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**MINUTES OF M846/07-2025
NIAGARA ESCARPMENT COMMISSION
HYBRID
(Georgetown office and Microsoft Teams)
July 17, 2025**

MEMBERS PRESENT

J. Chevalier (virtual, 9:30 am to 9:37 a.m., 1:00 p.m. to 2:35 p.m.), M. Francis (virtual, 1:00 p.m. to 2:05 p.m.), L. Golden (virtual, to 1:40 p.m.), L. Kiernan, G. Krantz, G. Little, D. McKinlay, D. Measures (virtual), D. Nielsen, L. Price, R. Vacca (Chair), J. Vida, A. Witteveen.

REGRETS

None.

STAFF PRESENT

S. Carey, J. Isaac, M. Cairns, S. Dobbyn, S. Robinson, J. Sperling (virtual), B. Henderson, 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 welcomed Commissioner Lisa Price to the Commission; he noted her extensive background in environmental science; He advised that Commissioner Chevalier has been reappointed for another three-year term. There are four vacant public at-large appointments.

LAND ACKNOWLEDGEMENT

The Chair read the Land Acknowledgment.

DIRECTOR'S REMARKS

The Director welcomed Commissioner Price and welcomed Commissioner Chevalier back to the Commission. He noted that Commissioner Gibson's appointment ended on July 1, 2025. He thanked staff for updating orientation and onboarding updates and advised commissioners that the documents are available on the commissioner portal for their reference. 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

M846R1/07-2025

Moved By: Nielsen

Seconded By: Vida

"That the Commission approve the June 19, 2025, Commission Minutes M845-06-2025, as written."

Motion Carried

CONFLICTS OF INTEREST – Declaration of Conflicts of Interest

No conflicts were declared.

MOTION FOR DELEGATES

M846R2/07-2025

Moved By: Krantz
Seconded By: Witteveen

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

Motion Carried

CLOSED SESSION

M846R3/07-2025

Moved By: Nielsen
Seconded By: Measures

“That the Commission enter into closed session.”

Motion Carried

M846R4/07-2025

Moved By: McKinlay
Seconded By: Kiernan

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

Motion Carried

BROKE FOR LUNCH: 12:35 p.m.

RECONVENED: 1:05 p.m.

DISCUSSION AGENDA: A PACKAGE ITEMS
(Staff Reports, Information items)

A1

STAFF REPORT W/R/2022-2023/54

820 Sulphur Springs Road
Part lot 40 & 41, Concession 1 Ancaster
City of Hamilton (formerly Town of Ancaster)

PROPOSAL

On an existing 22.3 ha (55.18 ac) lot:

- To decommission an existing two-storey 128 sq m (1,377.8 sq ft) single dwelling (listed in City's heritage inventory) and to convert it into an accessory building (storage),
- to construct a two-storey (plus basement), ± 600 sq m (6,460 sq ft) single dwelling with a maximum height to peak of ± 11.5 m (37.7 ft),
- to construct a one-and-a-half storey, ± 186 sq m (2,002 sq ft) accessory building (detached garage with storage above) with a maximum height to peak of ± 8.3 m (27.2 ft),
- to decommission the existing driveway and to construct a new driveway with an associated culvert, and,
- to install a new septic system and well.

RECOMMENDATION

That the application be refused for the following reasons:

1. The City of Hamilton has objected to the approval of the application as it does not conform to the Rural Hamilton Official Plan.
2. The proposed development conflicts with Parts, 2.6.3(c), 2.6.4, 2.7.5, and 2.10.2 of the Niagara Escarpment Plan.
3. The proposed development is not consistent with Part 4.1.5 of the Provincial Planning Statement.

SPEAKERS

Brandon Henderson, Senior Planner, provided a summary of the staff report and answered questions.

Raj Kehar, Applicant's Counsel, and Sal Spitale, Applicant's Consultant, presented and answered questions.

M846R5/07-2025

Moved By: Francis

Seconded By: Nielsen

“That the Commission support the application in principle and defer its decision to allow the applicant an opportunity to complete a Heritage Impact Assessment for the Farewell House.”

For the motion:

Chevalier, Francis, Golden, Kiernan, Krantz, Little, Measures, McKinlay, Nielsen, Price, Vida, Witteveen.

Against the motion:

None.

Motion Unanimously Carried

A2

SUMMARY STAFF REPORT

PROPOSED NIAGARA ESCARPMENT PLAN AMENDMENT PC 225 22

On-farm Diversified Uses and Agricultural-related Uses in Escarpment Protection Area, and other agricultural-related policy housekeeping matters

BACKGROUND

Following the provincial Coordinated Plan Review from 2015-2017, the province released the updated 2017 Niagara Escarpment Plan (NEP). The plan included new and updated policies related to agriculture to better align with the Provincial Policy Statement (2014), as well as other provincial land use plans. Updates included the addition of agriculture-related uses (ARUs) and on-farm diversified uses (OFDUs) together with new and revised Part 2 Development Criteria to guide these uses. The updates also resulted in the removal of “Small Scale Commercial Uses Accessory to Agriculture” as a permitted use under the NEP, and the removal of several specific policies that guided both Small Scale Commercial Uses and wineries.

Since that time, the agricultural community has expressed concerns that the updates did not go far enough to ensure farm sustainability and did not reflect the full range of policy considerations suggested by the agricultural community prior to the Plan Review.

In November 2022 the Niagara Escarpment Commission (NEC) approved the initiation of NEP Amendment 225 22, referred to as the Agricultural Policies Amendment. The proposed amendments were to address:

- i. the disparity between permitted uses within the Escarpment Protection Area (EPA) land use designation where ARUs and OFDUs are permitted only within Prime Agricultural Areas (PAAs), vs the Escarpment Rural Area (ERA) where ARUs and OFDUs are permitted on farms both within and outside of PAAs;
- ii. consideration to allowing new agricultural uses, ARUs and OFDUs in Earth Science Areas of Natural and Scientific Interest (ES ANSIs) subject to demonstrating no negative impacts, combined with a new proposed definition of *earth science values*;
- iii. consideration to allowing the expansion of existing agricultural uses, ARUs and OFDUs within a Key Natural Heritage Feature (KNHF), other than a wetland, provided there is no alternative and the expansion or alteration in the feature is minimized and where possible, temporary; and
- iv. consideration of adding a new permitted use within the Escarpment Natural Area (ENA) land use designation to allow for of maple sugar harvesting (collection of maple sap).

Consultation on the proposed amendments resulted in several objections, triggering a hearing at the Ontario Land Tribunal (OLT). Discussions with the City of Burlington in advance of the hearing led to minor changes to the proposed policies that alleviated their concerns. Following a two-week hearing in March of 2025 focusing on the remaining objections, the Hearing Officers recommended implementation of the proposed amendments. NEC Staff are now suggesting that the Commission endorse and recommend that the Minister of Natural Resources approve the amendments.

RECOMMENDATION

Commission recommends to the Minister of Natural Resources that the Niagara Escarpment Plan be modified as follows:

- 1) That NEP Part 1.3.3.15 be added as follows:
 1.3.3.15. As part of maple sugar harvesting, the tapping of trees, the collection of sap, the placement of minor ancillary equipment or structures (e.g., collection tanks, vacuum systems), and the establishment of minor trails (i.e., without the addition of aggregate material or pavement) to facilitate the collection of sap. For greater certainty, this does not include maple syrup production or sale, or the construction of buildings or structures related to the processing of sap for maple syrup production or sale.
- 2) That NEP Part 1.4.3.2 be amended by removing the words “in prime agricultural areas” to read as follows:
 1.4.3.2. Agriculture-related uses and on-farm diversified uses.

- 3) That NEP Part 2.7.2 f) be added as follows:
2.7.2 f). Expansions to existing buildings and structures for agricultural uses, agriculture-related uses and on-farm diversified uses, if it is demonstrated that: a) there is no alternative and the expansion or alteration in the feature is minimized; and b) the impact of the expansion or alteration on the feature and its functions is minimized and mitigated to the maximum extent possible.
- 4) That NEP Part 2.7.2 g) be added as follows:
2.7.2 g). Agricultural uses, agriculture-related uses, and on-farm diversified uses in an Earth Science Area of Natural and Scientific Interest, which is not also identified as any other Key Natural Heritage Feature, provided it has been demonstrated that the earth science values can be maintained and protected. Planning, design, and construction practices shall be identified that will keep disturbance to landform character to a minimum and ensure the protection of the geological or geomorphological attributes.
- 5) That the following new definition be added to Appendix 2 of the NEP.
Earth Science Value: values that relate to the geological, soil, and landform features of the environment.

SPEAKERS

Sandy Dobbyn, Senior Strategic Advisor, provided a summary of the report and answered questions.

M846R6/07-2025

Moved By: Measures
Seconded By: McKinlay

“That the Niagara Escarpment Commission recommends to the Minister of Natural Resources that the Niagara Escarpment Plan be modified as follows:

- 1) *That NEP Part 1.3.3.15 be added as follows:*

1.3.3.15. As part of maple sugar harvesting, the tapping of trees, the collection of sap, the placement of minor ancillary equipment or structures (e.g., collection tanks, vacuum systems), and the establishment of minor trails (i.e., without the addition of aggregate material or pavement) to facilitate the collection of sap. For greater certainty, this does not include maple syrup production or sale, or the construction of buildings or structures related to the processing of sap for maple syrup production or sale.

- 2) *That NEP Part 1.4.3.2 be amended by removing the words “in prime agricultural areas” to read as follows:*

1.4.3.2. Agriculture-related uses and on-farm diversified uses.

3) That NEP Part 2.7.2 f) be added as follows:

2.7.2 f). Expansions to existing buildings and structures for agricultural uses, agriculture-related uses and on-farm diversified uses, if it is demonstrated that: a) there is no alternative and the expansion or alteration in the feature is minimized; and b) the impact of the expansion or alteration on the feature and its functions is minimized and mitigated to the maximum extent possible.

4) That NEP Part 2.7.2 g) be added as follows:

2.7.2 g). Agricultural uses, agriculture-related uses, and on-farm diversified uses in an Earth Science Area of Natural and Scientific Interest, which is not also identified as any other Key Natural Heritage Feature, provided it has been demonstrated that the earth science values can be maintained and protected. Planning, design, and construction practices shall be identified that will keep disturbance to landform character to a minimum and ensure the protection of the geological or geomorphological attributes.

5) That the following new definition be added to Appendix 2 of the NEP.

Earth Science Value: values that relate to the geological, soil, and landform features of the environment.”

For the motion:

Chevalier, Golden, Kiernan, Krantz, Little, Measures, McKinlay, Nielsen, Price, Vida, Witteveen.

Against the motion:

None.

Motion Carried

Note: Commissioner Francis was not present and did not vote on the motion.

D2

DELEGATION REQUEST

355639 The Blue Mountains Euphrasia Townline
Town of The Blue Mountains, County of Grey

BACKGROUND

A delegation request was received in relation to property 355639 The Blue Mountains Euphrasia Townline, Town of Blue Mountains.

M846R7/07-2025

Moved By: Vida
Seconded By: Witteveen

“That the delegation request be denied, and that the requester be directed to arrange a pre-consultation meeting with NEC staff and report back to the Commission if necessary.”

Motion Carried

D1

DELEGATION REQUEST

Bubble Grove & Rhythmic Roots Farm

576799 Concession 9

Township of Chatsworth, County of Grey

BACKGROUND

A delegation request was received in relation to an active NEC development permit application.

M846R8/07-2025

Moved By: McKinlay
Seconded By: Krantz

“That the Commission directs staff to engage with the landowners of Ridgewood Springs Organic Farm and Retreat Centre (renamed Bubble Grove) and:

- 1. Confirm if the existing geodesic domes are included in the approved existing uses in Development Permit 2025-00078,*
- 2. Confirm the permitting requirements for both existing and proposed geodesic domes on the property, and*
- 3. Provide an update to the Commission at the September 2025 meeting.”*

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

M846R9/07-2025

Moved By: Vida
Seconded By: Price

"That the Commission accept the Consent Agenda items."

Motion Carried

NEW BUSINESS

No new business.

ADJOURNMENT

M846R10/07-2025

Moved By: McKinlay
Seconded By: Nielsen

"That this meeting be adjourned."

Motion Carried

Time of Adjournment: 2:40 p.m.



Rocco (Rocky) Vacca
Chair