
Subject: Niagara Official Plan: Natural Environment System

Report to: Regional Council

Report date: Wednesday, December 1, 2021

Recommendations

1. That the policies and revised mapping, reflective of local municipal input, for Natural Environment System Option 3B, **BE INCORPORATED** into the consolidated draft of the new Niagara Official Plan for further consultation.
2. That staff **BE DIRECTED** to continue consultation on the Natural Environment System mapping and policies as part of the overall Official Plan process.

Key Facts

- The purpose of this report is to provide Regional Council with information (draft policies, mapping and clarification on the difference between NES Options 3B and 3C) to assist in making a decision on which Natural Environment System (NES) option should be incorporated into the consolidated draft Niagara Official Plan for consultation with the public and other stakeholders.
- At the Regional Council meeting on May 20, 2021 Council endorsed both NES Option 3B and 3C.
- The detailed work including policy development and detailed region-wide mapping for both options (3B and 3C) has now been completed and are attached to this report. This process included consultation with the local planning departments, the NPCA, and the Niagara Parks Commission.
- A decision on a NES option is necessary to allow work to advance on the balance of the Niagara Official Plan work program and allow staff to prepare a consolidated draft of the new Niagara Official Plan and to initiate a comprehensive engagement program with the public and other stakeholders.
- This decision is the endorsement of an approach and not the final decision and approval of the NES. The decision on the NES will be finalized at the time Council adopts the new Official Plan.

Financial Considerations

The ongoing costs associated with the Natural Environment Work Program are accommodated within the Council approved project budget for the Niagara Official Plan.

Analysis

Background:

- At the May 12, 2021, meeting of Planning and Economic Development Committee, PDS 17-2021 was presented. PDS 17-2021 report provided significant details on the work to date in preparing the NES for the new Niagara Official Plan, among other updates on other matters for the Official Plan. PDS 17-2021 included a staff recommendation for NES Option 3B. PEDC endorsed NES Option 3B.
- At the Regional Council meeting on May 20, 2021 Regional Council endorsed both NES Options 3B and 3C.
- Since May, Region Planning staff with the support of our consulting teams and local municipal partners, have been preparing region-wide mapping for the NES and draft NES policies. The draft NES policies can be found in Appendix 3 and the draft NES Schedule can be found in Appendix 5.
- The draft policies and mapping were provided to Local Planning staff for review in October. Comments received from Local Planning staff and a response matrix for both the policies and mapping is attached to this report.

Natural Environment System Options (3B and 3C):

Both NES Options 3B and 3C are based on the same region wide system that includes the provincial natural heritage system, key natural heritage features, key hydrologic features, natural heritage features and areas, key hydrologic areas, supporting areas and features, linkages, and buffers. For a full list of the components of the NES please refer to Appendix 4 – Table 4-1.

In consideration of the overall scale and extent of the Regional NES, the two options are similar. While Option 3C would provide some additional protections, the distinction between the two options is not significant. There are three differences between the options:

- **Linkages** – In NES Option 3B there are medium and large linkages outside of settlement areas only. In NES Option 3C small linkages are added inside and outside of settlement areas. The policies that would apply to linkages are included in Appendix 3. Linkages are mapped features and are shown in the attached draft mapping. The small linkages that would apply in NES Option 3C are shown in a different colour - to allow them to be differentiated from the medium and large linkages that would apply in both NES options.
- **Buffers in settlement areas** – In NES Option 3B, there would not be a requirement for buffers for many natural features in settlement areas as part of the Regional NES. In Option 3C, there would be the requirement for mandatory buffers in settlement areas, with the width determined at the time of a Planning Act application and based on the findings of an environmental impact study (EIS) or hydrologic evaluation. The policies that would apply to buffers in settlement areas are included in Appendix 3. Since the width of the buffer is determined at the time of development, they cannot be mapped as part of the Regional NES – they are mapped at the time and application is made.
- **Supporting features and areas (including enhancement areas)** – In NES Option 3B, supporting features and areas are part of the NES outside of settlement areas only. In Option 3C, they would become part of the system inside of settlement areas as well. The requirement to screen for, and identify supporting features and areas would be done at the time an application is made and based on the findings of an environmental impact study (EIS) or hydrologic evaluation. The policies that would apply to supporting areas and features are included in Appendix 3. Since the presence of supporting features and areas is determined at the time of development, they cannot be mapped as part of the Regional NES – they are mapped at the time an application is made.

The following table summarizes the components that are added in 3C in addition to NES Option 3B.

In Mapping and Policy	In Policy Only
<ul style="list-style-type: none"> • Small linkages are added both inside and outside of settlement areas 	<ul style="list-style-type: none"> • Supporting features and areas (including enhancement areas) are added in settlement areas • Mandatory (non-prescribed) buffers are added in settlement areas

Draft policies and mapping reflect both Options 3B and 3C. The additional policies associated with 3C have been highlighted in the draft.

Natural Environment System Mapping:

Draft mapping is attached to this report (both in PDF for and through a link to an online mapping tool). This mapping is the culmination of a major staff project and has incorporated the work of several consultant teams. Well over 1200 sites were visited during the preparation of the draft mapping. Region planning staff have subsequently visited numerous other sites based on comments received by Local Planning staff.

Local planning staff were given the opportunity to review the draft mapping and provide comments.

The draft mapping is available online here: [online mapping](https://niagararegion.maps.arcgis.com/apps/instant/basic/index.html?appid=21e7b3d3663e476799277823f3a40b44)
 (https://niagararegion.maps.arcgis.com/apps/instant/basic/index.html?appid=21e7b3d3663e476799277823f3a40b44)

When reviewing the draft mapping, the following should be taken into consideration:

- Mapping only tells part of the story, and needs to be considered together with policy, as well as the criteria, methodology, and definitions that were used to identify and design the system, and that will be used to implement the system.
- Mapping is intended to be used as a tool to screen for natural features and areas, and to trigger the need for a review as part of an application for a proposed change in land use or development. It should not be interpreted as the exact delineation for natural features that do, or do not exist on the landscape.

- Not all NES features can or will be mapped. At a Regional-level, some features are protected through policy and are more appropriately identified through site-specific study. This is typical for municipalities across the Province.
- The NES is dynamic. The mapping of features represents a snap-shot in time. For example one of the primary sources of data for the NES mapping is the 2020 Ecological Land Classification (ELC) mapping. The 2020 ELC data is based on aerial imagery taken in 2018. In the context of mapping a Regional NES, this mapping is considered highly accurate, but changes will occur between the time that the aerial imagery is taken and the NOP is approved.
- A fundamental principal of natural environment planning is that the system can, and will be better understood through more detailed site-specific studies. This is a principal that is reflected in the draft policies. For example refinements to mapped features can be made based on site-specific analysis, staking and surveying of features or more detailed ELC classification. Refinement of features is typically done by the landowner/applicant at the time there is a proposed change in land use.
- Refinements to the NES mapping can be made without an amendment to the Regional Official Plan.

As part of the NES mapping project staff are making edits and minor technical adjustment to the Growth Plan Natural Heritage System in consultation with Local Planning staff. Edits to the Greenbelt Plan Natural Heritage System are not permitted by Provincial policy.

Involvement of Local Planning Staff in Preparing and Reviewing Draft Mapping and Policies:

Local Planning staff and planning staff from the NPCA and NPC were circulated a draft of the NES policies as well a draft of the “Components, Definitions, and Criteria” document. Several workshops were subsequently held to provide additional details, answer questions, and seek feedback. A number of one-on-one meetings with Local Planning staff were also held as requested. Appendix 1 is a matrix with all of the comments that were received along with the response of Region Planning staff. Numerous revisions were made to the draft policies based on the input received.

In addition, Local Planning Staff and planning staff from the NPCA and NPC were provided access to an online mapping tool to view the draft NES mapping. Appendix 2 is a matrix with all of the comments that were received along with the response of Region planning staff. Numerous revisions were made to the draft mapping based on

the input of local planning staff. Other sites are still under review. The ongoing review of these sites is not impacted by the selection of NES Option 3B or 3C.

Next Steps and Public Consultation:

1. Once Regional Council provides direction to staff on which NES option should be incorporated into the consolidated draft of the Niagara Official Plan staff will make the appropriate adjustments to the mapping and policy. Consultation on the mapping and policy will continue.
2. Staff will communicate changes to affected urban landowners where there are new or different features of their property. A webinar will be scheduled to provide information on the Niagara Official Plan and NES to affected landowners.
3. The preferred NES option will then be incorporated into a consolidated draft of the new Niagara Official Plan.
4. A comprehensive engagement program with the public, indigenous groups, and other interested parties on the Niagara Official Plan will then be undertaken. Comments on the NES policy and mapping will be collected and considered. A final draft of the new Niagara Official Plan will then be presented to Regional Council for adoption.

Alternatives Reviewed

At the Regional Council meeting on May 20, 2021 Regional Council endorsed both NES Option 3B and 3C. This report is requesting Council to make a decision on which of the two options should now be incorporated into the consolidated draft of the Niagara Official Plan.

Relationship to Council Strategic Priorities

This report is being brought forward as part of the ongoing reporting on the Niagara Official Plan. The Natural Environment Work Program aligns with Objective 3.2 Environmental Sustainability and Stewardship:

A holistic and flexible approach to environmental stewardship and consideration of the natural environment, such as in infrastructure, planning and development, aligned with a renewed Official Plan.

Other Pertinent Reports

- PDS 40-2016 Regional Official Plan Update
- PDS 41-2017 New Official Plan Structure and Framework
- PDS 3-2018 New Official Plan Update
- PDS 6-2018 Natural Environment Project Initiation Report
- PDS 18-2018 Natural Environment – Project Framework
- PDS 9-2019 New Official Plan Consultation Timeline Framework
- PDS 10-2019 Update on Natural Environment Work Program – New Regional Official Plan
- CWCD 122-2019 Agricultural and Environmental Groups – Draft Stakeholder Lists
- CWCD 150-2019 Update on Official Plan Consultations – Spring 2019
- CWCD 179-2019 Notice of Public Information Centres – Natural Environment Work Program, New Regional Official Plan
- CWCD 271-2019 Update on Consultation for New Official Plan
- PDS 32-2019 Natural Environment Work Program – Phases 2 & 3: Mapping and Watershed Planning Discussion Papers and Comprehensive Background Study
- PDS 1-2020 New Niagara Official Plan – Public Consultation Summary
- PDS 3-2020 Ecological Land Classification Mapping Update
- PDS 9-2020 Niagara Official Plan – Consultation Details and Revised Framework
- CWCD 153-2020 Natural Environment Work Program Update – New Niagara Official Plan
- PDS 26-2020 Natural Environment Work Program – Phase 4: Identification and Evaluation of Options
- CWCD 314-2020 Update Natural Environment Work Program
- PDS 35-2020 Niagara Official Plan Consultation Update
- PDS 4-2021 Niagara Official Plan – Steps and Direction Moving Forward
- PDS 1-2021 Natural Environment Work Program – 2nd Point of Engagement
- CWCD 2021-70 Mapping and Data for Natural Environment Options
- PDS 17-2021 Niagara Official Plan Consolidated Policy Report
- PDS 30-2021 Niagara Watershed Plan – Draft for Consultation
- PDS 32-2021 Update on Niagara Official Plan - Further Draft Policy Development

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Appendices

- Appendix 1 Local Planning Staff's and NPCA Comments on Natural Environment System Policies with Response Matrix
- Appendix 2 Local Planning Staff's and Agencies Comments on Natural Environment System Mapping with Response Matrix
- Appendix 3 Draft Natural Environment System Policies
- Appendix 4 Draft Natural Environment System: Components, Definitions, and Criteria
- Appendix 5 Draft Natural Environment System Schedules (C1, C2, and C3)

Appendix 1 – PDS 8-2021

Local Planning Staff and NPCA Comments on Natural Environment System Policies with Response Matrix

No.	Comment From	Comment	Region Response
1	City of Port Colborne Planning Staff	The majority of these comments are implementation issues that if modified will make the transition to the new mapping a much easier undertaking and stop a lot of site specific problems in future.	Regional staff agree that transition policies are critical for the implementation of the new Niagara Official Plan. We have made several additions and revisions based on the detailed comments provided below.
2	City of Port Colborne Planning Staff	Secondary Plans take a lot of work and go through a rigorous planning process. As such they should be given much more status than is given in the natural area policies. Once a secondary plan has been put in place through an Official Plan amendment it should be the blueprint for development and not have to be reopened because of some new mapping. I suggest that if a secondary plan was approved in the last 10 years ie 2011 or later that it's status should be maintained and no review of natural features is warranted. If there are road and or infrastructure connections across natural features in the secondary plan, these connections should be able to be maintained. Old plans could be the subject of a review.	We have added an additional policy to S. 3.1.7.4 to recognize secondary plans that were approved in the previous 10 years.

No.	Comment From	Comment	Region Response
3	City of Port Colborne Planning Staff	Your policy that identifies that infrastructure can be built through natural features if an Environmental Assessment is completed should be updated to specifically include Class Environmental Assessment. So there is no confusion in future.	Correct, an environmental assessment would include a Class Environment Assessment. We have added that to the policy to ensure no confusion during implementation.
4	City of Port Colborne Planning Staff	Your policies identify that the EIS process is the way to modify and or eliminate natural features. I support this notion. However, you have not used this approach in your mapping. There are areas that your mapping has identified as other wetlands and or other woodlots that have been the subject of an EIS and the EIS has been approved. This will lead to a great deal of confusion in future. All approved EIS studies that have removed a natural feature should be utilized as a part of this mapping. I think there is a disconnect with your development section and or your environmental section in this regard.	<p>It is the opinion of Regional staff that the appropriate time to remove a feature from the mapping is when the development is proceeding, rather than at the time an EIS is approved or there is draft plan approval.</p> <p>Take for example a situation where an EIS or draft plan is approved, but the development does not move forward. The EIS would have been completed based on the proposed development or change in land use, and may not apply to a subsequent applicant. We want to avoid having to remap the site if an application does not proceed. A subsequent landowner or applicant may not be aware that there are natural features on the site if they were removed for a previous application that did not move forward.</p> <p>In addition, there can be conditions attached to EISs or draft plan approval. The inclusion and clearing of conditions is done differently across sites, and across municipalities in the Region.</p>

No.	Comment From	Comment	Region Response
			<p>Further, in many cases EISs have not historically included shapefiles, GIS, or other digital files. Moving forward it is the intention of the Region to require this information.</p> <p>It is the opinion of Regional staff that approved EIS's and draft plan approved sites are more appropriately dealt with through transition policies and other similar policy tools. The draft policies address the situation of a site that has draft plan approval.</p> <p>Based on this comment, and other similar comments that were received, we have added additional policy to address the situation where an EIS may have been approved, but Planning Act approvals are still being processed.</p>
5	City of Port Colborne Planning Staff	I agree with policy 3.1.7.2 which maintains the status of approved site plans.	Thank you. Comments noted.
6	City of Port Colborne Planning Staff	Policy 3.1.4.8 makes no sense. If a significant woodland has lost the features that had it classified as such it should no longer be maintained as a significant woodland. There is change in ecology and this needs to be reflected in the policies. If natural or approved anthropocentric forces have changed a woodland and it no longer has the features that identified it as a significant woodlot than it	<p>It is the goal of this Plan that woodland cover be maintained or enhanced in the region by 2051. For this goal to be realized there needs to be policies to protect existing woodland cover in the Region.</p> <p>Woodlands are ecological systems and are subject to cyclical processes. Policy 3.1.4.8 protects woodlands at all points in their ecological cycle. Woodlands that have been</p>

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		simply is not a significant woodlot. Remove this policy entirely.	<p>disturbed by natural disturbance (e.g. invasive species, fires, weather, etc.) will return to woodlands. A reference to anthropogenic disturbances is included in this policy to prevent woodlands from being removed in advance of an application for development.</p> <p>This policy is a best practice and currently in Official Plans in other municipalities in Ontario. There was very strong support for a policy of this type during the public consultation that has been completed to date on the project. It is noted that other municipalities indicated support for this policy.</p>
7	Township of Wainfleet Planning Staff	Development – the definition is not included in the NES definitions, but rather in the Glossary of Terms for the new OP. The definition includes the creation of a new lot. Often times boundary adjustments propose the fragmentation of a feature, but are not considered a new lot. It would be beneficial to have an additional NES policy direction to identify that development may include new or adjusted lot “lines”.	Thank you for the suggestion. We have added a new policy to indicate that consideration should be given to not fragmenting natural features during boundary adjustments.
8	Township of Wainfleet Planning Staff	It is unclear if “Natural Hazards” and “Hazardous Lands” are separate terms. They are both italicized, however, only Hazardous Lands is defined.	Only Hazardous Lands should be italicized as a defined term. We have made this correction

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9	Township of Wainfleet Planning Staff	"Woodland Enhancement Plan" is italicized but not defined.	Woodland Enhancement Plan will be included as a defined term in the new Niagara Official Plan.
10	Township of Wainfleet Planning Staff	"Hazardous Sites" is italicized but not defined.	Hazardous Sites will be included as a defined term in the new Niagara Official Plan. The PPS definition will be used.
11	Township of Wainfleet Planning Staff	"Hazardous forest types for wildland fire" is italicized but not defined.	Hazardous forest types for wildland fires will be included as a defined term in the new Niagara Official Plan. The PPS definition will be used.
12	Township of Wainfleet Planning Staff	"Structure" is used a number of times but not defined. Consideration should be given to include this as a defined term.	Structure is not a defined term in provincial planning documents. It is the opinion of Regional staff that it is not necessary for it to be a defined term in the Regional Official Plan.
13	Township of Wainfleet Planning Staff	All references to the Provincial Ministries names are subject to change in the future. Instead of the Ministry name perhaps use "Provincial Ministry with jurisdiction" or Federal depending on the item of discussion.	Thank you for the suggestion. We will use the term 'provincial ministry with jurisdiction'
14	Township of Wainfleet Planning Staff	It appears that the direction of the Natural Hazards policies remains broad and defers to the regulation of these features by the Niagara Peninsula Conservation Authority (NPCA). However, it also states that Natural Hazards will be shown on a separate Schedule as per	The mapping of Natural Hazards is the responsibility of the NPCA and will not be included in the Regional Official Plan. The text of Section 3.1.2 has been updated to eliminate this confusion.

No.	Comment From	Comment	Region Response
		Section 3.1.2, which has not been provided for review.	
15	Township of Wainfleet Planning Staff	Section 3.1.2.6.5 uses the term “change in adjacent land use”. As the proposal may not necessarily be a change in land use it may be beneficial to use “proposed development” so that the language remains consistent with the rest of the chapter (i.e. other policies refer to development or redevelopment).	We have changed the text in S. 3.1.2.6.5 from “change in adjacent land use” to “proposed development”.
16	Township of Wainfleet Planning Staff	Section 3.1.2.6.2(d) states that “the use of offsetting measures is not permitted by this Plan”. Township staff question if there has been a precedent for offsetting throughout the Region and would expect the policies for other wetlands to align with the NPCA regulations.	The use of offsetting measures is not permitted by this Plan. Currently the policies of the NPCA do allow for offsetting for non-PSW’s in some circumstances. We understand that this policy is currently under review by the NPCA board and staff.
17	Township of Wainfleet Planning Staff	Section 3.1.2.6.2(e) is related to the <i>Conservation Authorities Act</i> . These policies should be broader and note that approval shall be subject to NPCA regulations.	We have added “regulations” to S. 3.1.2.6.2 (e).
18	Township of Wainfleet Planning Staff	Section 3.1.3.3(d) suggests that Local Municipalities require site plan approval on all lots with key hydrologic areas (KHA) where individual on-site sewage services are proposed. The Township does not have the staffing resources to require site plan approval on all lots within KHA where individual on-site	On January 15, 2020 Regional Council directed staff to include specific policies in the new Niagara Official Plan related to the protection of the south Niagara highly vulnerable aquifer. The use of site plan approval for individual on-site sewage services was identified as one policy tool that

No.	Comment From	Comment	Region Response
		sewage services are proposed for single family homes. This policy may be implemented for more intrusive uses such as commercial, employment or larger scale developments.	could be used. As site plan approval is a local responsibility, the draft policy encourages local municipalities to do so.
19	Township of Wainfleet Planning Staff	Section 3.1.4.7 provides direction for linkages. It is not clear how the width or location of the linkages were determined. Staff suggest incorporating a clause that would allow some flexibility in determining if a study is required. For example, if the medium size linkage crosses an actively farmed field (cash crops) and it is aligned with the middle of a wetland/woodland feature, could the linkage not be relocated (to a northerly or southerly limit of the feature?) For example, if a farmer needed to construct a new agricultural building and the only restriction is a linkage across their field, it could result in a relocation of an agricultural structure in an inconvenient area or act as a deterrent altogether.	Thank you for the suggestion. We have added an additional policy to 3.1.4.7 to provided agricultural exemptions consistent with other sections of the chapter.
20	Township of Wainfleet Planning Staff	Section 3.1.5.2.b.iii) identifies a policy for a two-zone concept regarding flooding. Niagara only uses a one zone concept. This should be revised accordingly.	The policy states “where a two-zone concept is applied” if a two-zone concept does not apply, the policy does not apply.
21	Township of Wainfleet Planning Staff	Section 3.1.5.4 provides policy for Protecting Against Wildland Fires. It is not clear if the Niagara Region contains the presence of hazardous forest types for wildland fire	The appendix will be included in the consolidated draft of the Official Plan.

No.	Comment From	Comment	Region Response
		(assuming this is identified by the Province). It is not clear how risk assessment and mitigation standards are determined. The policy also refers to an Appendix which has not been provided for review.	
22	Township of Wainfleet Planning Staff	Section 3.1.7.9 Developing a Land Securement Strategy policy should not only read that the Region, LAMS and other public agencies etc, implement a land securement strategy that would transfer private lands in to public ownership, there should be some policy direction that in the event this cannot occur, then the lands should remain under a single private ownership (this happens often with subdivisions adjacent to a Natural Heritage Feature and one lot ends up owning the entire Natural Heritage Feature block).	Thank you for the suggestion. We have added additional text to the policy based on this comment.
23	Township of Wainfleet Planning Staff	Township staff notes that the goals and objectives of this chapter are clear. However, some of language in the policies, specifically with terms as identified above as well as repetitive or similar terms such as designation, overlay designation and overlay, can at times be confusing with respect to the mapping. There is often reference to and overlap between the different roles and responsibilities of the Local Municipalities, the Region and Niagara Peninsula Conservation Authority with respect to the Natural Environment System. It would be beneficial to have the roles and	Roles and responsibilities for Local Municipalities, the Region, and NPCA are defined in the MOU and Environmental Planning Protocol.

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		responsibilities clearly identified in a chart format as an appendix or table to the chapter.	
24	City of Thorold Planning Staff	There is much confusion in reading the proposed policy framework for the Natural Heritage system. Duplication of policies throughout the document and the use of similar terminology in describing both the Regional system and the Provincial system makes it difficult for the reader to follow and difficult to implement.	Comment noted.
25	City of Thorold Planning Staff	As an example, Section 3.1.1(b) states that the Region's Natural Environment system is an overlay on unnamed schedules. Section 3.1.2 states that the Natural Environment System is mapped as both overlays (with underlying designations) and designations. This creates confusion. Core features of the system should be designated as such. Overlays are typically used for adjacent lands where an Environmental Impact Statement is required to determine if development will have an impact on the Core features of the system. Clarifying this from the start of the document will assist in making the document more user friendly and easier to implement.	The entirety of the NES is an overlay. Certain core features are proposed to be shown as a designation. The text box at the start of S. 3.1.2 provides this information.
26	City of Thorold Planning Staff	Providing individual sections for the individual features ends up with duplication of similar policies throughout Section 3.1. The overall intent is to preserve and protect all core	In some cases the duplication of policy is required where the same policies apply to different features and areas. Several formats for presenting the policies were considered.

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		features of the system and to address how development may or may not impact the system through the submission of an EIS. The Region may wish to consider removing the duplication of similar policy/terminology to assist with streamlining the document and making it more user friendly.	Regional staff are of the opinion that this is the most user friendly format.
27	City of Thorold Planning Staff	The inclusion of policies from other documents (i.e. Niagara Escarpment Plan) also leads to confusion. An example is Section 3.1.2.4.5 dealing with Recreational Uses. It is suggested that instead of duplicating another plan's policy, a reference to the NEP could be inserted instead.	Section 3.1.2.4.5 is related to the Greenbelt Plan, not the Niagara Escarpment Pan.
28	City of Thorold Planning Staff	Many of the sections (i.e. 3.1.4.6) read as they are components of a Terms of Reference for an EIS rather than Official Plan policy. It is suggested that these sections be reviewed and only essential policy be included in the OP.	Regional staff are satisfied that all of the proposed policy are appropriate for inclusion in the new Official Plan. Where there is additional information that is important to provide, but is not strictly policy, we have included this as a text box in the plan.
29	Town of Pelham Planning Staff	Generally, the policies are well written and thorough. The breakdown of the various policy documents and the components of the natural heritage system is helpful and clear considering the complexity.	Thank you. Comment noted.
30	Town of Pelham Planning Staff	We would recommend revising the "minimum prescribed buffer" and "mandatory non-prescribed buffer" terms to "buffers outside	We have made the suggested change.

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		settlement areas” and “buffers inside settlement areas”.	
31	Town of Pelham Planning Staff	Policy 3.1.2.6.5(a) would prefer that a minimum buffer is stated for ease of implementation rather than having to complete a study to determine.	Comment noted. Regional staff continue to recommend that, if NES option 3C is selected, the width of buffers in settlement areas be determined through an environmental impact study.
32	Town of Pelham Planning Staff	Policy 3.1.3.3(d) encourages the use of site plan control for development in key hydrologic areas with individual on-site septic systems. Most of this development is for single detached dwellings where site plan control is not permitted by the Planning Act.	It is the understanding of Regional staff that site plan control is permissible for single detached dwellings under certain conditions. The policy is an encouragement to Local Municipalities.
33	Town of Pelham Planning Staff	Policy 3.1.4.3 seems to remove all Regional involvement in matters pertaining to the habitat of threatened and endangered species. What will be the role of the Region and local municipalities regarding this moving forward? Will this be clarified in the EIS guidelines? How will conformity with the Provincial Policy Statement be ensured?	Habitat of endangered species and threatened species is the jurisdiction of the Province. This is a provincial process. Region Environmental Planning staff will continue to complete technical reviews and provide comments through the application process as appropriate. Ultimately it is the responsibility of the applicant / property owner to comply with the relevant provincial legislation. Compliance will still need to be addressed through the EIS process.
34	Town of Pelham Planning Staff	Policy 3.1.4.5(a)(iv) Enhancement Areas is italicized but not defined.	Enhancement areas is a defined term and was included in the “Components, Definitions, and Criteria” document. It is included below the

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			definition of “supporting areas and features” as it is a subset of that definition.
35	Town of Pelham Planning Staff	Policy 3.1.4.8(a) is a welcome addition. We would recommend removing “date of approval of this Plan” as this may inadvertently encourage further clearing of woodlands prior to the date of adoption of the Plan. Also, recommend the removal of “unauthorized” as some removal of hazard trees has been permitted in areas and that should not be used to change the classification.	<p>Comment noted. Although Regional staff agree with the need to prevent clearing of woodlands prior to approval of the plan, it is the opinion of Regional staff that a policy of this nature requires a start date. In addition significant woodlands are identified based on criteria established by the Region (which differs slightly from previous criteria). The new criteria only become the policy as of the date of approval of this plan.</p> <p>Based on this comment we have removed the term ‘unauthorized’ from the draft policy.</p>
36	Town of Pelham Planning Staff	Policy 3.1.4.9 the addition of the cultural or regenerating woodland classification is positive.	Thank you. Comment noted.
37	Town of Pelham Planning Staff	3.1.4.9(b) seems to allow for offsetting which is in conflict with the statement earlier on in 3.1.2.6.2(d).	The policies in 3.1.4.9 are not intended to allow ecological offsetting.
38	Town of Pelham Planning Staff	Policy 3.1.4.12(c) [now “b”] refers to previous studies. Is there a shelf life for studies? Will this be clarified in the updated EIS guidelines?	In the case of policy 3.1.4.12 previous studies are to be reviewed for any and all information that can help to make a determination on cumulative impacts. There is not a restriction on the age of studies for this purpose. More generally speaking, EIS’s that are being submitted in support of an application for

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			development and site alteration do have an expiration date. More direction on this will be provided in the updated EIS guidelines.
39	Town of Pelham Planning Staff	Policy 3.1.5.2(b)(ii) requires private sewage systems to be located in the floodway as currently written. We believe this is an error and requires revision.	Thank you. We have made the correction.
40	Town of Pelham Planning Staff	Policy 3.1.5.3(a) permits residential uses on hazardous lands and sites. Is this the intention?	Policy 3.1.5.3 is included verbatim as written in the PPS (3.1.5). The primary responsibility for implementing restrictions on development and site alteration in natural hazards rests with the NPCA.
41	Town of Pelham Planning Staff	Policy 3.1.6.1(a) we would recommend setting a measurable target for woodland cover. Although the science based goal set by the UN of minimum 30% may not be attainable within the time frame of the plan, a target should be set.	Thank you. Comment noted. Following the completion of the new Official Plan, environmental planning initiatives in the Region will be ongoing.
42	Town of Pelham Planning Staff	<p>Policy 3.1.7.8(c) does not require buffers in settlement areas to be zoned.</p> <p>This means that buffers will be developed and have no protection. Is this the intention? If the intention is to maintain buffers, they should be zoned.</p>	Policy 3.1.7.8 c) provides direction for the inclusion of the NES in zoning by-laws at the initial time of implementation. Only where there is a minimum buffer prescribe can it be zoned at implementation. Other buffers that are determined through site specific study at the time application would be included in the zoning by-law at that time. We have added additional text to provide that clarification.

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43	Town of Pelham Planning Staff	Policy 3.1.7.11(c) [now 3.1.7.10(c)] we would recommend that “encourages the” be replaced with “shall use”.	Regional staff agree that the planting of native species is desirable. However the Regional Official Plan does not have the ability to require it at municipal facilities or along transportation corridors – especially if an application is not being made under the Planning Act. Policy 3.1.7.10 provides further direction regarding the planting of native species.
44	Township of West Lincoln Planning Staff	The NHS layer encompasses a significant amount of active farmland throughout the Township. The Township has concerns that this may cause additional barriers, on ongoing agricultural operations as well as proposals for new agricultural operations or agriculturally related severances including surplus farm dwelling severances, such as required environmental studies. From a very quick assessment of the data, we have grave concerns about the Provincial natural heritage system layer. Some of the mapping appears to makes no sense based on the underlying aerial imagery. Township staff would like to know how will it be applied to existing and new agricultural buildings both within and adjacent to the Provincial mapping?	The Growth Plan Natural Heritage System was provided to the Region by the Province and is required to be implemented through the Regional Official Plan. Within the text of the Growth Plan there is a range of exemptions for agricultural uses. See for example Growth Plan policy 4.2.2.3 b), 4.2.4.1 f), 4.2.4.4. All of the agricultural exemptions outlined in provincial policy have been incorporated into the draft policies.
45	Township of West Lincoln Planning Staff	Policies should protect and support farmers and their right to farm. Farmers are generally considered to be good stewards of the land	Thank you for the suggestion. We have added additional exemptions to 3.1.2.4.6 related to agricultural buildings.

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		since that is how they make their livelihood. Agricultural uses, buildings and structures should be exempt from 3.1.2.4.6.	
46	Township of West Lincoln Planning Staff	In all situations, existing agricultural uses should not be hindered and new and expanding agricultural buildings should be supported.	Comment noted.
47	Township of West Lincoln Planning Staff	Township staff also note concerns that the NHS layer may have impacts on ongoing urban expansion and rural settlement area adjustments. Regional Staff have stated that the NHS will not apply to area within settlement areas. Planning Staff would like to confirm that it will not affect any ongoing processes to bring lands into urban settlement areas. Agricultural uses and operations should be supported and not impacted by overly restrictive environmental policy.	That is correct. The policies of the Growth Plan do not prevent urban boundary expansions into the Growth Plan Natural Heritage System.
48	Township of West Lincoln Planning Staff	Township staff also have concerns with the linkages layer for the same reason as it affects a lot of land being actively farmed and we have concerns that this added layer will impact future agriculturally related planning applications and affect ongoing agricultural uses.	Based on this comment, and similar comments received we have added additional policy to S. 3.1.4.7 to add agricultural exemptions in linkage areas.

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49	Township of West Lincoln Planning Staff	Township staff have concerns regarding the 'Other Wetlands – Non PSW' layer and how it was mapped. Throughout West Lincoln it seems very sporadically mapped and staff are not sure of the implications of future planning act applications.	Both the Provincial Policy Statement (PPS) and Growth Plan require the Region to identify a water resources system (which in the case of Niagara is part of the integrated natural environment system). The identification and protection of a comprehensive water resource system (WRS) is new in Niagara. Wetlands are a required component of the WRS. Other Wetlands were identified using the Ecological Land Classification (ELC) methodology. ELC is the industry accepted protocol for the identification of a range of natural features. ELC mapping in Niagara was updated in 2020 and was the basis for identifying Other Wetlands in the region. Included in the "Components, Definitions, and Criteria" document is a list of all of the ELC vegetation codes for wetlands. Outside of settlement areas, the Growth Plan policies state that all wetlands are considered to be key hydrologic features, and the Growth Plan policies for this feature type have been included in the draft policies.
50	Township of West Lincoln Planning Staff	Township planning staff are supportive of the waiving criteria in 3.1.2.6.3 Development and Site Alteration in Adjacent Lands (Note that staff believe there may be a typo in the heading 'Alternation' in the draft text) and Section 3.1.8.2 Waiving and Scoping of Studies. Staff have experienced that in many circumstances and EIS is not warranted or	Thank you. Comment noted. (typo corrected)

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		should be scoped and have worked successfully with the Region in the past with the current waiving and scoping criteria.	
51	Township of West Lincoln Planning Staff	Staff do not believe that small linkages should be included as part of the mapping or policy, and the policy regarding linkages in 3.1.4.7 Identifying Linkages to Protect Ecological Connectivity in the Region, should provide more flexibility for agriculturally related development or site alteration as in West Lincoln the majority of these linkages are shown over actively used farmland.	Comment noted. Small linkages (both inside and outside of settlement areas) apply in NES Option 3C only.
52	Township of West Lincoln Planning Staff	Staff are not supportive of Policy 3.1.2.6.5, 3.1.4.7 a) (Option 3c) or Option 3.1.4.8 as written. Specifically regarding not significant woodlots, staff believe that the proposed policies are too strenuous.	Thank you. Comment noted.
53	Town of Grimsby Planning Staff	3.1.2.4.1 – VPZ Included in the Designation: The mapping has watercourses and waterbodies, it does not have ‘permanent and intermittent streams’ or ‘inland lakes’. The definition for permanent or intermittent streams is much more definitive vs. the watercourses.	Correct, the mapping provided has used the terms “watercourses” when the layer is depicting permanent and intermittent streams. This will be corrected on the next draft of the mapping. In addition, any associated Official Plan Schedules, where permanent and intermittent streams are identified, will refer to them as such. Inland lakes have been mapped and were provided in the draft mapping.

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54	Town of Grimsby Planning Staff	<p>General – Terminology in policies vs. mapping, i.e., significant coastal wetlands, permanent and intermittent streams, key natural heritage features, natural environment area, provincial natural heritage system, key hydrological features.</p> <p>There are policies and definitions for these features, but not related mapping which can easily be deciphered to determine how to apply those policies. The policies and mapping need to be consistent.</p>	<p>Some of the features listed in the comment are groups of features, not an individual feature type. For example key natural heritage feature and key hydrologic features are both terms used to describe a grouping of features that have similar policy types. There is not, for example, a mapping layer for key natural heritage features; instead each of the individual features are considered separately. It is also important to note that not all features are mapped in the plan. As a note, mapping for the Provincial Natural Heritage Systems (i.e. Growth Plan Natural Heritage System and Greenbelt Plan Natural Heritage System) was provided for review.</p>
55	Town of Grimsby Planning Staff	<p>3.1.2.2 (a):</p> <p>Please clarify this policy:</p> <ul style="list-style-type: none"> • What features cannot be mapped or are not included? • Who does the evaluation outlined in this policy? Does this relate to 3.1.2.2(c) or 3.1.2.3(a) where it is determined through evaluation done as part of a development application, or is the Region undertaking additional work? • Should the policy only refer to ‘additional’ features and areas? What if they have been mapped in error or the significance is less than what has been included? 	<p>Several examples of features that are not mapped include fish habitat, habitat of endangered species and threatened species, significant wildlife habitat, and significant valleylands.</p> <p>As noted in the policy the evaluation would be undertaken by applicant at the time an application is made.</p>

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56	Town of Grimsby Planning Staff	<p>3.1.2.4.2 (a)(viii):</p> <p>Please clarify what 'less of an environmental impact' refers to. Is there a relative scale that should be used, or something that can offer guidance?</p>	<p>This is a provincial policy. We will include additional details as part of the update to the EIS guidelines.</p>
57	Town of Grimsby Planning Staff	<p>3.1.2.4.5(b):</p> <p>While it is recognized that this is a policy from the GB Plan, should there be a definition, policy or terms of reference created for what is an acceptable vegetation enhancement plan? i.e., what it includes, who prepares it, etc.</p>	<p>Yes, that is correct- this is a provincial policy from the Greenbelt Plan. We will include additional details as part of the update to the EIS guidelines.</p>
58	Town of Grimsby Planning Staff	<p>3.1.2.4.5 (c):</p> <p>While it is recognized that this is a policy from the GB Plan, should there be a definition, policy or terms of reference created for what is an acceptable conservation plan? i.e., what it includes, who prepares it, etc.</p>	<p>Yes, that is correct- this is a provincial policy from the Greenbelt Plan. We will include additional details as part of the update to the EIS guidelines.</p>
59	Town of Grimsby Planning Staff	<p>3.1.2.4.6(a)(vi):</p> <p>There are exceptions in this policy for mineral aggregates and golf courses, should there also be an exception for agricultural uses? Especially as this policy is anticipated to relate to adjacent lands as well, natural self-sustaining vegetation that can be create</p>	<p>Thank you for the suggestion. We have included additional policy related to agricultural uses.</p>

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		conflicts with crops? Re: exceptions for agriculture in the GB Plan	
60	Town of Grimsby Planning Staff	<p>3.1.2.6.1(c):</p> <p>Please clarify this policy. 3.1.2.6(a) says the policy applies to settlement areas (SA), 3.1.2.4.2(a) and 3.1.2.4.3(a) both say it does not apply to SAs, and there is no mapping of the relevant streams, inland lakes, littoral zones, etc.</p> <p>Is there a VPZ in settlement areas?</p>	<p>Vegetation protection zone (VPZ) is a provincial term. VPZ's apply to key natural heritage features within a Provincial Natural Heritage System, and to all key hydrologic features outside of a settlement area.</p> <p>VPZ's do not apply within settlement areas. Inside settlement areas, the term 'buffer' is used.</p>
61	Town of Grimsby Planning Staff	<p>3.1.2.6.2(d) + (e) and (f):</p> <p>Please clarify the policy with the mapping – is this in reference to the regulated floodplain extents? Is the intention to show authority of the other wetlands in the mapping? Currently they are all mapped the same, so these policies are not clear.</p>	<p>No, this policy is not related to floodplains that are regulated by the NPCA. The purpose of this policy is to make it clear that wetlands can also be regulated by the NPCA.</p>
62	Town of Grimsby Planning Staff	<p>3.1.2.6.3(a):</p> <p>Please clarify – does this policy apply within a SA?</p>	<p>Yes, 3.1.2.6.3(a) applies within settlement areas.</p>
63	Town of Grimsby Planning Staff	<p>Table 3.2:</p> <p>Please clarify – where is the mapping for the following features listed in the table: significant coastal wetlands (note spelling error in doc), significant valleyland, significant wildlife</p>	<p>Significant valleyland, significant wildlife habitat, habitat of endangered and threatened species, fish habitat are not mapped features.</p>

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		habitat, habitat of endangered and threatened species, fish habitat?	
64	Town of Grimsby Planning Staff	3.1.2.6.3(b): Negative impact is italicized, but no definition for the term was provided	A definition for negative impact will be provided as part of the consolidated draft of the Official Plan.
65	Town of Grimsby Planning Staff	3.1.2.6.4(c) and generally: Please provide some context when referring to other sections to aid in clarity for the reader, such as in draft policy 3.1.2.4.6(a)(vi) that states 'at least 30 per cent of the total developable area will remain or be returned to natural self-sustaining vegetation, except where specified in accordance with the policies in Section 4.3.4 dealing with mineral aggregate resources.'	Regional staff prefer the approach of just cross referencing to other policies. If we duplicated policy, the draft policy would become too long and difficult to read.
66	Town of Grimsby Planning Staff	3.1.2.6.4(d): Please clarify, as it does not appear this policy exists	Thank you. A correction in the cross referencing of the policies has been made.
67	Town of Grimsby Planning Staff	3.1.2.6.4(e): Please clarify a range for the 'larger buffers' and what 'certain features' might refer to as this policy is a bit vague. Also, how would it relate to 3.1.5.2?	Policy 3.1.2.6.4(e) has been deleted to eliminate confusion.

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68	Town of Grimsby Planning Staff	<p>3.1.2.6.5:</p> <p>Please clarify this section.</p> <ul style="list-style-type: none"> • Is only the first (a) part of the 3C option? And how does this policy really differ from what is suggested in (b) where an EIS is presumably the 'site-specific study' required? • Would the remaining a-c continue to exist if the first (a) was not approved? • How would this policy be implemented in a ZBL? • Part (c) allowing for passive recreation may not be appropriate in residential areas, along highways or rail lines, especially when features are developed in built-up areas, should that policy reference the greenfield areas to better tie it to other policies of the plan where those choices might be applicable? Should there be two types of policies provided – where development exists in built-up areas and greenfield? 	<p>Mandatory buffers in settlement areas applies for NES Option 3C only. The entirety of S. 3.1.2.6.5 only applies if NES Option 3C is selected.</p> <p>Policies related to passive recreational uses could apply in either built-up areas or greenfield areas.</p>
69	Town of Grimsby Planning Staff	<p>3.1.3.1(d):</p> <p>Please clarify –</p> <ul style="list-style-type: none"> • How does this differ from the buffer outlined in 3.1.2.6.5 (b) within settlement areas or 3.1.2.6.1 regarding VPZs? • Should there be more defined policies depending on the features? For 	<p>This policy is related to maintaining the vegetated buffer along the Great Lakes shoreline. It is similar in many regards to a buffer or vegetation protection zone. Although buffers and VPZs are generally used to reduce the impacts of development on natural features.</p>

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		<p>example, should there be something about erosion, such as along the great lakes, where maybe a natural break is not as helpful as a stone edge or where the potential for wave uprush / flooding / climate change impacts have caused dramatic issues? Should there be a separate one for intermittent streams where these issues are not present and the same buffering might not be as necessary? Right now the mapping has grouped all shoreline areas, and does not follow along all of the Great Lake edge.</p>	<p>Regulating flooding and erosion shoreline hazards is the responsibility of the NPCA.</p> <p>This policy is specifically related to the Great Lakes shorelines. There are other policies in the plan related to permanent and intermittent streams.</p>
70	Town of Grimsby Planning Staff	<p>3.1.3.3(a) and (b):</p> <p>Hydrologic evaluation - this term is italicized in the text, but does not appear in the definitions. Also, will there be a ToR fore this study prepared?</p>	<p>Hydrologic evaluation will be a defined term in consolidated draft of the Official Plan. S. 3.1.8 provides policies regarding the preparation and review of hydrologic evaluations.</p>
71	Town of Grimsby Planning Staff	<p>3.1.3.3(d):</p> <p>Require?</p> <p>Also, would the requirement for site plan control also be for agricultural uses? Generally they are excluded, but would be on individual on-site sewage, and given the mapping of key hydrologic features that would cover most of the area.</p>	<p>Thank you, typo corrected.</p> <p>The policy is an encouragement to Local Municipalities and could be implemented as determined appropriate by the Local Municipality.</p>

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72	Town of Grimsby Planning Staff	3.1.4.2: Will there be a fish habitat assessment ToR for people to follow? What are the requirements for screening? What is considered major?	We will provide additional details in the updated EIS guidelines.
73	Town of Grimsby Planning Staff	3.1.4.3: Will there be further guidance regarding the 'site assessment by a qualified professional' using 'accepted protocols'? Mapping?	We will provide additional details in the updated EIS guidelines. Habitat of endangered species and threatened species is not mapped in the Regional Official Plan.
74	Town of Grimsby Planning Staff	3.1.4.4: Will there be guidance or a ToR for an earth science heritage evaluation?	We will provide additional details in the updated EIS guidelines.
75	Town of Grimsby Planning Staff	3.1.4.6: Enhancement Areas - How are these mapped?	Enhancement areas would be identified at a site specific level through the completion of an environmental impact study, hydrologic evaluation, and/or subwatershed study.
76	Town of Grimsby Planning Staff	3.1.4.7(b): How does this policy relate to settlement areas that are mostly built-up and only have intensification opportunities?	The identification of linkages in settlement areas applies only if NES Option 3C is selected. Not all settlement areas in the region are completely built up. Linkages would not be identified across built-up areas.
77	Town of Grimsby Planning Staff	3.1.4.9(b):	This policy is intended to apply region wide. The purpose of this policy is to allow for woodlands that are substantially compromised

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		<p>If (a) talked about the lands being a prior significant woodland in an SA that was compromised, and this policy speaks to removing the trees, why is an enhancement being proposed on the property or in the immediate area? Is this only in greenfields? Would this apply to built up areas? If the woodland is compromised, would there not be an opportunity to remove it entirely or shrink the boundaries because it was mapped incorrectly, has been decimated by a natural phenomenon or urban development surrounding it?</p>	<p>and functioning with very low ecological value (by meeting all the criteria) to be replaced with woodlands with a much higher ecological potential. The goal of the policy is overall enhancement to the Regional NES. It is anticipated that this will apply to only a very small number of features in the region.</p>
78	Town of Grimsby Planning Staff	<p>3.1.4.11: SARA deals with all species, not just aquatic – why is the focus only on aquatic species? Will guidance be provided for this? Will it be included as well for how it may relate to ESA / DFO requirements?</p>	<p>Policy 3.1.4.11 applies to aquatic species at risk. This policies is based on guidance that was provided to municipalities for inclusion in Official Plans.</p>
79	Town of Grimsby Planning Staff	<p>3.1.4.12: (a)Please clarify – would this mean that every single development application would require an EIS??? (b)Please clarify what is meant by the timing (c and d) How would the proponent necessarily know about or be able to explain previous studies done relating to a feature? And how would they assess impacts that had been done to the feature prior to an</p>	<p>No, this policy does not mean that an EIS is required for every single development. The intent of this policy is that when an EIS is triggered by other policies of the plan that cumulative impacts be considered. Yes, additional details will be provided in the updated EIS guidelines.</p>

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		assessment? Are they required to do historical research on the features? And how would they attain that information? Will there be further guidance / ToR for this section?	
80	Town of Grimsby Planning Staff	3.1.5.2(b)(iii): Please clarify a two-zone concept	Please see PPS policy 3.1.6
81	Town of Grimsby Planning Staff	3.1.5.4: hazardous forest types for wildland fire is italicized but there is not a definition for it, nor do they appear to be mapped. Will there be a ToR for the assessment for wildland fire risk?	Hazardous forest types for wildland fire will be a defined term in the Plan. We will be using the PPS definition. We will provide additional details in the updated EIS guidelines.
82	Town of Grimsby Planning Staff	3.1.6.3: Please clarify how this policy relates to the VPZ, buffers, etc etc.	One tool to maintain or enhance riparian vegetation cover is to ensure appropriate buffers and VPZs are required for development applications.
83	Town of Grimsby Planning Staff	3.1.7.1 – 3: Please clarify why this would be in the environmental section of the OP, when these are a general policy and a requirement of the PA	Ultimately these policies could be included in another section of the OP. They are included as part of this chapter for the time being because the transition policies are critical to understand how the natural environment system will be implemented.
84	Town of Grimsby Planning Staff	3.1.7.4:	Based on this comment and similar comments received, S. 3.1.7.4 has been updated to

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		<p>(a) Please clarify – is this for secondary plans in greenfield areas? SPs in built up areas may not have those Plans</p> <p>(b) Where SPs have involved the Region through the process, and they are nearing completion, to require them to go back to undertake baseline studies is not practical as it would impact the budget and process and may not be necessary, especially in built up areas. Please revise.</p>	<p>provide additional policies in regards to secondary plans.</p>
85	Town of Grimsby Planning Staff	<p>3.1.7.6 and 7 (b) and (c):</p> <p>Please clarify why (b) in each of the sections indicated that the boundaries may be refined based on updated information and detailed studies in consultation with the Region, but (c) requires approval of the Region. The definitions and criteria of most of the features indicate they need further refinement through study. The Region would already approve the OPs – please clarify the conflict between the clauses</p>	<p>Policies 3.1.7.6 & 3.1.7.7 are related to time of local official plan conformity. We have updated the title of the section to ensure that is clear. We have also removed subsection c) from each policy as it is redundant – local official plans require approval of the Region.</p>
86	Town of Grimsby Planning Staff	<p>3.1.7.10(b):</p> <p>Some native species are detrimental to farmers crops. Should an agricultural qualifier be included here?</p>	<p>At time of application, the Region and Local Municipality should work with the applicant and neighbouring agricultural community to ensure appropriate species are planted.</p>

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87	Town of Grimsby Planning Staff	<p>3.1.7.11:</p> <p>If the Region is going to try to implement a policy / process to attain lands with natural heritage features, should it not also develop a policy program for invasive species on their lands, as outlined in (b)?</p>	Subsection c) addressed this comment.
88	Town of Grimsby Planning Staff	<p>3.1.7.12:</p> <p>Should bird friendly development also be added to this list of considerations?</p>	S. 3.1.7.12 has been revised to make it clear that this is an encouragement to Local Municipalities. Local Municipalities are welcome to consider additional matters as well.
89	Town of Grimsby Planning Staff	<p>Definition – Shoreline areas:</p> <p>Please clarify – why would the mapping of shoreline areas follow watercourses that do not appear to exist (over existing development / major roads) in SAs and are well beyond the 30 metres from the Great Lakes, but yet not follow the entire extent of the shoreline of the Great Lakes, similar to how the conservation area was mapped in the existing OP and reflecting provincial policies regarding flooding hazards and the potential for wave uprushes?</p>	<p>Shoreline mapping is based on vegetative cover along the shoreline. It can be fragmented where there is existing development up to the shoreline.</p> <p>Regulating flooding and erosion shoreline hazards is the responsibility of the NPCA.</p>
90	Town of Grimsby Planning Staff	<p>Definition – Fish Habitat and mapping of watercourses:</p> <p>Given the criteria for mapping watercourses, that outline that fish habitat is presumed and</p>	Watercourse mapping has been completed comprehensively to include sub surface features such as culverts and conduits. In some areas the local storm sewer system provides connectivity between surface water

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		<p>not necessarily mapped or studied and it may include intermittent or ephemeral watercourses that presume an importance to the maintenance of downstream fish habitat, there should be policies that allow for the policies not to apply. Further, watercourses should only be mapped where there is an obvious watercourse in a settlement area. There are examples of watercourse lines and shorelines within the urban area over the QEW and other roads, in settled areas over existing development (including houses), and in ditches along the railway without greater context or connection to a broader system. As the policies do not really connect with those areas they should be removed, perhaps replaced with another feature or deleted entirely If they would already be covered by NPCA hazard lands.</p>	<p>features as they travel to the ultimate drainage point. The mapping provided differentiates between “virtual connector” and “surface water” when the feature is selected. Local storm system network lines are not regulated under key hydrologic features, and are predominantly not included in the mapping of permanent and intermittent watercourses.</p>
91	Town of Fort Erie Planning Staff	<p>Both draft plan approved plans and approved plans with approved EIS studies should be integrated into the mapping. If an EIS has been approved, the mapping should reflect the results of the EIS. If the issue is timing of development, perhaps consider putting a timeframe to approved EIS’ – i.e they are only good for 5 years.</p>	<p>It is the opinion of Regional staff that the appropriate time to remove a feature from the mapping is when the development is proceeding, rather than at the time an EIS is approved or there is draft plan approval.</p> <p>Take for example a situation where an EIS or draft plan is approved, but the development does not move forward. The EIS would have been completed based on the proposed development or change in land use, and may not apply to a subsequent applicant. We want to avoid having to remap the site if an</p>

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			<p>application does not proceed. A subsequent landowner or applicant may not be aware that there are natural features on the site if they were removed for a previous application that did not move forward.</p> <p>In addition, there can be conditions attached to EISs or draft plan approval. The inclusion and clearing of conditions is done differently across sites, and across municipalities in the Region.</p> <p>Further, in many cases EISs have not historically included shapefiles, GIS, or other digital files. Moving forward it is the intention of the Region to require this information.</p> <p>It is the opinion of Regional staff that approved EIS's and draft plan approved sites are more appropriately dealt with through transition policies and other similar policy tools. The draft policies address the situation of a site that has draft plan approval.</p> <p>Based on this comment, and other similar comments that were received, we have added additional policy to address the situation where an EIS may have been approved, but Planning Act approvals are still being processed.</p>
92	Town of Fort Erie Planning Staff	There are a number of parcels that have been identified as "other wetland" that appear to be	Heavily treed areas are not excluded from being considered wetlands. The "Components, Definitions, and Criteria"

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		heavily treed areas, or pockets with no linkages to other NHS systems.	document includes a list of all of the ELC vegetation communities that were used to identify wetlands.
93	Town of Fort Erie Planning Staff	There are a number of low areas that have been identified as wetlands. Has there been any ground truthing for these sites? We don't feel that the majority of them should be considered as "wetland".	<p>Both the Provincial Policy Statement (PPS) and Growth Plan require the Region to identify a water resources system (which in the case of Niagara is part of the integrated natural environment system). The identification and protection of a comprehensive water resource system (WRS) is new in Niagara. Wetlands are a required component of the WRS. Other Wetlands were identified using the Ecological Land Classification (ELC) methodology. ELC is the industry accepted protocol for the identification of a range of natural features. ELC mapping in Niagara was updated in 2020 and was the basis for identifying Other Wetlands in the region. Included in the "Components, Definitions, and Criteria" document is a list of all of the ELC vegetation codes for wetlands.</p> <p>Well over 1200 sites across all 12 municipalities' were visited as part of the ELC mapping exercise to verify that the correct ELC code was applied to the site. Over 100 of those site visits were in Fort Erie.</p>
94	Town of Fort Erie Planning Staff	There are a number of fragmented, small parcels that have been identified (generally as wetland or woodlot) that do not connect to the	Direct connection to other natural features is not a prerequisite for inclusion in the natural environment system. Isolated features can

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		NHS as a whole or appear to contribute to a system or other NHS feature.	serve a range of ecological and hydrological purposes.
95	Town of Fort Erie Planning Staff	The shoreline mapping is dated and some areas are fragmented (i.e. Bay Beach area, Crystal Beach Tennis and Yacht Club).	Shoreline mapping is based on vegetative cover along the shoreline. It can be fragmented where there is existing development up to the shoreline.
96	Town of Fort Erie Planning Staff	3.1.2.6.2 c: Definition for Key Hydrological Features?	Key hydrologic features is a defined term in the Growth Plan. The definition was included in the “Components, Definitions, and Criteria” document.
97	Town of Fort Erie Planning Staff	3.1.2.6.5 c: [now “d”] Would this mean that for example an extension of our existing trail network (paved) require an EIS?	No, this policy would not trigger the Town to complete an EIS to expand their existing trail network.
98	Town of Fort Erie Planning Staff	3.1.3.1 i: Will this impact the Town’s shoreline waterfront work?	The nature and extent of the Town’s waterfront work is not known.
99	Town of Fort Erie Planning Staff	3.1.4.5: The Town is just looking for clarification on this section as it seems to be fairly all-encompassing.	This policy applies outside of settlement areas in NES option 3B and both inside and outside of settlement areas in NES option 3C. The intent of this policy is that when an environmental impact study, hydrologic evaluation, or subwatershed study is completed, the presence of supporting features will be screened. If supporting

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			features are identified, the study would complete additional evaluation on how they should best be managed as part of the application and development process.
100	Town of Fort Erie Planning Staff	<p>3.1.4.8:</p> <p>The Town is looking for clarification on this – if it determined that it is no longer significant because of disturbance or for example tree death due to disease etc then how can the area still be considered significant?</p>	<p>It is the goal of this Plan that woodland cover be maintained or enhanced in the region by 2051. For this goal to be realized, there needs to be policies to protect existing woodland cover.</p> <p>Woodlands are ecological systems and are subject to cyclical processes. Policy 3.1.4.8 protects woodlands at all points in their ecological cycle. Woodlands that have been disturbed by natural disturbance (e.g. invasive species, fires, weather, etc.) will return to woodlands. A reference to anthropogenic disturbances is included in this policy to prevent woodlands from being removed in advance of an application for development.</p> <p>This policy is a best practice and currently in Official Plans in other municipalities in Ontario. There was very strong support for a policy of this type during the public consultation that has been completed to date on the project. It is noted that other municipalities indicated support for this policy.</p>
101	Town of Fort Erie Planning Staff	3.1.4.9:	The inclusion of this policies is not anticipated to have an impact on the Region's land needs.

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		How does this impact the Urban Boundary land numbers/requirements?	
102	Town of Fort Erie Planning Staff	3.1.4.10 b i: How does this impact the Urban Boundary land numbers/requirements?	The inclusion of this policies is not anticipated to have an impact on the Region's land needs.
103	Town of Fort Erie Planning Staff	3.1.4.12: Does this mean separate studies that feed into the EIS work? Does this apply to all applications?	This policy is not intended to trigger the need for additional studies.
104	Town of Fort Erie Planning Staff	3.1.7.3 b: This is very open-ended. The policy doesn't actually say whether the Region would request changes to the Plan through a draft plan extension process. The language "...to determine if changes to the layout of the draft plan and/or any of the conditions need to be made..." leaves a lot of room for interpretation, and it does give the ability to change the plan. What criteria will the Region be using to assess if the plan needs to change?	Implementation of proposed policy 3.1.7.3 b) would be in consultation with the Local Municipality.
105	Town of Fort Erie Planning Staff	3.1.7.4 a: The Town has a number of areas in Secondary Plans where applying new NES policies is going to affect development potential. One example is Spears-High Pointe	Based on this comment and other similar comments received we have updated S. 3.1.7.4 to provide additional policy regarding approved secondary plans.

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		<p>- NES mapping shows LSW and Significant Woodland over a significant amount of this area but it is mostly designated for residential use in the Secondary Plan, with no EC Overlay.</p> <p>This policy is unclear – is the Region asking the Town to review all of its existing Secondary Plan mapping?</p> <p>Will the Town be required to do this as part of our OP conformity exercise? Will all Secondary Plan will have to be re-visited?</p>	
106	Town of Fort Erie Planning Staff	<p>3.1.7.6:</p> <p>Further to comments re Secondary Plans above, implementing the mapping into approved Secondary Plan areas is going to drastically affect development potential in some areas.</p>	Based on this comment and other similar comments received we have updated S. 3.1.7.4 to provide additional policy regarding approved secondary plans.
107	Town of Fort Erie Planning Staff	<p>3.1.7.7:</p> <p>If there is a site-specific OPA permitting development on the property, would this site have to be updated to reflect NES mapping?</p>	Please provide additional information for the site. We have revised S. 3.1.7.7 based on other comments received, please review and advise if there are still outstanding concerns.
108	Town of Fort Erie Planning Staff	<p>3.1.7.8:</p> <p>If there is a site-specific ZBA permitting development on the property, would this site have to be updated to reflect NES mapping?</p>	Please provide additional information for the site. We have revised S. 3.1.7.8 based on other comments received, please review and advise if there are still outstanding concerns.

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109	Town of Fort Erie Planning Staff	<p>3.1.7.12:</p> <p>Are all other policies of the ROP still applicable in these situations? We have single detached dwellings in Point Abino which are subject to site plan control. Is development permitted subject to these criteria? Or do the other policies of this section still apply, restricting development.</p> <p>I'm not sure if this Policy is intended to replace their current "Existing Lots" policy 7.B.1.30... I don't see an existing lots policy in the Plan except for this one, where site plan control or community planning permit is in place. Is this intended to apply to existing lots for the development of a single dwelling, if subject to SP or CPP? Otherwise, if it is an existing lot and only a building permit is required, then the ROP doesn't apply and the policies are moot.</p>	S. 3.1.7.12 has been revised to make it clear that this is an encouragement to Local Municipalities.
110	Town of Fort Erie Planning Staff	<p>3.1.2.4.3 c:</p> <p>What are the policies this is referring to on shoreline development?</p>	Policy 4.1.10.6 is in the agriculture section. It is implementing policy 4.2.4.5 of the Growth Plan.
111	Town of Fort Erie Planning Staff	<p>3.1.8.2:</p> <p>Is there a definition of "minor" – specifically with respect to d. "if the proposed development or site alteration is minor..."</p>	No, it is not the intent to include a definition of minor. This determination would be made on an application specific basis with support of the EIS guidelines.

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112	Town of Fort Erie Planning Staff	<p>3.1.8.4:</p> <p>How will this be managed? Will the Region send all TOR approved to the Town? More detail should be provided i.e. the developer should be notified of the cost of the peer review prior to proceeding.</p> <p>Is a peer review only to resolve conflict among the experts as the Region has experts on Staff?</p>	<p>This is a fairly standard practices and is done for a range of studies and application types.</p> <p>Additional details will be provided through the updated EIS guidelines.</p>
113	Town of Fort Erie Planning Staff	Please consider adding an additional policy to deal with minor expansions to existing dwellings and minor accessory structures to lots of record in the Provincial NHS System.	Thank you for the suggestion. We have added an additional policy to S. 3.1.2.4.6 to address this comment.
114	Town of Fort Erie Planning Staff	I request that the Region consider a transitional policy for those developments currently in the process where the Region has reviewed and accepted the EIS work. This transition policy should be included to ensure those in the process have some assurances until the approval by Regional Council. This will also minimize ambiguity when dealing with these policies once they are approved.	Thank you for the suggestion. Based on this comment, and similar comments received we have added additional transitional policies to S. 3.1.7.3 for situations where the EIS has been approved, but the overall application is still being processed.
115	Town of Fort Erie Planning Staff	I have some serious concerns with the other wetland mapping. There are very small pockets of wetlands independent of other features that have been identified and I need to question how they fit into the Natural	Both the Provincial Policy Statement (PPS) and Growth Plan require the Region to identify a water resources system (which in the case of Niagara is part of the integrated natural environment system). The identification and

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		Heritage system if they do not link to any other existing feature? Can they not be just flagged for review rather than a wetland designation? I look forward to seeing your work on this matter and look forward to working with you to rectify some of these issues.	<p>protection of a comprehensive water resource system (WRS) is new in Niagara. Wetlands are a required component of the WRS. Other Wetlands were identified using the Ecological Land Classification (ELC) methodology. ELC is the industry accepted protocol for the identification of a range of natural features. ELC mapping in Niagara was updated in 2020 and was the basis for identifying Other Wetlands in the region. Included in the “Components, Definitions, and Criteria” document is a list of all of the ELC vegetation codes for wetlands. Outside of settlement areas, the Growth Plan policies state that all wetlands are considered to be key hydrologic features, and the Growth Plan policies for this feature type have been included in the draft policies.</p> <p>Direct connection to other natural features is not a prerequisite for inclusion in the natural environment system. Isolated features can serve a range of ecological and hydrological purposes.</p>
116	Town of Fort Erie Planning Staff	Transition policies on Secondary Plans are of concern, particularly 3.1.7.4 (a). If a secondary plan was approved by the Town or the Region why does it need to be revisited. This just creates uncertainty.	Based on this comment and other similar comments received we have updated S. 3.1.7.4 to provide additional policy regarding approved secondary plans.

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117	City of Welland Planning Staff	Have the small linkages been shown in the mapping? We would like to see how this would impact settlement areas.	Yes, small linkages were shown on the draft mapping that was provided to local planning staff for review.
118	City of Welland Planning Staff	Re: Mandatory buffers in settlement areas – How does the Region intend to implement this is the local municipality is the approval authority for EIS work within settlement areas? Also, it would imply that a ROPA would be required if the mandatory buffer is proposed to be reduced in size. This seems like overkill.	Local Official Plans will need to be updated to conform to the new Regional Official Plan. The draft policies for buffers in settlement areas do not include a minimum. It states that the width of the buffer is to be determined through study at the time of application The draft policy does not imply that a Regional Official Plan amendment would be required. Regional staff will continue to support Local Municipalities in regards to the implementation of the Regional Natural Environment System.
119	City of Welland Planning Staff	3.1.2.6.2. d): Why is Region not contemplating offsetting for Locally Significant Wetlands if the NPCA will permit this? Why are there two different sets of criteria? Should be consistent between agencies.	The use of offsetting measures is not permitted by this Plan. Currently the policies of the NPCA do allow for offsetting for non-PSW's in some circumstances. We understand that this policy is currently under review by the NPCA board and staff.
120	City of Welland Planning Staff	3.1.2.6.3: Is this intended to apply to lands outside of the urban boundary only? The local municipality is the scoping authority for EIS studies within the urban boundary.	The policies of 3.1.2.6.3. apply outside of a Provincial Natural Heritage System, both inside and outside of settlement areas.

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121	City of Welland Planning Staff	Table 3-2: How were the minimum required buffer distances created? How would this be implemented if all that is required is a Building Permit, as the Official Plan is not Applicable Law.	Table 3-2 are not minimum buffers, table 3-2 are adjacent lands. Generally speaking they can be considered as the distance away from a natural feature that triggers the need for an EIS.
122	City of Welland Planning Staff	3.1.2.6.4. d): Would this allow for expansions to existing residential dwellings without an EIS? The policy suggests not.	The policy has been updated to include the expansion of existing residential dwellings.
123	City of Welland Planning Staff	3.1.2.6.5. Mandatory Non-Prescribed Buffers in Settlement Areas: This is a local responsibility, not Regional. City cannot support these policies.	Comment noted.
124	City of Welland Planning Staff	3.1.4.7: Can changes to the linkage location be made without an amendment to this plan, so long as there is a linkage in the same general area?	Correct, changes to the linkage location can be made without an amendment to the plan.
125	City of Welland Planning Staff	3.1.4.8: We have concerns with this policy as there are a number of inaccuracies in the proposed mapping. We would have fewer concerns if we felt the mapping accurately reflected the Significant Woodlots.	Comment noted. City Planning staff were provided the opportunity to identify any issues with the draft mapping through an online mapping tool.

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		If the Region wants this policy, they should also look at supporting replanting programs to ensure that these areas are re-forested and don't simply remain as clearcut areas.	The Region is currently considering a range of programs through a Regional Greening Initiative.
126	City of Welland Planning Staff	<p>3.1.4.10. b) v):</p> <p>Why is this creation and not enhancement. Creation would suggest offsetting for wetlands, but that's not permitted by this plan.</p> <p>Also, how is this policy intended to work? Will there now be requests to create new environmental areas on a property as part of a development?</p>	<p>Thank you for the suggestion; we have added enhancement to subsection v.</p> <p>The intent of this policy is that through the development process consideration be given to how enhancements to ecological function, ecological integrity, or biodiversity of the Natural Environment System can be achieved. Opportunities will range given the specific characteristics of the site.</p>
127	City of Welland Planning Staff	<p>3.1.4.12. c): [now "b"]</p> <p>There may be FOI issues with the release of these studies. May want to soften the wording somehow. Also, should there be a sunset clause on when the studies were completed? Within 2 years of application may be reasonable as studies that are older may no longer be relevant.</p>	<p>In the case of policy 3.1.4.12 (c), previous studies are to be reviewed for any and all information that can help to make a determination on cumulative impacts. There is not a restriction on the age of studies for this purpose. More generally speaking, EISs that are being submitted in support of an application for development and site alternation do have an expiration date. More direction on this will be provided in the updated EIS guidelines.</p>
128	City of Welland Planning Staff	3.1.5.2. b) iii):	This policy refers to flood zones. See PPS policy 3.1.6.

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		Is this referring to flood zones, or Zoning By-law zones? Please clarify.	
129	City of Welland Planning Staff	3.1.5.2. c): Is the last sentence necessary as the Region has not involvement in the local refinement and negotiations with the NPCA.	The last sentence is included to provide greater clarity and information to local municipalities.
130	City of Welland Planning Staff	3.1.7.3. b): This will have a huge impact on development and does not seem appropriate if the findings of the original EIS have been supported previously by Regional Staff. This policy 'moves the goalposts' in the middle of development and isn't supported by the City.	Comment noted.
131	City of Welland Planning Staff	3.1.7.3. e): Change 'shall' to 'should' or 'encourage'.	Regional staff are comfortable that 'shall' is appropriate in this context.
132	City of Welland Planning Staff	3.1.7.4. a): Within Settlement Areas, local municipalities are the scoping authority. This policy doesn't reflect this appropriately.	Policy 3.1.7.4 has been updated to provide additional transition policies in regards to approved secondary plans.
133	City of Welland Planning Staff	3.1.7.6 c): This does not take into account that modifications to the natural environment mapping can be made without amendment to	Policies 3.1.7.6 & 3.1.7.7 are related to time of local official plan conformity. We have updated the title of the section to ensure that is clear. We have also removed subsection c) from

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		the plan where an EIS is completed, or new information is provided.	each policy as it is redundant – local official plans require approval of the Region.
134	City of Welland Planning Staff	3.1.7.12: Are these criteria to be implemented by the municipality, or by the Region? It's unclear and some of the criteria identified are implemented at a local level.	S. 3.1.7.12 has been revised to make it clear that this is an encouragement to Local Municipalities.
135	City of Welland Planning Staff	3.1.7.12 a) v): Add, where applicable.	“As applicable” has been added to the policy to apply to the entirety of S. 3.1.7.12.
136	City of Welland Planning Staff	3.1.7.12 a) vii): Securities are taken and held by the municipality. Will the Region be collecting securities now for Site Plans? I'm not entirely sure how this will work.	S. 3.1.7.12 has been revised to make it clear that this is an encouragement to Local Municipalities. It is not the intent of this policy that the Region will be collecting securities.
137	City of Welland Planning Staff	3.1.8.1. b) i) ab): This suggests that the local municipalities must enforce the policies in the Regional Plan, rather than the Local Official Plan. The policy should read that the study shall be compliant with local policies, not Regional.	Thank you. Comment noted. This matter will be addressed when the Local Official Plan is updated.
138	City of Welland Planning Staff	3.1.8.1. b) i): 'As required' should be changed to 'as requested'.	Regional staff are comfortable that 'as required' is appropriate in this context.

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139	City of Welland Planning Staff	<p>3.1.8.2. d):</p> <p>The way this is written would imply that the Region is only delegating to the local municipality where the development is minor and in a settlement area - which contradicts the wording of the MOU. It is unclear if this is intended to allow for the wording of the MOU, but needs to be cleaned up, otherwise the Region is only delegating when the development is minor AND in a settlement area. This is not how it currently works, and the City would object to change to scoping authority in settlement areas.</p>	<p>The draft policies delegate the authority to approve EISs in settlement areas that have been prepared in accordance with an approved terms of reference, to municipalities. Waiving, scoping, and approving terms of references remains a Region responsibility. It is the interpretation of Regional staff that this is not in conflict with the MOU or Environmental Planning Protocol. S 3.1.8.2 d) is in regards to delegating the responsibility for waiving or scoping an EIS.</p>
140	City of Welland Planning Staff	<p>3.1.8.3. b):</p> <p>Where the Region is the Approval Authority should be added.</p>	<p>The Region is responsible for approving the terms of reference for all EIS's. The draft policies delegate the authority to approve EISs in settlement areas that have been prepared in accordance with an approved terms of reference to municipalities.</p>
141	City of Niagara Falls Planning Staff	<p>Although Staff appreciate the complexity of the natural heritage system and the corresponding complexity of creating policy, we found the structure, formatting and wording of the policies to be challenging to read and understand, and ultimately to implement. Our general comments include the following:</p>	<p>Comment noted.</p>

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142	City of Niagara Falls Planning Staff	The document contains wording beyond the scope of policy suitable to an Official Plan and into details of procedure and specific requirements.	Regional staff are satisfied that all of the proposed policies are appropriate for inclusion in the new Official Plan. Where there is additional information that is important to provide, but is not strictly policy, we have included this as a text box in the plan.
143	City of Niagara Falls Planning Staff	The more restrictive Option 3c) which contains more detail within the Urban Settlement Areas should be included only as a discretionary policy which would guide those Local Municipalities should they choose to include them. Inclusion should be the decision of Local Councils through the implementation of their policies.	Comment noted.
144	City of Niagara Falls Planning Staff	There is a significant number of technical terms within the policies that repeated often and in full text, within sub-policies. Where possible, we ask that you consider streamlining the policies by reducing the repetition. An example would be Policy 3.1.4.6a) where the text 'key natural heritage features, key hydrological features and natural features and areas' already contained in the first paragraph of the policy is repeated in subsections i), ii), and iii) - the use of a simpler term such as 'these features' would convey the same information and improve readability.	Regional staff prefer to be precise with the language of the policy to ensure that it can be implemented without confusion.

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145	City of Niagara Falls Planning Staff	The document may be streamlined with a reference to Niagara Peninsula Conservation Authority or Niagara Escarpment Plan policies rather a repetition of them. This would also relieve the Region from the need to amend the Region Official Plan when changes or updates are made by those agencies.	NPCA and NEP policy are only duplicated on a very limited basis, either where it is required to ensure conformity with provincial policy or there is the potential for overlap or implementation issues that need to be resolved. Several revisions to policies related to the NPCA have been made based on the input of NPCA staff.
146	City of Niagara Falls Planning Staff	The comparisons of vegetation zones, adjacent lands, buffers and which geographic system they relate to may be more easily referenced visually, as in a chart.	Comment noted.
147	City of Niagara Falls Planning Staff	Staff have serious concerns regarding the implementation as outlined in the draft policies. Specifically:	Comment noted.
148	City of Niagara Falls Planning Staff	there should be transitional policies for site plan control applications that have completed the environmental review required through their review and may only be awaiting finalization by Staff or Council.	Thank you for this suggestion. Based on this comment and similar comments received we have added additional transitional policies to S. 3.1.7.3 to address the situation where an EIS has been approved but the application is still being processed.
149	City of Niagara Falls Planning Staff	if the Region can amend its Natural Heritage System Overlay boundary without amendment to the Plan, why would Regional approval be needed to tweak these boundaries at the local level? What would the associated process be for this? Also, as an overlay the boundaries	Policies 3.1.7.6 & 3.1.7.7 are related to time of local official plan conformity. We have updated the title of the section to ensure that is clear. We have also removed subsection c) from

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		should not be considered definitive, necessitating amendments – would this not be accomplished through change to the land use designation where necessary?	each policy as it is redundant – local official plans require approval of the Region.
150	City of Niagara Falls Planning Staff	Under Policy 3.1.7.7 subsections a) and c), regarding the ‘Incorporating the Natural Environment Area Designation into Local Official Plan’, appear to be contradictory – ie. if an approved study refines the boundaries of a natural feature or area, thereby affecting the designated area (and they are reviewed through the Planning Act application process by the Region), why would the local municipality require further Regional approval?	Policies 3.1.7.6 & 3.1.7.7 are related to time of local official plan conformity. We have updated the title of the section to ensure that is clear. We have also removed subsection c) from each policy as it is redundant – local official plans require approval of the Region.
151	City of Niagara Falls Planning Staff	Policy 3.1.7.8 regarding the incorporation of the Natural Area Designation into Local Zoning By-law is too prescriptive. The implementation policies in the current Region Official Plan should be applied. In addition, clarification of subsections b) and c) is requested – aren’t minimum prescribed buffers already within the Natural Environment Area designation? If buffers/vegetation protection zones are to be defined through studies, they should not be entrenched in the zoning by-law. This would complicate development planning at the local level and	Comment noted. Additional text have been added to c) regarding the zoning of buffers at the time of implementation.

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		require possibly unnecessary expenditures by the land owner (and staff through review time).	
152	City of Niagara Falls Planning Staff	Policy 3.1.7.12 should be a guidance policy for local Official Plans. Use of the term 'shall' is prescriptive and, as written, would require Regional approval. As the Region is not always involved in site plan control, having this policy would add unnecessary bureaucracy.	S. 3.1.7.12 has been revised to remove the word shall and make it clear that this is an encouragement to Local Municipalities.
153	City of Niagara Falls Planning Staff	Structure and Formatting is not intuitive – e.g. Implementation is between sections dealing with environmental features. Section headings as written can be misleading and should be shortened/simplified e.g. 3.1.7.11 'Identifying a Process to Manage Invasive Species' could be replaced with "Invasive Species". That would more quickly direct the reader to the substance of the policies when scanning through the policies as part of review.	Thank you. Comment noted.
154	City of Niagara Falls Planning Staff	The document contains sections that read more like process than Policy. The Official Plan should contain goals, objectives and policies only.	Regional staff are satisfied that all of the proposed policies are appropriate for inclusion in the new Official Plan. Where there is additional information that is important to provide, but is not strictly policy, we have included this as a text box in the plan.

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155	City of Niagara Falls Planning Staff	A compiled map of the NES Overlay and NEA Designation would be helpful for LAM to assess the impact of implementation on local documents. How will the reader be tied to 2 separate Overlay Schedules under the same Overlay title/policies?	Local planning staff were provided draft mapping for review through an online mapping tool. The second part of the comment is unclear; we are not proposing two different schedules with the same title.
156	City of Niagara Falls Planning Staff	3.1.2, Summary Box, (last paragraph): Notes that component parts of the NES aren't mapped and that detailed area specific or site specific studies are required to identify them – how are studies to be required if the presence is unknown. Should this refer to where identified through a study?	There are a range of triggers for the studies – which could then identify a feature, for example a subwatershed study, other mapped features, or the use of screening layers by municipal or other agency planning staff.
157	City of Niagara Falls Planning Staff	3.1.2.2: The contents of subsections b) and c) seem to repeat the contents of a). It is suggested that for readability the three subsections be condensed into two: 1 – dealing with the mapped features and 2 dealing with those identified through study.	Understanding that not all components of the natural environment system are mapped as part of the Official Plan is a critical concept. Regional staff are comfortable with the draft policy as written.
158	City of Niagara Falls Planning Staff	3.1.2.2: Rather than repeating 'natural heritage features, key natural heritage features and key hydrological features' in each policy can a reference to the 'specific features within the Natural Environment Designation' (or even	Regional staff are comfortable with the draft policy as written and prefer to be precise with the language of the policy to ensure that it can be implemented without confusion.

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		more condensed 'specific features within this designation' be used – as 3.1.2.1 already lists what the designation specifically consists of (which ironically excludes some of the features listed under the actual definition).	
159	City of Niagara Falls Planning Staff	3.1.2.2: b) 'Where information is known' opens up questions about reference. It is suggested that 'Where confirmed through approved mapping' or a similar phrase be used instead.	Regional staff are comfortable with the draft policy as written.
160	City of Niagara Falls Planning Staff	3.1.2.4: Policies a) and b) don't seem to belong here. Policy b) may not be picked up by a reader that goes directly to key hydrological features – reference to the applicability of the policies of 3.1.2.4 should be referenced under the section dealing specifically to that feature or, otherwise, repeated within that section.	Regional staff are comfortable with the draft policy as written.
161	City of Niagara Falls Planning Staff	3.1.2.4.1: For clarification: the Natural Environment Area designation includes the Provincial NHS plus a 30m vegetation zone? Plus a 15m vegetation protection zone along certain Key hydrologic features. If so, should these areas be included under the mapping description of the designation under 3.1.2.1.? Also use of	No that is not correct. A 30m vegetation protection zone applies to the features listed that are within the Provincial Natural Heritage System. A 15m vegetation protection zone applies to certain key hydrologic features in the Greenbelt Plan.

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		the term 'Zone' be cause confusion with local zoning terminology.	<p>The term vegetation protection “zone” is used in the plan to allow for the implementation of provincial policy without confusion.</p> <p>Thank you for the suggestion. S. 3.1.2.1 has been updated to include the VPZs and buffers that are included in the Natural Area designation.</p>
162	City of Niagara Falls Planning Staff	<p>3.1.2.4.2:</p> <p>v) Allows single dwellings may be permitted provided they were 'zoned' for such use. Since much of the area within the Greenbelt Plan is not subject to municipal zoning, and is subject to the Niagara Escarpment Plan instead, it is suggested that 'zoned' be changed to something similar to 'a permitted use under governing documents'.</p>	Although in Niagara Falls the majority of the Greenbelt may be in the Niagara Escarpment, this is not the case region wide.
163	City of Niagara Falls Planning Staff	<p>3.1.2.4.3:</p> <p>a) iii) Adjacent lands of 30m is required around 'seepage areas and springs'. These specific features are not listed under the Natural Environment Area designation (3.1.2.1.) – although they are included in the definition of a key hydrologic feature. Also this may conflict with Policy 3.1.2.4.1 which has established distances from features.</p>	Correct, seepage areas are not a mapped feature in the Regional Official Plan, however, if they are identified through a study a 30m vegetation protection zone is required in accordance with Provincial policy.

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164	City of Niagara Falls Planning Staff	3.1.2.4.3: d) what is meant by 'infrastructure serving the agricultural sector'? Would this include telecommunication towers?	Infrastructure serving the agricultural sector is not intended to include telecommunication towers.
165	City of Niagara Falls Planning Staff	3.1.2.4.3: g) Unlike a zoning by-law which has the minor variance option under the Planning Act to consider slight deviations to specific limits, adding specific numbers under this Policy may become troublesome if new construction is slightly over the limit (e.g. a new agricultural building of 201m ² (or indeed 200m ² since as it is written only those buildings below this number would meet the policy). How would such requests be dealt with; would a ROPA be needed for 1 sq m? What is the source of these figures? A guidance policy for inclusion of these numbers within implementing zoning by-laws should be considered instead.	The policies listed in this threshold are for exemptions from requiring an EIS. The policies do not state that above the threshold, a ROPA would be required, rather that the need for a study would be triggered.
166	City of Niagara Falls Planning Staff	3.1.2.4.6: How does Development and Site Alteration within a provincial Natural Heritage System differ than Development and Site Alteration in Key Natural Heritage Features and Key Hydrologic Features (3.1.1.4.2)? Policies are confusing.	The Provincial Natural Heritage System are the mapped systems that have been provided by the Province (i.e. Growth Plan Natural Heritage System & Greenbelt Plan Natural Heritage System). Key Natural Heritage Features and Key Hydrologic Features and the individual natural features identified by the Region (using Provincial definitions) are within the system.

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167	City of Niagara Falls Planning Staff	3.1.2.4.6: iv) to vi) Where do these numbers come from? Should 'developable lands' be defined for the purpose of these policies?	These numbers come directly from the Growth Plan (see Growth Plan policy 4.2.2.3). Total developable area will be defined in the Regional Official Plan using the same definition that was provided by the Province in the Growth Plan.
168	City of Niagara Falls Planning Staff	3.1.2.6.1: a) Please clarify if this includes or excludes seepage or springs.	This policy describes the VPZs that are automatically included in the NES designation. Seepage springs are not a mapped features they are not automatically Included. If identified through a more detailed study a VPZ would be required.
169	City of Niagara Falls Planning Staff	3.1.2.6.2: c) ii) & Demonstrated to who? What is the process?	Demonstrated to the approval authority through the application process.
170	City of Niagara Falls Planning Staff	3.1.2.6.2: e) Could the policies of this section defer to the policies of the NPCA rather than repeated – this may avoid the need for Official Plan amendments whenever the NPCA updates its policies).	We have updated this policy based on input received from NPCA staff.
171	City of Niagara Falls Planning Staff	3.1.2.6.3: a) Is the phrase 'outside of a Provincial Natural Heritage System' necessary as a natural heritage feature, by definition, does not	Yes it is necessary to include that phrase in the policy. Outside of a Provincial Natural Heritage System is a geographic indication,

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		include the Provincial Natural Heritage System?	rather than a reference to a specific natural feature.
172	City of Niagara Falls Planning Staff	3.1.2.6.3: b) the phrase 'minor and is not anticipated to have a negative impact' is subjective, who makes the call – e.g. Director. There appears to be a wording issues after the term 'Natural Environment System'.	The update EIS guidelines will provide additional details; the wording of the policy has been corrected.
173	City of Niagara Falls Planning Staff	3.1.2.6.3: d) is this the same as 3.1.2.4.3 which also require a Vegetation Zone?	The policies of 3.1.2.4.3 apply to site(s) that are in a Provincial Natural Heritage System (i.e. the use of the term 'vegetation protection zone'). The policies of 3.1.2.6.3 apply outside of a provincial natural heritage system (i.e. the use of the tem 'buffer')
174	City of Niagara Falls Planning Staff	3.1.2.3: Changes to the delineation of features, where approved, do not require an amendment to the RPP; however states Regional approval is needed to make changes to the local OP. What form approval is envisioned? It is our opinion that if a study is approved through the development process, through consultation with the Region, changes to local documents should not require further approval from Regional Staff. This policy should be deleted. LAM should include this policy (without	Policies 3.1.7.6 & 3.1.7.7 are related to time of local official plan conformity. We have updated the title of the section to ensure that is clear. We have also removed subsection c) from each policy as it is redundant – local official plans require approval of the Region.

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		reference to Regional Approval) in our Official Plans.	
175	City of Niagara Falls Planning Staff	3.1.2.6.4: d) see comments above re: 3.1.2.4.3.g)	The policies listed in this threshold are for exemptions from requiring an EIS. The policies do not state that above the threshold a ROPA would be required, rather that the need for a study would be triggered.
176	City of Niagara Falls Planning Staff	3.1.2.6.5: Text Box – Minimum Buffer and Mandatory Buffers. Wording can be condensed (e.g. first line may not be necessary)	Regional staff are comfortable with the wording of the text box.
177	City of Niagara Falls Planning Staff	3.1.2.6.5: c) Is this policy still referring to mandatory buffers? If mandatory buffers only apply within settlement areas, does that term need to be repeated?	This policy has been updated based on input from NPCA staff.
178	City of Niagara Falls Planning Staff	3.1.2.6.4: e) This policy refers to ‘certain features’ – please describe what those may be.	Policy 3.1.2.6.4 e) has been removed to eliminate confusion.
179	City of Niagara Falls Planning Staff	3.1.3.2: Are these policies already addressed in 3.1.1.(a)?	Regional staff assume the comment is referring to 3.1.3.1 a).

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			<p>S. 3.1.3.1 refers generally to all water resource features in the region. S. 3.1.3.2 applies specifically to key hydrologic areas.</p> <p>On January 15, 2020 Regional Council directed staff to include specific policies in the new Niagara Official Plan related to the protection of the south Niagara highly vulnerable aquifer. To ensure this direction to staff was implemented, Regional staff felt it was important to include specific stand-alone policies related to key hydrologic areas.</p>
180	City of Niagara Falls Planning Staff	<p>3.1.3.2:</p> <p>b) why not apply a different title to the Hydrologic Area Overlay which is part of the System but shown separately from the other Overlay? Differentiation is needed for clarity of the reader.</p>	<p>Regional staff are satisfied that the description in s. 3.1.3.2 b) is appropriate, and that the title of the schedule is acceptable.</p>
181	City of Niagara Falls Planning Staff	<p>3.1.3.3:</p> <p>d) this policy would have the effect of applying site plan control to primarily agricultural properties – is this intent? even for minor development?</p>	<p>The policy is an encouragement to Local Municipalities and could be implemented as determined appropriate by the Local Municipality.</p>
182	City of Niagara Falls Planning Staff	<p>3.1.4.1:</p> <p>d) why would we be more restrictive on a residential garage than for an on-farm diversified use?</p>	<p>Provincial planning direction encourages municipalities to include a range of exemptions for agricultural uses.</p>

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183	City of Niagara Falls Planning Staff	3.1.4.2: a) & b) What is being suggested in the second sentence. If fish habitat has been mapped, what is the screening for? And will it need to be four season?	Fish habitat is not a mapped feature in the Regional Official Plan. In order to determine whether fish habitat is present, proponents of development and site alteration will be required to screen for the presence of fish habitat.
184	City of Niagara Falls Planning Staff	3.1.4.3: c) & d) Is this a description of Federal and Provincial process rather than a Policy?	The roles and responsibilities associated with protecting the habitat of endangered species and threatened species has been a point of confusion and uncertainty. Regional staff felt it was appropriate to include additional policy as part of S. 3.1.4.3 to provide further information and to help eliminate confusion.
185	City of Niagara Falls Planning Staff	3.1.4.6: a) the Phrase 'are intended' should be more definitive as in 'Enhancement areas consist of ...'. Within the subsections the term 'these features' could replace 'key natural features, key hydrological features and natural heritage features and areas' that is repeated (the subsections all refer back to the introductory paragraph).	Comment noted. In regards to the second part of the comment, Regional staff prefer to be precise with the language of the policy to ensure that it can be implemented without confusion.
186	City of Niagara Falls Planning Staff	3.1.4.6: a) iv) is a definition or description of a 'critical function zone' available?	Critical function in a general ecological term. It would be identified based on site specific study. Related to buffers and adjacent lands.

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187	City of Niagara Falls Planning Staff	3.1.4.6: b) in reality, aren't all lands 'potential enhancement zones'?	Not all lands in the region are potential enhancement areas.
188	City of Niagara Falls Planning Staff	3.1.4.6: c) the term 'key natural features, key hydrological features and natural heritage features and areas' could probably be replaced with the word features within i) to iv) for readability.	Regional staff prefer to be precise with the language of the policy to ensure that it can be implemented without confusion.
189	City of Niagara Falls Planning Staff	3.1.4.7: a) the phrase 'and outside of the Provincial Natural Heritage System' is probably needed as that, by definition, is a Key Natural Feature.	No that is not correct, the Provincial Natural Heritage System is not a key natural heritage feature. The Provincial Natural Heritage System are the mapped systems that have been provided by the Province (i.e. Growth Plan Natural Heritage System & Greenbelt Plan Natural Heritage System). Key Natural Heritage Features and Key Hydrologic Features are the individual natural features identified by the Region (using Provincial definitions) within the system.
190	City of Niagara Falls Planning Staff	3.1.4.7: b) what is meant by 'known' linkage?	Known linkages are those that have been mapped by the Region as part of the Regional Official Plan.

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191	City of Niagara Falls Planning Staff	3.1.4.7: d) Should this be considered a policy? – perhaps rewording like ‘subject to studies the Region supports....’.	Regional staff are comfortable with the draft policy as written.
192	City of Niagara Falls Planning Staff	3.1.4.7: d) Should this be considered a policy? – perhaps rewording like ‘subject to studies the Region supports....’.	Regional staff are comfortable with the draft policy as written.
193	City of Niagara Falls Planning Staff	3.1.4.8: a) Although the intent of this policy is understood, how could a policy related to a definition of a significant woodland be applied when the area no longer meets the definition? How long would this remain in effect? Is this not addressed through the Region’s Wooded and Treed Area By-law and subject to penalties and enforcement?	<p>It is the goal of this Plan that woodland cover be maintained or enhanced in the region by 2051. For this goal to be realized there needs to be policies to protect existing woodland cover in the Region.</p> <p>Woodlands are ecological systems and are subject to cyclical processes. Policy 3.1.4.8 protects woodlands at all points in their ecological cycle. Woodlands that have been disturbed by natural disturbance (e.g. invasive species, fires, weather, etc.) will return to woodlands. A reference to anthropogenic disturbances is included in this policy to prevent woodlands from being removed in advance of an application for development.</p> <p>This policy is a best practice and currently in Official Plans in other municipalities in Ontario. There was very strong support for a policy of this type during the public consultation that</p>

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			has been completed to date on the project. It is noted that other municipalities indicated support for this policy.
194	City of Niagara Falls Planning Staff	3.1.4.9: a) Last sentence – ‘consideration can be given’ – by whom? through studies?	Consideration means through the development application process. In accordance with policy 3.1.4.9 b)
195	City of Niagara Falls Planning Staff	3.1.4.9: b) is the ‘satisfaction of the Region’ applicable inside of settlement areas as well?	Yes, policy 3.1.4.9 is proposed to apply both inside and outside of settlement areas.
196	City of Niagara Falls Planning Staff	3.1.4.10: b) the ‘Region shall require it to be demonstrated’ can be reworded to ‘the study should demonstrate’.	Thank you for the suggestion. The wording of the draft policy has been revised based on this comment.
197	City of Niagara Falls Planning Staff	3.1.4.11: a) what is meant by the words ‘are advised to’?	The policy has been updated based on other comments and no longer includes this language.
198	City of Niagara Falls Planning Staff	3.1.4.12: b) and d) how do these policies work together?	We have removed sub-sections b) and d) to eliminate confusion.
199	City of Niagara Falls Planning Staff	3.1.5.1:	‘Generally’ is the wording used by the Province in S. 3.1. of the PPS.

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		a) the use of the word 'generally' should be reconsidered, either it is or it isn't.	
200	City of Niagara Falls Planning Staff	3.1.5.2: b) i) consideration should be given to a rewording of this policy. E.g. 'is approved by the Ministers of the Provincial Ministries with jurisdiction' could be replaced by 'governing Ministry'.	Regional staff are comfortable with the draft policy as written.
201	City of Niagara Falls Planning Staff	3.1.5.2: b) ii) the policy needs rewording (the last phrase after 'private communal sewage and water services'. What is being said in this policy?	Thank you for the suggestion. Based on this, and similar comments received we have changed the wording of the policy to make it more clear.
202	City of Niagara Falls Planning Staff	3.1.5.2: b) iv) the policy implies that this is to the satisfaction of some one – who is that intended to be?	Natural hazard policies would be to the satisfaction of the NPCA.
203	City of Niagara Falls Planning Staff	3.1.5.2: c) wording to be cleaned up (is the word 'and' missing after 'Official Plans'. Is the last sentence necessary?	Thank you for the suggestion, we have added the word 'and'. The last sentence has been revised based on other comments received.

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204	City of Niagara Falls Planning Staff	<p>3.1.5.4:</p> <p>a) the word generally should be replaced or deleted.</p>	<p>‘Generally’ is the wording used by the Province in S. 3.1. of the PPS.</p>
205	City of Niagara Falls Planning Staff	<p>3.1.7.1 & 3.1.7.2:</p> <p>There should be additional transitional provisions for those applications that have completed their environmental reviews and are in queue to be considered by Council at either the local or the regional level.</p> <p>Site Plan approval – where comment review and studies have been completed, those should be honoured.</p>	<p>Thank you for the suggestion. Based on this, and similar comment received we have added additional policy to S. 3.1.7.3 to address a situation where an EIS is approved but the overall application is still being processed.</p>
206	City of Niagara Falls Planning Staff	<p>3.1.7.4:</p> <p>a) The review against a new draft plan of subdivision/condo within a secondary plan area is to be ‘reviewed to determine how the intent of the Region’s Natural Environment System can be achieved to the satisfaction of the Region’. Clarification is needed on this policy with regards to: what happens to complete applications for subdivisions (as per the Planning Act); what is ‘intent’ and what is meant by Regional satisfaction? Since secondary plans and thus, plans of subdivision or condominium, are within settlement areas, are they not approved by</p>	<p>Thanks you for the suggestion. Based on this, and similar comments received we have updated S. 3.1.7.4 to provide greater clarity regarding approved secondary plans.</p>

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		the City in consultation with the Region? If so, the wording of this policy should be revised.	
207	City of Niagara Falls Planning Staff	3.1.7.5: a) What is the purpose of policy a)?	Policy 3.1.7.5 a) is included to implement and ensure conformity with policy 5.2.1 of the Greenbelt Plan.
208	City of Niagara Falls Planning Staff	3.1.7.6: c) As an overlay, should boundaries be considered definitive? Further, what is meant by Regional approval – a formal process? EIS studies supported by Region/NPCA? If the Region can amend the NHS boundary without amendment to the Plan, why would Regional approval be needed at the local level?	Policies 3.1.7.6 & 3.1.7.7 are related to time of local official plan conformity. We have updated the title of the section to ensure that is clear. We have also removed subsection c) from each policy as it is redundant – local official plans require approval of the Region.
209	City of Niagara Falls Planning Staff	3.1.7.7: a) and c) These policies seem to be contradictory – if an approved study refines the boundaries of a natural feature/area affecting the boundary of a Natural Environment Area designation (and they are reviewed through the Planning Act process by the Region) why would the LAM need further Regional approval as per subsection c)?	Policies 3.1.7.6 & 3.1.7.7 are related to time of local official plan conformity. We have updated the title of the section to ensure that is clear. We have also removed subsection c) from each policy as it is redundant – local official plans require approval of the Region.

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210	City of Niagara Falls Planning Staff	<p>3.1.7.8:</p> <p>a) Prescriptive language. The implementation policies in the current Region Official Plan should be applied.</p>	Comment noted.
211	City of Niagara Falls Planning Staff	<p>3.1.7.8:</p> <p>b) & c) Clarification requested – aren't minimum prescribed buffers already within the NEA designation? If buffers/vegetation protection zones to be defined through studies, they should not be entrenched in the zoning by-law. This would complicate development planning at the local level and require possibly unnecessary expenditures by the landowner (and staff through review time).</p>	Within settlement buffers are not part of the designation. They are determined through site specific study at the time of application and therefore cannot be included in the local zoning by-law at the time of implementation.
212	City of Niagara Falls Planning Staff	<p>3.1.7.10:</p> <p>a) and b) Consider consolidation of these policies as follows:</p> <p>The Region will prepare a list of suitable native species to be applied within and adjacent to the Natural Environment System where new planting is proposed through applications with development and site alteration.</p>	Regional staff do not agree that a) and b) should be consolidated. These policies are providing direction for two different situations: a) refers to sites that are within the natural environment system; and b) refers to all development and site alteration applications region-wide.

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213	City of Niagara Falls Planning Staff	3.1.7.11: c) Would this policy be more appropriately located under 3.1.7.10?	Thank you for the suggestion. We have moved the policy into section 3.1.7.10.
214	City of Niagara Falls Planning Staff	3.1.7.12: This should be a guidance policy for local Official Plans. Use of the terms shall is prescriptive and requires Regional approval as written. The Region is not always involved in site plan control. Having the Region involved to this extent will add unnecessary bureaucracy.	S. 3.1.7.12 has been revised to make it clear that this is an encouragement to Local Municipalities.
215	City of Niagara Falls Planning Staff	3.1.8.2: Would waiving of EIS and Hydrologic Study requirements be part of pre-consultation? d) What would be considered minor for the purpose of this policy?	Waiving of the EIS typically occurs following the preconsultation meeting and in advance of the application being made. The determination of minor is made on a site specific basis based on the EIS guidelines.
216	City of Niagara Falls Planning Staff	Mapping: What are the vulnerable aquifers shown as dots (seepage/springs/wells?) Are policies, vegetation protection zones to be applies to each dot?	The red dots that appear in the highly vulnerable aquifer layer are wells. They were included in the dataset because they were identified as transport pathways as part of the source protecting planning work, which is the source of this layer. They are an important aspect in determining groundwater vulnerability and potential impacts to underground aquifers; therefore, they are included in the mapping. Vegetation protection

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			zones do not apply to key hydrologic areas and would not apply to the red circles shown as part of the highly vulnerable aquifer layer.
217	St. Catharines Planning Staff	<p>Concern with both Options 3B and 3C options:</p> <p>Within Settlement Areas, our understanding is that Option 3B has no defined minimum buffer from natural features/areas, and Option 3C may require a buffer, but undefined, and subject to an evaluation (EIS, etc.) and also subject to Guideline criteria for waiving or scoping of an evaluation.</p> <p>Option 3B is not staff's preferred option, as we think there should be minimum buffers established. Notwithstanding, our staff opinion is that there should either be no minimum buffer established in Settlement Areas for natural features/area (not preferred), or that specific minimum buffers be specifically defined, similar in nature to what is identified in Table 3-3 of the draft policy for features/areas outside Settlement Areas, but with the caveat that they may be reduced or withdrawn subject to an EIS, etc. or the Guideline criteria for waiving or scoping of an evaluation. Effectively this would be an amended version of Option 3C.</p> <p>In our opinion, establishing a minimum defined buffer with the caveat that it may be reduced or withdrawn subject to an EIS or the Guideline would at least give LAMS and</p>	Thank you. Comment noted.

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		<p>property owners greater certainty or expectancy of what might be required (potential parameters) in addressing development proposals. In our opinion, Option 3C, providing that there will or may be a buffer, but providing no defined minimum parameters, does not provide expectancy for development proponents on adjacent lands to a natural feature/area as to what the buffer may be, and where development on adjacent lands is not in close proximity to a natural feature/area, may still require proponents to undertake an evaluation.</p>	
218	St. Catharines Planning Staff	<p>Staff acknowledge that Regional policy is and has to be focused on the Provincial Growth Plan and Greenbelt Natural Heritage Systems, as well as the Niagara Escarpment Plan. However, NPCA regulated features/hazard lands are very pertinent, and typically, that's where the rubber hits the road (top of bank, floodplains, etc.) for development within Settlement Areas. We suggest including, and very explicitly, policy and a chart identifying what features/hazards are regulated by the NPCA, minimum buffer requirements with the acknowledgement that they are subject to NPCA updates, and that they are also subject to revision through evaluation (EIS) as part of a development proposal.</p> <p>It is our opinion as well that valleylands should be mapped to provide direction for top-of-bank</p>	<p>Though early consultation on the project it was determined that it was not appropriate to repeat NPCA policies with the text of the Official Plan. NPCA policies are subject to change. The preference is to just direct the reader to the NPCA for regulated features.</p>

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		buffer requirements established by the NPCA. Currently the mapping tool provided with the draft policy document does not identify valleylands. By including NPCA regulated areas, and minimum buffer requirements within the Regional policy, would in our opinion, provide a more comprehensive and complete framework and set of natural heritage policies.	
219	NPCA Staff	Thank you for the opportunity to provide feedback on the draft mapping and Official Plan Policies for the Niagara Natural Environmental System (NES). We are pleased to see the progress Niagara Region is making on the new Official Plan and appreciate the amount of work involved to pull together the draft mapping and policies. Overall, the draft NES Policies are a significant improvement over the current Official Plan Policies.	Thank you. Comment noted.
220	NPCA Staff	The Region has introduced a new category of wetlands called Other Wetland, the definition of which is taken from Conservation Authorities Act (CAA) definition of “wetland”. This is significantly different from the Provincial Policy Statement (PPS) definition (which is a more inclusive definition). While we see the practical side of using the CAA definition, it presents some concerns for the NPCA. Our main concern is that if Other Wetlands are defined exactly as in the CAA,	Thank you. We have revised the definition based on this comment.

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		<p>there will confusion for the public/development proponents as to whose wetland mapping prevails where there are discrepancies; it would imply that the NPCA only regulates what the Region has mapped. For example, at pre-consultation meetings the NPCA may receive push-back from proponents if we are suggesting a wetland is present but the Region's mapping does not show that. This could also pose issues for NPCA enforcing violations in wetlands. For example, someone may use the Region's mapping in court to suggest there is no regulated wetland present.</p> <p>NPCA staff recommends using the existing definition of "wetland" as found in the PPS. We believe this would still work within the Region's proposed policy framework and may also assist with interpretation of the policies (eliminates overlapping definitions in the draft Policies as they include the PPS definition of "wetland").</p>	
221	NPCA Staff	<p>Section 3.1.2.6.2 (d) pertains to other wetlands in settlement areas regulated by the NPCA and is explicit that "the use of offsetting measures is not permitted by this Plan". We respect the Region's position on offsetting, however, we request that a distinction be made between the Region's position on offsetting (which falls under Planning Act approvals) and the NPCA's offsetting policies which are under the Conservation Authorities</p>	<p>Thank you for the suggestion. The policy has been updated based on the wording in the comment.</p>

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		<p>Act. We recommend the last sentence in Section 3.1.2.6.2 (d) read as follows: “While the Niagara Peninsula Conservation Authority may approve offsetting of wetlands under its Policies and in accordance with its Regulatory role, the use of offsetting is not supported by this Plan.”. Further, the Region may also consider a more general stand alone policy regarding offsetting within the Natural Environment System.</p>	
222	NPCA Staff	<p>Sections 3.1.2.6.2 (e) and (f) read similarly to NPCA policies regarding adjacent lands to wetlands. We have concerns that this could create confusion and complications particularly if the NPCA and the Region are in a situation where we are taking different positions on a proposal (despite our respective policies being worded the same). While the need to ensure NPCA and Region policies are not in conflict, we recommend revising the first paragraph of Section 3.1.2.6.2 (e) to simply read: “the following may be permitted within 30 metres of a regulated wetland in settlement areas, subject to approval by the Niagara Peninsula Conservation Authority:” Similarly, Section 3.1.2.6.2 (e)(v) should be revised to read as follows: “other forms of development and site alteration which do not adversely impact the ecological and hydrological function of the wetland.”</p>	<p>Thank you for the suggestion. The policy has been updated based on the wording in the comment.</p>

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223	NPCA Staff	<p>Section 3.1.2.6.5 (b) includes reference to NPCA policy setbacks for watercourses. It is the NPCA's preference that reference to specific buffer measurements in NPCA policy is not included in the draft NES Policies. Again, our concern for this is the potential for confusion of interpretation during application review by Regional staff and NPCA staff. We recommend revising Section 3.1.2.6.5 (b) to read as follows: "Notwithstanding any other policy in this section, the Niagara Peninsula Conservation Authority has its own buffer requirements for watercourses. Reductions in this buffer may be considered in settlement areas where supported by a site-specific study that is acceptable to the Local Municipality, the Region and the Niagara Peninsula Conservation Authority."</p>	<p>Thank you for the suggestion. The policy has been updated based on the wording in the comment.</p> <p>Note – the section is now 3.1.2.6.5 (c)</p>
224	NPCA Staff	<p>Section 3.1.4.6 (b) pertains to screening for enhancement areas and suggests that screening occur prior to site alteration. In many situations, these enhancement areas may be located outside of a mapped, protected feature. Our concern is how will this (or any policy that makes reference to site alteration) be implemented where many lower-tier municipalities do not have site alteration By-laws? Both the NPCA and Region receive many calls from concerned residents about vegetation removal that does not meet the CAA definition of "development" or is outside</p>	<p>Thank you. Comment noted. We are considering how to address the need for local site alteration by-laws in Regional Official Plan policy.</p>

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		of the NPCA regulated area, and in many cases, neither the Region nor NPCA has any legal means to act on the complaint. An option for the Region to consider is to include policies in the Regional Official Plan that directs the local municipalities to adopt site alteration By-laws.	
225	NPCA Staff	Sections 3.1.5.1, 3.1.5.2, 3.1.5.3, and 3.1.5.4 are essentially copied from Section 3.1 of the PPS. The preamble seems to defer the question of how a proposal conforms to Section 3.1.5 of the Official Plan to the NPCA. The NPCA has been delegated the responsibility of representing the provincial interest on natural hazards encompassed by Section 3.1 of the PPS, excluding hazardous forest types for wildland fire. This delegation requires the NPCA to review and provide comments on municipal policy documents such as Official Plans and comprehensive Zoning By-laws and Planning Act applications as part of the Provincial One-Window Plan Review Service. It should be clarified that decisions on the conformity of applications with the Regional Official Plan policies is the responsibility of the municipality. Also note that the preamble should exclude Section 3.1.5.4 as conservation authorities do not regulate nor comment on the wildland fire policies of the PPS. NPCA staff requests that the preamble be reworded as follows: “The	Thank you for the suggestion. The text box has been updated based on the wording in the comment.

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		Niagara Peninsula Conservation Authority is responsible for regulating development and site alteration in natural hazards, excluding within hazardous forest types for wildland fire. Development or site alteration proposed within or adjacent to a natural hazard (whether it requires Planning Act approval or not) requires approval of the Niagara Peninsula Conservation Authority.”	
226	NPCA Staff	Sections 3.1.6.2 (a) and (b) pertain to wetland coverage goals and implementation thereof. This is an important inclusion but the term historical reference conditions in (b) should be better quantified. e.g. What conditions are you referring to? Canopy cover? Wetland cover? Water quality? Also, what year is the benchmark? Implementation of the goals will not be achievable unless rigorous accounting of what needs to be maintained is established and quantified as a benchmark and monitored in terms of net gains and losses towards whatever the enhancement goal is established for 2051. A robust watershed based adaptive natural resources management cycle needs to be established to better implement this policy.	Thank you. Comment noted.
227	NPCA Staff	Section 3.1.7.4 (a) and (b) use the expressions “intent of the Region’s Natural Environmental System” and “Policies of this plan shall be taken into account”. Do both of these expressions have the same meaning or	Section 3.1.7.4. has been revised based on other comments received. We have attempted to clarify the language and intent of the section.

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		does one imply a stronger desire for conformity with Section 3.1 policies? Consideration of how these are to be interpreted should be given.	
228	NPCA Staff	Definition of Significant Groundwater Recharge Area has a typo – it should read “Clean Water Act” (not Water Act).	Thank you. The definition has been updated.
229	NPCA Staff	Section 3.1.2, 4th paragraph – it should be noted that NPCA’s natural hazards mapping is subject to updates when new information becomes available, and proponents of development should consult with the NPCA on the location of natural hazards in proximity to the subject lands. It is recommended that this paragraph be revised to, “Included within the Region’s Natural Environment System are natural hazards and where information is provided by the Niagara Peninsula Conservation Authority, natural hazards are shown on Schedule [blank]. The Niagara Peninsula Conservation Authority may update their natural hazards mapping from time to time, and proponents are advised to consult with the Niagara Peninsula Conservation Authority regarding the location of natural hazards.”	The 4 th paragraph of the text box following S. 3.1.2 has been removed to eliminate confusion.

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230	NPCA Staff	3.1.2.3 (a) – Limits of the Natural Environment Area may be located within the NPCA’s regulated area. As such, it is recommended that the first sentence of this policy be revised to, “Changes to the limits of the Natural Environment Area designation...approved by the Region, in accordance with the policies of this Plan and in consultation with the Niagara Peninsula Conservation Authority as appropriate.”	Thank you for the suggestion. The policy has been updated based on the wording in the comment.
231	NPCA Staff	3.1.2.3 (b) – It is recommended that this policy be revised to, “The limits of the Natural Environment Area designation may also be refined...completed to the satisfaction of the Region, in consultation with the Niagara Peninsula Conservation Authority as appropriate, without an amendment to this Plan being required.”	Thank you for the suggestion. The policy has been updated based on the wording in the comment.
232	NPCA Staff	3.1.2.4.3 (b) – It is recommended that the studies and evaluations for adjacent lands also include requirements for mitigation measures and monitoring. It is recommended that this policy be revised to, “Studies and evaluations undertaken in accordance with Section 3.1.2.4.3 a) will identify any additional restrictions, mitigation measures and monitoring to be applied...”	3.1.2.4.3 (b) is implementing a provincial policy. Region staff prefer to use the provincial policy as written.

No.	Comment From	Comment	Region Response
233	NPCA Staff	3.1.2.6.4 (e) – It is recommended that this policy is revised to, “Larger buffers may be required from certain features to avoid...in accordance with Niagara Peninsula Conservation Authority policies and regulation.”	Policy 3.1.2.6.4 (e) has been removed based on other comments to eliminate confusion.
234	NPCA Staff	3.1.2.6.5 (b) – It is recommended that “acceptable to” is changed to “approved by” to give more strength to the policy.	Thank you for the suggestion. The policy has been updated based on the wording in the comment.
235	NPCA Staff	Section 3.1.4.7 (c) – there appears to be a typo (within 30 metres of a linkage).	Thank you; the typo has been corrected.
236	NPCA Staff	Section 3.1.4.11 (a) doesn’t read properly (“environmental impact study affecting”). Consider rewording.	Thank you for the suggestion. We have reworded the policy.
237	NPCA Staff	Section 3.1.4.12 (c) – It is recommended that the policy be revised to, “Where development ...previous studies as provided by the Region, Local Municipality or the Niagara Peninsula Conservation Authority (if available)...”	Thank you for the suggestion. The policy has been updated based on the wording in the comment.
238	NPCA Staff	Section 3.2.5.2 (c) – It is recommended that the policy be revised to, “Hazardous lands shall be identified...The extent of natural hazards may be refined by local municipalities on their own initiative or in response to	Thank you for the suggestion. The policy has been updated based on the wording in the comment.

No.	Comment From	Comment	Region Response
		development applications, as appropriate, as approved by the Niagara Peninsula Conservation Authority.”	
239	NPCA Staff	There appears to be a typo in Section 3.1.7.5 (b).	Thank you; we have corrected the typo.
240	NPCA Staff	Section 3.1.7.11 (b) uses the term “non-native invasive species” whereas the rest of this Section uses the term “invasive species”. Consider using consistent terminology.	Thank you for the suggestion. The policy has been updated.
241	NPCA Staff	In the absence of systematic cumulative impact assessments quantifying the performance achievement of both options, NPCA supports and recommends NES Option 3C based on appreciation that Niagara’s natural systems are highly fragmented and degraded with consistently poor water quality. The Niagara landscape is significantly deficient of sufficient natural cover relative to what scientific conservation literature recommends towards sustainable environmental functions and services. Therefore, it is prudent to implement proactive protection management choices, of which Option 3C does best between the two.	Thank you. Comment noted.
242	NPCA Staff	Further, linkages, enhancement areas, supporting features and associated buffers both in and outside of settlement areas are equally critical components to a robust Natural	Thank you. Comment noted.

No.	Comment From	Comment	Region Response
		Environment System that serve an ecologically sound attempt at establishing a policy reserve that regards the cumulative systematic performance of environmental functions and services.	
243	NPCA Staff	The identification and management of all components, (not just those currently not identified) should be able to be refined through lower tier municipal compliance exercises, and/or more detailed watershed planning studies ideally and proactively at the quaternary watershed level. Last alternative in the absence of the forementioned, would be through subwatershed studies triggered by development review further in the planning process. Managing the environment and associated natural resources through the development phase is unfeasible from a cumulative impact perspective.	Thank you. Comment noted.
244	NPCA Staff	Definition: Cultural and Regenerating Woodland - should be further identified proactively through natural resources management through quaternary watershed planning studies. It is commended that all the proposed criteria are required to be met for identification through development review as these woodlands presently contribute to the deficient woodland cover	Thank you. Comment noted.

No.	Comment From	Comment	Region Response
		amounts for the landscape and do provide significant hydrologic functions as a result.	
245	NPCA Staff	<p>Definition:</p> <p>Ecological Functions – equally if not more important to consider from a systematic perspective as well as on a site-by-site basis since their impacts are cumulative towards overall system health. Therefore, ecological functions should be further identified and quantified through proactive and natural resources management through quaternary watershed planning studies and system-based objectives.</p>	Thank you. Comment noted.
246	NPCA Staff	<p>Definition:</p> <p>Fish Habitat – should be further identified proactively through natural resources management through quaternary watershed planning studies in combination with the advent of an appropriate monitoring program complementary to a synthesis of available existing information. Mapped permanent and intermittent surface water features are not exhaustive fish habitat based on the current approach, however, the NPCA recognizes the draft NES Policies address surface water features not mapped.</p>	Thank you. Comment noted.
247	NPCA Staff	Definition:	Thank you. Comment noted.

No.	Comment From	Comment	Region Response
		Ground Water Feature – should be further identified proactively through natural resources management through quaternary watershed planning studies in combination with the advent of an appropriate monitoring program such as the Geological Survey of Canada’s methodology for measuring the spatial distribution of low streamflow within watersheds to help refine ground and surface water interactions.	
248	NPCA Staff	Definition: Habitat of Endangered and Threatened Species – should be further identified proactively through natural resources management through quaternary watershed planning studies in combination with the advent of an appropriate local inventory and monitoring program.	Thank you. Comment noted.
249	NPCA Staff	Definition: Hydrologic Functions – should be further identified proactively through natural resources management through quaternary watershed planning studies through the refinement and further development of individual watershed-based water budgets and system-based objectives.	Thank you. Comment noted.
250	NPCA Staff	Definition:	Thank you. Comment noted.

No.	Comment From	Comment	Region Response
		<p>Linkages – Outside of those identified as part of the provincial natural heritage systems, linkages of all sizes (large, medium or small) are difficult to evaluate in terms of their sufficiency. NPCA suggests opportunities for additional ecologically appropriate linkages should and may be identified and/or refined through natural resources management through quaternary watershed planning studies as opposed to smaller subwatershed studies completed in support of a Secondary Plans. Further, there have been several studies or initiatives now (Land Care Niagara’s Natural Heritage Ecological Framework, Carolinian Canada’s Big Picture, NPCA’s Nature for Niagara’s Future Natural Heritage System Assessment, and the Ministry of Natural Resources and Forestry’s Landscape Connectivity Mapping) that have produced various versions of cores and/or potential linkages for Niagara based on several robust conservation planning methodologies that could lend to the consolidation and confidence of linkages from which to aspire towards based on the additional science these offer.</p>	
251	NPCA Staff	<p>Definition: Natural Environment System – Maintaining biological and hydrological diversity, ecological functions, ecosystem services,</p>	Thank you. Comment noted.

No.	Comment From	Comment	Region Response
		<p>viable populations of indigenous species, and ecosystems can only be achieved objectively and quantitatively by appreciating what is necessary to leave or add to the landscape based on an understanding of not only what remains, but how what remains is performing systematically through cumulative assessment. The NPCA suggests using our Integrated Watershed Management approach through a watershed based natural resources management framework. This framework strategizes the integration of protection, restoration, and securement tools based on systematic conservation planning principles and could ensure targets for these objectives are established and assessed across the landscape in balance with competing interests. This critical information could then be further incorporated into proactive quaternary watershed planning studies to inform subsequent land use planning activities.</p>	
252	NPCA Staff	<p>Definition:</p> <p>Other Wetlands – Protecting these as key hydrologic features is very important as the Ontario Wetland Evaluation System mapping criteria for a minimum mapping unit is 0.5 hectares which does not exhaustively inventory wetlands and, therefore, does lend itself entirely to systematic wetland cover needs. They are equally important, function</p>	Thank you. Comment noted.

No.	Comment From	Comment	Region Response
		<p>dependent, in settlement areas when they exist. The NPCA appreciates the Other Wetlands mapping inventory is derived from the Region’s updated Ecological Land Classification (ELC) mapping and notes the highly interpretive desktop nature of the associated mapping methodology. We have noticed some clear misinterpretations of Other Wetland features and other examples demonstrate where features are now occurring as Other Wetlands where NPCA had formerly mapped these as a more dominant Forest or Wooded community complexed with a subdominant wetland community. Further, appreciating the threshold for identifying Other Wetlands for the policy mapping from the ELC inventory was also generally 0.5 hectares in contrast to the ELC inventory 0.1 hectare minimum mapping unit, many other smaller and minor Other Wetlands have therefore not been identified in the NES mapping. NPCA recommends flexibility with the application of the Other Wetlands NES mapping based on these mapping issues and recognizes the policies do cover Other Wetlands not mapped. Other Wetlands therefore should be able to be refined through lower tier municipal conformity exercises, and/or more detailed natural resources management through watershed planning studies ideally and proactively at the quaternary watershed level and</p>	

No.	Comment From	Comment	Region Response
		<p>complemented by a monitoring program. Further these features should not be confused for what the NPCA would regulate at minimum as a wetland under its roles and responsibilities outlined in the Conservation Authorities Act.</p>	
253	NPCA Staff	<p>Other Woodlands – The NPCA values the policy inclusion and recognizes the importance of ‘Other Woodlands’ with reference to the watershed’s 18% performance rate for forest cover. Federal recommendations use a risk-based approach and suggest a 30% minimum of forest cover is essentially high risk and may only support less than one half of species richness and marginally healthy aquatic systems. The minimum patch size of 0.3 hectares is appreciated considering the fragmented nature of the landscape and that Niagara is situated in the Carolinian Zone, the most biodiverse and threatened ecoregion in Canada. Woodland and forest cover enhancement opportunities focusing on native species that would cumulatively address other ecological objectives as well should be further identified proactively through natural resources management through quaternary watershed planning studies, and the already prioritized Regional Greening Initiative as part of the Climate Change Work Program.</p>	Thank you. Comment noted.

No.	Comment From	Comment	Region Response
254	NPCA Staff	<p>Permanent and Intermittent Streams – The NPCA appreciates the source data contributing to this policy layer and notes the highly interpretive desktop nature of the associated mapping methodology with respect to inferring flow regime/stream permanency. The NPCA acknowledges that reaches have been identified using a conservative threshold of ‘Intermittent or Ephemeral’ from the source classification. However, we noticed both subjective removals, and misclassified omissions from the original inferred flow regime/stream permanency classification available and suggest that in practice what is left may not necessarily reflect all intermittent streams on the landscape and therefore not been identified in the NES mapping. The NPCA recommends flexibility with the application of the Permanent and Intermittent Streams NES mapping based on these mapping issues and recognizes the draft NES Policies do cover streams not mapped. “The Stream Permanency Handbook for South-Central Ontario’ (MNR, 2005) would be complementary to the Ontario Stream Assessment Protocol Permanent in terms of criteria considerations for the identification of these features. Intermittent streams at minimum therefore should be able to be refined through lower tier municipal conformity exercises, and/or more detailed natural resources management forward watershed</p>	Thank you. Comment noted.

No.	Comment From	Comment	Region Response
		<p>planning studies ideally and proactively at the quaternary watershed level with complementary monitoring programs (low flow spot flow collections). Furthermore, these features should not be confused for what the NPCA would regulate at minimum as a watercourse under its roles and responsibilities outlined in the Conservation Authorities Act.</p>	
255	NPCA Staff	<p>Provincial Natural Heritage System – The NPCA appreciates the partial science contributing to the identification of these systems (Greenbelt largely hand drawn, Growth Plan largely based on forest patch sizes and connectivity opportunities) which objectively function as natural heritage system frameworks and a starting point for local system development. Overlays with modelling scenarios from NPCA’s existing natural heritage system assessment using a systematic conservation planning approach (Nature for Niagara’s Future) framed with targets for ecological values based on what science recommends at minimum demonstrates they do not cover or protect the ‘best half’ cumulatively of what is left on the Niagara landscape. In addition, ecological values abundance mapping from the same study indicates many high yielding features in the local context are not captured in the provincial natural heritage systems. NPCA</p>	Thank you. Comment noted.

No.	Comment From	Comment	Region Response
		<p>commends the conservative policy approach to complementing the provincial natural heritage systems with the lands outside these plan areas, specifically the inclusion of Significant Woodlands, Other Woodlands, and Other Wetlands which mitigate these observations, however to what extent empirically remains unquantified in terms of assessing the proposed NES options' performance. The NPCA emphasizes the critical importance of objectively identifying enhancements, corridors, linkages, and vegetation protection zones including consideration for natural successional communities proactively through natural resources management through quaternary watershed planning studies.</p>	
256	NPCA Staff	<p>Definition:</p> <p>Seepage Areas and Springs – should be further identified proactively through natural resources management through quaternary watershed planning studies in combination with the advent of an appropriate monitoring program such as the Geological Survey of Canada's methodology for measuring the spatial distribution of low streamflow within watersheds to help refine ground and surface water interactions. This protocol also includes guidance for the monitoring of discharge areas as well.</p>	Thank you. Comment noted.

No.	Comment From	Comment	Region Response
257	NPCA Staff	<p>Definition:</p> <p>Setback – These may be easily confused if not further clarified with ‘allowances’ in NPCA mapping inherent from the regulation language (i.e., Wetland Allowance) which model allowance areas around natural hazard features subject to the associated policies which may indicate a minimum setback.</p>	Thank you. We will work with NPCA staff to update this definition.
258	NPCA Staff	<p>Definition:</p> <p>Shoreline Areas – These should also include non-vegetated areas including natural bluff, beach/shoreline, open rock barren and other ecological land classification communities that also denote the interface between terrestrial and aquatic environments. These, both vegetated and non-vegetated, should be further identified proactively through natural resources management through quaternary watershed planning studies, shoreline management plans, or holistic shoreline resiliency studies considering the environmental and social-economic importance in Niagara as a peninsula with two Great Lake shorelines.</p>	Thank you. Comment noted.
259	NPCA Staff	<p>Significant Coastal Wetlands – There may be some effort required to further identified proactively through natural resources management through quaternary watershed</p>	Thank you. Comment noted.

No.	Comment From	Comment	Region Response
		planning studies, shoreline management plans, or holistic shoreline resiliency studies considering the Ontario Wetland Evaluation System (OWES) inventory for Niagara does not focus on the littoral zone of the Great Lakes.	
260	NPCA Staff	Significant Surface Water Contributing Areas – should be further identified proactively through natural resources management through quaternary watershed planning studies with complementary field monitoring program and development of individual watershed-based water budgets. The NPCA strongly agrees with the proposed “Evaluation, Classification, and Management of Headwater Drainage Features Guidelines” as the protocol for this purpose. NPCA further notes that headwater drainage features fall under the regulation of watercourses through its roles and responsibilities of the Conservation Authorities Act.	Thank you. Comment noted.
261	NPCA Staff	Significant Valleylands – considering these features are not mapped and NPCA technical criteria for the mapping of the regulated riverine erosion hazard in an apparent valley is finer scale than the provincial guidance (i.e. discrepancies in valley widths and heights) these features could be further identified for consideration through NPCA’s Hazard Mapping Update activities or through natural	Thank you. Comment noted.

No.	Comment From	Comment	Region Response
		resources management through quaternary watershed planning studies.	
262	NPCA Staff	Significant Wildlife Habitat – appreciating the limited resources of Ministry of Mining, Northern Development, Natural Resources and Forestry to keep this information current and sufficient in so far as operational use for land use planning needs, these features should be further identified and refined proactively through natural resources management through quaternary watershed planning studies with establishment of complementary local field monitoring programs for Niagara fauna.	Thank you. Comment noted.
253	NPCA Staff	Significant Woodlands – part of the definition of significant woodlands includes ‘due to the amount of forest cover in the planning area’ which means candidate features should be further identified, refined, and assessed proactively through natural resources management through quaternary watershed planning studies to determine additional or missing significant woodlands from that cumulative and objective perspective.	Thank you. Comment noted.
254	NPCA Staff	Supporting Features and Areas – should be further identified proactively through natural resources management through quaternary watershed planning studies. The criteria identified for these should be considered a	Thank you. Comment noted.

No.	Comment From	Comment	Region Response
		point of departure appreciating the degradation and fragmentation on the landscape. Leaving identification of enhancement areas to development processes such an Environmental Impact Study (EIS) makes it difficult to establish system wide and/or watershed wide ecological goals and objectives and strive towards cumulative impacts in a pre-emptive manner.	
255	NPCA Staff	Sensitive Surface Water and Surface Water Features – should be further identified proactively through natural resources management through quaternary watershed planning studies and development of individual watershed-based water budgets with systematic ecological objectives guiding selection.	Thank you. Comment noted.
256	NPCA Staff	Water Resource System – similar to the provincial natural heritage systems and NES as a whole this system should be further identified and refined proactively through municipal conformity exercises and natural resources management through quaternary watershed planning studies that include development of individual watershed-based water budgets with systematic ecological objectives guiding selection to further evaluate and qualify the contributions of the included components as the function collectively.	Thank you. Comment noted.

No.	Comment From	Comment	Region Response
257	NPCA Staff	<p>The NES components and associated mapping proposed under both options generally represent a more conservative shift forward in local environmental policy development and conform to provincial minimum requirements. The mapping and related criteria as a tool to guide the implementation of the policy will always be a limiting factor in so far as optimal operational support. Especially considering the state of environmental management in Niagara where substantial data and information gaps persist (as documented by the related Niagara Watershed Plan Equivalent required by the Province to inform) demonstrating that policy development is reactively driving science, data collection and analysis needs. These are both fundamentally and ideally readily available and processed through an adaptive management cycle resulting in systematic oriented resource management recommendations to inform land use planning.</p> <p>Therein lies tremendous opportunity through proactive natural resources management through quaternary watershed planning studies to significantly re-establish the adaptive management cycle via an integrated watershed management framework offering environmental system and feature mapping improvements through further scientific evaluation and a systematic conservation</p>	Thank you. Comment noted.

No.	Comment From	Comment	Region Response
		<p>planning lens could refine a reserve network for Niagara that is founded on local and quantifiable ecological objectives. This would open potential to consider further watershed specific policies where warranted. As such every emphasis should be to resolve as much required natural resource data collection, analysis and information development needs prior to triggers through planning review which does not lend itself to cumulative systematic considerations and proactive management decision making that a degraded and fragmented environment system warrants.</p>	
258	NPCA Staff	<p>In the absence of quantitative cumulative assessment, it is very difficult to evaluate the achievement of the identified NES towards the principal goal to maintain, restore, and enhance the biodiversity and connectivity of natural features and their associated ecological and hydrologic functions. The identified system may be entirely sufficient or lacking in adequacy to the task at hand protecting essentially a subset of the features left on the landscape that are cumulatively degraded, fragmented and performing poorly based on previous ecological objective based systematic conservation planning analyses.</p>	Thank you. Comment noted.
259	NPCA Staff	<p>In the absence of vegetation species and age mapping it is impossible to protect woodlands and their biodiversity specifically considering</p>	Thank you. Comment noted.

No.	Comment From	Comment	Region Response
		Niagara is situated in the Carolinian Zone, the most biodiverse and threatened ecoregion in Canada. Scanning provincially rare treed vegetation communities or habitat of a woodland plant species based on Natural Heritage Information Centre rankings through individual EISs on a site-by-site basis does not lend itself to cumulative impacts and ecosystem management of Niagara's woodlands and broader forest communities. It only protects what is rare or threatened. Addressing biodiversity would be ensuring representation of what was and is which requires much more data and analysis.	
260	NPCA Staff	Woodland Cover, Section 3.1.6.1 (b) (i) – the development and implementation of a Regional Greening Strategy should utilize a systematic conservation planning approach where greening initiatives would be driven by and counted toward cumulative ecological objectives impacts.	Thank you. Comment noted.
261	NPCA Staff	Woodland Cover, Section 3.1.6.1 (b) (iii) – the NPCA currently works with private landowners and the agricultural community to support stewardship efforts to plant and maintain treed and upland cover through its Restoration Grant Program and is currently exploring the feasibility of enhanced and complementary watershed ecological restoration services.	Thank you. Comment noted.

No.	Comment From	Comment	Region Response
262	NPCA Staff	Woodland Cover, Section 3.1.6.1 (b) (iv) – the NPCA implements land acquisition and ecological restoration as natural resources management tools. Perhaps land acquisition or dedication of private lands for reforestation efforts should be a further service level discussion with the NPCA.	Thank you. Comment noted.
263	NPCA Staff	Woodland Cover, Section 3.1.6.1 (b) (v) – the identification of woodland enhancement areas are ideally achieved through proactive natural resource management forward quaternary watershed plans so that system wide goals and objectives can inform and drive them.	Thank you. Comment noted.
264	NPCA Staff	Woodland Cover, Section 3.1.6.1 (b) (vi) – requiring tree and woodland protection and planting through the development approvals process is commended and supports a shift to greener designs.	Thank you. Comment noted.
265	NPCA Staff	Woodland Cover, Section 3.1.6.1 (b) (vii) – the watershed based local natural resources management framework the NPCA will be required to complete under Bill 229 would be an ideal process under which to facilitate the development of a system wide strategy for the protection, preservation, securement and restoration of woodland cover based on systematic conservation planning principles and the integrated watershed management	Thank you. Comment noted.

No.	Comment From	Comment	Region Response
		approach it delivers under it roles and responsibilities of the Conservation Authorities Act.	
266	NPCA Staff	Wetland Cover, Section 3.1.6.2 (b) - the identification of wetland restoration areas are ideally achieved through proactive natural resource management through quaternary watershed plans so that system wide goals and objectives can inform and drive them. Considering historic reference conditions in terms of representation, distribution and quantity is highly recommended. The NPCA currently works with private landowners and the agricultural community to support stewardship efforts to create wetlands via its Restoration Grant Program and is currently exploring the feasibility of enhanced and complementary watershed ecological restoration services.	Thank you. Comment noted.
267	NPCA Staff	Riparian Vegetation Cover, Section 3.1.6.3 (a) – There will need to be effort to quantify ecological objectives for aquatic functions.	Thank you. Comment noted.
268	NPCA Staff	Riparian Vegetation Cover, Section 3.1.6.3 (b) (ii) – NPCA currently works with private landowners and the agricultural community to support stewardship efforts to plant and maintain riparian vegetation adjacent to watercourses via its Restoration Grant Program and is currently exploring the	Thank you. Comment noted.

No.	Comment From	Comment	Region Response
		feasibility of enhanced and complementary watershed ecological restoration services.	
269	NPCA Staff	Riparian Vegetation Cover, Section 3.1.6.3 (b) (iii) – The NPCA implements land acquisition and ecological restoration as natural resources management tools. Perhaps land acquisition or dedication of private lands for reforestation efforts should be a further service level discussion with the Conservation Authority.	Thank you. Comment noted.
270	NPCA Staff	Riparian Vegetation Cover, Section 3.1.6.3 (b) (iv) – The watershed based local natural resources management framework the NPCA will be required to complete under Bill 229 would be an ideal process under which to facilitate the development of a system wide strategy for the protection, preservation, securement and restoration of riparian vegetation cover based on systematic conservation planning principles and the integrated watershed management approach it delivers under it roles and responsibilities of the Conservation Authorities Act.	Thank you. Comment noted.

Appendix 2 – PDS 8-2021

Local Planning Staff and Agency Comments on Natural Environment System Draft Mapping with Response Matrix

Unique Feature ID	Layer Name	Municipality	Comment	Region Response
462baa21-1d1a-4f8c-ba57-a3635fc5eb35	Other Woodlands	NOTL Submitted by NPC	Niagara Parks property -appears to meet criteria to be significant woodland, due to size and rare oak savanah habitat; adjacent to significant woodland (Parks Canada property to north)	Reviewed. Feature mapped in accordance with the definition, criteria, and methodology applicable for other woodlands. Site specific studies would be expected to precisely define the limits and validate the classification of features.
c1f5ccff-c537-416a-8589-ac0280415748	Linkages	Pelham	Not sure what the linkage is linking. Looks like part of the woodland east of the significant woodland was not mapped.	Linkages can connect to the extent of the Provincial NHS if, and may not be drawn to the boundary of an individual feature. Area to east of the forest reviewed. Area not identified as an ELC class qualifying as woodland in accordance with the definition, criteria, and methodology for other woodlands or significant woodlands.
103f4256-abeb-46bd-bf7a-	Linkages	Pelham	Linkage doesn't connect to the south.	Linkages can connect to the extent of the Provincial NHS if, and may not be drawn to the boundary of an individual feature.

Unique Feature ID	Layer Name	Municipality	Comment	Region Response
d7a1757261fa				
334c3d12-f3f2-4ea2-bd2e-8193d4961f22	Other Wetlands and Non Provincially Significant Wetlands	Pelham	This is not a wetland. It is a hedgerow and succession growth along a former railway right of way and in an unopened road allowance that contains invasive species. This is successional growth associated with abandoned farming and the abandoned railway right of way. The railway right of way is now a recreational trail and the Town does clear trees and limbs that interfere with the use and safety of the recreational trail. The unopened road allowance will be opened for a municipal road, the extension of Station Street, as contemplated by the East Fonthill Secondary Plan and tree removal will be required to construction of the road. This 'feature' was not identified in the approved East Fenwick Secondary Plan and should be removed from the Regional mapping. The current Forest Park draft plan of subdivision contemplates the extension of Station Street in the road allowance.	Thank you for the comment. This site is under further review.

Unique Feature ID	Layer Name	Municipality	Comment	Region Response
f916298c-2e85-431a-9a53-98fade691a29	Other Woodlands	Pelham	There is municipal sanitary sewer that runs through this property from the end of Ker Crescent to Canboro Road that was installed when the Cherry Ridge subdivision was approved and developed in the 1980's. It was intended that Ker Crescent would be extended into these lands and the lands would be developed for residential use. This is an abandoned orchard that contains successional growth with invasive species and is disturbed. It is not a woodland.	Thank you for the comment. This site is under further review.
334c3d12-f3f2-4ea2-bd2e-8193d4961f22	Other Wetlands and Non Provincially Significant Wetlands	Pelham	This is not a wetland and at best is a hedgerow that contains a significant amount of invasive species. This areas is also part of the unopened road allowance that is planned and intended to be opened and developed as approved in the East Fonthill Secondary Plan. This should be removed.	Thank you for the comment. This site is under further review.
	General	Pelham	Some comments were submitted on sites using the mapping tool. It would be helpful to be able to place a point and add a comment for a feature that has not been mapped but potentially should be.	Thank you for the comment. Staff will determine if additional tools can be implemented on the mapping application to enable this feedback.

Unique Feature ID	Layer Name	Municipality	Comment	Region Response
ca8365fb-957a-4654-971f-27bc8a36eccc	Other Wetlands and Non Provincially Significant Wetlands	Pelham Submitted by NPCA	Misclassified/aggregated polygon as Swamp. This is likely better suited as an FOD polygon with some wetter communities complexed in, or identified as inclusions based on the current delineation (I see some of the wet evidence along some of the stream/creek corridors therein and in some of the lower lying areas). The undulating and sloped topography of the polygon supports this as well as all the upland leaf litter in the imagery. This one may undermine credibility of the 'Other Wetlands' mapping approach. As a whole though, this polygon is not a wetland.	Thank you for the comment. This site is under further review.
dc288a2c-eee0-4b23-aad3-02d0fb7e32ed	Other Wetlands and Non Provincially Significant Wetlands	Pelham Submitted by NPCA	Another wetland that is miscalssified. Should be FOD with subdominant wet complexing or inclusion. Check topography for support. These are some massive hills that would support and indicate upland communities are more dominant in this delineation.	Thank you for the comment. This site is under further review.
53c6b89b-753d-4d3f-8922-7e8eabf44647	Other Wetlands and Non Provincially Significant Wetlands	Pelham Submitted by NPCA	Not Wetland, this is heavily sloped. Also why the road goes around the hill to south and why the powerline tower is cut out and situated at the top of the hill.	Thank you for the comment. This site is under further review.

Unique Feature ID	Layer Name	Municipality	Comment	Region Response
d4f2b5fc-1426-4969-8537-b924551759ae	Other Wetlands and Non Provincially Significant Wetlands	Port Colborne	This area (proposed for Westwood Phase III) has been cleared in anticipation for the development. The PSW areas have been untouched, but the Other Wetland area is now gone.	Thank you for the comment. This site is under further review.
e21cc81b-e9e8-4f22-9f66-d1f95b8c1f3f	Other Wetlands and Non Provincially Significant Wetlands	Port Colborne	Fairly certain this area has been cleared.	Thank you for the comment. This site is under further review.
b85e1a87-83ee-435f-8584-4aa9072cbfa5	Other Wetlands and Non Provincially Significant Wetlands	Port Colborne	The City of Port Colborne currently has a consultant reviewing and staking this property. Initial findings have outlined a large portion of the eastern side of the property that is suitable for development. Property is City-owned and Economic Development staff have interested parties involved.	Policies under section 3.1.7 "Transition and Implementation" will apply as applicable, to sites with existing approvals.
2c8774d8-c73e-4588-8a48-c8fdea3fb5d	Other Wetlands and Non Provincially Significant Wetlands	Port Colborne	This property is City-owned and is proposed for an industrial park. City staff would like to ensure that one or two entrances are able to be put through. The northern part of this feature restricts the ability to develop the lands. A consultant has also been retained to stake and review the features.	Revisions previously made to area after further detailed site assessment in fall 2021. Policies under section 3.1.7 "Transition and Implementation" will apply as applicable, to sites with existing approvals.

Unique Feature ID	Layer Name	Municipality	Comment	Region Response
5c7dc751-c212-412a-a40b-560cddf8456e	Other Woodlands	Port Colborne	This property has been completely cleared since roughly 2018.	Updates have been made to reflect the cleared area.
165f9993-da10-4530-80dd-2a058cb89e14	Linkages	Port Colborne	This linkage does not seem realistic. A privately-initiated secondary plan is currently in the works for this area. This is located in the urban area and should be removed.	The draft policies allow for consideration of linkages. The existence of this linkage is additionally dependent on whether NHS option 3B and 3C is selected.
62482b7a-b344-4bcc-b0e2-4cb65ea352d9	Other Wetlands and Non Provincially Significant Wetlands	Port Colborne	A privately-initiated secondary plan is currently in the works for this property. This does not appear to be a relevant feature based on aerial imagery.	Thank you for the comment. This site is under further review.
0d83f2ca-84a8-4f24-9445-f329fcd85812	Other Wetlands and Non Provincially Significant Wetlands	Port Colborne	The eastern portion of this feature has been developed into a gas station/fast food location.	Feature has been updated.
9361d655-bfd2-4825-a08c-52f7d81a6a3c	Significant Woodland	Port Colborne	Port Colborne had a recent pre-con for this property. Existing environmental features were raised by the Region. The applicant states that this area (at least the western portion) is no longer treed.	Feature has been mapped in accordance with 2020 imagery. Policies under section 3.1.7 "Transition and Implementation" will apply as applicable, if completed

Unique Feature ID	Layer Name	Municipality	Comment	Region Response
				environmental studies approved before adoption of this OP.
91438992-f040-4274-b8fe-bddf98c1413f	Other Wetlands and Non Provincially Significant Wetlands	Port Colborne	update to remove new residential development	Feature has been updated.
bd485143-3ca3-4644-b917-ef1efaf1a852	Other Wetlands and Non Provincially Significant Wetlands	Port Colborne	update to remove new development and expanded agricultural area	Feature has been updated.
2d2e0dd3-fa54-4654-94d4-ffd4b8c4ca30	Other Wetlands and Non Provincially Significant Wetlands	Port Colborne	update to remove agricultural area	Feature has been updated.
d9d79f62-c52f-4537-b5de-bfc413f7b718	Other Wetlands and Non Provincially Significant Wetlands	Port Colborne	please update to remove agricultural area	Feature has been updated.
e42f9430-1a71-4456-ad26-	Provincially Significant Wetland	Wainfleet	The landscape of this section of the municipal drain is very similar to the landscape further west to Traver Road (and beyond), but only part of	Custodianship of the PSW layer is a Provincial responsibility. Region staff will continue to work with the Province to ensure PSW mapping

Unique Feature ID	Layer Name	Municipality	Comment	Region Response
e1dc114d03b8			the drain is designated as PSW. There should be some consistency along the drain.	accurately reflects ground conditions and developments in Niagara.
4f43bfd3-a653-4e7a-a4c3-fddf0cddf05d	Provincially Significant Wetland	Wainfleet	Large area of this polygon appears to be actively farmed.	Custodianship of the PSW layer is a Provincial responsibility. Region staff will continue to work with the Province to ensure PSW mapping accurately reflects ground conditions and developments in Niagara.
9f8743d7-0b08-401b-8810-5866a246bb91	Provincially Significant Wetland	Wainfleet	There is a dwelling located at 63057 Perry Road (Assessment Roll Number 271400001111300). The feature should be mapped around the developed area.	Custodianship of the PSW layer is a Provincial responsibility. Region staff will continue to work with the Province to ensure PSW mapping accurately reflects ground conditions and developments in Niagara.
b0f31d62-30f7-461e-bd6d-ee1314127212	Provincially Significant Wetland	Wainfleet	A single detached dwelling is located at 53351 Willford Road (Assessment Roll Number 271400001206100). Feature should be mapped around the developed area.	Custodianship of the PSW layer is a Provincial responsibility. Region staff will continue to work with the Province to ensure PSW mapping accurately reflects ground conditions and developments in Niagara.
7d4d71f4-ff9f-4c3e-aacc-a5fa0e211faa	Provincially Significant Wetland	Wainfleet	A single detached dwelling is located at 52896 Putman Road (Assessment Roll Number 271400001105901). Feature should be mapped around the developed area.	Custodianship of the PSW layer is a Provincial responsibility. Region staff will continue to work with the Province to ensure PSW mapping accurately reflects ground conditions and developments in Niagara.

Unique Feature ID	Layer Name	Municipality	Comment	Region Response
b36667d7-4729-4736-9303-f1bfa4ab787a	Provincially Significant Wetland	Wainfleet	Single detached dwelling located at 52873 Putman Road (Assessment Roll Number 271400001105501). Feature should be mapped around the developed area.	Custodianship of the PSW layer is a Provincial responsibility. Region staff will continue to work with the Province to ensure PSW mapping accurately reflects ground conditions and developments in Niagara.
0994c58e-4ff4-4c04-91e7-f591648e8d32	Provincially Significant Wetland	Wainfleet	There are several single detached dwellings along Lambert Road and Tunnacliffe Road South (51225 & 51221 Lambert Road, 51290, 51276, 51268 & 51266 Tunnacliffe Road South). Feature should be mapped around the developed area for each lot.	Custodianship of the PSW layer is a Provincial responsibility. Region staff will continue to work with the Province to ensure PSW mapping accurately reflects ground conditions and developments in Niagara.
3d82ea0d-8b1a-4155-956a-2448d207abdf	Provincially Significant Wetland	Wainfleet	Single detached dwelling at 51255 Tunnacliffe Road South (Assessment Roll Number 271400001004737). Feature should be mapped around the developed area.	Custodianship of the PSW layer is a Provincial responsibility. Region staff will continue to work with the Province to ensure PSW mapping accurately reflects ground conditions and developments in Niagara.
044e3eed-b193-4ff2-a66b-76478e6dd69f	Provincially Significant Wetland	Wainfleet	Single detached dwelling at 33061 Wills Road (Assessment Roll Number 271400000901800). Feature should be mapped around developed area.	Custodianship of the PSW layer is a Provincial responsibility. Region staff will continue to work with the Province to ensure PSW mapping accurately reflects ground conditions and developments in Niagara.
df3d8f13-a87a-4542-8edf-	Provincially Significant Wetland	Wainfleet	Single detached dwelling located at 20451 Erie Peat Road (Assessment Roll Number 271400000126000).	Custodianship of the PSW layer is a Provincial responsibility. Region staff will continue to work with the Province to ensure PSW mapping

Unique Feature ID	Layer Name	Municipality	Comment	Region Response
e80e6f528171			Feature should be mapped around developed area.	accurately reflects ground conditions and developments in Niagara.
af5aae4b-edee-4cb5-bea0-ef223bdf203d	Provincially Significant Wetland	Wainfleet	Existing structure/developed area at 271400000602510. Feature should be mapped around developed area.	Custodianship of the PSW layer is a Provincial responsibility. Region staff will continue to work with the Province to ensure PSW mapping accurately reflects ground conditions and developments in Niagara.
c0211aa0-446c-4bfe-a1b0-4cab66bbab55	Other Wetlands and Non Provincially Significant Wetlands	Wainfleet	Regional Environmental Staff completed a site visit in June of 2020 as a follow-up to pre-consultation comments for the property (271400001009401). NPCA staff commented that based on the findings of the site visit that there are no wetlands present. Please contact the Township if further information is needed to remove this polygon.	Thank you for the comment. This site is under further review.
6d779467-8853-4a91-93d3-edd89db6b381	Other Wetlands and Non Provincially Significant Wetlands	Wainfleet	There is an approved site plan for this property (Assessment Roll Number 271400000917300) to expand the existing mobile home park. Polygon should be removed.	Policies under section 3.1.7 "Transition and Implementation" will apply as applicable, to sites with existing approvals.
940e7a71-f09a-41c8-ae22-	Other Wetlands and Non Provincially	Wainfleet	There is an approved site plan for this property (Assessment Roll Number 271400000917300) to	Changes made to extent of feature. Policies under section 3.1.7 "Transition and Implementation" will

Unique Feature ID	Layer Name	Municipality	Comment	Region Response
8ddc36eb5a81	Significant Wetlands		expand the existing mobile home park. Polygon should be removed.	apply as applicable, to sites with existing approvals.
b51860df-619c-48c6-a829-05387e5b4e17	Other Wetlands and Non Provincially Significant Wetlands	Wainfleet	There is an approved site plan for this property (Assessment Roll Number 271400000917300) to expand the existing mobile home park. Polygon should be removed.	Policies under section 3.1.7 "Transition and Implementation" will apply as applicable, to sites with existing approvals.
d8dceeda-39b9-46a1-bfb6-ff6ec3bfb574	Other Wetlands and Non Provincially Significant Wetlands	Wainfleet	There is a current development application for the property (P02/2021W and Z06/2021W). An EIS was provided through the complete application submission. Some issues with the EIS and design of the subdivision. The applicant is working on a redesign and further study to address these issues.	Policies under section 3.1.7 "Transition and Implementation" will apply as applicable, to sites with existing approvals.
1004a22c-efcd-4cc7-af76-d750aa72dae8	Other Wetlands and Non Provincially Significant Wetlands	Wainfleet	There is a current development application for the property (P02/2021W and Z06/2021W). An EIS was provided through the complete application submission. Some issues with the EIS and design of the subdivision. The applicant is working on a redesign and further study to address these issues.	Policies under section 3.1.7 "Transition and Implementation" will apply as applicable, to sites with existing approvals.
9da09ffb-7026-4cfe-	Significant Woodland	Wainfleet	Mapping of feature should be updated to reflect the results of the	Thank you for the comment. This site is under further review.

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a46f-125ebf01d75f			EIS for consent applications B04/2020W and B05/2020W.	
a412bb89-78c4-4f48-8879-5b4bc8e2a4f9	Other Woodlands	Wainfleet	Appears to be a tree farm and not a woodland.	This is correct. The feature identification has been removed.
c248cfe0-c7d0-4e0e-85c7-c65e9b38e9a9	Other Woodlands	Wainfleet	EIS submitted for approved consent applications (B04/2020W & B05/2020W). This polygon is within the developable area for the two new lots and the remnant lot. Should be removed.	Thank you for the comment. This site is under further review.
6e3a3e30-7063-4537-9a72-b4c35989b9ec	Other Wetlands and Non Provincially Significant Wetlands	Wainfleet	Plan of Subdivision (P01/2018W) has been approved and registered for this area. EIS submitted through the development review stage. Developer has completed primary services and the Township is now issuing building permits. Mapping for feature should be refined to accommodate developable area for the lots within the subdivision.	Policies under section 3.1.7 "Transition and Implementation" will apply as applicable, to sites with existing approvals.
9919f3da-0bf2-4413-970b-	Other Woodlands	Niagara Falls	This area currently has a soybean crop on it.	Thank you for the comment. This site is under further review.

Unique Feature ID	Layer Name	Municipality	Comment	Region Response
96d4785c63bd				
ab6202ea-c942-4d98-8ac6-87d95a3d9f51	Other Wetlands and Non Provincially Significant Wetlands	Niagara Falls	AM-2021-021 EIS submitted for residential development	Policies under section 3.1.7 "Transition and Implementation" will apply as applicable, to sites with existing approvals.
48312cf1-58b1-4104-aed0-fa0119adb802	Other Woodlands	Niagara Falls	AM-2021-016 Oaklands Golf Club - mixed used, community development	Site reviewed. Feature mapped in accordance with the definition, criteria, and methodology applicable for other woodlands. Site specific studies would be expected to precisely define the limits and validate the classification of features.
23a207fc-0ce9-41fe-832e-0fd4762ebff9	Other Woodlands	Niagara Falls	may no longer exist (cut)	Thank you for the comment. This site is under further review.
0aaa98e3-b934-4b51-aca1-65e3ef7a2a89	Other Woodlands	Niagara Falls	treed area cut	Thank you for the comment. This site is under further review.

Unique Feature ID	Layer Name	Municipality	Comment	Region Response
6b58ab8e-549a-46b7-90c0-2c9eafe3e94d	Dev Activity Potential with Env Study	Welland	No environmental study required. Property currently being developed.	Feature has been updated.
ac39b8c0-b575-4d7d-a052-40e0569d7f59	Dev Activity Potential with Env Study	Welland	No environmental study required. Property currently under development with a subdivision.	Local staff identified features had been removed during previous consultations in spring 2021. Feature was removed from mapping subsequently, and is not shown. No further changes required.
c51cb777-d4d5-49e8-9e50-3ba29e354b6d	Dev Activity Potential with Env Study	Welland	No EIS was required for this property.	No features present. No changes required.
806fd4af-1668-44fe-a40e-cbb28aab1bae	Other Wetlands and Non Provincially Significant Wetlands	Welland	This site is under development and has been cleared.	Site reviewed. Other wetland feature has been cleared and development occurring. Mapped feature has been removed.
9ddc18c8-2422-43df-9720-9bf9a1e5239f	Other Wetlands and Non Provincially Significant Wetlands	Welland	Significant slope in this area. Wetlands typically do not exist on steep slopes.	Thank you for the comment. This site is under further review.

Unique Feature ID	Layer Name	Municipality	Comment	Region Response
112bbc12-cf69-49e3-b804-7120dbdb6696	Other Wetlands and Non Provincially Significant Wetlands	Welland	Environmental features shown are not consistent with the features identified in the EIS completed for the development, nor are the environmental features shown in the Region's mapping consistent with what is being maintained.	Thank you for the comment. This site is under further review.
1c70c3ad-89a2-409f-aa34-702f356ec0c7	Other Wetlands and Non Provincially Significant Wetlands	Welland	It is the City's understanding that this is PSW not LSW.	This wetland has been identified by the Province with a significance of "Evaluated-Other".
c8596b5e-89fb-4317-a624-8bfc17abefb9	Other Woodlands	Welland	This property has been cleared and any woodland features (which we would argue were never present) no longer exist.	Thank you for the comment. This site is under further review.
5aaff739-4073-4ca6-b14a-02d4e7ea879d	Other Woodlands	Welland	This property is an open field and is not a woodland. There are a few trees on the property, but this would not meet the criteria in the policy.	Thank you for the comment. This site is under further review.
d89ccf33-7605-4cc5-a913-	Other Wetlands and Non Provincially	Welland	Given the extensive contamination of this site, there should be no natural heritage features shown as they will need to be removed as part of any remediation of this site. An EIS	Thank you for the comment. This site is under further review.

Unique Feature ID	Layer Name	Municipality	Comment	Region Response
ecd52440 aec6	Significant Wetlands		should not be required to complete these works.	
fde2c715- 02cc- 4fc0- a323- 9846fa34 90af	Other Wetlands and Non Provincially Significant Wetlands	Welland	This is a steep embankment that goes to the railway tunnel. Wetlands would not be possible.	Thank you for the comment. This site is under further review.
ae20936a -1bdc- 43c4- b4e1- 8230d467 c40d	Other Wetlands and Non Provincially Significant Wetlands	Welland	Steep embankment. Please see previous comments.	Thank you for the comment. This site is under further review.
9935eb1e -393b- 4534- 868f- b479ffb1b c8a	Other Wetlands and Non Provincially Significant Wetlands	Welland	Please refer to the approved Draft Plan of Subdivision on these lands. This area will be developed with railway berming and the stormwater management pond.	Policies under section 3.1.7 "Transition and Implementation" will apply as applicable, to sites with existing approvals.
e109fc22- 3982- 4167- 90b2- 803658e7 907f	Other Woodlands	Welland	Site is heavily contaminated. The number of trees present do not qualify as a woodland.	Thank you for the comment. This site is under further review.
8229e365 -a18c- 4edb- b7fa-	Other Wetlands and Non Provincially	Welland	This is not a wetland. It is a drainage ditch along the railway line.	Thank you for the comment. This site is under further review.

Unique Feature ID	Layer Name	Municipality	Comment	Region Response
a5473849 bdcc	Significant Wetlands			
987a5ccd -1eff- 4de9- b34e- 9a1a2478 63d3	Other Wetlands and Non Provincially Significant Wetlands	Welland	An EIS has been completed for this area and development has been given Draft Plan Approval.	Thank you for the comment. This site is under further review.
6316d469 -d0ad- 4d27- 8050- baa22c81 6713	Other Wetlands and Non Provincially Significant Wetlands	Welland	There is a gravel parking lot within this area. Please update mapping to remove parking lot.	Feature has been updated.
06562514 -19be- 4f8e- bda4- 4065eade ce6d	Other Wetlands and Non Provincially Significant Wetlands	Welland	This is a ditch with overgrown shrubbery. City will clean this out at some point.	Thank you for the comment. This site is under further review.
873f8408 -e0f6- 4c3a- 80ef- aa86cee9 3a56	Other Wetlands and Non Provincially Significant Wetlands	Welland	This is a drainage feature not a wetland.	Thank you for the comment. This site is under further review.
06e708e0 -749a- 4365- 80d7-	Other Wetlands and Non Provincially	Welland	Identifying this area as Other Wetlands will negatively impact this industry's ability to expand within Welland. The City does not support	Site reviewed. Feature mapped in accordance with the definition, criteria, and methodology applicable for other wetlands. Site specific

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095f629a0b28	Significant Wetlands		the identification of other wetlands on this property.	studies would be expected to precisely define the limits and validate the classification of features.
54c3e79d-af63-4a6f-83b5-da33f0066c85	Other Wetlands and Non Provincially Significant Wetlands	Welland	These are lands within a registered subdivision. There should be no further study requirements for the development of these properties. These lands are also within the Gateway Economic Area and should be used for industrial development.	Thank you for the comment. This site is under further review.
bffa909c-b6e9-499f-93e3-8bd8bd2d5ae4	Other Wetlands and Non Provincially Significant Wetlands	Welland	We do not feel that this warrants the designation of an 'other wetland'. Similar features to the Alpa Lumber property (7 Woodlawn Road) and no EIS was required for the development of this site.	Site reviewed. Feature has been updated. Staff note site specific studies would be expected to precisely define the limits and validate the classification of features.
179fa4f4-310c-48ef-8618-870f97abf826	Linkages	Welland	This runs through an industrial subdivision.	Thank you for the comment. This site is under further review..
8d4a88c6-642a-43d3-b9ab-5523df1102a7	Other Wetlands and Non Provincially Significant Wetlands	Welland	There is an approved EIS on this property. Please review and revise mapping accordingly.	Thank you for the comment. This site is under further review.
578a84c6-0c73-	Other Wetlands and	Fort Erie	Developed area to be removed.	Feature has been mapped in accordance with 2020 imagery.

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4a60-af6e-7fb8d19d0fde	Non Provincially Significant Wetlands			Policies under section 3.1.7 "Transition and Implementation" will apply as applicable, if completed environmental studies approved before adoption of this OP.
6d743d4b-f8e2-499e-8268-f092156a7d17	Other Wetlands and Non Provincially Significant Wetlands	Fort Erie	update to remove disturbed area	Feature has been updated.
6b9c460b-f117-468b-b547-f7bd42475c68	Other Woodlands	Fort Erie	polygon may need to be revised. There is a large cleared area	Feature has been updated.
e232900d-7245-4f5d-9f96-f57d20624246	Other Wetlands and Non Provincially Significant Wetlands	Fort Erie	polygon to be updated to remove two residential properties at the north end.	Feature has been updated.
08e22969-f37a-4504-952a-d34f834a7459	Provincially Significant Wetland	Fort Erie	Why was this considered Significant Wetland and are we able to see the details/criteria to determine this? This is applicable to the pieces to the south as well	Custodianship of the PSW layer is a Provincial responsibility. PSW are identified/confirmed by the MNDMNR through the Ontario Wetland Evaluation System.

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fed5cad9-c970-447c-8ddb-5123e9124e10	Other Wetlands and Non Provincially Significant Wetlands	Fort Erie	This area is fairly cleared out - can this possibly be refined further to reflect current on the ground conditions?	Thank you for the comment. This site is under further review..
4f089f84-b5b3-4b64-973b-afe50a9c3447	Other Wetlands and Non Provincially Significant Wetlands	Fort Erie	Existing rail corridor	Site reviewed. Feature mapped in accordance with the definition, criteria, and methodology applicable for other wetlands. Site specific studies would be expected to precisely define the limits and validate the classification of features.
32e91264-a79e-4e59-b45c-2712632b4cf3	Other Wetlands and Non Provincially Significant Wetlands	Fort Erie	Existing rail corridor	Site reviewed. Feature mapped in accordance with the definition, criteria, and methodology applicable for other wetlands. Site specific studies would be expected to precisely define the limits and validate the classification of features.
ff946c15-a1f2-4d17-8e7b-917071b2428a	Other Wetlands and Non Provincially Significant Wetlands	Fort Erie	Existing rail corridor	Site reviewed. Feature mapped in accordance with the definition, criteria, and methodology applicable for other wetlands. Site specific studies would be expected to precisely define the limits and validate the classification of features.

Unique Feature ID	Layer Name	Municipality	Comment	Region Response
86e81f1b- ce64- 47e4- 83b5- 70b81003 236c	Significant Woodland	Fort Erie	Ditch associated with an existing rail corridor	Feature has been updated.
86e81f1b- ce64- 47e4- 83b5- 70b81003 236c	Significant Woodland	Fort Erie	Abandoned rail corridor - aerial photography indicated limited vegetation	Feature has been updated.
4f089f84- b5b3- 4b64- 973b- afe50a9c 3447	Other Wetlands and Non Provincially Significant Wetlands	Fort Erie	Ditch associated with abandoned rail corridor/rail line	Site reviewed. Feature mapped in accordance with the definition, criteria, and methodology applicable for other wetlands. Site specific studies would be expected to precisely define the limits and validate the classification of features.
ff946c15- a1f2- 4d17- 8e7b- 917071b2 428a	Other Wetlands and Non Provincially Significant Wetlands	Fort Erie	Ditch associated with abandoned rail corridor/rail line	Site reviewed. Feature mapped in accordance with the definition, criteria, and methodology applicable for other wetlands. Site specific studies would be expected to precisely define the limits and validate the classification of features.
b2ad72fb- 59cb- 4625- 948a-	Other Woodlands	Fort Erie	What are the criteria that were used to identify this parcel? From aerial imagery there is minimal vegetation and significant damage/death of	Woodlands can include areas with >25% canopy coverage. Feature mapped in accordance with the definition, criteria, and methodology

Unique Feature ID	Layer Name	Municipality	Comment	Region Response
731362fa 2ba1			existing trees . No linkages or implications to the natural heritage systems	applicable for other woodlands. Site specific studies would be expected to precisely define the limits and validate the classification of features.
e85275e4 -b562- 4a14- 88cb- a9b86b0a ba44	Other Wetlands and Non Provincially Significant Wetlands	Fort Erie	This was identified in the Town's ECAAR/EIS - this was an area identified with Dense Blazing star, which has now been relocated	Study re-reviewed. Area is open water. Feature has been removed.
152a8f40 -a5f8- 40f6- a82b- 8d72f864 8590	Other Wetlands and Non Provincially Significant Wetlands	Fort Erie	What were the criteria for identifying this as wetland? It appears to be more wooded.	The "Components, Definitions, and Criteria" document includes a list of all of the ELC vegetation communities that were used to identify wetlands. Wetland classifications such as "Deciduous Swamp" may contain a dense tree canopy from the presence of a significant amount of deciduous tree species.
a9b930de -d172- 4c7d- a112- 4642ef5fd dc1	Other Wetlands and Non Provincially Significant Wetlands	Fort Erie	What were the criteria for identifying this as wetland? It appears to be more wooded.	The "Components, Definitions, and Criteria" document includes a list of all of the ELC vegetation communities that were used to identify wetlands. Wetland classifications such as "Deciduous Swamp" may contain a dense tree canopy from the presence of a significant amount of deciduous tree species.

Unique Feature ID	Layer Name	Municipality	Comment	Region Response
964560d1-0724-43de-a5b4-e7902bb22d2a	Other Wetlands and Non Provincially Significant Wetlands	Fort Erie	What were the criteria for identifying this as wetland? It appears to be more wooded.	The "Components, Definitions, and Criteria" document includes a list of all of the ELC vegetation communities that were used to identify wetlands. Wetland classifications such as "Deciduous Swamp" may contain a dense tree canopy from the presence of a significant amount of deciduous tree species.
7b643aae-a63b-47f8-a664-9e636cba6984	Other Wetlands and Non Provincially Significant Wetlands	Fort Erie	What were the criteria for identifying this as wetland? It appears to be more wooded.	The "Components, Definitions, and Criteria" document includes a list of all of the ELC vegetation communities that were used to identify wetlands. Wetland classifications such as "Deciduous Swamp" may contain a dense tree canopy from the presence of a significant amount of deciduous tree species.
999a988d-397d-4eaf-9d7a-f78649d31c2c	Other Wetlands and Non Provincially Significant Wetlands	Fort Erie	What were the criteria for identifying this as wetland? It appears to be more wooded.	The "Components, Definitions, and Criteria" document includes a list of all of the ELC vegetation communities that were used to identify wetlands. Wetland classifications such as "Deciduous Swamp" may contain a dense tree canopy from the presence of a significant amount of deciduous tree species.

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2f4712a5-6c55-4db7-8d17-ea14762ee7a8	Other Wetlands and Non Provincially Significant Wetlands	Fort Erie	What were the criteria for identifying this as wetland? It appears to be more wooded.	The "Components, Definitions, and Criteria" document includes a list of all of the ELC vegetation communities that were used to identify wetlands. Wetland classifications such as "Deciduous Swamp" may contain a dense tree canopy from the presence of a significant amount of deciduous tree species.
ff84fff6-f456-42d1-b520-d963d2419eee	Dev Activity Potential with Env Study	Fort Erie	Why is this dot here? Can be removed - development is well underway	This layer was intended to identify areas where local or regional staff have indicated development activity may/will occur, and environmental study may be required/completed.
166caa7f-1605-49e1-9aea-34d331722cbe	Other Wetlands and Non Provincially Significant Wetlands	Fort Erie	What was the criteria to determine these as "wetlands"? - this appears to be more of a woodlot	Thank you for the comment. This site is under further review.
b7b5579f-337a-4316-87e0-62a699e85af7	Other Woodlands	Fort Erie	EIS was done as part of the fire hall development and the boundary should be refined.	Thank you for the comment. This site is under further review.
37eff16c-f079-	Other Wetlands and	Fort Erie	Town park, on a hill. Not a wetland.	Site reviewed. Feature mapped in accordance with the definition,

Unique Feature ID	Layer Name	Municipality	Comment	Region Response
4b47-8ee3-55d37b08859a	Non Provincially Significant Wetlands			criteria, and methodology applicable for other wetlands. Site specific studies would be expected to precisely define the limits and validate the classification of features.
f7d9979b-dafc-4e5f-bd0d-a24da57127b7	Other Wetlands and Non Provincially Significant Wetlands	Fort Erie	On-site meeting, this area will have further discussion/refinement	Thank you for the comment. This site is under further review.
Written Comment	Shoreline / Other woodland areas west and east of Casablanca, north of QEW	Grimsby	These two areas should be removed from these designations as they are being actively planned for municipal purposes (active parkland, parking). The east one was recently provided to the Town from the Region for municipal purposes. The trees in the west one are diseased and many have to be removed.	Shoreline area feature on the east side has been removed (feature break of major roadway). Site specific studies and transition policies in section 3.1.7 of the draft policies will take precedence on these areas as applicable,
Written Comment	SA / GB Boundary Alignment	Grimsby	There appears to be some misalignment between the GB boundary and the SAB in the east	Staff are uncertain where the misalignment exists, and will work with Grimsby Staff to identify the area/concern.
c99f58f1-c812-45a7-95d1-5cd60d7c85d8	Growth Plan Natural Heritage System		What is the policy threshold for the "dots"? If there is draft plan approval on a site with an approved EIS these layers should be removed from the mapping. This comment is	No policies threshold, this layer was used to identify areas where local or regional staff have indicated development activity may/will occur, and environmental study may be required/completed.

Unique Feature ID	Layer Name	Municipality	Comment	Region Response
			applicable to all the "Development Activity Potential" flags/dots.	

3. SUSTAINABLE REGION

3.1. The Natural Environment System

The Goals of the Natural Environment System

Through the development and implementation of the *Natural Environment System*, it is the goal of the Region to:

- identify and protect a *natural heritage system* and *water resource system* which will form the Region's integrated *Natural Environment System*;
- maintain, restore, and enhance the biodiversity and connectivity of natural features and their associated ecological and hydrological functions;
- protect *fish habitat*, and the *habitat of endangered species and threatened species* in accordance with Provincial and Federal legislation;
- identify and maintain *hydrologic functions* and connections among ground water features, natural features and areas, and surface water features including shoreline areas;
- maintain *wetland* area and *ecological functions* and enhance wetland cover where possible;
- protect *woodlands* and their biodiversity, restore ecological functions, and enhance *woodland* cover through reforestation and restoration;
- maintain and restore natural vegetation along shoreline areas;
- protect and enhance water resources through proactive *watershed planning*;
- protect and restore the ecological health of the Great lakes, consistent with the provisions of the Great Lakes Strategy, the targets and goals of the Great Lakes Protection Act, 2015, and any applicable Great Lakes agreements as part of *watershed planning* and coastal or waterfront planning initiatives;
- minimize risks to human health and safety and property associated with natural hazards;
- minimize the impacts of invasive species through the proper management and control and the promotion of native species plantings in the region;
- recognize the role and value of compatible and complementary agricultural and rural uses in and adjacent to the *Natural Environment System*;
- recognize that flexible approaches to existing uses in the *Natural Environment System* are required; and

- recognize the important role the *Natural Environment System* plays in mitigating the impacts of climate change by protecting and enhancing natural features and areas, ecological and hydrological functions, and connections and linkages within the system.

This Chapter outlines the goals, objectives and policies for a regional *natural heritage system* and *water resource system*. These systems are ecologically linked, rely on and support each other, and have many overlapping components. Together these systems collectively form the Region's integrated *Natural Environment System*. The establishment of these natural systems is required by Provincial policy.

The *natural heritage system* is made up of natural features such as *wetlands*, *woodlands* and *wildlife habitat* areas, and *linkages* intended to provide connectivity within the system. The intent of the *natural heritage system* is to preserve and enhance the biodiversity, *connectivity* of natural features, and long-term *ecological function* in the Region.

The *water resource system* is made up of both groundwater and surface water features and areas. The intent of the *water resource system* is to protect the ecological and hydrological integrity of water resources and the various *watersheds* in Niagara.

There are Different Geographic Areas included in the Region's Natural Environment System

The Region's *Natural Environment System* includes the *Natural Heritage System for the Growth Plan* and *Greenbelt Plan Natural Heritage System* as components of the system. These systems are identified by the Province and are required to be implemented by the Region. Collectively these two systems are referred to as the *Provincial Natural Heritage System*, and apply outside of *settlement areas* only in accordance with Provincial requirements.

The Region's *Natural Environment System* however extends beyond the *Provincial Natural Heritage Systems* into the Niagara Escarpment Plan area and into other areas that are not within the *Provincial Natural Heritage Systems*, including within the Region's *settlement areas*. Included within, and outside of the *Provincial Natural Heritage System* are many individual features which are identified by the Region. A full list of all of the components of the *Natural*

Environment System is included in Section 3.1.1.

Although the Region's *Natural Environment System* it is a Region-wide system, different policies apply in different geographic areas of the Region. The first step in applying the policies of this chapter is to determine which geographic areas of the Region the site is in.

3.1.1. Components of the Natural Environment System Overlay

- a) The components of the Region's *Natural Environment System* are shown in Table 3-1.
- b) The *Region's Natural Environment System* is shown as an overlay designation on Schedule C1 to this Plan. *Key hydrologic areas*, which are a component of the *Natural Environment System* are shown separately as an overlay on Schedule C3.

Table 3-1: Components of the Region's Natural Environment System

	Lands in the <i>Provincial Natural Heritage System</i>	Lands in the Niagara Escarpment Plan Area	Lands outside of the <i>Provincial Natural Heritage System</i> and the Niagara Escarpment Plan Area ⁹
<i>Natural Heritage System for the Growth Plan</i>	yes		
<i>Greenbelt Plan Natural Heritage System</i>	yes		
<i>Provincially significant wetlands</i>	yes ^{1,4}	yes ^{1,4}	yes ^{2,5}
<i>Other wetlands</i>	yes ^{1,4}	yes ^{1,4}	yes ^{3,5}
<i>Significant coastal wetlands</i>	yes ^{1,4}		yes ^{2,5}
<i>Habitat of endangered species and threatened species</i>	yes ¹	yes ¹	yes ²

	Lands in the <i>Provincial Natural Heritage System</i>	Lands in the Niagara Escarpment Plan Area	Lands outside of the <i>Provincial Natural Heritage System</i> and the Niagara Escarpment Plan Area ⁹
Habitat of special concern species		yes ¹	
<i>Fish habitat</i>	yes ¹	yes ¹	yes ²
Life science areas of natural and scientific interest	yes ¹	yes ¹	yes ²
Earth science areas of natural and scientific interest	yes	yes	yes ²
<i>Significant valleylands</i>	yes ¹	yes ¹	yes ²
<i>Significant woodlands</i>	yes ¹	yes ¹	yes ²
<i>Other woodlands</i>	yes ³	yes ³	yes ³
<i>Significant wildlife habitat</i>	yes ¹	yes ¹	yes ²
<i>Permanent and intermittent streams</i>	yes ⁴	yes ⁴	yes
<i>Inland lakes and their littoral zones</i>	yes ⁴	yes ⁴	yes - outside of settlement areas only
<i>Seepage areas and springs</i>	yes ⁴	yes ⁴	yes
<i>Significant groundwater recharge areas</i>	yes ⁷		yes
<i>Highly vulnerable aquifers</i>	yes ⁷		yes
<i>Significant surface water contribution areas</i>	yes ⁷		yes
Large and medium linkages	yes	yes	yes – outside of settlement areas only

	Lands in the <i>Provincial Natural Heritage System</i>	Lands in the Niagara Escarpment Plan Area	Lands outside of the <i>Provincial Natural Heritage System</i> and the Niagara Escarpment Plan Area ⁹
Small <i>linkages</i> – NES Option 3C only	yes	yes	yes
<i>Supporting features and areas</i>	yes	yes	yes – inside <i>settlement areas</i> in NES Option 3C only
Minimum (prescribed) <i>buffer</i> adjacent to <i>natural heritage features and areas</i>			yes - outside of <i>settlement areas</i> only
Mandatory (non-prescribed) <i>buffer</i> adjacent to <i>natural heritage features and areas</i> – NES Option 3C Only			yes - inside of <i>settlement areas</i>
<i>Vegetation protection zone</i> adjacent to <i>key natural heritage features</i>	yes	yes	
<i>Vegetation protection zone</i> adjacent to <i>key hydrologic features</i>	yes	yes	yes ⁶ - outside of <i>settlement areas</i> only
Shoreline areas	yes	yes	yes
Setbacks to regulated features and areas in accordance with Niagara Peninsula Conservation Authority policies	yes	yes	yes
<i>Hazardous lands</i> adjacent	yes ⁸		yes ⁸

	Lands in the <i>Provincial Natural Heritage System</i>	Lands in the Niagara Escarpment Plan Area	Lands outside of the <i>Provincial Natural Heritage System</i> and the Niagara Escarpment Plan Area ⁹
to the shorelines of Lake Erie and Lake Ontario that are impacted by <i>flooding hazards, erosion hazards</i> and/or <i>dynamic beach hazards</i>			
<i>Hazardous lands</i> adjacent to <i>rivers, streams and small inland lake systems</i> that are impacted by <i>flooding hazards</i> and/or <i>erosion hazards</i>	yes ⁸	yes ⁸	yes ⁸

Footnote 1: Included as a *key natural heritage feature* as identified in the Growth Plan, Greenbelt Plan and/or Niagara Escarpment Plan

Footnote 2: Included as a *natural heritage feature and area* as defined in the Provincial Policy Statement and this Plan

Footnote 3: Included as a *natural heritage feature and area* by this Plan

Footnote 4: Included as a *key hydrologic feature* in accordance with the Growth Plan, Greenbelt Plan and Niagara Escarpment Plan

Footnote 5: Included as a *natural heritage feature and area* in *settlement areas* by this Plan and a *key hydrological feature* outside of *settlement areas*

Footnote 6: Only applies to lands adjacent to *key hydrologic features* outside of *settlement areas*

Footnote 7: Included as *key hydrologic areas* in accordance with the Growth Plan and Greenbelt Plan

Footnote 8: *Hazardous lands* are identified by the Niagara Peninsula Conservation Authority

Footnote 9: Including in *settlement areas* (i.e. urban areas and hamlets)

3.1.1.1. Components of the Natural Environment System to be Identified through Watershed Planning

- a) The following features and areas are also required components of the Region's *Natural Environment System*:
 - i) groundwater features;
 - aa) recharge/discharge areas,
 - ab) water tables, and
 - ac) aquifers and unsaturated zones
 - ii) surface water features; and
 - aa) headwater drainage features;
 - ab) recharge/discharge areas; and
 - ac) associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.
 - iii) other hydrologic functions.
- b) The features identified in a) should be screened for during the completion of a *watershed* or *subwatershed study*. If identified appropriate policies should be put in place for their management and protection.

3.1.2. Natural Environment Area Designation

The Difference between an Overlay and a Designation. Describing How the Natural Environment System is Mapped

The Region's *Natural Environment System* is mapped using both overlays and designations. The entirety of Region's *Natural Environment System* is shown as an overlay which means that it sits on top of other designated land use, such as agricultural or urban uses. The component parts of the Region's *Natural Environment System* are listed in Table 3.1.

Key Hydrologic Areas are also part of the integrated *Natural Environment System* and are shown as an overlay on a separate schedule.

Section 3.1.2 then establishes the various components of the Natural Environment Area that are designated in the plan. Component of the *Natural Environment System* which are designated includes only those *natural heritage features and areas, key natural heritage features, key hydrological features* for which information is sufficiently available to map them at a Regional scale.

Not all of the component parts of the Region's *Natural Environment System* can or have been mapped as part of the schedules to this Plan. Where components of the system are not mapped, detailed area-specific or site-specific studies such as an *environmental impact study, hydrologic evaluation, or subwatershed study* are required for their identification. This approach is typical for municipal Official Plans across the Province.

3.1.2.1. Features and Components of the Natural Environment System to be Designated in the Plan

- a) Individual component of the Natural Environment System are shown on Schedule C2. The components that are included as part of the Natural Environment Area are the following specific *natural heritage features and areas, key natural heritage features, and key hydrologic features*:
- i) provincially significant wetlands and significant coastal wetlands;
 - ii) all wetlands outside of settlement areas, which are considered to be key hydrologic features;
 - iii) wetlands that are not provincially significant wetlands or significant coastal wetlands within settlement areas (and are known as other wetlands);
 - iv) provincially and regionally significant life science areas of natural and scientific interest;
 - v) provincially and regionally significant earth science areas of natural and scientific interest;
 - vi) significant woodlands;
 - vii) other woodlands;
 - viii) permanent and intermittent streams; and
 - ix) inland lakes and their littoral zones outside of settlement

areas.

- b) The Natural Environment Area designation also includes *vegetation protection zones to key natural heritage features* within a *Provincial Natural Heritage System*, *key hydrologic features* outside of *settlement areas*, and minimum buffers to *natural heritage feature and areas* outside of *settlement areas*. These are also shown on Schedule C2.
- c) Where lands are designated or shown as two or more elements of the *Natural Environment System*, the policies which provide the highest level of protection will apply in the event of any conflict.

3.1.2.2. Only Certain Features and Areas Are Mapped

- a) Only those *natural heritage features and areas*, *key natural heritage features*, and *key hydrological features* that can be mapped on an Official Plan schedule are designated Natural Environment Area. The identification, mapping and the determination of significance of additional features and areas can only be completed after they have been evaluated, with the evaluation supported by the relevant approval authority.
- b) Individual *natural heritage features and areas*, *key natural heritage features and key hydrological features* and other component of the *Natural Environment System* which are mapped features are also shown on Schedule C2.
- c) Where, through the review of an application for *development* or *site alteration* or *subwatershed study* it is found that there are components of the Region's *Natural Environment System* or related *ecological* and/or *hydrologic functions* that have not been adequately evaluated, the applicant shall have an evaluation prepared by a qualified professional in consultation with the Region, the Local Municipality and, where appropriate, the Niagara Peninsula Conservation Authority. If the evaluation finds one or more *natural heritage features and areas*, *key natural heritage features*, or *key hydrological features*, the policies of this Section of the Plan will be applied to the lands under application as appropriate.

3.1.2.3. Refinements to the Limits of the Natural Environment Area Designation

- a) Changes to the limits of the Natural Environment Area designation may be considered through the submission of an *environmental impact study* and/or *hydrologic evaluation* based on a terms of reference approved by the Region, in accordance with the policies of this Plan, and in consultation with the Niagara Peninsula Conservation Authority as appropriate. If the change to the limits of the designation can be justified to the satisfaction of the Region, an amendment to this Plan shall not be required. Further details on the scope of the study required to support a change to the limits of the designation will be included in the Region's Environmental Impact Study Guidelines and/or Hydrologic Evaluation Guidelines.
- b) The limits of the Natural Environment Area designation may also be refined based on the findings of a *subwatershed study* completed to the satisfaction of the Region, in consultation with the Niagara Peninsula Conservation Authority as appropriate, without an amendment to this Plan being required.
- c) Where the limits of a component of the Natural Environment Area designation have been refined through a site-specific study, or subwatershed study, the lands that are no longer included as part of the Natural Environment Area designation shall be designated based on the adjacent land use, unless otherwise designated through a *Planning Act* application.
- d) Updates to the schedules will be made on a regular basis by the Region to incorporate any approved refinements as set out in subsections a) and b).

There are Different Natural Environment Systems Policies in Different Geographic Areas of the Region

The intent of the natural environment policies that apply across the region are similar. However, unique policies and terminology is used in different geographic areas of the region:

- section 3.1.2.4 applies to lands outside of *settlement areas* that are subject to the *Growth Plan Natural Heritage System* and the *Greenbelt Plan Natural Heritage System* (collectively referred to in this Plan as the *Provincial Natural Heritage System*);
- section 3.1.2.5 applies to lands that are the subject of the Niagara Escarpment Plan; and
- section 3.1.2.6 applies to lands in *settlement areas* and other lands that are only subject to the direction and policies of the *Provincial Policy Statement*.

3.1.2.4. Lands in the Provincial Natural Heritage System

- a) The policies in this section apply to lands within the mapped *Provincial Natural Heritage System*.
- b) Notwithstanding sub-section a), the policies of this section for *key hydrological features* apply in all areas of the Region outside of *settlement areas* whether or not they are in the mapped *Provincial Natural Heritage System*.

3.1.2.4.1. Vegetation Protection Zone Included in the Designation

Vegetation Protection Zone

The term *vegetation protection zone* only applies to *key natural heritage features* in a *Provincial Natural Heritage System* and to any *key hydrologic feature* outside of a *settlement area*. Elsewhere in the Region the term *buffer* is used.

- a) Included within the Natural Environment Area designation in the *Provincial Natural Heritage System* is a 30 metre wide *vegetation protection zone* adjacent to significant woodlands and all *wetlands, permanent and intermittent streams* and *inland lakes* which are *key hydrologic features*.
- b) Notwithstanding sub-section a), a 15 metre wide *vegetation protection zone* applies to certain *key hydrologic features* in parts of the Greenbelt Plan area accordance with Section 3.1.2.4.4 of this Plan.

3.1.2.4.2. Development and Site Alteration in Key Natural Heritage Features and Key Hydrologic Features

- a) *Development or site alteration* shall not be permitted in *key natural heritage features* that are within a *Provincial Natural Heritage System* or in *key hydrologic features* outside of *settlement areas* except for:
- i) forest, fish, and wildlife management;
 - ii) conservation and flood or erosion control projects, subject to demonstrating the project is necessary in the public interest and after all alternatives have been considered;
 - iii) activities that create or maintain infrastructure authorized under an environmental assessment, including a Class Environmental Assessment, completed in accordance with the *Environmental Assessment Act*;
 - iv) all *existing uses* in the Greenbelt Plan Area;
 - v) single dwellings on existing lots of record in the Greenbelt Plan area, provided they were zoned for such as of the date the Greenbelt Plan initially came into effect;
 - vi) *mineral aggregate operations* and wayside pits and quarries in accordance with Section 4.3.4 of this Plan;
 - vii) recreational uses in the Greenbelt Plan *Natural Heritage System* in accordance with Section 3.1.2.4.5 of this Plan;
 - viii) expansions to existing buildings and structures, accessory structures and uses, and conversions of legally existing uses that have less of an environmental impact, subject to demonstration that the use does not expand into the *key hydrologic feature* or *key natural heritage feature* or *vegetation protection zone* unless there is no other alternative, in which case any expansion will be limited in scope and kept within close geographical proximity to the existing structure;
 - ix) expansions or alterations to existing buildings and structures for *agricultural uses, agriculture-related uses,*

or *on-farm diversified uses* and expansions to existing residential dwellings if it is demonstrated that:

- aa) there is no alternative, and the expansion or alteration in the feature is minimized and, in the *vegetation protection zone*, is directed away from the feature to the maximum extent possible; and
 - ab) the impact of the expansion or alteration on the feature and its functions is minimized and mitigated to the maximum extent possible; and
 - x) small-scale structures for recreational uses, including boardwalks, footbridges, fences, docks, and picnic facilities, subject to measures are taken to minimize the number of such structures and their *negative impacts*.
- b) Nothing in this plan is intended to limit the ability of existing *agricultural uses* to continue on a site that has a *key natural heritage feature* or *key hydrologic feature*.
- c) Applications for lot line adjustment should avoid the fragmentation of *key natural heritage features* or *key hydrologic features* wherever possible and practical.

3.1.2.4.3. Development and Site Alternation in Adjacent Lands

Adjacent Lands

Adjacent lands are those lands surrounding a *key natural heritage feature* or *key hydrologic feature* where it is likely that *development* or *site alteration* would have a *negative impact* on the feature.

- a) A proposal for new *development* or *site alteration* within 120 metres of any *key natural heritage feature* within a *Provincial Natural Heritage System* or any *key hydrologic feature* outside of *settlement areas* will require an *environmental impact study* and/or *hydrologic evaluation* that identifies a *vegetation protection zone*, which:
 - i) protects the *key natural heritage feature* or *key*

- hydrologic feature* and its functions from the impacts of the proposed change;
- ii) Is established to achieve and be maintained as *natural self-sustaining vegetation*; and
 - iii) For wetlands, seepage areas and springs, fish habitat, permanent and intermittent streams, inland lakes and significant woodlands, is no less than 30 metres measured from the outside boundary of the feature.
- b) Studies and evaluations undertaken in accordance with Section 3.1.2.4.3 a) will identify any additional restrictions to be applied before, during, and after *development* to protect the *hydrologic functions* and *ecological functions* of the feature.
 - c) Development or site alteration shall not be permitted in the *vegetation protection zone*, with the exception of that described in Section 3.1.2.4.2 a) i) to vii), shoreline development as permitted in accordance with Section 4.1.10.6, or infrastructure serving the agricultural sector.
 - d) Notwithstanding Section 3.1.2.4.3 c), an *environmental impact study* will not be required for a proposal for *development or site alteration* on a site where the only *key natural heritage feature* is the *habitat of endangered species and threatened species*.
 - e) Notwithstanding Sections 3.1.2.4.3 a) and c), new buildings and structures for *agricultural uses, agriculture-related uses, or on-farm diversified uses* shall not be required to undertake an *environmental impact study* and/or *hydrologic evaluation* if a minimum 30 metre *vegetation protection zone* is provided from a *key natural heritage feature* or *key hydrologic feature*.
 - f) Notwithstanding Sections 3.1.2.4.3 a) and c), uses permitted in accordance with Section 3.1.2.4.3 e):
 - i) are exempt from the requirement of establishing a condition of *natural self-sustaining vegetation* if the land is, and will continue to be, used for agricultural purposes; and

- ii) will pursue best management practices to protect and restore *key natural heritage features, key hydrologic features*, and their functions.
- g) Notwithstanding Section 3.1.2.4.3 c), the following types of minor construction is permitted within a *vegetation protection zone* without an *environmental impact study and/or hydrologic evaluation*:
- i) New agricultural buildings below 200 m²;
 - ii) Expansions to existing agricultural buildings below 50% of the size of the original building, provided the expansion is less than 200 m²;
 - iii) New accessory buildings to a residential use (garage, workshop etc.) below 50 m²;
 - iv) Expansions to existing accessory buildings for a residential use below 50% of the size of the original building; and
 - v) Expansions to existing residential buildings below 50% of the size of the original building.

3.1.2.4.4. Special Policy for Niagara Peninsula Tender Fruit and Grape Area in the Greenbelt Plan

- a) Notwithstanding Sections 3.1.2.4.3 a) and c), within the Niagara Peninsula Tender Fruit and Grape Area, new buildings or structures for *agricultural, agriculture-related and on-farm diversified uses* are permitted within 30 metres of *permanent and intermittent streams*, where:
- i) The *permanent or intermittent stream* also functions as an agricultural swale, roadside ditch or municipal drain as determined through provincially approved mapping;
 - ii) A minimum 15 metre *vegetation protection zone* is established between the building or structure and the *permanent or intermittent stream*; however, this *vegetation protection zone* is not required to be maintained as *natural self-sustaining vegetation* if the land is and will continue to be used for agricultural

purposes;

- iii) There is no alternative location for the building or structure on the property without impacting lands that are designated *specialty crop area*;
- iv) A new or replacement individual on-site sewage system will not be located within 30 metres of the stream; and
- v) *Agricultural uses, agriculture-related uses and on-farm diversified uses* shall pursue best management practices to protect or restore key hydrologic features and functions.

3.1.2.4.5. Special Policy for Recreational Uses on lands subject to Greenbelt Plan

- a) Residential dwelling units, other than for an employee, shall not be permitted in association with recreational uses.
- b) An application to establish or expand a *major recreational use* in the *Greenbelt Plan Natural Heritage System* shall be accompanied by a vegetation enhancement plan that incorporates planning, design, landscaping and construction measures that:
 - i) Maintain or, where possible, enhance the amount of natural self-sustaining vegetation on the site and the *connectivity* between adjacent *key natural heritage features* or *key hydrologic features*;
 - ii) Wherever possible, keep *intermittent stream* channels and drainage swales in a free-to-grow, low-maintenance condition;
 - iii) Minimize the application and use of pesticides and fertilizers; and
 - iv) Locate new natural self-sustaining vegetation in areas that maximize the *ecological functions* and *ecological value* of the area.
- c) An application to expand or establish a *major recreational use* shall be accompanied by a conservation plan demonstrating how water, nutrient and biocide use shall be kept to a

minimum, including through the establishment and monitoring of targets.

- d) Small-scale structures for recreational uses (such as boardwalks, footbridges, fences, docks and picnic facilities) are permitted within *key natural heritage features* and *key hydrologic features*; however, the number of such structures and the *negative impacts* on these features should be minimized. In order to determine potential impacts, the Region may require that an *environmental impact study* be prepared.

3.1.2.4.6. Development and Site Alteration within a Provincial Natural Heritage System

Applying the Policies of this Section

If a site is within the mapped *Provincial Natural Heritage System*, and if an application for *development or site alternation* is to be made, the policies of 3.1.2.4.6 apply, regardless if the site is in a key feature, *vegetation protection zone*, or in adjacent lands.

- a) *New development or site alteration* within a *Provincial Natural Heritage System* shall demonstrate that:
 - i) there are no negative impacts on *key natural heritage features* or *key hydrologic features* or their functions;
 - ii) connectivity along the system and between *key natural heritage features* and *key hydrologic features* located within 240 metres of each other will be maintained or, where possible, enhanced for the movement of native plants and animals across the landscape;
 - iii) the removal of other natural features not identified as *key natural heritage features* and *key hydrologic features* is avoided, where possible. Such features should be incorporated into the planning and design of the proposed use wherever possible;
 - iv) except for uses described in and governed by the policies in Section 4.3.4 dealing with *mineral aggregate resources*, the disturbed area, including any buildings

and structures, will not exceed 25 per cent of the *total developable area*, and the impervious surface will not exceed 10 per cent of the *total developable area*;

- v) with respect to golf courses, the disturbed area will not exceed 40 per cent of the *total developable area*; and
 - vi) at least 30 per cent of the *total developable area* will remain or be returned to *natural self-sustaining vegetation*, except where specified in accordance with the policies in Section 4.3.4 dealing with *mineral aggregate resources*.
- b) Notwithstanding Section 3.1.2.4.6 a), the following types of minor construction is permitted within the *Provincial Natural Heritage System*, outside of a *key natural heritage feature* or *key hydrologic feature*, without an *environmental impact study* and/or *hydrologic evaluation*:
- i) New agricultural buildings below 200 m²;
 - ii) Expansions to existing agricultural buildings below 50% of the size of the original building, provided the expansion is less than 200 m²;
 - iii) New accessory buildings to a residential use (garage, workshop etc.) below 50 m²;
 - iv) Expansions to existing accessory buildings for a residential use below 50% of the size of the original building; and
 - v) Expansions to existing residential buildings below 50% of the size of the original building.

3.1.2.5. Lands in the Niagara Escarpment Plan Area

The Region's Natural Environment System in the Niagara Escarpment Plan Area

The policies of this Plan defer to the *Niagara Escarpment Plan*, which contains its own policy framework. The only exceptions to this are the permissions for minor construction adjacent to key features and the restrictions on *development and site alteration* within and adjacent to *other woodlands*.

3.1.2.5.1. Development and Site Alteration within and Adjacent to Key Features

- a) *Development and site alteration* within and adjacent to *key natural heritage features* and *key hydrological features* in the Niagara Escarpment Plan Area is subject to the policies of the Niagara Escarpment Plan.
- b) Notwithstanding sub-section a), Section 3.1.2.4.3 g) apply in the Niagara Escarpment Plan Area.
- c) The policies of Section 3.1.4.1 also apply to *other woodlands*.

3.1.2.6. Lands Outside of a Provincial Natural Heritage System and Outside of the Niagara Escarpment Plan Area

- a) The policies of this section apply to *settlement areas* (i.e. urban areas and hamlets) and rural areas that are outside of a *Provincial Natural Heritage System* and the Niagara Escarpment Plan area.

3.1.2.6.1. Vegetation Protection Zone is Required Adjacent to Key Hydrologic Features

- a) Included within the Natural Environment Area designation outside of a *Provincial Natural Heritage System* and outside of *settlement areas* is a 30 metre wide *vegetation protection zone* adjacent all *wetlands, permanent and intermittent streams and inland lakes and their littoral zones* which are *key hydrologic features*.
- b) Notwithstanding sub-section a), a 15 metre wide *vegetation protection zone* applies to certain *key hydrologic features* in parts of the Greenbelt Plan area accordance with Section 3.1.2.4.4 of this Plan.
- c) *Key hydrological features* are subject to the policies of Sections 3.1.2.4.2 and 3.1.2.4.3 as applicable and the balance of Section 3.1.2.6 does not apply to *key hydrological features*, which are located outside of *settlement areas*.

3.1.2.6.2. Development and Site Alteration in Natural Heritage Features and Areas

The Difference between *Key Natural Heritage Features* and *Natural Heritage Features and Areas*

The policies of the Plan refer to groupings of natural features as *key natural heritage features* and *natural heritage features and areas*. Although these terms have many common components, the terms cannot be used interchangeably.

Key natural heritage features are located within a *Provincial Natural Heritage System*. It is a defined term within the Provincial Plans and there are specific policies associated with these features. Outside of a *Provincial Natural Heritage System* the terminology *natural heritage feature and area* is used.

- a) *Development and site alteration* shall not be permitted in *provincially significant wetlands, significant coastal wetlands, and significant woodlands*.
- b) *Development and site alteration* shall not be permitted in the following *natural heritage features and areas* unless it has been demonstrated through the preparation of an *environmental impact study* that there will be no *negative impacts* on the natural features or their *ecological functions*:
 - i) other woodlands;
 - ii) significant valleylands;
 - iii) significant wildlife habitat; and
 - iv) areas of natural and scientific interest.
- c) Notwithstanding subsection a) and b) permitted uses in a *natural heritage feature and area* are limited to:
 - i) forest, fish, and wildlife management;
 - ii) conservation and flood or erosion control projects, subject to demonstrating the project is necessary in the public interest and after all alternatives have been considered;
 - iii) activities that create or maintain *infrastructure* authorized under an environmental assessment, including a Class Environmental Assessment, completed in accordance with the *Environmental Assessment Act*;

- iv) expansions to existing buildings and structures, accessory structures and uses, and conversions of legally existing uses that have less of an environmental impact subject to demonstration that the use does not expand into a *natural heritage feature or area* unless there is no other alternative, in which case any expansion will be limited in scope and kept within close geographical proximity to the existing structure;
- v) expansions or alterations to existing buildings and structures for *agricultural uses, agriculture-related uses, or on-farm diversified uses* and expansions to existing residential dwellings if it is demonstrated that:
 - aa) there is no alternative, and the expansion or alteration in the feature is minimized and, in the *vegetation protection zone*, is directed away from the feature to the maximum extent possible; and
 - ab) the impact of the expansion or alteration on the feature and its *ecological functions* is minimized and mitigated to the maximum extent possible; and
- vi) Small-scale structures for recreational uses, including boardwalks, footbridges, fences, docks, and picnic facilities, subject to measures are taken to minimize the number of such structures and their *negative impacts*.
- d) *Development and site alteration* in and within 30 metres of *other wetlands* in *settlement areas* that are regulated by the Niagara Peninsula Conservation Authority is subject to the regulations and land use planning policies of the Niagara Peninsula Conservation Authority. While the Niagara Peninsula Conservation Authority may approve offsetting of wetlands under its Policies and in accordance with its Regulatory role, the use of offsetting is not supported by this Plan.
- e) In accordance with the policies and regulations of the Niagara Peninsula Conservation Authority, the following may be

permitted within 30 metres of a regulated *wetland* in *settlement areas*, subject to approval by the Niagara Peninsula Conservation Authority:

- i) infrastructure;
 - ii) conservation and restoration projects;
 - iii) passive recreational uses;
 - iv) replacement structures, accessory structures and minor additions; and
 - v) other forms of *development* and *site alteration* which do not adversely impact the *ecological* and *hydrological function* of the *wetland*.
- f) New lots adjacent to a *wetland* that is regulated by the Niagara Peninsula Conservation Authority and in a *settlement area* should generally be set back a minimum of 30 metres of the edge of the *wetland*. However, exceptions may be provided subject to Niagara Peninsula Conservation Authority based on the characteristics of the *wetland*, the characteristics of the area adjacent to the *wetland* and the potential for impact resulting from the proposed *development*.

Other Wetlands

The *Provincial Policy Statement* and *Growth Plan* require 'wetlands' to be identified as part of a *water resource system* (or in Niagara's case, included as part of an integrated *Natural Environment System*). *Other Wetland* is the term that is applied to all *wetlands* that meet an Ecological Land Classification (ELC) wetland system classification and have not been evaluated as a *provincially significant wetland* (PSW).

Other wetlands include both evaluated non-PSWs and *wetlands* that have not been evaluated. These include *wetlands* that are regulated, and *wetlands* that are not regulated by the Conservation Authority.

Other wetlands include wetlands with *ecological* and *hydrological functions* and *wetlands* that have only have a hydrological function.

Other wetlands in *settlement areas* which are not regulated by the Conservation Authority require further evaluation to determine the appropriate protection or

management of the feature.

In accordance with the policies of the Growth Plan, all *wetlands* outside of *settlement areas* are *key hydrologic features* and are protected in accordance with the policies of that Plan.

- g) In cases where an *other wetland* in a *settlement area* has been identified, and it is determined that it is not regulated by the Niagara Peninsula Conservation Authority:
 - i) The Region will require that an evaluation be undertaken through an *environmental impact study* and/or *hydrologic evaluation* as part of an application for development, or through a *subwatershed study* as part of a secondary planning process to determine the appropriate classification and protection or management of the feature.
 - ii) Outcomes of the evaluation completed with subsection i) could include the in-situ protection with appropriate *buffers* or incorporation of *hydrologic function* into the design of the development in accordance with the following:
 - aa) if the *other wetland* is a treed community with a canopy coverage greater than 25%, the *other woodland* policies of this Plan shall apply;
 - ab) if the *other wetland* is a treed community with a canopy coverage greater than 60%, the *significant woodland* policies of this Plan shall apply;
 - ac) no negative impact on the ecological function of the other wetland; and
 - ad) maintain the hydrologic function of the other wetland.
 - iii) If the evaluation finds one or more other *natural heritage features and areas*, the policies of this Section of the Plan will be applied to the lands under application as

appropriate.

- h) Nothing in this plan is intended to limit the ability of existing agricultural uses to continue in areas that are the site of a *natural heritage feature or area*.
- i) Applications for lot line adjustment should avoid the fragmentation of *natural heritage features and areas* wherever possible and practical.

3.1.2.6.3. Development and Site Alteration in Adjacent Lands

Lands Adjacent to Key Hydrologic Features

The policies in this section do not apply to *key hydrologic features* outside of *settlement areas* - which include *wetlands, inland lakes* and their littoral zones and *permanent* and *intermittent streams*. Lands adjacent to *key hydrologic features* are addressed in the policies related to the *Provincial Natural Heritage System*.

- a) A proposal for *new development or site alteration* outside of a *Provincial Natural Heritage System* which is adjacent to a *natural heritage feature or area* will require an *environmental impact study and/or hydrologic evaluation* to determine that there will be no *negative impacts* on the feature, *ecological function*, or *hydrologic function* in accordance to the adjacent lands distances outlined in Table 3.2.

Table 3-2: Adjacent Lands for Natural Heritage Features and Areas Outside of a Provincial Natural Heritage System

Natural Heritage Feature and Area	Adjacent Land
<i>Provincially Significant Wetland</i>	120 metres
<i>Significant Coastal Wetland</i>	120 metres
<i>Other Wetland</i>	30 metres
<i>Significant Woodland</i>	120 metres
<i>Other Woodland</i>	50 metres
<i>Significant Valleyland</i>	50 metres
<i>Significant Wildlife Habitat</i>	50 metres
<i>Habitat of Endangered Species and Threatened Species</i>	50 metres
<i>Fish Habitat</i>	30 metres

Natural Heritage Feature and Area	Adjacent Land
<i>Areas of Natural and Scientific Interest</i>	50 metres

- b) Notwithstanding Table 3-2, the requirement for an *environmental impact study* and/or *hydrologic evaluation* may be waived if the proposed *development or site alteration* is minor and is not anticipated to have a *negative impact* on the *Natural Environment System* in accordance with the waiving requirements outlined in the Environmental Impact Study and/or Hydrologic Evaluation Guidelines.
- c) Notwithstanding Section 3.1.2.6.3 a), an *environmental impact study* will not be required for a proposal for development or site alteration on a site where the only *natural heritage feature and area* is the *habitat of endangered species and threatened species*.
- d) Notwithstanding Sections 3.1.2.4.3 a), new buildings and structures for *agricultural uses, agriculture-related uses, or on-farm diversified uses* will not be required to undertake an *environmental impact study* and/or *hydrologic evaluation* if a minimum 30 metre buffer is provided from a *natural heritage feature and area*.

3.1.2.6.4. Buffers Outside of Settlement Areas

- a) Included within the Natural Environment Area designation outside of *settlement areas* is a minimum *buffer* that ranges in width depending on the *natural heritage feature and area*, as set out in Table 3-3 below:

Table 3-3: Minimum Prescribed Buffer to a Natural Heritage Feature and Area outside of a Provincial Natural Heritage System

Natural Heritage Feature and Area	Minimum Buffer
<i>Provincially Significant Wetland</i>	30 metres
<i>Significant Woodland</i>	20 metres
<i>Other Woodland</i>	10 metres
<i>Significant Valleyland</i>	15 metres
<i>Significant Wildlife Habitat</i>	15 metres
<i>Areas of Natural and Scientific Interest</i>	20 metres

- b) *Development or site alteration* shall not be permitted in the minimum prescribed *buffer*, with the exception of that described in Section 3.1.2.6.2 c) i) to vi) or infrastructure serving the agricultural sector.
- c) Notwithstanding Section 3.1.2.6.4 a), uses permitted in accordance with Section 3.1.2.6.3 a):
 - i) are exempt from the requirement of establishing a *buffer* if the land is, and will continue to be, used for agricultural purposes; and
 - ii) will pursue best management practices to protect and restore *natural heritage features and areas* and their functions.
- d) Notwithstanding Section 3.1.2.6.4 b), the following types of minor construction is permitted within a minimum prescribed *buffers* without an *environmental impact study and/or hydrologic evaluation*:
 - i) new agricultural buildings below 200 m²;
 - ii) expansions to existing agricultural buildings below 50% of the size of the original building, provided the expansion is less than 200 m²;
 - iii) new accessory buildings to a residential use (garage, workshop etc.) below 50 m²;
 - iv) expansions to existing accessory buildings for a residential use below 50% of the size of the original building; and
 - v) Expansions to existing residential buildings below 50% of the size of the original building.

3.1.2.6.5. Buffers in Settlement Areas (NES Option 3C Only)

- a) Within *settlement areas*, mandatory *buffers* from *natural heritage features and areas* will be required. The width of an ecologically appropriate *buffer* would be determined through an *environmental impact study and/or hydrologic evaluation* at the time an application for *development* is made. The width of the buffer would be based on the sensitivity of the *ecological functions* from the proposed development, and the potential for impacts to the feature and *ecological functions* as a result of that change in land use. (NES Option 3C only).

Minimum Buffer and Mandatory Buffers

For a minimum buffer, the policies of this Plan state what minimum buffer is required. As the term implies, the buffer width cannot be less than the required minimum, but may be larger as determined through an *environmental impact study, hydrologic evaluation, or subwatershed study*.

For a mandatory buffer, the policies of this Plan state that a buffer is required, but would not state any minimum for the buffer width, that determination would be made through an *environmental impact study, hydrologic evaluation, or subwatershed study*.

- b) *Development or site alteration* shall not be permitted in the mandatory *buffer*, with the exception of that described in Section 3.1.2.6.2 c) i) to vi) or infrastructure serving the agricultural sector.
- c) Notwithstanding any other policy in this plan, the Niagara Peninsula Conservation Authority has its own buffer requirements for watercourses. Reductions in this buffer may be considered in *settlement areas* where supported by a site-specific study that is approved to the Local Municipality, the Region and the Niagara Peninsula Conservation Authority.
- d) Within *settlement areas*, consideration can be given to including passive recreational uses such as trails and *infrastructure* in *buffers* provided an appropriate *buffer* width is determined through an *environmental impact study and/or hydrologic evaluation*.

3.1.3. Identifying and Protecting Key Hydrologic Areas, Key Hydrologic Features, and Other Important Water Resources

3.1.3.1. Protect, Improve or Restore the Quality or Quantity of Water

- a) *Development and site alteration* shall not be permitted unless it can be demonstrated that it will not have negative impacts on:
 - i) the quantity and quality of water in key hydrologic areas, key hydrologic features, sensitive surface water features, and sensitive ground water features.
 - ii) the hydrologic functions of key hydrologic areas, key hydrologic features, sensitive surface water features, and sensitive ground water features;
 - iii) the interaction and linkage between key hydrologic areas, key hydrologic features, sensitive surface water features, and sensitive ground water features and other components of the Natural Environment System;
 - iv) the natural hydrologic characteristics of watercourses such as base flow, form and function, and headwater drainage areas;
 - v) natural drainage systems and shorelines areas; and
 - vi) flooding or erosion.
- b) Mitigative measures and/or alternative development approaches may be required in order to protect, improve or enhance *key hydrologic areas, key hydrologic features, sensitive surface water features, sensitive ground water features, and their hydrologic functions*. The Region or Local Municipality may require establishment of appropriate development conditions and monitoring programs through the development approval process.
- c) The Region encourages the restoration of natural stream form and flow characteristics through the development approval process where appropriate.

Role of Vegetated Shorelines

Natural vegetated shorelines play an important role buffering waterbodies from erosion, siltation, and nutrient migration and are critical to the protection of water quality.

- d) As much of the area adjacent to the shorelines of watercourses and Lakes Erie and Ontario as possible shall be maintained as a naturally vegetated buffer where new lots are being created, where vacant lots are being developed, and when redevelopment on existing lots is proposed. Specifically:
- i) the vegetative buffer should span the entire water frontage and be at least 15 metres in depth from the normal high water mark;
 - ii) where redevelopment is proposed, the shoreline buffer should be achieved through ecological enhancements and the regeneration of natural features to the extent feasible; and
 - iii) on lots including shoreline area, outside of the shoreline buffer area, every effort shall be made to retain existing vegetation where possible and to augment existing vegetation where needed.

3.1.3.2. Key Hydrologic Areas are a Part of the Region's Natural Environment System

Key Hydrologic Areas

Key hydrologic areas include significant groundwater recharge areas, highly vulnerable aquifers, and significant surface water contribution areas that support the ecological and hydrologic integrity of a watershed

- a) Groundwater across the Region is an important resource to all Niagara residents and specifically a source of potable drinking water to many rural residents.

A specific example is the South Niagara Aquifer, which is considered to be a *highly vulnerable aquifer*. It is an important, vital source of water to rural residents in Niagara from

Wainfleet, through Port Colborne to Fort Erie.

- b) While *key hydrologic areas* are part of the Region's *Natural Environment System*, they are not included within the Natural Environment Area overlay and are instead shown as a separate overlay on Schedule C3.

3.1.3.3. Protecting Key Hydrologic Areas

- a) *Development and site alteration* shall not have *negative impacts* on *key hydrologic areas* or their *hydrologic functions*. In areas where *development and site alteration* could have negative impacts on ground water quality or quantity the Region or Local Municipality shall require further review of potential impacts through the completion of a *subwatershed study* or through the completion of a *hydrologic evaluation* during the development review process.
- b) Proposals for large-scale *development* proceeding by way of Secondary Plan, plan of subdivision, vacant land plan of condominium or site plan outside of the *Niagara Escarpment Plan* area may be permitted within a *key hydrologic area* where it is demonstrated through a *hydrologic evaluation* that the *hydrologic functions*, including the *quality and quantity of water*, of these areas will be protected and, where possible, enhanced or restored through:
 - i) the identification of planning, design, and construction practices and techniques;
 - ii) meeting other criteria and direction set out in the applicable *watershed or subwatershed studies*; and
 - iii) meeting any applicable provincial standards, guidelines, and procedures.
- c) Section 3.1.3.2 b) does not apply to *major development* in the Greenbelt Plan area that is a new or expanding building or structure for *agricultural uses, agriculture-related uses* or *on-farm diversified uses* where the total impervious surface does not exceed 10 per cent of the lot.
- d) The Region encourages local municipalities to require site

plan approval on all lots within *key hydrologic areas* where *individual on-site sewage services* are proposed.

3.1.4. Policies for Specific Components of the Natural Environment System

3.1.4.1. Identifying and Protecting Other Woodlands to Maintain Treed Area in the Region

- a) *Other woodlands* are identified and considered a *natural heritage feature and area* in all geographic areas of the Region. The location of *other woodlands* is shown on Schedule C2.
- b) *Development and site alteration* shall not be permitted in *other woodlands* unless it has been demonstrated through the preparation of an *environmental impact study* that there will be no *negative impacts* on *other woodlands* or its *ecological functions*.
- c) Outside of a *settlement areas* other woodlands are subject to a 10 metre minimum buffer in accordance with Section 3.1.2.6.4.
- d) Notwithstanding the above, the policies of Section 3.1.4.1 do not apply to new or expanding *mineral aggregate operations*, *agricultural uses*, *agriculture-related uses* and *on-farm diversified uses*.

3.1.4.2. Protecting Fish Habitat in Accordance with Provincial and Federal Requirements

- a) *Development and site alteration* shall not be permitted in *fish habitat* except in accordance with *Provincial and Federal requirements*. In order to determine whether *fish habitat* is present, proponents of *development and site alteration* will be required to screen for the presence of *fish habitat* to the satisfaction of the Region.
- b) If *fish habitat* is determined to be present, a *fish habitat* assessment undertaken by a qualified professional shall be required for development within or adjacent to *fish habitat*.

Development may be exempted from this requirement provided that:

- i) the *development* satisfies *Provincial and Federal requirements* or has been specifically authorized by the appropriate approval authority; and
- ii) the setback, vegetation buffer, stormwater management, and slope related policies of this Plan are met and the proposal is not for major development.

3.1.4.3. Protecting Habitat of Endangered Species and Threatened Species

Habitat of Endangered Species and Threatened Species

The *habitat of endangered species and threatened species* is subject to the *Endangered Species Act, 2007 (ESA)*. It is the responsibility of the Province to implement this Act. The protection of *habitat of endangered and threatened species* is necessary to minimize and prevent their loss from Ontario and to preserve biodiversity.

- a) *Development and site alteration* shall not be permitted in *habitat of endangered species and threatened species*, except in accordance with Provincial and Federal requirements.
- b) Where the potential for the *habitat of endangered species and threatened species* is identified, the Provincial Ministry with jurisdiction shall be contacted by the proponent for technical advice and to delineate and confirm the presence of habitat.
- c) In order to determine the presence of and to assess the impacts that proposed development and activities may have on the *habitat of endangered species and threatened species*, a site assessment by a qualified professional is generally required to be completed using accepted protocols. The assessment shall identify whether the habitat is present and whether the proposed activities will have any impact on *endangered species and threatened species* or their habitat. The site assessment may be combined with a broader *environmental impact study*. The Provincial Ministry with jurisdiction should be contacted for further direction regarding

site-specific proposals.

- d) It is the responsibility of a proponent to work directly with the Province to determine that the *Endangered Species Act* has been, or will be, complied with as a condition of any permit received from the Provincial Ministry with jurisdiction.

3.1.4.4. Protecting Provincially and Regionally Significant Earth Science Areas of Natural and Scientific Interest

Earth Science Areas of Natural and Scientific Interest

Earth Science ANSIs are identified because of their value related to geology, ecological functions, scientific study, or education and significance within the Province.

- a) *Development and site alteration* shall not be permitted within a provincially or regionally significant earth science *area of natural and scientific interest* or within 50 metres of an earth science *area of natural and scientific interest* unless it can be demonstrated that there will be no *negative impacts* on the geological features, or the interpretative and scientific value for which the earth science *area of natural and scientific interest* was identified. Applications for *development and site alteration* which have the potential for *negative impacts* shall be accompanied by an earth science heritage evaluation that:
 - i) identifies planning, design and construction practices that will ensure protection of the geological or geomorphological attributes for which the *area of natural and scientific interest* was identified; and
 - ii) determines whether a minimum *a buffer* is required, and if so, specifies the dimensions of that *buffer*.

3.1.4.5. Screening for and Evaluating Supporting Features and Areas

- a) *Supporting features and areas* include lands that have been restored or have the potential of being restored, and include:
 - i) grasslands, thickets and meadows that support the ecological functions of adjacent key natural heritage

- features, key hydrological features, and natural heritage features and areas;
- ii) *valleylands*, which includes lands that may have ecological and/or hydrological functions, that are not *significant valleylands*, and are not the site of a *permanent or intermittent stream* that is regulated by the Niagara Peninsula Conservation Authority;
 - iii) wildlife habitat that is not considered to be *significant wildlife habitat*; and
 - iv) *enhancement areas*, which are the subject of Section 3.1.4.6 of this Plan.
- b) The presence of *supporting features and areas* shall be screened for by a proponent when an *environmental impact study* and/or *hydrologic evaluation* is required to support a *development and site alteration* application outside of *settlement areas* (NES Option 3B only). **OR** The presence of *supporting features and areas* shall be screened for by a proponent when an *environmental impact study* and/or *hydrologic evaluation* is required to support a *development and site alteration* application both inside and outside of *settlement areas* or when an *subwatershed study* is being undertaken (NES Option 3C only).
- c) If supporting features and areas are identified through an *environmental impact study* and/or *hydrologic evaluation* or *subwatershed study* an evaluation shall determine:
- i) the extent of the supporting feature or area along with its ecological functions and relationship to nearby key natural heritage features, key hydrological features and/or natural heritage features and areas;
 - ii) whether the supporting feature or area should be protected because it supports the ecological and/or hydrological functions of nearby key natural heritage features, key hydrological features and/or natural heritage features and areas; and
 - iii) what conditions should be attached to the approval of the

proposed *development*.

3.1.4.6. Screening for and Evaluating Enhancement Areas

- a) *Enhancement areas* are intended to consist of natural self-sustaining vegetation that increase the ecological resilience and function of individual *key natural heritage features, key hydrological features and natural features and areas* or groups of such features by:
- i) increasing the size of key natural heritage features, key hydrological features and natural heritage features and areas;
 - ii) connecting key natural heritage features, key hydrological features and natural heritage features and areas to create larger contiguous natural areas;
 - iii) improving the shape of key natural heritage features, key hydrological features and natural features and areas to increase interior habitat conditions; or
 - iv) including critical function zones and important catchment areas for sustaining ecological functions.
- b) The presence of potential *enhancement areas* shall be screened for by a proponent when an *environmental impact study and/or hydrologic evaluation* is required to support a *development and site alteration* application outside of *settlement areas* (NES Option 3B only). **OR** The presence of potential *enhancement areas* shall be screened for by a proponent when an *environmental impact study and/or hydrologic evaluation* is required to support a *development and site alteration* application both inside and outside of *settlement areas* or when an *subwatershed study* is being undertaken (NES Option 3C only).
- c) When carrying out an *environmental impact study and/or hydrologic evaluation* or *subwatershed study* to determine whether *enhancement areas* should be identified within or adjacent to a feature, an evaluation shall be completed that:
- i) assesses the potential ecological benefit of an

- enhancement area* to the nearby *key natural heritage feature, key hydrological feature and/or natural heritage feature and area* (e.g., does it fill a gap, close in an indent, connect two separate features, etc.);
- ii) considers the most appropriate shape/extent of an *enhancement area* so that the ecological functions of the nearby *key natural heritage feature, key hydrological feature and/or natural heritage feature and area* are enhanced;
 - iii) considers how the function and spatial extent of an *enhancement area* can be incorporated into the design and layout of the proposed development; and
 - iv) assesses the potential for compatible uses such as stormwater management facilities within the *enhancement area* to ensure that the intended *ecological function* of the *enhancement area* is achieved.
- d) In a case where an *enhancement area* is identified in accordance with Section 3.1.4.6 b), the lands within the *enhancement area* shall be planted and left as *natural self-sustaining vegetation*. The *enhancement area* may also be designed to include other compatible land uses such as stormwater management ponds if it can be demonstrated that the long-term *ecological function* of the *enhancement area* would be retained.

3.1.4.7. Identifying Linkages to Protect Ecological Connectivity in the Region

- a) Large and medium *linkages* outside of *settlement areas* and outside of the *Provincial Natural Heritage System* which are identified between *natural heritage features and areas* and *key natural heritage features* are shown on Schedule C2 (NES Option 3B only). **OR** Large, medium, and small *linkages* outside of *settlement areas* and outside of the *Provincial Natural Heritage System* **and** small *linkages* inside of *settlement areas* which are identified between *natural heritage features and areas* and *key natural heritage features* are shown on Schedule C2 (NES Option 3C only).
- b) Only known linkages are shown on Schedule C2. Opportunities for additional, ecologically appropriate linkages shall be screened for when a *subwatershed study* is being completed in support of a secondary plan.
- c) When a *subwatershed plan* is being undertaken or when *development* or *site alteration* is proposed in or within 30 metres of a *linkage* shown on Schedule C2, an evaluation shall be completed that:
 - i) assesses the ecological features and functions of a *linkage*, including its vegetative, wildlife, and/or landscape features or functions;
 - ii) identifies appropriate boundaries/widths that permit the movement of wildlife between nearby *key natural heritage features*, *key hydrological features* or *natural heritage feature or areas*;
 - iii) describes the *ecological functions* the *linkage* is intended to provide and identifies how these *ecological functions* can be maintained or enhanced within a development proposal;
 - iv) assesses the potential for compatible uses such as stormwater management ponds, passive recreational uses and trails within the *linkage* to determine how the intended ecological functions of the linkage can be

- maintained or enhanced;
 - v) assesses potential impacts on the *linkage* as a result of the development; and
 - vi) makes recommendations on how to protect, enhance, or mitigate impacts on the *linkage* and its *ecological functions* through avoidance and planning, design, and construction practices.
- d) Possible outcomes of an evaluation carried out in accordance with Section 3.1.4.7 c) include:
- i) the incorporation of the *linkage* area as is into the *development*, such that *development* would not occur on those lands;
 - ii) the incorporation of the *linkage* area as is into the *development*, with linear *infrastructure* and other *infrastructure* and associated small scale structures permitted in the *linkage* in such a manner that protects the long-term *ecological function* of the *linkage*;
 - iii) the refinement of the form (i.e., width) and *ecological function* (i.e., vegetation and wildlife habitat features) of the *linkage* based on a site-specific environmental study; or
 - iv) the elimination of the *linkage* based on area or site-specific analysis. If a linkage is proposed to be eliminated it must be demonstrated to the satisfaction of the Region that:
 - aa) maintaining a linkage area in this location is not necessary for ecological reasons;
 - ab) the loss of the linkage will not decrease the overall ecological connectivity in the area; and
 - ac) the linkage was not required to support the long-term sustainability of the overall *Natural Environment System*.
- e) In a case where all or part of a *linkage* area is retained in accordance with Section 3.1.4.7 c) i), ii) or iii), the lands within

the *linkage* area shall be planted and left as *natural self-sustaining vegetation* (except for those lands used for *infrastructure* - if permitted) or remain in agricultural use. The *linkage* may also be designed to permit trails and other passive recreational purposes so long as the *ecological function* of the linkage is not impacted.

- f) Notwithstanding Section 3.1.4.7 c), the following types of minor construction is permitted within a linkage shown on Schedule C2, without a requiring an evaluation.
 - i) New agricultural buildings below 200 m²;
 - ii) Expansions to existing agricultural buildings below 50% of the size of the original building, provided the expansion is less than 200 m²;
 - iii) New accessory buildings to a residential use (garage, workshop etc.) below 50 m²;
 - iv) Expansions to existing accessory buildings for a residential use below 50% of the size of the original building; and
 - v) Expansions to existing residential buildings below 50% of the size of the original building.
- g) Nothing in this plan is intended to limit the ability of existing agricultural uses to continue within a linkage shown on Schedule C2.

3.1.4.8. Maintaining Protection for Woodlands that have been Disturbed

- a) Where a feature was identified as a *significant woodland* as of the date of approval of this Plan and no longer meets the definition of *significant woodland* (due to either a natural or anthropogenic disturbance), the feature shall retain its status as a *significant woodland* and the policies of this plan protecting *significant woodlands* will continue to apply.

3.1.4.9. Recognizing Cultural and Regenerating Woodlands

- a) The *ecological functions* of some *significant woodlands* or *other*

woodlands in *settlement areas* may be substantially compromised as a result of prior land use activity and as a result would be difficult to restore and/or manage as a native woodland in an urban setting. In these circumstances, consideration can be given to reclassifying all or a portion of such a *significant woodland* or *other woodland* as a *cultural and regenerating woodland*.

- b) If it has been determined, through the completion of an *environmental impact study*, that a *woodland* has meet all of the criteria to be considered as a *cultural and regenerating woodland*, to the satisfaction of the Region, the removal of the treed area, or a portion thereof, may be permitted subject to preparing a *woodland enhancement plan* that demonstrates an enhancement in *woodland* area is achieved, either on the same property or in the immediate area.
- c) *Woodlands* (including plantations) established and/or managed for the purpose of restoring a native tree community cannot be classified as *cultural and regenerating woodlands*.

3.1.4.10. Enhancing the Ecological Integrity and Biodiversity of the Natural Environment System

- a) The Region supports enhancements to the *Natural Environment System* to support *ecological functions* and improve ecological integrity of the *Natural Environment System*. Enhancements can be as a result of a range of specific actions being undertaken by a landowner, developer or, public authorities.
- b) Where the preparation of a *subwatershed study* or an *environmental impact study* is required, the study shall demonstrate how enhancements to *ecological function*, ecological integrity, or biodiversity of the *Natural Environment System* can be achieved through:
 - i) increases in the spatial extent of a feature;
 - ii) increases in biological and habitat diversity;
 - iii) enhancement of ecological system function;

- iv) enhancement of *wildlife habitat*;
- v) enhancement or creation of *wetlands*, water systems or *woodlands*;
- vi) enhancement of riparian corridors;
- vii) enhancement of ecological services;
- viii) enhancement of groundwater recharge areas; and
- ix) establishment or enhancement of linkages between key natural heritage features, and/ or natural heritage features and areas.

3.1.4.11. Protecting Aquatic Species at Risk

Aquatic Species at Risk

Key natural heritage features, key hydrological features, and natural heritage features and areas include waters supporting aquatic species at risk (fishes and mussels) listed in Schedule 1 (the list of officially protected wildlife) under the federal *Species at Risk Act* (SARA), their residences and critical habitats.

- a) In accordance with federal requirements, where development is proposed that could have an impact on aquatic species at risk *an environmental impact study* will be required to demonstrate that:
 - i) all reasonable alternatives have been considered to reduce and minimize impacts to *natural heritage features* and *ecological functions*, and the best solution has been adopted; and
 - ii) the proposed *development* and *site alteration* activities will not jeopardize the survival, recovery and conservation of species at risk protected in Schedule 1 of the *Species at Risk Act*, including their residences and critical habitat.

3.1.4.12. Considering Cumulative Impacts Through the Development Application Process

Considering Cumulative Impacts

Multiple environmental stressors can impact environmental, social and economic

systems (i.e., climate change, invasive species, habitat fragmentation, etc.) and are often dynamic and varying. Conversely, seemingly small, cumulative impacts of development can combine with other stressors to have significant negative consequences for ecosystems and environmental resilience, noise, air quality and social and economic systems over time.

Considering cumulative impacts from development is critical for ensuring long-term environmental health and resiliency and more broadly speaking on the capacity of the *Natural Environment System* to accommodate development from both an environmental and social perspective.

- a) The consideration of cumulative impacts shall be required through the preparation of an *environmental impact study*, *hydrologic evaluation*, or *subwatershed study*.
- b) Where *development or site alteration* applications are considered, the proponent shall be required to provide an overview of previous studies as provided by the Region, Local Municipality, or the Niagara Peninsula Conservation Authority (if available), related to *development* impacts on the same or adjacent feature as it relates to impacts on the Region's *Natural Environment System*.

3.1.5. Natural Hazards

Primary Mandate for Natural Hazards

The Niagara Peninsula Conservation Authority is responsible for regulating development and site alteration in natural hazards, excluding within hazardous forest types for wildland fire. Development or site alteration proposed within or adjacent to a natural hazard (whether it requires Planning Act approval or not) requires approval of the Niagara Peninsula Conservation Authority.

3.1.5.1. Identifying Where Development Shall Generally be Directed

- a) *Development* shall generally be directed to areas outside of:
 - i) *Hazardous lands* adjacent to the shorelines of Lake Erie and Lake Ontario which are impacted by *flooding hazards, erosion hazards* and/or *dynamic beach hazards*;
 - ii) Hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards, and
 - iii) Hazardous sites

3.1.5.2. Identifying Prohibitions to Development

- a) *Development and site alteration* shall not be permitted within:
 - i) the dynamic beach hazard;
 - ii) areas that would be rendered inaccessible to people and vehicles during times of *flooding hazards, erosion hazards* and/or *dynamic beach hazards*, unless it has been demonstrated that the site has safe access appropriate for the nature of the *development* and the natural hazard; and,
 - iii) a *floodway* regardless of whether the area of inundation contains high points of land not subject to flooding.
- b) Notwithstanding subsection a), *development and site alteration* may be permitted in certain areas associated with the *flooding hazard* along *river, stream and small inland lake systems* in those exceptional situations:
 - i) where a *Special Policy Area* has been approved and where the designation of a *Special Policy Area*, and any change or modification to the official plan policies, land use designations or boundaries applying to *Special Policy Area* lands, is approved by the Ministers of the Provincial Ministries with jurisdiction prior to the approval authority approving such changes or modifications;

-
- ii) where the *development* is limited to uses that by their nature must locate within the *floodway*, including docks, boathouses, flood and/or erosion control works or minor additions or passive non-structural uses that do not affect flood flows provided that new private individual on-site or private communal sewage and water services not be permitted in the *floodway*;
 - iii) where a two-zone concept is applied, development and site alteration may be permitted in the *flood fringe*, subject to appropriate floodproofing to the *flooding hazard* elevation or another *flooding hazard* standard approved by the Provincial Ministry with jurisdiction; and,
 - iv) where development is permitted in areas where the effects and risk to public safety are minor and could be mitigated in accordance with provincial standards, the following criteria will be demonstrated:
 - aa) *development and site alteration* are carried out in accordance with flood proofing, protection works and access standards;
 - ab) safe entrance and egress are available during times of flooding or other emergencies;
 - ac) new hazards are not created nor existing hazards compounded; and
 - ad) no adverse environmental impacts would result.
 - c) *Hazardous lands* shall be identified in mapping in local Official Plans and included in appropriate zones in local municipal zoning by-laws to protect public health and safety in accordance with the policies of this Section of the Plan. The extent of natural hazards may be refined by local municipalities on their own initiative or in response to development applications, as appropriate, as approved by the Niagara Peninsula Conservation Authority.

3.1.5.3. Identifying Specific Sensitive Uses where Development is Not Permitted

- a) *Development* shall not be permitted in *hazardous lands* and *hazardous sites* where the use is:
- i) an *institutional use* including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;
 - ii) an *essential emergency service* such as that provided by fire, police and ambulance stations and electrical substations; or
 - iii) uses associated with the disposal, manufacture, treatment or storage of *hazardous substances*.

3.1.5.4. Protecting Against Wildland Fires

- a) *Development* shall generally be directed to areas outside of lands that are unsafe for *development* due to the presence of *hazardous forest types for wildland fire*.
- b) *Development* may be permitted in lands *with hazardous forests types for wildland fire* where the risk is mitigated in accordance with *wildland fire* assessment and mitigation standards.
- c) The Region and/or Local Municipalities may request an assessment undertaken by a qualified professional during the appropriate time of year and using accepted protocols to determine the wildland fire risk and required mitigation measures where *development* is proposed in areas identified as Extreme, High and Needs Evaluation identified on Appendix ____ or in other areas where the potential for wildland fire risk is unknown or has been identified through other documentation and/or site inspection.
- d) Mitigation measures required as per sub-section c) to support development in areas shall not negatively impact *key natural heritage features, key hydrologic features and natural heritage features and areas*.

3.1.6. Protecting and Enhancing Woodland, Wetland, and Riparian Vegetation Cover

Addressing the Desire to Protect and Enhance Woodland Wetland, and, Riparian Cover in the Region

Official Plans are intended to be aspirational in their scope. The policies in this section establishes protections and enhancements for *woodland*, *wetland* and riparian vegetation cover in the region. Implementation of these goals is primarily achieved through a range programs that fall outside the Regional Official Plan and through private land owner stewardship.

Official Plans can inform the preparation of studies for new development areas and provide guidance on how natural areas can be protected through the development approval process.

3.1.6.1. Woodland Cover

- a) It is the goal of this Plan that *woodland* cover be maintained or enhanced in the region by 2051.
- b) To implement the above, the Region supports opportunities for enhancement of *woodland* cover which may be achieved through a number of means including:
 - i) the development and implementation of a Regional Greening Strategy;
 - ii) regional and local municipal efforts of tree planting, as well as tree planting programs of the conservation authority;
 - iii) private land stewardship that includes protection of existing tree cover and tree planting efforts;
 - iv) land acquisition by the Region or dedication of private land to the Region for reforestation efforts;
 - v) identification of *woodland* enhancement areas through the completion of *watershed* or *subwatershed studies* or similar plans;
 - vi) required tree and *woodland* protection and planting through the development approvals process; and

- vii) the development of a region-wide strategy for land protection, preservation and securement.

3.1.6.2. Wetland Cover

- a) It is the goal of this Plan that *wetland* cover be maintained or enhanced in the region by 2051.
- b) To implement the above, the Region supports opportunities to maintain and restore *wetland* functions at a *watershed* and *subwatershed* scale based on historic reference conditions.

3.1.6.3. Riparian Vegetation Cover

- a) It is the goal of this Plan that naturally vegetated areas adjacent to *permanent* and *intermittent streams*, *wetlands*, and other waterbodies be maintained or enhanced in the region by 2051 to support the protection and maintenance of aquatic functions.
- b) To implement the above, the Region supports opportunities for enhancement of riparian vegetation cover which may be achieved through a number of means including:
 - i) requiring a naturally vegetated buffer along *permanent* and *intermittent streams* and adjacent to *wetlands* and waterbodies as part of a development application;
 - ii) working with private landowners and the agricultural community to support stewardship efforts to plant and maintain riparian vegetation adjacent to watercourses;
 - iii) land acquisition by the Region or dedication of private land to the Region for reforestation efforts; and
 - iv) the development of a Region-wide strategy for land protection, preservation and securement.

3.1.7. Transition and Implementation**3.1.7.1. Ensuring Planning Act Decision Conform to the Plan**

- a) Once the policies in this Plan on the *Natural Environment System* overlay designation have been approved in accordance with the *Planning Act*, all subsequent Planning Act decisions shall conform to this Plan, unless this Plan explicitly states otherwise.

3.1.7.2. Recognizing Existing Site Plan Approvals

- a) Where a site plan pursuant to Section 41 of the *Planning Act* has been approved, that approval can be implemented in accordance with the provisions of the Regional Official Plan and the Local Official Plan as they existed when the site plan was approved.

3.1.7.3. Recognizing Approved Studies and Existing Development Approvals in Settlement Areas

- a) Where an *environmental impact study* or similar study has been approved by Local or Regional Planning staff, but the application for *development or site alternation* has yet to be approved, the application may be approved in accordance with the approved study as long as it remains valid in accordance with the environmental impact study guidelines.
- b) Where lands have been draft approved for development by way of Plan of Subdivision or Plan of Condominium in a *settlement area*, that approval can be implemented in accordance with the provisions of the Regional Official Plan and the Local Official Plan as they existed when the lands were draft approved and any conditions that were put in place at the time of approval.
- c) If a draft plan approval is proposed to be extended, the Region may review the findings and recommendations made in the studies that supported the initial draft plan approval and may request that the studies be updated to determine if changes to the layout of the draft plan and/or any of the conditions need to be made before the extension request is

granted.

- d) The Region encourages the Local Municipalities to review older existing draft plan approvals to determine if updates are required.
- e) If a draft plan approval lapses or is withdrawn, any subsequent application shall conform to this Plan.
- f) Where major modifications to a draft plan are proposed, the revised plan shall be designed to reduce impacts on the Region's *Natural Environment System*.

3.1.7.4. Incorporating the Natural Environment System into Ongoing and Approved Secondary Plans

- a) Where a secondary plan has been approved after July 1, 2012, those portions that are not subject to a draft approved Plan of Subdivision or Plan of Condominium shall be approved in accordance with the approved secondary plan.
- b) Where a secondary plan was approved prior to July 1, 2012, those portions that are not subject to a draft approved Plan of Subdivision or Plan of Condominium shall be reviewed to determine conformity with the Region's *Natural Environment System*, to the satisfaction of the Region. This can be done through either an update to the secondary plan or through the approval of individual Plans of Subdivision or Plans of Condominium, as determined appropriate by the Local Municipality.
- c) For secondary plans in process, the policies of this Plan shall be taken into account in the work program and final product, to the satisfaction of the Region.

3.1.7.5. Decisions on Applications Related to Previous Site-Specific Approvals in the Greenbelt Plan Area

- a) Where the Regional Official Plan or a Local Official Plan was amended prior to December 16, 2004 to specifically designate land use(s), this approval may continue to be recognized through any further applications required under the *Planning*

Act or the *Condominium Act, 1998* to implement the Official Plan approval, and provided these additional approvals are required to implement the initial decision, these further approvals are not required to conform with the *Greenbelt Plan*.

- b) Where a Zoning By-Law was amended prior to December 16, 2004 to specifically permit land use(s), this approval may continue to be recognized through any further applications required under the *Planning Act* or the *Condominium Act, 1998* to implement the use permitted by the Zoning By-Law are not required to conform with the *Greenbelt Plan*.

3.1.7.6. Incorporating the Natural Environment Area Overlay at the time of Local Official Plan Conformity

- a) Local municipalities shall incorporate the *Natural Environment System* overlay in their Local Official Plans.
- b) While the limits of the *Provincial Natural Heritage System* shown on Schedule C1 to this Plan cannot be modified, through the process of conformity, Local Municipalities may refine the limits of other aspects of the overlay in their Local Official Plans on the basis of updated information and/or detailed studies in consultation with the Region.

3.1.7.7. Incorporating the Natural Environment Area Designation at the time of Local Official Plan Conformity

- a) Local Municipalities shall incorporate the Natural Environment Area designation in their Local Official Plans.
- b) Through the process of conformity, Local Municipalities may refine the boundaries of designated features and areas on the basis of updated information and/or detailed studies in consultation with the Region.

3.1.7.8. Incorporating the Natural Environment Area Designation and Overlay in Local Zoning By-Laws

- a) Local Municipalities shall incorporate the Natural Environment Area designation and overlay as determined in the Local Official Plan as per Section 3.1.7.6 and 3.1.7.7 in their Local Zoning By-laws.
- b) If the Natural Environment Area designation includes a *vegetation protection zone* or a minimum prescribed *buffer*, both shall also be zoned in a manner that implements this Plan.
- c) Where a minimum *buffer* has not been prescribed in accordance with this Plan, a *buffer* area is not required to be zoned in a Local Zoning By-law at the time of initial implementation.

3.1.7.9. Developing a Land Securement Strategy

- a) The Region may work with the Local Municipalities and other public agencies and/or non-profit land trust organizations to develop and implement a land securement strategy that would result in the transfer of private lands with natural heritage attributes into public ownership. This policy does not imply that *key natural heritage features, key hydrologic features or natural heritage features and areas* or other components of the *Natural Environment System* will be purchased by the Region or other public or non-profit agencies. In the event that lands are not transferred to public ownership, then the lands should remain under a single private ownership.
- b) The Region and the Local Municipalities shall consider opportunities to obtain, through dedication, lands with natural heritage attributes through the development approval process.
- c) Arrangements for the conveyance of components of the *Natural Environment System* into public ownership shall be undertaken before or concurrent with the approval of development applications through the development approval process.

3.1.7.10. Planting of Native and Non-Invasive Species

- a) The Region requires individuals and agencies to use native species appropriate to the locality when planting within the *Natural Environment System* or contiguous to elements of the *Natural Environment System*. To provide guidance, the Region may prepare a list of non-native species considered invasive and unsuitable for such use and/or a list of adequate native species
- b) Local Municipalities are encouraged to require native species as conditions of all *development* and *site alteration* applications.
- c) The Region encourages the use of native species plantings at Regional and municipal facilities and along transportation and utility corridors.

3.1.7.11. Identifying a Process to Manage Invasive Species**Invasive Species**

A major Issue facing natural heritage management within the region is the threat of non-native species invading woodlands, wetlands and other natural areas. If left unmanaged, invasive species pose a risk to the ecological integrity of the Region's natural areas through the displacement of native species and the subsequent alteration to the genetic diversity and structure of local native species populations.

- a) The Region acknowledges and supports the role of the Local Municipalities, the Niagara Peninsula Conservation Authority, provincial agencies and conservation organizations in carrying out invasive species management.
- b) The Region also supports and encourages the Local Municipalities in consultation with the Niagara Peninsula Conservation Authority to develop policies and programs that require or promote measures to eliminate and/or manage invasive species and discourage the use of non-native invasive species plantings in new developments adjacent to the Region's *Natural Environment System*.

- c) The Region may endeavour to prepare an Invasive Species Strategy with Local Municipalities, the Niagara Peninsula Conservation Authority, Provincial agencies and conservation organizations that identifies goals, objectives and a strategic direction to support the implementation of invasive species management throughout the Region.

3.1.7.12. Factors to be Considered when Reviewing Site Plan or Community Planning Permits in the Natural Environment System

- a) Where site plan control or a community planning permit is required by the Local Municipality for *development* in the *Natural Environment System*, Local Municipalities are encouraged to address the following matters, as applicable
 - i) appropriate location of buildings, structures and sewage disposal systems;
 - ii) retention or restoration of a natural vegetative buffer to prevent erosion, siltation and nutrient migration;
 - iii) maintenance or establishment of native tree cover and vegetation on the lot as terrain and soil conditions permit;
 - iv) appropriate location and construction of roads, driveways and pathways, including the use of permeable materials;
 - v) the use of appropriate soils for on-site sewage systems;
 - vi) implementation of stormwater management and construction mitigation techniques with an emphasis on lot level controls, *low impact development* practices and a treatment train approach to promote filtration, infiltration and detention, which may include proper re-contouring, discharging of roof leaders, use of soak away pits, other measures to promote infiltration, and silt fencing for temporary sediment control;
 - vii) the establishment of dark sky compliant lighting from all structures with full cut-off fixtures being required in order to minimize light spillage into the surrounding environs, while maintaining safety; and
 - viii) securities and processes to ensure implementation and

long-term monitoring and compliance with site plan agreements and/or other agreements if required.

3.1.8. Environmental Impact Studies and Hydrologic Evaluations

Purpose of an Environmental Impact Study

The purpose of an *environmental impact study* is to:

- collect and evaluate the appropriate information in order to have a complete understanding of the boundaries, attributes, and functions of components of the *Natural Environment System*;
- determine whether there are any additional components;
- undertake a comprehensive impact analysis;
- propose appropriate mitigation measures;
- clearly articulate any impacts that cannot be avoided or mitigated;
- where appropriate, recommend monitoring provisions;
- consider climate change, cumulative and/or watershed impacts where possible; and
- demonstrate that ecological enhancement to the *Natural Environment System* is achieved.

Purpose of a Hydrologic Evaluation

The purpose of a *hydrologic evaluation* is to:

- collect and evaluate the appropriate information in order to have a complete understanding of the boundaries, attributes of *permanent and intermittent streams, inland lakes* and their littoral zones, *seepage areas and springs, wetlands, ground water features, surface water features, floodplains, flooding hazards, floodways, shoreline areas*, and related *hydrologic functions*;
- determine whether there are any additional *hydrologic features* and areas;
- assess the significance and sensitivity of *hydrologic features* and their *hydrologic functions*;
- undertake a comprehensive impact analysis;
- propose appropriate mitigation measures;
- identify planning, design and construction practices that will maintain and, where possible, enhance or restore the health, diversity and size of the *hydrologic feature* and functions and its connectivity with other *hydrologic*

features, natural heritage features and areas and key natural heritage features;

- clearly articulate any impacts that cannot be avoided or mitigated;
- where appropriate, recommend monitoring provisions to evaluate the long-term effectiveness of the identified mitigation measures; and
- consider climate change, cumulative and/or watershed impacts where possible.

3.1.8.1. Requiring Environmental Impact Studies and Hydrologic Evaluations to Support Development Applications

Studies Required as Part of a Development Application

As the Region continues to grow, it is inevitable development will be proposed that may have an impact on the Region's *Natural Environment System*. The intent of this section is to set out the Region's requirements for *environmental impact studies* and *hydrologic evaluations* which may be requested in support of development applications.

- a) An *environmental impact study* and/or *hydrologic evaluation* required under the policies of this Plan shall be submitted with the *development* application and shall be prepared and signed by a qualified professional in accordance with the Region's Environmental Impact Study Guidelines and/or Hydrologic Evaluation Guidelines in addition to the relevant policies of this Plan.
- b) The *environmental impact study* and/or *hydrologic evaluation* shall be prepared to the satisfaction of the appropriate approval authority in accordance with the following:
 - i) within *settlement areas* it is the responsibility of the Local Municipality to ensure that:
 - aa) an *environmental impact study* and/or *hydrologic evaluation* is prepared in accordance with an approved terms of reference and this Plan; and
 - ab) the conclusions of the *environmental impact study* and/or *hydrologic evaluation* are considered through the development approval process and

appropriate conditions are established to implement the recommendations of the study and/or evaluation.

In carrying out this responsibility, the Local Municipality shall work in consultation with the Region and the Niagara Peninsula Conservation Authority and the Region shall provide technical support as required.

- ii) outside of *settlement areas*, regardless of who is the approval authority for an application for *development*, it is the responsibility of the Region to ensure that:
 - aa) an *environmental impact study* and/or *hydrologic evaluation* is prepared in accordance with an approved terms of reference and this Plan; and
 - ab) the conclusions of the *environmental impact study* and/or *hydrologic evaluation* are considered through the development approval process and appropriate conditions are established to implement the recommendations of the study and/or evaluation.

In carrying out this responsibility, the Region shall work in consultation with the Local Municipality and the Niagara Peninsula Conservation Authority.

3.1.8.2. Waiving and Scoping of Studies

- a) The Region, in consultation with the other commenting bodies, shall review the proposed *development* in accordance with the waiving requirements of the Environmental Impact Study Guidelines and/or Hydrologic Evaluation Guidelines to determine whether an *environmental impact study* and/or *hydrologic evaluation* is required or whether requirements can be waived.
- b) Waving the requirement for an *environmental impact study* and/or *hydrologic evaluation* may be subject to conditions.
- c) The Region, in consultation with the other commenting bodies, shall scope the contents of the *environmental impact study*

and/or *hydrologic evaluation* in accordance with the Environmental Impact Study Guidelines and/or Hydrologic Evaluation Guidelines.

- d) The Region, at its discretion, may delegate the waiving and/or scoping of an *environmental impact study* and/or *hydrologic evaluation* to the Local Municipality if the proposed *development* or *site alteration* is minor, and if the lands affected are within a *settlement area*.
- e) An *environmental impact study* and/or *hydrologic evaluation* is not required for uses authorized under an environmental assessment process, including Class Environmental Assessment, carried out in accordance with Provincial or Federal legislation.

3.1.8.3. Preparing Terms of Reference

- a) A draft terms of reference for the *environmental impact study* and/or *hydrologic evaluation* shall be prepared in accordance the Environmental Impact Study Guidelines and/or Hydrologic Evaluation Guidelines.
- b) The terms of reference shall be prepared by a qualified professional retained by the proponent and reviewed by the approval authority and other commenting bodies. It shall be the responsibility of the Region to approve the terms of reference.
- c) The approval authority shall not accept an *environmental impact study* and/or *hydrologic evaluation* unless the terms of reference has been approved.

3.1.8.4. Requiring a Peer Review

- a) The approval authority may require an independent peer review of an *environmental impact study* and/or *hydrologic evaluation*, with the costs to be borne by the applicant.



Appendix 3 to PDS 8-2021

NIAGARA

OFFICIAL PLAN

Natural Environment System

Components, Definitions, & Criteria

DRAFT
December 1, 2021

SUSTAINABLE REGION



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1.0 Purpose

The purpose of this document is to:

- list the components of the Region's Natural Environment System (NES);
- outline the proposed definitions and criteria for the individual features and components of the NES; and
- provide the definitions for other terms in the natural environment chapter of the new Niagara Official Plan.

2.0 Introduction

The establishment of a regional-scale natural heritage system (NHS) and water resource system (WRS) is required by Provincial policy. The NHS and WRS are ecologically linked, rely on and support each other, and have many overlapping components, together these systems collectively form the Region's integrated Natural Environment System (NES). A Natural Environment Work Program (NEWP) is being undertaken as a component of the new Niagara Official Plan (NOP) for the purpose of developing the policies and mapping to implement the integrated NES.

This guidance document has been prepared for both NES Option 3B & 3C. Where a feature, term, or policy only applies to NES Option 3C it has been indicated and highlighted.

3.0 Components of the Natural Environment System

The Region's NES includes the Natural Heritage System for the Growth Plan and Greenbelt Plan Natural Heritage System as components of the system. These systems are identified by the Province and are required to be implemented by the Region. Collectively these two systems are referred to as the Provincial Natural Heritage System, and apply outside of settlement areas only in accordance with Provincial requirements.

The Region's NES however extends beyond the Provincial Natural Heritage Systems into the Niagara Escarpment Plan area and into other areas that are not within the Provincial Natural Heritage Systems, including within the Region's settlement areas. Included within, and outside of the Provincial Natural Heritage System are many individual natural features which are identified by the Region through various sources of data and information. A complete list of all of the components of the integrated NES is included in **Table 3-1**.

Table 3-1: Components of the Region's Natural Environment System

	Lands in the Provincial Natural Heritage System	Lands in the Niagara Escarpment Plan Area	Lands outside of the Provincial Natural Heritage System and the Niagara Escarpment Plan Area ⁹
Natural Heritage System for the Growth Plan	yes		
Greenbelt Plan Natural Heritage System	yes		
Provincially significant wetlands	yes ^{1,4}	yes ^{1,4}	yes ^{2,5}
Other wetlands	yes ^{1,4}	yes ^{1,4}	yes ^{3,5}
Significant coastal wetlands	yes ^{1,4}		yes ^{2,5}
Habitat of endangered species and threatened species	yes ¹	yes ¹	yes ²
Habitat of special concern species		yes ¹	
Fish habitat	yes ¹	yes ¹	yes ²
Life science areas of natural and scientific interest	yes ¹	yes ¹	yes ²
Earth science areas of natural and scientific interest	yes	yes	yes ²
Significant valleylands	yes ¹	yes ¹	yes ²
Significant woodlands	yes ¹	yes ¹	yes ²
Other woodlands	yes ³	yes ³	yes ³
Significant wildlife habitat	yes ¹	yes ¹	yes ²
Permanent and intermittent streams	yes ⁴	yes ⁴	yes
Inland lakes and their littoral zones	yes ⁴	yes ⁴	yes - outside of settlement areas only

	Lands in the Provincial Natural Heritage System	Lands in the Niagara Escarpment Plan Area	Lands outside of the Provincial Natural Heritage System and the Niagara Escarpment Plan Area ⁹
Seepage areas and springs	yes ⁴	yes ⁴	yes
Significant groundwater recharge areas	yes ⁷		yes
Highly vulnerable aquifers	yes ⁷		yes
Significant surface water contribution areas	yes ⁷		yes
Large and medium linkages	yes	yes	yes – outside of settlement areas only
Small linkages – NES Option 3C only	yes	yes	yes
Supporting features and areas	yes	yes	yes – in settlement areas in NES Option 3C only
Minimum (prescribed) buffer adjacent to natural heritage features and areas			yes - outside of settlement areas only
Mandatory (non-prescribed) buffer adjacent to natural heritage features and areas – NES Option 3C Only			yes - inside of settlement areas
Vegetation protection zone adjacent to key natural heritage features	yes	yes	
Vegetation protection zone adjacent to key hydrologic features	yes	yes	yes ⁶ - outside of settlement areas only
Shoreline areas	yes	yes	yes

	Lands in the Provincial Natural Heritage System	Lands in the Niagara Escarpment Plan Area	Lands outside of the Provincial Natural Heritage System and the Niagara Escarpment Plan Area ⁹
Setbacks to regulated features and areas in accordance with Niagara Peninsula Conservation Authority policies	yes	yes	yes
Hazardous lands adjacent to the shorelines of Lake Erie and Lake Ontario that are impacted by flooding hazards, erosion hazards and/or dynamic beach hazards	yes ⁸		yes ⁸
Hazardous lands adjacent to rivers, streams and small inland lake systems that are impacted by flooding hazards and/or erosion hazards	yes ⁸	yes ⁸	yes ⁸

Footnote 1: Included as a key natural heritage feature as identified in the Growth Plan, Greenbelt Plan and/or Niagara Escarpment Plan

Footnote 2: Included as a natural heritage feature and area as defined in the Provincial Policy Statement and the Niagara Official Plan

Footnote 3: Included as a natural heritage feature and area by the Niagara Official Plan

Footnote 4: Included as a key hydrologic feature in accordance with the Growth Plan, Greenbelt Plan and Niagara Escarpment Plan

Footnote 5: Included as a natural heritage feature and area in settlement areas by the Niagara Official Plan and a key hydrological feature outside of settlement areas

Footnote 6: Only applies to lands adjacent to key hydrologic features outside of settlement areas

Footnote 7: Included as key hydrologic areas in accordance with the Growth Plan and Greenbelt Plan

Footnote 8: Hazardous lands are identified by the Niagara Peninsula Conservation Authority

Footnote 9: Including in settlement areas (i.e. urban areas and hamlets)

The following features and areas would also be included as required components of the integrated NES. However, they are not appropriately identified or managed until more detailed watershed planning or equivalent is completed at a subsequent stage of the planning process (e.g. a subwatershed study completed in support of a secondary plan, etc.).

- Ground water features
 - Recharge/discharge areas
 - Water tables
 - Aquifers and unsaturated zones
- Surface water features
 - Headwater drainage features (HDF)
 - Recharge/discharge areas
 - Associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.
- Other hydrologic functions

4.0 Definitions and Criteria

The definition for individual components of the NES are included in **Table 4-1** below. All of these definitions will be included as part of the Niagara Official Plan. Also included in **Table 4-1** are the criteria for the identification of features.

Table 4-1: Definitions and Criteria for the Components of the Region's Natural Environment System

NES Component	Definition	Criteria
Areas of Natural and Scientific Interest	<p>Life Science ANSIs means an area identified as being high quality example(s) of ecological form and function in each Ecodistrict in the province (provincially significant) and the Region (regionally significant) and are generally defined by natural heritage features (e.g., a woodland, valley top of bank, etc.) and generally exclude anthropogenic land uses (e.g., residential areas / properties). Life Science ANSIs include areas identified as provincially significant and regionally significant by the Ontario Ministry of Natural Resources and Forestry using evaluation procedures established by the Province, as amended from time to time.</p> <p>Earth Science ANSIs means an area that represent the best examples of geologic and geomorphic landforms and areas (e.g., a moraine) in each Ecodistrict in the province (provincially significant) and the Region (regionally significant). They may encompass a single feature or a group of related features (e.g., a drumlin field). As geologic / geomorphic landforms, the overlying land use may include a composite of natural and anthropogenic uses (e.g., woodland, agricultural, rural residential, etc.). Earth Science ANSIs include areas identified as provincially significant and regionally significant by the Ontario Ministry of Natural Resources and Forestry using evaluation procedures established by the Province, as amended from time to time.</p>	<p>The identification of both provincial and regional Life Science ANSIs and Earth Science ANSIs is determined by the Province using criteria established by the Province.</p>
Buffers	<p>Buffer means an area of land located adjacent to natural heritage features and areas, other wetlands, and watercourses and usually bordering lands that are subject to development or site alteration. The purpose of a buffer is to protect the features and areas and their ecological functions by mitigating impacts of the proposed development or site alteration. Buffer shall consist of natural self-sustaining vegetation as a condition of development (except where certain agricultural uses are exempt from the requirement of a buffer).</p>	<p>The policies of the Niagara Official Plan identify two types of buffers, minimum (prescribed) buffers and mandatory (non-prescribed) buffers [In NES option 3C only].</p> <p>For a minimum buffer, the policies of the Plan state what minimum buffer is required. As the term implies, the buffer width cannot be less than the required minimum, but may be larger as determined through an environmental impact study, hydrologic evaluation, or subwatershed study. Minimum buffers apply outside of settlement areas and outside of the Provincial Natural Heritage System.</p> <p>For a mandatory buffers, the policies of the Plan state that a buffer is required, but do not state any minimum for the buffer width. The width of an ecologically appropriate buffer would be determined through an environmental impact study and/or hydrologic evaluation at the time an application for development is made. The width of the buffer would be based on the sensitivity of the ecological functions from the change in adjacent land use, and the potential for impacts to the feature and ecological functions as a result of that change in land use. Mandatory buffers apply in settlement areas only (NES option 3C)</p>

NES Component	Definition	Criteria
Cultural and Regenerating Woodland	<p>Cultural and regenerating woodland means woodlands where the ecological functions of the site are substantially compromised as a result of prior land use activity and would be difficult to restore and/or manage as a native woodland and which provide limited ecological function and ecosystem services.</p>	<p>A significant or other woodland can be classified as a cultural and regenerating woodland if <u>all</u> of the following are met:</p> <ul style="list-style-type: none"> a) The woodland is less than 2 ha in size; b) The removal of a portion of woodland will not result in a negative impact to the ecological functions of the remaining portion; c) There are no other important ecological functions that the woodland provides (e.g., critical function zone for wetlands, etc.); d) The woodland is not identified as another component of the Natural Environment System (e.g., significant wildlife habitat, linkage, enhancement area, buffer); e) The canopy is dominated by invasive, non-native species including, but not limited to: Norway Maple, Manitoba Maple, Siberian Elm, Scots Pine, European Buckthorn, White Mulberry, Tree-of-heaven, Apple, Black Locust and White Poplar, or any combination thereof; f) The area was not treed approximately 20-25 years ago as determined through air photo interpretation or other suitable techniques; g) The soil is deemed to preclude the development of a native woodland; for example: soil that is degraded, soil that is compacted, the top soil has been removed, soil displaying substantial erosion from over-use and/or the woodland is regenerating on fill or spoil that was introduced to the site; h) There is limited ability to maintain or restore self-sustaining ecological functions typical of native woodlands; and i) The woodland provides limited social values (e.g., does not contain sanctioned trails, nor currently provides organized research or educational opportunities). <p>Woodlands (including plantations) established and/or managed for the purpose of restoring a native tree community (e.g., naturalization or restoration projects) would still qualify as significant woodland.</p>
Ecological Function	<p>Ecological function means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions (PPS, 2020)</p>	<p>Ecological functions are to be identified and assessed through the completion of an environmental impact study, hydrologic evaluation, or subwatershed study.</p>

NES Component	Definition	Criteria
Fish Habitat	<p>Fish Habitat as defined in the Fisheries Act, means spawning grounds and any other areas, including nursery, rearing, food supply, and migration areas on which 'fish' depend directly or indirectly in order to carry out their life processes (PPS, 2020).</p>	<p>Fish habitat is identified as any watercourse or waterbody identified by the MNRF or provided / approved by the Federal Department of Fisheries and Oceans (DFO) or a delegated authority of DFO (including Conservation Authorities, as appropriate).</p> <p>For screening purposes, and until such time appropriate studies are completed to assess watercourses and waterbodies, Fish Habitat will be presumed to be:</p> <ul style="list-style-type: none"> • Any permanent or intermittent watercourse or waterbody excluding constructed and actively managed offline ponds (e.g., stormwater ponds, active farm irrigation ponds, etc.); • Intermittent or ephemeral watercourses, or Headwater Drainage Features that provide contributions in terms of baseflow, material (e.g., substrates, etc.) or allochthonous inputs that are important to the maintenance of downstream fish habitat; or • Shoreline features that provide contributions in terms of material (e.g., substrates, etc.) or allochthonous inputs that are important to the maintenance of fish habitat in the Great Lakes.

Floodplains, Flooding Hazards, Floodways

Floodplains for river, stream and small inland lake systems, means the area, usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards (PPS, 2020).

Flooding hazard means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

- a) along the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes, the flooding hazard limit is based on the one hundred year flood level plus an allowance for wave uprush and other water related hazards;
- b) along river, stream and small inland lake systems, the flooding hazard limit is the greater of:
 - 1. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
 - 2. the one hundred year flood; and
 - 3. a flood which is greater than 1. or 2. which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources and Forestry;

except where the use of the one hundred year flood or the actually experienced event has been approved by the Minister of Natural Resources and Forestry as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard) (PPS, 2020).

Floodway for river, stream and small inland lake systems, means the portion of the flood plain where development and site alteration would cause a danger to public health and safety or property damage. Where the one zone concept is applied, the floodway is the entire contiguous flood plain. Where the two zone concept is applied, the floodway is the contiguous inner portion of the flood plain, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the two zone concept applies, the outer portion of the flood plain is called the flood fringe (PPS, 2020)

The floodplain, flooding hazard and floodway shall be identified in accordance with protocols deemed acceptable by the Niagara Peninsula Conservation Authority.

NES Component	Definition	Criteria
Greenbelt Plan Natural Heritage System	Greenbelt Plan Natural Heritage System means the natural heritage system mapped and issued by the Province in accordance with the Greenbelt Plan.	A mapped Greenbelt Plan Natural Heritage System is provided by the Province in accordance with S. 3.2.1 of the Greenbelt Plan.
Ground Water Feature	<p>Ground water features means water-related features in the earth's subsurface including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeological investigations (PPS, 2020).</p> <p>Sensitive means ground water features areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.</p>	Ground water features and sensitive groundwater features which have not been mapped as key hydrologic areas are to be identified through more detailed studies such as watershed and subwatershed studies completed in accordance with watershed planning guidelines and best practices.
Habitat of Endangered Species and Threatened Species	Habitat of endangered species and threatened species mean habitat within the meaning of Section 2 of the Endangered Species Act, 2007 (PPS, 2020).	Criteria for the identification of the Habitat of Endangered Species and Threatened Species is determined in accordance with the habitat regulations of the Endangered Species Act (2007).
Hazardous Lands	Hazardous lands means property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of the Great Lakes - St. Lawrence River System, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along the shorelines of large inland lakes, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the flooding hazard or erosion hazard limits (PPS, 2020)	<p>The primary responsibility for implementing restrictions on development and site alternation in natural hazards rests with the NPCA.</p> <p>Policies are included in the Niagara Official Plan related to natural hazards to ensure conformity with the Provincial Policy Statement.</p> <p>How conformity is achieved and how the policies are implemented is determined by the NPCA, who should be consulted when development (whether it requires Planning Act approval or not) is proposed within or adjacent to natural hazards.</p>
Highly Vulnerable Aquifers	Highly vulnerable aquifers means aquifers, including lands above the aquifers, on which external sources have or are likely to have a significant adverse effect (Greenbelt Plan 2017).	<p>Highly vulnerable aquifers are identified based primarily on vulnerability mapping completed as part of the 2005 NPCA. Groundwater Study (Waterloo Hydrogeologic Inc., 2005).</p> <p>In accordance with the 'Groundwater Vulnerability Analysis, Niagara Peninsula Source Protection Areas' (N.P.C.A. 2009) Highly Vulnerable Aquifers (H.V.A.s) are areas of high groundwater vulnerability that "typically consist of granular aquifer materials or fractured rock that have a high permeability, are exposed near the ground surface, and have a relatively shallow water table".</p>

NES Component	Definition	Criteria
Hydrologic Functions	Hydrologic function means the functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things (PPS, 2020)	Hydrologic functions are to be identified and assessed through the completion of a hydrologic evaluation or subwatershed study.
Inland Lakes and their Littoral Zones	Inland lakes means any inland body of permanently standing water larger than a pool or pond or a body of water filling a depression in the earth's surface, where their water levels and hydrologic functions are not directly influenced by either Lake Erie or Lake Ontario. Inland lakes do not include storm water management ponds, ponds constructed for irrigation purposes, such as those on a golf course or used for agriculture, lakes that have been constructed and managed with the sole purpose of supporting essential infrastructure, and where their ecological function is not a consideration in their management.	N/A
Key Hydrologic Area	Key hydrologic areas means significant groundwater recharge areas, highly vulnerable aquifers, and significant surface water contribution areas that are necessary for the ecological and hydrologic integrity of a watershed (Growth Plan, 2019)	N/A – criteria are identified for each individual component
Key Hydrologic Features	Key hydrologic features means permanent streams, intermittent streams, inland lakes and their littoral zones, seepage areas and springs, and wetlands. (Growth Plan, 2019)	N/A – criteria are identified for each individual component
Key Natural Heritage Features	Key natural heritage features means habitat of endangered species and threatened species; fish habitat; wetlands; life science areas of natural and scientific interest (ANSIs), significant valleylands, significant woodlands; significant wildlife habitat (including habitat of special concern species); sand barrens, savannahs, and tallgrass prairies; and alvars (Growth Plan, 2019)	N/A – criteria are identified for each individual component

NES Component	Definition	Criteria
Linkages	<p>Linkage means an area, that may or may not be associated with the presence of existing natural features and areas, that provides and maintains ecological connectivity between core areas consisting of natural features and areas, and supports a range of community and ecosystem processes enabling plants and animals to move among natural heritage features, in some cases over multiple generations, thereby supporting the long-term sustainability of the overall natural environment system.</p> <p>Core areas means an individual natural features and areas, or a group of features and areas in close proximity to each other (i.e., less than or equal to 30 m distance in settlement areas, less than or equal to 60 m distance outside of settlement areas) that have functional ecological connectivity (i.e., their proximity to each other supports ecological functions, such as wildlife habitat, exchange of genetic material, etc.).</p>	<p>Known Linkages have been identified between natural heritage features and areas and key natural heritage features consisting of natural areas (e.g., watercourses, valleylands, meadow, thicket, woodland, wetland, and hedgerows, etc.) or rural/agricultural lands without major barriers (i.e., developed areas or major roads greater than 30 m in width) based on the following set of criteria:</p> <ol style="list-style-type: none"> 1. Large linkages (outside settlement areas and outside of Provincial Natural Heritage System) that are: <ol style="list-style-type: none"> a. 200-400 m in width; and b. connect core areas (i.e., a group of natural features and areas within 30 m of each other) with a combined area of ≥ 50 ha in size; 2. Medium linkages (outside of settlement areas and outside of Provincial Natural Heritage System) that are: <ol style="list-style-type: none"> a. 100-200 m in width, and b. connect core areas (i.e., a group of natural features and areas within 30 m of each other) with a combined area of ≥ 20 ha in size; 3. Small linkages (Option 3C only, both inside and outside of settlement areas and Outside of Provincial Natural Heritage System) that are: <ol style="list-style-type: none"> a. 60-100 m in width, and b. connect core areas (i.e., a group of natural features and areas within 30 m of each other) with a combined area of ≥ 10 ha in size. <p>Opportunities for additional, ecologically appropriate linkages shall be screened for when a subwatershed study is being completed in support of a secondary plan</p>
Natural Environment System	<p>Natural environment system means an ecologically integrated system made up of the Provincial natural heritage systems, natural heritage features and areas, other wetlands, key natural heritage features, key hydrologic features, key hydrologic areas, shoreline areas, hydrologic functions, supporting features and areas, hazardous lands, and linkages intended to provide connectivity and support natural processes which are necessary to maintain biological and hydrological diversity, ecological functions, ecosystem services, viable populations of indigenous species, and ecosystems.</p>	N/A – criteria are identified for each individual component

NES Component	Definition	Criteria
Natural Heritage Features and Areas	Natural heritage features and areas means features and areas, including significant wetlands, significant coastal wetlands, other coastal wetlands, fish habitat, significant woodlands, significant valleylands, habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area (modified from PPS, 2020). For the purposes of this definition, natural heritage features and areas includes other woodlands, earth science areas of natural and scientific interest (provincial and regional), and life science areas of natural and scientific interest (provincial and regional).	N/A – criteria are identified for each individual component
Natural Heritage System	Natural heritage system means a system made up of <i>natural heritage features and areas</i> , <i>wetlands</i> , and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. These systems can include <i>key natural heritage features</i> , <i>key hydrologic features</i> , federal and provincial parks and conservation reserves, other <i>natural heritage features and areas</i> , lands that have been restored or have the potential to be restored to a natural state, associated areas that support <i>hydrologic functions</i> , and working landscapes that enable ecological functions to continue.	N/A – criteria are identified for each individual component
Natural Heritage System for the Growth Plan	Natural heritage system for the growth plan means the natural heritage system mapped and issued by the Province in accordance with the Growth Plan.	A mapped Natural Heritage System for the Growth Plan has been provided by the province in accordance with 4.2.2.1 of the Growth Plan
Other Woodlands	Other woodlands means woodlands determined to be ecologically important in terms of features, functions, representation, or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system. Other woodlands include all terrestrial treed vegetation communities where the percent tree cover is >25%. Other woodlands would not include woodlands meeting the criteria as Significant Woodlands.	To be identified as an other woodland, a terrestrial treed area must have ≥ 25% tree cover and meet one or more of the following criteria: <ol style="list-style-type: none"> 1. an average minimum width of 40 m and is ≥0.3 ha, measured to crown edges; or 2. any size abutting a significant woodland, wetland or permanent stream. <p>Treed areas that “abut” a significant woodland, wetland or permanent stream are considered adjacent when located within 20 m of each other.</p> <p>Other woodlands are identified based on the Ecological Land Classification (ELC) methodology. Terrestrial vegetation communities that would meet the ≥ 25% tree cover are identified in Table 6-1.</p>

NES Component	Definition	Criteria
Permanent and Intermittent Streams	<p>Permanent streams means watercourses that contain water during all times of the year.</p> <p>Intermittent streams means stream-related watercourses that contain water or are dry at times of the year that are more or less predictable, generally flowing during wet seasons of the year but not the entire year, and where the water table is above the stream bottom during parts of the year (Greenbelt Plan, 2017).</p>	Criteria for the identification of a permanent or intermittent stream should follow protocols established by the Province, such as the Ontario Stream Assessment Protocol.
Provincial Natural Heritage System	Provincial Natural Heritage System means the Natural Heritage System for the Growth Plan and the Greenbelt Plan Natural Heritage system.	N/A – criteria are identified for each of the two individual systems.
Seepage Areas and Springs	Seepage areas and springs means sites of emergence of groundwater where the water table is present at the ground surface (Greenbelt Plan, 2017).	Seepage areas are to be identified based on the observation of ground water discharge at the surface as evident by springs, standing water, saturated soils, and/or vegetation indicating groundwater discharge (e.g., watercress).
Setback [to regulated features and areas in accordance with NPCA policies]	Setback means a physical separation that forms a boundary by establishing an exact distance from a fixed point, such as a property line, an adjacent structure, or a natural feature, within which development and/or site alteration is prohibited in accordance with the policies of the NPCA	Setbacks are identified in accordance with the NPCA policies.
Shoreline Areas	Shoreline areas means the interface between terrestrial and aquatic environments, allowing for interactions between them, providing: specialized habitats (e.g., natural beach, overhanging cover, bird stopover or nesting, etc.), natural cover, areas of shoreline erosion or accretion, nutrient and sediment filtration / buffering, shading, foraging opportunities.	Shoreline areas include any natural vegetation community (as determined according to Ecological Land Classification) and will be identified based on the following criteria: <ul style="list-style-type: none"> a) ≥ 0.1 ha in size; and b) located within 30 m of the limits of the shoreline flood hazard associated with the Great Lakes, or within 15 m of a surface water feature, as defined by the PPS

NES Component	Definition	Criteria
Significant Coastal Wetlands	<p>Coastal wetland means:</p> <ul style="list-style-type: none"> a) Any wetland that is located on one of the Great Lakes or their connecting channels; or b) any other wetland that is on a tributary to any of the above-specified water bodies and lies, either wholly or in part, downstream of a line located 2 km upstream of the 1:100 year floodline (plus wave run-up) of the large water body to which the tributary is connected (PPS, 2020). <p>Significant coastal wetlands means those identified as provincially significant by the Ontario Ministry of Natural Resources and Forestry using evaluation procedures established by the Province, as amended from time to time (PPS, 2020)</p>	<p>The criteria for identifying Significant Coastal Wetlands are established by the Province. At the time of writing this report the Ontario Wetland Evaluation System, Southern Manual, 3rd Edition, Version 3.3. (MNRF, 2014) is considered the document by which an evaluation should be undertaken. The MNRF is responsible for review and approval of a wetland evaluation.</p>
Significant Groundwater Recharge Area	<p>Significant groundwater recharge area means an area that has been identified as:</p> <ul style="list-style-type: none"> a) a significant groundwater recharge area by any public body for the purposes of implementing the PPS; b) a significant groundwater recharge area in the assessment report required under the Clean Water Act, 2006; or c) an ecologically significant groundwater recharge area delineated in a subwatershed plan or equivalent in accordance with provincial guidelines. <p>For the purposes of this definition, ecologically significant groundwater recharge areas are areas of land that are responsible for replenishing groundwater systems that directly support sensitive areas like cold water streams and wetlands. (Greenbelt Plan, 2017)</p> <p>Groundwater recharge areas are also classified as “significant” where they supply more water to an aquifer than the surrounding area (NPCA, 2013). In other words, a recharge area is considered significant when it helps to maintain the water level in an aquifer that supplies a community with drinking water, or supplies groundwater recharge to a coldwater ecosystem that is dependent on this recharge to maintain its ecological function (N.V.C.A., 2015b).</p>	<p>Significant Groundwater Recharge Areas have been delineated for the entire Niagara Peninsula Source Protection Area using methodology developed by the Niagara Peninsula Conservation Authority in consultation with the Ministry of Natural Resources (MNR) and was based on the March 2007 Draft Guidance Module – Water Budget and Water Quantity Risk Assessment (Guidance Module).</p> <p>The identification of the Significant Groundwater Recharge Areas adheres to the Assessment Report Technical Rules (MOE, 2009), Regulation 287/07 and Technical Bulletin methodology descriptions (MNR, MOE, 2009).</p>

NES Component	Definition	Criteria
Significant Surface Water Contribution Areas	<p>Significant surface water contribution areas mean areas, generally associated with headwater catchments that contribute to baseflow volumes which are significant to the overall surface water flow volumes within a watershed (Greenbelt Plan, 2017).</p> <p>Significant Surface Water Contribution Areas include headwater drainage features classified as protection, conservation and mitigation.</p>	<p>The identification of significant surface water contribution areas will be undertaken as part of more detailed studies such as watershed and subwatershed studies completed in accordance with watershed planning guidelines and best practices.</p> <p>The identification, evaluation and management recommendations for headwater drainage features should follow that of 'The Evaluation, Classification and Management of Headwater Drainage Features Guideline', prepared by the Toronto and Region Conservation Authority and Credit Valley Conservation (2014, or as amended from time to time).</p>
Significant Valleylands	<p>Valleylands means a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year (PPS, 2020).</p> <p>Significant valleyland means valleyland which is ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system. These are to be identified using criteria established by the Province. (Growth Plan, 2019).</p> <p><u>Note:</u> the NPCA also regulates valleyland erosion hazards. The definitions for valleys and the identification of valleylands that are regulated by the NPCA is not necessarily consistent with the definition for valleyland and significant valleyland of the PPS nor the identification of significant valleylands in accordance with the criteria for significant valleylands.</p>	<p>Significant valleylands include any of the features identified in any of the following three categories:</p> <ol style="list-style-type: none"> 1. all streams with well-defined valley morphology (i.e., floodplains, riparian zones, meander belts and/or valley slopes) of an average width of 25 metres or more; the physical boundary is defined by the stable top of bank (as defined by the conservation authority); or 2. all spillways and ravines with the presence of flowing or standing water for a period of no less than two months in an average year. Such features must be greater than 50 metres in length (as defined from the point of valley formation downstream to the confluence of the valley being assessed); 25 metres in average width with a well-defined morphology (i.e., two valley walls of 15% slope or greater with a minimum height of 5 metres, and valley floor), and having an overall area of 0.5 ha or greater; or 3. additional features or areas beyond the ones described above that have been identified by the Region, local area municipality, or the Niagara Peninsula Conservation Authority as providing one or more of the features or functions described in the table contained in Appendix A of the Greenbelt Plan 2005 Technical Definitions and Criteria for Key Natural Heritage Features in the Natural Heritage System of the Protected Countryside Area (OMNR, 2012).

NES Component	Definition	Criteria
Significant Wildlife Habitat	<p>Wildlife habitat means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter, and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species (PPS, 2020)</p> <p>Significant Wildlife Habitat means wildlife habitat that is ecologically important in terms of features, functions, representation, or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system. These are to be identified using criteria established by the Province (PPS, 2020).</p>	<p>Significant wildlife habitat shall be identified in accordance with the Significant Wildlife Habitat Criteria schedules for Ecoregion 7E (MNR, January 2015) and/or the appropriate provincial guidance document(s) as may be developed or amended from time to time. Where any disagreements arise with respect to interpretation of significant wildlife habitat, the Region may confer with the Province, however the Region's interpretation shall prevail if it provides equal or greater protection for wildlife habitat.</p>

<p>Significant Woodland</p>	<p>Woodlands means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. Woodlands include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels. Woodlands will be delineated according to the Province’s Ecological Land Classification system definition for forest (PPS, 2020). For the purposes of this definition, forests include terrestrial vegetation communities as defined in accordance with the Ecological Land Classification (ELC) system, where the tree cover is greater than 60%.</p> <p>Significant woodlands means woodlands that are ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history (PPS, 2020).</p>	<p>To be identified as significant, a woodland must meet the definition of ELC forest (as per the definition of ‘woodland’), and then meet one or more of the following criteria:</p> <ol style="list-style-type: none"> 1. 2 ha or greater in size; 2. 1 ha or greater in size meeting at least one of the following criteria: <ol style="list-style-type: none"> a. Naturally occurring (i.e., not planted) trees (as defined in the species list of Appendix D in the Greenbelt Technical Paper); b. Treed areas planted with the intention of restoring woodland; c. 10 or more trees per ha greater than 100 years old or 50 cm or more in diameter; d. Wholly or partially within 30 m of a provincially significant wetland or habitat of an endangered or threatened species; e. Overlapping or abutting one or more of the following features: <ol style="list-style-type: none"> i. Permanent streams or intermittent streams; ii. Fish habitat; iii. Significant valleylands; 3. 0.5 ha or greater in size meeting at least one of the following criteria: <ol style="list-style-type: none"> a. A provincially rare treed vegetation community with an S1, S2 or S3 in its ranking by the MNR’s N.H.I.C.; b. Habitat of a woodland plant species with an S1, S2 or S3 in its ranking or an 8, 9, or 10 in its Southern Ontario Coefficient of Conservatism by the NHIC, consisting of 10 or more individual stems or 100 or more sqm of leaf coverage; c. Any woodland overlapping or abutting one or more of the following features: <ol style="list-style-type: none"> i. Significant wildlife habitat; ii. Habitat of threatened species and endangered species; or iii. Non-Provincially Significant Wetlands 4. any size overlapping or abutting one or more of the following features: <ol style="list-style-type: none"> a. provincially significant wetland; and b. Life Science area of natural and scientific interest <p>Woodlands that abut another feature are considered adjacent when located within 20 m of each other.</p> <p>Significant woodlands are identified based on the Ecological Land Classification (ELC) methodology. Terrestrial vegetation communities that would meet the $\geq 60\%$ tree cover and be considered a forest are identified in Table 6-1.</p>
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NES Component	Definition	Criteria
		<p>Guidance for delineating the boundary of a woodland as defined by the Region should follow those of Appendix B in the Greenbelt Plan 2005 – Technical Definitions and Criteria for Key Natural Heritage Features in the Natural heritage System of the Protected Countryside (Ontario Ministry of Natural Resources, 2012)</p>

NES Component	Definition	Criteria
Supporting Features and Areas	<p>Supporting features and areas means lands that have been restored or have the potential of being restored. Supporting features and areas include grasslands, meadows, and thickets (defined in accordance with Ecological Land Classification for Southern Ontario); other valleylands; and other wildlife habitat; and enhancement where they are determined to contribute to the biodiversity and ecological function of the natural environment system</p> <p>Enhancement areas means ecologically supporting areas adjacent to natural heritage features and areas, key natural heritage features, key hydrologic features. Enhancement areas can also be measures internal to features that increase the ecological resilience and function of individual features or groups of natural features and areas. Enhancements are identified where they:</p> <ul style="list-style-type: none"> • connect 'natural heritage features and areas' to create larger contiguous natural areas; • Reduce edge habitat and increase proportion of interior conditions (> 100 m from edge); and • Include critical function zones and important catchment areas critical to sustaining ecological functions. 	<p>The identification of supporting features and areas is to be determined through a detailed study, such as an environmental impact study, hydrological evaluation, or subwatershed study which would evaluate the ecological contribution of the supporting feature and area to other components of the natural environment system.</p> <p>Enhancement areas are identified where:</p> <ol style="list-style-type: none"> 1. The area is comprised of natural vegetation communities (as determined according to Ecological Land Classification); or 2. The area is currently under agricultural production; or 3. The area does not contain a permanent form of development (i.e., house, road, or related infrastructure). <p>Enhancement areas inside of settlement areas (NES Option 3C only) are to be identified as follows:</p> <ul style="list-style-type: none"> • in 'bays and inlets' along the edge of features - < 60 m wide • interior gaps in features - < 0.5 ha • gaps between features - < 60 m <p>Enhancement areas outside of settlement areas (Option 3B and 3C) are to be identified as follows:</p> <ul style="list-style-type: none"> • in 'bays and inlets' along the edge of features - < 120 m wide • interior gaps in features - < 1 ha • gaps between features - < 120 m
Surface Water Feature	<p>Surface water features means water-related features on the earth's surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation, or topographic characteristics (PPS, 2020).</p> <p>Sensitive means in regard to surface water features and ground water features, means areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants (PPS, 2020).</p>	<p>Surface water features and sensitive surface water features which have not been mapped as key hydrologic features are to be identified through more detailed studies such as watershed and subwatershed studies completed in accordance with watershed planning guidelines and best practices.</p>

NES Component	Definition	Criteria
Water Resource System	<p>Water resource system means a system consisting of groundwater features and areas and surface water features (including shoreline areas), and hydrologic functions, which provide the water resources necessary to sustain healthy aquatic and terrestrial ecosystems and human water consumption. The water resource system comprises of key hydrologic features and key hydrologic areas (Growth Plan, 2019).</p>	N/A – criteria are identified for each individual component
Wetlands, Provincially Significant Wetlands, and Other Wetlands	<p>Wetland means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition. (PPS, 2020).</p> <p>Provincially significant wetlands means those identified as provincially significant by the Ontario Ministry of Natural Resources and Forestry using evaluation procedures established by the Province, as amended from time to time (PPS, 2020).</p> <p>Other wetlands means lands that meet the definition of a wetland, and which have not been evaluated as a provincially significant wetland.</p>	<p>Provincially Significant Wetland:</p> <p>The criteria for identifying Provincially Significant Wetlands are established by the Province in accordance with the Ontario Wetland Evaluation System. At the time of writing this report the Ontario Wetland Evaluation System, Southern Manual, 3rd Edition, Version 3.3. (MNRF, 2014) is considered the document by which an evaluation should be undertaken to identify a Provincially Significant Wetland. The MNRF is responsible for review and approval of a wetland evaluation.</p> <p>Other Wetland include:</p> <ul style="list-style-type: none"> • all wetlands that meet an Ecological Land Classification (ELC) wetland system classification and have not been evaluated as a provincially significant wetland (PSW). Vegetation communities that would be considered other wetlands are identified in Table 6-1; • both evaluated non-PSWs and wetlands that have not been evaluated. These include wetlands that are regulated, and wetlands that are not regulated by the Conservation Authority; and • wetlands with ecological and hydrological functions and wetlands that have only have a hydrological function. <p>In settlement areas other wetlands which are not regulated by the Conservation Authority require further evaluation to determine the appropriate protection or management of the feature.</p> <p>In accordance with the policies of the Growth Plan, all wetlands outside of settlement areas are key hydrologic features and are protected in accordance with the policies of that Plan.</p>

NES Component	Definition	Criteria
Vegetation Protection Zone	<p>Vegetation protection zone means a vegetated buffer area surrounding a key natural heritage feature or key hydrologic feature (Greenbelt Plan, 2019).</p>	<p>Vegetation protection zones apply to key natural heritage features in a Provincial Natural Heritage System and to any key hydrologic features outside of a settlement area. Elsewhere in the Region the term buffer is used.</p> <p>The width of a vegetation protection zone is determined in accordance with the policies of the Niagara Official Plan.</p>

5.0 Mapping of the Natural Environment System

The basis for mapping of significant woodlands, other woodlands, other wetlands*, shoreline areas, and linkages is Ecological Land Classification (ELC) system. An ELC project was completed in 2020 based on 2018 aerial imagery.

*PSW's are identified based on Provincial mapping, regardless of the ELC code.

Table 5-1 are all of ELC types that were found in the Region and which feature they would be associated with (i.e. woodland, other woodland, or wetland).

Table 5-1: ELC Type and Associated Natural Feature Classification

ELC - Code	Ecological Land Classification - Name	Woodland (>60% canopy)	Other Woodland (>25% canopy)	Natural Cover	Wetland
TAG	Treed Agriculture	yes	yes	yes	no
BOT	Treed Bog	no	yes	yes	yes
HOC	Coniferous Hedgerow	no	yes	yes	no
SVC	Coniferous Savanna	no	yes	yes	no
WOC	Coniferous Woodland	no	yes	yes	no
HOD	Deciduous Hedgerow	no	yes	yes	no
SVD	Deciduous Savanna	no	yes	yes	no
WOD	Deciduous Woodland	no	yes	yes	no
SVM	Mixed Savanna	no	yes	yes	no
WOM	Mixed Woodland	no	yes	yes	no
BLT	Treed Bluff	no	yes	yes	no
CLT	Treed Cliff	no	yes	yes	no
RBT	Treed Rock Barren	no	yes	yes	no
SBT	Treed Sand Barren and Dune	no	yes	yes	no
SHT	Treed Shoreline	no	yes	yes	no
TAT	Treed Talus	no	yes	yes	no
FOC	Coniferous Forest	yes	yes	yes	no
FOD	Deciduous Forest	yes	yes	yes	no
FOM	Mixed Forest	yes	yes	yes	no
SWC	Coniferous Swamp	no	no	yes	yes
SWD	Deciduous Swamp	no	no	yes	yes
SAF	Floating-leaved Shallow Aquatic	no	no	yes	yes
MAM	Meadow Marsh	no	no	yes	yes

ELC - Code	Ecological Land Classification - Name	Woodland (>60% canopy)	Other Woodland (>25% canopy)	Natural Cover	Wetland
SAM	Mixed Shallow Aquatic	no	no	yes	yes
SWM	Mixed Swamp	no	no	yes	yes
MAS	Shallow Marsh	no	no	yes	yes
SAS	Submerged Shallow Aquatic	no	no	yes	yes
SWT	Swamp Thicket	no	no	yes	yes
BOS	Shrub Bog	no	no	yes	yes
OAD	Open Aquatic	no	no	yes	no
IAG	Agricultural Infrastructure	no	no	no	no
CVC	Commercial and Institutional	no	no	no	no
THC	Coniferous Thicket	no	no	yes	no
THD	Deciduous Thicket	no	no	yes	no
MEF	Forb Meadow	no	no	yes	no
MEG	Graminoid Meadow	no	no	yes	no
CGL	Green lands	no	no	yes	no
MEM	Mixed Meadow	no	no	yes	no
THM	Mixed Thicket	no	no	yes	no
OAG	Open Agriculture	no	no	yes	no
BLO	Open Bluff	no	no	yes	no
CLO	Open Cliff	no	no	yes	no
RBO	Open Rock Barren	no	no	yes	no
SHO	Open Shoreline	no	no	yes	no
TAO	Open Talus	no	no	yes	no
OAW	Open Water	no	no	yes	no
CVR	Residential	no	no	no	no
SAG	Shrub Agriculture	no	no	yes	no
BLS	Shrub Bluff	no	no	yes	no
CLS	Shrub Cliff	no	no	yes	no
RBS	Shrub Rock Barren	no	no	yes	no
SHS	Shrub Shoreline	no	no	yes	no
TAS	Shrub Talus	no	no	yes	no
CVI	Transportation and Utilities	no	no	no	no

6.0 Other Defined Terms

In addition to the definitions in Table 4-1, the following would also be defined terms in the new Niagara Official Plan.

Connectivity means the degree to which *key natural heritage features, natural heritage features ad areas* and/or *key hydrologic features* are connected to one another by links such as plant and animal movement corridors, hydrologic and nutrient cycling, genetic transfer and energy flow through food webs.

Defined portions of the flooding hazard along connecting channels means those areas which are critical to the conveyance of the flows associated with the *one hundred year flood level* along the St. Mary's, St. Clair, Detroit, Niagara and St. Lawrence Rivers, where *development* or *site alteration* will create *flooding hazards*, cause updrift and/or downdrift impacts and/or cause adverse environmental impacts.

Development means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the Planning Act, but does not include:

- a) Activities that create or maintain *infrastructure* authorized under an environmental assessment process, including a Class Environmental Assessment; or
- b) Works subject to the Drainage Act.

Dynamic beach hazard means areas of inherently unstable accumulations of shoreline sediments along *large inland lakes*, as identified by provincial standards, as amended from time to time. The *dynamic beach hazard* limit consists of the *flooding hazard* limit plus a dynamic beach allowance.

Ecological integrity which includes *hydrological integrity*, means a condition that is determined to be characteristic of its natural region and likely to persist, including abiotic components and the composition and abundance of native species and biological communities, rates of change and supporting processes. .

Ecological value means the value of ecological functions performed by natural heritage features and areas, key natural heritage features, key hydrologic features and key hydrologic areas to the native biodiversity and wildlife habitats. These functions include, but are not limited to, providing cover and refuge; breeding, nesting, denning, and nursery areas; corridors for wildlife movement; food chain support; and natural water storage, natural flow attenuation, and water quality improvement, which enhances

habitat for wildlife and biodiversity.

Endangered species means a species that is classified as “Endangered Species” on the Species at Risk in Ontario List, as updated and amended from time to time.

Environmental impact study means a science-based study of ecological features and functions, and impacts to those features and functions resulting from development and/or site alteration, prepared in accordance with the Region’s *environmental impact study* guidelines

Erosion hazard means the loss of land, due to human or natural processes, that poses a threat to life and property. The *erosion hazard* limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over a one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

Essential emergency service: means services which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion.

Existing uses (Greenbelt Plan Area only): means uses legally established prior to the date that the Greenbelt Plan came into force on December 16, 2004; or for the purposes of lands added to the Greenbelt Plan after December 16, 2004, uses legally established prior to the date the Greenbelt Plan came into force in respect of the land on which the uses are established.

Fish means fish, which as defined in the Fisheries Act, includes fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

Flood fringe means for *river, stream and small inland lake systems*, means the outer portion of the *flood plain* between the *floodway* and the *flooding hazard* limit. Depths and velocities of flooding are generally less severe in the *flood fringe* than those experienced in the *floodway*.

Floodplain means for *river, stream and small inland lake systems*, means the area, usually low lands adjoining a watercourse, which has been or may be subject to *flooding hazards*.

Flooding hazard means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

- a) Along the shorelines of the Great Lakes - St. Lawrence River System and *large inland lakes*, the *flooding hazard limit* is based on the one hundred year flood level plus an allowance for wave uprush and other water-related hazards;
- b) Along the shorelines of *large inland lakes*, the *flooding hazard limit* is based on the one hundred year flood level plus an allowance for wave uprush and other water-related hazards;
- c) Along *river, stream and small inland lake systems*, the *flooding hazard limit* is the greater of:
 - i) The flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
 - ii) The one hundred year flood; and
 - iii) A flood which is greater than i) or ii) which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources and Forestry;

except where the use of the *one hundred year flood* or the actually experienced event has been approved by the Minister of Natural Resources and Forestry as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard).

Floodproofing standard means the combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate *flooding hazards, wave uprush and other water-related hazards* along the shorelines of *large inland lakes*, and *flooding hazards* along *river, stream and small inland lake systems*.

Floodway means for *river, stream and small inland lake systems*, means the portion of the *flood plain* where *development and site alteration* would cause a danger to public health and safety or property damage.

Where the one zone concept is applied, the *floodway* is the entire contiguous *flood plain*.

Where the *two zone concept* is applied, the *floodway* is the contiguous inner portion of the *flood plain*, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the *two zone concept* applies, the outer portion of the *flood plain* is called the *flood fringe*.

Green infrastructure means natural and human-made elements that provide ecological and hydrological functions and processes. *Green infrastructure* can include components such as natural heritage features and systems, parklands, stormwater management systems, street trees, urban forests, natural channels, permeable surfaces, and green roofs.

Habitat of endangered species and threatened species: means habitat within the meaning of Section 2 of the Endangered Species Act, 2007.

Hazardous forest types for wildland fire means forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the Ontario Ministry of Natural Resources and Forestry, as amended from time to time.

Hazardous sites means property or lands that could be unsafe for *development* and *site alteration* due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).

Hazardous substances means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

Hydrological evaluation means a science-based study of hydrologic features and areas, and impacts to those features and hydrologic functions resulting from *development* and/or *site alteration*.

Impacts of a changing climate means the present and future consequences from changes in weather patterns at local and regional levels including extreme weather events and increased climate variability.

Individual on-site sewage services means sewage systems, as defined in O. Reg.

332/12 under the Building Code Act, 1992, that are owned, operated and managed by the owner of the property upon which the system is located.

Individual on-site water services means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

Infrastructure means physical structures (facilities and corridors) that form the foundation for development. *Infrastructure* includes: sewage and water systems, septic treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

Institutional use means for the purposes of Section 3.1.5 of this Plan, means land uses where there is a threat to the safe evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are sick or young, during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion.

Lake means any inland body of standing water, usually fresh water, larger than a pool or pond or a body of water filling a depression in the earth's surface.

Landform features means distinctive physical attributes of land such as slope, shape, elevation and relief.

Large inland lakes means those waterbodies having a surface area of equal to or greater than 100 square kilometres where there is not a measurable or predictable response to a single runoff event.

Low impact development: means an approach to stormwater management that seeks to manage rain and other precipitation as close as possible to where it falls to mitigate the impacts of increased runoff and stormwater pollution. It includes a set of site design strategies and distributed, small-scale structural practices to mimic the natural hydrology to the greatest extent possible through infiltration, evapotranspiration, harvesting, filtration and detention of stormwater. *Low impact development* can include: bio-swales, permeable pavement, rain gardens, green roofs and exfiltration systems. *Low impact development* often employs vegetation and soil in its design, however, that does not always have to be the case.

Major recreational use (Greenbelt Plan area only): means a recreational use that requires large-scale modification of terrain, vegetation or both and usually also requires large-scale buildings or structures, including but not limited to the following: golf courses; serviced playing fields; serviced campgrounds; and ski hills.

Natural self-sustaining vegetation means vegetation dominated by native plant species that can grow and persist without direct human management, protection, or tending.

Negative impacts: [definition under review]

One hundred year flood means for *river, stream and small inland lake systems*, means that flood, based on an analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year.

One hundred year flood level means

- a) For the shorelines of the Great Lakes, the peak instantaneous stillwater level, resulting from combinations of mean monthly *lake* levels and wind setups, which has a 1% chance of being equalled or exceeded in any given year;
- b) In the connecting channels (St. Mary's, St. Clair, Detroit, Niagara and St. Lawrence Rivers), the peak instantaneous stillwater level which has a 1% chance of being equalled or exceeded in any given year; and
- c) For large *inland lakes*, *lake* levels and wind setups that have a 1% chance of being equalled or exceeded in any given year, except that, where sufficient water level records do not exist, the one hundred year flood level is based on the highest known water level and wind setups.

Other water-related hazards: means water-associated phenomena other than *flooding hazards* and *wave uprush* which act on shorelines. This includes, but is not limited to ship-generated waves, ice piling and ice jamming.

Provincial and federal requirements: means

- a) In regard to Section 3.1.4.2 of this Plan, legislation and policies administered by the federal or provincial governments for the purpose of

fisheries protection (including *fish* and *fish habitat*), and related, scientifically established standards such as water quality criteria for protecting lake trout populations; and

- b) In regard to Section 3.1.4.3 of this Plan, legislation and policies administered by the provincial government or federal government, where applicable, for the purpose of protecting species at risk and their habitat.

Quality and quantity of water: is measured by indicators associated with hydrologic function such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime.

River, stream and small inland lake systems: means all watercourses, rivers, streams, and small *inland lakes* or waterbodies that have a measurable or predictable response to a single runoff event.

Significant areas of natural and scientific interest: means those *areas of natural and scientific interest* identified as provincially significant and regionally significant by the Ontario Ministry of Natural Resources and Forestry using evaluation procedures established by the Province, as amended from time to time.

Site alteration means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

Special policy area means an area within a community that has historically existed in the *flood plain* and where site-specific policies, approved by both the Ministers of Natural Resources and Forestry and Municipal Affairs and Housing, are intended to provide for the continued viability of existing uses (which are generally on a small scale) and address the significant social and economic hardships to the community that would result from strict adherence to provincial policies concerning *development*. The criteria and procedures for approval are established by the Province. A *Special Policy Area* is not intended to allow for new or intensified *development* and *site alteration*, if a community has feasible opportunities for *development* outside the *flood plain*.

Tallgrass prairie: means land (not including land that is being used for agricultural purposes or no longer exhibits *tallgrass prairie* characteristics) that:

- a) Has vegetation dominated by non-woody plants, including *tallgrass*

prairie species that are maintained by seasonal drought, periodic disturbances such as fire, or both;

- b) Has less than 25 per cent tree cover;
- c) Has mineral soils; and
- d) Has been further identified, by the Minister of Natural Resources and Forestry or by any other person, according to evaluation procedures established by the Ministry of Natural Resources and Forestry, as amended from time to time.

Total developable area: means the total area of the property less the area occupied by *key natural heritage features, key hydrologic features* and any related *vegetation protection zone*.

Threatened species: means a species that is classified as “Threatened Species” on the Species at Risk in Ontario List, as updated and amended from time to time.

Two zone concept: means an approach to *flood plain* management where the *flood plain* is differentiated in two parts: the *floodway* and the *flood fringe*.

Vulnerable: means surface and/or ground water that can be easily changed or impacted.

Wave uprush: means the rush of water up onto a shoreline or structure following the breaking of a wave; the limit of wave uprush is the point of furthest landward rush of water onto the shoreline.

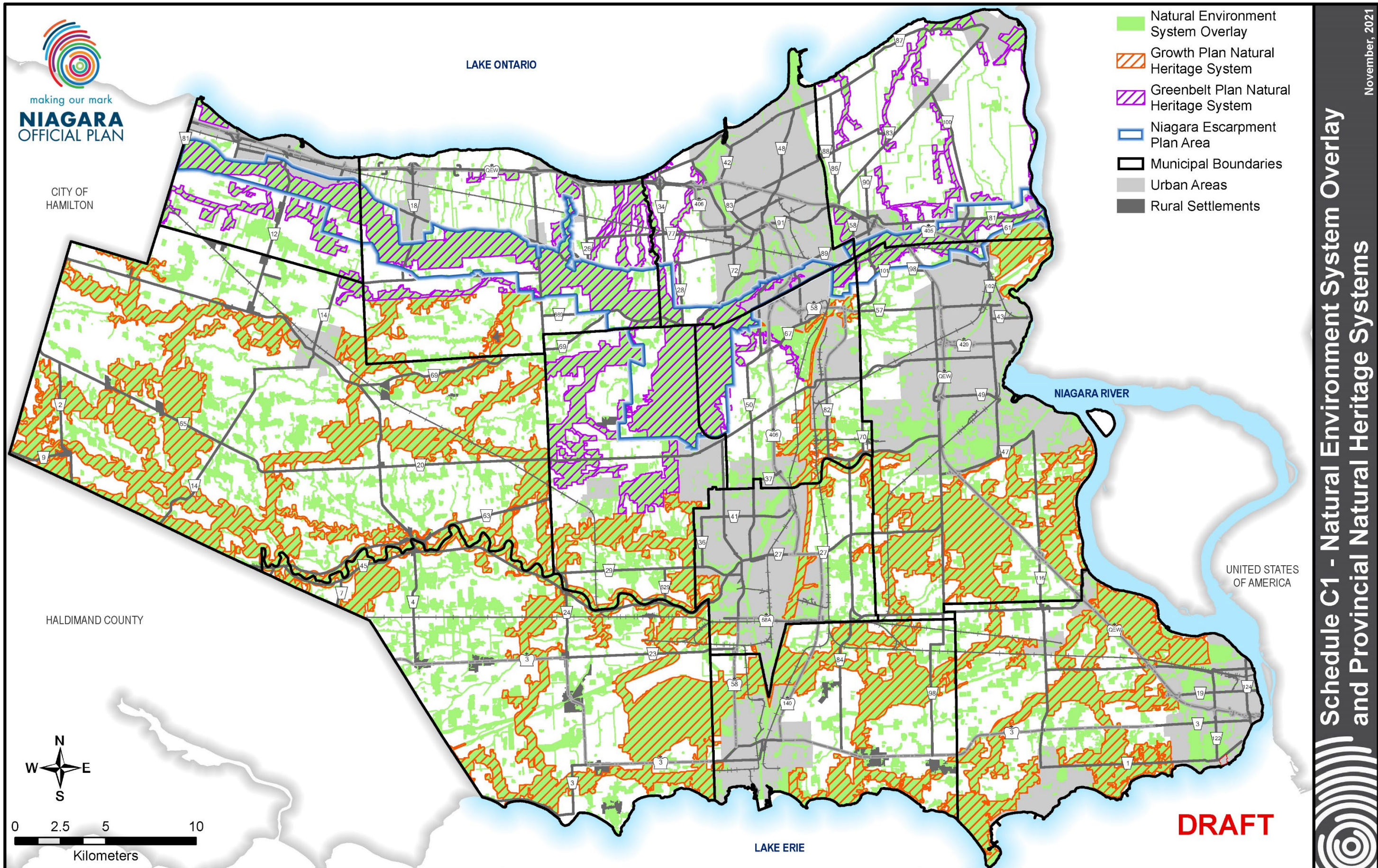
Wellhead protection areas: means the surface and subsurface area surrounding a water well or well field that supplies a public water system and through which contaminants are reasonably likely to move so as eventually to reach the water well or well field.

Wildland fire assessment and mitigation standards: means the combination of risk assessment tools and environmentally appropriate mitigation measures identified by the Ontario Ministry of Natural Resources and Forestry to be incorporated into the design, construction and/or modification of buildings, structures, properties and/or communities to reduce the risk to public safety, infrastructure and property from wildland fire.

Woodland enhancement plan: means a study that is carried out when a proponent

proposes to remove a *woodland* or portion of a *woodland*, including *cultural and regenerating woodlands* where the purpose of the *woodland* enhancement is to increase *woodland* cover in the Region as part of a longer term perspective. The *woodland enhancement plan* must be prepared to the satisfaction of the Region, in consultation with other agencies as the Region sees fit. As part of requirement for a *woodland* enhancement plan the following should be taken into consideration:

- a) If the removal occurs within the Urban Area that the enhancement also be provided in the Urban Area;
- b) That the enhancement be in the form of a *woodland* and not just the planting of individual trees, i.e., street planting or ornamental tree planting in a park setting is not considered *woodland* enhancement;
- c) The goal of the *woodland* enhancement is it so create a native *woodland* of equal or greater size;
- d) Landscape ecology principles including size, patch shape, connectivity, edge to area ratio should be considered;
- e) Responsibilities will be determined for who will undertake the restoration of the *woodland* and the schedule for implementing the plan;
- f) The *woodland enhancement plan* includes a program for the long-term maintenance and management of the restoration *woodland* until such time as it is deemed to be self-sufficient or when a public agency assumes responsibility for it; and,
- g) The plan includes a monitoring plan and periodic reporting to determine if the *woodland* is progressing toward the approved goal(s) and objectives of the plan.

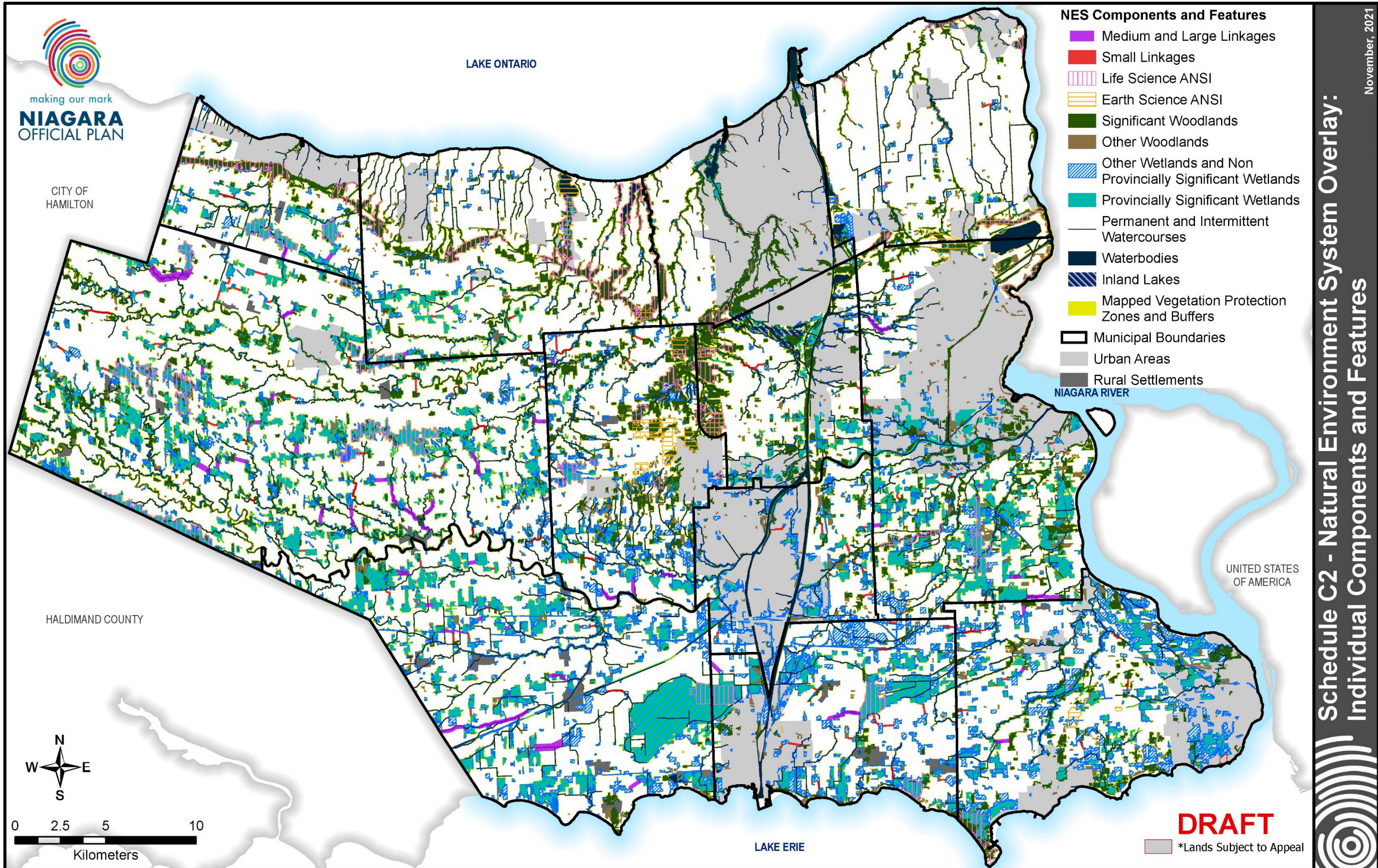


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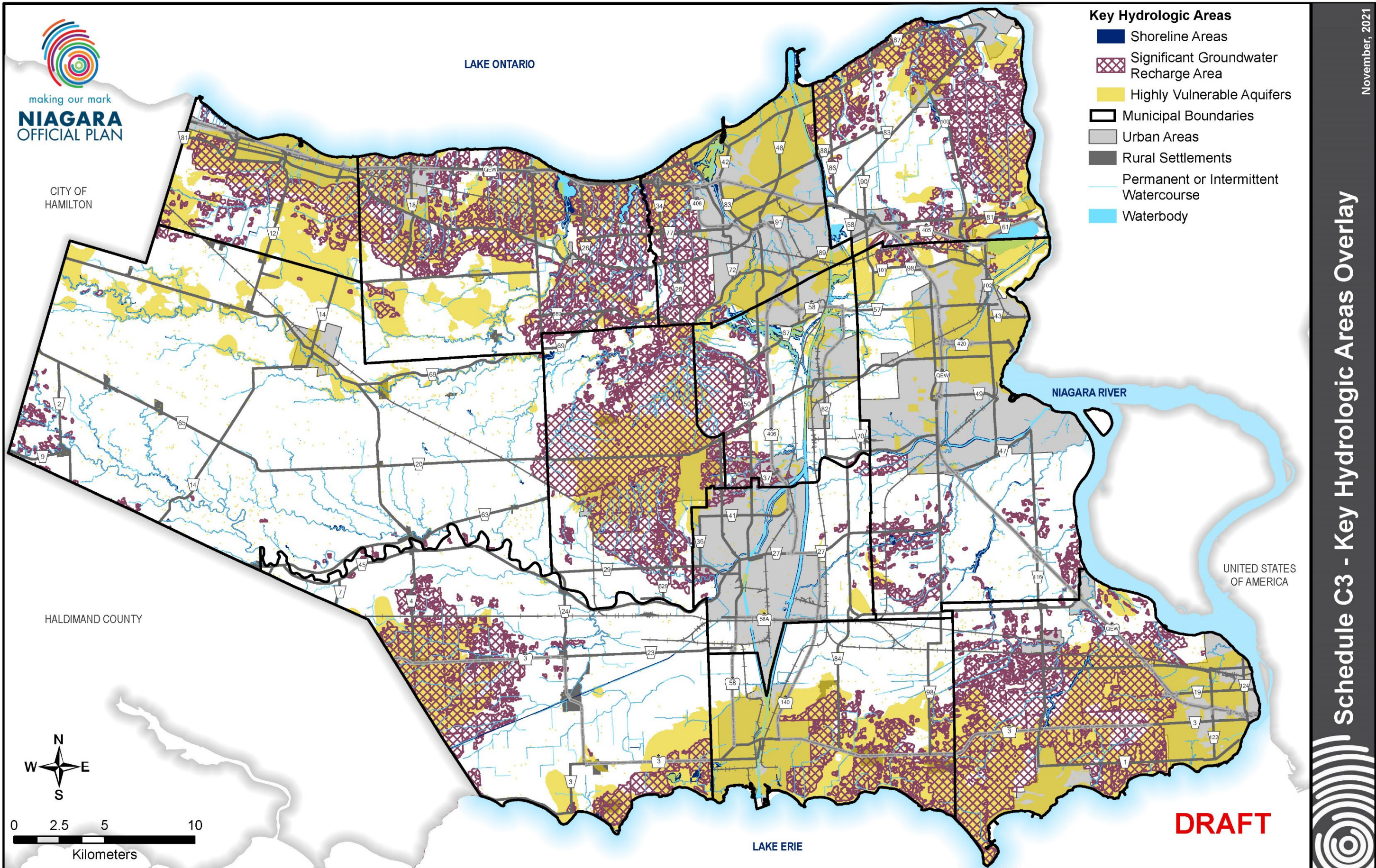
Schedule C1 - Natural Environment System Overlay and Provincial Natural Heritage Systems



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November, 2021
**Schedule C2 - Natural Environment System Overlay:
 Individual Components and Features**



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