

# VISUAL IMPACT REPORT

Niagara Escarpment Plan Amendment  
14504 Mississauga Road, Town of Caledon, Ontario

Date:

**August 2022**

Prepared for:

**Brampton Brick**

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## Table of Contents

<b>1.0</b>	<b>Introduction.....</b>	<b>1</b>
<b>2.0</b>	<b>Background .....</b>	<b>3</b>
2.1	Purpose and Objectives of the Niagara Escarpment Plan .....	3
2.2	Land Use Objectives for Escarpment Protection Areas.....	3
2.3	Land Use Objectives for Escarpment Rural Areas .....	4
<b>3.0</b>	<b>Methodology.....</b>	<b>6</b>
<b>4.0</b>	<b>Landscape Character of the Subject Site .....</b>	<b>8</b>
4.1	Site Context .....	8
4.2	Topography .....	8
4.3	Vegetation .....	8
4.4	Land Use and NEP Designation .....	9
<b>5.0</b>	<b>Visual Landscape Character of Surrounding Properties .....</b>	<b>10</b>
5.1	Topography .....	10
5.2	Vegetation .....	11
<b>6.0</b>	<b>Site Inventory Analysis.....</b>	<b>13</b>
6.1	Topography .....	13
6.2	Vegetation .....	13
<b>7.0</b>	<b>Policy Analysis.....</b>	<b>15</b>
7.1	Niagara Escarpment Plan Policy Analysis .....	15
7.2	Niagara Escarpment Commission Landscape Evaluation Study Analysis .....	16
<b>8.0</b>	<b>Conclusion .....</b>	<b>18</b>
	<b>Niagara Escarpment Plan 2020 - Definitions .....</b>	<b>19</b>

## **Figures**

Figure 1 – Location Map

Figure 2 – NEP Mapping

Figure 3 – NEC Landscape Evaluation Study

Figure 4 – Assessed Views Photo Location Map

Figures 4A to 4D – Photo Record of Assessed Views

## **Appendix A**

Niagara Escarpment Plan 2020 Consolidation - Definitions

## **Appendix B**

Curriculum Vitae

# 1.0 Introduction

MHBC has been retained by Brampton Brick to prepare a Visual Impact Assessment Report for the lands located at 14504 Mississauga Road, in the Town of Caledon, Ontario (hereinafter referred to as the 'Subject Site'). The purpose of this report is to assess from a visual perspective the following Escarpment Protection Area and Escarpment Rural Area criteria for designation as outlined in Sections 1.4.2 and 1.5.2 of the Niagara Escarpment Plan and to provide a determination on the most appropriate Niagara Escarpment Plan designation for the Subject Site.

The applicable Niagara Escarpment Plan development criteria from a visual perspective are set out below. Other technical reports have been prepared to address the other designation criteria of the Escarpment Protection Area and Escarpment Rural Area.

## *ESCARPMENT PROTECTION AREA*

1. Areas in close proximity to Escarpment slopes that are visually part of the landscape unit.

## *ESCARPMENT RURAL AREA*

1. Lands in the vicinity of the Escarpment necessary to provide an open landscape character.

The proposed Niagara Escarpment Plan Amendment seeks to re-designate 14.68 hectares from 'Escarpment Protection Area' to 'Escarpment Rural Area'. (See **Figure 1**).

The 2020 NEC Visual Impact Assessment Technical Criteria has been considered in the preparation of this Visual Impact Report. Please see Appendix A for definitions extracted from the 2017 Niagara Escarpment Plan. While not an exhaustive list, these definitions should be referenced through the course of reading this report. This report aims to satisfy the NEC's process for Visual Impact Assessments through:

- Establishing a baseline for the existing conditions through the following:
  - Review of aerial photography, topographic mapping and review of existing features within the Subject Site and surrounding context;
  - Initial on-site reconnaissance and photo inventory of existing conditions;
  - Inventory of relevant nearby sites to establish a baseline condition of different NEP designations;

- Assessing the observed conditions on the Subject Site and comparing/contrasting them to established policy criteria and surrounding site examples.





Figure 1  
Site Location Map

- ..... Subject Site
- Lands Owned by Brampton Brick

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## 2.0 Background

The Niagara Escarpment includes a variety of topographic features and land uses extending 725 kilometres from Queenston on the Niagara River to the islands off Tobermory on the Bruce Peninsula. The following outlines the relevant designations and objectives of the Niagara Escarpment Plan that have been considered in this report. **Figure 2** shows the land designations within the study area, as found in the Niagara Escarpment Plan.

### 2.1 Purpose and Objectives of the Niagara Escarpment Plan

The Purpose of the Niagara Escarpment Planning and Development Act is:

“To provide for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment and to ensure only such development occurs as is compatible with that natural environment.”

The objectives of the Niagara Escarpment Plan are:

1. To protect unique ecologic and historic areas;
2. To maintain and enhance the quality and character of natural streams and water supplies;
3. To provide adequate opportunities for outdoor recreation;
4. To maintain and enhance the open landscape character of the Niagara Escarpment in so far as possible, by such means as compatible farming or forestry and by preserving the natural scenery;
5. To ensure that all new development is compatible with the purpose of the Plan;
6. To provide for adequate public access to the Niagara Escarpment; and
7. To support municipalities within the Niagara Escarpment Plan Area in their exercise of the planning functions conferred upon them by the Planning Act.

### 2.2 Land Use Objectives for Escarpment Protection Areas

The following objectives were extracted from Section 1.4 of the Niagara Escarpment Plan:

1. To maintain and enhance the scenic resources and open landscape character of the Escarpment.

2. To provide a buffer to prominent Escarpment features.
3. To recognize, protect and where possible enhance the natural heritage system associated with the Niagara Escarpment Plan area and protect natural areas of regional significance.
4. To conserve cultural heritage resources, including features and areas of interest to First Nation and Métis communities.
5. To encourage forest management, compatible recreation, conservation and educational activities.
6. To encourage agriculture and protect agricultural lands and prime agricultural areas.

#### CRITERIA FOR DESIGNATION

1. Escarpment slopes and Escarpment Related Landforms where existing land uses have significantly altered the natural environment (e.g., agricultural lands or residential development).
2. Areas in close proximity to Escarpment slopes that are visually part of the landscape unit.
3. Areas of Natural and Scientific Interest (Life Science), or environmentally sensitive or environmentally significant areas identified by municipalities or conservation authorities.

## 2.3 Land Use Objectives for Escarpment Rural Areas

The following objectives were extracted from Section 1.5 of the Niagara Escarpment Plan:

1. To maintain the scenic resources of lands in the vicinity of the Escarpment and the open landscape character of the Escarpment.
2. To conserve cultural heritage resources, including features of interest to First Nation and Métis communities.
3. To encourage forest management and recreation.
4. To provide for compatible rural land uses.
5. To encourage agriculture and protect agricultural lands and prime agricultural areas.
6. To provide a buffer for ecologically sensitive areas of the Escarpment.
7. To provide for the consideration of new Mineral Resource Extraction Areas which can be accommodated by an amendment to this Plan.

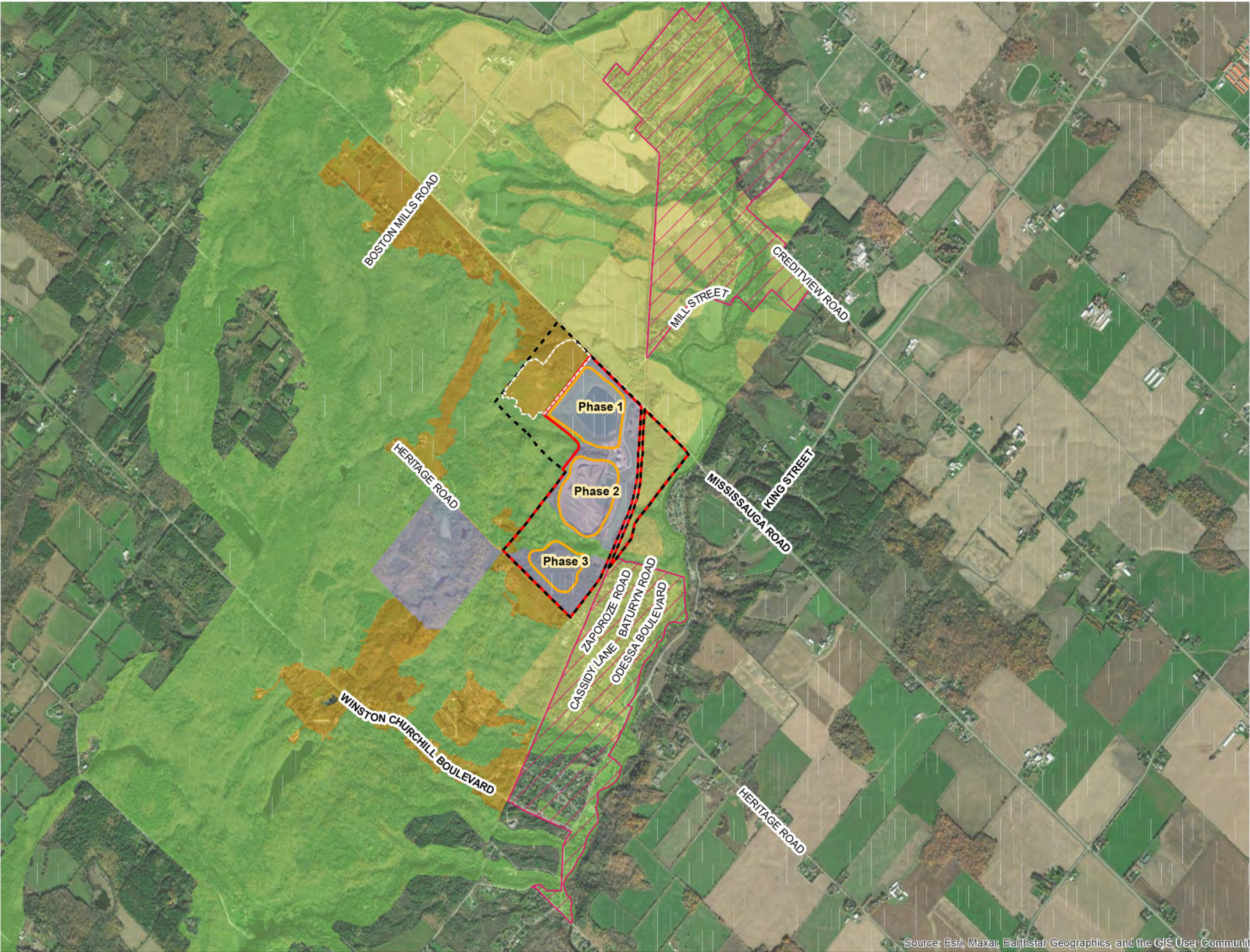
#### CRITERIA FOR DESIGNATION

1. Minor Escarpment slopes and Escarpment Related Landforms.



2. Lands in the vicinity of the Escarpment necessary to provide an open landscape character.
3. Lands in the vicinity of the Escarpment which are of ecological importance to the Escarpment environment.
4. Lands that have potential for enhanced ecological values through natural succession processes or due to their proximity to other ecologically sensitive lands, areas or features.





Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Figure 2  
Niagara Escarpment Plan  
Lands Use Designations

-  Licence Boundary
-  Limit of Extraction
-  Minor Urban Centre
-  Escarpment Natural Area
-  Escarpment Protection Area
-  Escarpment Rural Area
-  Mineral Resource Extraction Area
-  Subject Site
-  Lands Owned by Brampton Brick

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## 3.0 Methodology

The methodology used to complete the report included undertaking the following:

1. A detailed review of background documentation information including aerial photographs and topographic mapping.
2. Identification of locations in the vicinity of the Subject Site within relevant Niagara Escarpment Plan designations in order to study the site characteristics of the respective NEP designations.
3. The collection of field data and on-site photography from key vantage points (viewpoints) from both the Subject Site and from nearby locations for use as surrounding site examples (taken from public roadways).
4. Review and analysis of the site characteristics of the Subject Site and surrounding site examples, and subsequent study of their relationship to their respective NEP designation.
5. Provision of opinion and recommendations regarding the Subject Site' NEP designation.
6. Preparation of a Visual Impact Report for submission to the relevant approval agencies.

The surrounding sites selected for study were chosen from nearby areas surrounding the Subject Site that fall within the Escarpment Rural and Escarpment Protection Area designations. This work aimed to establish a baseline understanding of the characteristics of the respective NEP designations, such that comparisons and conclusions could be made with respect to the Subject Site. The goal of this report is to evaluate the appropriateness of the Escarpment Protection Area designation of the Subject Site from a visual perspective.

For the purposes of field work, a Nikon D3300 model Digital Single-Lens Reflex (DSLR) camera using a 50mm lens at F2.8 was used. Photos were taken at eye level standing height (approximately 1.70m above grade). Photos were taken individually at a ratio of 6000px by 4000px to encompass a 90-180 degree viewpoint from the standing location (depending on location). In producing the panoramic photos included in this report, the individual photos were stitched together in Adobe Photoshop using the Photomerge tool.

The information presented in this assessment is based on a stationary perspective that would be experienced by a person standing at various station points / viewpoints at the selected locations. The photographs used for the photo record were taken in the June and July of 2022.



## 4.0 Landscape Character of the Subject Site

Site reviews of the Subject Site and surrounding area were undertaken during June and July of 2022. The analysis and location of the Subject Site are included in this section and are identified on **Figure 4 (Assessed Views Photo Location Plan)**, and **4A to 4D (Photo Records of Assessed Views)**. The site reviews included a photographic inventory of the Subject Site to provide a baseline for comparison and analysis.

### 4.1 Site Context

The Subject Site is located at 14504 Mississauga Road in the Town of Caledon, north of the community of Cheltenham. The surrounding area is primarily characterized by existing aggregate extraction, farm-related and non-farm-related residences, agricultural outbuildings, naturalized areas, open space, and hedgerows. Swaths of forested area surround the Subject Site and extend towards and along the escarpment. The Subject Site is currently characterized by a single rural dwelling, associated farm buildings and agricultural fields. **Figures 4A and 4B** document photos taken on the Subject Site.

### 4.2 Topography

The Subject Site is characterized by gently sloping topography and flatter areas characteristic of typically agricultural lands. Elevations on site range from 296 and 314 masl generally sloping from the south-east corner up to the north-west corner. The escarpment ridge can be seen west and north of the property, rising to the northwest.

### 4.3 Vegetation

The Subject Site is comprised primarily of open agricultural fields with spots of fallow meadow. There are some pockets of trees surrounding the residence and in some areas within the fields. Hedgerows typical of agricultural operations can be found along the periphery of the site. These trees are a mix of mature and emergent deciduous and coniferous species.

## 4.4 Land Use and NEP Designation

Under the Niagara Escarpment Plan, the Subject Site is currently designated as Escarpment Protection Area, with surrounding areas being designated as Escarpment Protection, Escarpment Natural, Escarpment Rural, and Mineral Resource Extraction areas. There are two Minor Urban Centres to the east and south west of the site.

The Niagara Escarpment Commission's Landscape Evaluation Study rated the entirety of the Subject Site as 'Attractive'. Within the 'Attractive' mapping, there are lands designated Escarpment Natural Area, Escarpment Protection Area, Escarpment Rural Area and Mineral Resource Extraction Area. To the south of the quarry area are lands rated as 'Average'. Refer to **Figure 3** for the Niagara Escarpment Landscape Evaluation Study for this area.





Figure 3  
Visual Evaluation Map

- Subject Site
- Lands Owned by Brampton Brick
- Average
- Attractive
- Very Attractive

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Figure 4  
Assessed Views Photo Location Map

- Subject Site
- Lands Owned by Brampton Brick
- Photo Location

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Subject Lands View 1



Subject Lands View 2



Subject Lands View 3





Subject Lands View 4



Subject Lands View 5



Subject Lands View 6



# 5.0 Visual Landscape Character of Surrounding Properties

In addition to the site inventory of the Subject Site, an additional inventory was conducted at six nearby locations for use as visual comparisons. This investigation aimed to inventory the composition and visual characteristics of sites currently defined within both Escarpment Protection and Escarpment Rural designations and to provide a baseline by which compare and contrast between the two. **Figures 4C and 4D** document photos taken at the six locations.

The site locations included in this inventory are as follows:

*Escarpment Protection:*

- 14895 Creditview Road
- 14451 Winston Churchill Boulevard
- 14165 Winston Churchill Boulevard (Taken at 14110 Winston Churchill Boulevard)

*Escarpment Rural:*

- 14520 Creditview Road
- 1254 Mill Street
- 1380 Boston Mills Road

## 5.1 Topography

*14895 Creditview Road*

This property has varied topographic elevations with rising mounds towards the public right of way with pockets of flat agricultural fields. Towards the back of the property, the topography rises towards the escarpment.

*14451 Winston Churchill Boulevard*

This property has varied topographic elevations with rising mounds scattered around the area. Towards the back of the property, the topography rises towards the escarpment.

*14165 Winston Churchill Boulevard*

This property has varied topographic elevations with rising mounds towards the public right of way. The existing dwelling is situated on a flatter area but the property can be broadly characterized by rolling hills.

*14520 Creditview Road*

The existing church on the property is elevated from the public right of way, and the developed portion of the site is generally flat given the extensive presence of parking area. The balance of the property then slopes down to the naturalized area to the west.

*1254 Mill Street*

This property is generally flat throughout the area surrounding the existing dwelling and field, and slopes down towards to woodlot to the west. Notwithstanding the aforementioned slopes, there is minimal grade change in the area.

*1380 Boston Mills Road*

This property is generally flat, consistent with typical agricultural conditions. There is a gentle slope down towards the south-east of the property.

## 5.2 Vegetation

*14895 Creditview Road*

This property is largely forested with a mix of coniferous and deciduous trees. There are some agricultural field areas at various spots throughout the property.

*14165 Winston Churchill Boulevard*

This property is largely forested with mostly deciduous trees. There is an open lawn area surrounding the existing dwelling. Adjacent to the public right of way is some understorey vegetation, characteristic of vegetation management below existing utility lines.

*14081 Winston Churchill Boulevard*

This property is largely forested with a mix of mature coniferous and deciduous trees. There is an open lawn area surrounding the existing dwelling, as well as a fallow field. Adjacent to the public right of way is some understorey vegetation, characteristic of vegetation management below existing utility lines.



*14520 Creditview Road*

The property itself only has a few mature trees fronting the street, but it is surrounded by dense mixed coniferous and deciduous forest. The property is largely paved with some minimal lawn areas at the front of the lot.

*1254 Mill Street*

There are scattered mature trees and hedge rows on the north side of the road around the residences and farm buildings. The south side of the road is almost entirely clear of vegetation with exception to the mixed coniferous/deciduous wooded area that borders the agricultural fields throughout the residential portion of the site. To the west is an open agricultural field and to the east is a mixed coniferous/deciduous wooded area.

*1380 Boston Mills Road*

There are scattered mature trees and hedge rows on the north side of the road around the residences and farm buildings. The south side of the road is almost entirely clear of vegetation with exception to the mixed coniferous/deciduous wooded area that borders the agricultural fields.





Approximately 14895 Mississauga Road



14451 Winston Churchill Boulevard



14165 Winston Churchill Boulevard (Taken at 14110 Winston Churchill Boulevard)

DATE: JULY 2022





1254 Mill Street



14520 Creditview Road



1380 Boston Mills Road

DATE: JULY 2022	



## 6.0 Site Inventory Analysis

Based on the inventoried landscape character inventory conducted in **Sections 4** and **5** of this report, the below analysis aims to compare and contrast the similarities and differences between the Subject Site and other sites which were analyzed. The goal of this analysis is to provide a comparison with the existing NEP designations to determine the appropriateness of the current designation of the Subject Site.

### 6.1 Topography

The topography of the properties designated Escarpment Protection that were analyzed are generally characterized by multiple topographic changes spread out throughout the subject properties, generally sloping up towards the Escarpment. The mounds vary from small, rounded hills, to more substantial, medium sized ridges and depressions.

The Escarpment Rural area properties are generally characterized by relatively flat topography with some gentle slopes. There are few sporadic changes in topography and are largely uniform slopes in one direction.

The Subject Site is largely dominated by gently sloping agricultural fields that rise towards the escarpment. There are a few irregular slopes close to the escarpment, but in general there is a consistent grade change from the south east to north west of the site.

Overall, the topography of the Subject Site is more in line with the Escarpment Rural properties as opposed to the Escarpment Protection properties. Whereas the Escarpment Protection properties have more dramatic changes in topography spread out throughout the site, the Subject Site has much gentler slopes. Though both share character of sloping up towards the escarpment, the general conditions of the Subject Site are more characteristic of the Escarpment Rural designation.

### 6.2 Vegetation

The Escarpment Protection properties are largely characterized by mostly dense woodlots connecting to the greater Escarpment naturalized area. There are openings for either residences, open lawns, or agricultural fields. The wooded areas tend to surround the properties on multiple sides and take up a significant portion of the respective parcel.



Understorey vegetation tends to line public roadways as succession planting is actively managed.

By contrast, the Subject Site is comprised almost entirely of agricultural fields with small swaths of trees spread throughout the site and along the periphery. There is some understory vegetation adjacent to the public road, but it is largely managed down to low grasses and individual trees.

The Escarpment Rural properties present very similar characteristics when it comes to vegetation. Most have a scattering of mature trees on site providing canopy coverage around existing buildings. These sites are bounded by dense woodlots that are more characteristic of a naturalized setting. The predominant feature of the rural properties is open area / agricultural fields. This is defined by an absence of trees and a presence of monoculture crops or sod.

The Subject Site is dominated by open space and agricultural fields. While in the north-west portion the field has now gone fallow, it is indicative of previous agricultural activities. The site has mature trees scattered around the existing buildings on site and lining the driveway. The site also contains some mature trees that are in the middle of the east agricultural field. Similar to the Escarpment Rural properties, the Subject Site is bounded by dense mixed coniferous, deciduous forest.

# 7.0 Policy Analysis

## 7.1 Niagara Escarpment Plan Policy Analysis

The following section provides an analysis of how the contemplated land use designation change conforms to the policies of the Niagara Escarpment Plan outlined in Section 2.0 of this report.

### **Escarpment Protection Areas Policies and Objectives**

The Niagara Escarpment Plan describes Escarpment Protection areas as:

“...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 Escarpment Related Landforms and natural heritage and hydrologic features that have been significantly modified by land use activities, such as agriculture or residential development, as well as lands needed to buffer Escarpment Natural Areas and natural areas of regional significance.”

It is first important to note that the Subject Site in general would not be described as “visually prominent”. The relatively flat, and gentle topography of the largely agricultural fields do not stand out in the overall landscape as a prominent feature. While areas to the north and north-west begin to transition to a more prominent visual character, the site largely blends into the surrounding agricultural landscape. There is, however, a distinct visual separation between the treed area which expands into the Escarpment lands and the agricultural fields on site. Further, while the landscape has certainly been altered through agricultural activities, it is not apparent that Escarpment Related Landforms have been modified.

As Escarpment Protection Areas and Escarpment Rural areas share the goal of protecting agricultural resources, and this could be achieved through either designation. As the proposal for redesignation does not suggest to remove all Escarpment Protection area abutting the Escarpment Natural designation, it is expected that the required buffer necessary to maintain the Escarpment visual landscape and overall open landscape character of the area will be retained. As such, we are of the opinion that a redesignation of the Subject Site to Escarpment Rural can be justified and would be appropriate.

## **Escarpment Rural Areas Policies and Objectives**

The Niagara Escarpment Plan describes Escarpment Rural areas as "...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."

The Subject Site is currently being used as a single rural residence and associated agricultural operations. This is a permitted use under the Escarpment Rural area policies and therefore, a redesignation would not be out of character.

While no recreational activities take place on site, the uses are currently compatible with the designation and do nothing to inhibit current agricultural operations. In addition to the proposal to retain a portion of the Escarpment Protection area, this designation for the Subject Site would still currently provide a buffer to the surrounding Escarpment landscape. The general topography of the site is relatively flat, but areas of the periphery do have some minor slopes leading to the Escarpment.

With regards to the designation visual criteria set out in the Niagara Escarpment Plan, based on site investigations it is evident that the Escarpment slopes in the vicinity of the Subject Site are not within close proximity and are not visually part of the landscape unit. While the slopes are visible from the Subject Site, they are better understood from a visual perspective as part of the overall open landscape character of the landscape unit. The Escarpment slopes within the vicinity of the Subject Site frame the open space constituted largely by the agricultural fields and provide a visual backdrop for the site from different points of view. Consequently, it is clear that the visual characteristics of the Subject Site better match the criteria for the Escarpment Rural Area designations as opposed to the Escarpment Protection Area designation.

Should a consideration for a new Mineral Resource Extraction Area be considered, there is ample opportunity to provide additional buffer space and screening to retain the open landscape character of the area and ensure that the existing Escarpment landscape is protected. Consequently, these characteristics make the re-designation of the Subject Site to Escarpment Rural as an appropriate course of action, complying with the policies and objectives of the Niagara Escarpment Plan.

## **7.2 Niagara Escarpment Commission Landscape Evaluation Study Analysis**

The NEC Landscape Evaluation Study (LES) ranked the scenic quality of landscape units across the Niagara Escarpment Plan Area from Outstanding to Very Low based on scoring landform,



vegetative cover, land use, special features, and views. **Figure 3** shows the landscape evaluation of the Subject Site and surrounding area.

It is important to note that the change in designation does not necessitate a change in land use. While new uses may be permitted as a result of the change in the NEP designation, the visual qualities of the Subject Site are not inherently impacted as a result of the change.

As shown on **Figure 3**, lands encompassing the 'Attractive' designation constitute a large area of diverse uses and designations including Natural Protection Area, Escarpment Rural Area, part of a Minor Urban Centre, Mineral Extraction, and Escarpment Natural Area. Consequently, it is evident that there is no correlation between a specific land use designation and the visual quality ranking of a particular area. Therefore, the 'Attractive' designation of the area will not be affected simply by a change in land use designation.

## 8.0 Conclusion

Based on our investigations it is our professional opinion and conclusion that the redesignation of the Subject Site from Escarpment Protection Area to Escarpment Rural Area under the Niagara Escarpment Plan would be appropriate.

From a visual perspective, site characteristics better suit the Escarpment Rural Area designation criteria instead of the Escarpment Protection Area designation criteria. While there is overlap between the characteristics of the two designations, the Escarpment Rural designation better captures the qualities and characteristics of the Subject Site.

The retention of some of the existing Escarpment Protection area on the property, but outside of the subject site as proposed will create an appropriate buffer between the Escarpment Rural designation and the Escarpment Natural designation of the Escarpment slope, and create a sensible transition between the three land use designations.

We conclude that the changing of the NEP designation of the Subject Site from Escarpment Protection to Escarpment Rural is in conformity with the designation criteria outlined in the Niagara Escarpment Plan, and best matches the characteristics of the Subject Site in relation to current policies and application at other nearby relevant sites, and is therefore appropriate and recommended.

Respectfully submitted,

**MHBC Planning, Urban Design & Landscape Architecture**

*Report Prepared by:*



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Partner



## APPENDIX **A**

## Niagara Escarpment Plan 2020 - Definitions

**Aboriginal:** Use of the term Aboriginal in this Plan is intended to be consistent with the definition provided in the Constitution Act, 1982; “Aboriginal peoples of Canada” includes the Indian, Inuit and Métis peoples of Canada.

**Accessory:** Naturally and normally incidental, subordinate and exclusively devoted to the principal use located on the same lot.

**Accessory facility:** A detached building, structure or other installation that is not used for human habitation, the use of which is naturally and normally incidental, subordinate, and exclusively devoted to the principal use located on the same lot.

**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.

**Agri-food network:** Within the Agricultural System, a network that includes elements important to the viability of the agri-food sector such as regional infrastructure and transportation networks, on-farm buildings and infrastructure, agricultural services, farm markets, distributors and primary processing, and vibrant, agriculture-supportive communities.

**Agricultural Purposes Only lot (APO lot):** The agricultural lot that is the remnant created following the severance of another lot containing a residence that is rendered surplus when associated with a farm consolidation (see definition for residence surplus to a farm operation). The permitted uses on APO lots are limited in accordance with the policies of this Plan.

**Agricultural System:** The system mapped and issued by the province and is comprised of 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 prime-agricultural areas, including specialty crop areas and rural lands that together create a continuous productive land base for agriculture; 2. An agri-food network which includes infrastructure, services and assets important to the viability of the agri-food sector.

**Agricultural use:** The growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment (Provincial Policy Statement, 2014).



**Agri-tourism use:** Farm-related tourism use, including limited accommodation such as a bed and breakfast, that promotes the enjoyment, education or activities related to the farm operation (Provincial Policy Statement, 2014).

**Agriculture-related use:** Farm-related commercial and farm-related industrial use that is directly related to farm operations in the area, supports agriculture, benefits from being in close proximity to farm operations, and provides direct products and/or services to farm operations as a primary activity. (Provincial Policy Statement, 2014) 127

**Archaeological resource:** Includes artifacts, archaeological sites and marine archaeological sites, as defined under the Ontario Heritage Act. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the Ontario Heritage Act (Provincial Policy Statement, 2014).

**Area of Natural and Scientific Interest (ANSI):** An area of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study, or education (Provincial Policy Statement, 2014).

**Bed and breakfast:** Sleeping accommodation (including breakfast and other meals, services, facilities and amenities for the exclusive use of guests) for the travelling or vacationing public within an existing single dwelling that is the principal residence of the proprietor. A bed and breakfast in an existing single dwelling of local heritage value or interest must retain the features that cause it to be designated of local heritage value or interest.

**Berm:** An artificial mound or bank of earth.

**Billboard:** Any notice or advertising device, with or without words, that contains information unrelated to the use of the property on which the billboard is located, including any device that is used solely to attract attention, and any temporary or mobile structure used for similar purposes.

**Biosphere Reserve:** An international designation of recognition from the United Nations Educational, Scientific and Cultural Organization (UNESCO) under the Man and Biosphere Program (MAB) that recognizes the unique natural features and ecological importance of the area regulated by the Niagara Escarpment Plan.

**Brow (edge):** The uppermost point of the Escarpment slope or face. It may be the top of a rock cliff or where the bedrock is buried. The most obvious break in slope associated with the underlying bedrock.

**Bruce Trail access point:** Property managed and/or acquired in whole or in part for the purpose of providing public access to the Bruce Trail (e.g., parking areas). Bruce Trail corridor:

Property managed and/or acquired in whole or in part under Part 3 of the Niagara Escarpment Plan or by other means for the purpose of securing the Bruce Trail and facilitating the establishment of overnight rest areas and Bruce Trail access points. 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. Built heritage resources 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 (Provincial Policy Statement, 2014).

**Campground:** An area used for a range of overnight camping experiences, from tenting to trailer sites, including accessory facilities, such as administration offices, laundry facilities and washrooms to support the use, but not including the use of mobile homes or trailers on a permanent year-round basis.

**Certified Agrologist:** A person who has been certified as a Professional Agrologist (P. Ag.) by meeting the academic and registration requirements established by a provincial institute of agrologists.

**Compatible:** Where the building, structure, activity or use blends, conforms or is harmonious with the Escarpment environment.

**Comprehensive rehabilitation:** Rehabilitation of land from which mineral aggregate resources have been extracted that is coordinated and complementary, to the extent possible, with the rehabilitation of other sites in an area where there is a high concentration of mineral aggregate operations (Provincial Policy Statement, 2014).

**Conserve or conservation:**

a) In an ecological context, means the wise management of the environment in a way that will maintain, restore, enhance and protect its quality and quantity for sustained benefit to humans and the environment.

b) In a cultural heritage context, means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained under the Ontario Heritage Act. 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.

**Conservation organization:** A non-government conservation body that includes a land trust, conservancy or similar not-for-profit agency governed by a charter, 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. A conservation organization shall be considered to have an “approved” status under this Plan once the Ministry of Natural Resources and Forestry and the Niagara Escarpment Commission have been satisfied that the conservation organization has an environmental purpose consistent with the purpose, objectives and policies of the Niagara Escarpment Plan. This includes 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.

**Correcting a conveyance:** The granting of a consent under the Planning Act for purposes, such as easements, correcting deeds, quit claims and minor boundary adjustments for legal or technical reasons that do not result in the creation of a new lot or the re-creation of a merged lot.

**Cultural heritage value or interest:** A property may be determined to have cultural heritage value or interest if it meets one or more of the criteria found in Ontario Regulation 9/06 under the Ontario Heritage Act. A property may be determined to have cultural heritage value or interest of provincial significance if it meets one or more of the criteria found in Ontario Regulation 10/06 under the Ontario Heritage Act.

**Cultural heritage landscape:** A defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; villages, parks, gardens, battlefields, main streets and neighbourhoods, cemeteries, trail ways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities (e.g., a National Historic Site or District designation, or a UNESCO World Heritage Site) (Provincial Policy Statement, 2014).

**Cultural heritage resource:** Property that includes built heritage resources, cultural heritage landscapes, archaeological resources and/or areas of archaeological potential.

**Dwelling unit:** One or more habitable rooms with a private entrance and designed for the use of one household in which sanitary and kitchen facilities are provided for the exclusive use of such household.

**Easement:** A negotiated interest in the land of another that allows the easement holder specified uses or rights without actual ownership of the land.

**Endangered species:** A species that is classified as an endangered species in Ontario Regulation 230/08 (Species at Risk in Ontario List) made under the Endangered Species Act, 2007 (Provincial Policy Statement 2014).

**Erosion hazard:** The loss of land, due to human or natural processes, that poses a threat to life and property. The erosion hazard limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over a one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance (Provincial Policy Statement, 2014).

**Escarpment or Niagara Escarpment:** See the preamble of this Plan for a description of the Niagara Escarpment. The single word “Escarpment” used in this document means the Niagara Escarpment. Escarpment environment: The physical and natural heritage features, cultural heritage resources, and scenic resources associated with the Escarpment landscape. Escarpment Related Landform: A physical feature of the land associated with the Escarpment and created by erosion, sedimentation and/or glaciation, often including such features as moraines, lakes, river valleys, beach ridges, drumlins and kames.

**Escarpment slope (face):** The area between the brow and toe of the Escarpment and usually characterized by a steep gradient. Where the rise occurs in the form of a series of steps, the slope also includes the terraces between the steps.

**Existing lot of record:** a lot held under distinct and separate ownership from all abutting lots, as shown by a registered conveyance in the records of the Land Registry Office at the date of approval of the Niagara Escarpment Plan on June 12, 1985;

a) a new lot created in conformity with the provisions of the Niagara Escarpment Plan; or

b) where lands have been added to the Niagara Escarpment Plan;

i. a lot held under distinct and separate ownership from all abutting lots, as shown by

a registered conveyance in the records of the Land Registry Office at the date of approval of the amendment to this Plan adding the lands to this Plan; or

ii. any new lot created in conformity with this Plan after the date of approval of the amendment to this Plan adding the lands to this Plan.

For greater certainty, a lot created through testamentary devise or by a navigable waterway is not considered an existing lot of record unless it meets the provisions set out in a), or b), of this definition.



Note: See Special Provisions that apply to the Pleasant View Survey Lands in Part 2.2.21 a) of this Plan.

**Existing use:** The legal use of any land, building or structure for a purpose that is not otherwise listed as a permitted use under the applicable designation in the Niagara Escarpment Plan, and that was:

- a) existing on the day of approval of the Niagara Escarpment Plan, June 12, 1985; or
  - b) approved in accordance with the provisions of the Niagara Escarpment Plan since June 12, 1985 but prior to the date of any amendment to this Plan under which the use ceased to be a permitted use; or
  - c) existing, in an area added to the Niagara Escarpment Plan at the date of the approval of the amendment to this Plan that added the lands to this Plan; provided that the existing use has continued without interruption after the effective date as set out under a), b), or
- c). Note: See Special Provisions that apply to the Pleasant View Survey Lands in Part 2.2.21 a) of this Plan. Farm consolidation: The acquisition of additional farm parcels to be operated as one farm operation.

**Fish habitat:** The spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend, directly or indirectly, in order to carry out their life processes (Fisheries Act, R.S.C., 1985, c. F-14). Fisheries management: The management of fish habitat and fish populations for the purpose of sustaining and improving the quality and quantity of fish. Flooding hazard: The inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

- a) along the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes, the flooding hazard limit is based on the one hundred year flood level plus an allowance for wave uprush and other water-related hazards;
- b) along river, stream and small inland lake systems, the flooding hazard limit is the greater of:
  - i. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
  - ii. the one hundred year flood; and

iii. a flood which is greater than i) or ii) which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources and Forestry; except where the use of the one hundred year flood or the actually experienced event has been approved by the Ministry of Natural Resources and Forestry as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard) (Provincial Policy Statement, 2014).

**Forest management:** The sustainable management of forests to produce wood and wood products, provide outdoor recreation, protect, restore or enhance environmental conditions for wildlife, and protect water supplies.

**Green infrastructure:** Natural and human-made elements that provide ecological and hydrologic functions and processes. Green infrastructure can include components such as natural heritage features and systems, parklands, stormwater management systems, street trees, urban forests, natural channels, permeable surfaces, and green roofs (Provincial Policy Statement, 2014).

**Group home:** A residence that is licensed or funded by a public body for the accommodation of three to ten persons, exclusive of staff, living under supervision in a single housekeeping unit and who, by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their well-being. Habitat of endangered species and threatened species:

a) with respect to an endangered or threatened species for which a regulation made under clause 55 (1) (a) of the Endangered Species Act, 2007 is in force, the area prescribed by that regulation as the habitat of the species; or

b) with respect to any other endangered or threatened species, an area on which the species depends, directly or indirectly, to carry on its life processes, including life processes, such as reproduction, rearing, hibernation, migration or feeding, as approved by the Ministry of Natural Resources and Forestry; and places in the areas described in clause a) or b), whichever is applicable, that are used by members of the species as dens, nests, hibernacula or other residences. (Provincial Policy Statement, 2014)

**Heritage attribute:** The principal feature or element that contributes to a protected heritage property's cultural heritage value or interest that may include the property's built or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (including significant views or vistas to or from a protected heritage property).

(Provincial Policy Statement, 2014) Heritage conservation easement agreement: A covenant or agreement that may be entered into by the owner of real property 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 Ontario Heritage Act.

**Height:** With respect to a building, means the greatest vertical distance between the point of lowest finished grade adjoining any exterior wall of a building and the highest point of the roof. With respect to a structure, means the greatest vertical distance between the point of lowest finished grade and the highest point or points of the structure.

**Home industry:** A use, providing a service primarily to the rural or farming community and that is accessory to a single dwelling or agricultural operation, performed by one or more residents of the household on the same property. A home industry may be conducted in whole or in part in an accessory facility 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 facility.

**Home occupation:** An occupation that provides a service as an accessory use within a single dwelling, in an addition to the dwelling, or in an accessory facility, performed by one or more residents of the household on the same property. Such occupations may include services performed by an accountant, architect, auditor, dentist, medical practitioner, veterinarian, engineer, insurance agent, land surveyor, lawyer, realtor, planner, hairdresser, desktop publisher or word processor, computer processing provider, teacher or day care provider. Other occupations may also include dressmaking, upholstering, weaving, baking, ceramic-making, painting, sculpting and the repair of personal effects.

**Household:** One or more persons living as a single housekeeping unit in one dwelling.

**Hydrologic function:** The functions of the hydrologic cycle that includes the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things (Provincial Policy Statement, 2014).

**Implementing authority:** The body responsible for the administration of the Niagara Escarpment Plan.

**Infrastructure:** The physical structures (facilities and corridors) that form the foundation for development. Infrastructure includes green infrastructure and utilities as defined in this Plan, in addition to transportation corridors and facilities, including rights-of-way for the movement of people and goods.

**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. Intermittent stream: A stream-related watercourse that contains water or is dry at times of the year that are more or

less predictable, generally flowing during wet seasons of the year but not the entire year, and where the water table is above the stream bottom during parts of the year.

**Lake:** Any inland body of standing water, usually fresh water, larger than a pool or pond, or a body of water filling a depression in the earth's surface.

**Lot:** A parcel of land capable of being conveyed legally in accordance with the Planning Act.

**Low impact development:** An approach to stormwater management that seeks to manage rain and other precipitation as close to possible to where it falls in order to mitigate the impacts of increased runoff and stormwater pollution. It comprises a set of site design strategies and distributed, small scale structural practices to mimic the natural hydrology to the greatest extent possible through infiltration, evapotranspiration, harvesting, filtration and detention of stormwater. Low impact development can include: bio-swales, permeable pavement, rain gardens, green roofs and exfiltration systems. Low impact development often employs vegetation and soil in its design, however, that does not always have to be the case. Mineral aggregate operation:

a) lands under license or permit, other than for wayside pits and quarries, issued in accordance with the Aggregate Resources Act;

b) for lands not designated under the Aggregate Resources Act, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and

c) associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products, or the production of secondary related products.

**Mineral aggregate resource:** Gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the Aggregate Resources Act suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the Mining Act (Provincial Policy Statement, 2014).

**Minimum distance separation formulae:** Formulae and guidelines developed by the Province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities (Provincial Policy Statement, 2014).

**Natural environment:** The air, land and water or any combination or part thereof.



**Nature preserve:** Property held by an approved conservation organization for the purpose of enhancing, protecting, maintaining or providing access to the natural environment in the Niagara Escarpment Plan area. Nature preserves will be areas or sites that presently, or in the future, could contribute to the conservation of Ontario's biodiversity and natural heritage. Such lands are not recognized as building lots under this Plan.

**Natural scenery:** The existing scenery of the Escarpment environment associated with the continuous natural environment.

**Natural self-sustaining vegetation:** Vegetation dominated by native plant species that can grow and persist without direct human management, protection, or tending (Greenbelt Plan, 2005).

**Negative impact:**

a) in regard to water, degradation to the quality or quantity of surface water or groundwater, key hydrologic features and their related hydrologic functions, due to single, multiple or successive development;

b) in regard to key and other natural heritage features, degradation that threatens the health and integrity of the natural features or ecological functions for which an area is identified due to single, multiple or successive development;

c) in regard to fish habitat, any permanent alteration to or destruction of fish habitat, except where, in conjunction with the appropriate authorities, it has been authorized under the Fisheries Act;

d) in regard to scenic resources, a degradation to the natural scenery and scenic quality due to single, multiple or successive development; and

e) in regard to cultural heritage resources, degradation or destruction of built heritage resources, cultural heritage landscapes, archaeological resources, including a visual impact, when heritage attributes include the visual setting of a cultural heritage resource and other features of significant cultural heritage value or interest, including heritage and archaeological sites of critical importance to Aboriginal peoples. NEPOSS agency: Public body and approved conservation organizations that own/manage land within NEPOSS.

**Official plan:** A document approved by an approval authority in accordance with the Planning Act, containing objectives and policies established primarily to provide guidance for the physical development of a municipality or a part thereof, while having regard to relevant social, economic and environmental matters.

**On-farm diversified use:** Use that is secondary to the principal agricultural use of the property and is limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products (Provincial Policy Statement, 2014).

**Open landscape character:** The system of rural features, both natural and human-made, that makes up the rural environment, including forests, slopes, streams, valleylands, hedgerows, agricultural fields, agricultural buildings and other features of similar character and scale.

**Original township half lot:** Half of an original township lot where the township was originally surveyed into 80-hectare lots.

**Original township lot:** The township lot as shown on an original plan, where an original plan is a plan certified by the Surveyor General as being the original plan of an original survey. In Ontario, original township lots are generally 40 hectares; however, larger and smaller original township lots exist.

**Other water-related hazard:** A water-associated phenomenon other than flooding hazard and wave uprush which act on shorelines. This includes, but is not limited to ship-generated waves, ice piling and ice jamming (Provincial Policy Statement, 2014).

**Overnight rest area:** Property managed and/or acquired by the Bruce Trail Conservancy or through agreements with landowners or public bodies for the purpose of allowing small, basic unserviced camping sites for Bruce Trail users.

**Permanent stream:** A stream that continually flows in an average year.

**Prime agricultural area:** An area where prime agricultural lands predominate. This includes areas of prime agricultural lands and associated Canada Land Inventory Class 4 through 7 lands, and additional areas where there is a local concentration of farms that exhibit characteristics of ongoing agriculture. Prime agricultural areas may be identified by the Ontario Ministry of Agriculture and Food using guidelines developed by the Province as amended from time to time. A prime agricultural area may also be identified through an alternative agricultural land evaluation system approved by the Province (Provincial Policy Statement, 2014).

**Prime agricultural land:** Specialty crop areas and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection (Provincial Policy Statement, 2014).

**Progressive rehabilitation:** Rehabilitation done sequentially in accordance with the Aggregate Resources Act, its regulations, the site plans and the conditions of the license or permit during the period that aggregate is being excavated.



**Property:** Real property, including all buildings and structures thereon. Protected heritage property: Property designated under Parts IV, V or VI of the Ontario Heritage Act; property subject to a heritage conservation easement agreement under Parts II or IV of the Ontario Heritage Act; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites (Provincial Policy Statement, 2014).

**Public body:** A federal or provincial government, a municipality, or a municipal agency, including any commission, board, authority or department, established by a government or agency exercising any power or authority under a statute of Canada or of Ontario. The Bruce Trail Conservancy shall be treated as if it were a public body with respect to the role of the Conservancy in securing and managing the Bruce Trail corridor under Part 3 of the Niagara Escarpment Plan.

**Recreational development:** Those activities and associated tourism facilities designed to provide recreational and tourism opportunities for the use of local residents and the travelling public.

**Remnant lot:** The lot remaining after a severance has been taken. Residence surplus to a farm operation: An existing habitable farm residence that is rendered surplus as a result of a farm consolidation (Provincial Policy Statement, 2014). Retail sales and tasting area: The area within a winery where wine and other farm products are displayed and sold, including the hospitality area where wine may be tasted. Limited complementary food services for the purposes of tasting, but not for sale, may be provided within the retail sales and tasting area.

**Rock climbing:** The sport or activity of climbing a vertical rock face (e.g. cliff face), especially by means of specialized techniques and equipment.

**Ropes course:** An outdoor activity consisting of challenging elements placed on or above the ground (e.g., swings, suspension bridges, ropes, ladders, climbing nets and zip lines) usually constructed using trees and/or artificial poles.

**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: Outstanding, Very Attractive, Attractive, Average, Low and Very Low.

**Scenic resource:** The general appearance of a place or landscape, or the features of a landscape, taking into consideration the visual condition and scenic quality, which vary by location and are dependent on features such as geology, vegetation, landforms, and human developments. The heritage attributes of protected heritage properties may also include or be, in themselves, scenic resources.

**Secondary plan:** A plan for a specific geographic area of a municipality that has been approved as an amendment to an official plan by an approval authority in accordance with the Planning Act. Such a plan is prepared when there is a need for more specific policies to guide future development approved in an official plan under the Planning Act.

**Seepage area and spring:** A site of emergence of groundwater where the water table is present at the ground surface (Greenbelt Plan, 2005).

**Sign:** Any notice or advertising device, with or without words, that is accessory to the principal use on the same lot, including any device that is used solely to attract attention, and any temporary or mobile structure used for similar purposes.

**Significant:** a) in regard to wetlands and areas of natural and scientific interest, 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;

b) in regard to woodlands, 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 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;

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

d) in regard to cultural heritage and archaeology, 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. Criteria for determining significance for the resources identified in section d) are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used. While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

**Single dwelling:** A separate building containing not more than one dwelling unit and may include a chalet, cottage, mobile home or group home. Skylining: Extending above the horizon line of the Escarpment brow, slope or other prominent landform and, where applicable, associated vegetation.

**Specialty crop area:** An area designated using guidelines developed by the Province, as amended from time to time. In these areas, specialty crops are predominantly grown such as



tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops and crops from agriculturally developed organic soil, usually resulting from:

a) soils that have suitability to produce specialty crops, or lands that are subject to special

climatic conditions, or a combination of both;

b) farmers skilled in the production of specialty crops; and/or

c) a long-term investment of capital in areas such as crops, drainage, infrastructure and related facilities and services to produce, store or process specialty crops (Provincial Policy Statement, 2014). Stream or watercourse: A feature having defined bed and banks, through which water flows at least part of the year.

**Talus slope:** The slope created by the mass of broken rock that accumulates at the base of the cliff face along the Escarpment.

**Threatened species:** A species that is classified as a threatened species in Ontario Regulation 230/08 (Species at Risk in Ontario List) made under the Endangered Species Act, 2007. (Provincial Policy Statement 2014) Toe (base): The lowest point on the Escarpment slope or face determined by the most obvious break in slope associated with the bedrock or landforms overlying the bedrock.

**Topsoil:** Horizons in a soil profile, commonly known as the “O” and the “A” horizons, containing organic material and includes deposits of partially decomposed organic matter such as peat (Municipal Act, 2001). Trail activity: Recreation oriented to trails (e.g., horseback riding, cross-country skiing, hiking, snowmobiling, cycling).

**Utility:** A water supply; storm or sanitary sewage system; gas or oil pipeline; the generation, transmission and distribution of electric power, including renewable energy projects as defined in the Electricity Act, 1998, commercial or otherwise, and all associated infrastructure; the generation, transmission and distribution of steam or hot water; telegraph and telephone lines and other cabled services; a public transportation system; licensed broadcasting, receiving and transmitting facilities; or any other similar works or systems necessary to the public interest, but does not include:

a) the establishment of a new waste disposal site;

b) any expansion or alteration to an existing waste disposal site from what has been

approved under the applicable legislation (including any expansion in area or height of a landfill site or any change in the type of waste material being disposed);

- c) incineration facilities (including energy from waste facilities); or
- d) large scale packer and/or recycling plants or similar uses.

**Valleyland:** A natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year (Provincial Policy Statement, 2014).

**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.

**Visual impact:** A change to the existing cultural and natural landscape from viewing points, usually associated with proposed development.

**Visual impact assessment:** A study in accordance with the NEC Visual Assessment Guidelines.

**Waste:** Includes ashes, garbage, refuse, domestic waste, industrial waste, municipal wastes, hazardous waste and such other wastes as are designated in the regulations under the Environmental Protection Act, but does not include:

- a) agricultural waste;
- b) inert fill;
- c) inert rock fill;
- d) condemned animals or parts thereof at a plant licensed under the Meat Inspection Act (Ontario) or an establishment operating under the Meat Inspection Act (Canada);
- e) dead farm animals to which the Nutrient Management Act, 2002 applies; or
- f) hauled sewage sludge for disposal on farmland.

**Waste disposal site:** Any land, water, building or structure where waste is deposited, stored, or processed, including such sites defined and classified in regulations under the Environmental Protection Act, any derelict motor vehicles sites, transfer or container stations or incineration sites. It does not include:

- a) a structure that is wholly utilized for the temporary collection of waste (e.g., commercial and industrial dumpsters associated with an existing use);

- 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 Cemeteries Act;
- 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
- h) disposal of domestic sewage sludge on farmland.

**Watershed management:** The analysis, protection, development, operation and maintenance of the land, vegetation and water resources of a drainage basin. Wayside pits and quarries: A temporary pit or quarry opened and used by or for a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way (Provincial Policy Statement, 2014).

**Wetland:** Land that is 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 or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs, and fens. Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition (Provincial Policy Statement, 2014).

**Wildlife habitat:** Areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species (Provincial Policy Statement, 2014).

**Wildlife management:** The management of wildlife habitats for the purposes of sustaining the quantity and quality of wildlife.

**Winery:** Buildings or structures used for the processing of grapes and other fruits in the production of wines (and other alcoholic beverages like ciders), including the crushing, fermentation, production, bottling, aging and/or storage of wine and wine-related products, such as grape and fruit-based vinegars, as a secondary agricultural use to a vineyard, orchard



or fruit farm. The winery may include a laboratory and winery administrative office but not implement buildings used to house farm machinery (e.g., tractors, sprayers, etc.).

**Woodland:** A treed area that provides environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrologic and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. A woodland includes treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels. A woodland may be delineated according to the Forestry Act definition or the Province's Ecological Land Classification system definition for "forest" (Provincial Policy Statement, 2014).

**Zip line:** A pulley suspended by cables mounted on an incline or tilt. It is designed to be driven by gravity to slide from the top to the bottom of a cable by holding onto, or attaching to, a freely moving pulley.

## APPENDIX **B**

# CURRICULUMVITAE

**Nick A. Miele**, BLA, OALA, MALA, AALA, SALA,  
CSLA, ISA

## EDUCATION

1997  
Bachelor of Landscape  
Architecture, University of  
Toronto

Nick Miele, a Partner with MHBC, joined the firm in 2004. Mr. Miele has been responsible for designing and managing a broad range of project work locally and internationally for both public and private sector clients.

Mr. Miele's project experience ranges from large scale residential and commercial developments, community and urban design, institutional landscapes, recreational facilities, parks, public open spaces, environmental design and restorations.

Mr. Miele is an accredited Landscape Architect and is a full member in good standing with the Ontario Association of Landscape Architects, Manitoba Association of Landscape Architects, Alberta Association of Landscape Architects, Saskatchewan Association of Landscape Architects and Canadian Society of Landscape Architects as well as being an ISA Certified Arborist.

Highlights of Mr. Miele's career include being a member on an award winning team for environmental design in stormwater management (CSLA), and being a Lead Designer on a short listed team for designs for the 2008 summer olympic games in Beijing, People's Republic of China. At the OALA's 50<sup>th</sup> Anniversary AGM and Conference, Mr. Miele was awarded the David Erb Memorial Award, a high honour recognizing an OALA member who through their volunteer efforts has made an exceptional contribution towards advancing the profession of Landscape Architecture.

Mr. Miele is involved in overseeing all aspects of project development and management from planning and design through to implementation, construction contract administration, and project close-out.

## PROFESSIONAL ASSOCIATIONS

Full Member, Ontario Association of Landscape Architects (OALA)  
Full Member, Manitoba Association of Landscape Architects (MALA)  
Full Member, Alberta Association of Landscape Architects (AALA)  
Full Member, Saskatchewan Association of Landscape Architects (SALA)  
Full Member, Canadian Society of Landscape Architects (CSLA)  
Certified Arborist, International Society of Arboriculture (ISA)

## PROFESSIONAL DEVELOPMENT

Examining Board Member (Current Chairperson), OALA, 2005 - present  
Professional Advisor, OALA, 2001 - present  
LARE (Landscape Architect Registration Examination), Advisor, 2001-present. Teaching Assistant, University of Toronto, School of Architecture and Landscape Architecture, 1997.

## CONTACT

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# CURRICULUMVITAE

## Nick A. Miele, BLA, OALA, MALA, AALA, SALA, CSLA, ISA **PROFESSIONAL HISTORY**

2009 - Present **Partner**, MHBC Planning, Urban Design & Landscape

### Architecture

2004 - 2009 **Senior Landscape Architect and Associate**,  
MHBC Planning, Urban Design & Landscape  
Architecture

2003 - 2004

**Principal**, MEP Design Inc.

1999 - 2003

**Senior Landscape Architect**, Terraplan Landscape  
Architects Inc.

1997 - 1999

**Intermediate Landscape Architect**, Terraplan  
Landscape Architects Inc.

## PROFESSIONAL EXPERIENCE

### Selected Parks and Open Space Projects

- Riverwood Park – Kitchener
- Oakdale Park, Bridge and Creek Restoration – Oakville
- Morrison Creek Bridge, Stairs and Trail Restoration – Oakville
- Rainbow Creek Park: Bridges and Trail Revitalization - Vaughan
- Dufferin Hill Woodland Trail – Vaughan
- Woodbridge Memorial Park - Vaughan
- Milton Quarry Trail Head Master Plan – Milton
- Agostino Park – Vaughan
- Alexander Park – Vaughan
- Snowbirds Park – Oshawa
- Lakeview Neighbourhood Park – Oshawa

### Selected Stormwater Management and Ecological Restoration Projects

- Waterside Marsh Restoration - Vaughan
- Vellore Woods Stormwater Management Facility – Vaughan
- Stormwater Corridor / Habitat Restoration – Georgetown
- Humber River, Pond Diversion and Fish Habitat Restoration – Caledon
- Naturalized Corridor for Jefferson Salamander– Oak Ridges
- Various storm water management facilities in the GTA, Collingwood, Stayner, Cobourg and Southern Ontario
- Various Private Naturalization / Restoration Plans in Toronto, Vaughan, and Caledon

### CONTACT

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# CURRICULUM VITAE

**Nick A. Miele**, BLA, OALA, MALA, AALA, SALA,  
CSLA, ISA

## Selected Residential Projects

- Riverwood Community – Kitchener
- South Unionville Square – Mixed Use / Condominiums - Markham
- Amica Retirement Community - Oakville
- Vellore Woods Community Masterplan – Vaughan
- Dufferin Hill Community Masterplan – Vaughan
- Trafalgar Hills – Georgetown
- Lakeview Park Community – Oshawa
- Edgeley Village – Toronto

## Selected Commercial & Institutional Projects

- Various Home Depot stores across Ontario
- Various Shoppers Drug Mart stores across Ontario
- Bradford Shopping Centre – Bradford
- Alcona Shopping Centre – Innisfil
- Allandale Veterinary Clinic - Barrie
- Colossus Centre, Streetscape Concepts - Vaughan
- Pickering College School, Expansion and Playground Relocation - Newmarket
- Metro Toronto Zoo, Children's Wet Play Area Conceptual Design - Toronto
- Nanjing Youth Sciences Centre - Nanjing, People's Republic of China
- Various Commercial Plazas throughout Ontario, Quebec, and Manitoba
- Various Supermarkets in Toronto, Vaughan, Markham, Newmarket

## Selected Transit Projects

- Rouge Hill GO Station Parking Lot Expansion – Toronto
- Metrolinx Bronte Station Parking Lot Expansion – Oakville

## Selected Visual Impact Assessments

- Dufferin Milton Quarry, VIA and Screening – Milton
- Rogers / Bell Telecommunications Tower VIA – Halton Hills
- Dufferin Acton Quarry, VIA and Screening – Acton
- Bell Telecommunications Tower VIA – Milton
- Olympia Gravel Pit VIA – Caledon
- Bell Telecommunications Tower VIA – Burlington

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