

Word Count	Existing County Official Plan Policy		County Staff Recommended Amendment
472	6.5.3.9 Consents - Niagara Escarpment Planning Area .1 Prior to formally submitting a consent application to the County, the applicant shall obtain the approval of a development permit from the Niagara Escarpment Commission for lands in the area of Development Control by the Niagara Escarpment Commission. .2 When circulated Development Permit Applications for comment, County staff, as a minimum, shall comment in terms of how the application conforms to the Official Plan and development standards that would otherwise exist. .3 The Niagara Escarpment Plan contains detailed policies for the creation of New Lots in the Escarpment Natural, Escarpment Protection and Escarpment Rural Area designations. In all designations consents must be in accordance with the Permitted Uses and Development Criteria, and are permitted for: i) The purposes of correcting conveyances, enlarging existing lots or through acquisition by a public body, provided no new building lot(s) is created. ii) A lot may be created by severing one original township lot or half township lot (where the original township lot is 80 ha) from another township lot or half township lot provided there have been no previous lots severed from one of the affected township lots. Such severance shall only occur along the original township lot line. iii) Where more than one single dwelling exists on the same lot, the additional dwelling(s) may be severed provided all of the following criteria are met: (a) That neither the dwelling to be severed nor the dwelling(s) to be retained were approved on the basis that they would be for temporary use or for farm-help; (b) That all the dwellings on the property are legally existing uses and have received approval from the municipality; (c) That both the dwelling to be severed and the dwelling retained are in a reasonable standard for habitation and have been used as a dwelling unit within the year before making application to sever; (d) A mobile or portable dwelling unit shall not be severed. .4 Where more than one single dwelling exists on the same lot and where these dwellings comply with provisions of Part 2.4.15 of the Niagara Escarpment Plan (1994) such dwelling(s) shall be considered as though it were a previous severance for the purpose of applying the new lots policies of the applicable designation (e.g., 2 dwellings would be considered as 2 parcels for the purposes of determining density). .5 In addition to the above, consents may also be permitted for the following in the Escarpment Protection Area and Escarpment Rural Area designations: i) New lots for agricultural operations provided both the severed and remnant parcels are of sufficient size to remain useful for agricultural purposes within the Escarpment Protection Area and Escarpment Rural Area designations. ii) One new lot may be permitted per original township lot (or half township lot where the original township lot is 80 ha) for a Permitted use within the Escarpment Rural Area.	119	6.29 The Niagara Escarpment Plan contains specific policies for creating new lots in the Escarpment Natural, Escarpment Protection, and Escarpment Rural Area designations. Consent applications must comply with the Permitted Uses and Development Criteria outlined in the Niagara Escarpment Plan for all designations and the general consent policies of this Plan. 1. Before applying for consent, the applicant must first apply for conditional approval of a development permit from the Niagara Escarpment Commission for lands within their jurisdiction. 2. County staff will review Development Permit Applications and provide feedback on their adherence to the Official Plan and applicable development standards. 3. Consent will not be granted until conditional approval for a development permit is granted by the Niagara Escarpment Commission.
	4.15 Niagara Escarpment Plan .1 The purpose of the Niagara Escarpment Plan is to provide for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment, and to ensure only such development occurs as is compatible with that natural environment. .2 The objectives are: i) To protect unique ecologic and historic areas; ii) To maintain and enhance the quality and character of natural streams and water supplies; iii) To provide adequate opportunities for outdoor recreation; iv) To maintain and enhance the open landscape character of the Niagara Escarpment insofar as possible, by such means as compatible farming or forestry and by preserving the natural scenery; v) To ensure that all new development is compatible with the purpose of the Plan; vi) To provide for adequate public access to the Niagara Escarpment; and vii) To support municipalities within the Niagara Escarpment Plan Area in their exercise of the planning functions conferred upon them by the Planning Act. .3 The use of land within the Niagara Escarpment Plan Area is set out in the Niagara Escarpment Plan, and is generally regulated by the Niagara Escarpment Commission through the Niagara Escarpment Planning and Development Act, the Development Control Regulations (Ontario Regulation 828/90), and local municipal zoning by-		4.15 Niagara Escarpment Plan 1. The purpose of the Niagara Escarpment Plan is to provide for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment, and to ensure only such development occurs as is compatible with that natural environment. 2. Policies for the use of land within the Niagara Escarpment Plan Area are set out in the Niagara Escarpment Plan, and are generally regulated by the Niagara Escarpment Commission through the Niagara Escarpment Planning and Development Act, the Development Control Regulations (Ontario Regulation 8268/90), and local municipal zoning by-laws where Development Control is not in effect. All development, changes of use and lot creation within the Niagara Escarpment Plan Area shall conform to the Land Use Policies and Development Criteria of the Niagara Escarpment Plan, and the appropriate policies of the Bruce County Official Plan and local Official Plans where they exist and are <u>not in conflict with the Niagara Escarpment Plan</u>. 3. Lands within the boundary of the Niagara Escarpment Plan Area, a World Biosphere Reserve, as illustrated on Schedule A, Schedule C and Schedule D are subject to the goals, objectives, policies and development

Commented [DS(1)]: Monica; in the past we allowed severances to proceed at conditional approval stage. Now we consult with the planning authority and if it appears to be supported we move to permit. Thus just stroke the conditional approval.

Commented [DS(2)]: The development control regulation (where it applies) is 826. Do you want to include the "exemptions" regulation which is 828? Lets chat.

	laws where Development Control is not in effect. All development, changes of use and lot creation within the Niagara Escarpment Plan Area shall conform to the Land Use Policies and Development Criteria of the Niagara Escarpment Plan, and the appropriate policies of the Bruce County Official Plan and local Official Plans where they exist. .4 The Niagara Escarpment Plan contains Land Use Policies (Part 1) and Development Criteria (Part 2) which determine where and how proposed development should occur within the Niagara Escarpment Plan Area. The policies and development criteria of the Niagara Escarpment Plan apply to all lands within its boundary and shall take precedence over the policies of the County Official Plan except where the policies of the County of Bruce Official Plan are more restrictive. .5 The Niagara Escarpment Plan sets out policies and a framework for a Niagara Escarpment Parks and Open Space System, "which includes public lands along the Niagara Escarpment" and the Bruce Trail. Part 3 (Niagara Escarpment Parks and Open Space System) of the Niagara Escarpment Plan contains objectives and detailed policies that apply to these areas. .6 Lands within the boundary of the Niagara Escarpment Plan Area, a World Biosphere Reserve, as illustrated on Schedule A, Schedule C and Schedule D are subject to the goals, objectives, policies and development criteria of the Niagara Escarpment Plan. The boundary of the Niagara Escarpment Plan Area as illustrated on Schedules A and C, and the designations shown on Schedule D, shall be interpreted in accordance with Section 1.1 [Interpretation of Boundaries] of the Niagara Escarpment Plan. .7 The following reflects Niagara Escarpment Plan policies and development criteria, which are more restrictive than the County Official Plan, or are included to clarify the General Policies of the County of Bruce Official Plan. It is necessary to review these policies in the context of other related policies of the Official Plan. This Official Plan has not incorporated the Niagara Escarpment Plan in its entirety. Reference to the Niagara Escarpment Plan may also be required.		criteria of the Niagara Escarpment Plan. The boundary of the Niagara Escarpment Plan Area as illustrated on Schedules A and C, and the designations shown on Schedule D, shall be interpreted in accordance with Section 1.1 [Interpretation of Boundaries] of the Niagara Escarpment Plan. 4. The Niagara Escarpment Plan contains Land Use Policies (Part 1) and Development Criteria (Part 2) which determine where and how proposed development should occur within the Niagara Escarpment Plan Area. The policies and development criteria of the Niagara Escarpment Plan apply to all lands within its boundary and shall take precedence over the policies of the County Official Plan except where the policies of the County of Bruce Official Plan are more restrictive than (but not in conflict with) the plan. 5. The Niagara Escarpment Plan sets out policies and a framework for a Niagara Escarpment Parks and Open Space System, "which includes public lands along the Niagara Escarpment" and the Bruce Trail. Part 3 (Niagara Escarpment Parks and Open Space System) of the Niagara Escarpment Plan contains objectives and detailed policies that apply to these areas. Development Policy 1. Development proposals within in the Niagara Escarpment Plan Area that is subject to the Development Control Regulations are expected to conform to the criteria of the Niagara Escarpment Plan, the applicable policies of this Plan, and any applicable Local Official Plan, and with the zoning provisions that would be in effect were the area subject to municipal zoning. 2. Where a proposal meets the criteria of the Niagara Escarpment Plan but would deviate from zoning provisions that would be in effect if the proposal were subject to municipal zoning, the commission <u>should</u> is expected to consider: a. Whether the deviation is necessary to address a site constraint; b. Whether the development maintains the intent of this official plan and any local official plans in effect; c. Whether the development maintains the intent of the zoning provisions that would be applicable if the proposal were subject to municipal zoning; d. Whether the deviation is appropriate and desirable for the use of the land; and e. Whether the deviation is minor in nature. 3. Where the <u>appropriate analogous zoning is unclear</u>, Commission staff may seek clarification from the municipal zoning administrator.
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Commented [DS(3): Lets discuss. Not all BTC lands are in NEPOSS. Also, there are policies for Bruce Trail in 2.14. not sure intent here.

Commented [DS(4): Within DC, a permit is required. Where not in DC BUT in the plan, the planning authority must still ensure that the policies of the plan are met.

Commented [DS(5): A bit strong. Lets discuss.

Commented [DS(6): Bruce County may want to consider underlying zoning to inform NEC staff and land owners of the applicable zone that would be considered wrt setbacks etc. that would be in effect if the lands were in zoning.