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# MINUTES OF M841/02-2025

**NIAGARA ESCARPMENT COMMISSION**

**HYBRID**

**(Georgetown office and Microsoft Teams)**

**February 20, 2025**

## MEMBERS PRESENT

J. Chevalier (virtual), M. Francis (virtual), R. Gibson, L. Golden (virtual – arrived at
9:45 a.m.), D. Hutcheon (virtual), L. Kiernan, G. Krantz (virtual – left at 12:10 p.m.),
G. Little, K. Lucyshyn (virtual), D. McKinlay (virtual), D. Measures (virtual – left at
12:40 p.m.), D. Nielsen (virtual), R. Vacca (Chair), J. Vida (virtual), A. Witteveen
(virtual – arrived at 9:45 a.m.).

## REGRETS

Driedger.

## STAFF PRESENT

S. Carey, J. Isaac, M. Cairns, M. Thompson, J. Sperling, S. Robinson, R. Zirger,
M. Morris, R. Burns, L. Wang, A. Bochenek, J. Olah, R. Van Massenhoven.

ALSO PRESENT

None.

## MEETING CALLED TO ORDER 9:35 a.m.

Chair Rocco (Rocky) Vacca presided.

## INTRODUCTIONS / ANNOUNCEMENTS

The Chair welcomed participants to the meeting.

The Chair reminded the Commission that during the writ period, the government is in caretaker mode, limiting business to routine, non-controversial decisions. He referred Commissioners to the February 3rd e-mail for their roles and responsibilities during the election period. He noted that caretaker mode will continue until the new Cabinet has been sworn in.

## LAND ACKNOWELDGEMENT

The Chair read the Land Acknowledgment.

DIRECTOR’S REMARKS

The Director advised that the draft Conflict of Interest Rules introduced at the January meeting continues to move through the process. The Director anticipates the Chair will receive it for review next week. Following the Chair’s review, the rules will be sent to the Integrity Commissioner for review and approval. The Director advised that a special request has been sent to the Integrity Commissioner for direction/advice for municipally appointed Commission members as there has been a few questions around conflict of interest specific to the dual role of a municipal member.

The Director reminded participants of the code of conduct, accessibility requirements and the steps to be taken should anyone experience technical challenges during the meeting.

## BUSINESS ARISING FROM PREVIOUS MEETINGS

No business arising.

APPROVAL OF MINUTES

**M841R1/02-2025**

Moved By: Francis

Seconded By: Lucyshyn

*“That the Commission approve the January 16, 2025, Commission Minutes M840-01-2025, as written.”*

**Motion Carried**

## CONFLICTS OF INTEREST – Declaration of Conflicts of Interest

## None declared.

## MOTION FOR DELEGATES

**M841R2/02-2025**

Moved By: Kiernan

Seconded By: Gibson

*“That the persons representing the matters listed on the agenda be invited to address the Commission.”*

**Motion Carried**

## DISCUSSION AGENDA: A PACKAGE

## (Staff Reports, Information items)

**A1**

**STAFF REPORT**

**DEVELOPMENT PERMIT APPLICATION N/R/2022-2023/444**

1490 Pelham Road

Part Lot 2, Concession 1

Town of Pelham, Region of Niagara

**PROPOSAL**

To undertake the following on an existing 2.71 ha (6.71 ac) lot that supports a single dwelling, accessory buildings, and private servicing:

* To construct a new two storey ± 232.3 sq. m (2,500 sq. ft) second dwelling with a maximum height to peak of ± 8.5 m (28 ft), and
* To install a new second septic system and cistern.

Note: The proposed demolition of the existing ±64.1 sq. m (±690 sq. ft) cottage, outhouse and two accessory buildings (storage sheds) are exempt from requiring a Development Permit under Section 5.20 of R.R.O. 1990, Regulation 828.

**RECOMMENDATION**

That the Development Permit application be **refused** as the proposed development does not conform with Part 1.4.3 of the Niagara Escarpment Plan.

SPEAKERS

Rosi Zirger, Senior Planner, reviewed the staff report and answered questions.

Chris Woernert, Applicant, presented and answered questions.

**M841R3/02-2025**

Moved By: Vida

Seconded By: Chevalier

*“That the application be deferred to allow time for the applicant to request a validation certificate from the Town of Pelham to restore the property to the two original lots.”*

**For the motion:**

Chevalier, Francis, Gibson, Golden, Hutcheon, Kiernan, Krantz, Little, Lucyshyn, McKinlay, Measures, Nielsen, Vida.

**Against the motion:**

Witteveen.

**Motion Carried**

**A2**

**INITIAL STAFF REPORT**

**Niagara Escarpment Plan Amendment (NEPA) PG 228 24**

South Part Lot 10, Concession 2 West (Formerly Township of Derby)

Municipality of Georgian Bluffs, County of Grey

**PROPOSAL**

To amend the Niagara Escarpment Plan (NEP) to permit a site-specific exception for establishing a Regional Agricultural Learning and Demonstration facility that includes an agricultural skills training program for high school students and a regional fairground that is intended to offer agriculture focused events, exhibits and activities throughout the year. Several buildings are proposed with a maximum gross floor area of 3,000 square metres consisting of a building with an office and classroom, two barns, and existing greenhouse, shed, and sugar shack. Facilities accessory to these uses are also proposed and may include both permanent and temporary amenities such as bleachers, a livestock ring, a tractor pull area, a demolition derby track, parking areas, portable washrooms, and event tents.

**RECOMMENDATION**

That the NEC should initiate the NEPA pursuant to Section 6.1(1) of the *NEPDA* and undertake the public and agency notice, circulation and consultation required under Sections 7 and 10 of the Act.

SPEAKERS

Janet Sperling, Senior Strategic Advisor, reviewed the staff report and answered questions.

Scott Taylor, Director of Planning and Development, Grey County, and Hiliary Breadner, Agricultural Societies representative, presented and answered questions.

**M841R4/02-2025**

Moved By: Nielsen

Seconded By: McKinlay

*“That the Commission instructs NEC staff to prepare the proposed site-specific Niagara Escarpment Plan Amendment PG 228 24, for circulation and notification pursuant to Sections 7 and 10 of the Niagara Escarpment Planning and Development Act.”*

**For the motion:**

Chevalier, Francis, Gibson, Golden, Hutcheon, Kiernan, Krantz, Little, Lucyshyn, McKinlay, Measures, Nielsen, Vida, Witteveen.

**Against the motion:**

None.

**Motion Unanimously Carried**

Broke: 11:35 a.m.

Reconvened: 11:45 a.m.

**CLOSED SESSION**

**M841R5/02-2025**

Moved By: Kiernan

Seconded By: Gibson

*“That the Commission move in-camera.”*

**Motion Carried**

**M841R6/02-2025**

Moved By: McKinlay

Seconded By: Lucyshyn

*“That the Commission move out-of-camera.”*

**Motion Carried**

**Broke for lunch:** 1:00 p.m.

**Reconvened:**  1:30 p.m.

**A3**

**STAFF REPORT**

**Order to Demolish/Restore 2025.001**

7372 Guelph Line,

Town of Milton, Region of Halton

**Executive Summary**

Niagara Escarpment Commission (NEC) staff have been aware of compliance concerns at 7372 Guelph Line (“the subject property”) since March of 2023.

## Reasons for Order

* A search of NEC records confirmed that no Development Permits have been issued to the landowners that would authorize the expansion of use.
* The expanded industrial use consisting of increased storage of transport trucks and trailers was first observed by NEC staff in May 2023 and continues to be an on-going activity.
* Expansion of an existing use requires a Development Permit before it is undertaken.
* In October 2023, NEC staff issued the landowners a Notice of Violation (“NOV”) letter, informing them that the increased amount of transport trucks and trailers being stored is an unauthorized expansion of use and that it is considered development without a permit, which is a violation under the NEPDA. The Notice of Violation requested the landowner voluntarily cease the expanded storage of transport trucks and trailers by removing stored vehicles in excess of existing conditions.
	+ To-date, the un-permitted development of concern to this order has intensified despite direction provided in the NOV.
* NEC staff have attempted to work with the landowner to work towards voluntary compliance. Due to a lack of progress in our attempts to find a voluntary and collaborative solution, NEC staff are seeking the Commission’s endorsement of the attached draft Restoration Order to address the situation.

# RECOMMENDATION

That the Niagara Escarpment Commission endorse Order to Demolish/Restore #2025.001 and the provisions as set out in Appendix A.

SPEAKERS:

Max Morris, Compliance Program Supervisor, reviewed the staff report and Order, and answered questions.

**M841R7/02-2025**

Moved By: Hutcheon

Seconded By: Kiernan

*“That the Commission accept the staff recommendation and endorse Order to Demolish/Restore #2025.001.*”

**For the motion:**

Chevalier, Francis, Gibson, Golden, Hutcheon, Kiernan, Little, Lucyshyn, McKinlay, Nielsen, Vida, Witteveen.

**Against the motion:**

None.

**Motion Unanimously Carried**

NOTE:

Commissioners Krantz and Measures had left the meeting early and therefore did not participate or vote on this or any subsequent agenda items.

## CONSENT AGENDA ITEMS

Information only Items

G1 Director Approvals and Dashboards for January 2025

G2 Appeals and Hearings update as of January 31, 2025

G3 Director’s Report for January 2025

G4 Plan Amendments Status update as of January 31, 2025

**M841R8/02-2025**

Moved By: Hutcheon

Seconded By: Witteveen

*“That the Commission accept the Consent Agenda items.”*

**Motion Carried**

NEW BUSINESS

## Commissioner Witteveen requested an update on the upcoming Coordinated Plan Review (CPR). The Director advised that the government would announce the start of the CPR on February 28th. After the commencement of the CPR, more information will be shared with the Commission on how the review is to proceed. Staff will bring forth policy reports starting at the March meeting for the Commission’s review and input.

## ADJOURNMENT

**M841R9/02-2025**

Moved By: Gibson

*“That this meeting be adjourned.”*

**Motion Carried**

**Time of Adjournment:** 2:00 p.m.

FINAL SIGNED BY:

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Rocco (Rocky) Vacca

Chair