

Summary of Comments on Dec. 2018 Draft Official Plan from Austin Kirkby and Agricultural Advisory Committee

Comments updated as of March 14, 2019.

Note these are comments from the consulting team and have not been reviewed by Town staff or considered by Town Council.

No.	Section #	Comment/Question	Response
1		Can you give us specific examples of what is considered "Development" and "Site Alteration" that have to be dealt with under the Planning Act?	The terms "development" and "site alteration" are defined in the Official Plan (pages 195 and 203, respectively). These definitions come from the PPS. Examples of development under the Planning Act that would be subject to the Official Plan policies are severance of a lot, plans of subdivision, a variance/rezoning respecting a use or building/structure that does not satisfy the provisions of the Town's applicable Zoning By-law. Establishment of a new estate winery requires a rezoning and would qualify as development. Adding a farm building that is permitted under the existing zoning would not. We can add a clause to the definition stating development does not include normal farm practises or works subject to the Niagara on the Lake Act 1990, c Pr 31. It should be noted that agencies, such as the Niagara Peninsula Conservation Authority, have regulations that may apply even if a proposal does not qualify as development under the provisions of the Official Plan.
2		What buildings and structures require approval under the Planning Act?	The Planning Act controls land use, not specifically buildings and structures. If a use is permitted under the Town's zoning by-law the associated development may require a site plan approval and buildings or structures associated with that use (over a certain size) will require building permits under the Ontario Building Code. The definition of "development" in the PPS and the Official Plan exempts works subject to the Drainage Act, as development. As previously mentioned, the Niagara

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			Escarpment Commission also has certain requirements for permit approvals (e.g. Dee Road irrigation pumping station).
3		Do buildings and structures for irrigation use fall into that category? Yes or No please and if Yes please provide an explanation.	Not if they are under the Drainage Act. Will recommend works under Niagara on the Lake Act 1990 also be excluded
4		What changes in Land Use would site alteration refer to? Does it include the levelling of farm land prior to planting? Yes or No please.	No, we will amend the definition of site alteration in the OP to exclude <i>normal farm practises</i> . The Town's Site Alteration By-law (3941-05) under the Municipal Act is attached for reference. Exemptions are included for "normal agricultural practices" as defined in the by- law. Grading farmland prior to planting would be exempt.
5		What is meant by "Change in Landform and Natural Vegetative Characteristics?" And what is the reference to?	The site alteration definition (from the Provincial Policy Statement) includes the phrase "change the landform and natural vegetative characteristics". We understand this phrase to be a general description of the results of site alteration. We will amend the definition of site alteration in the OP to specifically exclude <i>normal farm practises</i> .
6		What is considered "natural landscapes", the "natural environment" and where are they located?	References to "natural landscapes" and "natural environment" are generally descriptive. We will review the use of these terms in the OP based on the comments by the Agricultural Advisory Committee (AAC) that agricultural land under production is not neither a "natural environment" or a "natural landscape". Where appropriate we will substitute the terms NOTL Natural Heritage System (NOTL NHS) and working landscape. Will recommend adjusting Schedule C to reference NOTL NHS as overarching designation, with breakdown between elements that are Provincial NHS and those added by the Town.

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	<b>Feb. 28, 2019</b>		
	<b>Section 1</b>	<b>History and Context</b>	
7	1.2.4.2	This reference is included many times in the O.P. what is considered the “natural environment”?	<p>As noted above review and where appropriate change reference to NOTL NHS or working landscape.</p> <p>The PPS does not provide a definition for “Natural Environment”, however the Oxford dictionary defines the term ‘Natural’ as “Existing in or derived from nature; not made or caused by humankind.”<sup>1</sup> and as “Having had a minimum of processing or preservative treatment.”<sup>2</sup></p> <p>Oxford defines “environment” as “The natural world, as a whole or in a particular geographical area, especially as affected by human activity.”<sup>3</sup>.</p>
	<b>Section 2</b>	<b>A Framework for a Sustainable Community</b>	
8	2.2.2	Explanations needed about “evolving, interconnected and natural heritage system” as depicted on Schedule C.?	<p>NHS is not static, so term evolving is appropriate. Will propose amending the definition in the OP as follows:</p> <p><i>A system made up on natural heritage features and areas and linkages to provide connectivity and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems.</i></p>
9	–	What happened to reference to “economic engine” when referring to the agricultural industry?	<p>There were three references in the June 2016 version that speak to agriculture and economic development: Policy 1.4.3, (... unique tender fruit and grape lands are central to the town’s economy...); Policy 2.3.2 (... supports the economic importance of agriculture, ... The Plan recognizes that these industries are the foundation of the Town’s economy ...); and Policy 2.3.5 (... is</p>

<sup>1</sup> <https://en.oxforddictionaries.com/definition/natural>

<sup>2</sup> <https://en.oxforddictionaries.com/definition/natural>

<sup>3</sup> <https://en.oxforddictionaries.com/definition/environment>

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			<p>committed to a prosperous and sustainable agriculture sector as a key component of the economic strategy...).</p> <p>The 2018 draft has two references. Policy 1.1.3 is similar to the previous 1.4.3 (... This resource is central to the Town’s economy ...). The original policy 2.3.2 and 2.3.5 from 2016 have been removed and replaced with a new Policy 2.3.2 (... is committed to a prosperous and sustainable agriculture and agri-food sector as a key component of the economic strategy ...).</p> <p>You will note that the original 2.3.2 (from 2016) referenced agriculture (and other industries) as the foundation of the Town’s economy. This clause does not show up in the 2018 revision.</p> <p>As per our response to the Grape Growers, we will include additional commentary on the importance of the agricultural sector to the Town in Section 2.</p>
10	2.4.2 E	What is meant by “existing infrastructure”?	<p>The PPS definition of infrastructure is: <i>means physical structures (facilities and corridors) that form the foundation for development. Infrastructure includes sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunication, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.</i></p> <p>Existing would be standard definition: <i>in existence or operation at the time under consideration; current.</i> Consider specifically referencing the irrigation and drainage systems.</p>

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11	2.4.2 G	What is meant by “natural landscapes”?	<p>“Natural Landscape” is not a defined term in the 2014 PPS, however it is described in the definition of “Natural heritage features and areas” as meaning “features and areas, including <i>significant wetlands, significant coastal wetlands, other coastal wetlands</i> in Ecoregions 5E, 6E and 7E, <i>fish habitat, significant woodlands and significant valleylands</i> in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Mary’s River), <i>habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest</i>, which are important for their environmental and social values as a legacy of the <b>natural landscapes</b> of an area.”</p> <p>As a result, a more expansive understanding of the natural features and areas identified in this description, could be interpreted as the being the components of the natural landscape.</p> <p>Consider adding reference to “working landscapes” and adjusting references under cultural heritage landscapes and resources.</p>
12		What does “protect, conserve and manage” mean in reference to “natural landscapes and cultural heritage resources” that include tender fruit farms?	<p>Remove reference to tender fruit farms as being a component of “cultural heritage landscapes” in Section 7.2.1. They are “working landscapes”.</p> <p>Planning for the ‘protection’ of natural heritage features and areas for the long term is a fundamental natural heritage policy of the PPS, although none of the terms identified in the comment are defined verbatim in provincial planning documents.</p> <p>The following definitions could however be considered:</p>

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			<p>Protect is defined in the Oxford dictionary as “often as adjective <b>protected</b>. Aim to preserve (a threatened species or area) by legislating against collecting, hunting, or development.<sup>4</sup>:</p> <p>In the Greenbelt Plan, “conserved” is defined as: the identification, protection, management and use of <i>built heritage resources, cultural heritage landscapes and archaeological resources</i> in a manner that ensures their cultural heritage value or interest is retained under the <i>Ontario Heritage Act</i>. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments (PPS, 2014).</p> <p>“Manage” as defined in the Oxford dictionary is “Control the use or exploitation of (land):<sup>5</sup></p>
13		Why were tender fruit farms included as a cultural heritage landscape?	They are not included in the definition of cultural heritage landscape, there is a reference to them in Section 7.2.1. This can be removed as can the reference to estate wineries. These rural uses may be more appropriately dealt with as part of a working landscape. Both are an integral part of the Town’s history and character. The unique ability to support tender fruit production is the basis for the identification of the agricultural land in the Town as specialty crop land. This in turn resulted in approval of a unique bundle of rights for sustaining the resource. Protecting a cultural heritage landscape has been a compelling reason for the OMB to turn down proposals for aggregate extraction and other

<sup>4</sup> <https://en.oxforddictionaries.com/definition/protect>

<sup>5</sup> <https://en.oxforddictionaries.com/definition/manage>

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			forms of intrusive development that would change the landscape. It is a good tool to have to protect the agricultural resources of the Town.
14	2.6.1.3 C	Good reference to the different landscapes-agricultural and natural-considering the agricultural landscape which is a worked landscape is greater than the natural landscape in the specialty crop area, this is the message that is missing in the natural heritage section, section 8.	Change reference from agricultural landscape to working landscape. Address working landscapes in the preamble to Section 8.
15	C	What does the word “conservation” mean in this section?	It is the act of preventing something from being lost, wasted, damaged or destroyed.  Part IV of the 2014 PPS includes reference to ensuring that resources are managed in a sustainable way to ‘conserve’ biodiversity. For example, Policies 1.1.1(h) and 1.1.4.1(h) both provide that the ‘conservation’ of biodiversity is necessary to support healthy liveable, safe and viable communities and rural areas. “Conservation” is not a defined term in the 2014 PPS, however the Oxford Dictionary defines it to mean “Preservation, protection, or restoration of the natural environment and of wildlife.” <sup>6</sup>
16	2.6.1.3 F	Again “natural environment”. There should be a definition for natural environment in the O.P.	See previous comments.
17		This section refers to agriculture but does not refer to agricultural infrastructure. Why not?	Reference to agricultural (or related see Section 3.2.3.1 d) infrastructure could be added to clause 2.6.1.
18	2.6.2	Is this section just for urban communities? If so it should say so-if not this section refers to tender fruit farms.	It refers to all neighbourhoods in the Town both urban and rural. Will ensure it is clear that Tender fruit farms are not cultural heritage resource.

<sup>6</sup> <https://en.oxforddictionaries.com/definition/conservation>

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19	2.6.3	Question needed to confirm whether this is in agricultural areas?	We will clarify and include distinction between urban and rural housing needs.
20		What is meant by the words “where appropriate” because there is no definition? There should be a definition in the O.P. for these words in reference to agricultural areas and any impact to farm viability.	They provide some flexibility in dealing with specific development proposals so minor deviations in standards do not trigger an extensive planning process. Allows planners to apply discretion and common sense.
21	2.6.4	Is this section for both urban and rural or just urban?	It would include both.
22	2.6.5	Why is there no reference to natural heritage features on private land and the greenbelt section 3.3.1 on pg. 30 that refers to “consent of owner”?	We can add in acknowledgement that some of the features are on privately owned lands and that public use will only be with the consent of the private landowner.
	<b>Section 3</b>	<b>Protected Countryside</b>	
23	3.2.2.1 C	What is meant by “supportive components”?	Component refers to a part or element of the whole. In this case the whole is the agricultural system and so this reference is to elements that support the agricultural system as a whole.
24	G	What is meant by “conflicting uses”?	Uses that conflict with agriculture and make it difficult to farm or lead to conflict. An example could be a residential unit not associated with a farm use.
25	H	What is meant by “natural heritage features”?	As defined on pg. 199.  In the Greenbelt Plan (2017), natural heritage features refer to <i>key features that include the following: habitat of endangered species and threatened species, Fish habitat; Wetlands; ANSIs (Life Science); Significant valleylands; Significant Woodlands; Significant wildlife habitat; Sand barrens, savannahs and tallgrass prairie; and alvars.</i>
26	R	What is meant by “appropriate reconfiguration of farm operations”?	This could be merging of properties, managing the property to allow for agricultural related uses, addressing multiple parcels under a single farm ownership.

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27	3.2.4.8	What “natural heritage system” is this referring to? If it is add the word greenbelt.	The Town’s (NOTL NHS) as defined in the plan. Will clarify on Schedule C.
28	3.2.4.11	Further explanation is needed Remove this section altogether or this section should be changed to acknowledge that the extension of potable water is needed to service agricultural uses.	No this requires the ability for a site to adequately service the development proposed at the time of the development and into the future. It has nothing to do with the extension of potable water.
29	3.2.7.2	Who assess what the “majority” is?	The person reviewing the planning application. Consider increasing to 75%
30	3.2.10.4	What does the word “generally” mean and who decides what is appropriate when estate wineries are offered the ability to hold special events that might impact the neighbouring properties? This size should remain at 8 hectares or 20 acres and no "minimum".	It is to provide some flexibility so an OPA is not required if a property is 7.9 H. Wineries group suggested removing generally and making 8 H a firm limit.
31	3.2.11.4	What does “majority” really mean and who assess the “majority”?	See comment 29. Could specify 75%.
32	3.2.17.2	Explanation needed for this section	Section addresses legal non-conforming uses which are allowed to continue under the Planning Act. This provision addresses how those will be managed.
33	3.5.1	Map identifies constructed municipal drains and some constructed farm swales as conservation-what are these constructed features subject to in section 8?	Remove Section 3.5
34	3.5.2	What lands are considered “environmentally significant”? Or does not address the identified undersized Town road culverts/bridges or that floodplain mapping may be incorrect - remove constructed drains	Consider removing 3.5 In regard to other features (i.e., sig wetlands, ANSIs, or woodlands) ‘significant’ means ecologically important in terms of features, representation or amount and contributing to the quality and diversity of the Natural Heritage System.  While some environmentally ‘significant’ resources may be identified and inventoried in official sources, the significance of others can only be determined after evaluation “i.e., fish habitat, significant wildlife habitat, significant wetlands, etc.”

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35	3.5.7	<p>Why are conservation lands not accepted as parkland dedication?</p> <p>(Feb 8-15) This section should be changed to state that conservation lands may be considered acceptable as part of a parkland dedication under the planning act in agricultural areas because the floodplain mapping may be incorrect or if the reason for the land being in a floodplain is due to an identified undersized road culvert/bridge</p>	<p>Because the intent of asking for parkland dedication is to have the developer provide park amenities for the residents of the development. Giving conservation land which typically is not suitable for park use is inappropriate.</p>
<b>Section 7</b>		<b>Heritage, Archaeology and Culture</b>	
36		<p>Why are tender fruit farms considered “cultural heritage landscapes”? Tender fruit farms are not listed in the definition section of the Greenbelt 2017 Plan but they are listed in section 7.2.1 of the proposed O.P.?</p>	<p>Remove tender fruit as an element of a cultural heritage landscape.</p> <p>The PPS defines cultural heritage landscapes to be “<i>a defined geographical Areas that may have been modified by human activity and is identified as having cultural herniate value or interest by a community....</i>” In the context of NOTL, the tender fruit farms are a significant cultural heritage landscape, but we will recommend moving reference to “working landscapes”.</p> <p>We will differentiate between a cultural heritage landscape and a cultural heritage resource.</p>
37	7.1.3.2	<p>What is meant by “land disturbances such as a change in grade that alters soils” and “drainage patterns that adversely affect an archaeological resource”?</p>	<p>This would be determined by an archeological assessment if development was proposed in proximity to an identified cultural heritage resource.</p>
38	7.1.3.2 E	<p>What is meant by any proposed alteration, construction or development involving, adjacent to, or in the vicinity of a cultural heritage resource”?</p>	<p>As per above, this requirement would be triggered by proximity to a cultural heritage resource.</p>
<b>Section 8</b>		<b>Toward a natural heritage system</b>	
39		<p>Why the word “toward”? This definitely implies there is going to be another natural heritage system</p>	<p>The words “toward a” will be removed.</p>

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		developed besides the greenbelt natural heritage system. Is that the case?	
40	8.1.1	Does the word watercourses refer to our constructed drains? If so, there is a problem about “restoring and enhancing ecologically sustainable and resilient landscapes”. And if this also refers to natural features on private agricultural land that will impact specialty crops, that is another problem.	<p>Add a preamble addressing the constructed drains Following OMAFRAs interpretation<sup>7</sup> then yes.</p> <p>"Constructed Drains" are watercourses in the form of ditches or natural watercourses that have been modified to improve drainage, or they are in the form of buried tile systems. The types of constructed drains are either open systems (ditches, natural watercourses, etc.) or closed systems (buried tile).</p> <p>The following definition could be considered/used:  "Watercourse" includes every watercourse and every source of water supply, whether the same usually contains water or not, and the bed and shore of every stream, river or lake, pond, creek, spring, ravine and gulch. For the purpose of this section "watercourse" means a river, stream, creek, gully, ravine, spring, coulee, valley floor, drainage ditch or any other channel having a bed and sides or banks in which water flows either permanently or intermittently</p>
41	8.1.2	<p>Why was this wording used? Constructed municipal drains are not natural as the section implies and the vast majority of the drains do not start in the escarpment, but well below it in the middle of farmland, including roads.</p> <p>(Feb. 8-15) REPLACE WITH "the natural heritage system is an integral component of the broader agricultural system. The agricultural area contains an extensive network of field tile underdrains and</p>	<p>Not sure how we try to show that constructed municipal drains can become fish habitat and therefore are part of the natural system.</p> <p>Suggested wording seems ok, but we should still reference “irrigation canals”.</p> <p>Consider addressing the mapping issue by addressing habitat protection of fish habitat instead in policy? Along the lines of:</p>

<sup>7</sup> (see <http://www.omafra.gov.on.ca/english/landuse/gis/condrain.htm>)

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		constructed municipal drains, a few of which are used as part of the irrigation system.”	<p>Where <i>development</i> is proposed in a watercourse, or adjacent to a watercourse that has the potential to contain <i>fish habitat</i>, an <i>Environmental Impact Statement</i> shall be required.</p> <p><i>Development</i> and <i>site alteration</i> shall not be permitted in <i>fish habitat</i>, except in accordance with provincial and federal requirements.</p> <p>Adjacent lands for fish habitat could be:</p> <p><b>Boundary defined by:</b> A setback of 30 metres from the highwater edge of an aquatic habitat as defined through the EIS process.</p> <p><b>Extent of adjacent land:</b> 120m</p> <p>An EIS must indicate that there will be no harmful disruption or destruction of <i>fish habitat</i> upon which the fishery depends directly and indirectly; or where an authorization has been obtained under the Fisheries Act.</p>
42	8.1.3	This refers to the Town’s natural heritage features, so it is assumed it does not refer to natural features on private agricultural land.	No, this includes natural heritage features in the Town, including private agricultural land.
43		Which natural heritage system is this referring to because the wording states, “a natural heritage system” and not “the greenbelt natural heritage system”?	The natural heritage system as identified in the OP. The NOTL NHS. Will clarify on Schedule C
44	8.1 to 8.1.4 and 8.1.6	Onward why are the references to natural heritage system not proceeded by the word “greenbelt”?	(Will clarify which NHS is being referred to.
45	8.2.2	Considering this refers to the greenbelt natural heritage system and the fact that most of that area is worked agricultural land with some natural heritage	Remove a and b

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		features on it, why does it state, “maintain a healthy natural environment”?	
46		Same comments for B, D, E, F	Add provisions protecting agricultural interests
47	8.2.2 H	Considering all of NOTL agricultural land is identified as specialty crop land, who decides what low capability farmland is in NOTL and how will that be done?	Remove this provision.
48		Why is there no information about the negative impact of reforested farm areas on the production of specialty crops?	We will clarify.
49	8.3.3	Does this refer to publicly owned land or privately-owned land?	Public and Private lands
50	8.3	Components of NOTL’s natural heritage system-again no use of the word “greenbelt” before the word “natural”. Does this not refer to the greenbelt natural heritage system?	Not limited to the greenbelt NHS – refers to NOTL NHS.
51	8.3.3	Why does this section refer to the fact that the greenbelt natural heritage system is a component of “the natural heritage system” if this O.P. is not speaking to a larger more encompassing natural heritage system in NOTL and on agricultural land?	It is a component of the system in the OP
52		What does water resource system refer to?	<p>There are requirements to identify the water resource system by the PPS, Growth Plan and the Greenbelt Plan.</p> <p>With respect to water resource systems, policy 2.2.1 c) notes, “Planning authorities shall protect, improve or restore the quality and quantity of water by:” ...</p> <p>“identifying water resource systems consisting of ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas, which are necessary for the ecological and hydrological integrity of the watershed”. The</p>

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			<p>comments made above about the identification of natural heritage systems apply to water resource systems as well. Therefore, the PPS also gives clear direction for identifying the water resources system.</p> <p>According to the 2014 PPS the water resource system must consist of the following components:</p> <ul style="list-style-type: none"> <li>• Ground water feature <ul style="list-style-type: none"> <li>○ Recharge/discharge areas</li> <li>○ Water tables</li> <li>○ Aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations</li> </ul> </li> <li>• Hydrologic functions <ul style="list-style-type: none"> <li>○ “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” (MMAH 2014).</li> </ul> </li> <li>• Surface water features <ul style="list-style-type: none"> <li>○ Shoreline areas which are necessary for the ecological and hydrological integrity of the watershed</li> <li>○ Headwaters</li> <li>○ Rivers</li> <li>○ Stream channels</li> <li>○ Inland lakes</li> <li>○ Seepage areas</li> <li>○ Recharge/discharge areas</li> <li>○ Springs</li> </ul> </li> </ul>

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			<ul style="list-style-type: none"> <li>○ Wetlands</li> <li>○ Associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.</li> </ul> <p><b>Greenbelt Water Resource System</b></p> <p>The Greenbelt Plan states that the “The Water Resource System is made up of both ground and surface water features and areas and their associated functions, which provide the water resources necessary to sustain healthy aquatic and terrestrial ecosystems and human water consumption. The areas to which these plans apply contain primary recharge, headwater and discharge areas, together with major drinking water aquifers, within the Greenbelt” (pg. 21, MMAH 2017b). Also important to the water resource system are areas considered of hydrological significance within the Protected Countryside, including:</p> <ul style="list-style-type: none"> <li>● The upper reaches of watersheds draining to Lake Ontario above the Niagara Escarpment;</li> <li>● Lands around the primary discharge zones along the toe of the Niagara Escarpment</li> <li>● The major river valleys that flow from the Niagara Escarpment to Lake Ontario</li> <li>● The former Lake Iroquois shoreline in Niagara Regions</li> </ul> <p>Like the Growth Plan, the Water Resource System consists of key hydrologic features and key hydrologic areas. Key hydrologic features are defined above. Section 3.2.4 notes that “key hydrologic areas are areas which contribute to the hydrologic functions of the Water Resource System. These areas maintain ground and surface water quality and quantity by collecting, storing and filtering rainwater and overland flow, recharge</p>

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			<p>aquifers and feed downstream tributaries, lakes, wetlands and discharge areas. These areas are also sensitive to contamination and feed key hydrologic features and drinking water sources” (MMAH 2017b). Consistent with the Growth Plan, key hydrologic areas include significant groundwater recharge areas, highly vulnerable aquifers, and significant surface water contribution areas.</p>
53		What is considered fish habitat?	<p>Identified and mapped by MNRF.</p> <p>Means, as defined in the <i>Fisheries Act</i>, 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, 2014).</p>
54	8.3.6	Which hydrologic features are considered key in NOTL? Are they all the constructed municipal drains, including the ones that have no base flow and even the ones originating in the middle of farm land with no connection to the escarpment?	<p>In conformity with the PPS and the Greenbelt Plan, key hydrologic features in NOTL include:</p> <ul style="list-style-type: none"> <li>• <i>Permanent and intermittent streams;</i></li> <li>• <i>Lakes (and their littoral zones);</i></li> <li>• <i>Seepage areas and springs; and</i></li> <li>• <i>Wetlands.</i></li> </ul>
55	8.3.7	A requirement for the identification of hydrologic features on the site and within 120m of the site boundary is extremely onerous for small farms. Where did this requirement come from?	<p>By excluding normal farm practises in the definition of development and given the definition of development we are exempting most farming activities from this requirement.</p> <p>Policy 3.2.5.5 in the Greenbelt Plan, 2017 with respect to key hydrologic features is referring to proposals for new development or site alternation, not a requirement for the identification of a feature:</p>

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			<p data-bbox="1272 233 1940 472">“A proposal for new <i>development</i> or <i>site alteration</i> within 120 metres of a <i>key natural heritage feature</i> within the Natural Heritage System or a <i>key hydrologic feature</i> anywhere within the Protected Countryside requires a natural heritage evaluation or a hydrological evaluation which identifies a <i>vegetation protection zone</i> which:</p> <ul style="list-style-type: none"> <li data-bbox="1272 483 1919 722">a) Is of sufficient width to protect the <i>key natural heritage feature</i> or <i>key hydrologic feature</i> and its functions from the impacts of the proposed change and associated activities that may occur before, during and after construction and, where possible, restore or enhance the feature and/or its function; and</li> <li data-bbox="1272 734 1856 797">b) Is established to achieve and be maintained as <i>natural self-sustaining vegetation</i>.”</li> </ul> <p data-bbox="1255 841 1934 976">However, as per Policy 3.2.5.7, “new buildings and structures for <i>agricultural, agriculture-related</i> or <i>on-farm diversified uses</i> are not required to undertake a natural heritage or hydrologic evaluation...”.</p> <p data-bbox="1255 1019 1927 1187">In addition, as per Policy 3.2.5.8, “within the Niagara Peninsula Tender Fruit and Grape Area, new buildings or structures for <i>agricultural, agriculture-related</i> and <i>on-farm diversified uses</i> are permitted within 30 metres of <i>permanent</i> and <i>intermittent streams</i>, where:</p> <ul style="list-style-type: none"> <li data-bbox="1262 1198 1940 1333">a) The <i>permanent</i> or <i>intermittent stream</i> also functions as an agricultural swale, roadside ditch or municipal drain as determined through provincially approved mapping;</li> <li data-bbox="1262 1344 1940 1472">b) A minimum 15 metre <i>vegetation protection zone</i> is established between the building or structure and the <i>permanent</i> or <i>intermittent stream</i>; however, this <i>vegetation protection zone</i> is not required to be</li> </ul>

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			<p>maintained as <i>natural self-sustaining vegetation</i> if the land is and will continue to be used for agricultural purposes;</p> <p>c) There is no alternative location for the building or structure on the property without impacting lands that are in specialty crop production;</p> <p>d) A new individual on-site sewage system will not be located within 30 metres of the stream; and</p> <p>e) <i>Agricultural, agriculture-related and on-farm diversified uses</i> shall pursue best management practices to protect or restore <i>key hydrologic features</i> and functions.”</p>
56		<p>And what happens if a consultant does not realize that flow found in the drain is from the augmentation of the irrigation system and therefore concludes the drain is a key hydrologic feature? Does this then include the whole drain?</p> <p><i>This may work in a municipality where there is no irrigation system, but this requirement has very strong implications for the farming community building setbacks and for the irrigation system and its future expansion.</i></p>	<p>The agricultural community is exempt from setbacks applied to key hydrologic features. These features may be identified as permanent and intermittent streams but also function as an agricultural swale, roadside ditch or municipal drain, as determined through provincially approved mapping.</p>
57	8.3.8	<p>Again, why is there no use of the word “greenbelt”? Is this referring to a broader natural heritage system?</p>	<p>See previous comment</p>
58	8.3.10	<p>Same</p>	<p>“</p>
59	8.3.15	<p>Same</p>	<p>“</p>
60	8.4.1	<p>Why is there no reference to negative impacts to specialty crops when enhancing or restoring ecosystem health?</p>	<p>Covered in Section 8.1 but will expand on this to address concern.</p>
61	8.4.4	<p>Again why?</p>	<p>“</p>

No.	Section #	Comment/Question	Response
62	8.4.9	Why does this section not recognize the need to establish irrigation components within hydrologic features?	We will clearly exclude irrigation components from the definition of <i>Infrastructure</i> .
63	8.4.10	Why does this section not recognize that some farm ponds are not used for irrigation purposes?	? Assume this refers to 8.4.11 if so, remove the reference to “actively”:
64	8.5.1	Considering development may refer to irrigation system pump houses etc., C) what does “natural hydrological characteristics” refer to? Does base flow refer to “natural” flows?	Does not refer to these components. Have excluded components of irrigation and drainage system from definition of development.  Base flow is a measured indicator associated with hydrological function. Baseflow is defined as “Sustained low flow in a watercourse during dry or fair weather conditions, but not necessarily all contributed by <u>groundwater</u> ; includes contributions from <u>interflow</u> and groundwater discharge.” <sup>8</sup>
65	D	Explanation needed	Removed drainage and irrigation works from definition of development. s”
66	E	What are natural drainage systems? (Feb. 8-15) What is meant by stream forms”?	Remove reference to “natural drainage stems and stream form
67	8.5.4	What about irrigation system components required for the NOTL irrigation system and its operation?	Removed drainage and irrigation works from definition of development
68	8.5.5	A, B, C and D same as above	See above.
69	8.5.6	Same as above. What is the size?	Need to revise this section – not clear
70	8.5.7	Same question as above plus this section does not address the negative impact of enhanced natural vegetation on or adjacent to specialty crop farms and specialty crops.	See previous comment

<sup>8</sup> [http://www.dwa.gov.za/Groundwater/Groundwater\\_Dictionary/index.html?introduction\\_baseflow.htm](http://www.dwa.gov.za/Groundwater/Groundwater_Dictionary/index.html?introduction_baseflow.htm)

<b>No.</b>	<b>Section #</b>	<b>Comment/Question</b>	<b>Response</b>
71	8.5.8	Does this refer to the greenbelt natural heritage system? Where is the area that is to be retained in a natural state? Is it on or adjacent to agricultural land where specialty crops will be impacted?	This refers to new lots only.
72	8.5.10	Why does this section not refer to Greenbelt Plan section 3.2.5.8 and provide exemptions for development within 30m?	NOTL NHS
73	8.5.11	Why is this section not included in section 3?	Can cross reference. The requirement is based on the distance from the natural feature and is appropriate in this Section.
74	8.6.1	What about irrigation system components?	Exempted
75	8.6.2	Does this refer to farm areas on or adjacent to specialty crop farms?	It will apply in the specialty crop designation. Will clarify protection related to specialty crops.
76	8.6.3	Will the requirement for the restoration and enhancement of the feature and/or its function, and the achievement of natural self-sustaining vegetation be on or adjacent to specialty crop farms?	Will address the potential negative impact on specialty crops and need to avoid impacts.
77	8.6.4	Does the word “otherwise” refer to areas other than tender fruit and grape growing areas? Where would that be?	Yes – to areas under production in settlement areas.
78	8.6.5	Why does this section not realize that irrigation system components have to be installed in hydrologic features?	Will add a similar provision for key hydrologic features.
79	8.8.3 to 8.8.5	Do these sections only refer to settlement areas or do they refer to public lands in specialty crop areas?	No, they apply throughout the Town, including on private lands, and not just in the settlement areas.
80	8.9.3	Why is there no mention of consulting with the NOTL ag committee and the NOTL irrigation committee to ensure no impact to farms, farm production and the irrigation system?	We can add a reference to the Agriculture Advisory Committee and the Irrigation Committee.

No.	Section #	Comment/Question	Response
81	8.9.4	<p>Why is there no mention of invasive species control and eradication?</p> <p>(Feb. 8-15) ADD THE WORDS "and the eradication of invasive species" after the word "control".</p>	<p>This could be added.</p>
82	8.9.5	<p>Why was this table included when table 6, category 1 conflicts with Greenbelt policy 3.2.5 # 8, included a process that was never completed and the Region will be reviewing this proposed policy as part of its review for its O.P.?</p> <p>(Feb. 8-15) Again, this is the biggest problem we have with the identification of fish habitat. The regional map identifies fish habitat on features that are mostly farm swales. There are some roads also.</p> <p>This section also differs from the greenbelt plan 2017 where a 15m setback was established for Niagara tender fruit and grape areas for watercourses id as municipal drains, road ditches or farm swales whether the flow was permanent or intermittent. So how does the 10m fit in? See O.P. Section 8.5.11b.</p> <p>The mapping exercise that was being done with the co-operation with the region, the NPCA and the town was never completed.</p> <p>Don't understand what watercourse would not be id as some type of fish habitat though?</p> <p>This section should be removed.</p>	<p>Add clarification about special provisions for specialty crop lands.</p> <p>Will consider addressing Fish Habitat conformity in policy as opposed to in mapped schedules.</p> <p>NOTL by-law still in effect? <sup>9</sup></p> <p>NPCA policy defines setbacks as:</p> <ul style="list-style-type: none"> <li>• 30m setback requirement for any watercourse with Type 1 (critical) fish habitat;</li> <li>• 15m setback for Type 2 (Important) fish habitat; and</li> <li>• 10m setback for Type 3 (Marginal) fish habitat.</li> </ul>
83	8.10.1	<p>Why does this section not include that floodplain mapping may be due to undersized road culverts and the floodplain mapping may be incorrect?</p> <p>(Feb. 8-15) Should also state that flooding could be the result of undersized road culverts identified in a</p>	<p>NPCA manages flood mapping. Town is bound to use what they are provided with by the NPCA. The issues identified in the 2008 study should be reviewed as part of this process to ensure up to date and accurate mapping is used. The Town is responsible for the mapping.</p>

<sup>9</sup> <https://notl.civicweb.net/document/5414>

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		watershed study completed in 2008. It should also state that floodplain mapping needs to be verified.	Are not aware of Town's position on results of 2008 study and if steps are being taken to address the culverts. Addressing the culverts is not an OP issue.
84	8.11.1	Does this refer to the maintenance and enhancement of natural heritage features on private agricultural land? What is meant by the town's natural heritage system? Is it the greenbelt natural heritage system?	It is of general application. It refers to the system defined in the OP as the Town's NHS. Add a statement in the preamble that these strategies must not negatively impact agricultural production.
85	8.11.1 A	Surely this is not referring to private specialty crop agricultural land that will be impacted by the enhancement of natural features?	We will clarify that enhancement must not negatively impact specialty croplands.
86		Same Question B, C, D and E	Same response
87	8.11.2	Is this section referring to public lands? If it is referring to private agricultural land, why is there no mention of the voluntary aspect as described in the greenbelt plan 2017 policy section 3.3.1, pg. 30, and third paragraph?	We have agreed to reference that section and clarify cooperation of owner is required on private land. Will cross reference with Section 9.1.4 to ensure private rights and agricultural issues are addressed.
88	8.12.1 C	What is considered a "critical" or "other" fish habitat? Surely this does not refer to constructed municipal drains, farm swales or road ditches.	<p>To assist in the fish habitat protection, the Ministry of Natural Resources and Forestry has provided fish habitat classification mapping which identifies the location of three types of fish habitat:</p> <p>Type 1 (Critical) Habitats are those which have high productive capacity and are highly sensitive to development or have a critical role in sustaining fisheries (e.g. spawning and nursery areas for some species, and ground water discharge areas).</p> <p>Type 2 (Important) Habitats are moderately sensitive to development and although important to fish populations, are not considered critical (e.g. feeding areas and open water habitats of lakes).</p>

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			<p>Type 3 (Marginal) habitats indicates no sensitive species are present although fish may still be found.</p> <p>NOTL has been provided with mapping of the fish habitat that must be addressed. At this point the locations are mapped on Schedule C. Consideration can be given to removing the fish habitat features and just addressing them in policy (see comment 41). The habitat concerns will still have to be addressed if a development application is submitted and could potentially impact the habitat.</p>
	<b>Section 9</b>	<b>Infrastructure</b>	
89	9.1.2 D	What are considered “areas of agricultural significance”?	Agricultural lands, we can confirm reference to specialty crop lands.
90	9.1.4.5	What are “facilities”?	Could be paths, trails, or service facilities?
91	9.1.4.5	What does the O.P. consider are appropriate locations?	Based on the context and potential impact on adjacent lands. Will include preamble addressing potential conflicts with agricultural production.
92	9.1.4.6	<p>Who accepts the liability if someone is impacted or injured because of a normal farm practice while using an off-road trail endorsed by the Town?</p> <p>What about Spraying? Should this not be changed to more fully protect working farms? (Feb. 8-15)</p>	Can strengthen reference to cooperation with private land owners during planning and on an ongoing basis to prevent conflict and accidents.
		and communication with adjacent property owners should be undertaken during planning stages of any future off-road cycling facilities	Will insert appropriate wording.
93	9.1.7.1 & 9.1.8.2	Why is access to individual lots on regional and collector roads discouraged?	Because of the function of the road to accommodate traffic and not have multiple entrances that would slow down traffic movement.
94	9.1.8.3	Is this just in settlement areas?	Yes

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95	9.3.11	Why is this section here? when it is referring to watercourses which could mean constructed municipal drains. This should be removed because it could refer to the channelization of a municipal drain or ADD the word "natural" before the word "watercourses". (Feb. 8-15)	This is in refence to stormwater management plans for "development" as per the definition.
96	9.5	Does this only refer to settlement areas? 9.5.4 - or does this refer to development anywhere in the Town. If it is the latter should there be some recognition about possible impacts to specialty crops from vegetation? (Feb. 8-15)	No. It could apply throughout the Town. Will add policy stating agriculture must not be negatively impacted.
	<b>Section 10</b>	<b>Implementation and Administration</b>	
97	10.4.2.1	Is this for urban communities only or is the rural community included?	It could apply to parts or all of the Town, including rural area. Can add bullet addressing agriculture as important element of character to be supported and protected.
98		If this does include the rural community then: How does the permit system affect the tender fruit farms? Is there a cost for a permit?	We will provide some observations/explanations regarding a potential community planning permit system
99	e	If this is development on agricultural land, how does this permit system protect the natural environment? What is considered "the natural environment"?	See previous explanation.
100	10.5.5 i)	How will cultural resources be conserved?	As per the policies in Section 7.
101	10.5.6	What are considered "topographical features"?	Will be determined by the engineers in specific circumstances where road widenings are being considered
102	10.5.6 M	What does "support for community growth and development, including with regard to agriculture" really mean? Does it include financial support?	? Is this reference to 10.6.2.1 M? If so, it is specifically related to Community Improvement Plans which are designed to support a particular sector of a community. A good example of how it has been used to support agriculture can be found in Norfolk County when they were facing the impact of the loss of the tobacco market. A special program was developed to assist farmers in converting to other crops. CIP's typically involve

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			supportive programming, planning controls and some money.
	<b>Section 11.4</b>	<b>Definitions</b>	
103		Agricultural condition-how does one restore microclimate?	Good question – that is why the clause “where applicable” is included. It could be by the removal of a berm that interferes with air flow. This process is typically in reference to the rehabilitation of an aggregate operation. There is an example in Niagara of a former quarry that was converted to an orchard. One of the issues that had to be addressed was air flow.
104		“ <b>Development</b> ”- can irrigation works subject to the NOTL act be exempted?	See previous comment. Will add reference to the NOTL Act.
105		<b>Ecological Integrity</b> -which includes hydrological integrity- <i>full explanation needed for what ecological integrity really means in relation to:</i>	<p>Could be revised to mean the condition of land and water related ecosystems in which:</p> <ul style="list-style-type: none"> <li>a) the structure, composition and function of the ecosystems are unimpaired by the stresses from human activity,</li> <li>b) natural ecological processes are intact and self-sustaining, and</li> <li>c) the ecosystems evolve naturally.</li> </ul> <p>Will review context in which definition is used and assess potential impact on agriculture.</p>
106		The words “are unimpaired by the stresses from human activity”	Not negatively impacted.
107		The words “natural ecological processes are intact and self-sustaining”	<p>The Greenbelt Plan defines vegetation protection zone (VPZ) as: a vegetated buffer area surrounding a key natural heritage feature or key hydrologic feature.</p> <p>After which the following Greenbelt Plan policy applies:</p> <p>Policy 3.2.5.5 whereby A proposal for new development or site alteration within 120 metres of a key natural</p>

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			<p>heritage feature within the Natural Heritage System or a key hydrologic feature anywhere within the Protected Countryside requires a natural heritage evaluation and hydrological evaluation, which identify a vegetation protection zone which:</p> <p>b) Is established to achieve and be maintained as natural self-sustaining vegetation.</p> <p>Again, in NOTL the ag community is exempt from the requirement to establish a VPZ that is intact and self-sustaining. For best management practices, please see Section 4.2.1 of the NHS Environmental Discussion Paper.</p>
108		And “the ecosystems evolve natural”?	Unable to find this reference in the draft OP.
109		<b>Estate Winery</b> -should there not be a proper definition for “locally grown”?	Working on definition with Craft Wineries and Tender Fruit and Grape.
110		<b>Green Infrastructure</b> -what are considered natural channels and where are they in NOTL?	As defined. Will consider context in which it is used
111		<b>Natural Open Space</b> -what is considered private land in a natural state and where is it in NOTL? Is it agricultural land sitting idle currently?	It could. Will add a policy encouraging ongoing production on agricultural land while noting that normal farm practises (i.e. leaving land fallow for a period of time) are to be respected.
112		<b>Natural Heritage Features and Areas</b> - what and where are the natural heritage features and areas in NOTL?	To the best that they have been identified in mapping, see Schedule C.
113		<b>Natural Heritage System</b> -considering that working landscapes are included in this definition, <i>explanation needed for the meaning of the words:</i>	Will clarify
114		Natural processes	“
115		Natural functions	”
116		Other natural heritage features	“

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117		Lands that have been restored or have the potential to be restored to a natural state	“
118		Areas that support hydrological functions	“
119		<b>Natural Self-Sustaining Vegetation</b> -considering the proliferation and subsequent cost, of the invasive species, phragmites, and the negative impact of naturalized vegetation adjacent to the specialty crops outlined in the two briefs by specialty crop advisors, why is there a requirement for this type of vegetation that can grow and persist without human management, protection or tending anywhere in specialty crop farm areas?	This is in conformity and defined in Provincial Planning documents (e.g., Greenbelt Plan, 2017). However as per policy 3.2.5.8b, for Niagara Peninsula Tender Fruit and Grape Area, natural self-sustaining vegetation zones are not required if the land is and will continue to be used for agricultural purposes. Will add additional provisions about the need to protect crops from invasive species.
120		<b>Significant Surface Water Contribution Areas</b> - where are they in NOTL?	
121		<b>Surface Water Features</b> -where did this definition come from? Are these features natural or man made? Where are they on a map in NOTL?	From the PPS
122		<b>Wetlands</b> -why is there no information about farm ponds being excluded	Some drainage ditches and irrigation ponds (farm ponds?) created by farmers on their land may fit the MNRF’s definition of wetlands (following OWES). The PPS, 2014 defines wetlands to mean “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.”  There is a definition related to ‘farm ponds’ in the PPS wetland definition which states “Periodically soaked or wet lands being used for agricultural purposes which no

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			longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.”
123		<b>Working Landscape</b> -a working landscape does not need to be a naturalized feature. Why the use of the words “does not need to be a naturalized feature”?	Will clarify
124		Why not the words “a working landscape is not considered a naturalized feature” but may have natural features on it because a working landscape is not natural?	Will consider this suggestion.
	<b>Feb. 8 to Feb. 15, 2019 (non-duplicate items only)</b>		Review/Discussion with AK, Dennis Dick and RW-NOTL
		<b>Changes to Appendices or Schedules</b>	
125		Municipal drains-Appendix 1-constructed ponds-4 Mile ponds	
126		Need for an appendix to highlight irrigation system, including control components need for appendix that shows the identification of farm ponds=BRETT	Not sure this is necessary. Should be able to address issues in text but can add an appendix is Town agrees
127		Schedule A the protected countryside should be identified as specialty crop land; specialty crop lands are not identified on Schedule B1-should be	Can add that classification Specialty crop land is shown on B1
128		Schedule C should not contain features that are not natural-remove municipal drains	Consider addressing fish habitat in wording (see comment 41) and not including it on map. Must be clear that provincial and federal policy still requires it be protected and addressed as part of the development process.
129		Regional fish habitat should be identified for what they are-farm swales and road ditches and not just fish habitat	Consider dealing with habitat in text.
130		Why are municipal drains and some farm swales id as conservation on Schedule B-1? Many of these areas need replacement of undersized road culverts	Will r consider removing conservation policies. Section 3.5.
	<b>Section 1</b>	<b>History and Context</b>	

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131	1.1.11	This is wrong-the Act was to establish and maintain an irrigation system throughout the Town	Reword the section to replace "agricultural drainage system" with "an irrigation system".
132	Pg. 7	Greenbelt Plan (2017) include the fact that the Greenbelt Plan 2017 provided flexible policies for the Niagara Tender Fruit and Grape areas	Ok
133	Pg. 8	NEC-include info about the fact that certain components of the NOTL irr system are found within the NEC lands	Can make a statement about it. NEP takes precedence on those lands.
134	Pg. 9	NPCA-include fact that ponds on 4 Mile were constructed in the 1960's for flood control and irrigation uses by NPCA	Discuss with NPCA.
	<b>Section 2</b>	<b>A Framework for A Sustainable Community</b>	
135		REPLACE COMMENT ABOUT ECONOMIC ENGINE	Addressed
136	Pg. 13	Include the word "constructed" before the word "reservoir"	ok
137		Include information about the unique irrigation system in this section (attached)	ok
138		Include here information about the extensive drainage system that is made up of constructed drains, road ditches and farm swales in this section (attached)	Will review and confirm
139	2.2.2	Remove reference to "interconnected" so as to not give the impression that constructed drains, road ditches are natural.	Will review and consider
140	2.2.8	Include the word "constructed" before the word "large"	OK
141	2.3.2	Include reference to greenbelt flexible ag policies adopted in the 2017 Greenbelt plan	Will revise policies in Section 2 to address role of agriculture as economic engine.
142	2.3.2	ADD additional info in this section: support for the eradication of invasive species, support for potable	Ok on invasive species.

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		water lines to serve agri-food sector where needed, etc.	Will discuss potable water issue with Town and Region – this is a Regional issue
o allowing 143	2.4.2 J	ADD WORDS "in appropriate locations that do not impact working farms" after words "active transportation"	Addressed with provision regarding private property rights but can add it.
144	2.6.1.3	There should be a definition for working landscapes in O.P.	See page 206
145	2.6.1.3 F	THIS SHOULD BE CHANGED TO: "promoting environmental stewardship to sustain healthy natural features".	No is broader than just features. Natural environment is more encompassing.
146	2.6.2.3	THIS SECTION MUST INCLUDE THE WORD "agricultural" before the words "natural and built form".	Will revise policy to address potential impact on agriculture
147	2.6.4	This section should include a section about working with the Region to identify infrastructure for agricultural areas to service agri-business where needed such as potable water and the replacement of identified undersized road culverts.	Region may not agree with reference to potable water. Discuss with Town. RE undersized culverts see comment 83.
148	2.6.5	Include Greenbelt 2017 section about private lands in this section. This section should include the word "public" before the words "natural heritage features".	Addressed elsewhere, agreed
	<b>Section 3</b>	<b>Protected Countryside</b>	
149		Add word "unique" before the words "protected countryside" to help identify the uniqueness of the countryside in NOTL as referenced in section 2.1.5 on page 12	Add Specialty Crop Area, clarify uniqueness.
150	3.1.1	Add the greenbelt 2017 plan provided flexible policies to address the uniqueness of the specialty crop area	ok
151		Schedule b1-specialty crop lands are not identified in colour on map	Colour could be more obvious. Work with Town to adjust mapping

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152	3.2.1.1	ADD THE WORDS "and viable" before the words "agricultural system"	Repetitive but can be added.
153	3.2.1.2 C	Change to "farm operations comprised of unrelated parcels"	They are not necessarily unrelated.
154	E	These are two different systems because not all drains are augmented-change to provide access to an extensive constructed municipal drainage system and access to a uniquely constructed and maintained irrigation system	ok
155	H	ADD THE WORDS "that should not impact the economic viability of the farms" after the words "land uses"	Amended wording
156	I	ADD THE WORD "greenbelt" before the word "natural"	No is NOTL system
157	J	Add explanation to highlight what is meant by the "integral relationship"	Can clarify
158	L	Leave out "etc." but add the words "potable water" and "adequately sized town road culverts to meet 100yr storm requirements as specified in 2006/8 watershed study"	Region may not accept potable water. Discuss with Town. RE culverts see comment 83.
159	3.2.2.1 H	ADD THE WORDS "impact the economic viability" before the words "to farm or grow specialty crops"	Will work on alternative wording to emphasize need for economic viability.
w160	I	Add the word "greenbelt" before the word "natural". If this includes a broader area of natural heritage, then changes should be made to the O.P.	Is Town's NHS
161	J	ADD THE WORDS "policies and" before the word "uses"	No doesn't work, redundant
162	L	ADD THE WORDS "potable water lines to service agri-business activities when needed"	See previous response

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163	L	Add the words "replacing identified undersized road culverts that impact the floodplain of agricultural farm properties"	See comment 83. Capital planning issue
164	N	Add the words "and will not negatively impact the ability to grow specialty crops or affect the economic viability of farms"	Who will define economic success? leave as is. Will include appropriate wording without committing Town to ensure economic viability of specific operators.
165	T	INCLUDE THE WORDS "funding for" the eradication of invasive species	Budgeting issue Town must assess and determine what it can fund.
166	Pg. 29 Permitted Use: F	ADD THE WORDS "on public lands that do not impact the economic viability of agricultural production"	Will add: <i>"that will not negatively impact agricultural production"</i> .
167	3.2.4.2	Remove this section	No, it is a good goal – it is not forcing anyone to amalgamate just encouraging.
168	3.2.5.2	This section needs to be explained in more detail -too restrictive	? need to understand the concern.
169	3.2.9.1-iv	This section should be addressed to understand the need for extension of potable waterlines to accommodate agri-business	See previous responses
170	3.2.10.5	ADD THE WORDS "and no impact to adjacent land uses"	Added wording – slightly different but same result. Undersized properties perhaps appropriate to require OPA could remove provision thereby forcing an OPA. Could be onerous for small discrepancies in acreage.
171	3.2.10.10	ADD THE WORDS "that will not impact adjacent land uses or properties" needs response from ag community reps	Needs additional discussion
172	3.3	This section should include info about irrigation system components located in NPC lands	Will discuss with Town. Need to understand the type and extent of the works located on NPC lands
173	3.3.3	Include irrigation system components	Will consider once info referred to in comment 172 is provided.

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174	3.5.3	This section should also include "irrigation system components"	Recommending removing 3.5
	<b>Section 7</b>	<b>Heritage, Archaeology and Culture</b>	
175		It is important to understand tender fruit farms can be considered cultural landscapes and buildings on them can also be considered cultural heritage resources	? this seems to conflict with previous comments and comments at the ACC meetings. Recommendation is to remove tender fruit farms as a part of cultural heritage landscape. Need clarification of AAC's position.
176	7.1.1.2	Cultural heritage landscapes can refer to tender fruit farms and agricultural areas of archaeological resources-see schedule d1	See comment 175.  Mapping of area of archeological potential is consistent with Section 2.6 of the PPS which requires municipalities to conserve "significant built heritage and cultural heritage landscapes". This will cover agricultural land but requirement for action (Section 7.3.3. and 7.3.4 are triggered by <i>development</i> or <i>site alteration</i> . Agriculture and works associated with drainage and the NOTL Act are exempt. Under definitions proposed.
177	Pg. 87	<i>The Town will establish policies to</i>	Understand this section is just to identify policies AAC members are to consider
178	7.1.3.2 A	"Conservation, maintenance and stabilization of existing cultural heritage resources must be the first consideration for all properties on or adjacent to cultural heritage resources".	"
179		Regulate "land disturbances such as a change in grade that alters soils, drainage patterns that adversely affect an archaeological resource".	"
180	E	"Require, as appropriate, preparation of a heritage impact assessment or heritage impact assessment or heritage conservation plan for any proposed alteration, construction or development involving, adjacent to, or in the immediate vicinity of a cultural	"

No.	Section #	Comment/Question	Response
		heritage resource". <i>THIS INCLUDES CULTURAL LANDSCAPES=TENDER FRUIT FARMS</i>	
181	I	"Review applications for development and site alteration on lands containing and adjacent to cultural heritage resources and require mitigative measures and/or alternate development approaches to conserve the heritage attributes impacted by the development. A heritage impact assessment and/or an archaeological assessment may be required to demonstrate that the cultural heritage resources will be conserved".	"
182	7.1.3.4	"Severances and minor variances will not be permitted if such permissions would, or could potentially, negatively impact the identified heritage attributes of cultural heritage resources. Notwithstanding the above, severance and minor variances can be considered if it can be demonstrated to the satisfaction of the Town that the identified heritage attributes of cultural heritage resources will be conserved and/or any impacts will be mitigated".	"
183	Pg.91 - Management of Heritage Resources	"The Town will actively manage heritage resources and will:	"
184	J	"Complete a cultural heritage landscape study for the whole Town."	"
185	7.2.1	"The Town also contains other significant cultural heritage landscapes such as heritage character areas, tender fruit farms, estate wineries---and natural areas".	"
186		"Identification and evaluation of the heritage attributes of these landscapes, while acknowledging	"

No.	Section #	Comment/Question	Response
		that they will change and adapt over time, are important component of this official plan".	
187	7.2.2	"The Town will use all tools available to it to protect cultural heritage landscapes including, but not limited to, individual property designation under part 1v of the Ontario Heritage Act, identifying heritage character areas, completing a cultural heritage landscape study, identifying key views, and creating area specific design and/or development guidelines."	"
188	7.3.4	"The Town will promote conservation of its archaeological resources and will:"	"
189	a	"Require an archaeological assessment by a licensed archaeologist, in consultation with the Region of Niagara, as a result of a proposal or plan for site alteration or development if any portion of the subject property fall within a zone of archaeological potential, as shown on schedules D1 to D4, or where an archaeological site has been previously registered on the property".	"
190	b	"Require an archaeological assessment for the entire property. For lands located outside a settlement area boundary where site alteration or development will not affect the entire property, the project archaeologist may consult with the Ministry of Tourism, Culture and Sport on a property-by-property basis to determine if these areas can be exempt."	"
191		ADD: where no actual physical development or site alteration takes place, no archaeological assessment will be required.	Already restricted to "development and site alteration" as defined. That is appropriate.

No.	Section #	Comment/Question	Response
192	7.5.1 a	REMOVE "etc." and add "prior to enhancing vegetation in agricultural areas, there will be consultation with landowner or adjacent landowner"	Agreed will be addressed by statement re impact on agriculture
193	b	<p>"Use fiscal tools, incentives and financial assistance to facilitate the maintenance and conservation of cultural heritage resources and provide other incentives as provided for under the Ontario Heritage Act, the Municipal Act and through other sources."</p> <p><i>If the heritage tax rebate is adopted this will cost taxpayers a lot of money.</i></p> <p><i>What about compensation to the rural property owners who are protecting woodlots or wetlands on their property?</i></p>	Decision on expenditures rests with Council.
<b>Section 8</b>		<b>Toward a Natural Heritage System</b>	
194	8.1.7	<p>This section implies that working landscapes are a component of the natural heritage system when it is the other way around. See Section 8.1.2</p> <p>CHANGE TO: "nothing in this section is intended to limit the ability of agricultural uses to continue. Agricultural operations and working landscapes, or actively used agricultural land, encompass the majority of the rural farmland area."</p>	Will consider wording.
195	8.2.1	ADD THE WORD "GREENBELT" BEFORE THE WORD "NATURAL"	<p>See previous comments</p> <p>Section 8 is referring to the Town NHS, for which the Greenbelt NHS is an overlay. There are a few features (e.g., woodlots) that are not components of the Greenbelt NHS but are included in the Town NHS because of their size. The agricultural community is exempt from protective policies applied to these features. In other words, farming can extend up to the feature (no protective buffers).</p>

No.	Section #	Comment/Question	Response
196	8.2.2	<p>CHANGE TO "the objectives for the Greenbelt Natural Heritage System are to:</p> <ul style="list-style-type: none"> <li>a) maintain healthy natural features for present and future generations by promoting environmental stewardship</li> <li>b) conserve the Town's distinctive natural features and working landscapes</li> <li>c) okay</li> <li>d) remove</li> <li>e) number this as c</li> <li>f) okay</li> <li>g) okay</li> <li>h) encourage the retention of woodlands and remove the rest of the sentence because the reforestation of farmland could impact an adjacent specialty crop farm</li> <li>i) okay</li> <li>j) okay</li> <li>k) flood susceptibility could be the result of undersized road culverts that were identified for replacement in 2008. This section should include that info.</li> <li>l) add the word "in publicly owned areas" after the word "areas"</li> </ul>	<p>These objectives are referring to the Towns NHS, not the Greenbelt NHS.</p> <p>MW – to review recommended policy changes.</p>
197	8.3.1	SCHEDULE C is wrong-it has some constructed drains on it	Will remove fish habitat that overlay municipal drains on Schedule C and will be addressed in policy.
198	8.3.10	This section should include information about undersized town road culverts identified in 2008	See previous comment No. 196
199	8.4.9	This section does not recognize the ability of the town to use municipal drains for irrigation uses which can require control structures. That is why the constructed drains should be recognized as agricultural infrastructure and not fish habitat.	Addressed in comment 197.

No.	Section #	Comment/Question	Response
200	8.4.10	This section refers to fish habitat as a natural feature and constructed drains are not natural features. Most drains in NOTL are ephemeral because they only have spring thaw water in them because they have no permanent flow. This official plan must address this problem.	<p>The intention is that constructed drains are not natural features, but [can] support natural functions such as fish movement.</p> <p>Constructed ditches that do not supply irrigation water not identified under the <i>Water Act</i> but are recognized by the federal <i>Fisheries Act</i>. The federal <i>Fisheries Act</i> applied to both dry and wet constructed ditches as they may provide habitat for fish at certain times of the year. There Constructed drains that do not have permanent flow, have been documented to support fish species/habitat<sup>10</sup> Regardless, fish habitat will not be identified on Schedule C, although will still need to be acknowledged in Policy to ensure conformity with the PPS and the Greenbelt Plan.</p>
201	8.4.11	ADD THE WORDS "farm and irrigation" before the word "ponds"	<p>? not clear on suggestion</p> <p>MW to change to policy language, acknowledging that agricultural use is permitted as per policy 8.6.1</p>
202	8.6.2	Exception should be stated here for agriculture	<p>Addressed by definition of development. Will add reminder of exemptions for agriculture. Plan requires that they be factored in.</p> <p>MW to confirm. Same as above.</p>
203	8.6.3	Same as above	<p>Will reference Greenbelt Plan exemptions?</p> <p>MW to confirm. Same as above.</p>
204	8.6.4	Same as above; and does not recognize the Greenbelt Policy 3.2.5.8 b.	<p>MW to confirm. Same as above with regards to agricultural exemptions for Vegetation protection zones.</p> <p>MW to consider revising policy to make clearer.</p>
205	8.6.5	This section does not understand the nature of the irrigation system that was allowed according to the NOTL Act. Remove last sentence because these	<p>Revise in consultation with AAC.</p> <p>MW to consider proposed changes to policy language.</p>

<sup>10</sup> <http://www.dfo-mpo.gc.ca/library/348785.pdf>

No.	Section #	Comment/Question	Response
		<p>identified areas are where the irrigation system components need to be installed if the irrigation system is ever expanded.</p> <p>This is the biggest challenge with identifying man-made municipal drains as natural features or fish habitat.</p>	
206	8.8.2	Ensure this is all for settlement areas. Not sure how NEP fits in here.	This is specifically for the settlement areas.
207	8.8.3 & 8.8.4	Is this still for settlement areas? If this is on private farmland property, this should be done through co-operation with land owner because the planting of trees will impact specialty crops and the planting of trees could impact the ability to work the land.	<p>Will add a statement addressing agriculture – require consultation with affected landowner and avoidance of adverse impact on agriculture. Could also be addressed in Tree By-law.</p> <p>Policy 8.8.3 and 8.8.4 is not specific to settlement area designations but related to public works with the intention to preserving trees within the Town.</p> <p>MW to confirm.</p>
208	8.8.6	What are specified areas?	Specified under Tree Cutting By-law
209	8.11.1 a	Is this on public or private land. Surely this O.P. is not advocating that the town will establish restoration areas on private specialty crop farms where there will be an impact if the growing of specialty crops are understood and respected as identified in the submissions by Kevin Ker and Wendy Mcfadden Smith, two well known crop specialists and especially without consulting with affected landowner input.	<p>No, it is certainly not the intent to adversely impact ag land. Will add that clarification and need for consultation similar to provision re recreational amenities referred to in Comment 22.</p> <p>MW to consider adding language that speaks to ensuring restoration/enhancement on public lands and meaningful consultation with adjacent landowners.</p>
210	8.11.1 b	Same	See comment 209.
211	c	If these areas are on private agricultural property, the same applies.	See comment 209.
212	d	What is meant by "enhancement programs"?	Will be geared to specific situations are designed not to adversely impact agriculture.

No.	Section #	Comment/Question	Response
			The intent of enhancement programs is to improve and sustain natural heritage features and components (in other words, the NHS). See comment 209 to additional language.
213	e	Is this proposed for private agricultural properties or on public lands?	Only applies to development - see comments 1 and 2. Public lands. Not agricultural properties.
214	8.11.2	Most of the land within the natural heritage system is privately owned agricultural land. Surely the O.P. is not advocating that public trails be developed on private agricultural property?	Only with the cooperation of the owner. See comment 22.  No. That is not the intent. The policy is stating that trails on public land (being low impact) are permitted within the NHS, not the agricultural system.
215	8.11.3	Past experience has resulted in private agricultural land being affected.	Language from comment 209 could be included that speaks to consultation with adjacent landowners.
	<b>Section 9</b>		
216	9.1.4.7	Should this not be changed to more fully protect working farms? Who accepts the liability if someone is injured because of a legitimate farm practice?	Will emphasize need for cooperation of land owner.
217	9.1.4.8 a	How is planning for off-road trails adjacent to working farms safe?	Emphasis is on "safe". If they aren't safe, they won't be developed.
218		Should the O.P. have words that oppose off-road trails adjacent to working farms? Or should the O.P. only support off-road trails in the agricultural area adjacent to non-working farms? Or should the statement say "off-road trails should be located where there will be less of an impact on farms"	Wording should allow process of negotiation. Will recognize rights of private land owners (comment 22) and acknowledge need to protect agricultural production.
219	9.1.11.1	What about input from farm community that will be impacted?	ACC established to provide input. Would do so as part of process. Recommend role of committee be addressed in OP. See comment 80.
220	9.1.12.1	This used to require a 5-year future plan for road widening. Now it seems it is at all times.	Town to comment

No.	Section #	Comment/Question	Response
		Should this require a 5 yr plan for future road widenings?	
221	9.3 b	While this might refer to the construction there should be provision in this section to support the eradication of invasive species and noxious weeds when construction is undertaken and when maintenance occurs.	Presume this is 9.3.1 b – could add policy stating SWM plans should address addressing control of invasive species
222	Pg. 144 Utility Section – i)	There is no mention of consulting with affected landowners during the planning stages or prior to.	Recommend including provision
223	ii)	Add words "agricultural lands and" or "working farms and" before the words "conservation lands"	Recommending removal of all references to conservation lands
	<b>Section 10</b>	<b>Implementation and administration</b>	
224	10.4.1.3	Provide an exemption where there is no actual physical development to take place such as the severance of a surplus farm dwelling because it is considered development under the planning act.	This is a specific zoning process. Suggestion is not appropriate. Severance is clearly development.
225	10.4.3	Conditions of approval: conveying part of the land for a parkland, public roads or transit right-of way or providing cash-in-lieu of same	?
226	10.5.4	Include severances for surplus farm dwellings where no physical development takes place as exemptions.	Not appropriate
227	10.5.5	Intent of site plan approval includes ensuring the conservation of cultural heritage resources- <i>heavy handed</i>	? don't agree
228	10.5.6	Site plan approval will be used to secure property for proposed road widening without compensation to the landowner etc. Depicted on schedule e 2	Standard procedure.
229	10.6.1.3	Community improvement- <i>the entire town is designated as a community improvement area.</i>	Yes, so that as situations arise that could benefit from a specific CIP project it can proceed without an OPA. This is a standard policy in OP's and a good thing.

No.	Section #	Comment/Question	Response
230	10.6.2	ADD the extension of potable water lines to service agriculture uses where needed. This could be a separate section or included with j).	See comment 142
231		ADD: Provide and also secure access to federal and provincial funding for the expansion of the NOTL irrigation system that serves the agricultural sector but also serves the natural areas downstream.	Assume this is in reference to 10.6.2 addressing CIP's. Sufficient support in sub c, i and j.
232	10.7	This section should include an exemption for the enhancement of natural heritage features that would impact working farms.	?MT
233	10.8	There should be an exemption for parkland dedication where there is no actual physical development proposed like severances for surplus farm dwellings where no additional development is proposed, and the farm land portion goes into APO.	Severance is development.
234		This should also apply to archaeological assessments as well.	?
235	10.13.2.3 i)	REMOVE THE WORD "enhancing" because enhancing natural resources will impact specialty crop production.	Agreed
236	Pg.183	There should be a section ADDED that allows a home occupation to be carried out in a detached building in the agricultural area.	See Section 3.2.6-8.
	<b>Section 11.4</b>	<b>Definitions</b>	
237		<b>Agri-Food Network</b> – ADD irrigation system infrastructure	Considering defining agricultural infrastructure in which case it will be reference in this definition
238		<b>Agricultural Condition</b> - How do you restore microclimate?	See comment
239		<b>Agri-Tourism Uses</b> – ADD Country Inns	Remove reference to Bed and Breakfast as an example.

No.	Section #	Comment/Question	Response
240		<p><b>Areas of Archaeological Potential:</b> means areas with the likelihood to contain archaeological resources. Methods to identify archaeological potential are established by the province, but municipal approaches which achieve the same objectives may also be used. The Ontario Heritage Act requires archaeological potential to be confirmed through archaeological fieldwork.</p>	No comment
241		<p><b>Cultural Heritage Landscape:</b> means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage significance; etc.</p> <p><i>This also can include tender fruit farms according to</i></p>	No comment
242		<p><b>Cultural Heritage Resources:</b> means built heritage resources, protected heritage properties, cultural heritage landscapes, historic sites, and archaeological resources and/or areas of archaeological potential that have been determined to have cultural heritage value or interest</p>	No comment
243		<p><b>Development:</b> 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:</p>	See comment 1

No.	Section #	Comment/Question	Response
		B) works subject to the Drainage Act ADD: works subject to the NOTL Act (irrigation system)	
244		<b>Ecological function:</b> explanation needed	PPS defn 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, 2014)
245		<b>ECOLOGICAL INTEGRITY:</b> explanation needed-concern for b) in the use of the words "natural and self-sustaining" and c) "naturally"	GBP defn In the context of the OP would be the condition of ecosystems in which...
246		<b>Fish habitat:</b> as defined in the fisheries act, 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 from the Fisheries Act Agreed. This is the definition provided in the PPS.
247		<b>Green infrastructure:</b> 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. (PPS 2014) <i>Question: what are considered natural channels?</i>	PPS Defn 'Natural channels' is a term used in the PPS refers to watercourse restoration and realignment which attempts to reconstruct channels to emulate the physical form of a stream that is in balance with processes of erosion and deposition so that the function of the watercourse can be maintained for restored. It is a 'constructed' watercourse rather than a naturally formed watercourse, but essentially is designed to support 'natural' processes.
248	Pg. 198	<b>Infrastructure:</b> include irrigation infrastructure system components and	Considering amendment - see previous comments
249		<b>Natural open space:</b> public or private land in a natural state including land maintained in a natural state essentially devoid of human activities, buildings and structures.	Will review

No.	Section #	Comment/Question	Response
		<i>This should not include specialty crop agricultural land that was formerly farmed and is still capable of being farmed.</i>	
250		<p><b>Natural heritage features and areas:</b> features and areas, including significant wetlands, significant coastal wetlands, other coastal wetlands in ecoregions se, 6e and 7e, fish habitat, significant woodlands and significant valleylands in ecoregions 6e and 7e, habitat etc.</p> <p><i>Fish habitat is considered a natural feature but where is it because municipal drains are not natural features?</i></p>	<p>Fish habitat is identified as a key natural heritage feature in the Greenbelt Plan, 2017.</p> <p>The intent in the word ‘natural’ is referring to supporting natural function (e.g., fish movement)</p>
251		<p><b>Natural heritage system:</b> a system made up of natural heritage features and areas, 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 natural heritage features and areas, federal and provincial parks and conservation reserves, other natural heritage features, lands that have been restored or have the potential to be restored to a natural state, areas that support hydrological functions, and working landscapes that enable ecological functions to continue.</p> <p><i>Working landscapes (farmland) should not be considered "natural" for any reason unless they have been put into the urban boundary.</i></p>	<p>PPS defn – are reviewing as per other comments It is not the intent that farmland is being considered as ‘natural’, but rather supports <i>some</i> natural processes and functions. The language will be reworded to make this clearer.</p>
252		<b>Natural self-sustaining vegetation:</b> vegetation dominated by native plant species that can grow and	Addressed in compliance with GBP’s. Confirmed. There is no requirement for a vegetation protection zone (natural self-sustaining vegetation) on

No.	Section #	Comment/Question	Response
		<p>persist without human management, protection, or tending.</p> <p><i>There should be no requirement for natural self-sustaining vegetation in specialty crop land, especially when NOTL is undated (sp. inundated) by the invasive species, phragmites.</i></p>	specialty crop land that is being used for agriculture/agricultural related practices.
253		<b>Roadside produce outlet</b> (fruit stand): a building or structure where produce grown only from the farm on which the outlet is located is offered for sale etc.	Nc
254		<p><b>Woodlands:</b> 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 etc.  <i>- this is sad because this statement does not recognize that the agricultural land in NOTL is all specialty crop land, the most valuable land for food production.</i></p>	?
255		<b>Significant archaeological resources:</b> explanation needed	
256		<p><b>Significant surface water contribution areas:</b> means areas, generally associated with headwater catchments, that contribute to baseflow volumes which are significant to the overall surface water flow volumes within a watershed</p> <p><i>NOTL does not have many complete map</i></p>	
257		<b>Streams, intermittent:</b> stream-related watercourses that contain water or are dry at times of the year, not flowing the entire year	nc
258		<b>Streams, permanent:</b> streams that continually flow in an average year	nc

No.	Section #	Comment/Question	Response
259		<b>Surface water features:</b> 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 etc.	nc
260		<i>Question: are these features "natural"? Explanation needed</i>	
261		<b>Wetlands:</b> <i>include info about ponds used for agricultural use</i>	
262		<b>Woodlands:</b> <i>explain difference between woodlands and significant woodlands-size, etc.?</i>	
263		<b>Working landscape:</b> actively used agricultural land that may be located within a natural heritage system or associated vegetation protection zone and that allow the continuation of some ecological functions such as the movement of species and organisms. A working landscape does not need to be a naturalized feature - <i>this explanation is wrong-it is backwards-the agricultural land in NOTL is specialty crop land and the most valuable land for food production.</i>	Will consider wording
264		<i>It should not refer to land within a natural heritage system-it should refer to a working landscape that may have natural features on it</i>  <i>Or remove reference to "within a natural heritage system"</i>	
		<b>John Kirby Comments</b> 25-Feb-2019 Public Meeting	
		I just wanted to say that as a long-time farmer of specialty crops in NOTL, I am disappointed in the official plan as proposed.	

No.	Section #	Comment/Question	Response
		Specialty crops are particularly susceptible to impacts from wooded areas.	Recognized and addressed in Plan.
		I personally know how difficult it is to farm adjacent to a woodlot, including the loss of crop from birds and animals, the diseases that are created and the loss of critical air flow from farming close to a wooded area.	
		I personally know the impacts of farming close to an unmanaged property border where x disease originated, and I suffered the loss of an orchard.	Will address in plan
		Unfortunately, the official plan as proposed is promoting the enhancement and restoration of natural features and areas on specialty crop farms and areas without recognizing the huge impact on neighbouring farm crops.	That is not being promoted. Will strengthen wording
		When the Greenbelt Plan identified a natural heritage system for NOTL, it was done from a table top exercise at the provincial level. There were no field visits to view the land.	Agreed. The NOTL must however conform with Provincial Natural Heritage Systems.
		The plan was to connect the natural features on the land into a corridor and then provide policies to restore and enhance that area.	A lot of the linkages are agricultural land. This is recognized and there is no intention to convert agricultural land to anything but what it is, land in production.
		Take the Lavigne Drain for instance. There is more cropped land within that corridor than natural features. The Lavigne Drain originates in the middle of farmland and has no natural base flow.	In at least certain portions of the Lavigne drain, this can be confirmed.  An engineering report for a portion of the Lavigne Drain (Neumann) included the response from DFO related to a request for review a review which indicated that “the proposed works are not likely to result in serious harm to

No.	Section #	Comment/Question	Response
			fish or prohibited effects on listed aquatic species at risk <sup>11</sup> .”
		I hope before this official plan is finished it will recognize the impact of enhancing and restoring natural features on specialty crop farms or in areas adjacent to specialty crop farms.	It will MW – could we consider adding an objective to: protect land suitable for agricultural production from fragmentation, encroachment, development and land uses unrelated to agriculture;
		When the Greenbelt Plan was developed, we understood it was to protect the best farm land for crop production. We did not know it was to increase unmanaged vegetation that will impact our crops.	This is not the intent.
Comments from ACC meeting March 7, 2019			
	Section 2	Rewrite Section 2 to emphasize importance of agriculture to NOTL	Will revise
	Section 3	Change reference from Protected Countryside to Agriculture and emphasize specialty crop presence	Will revise chapter heading
	Section 3	Address and describe municipal drainage system	Will include a section about drainage and irrigation
		Differentiate between man made and natural features.	Will revise definition and reference to “working landscape” to address this.
		What is the status of woodlot that has been destroyed through a natural process (ash bore fire)	
		Address need for pack houses for tender fruit and fact that farmers jointly use facilities which are getting bigger	Will provide clarification
Area Calculations (approximate)			
		Area	Percentage of total land area

<sup>11</sup> <https://notl.civicweb.net/document/12673>

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	NOTL	13807 H	100%
	Settlements	1422 H	10.3%
	Total NHS	2151 H	15.6% (excludes fish habitat)
	NOTL NHS	12 H	.09% (excludes fish habitat)
	Provincial NHS	2139 H	15.5%
	Balance	10234 h (includes airport lands and NPA)	74%

### Overview of Mapped Features & OP Schedules

With respect to mapping in the Official Plans, all individual feature types can be mapped with the exception of Fish Habitat, Significant Wildlife Habitat and Habitat for Endangered and Threatened Species. A consolidated Natural Heritage System, Linkages and watercourses Schedule C. Some linkages are mapped, while others are to be determined through studies. Provincial plan areas (Greenbelt Protected Countryside, Greenbelt Natural Heritage System and Niagara Escarpment Plan Area) are shown as overlays on Natural Heritage System mapping.