May 25, 2023

# C2: Staff Report

## Commission Review and Approval of Technical Criteria for Vegetation Protection Plans and Landscape Plans

### Recommendation:

That the Niagara Escarpment Commission:

1. Approve the Technical Criteria for Vegetation Protection Plans attached to this staff report;
2. Approve the Technical Criteria for Landscape Plans attached to this staff report; and,
3. Direct staff to post the technical criteria on the Niagara Escarpment Commission website and notify partner agencies within the NEP area.

### Background:

Staff are bringing forward this report to seek Commission approval of the technical criteria and to seek a Commission endorsement to proceed with making the technical criteria available for applicants and partner agencies.

There are two technical criteria documents attached to this staff report. Attachment 1 is the Technical Criteria for Vegetation Protection Plans and Attachment 2 is the Technical Criteria for Landscape Plans, both of which require Commission review and approval before they can be put into use. Attachment 3 is a Stakeholder Consultation Summary that provides an overview of the feedback received from agencies and the public and is supplemental information only.

Existing guidelines have been in use since 2012 and were last updated in 2017. Staff were directed by the Commission in 2018 to develop new technical criteria to replace the guidelines. NEC staff undertook research and a jurisdictional scan, and, subsequently, consulted with partner agencies and the public in the development and refinement of these technical criteria.

### Planning Context:

The Niagara Escarpment Plan (NEP) provides for the development of guidance material and technical criteria to support the implementation of policies of the NEP and is not intended to add or detract from NEP policies. The technical criteria will improve the development permit and plan amendment application and review process by ensuring that applicants are well informed and that their submissions are comprehensive and meet minimum technical standards.

### Agency and Public Consultation:

Stakeholder consultation was undertaken in late 2021. The draft technical criteria were made available to the public on the NEC website and agencies and professional organizations were invited to review and comment on the document.

All feedback was compiled and has been summarized in Attachment 3. Stakeholders were supportive of the general direction taken with the technical criteria and found them to be relevant and helpful. Five municipalities, five conservation authorities, the Ministry of Natural Resources and Forestry, Society of Ecological Restoration, and eight professionals working in the fields of arboriculture and landscape architecture provided detailed comments. The feedback informed final edits to the technical criteria.

### Discussion:

Vegetation protection plans and landscape plans are supporting documents that may be required as part of a comprehensive application for a Development Permit or other planning application through the Niagara Escarpment Commission.

NEC routinely provides guidance to applicants on the requirements for both vegetation protection plans and landscape plans. The technical criteria documents provide important information for applicants and consultants regarding how the requirement for a plan is determined, the policy context, relevant professional expertise, submission requirements, and the review and approval process.

In combination with any site-specific vegetation protection or landscaping requirements provided by NEC staff and agencies, the technical criteria provide applicants and consultants with an understanding of general objectives and the level of detail required to satisfy NEC and agency requirements. This will result in better quality submissions, fewer revisions and resubmissions, and an efficient review process.

Going forward, the intention is that the technical criteria will be updated from time-to-time to improve the documents and reflect any relevant advancements in best management practices or changes to legislation and agency requirements. The most current version will be available for download from the NEC website.

### Recommendation:

That the Niagara Escarpment Commission:

1. Approve the Technical Criteria for Vegetation Protection Plans attached to this staff report (Attachment 1);
2. Approve the Technical Criteria for Landscape Plans attached to this staff report (Attachment 2); and,
3. Direct staff to post the technical criteria on the Niagara Escarpment Commission website and notify partner agencies within the NEP area.

### Prepared by:

ORIGINAL SIGNED BY:

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Karen Bannister

Landscape Architect

### Approved by:

ORIGINAL SIGNED BY:

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Kim Peters, MCIP, RPP

Manager

### Attachments:

Attachment 1 – Vegetation Protection Plan Technical Criteria

Attachment 2 – Landscape Plan Technical Criteria

Attachment 3 – Stakeholder Consultation Summary