

**Appendix M - The Niagara Escarpment Plan, 2017: Conformity Assessment to the New Official Plan (April 2018)**

<b>Relevant Section of the <i>Niagara Escarpment Plan</i> (2017)</b>	<b>Section of the new Official Plan (April 2018) that addresses the <i>Niagara Escarpment Plan</i> (2017)*</b>
Section 1.2 Land Use Designations	The <i>NEP</i> land use designations are shown on Schedule A-1, and are referred to in Chapter 2. This Schedule does not indicate the designations in the 2017 Niagara Escarpment Plan. The Schedule will be updated through Halton Region’s Municipal Comprehensive Review.
1.2.2.1 Amendments for Mineral Resource Extraction Areas	The policies of Section 4.10.2(2) of the OP indicate that an amendment to designate a new Mineral Resource Extraction Area or an expansion shall require an Official Plan Amendment but shall not be permitted in the <i>Niagara Escarpment Plan</i> Area, except in the Escarpment Rural Area.
1.2.2.2 Need	Section 4.10.2(2) l) does not identify need as a consideration in evaluating amendment applications.
1.2.2.3 Evaluation considerations	The evaluation of amendment applications under Section 4.10.2(2) l) would address the first three considerations. The fourth consideration is implemented by the NEC.
Section 1.3 Escarpment Natural Area	
1.3.1 Objectives	The objectives and policies in Chapters 4, 9 and 10 are congruent with the Escarpment Natural Area objectives of the Niagara Escarpment Plan (NEP).
1.3.2 Criteria for Designation	The Natural Heritage System designation on Schedule I of the OP and the Greenlands (Escarpment Plan Area) designation on Schedule K of the OP encompass the NEP Escarpment Natural Area designation within Burlington and are subject to the policies for those designations.

**Note: The Official Plan sections identified below are the primary sections that address conformity; however there may be other policies in the Official Plan that further address conformity to the *Niagara Escarpment Plan*. If a policy number has not been referenced it is because the policy in question is not applicable to Burlington or is implemented directly by the Niagara Escarpment Commission.**

**Section 10.6 of the Official Plan indicates that the policies of the *Niagara Escarpment Plan* apply to the lands in North Aldershot that are within the *Niagara Escarpment Plan* Area. The *NEP* and the OP indicate, however, that within the North Aldershot Policy Area the policies of the Official Plan also apply.**

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1.3.3 Permitted Uses	The uses permitted in the Natural Heritage System in the Rural Area are consistent with the uses permitted in The Escarpment Natural Area (see Section 9.3.2 c)). Section 4.10.6 a) indicates that the lands designated Greenlands (Escarpment Plan Area) in North Aldershot are subject to the NEP policies.
1.3.4 Lot creation	
1.3.4.1 Original township lots	Not applicable as this policy pertains to implementation of an internal policy of the <i>NEP</i> relating lots previously severed. However Section 12.1.1(2) b) indicates that all development and infrastructure must be in accordance with the requirements of the <i>NEP</i> .
1.3.4.2 Severances may be permitted	Addressed in Section 12.1.12(4.1) c).
1.3.4.4 Nature preserves	Not applicable as this policy pertains to implementation of an internal policy of the <i>NEP</i> relating lots previously severed. However Section 12.1.1(2) b) indicates that all development and infrastructure must be in accordance with the requirements of the <i>NEP</i> .
Section 1.4 Escarpment Protection Area	
1.4.1 Objectives	The objectives and policies in Chapters 4, 9 and 10 are congruent with the Escarpment Protection Area objectives of the Niagara Escarpment Plan (NEP).
1.4.2 Criteria for Designation	In the Rural Area in the City's OP the lands in the Escarpment Protection Area are designated either Natural Heritage System (NHS) or Agricultural Area and are subject to the policies for those designations. In North Aldershot the Escarpment Protection Area is shown on Schedule K and the policies in Chapter 10 of the OP respecting that designation apply
1.4.3 Permitted uses	The uses permitted in the City's NHS and Agricultural Area designations are identified in Sections 9.2.2 a) and 9.3.2 c). The OP is more restrictive than the <i>NEP</i> . Institutional uses and recycling depots are not permitted by the OP. Note that this OP Policy indicates that these uses may be permitted subject to the applicable policies of the <i>NEP</i> . Section 10.6 indicates that the lands designated Escarpment Protection Area in North Aldershot on

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	Schedule K are subject to the <i>NEP</i> policies for that designation.
1.4.4 Lot creation	
1.4.4.1 Original township lots	Not applicable because this policy pertains to implementation of an internal policy of the <i>NEP</i> relating lots previously severed. However Section 12.1.1(2) b) indicates that all development and infrastructure must be in accordance with the requirements of the <i>NEP</i> .
1.4.4.2 Severances may be permitted	Addressed in Section 12.1.12(4.1) c).
1.4.4.3 Lot creation for agricultural purposes	Not permitted. OP is more restrictive.
1.4.4.4 Lot creation for agriculture-related uses	Not permitted. OP is more restrictive.
1.4.4.6 Surplus farm dwelling severances	May be permitted under Section 12.1.12(4.1) c).
1.4.4.7 Nature preserves	Not applicable as this policy pertains to implementation of an internal policy of the <i>NEP</i> relating lots previously severed. However Section 12.1.1(2) b) indicates that all development and infrastructure must be in accordance with the requirements of the <i>NEP</i> .
Section 1.5 Escarpment Rural Area	
1.5.1 Objectives	The objectives and policies in Chapters 4 and 9 are congruent with the Escarpment Rural Area objectives of the Niagara Escarpment Plan ( <i>NEP</i> ).
1.5.2 Criteria for Designation	The Escarpment Rural Area lands are designated either Agricultural Area or Natural Heritage System in the City's OP and are subject to the policies for those designations.
1.5.3 Permitted uses	The uses permitted in the City's NHS and Agricultural Area designations are identified in Sections 9.2.2 a) and 9.3.2 c)). The OP is more restrictive than the <i>NEP</i> . Institutional uses and recycling depots are not permitted by the OP. The land use designations in Chapter 9 note that uses may be permitted subject to the applicable policies of the <i>NEP</i> .
1.5.4 Lot creation	
1.5.4.1 Original township	Not applicable as this policy pertains to implementation of

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lots	an internal policy of the <i>NEP</i> relating lots previously severed. However, Section 12.1.1(2) b) indicates that all development and infrastructure must be in accordance with the requirements of the <i>NEP</i> .
1.5.4.2	Addressed in Section 12.1.12(4.1) c).
1.5.4.3 Lot creation for agricultural purposes	Not permitted. OP is more restrictive.
1.5.4.4 Lot creation for agriculture-related uses	Not permitted. OP is more restrictive.
1.5.4.6 Surplus farm dwelling severances	May be permitted under Section 12.1.12(4.1) c).
1.5.4.7 Nature preserves	Not applicable as this policy pertains to implementation of an internal policy of the <i>NEP</i> relating lots previously severed. However, Section 12.1.1(2) b) indicates that all development and infrastructure must be in accordance with the requirements of the <i>NEP</i> .
<b>Section 1.6 Minor Urban Centre</b>	
1.6.1 Objectives	The objectives and policies in Chapter 9 are congruent with the Minor Urban Centre objectives of the <i>Niagara Escarpment Plan (NEP)</i> .
1.6.2 List of minor urban centres	The Minor Urban Centres identified in the <i>NEP</i> in Burlington are designated Rural Settlement Areas in the City's OP.
1.6.3 Application of development and growth objectives	Section 9.5 addresses the <i>NEP</i> Minor Urban Area objectives and policies. Conformity with the <i>NEP</i> policies will be addressed in more detail through the Municipal Comprehensive Review being undertaken by the Region.
1.6.4 Boundaries	The Rural Settlement Area boundaries shown on Schedule I of the OP conform with the Minor Urban Area boundaries in the <i>NEP</i> . The policies of Section 9.5 are designed to maintain and enhance the existing communities while permitting limited growth.
1.6.5 Permitted uses and lot creation	Section 9.5 sets out the permitted uses in Rural Settlement Areas. Section 12.1.12(4.1) d) addresses lot creation in Rural Settlement Areas. It indicates that lands subject to the <i>Niagara Escarpment Plan</i> and Development Control are

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	subject to the policies of the applicable <i>NEP</i> designations..
1.6.6 Amendments to municipal plans	Not applicable as this is a policy of the <i>NEP</i> respecting municipal amendments and does not need to be included in the OP as a City policy.
1.6.7 Land use control	Part of Mt. Nemo is subject to the City's Zoning By-law. The remaining lands within the Rural Settlement Areas are subject to Development Control.
1.6.8 Development and growth objectives	Section 9.5 addresses the <i>NEP</i> development and growth objectives. Conformity with the <i>NEP</i> policies will be addressed in more detail through the Municipal Comprehensive Review being undertaken by the Region.
<b>Section 1.7 Urban Area</b>	
1.7.1 Objectives	The lands within this <i>NEP</i> designation are designated Agricultural Area in the City's OP preventing further encroachment in keeping with the <i>NEP</i> objectives.
1.7.2 Criteria for Designation	These lands are designated Agricultural Area in conformity with the Halton Region Official Plan.
1.7.3 Boundaries	The <i>NEP</i> Urban Area designation is shown on Schedule A-1.
1.7.4 Permitted uses and lot creation	Section 9.1.3 a) permits development of these lands, known as Beaufort Heights, mainly for single-detached dwellings, subject to the development criteria of the <i>Niagara Escarpment Plan</i> .
1.7.5 Development and growth objectives	See response to 1.7.4.
Section 1.8 Escarpment Recreation Area	Not applicable. The <i>NEP</i> does not designate Escarpment Recreation Areas in Burlington.
<b>1.9 Mineral Resource Extraction Area</b>	
1.9.1 Objectives	The objectives and policies in Section 4.10 are congruent with the Mineral Resource Extraction Area objectives of the <i>Niagara Escarpment Plan (NEP)</i> .
1.9.2 Criteria for Designation	In the City's OP Section 4.10.2(2) states that the Mineral Resource Extraction Area (MREA) designation includes areas covered by a valid licence issued pursuant to <u>The Aggregate Resources Act</u> .

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1.9.3	The permitted uses are set out in Section 4.10.2(2) c) Conformity with the <i>NEP</i> will be addressed in more detail through the Municipal Comprehensive Review being undertaken by the Region.
1.9.4 Lot Creation	
1.9.4.1 Amendment required	Section 12.1.12(4.1) c) addresses lot creation in the Rural Area outside Rural Settlement Areas
1.9.4.2 <i>NEPOSS</i> and Nature Preserves	Section 12.1.12(4.1) c) permits lot creation in the Rural Area for the purpose of acquisition by a public authority or to enable natural heritage securement.
1.9.5 After Uses	Not applicable. Section 4.10.2(2) q) requires an amendment to the City's OP designating the site for the appropriate after use.
<b>2.2 General Development Criteria</b>	
2.2.1 The escarpment environment	The escarpment environment is protected and enhanced through the policies of Section 3.5, Section 4.2 and Chapter 9.
2.2.2 Natural hazards	Section 4.4 contains policies to ensure that development does not occur in hazardous lands and does not increase natural hazards.
2.2.3 Development on existing lots	Section 12.1.12.4.1 c) does not permit lot creation for development purposes outside Settlement Areas. Section 12.1.12.4.1 d) permits lot creation within Rural Settlement Areas subject to the policies of the <i>NEP</i> .
2.2.4 Properties listed as nature preserves	Not applicable. None are listed in Burlington.
2.2.5 A lot in more than one designation	The OP does not address this policy, however policy 12.1.1(2) b) indicates that all development and infrastructure must be in accordance with the requirements of the <i>NEP</i> .
2.2.6 Energy and Greenhouse Gases	Through the policies of Section 4.1.2 the City will work to improve air quality and energy efficiency and to reduce greenhouse gas and fuel emissions. Section 7.4 addresses sustainable design measures, as implemented through the City's Sustainable Building and Development Guidelines.

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2.2.7 Only one single dwelling per lot	Sections 9.2.3 a) and 9.3.2 c) permit only one single dwelling unit on an existing lot but may permit a secondary dwelling unit or a dwelling accessory to an agricultural operation. In addition a second dwelling may be permitted to preserve an existing single dwelling of heritage value on a lot.
2.2.8 Development – access to Bruce Trail	The OP does not address this policy, however policy 12.1.1(2) b) indicates that all development and infrastructure must be in accordance with the requirements of the <i>NEP</i> .
2.2.9 Institutional uses	The policies of Chapter 9 do not permit institutional uses outside Settlement Areas. Policies in Section 9.5.5 require that compatibility issues be addressed in Settlement Areas..
2.2.10 Home occupations and home industries	Sections 9.2.3 a) and 9.3.2 c) permit home occupations and home industries in a single family dwelling or an accessory building. The policies establish size limitations consistent with the <i>NEP</i> , and so ensure that the use is secondary to the primary agricultural or residential use. Section 9.1.2 c) requires that compatibility issues be addressed.
2.2.11 Secondary dwelling units	Sections 9.1.2 g) and h) permit a single secondary dwelling unit on an existing lot containing a single-detached dwelling outside the Escarpment Protection and Natural Areas and Key Natural Heritage Features.
2.2.12 Signs and billboards	Not addressed in the OP, however policy 12.1.1(2) b) indicates that all development and infrastructure must be in accordance with the requirements of the <i>NEP</i> .
<b>2.3 Existing Uses</b>	
2.3.1 Existing use changing to a similar or more compatible use	The OP does not permit an existing use to change to another use without an amendment to the Plan.
2.3.2 Existing use to be brought into closer conformity	The OP does not directly address this policy, however Chapters 4, 9 & 10 support the implementation of this policy. Section 12.1.1(2) b) indicates that all development and infrastructure must be in accordance with the requirements of the <i>NEP</i> .
2.3.3 Expansion to an existing use	Section 9.1.2 (i) permits an expansion to an existing use in the Rural Area that does not have unacceptable or negative

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	impacts, reflecting the objectives of the <i>NEP</i> .
2.3.4 Expansion to be minor	Section 9.1.2 (i) indicates that an expansion to an existing use in the Rural Area is not to significantly increase the intensity of use or area occupied by buildings accessory facilities.
2.3.5 & 6 Waste related facilities	The OP does not permit waste-related facilities in the Rural Area.
<b>2.4 Lot Creation</b>	Sections 10.7.4 and 12.1.12(4.1) c) and d) indicate that lot creation within the <i>Niagara Escarpment Plan Area</i> is subject to the policies of the Niagara Escarpment Plan. Where the OP does not contain policies addressing a specific lot creation policy in Part 2.4 of the <i>NEP</i> it is indicated below that the <i>NEP</i> policies apply.
2.4.1 Conformity with official plan and zoning by-law	The <u>Planning Act</u> requires that decisions regarding the creation of new lots conform with Section 12.1.12 of the OP and with the Zoning By-law.
2.4.2 New residential lots & 2.4.3 Ribbon development	Section 12.1.12(4.1) c) does not permit the creation of new lots to meet residential needs in the Rural Area outside of Settlement Areas.
2.4.4 Lot size and configuration subject to municipal requirements	In the Rural Area lot creation for new development is not permitted outside Rural Settlement Areas. See Section 12.1.12(4.1) c). Lot size and configuration within Rural Settlement Areas is addressed in Sections 9.5.2 and 12.1.12(4.1) d).
2.4.5 New lots to maintain or enhance Escarpment	Section 12.1.12.4. c) does not permit lot creation for new development in the Rural Area outside of Settlement Areas, and new lots created in the Rural Settlement Areas are subject to the criteria in 12.1.12(4.1) d), which include the requirements of the <i>NEP</i> . Section 10.7.4 indicates that lot creation in North Aldershot is subject to the policies of the <i>NEP</i> .
2.4.6 Implementing authority responsibilities	Not applicable as the <i>NEP</i> is the implementing authority.
2.4.7 Lot creation in more than one designation	<i>NEP</i> policies apply.
2.4.8 New lots to front on public road	Section 12.1.12.4. c) does not permit lot creation for new development in the Rural Area outside of Settlement Areas.



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	12.1.12(4.1) d) indicates that new lots created in the Rural Settlement Areas should front on a public road or common element road and are subject to the policies of the <i>NEP</i> .
2.4.9 Lot consolidation	Section 12.1.12.4. c) provides for lot consolidations.
2.4.10 & 2.4.11 Application of <i>NEP</i> lot creation policies	Not addressed in OP. However, Section 12.1.1(2) b) requires that all development and infrastructure must be in accordance with the requirements of the <i>NEP</i> .
2.4.12 Lot creation by a public body or a conservation organization	Section 12.1.12(4.1). c) permits lot creation for these purposes.
2.4.13 Lots created for conservation purposes – legal restrictions	Section 12.1.12.4. c) identifies that <i>NEP</i> policies apply.
2.4.14 <i>NEP</i> records of lots created for conservation purposes	Not specifically addressed in the OP. However, Section 12.1.1(2) b) requires that all development and infrastructure must be in accordance with the requirements of the <i>NEP</i> .
2.4.15&16 Severance of a lot containing more than one dwelling	Not permitted under Section 12.1.12(4.1) c). In addition, Section 12.1.1(2) b) requires that all development and infrastructure must be in accordance with the requirements of the <i>NEP</i> .
2.4.17 Lots subject to heritage conservation agreement	Not permitted under Section 12.1.12(4.1) c). In addition, Section 12.1.1(2) b) requires that all development and infrastructure must be in accordance with the requirements of the <i>NEP</i> .
2.4.18 Second single dwelling	Not permitted under Section 12.1.12(4.1) c). In addition, Section 12.1.1(2) b) requires that all development and infrastructure must be in accordance with the requirements of the <i>NEP</i> .
2.4.19 Home occupation or home industry	Not permitted under Section 12.1.12(4.1) c). In addition, Section 12.1.1(2) b) requires that all development and infrastructure must be in accordance with the requirements of the <i>NEP</i> .
2.4.20 Lot creation in prime agricultural areas	Section 12.12.4. c) permits lot creation for acquisition by a public authority and for severance of a surplus farm dwelling. It does not permit lot creation for agriculture-related uses, in conformity with the Region's plan. This matter will be addressed through Halton Region's Municipal

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	Comprehensive Review.
2.5 Development Affecting Steep Slopes and Ravines	Policies in Section 4.4.2(3) address hazardous lands including slope stability. Where policies in Section 4.4.2(3) do not identify the detailed requirements of Section 2.5 of the <i>NEP</i> , the general Policy 12.1.1(2) b) directs that all development and infrastructure must be in accordance with the <i>NEP</i> .
2.6.1-2.6.12 Development Affecting Water Resources	Policies in Section 4.4 address key hydrologic features and other sensitive surface and ground water features, and indicate that the policies of the <i>NEP</i> respecting key hydrologic features apply in the <i>NEP</i> area. The identification of key hydrologic features will be more fully addressed through the Municipal Comprehensive Review as part of the Halton Region's Official Plan review. Section 4.4 also provides direction regarding source protection. Water taking is addressed in Chapter 9 and must be in accordance with Regional and Provincial legislation, regulations and standards.
<b>2.7 Development Affecting Natural Heritage</b>	
2.7.1 Key natural heritage features	Key Natural Features and other components of the natural heritage system are identified in Section 4.2.2 of the OP. Section 4.2.2 also identifies the provincial natural heritage system and indicates that the policies of the <i>NEP</i> apply. Conformity with the natural heritage components of the <i>NEP</i> will be more fully addressed through the Municipal Comprehensive Review being undertaken by the Region.
2.7.2 Development in key natural heritage features	The uses that may be permitted in the Natural Heritage System in the Rural Area are set out in section 9.3.2 c), and are only permitted subject to meeting the applicable policies of the <i>NEP</i> . Conformity with the natural heritage components of the <i>NEP</i> will be more fully addressed through the Municipal Comprehensive Review being undertaken by the Region.
2.7.3 Diversity and connectivity	This is addressed through the policies of Section 4.2.2.
2.7.4 Development in other natural features	Section 4.2.2 m) addresses development throughout the City's Natural Heritage System, which includes additional natural features that have not been identified as key features by the <i>NEP</i> . Section 4.2.2 k) specifically

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	addresses development where there are unidentified natural features. A number of policies in Section 4.2 address the identification of Key Natural Features that are not shown on the OP's Schedules.
2.7.5 Most restrictive policies or regulations apply	Chapter 4 addresses the federal <i>Fisheries Act</i> , Conservation Authority regulations and the <i>Endangered Species Act</i> .
2.7.6 Natural heritage evaluation required	Section 4.2.4 a) requires an Environmental Impact Assessment (EIA) for development and site alteration within 120 m of the Natural Heritage System, except for single-detached dwellings and smaller agricultural buildings where an EIA is only required within 30 m of a Key Natural Feature. Section 4.2.4 c) and Halton Region's EIA Guidelines set out what is to be addressed in an EIA.
2.7.7 Vegetation protection zones	Sections 4.2.2 b) and c) identify the provincial natural heritage system and indicates that the policies of the <i>NEP</i> apply. Conformity with the natural heritage components of the <i>NEP</i> will be more fully addressed through the Municipal Comprehensive Review being undertaken by the Region.
2.7.8 Habitat of threatened and endangered species	Section 4.2.2 k) prohibits development in the habitat of threatened and endangered species except in accordance with Provincial and Federal legislation and regulations
2.7.9 Vegetation protection zones for agricultural uses	See response to 2.7.7.
2.7.10 Forest management to include regeneration	Not addressed in OP, however Section 12.1.1(2) b) indicates that all development and infrastructure must be in accordance with the requirements of the <i>NEP</i> .
2.7.11 Forest management in Life Science ANSIs	Not addressed in OP, however Section 12.1.1(2) b) indicates that all development and infrastructure must be in accordance with the requirements of the <i>NEP</i> .
2.7.12 Development in woodlands should protect and enhance woodlands and associated wildlife habitat	Under Section 4.2.2 m) development in is not permitted within significant woodlands in the NHS unless it is demonstrated to have no negative impact.
<b>2.8 Agriculture</b>	

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2.8.1 Prime agricultural areas	The policies of Ch. 9 protect the agricultural land base. Section 9.2.4 specifically protects prime agricultural areas.
2.8.2 Minimum distance separation (MDS)	Section 9.2.2.4 requires that new land uses comply with MDS.
2.8.3 Topsoil augmentation	Not applicable as this is not a matter addressed under the <i>Planning Act</i> .
2.8.4 Minimizing land use conflicts	Sections 9.1.2 c) and d) contains policies to ensure that permitted uses are compatible with agricultural operations. Compatibility also is addressed in several other policies throughout the OP, such as: Section 6.1.2 h); Sections 9.1.2 g), i), o) and l); and Section 9.2.2 d).
2.8.5 Accessory Dwelling Units	Sections 9.2.3 a) (v) and 9.3.2 c) (vii) permit accessory dwellings subject to conditions similar to those in the <i>NEP</i> .
2.8.6 Agriculture-related uses	Sections 9.2.3 a) (xvi) and 9.3.2 c) (xix) permit agriculture-related uses but are more restrictive than the <i>NEP</i> . This will be addressed through the Municipal Comprehensive Review being undertaken by the Region.
2.8.7 On-farm diversified uses	Sections 9.2.3 a) (xvi) and 9.3.2 c) (xix) permit on-farm diversified uses but are more restrictive than the <i>NEP</i> . This will be addressed through the Municipal Comprehensive Review being undertaken by the Region.
2.8.8 to 2.8.10 Wineries	Not applicable as wineries are not located within Burlington's Rural Area.
<b>2.9 Mineral Aggregate Resources</b>	
2.9.1&2.9. 2 Aggregate operations in key natural features	Section 4.10.2(2) i) contains similar prohibitions but is less restrictive in significant woodlands. The OP does not indicate that these uses may be permitted in other key features. Section 4.10.2(2) m) requires that aggregate proposals address impacts on Key Natural Features and the NHS.
2.9.3 Requirements to be addressed by new applications	Sections 4.10.2(2) j) and m) require similar considerations to be taken into account in reviewing applications to those in the <i>NEP</i> but the <i>NEP</i> addresses some additional considerations. This will be addressed through the Municipal Comprehensive Review being undertaken by the Region.

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2.9.4 Proximity to Escarpment brow	Section 4.10.2(2) i) does not permit new quarries within 200 m of the Escarpment brow. The OP is unable to regulate extraction for quarries licenced prior to 1985.
2.9.5.& 6 Screening aggregate operations	Screening is not specifically required by the OP. Screening requirements would be addressed through Sections 4.10.2(2) d) and j).
2.9.7 to 2.9.9 Use of off-site material in rehabilitation	This is not specifically addressed by the OP. It would be considered through the review of aggregate proposals under Section 4.10.2(2) j).
2.9.10 Accessory uses to be discontinued when extraction ceases	Section 4.10.2(2) q), requiring that aggregate operations be rehabilitated to an after use compatible with adjoining land uses, would not permit accessory uses to continue.
2.9.11 Rehabilitation requirements	The OP does not specify all of the rehabilitation requirements set out in the <i>NEP</i> . The rehabilitation requirements are addressed through Sections 4.10.2(2) j), p), q) and r). Section 12.1.1(2) establishes as a general policy that development is subject to the policies of the <i>NEP</i> .
2.9.12 Development adjacent to extractive operations	Sections 4.10.2(1) d) and 4.10.2(2) b) protect existing aggregate operations from incompatible new development.
2.9.13 Wayside pits	The City's OP conforms with the Region's OP in not permitting wayside pits and quarries.
<b>2.10 Cultural Heritage</b>	
2.10.1 Development and archaeological resources	Section 3.5.2(5.2) a) addresses archaeological resources in detail.
2.10.2 Heritage Study requirements	Section 3.5.2 includes requirements for a Heritage Impact Study and an archaeological survey.
2.10.3 Compatibility	Section 3.5.2 (3) requires that development on a property containing cultural heritage resources, or adjacent to cultural heritage resources, be compatible with the heritage character of the area.
2.10.4 and 2.10.5 Residential Heritage Property Listing	Not applicable as these policies concern maintenance of the residential heritage property listing appended to the <i>NEP</i> .
<b>2.11 Recreation</b>	

**Appendix M - The Niagara Escarpment Plan, 2017: Conformity Assessment to the  
New Official Plan (April 2018)**

<b>Relevant Section of the <i>Niagara Escarpment Plan (2017)</i></b>	<b>Section of the new Official Plan (April 2018) that addresses the <i>Niagara Escarpment Plan (2017)*</i></b>
2.11.1, 2.11.2 and 2.11.3 Recreation	In the OP, only non-intensive recreation uses may be permitted in the Rural Area outside Rural Settlement Areas (see the permitted uses in Chapter 9 and in Section 4.10). Non-intensive recreation uses, as defined in Chapter 13, are to involve a relatively low degree of human activity, maintenance or management and are not to negatively impact the Natural Heritage System or the Agricultural System.
2.11.4 Golf facilities	New golf facilities, and expansions requiring additional land, are not permitted in the Rural Area (Section 9.1.2 n)). An expansions to an existing facility may be permitted within the existing property provided that it does not have unacceptable environmental and other impacts (Section 9.1.2 i)). Subsection 9.1.2 c) also addresses compatibility.
2.11.5 Golf facilities	Not applicable as new golf facilities are not permitted.
2.11.6 Trail safety	Trail safety is addressed in Section 6.2.4(2) g).
2.11.7 Trails - impacts	See response to 2.11.1.
2.11.8 Trails impacting Escarpment environment	See response to 2.11.1.
2.11.9 Parkland, open space and trails planning	See response to 2.11.1.
2.12 Infrastructure	Note that only essential linear infrastructure may be permitted in the Rural Area outside Settlement Areas (see Sections 4.10.2(2) c), 9.2.3 a) and 9.3.2 c)).
2.12.1 Integrated planning	Sections 6.1.2 and 6.4 provide direction on the coordination of infrastructure planning and investment acknowledging that other entities, mainly the Region of Halton deliver a significant component of the infrastructure upon which development is reliant. The Region of Halton plans, designs, delivers and maintains a significant component of the infrastructure including municipal water and wastewater and the Regional Road network and the work through the municipal comprehensive review will further integrate planning and infrastructure planning.. In addition, Section 12.1.1(2) b) indicates that all development and infrastructure must be in accordance with the requirements of the <i>NEP</i> .
2.12.2 Impacts on the	Section 6.1.2 h) contains policies to avoid or minimize

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<b>Relevant Section of the <i>Niagara Escarpment Plan</i> (2017)</b>	<b>Section of the new Official Plan (April 2018) that addresses the <i>Niagara Escarpment Plan</i> (2017)*</b>
Escarpment environment	impacts on the NHS, the Agricultural System, cultural heritage and other aspects of the rural landscape and rural community.
2.12.3 Green Infrastructure and Low Impact Development	Policies in Sections 3.3, 4.2, 4.3, 4.4, and 7.4 address low impact development and green infrastructure.
2.12.4 Impacts on Recreation Uses	Section 6.1.2 h) requires a social impact assessment for major infrastructure. This would address impacts on recreation facilities.
2.12.5 Escarpment Natural Areas	Section 6.1.2 h) states that infrastructure should avoid Key Natural Features, which encompass the Escarpment Natural Areas.
2.12.6 Prime agricultural areas	Section 6.1.2 h) indicates that infrastructure should avoid Prime Agricultural Areas.
2.12.7 Water and Wastewater Systems	Section 6.1.2 a) (iii) stipulates that no servicing extensions or connections beyond the Urban Area shall be permitted, unless exempted by the policies of the Regional Official Plan, which prohibits such service extensions with some exceptions. Section 9.1.2 f) requires that all development in the Rural Area be on private, on-site, individual water and wastewater services.
2.12.8 Connections to municipal water and wastewater systems	See response to 2.1.27.
<b>2.13 Scenic Resources and Landform Conservation</b>	
2.13.1 & 2 Protection of scenic resources	Section 9.1.2 c) requires that permitted uses be compatible with the rural character of the area. This would include impacts on the scenic resources of the Escarpment. Section 3.5.2(5.1) addresses conservation of the Cultural Heritage Landscape over a large portion on the <i>Niagara Escarpment Plan</i> Area in Burlington. This also could involve protection of scenic resources and landform conservation.
2.13.3 Visual impact assessment	Not specifically addressed but a visual impact assessment could be required under various policies such as Sections 3.5.2, 6.1.2 h) and 9.1.2.c. Section 12.1.1(2) b) indicates that all development and infrastructure must be in accordance with the requirements of the <i>NEP</i> .

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New Official Plan (April 2018)**

<b>Relevant Section of the <i>Niagara Escarpment Plan (2017)</i></b>	<b>Section of the new Official Plan (April 2018) that addresses the <i>Niagara Escarpment Plan (2017)</i>*</b>
2.13.4 – 2.13.6	Addressed through the policies cited in the responses to 2.13.1 and 2.13.2.
2.13.7 Berms	This would be addressed through the policies cited in the response to 2.13.1 and 2.13.2, and also through Section 4.6 of the Official Plan.
2.13.8 Excess excavated materials	Policies in Section 7.4 address sustainable design and refer to the Sustainable Building and Development Guidelines which support the reuse and management of soil excavated on site.
2.13.9 Cutting and filling	This would be addressed through the policies in Section 4.4.
2.13.10 Imported fill	Addressed under the City's Site Alteration By -law.
2.14 The Bruce Trail	
2.14.2 Overnight rest area	Sections 9.2.3 and 9.3.2 indicates that non-intensive recreation uses may be permitted in the Agricultural Area and the Natural Heritage System subject to the other policies of the OP.
2.1.4 3 & 4 Bruce Trail access points	Bruce Trail access points may be permitted subject to Section 9.1.2 l).
Section 3 – <i>NEPOSS</i>	Not addressed in the OP. Chapter 9 of the OP indicates that uses permitted in an approved Niagara Escarpment Park and Open Space Master/Management Plan may be permitted in the Agricultural Area and NHS designations in the Rural Area (see Sections 9.2.3 a) and 9.3.2 c)).