



Niagara Escarpment Commission  
An agency of the Government of Ontario

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**FINAL MINUTES OF M853/03-2026  
NIAGARA ESCARPMENT COMMISSION  
VIRTUAL  
(Microsoft Teams)  
March 26, 2026**

MEMBERS PRESENT

R. Vacca (Chair), J. Chevalier (in at 10 am), M. Francis, L. Golden, G. Krantz, D. McKinlay, D. Measures, R. Palmer, L. Price, J. Vida, A. Witteveen.

REGRETS

L. Kiernan, G. Little, D. Nielsen.

STAFF PRESENT

S. Carey, J. Isaac, D. Thompson, J. Sperling, S. Robinson, S. Dobbyn, R. Burns, L. Wang, Z. Khan, A. Bochenek, J. Olah.

OTHER ATTENDEES

Demetrius Kappos, Counsel, Ministry of Natural Resources; William Wood, Natural Heritage Land Use Planning Advisor, Ministry of Natural Resources; Robert Patrick, President, Coalition on the Niagara Escarpment.

MEETING CALLED TO ORDER 9:30 a.m.

Chair Rocco (Rocky) Vacca presided.

## LAND ACKNOWLEDGEMENT

The Chair read the Land Acknowledgment.

## INTRODUCTIONS / ANNOUNCEMENTS

The Chair welcomed the participants to the meeting. He advised that two new commissioners may be appointed in time for the April meeting. He reiterated the need to confirm attendance with the Commission Secretary as meeting quorum is challenging with the appointee vacancies.

## DIRECTOR'S REMARKS

The Director advised the Senior Strategic Advisor Sandy Dobbyn is retiring. He thanked Sandy for all his instrumental contributions both at the NEC and in the Ontario Public Service. The Chair also thanked Sandy for his work with the NEC.

The Director advised that a new security measure have been introduced for connecting to the commission meetings when using an external email address.

The Director reminded participants of the Code of Conduct and Accessibility meeting mandates, and advised staff are available to assist with any technical issues.

## BUSINESS ARISING FROM PREVIOUS MEETINGS

No business arising.

## APPROVAL OF PREVIOUS MINUTES

### **M853R1/03-2026**

Moved By: Krantz

Seconded By: McKinlay

*"That the Commission approve the February 19, 2026, Commission Minutes M852-02-2026, as written."*

### **Motion Carried**

## CONFLICTS OF INTEREST – Declaration of Conflicts of Interest

None declared.

### **M853R2/03-2026**

Moved By: Witteveen

Seconded By: Price

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

### **Motion Carried**

### **A1**

#### **INITIAL STAFF REPORT**

#### **PROPOSED NIAGARA ESCARPMENT PLAN AMENDMENT PS 229 25**

#### **Duntroon Quarry**

9861 Clearview Township Rd 91

Lot 24, Concession 12, Township of Clearview, Simcoe County

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#### BACKGROUND

Walker Aggregates operates two licensed quarries on Clearview Township Road 91 approximately 4 km west of Duntroon, in Simcoe County. The quarries are across the road from one-another and are integrated in that all processing of excavated material occurs in the southern quarry, with access between the quarries facilitated by a tunnel that was excavated under the township road. The use of the processing facilities in the southern quarry for material from the expansion quarry was permitted through a site-specific amendment to the Niagara Escarpment Plan (NEP), which allows for processing to occur in the south quarry until such time as there is room to relocate to the processing facility to the north quarry.

The original approval and site-specific amendment were predicated on an agreement whereby Clearview would close the township road adjacent to the quarries and transfer ownership to Walker Aggregates. This agreement required that Clearview upgrade a seasonal road (26/27 Sideroad) to facilitate a traffic route around the closed section of

road. An application by Clearview Township to the Niagara Escarpment Commission (NEC) for a Development Permit for those works was refused, and eventually Clearview made the decision not to close the portion of road adjacent to the quarries.

As a result of this decision, Walker Aggregates has indicated that they need to continue use of the processing facilities on the south side of the road throughout the life of both quarries, requiring an amendment to the NEP.

The amendment seeks to remove language from the site-specific permissions provided by Part 1.9.3.18 that requires relocation of the processing facilities as follows:

*Part 1.9.3.18 Notwithstanding any other provision of this Plan, uses accessory to the extraction of aggregate from Lot 25, Concession 12 (associated with Amendment 161 to the Niagara Escarpment Plan) shall be permitted on Lot 24, Concession 12, Township of Clearview, ARA Licence No. 3514, including all processing facilities, ~~but only for such a period of time as is necessary to: (i) create an area of 18 hectares on the quarry floor in Phase 1 of the ARA Licence on Lot 25, Concession 12 (associated with Amendment 161 to the Niagara Escarpment Plan) and (ii) to discontinue or relocate the accessory uses. An asphalt plant, concrete plant, brick manufacturing plant and any other similar manufacturing use shall not be permitted as an accessory use on Lot 24, Concession 12, Township of Clearview, ARA Licence No. 3514.~~*

#### STAFF RECOMMENDATION

That the Niagara Escarpment Commission approve the staff report and direct NEC Staff to circulate the Proposed Niagara Escarpment Plan Amendment PS-229-25 for Indigenous, agency and public consultation pursuant to Section 10 of the *Niagara Escarpment Planning and Development Act*.

#### SPEAKERS

- Sandy Dobbyn, Senior Strategic Advisor, reviewed the staff report and answered questions.
- Brian Zeman and Ellen Ferris, MHBC Planning, Agents, presented and answered questions.
- David Schulz, Walker Aggregates, was present to answer questions.

**M853R3/03-2026**

Moved By: Vida  
Seconded By: Golden

*"That the Niagara Escarpment Commission approve the staff report and direct NEC staff to circulate the Proposed Niagara Escarpment Plan Amendment PS-229-25 for Indigenous, agency and public consultation pursuant to Section 10 of the Niagara Escarpment Planning and Development Act."*

**For the motion:**

Chevalier, Francis, Golden, Krantz, Measures, McKinlay, Palmer, Price, Vida, Witteveen.

**Against the motion:**

None.

**Motion Unanimously Carried**

**D1**

**Delegation Request  
Ontario Craft Wineries**

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**M853R4/03-2026**

Moved By: Measures  
Seconded By: Price

*"That the Commission accept the Ontario Craft Wineries delegation request to present at the April 16, 2026, Commission meeting."*

**Motion Unanimously Carried**

## A2

### **2<sup>nd</sup> ADDENDUM STAFF REPORT**

#### **Development Permit Application W/R/2022-2023/620**

#### **411 Sulphur Springs Road**

Part Lots 42 and 43, Concession 2

City of Hamilton (former Town of Ancaster)

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### BACKGROUND

The subject application was considered by the Commission on November 21, 2024, accompanied by a staff recommendation for refusal. Staff advised the Commission that the proposed development did not conform with the City of Hamilton's Official Plan, conflicted with the Development Criteria of Part 2.7 (Natural Heritage) of the Niagara Escarpment Plan (NEP), and was not consistent with Section 4.1.5 of the 2024 Provincial Planning Statement. The Commission did not support staff's recommended refusal and instead passed a motion to support the application in principle, directing staff to return with draft Conditions of Approval prior to a final decision being rendered.

On January 16, 2025, staff presented an Addendum Report containing the proposed Conditions of Approval, which the Commission subsequently approved. The conditions included several requirements to be satisfied prior to the issuance of a development permit, such as a detailed site plan, landscape plan, construction details, a geotechnical assessment, and an archaeological assessment. After the Commission's approval, an NEC Notice of Decision was issued to the applicant, agent, applicable commenting agencies and assessed property owners within 120 metres of the subject property, followed by a 14-day appeal period. No appeals were received. The applicant/agent then proceeded to complete the design work and required studies to fulfill the Conditions of Approval.

The resulting work has altered the development proposal and the associated conditions from what the Commission originally approved. As a result, the revised development proposal and Conditions of Approval require the Commission's consideration.

## SPEAKERS

- Janet Sperling, Senior Strategic Advisor, reviewed the staff report and answered questions.
- Ajdin Mehanovic, Agent, Associate, McCallumSather, and Michael Grant, Property Owner, were present and answered questions

### **M853R5/03-2026**

Moved By: Francis

Seconded By: Chevalier

*"Whereas the Commission approved Application W/R/2022 2023/620 with Conditions of Approval on January 16, 2025; and whereas the applicant has since amended the development proposal; and whereas staff are recommending revised Conditions of Approval; therefore, be it resolved that the Commission approve the revised development proposal and the updated Conditions of Approval as presented."*

#### **For the motion:**

Chevalier, Francis, Golden, Krantz, Measures, McKinlay, Palmer, Price, Vida.

#### **Against the motion:**

Witteveen.

#### **Motion Carried**

The Director advised that the NEC is moving away from issuing conditional approvals as a general practice as there is no permit amendment process, and it is not unusual for proposals, related conditions and siting to change upon completion of studies and preparation of final plans. He recommended going forward that an application be referred for further information, instead of issuing a conditional approval.

## CONSENT AGENDA ITEMS

### **Information only Items**

- G1** Director Approvals and Dashboards for month of FEBRUARY 2026
- G2** Appeals and Hearings update as of FEBRUARY 27, 2026
- G3** Plan Amendments Status update as of FEBRUARY 27, 2026

**M853R6/03-2026**

Moved By: Palmer  
Seconded By: Witteveen

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

**Motion Carried**

The Director advised that Plan Amendment PA 225 22 was approved by the Minister of Natural Resources, and the Niagara Escarpment Plan has been updated accordingly and posted on the NEC website; staff are expecting new applications for on farm diversified uses to be submitted very shortly accordingly.

**NEW BUSINESS**

No new business.

**ADJOURNMENT**

**M853R7/03-2026**

Moved By: McKinlay  
Seconded By: Price

*"That this meeting be adjourned."*

**Motion Carried**

**Time of Adjournment:** 11:25 a.m.



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Rocco (Rocky) Vacca  
Chair