parts 1 & 2, Concession 1 NS, Part Lots 2, 3, & 4 RP20R7439, and Part of Lots 17 & 18, Concession 2 NDS (former geographic Township of Nelson), City of Burlington, Region of Halton; and,
2. Applying special policy under Part 1.9.3 of the NEP (2017) for continued use of:

* An office and a maintenance building;
* Facilities for aggregate washing, processing and stockpiling, and truck washing;
* An asphalt plant;
* Recycling facilities; and,
* An entrance for import of aggregate extracted from the above lands.

This continued use special policy would apply only while the two sites are actively operated under a single license for the subject properties (Part of Lots 1 and 2, Concession 2 NDS, Part Lots 1 & 2, Concession 3 NDS), in the City of Burlington, Regional Municipality of Halton.

1. Development Permit Application (DPA) H/E/2020-2021/108, to allow for development related to the proposed quarry operations. This DPA is contingent on approval of the NEP Amendment Application for the above lands being re-designated from Escarpment Rural Area to Mineral Resource Extraction Area, and for the continued operation of the existing quarry infrastructure.

**STAFF REFERRAL RECOMMENDATION:**

That the Niagara Escarpment Commission:

1. Receive this Staff Referral Report while taking no substantive positions at this time on Amendment PP 219 20 and Development Permit Application H/E/2020-2021/108;
2. Ask the Ontario Land Tribunal to appoint one or more Hearing Officers to hold a hearing pursuant to Section 10(3) of the Niagara Escarpment Planning and Development Act as there are written objections to proposed Amendment PP 219 20;
3. Refuse Development Permit Application H/E/2020-2021/108, as requested by the Proponent in its letter of March 27, 2023 so that it can be appealed to the Ontario Land Tribunal;
4. Instruct Commission counsel and staff to support the consolidation of proposed Niagara Escarpment Plan Amendment PP 219 20 and Development Permit Application H/E/2020-2021/108 with the related *Planning Act* and *Aggregate Resources Act* appeals currently before the Ontario Land Tribunal;
5. Direct Commission counsel and staff to continue to work with the Proponent, municipalities, conservation authority, ministry staff and others to obtain outstanding information necessary to determine whether the proposed quarry expansion is consistent with / does not conflict with the Niagara Escarpment Plan;
6. Direct Commission counsel to take steps in the appeal proceeding in support of decisions and instruments that are consistent with / do not conflict with the Niagara Escarpment Plan;
7. Instruct Commission counsel to consult with staff and report back to the Commission before taking any final positions on proposed Niagara Escarpment Plan Amendment PP 219 20, Development Permit Application H/E/2020-2021/108, or the other instruments under appeal to the Ontario Land Tribunal.
8. **NEPA PROCESS HISTORY**

The subject NEPA application seeks to both redesignate lands and apply a special policy for continued use of existing infrastructure used in the current Nelson Aggregate operation. At its meeting on August 20, 2020 the Niagara Escarpment Commission (NEC) decided to initiate and circulate the proposed amendment for comments from the public, non-governmental organizations (NGOs), and partner agencies including municipal, provincial and federal organizations.

The proposed amendment was posted on the Environmental Bill of Rights Registry (EBR) on February 24, 2021, with a request for comments by April 26, 2021 (a 61-day commenting period). A total of 298 comments were received through the Registry posting (discussed further below).

Circulation - On March 15, 2021, the NEC circulated the Proposed Amendment and requested comments from relevant Indigenous communities, Ministries, affected municipalities, interested parties, neighboring property owners and the public. The proponent also posted a notice at the site with specifications provided by the NEC, for comments to be filed by April 16, 2021.

Advertising - Notices were placed in the Burlington Post and Milton Champion newspapers on February 25, 2021 requesting comments by April 26, 2021.

PIAC - The Public Interest Advisory Committee (PIAC) convened on March 29, 2022 and July 26, 2022, and provided advice on the Proposed Amendment (see below).

Appeals by Nelson –On August 3, 2022 Nelson Aggregate Co. appealed their applications to amend the Region of Halton and City of Burlington Official Plans to the Ontario Land Tribunal because of non-decision. On February 23, 2023 Nelson Aggregate Co. appealed their application for a Class A Category 2 Licence under the ARA to the Ontario Land Tribunal.

**B. SITE DESCRIPTION AND SURROUNDING LAND USES**

Overview

The Escarpment Rural Area (ERA) lands subject to the proposed NEPA land use redesignations (Map 1) encompass a golf course and related buildings and infrastructure west of the existing quarry to Cedar Springs Road on the north side of No. 2 Sideroad, and agricultural and residential lands south of No. 2 Sideroad (Map 2 and Table 1). The lands subject to the proposed NEPA application for site-specific policy comprise the existing quarry on the north side of No. 2 Sideroad.

Table 1 provides a synopsis of how these proposed amendments would apply:

**Table 1 – Description of lands and proposed applicability of NEPA**

|  |  |  |  |
| --- | --- | --- | --- |
| **Reference Name** | **Legal Description & Municipal Address** | **Ownership** | **Application of Proposed NEPA** |
| Existing extraction operation | 2435 No. 2 Side Road - Part Lot 1 & 2 Concession 2 NS, Part Lot 1 & 2, Concession 3 NS | 546958 Ontario Ltd. (Nelson Aggregate Co.) | Special Policy for processing of aggregate from an adjacent licence area |
| Western extension | 5235 Cedar Springs Road - Part Lots 1&2, Concession 1 NS, Part 2, 3, & 4 RP20R7439 | Bestway TV and Appliances (golf course) | Redesignation (ERA to MREA) for aggregate extraction |
| Southern extension | 2300 No.2 Sideroad – Part Lot 18, Concession 2, NDS | 546958 Ontario Ltd. | Redesignation (ERA to MREA) for aggregate extraction |
| Southern extension | 2316 No.2 Sideroad – Part Lot 18, Concession 2 NDS | 546958 Ontario Ltd | Redesignation (ERA to MREA) for aggregate extraction |
| Southern extension | 2330 No.2 Sideroad – Part Lot 17, Concession 2 NDS | 546958 Ontario Ltd | Redesignation (ERA to MREA) for aggregate extraction |
| Southern extension | 2280 No. 2 Sideroad – Part Lot 18, Concession 2 NDS | 546958 Ontario Ltd. | Redesignation (ERA to MREA) for aggregate extraction |
| Southern extension | 2292 No. 2 Sideroad – Part Lot 18, Concession 2 NDS | 546958 Ontario Ltd. | Redesignation (ERA to MREA) for aggregate extraction |

*ERA: Escarpment Rural Area*

*MREA: Mineral Resource Extraction Area*

Site Description

The existing Nelson Aggregate Co. aggregate licence at the Burlington Quarry encompasses 218.3 ha with an extraction area of 210.0 ha. The site also contains offices, maintenance facilities, an asphalt plant, recycling operations, and other facilities utilized in the extraction and production of aggregate materials. Nelson Aggregate Co. proposes the continued use of these facilities in tandem with the expansion lands and has proposed a site-specific policy be applied to recognize their future use to permit processing of aggregate procured under a separate Aggregate Resources Act license (for the proposed extension), at the existing facilities.

Nelson Aggregate is seeking to redesignate the identified extension lands from Escarpment Rural Area to Mineral Resource Extraction Area to facilitate a change in use to allow aggregate extraction. The subject lands are estimated to contain ±30 million tonnes of mineral aggregate resource; Nelson is applying for a maximum tonnage limit of 2 million tonnes per year with the expectation to extract, on average, 1 million tonnes per year[[1]](#footnote-2).

The subject lands consist of two tranches of property parcels: an extension of the existing Nelson Aggregate Co. operations to the south, across No. 2 Sideroad, and a contiguous expansion of the existing extraction operation westward into the adjacent property. At the time of these applications, the Nelson Aggregate Co. has entered into purchase and sale agreements with the owners of the western expansion lands and owns the southern lands.

The southern extension is proposed on approximately 18.3 ha of lands located on the opposite side of No.2 Sideroad to the current Nelson operation. Approximately 14.5 ha of those southern lands is proposed to be reserved for aggregate extraction. The western expansion is proposed on land abutting the existing operation on approximately 60.0 ha; approximately 35.7 ha of which is intended to be reserved for aggregate extraction. The southern extension lands are comprised of five (5) properties all owned by Nelson Aggregates Co. These lands contain three (3) dwellings and associated residential dwellings. The largest parcel has been historically farmed and contains a single dwelling and an agricultural structure. The western extension lands are currently utilized as a golf course (Burlington Springs Golf and Country Club) and contain a residential dwelling converted to a club house for the golf course, and an additional residential dwelling.

The southern extension lands fall within a prior Nelson Aggregate Co. NEPA application (PH 153 04) which sought a re-designation of 61.0 ha of lands to accommodate an extension of the Nelson Aggregate Burlington Quarry operation to the south side of No. 2 Sideroad. The application was ultimately refused in 2012 with a Joint Board Decision under the *Consolidated Hearings Act*: the NEC participated in the hearing with the position that the NEP Amendment application and related development permit application be refused. The current application includes only 18.3 ha of the 61.0 ha originally proposed for redesignation, in addition to the western expansion lands.

Surrounding Land Uses

The lands subject to this amendment are in a predominantly rural area of the City of Burlington. The existing quarry at 2435 No. 2 Sideroad is adjacent to the NEP Minor Urban Centre of Mount Nemo located to the south and east. The existing quarry and proposed expansion lands are bounded by rural residential properties, including subdivisions associated with the Mount Nemo settlement area and rural lots to the east, south, and west. The existing and proposed expansion lands also border substantial agricultural lands typified by field crop and small farm agricultural activities, in addition to livestock and equestrian operations. There are numerous commercial and institutional uses located within the Mount Nemo settlement area including the Mount Nemo Christian Nursing Home. Other commercial uses exist outside the settlement are on rural lands: predominantly garden supply or landscaping businesses.

The Bruce Trail is located nearby, following Colling Road directly north of the existing Nelson Aggregate Co. operation. From the east, the Bruce Trail emerges from the Mount Nemo Conservation Area located approximately ±100 m northwest and continues southwest along Colling Road until it moves northwest along Blind Line. The Bruce Trail represents a passive recreational use. Aside from the golf course where the western expansion is proposed, there is an inactive golf course on the south side of No. 2 Sideroad, adjacent to the proposed south extension. There are several Areas of Natural and Scientific Interest (ANSI) and Environmentally Sensitive Areas (ESAs) (Map 3) in close proximity to the subject lands, including the Medad Valley and Lake Medad meltwater channel, and the Mount Nemo Outlier, also included in the Niagara Escarpment Parks and Open Space System (NEPOSS) with Mount Nemo and Medad Valley Conservation Areas. The scenic ranking in the NEC’s Landscape Evaluation Study is low to average for the subject lands with a portion of the golf course lands being classified as ‘average’, bounded to the north, east and south by a periphery of attractive and very attractive landscapes that are associated with the Mount Nemo Conservation Area, Escarpment cliffs and talus slopes.

**C. JOINT AGENCY REVIEW TEAM (JART) AND JART REPORT**

Joint Agency Review Team (JART) Protocol

The Halton Consolidated – Streamlined Mineral Aggregate Review Protocol was developed in consultation between Halton Region, Niagara Escarpment Commission (NEC), Local Municipalities, Conservation Authorities, Ministry of Natural Resources and Forestry (MNRF) and Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA). The Protocol was first approved by Regional Council on January 31, 2001 and revised in September 2004, March 2007, and February of 2020. Through the JART process member agencies collectively evaluate the technical submissions of the applicant based on the specific expertise of each agency to ensure information sharing and avoid duplication of effort. A JART report then informs member agencies that recommend their respective positions.

Following this protocol, a JART was formed to review and process these Nelson Aggregate Co. applications, and includes:

* Region of Halton Region (JART Chair)
* Niagara Escarpment Commission
* City of Burlington
* Conservation Halton

MNRF and MECP were also invited, but these Ministries opted out of membership but have participated periodically to provide updates.

For the 2020 Nelson application, JART began its work in November 2019 with preconsultation. JART was assisted by peer reviewers for the reports submitted that addressed: the adaptive management plan, agriculture, air quality, archaeology, blasting, cultural heritage, financial, noise, ground water, hydrogeology, natural environment, planning justification, progressive and final rehabilitation, site plan, traffic and visual impact.

JART met frequently reviewing the original technical documents and up to two additional revisions submitted by Nelson over the three-year period. JART members visited the site, met with the applicant and their consultants, consulted with the peer review experts and participated in two public presentations at different stages of the review process.

The JART review process and drafting of the final JART report on these applications were negatively impacted by Nelson Aggregate Co.’s appeal of their applications to amend the Region of Halton and City of Burlington Official Plans to the Ontario Land Tribunal (OLT) on August 3, 2022 after submitting their final round of reports on June 27, 2022, and their withdrawal from the JART process. Because of these appeals the review and reporting process was paused for the remainder of 2022 by those agencies subject to those appeals, as they evaluated their cases with their respective municipal councils. Nelson also appealed its ARA application to the OLT on February 23, 2023.

As a result, while the review and reporting process resumed in early 2023, neither the JART review nor JART report are complete. The proponent has placed a priority on proceeding to a consolidated hearing, hence the timing of this referral report prior to the completion of the JART review and reporting processes, without staff taking a position on the NEPA and DPA. Once the JART review and report are complete, these will be incorporated in a Commission counsel and staff report back to the Commission.

1. **OBJECTIONS**

As detailed in Section A. NEPA PROCESS HISTORY above, in February and March 2021 the NEC circulated the proposed amendment to relevant Indigenous communities, Ministries, municipalities, NGOs and property owners within 120 metres, and had notices of the application posted in local newspapers, on the property and on the Environmental Bill of Rights Registry. Responses were sought within 61 days of posting. The following is a summary of objections raised from the circulation and posted notices. Detailed comments arising from the JART review and reporting process will be included in a forthcoming Commission counsel and staff report back to the Commission.

1. **Agency Objections Received:**

**Region of Halton**: Regional staff reviewed the NEP amendment application and submitted their objection to the redesignation of lands under the NEP from Escarpment Rural Area to Mineral Resource Extraction Area. In brief, on review of the applicant’s technical studies the Region of Halton identified a number of concerns with the application, concluding that the application as submitted does not have appropriate regard for the development criteria listed in Part 2 of the Niagara Escarpment Plan, or support objectives listed in Policy 1.9.1 of the NEP. Overall, the Region of Halton concludes that the application as submitted form does not represent good planning and is not in the public interest (Appendix 1-1).

**City of Burlington:** City of Burlington staff and peer review consultants reviewed the NEP amendment application and submitted their objection to the proposed redesignation of lands under the NEP from Escarpment Rural Area to Mineral Resource Extraction Area. The review identified several areas where information or data provided were not sufficient, analyses were not adequately coordinated between studies and/or where the methodology behind information presented in the plans and studies or reports was unknown or inconsistent (Appendix 1-2).

**Conservation Halton**: Conservation Halton staff have reviewed the NEP amendment application and submitted their objection to the proposed redesignation of lands under the NEP from Escarpment Rural Area to Mineral Resource Extraction Area. Their review identified numerous concerns in the data collection, evaluation, analysis and conclusions the proposal where information or data provided were not sufficient, analyses were not adequately coordinated between studies and/or where the methodology behind information presented in the plans and studies or reports was unknown or inconsistent (Appendix 1-3).

1. **Non-Governmental Organizations (NGO) Objections Received**

**Preserving Escarpment Rural Land (PERL)**: The PERL executive has reviewed the NEP amendment application and submitted their objection to the proposed redesignation of lands under the NEP from Escarpment Rural Area to Mineral Resource Extraction Area. Their letter has identified numerous concerns in the data collection, evaluation, analysis and conclusions the proposal where information or data provided were not sufficient and/or where the methodology behind information presented in the plans and studies or reports was unknown or inconsistent (Appendix 1-4).

**Conserving Our Rural Ecosystems (CORE)** The CORE executive has reviewed the NEP amendment application and submitted their objection to the proposed redesignation of lands under the NEP from Escarpment Rural Area to Mineral Resource Extraction Area. Their letter has identified numerous concerns in the data collection, evaluation, analysis and conclusions the proposal where information or data provided were not sufficient and/or where the methodology behind information presented in the plans and studies or reports was unknown or inconsistent (Appendix 1-5).

1. **Public Objections Received**

**Environmental Registry of Ontario**:

Notice was posted to the Environmental Registry of Ontario for the proposed NEP amendments on February 24, 2021 for 61 days, to April 26, 2021. At total of 298 responses were recorded through the ERO submissions: 295 objecting and three supporting. The three JART partner agencies (Halton Region, City of Burlington and Conservation Halton) also submitted their letters of objected to the ERO, as did CORE and PERL.

In addition, 1942 emails from individuals were submitted directly to the NEC objecting to the proposed NEP Amendment: there is some duplication of submission content in these emails: as with the ERO objections submitted, the majority used a similar template to raise objections over impacts:

* To the UNESCO site
* On climate change
* To the water supply
* To the environment
* Of trucks and traffic
* Of rehabilitation
* On recreation
* To neighbourhood quality
* To property values
* Of blasting
* On air quality and dust; and,
* Of noise, and
* The need for additional, non-specified studies.

A public meeting was not held by the NEC within the commenting period: public meetings on the overall project were held by the Region of Halton and the proponent with NEC staff in attendance: in light of these events the NEC does not intend to host a separate public meeting under the NEPDA. If any future public meetings are scheduled by other public agencies, the NEC will coordinate with organizers to make NEC staff available on any panel of experts.

1. **Public Interest Advisory Committee**

The Public Interest Advisory Committee (PIAC) is established by the Minister pursuant to S. 4(1) of the NEPDA*.* PIAC is an appointed advisory body of persons that the Minister determines are broadly representative of the people and interests in the Niagara Escarpment Planning Area, in order to make recommendations to the NEC and the Minister on amendments proposed to the NEP. The PIAC is specifically required to be consulted by the NEC, and to make comments on proposed amendments under S. 10(1) of the NEPDA. These comments then form part of the recommendations that must be considered by the NEC, Hearing Officers (if the matter is referred to a Hearing), and the Minister when a decision is being made.

The PIAC convened on March 29 and July 26, 2022, where the proposed amendment was presented by NEC staff and discussed by the PIAC members. The motion of the PIAC was as follows:

*“The PIAC recommends refusal of the proposed Niagara Escarpment Plan Amendment PH 219 20 application, due to a series of outstanding review materials and matters not yet addressed by the applicant.”*

The motion passed, all in favor.

**DISCUSSION & ANALYSIS**

As per Section 10. (3) of the Niagara Escarpment Planning and Development Act (NEPDA), when there are written objections to a proposed Amendment, the NEC is obliged to refer the matter to the successor of our Hearing Office, the Ontario Land Tribunal (OLT) to appoint one or more Hearing Officers to hold a public hearing.

The referral of an NEP Amendment Application to the Ontario Land Tribunal is traditionally accomplished with a Summary Position Report to the Commission. However, as detailed above, the JART review and reporting process is still in progress Because of the proponent’s desire to refer the NEP Amendment Application and related Development Permit Application to the OLT with haste, this Referral Report does not include staff recommendations on any NEC position on these applications. Those will follow in a forthcoming Commission counsel and staff report back to the Commission.

1. **CONCLUSIONS**

NEC staff is satisfied that written objections have been received, as documented above. In accordance with Section 10. (3) of the NEPDA, the Commission can proceed with the following recommendations.

**RECOMMENDATIONS:**

That the Commission:

1. Receive this Staff Referral Report while taking no substantive positions at this time on Amendment PP 219 20 and Development Permit Application H/E/2020-2021/108;
2. Ask the Ontario Land Tribunal to appoint one or more Hearing Officers to hold a hearing pursuant to Section 10(3) of the Niagara Escarpment Planning and Development Act as there are written objections to proposed Amendment PP 219 20;
3. Refuse Development Permit Application H/E/2020-2021/108, as requested by the Proponent in its letter of March 27, 2023 so that it can be appealed to the Ontario Land Tribunal;
4. Instruct Commission counsel and staff to support the consolidation of proposed Niagara Escarpment Plan Amendment PP 219 20 and Development Permit Application H/E/2020-2021/108 with the related *Planning Act* and *Aggregate Resources Act* appeals currently before the Ontario Land Tribunal;
5. Direct Commission counsel and staff to continue to work with the Proponent, municipalities, conservation authority, ministry staff and others to obtain outstanding information necessary to determine whether the proposed quarry expansion is consistent with / does not conflict with the Niagara Escarpment Plan;
6. Direct Commission counsel to take steps in the appeal proceeding in support of decisions and instruments that are consistent with / do not conflict with the Niagara Escarpment Plan;
7. Instruct Commission counsel to consult with staff and report back to the Commission before taking any final positions on proposed Niagara Escarpment Plan Amendment PP 219 20, Development Permit Application H/E/2020-2021/108, or the other instruments under appeal to the Ontario Land Tribunal.

**Prepared By:**  **Approved by:**

ORIGINAL SIGNED BY: ORIGINAL SIGNED BY:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Joe Muller, RPP, MCIP Kathy Woeller

Senior Strategic Advisor Director

**Attachments**

Map 1: Current NEP Land Use Designations

Map 2: Proposed EP Land Use Designations

Map 3: Areas of Natural and Scientific Interest and Environmentally Sensitive Area mapping

Appendix 1-1: Proponent request to NEC for NEPA and DPA referral to OLT

Appendix 1-2: Region of Halton Objection Letter

Appendix 1-3: City of Burlington Objection Letter

Appendix 1-4: Conservation Halton Objection Letter

Appendix 1-5: PERL Objection Letter

Appendix 1-6: CORE Objection Letter

1. MHBC Planning Justification Report & Aggregate Resources Act Summary Statement, April 2020. [↑](#footnote-ref-2)