



December 23, 2025

Meagan Brooks
Senior Planner
Niagara Escarpment Commission
232 Guelph St.
Georgetown, ON L7G 4B1

Dear Ms. Brooks,

RE: **5460 Steeles Avenue, Milton
Development Permit Application**

We are pleased to submit the enclosed Development Permit Application for the property municipally known as 5460 Steeles Avenue, in the Town of Milton (“the Subject Lands”).



As you know, the Owner is proposing an Additional Residential Unit (or “ARU”) in a detached building on the western portion of the Subject Lands, within the Escarpment Rural Area designation. The ARU would be accessed independently from Bell School Line via a dedicated driveway. The ARU is planned as a single-storey structure with a two-car garage, three bedrooms, and dedicated outdoor amenity areas including patios and a garden space. The total floor area of the dwelling will be less than the main house.

The existing dwelling and the accessory farm buildings, forming the farm cluster is to remain. The remainder of the Subject Lands is predominantly used for agricultural purposes, except for certain small pockets of land, where the sedimentary bedrock of the Escarpment is exposed.

As the Subject Lands is within the Niagara Escarpment Commission Development Control Area, the proposed development will require a development permit to permit the proposed ARU in a detached building on the Subject Lands.



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As part of our submission, please find enclosed the following:

- One (1) digital copy of the Planning Justification Report, prepared by NPG Planning Solutions Inc., dated December 2025;
- One (1) digital copy of the Lot Development Plan and Sewage System Design (draft) prepared by Van Harten Surveying Inc. dated September 30, 2021;
- One (1) digital copy of the Overall Site Plan (D1.1), Detailed Site Plan (D1.2), Basement Floor Plan (D2.0), Ground Floor Plan (D2.1), Elevations (D2.3, D2.4, D2.5) prepared by SRM Architects Inc., dated April 16, 2021;

Should you require anything further or have any questions, please do not hesitate to contact the undersigned.

Sincerely,



Rhea Varghese, MPlan
Intermediate Planner
NPG Planning Solutions Inc.
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**Development Permit Application
Niagara Escarpment Plan
5460 Steeles Avenue, Milton**

For:



By: NPG Planning Solutions Inc.
4999 Victoria Avenue
Niagara Falls, ON L2E 4C9
T: 905 321 6743

Date: December 2025

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1.0 Introduction

NPG Planning Solutions Inc. ("NPG") are planning consultants to [REDACTED] ("Owner") of approximately 29.6 hectares of land in the Town of Milton, municipally known as 5460 Steeles Avenue ("Subject Lands"). The lands are legally known as Part of Lot 15, Concession 7 New Survey, Geographic Township of Nelson, Town of Milton in the Regional Municipality of Halton. NPG has been retained to provide professional planning advice regarding a proposal for a Niagara Escarpment Commission development permit application to permit an Additional Residential Unit ("ARU") in a detached building on the Subject Lands.

This Planning Justification Report ("PJR") provides an analysis of the proposed use and evaluates the appropriateness of the application for a development permit from the Niagara Escarpment Commission when assessed against policies in the Provincial Planning Statement ("PPS"), Niagara Escarpment Plan ("NEP"), Greenbelt Plan, Halton Region Official Plan ("Region's OP"), the Town of Milton Official Plan ("Town's OP"). The Town of Milton's Zoning By-law No. 144-2003 ("Town's Zoning By-law"), which applies to the rural areas of Milton, however, is not applicable for the Subject Lands as it is within the Niagara Escarpment Commission Development Control Area.

This Planning Justification Report analyzes the proposed use to provide the support for the approval of the proposed application. Sections 5.1, 5.2, 5.3, 5.4 and 5.5 of this report present analysis of the proposed application within the provincial and regional planning policies. Section 5.6 of this report discusses the proposal's conformity with the Town's OP.

2.0 Description of Subject Lands and Surrounding Area

2.1 Existing Site Conditions

According to Town's OP, the Subject Lands are within the municipal boundary of the Town of Milton and within the Greenbelt Plan Protected Countryside Boundary (Schedule 1). Additionally, the Subject Lands are also within the Niagara Escarpment Plan Area (Schedule 1A) and Prime Agricultural Areas (Schedule O). Please refer to **Appendix C – Town Schedules** of this report for the identified Town's OP Schedules.

The Subject Lands are an irregularly shaped property located at the southeast intersection of Steeles Avenue and Bell School Line. The property at 5382 Steeles Avenue, consisting of a residential dwelling, is also located at this intersection, and the Subject Lands surrounds it, bordering its eastern and southern lot lines. The Subject Lands has a frontage of 390.90 metres on Steeles Avenue, a total frontage of 375 metres on Bell School Line, and a site area of 29.6 hectares (296,612 square metres). The Subject Lands are irregular in shape as shown in **Figure 1 – Aerial Context**.

The Subject Lands are currently in agricultural use, with a narrow portion in the southeast corner consisting of a wooded area. The Subject Lands contains a single-detached dwelling and two farm buildings, all connected by a shared driveway. Access to the Subject Lands is via a single, tree-lined driveway extending from Steeles Avenue. It

effectively divides the property into two, the eastern portion, which contains the existing dwelling and farm buildings, as well as being in agricultural use, while the western portion is in agricultural use.

The Subject Lands are located within the Niagara Escarpment Plan Area (see **Appendix A – Provincial Schedules**). The eastern portion is designated Escarpment Protection Area, while a narrow portion in the southeast corner (at the rear of the Subject Lands) falls within the Escarpment Natural Area designation. The western portion of the Subject Lands, which is in agricultural use, is designated Escarpment Rural Area under this Plan.

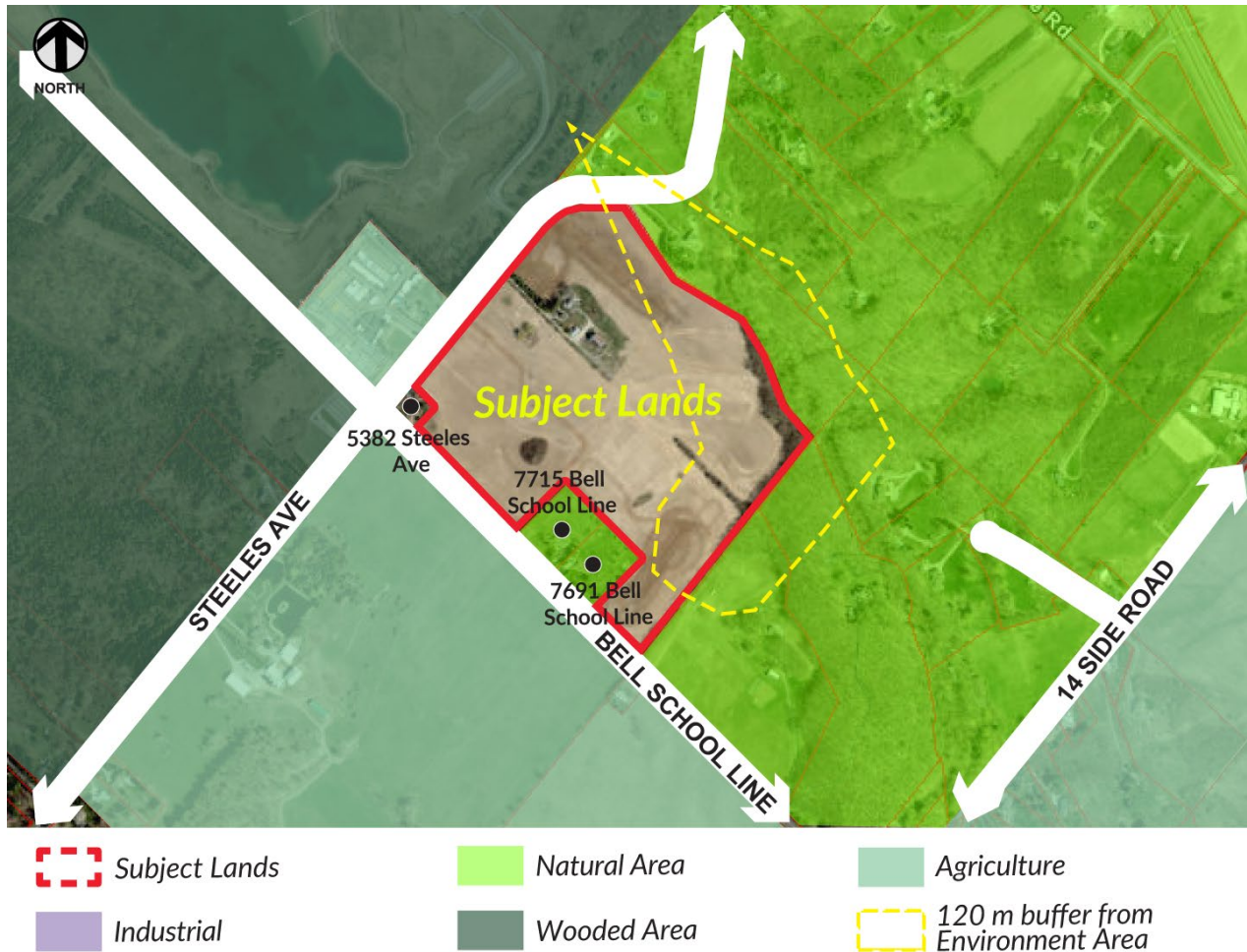


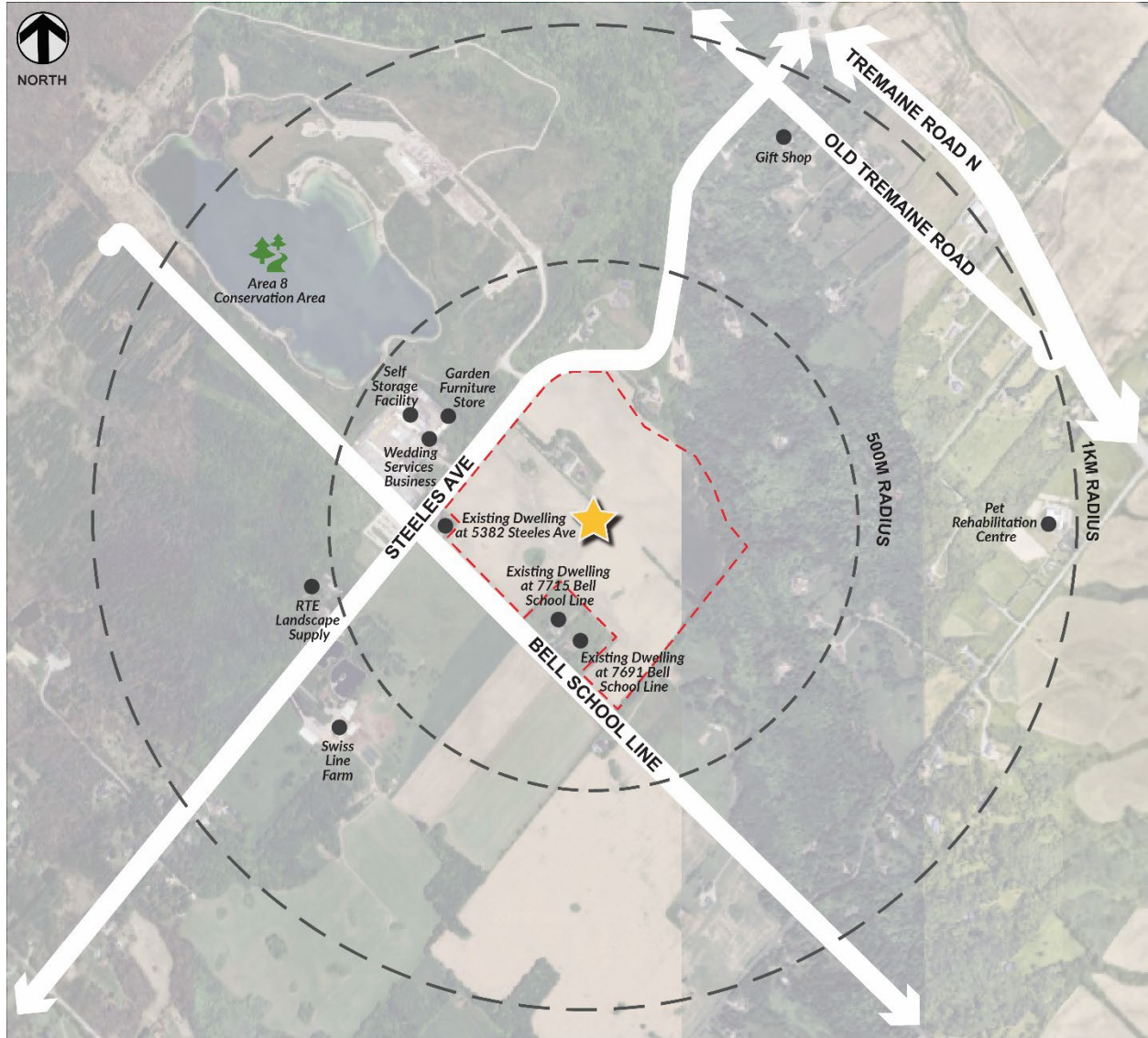
Figure 1 - Aerial Context

2.2 Surrounding Contextual Analysis

This section provides information regarding the land uses of the surrounding areas within a 1-kilometre radius of the Subject Lands.

There are three (3) existing dwellings along Bell School Line, 5382 Steeles Avenue, 7715 Bell School Line, and 7691 Bell School Line, as shown in **Figure 2 - Surrounding Existing Land Uses Context Map**. The dwelling at 5382 Steeles Avenue is located at

the intersection of Bell School Line and Steeles Avenue, while the other two dwellings are clustered together and situated approximately 320 metres from this intersection. For context, the Subject Lands surround all three properties, forming a contiguous area around them.



 Subject Lands

 Conservation Area

Figure 2 – Surrounding Existing Land Uses Context Map

North: Area 8 Conservation Area, Planters Canada (garden furniture store), The Ultimate Wedding Project (wedding services business), and U-need storage (self-storage facility)

East: Wooded area, single-detached estate residences

South: Wooded area, single-detached estate residences

West: Agricultural use, Swiss Line Farm

To the north of the Subject Lands lies the Area 8 (Kelso) Conservation Area. At the intersection of Steeles Avenue and Bell School Line, north of the Subject Lands, is a two-storey brick building that accommodates a garden furniture store, a wedding services business, and a self-storage facility, with shipping containers arranged on-site. Lands to the west remain in agricultural use, while those to the south also contain environmentally significant features. The lands at the southwest intersection of Bell School Line and Steeles Avenue (west of the Subject Lands) are the Swiss Line Farm. It is a dairy farm occupying approximately 60 hectares. This livestock operation is discussed in more detail in Section 4.3 of this report.

Further context for the Subject Lands and surrounding uses is provided through site visit photos. Please refer to **Photos 1–13** for additional detail on existing site conditions.

2.3 Site Photos

The following photos were taken during two (2) site visits on September 21, 2025, and October 25, 2025 to help further contextualize the Subject Lands.

Photo 1 – Existing Streetscape Condition along Bell School Line, shown Subject Lands (right) and Swiss Line Farm (left) (Oct 2025)



Photo 2 – View of the portion of the Subject Lands where the ARU is proposed (Oct 2025)



Photo 3 – View of a portion of the Subject Lands east of the farm cluster showing agricultural crops (Sept 2025)



Photo 4 – View of the Subject Lands from Steeles Ave (Oct 2025)



Photo 5 – View of the existing dwelling on the Subject Lands (Sept 2025)



Photo 6 – View of Barn within the farm cluster (Sept 2025)



Photo 7 – View of the existing dwelling on 5382 Steeles Ave W from Steeles Ave (Oct 2025)



Photo 8 – View of looking south towards Bell School Line from Steeles Avenue (Oct 2025)



Photo 9 – View of the interface between the residential property on 5382 Steeles Ave W (left) and Subject Lands (right) (Oct 2025)



Photo 10 – View of the existing dwelling on 7715 Bell School Line (Oct 2025)



Photo 11 – View of the existing dwelling on 7691 Bell School Line (Oct 2025)



Photo 12 – View of the Swiss Line Farm from Bell School Line (Oct 2025)



Photo 13 – View of the Swiss Line Farm from Steeles Ave looking towards Bell School Line (Oct 2025)



3.0 Overview

The proposal seeks to permit an ARU in a detached building on the western portion of the Subject Lands, within the Escarpment Rural Area designation. The ARU would be accessed independently from Bell School Line via a dedicated driveway.

The Subject Lands currently contain a two-storey dwelling situated on the central to eastern portion of the property. The portion of the Subject Lands where the two-storey dwelling is located is designated Escarpment Protection Area. This dwelling forms part of a farm cluster that includes accessory farm buildings, as illustrated on the concept plan prepared by SRM Architects Inc., dated April 16, 2021 (see Section 4.1 of this report). Access to the existing dwelling is provided from Steeles Avenue through a long, tree-lined driveway. The existing dwelling is largely hidden due to its deep setback from the road and screened by mature trees. The remainder of the Subject Lands is predominantly used for agricultural purposes, with the exception of certain small pockets of land, where the rock of the Escarpment is close to the surface of the soil, as seen in **Appendix E** of this report.

The existing driveway, and the extension of the driveway line to the rear lot line, generally bisects the Subject Lands into eastern and western portions. Under the Niagara Escarpment Plan (NEP, 2017), the eastern portion, where the existing dwelling is located, is designated Escarpment Protection Area and Escarpment Natural Area. Within these designations, “secondary dwelling units” are not listed as permitted uses under Sections 1.3.3 and 1.4.3 of the NEP. Therefore, an ARU is not permitted in the eastern portion of the Subject Lands.

In contrast, the western portion of the property is designated Escarpment Rural Area, where “secondary dwelling units” are explicitly permitted under Section 1.5.3 of the NEP. This creates a policy conflict - one designation prohibits the proposed ARU, while the other permits it. For clarity, the multiple designations of the Subject Lands are tabulated in **Table 1** below.

Table 1 – Subject Land Designations and ARU Permittance

NEP	EASTERN PORTION	WESTERN PORTION
Map 3: Regional Municipality of Halton	Escarpment Protection Area; Escarpment Natural Area	Escarpment Rural Area
ARU Permitted	No	Yes

Proposed Additional Residential Unit

The proposed ARU would be located along the east side of Bell School Line, situated on the western portion of the Subject Lands designated Escarpment Rural Area. The dwelling is planned as a single-storey structure with a two-car garage, three bedrooms, and dedicated outdoor amenity areas including patios and a garden space. The total floor

area of the dwelling will be less than the main house. The design of the new detached ARU will provide the owners, who will live in this dwelling, with a manageable, accessible and single-level residence.

The rationale for the location of the proposed ARU is due to the evolving needs of the farm household. To maintain their independence, the owners being an elderly couple, require a living accommodation in the form a single storey residence in proximity to the existing farm. Under this scenario, the owners would reside in the proposed ARU, while their adult children would occupy the existing principal dwelling. This arrangement will enable the owners to continue assisting with the farm as needed and will preserve the generational farm family operation of the Subject Lands. The intent of the proposal is to create a safe and independent living space that allows the owners to age-in-place while continuing to provide support to the family farm.

The location of the ARU near Bell School Line also ensures convenient access without altering the established farm cluster or requiring significant changes to existing agricultural operations. The proposed location is supported by an existing well, located northeast of the proposed ARU, and will be serviced by a private septic system. The proposed septic system will be located southwest of the proposed ARU, confirmed through the draft septic design prepared by VanHarten, which is included in the submission package.

While the entirety of the Subject Lands is designated as Prime Agricultural Areas in both the Region's and Town's OPs, the proposed ARU is located in the western portion of the property where the sedimentary bedrock of the Escarpment is exposed. The owner's letter (see **Appendix G** of this report), dated November 25, 2025, confirmed that this portion of the Subject Lands contains shallow soils, often less than four inches in depth. These conditions result in poor-quality agricultural land, and do not reflect the functional intent of "prime" agricultural lands. As such, locating the ARU in this area avoids the displacement of productive farmland and maintains the agricultural function of the remainder of the property. Notably, policy 4.3.2.5 of the Provincial Planning Statement (PPS) permits ARUs in prime agricultural areas.

It is also important to recognize the variation in terminology across policy frameworks. The Niagara Escarpment Plan (NEP) uses the term "secondary dwelling unit", while the *Planning Act* and the PPS uses the term "Additional Residential Unit (or "ARU")". Although these terms differ, both describe the same type of residential form, that is a self-contained, smaller scale unit, that is subordinate to the principal dwelling. For the purpose of this PJR, the term ARU will be used consistently to maintain alignment with the terminology in the *Planning Act* and the PPS.

To facilitate the permittance of the proposed ARU, the proposal will require a development permit from the Niagara Escarpment Commission.

3.1 Pre-Consultation Summary

A virtual meeting was held on July 28, 2025, with Niagara Escarpment Commission (NEC) staff to discuss the proposed development. Subsequently, email correspondence

between NEC staff and NPG also occurred to discuss possible location options for the proposed ARU.

Part 2.2.7 of the NEP states that *“Only one single dwelling is permitted on each existing lot of record in the Escarpment Natural, Escarpment Protection and Escarpment Rural Area designations, unless a second single dwelling is, in the opinion of the implementing authority, the only viable way to conserve the heritage attributes of an existing single dwelling...”*. Previous correspondence with NEC staff confirmed that, in order to construct a second dwelling on the Subject Lands, the existing dwelling would first need to be designated under the *Ontario Heritage Act*. Staff referenced examples of other heritage-designated properties within the Niagara Escarpment Plan Area where a second dwelling was permitted. As per staff correspondence, the heritage designation is the only mechanism through which a second dwelling may be allowed on a property.

Currently, the dwelling is only listed as a heritage resource (see Town of Milton’s approved Heritage List, 2019^{*}). To designate the existing dwelling under the *Ontario Heritage Act*, the dwelling must demonstrate heritage attributes and may be subject to a heritage conservation easement agreement. However, due to alterations that have been made to the dwelling over time, it no longer meets the requirements for designation, and therefore this path is not being pursued.

Following the meeting, NEC staff identified potential alternatives that could be supported under the Niagara Escarpment Plan. NPG responses to each alternative are noted below.

Alternative 1: *Extension (bedrooms, bathrooms, living space) to the existing single dwelling that does not contain a secondary dwelling unit (i.e. no kitchen).*

NPG response: The location of the house in the Escarpment Protection Area designation does not allow an ARU. An extension to the existing house is not an appropriate solution for this situation. The owners are elderly and need a separate, self-contained space that provides privacy and independence, while still being close enough to remain engaged with farming operations and family support.

A kitchen is essential to achieving this independence. Without the ability to prepare meals, the proposed living arrangement would remain entirely dependent on the primary household. Moreover, it does not appear to be a long-term solution as the family needs evolve. Therefore, the suggested alternative cannot meet the needs of the property owner from a practical and quality-of-life standpoint.

Alternative 2: *A “mobile or portable dwelling unit accessory to agriculture”. While not a house, this could provide the existing owners with separate independent living space while continuing to support the farming operations on the property (this would need to be demonstrated).*

^{*}https://www.milton.ca/en/business-and-development/resources/Heritage/Heritage_List_Approved_2019.pdf

NPG response: This option is also not considered an appropriate solution for the property owners. Older individuals require stability, ease of mobility and comfort in their living environments. A “mobile or portable dwelling unit” is typically smaller, temporary in nature, often includes stairs to access the main entry, and is not designed to provide the level of comfort, accessibility and functionality that seniors require. Such a dwelling would appear to be a short-term fix rather than a viable, long-term solution, and therefore is not an appropriate solution for the owners.

Alternative 3: Demolish the existing dwelling (which, although not heritage, I recognize would be a shame) and construct a new dwelling, with attached secondary dwelling unit, within the Escarpment Rural Area.

NPG response: This suggestion is also not considered feasible for the property owners as it would place an extraordinary financial burden on the owners. The existing house is well-maintained and continues to serve its intended residential function as a family home. Demolishing a functioning farmhouse simply to relocate to comply with the designation would represent a significant financial expenditure and impose unnecessary costs on the family.

Moreover, the existing dwelling is organized as part of the farm cluster, with accessory farm buildings close to the residence. Such an arrangement supports efficient farm operations by keeping the residence and farm buildings in close proximity to each other. Relocating the main residence away from this cluster would either require the relocation of all the farm buildings or leave the farm buildings separated across different designations. While constructing a new dwelling with an attached secondary dwelling unit is generally permitted within the Escarpment Rural Area, demolishing the existing dwelling and rebuilding within the Escarpment Rural Area would remove more land from agricultural use compared to the proposed ARU. The site of the existing dwelling, if demolished, having already been disturbed by construction, is likely not viable for agriculture use.

Therefore, preserving the existing dwelling and farm cluster while introducing the ARU within the permitted Escarpment Rural Area designation is the most economical, sustainable, and agriculturally responsible option. This approach balances the need for additional housing with the preservation of the existing dwelling and the majority of the agricultural functions of the property.

Alternative 4: “...there appears, at a glance, to be opportunity to locate a single dwelling in the Escarpment Rural Area without having to relocate the entire farm cluster while maintaining proximity to the existing cluster. See below screenshot, for example purposes only. As noted, we are simply outlining what options exist.”



Figure 3 – Alternative 4 illustration

NPG response: The NEP policies restrict the establishment of a secondary dwelling within the Escarpment Protection Area, where the existing farm cluster is located. This policy prohibition is the sole reason that the proposed ARU cannot be integrated directly into the existing cluster. The suggested alternative of relocating the dwelling to the Escarpment Rural Area would create an awkward pocket of residential development within the otherwise more productive agricultural lands. This would introduce construction into areas that are currently operating under their prime agricultural function, potentially reducing the efficiency of the farm operation. The location of the existing house, already disturbed, would not be viable for agricultural use given its history and location relative to the currently farmed land. The letter provided by the owners (see **Appendix G** of this report) explains the differences in soil cover and the minimal cover in the proposed location closer to Bell School Line. The proposed location of the ARU maintains the more productive land in an area that provides linear movement for farm equipment.

4.0 Supporting Studies Review

4.1 Site Plan

SRM Architects Inc. was retained to prepare the Site Plan for the proposed ARU. The Site Plan package is dated April 16, 2021, and consists of the detailed site plan, floor plans and elevations of the proposed ARU.

This is a preliminary plan. The plan will be revised based on the feedback of NEC and agency staff.

4.2 Draft Septic Design

Van Harten Surveying Inc. was retained to prepare a Lot Development Plan and Sewage System Design for the proposed ARU. A draft of the plan dated September 30, 2021 is included in the submission package. The following features are illustrated in the drawing:

- An existing well is located on the northeast side of the proposed ARU.
- The proposed septic system will be located on the southwest side of the proposed ARU.

For further details, including system design notes and calculations, please refer to the draft drawing included in the submission.

4.3 Agricultural Assessment

NPG conducted a review of the Subject Lands, focusing on the quality of the prime agricultural lands and the application of the Minimum Distance Separation (MDS) formula.

Quality of the Prime Agricultural Lands

A letter from the owner of the Subject Lands (see **Appendix G** of this report), dated November 25, 2025, outlines challenges with agricultural viability on the Subject Lands. The sedimentary rock of the Escarpment is exposed at the surface, particularly on the west side where the proposed ARU is to be located. The “upper field” along Bell School Line is noted to be especially poor for agricultural use. Photograph provided by the owner illustrate an approximately 2.5-acre rock island adjacent to the proposed building location. The limited soil depth, ranging from nonexistent to approximately four inches before hitting solid rock, is very challenging to support productive farming. Additionally, the existing soil in the area is resulting only from decades of manure spreading. Based on this letter and the accompanying photo, the Subject Lands consist of poor-quality agricultural soil and therefore does not support the “prime” agricultural function.

It is important to note that the PPS permits ARUs in prime agricultural areas, as outlined in Policy 4.3.2.5, subject to specific conditions. These conditions include compliance with the Minimum Distance Separation (MDS) formulae, compatibility with surrounding agricultural operations without hindering their viability, provision of appropriate sewage and water services, consideration of public health and safety, the ARU is of limited scale and proximity to the main residence or farm building cluster, and minimization of land removed from agricultural production.

Minimum Distance Separation (MDS) Assessment

The Province’s Minimum Distance Separation (MDS) formula is established in the Minimum Distance Separation (MDS) Document, Publication 853 (or “MDS Document”). The setback distances are used to minimize potential land use conflicts and protect agricultural livestock operations from encroachment by sensitive uses, such as residential dwellings. According to Section 8.1 of the MDS Document, all applications under the *Planning Act* must demonstrate compliance with the MDS requirements.

A Type A MDS I setback is applicable in this case, as the proposed ARU represents a sensitive land use of limited scale. According to Guideline 6, all existing livestock facilities or anaerobic digesters within a 750 metres distance of a proposed Type A land use must be investigated and MDS I setback calculations undertaken where warranted. NPG conducted a review through aerial photography confirming the presence of one (1) livestock operation within the 750-metre radius, located at the southwest intersection of Bell School Line and Steeles Avenue. It is a dairy farm called Swiss Line Farm, maintaining approximately 85 dairy cows. To inform this assessment, a site visit was conducted on September 21, 2025, confirming the location and type of the nearby livestock operation. The dairy farm consists of a livestock barn, tower silos (for feed storage), a milkhouse, equipment storage and a structure used for manure storage.

In accordance with Guideline 3 of the MDS Document, MDS setbacks are required for any livestock facility exceeding 10 m². The existing buildings and structures located on Swiss Line Farm, occupying approximately 2,550 m²† (see **Figure 5 in Appendix F** of this report), qualifies as a livestock facility subject to MDS setback requirements.

As per Guideline 40 of the MDS Document, the MDS I setback is measured as the shortest distance between the proposed development and the nearest of the following:

1. *Livestock-occupied portions of livestock barns;*
2. *Manure storages; and/or*
3. *Anaerobic digesters.*

Section 3 of the MDS Document defines livestock-occupied portion as areas of a livestock barn where livestock spend the majority of their time, allowing substantial amounts of manure to accumulate. This excludes areas such as equipment storages, feed bins, feed storage/preparation areas, milking centres, offices, pastures or silos, among other areas.

There are no anaerobic digesters present on the dairy farm. The lands west of Bell School Line, nearest to the proposed ARU, appear to function as pasture lands, which are exempt from MDS calculations as per the definition of livestock-occupied portion. Based on the review of aerial photography and on-site observations, the manure storage areas and the livestock barn are located approximately 460 metres and 405 metres, respectively, from the Subject Lands.

NPG also conducted calculations (see **Appendix F**) based on MDS I parameters for a dairy operation of this scale, the required setback distance is estimated to be approximately 268 metres. The proposed ARU is located beyond this distance from the livestock barn and the manure storage areas.

Based on the above, the proposed ARU meets the MDS setback requirements, ensuring compatibility with the neighbouring livestock operation and avoiding potential impacts on its ongoing viability.

† The calculations are based on aerial imagery provided by the Niagara Escarpment Commission.

5.0 Planning Policy Review and Analysis

The following section provides a thorough analysis of the proposed ARU and evaluates the appropriateness of advancing the development permit application with the Niagara Escarpment Commission in the context of the Provincial Planning Statement (PPS), Greenbelt Plan (2017), Niagara Escarpment Plan (2017), Halton Region Official Plan (Region's OP) and the Town of Milton Official Plan (Town's OP).

5.1 Planning Act

Section 1 and 2 of the *Planning Act* identify matters of Provincial interest that Council shall have regard to in carrying out its responsibilities under the *Planning Act*. Included in these matters are:

1.1 *The purposes of this Act are,*

(a) to promote sustainable economic development in a healthy natural environment within the policy and by the means provided under this Act;

(b) to provide for a land use planning system led by provincial policy;

(c) to integrate matters of provincial interest in provincial and municipal planning decisions;

2 *The Minister, the council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,*

(a) the protection of ecological systems, including natural areas, features and functions;

(b) the protection of the agricultural resources of the Province;

(c) the conservation and management of natural resources and the mineral resource base;

(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;

(e) the supply, efficient use and conservation of energy and water;

(f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;

(h) the orderly development of safe and healthy communities;

(h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;

(i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;

(j) the adequate provision of a full range of housing, including affordable housing;

(m) the co-ordination of planning activities of public bodies;

(p) the appropriate location of growth and development;

(r) the promotion of built form that,

(i) is well-designed,

(ii) encourages a sense of place, and

(iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;

(s) the mitigation of greenhouse gas emissions and adaptation to a changing climate.

1 (1) *“residential unit” means a unit that,*

(a) consists of a self-contained set of rooms located in a building or structure,

(b) is used or intended for use as residential premises, and

(c) contains kitchen and bathroom facilities that are intended for the use of the unit only.

Matters of provincial interest are articulated in Provincial, Regional and Town planning documents, and discussed throughout this PJR. The proposed application provides for an appropriate location for the ARU, creating a safe and independent living space that allows the owners to age-in-place, while supporting the continued operation of the farm. Alternative locations for the ARU were considered (see Section 3.1 of this Report), and the proposed location was determined to cause the least disruption to existing agricultural activities. This portion of the Subject Lands consists of poor-quality agricultural soil. The PPS permits ARUs in prime agricultural areas under Policy 4.3.2.5, subject to specific conditions, which are analyzed in detail in Section 5.2.2 of this report. A small sliver of the Subject Lands along the eastern boundary is designated Escarpment Natural Area. This portion of the Subject Lands will continue to be preserved in accordance with the designation in the NEP. The proposed ARU is located away from this area, on the western side of the Subject Lands, ensuring no impact on the features or functions of the Escarpment Natural Area. The remaining portion of the Subject Lands has been in continuous agricultural operation since the 1940s, according to the owner and available historical imagery (see **Appendix E**). The agricultural use remains the primary function of the lands and will continue to be maintained alongside the proposed ARU.

The Subject Lands do not contain built or cultural heritage features and are not subject to any heritage designations. As such, the proposed ARU will not adversely affect cultural heritage resources. Further, the proposed ARU will be fully serviced by a private well and septic system, in keeping with rural servicing standards. Access will be provided from Bell School Line, with sufficient space to allow for safe vehicle circulation and parking. Waste collection and management will be accommodated in a manner consistent with existing rural residential practices, ensuring no adverse impacts on operations or the surrounding environment.

SUMMARY

The application provides an appropriate location for the proposed ARU that enables aging-in-place, while maintaining the ongoing agricultural use of the property. The Escarpment Natural Area will remain protected in accordance with the NEP, and the ARU is located away from sensitive features to avoid impacts. The lands contain no designated built or cultural heritage resource, and the ARU will be appropriately serviced in line with rural standards. Subject to the analysis provided in the following sections of this report, the application is considered to have regard for the matters of provincial interest in the *Planning Act*.

5.2 Provincial Planning Statement (2024)

The Provincial Planning Statement (2024), hereinafter referred to as the PPS, is a streamlined province-wide land use planning policy framework, which came into effect on October 20, 2024.

The PPS sets the policy foundation for regulating land use in Ontario. It requires that developments make efficient use of land and services and supports opportunities for long term economic prosperity.

5.2.1 Housing

Section 2.1 of the PPS provides the following with respect to housing. The following applies to the proposed development:

POLICY

2.1 Planning for People and Homes

6. *Planning authorities should support the achievement of complete communities by:*

- a) *accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, long-term*

care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;

b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and

c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.

2.2 Housing

1. Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:...

Housing options: *means a range of housing types such as, but not limited to single-detached, semidetached, rowhouses, townhouses, stacked townhouses, multiplexes, additional residential units, tiny homes, laneway housing, garden suites, rooming houses and multi-residential buildings, including low-and mid-rise apartments. The term can also refer to ...*

ANALYSIS

In accordance with Policy 2.1.6, the proposal facilitates the development of an ARU designed to provide a safe and independent living space for the owners of the family farm, providing housing for seniors who are wanting to stay in their community. This supports the broader policy intent of enabling aging-in-place while having close family support and continuing to contribute to the agricultural operations on the property. The proposal presents a long-term solution as the family needs evolve, meeting the needs of the property owners from a practical and quality-of-life standpoint.

5.2.2 Agriculture

Section 2.5 of the PPS provides the following with respect to the agricultural use of the lands. The following applies to the proposed development:

POLICY

4.3 Agriculture

4.3.1 General Policies for Agriculture

1. Planning authorities are required to use an agricultural system approach, based on provincial guidance, to maintain and enhance a geographically continuous agricultural land base and support and foster

the long-term economic prosperity and productive capacity of the agri-food network.

2. As part of the agricultural land base, prime agricultural areas, including specialty crop areas, shall be designated and protected for long-term use for agriculture.

4.3.2 Permitted Uses

4. A principal dwelling associated with an agricultural operation shall be permitted in prime agricultural areas as an agricultural use, in accordance with provincial guidance, except where prohibited in accordance with policy 4.3.3.1.c).

5. Where a residential dwelling is permitted on a lot in a prime agricultural area, up to two additional residential units shall be permitted in accordance with provincial guidance, provided that, where two additional residential units are proposed, at least one of these additional residential units is located within or attached to the principal dwelling, and any additional residential units:

- a) comply with the minimum distance separation formulae;*
- b) are compatible with, and would not hinder, surrounding agricultural operations;*
- c) have appropriate sewage and water services;*
- d) address any public health and safety concerns;*
- e) are of limited scale and are located within, attached, or in close proximity to the principal dwelling or farm building cluster; and*
- f) minimize land taken out of agricultural production.*

6. For greater certainty, the two additional residential units that are permitted on a lot in a prime agricultural area in accordance with policy 4.3.2.5 are in addition to farm worker housing permitted as an agricultural use.

ANALYSIS

Map 1E of the Region's OP and Schedule O of the Town's OP, designates the entirety of the Subject Lands as Prime Agricultural Areas. As per Policy 4.3.1.2, prime agricultural areas are to be designated and protected for long-term use for agriculture. The proposed location of the ARU is in the western portion of the Subject Lands where the Escarpment's sedimentary bedrock is exposed at or near the soil surface. In this area, soil depth ranges from nonexistent to a thin layer of approximately four inches. This condition has resulted in poor-quality agricultural lands. There are existing houses north and south of the

proposed location of the ARU which means there are residences in proximity to the agricultural operations on the Subject Lands. The placement of the ARU does not impede agricultural operations on this farm.

The existing dwelling on the Subject Lands is recognized as a permitted use within prime agricultural areas, as per Policy 4.3.2.4. Regarding Policy 4.3.3.1(c), which restricts certain residential uses in the context of lot creation and lot adjustment, this policy does not apply in this instance as no new lot is being created or boundary adjustment through the proposed application.

The existing dwelling is located in a prime agricultural area, and is permitted to have up to two (2) additional residential units, as per Policy 4.3.2.5. Only one (1) ARU is proposed through this proposal and is to be located at a distance from the principal dwelling. It is not appropriate to locate the proposed ARU within or attached to the principal dwelling in this scenario given the comments and requirements as provided by NEC staff. For clarity, this is due to the designations of the NEP where the existing dwelling is located. This existing dwelling is located within the Escarpment Protection Area designation of the NEP, where “secondary dwelling units” are not permitted.

Furthermore, demolishing and rebuilding within the Escarpment Rural Area-designated portion of the Subject Lands is not viable, as it does not demonstrate an efficient use of resources, as elaborated in Section 3.1 of this report. Locating the proposed ARU within the Escarpment Rural Area portion of the Subject Lands, where “secondary dwelling units” are specifically permitted, is the only appropriate solution in this scenario. Further analysis is provided in Section 5.4.1 of this report.

The proposed ARU is also required to comply with the following provincial requirements, stated in Policy 4.3.2.5:

- a) **Minimum distance separation formulae:** The review undertaken in Section 4.3 of this report confirms that the proposed ARU is located beyond the MDS setback requirement from the livestock barn and the manure storage areas.
- b) **Compatibility with surrounding agricultural operations:** The proposed ARU is sited to minimize impacts on surrounding agricultural operations, based on the following considerations:
 - There are three (3) existing dwellings located in proximity to the proposed ARU location. Two dwellings are on Bell School Line (south) and one is at the intersection of Bell School Line and Steeles Avenue (north). Given the presence of these existing dwellings, potential land use conflicts are not expected.
 - The proposed ARU will have its own access driveway that does not interfere with ongoing farm operations and machinery.
 - The location and orientation of the proposed ARU complements and maintains the rural character of the area, providing visual screening off farm operations to its rear.

- c) **Sewage and Water Services:** The proposed ARU will be serviced by a private well and a septic system. The septic system will be designed as per the design specifications noted in the draft drawing prepared by Van Harten Surveying Inc.
- d) **Public Health and Safety Concerns:** The development is located away from the Escarpment Natural Area, mitigating potential risks associated with natural hazards and ensuring a safe living environment. Due to changes in the topography of the property south of the Subject Lands combined with the Subject Land's topography, the area of the property immediately south of the proposed ARU is subject to flooding – the location chosen is not impacted by flooding. There are no man-made hazards on or adjacent to the Subject Lands.
- e) **Scale and Location:** The NEP policies do not allow the establishment of a secondary dwelling unit within the Escarpment Protection Area, where the existing farm cluster is located. This policy prohibition is the sole reason that the proposed ARU cannot be integrated directly into the existing farm cluster. Locating the proposed ARU within the Escarpment Rural Area portion of the Subject Lands, where “secondary dwelling units” are specifically permitted, is the appropriate solution in this scenario.
- f) **Lands taken out of agricultural production:** The proposed ARU would occupy an area of the Subject Lands that consists of poor farmland according to the owners. By siting the ARU in this location, the development avoids the displacement of productive soils elsewhere on the Subject Lands. This location also minimizes the impact on farm operations, by still allowing safe movement of agricultural equipment.

5.2.3 Sewage, Water and Stormwater

Section 3.6 of the PPS provides the following with respect to sewage, water and stormwater services. The following applies to the proposed development:

POLICY

3.6 Sewage, Water and Stormwater

4. Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual onsite sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts.

8. Planning for stormwater management shall:

b) minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads;

c) minimize erosion and changes in water balance including through the use of green infrastructure;

e) maximize the extent and function of vegetative and pervious surfaces;

f) promote best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development;

ANALYSIS

As previously mentioned, the proposed ARU will be fully serviced by a private well and septic system, in keeping with rural servicing standards. There are no negative impacts associated with the provision of individual onsite sewage and on-site water services, complying with Policy 3.6.4.

The proposed ARU will be adequately scaled to be less than the principal dwelling and includes associated landscaped garden and patio areas. Additionally, opportunities exist to integrate green infrastructure practices such as permeable pavers, rain gardens, native plantings, and landscaped swales to promote infiltration. As such, stormwater volumes are anticipated to be managed through on-site infiltration measures and proper grading, in accordance with Policy 3.6.8.

5.2.4 Natural Heritage

Section 4.1 of the PPS provides the following with respect to natural heritage. The following applies to the proposed development:

POLICY

4.1 Natural Heritage

1. Natural features and areas shall be protected for the long term.

2. The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

ANALYSIS

As previously described, the small sliver of the Subject Lands along the eastern boundary that is designated Escarpment Natural Area, will continue to be preserved in accordance with the intent of the designation as per the Niagara Escarpment Plan. The proposed

ARU is located away from this area, on the western side of the Subject Lands, ensuring no impact on the features or functions of the Escarpment Natural Area due to the proposal.

5.2.5 Implementation

Section 6 of the PPS addresses implementation and transition matters.

POLICY

Section 6 of the PPS addresses implementation and transition matters.

7. Where a planning authority must decide on a planning matter before their official plan has been updated to be consistent with the Provincial Planning Statement, or before other applicable planning instruments have been updated accordingly, it must still make a decision that is consistent with the Provincial Planning Statement.

ANALYSIS

This policy addresses the transition to the PPS 2024. It provides clear direction that the PPS 2024 applies where an Official Plan has not been updated to be consistent to the PPS 2024. Further, the policy also requires decisions to be made consistent with the PPS, including “other applicable planning instruments”. The NEP is an “other applicable planning instrument”.

Additionally, it is to be noted that while the Greenbelt Plan indicates it prevails over provincial policy, it is noted that the Greenbelt Plan defers to the NEP for the NEP Plan Area.

Consequently, the proposed ARU must be consistent with the PPS, and this has been established in the analysis in this Section of this PJR. As will be discussed below, the NEP, an “other planning instrument”, is not consistent with the PPS 2024. This means that the PPS 2024 must be the decision making policy instrument.

SUMMARY

Based on the above analysis, the proposed application to implement an ARU is consistent with PPS 2024.

5.3 Greenbelt Plan (2017)

The Greenbelt Plan applies to extensive areas of the Town within both the agricultural and rural areas. The purpose of the Plan is to identify areas where development is not to occur in order to provide permanent protection to the agricultural land base and natural

heritage features and functions. The Greenbelt Plan includes lands within the Niagara Escarpment Plan Area and builds upon the ecological protections inherent in that Plan.

The following table identifies the Greenbelt Plan designations pertaining to the Subject Lands:

Table 2 – Greenbelt Plan Schedules & Designations of Subject Lands

SCHEDULE	SUBJECT LAND DESIGNATION
Schedule 1: Greenbelt Plan Area	Within Greenbelt Area;
Schedule 4: Natural Heritage System	Niagara Escarpment Plan Area;
Appendix 1	Within Greenbelt Area; Escarpment Natural and Protection Areas; Likely within Remaining Escarpment Designations;

5.3.1 Niagara Escarpment Plan Area

Section 2.2 of the Greenbelt Plan provides the following with respect to lands within the Niagara Escarpment Plan Area. The following applies to the proposed development:

POLICY

2.2 Lands within the Niagara Escarpment Plan Area

The requirements of the NEP, established under the Niagara Escarpment Planning and Development Act, continue to apply and the Protected Countryside policies do not apply, with the exception of section 3.3.

ANALYSIS

The Subject Lands are located within the NEP Area as per Schedule 1 of the Greenbelt Plan. According to Policy 2.2, the policies of the NEP are the primary policy framework governing development permissions in this area. The Protected Countryside policies and Section 3.3 policies regarding Parkland, Open Space and Trails are not applicable to the proposal.

The proposal for an ARU has therefore been evaluated against the applicable policies, as included in Section 5.4 of this report.

SUMMARY

Subject to the analysis provided in Section 5.4 of this report, the application conforms with the Greenbelt Plan.

5.4 Niagara Escarpment Plan (2017)

The Niagara Escarpment Plan (NEP) is the land use plan that consists of development criteria to be applied to all development within the area of the NEP.

The following table identifies the NEP designations pertaining to the Subject Lands (all schedules are included in Appendix A):

Table 3 – NEP Schedules & Designations of Subject Lands

	WESTERN PORTION	EASTERN PORTION
Map 3: Regional Municipality of Halton	Escarpment Rural Area	Escarpment Protection Area; Escarpment Natural Area

5.4.1 Introduction

The Niagara Escarpment Plan provides guidance on how its policies together with the policies of the PPS should be read (referred to as Provincial Policy Statement in the Niagara Escarpment Plan) as follows:

POLICY

The Niagara Escarpment Plan builds upon the policy foundation provided by the Provincial Policy Statement and provides additional land use planning policies for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment and to ensure that only such development occurs as is compatible with that natural environment. The Niagara Escarpment Plan is to be read in conjunction with the Provincial Policy Statement but shall take precedence over the policies of the Provincial Policy Statement to the extent of any conflict. Where the Niagara Escarpment Plan is silent on policies contained within the Provincial Policy Statement, the policies of the Provincial Policy Statement continue to apply, where relevant.

ANALYSIS

Where the NEP and the PPS conflict, the NEP takes precedence. Where the NEP is silent on policies contained within the PPS, the PPS applies.

In 2024, the PPS introduced policies permitting two (2) ARUs in prime agricultural areas. While the NEP includes policies for one (1) secondary dwelling unit within the Escarpment Rural Area, the NEP has not been updated to address the specific policies of the PPS regarding two (2) ARUs in prime agricultural areas. Therefore, in this regard, the PPS policies apply until such time as the NEP has been updated to address ARUs in prime agricultural areas.

5.4.2 NEP Designations

Section 1.3, 1.4 and 1.5 of the NEP provides the following with respect to Escarpment Natural Area, Escarpment Protection Area and Escarpment Rural Area. The following applies to the proposed development:

POLICY

1.3 Escarpment Natural Area

1.3.1 OBJECTIVES

- 1. To recognize, protect and where possible enhance the natural heritage and hydrological systems associated with the Niagara Escarpment Plan area.*
- 2. To protect the most natural Escarpment features, valleylands, wetlands and related significant natural areas.*

1.3.3 PERMITTED USES

- 1. Existing uses (for greater certainty, includes existing agricultural uses, existing agriculture-related uses and existing on-farm diversified uses).*
- 2. Single dwellings.*

1.4 Escarpment Protection Area

1.4.1 OBJECTIVES

- 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.*
- 6. To encourage agriculture and protect agricultural lands and prime agricultural areas.*

1.4.3 PERMITTED USES

- 1. Agricultural uses.*
- 3 Existing uses.*
- 4. Single dwellings.*

1.5 Escarpment Rural Area

1.5.1 OBJECTIVES

1. To maintain the scenic resources of lands in the vicinity of the Escarpment and the open landscape character of the Escarpment.
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.

1.5.3 PERMITTED USES

1. Agricultural uses.
3. Existing uses.
4. Single dwellings.
5. Secondary dwelling units.

Appendix 2 Definitions

Single dwelling: A separate building containing not more than one dwelling unit and may include a chalet, cottage, mobile home or group home.

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.

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

Of note, Secondary dwelling units are not defined.

ANALYSIS

According to Map 3 of the NEP, the eastern portion of the Subject Lands is designated Escarpment Natural Area and Escarpment Protection Area, while the western portion is designated Escarpment Rural Area.

The Escarpment Natural Area designation is intended to protect the most natural Escarpment features, valleylands, wetlands, and related significant natural areas. Since no new development is contemplated on this portion of the Subject Lands, this portion of the Subject Lands will remain preserved, consistent with the objectives of the designation, as stated in Policy 1.3.1.

The Escarpment Protection Area designation is intended to maintain and enhance the scenic resources and open landscape character of the Escarpment, provide a buffer to

prominent features, protect natural areas within the NEP area and of regional significance, and encourage agriculture by protecting prime agricultural areas, as per Policy 1.4.1. The existing dwelling, the associated farm cluster and a portion of the lands in agricultural operation are located on this area of the Subject Lands, which are permitted uses, according to Policy 1.4.3. There is no new development proposed on this portion of the Subject Lands through this application, supporting its intended function to continue as a buffer to lands designated Escarpment Natural Area.

The Escarpment Rural Area designation is intended to maintain the scenic resources of lands in the vicinity and open character of the Escarpment, provide for compatible rural land uses, encourage agriculture and protect prime agricultural areas, and serve as a buffer to ecologically sensitive areas. As per policy 1.5.3, “secondary dwelling units” are specifically permitted in this designation, and is the only designation that has “secondary dwelling unit” as a permitted use in the NEP. Additionally, although “secondary dwelling unit” is not specifically defined in the NEP, related definitions of “single dwelling”, “dwelling unit” and “household” in the NEP and “residential unit” in the *Planning Act*, indicate that it refers to a self-contained unit, secondary to the principal dwelling, similar in meaning to the term “Additional Residential Unit (ARU)” under the *Planning Act* and the PPS 2024. The proposed ARU is located in this portion of the Subject Lands designated Escarpment Rural Area.

The ARU is designed as a single-storey building, with dedicated outdoor amenity areas such as patios and a garden space. Introduction of the proposed ARU does not detract from the rural character of the surrounding landscape. The building is scaled appropriately for its rural setting, adequate for independent living, and compatible with the dwelling character envisioned by the Escarpment Rural Area designation. The low profile of the building and integration of outdoor amenity space supports the rural residential form, blending the proposal into its surroundings without disrupting the scenic resources of the Escarpment.

Policy 1.4.1.6 encourages the protection of prime agricultural areas. As previously discussed, the portion of the Subject Lands where the ARU is proposed, consists of poor-quality agricultural soil and does not contribute to the “prime” agricultural function. The PPS 2024 permits ARUs in prime agricultural areas under Policy 4.3.1.5, subject to specific conditions, which are analyzed in detail in Section 5.2.2 of this report and have been met.

5.4.3 Secondary Dwelling Units

Section 2.2.11 of the NEP provides the following provisions with respect to secondary dwelling units.

POLICY

11. The following provisions apply to secondary dwelling units:

a) a single secondary dwelling unit may be permitted on an existing lot of record;

b) notwithstanding the above, a secondary dwelling unit shall not be permitted on an existing lot of record where there is more than one single dwelling, including any dwelling approved under Part 2.2.7 of this Plan;

c) the secondary dwelling unit shall be contained entirely within a single dwelling or in an addition to a single dwelling and shall not be permitted in a detached accessory facility;

d) the floor area of a secondary dwelling unit shall be subordinate in size to the single dwelling;

e) secondary dwelling units shall not be permitted in a group home or a single dwelling containing a bed and breakfast;

f) and a home occupation or home industry shall not be permitted within a secondary dwelling unit.

ANALYSIS

The proposed ARU sufficiently addresses the criteria for “secondary dwelling units”, assessed as follows:

- **Policy 2.2.11 a):** The proposal consists of a one (1) ARU on the Subject Lands, as permitted through this policy.
- **Policy 2.2.11 b):** The Subject Lands contains one (1) existing single-detached dwelling, located within the established farm cluster on the eastern portion of the Subject Lands. There is no “second single dwelling” proposed on the Subject Lands as referenced under Part 2.2.7 of the NEP. Accordingly, the introduction of one (1) “secondary dwelling unit” is permitted under this policy, and the proposed ARU conforms.
- **Policy 2.2.11 c):** While Policy 4.3.2.5 of the PPS permits ARUs in prime agricultural areas, whether attached and/or detached, the NEP presents a conflicting policy framework. The NEP policies do not allow a second dwelling in a detached accessory structure, which directly contradicts the PPS 2024. As discussed under the PPS 2024 Implementation policies, decisions under the PPS 2024 must be consistent with the policies, even when “other planning instruments” are not consistent with the PPS 2024 – which is the case with the NEP. Further, as the NEP is silent on the provision of two (2) ARUs, the PPS policies must be addressed.

Additionally, the NEP policies restrict the establishment of a secondary dwelling unit within the Escarpment Protection Area, where the existing dwelling is located. This policy prohibition is the reason that the proposed ARU cannot be integrated directly into the existing dwelling. Locating the proposed ARU within the

Escarpment Rural Area portion of the Subject Lands, where “secondary dwelling units” are specifically permitted, is the only appropriate solution in this scenario.

- **Policy 2.2.11 d):** The proposed ARU has been designed on a preliminary basis. The owners are desirous of working with NEC and agency staff to ensure the ARU is subordinate in size to the main house.
- **Policy 2.2.11 e):** The proposed ARU will be a newly constructed residential unit. There is no group home or bed and breakfast on the Subject Lands. The purpose of the proposal is to provide a safe, accessible and independent living space that allows the owners to age-in-place while remaining actively involved in the ongoing family farm operation.
- **Policy 2.2.11 f):** The proposed ARU is not intended for home occupation or home industry.

5.4.4 Agriculture

Section 2.8 of the NEP provides the following with respect to Agriculture lands. The objective is to encourage agricultural uses in agricultural areas, especially in prime agricultural areas, to permit uses that are compatible with farming and to encourage accessory uses that directly support continued agricultural uses.

The following applies to the proposed development:

POLICY

2.8 Agriculture

1. *Prime agricultural areas shall be protected for long-term agricultural use.*

ANALYSIS

In response to Policy 2.8.1, prime agricultural areas are to be protected for long-term agriculture use. The proposed location of the ARU is in the western portion of the Subject Lands where the Escarpment’s sedimentary bedrock is exposed at or near the soil surface. In this area, soil depth ranges from nonexistent to a thin layer of approximately four inches. This condition has resulted in poor-quality agricultural lands according to the owners. Given these limitations, the proposed ARU will not displace viable farmland or reduce the overall agricultural productivity of the Subject Lands.

SUMMARY

The proposal is not located in the Escarpment Natural Area and the Escarpment Protection Area, where secondary dwelling units are not permitted. The proposed ARU is situated in the only designation that permits secondary dwelling units (Escarpment Rural Area), while preserving the agricultural and the rural character of the area.

5.5 Halton Region Official Plan (2024 Office Consolidation)

The Halton Region Official Plan (Region’s OP) provides direction for physical development to meet current and future needs, while reflecting collective aims and aspirations for preserving landscape character and the quality of life. It also guides the delivery of regional services and responsibilities under the *Planning Act*, the *Municipal Act*, and other pertinent Provincial legislation.

The following table identifies the regional designations pertaining to the Subject Lands (all maps are included in **Appendix B**):

Table 4 – HROP Schedules and Designations of Subject Lands

	WESTERN PORTION	EASTERN PORTION
Map 1: Regional Structure	Regional Natural Heritage System; Within Niagara Escarpment Plan Boundary	
Map 1A: Provincial Plan Areas & Land Use Designations	Escarpment Rural Area	Escarpment Natural Area; Escarpment Protection Area
Map 1B: Parkway Belt Transportation and Utility Corridors	Steeles Avenue and Bell School Line are identified as a ‘Major Road’	
Map 1E: Agricultural System and Settlement Areas	Prime Agricultural Areas	
Map 1F: Identified Mineral Resource Areas	Identified Mineral Resource Area	No designation.
Map 1G: Key Features within the Greenbelt and Regional Natural Heritage Systems	No designation.	Prime Agricultural Areas in NHS Enhancements/Linkages/Buffers; Key Features;

5.5.1. Housing

Policies 85 and 86 of the Region’s OP provides guidance with respect to housing. The following applies to the proposed development:

POLICY

85. *The objectives for housing are:*

(3) *To coordinate, improve upon, and expedite the development approval process so as to reduce the overall cost of housing.*

86. *It is the policy of the Region to:*

(10.1) *Ensure that the standards or criteria identified in a Local Official Plan or Zoning By-law shall not preclude or prohibit the establishment of*

additional residential units, as provided for in Provincial legislation, policy or plans.

ANALYSIS

The proposed ARU directly supports the housing objective mentioned in Policy 85(3) by making efficient use of the existing agricultural property, without requiring lot creation or costly infrastructure expansion. The proposed single-storey residential unit provides a practical and cost-effective housing solution for the farm owners.

The proposed ARU aligns with the policy direction of 86(10.1), as it is located in the Escarpment Rural Area where “secondary dwelling units” are permitted under the NEP. The proposed development conforms to the NEP policy framework while being compatible with the agricultural operation, the rural character, and natural heritage features of the Subject Lands.

5.5.2. Agriculture

Policies 91 – 101 of the Region’s OP provides guidance with respect to Agricultural System and Agricultural Area, and Policies 139.9 – 139.9.2 provides the following with respect to Prime Agricultural Areas. The following applies to the proposed development:

POLICY

Agricultural System and Agricultural Area

91. The goal of the Agricultural System is to maintain a permanently secure, economically viable agricultural industry and to preserve the open-space character and landscape of Halton’s non-urbanized areas.

93. Parts of the Agricultural System that are Prime Agricultural Areas as shown on Map 1E are subject to the policies of Sections 139.9, 139.9.1 and 139.9.2.

99. The objectives of the Agricultural System are:

- (1) To recognize agriculture as the primary activity and land use in the Agricultural System.*
- (2) To preserve Prime Agricultural Areas, as shown on Map 1E, and prime agricultural lands.*
- (3) To maintain as much as possible lands for existing and future farm use.*
- (4) To protect farms from incompatible activities and land uses which would limit agricultural productivity or efficiency.*

(9) To preserve the farm community as an important part of Halton's rural fabric.

101. It is the policy of the Region to:

(1.3) Require that all development in the Agricultural System be only on the basis of private, individual well water supply and private, individual waste water treatment system that conform to Regional By-laws and standards, and to Provincial legislation, regulations and standards, unless otherwise permitted by the policies of this Plan

(1.6) Recognize and protect lands within the Agricultural System as an important natural resource to the economic viability of agriculture and to this end:

a) Direct non-farm uses to the Urban Area, Hamlets and Rural Clusters unless specifically permitted by policies of this Plan.

(2) Recognize, encourage and protect agriculture as an important industry in Halton and as the primary long-term activity and land use throughout the Agricultural System, and to this end:

g) Preserve the agricultural land base by protecting Prime Agricultural Areas as identified on Map 1E.

Prime Agricultural Areas

139.9 The purpose of the Prime Agricultural Areas, as shown on Map 1E, is to assist in interpreting policies of this Plan and to assist the City of Burlington and the Towns of Milton and Halton Hills in developing detailed implementation policies for their respective Official Plans.

139.9.1 The Prime Agricultural Areas shown on Map 1E include lands in the Agricultural Area and Regional Natural Heritage System designations. Together these lands support and advance the goal to maintain a permanently secure, economically viable agricultural industry and to preserve the open space character and landscape of Halton's nonurbanized area.

139.9.2 It is the policy of the Region to:

(2) Within the Greenbelt Plan Area, prohibit the redesignation of land within Prime Agricultural Areas to permit non-agricultural uses, except where permitted by the Greenbelt Plan.

ANALYSIS

The Subject Lands are designated as Prime Agricultural Areas on Map 1E, per Policy 93 and are subject to the policies of Section 139.9, 139.9.1 and 139.9.2, which are reviewed

here. Policy 139.9 notes that the purpose of the Prime Agricultural Areas is to assist in interpreting the policies of the Region's OP and developing detailed implementation policies in the Town's OP. Policy 139.9.1 and Policy 91 supports and advances the goal to maintain a permanently secure, economically viable agricultural industry and to preserve the open space character and landscape of Halton's nonurbanized area. The proposed ARU provides on-site housing for the farm owners, ensuring their continued involvement in day-to-day farm operations. This strengthens the long-term viability of the farm as a family-operated business. Further, the ARU is proposed to be located on the portion of the Subject Lands where an ARU is permitted, providing a practical and cost-effective housing solution for the farm owners. This in turn supports the economic viability of the agricultural operation. The proposed ARU is designed as a single-storey residential unit and located away from the natural heritage features. The siting and scale of the unit ensures that the proposal contributes to the preservation of the open space character and landscape of the surrounding rural area. Lastly, to address Policy 139.9.2, the application seeks a development permit and does not require a redesignation of lands for the proposed development. The PPS permits ARUs in Prime Agricultural Areas (PPS 4.3.2.5, please refer to Section 5.2.2 of this report for further analysis). A redesignation is not proposed and Policy 139.9.2 is therefore not applicable to the application.

Per Policy 99, the proposed ARU supports the objectives of the Agricultural System by maintaining agriculture as the primary land use while providing housing that enables the farm owners to remain on-site and continue contributing to the operation (Policy 99 (1) and (4)). Although the Subject Lands are designated Prime Agricultural Areas, the ARU is located on an area of shallow soils and exposed bedrock, preserving the majority of farmland for long-term agricultural use (Policy 99 (2), (3) and (4)). The proposed ARU helps sustain the viability of the family farm and does not impact the surrounding farm operations. As per Policy 101(1.3), the proposed ARU will be serviced by a private well (the existing well located northeast to the proposed ARU, as confirmed on the Draft Lot Development Plan and Sewage System Design, prepared by Van Harten Surveying Inc., and dated September 30, 2021) and a private septic system. With respect to Policy 101(1.6), the proposed ARU is not considered a non-farm use but rather a residential use that supports the ongoing agricultural operation by providing housing for the farm owners. The proposal preserves the productive agricultural portions of the Subject Lands while ensuring that the agricultural use remains the primary land use and continuing to secure the long-term economic viability of the Subject Lands

5.5.3. Natural Heritage System

Policies 113 – 132 and Policies 139.3.1 – 139.3.7 of the Region's OP provides the following with respect to Natural Heritage System and Greenbelt Natural Heritage System, respectively. The following applies to the proposed development:

POLICY

Natural Heritage System

113. The Natural Heritage System consists of the Greenbelt Natural Heritage System and the Regional Natural Heritage System.

114.1 The objectives of the Natural Heritage System are:

(1) To maintain the most natural Escarpment features, stream valleys, wetlands and related significant natural areas and associated Cultural Heritage Resources.

(3.1) To support agriculture as a complementary and compatible use outside the Key Features.

(3.2) To recognize and support agriculture as a primary activity within Prime Agricultural Areas, in accordance with Sections 139.9, 139.9.1 and 139.9.2.

(3) To provide a buffer to prominent Escarpment features.

115.4 Included within the Regional Natural Heritage System are:

(1) Escarpment Natural Area and Escarpment Protection Area as identified in the Niagara Escarpment Plan,

117.1 Subject to other policies of this Plan, applicable policies of the Greenbelt Plan and Niagara Escarpment Plan, and applicable Local Official Plan policies and Zoning Bylaws, the following uses may be permitted:

(3) existing uses including existing agricultural operations,

ANALYSIS

In accordance with Map 1A of the Region's OP and Policy 115.4, the eastern portion of the Subject Lands is designated Escarpment Natural Area and Escarpment Protection Area. The Escarpment Natural Area consists of natural features that will continue to be preserved. The Escarpment Protection Area contains the existing farm cluster, including the dwelling, a barn, and operational buildings, while the remaining lands are actively used for agriculture. No development is proposed on this portion of the Subject Lands through this application. Therefore, the eastern portion of the Subject Lands will continue to be maintained or preserved in accordance with the intent of the applicable designations

in the NEP, as discussed in detail in Section 5.4.1 of this report. As such, the existing uses including existing agricultural operations are permitted as per Policy 117.1 (3).

The proposed ARU is located on the western portion of the Subject Lands, ensuring no impact on the features or functions of the natural heritage system.

5.5.4. Mineral Resource Area

Policy 139.10 of the Region OP provides the following with respect to Identified Mineral Resource Area. The following applies to the proposed development:

POLICY

Identified Mineral Resource Areas

139.10 The purpose of the Identified Mineral Resource Areas, as shown on Map 1F, is to assist in the implementation of Sections 112(1) and 112(2), policies designed to protect high potential mineral aggregate resources areas from incompatible land uses.

Protection of Mineral Aggregate Resources

112. It is the policy of the Region to:

(1) Protect high potential mineral aggregate resource areas consisting of primary and secondary sand and gravel resource areas and selected bedrock/shale resource areas, except for those areas considered to be unsuitable for extraction based largely on Section 110(7.1) of this Plan, Provincial policies and Provincial Plans. The resource areas thus identified are generally shown on Map 1F using mapping supplied by the Ministry of Northern Development, Mines and Forestry or the Ministry of Natural Resources. Map 1F is not drawn to scale and the boundaries are only approximate. The identification of these mineral aggregate resource areas on Map 1F does not imply that extraction in these areas conforms to Provincial Plans or policies, nor does it imply support by the Region for any licence application under the Aggregate Resources Act in these areas or for any amendment to this Plan thereof.

ANALYSIS

Map 1F of the Region OP designates the western portion of the Subject Lands as Identified Mineral Resource Area. This portion of the Subject Lands has been in continuous agricultural operation since the 1940's, according to the owner and available historical imagery (see **Appendix E**) and the landowners information.

The agricultural use remains the primary function of the lands, and the proposed ARU is intended to provide additional housing solution to the farm owners and therefore does not represent an incompatible use. Given the presence of residential uses surrounding the Subject Lands and the Kelso Area 8 Conservation Area, there are limited uses that would create land use compatibility issues for aggregate use.

5.5.5. Human Services

Policies 150 - 164 of the Region OP provides the following with respect to human services. The following applies to the proposed development:

POLICY

Goals and General Policies

150. *The goals of the Region are:*

(1) To achieve a sustainable state of health for all on the basis of a clean environment, economic prosperity, social equity, public safety and provision of opportunities for individuals to develop their maximum potential.

(2) To develop and maintain healthy communities by fostering physical, social and economic conditions that will enhance the state of well-being and the quality of life for the residents of Halton.

Public Safety

156. *It is the policy of the Region to:*

(1) Require all proponents of development to have regard for the Healthy Communities Guidelines in considering and providing physical design features that promote safety and security.

ANALYSIS

The proposed ARU will provide safe and independent living accommodations for the owners, allowing them to age-in-place while maintaining the agricultural operation as the primary function of the Subject Lands. The proposal facilitates intergenerational living, strengthening the social and economic resilience of the household, and supporting the intent of the Region's goal described in Policies 150 (1) and (2).

In accordance with Policy 156(1), the Healthy Communities Guidelines provides the following guidelines that are relevant for the proposed development.

- providing access to services and amenities for vulnerable population groups including children, the elderly, persons with disabilities and low income individuals
- preserving and enhancing the natural heritage system;
- providing access to a range of open spaces, parks and recreational facilities, pathways and trails;
- providing access to health care;
- designing new buildings, communities, and neighbourhoods to reduce water, waste, and energy use;

The ARU is intended to accommodate elderly members, enabling age-in-place opportunities and providing stable housing. The owners have been long-term residents

of this part of Milton and can continue to access local services, amenities, health care and recreational facilities they are familiar with. Further, the ARU will be serviced by private well and septic systems, ensuring responsible water use and wastewater management. The location of the proposed ARU avoids intrusion into and helps preserve the Escarpment Natural Area lands and its functions.

Additionally, the ARU is designed as a single-storey residential unit with safe vehicular access from Bell School Line and clear visibility to and from the main residence and farm buildings, improving natural surveillance. Private well and septic services will ensure safe water supply and wastewater management, consistent with health and safety requirements. Furthermore, the orientation of the building, dedicated amenity space, and adequate separation from agricultural operations will contribute to both the safety and comfort of the residents.

SUMMARY

Based on the analysis undertaken for this PJR, the proposed development conforms with the Halton Region Official Plan.

5.6 Milton Official Plan

The Town's OP provides policy direction for the future development of the Town. Efficient use of land and sensitive planning practices are policies found in the Town's OP due to the limited urban land supply.

The following table identifies the Town's OP designations pertaining to the Subject Lands:

Table 5 – Town Official Plan Schedules & Designations of Subject Lands

SCHEDULE	SUBJECT LAND DESIGNATION
Schedule 1 and Schedule A	Natural Heritage System (eastern portion); Agricultural System (western portion); Within Greenbelt Plan Protected Countryside Boundary; Within Niagara Escarpment Plan Boundary
Schedule 1A	Within Niagara Escarpment Plan Boundary; Escarpment Protection Area and Escarpment Natural Area (eastern portion); Escarpment Rural Area (western portion)
Schedule E	Steeles Avenue is a Local Road
Schedule M	Agricultural Areas in NHS Enhancement / Linkages / Buffers (eastern portion of the Subject Lands).
Schedule O	Prime Agricultural Areas
Schedule P	Identified Mineral Resource Area (western portion of the Subject Lands).

5.6.1. Policies for the Natural Heritage System

Policy 2.2.3.6 and Sections 4.8, 4.9 and 4.10 of the Town's OP provides the following with respect to natural heritage system. The following applies to the proposed development:

POLICY

THE NATURAL HERITAGE SYSTEM

2.2.3.6 The focus of the Natural Heritage System for the Town of Milton is to protect and enhance natural features and areas and their ecological functions, including those set out in Section 4.8.1.3 of this Plan.

4.8 NATURAL HERITAGE SYSTEM

4.8.1.3 The Key Features within the Regional and Greenbelt Natural Heritage Systems, as identified in Sections 4.9.1.3 and 4.10.1.2, are shown on Schedule "M" to assist in the implementation of the policies of this Plan. There may exist other Key Features within the Regional and Greenbelt Natural Heritage Systems that are not shown on Schedule "M" or that may exist in other land use designations. The Town shall ensure that these Key Features are protected through appropriate Area-Specific Plans or studies related to development and/or site alteration applications in accordance with Section 4.9.3.

4.9 REGIONAL NATURAL HERITAGE SYSTEM

4.9.1 CRITERIA FOR DESIGNATION

4.9.1.2 Included within the Regional Natural Heritage System are:

a) Escarpment Natural Area and Escarpment Protection Area as identified in the Niagara Escarpment Plan;

c) Parts of the Agricultural System, being those areas of the Regional Natural Heritage System outside the Key Features or where the only Key Feature is a significant earth science area of natural and scientific interest, where agricultural operations are promoted and supported as compatible and complementary uses in the protection of the Natural Heritage System in accordance with policies of the Agricultural System.

4.9.1.3 The Regional Natural Heritage System is a systems approach to protecting and enhancing natural features and functions and is scientifically structured on the basis of the following components:

m) Key Features, which include:

i) significant habitat of endangered and threatened species,

- ii) significant wetlands,*
- iii) significant coastal wetlands,*
- iv) significant woodlands,*
- v) significant valleylands,*
- vi) significant wildlife habitat,*
- vii) significant areas of natural scientific interest,*
- viii) fish habitat,*

4.9.2 PERMITTED USES

4.9.2.1 Subject to other policies of this Plan, applicable policies of the Greenbelt Plan, the Niagara Escarpment Plan, and the Regional Plan and the appropriate Conservation Authority regulations, the following uses may be permitted;

e) Dwellings accessory to an agricultural operation, except within the Escarpment Natural Area and which must be mobile or portable if located elsewhere within the Niagara Escarpment Plan Area;

4.9.3 REGIONAL NATURAL HERITAGE SYSTEM POLICIES

4.9.3.2 The proponent of any development or site alteration that meets the criteria set out in Section 4.9.3.3 is required to carry out an Environmental Impact Assessment (EIA), unless:

- a) it is a use conforming to this Plan and permitted by the zoning by-law;*
- b) it is a use requiring only an amendment to the Zoning By-law and is exempt from this requirement by specific policies of this Plan; or*
- c) exempt or modified by specific policies of the Regional Plan; or*
- d) the proponent can demonstrate to the satisfaction of the Town and Region that the proposal is minor in scale and/or nature and does not warrant an EIA.*

4.9.3.3 The criteria for the requirement of an EIA for proposed developments and site alterations are as follows:

c) For any other development or site alteration, including public works, that is located wholly or partially inside or within 120 m of the Regional Natural Heritage System.

4.10 GREENBELT NATURAL HERITAGE SYSTEM

4.10.1.4 Development within the Greenbelt Natural Heritage System is subject to policies of the Greenbelt Plan as they apply to its Natural Heritage System and to detailed implementation policies of this Plan in accordance with Section 5.3 of the Greenbelt Plan.

4.10.1.6 In accordance with the policies of the Greenbelt Plan and the policies of this Plan, the Town shall:

e) Where proposed development or site alteration, including public works, is located wholly or partially within the Greenbelt Natural Heritage System or within 120m of a Key Feature, or, in the case of development or site alteration related to agricultural uses, agricultural-related uses, and on-farm diversified uses within 30m of a Key Feature, require the proponent to carry out an Environmental Impact Assessment (EIA). ...

ANALYSIS

As illustrated on Schedule 1, Schedule A and Schedule 1A of the Town's OP, the eastern portion of the Subject Lands is designated Escarpment Natural Area and Escarpment Protection Area. The Escarpment Natural Area is recognized as potentially containing natural heritage features. The entirety of the Subject Lands is also situated within the NEP boundary. In addition, Schedule M identifies key Greenbelt and Natural Heritage System (NHS) features, with the eastern portion designated as "Agricultural Areas in NHS Enhancement / Linkages / Buffers".

No development is proposed within this portion of the Subject Lands through this application. Accordingly, the eastern portion of the Subject Lands will continue to be maintained or preserved in accordance with the intent of the applicable designations in the NEP, as discussed in detail in Section 5.4.1 of this report. The existing dwelling, which is located within the Escarpment Protection Area, remains a permitted use as per Policy 4.9.2 e).

The proposed ARU is located away from this area, on the western portion of the Subject Lands, ensuring no impact on the features or functions of the natural heritage system. Policy 4.10.1.6 e) requires a development within 120 metres of a Key Feature to carry out an Environmental Impact Assessment (EIA). An EIA is not required as the proposed ARU is entirely out of 120 metres from the natural heritage system, as shown on **Figure 1** of this report.

5.6.2 Policies for the Agricultural System and Prime Agricultural Areas

Policy 2.4.3.5 and Section 4 of the Town's OP provides the following with respect to agricultural areas. The following applies to the proposed development:

POLICY

ENCOURAGEMENT OF THE AGRICULTURAL INDUSTRY

2.4.3.5 *The Town recognizes the key role of agriculture in its economy and will:*

a) implement land use policies that protect the most productive lands from non-agricultural uses;

4.4 AGRICULTURAL SYSTEM, AGRICULTURAL AREA & PRIME AGRICULTURAL AREAS

4.4.1.1 *The purpose of the Agricultural System is:*

e) To protect farms from incompatible activities and land uses which would limit agricultural productivity or efficiency;

4.4.2 PERMITTED USES

Dwelling(s) accessory to an agricultural operation which must be mobile or portable if located in the Niagara Escarpment Plan Area, in accordance with the policies of subsection 4.1.1.11 of this Plan;

4.4.3.4 *Subject to the policies of this Plan, the Town of Milton shall recognize, encourage, protect and support Halton's farmers and agricultural operations and to this end:*

i) Encourage the establishment and/or continuation of the following within the Town;

i) Without creating a new lot, one second dwelling within the existing farm building cluster of an active farm for accommodating full-time farm help in accordance with Section 4.1.1.11 of this Plan.

4.1.1.11 *Where permitted in the Rural System Land Use designations, Bed and Breakfast Establishments shall:*

a) be subject to the regulations of the Property Standards By-law and the Zoning By-law;

b) demonstrate compliance with the Ontario Building Code;

c) have frontage on and access to a regional or arterial road;

d) be in accordance with Provincial plan regulations including the policies of the Niagara Escarpment Plan, Greenbelt Plan and Parkway Belt West Plan, where applicable;

e) be subject to the Town's Sign By-law, or the Development Criteria of the Niagara Escarpment Plan, where applicable;

f) provide one parking space per guest room; and,

g) where meals are provided, no food or drink shall be offered or kept for sale to anyone who is not a guest of the Bed and Breakfast or Farm Vacation Home.

4.4.3.5 Require that all development in the Agricultural System be only on the basis of private, individual well water supply and private, individual waste water treatment system that conform to Local and Regional By-laws and standards, and to Provincial legislation, regulations and standards, unless specifically exempted by amendment to this Plan.

ANALYSIS

Schedule O of the Town's OP designates the Subject Lands as Prime Agricultural Areas. In accordance with Policy 2.4.3.5 a), the proposed ARU is located on the western portion of the Subject Lands where the Escarpment's sedimentary bedrock is exposed at or near the soil surface. This condition has resulted in poor-quality agricultural soil, ensuring no displacement of viable farmland due to the proposed location of the ARU. To address Policy 4.4.1.1 e), the proposed ARU does not introduce an incompatible use, as the owners will reside in the ARU and remain actively involved in the farm operation as a family business. There are existing residential uses on Bell School Line in the vicinity of the proposed ARU.

Section 4.4.2 states that dwelling(s) accessory to an agricultural operation must be mobile or portable if located in the Niagara Escarpment Plan Area. According to Policy 2.8.5 of the NEP, dwelling units accessory to agricultural uses are intended to be temporary, which is permitted by way of a mobile or portable dwelling unit. As analyzed in Section 5.4.2 of this report, the proposed ARU is not envisioned as "temporary", rather a permanent residential unit, that is secondary in nature to the existing principal dwelling. Notably, neither the NEP nor the Town's OP policies are consistent with the PPS, which permits ARUs in Prime Agricultural Areas, without requiring them to be temporary in nature.

Policy 4.4.3.4 of the Town's OP speaks to the Town's objective of recognizing, encouraging, protecting, and supporting Halton's farmers and agricultural operations. Specifically, Policy 4.4.3.4(i) permits one "second dwelling" to accommodate full-time farm help. The current application is proposing a "secondary dwelling unit" and not a "second dwelling". The distinction in terminology is significant in Ontario planning practice, a "secondary dwelling unit" is defined as a smaller residential unit that is subordinate to the principal dwelling, whereas a "second dwelling" refers to a separate, full single dwelling unit. Policy 4.4.3.4 also refers to the farm cluster of buildings. In this instance the farm cluster is designated Escarpment Natural Area and the issues with this policy have been discussed previously in this report.

Lastly, in accordance with Policy 4.4.3.5, the proposed ARU will be serviced by a private well and septic system. The location of the well and the proposed private septic system are shown on the Draft Lot Development Plan and Sewage System Design, prepared by Van Harten Surveying Inc., and dated September 30, 2021.

5.6.4 Other Applicable Policies

Policies 4.9.3.13 of the Town's OP provides the following with respect to zoning. The following applies to the proposed development:

POLICY

ZONING

4.9.3.13 Lands located within the Regional Natural Heritage System will be zoned Regional Natural Heritage System in the implementing Zoning By-law except within the Niagara Escarpment Plan Area, where zoning does not apply. New construction and the expansion or replacement of existing non-conforming uses within hazard lands, and significant habitat of endangered or threatened species shall be prohibited except where specifically exempted by the Town and the Region, in consultation with the appropriate Conservation Authority, the Ministry of Natural Resources and the Ministry of Municipal Affairs and Housing. Special Policy Areas including any policy or boundary changes thereto, must be approved by the Minister of Municipal Affairs and Housing prior to municipal adoption.

ANALYSIS

The Subject Lands are identified within the Niagara Escarpment Commission (NEC) Development Control Area of the Town's Rural Zoning By-law (144-2003). This means that the Subject Lands are subject to development control administered by the NEC pursuant to the *Niagara Escarpment Planning & Development Act*. As such, the Town's Zoning By-law is not applicable for the Subject Lands.

SUMMARY

The western portion of the Subject Lands is designated Escarpment Rural Area, and the proposed ARU is permitted in this designation in the NEP. The proposal will create a practical and cost-effective living space that allows the owners to age-in-place while supporting the continued operation of the family farm. The proposed ARU will be fully serviced by a private well and septic system, in keeping with rural servicing standards. The application seeks a development permit and does not require a redesignation of lands for the proposed development. The proposed development is compatible with the agricultural operation, the rural character, and natural heritage features of the Subject Lands and surrounding area.

Based on the analysis undertaken in this section, the proposed ARU conforms with the Town of Milton's Official Plan.

6.0 Summary and Conclusion

It is our opinion that the proposed application should be approved because it represents good land use planning, is in the public interest and should be supported.

The Niagara Escarpment Plan permits the secondary dwelling unit in the Escarpment Rural Area, where the ARU is proposed to be located. The existing farm dwelling is in the area designated Escarpment Protection Area, which does not permit a secondary dwelling unit.

The PPS (2024) transition policies were addressed in the PPS Section of this PJR. The Implementation and Interpretation policies are germane to this PJR and the approval of this ARU. The transition provisions are clear that where Official Plans differ from the PPS (2024), decisions must be consistent with the PPS (2024). To the extent that the Halton Region and Town of Milton Official Plans cite the Niagara Escarpment Plan, these plans must be viewed as not being consistent with the PPS (2024) and therefore the decision by the Commission needs to be made to be consistent with the PPS (2024) and specifically the policies for ARUs in prime agricultural areas.

With regard to the NEP, the Implementation and Interpretation policies provide similar direction related to decisions being consistent with the PPS (2024) and specifically states "... before other applicable planning instruments have been updated ...". This is the exact circumstance relative to this application. The NEP has not been updated to be consistent with the PPS (2024) and the policies related to ARUs in prime agricultural areas. More specifically, the PPS (2024) permits a detached ARU while the NEP does not. Nor has the NEP been updated to reflect the definition in the *Planning Act* of a dwelling unit, which specifically includes a kitchen. Commission staff have advised during the discussion on this application that a secondary dwelling unit would not include a kitchen. Similar to the discussion regarding the PPS (2024), the NEP is not consistent with the *Planning Act* on this particular point. The *Planning Act* must be addressed and is also another planning instrument.

Given the clear direction in the PPS (2024), the conclusion is that the PPS (2024) must be followed and the decision to approve the ARU must be consistent with the PPS (2024). In our opinion, the proposed ARU should be approved, for the following reasons:

1. The proposed development has regard for matters of Provincial interest in accordance with the relevant regulations of Section 1 and Section 2 of the *Planning Act*.
2. The proposal is consistent with the Provincial Planning Statement (2024). Although the PPS requires ARUs to be located within, attached, or in close proximity to the principal dwelling or farm building cluster, the NEP policies prohibit secondary dwelling units in the Escarpment Protection Area, where the farm cluster is located. This policy restriction is the reason the proposed ARU cannot be integrated into

the existing farm cluster. All criteria for the proposed ARU in the prime agricultural area have been achieved.

3. The proposal conforms to the Niagara Escarpment Plan by locating the ARU within the Escarpment Rural Area, the only designation that permits “secondary dwelling units”. NEP policies prohibit a “secondary dwelling unit” within the Escarpment Protection Area, where the existing dwelling is located. As such, placing the ARU in the Escarpment Rural Area is the only appropriate and permitted option.
4. The NEP permits only temporary dwellings in prime agricultural areas, whereas the proposed ARU is permanent and secondary to the existing principal dwelling. The NEP policies are not consistent with the PPS, which permits ARUs in prime agricultural areas without requiring them to be temporary in nature or attached to the principal dwelling. The proposal implements the policies of the Halton Region Official Plan, and the Town of Milton Official Plan for the part of the Subject Lands, where the proposed development is located, is within the Escarpment Rural Area, which permits an Additional Residential Unit.
5. The proposed development will provide housing for the farm owners, who remain actively engaged in the family farm operation and supports the ongoing farming of these lands.
6. The proposal is located outside and away from the Escarpment Natural Area and the Escarpment Protection Area, ensuring no impacts to natural heritage features.
7. The proposed development located on that portion of the Subject Lands where shallow bedrock results in poor-quality soils.
8. The proposal will be serviced by private services, specifically a private well and a private septic system.

Report prepared by:



Rhea Davis, MPlan
Intermediate Planner & Urban Designer
NPG Planning Solutions Inc.

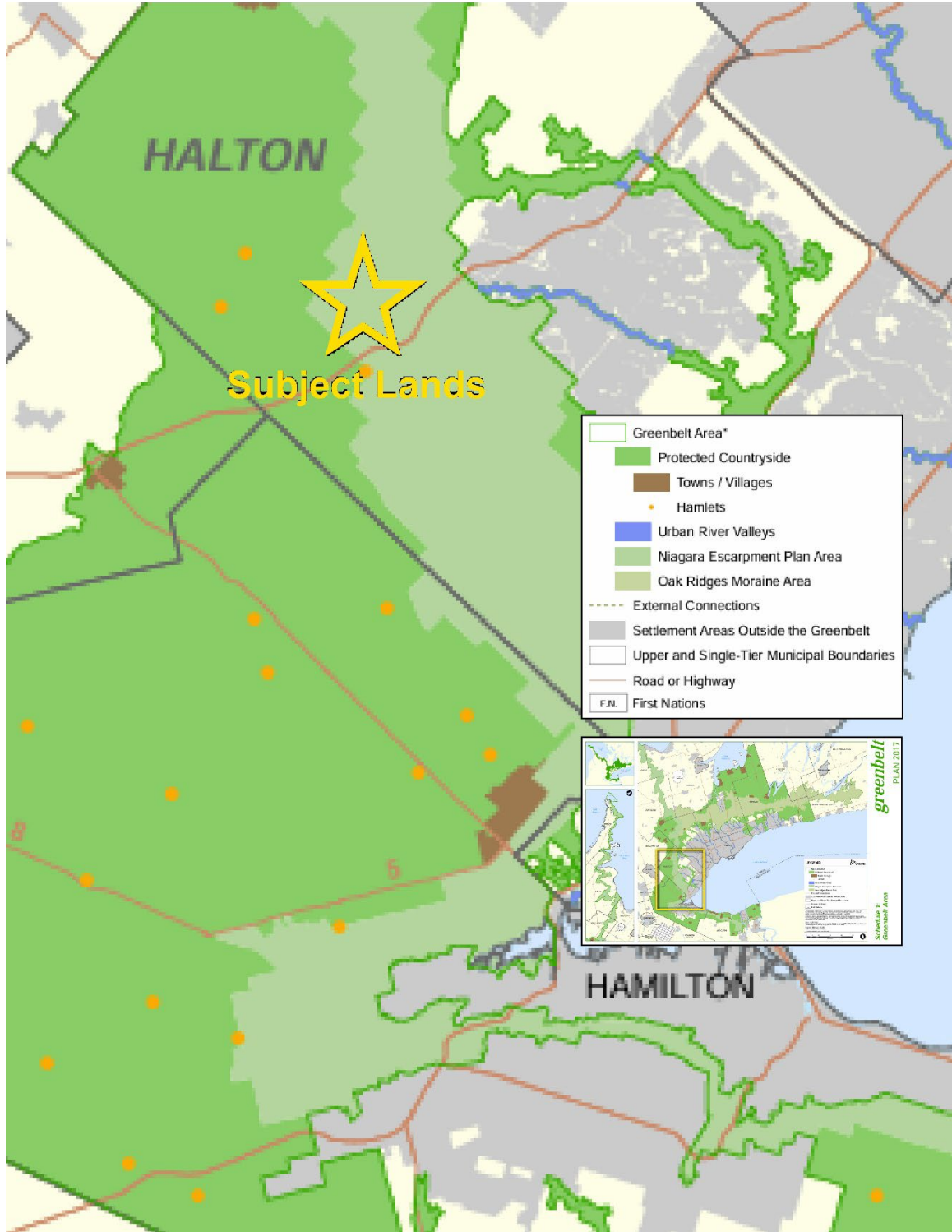
Report reviewed and approved by:



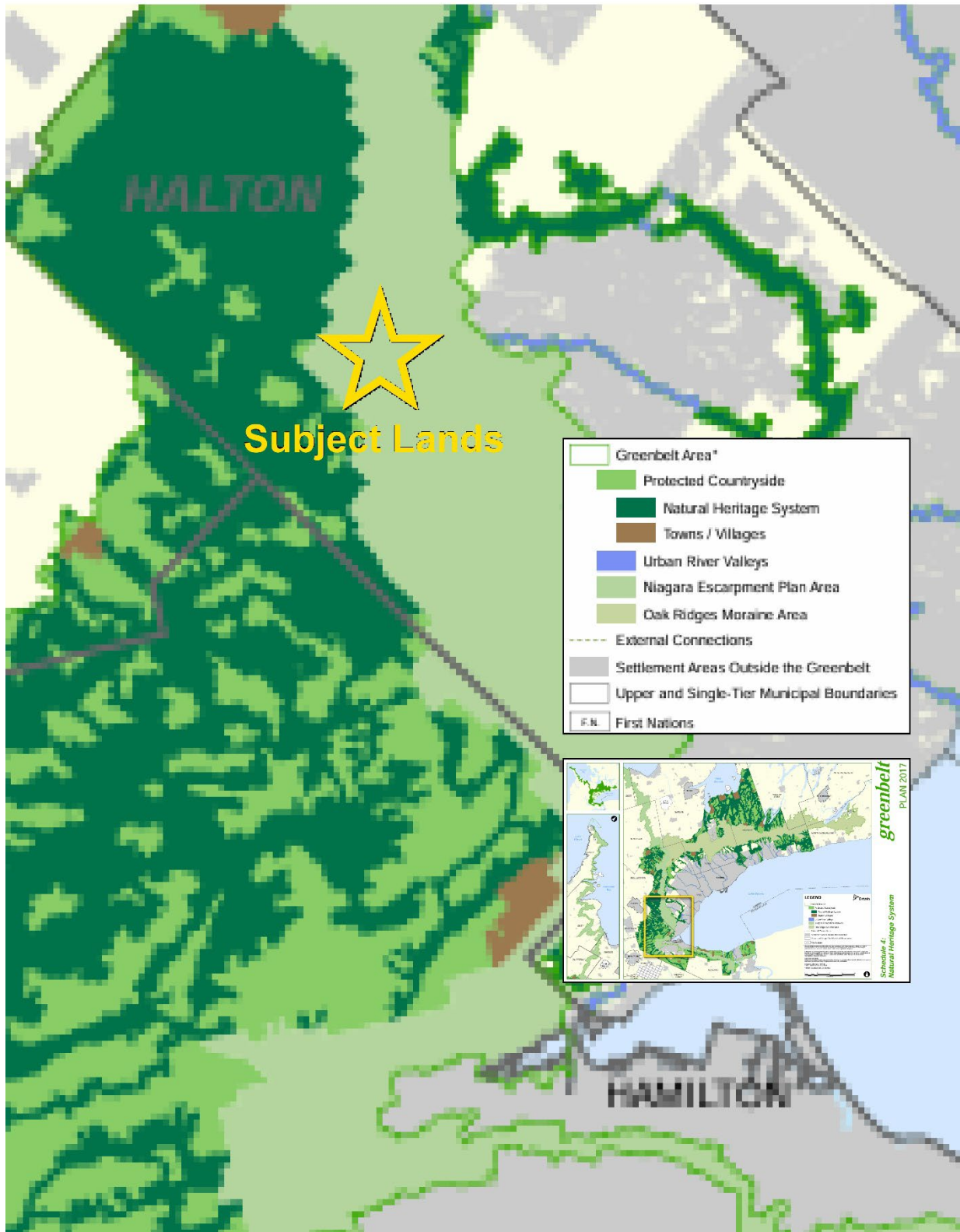
Mary Lou Tanner, FCIP RPP
Senior Partner
NPG Planning Solutions Inc.

7.0 Appendices

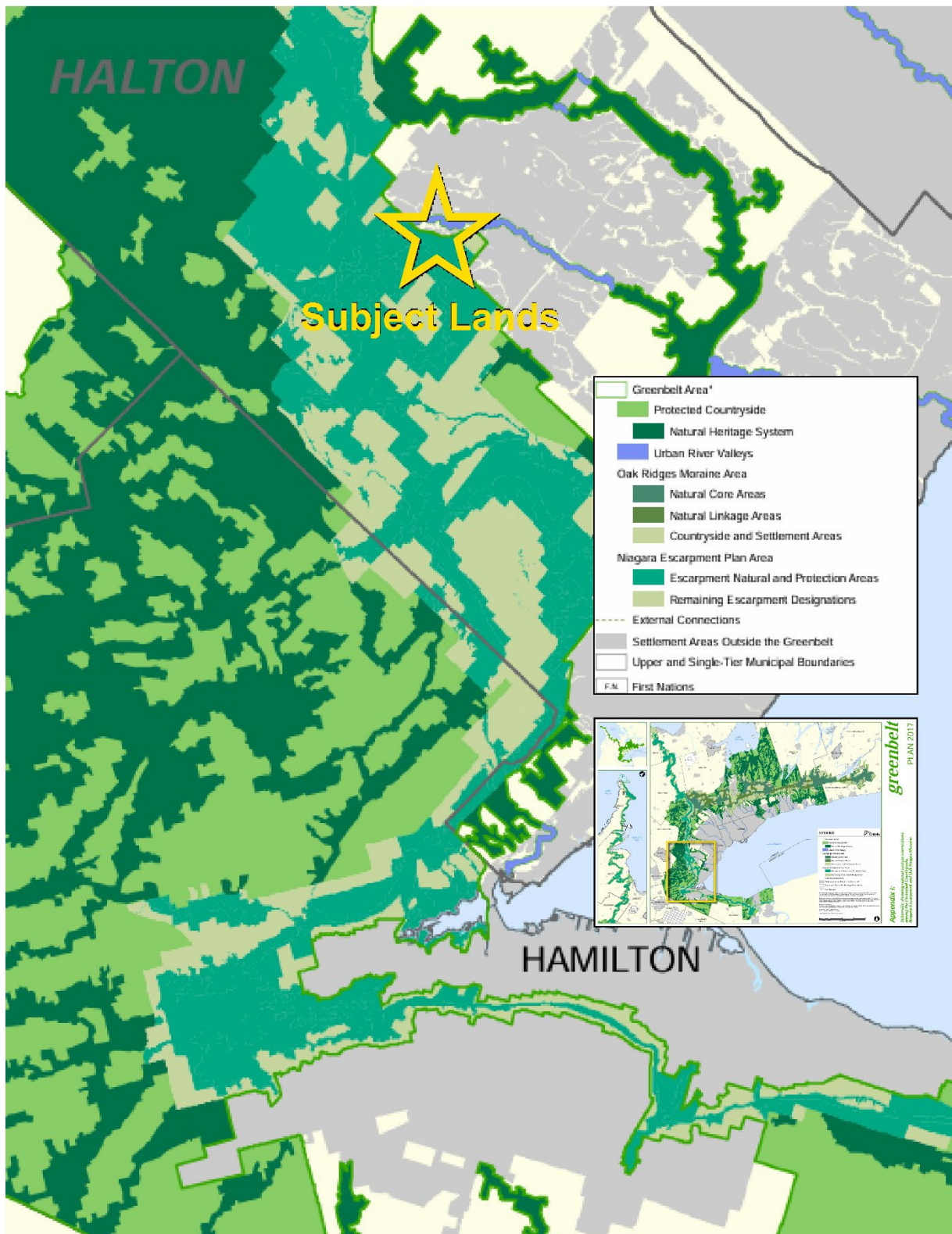
Appendix A - Provincial Schedules



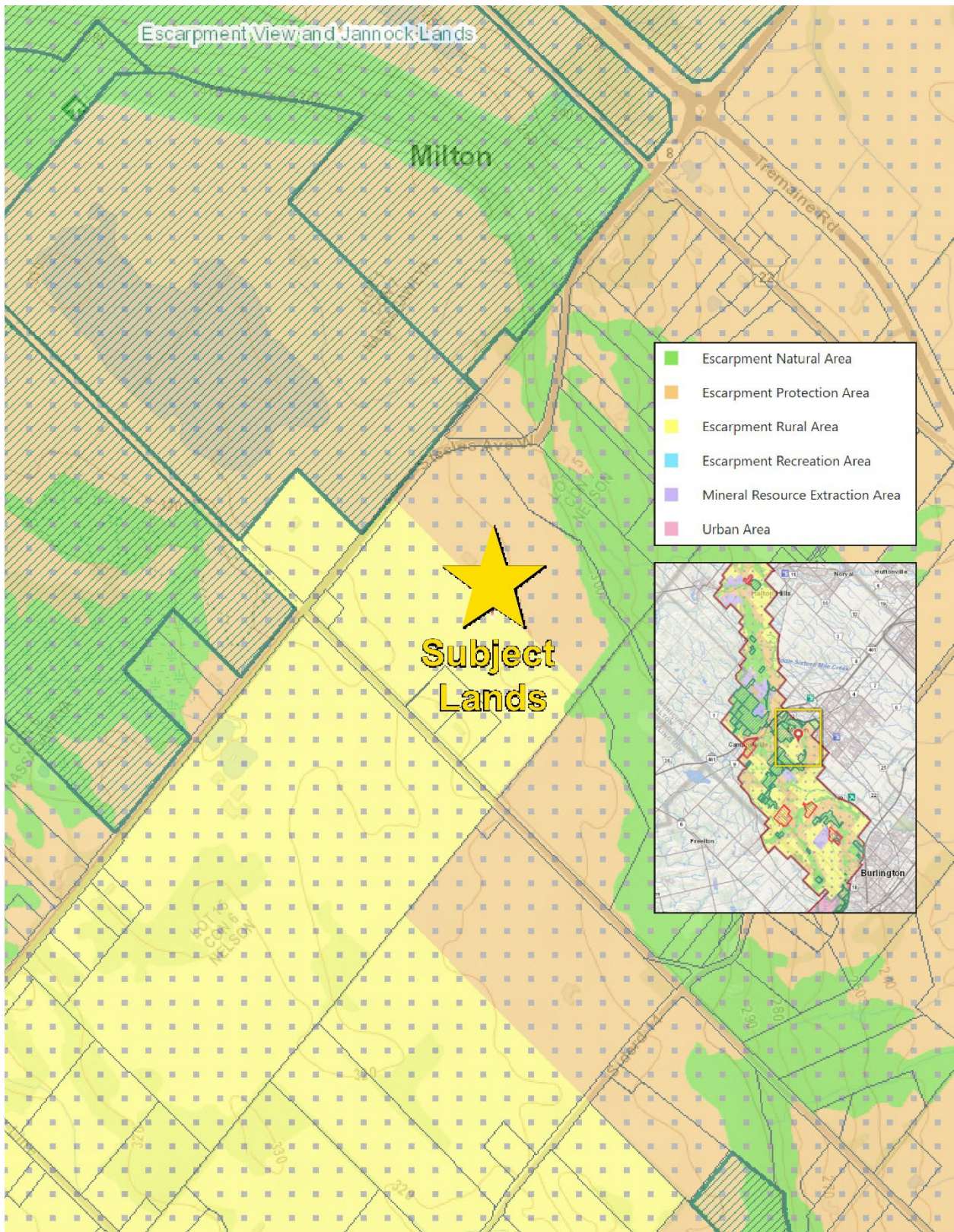
Greenbelt Plan Schedule 1 – Greenbelt Area



Greenbelt Plan Schedule 4 – Natural Heritage System

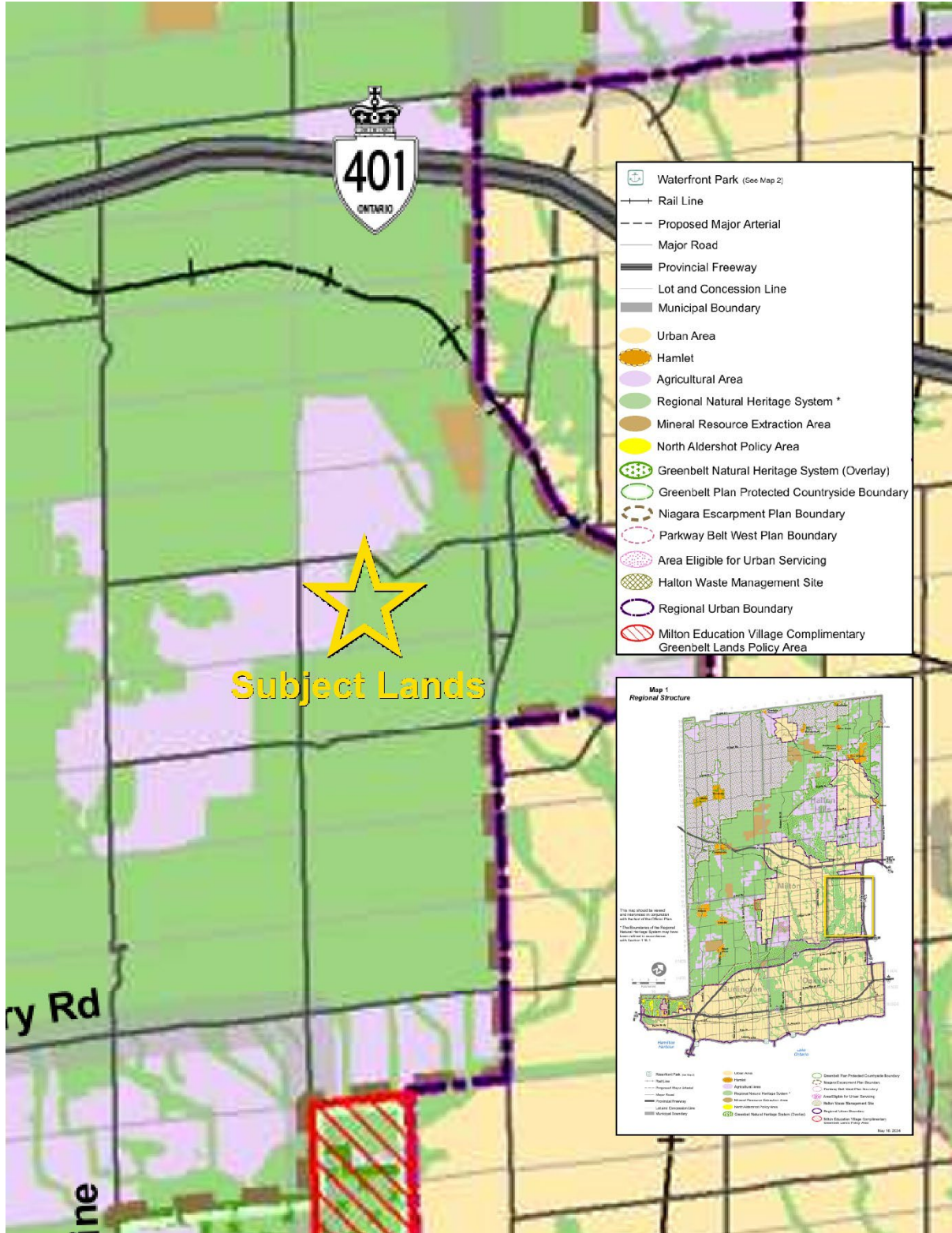


Greenbelt Plan Appendix 1 – Schematic showing natural system connections among the Protected Countryside, Niagara Escarpment and Oak Ridges Moraine

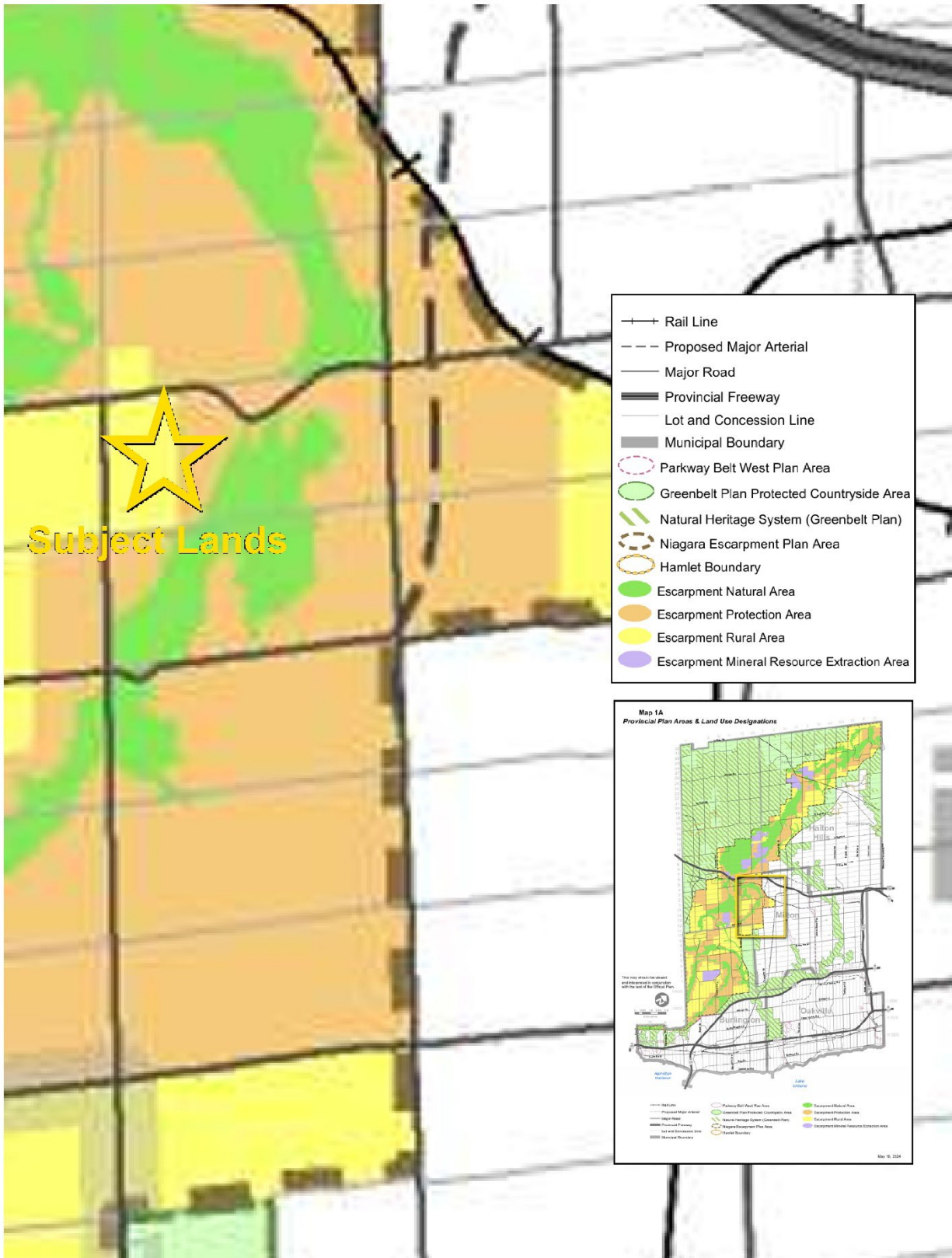


Niagara Escarpment Plan – Map 3

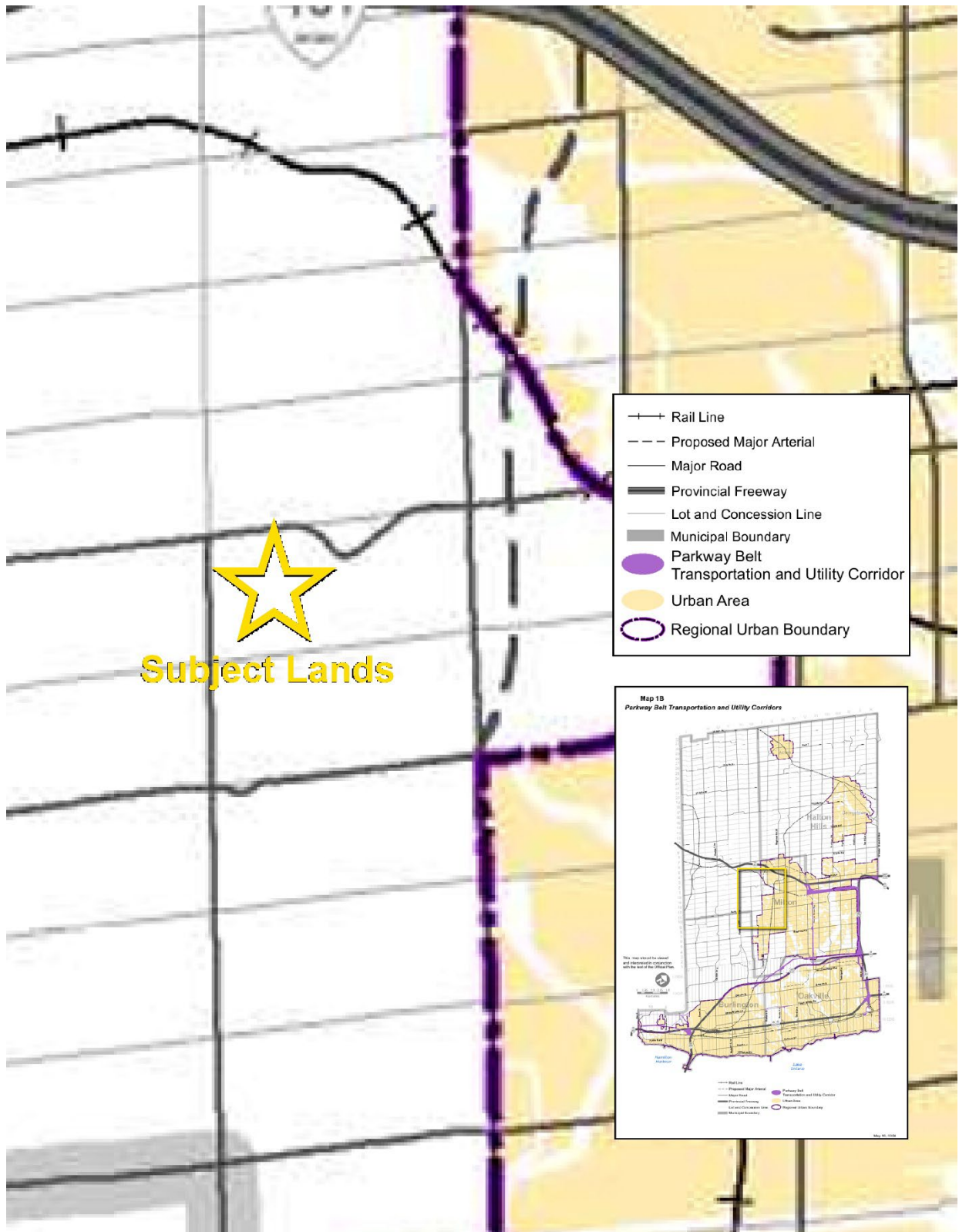
Appendix B - Region Schedules



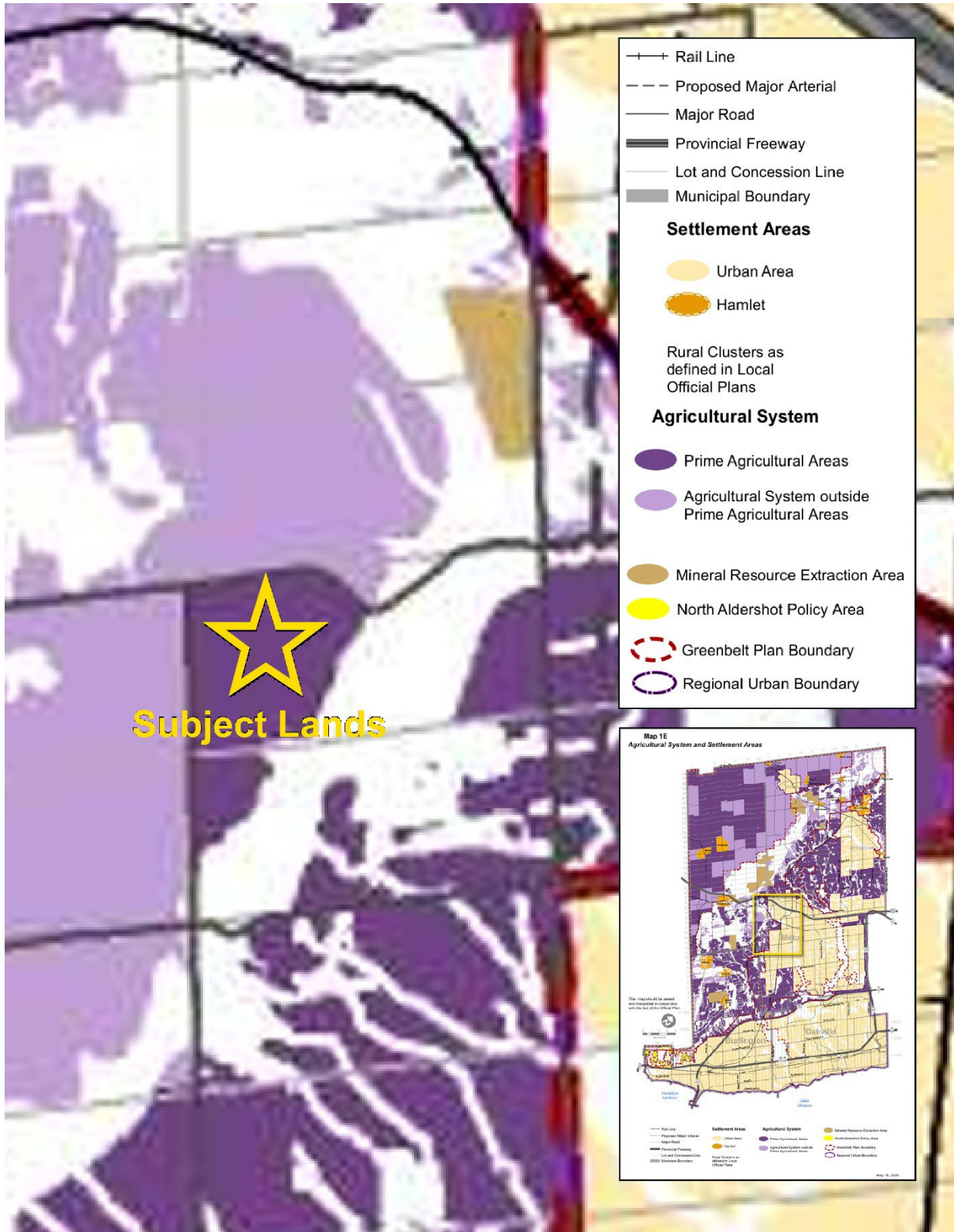
HROP Schedule – Map 1



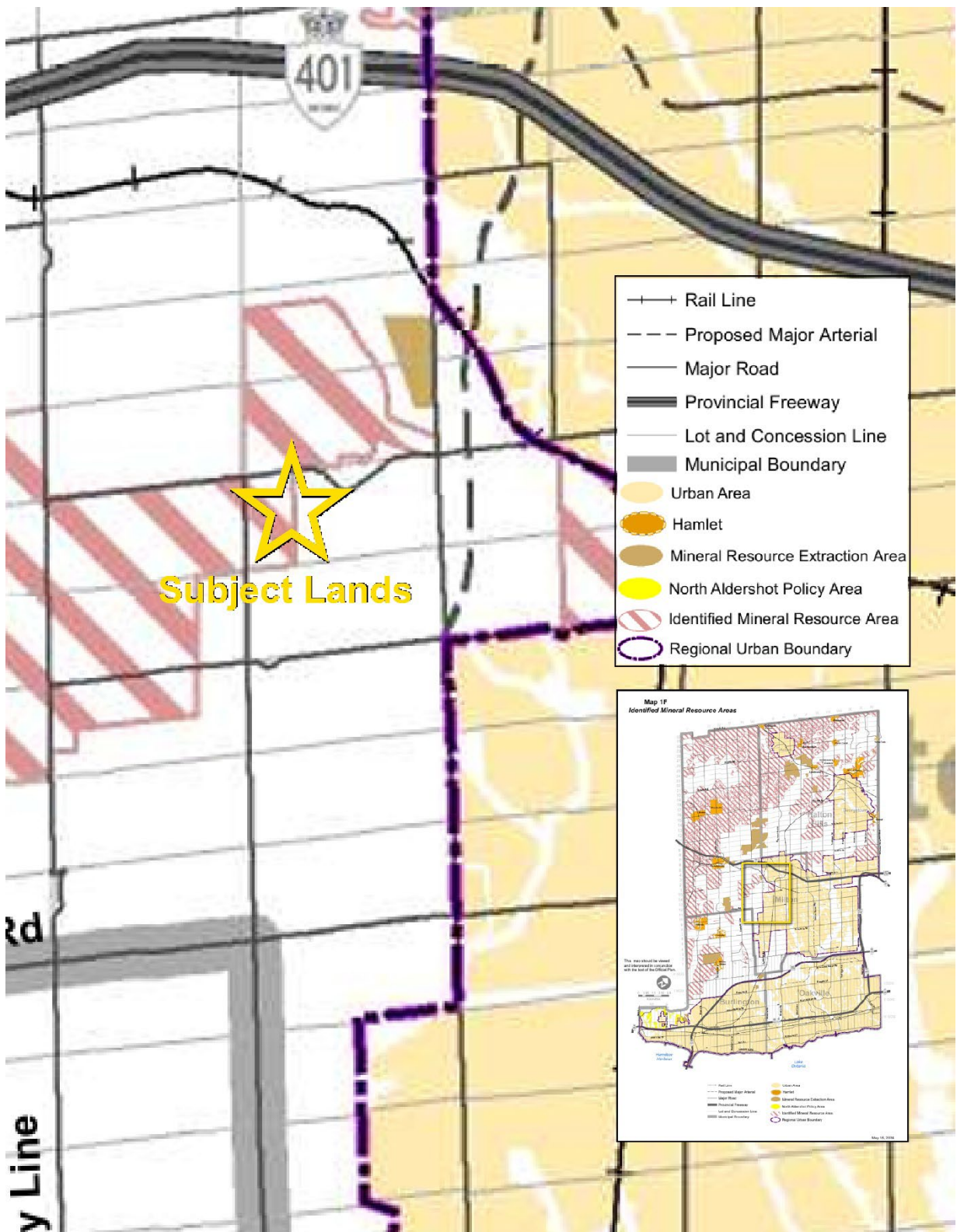
HROP Schedule – Map 1A



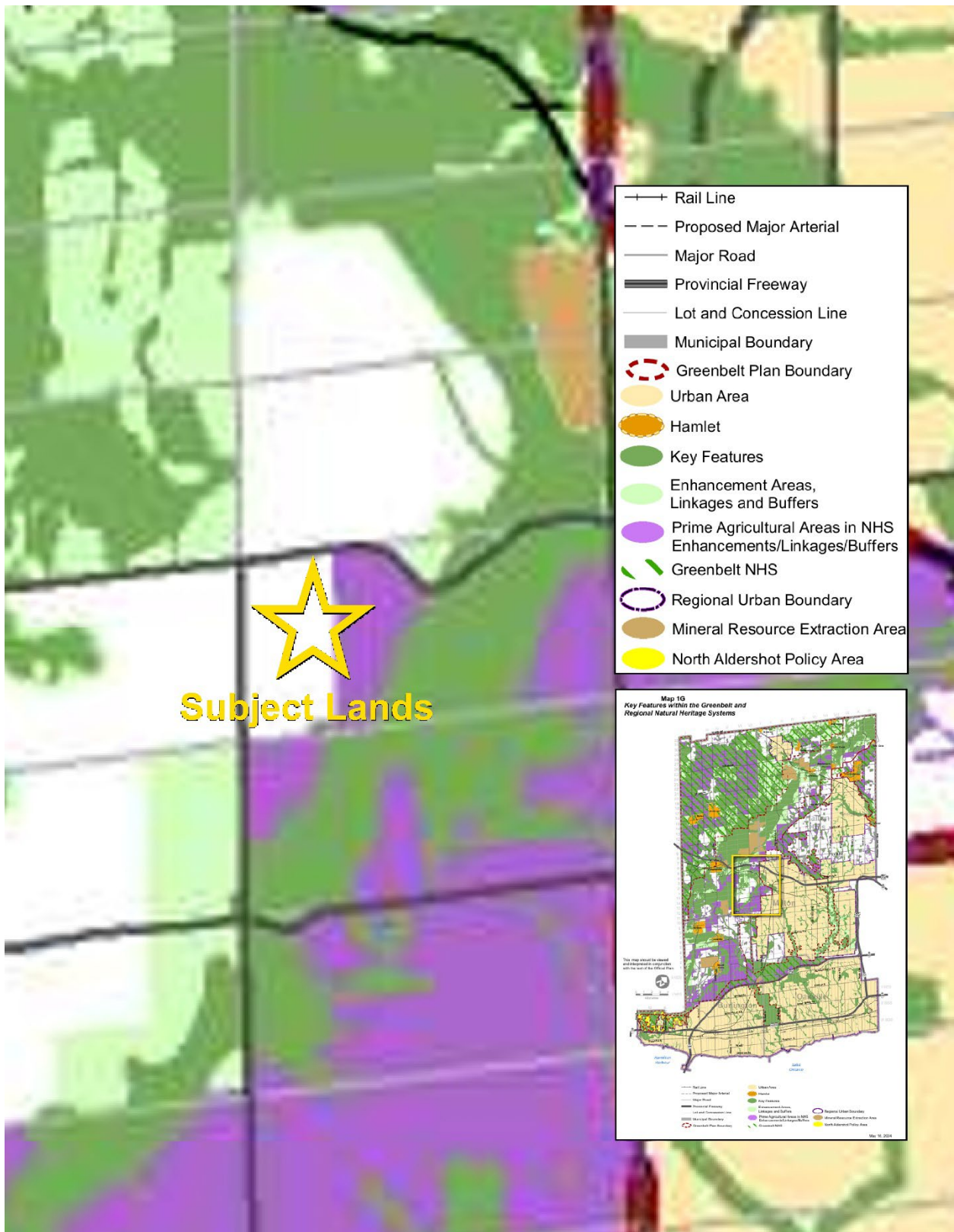
HR0P Schedule – Map 1B



HROP Schedule – Map 1E



HROP Schedule – Map 1F



HROP Schedule – Map 1G

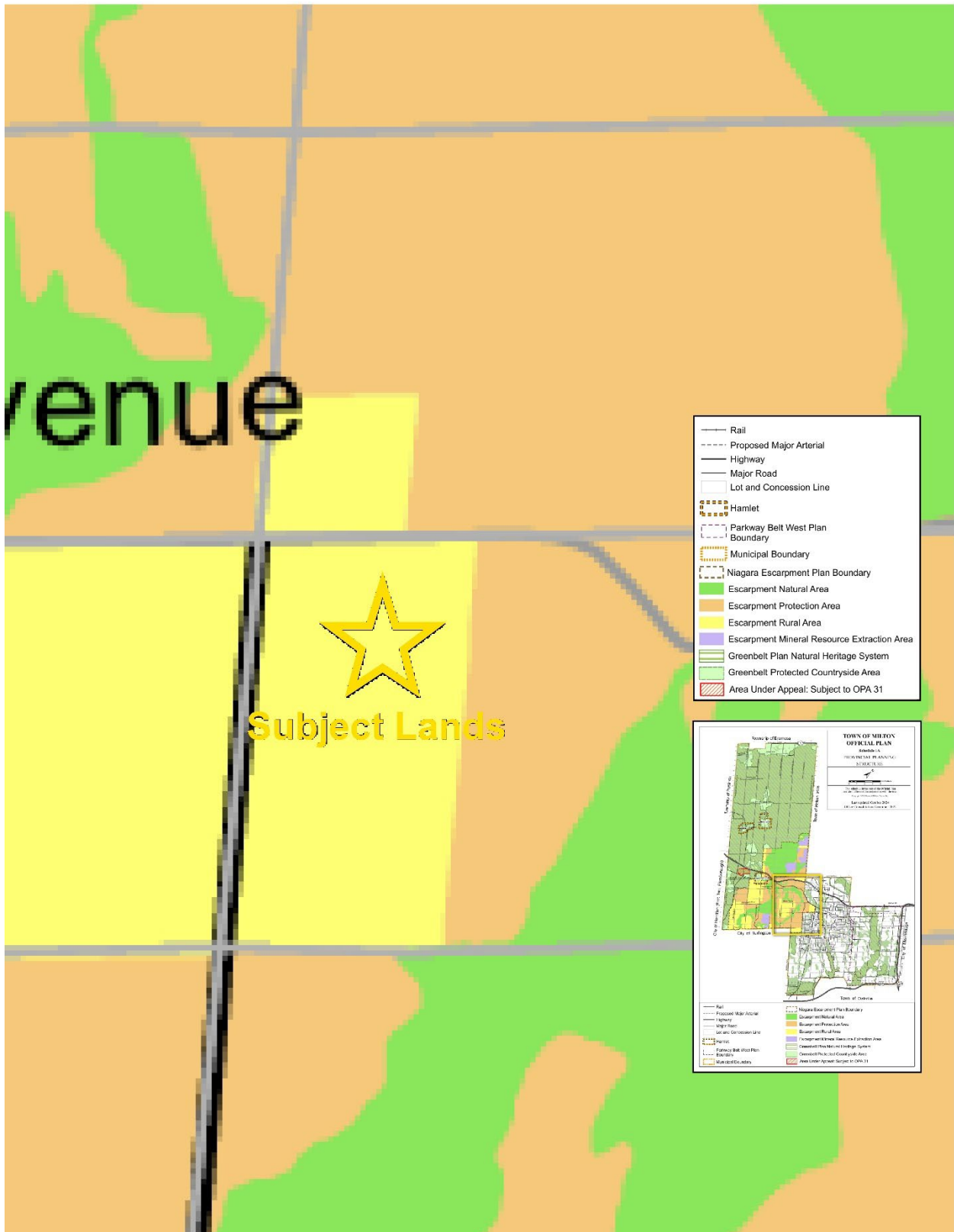
Appendix C - Town Schedules



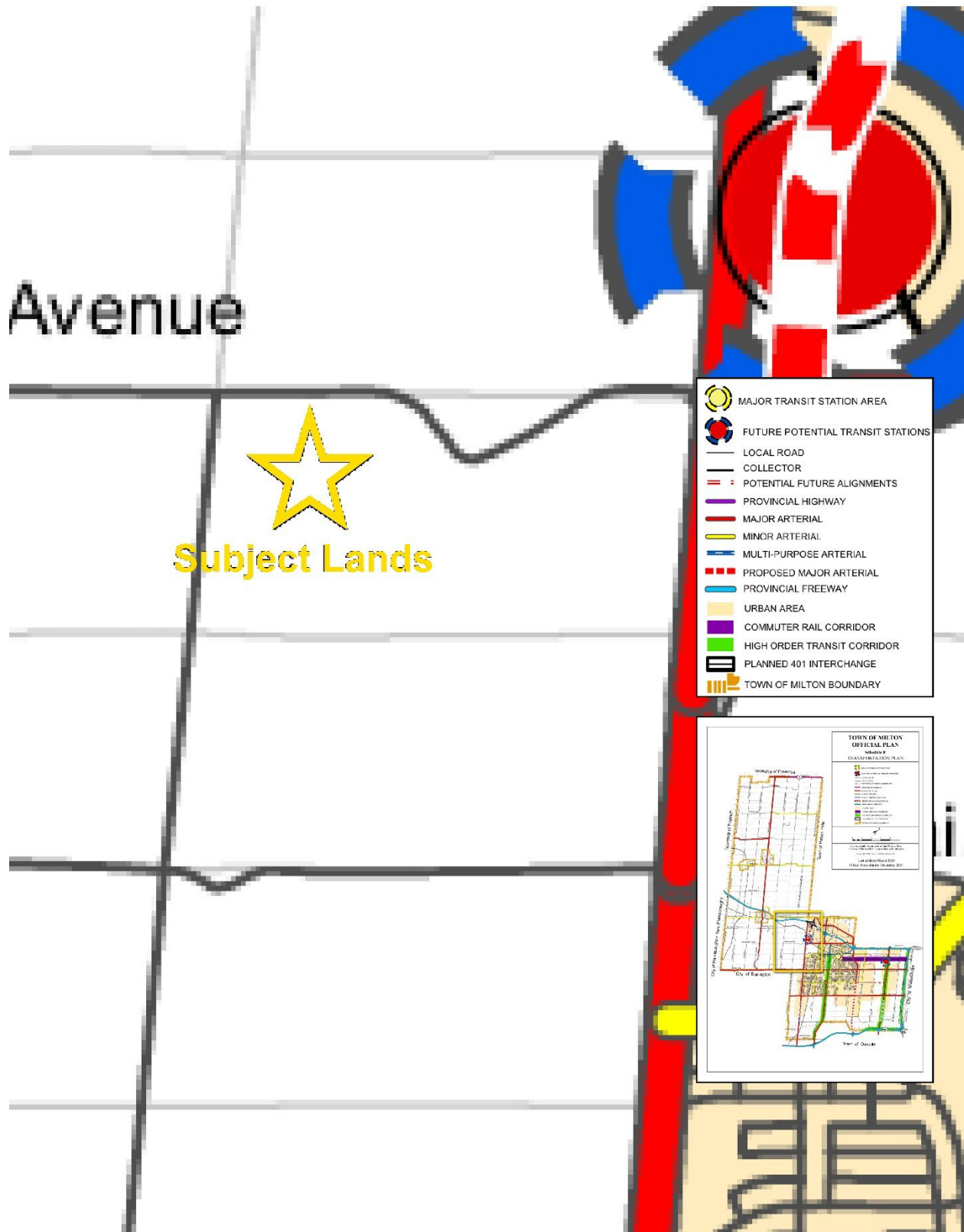
Town of Milton Official Plan - Schedule A



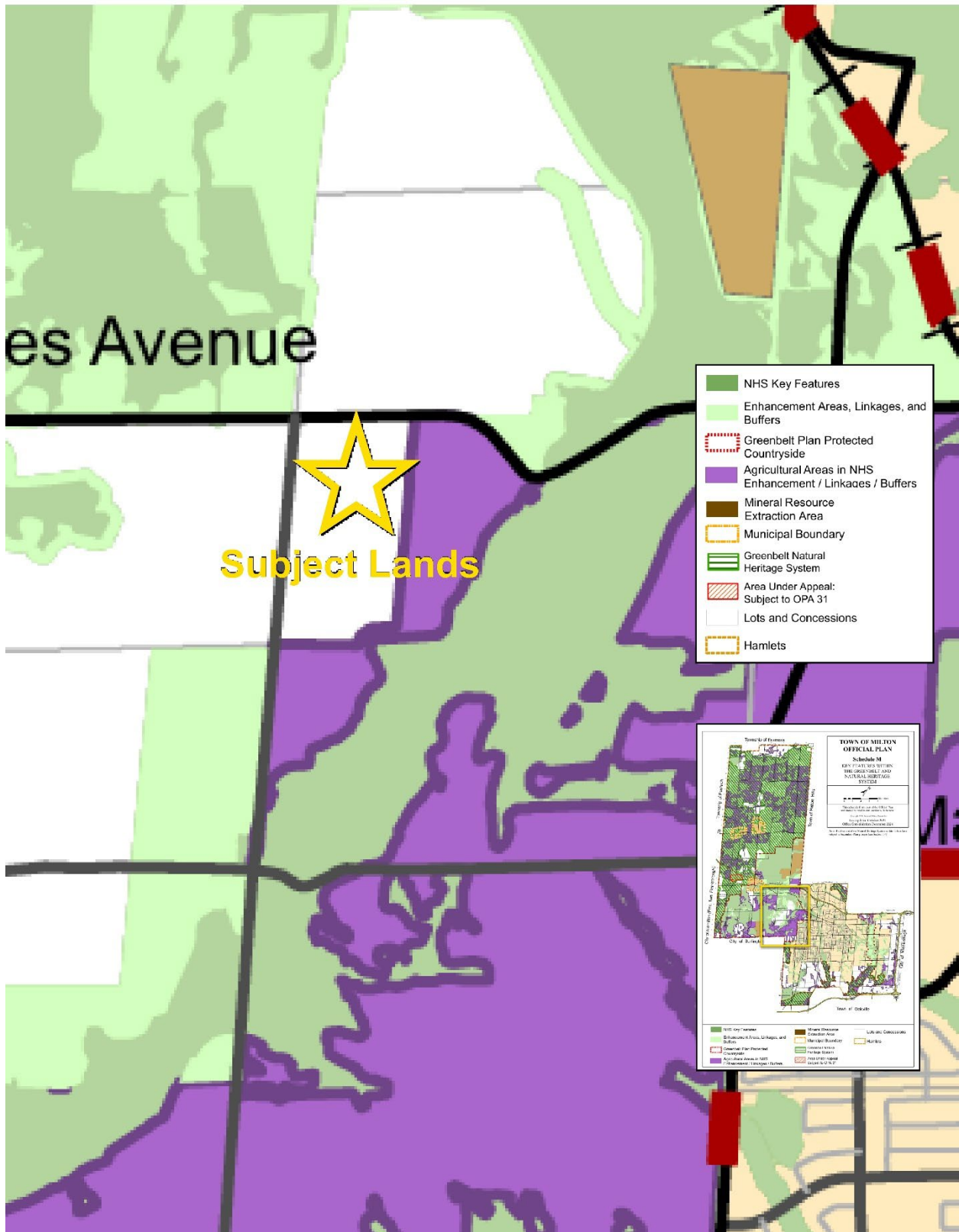
Town of Milton Official Plan - Schedule 1



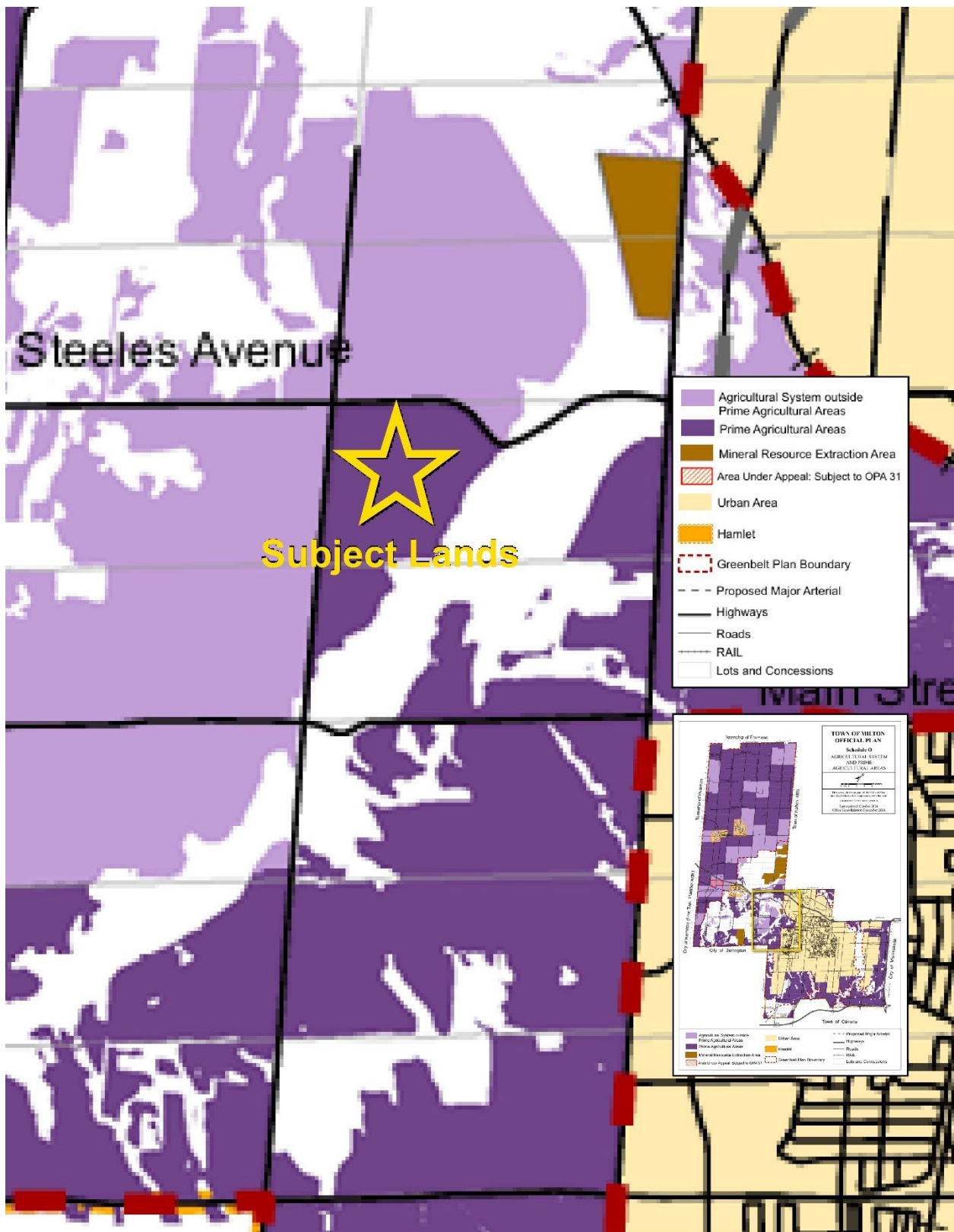
Town of Milton Official Plan - Schedule 1A



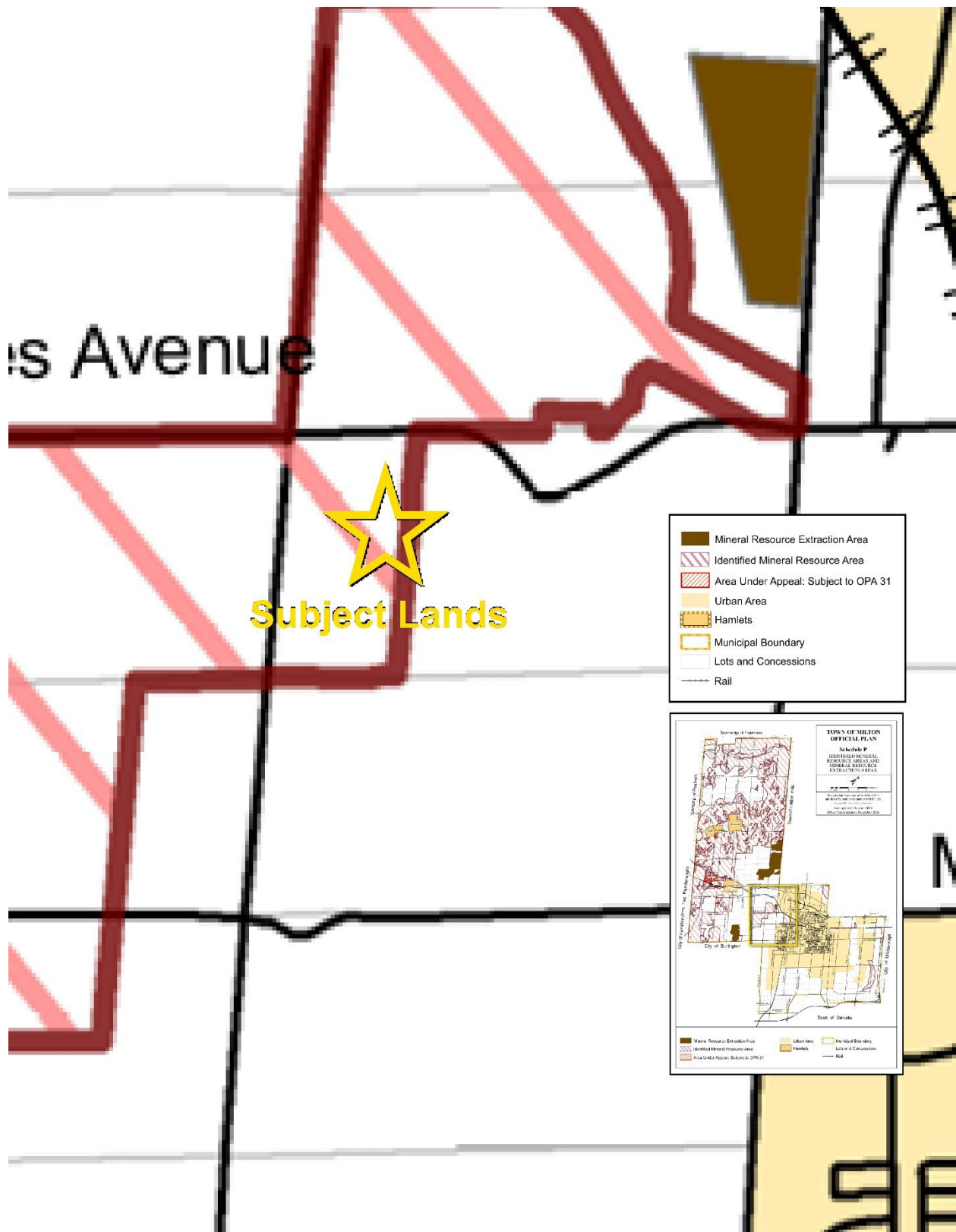
Town of Milton Official Plan - Schedule E



Town of Milton Official Plan - Schedule M

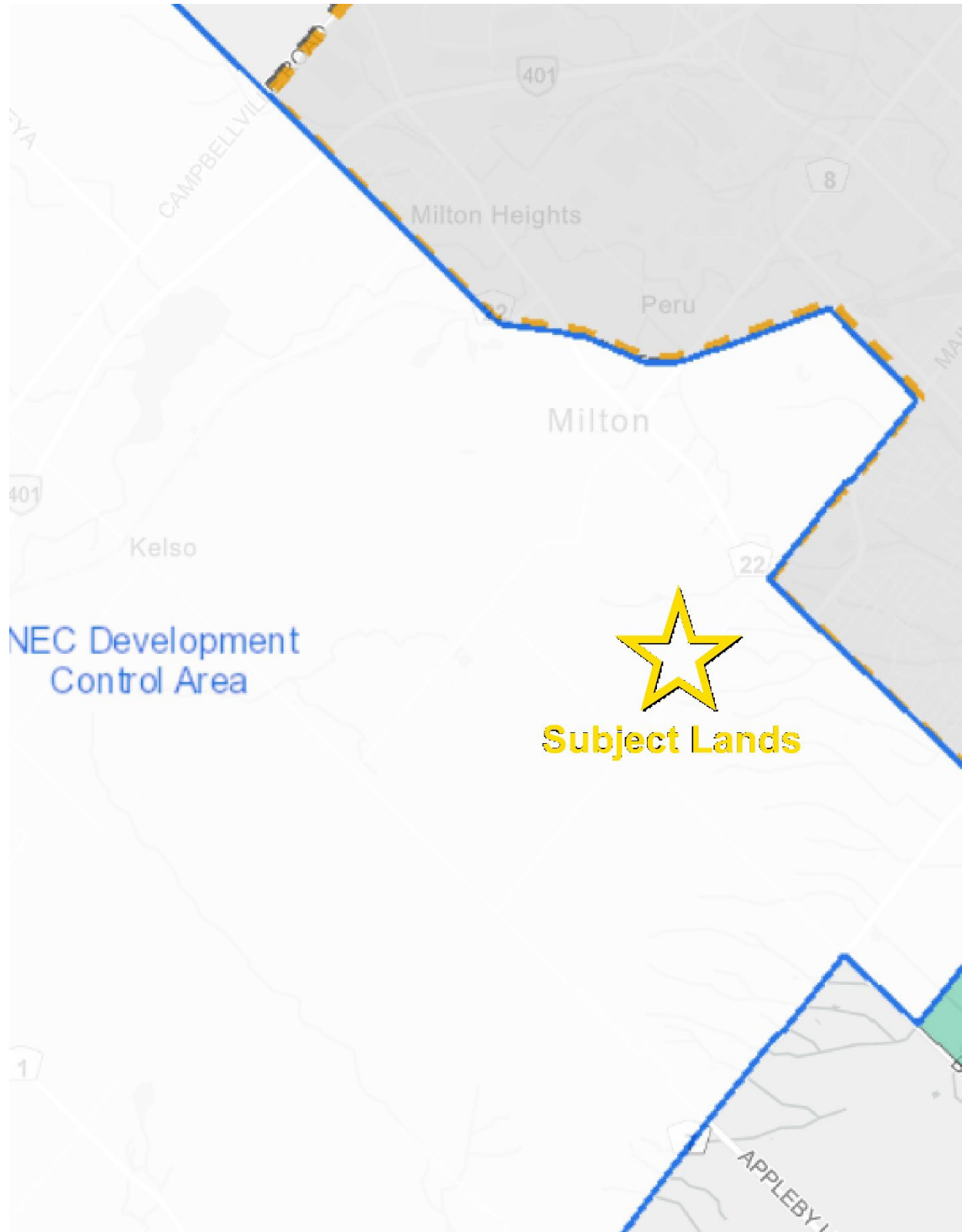


Town of Milton Official Plan - Schedule O



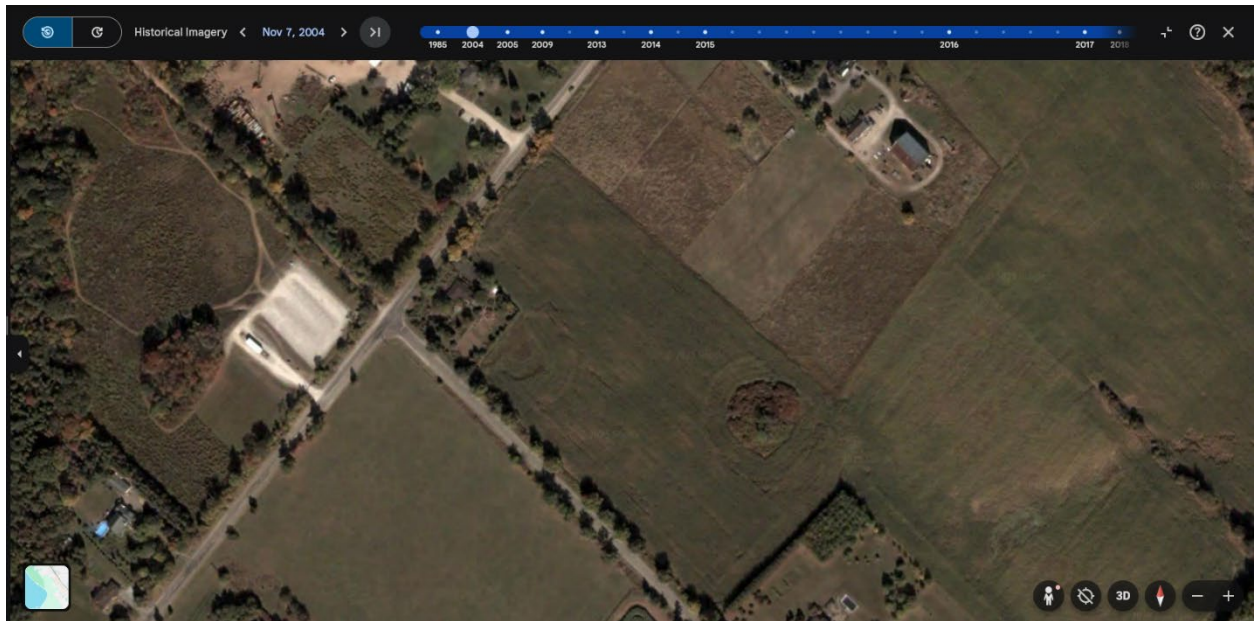
Town of Milton Official Plan - Schedule P

Appendix D - Town of Milton Zoning By-law Schedule

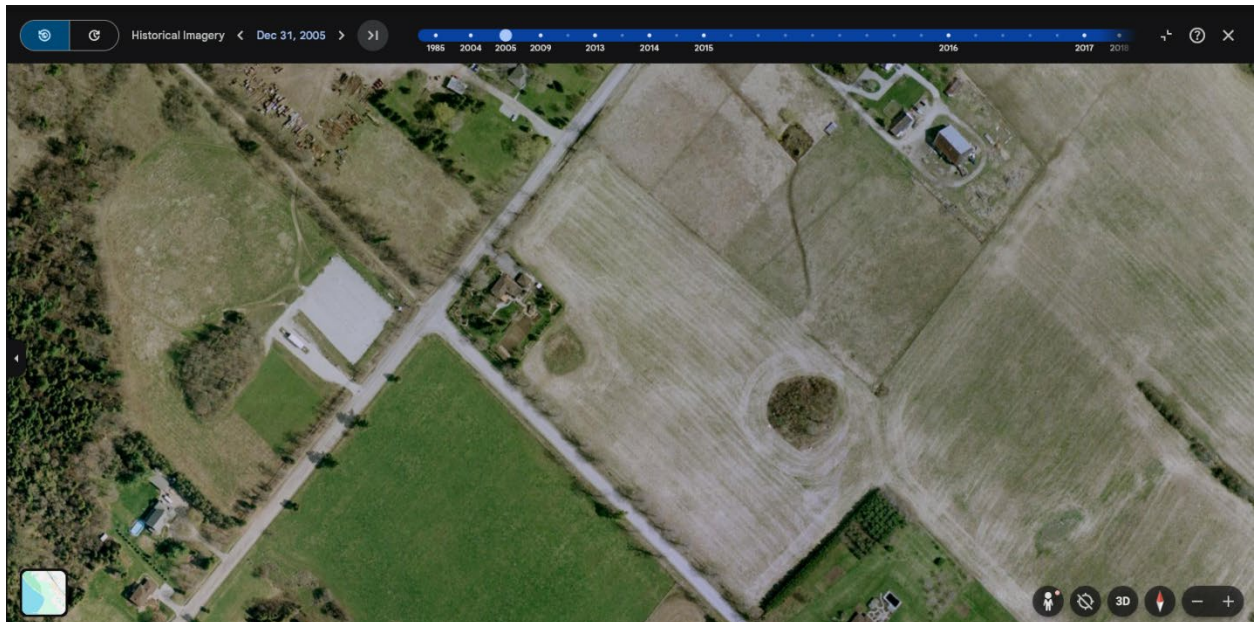


Appendix E - Historical Aerial Imagery (Source: Google Earth)

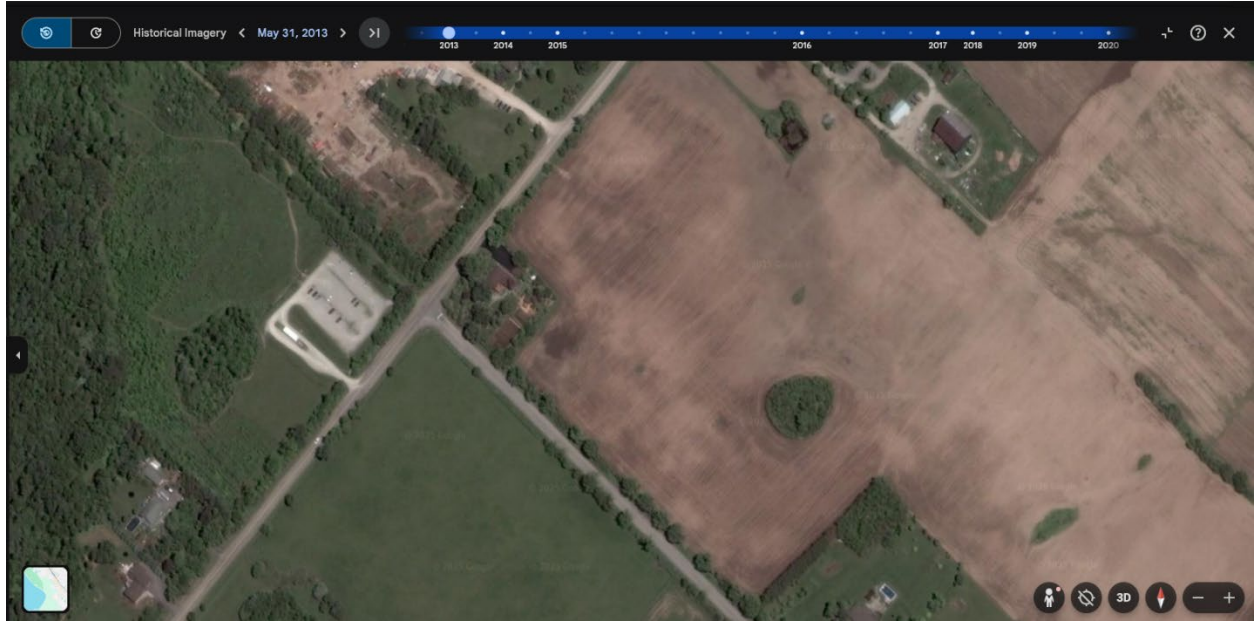
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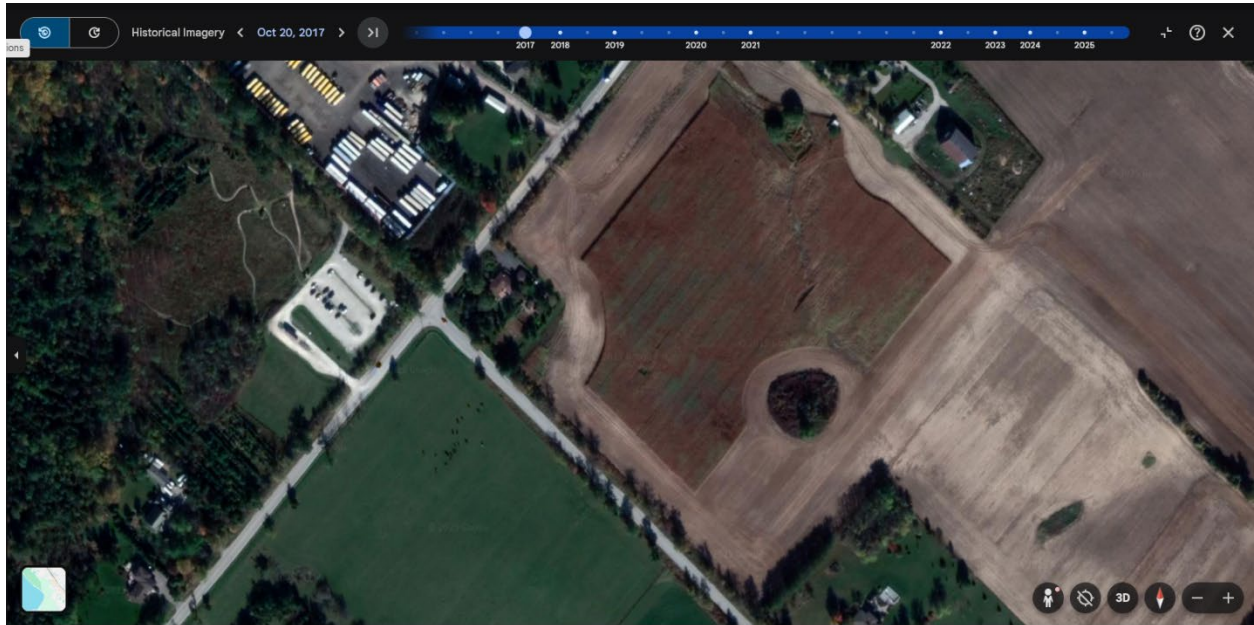
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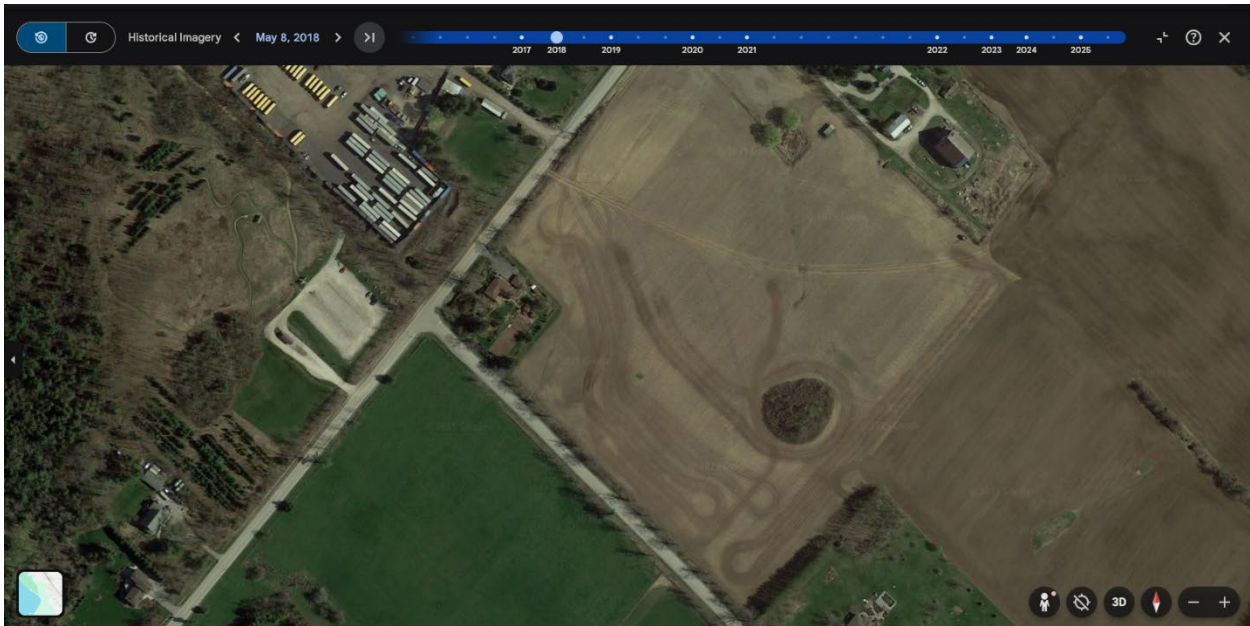
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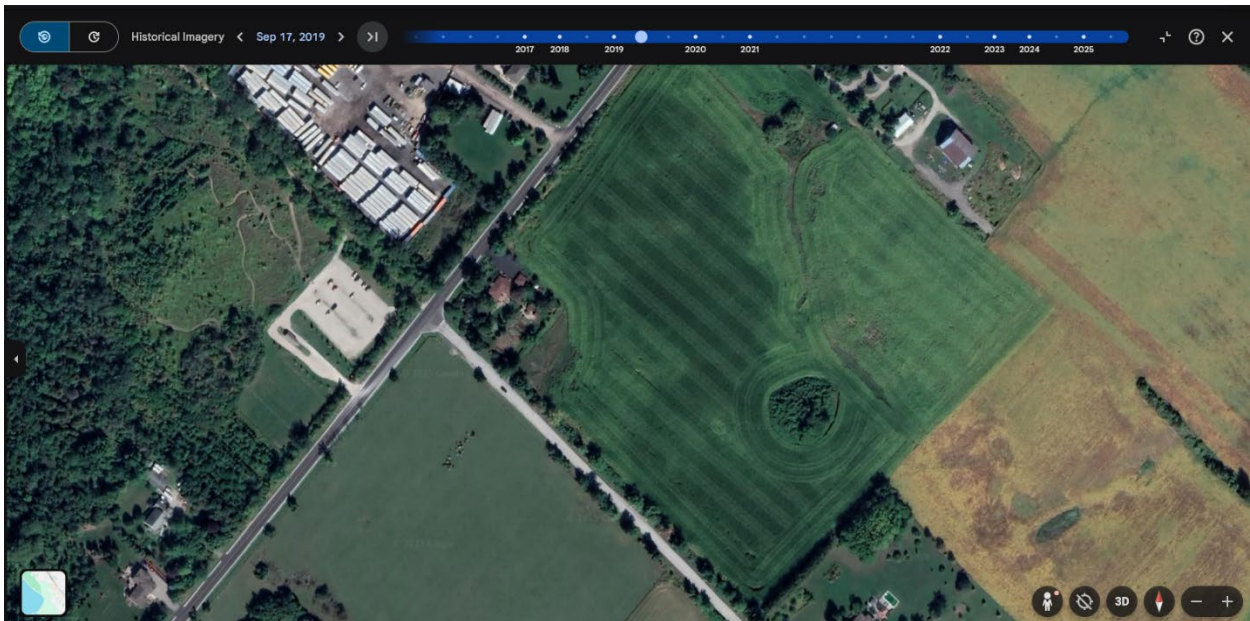
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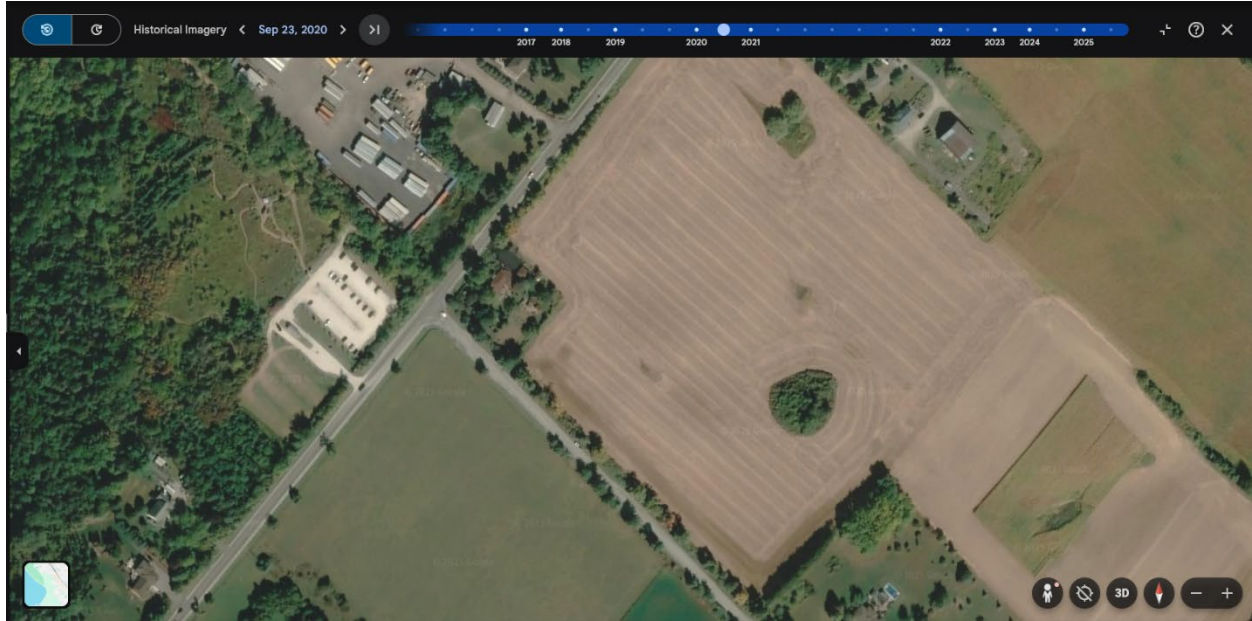
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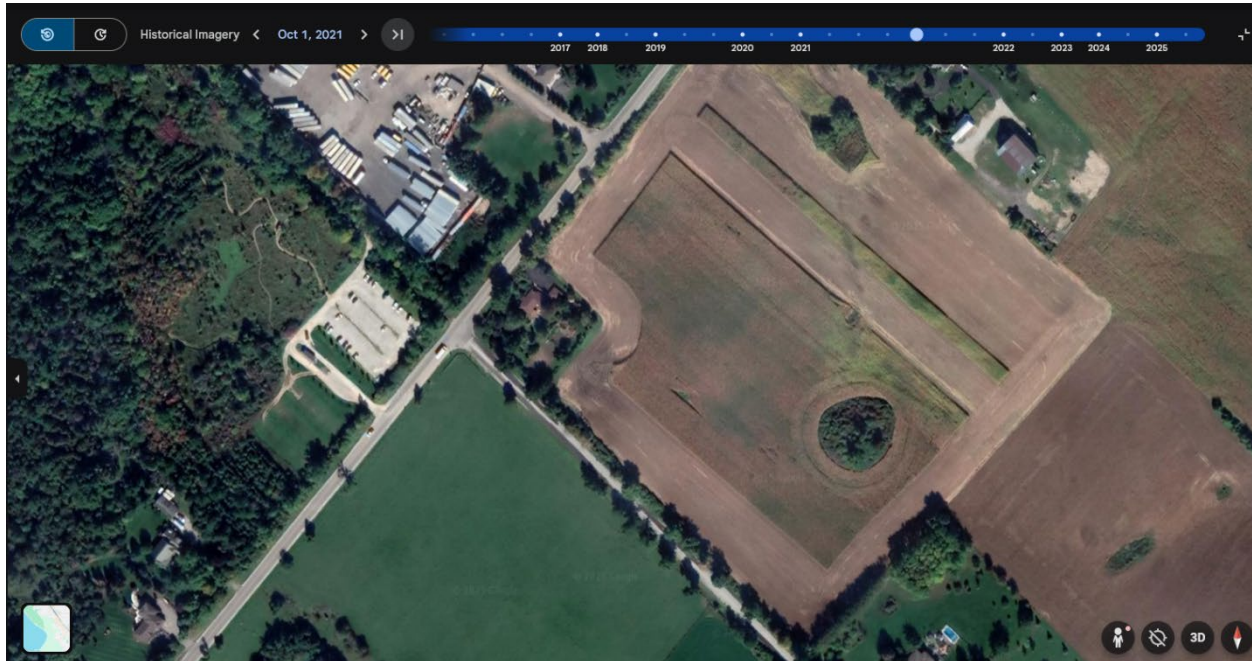
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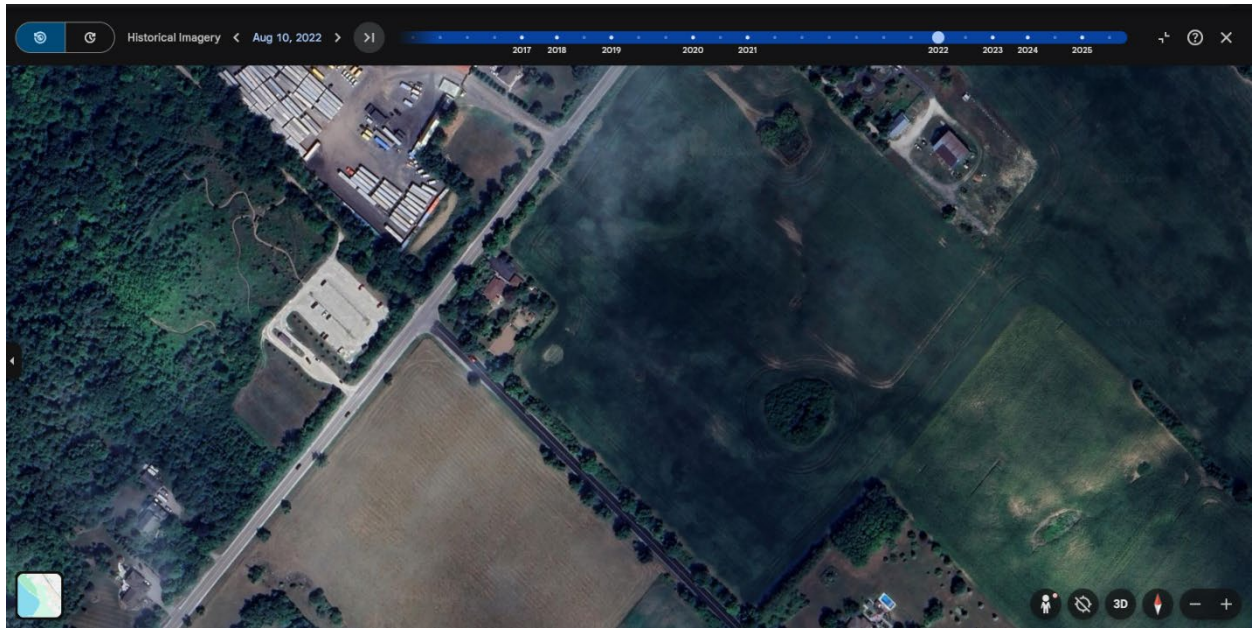
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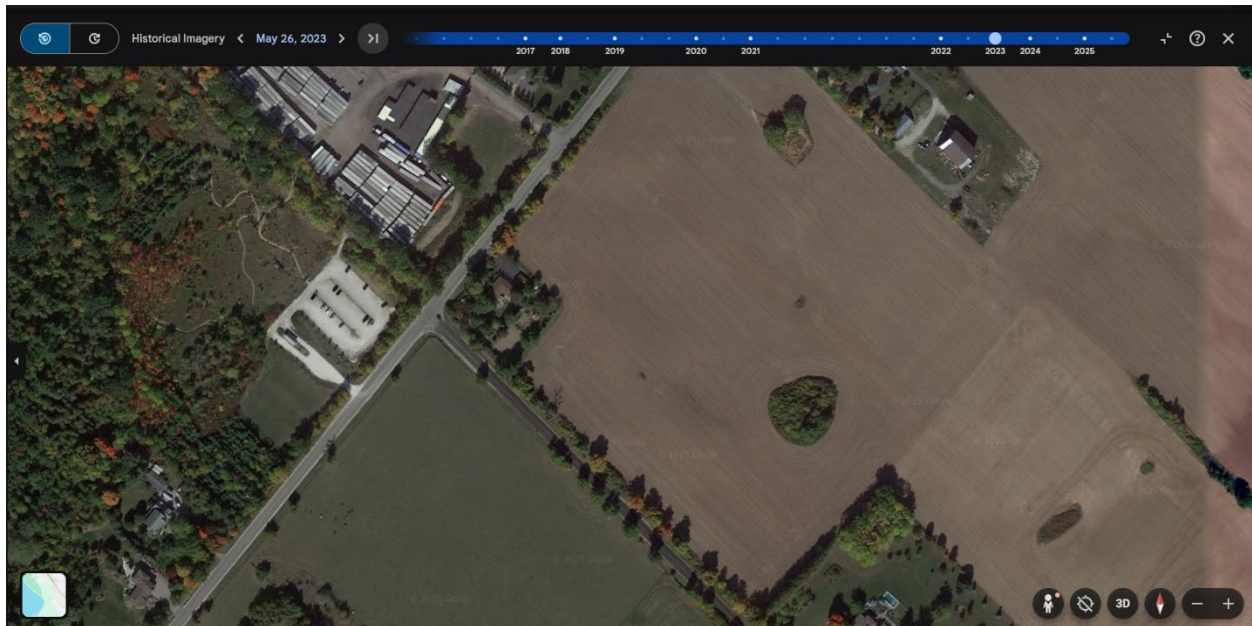
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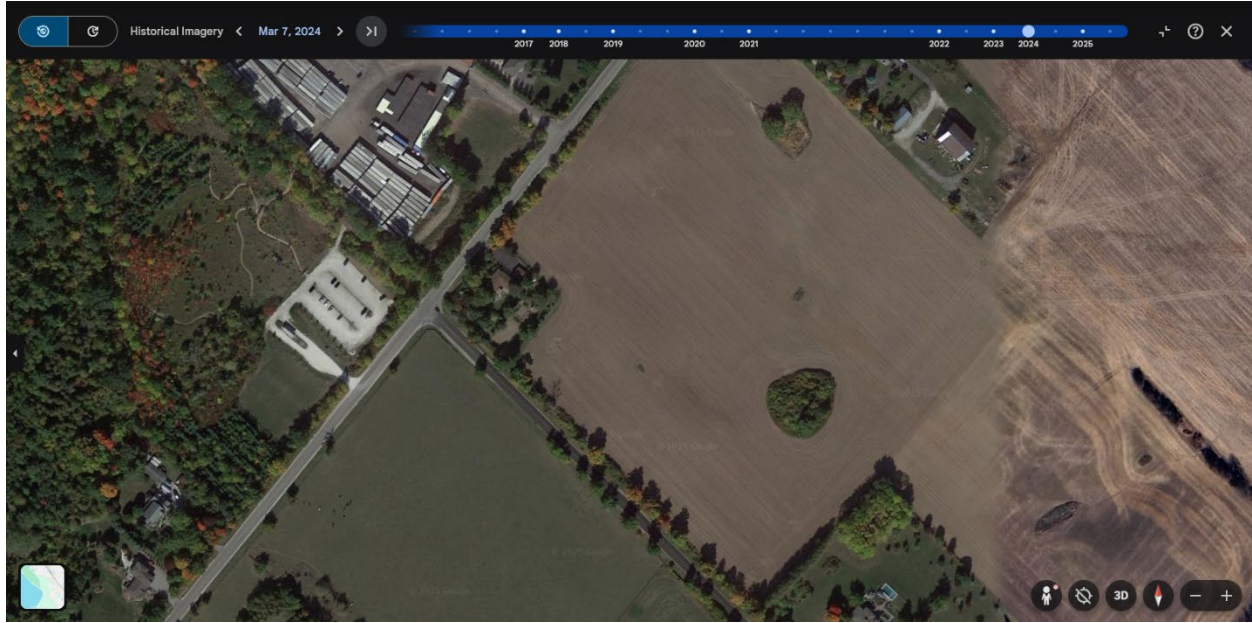
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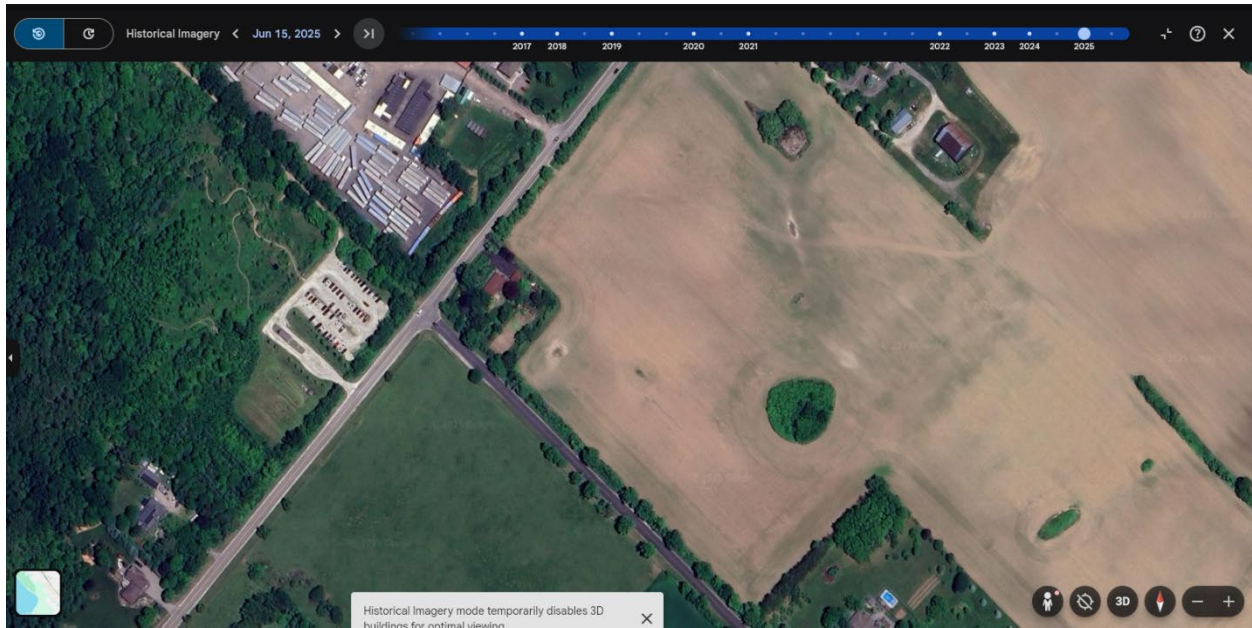
2023



2024



2025



Appendix F – MDS Calculations



AgriSuite


MDS I

General information

Application date
Oct 31, 2025

Municipal file number

Proposed application
Building permit for the construction of a dwelling (farm or non-farm)

Applicant contact information 

ON


Location of subject lands
Regional Municipality of Halton
Town of Milton
NELSON
Concession 7 , Lot 15
Roll number: 2409070302047000000

Notes

5460 Steeles Avenue West

Calculations

Eggers Dairy Farm

Farm contact information 

Eggers Dairy Farm
5244 Steeles Avenue West
Milton, ON

Location of existing livestock facility or anaerobic digester

Regional Municipality of Halton
Town of Milton
NELSON
Concession 6, Lot 15
Roll number: 240907030204500000

Total lot size

29.76 ha

Notes

5244 Steeles Avenue West

Livestock/manure summary

Manure Form	Type of livestock/manure	Existing maximum number	Existing maximum number (NU)	Estimated livestock barn area
Solid	Dairy, Milking-age Cows (dry or milking) Large Frame (545 - 658 kg) (eg. Holsteins), Tie Stall	85	121.4 <u>NU</u>	869 <u>m²</u>

Setback summary

Existing manure storage	V2. Solid, outside, covered		
Design capacity	121.4 <u>NU</u>		
Potential design capacity	364.3 <u>NU</u>		
Factor A (odour potential)	0.7	Factor B (design capacity)	496.42
Factor D (manure type)	0.7	Factor E (encroaching land use)	1.1
Building base distance 'F' (A x B x D x E) (minimum distance from livestock barn)			268 <u>m</u> (879 <u>ft</u>)
Actual distance from livestock barn			<u>NA</u>
Storage base distance 'S' (minimum distance from manure storage)			268 <u>m</u> (879 <u>ft</u>)
Actual distance from manure storage			<u>NA</u>

Preparer signoff & disclaimer

Preparer contact information

Rob Fiedler
NPG Planning Solutions
286 Sanford Avenue North
Suite 315
Hamilton, ON
L8L 6A1
905-321-6743
rfiedler@npgsolutions.ca

Signature of preparer

Rob Fiedler

Rob Fiedler, Planner

Nov-03-2025

Date (mmm-dd-yyyy)

Note to the user

The Ontario Ministry of Agriculture, Food and Agribusiness (OMAFRA) has developed this software program for distribution and use with the Minimum Distance Separation (MDS) Formulae as a public service to assist farmers, consultants, and the general public. This version of the software distributed by OMAFA will be considered to be the official version for purposes of calculating MDS. OMAFA is not responsible for errors due to inaccurate or incorrect data or information; mistakes in calculation; errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.

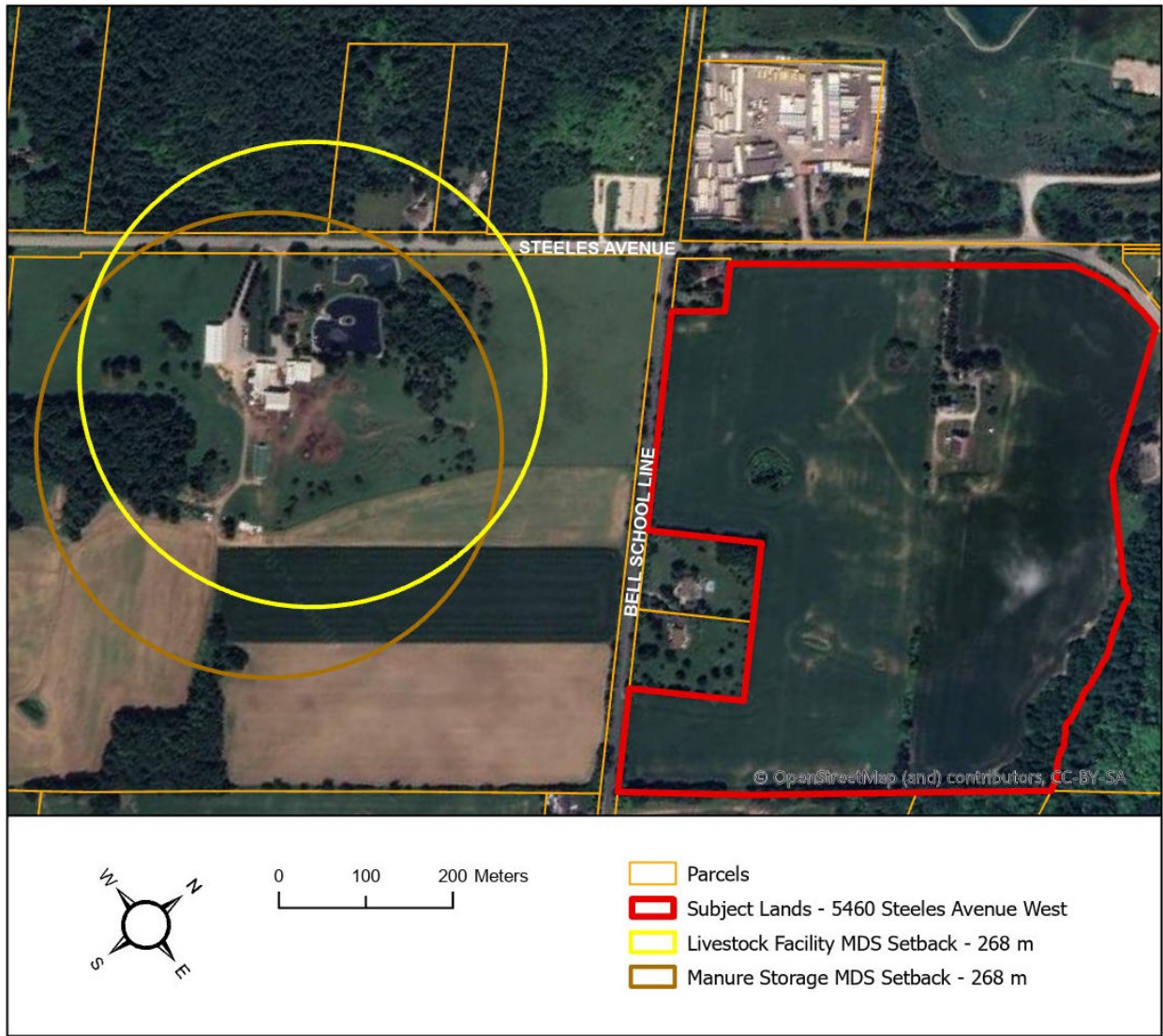


Figure 4 - MDS Setbacks Map



Figure 5 – Size of existing buildings and structures located on Swiss Line Farm

Appendix G – Owner’s Letter

November 25, 2025

To whom it may concern,

I am the homeowner at 5460 Steeles Ave. West. I would like to address the quality of soil on my farm.

I have had the farmer across Bell School Line farm my farm. He has grown crops like corn & soybeans on my farm for about 30 years now and will continue to do so.

When he first took over the farm, the soil on their farm was nonexistent. Sedimentary rock that, makes up the whole Niagara Escarpment came to the surface especially on the west side of the farm.

The upper field along Bell School Line is particularly poor. One can see a 2.5-acre, rock island next to the location where we have indicated that we would like to build our retirement home. The only soil up there is from the 30 years of the farmer spreading manure annually. The soil is anywhere from nonexistent on the surface to about four inches before one hit the solid rock of the escarpment. It is extremely poor farmland.

Also, the south end of the farm, about seven acres, floods in spring due to the neighbour building up his side of the fence by twenty feet about 6 years ago. This continues to occur despite the fact; NEC told him to put the land contour back to its original state and reinstall our fence which he bulldozed over. We are still waiting.

This farm is not good agricultural land, and I remember my father saying 50 years ago what a great gravel quarry the farm would make. In fact, Milton Limestone Quarry operated across the street for more than 50 years.

Thank you,

Peggy Haliburton

Attached Image labelled the ‘Rock Island in the Field’



MEMORANDUM

Our File # 241306

DATE: April 13, 2026
TO: Meaghan Brooks
FROM: Mary Lou Tanner, RPP, FCIP; Rob Fiedler, Intermediate Planner
CC:
RE: Response to NEC Comments on Planning Justification Report – 5460 Steeles Avenue

This memo summarizes and responds to comments received on the Development Permit Application (application) submitted to the Niagara Escarpment Commission (NEC) for an additional residential unit (ARU) in a detached building on 5460 Steeles Avenue.

Comments on the application were provided in an email from Meaghan Brooks (NEC Planner) in mid-February. They indicate the proposal cannot be recommended for approval on the basis that within the Niagara Escarpment Plan (NEP):

- *A lot can have only one building that functions as a dwelling unit (i.e. detached residential unit).*
- *Within the Escarpment Rural Designation Area, a second dwelling unit (i.e. second residential unit) can exist only within or attached to the existing dwelling building (i.e. primary residential unit), if it is smaller in size to the existing dwelling unit (i.e. primary residential unit).*

This position was arrived at through a policy review and interpretation that fundamentally differs with the PJR submitted to support the application.

The comments received rely on high-level direction in both the PPS and NEP indicate the NEP takes precedence over the PPS where they overlap or are conflict—and on that basis find the proposal does not conform to NEP policies for the Escarpment Rural Area and Secondary Dwelling Units and therefore cannot be recommended.

The PJR, submitted to support the proposal, addresses the relationship between the PPS and NEP differently. Specifically, the PJR considers new direction added to the PPS 2024 to address implementation and transition matters:

6.1.7 Where a planning authority must decide on a planning matter before their official plan has been updated to be consistent with the Provincial Planning

Statement, or before other applicable planning instruments have been updated accordingly, it must still make a decision that is consistent with the Provincial Planning Statement.

We have reviewed previous Provincial Policy Statement from 2020, 2014, and 2005—the previous iterations of the Provincial Planning Statement—and there is no equivalent policy direction provided. The closest direction provided in PPS 2020, for example, would be:

4.6 The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans.

Official plans shall identify provincial interests and set out appropriate land use designations and policies. To determine the significance of some natural heritage features and other resources, evaluation may be required.

In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this Provincial Policy Statement. The policies of this Provincial Policy Statement continue to apply after adoption and approval of an official plan.

The difference between Policies 4.6 in PPS 2020 and 6.1.7 in PPS 2024 is clear. The latter is unambiguously directed at decisions made by planning authorities, including the NEC, before their official plans or other applicable planning instruments have been updated to be consistent with the PPS 2024. The direction provided in the third paragraph is found in equivalent policies in the PPS 2014 and PPS 2005. We further note that the current version of the NEP was updated to the PPS 2014. The NEP, to our knowledge, has not addressed the PPS 2024 and thus has not been updated to be consistent with new policies requiring additional residential units to be permitted in the prime agricultural areas.

The PJR argues that Policy 6.1.7 is intended to address the transition to the PPS 2024 and applies to the NEP as an “other applicable planning instrument” which has not been updated. This is particularly relevant where the PPS 2024 introduces significant policy changes. As noted, one change in PPS 2024 that provides new policy direction relates to permitting additional residential units in prime agricultural areas, Policy 4.3.2.5:

Where a residential dwelling is permitted on a lot in a prime agricultural area, up to two additional residential units shall be permitted in accordance with provincial guidance, provided that, where two additional residential units are proposed, at

least one of these additional residential units is located within or attached to the principal dwelling, and any additional residential units:

- a) comply with the minimum distance separation formulae;*
- b) are compatible with, and would not hinder, surrounding agricultural operations;*
- c) have appropriate sewage and water services;*
- d) address any public health and safety concerns;*
- e) are of limited scale and are located within, attached, or in close proximity to the principal dwelling or farm building cluster; and*
- f) minimize land taken out of agricultural production.*

The PJR takes the position that this policy change is clearly intended to require planning authorities to permit additional residential units in prime agricultural areas, subject to meeting the evaluation criteria provided. The PJR provides a comprehensive assessment of how the proposal meets the evaluation criteria.

We note the comments received are silent on PPS 2024 Policy 6.1.7 and the interpretation of it provided in the PJR. Instead, they provide an interpretation of definitions found in the *Planning Act* and Ontario Regulation 299/19 to argue that a “secondary dwelling unit” in the NEP is the equivalent to a “secondary residential unit” as type of “additional residential unit” in Ontario Regulation 299/19 under the *Planning Act*, as amended. We believe this conflates a provision addressing permitted configurations of additional residential units with types of additional residential units. It is also silent on the fundamental shift in Provincial policy and legislation from second units to additional residential units.¹

In 2017, when the NEP last received a major update by the Province, Section 16(3) of the *Planning Act* required official plans to contain policies to authorize the use of a second residential unit; in a detached house, semi-detached house or rowhouse; or in a building or structure ancillary to those dwelling types if they contained a single residential unit. In any configuration, the result was to permit up to two residential units.

¹ Second units were introduced in 2011 by the Bill 140 – the *Strong Communities Through Affordable Housing Act* and replaced by additional residential units in 2019 by Bill 108 – the *More Homes, More Choice Act*.

In 2019, the *Planning Act* was amended to require official plans to contain policies to authorize additional residential units, which was subsequently amended to the following:

16(3) No official plan may contain any policy that has the effect of prohibiting the use of,

(a) two residential units in a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if all buildings and structures ancillary to the detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;

(b) three residential units in a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units; or

(c) one residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if the detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units. 2022, c. 21, Sched. 9, s. 4 (1).

The shift to additional residential units in the *Planning Act* was to allow up to three residential units in the configurations prescribed above. Subsequent amendments introduced stronger language and requirements for implementation. Policy 4.3.2.5 in PPS 2024 extends the changes in the *Planning Act* to apply to lots in prime agricultural areas where a residential dwelling is permitted. As noted, the NEP was updated to address the second units in 2017. The NEP has not been updated to address more recent changes that have transformed second units to additional residential units in order to permit up to three units on lots with certain housing types, including “shall” permit direction in the PPS 2024 as well as the provisions of the *Planning Act*. There are significant updates in the definitions that the NEP has not addressed. Please refer to the Appendix for the definitions.

The preceding shows the position taken in the comments received and the planning analysis provided in the PJR differ on whether Policy 4.3.2.5 in the PPS 2024 should apply to permit the proposed development or whether NEP policies on secondary dwelling units that predate the PPS by 7 years should apply and prohibit it.

We believe Policy 6.1.7 was added in the PPS 2024 to address circumstances where planning instruments have not been updated to reflect major changes in provincial policy reflected in new or amended direction in the PPS.

Conclusion

We have reviewed the comments received via email in February and we respectfully disagree with them for the reasons outlined in this memo. Provincial legislation and planning policies, including new direction on how to apply the PPS 2024 where planning instruments have not be updated to be consistent with it, have evolved since the last NEP update in 2017. In our respectful opinion the PPS 2024 requires planning instruments be updated to permit a detached additional residential unit in prime agricultural areas where a residential dwelling is permitted and includes new policy direction to address decisions made before that updating is completed. The PJR provided in support of the proposal is consistent with the PPS and has addressed the criteria in the NEP—thus we believe the application has fulfilled the requirements for a Development Permit.

In addition to this memo, we enclose a letter from Richard Day, our client’s solicitor, with additional information.

Please provide the undersigned with notification of any meetings and next steps on this matter. We request that this memo and Mr. Day’s letter be included in the Commission’s agenda material.

Yours truly,



Mary Lou Tanner, RPP, FCIP
Senior Partner



Rob Fiedler
Intermediate Planner

Appendix - Definitions

NEP	Planning Act / O. Reg 299/19
<p>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.</p>	<p><i>Planning Act</i> Residential Unit: means a unit that, (a) consists of a self-contained set of rooms located in a building or structure, (b) is used or intended for use as residential premises, and (c) contains kitchen and bathroom facilities that are intended for the use of the unit only.</p>
<p>Single Dwelling: A separate building containing not more than one dwelling unit and may include a chalet, cottage, mobile home or group home.</p>	<p><i>O.Reg 299/19</i> Primary residential unit: means the primary residential unit in a detached house, semi-detached house or rowhouse where the house is situated on a parcel of land containing an additional residential unit.</p>
<p>Secondary Dwelling Unit: no definition in NEP. Deemed by the NEC Planner in their comments to be the equivalent to a secondary residential unit in a detached house, per O.Reg 299/19.</p>	<p><i>O.Reg 299/19</i> (2) This Regulation applies to the following additional residential units: 1. A second residential unit in a detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit. 2. A third residential unit in a detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units. 3. A residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is</p>

NEP	Planning Act / O. Reg 299/19
	permitted, if the detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units. O. Reg. 462/24, s. 1 (4).
<p>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.</p>	No equivalent definition provided.



RICHARD B. DAY
PROFESSIONAL CORPORATION
Barrister & Solicitor

Beaulieu Place
164 Trafalgar Rd.
Oakville, ON L6J 3G6
Phone: 905.844.8581, ext. 226
Facsimile: 905.842.6166
E-mail: rick@daylaw.ca
www.daylaw.ca

March 20, 2026

Mary Lou Tanner
NPG Planning Solutions
4999 Victoria Avenue
Niagara Falls, ON L2E 4C9

Delivered by Email to: mtanner@npgsolutions.ca

Dear Mary Lou Tanner:

RE: Haliburton and NEC


Thank you for sending the update and staff reports for this matter.

From my many years as an elected Councillor, I benefitted from the Town of Milton planning staff's policy of providing us with the complete arguments and justifications for both sides of any issue to assist Council in coming to a decision pro or con on many applications. That type of staff report is very professional, very fair to the applicant, and helpful to Council. The reports from the NEC on this application are very well written and professional, and the staff did discuss some of the planning issues that justify the application if granted, but I wonder if the NEC staff could find any benefit in this Town of Milton approach for staff reports as a larger part of their philosophy. For example, on this application, if the Commission was to consider granting the application, I think some of the supporting issues such as the following could be mentioned or perhaps just expanded upon:

1. The family's present farmhouse was once a beautiful old residence which had many architectural heritage features, but almost all of those features were lost because of very substantial additions and alterations over the years. There are still a couple of interesting historical features remaining, but not nearly enough to ever consider designating the house as a heritage property. Nevertheless, the family still cherishes these few features which would be obliterated by the large addition, if so required by the Commission. Also, many of the original types of materials (such as windows) required to have any addition blend in attractively with the existing residence just aren't available anymore;
2. The large addition alternative would have to be built in the more protective and restrictive zone of Escarpment Protection, whereas a new home for the grandparents would be in the less restrictive Escarpment Rural zone;
3. The new home location is in a small area of poor farmland with bedrock outcroppings which will be tastefully incorporated into the home's site plan and rural ambiance;
4. The new home site is actually already serviced with a water well which also serves the farm building cluster, which the new home would also be part of;
5. The new home will be built in a traditional farmhouse style and ambience, a pitched roof, brick walls, covered porches (with rocking chairs), large windows, a widow's walk, etc. and will blend in beautifully with the property and the wider neighbourhood;

6. There are many examples in many municipalities in the NEC where such applications have been supported by the staff, including housing permits for some very large projects granted to developers. The present application is for just one home;
7. The application is for one new home for a farm family and promotes the continued farming of the land in many ways; and
8. Of course, the cases have always held that no such approval creates any legal precedent for any other application in the NEC area or anywhere else.

Respectfully submitted,



Richard B. Day
RBD/nf