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**MINUTES OF M845/06-2025
NIAGARA ESCARPMENT COMMISSION
HYBRID
(Georgetown office and Microsoft Teams)
June 19, 2025**

MEMBERS PRESENT

M. Francis (virtual), R. Gibson, L. Golden (virtual, to 1:40 p.m.), L. Kiernan, G. Krantz (virtual), G. Little, D. McKinlay, D. Measures, D. Nielsen (virtual), R. Vacca (Chair), J. Vida, A. Witteveen (virtual).

REGRETS

None.

STAFF PRESENT

S. Carey, J. Isaac, M. Cairns, S. Dobbyn, S. Robinson, J. Sperling (virtual), R. Zirger, P. Hofstetter, K. Bannister, L. Wang, K. Nainala, A. Bochenek, J. Olah, B. Fatima (virtual).

ALSO PRESENT

D. Kappos, Counsel, Ministry of Natural Resources (virtual); W. Wood, Natural Heritage Land Use Planning Advisor, Natural Heritage Section, Ministry of Natural Resources (virtual).

MEETING CALLED TO ORDER 9:30 a.m.

Chair Rocco (Rocky) Vacca presided.

INTRODUCTIONS / ANNOUNCEMENTS

The Chair announced that Lisa Price has been appointed as a new Commissioner; she will be onboarded for the July meeting. She is a long time Niagara resident and an ecology professor.

LAND ACKNOWLEDGEMENT

The Chair read the Land Acknowledgment.

DIRECTOR'S REMARKS

The Director advised that he continues to follow up on Commission appointments and will provide regular status updates. He noted that staff continue to be very busy with inquiries and new applications; staff recruitment is in progress, and he thanked staff for taking on the additional workload while recruitment is under way. He reminded all meeting participants of the accessibility options, code of conduct, and technical support.

BUSINESS ARISING FROM PREVIOUS MEETINGS

No business arising.

APPROVAL OF MINUTES

M845R1/06-2025

Moved By: Gibson
Seconded By: Kiernan

"That the Commission approve the May 15, 2025, Commission Minutes M844-05-2025, as written."

Motion Carried

CONFLICTS OF INTEREST – Declaration of Conflicts of Interest

No conflicts were declared.

MOTION FOR DELEGATES

M845R2/06-2025

Moved By: Measures
Seconded By: Witteveen

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

Motion Carried

CLOSED SESSION

M845R3/06-2025

Moved By: Measures
Seconded By: McKinlay

“That the Commission enter into closed session.”

Motion Carried

M845R4/06-2025

Moved By: Vida
Seconded By: McKinlay

“That the Commission reopen the meeting to the public.”

Motion Carried

M845R5/06-2025

Moved By: Measures
Seconded By: Kiernan

“That the Commission direct staff to prepare a consolidated Coordinated Plan Review report with specific recommendations.”

Motion Carried

BROKE FOR LUNCH: 12:15 p.m.

RECONVENED: 12:45 p.m.

DISCUSSION AGENDA: A PACKAGE ITEMS

(Staff Reports, Information items)

A1

ADDENDUM STAFF REPORT

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

1490 Pelham Road

Town of Lincoln, 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.

BACKGROUND

The subject application was before the Commission at the February 20, 2025, meeting. The Commission deferred its decision 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. Staff followed up with the town of Pelham and was informed that the Town of Pelham Official Plan policies does not support the re-creation of the merged lots. Upon further review, NEP policies do not support the re-creation of the merged lots. NEP Lot Creation policies would not support severance of the property by a Validation Certificate or other means.

RECOMMENDATION

NEC staff continues to be of the opinion that the application does not meet Part 1.4.3 of the Niagara Escarpment Plan and should be refused.

SPEAKERS

Rosi Zirger, Senior Planner, provided a summary of the report and answered questions. Chris Woernert, Applicant, presented and answered questions.

M845R6/06-2025

Moved By: Nielsen
Seconded By: McKinlay

“That the Commission determines that the Cottage meets the definition of existing use and intent of the NEP, supports the application in principle, and the applicant may proceed to submit a complete proposal (e.g., site plan, construction details and septic design), and NEC staff will undertake a comprehensive analysis of Part 2 of the NEP.”

For the motion:

Francis, Gibson, Kiernan, Krantz, Measures, Nielsen, McKinlay, Vida.

Against the motion:

Little, Witteveen.

Motion Carried

CLOSED SESSION

M845R7/06-2025

Moved By: Measures
Seconded By: Nielsen

“That the Commission enter into closed session.”

Motion Carried

M845R8/06-2025

Moved By: Vida
Seconded By: McKinlay

“That the Commission reopen the meeting to the public.”

Motion Carried

M845R9/06-2025

Moved By: Measures
Seconded By: Kiernan

“That the Commission approve the direction to staff provided during the closed session.”

Motion Carried

C1

DELEGATION REQUEST

Development Permit Application N/S/2023-2024/103

1800-1850 St Paul Avenue (Part of Right of Way)

City of Niagara Falls, Region of Niagara

PROPOSAL

- To decommission and demolish the existing above grade buildings for the existing re-chlorination facility on an existing 9.3 ha (22.91 ac) lot that supports public infrastructure on the east side of St. Paul Avenue; and
- To construct new a one storey 3.6m x 4.8m (12ft x 15.75 ft; ± 17.28 sq m (186 sq ft) pre-cast concrete building with a maximum height of ± 3.3 m (10.8 ft) and a driveway and parking area on the west side of St. Paul Avenue within the Regional Road right-of-way.

BACKGROUND

A neighbour submitted a delegation to speak to the Commission before a decision is made for this application due to concerns regarding the location of the facility in front of the neighbour's property.

Staff have not yet completed a thorough analysis of the application. Based on a preliminary review, it appears this application will be a director's decision under the Director Delegation of Authority.

Staff consider any input received from neighbours in the review of applications, within the parameters of conformity with the NEP. Any input received is summarized in the staff report, and the NEP includes an appeal process for landowners within 120m of a subject property should they wish to appeal an NEC decision.

The Commission may approve the delegation request and determine the meeting the application will be considered at, or deny the delegation request, provided that the conditions of the Director Delegation of Authority conditions are met to issue routine permits. The neighbour may submit additional written comments for NEC staff and the Director to consider during the application review.

M845R10/06-2025

Moved By: Vida

Seconded By: Witteveen

"That the delegation request be denied provided that the conditions of the Director Delegation of Authority are met to issue routine permits, that a decision would be made by the Director, and that the delegate may submit additional written comments for NEC staff and the Director to consider during the application review."

Motion Carried

CONSENT AGENDA ITEMS

Information only Items

- G1** Director Approvals and Dashboards for June 2025
- G2** Appeals and Hearings update as of June 30, 2025
- G3** Director's Report for June 2025
- G4** Plan Amendments Status update as of June 30, 2025

M845R11/06-2025

Moved By: Krantz
Seconded By: Vida

"That the Commission accept the G4 Consent Agenda item."

Motion Carried

NOTE: Commissioner McKinlay requested that the G4 Plan Amendment report be pulled for discussion. Commissioners McKinlay and Measures appreciate staff's recognition of the importance of agriculture in Ontario.

M845R12/06-2025

Moved By: Nielsen
Seconded By: Witteveen

"That the Commission accept the Consent Agenda items G1, G2 and G3."

Motion Carried

NEW BUSINESS

No new business.

ADJOURNMENT

M845R13/06-2025

Moved By: Francis
Seconded By: McKinlay

"That this meeting be adjourned."

Motion Carried

Time of Adjournment: 2:30 p.m.

A handwritten signature in black ink, appearing to be 'R' followed by a stylized 'V' or 'u'.

Rocco (Rocky) Vacca
Chair