

1.4 Escarpment Protection Area

Escarpment Protection Areas are important because of their visual prominence and their environmental significance, including increased resilience to climate change through the provision of essential ecosystem services. They are often more visually prominent than Escarpment Natural Areas. Included in this designation are *Escarpment Related Landforms* and natural heritage and hydrologic features that have been significantly modified by land use activities, such as agriculture or residential development, as well as lands needed to buffer Escarpment Natural Areas and natural areas of regional significance.

The policies aim to protect and enhance natural and hydrologic features and the *open landscape character* of the *Escarpment* and lands in its vicinity.

1.4.1 Objectives

1. To maintain and enhance the *scenic resources* and *open landscape character* of the *Escarpment*.
2. To provide a buffer to prominent *Escarpment* features.
3. To recognize, protect and where possible enhance the natural heritage system associated with the Niagara Escarpment Plan area and protect natural areas of regional significance.
4. To *conserve cultural heritage resources*, including features and areas of interest to First Nation and Métis communities.
5. To encourage *forest management*, *compatible recreation*, *conservation* and educational activities.
6. To encourage agriculture, and protect agricultural lands and *prime agricultural areas*.

1.4.2 Criteria for Designation

1. *Escarpment slopes* and *Escarpment Related Landforms* where existing land uses have significantly altered the *natural environment* (e.g., agricultural lands or residential development).
2. Areas in close proximity to *Escarpment slopes* that are visually part of the landscape unit.
3. *Areas of Natural and Scientific Interest* (Life Science), or environmentally sensitive or environmentally significant areas identified by municipalities or conservation authorities.

1.4.3 Permitted Uses

Subject to Part 2, Development Criteria, the following uses may be permitted:

1. *Agricultural uses.*
2. *Agriculture-related uses and on-farm diversified uses, in prime agricultural areas.*
3. *Existing uses.*
4. *Single dwellings.*
5. *Mobile or portable dwelling unit(s) accessory to agriculture.*
6. *Non-motorized trail activities and snowmobiling, outside of prime agricultural areas.*
7. *Unserviced camping on public and institutional land, outside of prime agricultural areas.*
8. *Forest, wildlife and fisheries management.*
9. *Licensed archaeological fieldwork.*
10. *Infrastructure.*
11. *Accessory uses (e.g., a garage, swimming pool, tennis court, ponds or signs).*
12. *Institutional uses, outside of prime agricultural areas.*
13. *Uses permitted in the Parks and Open Space System Master/ Management Plans that are not in conflict with the Niagara Escarpment Plan.*
14. *Home occupations and home industries.*
15. *Watershed management and flood and erosion control projects carried out or supervised by a public body.*
16. *The Bruce Trail corridor, including the pedestrian footpath and, where necessary, trail-related constructions (e.g., bridges, boardwalks), overnight rest areas and Bruce Trail access points.*
17. *Recycling depots for paper, glass and cans etc., serving the local community.*
18. *Bed and breakfast.*
19. *Nature preserves owned and managed by an approved conservation organization.*
20. *Agricultural Purposes Only lot (APO lot).*

21. A *campground* on that portion of the north half of Lot 24, Concession 2 N.D.S., formerly Township of Nelson, now the City of Burlington, Regional Municipality of Halton, shown generally in hatching on Map 1 attached to Amendment No. 8.
22. Notwithstanding the policies of subsections 4 and 5 of this section and of Part 2.2.7, a maximum of eight *single dwellings* (including those *accessory* to an agricultural operation) are permitted within those parts of Lots 7, 8 and the West Half of Lot 9, Concession 2, Municipality of Grey Highlands (formerly Euphrasia Township) designated Escarpment Protection Area on Map 1 attached to Amendment No. 19 to the Niagara Escarpment Plan. No new *single dwellings* are permitted within the said Escarpment Protection Area unless they are located within the "Development Area" shown on Map 1 (see Amendment 19).
23. A commercial use (model home/showroom/office and sales outlet) in an existing \pm 400 square metre building located on Part East Half Lot 1, Concession 7, East of Hurontario Street in the Town of Mono in the County of Dufferin, having an area of 1.01 hectares and having a frontage of 58 metres (see Amendment 54).
24. Notwithstanding other policies in this Plan, a golf course, with related golf club facilities, is permitted on a 111 hectare lot located on the following lands. Firstly: Part of Lots 2, 3 and 4, Concession 10, in the Town of Niagara-on-the-Lake, Regional Municipality of Niagara. Secondly: Part Lot 1, in the City of Thorold, in the Regional Municipality of Niagara. Thirdly: Part Gore Lots 10 and 11, in the City of Niagara Falls, in the Regional Municipality of Niagara. Lastly: Part Lot 5, Concession 10, in the City of St. Catharines, in the Regional Municipality of Niagara.
25. Notwithstanding other policies in this Plan, a golf course is permitted on a 55 hectare lot located on Part Lots B and C, Eastern Gore and Part Lots 1 and 2, Concession 2, and Part of Lot C, Concession 3 situated between the "bench face" and the Niagara Escarpment in the Town of Grimsby, in the Regional Municipality of Niagara.
26. Notwithstanding the permitted uses of this section, a new County heritage and visitor centre building having a maximum size of 3,720 square metres and historic buildings which may include a 1900s log house, a 1920s house, a mid-19th century house, a barn, sawmill, garages, and a blacksmith's shop, a schoolhouse, a church and a general store, and additional period buildings, related *accessory facilities* (e.g., trails, gardens), including a narrow gauge scaled replica railway system through the period village and the existing buildings, are permitted as the heritage centre facility within the 8 hectare East Part Lot 10, Concession 2, Township of Georgian Bluffs (formerly Derby Township), Grey County (see Amendments 136 and 158).

27. Notwithstanding the permitted uses of this section, a privately-operated educational facility (involving the teaching and training of audio technology) in an existing 140 square metre building located on Part Lot 9, Concession 2, in the City of Hamilton (former City of Stoney Creek), having an area of 0.28 hectares, subject to the Special Provisions in Part 2.2.15 (see Amendment 137).
28. The Escarpment Protection Area lands associated with Amendment #135 to this Plan, located within the licenced area of the *quarry*, may remain licenced and operate pursuant to the *Aggregate Resources Act*. The lands shall be progressively rehabilitated in accordance with the terms of site plan(s) approved under the *Aggregate Resources Act*. Following completion of the rehabilitation, to the satisfaction of the Ministry of Natural Resources and Forestry, the lands may be used for *watershed management, conservation* and recreation purposes as set out under Permitted Uses 6, 7, 8, 13, 15 and 16, of this Section.
29. Notwithstanding the Permitted Uses outlined above in Part 1.4 and the Existing Uses policies of Part 2.3, only the following uses subject to the Development Criteria in Part 2 of this Plan shall be permitted within the area designated Escarpment Protection Area on Part of Lot 8, Concession 4 EHS, Town of Mono, County of Dufferin (see Amendment 151):
 - a) an inn and conference centre (one use) and a religious institution (one use) that may serve the local, regional, national and international community for the purpose of worship, religious training, administration, and associated residential accommodation and recreational uses *accessory* to those uses but not including a golf course, downhill ski facility or residential development;
 - b) notwithstanding the above, no more than two different uses may be developed in this area at one time.
30. Those uses as set out in the Special Provisions for the Pleasant View Survey Lands as set out in Part 2.2.21 of this Plan;
31. The portion of the Subject Lands associated with Amendment 161 to the Niagara Escarpment Plan which are outside of the Mineral Resource Extraction Area designation (shown on Schedule A of Amendment 161) and which are designated Escarpment Protection Area may be used for installation of, access to, facilities and servicing for, and related to, the water management and monitoring system associated with the *quarry* located in the Mineral Resource Extraction Area. Any such works shall be subject to a Development Permit and any disturbance of these lands shall be minimized. Extraction shall not be permitted on these lands.

32. Notwithstanding the permitted uses of this section, a commercial-industrial woodworking business located on Part Lot 9, Concession 5 in Township of Clearview, County of Simcoe, having an area of 1.5 hectares (3.7 acres) subject to the Special Provisions in Part 2.2.24 (see Amendment 206).

1.4.4 Lot Creation

New *lots* may be created, subject to conformity with the provisions of this section, the applicable policies in Part 2, Development Criteria, and *official plans* and, where applicable, zoning by-laws that are not in conflict with the Niagara Escarpment Plan.

1. A *lot* may be created by severing one *original township lot* or *original township half lot*, from another *original township lot* or *original township half lot*, provided there have been no previous *lots* severed from one of the affected *original township lots* or *original township half lots*. Such severances shall only occur along the original township lot line.
2. Notwithstanding Part 1.4.4.1, provided no new building *lot(s)* is created, a severance may be permitted:
 - a) for the purpose of *correcting conveyances*, provided the correction does not include the re-creation of merged lots;
 - b) for the purpose of enlarging existing *lots*;
 - c) as part of, or following, the acquisition of lands by a *public body*; or
 - d) as part of, or following, the acquisition of lands by an approved *conservation organization* for the purpose of establishing a *nature preserve*.
3. New *lots* may be created for *agricultural uses*, provided both the severed and *remnant lots* are of sufficient size to remain useful for agricultural purposes, and such *lots* are not less than 16 hectares in a *specialty crop area* or 40 hectares in any other *prime agricultural area*. These new *lots* shall only be permitted in municipalities where the *official plan* has identified *specialty crop areas* and/or *prime agricultural areas*.
4. New *lots* may be created for *agriculture-related uses*, provided that any new *lot* is limited to the minimum size needed to accommodate the use. A *lot* created for an *agriculture-related use* shall not be used for residential purposes.
5. In the Town Plot of Brooke, Grey County, a *lot* may be created by severing one of the original Town Plot *lots* from another, provided there have been no previous *lots* severed from one of the affected Town Plot *lots*. Such severances shall only occur along the original Town Plot *lot* lines.

6. The severance of a *lot* with a residence that has been rendered surplus to an agricultural operation as a result of a *farm consolidation* is permitted, subject to the policies found in Part 2.4 of this Plan that apply to such a severance and the associated remnant *APO lot* created by this severance.
7. A *lot* created by a *public body* (e.g., for a road or park) or by an approved *conservation organization* for a *nature preserve* will not be considered a previous *lot*. A *remnant lot(s)* created as a result of a *lot* acquired by a *public body* or an approved *conservation organization* which may be used as a building *lot(s)* shall be considered an *existing lot of record* if the pre-existing *lot* was an *existing lot of record* and will be considered a previous *lot* for the purpose of determining entitlement to further severances if the pre-existing *lot* was a previous *lot*.
8. Notwithstanding the policies set out in this section and the policies of Part 2.4, Lot Creation, that part of Lot 6, Concession 5, Town of Pelham, Regional Municipality of Niagara, abutting the south limit of the Ontario Power Generation Inc. (formerly Ontario Hydro) lands having a frontage of 340.9 feet on the west side of Effingham Road, a depth of 509.0 feet along the Ontario Power Generation Inc. (formerly Ontario Hydro) lands, a western dimension of 253.9 feet and a southern dimension of 505.3 feet may be divided into two (2) lots (see Amendment 23).
9. Notwithstanding the policies of this section, no new *lots* shall be created from either all or part of the Escarpment Protection Area located within Lot 7, 8 or the West Half of Lot 9, Concession 2, Municipality of Grey Highlands (formerly Euphrasia Township), unless such *lots* are being created for the purpose of *correcting conveyances* or through acquisition by a *public body*. The owner(s) of Lot 7, 8 and the West Half of Lot 9, Concession 2, Municipality of Grey Highlands (formerly Euphrasia Township) may, however, seek approval for a plan of condominium covering all of the said *lots*, provided such plan does not contain more than eight (8) units (see Amendment 19).
10. Notwithstanding the policies set out in this section, and the policies of Part 2.4 Lot Creation, a portion of the West Half of Lot 17, Concession 3, Town of Mono, County of Dufferin with a frontage of 150 metres on Mono Centre Road, may be severed and added to the East Half of Lot 17, Concession 3, Town of Mono, County of Dufferin, to create one *lot* of approximately 47.5 hectares, and a *remnant lot* of approximately 23.3 hectares with a frontage of about 532 metres on Mono Centre Road. No further division of Lot 17 will be permitted including along the original township lot line (see Amendment 155).

11. Notwithstanding the other policies of this Plan, and that two different uses may be permitted within the area designated Escarpment Protection Area on Lot 8, Concession 4 EHS, Town of Mono, County of Dufferin, no *new lot(s)* shall be created on the former Ontario Hydro lands except that a severance may be permitted for the acquisition of the lands by a *public body* or by an approved *conservation organization* for the purpose of establishing a *nature preserve* provided no new building *lot* is created (see Amendment 151).
12. Notwithstanding the policies set out in this section, a 1.0 hectare new *lot* may be created in the south westerly corner of Township Lot 14, Concession 2, (former Euphrasia Township) Municipality of Grey Highlands, Grey County. No further division of Township Lot 14 will be permitted, including any severance along the *original township half lot* line as set out in Amendment No. 188 to this Plan.
13. Notwithstanding the policies set out in this section, a 0.8 hectare new *lot* may be created in the south easterly corner of the Township Lot 13 portion of the *property* being Part Lots 13 and 14, Concession 3, (former Euphrasia Township) Municipality of Grey Highlands, Grey County. No further division of the 24-hectare *lot* will be permitted, including any severance along the original Township lot line between Township Lots 13 and 14 as set out in Amendment No. 187 to this Plan.

1.5 Escarpment Rural Area

Escarpment Rural Areas are an essential component of the *Escarpment* corridor, including portions of the *Escarpment* and lands in its vicinity. They provide a buffer to the more ecologically sensitive areas of the *Escarpment*.

1.5.1 Objectives

1. To maintain the *scenic resources* of lands in the vicinity of the *Escarpment* and the open landscape character of the *Escarpment*.
2. To *conserve cultural heritage resources*, including features of interest to First Nation and Métis communities.
3. To encourage *forest management* and recreation.
4. To provide for *compatible* rural land uses.
5. To encourage agriculture, and protect agricultural lands and *prime agricultural areas*.
6. To provide a buffer for ecologically sensitive areas of the *Escarpment*.
7. To provide for the consideration of new Mineral Resource Extraction Areas which can be accommodated by an amendment to this Plan.