



**THE REGIONAL MUNICIPALITY OF NIAGARA  
AGRICULTURAL POLICY & ACTION COMMITTEE  
AGENDA**

**APAC 2-2020**

**Friday, September 25, 2020**

**9:00 a.m.**

**Meeting will be held by electronic participation only**

Due to efforts to contain the spread of COVID-19 and to protect all individuals, there is no public access to Niagara Region Headquarters. If you are interested in viewing this meeting or would like to speak to an item listed on the agenda please contact the Office of the Regional Clerk at [clerk@niagararegion.ca](mailto:clerk@niagararegion.ca) at least 24 hours in advance of the meeting.

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	<b>Pages</b>
<b>1. <u>CALL TO ORDER</u></b>	
<b>2. <u>DISCLOSURES OF PECUNIARY INTEREST</u></b>	
<b>3. <u>PRESENTATIONS</u></b>	
3.1 <u>Natural Environment Work Program - Phase 4: Identification and Evaluation of Options</u>	3 - 25
Sal Spitale, Principal/Senior Ecologist, North-South Environmental	
3.2 <u>Woodland By-law Update</u>	26 - 47
Britney Fricke, Senior Development Planner and Adam Boudens, Senior Environmental Planner	
<b>4. <u>DELEGATIONS</u></b>	
<b>5. <u>ITEMS FOR CONSIDERATION</u></b>	
<b>6. <u>CONSENT ITEMS FOR INFORMATION</u></b>	
6.1 <u>APAC-C 5-2020</u>	48 - 49
Comments Respecting the Niagara Region Review of Woodland By-law	

Agricultural Policy and Action Committee Minutes - February 28, 2020

**7. OTHER BUSINESS**

7.1 Irrigation Update

7.2 Natural Heritage Regional Planning Policy Update

7.3 COVID-19 Survey Information Respecting Agricultural Sector

7.4 Help Housing

**8. NEXT MEETING**

The next meeting will be held on Friday, November 27, 2020, at 9:00 a.m.

**9. ADJOURNMENT**

If you require any accommodations for a disability in order to attend or participate in meetings or events, please contact the Accessibility Advisor at 905-980-6000 ext. 3252 (office), 289-929-8376 (cellphone) or [accessibility@niagararegion.ca](mailto:accessibility@niagararegion.ca) (email).



making our mark

# **NIAGARA**

## OFFICIAL PLAN

# Natural Environment Work Program – Phase 4: Identification Options

Agricultural Policy and Action Committee  
September 25, 2020



[makingourmark@niagararegion.ca](mailto:makingourmark@niagararegion.ca)



# Project Overview – Natural Environment

Project Phase	Activities
1	Project Initiation and Procurement
2	Background Study and Discussion Papers for Mapping and Watershed Planning Priority Areas
3	1 <sup>st</sup> Point of Engagement: Inform on Background Study
4	Develop and Evaluate Options for Natural System(s)
5	2 <sup>nd</sup> Point of Engagement: Consultation on Options for the Natural System(s)
6	Develop Regional Natural System(s)
7	Develop OP Policies & Finalize Mapping
8	3 <sup>rd</sup> Point of Engagement: Draft OP Policies and Schedules
9	Other Implementation Tools

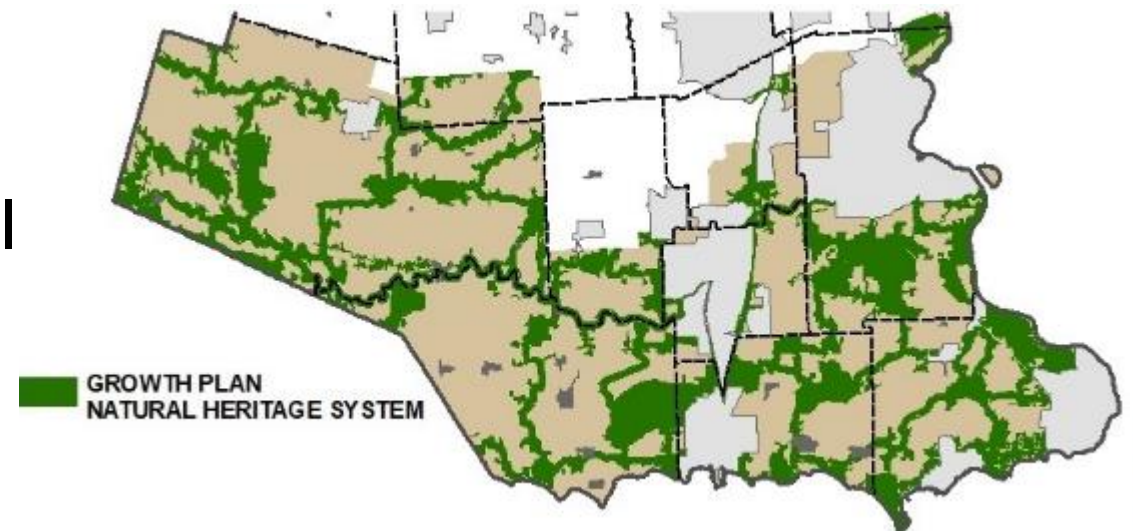
# Overview of Phase 4

- Incremental step between the background reports and the mapping and policy development process
- Goal is to establish the overall direction for the natural heritage system (NHS) and water resource system (WRS)
- Based on concepts for the natural systems only. Mapping, criteria, and policies were developed to a level-of-detail that was required to support the evaluation and engagement process only
- Detailed and region-wide mapping to be completed in subsequent phases of the work program



# Provincial Direction – Natural Environment

- The **Greenbelt Plan** and **Growth Plan NHSs** have been identified by the Province and are to be implemented by municipalities
- The Growth Plan and PPS also require that a water resource system be identified and protected
- The PPS identifies the types of natural features, areas, functions, that must be protected through Official Plan policies





# Policy Direction – Natural Heritage System and Agricultural System



- In addition to preparing a map of the NHS, the Province has also mapped the agricultural system
- Within the agricultural system, the PPS and Growth Plan both require that Prime Agricultural Areas be designated in Official Plans
- In contrast, the Growth Plan and Greenbelt Plan requires NHS to be shown as overlay – to recognize the primacy of agriculture



# Policy Direction – Natural Heritage System and Agricultural System

- Policies will not limit the ability of agricultural uses to continue (PPS 2.1.9)
- Greenbelt and Growth Plan NHS policies both provide a wide range of exemptions for new agricultural and agricultural-related buildings and structures
- The requirement for a natural buffer is exempt where lands will continue to be used for agricultural purposes



# Policy Direction – Water Resource System (WRS)

- The Province has not prepared a map showing a W.R.S. – however, the Growth Plan requires that a W.R.S. be identified
- While some components of a W.R.S. can be identified (such as wetlands and stream corridors), other components can only be identified through future study



“Watershed planning or equivalent will inform ...the identification of water resource systems.” (Growth Plan, 4.2.1.3a)



# Developing Options for the Natural Environment System

- Range of considerations were reflected in the development of options including:
  - Impacts on agricultural community and rural development
  - Provincial requirements to accommodate growth and plan for complete communities in settlement areas
  - Best practices and recent issues and trends in natural environment planning including climate change & invasive species
  - The range of input received through the 1st point of engagement
  - The range of local needs and priorities across Niagara
- All of the options identified:
  - Conform with provincial requirements
  - Represent an increase as compared to the existing system and policies in Niagara

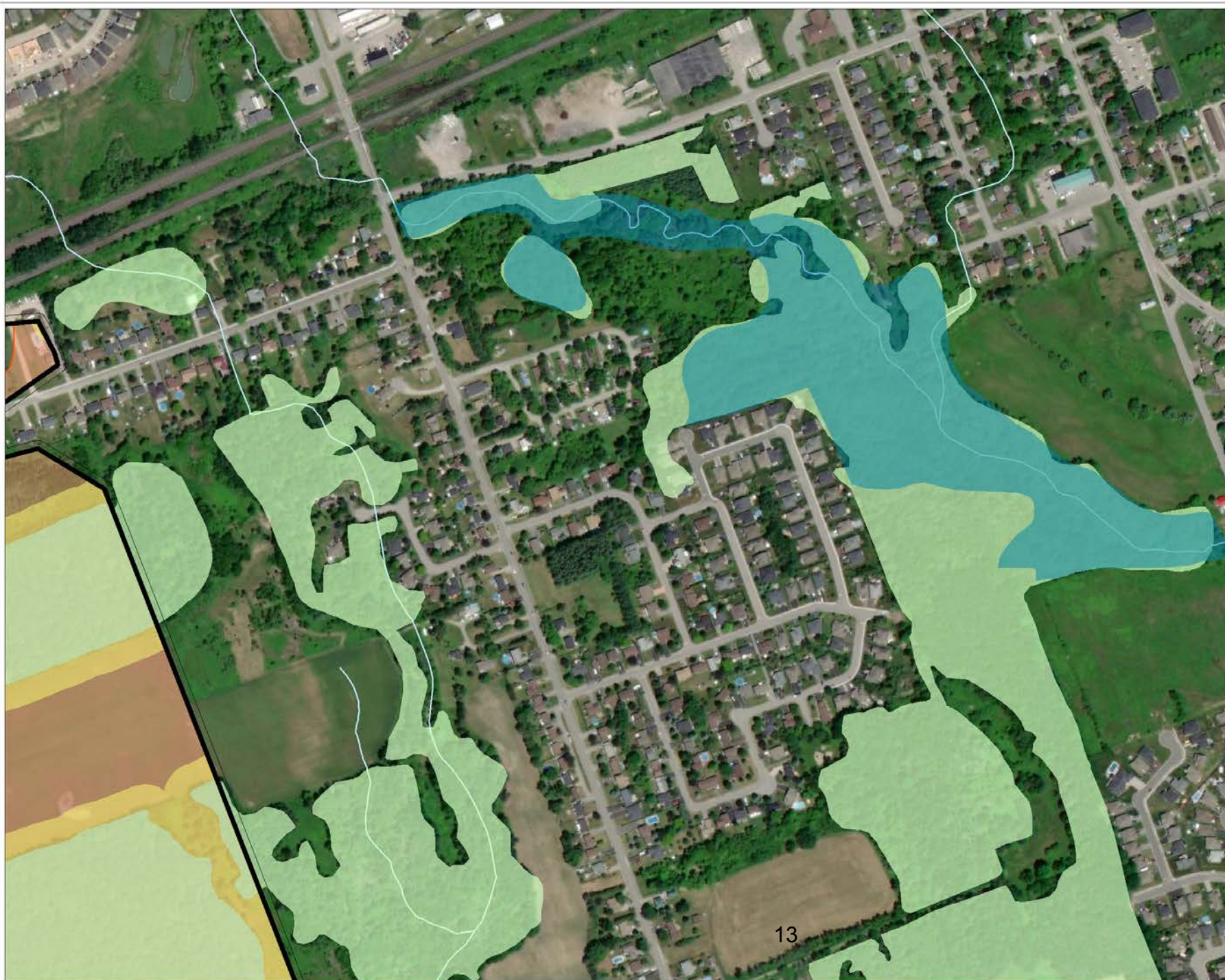


# Natural Heritage System Options

- Option 1 - “Minimum Standards – Overlay”
  - Implements minimum standards of PPS and provincial plans
  - Relies on the provincial NHSs to fulfil the requirements for a ‘system-based’ approach
  - Key features required by provincial plans would be mapped, including significant features identified by the PPS. outside of the Provincial NHSs
  - The NHS including individual features would be shown as an overlay in the Official Plan schedules
- Option 2 - “Minimum Standards – Designation”
  - Same as Option 1 but the key/significant features would be designated as a mutually exclusive land use on the Official Plan schedules
- Option 3 – “Going Beyond Minimum Standards”
  - Builds upon Option 1 and 2 by providing three scenarios that exceed minimum provincial standards, and includes an increasing range of additional components, regional linkages, and buffers.








## Conceptual Natural Heritage System Settlement Area Option 1 and 2

### Legend


 Settlement Area

### Required Components

 Growth Plan Natural Heritage System

 Vegetation Protection Zones

 Significant Woodlands

 Provincially Significant Wetland

 Watercourses

These maps are conceptual and for illustration purposes. These maps were prepared to demonstrate the differences between the various NHS options and are not intended to depict specific areas in Niagara Region.

0 100 200 300 Meters

Project Number  
20-1149

Date:  
2020-09-09



Map Produced by North South Environmental (NSE) Inc.  
This map is proprietary and confidential and must not be duplicated or distributed by any means without permission of NSE.  
Imagery: ESRI

**north-south**  
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## Conceptual Natural Heritage System Outside Settlement Area Option 1 and 2

### Legend

#### Required Components

-  Growth Plan Natural Heritage System
-  Vegetation Protection Zones
-  Significant Woodlands
-  Provincially Significant Wetlands
-  Watercourses

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0 100 200 300 400 500 Meters

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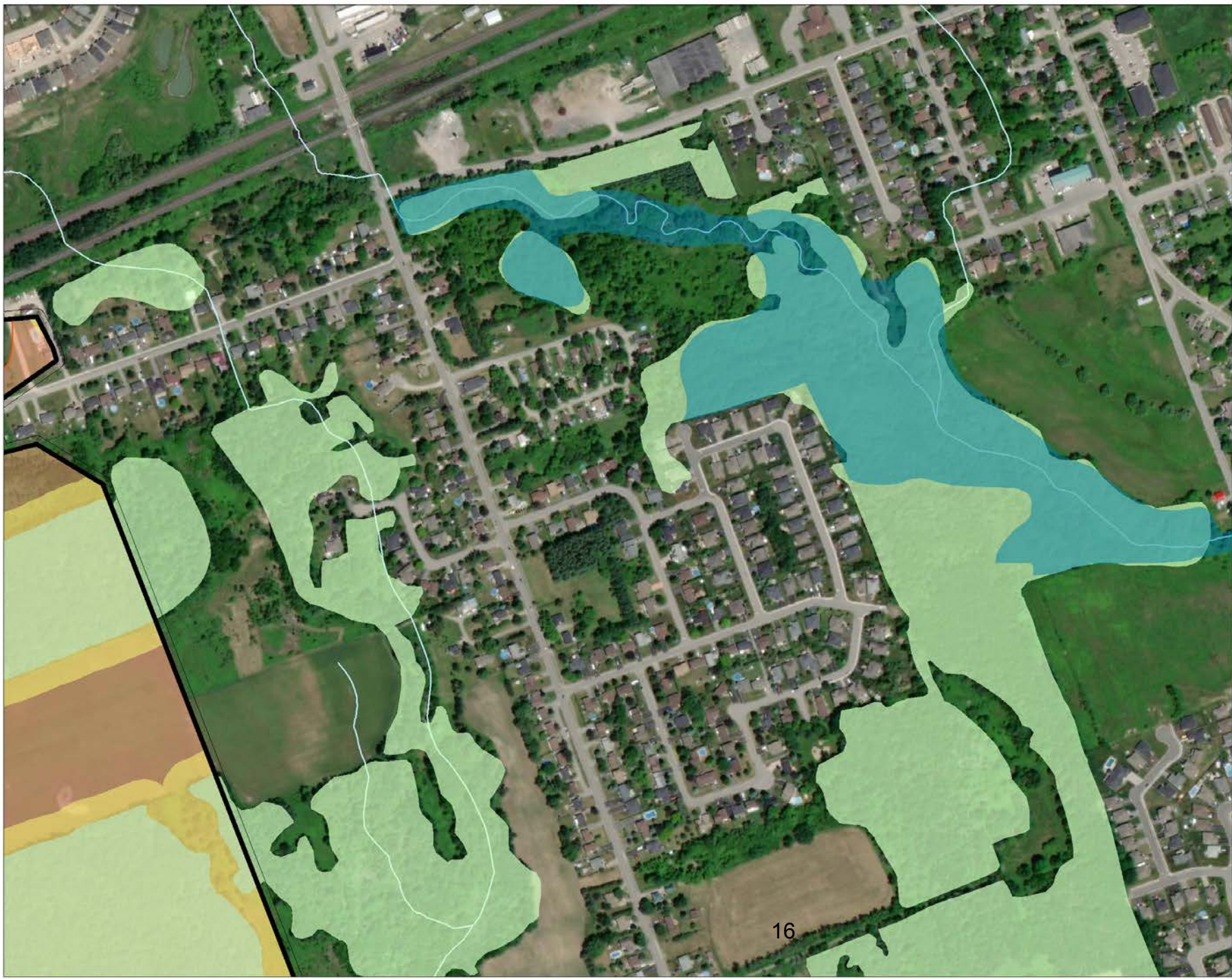




# Comparison of Option 3A, 3B, & 3C

	N.H.S. 3A	N.H.S. 3B	N.H.S. 3C
<b>Component Features and Areas</b>	<ul style="list-style-type: none"> <li>• Key Natural Heritage Features within the N.E.P.</li> <li>• Other Key Natural Features and Areas outside of provincial N.H.S.s, but only outside of settlement areas</li> </ul>	<ul style="list-style-type: none"> <li>• Key Natural Heritage Features within the N.E.P. as per Option 3A</li> <li>• Other Key Natural Features and Areas outside of provincial N.H.S.s both outside and in settlement areas</li> <li>• Supporting Features and Areas outside of settlement areas</li> </ul>	<ul style="list-style-type: none"> <li>• Key Natural Heritage Features within the N.E.P. as per Options 3A and 3B</li> <li>• Other Key Natural Features and Areas outside of provincial N.H.S.s both outside and in settlement areas as per Option 3B</li> <li>• Supporting Features and Areas in all of the Region, including both outside and within settlement areas</li> </ul>
<b>Connecting the System (linkages)</b>	<ul style="list-style-type: none"> <li>• Large Linkages only between Key Natural Features and Areas outside of settlement areas</li> </ul>	<ul style="list-style-type: none"> <li>• Large and Medium Linkages between Key Natural Features and Areas outside of settlement areas</li> </ul>	<ul style="list-style-type: none"> <li>• Large, Medium and Small Linkages between Key Natural Features and Areas outside of settlement areas</li> <li>• Small Linkages between Key Natural Features and Areas in settlement areas where the potential linkage area is in a natural state</li> </ul>
<b>Buffers/ Vegetation Protection Zones (to Key Natural Features and Areas)</b>	<ul style="list-style-type: none"> <li>• Suggested policy minimums outside of provincial N.H.S.s and outside of settlement areas</li> </ul>	<ul style="list-style-type: none"> <li>• Suggested policy minimums outside of provincial N.H.S.s, both inside and outside of settlement areas</li> </ul>	<ul style="list-style-type: none"> <li>• Mandatory buffers outside of settlement areas (that can be reduced through study) with suggested policy minimums inside settlement areas</li> </ul>





Conceptual Natural  
Heritage System  
Settlement Area  
Option 3A

Legend

- Settlement Area
- Required Components**
- Growth Plan Natural Heritage System
- Vegetation Protection Zones
- Significant Woodlands
- Provincially Significant Wetland
- Watercourses

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Project Number  
20-1149

Date:  
2020-09-09



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# Conceptual Natural Heritage System Outside Settlement Area Option 3A


## Legend

### Required Components



-  Growth Plan Natural Heritage System
-  Vegetation Protection Zones
-  Significant Woodlands
-  Provincially Significant Wetlands
-  Watercourses

### Optional Components

#### Other Key Features

-  Wetlands (non-Provincially Significant)

#### Linkages

-  Large Linkage (400m)
-  Mandatory (non-prescribed) Buffers

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Project Number  
20-1149

Date:  
2020-09-09

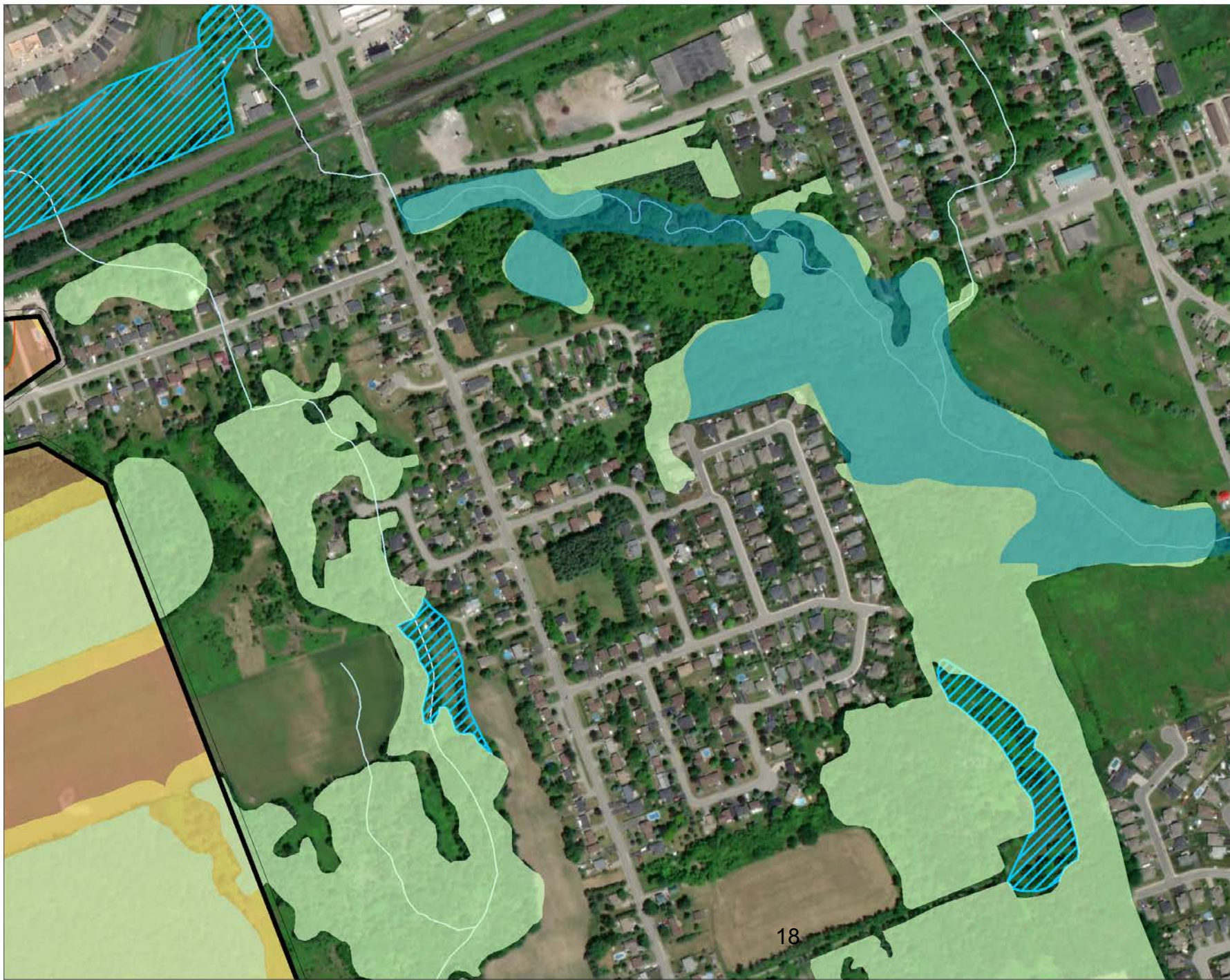


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Conceptual Natural  
Heritage System  
Settlement Area  
Option 3B

Legend

- Settlement Area
- Required Components**
- Growth Plan Natural Heritage System
  - Vegetation Protection Zones
  - Significant Woodlands
  - Provincially Significant Wetland
  - Watercourses
- Optional Components**
- Other Key Features**
- Wetland (non-Provincially Significant)

These maps are conceptual and for illustration purposes. These maps were prepared to demonstrate the differences between the various NHS options and are not intended to depict specific areas in Niagara Region.



Project Number 20-1149	Date: 2020-09-09	N 
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# Conceptual Natural Heritage System Outside Settlement Area Option 3B

- Legend**
- Required Components**
- Growth Plan Natural Heritage System
  - Vegetation Protection Zones
  - Significant Woodlands
  - Provincially Significant Wetlands
  - Watercourses
- Optional Components**
- Other Key Features
- Wetlands (non-Provincially Significant)
- Supporting Features and Areas
- Enhancement Areas
  - Other Woodlands
- Linkages
- Large Linkage (400m)
  - Medium Linkage (200m)
  - Minimum (prescribed) Buffers

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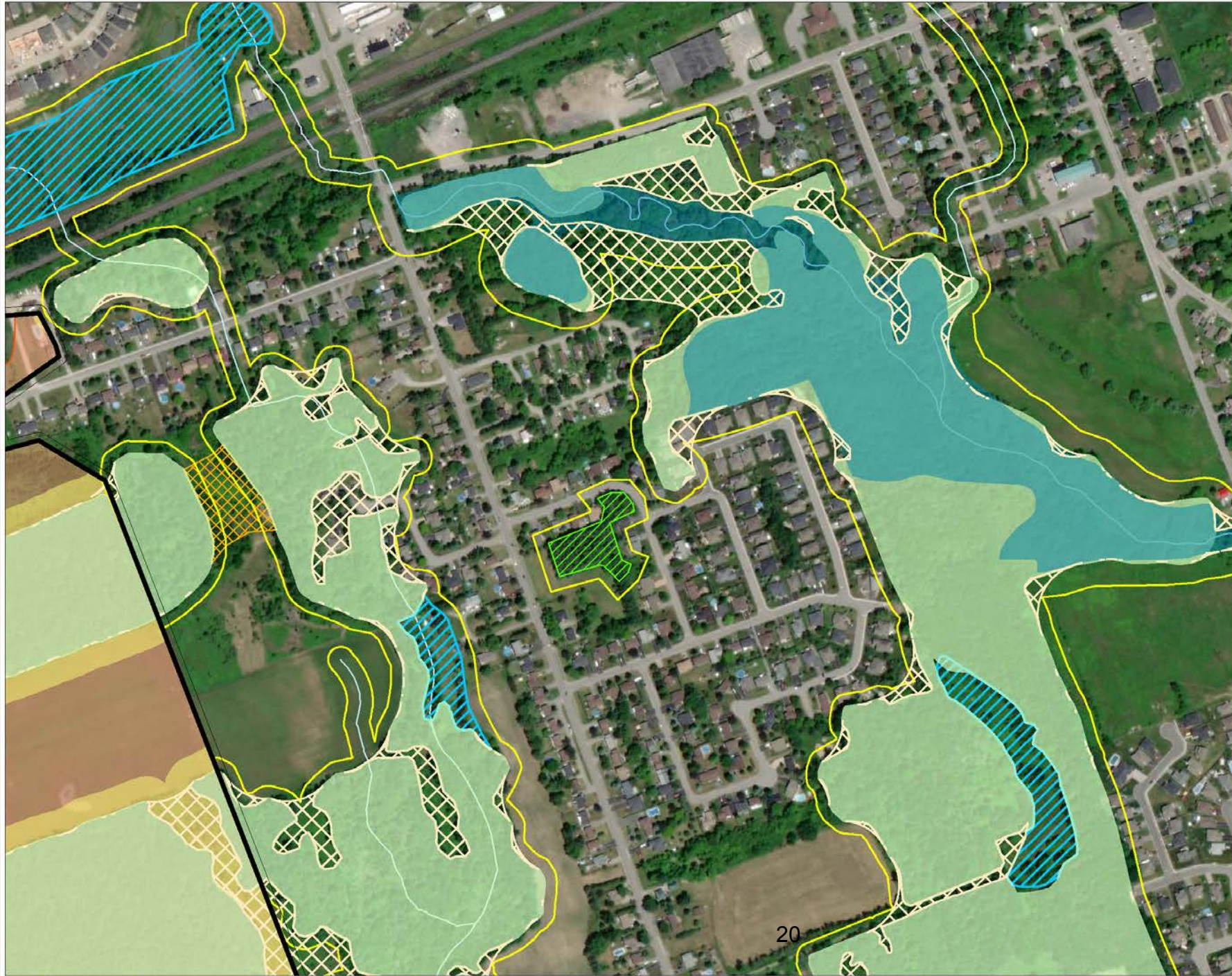


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# Conceptual Natural Heritage System Settlement Area Option 3C

- Legend**
- Settlement Area
  - Required Components**
    - Growth Plan Natural Heritage System
    - Vegetation Protection Zones
    - Significant Woodlands
    - Provincially Significant Wetland
    - Watercourses
  - Optional Components**
    - Other Key Features
      - Wetlands (non-Provincially Significant)
    - Supporting Features and Areas
      - Other Woodlands
      - Enhancement Areas
    - Linkages
      - Small Linkage (100m)
      - Mandatory (non-prescribed) Buffers

These maps are conceptual and for illustration purposes. These maps were prepared to demonstrate the differences between the various NHS options and are not intended to depict specific areas in Niagara Region.



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# Conceptual Natural Heritage System: Outside Settlement Area Option 3C

## Legend

### Required Components

- Growth Plan Natural Heritage System
- Vegetation Protection Zones
- Significant Woodlands
- Provincially Significant Wetlands
- Watercourses

### Optional Components

#### Other Key Features

- Wetlands (non-Provincially Significant)

#### Supporting Features and Areas

- Enhancement Areas
- Other Woodlands

#### Linkages

- Large Linkage (400m)
- Medium Linkage (200m)
- Small Linkage (100m)
- Minimum (prescribed) Buffers

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2020-09-09



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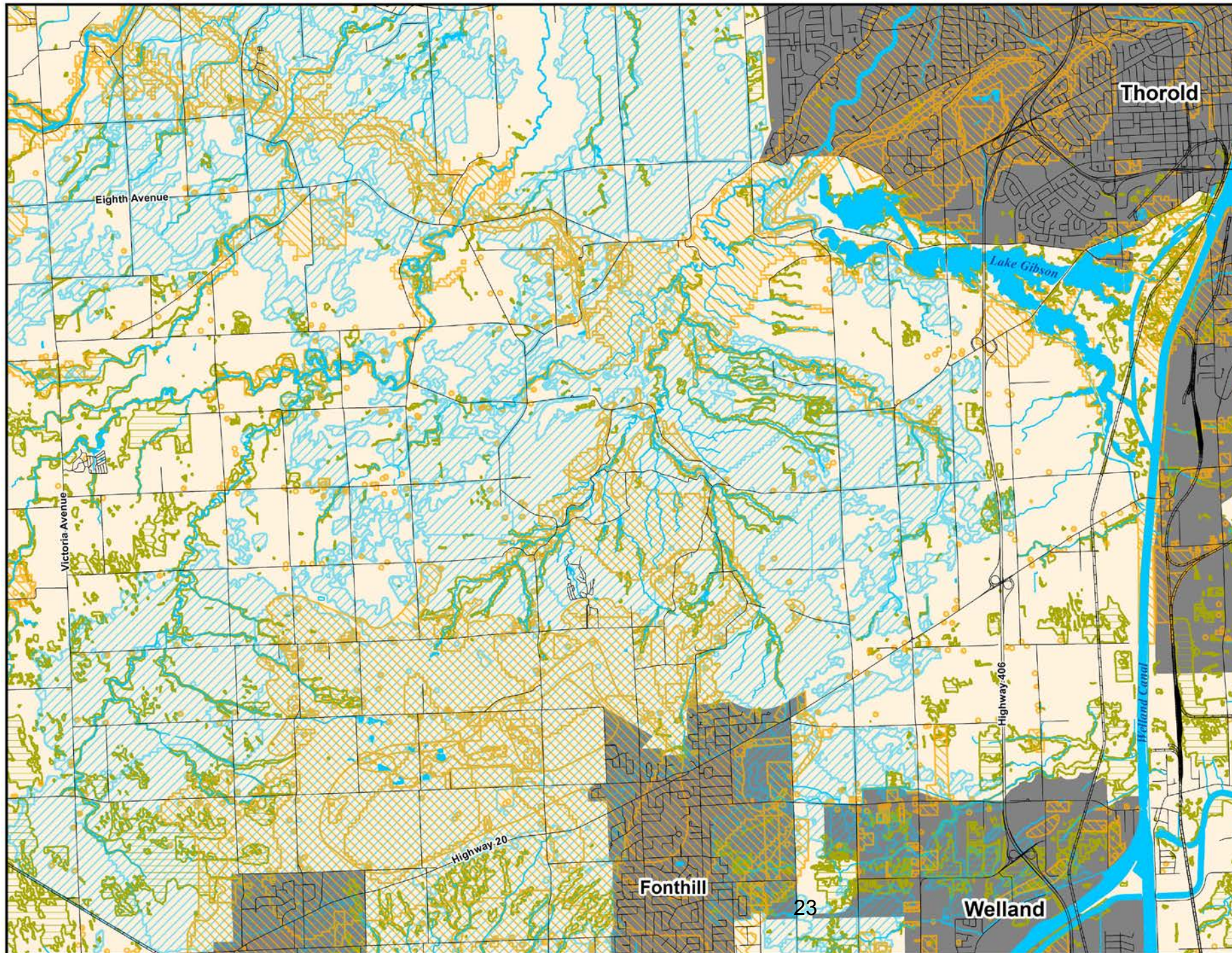


# Water Resource System Options

- “Informed by watershed planning or equivalent”
  - ‘Niagara Watershed Plan’ project has been initiated by the Region
- Option 1 - “Minimum Standards – Overlay”
  - Implements minimum standards of PPS, Growth Plan, and Greenbelt Plan
- Option 2 - “Going Beyond Minimum Standards”
  - Same as Option 1 but identified additional/optional components:
  - Option 2A – additional/optional features outside of settlement areas only
  - Option 2B – additional/optional features Region-wide, including within settlement areas







# Niagara Region Natural Environment Work Program Water Resource System - Option 1 and 2

Legend

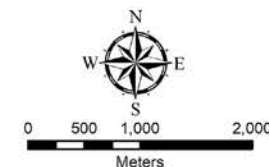
## Key Hydrologic Features

- Wetlands
- Waterbodies
- Watercourses

## Key Hydrologic Areas

- Significant Groundwater Recharge Areas
- Highly Vulnerable Aquifers
- Roads
- Railway
- Settlement Areas

Conceptual figure for  
discussion purposes only



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June 11, 2020





# Additional Considerations for the Natural Environment System

- Offsetting will not be considered as part of the policy framework for the new Niagara Official Plan
- Fish habitat is not recommended to be mapped as part of the new Niagara Official Plan
- There will be a need to update existing guidelines, and to prepare new guidelines to support the implementation of the NHS and WRS



Central Mudminnow (bottom) can be found in slow moving streams, marshes, weedy ponds and ditches.



# Next Steps



1. Receive feedback through 2<sup>nd</sup> point of engagement with public, stakeholders, and Indigenous groups
2. Analyze the input received to recommend the final preferred options
3. Seek council endorsement of final preferred options
4. Prepare detailed design of the preferred options and recommendations for OP policies



# Niagara Region's Woodland By-law Review

Agricultural Policy and Action Committee  
September 25, 2020



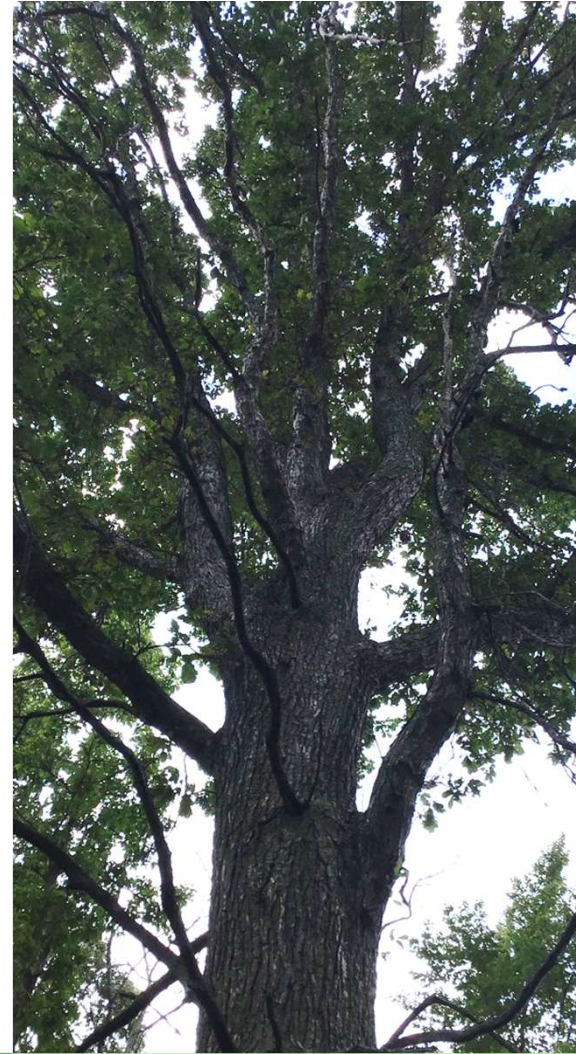
# Agenda

- Presentation ~ 10 minutes
  - Public Consultation Summary
  - Overview of Existing By-Law
  - By-Law Exemptions
  - Key Changes Proposed



# Why Are We Here?

- Niagara Region has undertaken a comprehensive review of the Region's Woodland By-law
- By-law was last updated in 2008
- We are now bringing proposed changes to Committee for consideration



# Goals of the By-law Review

- To review any relevant changes to Provincial legislation
- To review alignment with the Regional Official Plan
- To compare with similar by-laws and update best practices
- To review and confirm by-law objectives
- To review and confirm administration and enforcement processes

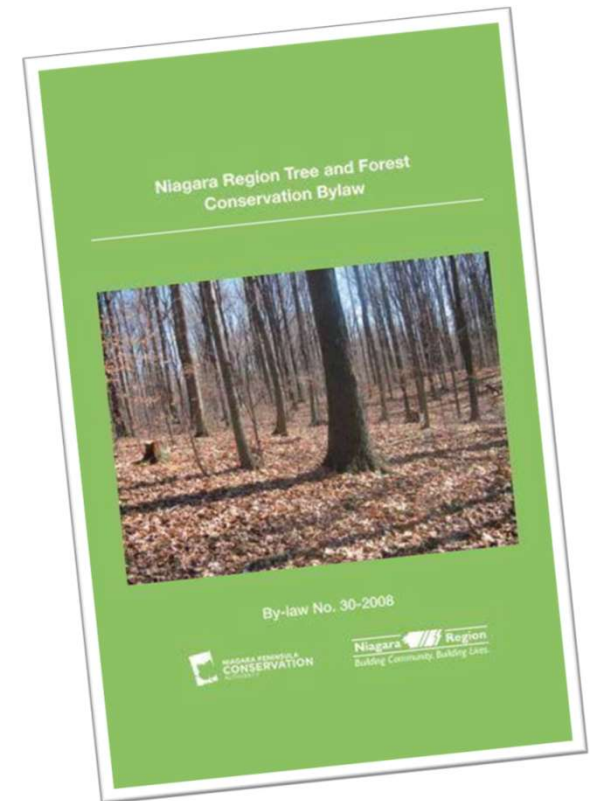


# Public Consultation

- Two stakeholder sessions
  - 24 attendees in the AM- biologists, arborists, ecologists, planners, developers and project managers.
  - 14 attendees in the PM- planners from the local area municipalities and representatives from local environmental groups
- Virtual public open house
- Online survey
- Dedicated project webpage and email for other questions and enquiries

# Existing By-law Facts 1 of 2

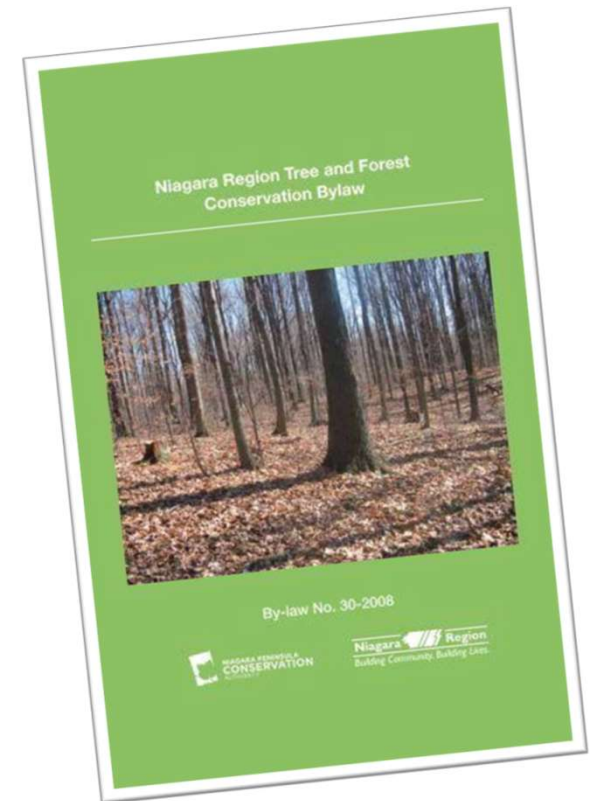
- Administered and enforced by the NPCA on behalf of the Region since 2008
- Prohibits injury or destruction of protected trees, unless an exemption applies
- Permits harvesting in accordance with Good Forestry Practices
- Legislated by the *Municipal Act* (2001) s.135





# Existing By-law Facts 2 of 2

- Applies to treed areas measuring 1 ha or more that meet the definition of “woodland” as defined in the *Forestry Act*
- Applies to all woodlots less than 1 ha and designated heritage trees and significant trees upon delegation of authority to the Region by the local area municipality





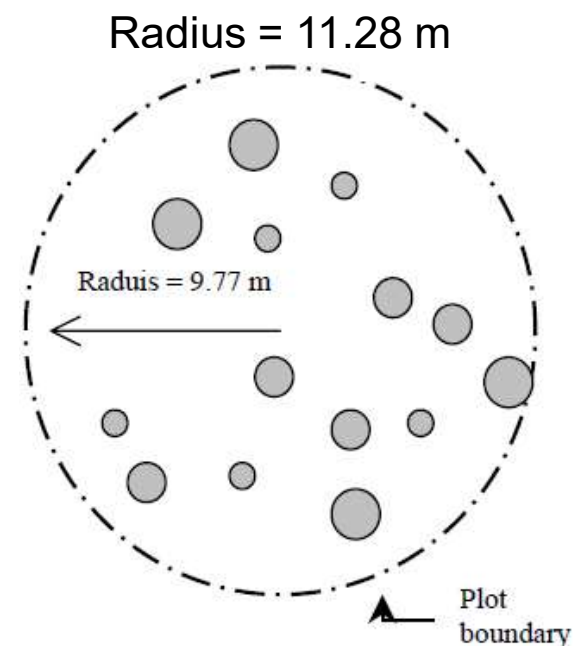
# Delegation of Authority

- Delegated authority for woodlots less than 1 ha:
  - Grimsby
  - Niagara Falls
  - Niagara-on-the-Lake
  - West Lincoln
  - St. Catharines
- Must meet density requirements as per the *Forestry Act*.



# Forestry Act Woodland Definition

- Land on one or more properties with a density of:
  - 1000 or more trees of any size per hectare
  - 750 trees 5 cm or more in diameter per hectare
  - 500 trees 12 cm or more in diameter per hectare
  - 250 trees 20 cm or more in diameter per hectare
- Does not include dead trees, cultivated orchards or actively tended Christmas tree plantations
- Includes plantations that have not been harvested for 15 years



11.28 m radius = 400 m<sup>2</sup> or 0.04 ha  
14 trees x 25 conversion factor = 350 trees/ha

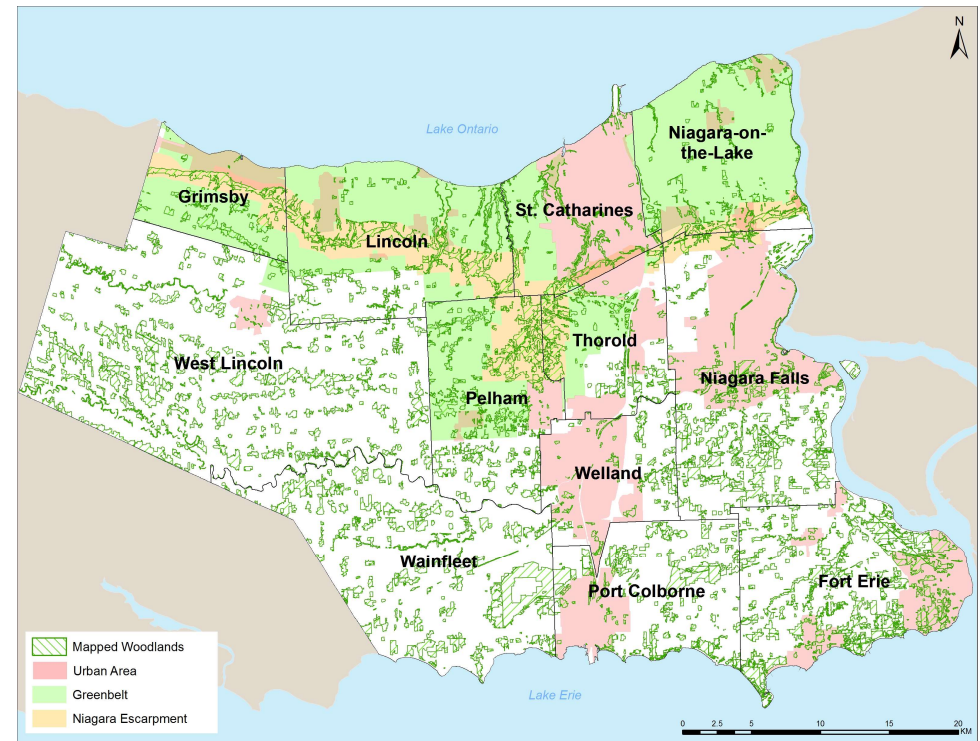
# By-law Cannot Regulate: 1 of 2



- Woodlands less than 1 ha or heritage/ significant trees where authority has not been delegated to the Region by the local area municipality
- Removal of trees required for construction or maintenance of electrical transmission or distribution systems
- Removal of trees required for municipal activities or surveying
- Removal of trees on Crown land or for licensed pits & quarries

# By-law Cannot Regulate: 2 of 2

- Removal of trees approved through a *Planning Act* application as a condition of site plan, subdivision or consent, or a development permit
- These exemptions are legislative and not open to review





# Existing Exemptions 1 of 3

- Harvest of trees for the owner's own use, provided that:
  - There is no commercial sale of trees
  - Good Forestry Practices are followed and the woodland is maintained
  - Prior notification of cutting has been provided
  - The owner has owned the woodland for at least 2 years
  - Does not involve a “sensitive natural area”, otherwise a permit is required

**Sensitive Natural Area** currently means lands that are in a woodland designated as part of an Environmental Protection Area in the Regional Official Plan or within a Natural Area designated in the Niagara Escarpment Plan.



# Existing Exemptions 2 of 3

- Removal of trees by a farmer for agricultural use, provided that:
  - The land is owned by the farmer doing the clearing and part of a farm operation that has existing for at least 3 years
  - The land is put into agricultural use within 3 years
  - The land is outside the urban area and zoned for agricultural use
  - Clearing is carried out in accordance with normal farm practices
  - Prior notification of cutting has been provided
  - Does not involve a “sensitive natural area”, otherwise a permit is required

# Existing Exemptions 3 of 3

- Removal of trees:
  - Where a building permit has been issued by a local area municipality
  - On approved waste disposal sites
  - For construction of drainage works under the *Drainage Act*
  - That are dead or hazardous to human safety or property
  - That are diseased, as identified in a Forest Management Plan or Silvicultural Prescription



# Good Forestry Practices Permit

- The by-law prohibits tree cutting in woodlands unless a Good Forestry Practices Permit has been obtained
- Good Forestry Practices improve the health, vigour and economic value of woodlands over time

**NIAGARA PENINSULA CONSERVATION AUTHORITY** **Niagara Region**

**GOOD FORESTRY PRACTICES PERMIT APPLICATION**  
REGIONAL MUNICIPALITY OF NIAGARA  
TREE AND FOREST CONSERVATION BY-LAW NO. 30-2008

This application is to be completed in full by the owner, the contractor and forester (OFPA member), and the certified tree number, and is to be delivered to the office of the Niagara Peninsula Conservation Authority.

**Property Owner**

Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Telephone - Home: \_\_\_\_\_ Work/Cell: \_\_\_\_\_ Fax: \_\_\_\_\_

**Location and information about Woodland**

Lot: \_\_\_\_\_ Can: \_\_\_\_\_ Municipality: \_\_\_\_\_  
Is the property included in a cross street: \_\_\_\_\_  
Is the property included in: Managed Forest Tax Incentive Program (Y or N): \_\_\_\_\_ Conservation Land Tax Program (Y or N): \_\_\_\_\_  
Total area of the woodland: \_\_\_\_\_ ac/ha Area of woodland to be harvested: \_\_\_\_\_ ac/ha  
Basic Area Prior to Harvest: \_\_\_\_\_ ac/ha Residue Base Area: \_\_\_\_\_ ac/ha  
Expected Starting Date: \_\_\_\_\_ Expected Completion Date: \_\_\_\_\_  
Will there be a harvested harvest? (Y or N): \_\_\_\_\_ When: \_\_\_\_\_ month/year By whom: \_\_\_\_\_

**Information about forestry professionals involved**

**Logging Contractor**

Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Telephone - Work: \_\_\_\_\_ Cell: \_\_\_\_\_ Fax: \_\_\_\_\_

**Certified Tree Marker**

Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Telephone - Work: \_\_\_\_\_ Cell: \_\_\_\_\_ Fax: \_\_\_\_\_

**OFPA member providing the Forest Management Plan or Prescription**

Name: \_\_\_\_\_ OFPA Number: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Telephone - Work: \_\_\_\_\_ Cell: \_\_\_\_\_ Fax: \_\_\_\_\_

# Feedback from Public Consultation

- Major Themes
  - Existing and proposed exemption policies;
  - Changes to Definitions;
  - Connection between the By-law and Official Plan;
  - Status of By-law Advisory Committee; and
  - Enforcement Policies



# Key Changes Proposed 1 of 4

- Title change
  - ~~Woodland Tree and Forest Conservation By-law~~
- Enforcement responsibilities
  - Administration and enforcement by ~~NPCA~~  
Niagara Region
- Definitions
  - Remove terms not used and add others



# Key Changes Proposed 2 of 4

- Advisory Committee
  - Remove – no other municipality has a committee
- Redefine woodlot characteristics
  - Do not include hedgerows less than 20 m wide
- Tree Saving Plan requirements
  - Interim – Relocate existing guidelines from within current By-law to an Appendix so that they can be updated at a later date





# Key Changes Proposed 3 of 4

- Exemptions
  - Keep existing exemptions
  - Add exemption for contaminated lands
- Building permit requirements
  - Update to include a land area limitation for woodland removals associated with building permits



# Key Changes Proposed 4 of 4

- Good Forestry Practices
  - Plans must be prepared by an Ontario Professional Foresters Association member
  - Qualified Tree Marker approvals
  - Notification required 48-hours prior to cutting





# Next Steps

- Draft By-law and Report is going to PEDC on October 14<sup>th</sup>, 2020 for consideration







# Thank you!



*Joe Schonberger*

June 29, 2020.

Niagara Region  
[woodlandreview@niagararegion.ca](mailto:woodlandreview@niagararegion.ca)

**Re: Comments on the Niagara Region Review of Woodland Bylaw**

Dear Project Team,

I am an independent commentator. All the words and ideas herein contained are my own and are not meant to be reflective of any organization or committee that I may now or ever have served on.

Our family farms. We have a woodland that we value highly.

Since the beginning of Bylaws regulating woodlands Niagara Region has worked with an Advisory Committee who helped in the creation of the original circumference limit Bylaw, then a Bylaw under the Municipal Act, and an amended Bylaw to be delegated to the NPCA while at the Region. The Committee continued at the NPCA.

At the Region the Committee was in a position of trust and responsibility. The Region provided all the information they needed to do their jobs and be helpful. The Committee was promised that if they came to work with NPCA that there would be an important role for them to play. They soon found that they were not in “Kansas anymore” as routine information including what was public was not available. The Committee rarely met and fell into disuse.

The Bylaw process at the Region was very transparent. It was more secret at the NPCA. The NPCA did hire good Staff. He was well received in the rural and agricultural community and was easy to work with and was tough on those who contravened Bylaw Requests to revive the Committee were not successful and there was real concern that pushing the issue might get a good Bylaw Officer fired. They did that a lot at the Conservation Authority.

There is nothing irregular or unusual about an Advisory Committee in a Niagara Region Woodlands Bylaw. The contributions of a diverse group of Stakeholders have been a valuable part of the Bylaw since the beginning, could have been at the NPCA, and can be again at the Region. Why is there so much disdain and hate from Staff on this issue?

**Summary of Recommendations**

- Reinstatement of the Advisory Committee and use language that insures the Committee will meet regularly and play an important role.
- It is good that enforcement is returning to the Region. The Regional Forester must be a full time employee of the Region. To avoid conflict of interest the Regional Forester should be prohibited from developing Forestry Management Plans for anyone within Niagara Region. This should be stated within the Bylaw.
- It is good that existing exemptions are being maintained.
- The addition of an exemption to remediate contamination is good. Is a requirement to reforest being considered?
- Section 5.1.a should remain as is. This was done because there was a lack of Foresters available to write Forestry Management Plans. There is no reason to believe this has changed.
- Can the performance and conduct of Foresters be regulated in a Woodlands Bylaw?
- The exemption for hedgerows less than 20 meters wide is good. Would this apply if it was a wetland or if it is contiguous to a woodland?

- The name change to Woodlands Bylaw is good.
- Tree Savings Plans should remain within the Bylaw.
- The Prohibition on tree cutting during Bird and Bat breeding season is opposed. Breeding Birds and Bats will not be in every woodland. Trees need to be cut when conditions are good to avoid damage to the woodland. Further the Region already has the ability to place conditions on any Permit.
- The Region should not go below .5 hectares for woodlands delegated by a Lower Tier Municipality.
- The Municipal Act states very clearly that the Upper Tier Municipality regulates woodlands over 1 hectare in size, Lower tier Municipalities are attempting to regulate trees in woodlands as defined using their Property Standards Bylaw And are issuing Orders under the Building Code to cut trees with no regard for the time of year or conditions in the woodland and placing time deadlines on the work that cannot be reasonably met. This can result in unnecessary damage to the woodland or the PSW that woodlands usually are. What can the Region do to prevent this inside or outside the Bylaw? Could there be something put into the Bylaw?

Thank you for your consideration of the above. It is hoped that you found it helpful.

Yours truly,  
Joe Schonberger.



**THE REGIONAL MUNICIPALITY OF NIAGARA  
AGRICULTURAL POLICY & ACTION COMMITTEE  
MINUTES**

**APAC 1-2020  
Friday, February 28, 2020  
Committee Room 4  
Niagara Region Headquarters  
1815 Sir Isaac Brock Way, Thorold ON**

Committee: Councillor Butters, Disero, Jordan, Steele, Witteveen (Committee Chair); C. Hamilton, G. Janes, J. Kikkert, C. Mullet Koop, B. Schenck (Committee Vice Chair), J. Schonberger, L. Troup, A. Vaughn, K. Wiens

Absent/Regrets: Bradley (Regional Chair), Easton

Staff: E. Acs, Manager, Community Planning, M. Evely, Legislative Coordinator, R. Fleming, Senior Tax & Revenue Analyst, K. Provost, Economic Development Officer, M. Trennum, Deputy Regional Clerk

Others Present: N. Gill, Ontario Federation of Agriculture, Member Service Representative, T. Humphrey, Vineland Research Innovation Centre, S. Marshall, Ontario Tender Fruit

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**1. CALL TO ORDER**

Committee Chair Witteveen called the meeting to order at 9:01 a.m.

**2. DISCLOSURES OF PECUNIARY INTEREST**

There were no disclosures of pecuniary interest.

**3. PRESENTATIONS**

**3.1 Niagara Agri-Business Working Group**

Professor Charles Conteh, Director, Niagara Community Observatory, provided information respecting Niagara Agri-Business Working Group. Topics of the presentation included:

- Mapping Niagara's Agri-food Cluster
- What are Clusters?
- What Roles do Agri-food Innovation Clusters Play?
- Areas of Focus for Agri-food Clusters
- Niagara's Centres of Excellence in the Agri-food Sector
- Three Types of Cluster Platforms:
  - Participant Governed Cluster
  - Lead Organization-Governed Cluster
  - Network Administrative Cluster

**4. DELEGATIONS**

There were no delegations.

**5. ITEMS FOR CONSIDERATION**

**5.1 APAC-C 3-2020**

Update to Agricultural Policy and Action Committee Terms of Reference

Moved by A. Vaughan

Seconded by Councillor Jordan

That Correspondence Item APAC-C 3-2020, being a memorandum from K. Provost, Economic Development Officer, and E. Acs, Manager, Community Planning, dated February 28, 2020, respecting Update to Agricultural Policy and Action Committee Terms of Reference, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the amendments to the Agricultural Policy and Action Committee terms of reference, as described in Appendix 1 of Correspondence Item APAC-C 3-2020, **BE APPROVED**.

**Carried**

**6. CONSENT ITEMS FOR INFORMATION**

J. Schonberger provided clarification respecting Minute Item 7.4 of Report APAC 4-2019 (Agricultural Policy and Action Committee Minutes - November 29, 2019). He advised that he was appointed as a representative of Agricultural South on the Niagara Peninsula Conservation Authority (NPCA) Public Advisory Committee and the NPCA was looking for someone to represent Agricultural North.

Moved by Councillor Steele

Seconded by C. Mullet Koop

That the following items **BE RECEIVED** for information:

APAC-C 1-2020

Farm Help House Development Charges

APAC-C 2-2020

Irrigation Steering Committee Update

APAC-C 4-2020

Farm 911 - The Emily Project

APAC 4-2019

Agricultural Policy and Action Committee Minutes - November 29, 2019

**Carried**



**7. OTHER BUSINESS**

**7.1 Bill 156, Security from Trespass and Protecting Food Safety Act, 2020**

C. Mullet Koop advised committee members that the Legislative Assembly of Ontario is in the process of doing final readings of Bill 156, *Security from Trespass and Protecting Food Safety Act, 2020*, and requested members to show support.

Moved by J. Schonberger  
Seconded by J. Kikkert

That staff **PREPARE** a report requesting Council's endorsement of Bill 156, *Security from Trespass and Protecting Food Safety Act, 2020*.

**Carried**

**7.2 Update on Irrigation Ambassador**

B. Schenck advised committee members that Hugh Fraser was hired as the Irrigation Ambassador. The position will operate under Grape and Tender Fruit Ontario and report to its Irrigation Steering Committee.

**7.3 Niagara Agri-Business Working Group Presentation**

Councillor Steele requested the presentation respecting Niagara Agri-Business Working Group (Minute Item 3.1) be presented to the Planning and Economic Development Committee with the recommendation that Economic Development staff lead the initiative.

Moved by Councillor Disero  
Seconded by Councillor Steele

1. That Council **ENDORSE** the Niagara Agri-Business Working Group presentation; and
2. That staff **PREPARE** a report recommending an appropriate economic development strategy respecting Niagara's Agri-food cluster.

**Carried**

**7.4 Niagara Peninsula Conservation Authority Public Advisory Committee Update**

J. Schonberger advised committee members that the Niagara Peninsula Conservation Authority Public Advisory Committee appointed a representative for Agriculture North, and its next meeting is on March 12, 2020.

**8. NEXT MEETING**

The next meeting will be held on Friday, April 24, 2020 at 9:00 a.m. in Committee Room 4.

**9. ADJOURNMENT**

The meeting adjourned at 11:06 a.m.

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Councillor Witteveen  
Committee Chair

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Mark Evelyn  
Legislative Coordinator

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Ann-Marie Norio  
Regional Clerk

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Matthew Trennum  
Deputy Regional Clerk