

PREPARED FOR:

**Walker South Landfill Phase 2
Environmental Assessment**
Walker Environmental Group

File no. 9811BM

February 2025

LAND USE EXISTING CONDITIONS AND SCREENING REPORT – PRELIMINARY DRAFT

Your Vision

Designed | Planned | Realized

MHBC - MacNaughton Hermsen Britton Clarkson Planning Limited
200-540 Bingemans Centre Drive Kitchener, ON N2B 3X9

T: 519 576 3650

F: 519 576 0121

www.mhbcplan.com



PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

Contents

| | | |
|-------|---|----|
| 1.0 | Introduction..... | 4 |
| 2.0 | Study Areas..... | 5 |
| 2.1 | Location of Site Study Area and Local Study Area | 5 |
| 3.0 | Methodology..... | 7 |
| 4.0 | Characterization of the Existing Environment..... | 9 |
| 4.1 | Planned Land Uses: Planned Legislation and Policy Overview..... | 9 |
| 4.1.1 | Planning Act (Section 2) | 9 |
| 4.1.2 | Provincial Planning Statement, 2024 (PPS) | 10 |
| 4.1.3 | Greenbelt Plan (2017) | 16 |
| 4.1.4 | Niagara Escarpment Plan (NEP) | 17 |
| 4.1.5 | Region of Niagara Official Plan (2022) | 24 |
| 4.1.6 | City of Niagara Falls Official Plan | 38 |
| 4.1.7 | City of Niagara Falls Zoning By-law 79-200 | 42 |
| 4.1.8 | Development Application In Local Study Area | 48 |
| 4.2 | Other Areas Considered as per Approved Terms of Reference | 48 |
| 4.2.1 | Secondary Plans Located Outside Of The Local Study Area | 48 |
| 4.3 | Existing Land Uses..... | 65 |
| 4.3.1 | Existing Land Uses – Site Study Area (SSA) | 65 |
| 4.3.2 | Existing Land Uses – Local Study Area..... | 67 |
| 5.0 | Summary of Findings and Conclusions | 80 |
| 6.0 | References | 85 |

Tables

| | |
|--|----|
| Table 1 Criteria, Indicators, and Data Sources - Land Use | 7 |
| Table 2 Existing Land Uses in Local Study Area | 67 |
| Table 3 Residential Properties within Local Study Area | 71 |
| Table 4 Agricultural Properties / Uses within Local Study Area | 75 |
| Table 5 Employment Uses and Utilities within Local Study Area | 78 |

Figures

Figure 1 – Study Area Context Map

Figure 2 – Niagara Escarpment Plan (NEP) Land Use Designations

Figure 3 – Niagara Region Official Plan – Schedule B

Figure 4 – Niagara Region Official Plan – Schedule C1

Figure 5 – Niagara Region Official Plan – Schedule C2

Figure 6 – Niagara Region Official Plan – Schedule C3

Figure 7 – Niagara Region Official Plan – Schedule F

Figure 8 – Niagara Region Official Plan – Schedule H

Figure 9 – Niagara Falls Official Plan – Schedule A

Figure 10 – Niagara Falls Official Plan – Schedule A-1

Figure 11 – Niagara Falls Zoning By-law 79-200 – Sheets A1-A3, B1-B3

Figure 12 – Niagara On The Lake Official Plan – Schedule F – Glendale Land Use Plan

Figure 13 – Glendale Secondary Plan - Schedule 1 - Land Use Designations

Figure 14 – Aggregate Licence Boundaries

Figure 15 – Walker Owned Properties

Figure 16 – Location of Residential Land Uses within the Local Study Area

Figure 17 – Location of Agricultural Land Uses within the Local Study Area

Figure 18 – Location of Employment and Utility Land Uses within the Local Study Area

1.0 Introduction

This Report provides an overview of the planned and existing Land Use conditions for the South Landfill Phase 2 Environmental Assessment (EA). The Minister of the Environment, Conservation and Parks (Minister) Approved Terms of Reference (ToR) for the EA included a preliminary description of the existing environmental conditions and made a commitment to expand upon this description during the EA¹.

Walker Environmental Group (Walker) initiated a Comprehensive EA under the Ontario *EA Act* seeking approval to expand the capacity of its existing South Landfill located at the Walker Resource Management Campus (Campus) in Niagara Falls. The South Landfill is an essential component of Walker's Campus since it began operating in 2009 under Environmental Compliance Approval (ECA) No. 008-78RKAM, as amended, and provides safe, reliable, and affordable disposal capacity for solid, non-hazardous waste from residential and industrial, commercial, and institutional (IC&I) sources to its customer base within the City of Niagara Falls, the Regional Municipality of Niagara, and the Province of Ontario. The South Landfill's total approved disposal capacity is 17.7 million m³ and is expected to reach maximum capacity by 2029 to 2031.

The proposed Phase 2 of the South Landfill would extend its approved capacity by approximately 18 million m³ over a 20-year period, ensuring Walker can continue to provide essential residual waste disposal services to its existing customer base. Walker is proposing to locate the additional disposal capacity (Phase 2) to the east of the existing South Landfill within the area currently occupied by Walker's Southeast Quarry. The proposal would maintain the existing landfill service area, as well as the annual volume of solid, non-hazardous waste from the sources currently accepted.

The *EA Act* requires that proponents describe the environment that may potentially be affected or may reasonably be expected to be affected, directly or indirectly, by the Alternative Methods of Carrying Out the Undertaking (Alternative Methods) proposed as part of an EA. The description of the existing environmental conditions will provide the baseline for the assessment of potential effects for the proposed Undertaking, which will be conducted during the EA. This report focuses on characterizing the existing and planned conditions within the study area for the South Landfill Phase 2 EA for Land Use.

1.A more detailed description of the environment will be provided during preparation of the South Landfill Phase 2 EA reflecting the final study area using available existing information sources and investigative studies.

2.0 Study Areas

2.1 Location of Site Study Area and Local Study Area

For the purpose of this Report, existing and planned Land Use conditions and potential effects have been considered in the context of the two study areas categorized as: site and local, as described and defined as:

- **Site Study Area (“SSA”):** As set out in Section 6.1 of the approved Terms of Reference, the SSA is common for all technical disciplines and includes all lands within the Proposed South Landfill Phase 2 Location which is situated east of the existing South Landfill (Phase 1) on the east side of Taylor Road and south of Mountain Road and is currently occupied by Walker’s existing Southeast Quarry owned and operated by Walker. The Site Study Area is approximately 76.12 ha.
- **Local Study Area (“LSA”):** As set out in Section 6.1 of the approved Terms of Reference, the LSA will be specific to each technical discipline but will extend 1-2 km beyond the SSA boundary. For the purposes of this Report, the Local Study Area was based primarily on the D-Series Guidelines (in particular, the D-4 Guidelines for Land Use On or Near Landfills and Dumps) and includes all lands within a 1 km radius of the SSA boundaries.

In addition to the SSA and LSA, two areas beyond the LSA are included in the Land Use existing conditions study area.

- **Other Study Areas:** including lands beyond the LSA that were requested and agreed to be reviewed as part of the Approved Terms of Reference and includes lands within the boundaries of the Northwest Secondary Plan and the Glendale Secondary Plan (**collectively, “Other Study Areas” and separately “Northwest Study Area” and “Glendale Study Area”**).

The boundaries of each of these Study Areas are illustrated on Figure 1.

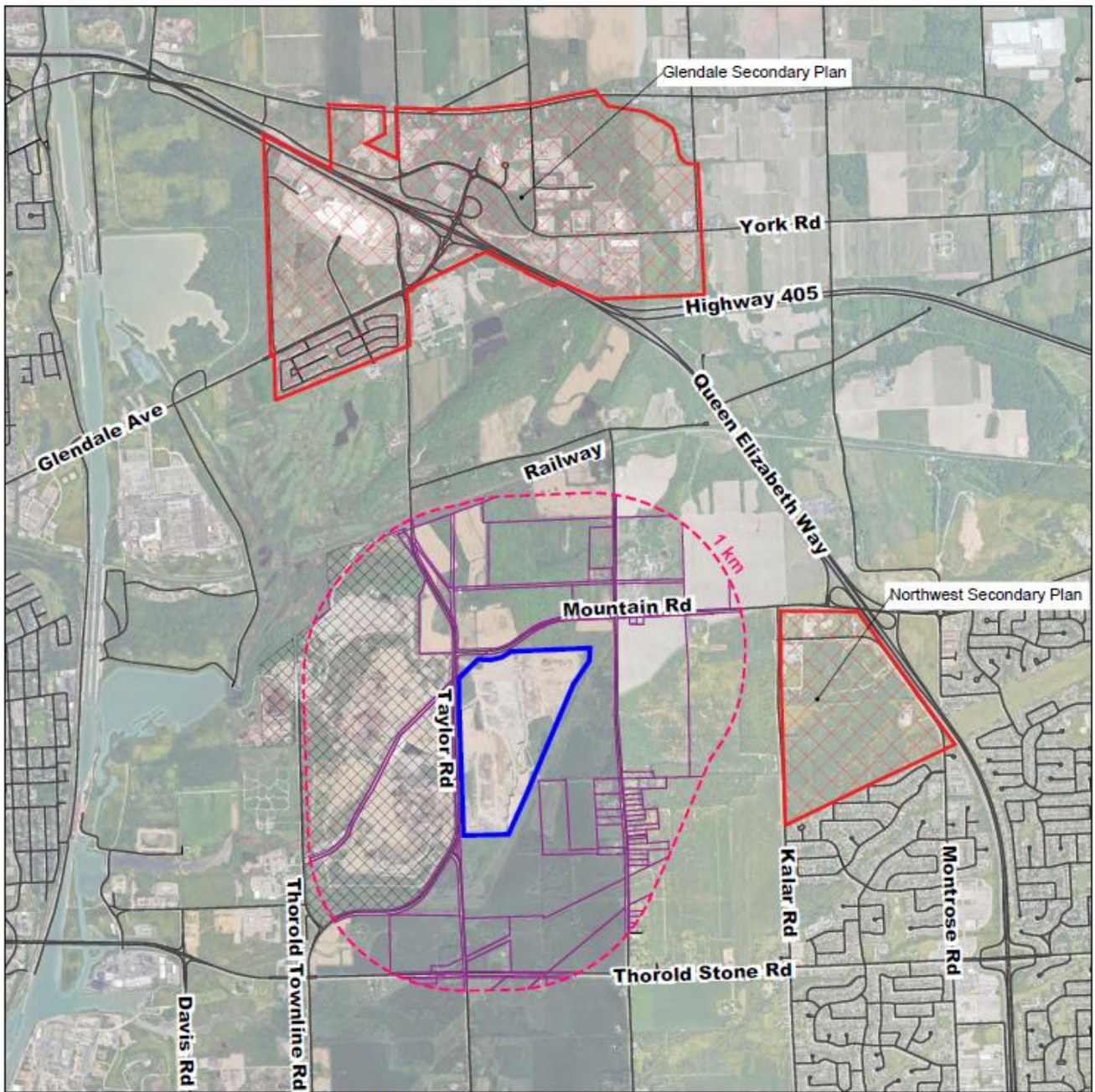


Figure 1- Other Study Areas and Walker Resource Management Campus Context Map

LEGEND

- Site Study Area
- Local Study Area
- Walker Resource Management Campus
- Property Boundary
- Road Network
- Other Areas Considered as per Terms of Reference



3.0 Methodology

The Land Use existing and planned conditions within the study areas were based on the evaluation criteria, indicators, and data sources included in the approved Land Use Work Plan as part of the Environmental Assessment (EA) Terms of Reference (ToR). The evaluation criteria, indicators, and data sources used for Land Use as per the approved ToR are provided in Table 1.

Table 1 Criteria, Indicators, and Data Sources - Land Use

| Environmental Component | Evaluation Criteria | Indicators | Data Sources |
|-------------------------|--|---|--|
| Land Use | Effect on existing and proposed planned future land uses and associated infrastructure | <ul style="list-style-type: none"> - Current and planned future land use - Proximity to sensitive land uses (e.g., reviewed Local Study Area for any potential sensitive land uses, including: dwellings, churches, parks, agricultural, commercial or recreational uses) | <ul style="list-style-type: none"> - Aerial photographic mapping and field investigations - Land Use Existing Conditions Report - Site surveys and assessments - Published data sources (i.e., Official Plans, Secondary Plans, Zoning By-laws) - Ontario <i>Planning Act</i> - Provincial Policy Statement - Discussions with municipalities and, if required, property owners local to the Site - Review of findings of all the supporting studies (in relation to relevant policies and provincial guidelines) - Agricultural Land Base –Dataset – Niagara Open Data |

| | | | |
|--|--|--|--|
| | | | - Ortho Imagery (2020), Niagara Region |
|--|--|--|--|

In accordance with the ToR this report was prepared by undertaking a review of provincial and municipal planning documents to determine the policy and regulatory context related to the Project and Study Areas. Particular attention was given to land uses potentially sensitive to landfilling activities, as defined in the Provincial guidelines and municipal policies, which were highlighted and identified.

The following data sources were evaluated for this assessment:

- Policy documents and guidelines applicable to the Site Study Area and Local Study Area:
 - o Ontario *Planning Act*
 - o Provincial Planning Statement
 - o Ontario Ministry of Environment, Conservation and Parks Guidelines: All applicable D-series environmental land use guidelines
 - o Niagara Region Official Plan
 - o City of Niagara Falls Official Plan
 - o City of Niagara Falls Zoning By-law
 - o Northwest Secondary Plan
 - o Glendale Secondary Plan
- Review of Aerial Photographic Mapping:
 - o A number of data sources including Google Maps, Google Earth Imagery, VuMap, Niagara Falls online GIS mapping, and OMAFRA's Agricultural Systems Portal.
- Field visits conducted by MHBC and other Team members.
- Review background documentation regarding the existing *Aggregate Resource Act* licence.
- Review background documentation regarding the existing Campus Operations.
- Review of requested information from City Staff regarding Northwest and Glendale Secondary Plans.
- Review of active development applications situated within the Local Study Area.

Land use conditions within the Site and Local Study Areas were characterized based on the results from the review of background documents and mapping resources. This also identified uses that are considered 'sensitive land uses' under the definitions contained in the PPS and D-Series Guidelines.

4.0 Characterization of the Existing Environment

The following sections describes the planned and existing land uses within the Site and Local Study Areas, with a primary focus on sensitive land uses.

4.1 Planned Land Uses: Planned Legislation and Policy Overview

The following summarizes the land use policy framework applicable to the Site Study Area and Local Study Area.

4.1.1 Planning Act (Section 2)

Section 2 of the *Planning Act* requires that a municipality or other approval authority shall have regard for matters of Provincial interest when carrying out their responsibilities. The following matters of Provincial interest are required to be considered in relation to the proposed Phase 2 of the South Landfill and any other development proposal within the Local Study Area:

- (a) the protection of ecological systems, including natural areas, features and functions;
- (b) the protection of the agricultural resources of the Province;
- (c) the conservation and management of natural resources and the mineral resource base;
- (d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;
- (e) the supply, efficient use and conservation of energy and water;
- (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- (g) the minimization of waste;
- (h) the orderly development of safe and healthy communities;
 - (h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;

- (i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;
- (j) the adequate provision of a full range of housing, including affordable housing;
- (k) the adequate provision of employment opportunities;
- (l) the protection of the financial and economic well-being of the Province and its municipalities;
- (m) the co-ordination of planning activities of public bodies;
- (n) the resolution of planning conflicts involving public and private interests;
- (o) the protection of public health and safety;
- (p) the appropriate location of growth and development;
- (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
- (r) the promotion of built form that,
 - (i) is well-designed,
 - (ii) encourages a sense of place, and
 - (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;
- (s) the mitigation of greenhouse gas emissions and adaptation to a changing climate.

4.1.2 Provincial Planning Statement, 2024 (PPS)

The PPS was approved by the Ministry of Municipal Affairs and Housing on August 20, 2024 and came into effect on October 20, 2024. The PPS is a streamlined province-wide land use planning policy framework that replaces both the Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, while building upon housing-supportive policies from both documents. It provides general policy direction on matters relating to land use planning and development, and outlines policy for Ontario's long-term prosperity, economic health and social well-being.

Any land use decision made under the *Planning Act* relative to the proposed Phase 2 of the South Landfill is required to be consistent with the PPS. The PPS provides policy direction on matters of provincial interest related to land use planning and development, as set out in section 2 of the *Planning Act*. The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment.

The following section outlines policy direction and provisions of the PPS which are relevant to the proposed South Landfill Phase 2 and Local Study Area.

PPS - POLICY CONTEXT

The activities associated with the South Landfill Phase 2 proposal, as well as parts of the Local Study Area, would be considered a 'waste management system', would be classified as a 'major facility' and would include 'infrastructure' under the terms of the PPS. Section 8 of the PPS defines these relevant terms as follows:

“Waste management system: means sites and facilities to accommodate waste from one or more municipalities and includes recycling facilities, transfer stations, processing sites and disposal sites.

Infrastructure: 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/telecommunications including broadband, transit and transportation corridors and facilities, active transportation systems, oil and gas pipelines and associated facilities.

Major facilities: means facilities which may require separation from sensitive land uses, including but not limited to airports, manufacturing uses, transportation infrastructure and corridors, rail facilities, marine facilities, sewage treatment facilities, waste management systems, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.”

According to the Niagara Region Official Plan, the majority of the Local Study Area is classified as a prime agricultural area. Land in the northern portion of the Local Study Area is classified as specialty crop area. Prime agricultural areas and specialty crop areas are defined in Section 8 of the PPS as follows:

“Prime agricultural area: means areas where prime agricultural lands predominate. This includes areas of prime agricultural lands and associated Canada Land Inventory Class 4 through 7 lands, and additional areas with a local concentration of farms which exhibit characteristics of ongoing agriculture. Prime agricultural areas may be identified by a planning authority based on provincial guidance or informed by mapping obtained from the Ontario Ministry of Agriculture, Food and Agribusiness and the Ontario Ministry of Rural Affairs or any successor to those ministries.

Specialty crop area: means areas within the agricultural land base designated based on provincial guidance. In these areas, specialty crops are predominantly grown such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil, usually resulting from:

- a) soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both;
- b) farmers skilled in the production of specialty crops; and

- c) a long-term investment of capital in areas such as crops, drainage, infrastructure and related facilities and services to produce, store, or process specialty crops.

Further, Section 8 defines prime agricultural land as:

"Prime agricultural land: means specialty crop areas and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection."

A number of lots within the Local Study Area contain, or partially contain, sensitive land uses, which is defined in the PPS as follows:

"Sensitive land uses: means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities."

PPS - POLICY OVERVIEW

Given the nature and scale of the Project and the surrounding development context, Chapter 3, including Section 3.7 (Waste Management) and Section 3.5 (Land Use Compatibility) are most relevant. Chapter 2, including Section 2.5 (Rural Areas), and Chapter 4, including Section 4.3 (Agriculture) and Section 4.5 (Mineral Aggregate Resources) are relevant given existing land uses. Policies contained within Chapters 2, 3, 4, and 5 of the PPS have relevance to the Project overall.

While it will be necessary to demonstrate consistency with the PPS in its entirety, the following provides an overview of the relevant policies that will need to be addressed by the EA and associated technical studies:

Chapter 2: Building Homes, Sustaining Strong and Competitive Communities

Section 2.5: Rural Areas in Municipalities

Both the Site Study Area and Local Study Area are considered to be within the Rural Area as defined by the PPS:

"Rural Areas: means a system of lands within municipalities that may include rural *settlement areas, rural lands, prime agricultural areas, natural heritage features and areas,* and resource areas.

The following Policy applies under Section 2.5:

"2.5.1. Healthy, integrated and viable *rural areas* should be supported by:

- a) building upon rural character, and leveraging rural amenities and assets;

- b) promoting regeneration, including the *redevelopment of brownfield sites*;
- c) accommodating an appropriate range and mix of housing in rural *settlement areas*;
- d) using rural *infrastructure* and *public service facilities* efficiently;
- e) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;
- f) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;
- g) conserving biodiversity and considering the ecological benefits provided by nature; and
- h) providing opportunities for economic activities in *prime agricultural areas*, in accordance with policy 4.3.

Chapter 3: Infrastructure and Facilities

Section 3.7: Waste Management

Section 3.7 outlines policy on Waste Management including:

- “3.7.1 *Waste management systems* need to be planned for and provided that are of an appropriate size, type, and location to accommodate present and future requirements, and facilitate integrated waste management”.

Section 3.5: Land Use Compatibility

Policy 3.5.1 and 3.5.2 of the PPS provides direction regarding land use compatibility for *major facilities*:

- “3.5.1 *Major facilities* and *sensitive land uses* shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential *adverse effects* from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of *major facilities* in accordance with provincial guidelines, standards and procedures.”
- “3.5.2 Where avoidance is not possible in accordance with policy 3.5.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other *major facilities* that are vulnerable to encroachment by ensuring that the planning and *development* of proposed adjacent *sensitive land uses* is only permitted if potential *adverse affects* to the proposed sensitive land use are minimized and mitigated, and potential impacts

to industrial, manufacturing or other *major facilities* are minimized and mitigated in accordance with provincial guidelines, standards and procedures.

Section 3.1: General Policies for Infrastructure and Public Service Facilities

In our opinion, the Project would be considered Infrastructure by definition (as noted earlier) and would not be considered Public Service Facilities as defined by the PPS. Accordingly, the following Policies would apply under this Section:

- “3.1.1 *Infrastructure* (and *public service facilities*) shall be provided in an efficient manner while accommodating projected needs. Planning for *infrastructure* (and *public service facilities*) shall be coordinated and integrated with land use planning and growth management so that they:
 - a) are financially viable over their life cycle, which may be demonstrated through asset management planning;
 - b) leverage the capacity of development proponents, where appropriate; and
 - c) are available to meet current and projected needs”.
- “3.1.2 Before consideration is given to developing new *infrastructure* (and *public service facilities*):
 - a) the use of existing *infrastructure* and *public service facilities* should be optimized; and
 - b) opportunities for adaptive re-use should be considered, wherever feasible”.

Chapter 4: Wise Use and Management of Resources

Sections 4.1 and 4.2 of the PPS contain several policies related to the protection of identified natural heritage features and policies serving to protect, improve or restore the quality and quantity of water. Technical studies being undertaken for this Project will need to demonstrate consistency with these policies.

Section 4.3 of the PPS integrates a series of policies relating to Agriculture. In our opinion, the following policies contained within Section 4.3 are particularly relevant to the proposed South Landfill Phase 2:

- 4.3.1.2 As part of the agricultural land base, *prime agricultural areas*, including *specialty crop areas*, shall be designated and protected for long-term use for agriculture.
- 4.3.2.1 In *prime agricultural areas*, permitted uses and activities are: *agricultural uses*, *agriculture-related uses* and *on-farm diversified uses* based on provincial guidance.

- 4.3.2.2 In *prime agricultural areas*, all types, sizes and intensities of *agricultural uses* and *normal farm practices* shall be promoted and protected in accordance with provincial standards.
- 4.3.2.3 New land uses in *prime agricultural areas*, including the creation of lots and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*.
- 4.3.5.1 Planning authorities may only permit non-agricultural uses in *prime agricultural areas* for:
 - a) extraction of *minerals, petroleum resources* and *mineral aggregate resources*; or
 - b) limited non-residential uses, provided that all of the following are demonstrated:
 1. the land does not comprise a *specialty crop area*;
 2. the proposed use complies with the *minimum distance separation formulae*;
 3. there is an identified need within the planning horizon identified in the official plan as provided for in policy 2.1.3 for additional land to accommodate the proposed use; and
 4. alternative locations have been evaluated, and
 - i. there are no reasonable alternative locations which avoid *prime agricultural areas*; and
 - ii. there are no reasonable alternative locations in *prime agricultural areas* with lower priority agricultural lands.
- 4.3.5.2 Impacts from any new or expanding non-agricultural uses on the *agricultural system* are to be avoided, or where avoidance is not possible, minimized and mitigated as determined through an *agricultural impact assessment* or equivalent analysis, based on provincial guidance.

Section 4.5 of the PPS contains policies related to Mineral Aggregate Resources. The Site Study Area contains an existing licenced quarry (Licence 11175). An existing licenced quarry also exists northwest of the SSA in the Local Study Area (Licence 4437). Furthermore, known deposits of mineral aggregate resources have been identified in the Local Study Area. The PPS contains policies to protect mineral aggregate operations from development and activities which would preclude or hinder their expansion or continued use (4.5.2.4). Also, the PPS protects known deposits of mineral aggregate resources from development and activities which would preclude or hinder the establishment of new mineral aggregate operations or access to the resources (4.5.2.5). Therefore, given the presence of aggregate resources and mineral aggregate operations in the Local Study Area,

the PPS includes policies aimed at protecting the Site Study Area and a large portion of the Local Study Area from a further encroachment of sensitive land uses.

Section 4.6 of the PPS contains several policies related to the conservation of cultural heritage and archaeological resources.

Chapter 5: Protecting Public Health and Safety

Section 5.1: General Policies for Natural and Human-Made Hazards

- 5.1.1. Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.

Section 5.3: Human-Made Hazards

- 5.3.1. Development on, abutting or adjacent to lands affected by mine hazards; oil, gas and salt hazards; or former mineral mining operations, mineral aggregate operations or petroleum resource operations may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed.
- 5.3.2. Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects.

4.1.3 Greenbelt Plan (2017)

The Site Study Area is situated outside of the Greenbelt Plan Area. Portions of the Local Study Area to the north, northwest and northeast are situated within the Greenbelt Plan Area, which overlaps with the Niagara Escarpment Plan area and is discussed in Section 4.1.4 of this report.

The Greenbelt Plan, approved under the *Greenbelt Act*, 2005, establishes a broad band of protected land in southern Ontario. Its purpose is to safeguard prime agricultural areas, natural heritage systems, and hydrological features from urban sprawl and incompatible uses. The plan ensures the sustainable use of land while supporting agriculture, tourism, and recreation, fostering climate resilience, and mitigating environmental degradation.

The Greenbelt Plan supports sustainable infrastructure, including waste management facilities, provided they meet compatibility and environmental standards. It also highlights the need to preserve the agricultural land base and natural systems, emphasizing the balance between resource use and conservation.

4.1.4 Niagara Escarpment Plan (NEP)

The Site Study Area is also situated outside of the Niagara Escarpment Plan (NEP). Portions of the Local Study Area to the north, northwest and northeast are located within the Greenbelt Plan and NEP, including the following land designations under the NEP (please see Figure 2):

- Urban Area
- Mineral Resource Extraction
- Escarpment Rural Area
- Escarpment Protection Area
- Escarpment Natural Area

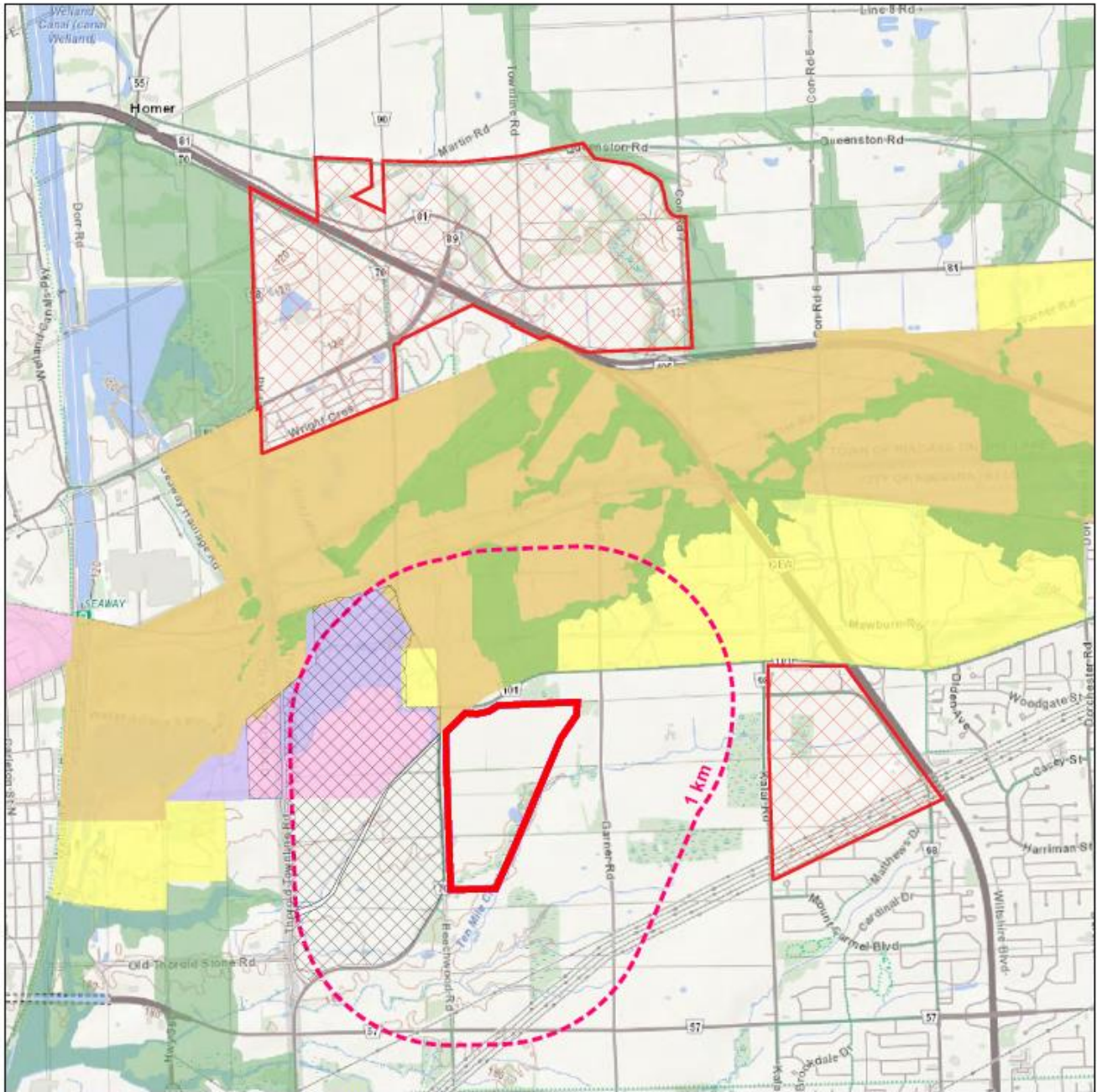


Figure 2- Niagara Escarpment Plan (NEP) Land Use Designations

LEGEND

- | | | |
|--|--|--|
|  Site Study Area |  Escarpment Natural Area |  Mineral Resource Extraction Area |
|  1 km Local Study Area |  Escarpment Protection Area |  Urban Area |
|  Walker Resource Management Campus |  Escarpment Rural Area |  Natural Heritage System |
|  Other Areas Considered as per Terms of Reference | | |



The Niagara Escarpment Plan (NEP), authorized under the *Niagara Escarpment Planning and Development Act*, is a framework to protect the unique ecological, geological, and cultural features of the Escarpment. It is designated as a UNESCO World Biosphere Reserve, emphasizing the balance between conservation and sustainable development. The NEP establishes land use designations and development criteria to ensure that the Escarpment remains a continuous natural environment.

The following provides a summary of the identified land use designations:

Urban Area

Lands within the Walker Resource Management Campus, where the existing East Landfill is located, is designated as Urban Area. The main objective of this designation, as set out in Section 1.7.1 of the NEP, is to minimize the impact of and prevent further encroachment of urban growth on the Escarpment environment.

In terms of permitted uses and lot creation, Section 1.7.4 of the NEP states that proposed uses and the creation of new lots may be permitted, subject to conformity with Part 2, Development Criteria, the Development Objectives and, where applicable, zoning bylaws that are not in conflict with the Niagara Escarpment Plan. Changes to permitted uses, expansions and alterations of existing uses or the creation of new lots within the Urban Area designation will not require an amendment to the Niagara Escarpment Plan.

Mineral Resource Extraction

An existing quarry licenced under the *Aggregate Resources Act* (Licence 4437) is situated within the Walker Resource Management Campus and designated a Mineral Resources Area in the NEP.

In terms of permitted uses within the Mineral Resource Extraction Area, Section 1.9.3 states that subject to conformity with Part 2, Development Criteria, official plans and where applicable, zoning by-laws that are not in conflict with the Niagara Escarpment Plan, the following uses may be permitted:

1. Agricultural uses.
2. Agriculture-related uses and on-farm diversified uses.
3. Existing uses.
4. Mineral aggregate operations licensed pursuant to the Aggregate Resources Act but not including associated facilities unless they are permitted as an accessory use.
5. Forest, wildlife and fisheries management.
6. Licensed archaeological fieldwork.

7. Recreational uses.
8. Infrastructure.
9. Watershed management, and flood and erosion control projects carried out or supervised by a public body.
10. Accessory uses normally associated with the mineral aggregate operation, such as temporary offices serving the subject site, signage, crushing and washing facilities, or facilities for recycling and re- processing of mineral aggregate resources. Asphalt plants, concrete plants, brick manufacturing plants and other similar manufacturing uses shall not be permitted.
11. Uses permitted in the Parks and Open Space Master/Management Plans that are not in conflict with the Niagara Escarpment Plan.
12. The Bruce Trail corridor, including the pedestrian footpath and, where necessary, trail-related constructions (e.g., bridges and boardwalks), overnight rest areas and Bruce Trail access points.
13. Nature preserves owned and managed by an approved conservation organization.

After Uses are also considered under Section 1.9.5, which states that following the surrender of a licence issued pursuant to the *Aggregate Resources Act*, an amendment to the Niagara Escarpment Plan is required. The amendment will change the land use designation of the lot from Mineral Resource Extraction Area to a land use designation that has designation criteria consistent with the rehabilitation completed on the property.

Escarpment Rural Area

The following lands are designated Escarpment Rural Area within the Local Study Area:

- a small parcel of land located between the existing licenced quarry within the Walker Resource Management Campus and Taylor Road to the northwest of the Site Study Area;
- lands to the northeast of the Site Study Area, which encompasses the rural residential lots along Garner Road; and,
- the Garden Center / Plant Nursery lands located at the northeast corner of Garner and Mountain Road as well as the lands further east.

As described in Section 1.5 of the NEP, lands designated as Escarpment Rural Area provide a buffer to the more ecologically sensitive areas of the Escarpment.

Permitted uses are outlined in Section 1.5.3 and include:

1. Agricultural uses.
2. Agriculture-related uses and on-farm diversified uses.
3. Existing uses.
4. Single dwellings.
5. Secondary dwelling units.
6. Mobile or portable dwelling unit(s) accessory to agriculture.
7. Recreational uses, outside of prime agricultural areas.
8. Forest, wildlife and fisheries management. .
9. Licensed archaeological fieldwork.
10. Infrastructure.
11. Accessory uses (e.g., a garage, swimming pools, tennis courts, ponds, or signs).
12. Institutional uses, outside of prime agricultural areas.
13. Uses permitted in the Parks and Open Space System Master/ Management Plans that are not in conflict with the Niagara Escarpment Plan.
14. Home occupations and home industries.
15. Watershed management and flood and erosion control projects carried out or supervised by a public body.
16. The Bruce Trail corridor, including the pedestrian footpath and, where necessary, trail-related constructions (e.g., bridges, boardwalks), overnight rest areas and Bruce Trail access points.
17. New licensed mineral aggregate operations producing up to 20,000 tonnes annually.
18. Wayside pits and quarries.
19. Recycling depots for paper, glass and cans etc., serving the local community.
20. Bed and breakfast.
21. Nature preserves owned and managed by an approved conservation organization.
22. Agricultural Purposes Only lot (APO lot).

Escarpment Protection Area

The following lands are designated Escarpment Protection Area within the Local Study Area:

- Lands situated directly adjacent to the northwest corner of the Site Study Area and extends northwards, encompassing the agricultural lands to the east of Taylor Road and south of the rail line
- Agricultural lands to the east and west of Garner Road further north / northeast.

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

Permitted uses are outlined in Section 1.4.3 and include:

1. Agricultural uses.
2. Agriculture-related uses and on-farm diversified uses, in prime agricultural areas.
3. Existing uses.
4. Single dwellings.
5. Mobile or portable dwelling unit(s) accessory to agriculture.
6. Non-motorized trail activities and snowmobiling, outside of prime agricultural areas.
7. Unserviced camping on public and institutional land, outside of prime agricultural areas.
8. Forest, wildlife and fisheries management.
9. Licensed archaeological fieldwork.
10. Infrastructure.
11. Accessory uses (e.g., a garage, swimming pool, tennis court, ponds or signs).
12. Institutional uses, outside of prime agricultural areas.
13. Uses permitted in the Parks and Open Space System Master/ Management Plans that are not in conflict with the Niagara Escarpment Plan.
14. Home occupations and home industries.
15. Watershed management and flood and erosion control projects carried out or supervised by a public body.

16. The Bruce Trail corridor, including the pedestrian footpath and, where necessary, trail-related constructions (e.g., bridges, boardwalks), overnight rest areas and Bruce Trail access points.
17. Recycling depots for paper, glass and cans etc., serving the local community.
18. Bed and breakfast.
19. Nature preserves owned and managed by an approved conservation organization.
20. Agricultural Purposes Only lot (APO lot).

Escarpment Natural Area

The Escarpment Natural Area designation corresponds to the location of woodlands, which are situated north of Mountain Road and extend eastwards in the northern portion of Local Study Area.

Section 1.3 states that Escarpment features that are in a relatively natural state and associated valleylands, wetlands and woodlands that are relatively undisturbed are included within this designation. These areas may contain important cultural heritage resources, in addition to wildlife habitat, geological features and natural features that provide essential ecosystem services, including water storage, water and air filtration, biodiversity, support of pollinators, carbon storage and resilience to climate change. These are the most sensitive natural and scenic resources of the Escarpment. The policies aim to protect and enhance these natural areas.

Permitted uses are outlined in Section 1.3.3 and include:

1. Existing uses (for greater certainty, includes existing agricultural uses, existing agriculture-related uses and existing on-farm diversified uses).
2. Single dwellings.
3. Non-motorized trail activities, outside of prime agricultural areas.
4. Unserviced camping on public and institutional land, outside of prime agricultural areas.
5. Forest, wildlife and fisheries management.
6. Licensed archaeological fieldwork.
7. Infrastructure.
8. Accessory uses (e.g., garage, swimming pools, tennis courts or signs), except for ponds.
9. Uses permitted in the Parks and Open Space System Master/ Management Plans that are not in conflict with the Niagara Escarpment Plan.

10. Home occupations.
11. Essential watershed management and flood and erosion control projects carried out or supervised by a public body.
12. The Bruce Trail corridor, including the pedestrian footpath and, where necessary, trail related constructions (e.g., bridges, boardwalks), overnight rest areas and Bruce Trail access points.
13. Bed and breakfast.
14. Nature preserves owned and managed by an approved conservation organization.

4.1.5 Region of Niagara Official Plan (2022)

The Niagara Region Official Plan (NROP) was adopted by Regional Council in June 2022 and approved by the Province of Ontario with modifications effective November 2022. The NROP provides the strategic framework for managing growth, protecting resources, and guiding land use development across the region. It integrates provincial and local policies, focusing on balancing economic growth with environmental sustainability and cultural preservation.

Figures 3 to 8 of this Report illustrate that the Site Study Area and Local Study Area contain the following features / designations pursuant to NROP Schedules:

- **Schedule B - Regional Structure**, illustrates:
 - both the Site and Local Study Area are situated outside of the two Urban Area Designations: (i) Delineated Built Up Area and (ii) Designated Greenfield Area
 - The Northwest Secondary Plan Area is a Designated Greenfield Area situated just beyond the Local Study Area
 - The Trans Canada Pipeline runs in a southwest to northeast direction adjacent to the Site Study Area Boundary
- **Schedule C1- Natural Environment System Overlay and Provincial Natural Heritage Systems**, illustrates:
 - An area identified as a Natural Environment System Overlay is situated along the eastern boundary of the Site Study Area and within portions of the Local Study Area
- **Schedule C2- Natural Environment System- Individual Components and Features**, illustrates:

- Permanent and Intermittent Streams are identified to the north and east of the Local Study Area.
 - Both Major Watercourses and Permanent and Intermittent Streams are identified to the south and extend to the southwest of the Local Study Area. These features are also identified east of Local Study Area.
 - A Linkage area of the natural environment system is also identified to the east, while Significant Woodlands and Permanent and Intermittent Streams are identified to the north and northeast of the Local Study Area.
- **Schedule C3- Key Hydrologic Areas Overlay**, illustrates:
 - The entire Site Study Area is identified as Highly Vulnerable Aquifers as well as the north, northwest and west of the Local Study Area.
 - Parts of the Local Study Area to the north and northeast contain Significant Groundwater Recharge Areas.
- **Schedule F - Agricultural Land Base**, illustrates:
 - The Site Study Area is identified as a Prime Agriculture Area. The Local Study Area is shown as Prime Agriculture Area to the west, east and south.
 - The portion of the Local Study Area situated in the NEP to the north and northwest is identified as Speciality Crop Area.
- **Schedule H – Known Deposits of Mineral Aggregate Resources and Mineral Aggregate Operations**, illustrates:
 - The Site Study Area as well as Walker’s existing quarry within their Campus is identified as a Licensed Aggregate Operation.
 - Stone Resources are identified to east and southeast of the Local Study Area.
 - A belt of Stone Resources is also identified running along the north boundary of the Site Study Area and within the northeast portion of the Local Study Area.

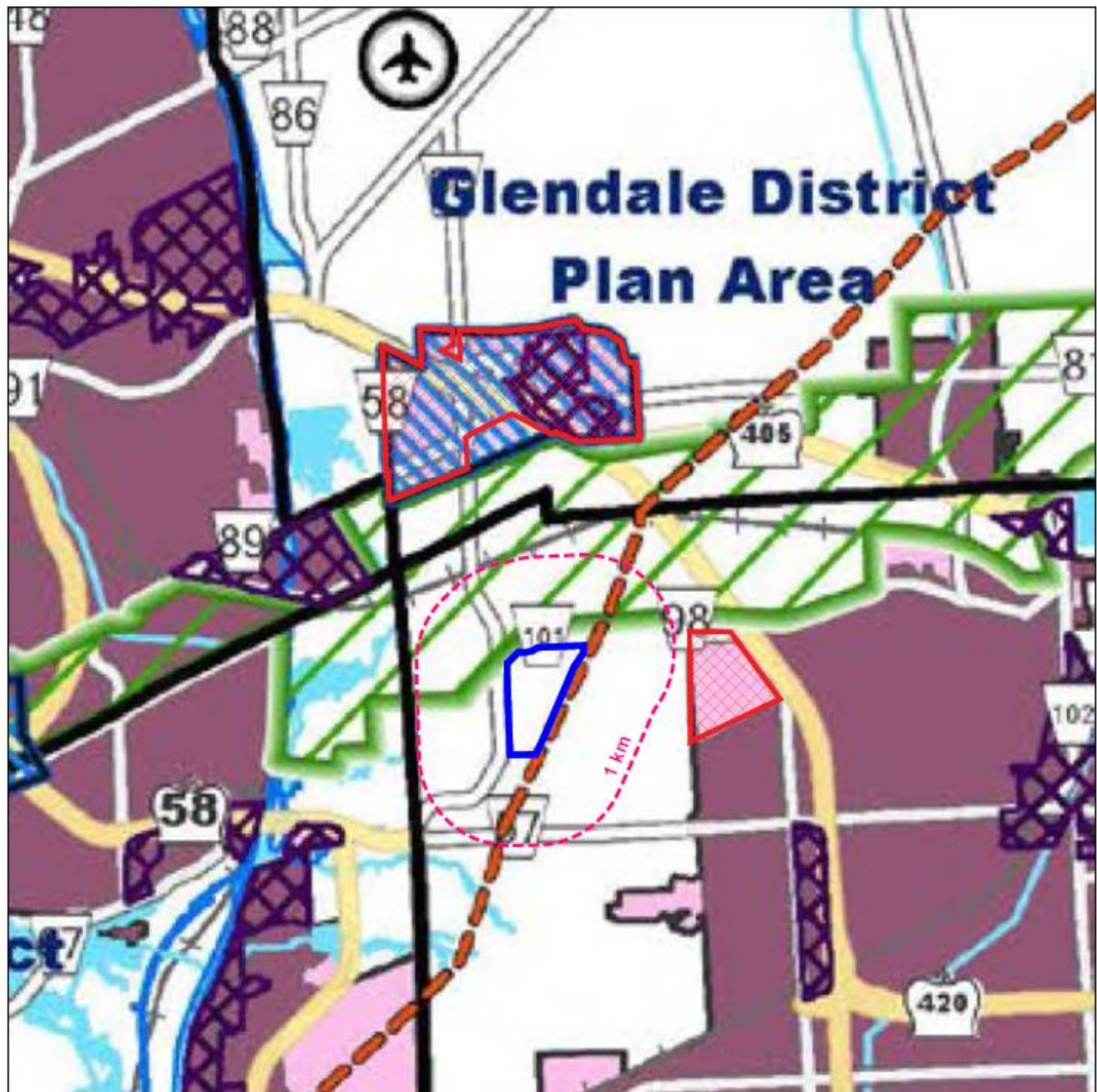


Figure 3 - Study Area - Niagara Region Official Plan - Schedule B - Regional Structure

LEGEND

| | | | |
|--|----------------------|------------------------------|----------------------|
| Site Study Area | Municipal Boundaries | Airport | Employment Areas |
| Local Study Area | Provincial Road | Niagara Escarpment Plan Area | TransCanada Pipeline |
| Other Areas Considered as per Terms of Reference | Regional Road | Delineated Built-Up Area | Major Watercourses |
| | Railway | Designated Greenfield Area | |
| | Welland Canal | District Plan Area | |



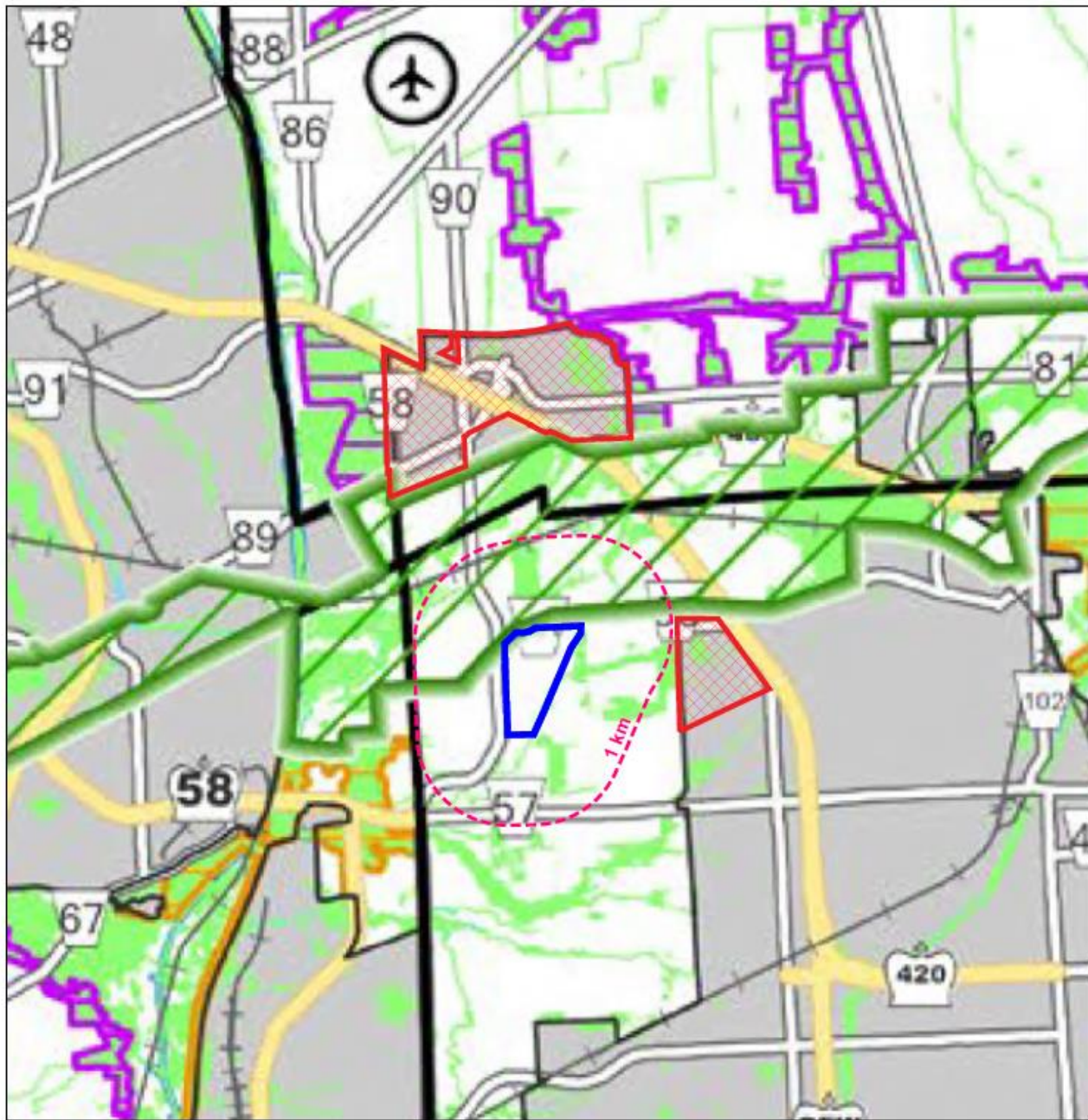


Figure 4 - Study Area - Niagara Region Official Plan - Schedule C1 - Natural Environment System Overlay and Provincial Natural Heritage Systems

LEGEND

- | | | | |
|--|----------------------|------------------------------------|--|
| Site Study Area | Municipal Boundaries | Welland Canal | Growth Plan Natural Heritage System |
| Local Study Area | Provincial Road | Airport | Urban Areas |
| Other Areas Considered as per Terms of Reference | Regional Road | Niagara Escarpment Plan Area | Greenbelt Plan Natural Heritage System |
| | Railway | Natural Environment System Overlay | Major Watercourses |



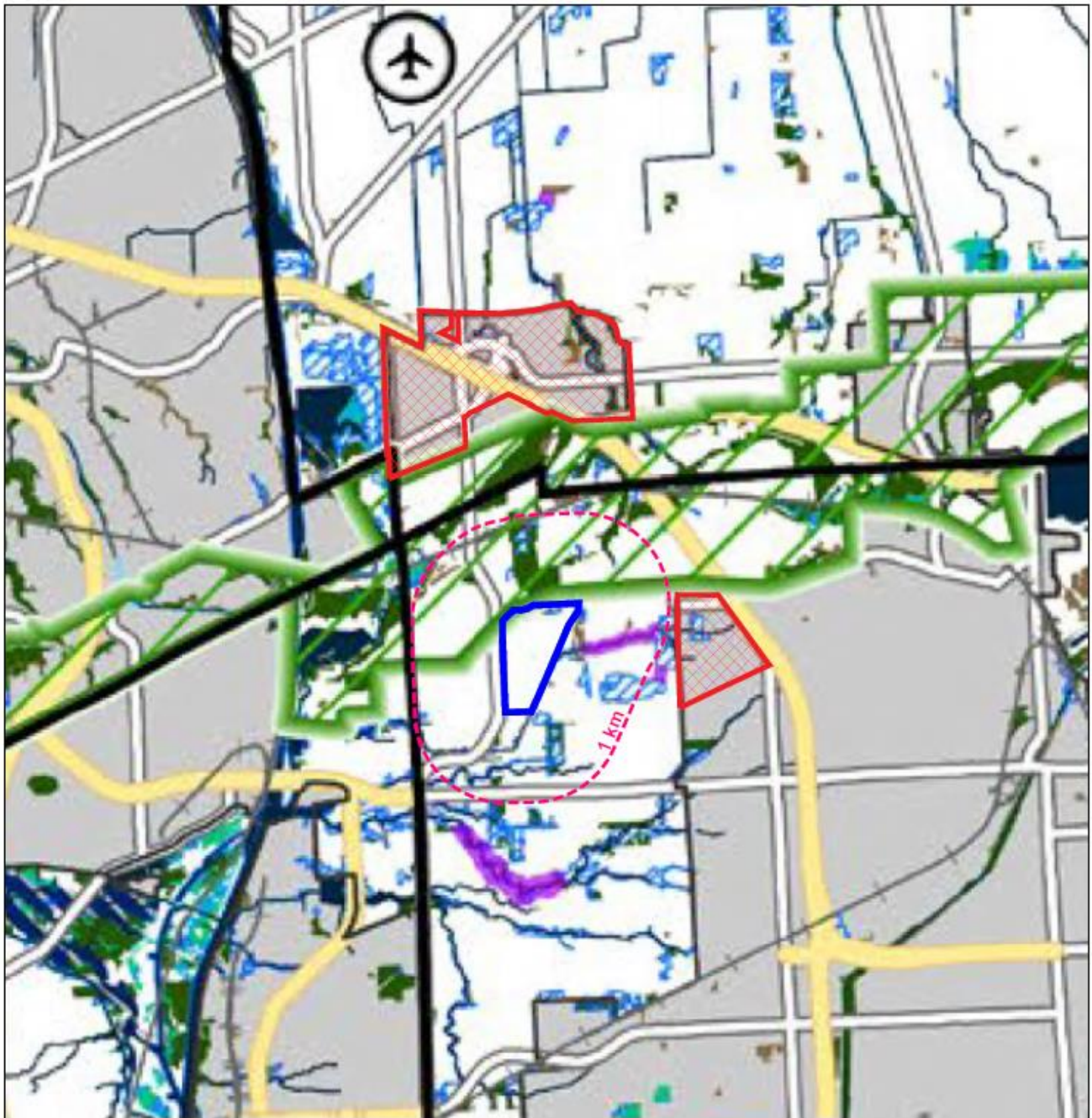


Figure 5 - Study Area - Niagara Region Official Plan- Schedule C2 - Natural Environment System - Individual Components and Features



LEGEND

| | | | |
|--|----------------------|------------------------------|--|
| Site Study Area | Municipal Boundaries | Airport | Other Wetlands and Non Provincially Significant Wetlands |
| Local Study Area | Provincial Road | Urban Areas | Provincially Significant Wetlands |
| Other Areas Considered as per Terms of Reference | Regional Road | Niagara Escarpment Plan Area | Permanent and Intermittent Streams |
| | Railway | Linkages | Inland Lakes |
| | Welland Canal | Other Woodlands | Major Watercourses |

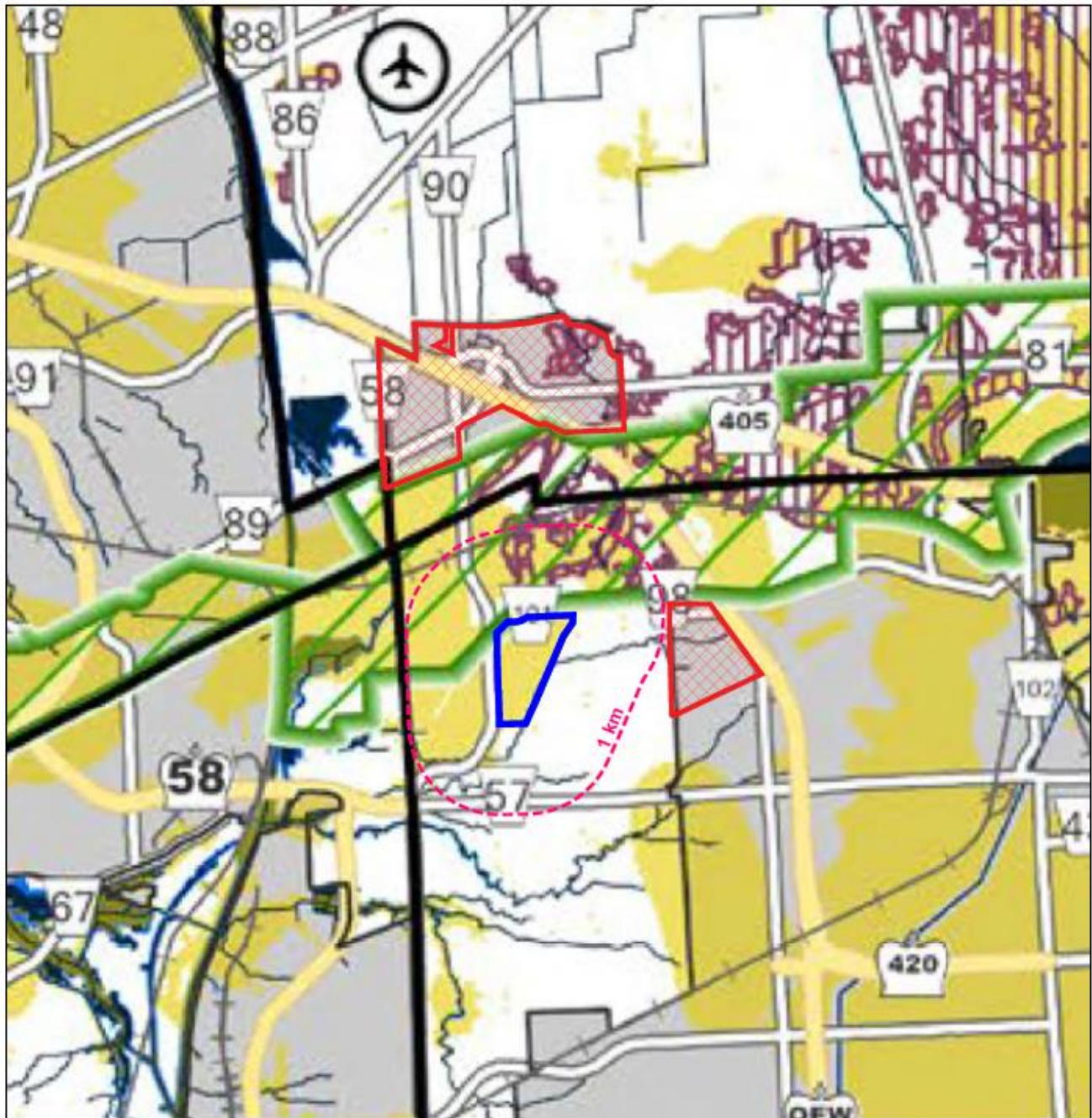
















Figure 6 - Study Area - Niagara Region Official Plan- Schedule C3 - Key Hydrologic Areas Overlay

LEGEND

| | | | | | |
|---|--|---|----------------------|---|---------------------------------------|
|  | Site Study Area |  | Municipal Boundaries |  | Urban Areas |
|  | Local Study Area |  | Provincial Road |  | Niagara Escarpment Plan Area |
|  | Other Areas Considered as per Terms of Reference |  | Regional Road |  | Highly Vulnerable Aquifers |
| | |  | Railway |  | Significant Groundwater Recharge Area |
| | |  | Major Watercourses |  | Shoreline Areas |
| | |  | Welland Canal |  | Permanent and Intermittent Streams |
| | |  | Airport | | |



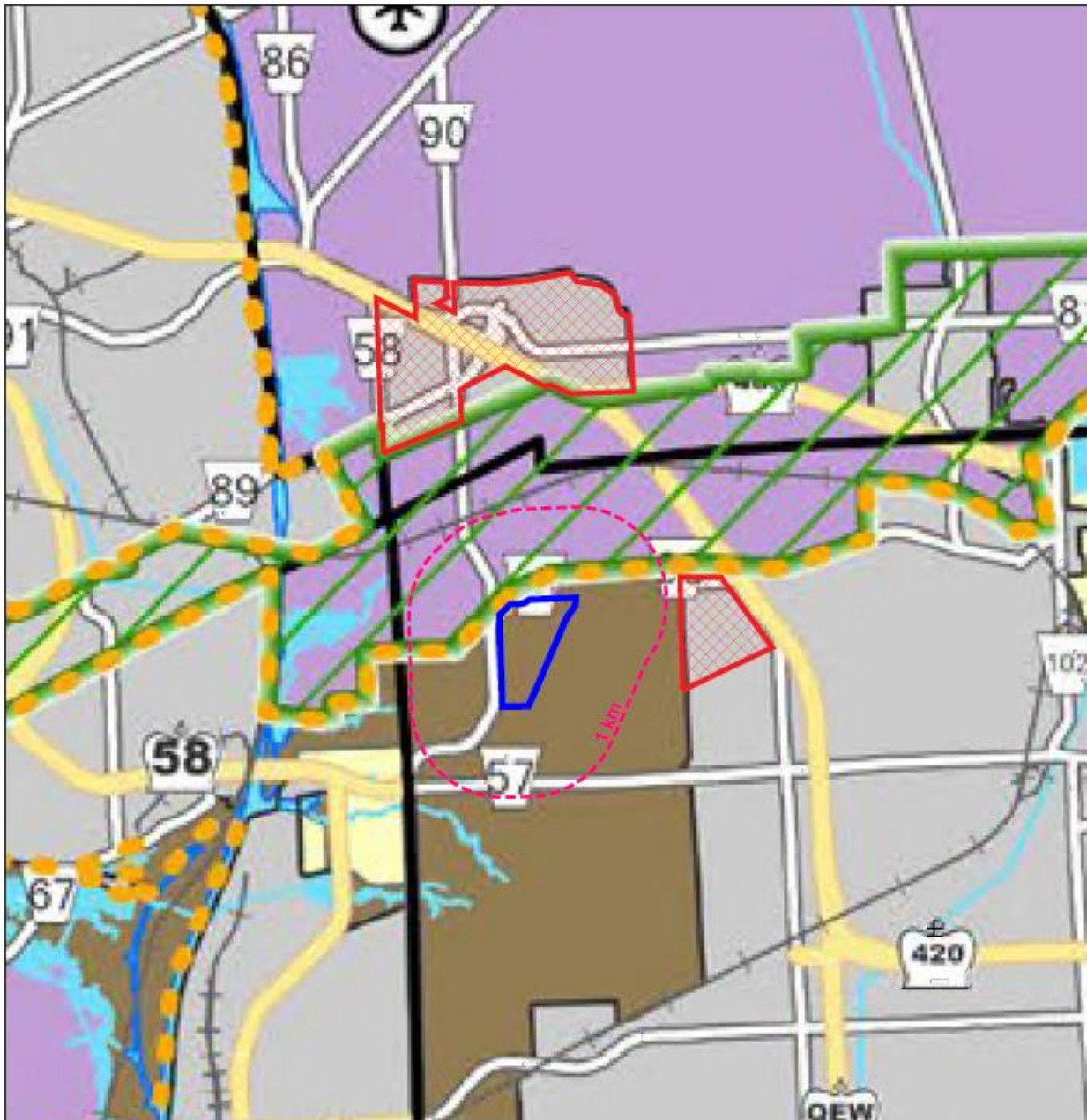


Figure 7 - Study Area - Niagara Region Official Plan- Schedule F - Agricultural Land Base

LEGEND

- | | | |
|--|----------------------|------------------------------|
| Site Study Area | Municipal Boundaries | Urban Areas |
| 1 km Local Study Area | Provincial Road | Niagara Escarpment Plan Area |
| Other Areas Considered as per Terms of Reference | Regional Road | Greenbelt Area Boundaries |
| | Railway | Specialty Crop Area |
| | Major Watercourses | Prime Agricultural Area |
| | Welland Canal | Rural Lands |
| | Airport | |



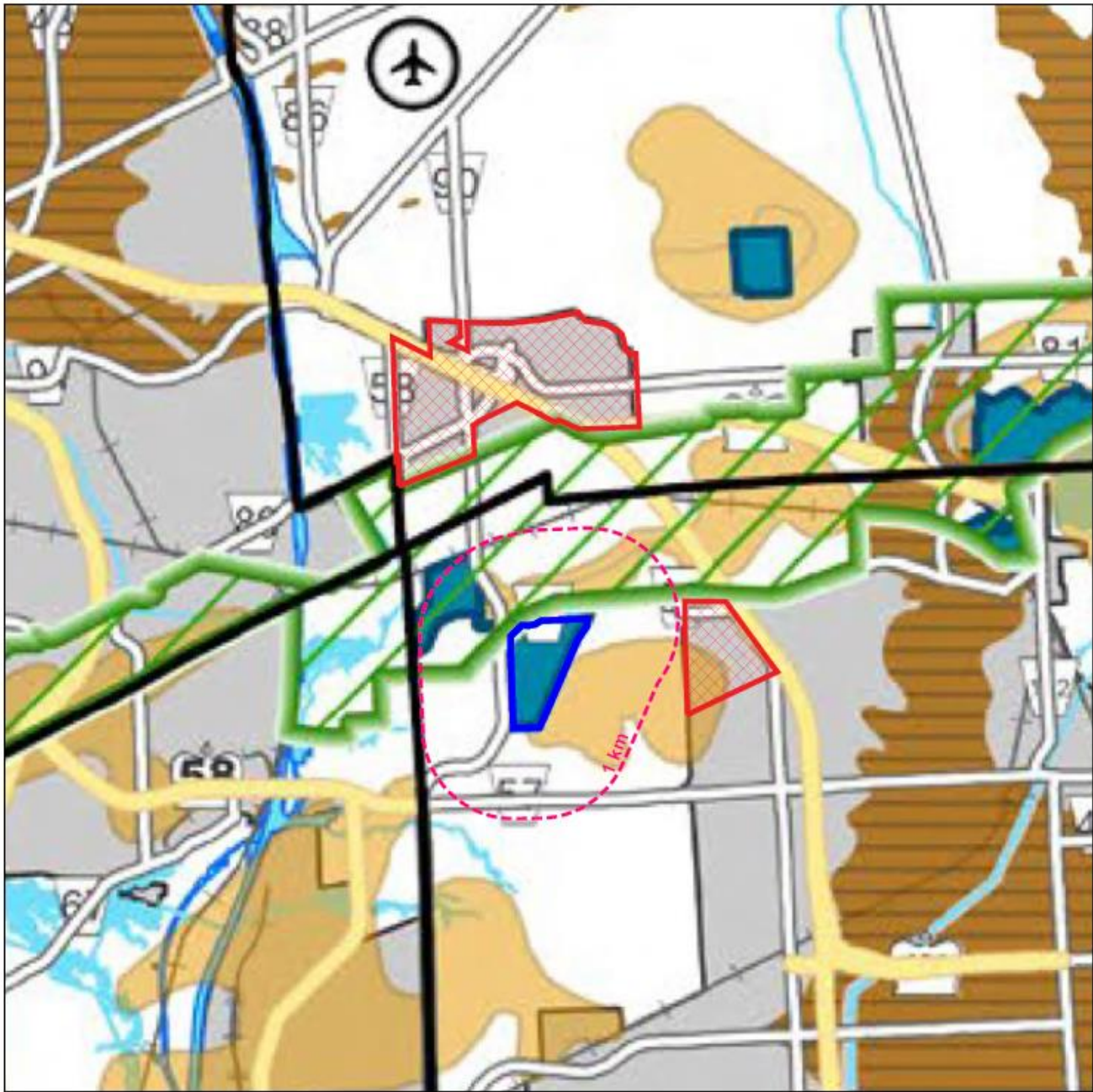


Figure 8 - Study Area - Niagara Region Official Plan - Schedule H - Known Deposits of Mineral Aggregate Resources and Mineral Aggregate Operations

LEGEND

| | | | |
|--|----------------------|---|--------------------|
| Site Study Area | Municipal Boundaries | Airport | Stone Resources |
| Local Study Area | Provincial Road | Urban Areas | Major Watercourses |
| Other Areas Considered as per Terms of Reference | Regional Road | Niagara Escarpment Plan Area | |
| | Railway | Licensed Aggregate Operations | |
| | Welland Canal | Sand and Gravel- Significance- Tertiary | |



The following provides a summary of the relevant policy associated with the above noted designations and features:

Growth Forecasts

In terms of forecasted growth, Section 2.1 of the NROP states that the Niagara Region is planning to accommodate a minimum population of 694,000 people and 272,000 jobs by 2051. This represents an increase of over 200,000 people and 85,000 jobs compared to 2021. The population and employment forecast for Niagara Falls is 141,650 and 58,110 respectively and will be accommodated predominantly within settlement areas as shown on Schedule B of the NROP (Niagara Region Official Plan, 2022, Pages 15 - 17).

As noted, both the Local and Site Study Areas are located outside of the Settlement Area and Urban Area boundaries and are situated within the Rural Area as defined in the NROP (same as PPS) as follows:

“A system of lands within local municipalities that may include rural settlements, rural lands, prime agricultural areas, natural heritage features and areas, and resource areas (PPS, 2020).”

The share of household growth (2021-2051) for rural areas in Niagara Falls is anticipated to be 0.5%, which equates to approximately 102 additional housing units within the Rural Area within a 30-year planning horizon (between 2021 to 2051).

The housing forecast within the rural Area is predominately ground-related, with 73% of units anticipated to be single or semi-detached.

The Natural Environment System

Section 3.1 outlines the objectives and policies for the Regional natural heritage system and water resource system. The intent of the natural heritage system is to preserve and enhance the biodiversity, connectivity, and long-term ecological function of the natural systems in the Region. The intent of the water resource system is to protect the ecological and hydrological integrity of water resources and the various watersheds in the region. In essence, the policy contained in Section 3.1 provides for the identification, maintenance and protection of natural features and water resource systems.

Agricultural System

Within the NROP, the agricultural land base is comprised of prime agricultural areas, including specialty crop areas, and rural lands. The Site Study Area and a large portion of the Local Study Area to the west, south and east are identified as Prime Agriculture Area. The north and northwest of the Local Study Area is identified as Speciality Crop Area.

Section 4.1 sets out a series of objectives and policies for the Agriculture System and states:

“The *agricultural system* contains a structure for the agricultural land base and the *agri-food network* that enables the agri-food sector to thrive.

The agricultural land base is comprised of *prime agricultural areas*, including *specialty crop areas*, and *rural lands*. The *agri-food network* includes *infrastructure*, services and assets important to the viability of the agri-food sector. Farm stewardship facilitates agricultural protection and the environmental benefits of *natural heritage features* located throughout the *agricultural system*.

Together, the Region’s *agricultural system* and *natural environment system* provide a significant contribution to Niagara’s resilience and ability to adapt to *climate change*. The agricultural land base will be protected for the provision of healthy, local food for present and future generations. Farming will be productive, diverse, and sustainable”.

In our opinion, the following objectives and policies within Section 4.1 are particularly relevant to the Project:

- 4.1 The objectives of this section are as follows:
 - b. protect the region’s agricultural land base;
 - c. ensure agriculture is the predominant land use in specialty crop areas and prime agricultural areas;
 - d. restrict and control non-agricultural uses to minimize potential conflicts;
 - f. protect specialty crop areas from fragmentation;
 - g. protect prime agricultural areas from fragmentation;
- 4.1.1.2 Prime agricultural areas and specialty crop areas, as shown on Schedule F, shall be protected for long-term use for agriculture.

Prime agricultural areas are areas where prime agricultural lands predominate. Specialty crop areas shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through seven lands within the prime agricultural area, in this order of priority.
- 4.1.1.3 Settlement areas are not permitted to expand into specialty crop areas.
- 4.1.2.1 Specialty crop areas shall not be redesignated in official plans for non-agricultural uses. Non-agricultural uses may be permitted subject to Policies 4.2 to 4.6 of the Greenbelt Plan and Section 4.1.3 of this Plan.

- 4.1.3.1 Non-agricultural uses should not be located in specialty crop areas or prime agricultural areas.
- 4.1.3.2 Non-agricultural uses must address Greenbelt Plan policies for non-agricultural uses in speciality crop areas and prime agricultural areas.
- 4.1.3.3 Applications for non-agricultural uses shall require completion of an agricultural impact assessment.
- 4.1.3.7 Where agricultural uses and non-agricultural uses interface, land use compatibility shall be achieved by avoiding or, where avoidance is not possible, minimizing and mitigating adverse impacts on the agricultural system, by incorporating measures as part of new or expanding non-agricultural uses, as appropriate, within the area being developed.

Mineral Aggregate Operations and Stone Resource

The majority of the Site Study Area and the existing licenced quarry in the Walker Resource Management Campus are shown as Licensed Aggregate Operations on Schedule H of the NROP (see Figure 8). Stone Resources are identified continuing east and southeast of the Local Study Area as well as north and northeast of the Local Study Area (in the NEP Area).

Section 4.3 (Mineral Aggregate Resources) of the NROP states:

Mineral aggregate resources, such as sand, gravel, stone, and shale, are located throughout Niagara Region. These resources are finite and must be protected from incompatible land uses or uses that would limit their extraction in the future.

The Province provides direction to municipalities that as much of the *mineral aggregate resource* as is realistically possible, shall be made available as close to market as possible.

The extraction, processing, and transportation of *mineral aggregate resources* must take place in a manner that minimizes social, economic, and environmental impacts. This includes defining haul routes and managing truck traffic, conserving and recycling *mineral aggregate resources*, and rehabilitating pits and quarries.

Section 4.3 goes on to set out the following objectives and policies regarding the protection of both mineral aggregate operations and resources area while minimizing the associated impacts of extracting such resources, including the following objectives and policies that are considered particularly relevant:

- 4.3 The objectives of this section are as follows:
 - a. protect mineral aggregate resources;

- b. protect existing mineral aggregate operations;
 - c. provide for efficient extraction of mineral aggregate resources;
 - f. ensure compatible and sustainable rehabilitation;
- 4.3.1.3 Proposed new development in areas located on, or within 300 metres (sand and gravel) or 500 metres (bedrock) of known deposits of mineral aggregate resources, which would preclude or hinder the establishment of new mineral aggregate operations or access to the resources, is not permitted, except where it can be demonstrated by the applicant that:
 - a. resource use would not be feasible;
 - b. the proposed land use or development serves a greater long-term public interest; and
 - c. issues of public health, public safety and environmental impacts are addressed.
 - 4.3.2.2 Proposed new development or other activities in areas located within 500 metres (sand and gravel) and 1000 metres (bedrock) of existing mineral aggregate operations is not permitted, unless it can be demonstrated by the applicant that satisfactory mitigation measures can be put in place to ensure that the ongoing operation or expansion of the existing mineral aggregate operation will not be hindered. The cost and responsibility for any required mitigation measures shall be borne by the applicant.
 - 4.3.2.3 Existing licensed mineral aggregate operations, as identified on Schedule H, shall be permitted to continue without the need for an official plan amendment, zoning by-law amendment or other approval under the *Planning Act*. When a license for a mineral aggregate operation ceases to exist, policies which protect deposits of mineral aggregate resources will continue to apply where deposits are still present.
 - 4.3.6.8 Post extraction land uses after rehabilitation of a mineral aggregate operation shall be consistent with the Niagara Source Protection Plan, any relevant watershed or subwatershed plan, relevant Provincial plans, and other applicable plans and policies.

Waste Management

The NROP acknowledges waste management as an essential service, provided it aligns with regional and provincial policies for environmental protection and land use compatibility.

Section 5.2 (Infrastructure) sets out provisions for Infrastructure, including waste management, with the following stated in the introduction:

Well-planned and managed *infrastructure* is fundamental to attaining the Region's vision for thriving and resilient communities, and key to achieving the growth forecasts of this Plan.

The *infrastructure* policies that follow will ensure that the region's existing and future development is supported by *infrastructure* that is planned, constructed, and managed in an integrated, efficient, and environmentally sustainable manner.

The Region will continue to prepare, update, and rely upon on long-term *infrastructure* master plans to ensure optimization and strategic timing of sound investments.

The policies in this section address the region's existing and future *infrastructure* needs relating to drinking water, wastewater, stormwater management, waste, energy, *utility* services, and pipeline *infrastructure*.

The planning and development of *infrastructure* must be integrated with *climate change* resiliency. The Growth Plan directs that the Region develop policies to identify actions that will reduce greenhouse gas emissions, assess *infrastructure* risks and vulnerabilities, and identify actions to address these growing challenges.

The objectives and policies in this Section that are particularly relevant include:

- 5.2 The objectives of this section are as follows:
 - e. provide municipal *waste management* services;
- 5.2.1.8 *Infrastructure* will be planned through the appropriate environmental assessment process, ensuring full regard for the *natural environment system, cultural heritage resources* and natural hazard areas of the region.
- 5.2.1.9 The location, design, construction, and operation of *infrastructure* will be sustainable, strategic, and cost-efficient, and minimize adverse impacts on the *natural environment system, agricultural lands, and existing landscape*.
- 5.2.1.21 The Region will design, operate, and monitor *waste management* facilities in such a manner as to promote sustainability and public health and, wherever feasible, provide for future adaptive reuse opportunities in accordance with applicable Local official plan policies and Provincial requirements.
- 5.2.1.22 *Waste management* systems shall be located and designed in accordance with Provincial legislation and standards.
- 5.2.4.2 The disposal and treatment of solid wastes shall be provided in an integrated manner that evaluates full life cycle impacts with respect to financial and environmental sustainability, public health, and aesthetics.
- 5.2.4.6 The selection of all solid waste disposal sites will involve consideration of:
 - a. the compatibility of the methods of operation with adjacent land uses;

- b. the nature of bedrock and soil conditions in order to reduce the likelihood of groundwater contamination;
 - c. operational economics, transportation costs, maintenance, land prices, opportunity for future expansion, etc.; and
 - d. compliance with the policies of Chapter 3, and specifically Section 3.1, of this Plan.
- 5.2.4.7 Site and rehabilitation plans will be developed prior to the use of a particular site for solid waste disposal. These plans should make provision for:
 - a. the control of odour, vermin, and other nuisances;
 - b. the phasing of the site expansion;
 - c. the ultimate use of the site;
 - d. landscaping and berms;
 - e. access; and
 - f. a uniformly high standard of operation
- 5.2.4.9 Proposed development within the influence area, as determined by Provincial Land Use Compatibility Guidelines or through site specific study, of all waste management facilities shall demonstrate that the solid waste disposal site will not have any unacceptable adverse effects on the proposed development and will not pose any risks to human health and safety.
- 5.2.4.10 Notwithstanding Policy 5.2.4.9, the following compatible uses may not require a study provided that the solid waste disposal site water table is not affected and excavations shall not result in landfill gas migration or removal of a visual screen buffering of the landfill from the public view: utilities, waste-processing facilities, above-grade transportation routes, forestry activities, and gravel pits, quarries and other mining activities. No new land-use shall be permitted within 30 metres of the licensed perimeter of an operating solid waste disposal site.
- 5.2.4.16 The establishment of a new waste disposal site is not permitted in the Niagara Escarpment Plan Area.
- 5.2.8.3 TCPL is regulated by the Canadian Energy Regulator which has a number of requirements regulating development in proximity to its pipelines. This includes approval requirements for activities within 30 metres of the pipeline centreline, such as conducting a ground disturbance, constructing or installing a facility across, on, or along the pipeline

right-of-way, driving a vehicle, mobile equipment or machinery across the right-of-way, and the use of explosives.

4.1.6 City of Niagara Falls Official Plan

The Site Study Area and Local Study Area are situated within the jurisdiction of the City of Niagara Falls.

The Official Plan for the City of Niagara Falls (NFOP) was approved by the Ministry of Municipal Affairs on October 6, 1993 (consolidation version dated to January 1, 2024). The NFOP sets out the long-term objectives and policies of the City with respect to the growth and development of urban lands; the protection of agricultural lands and the conservation of natural heritage areas; and the provision of necessary infrastructure to support growth. The City is also in the process of creating a new Official Plan, which will replace the current Official Plan. A draft of the new Official Plan has not yet been prepared.

Figure 9 illustrates that the Site and Local Study Areas contain the following land use designations pursuant to Schedule A (Future Land Use) of NFOP:

- Environmental Conservation Area
- Environmental Protection Area
- Extractive Industrial
- Good General Agriculture
- Niagara Escarpment Plan Area

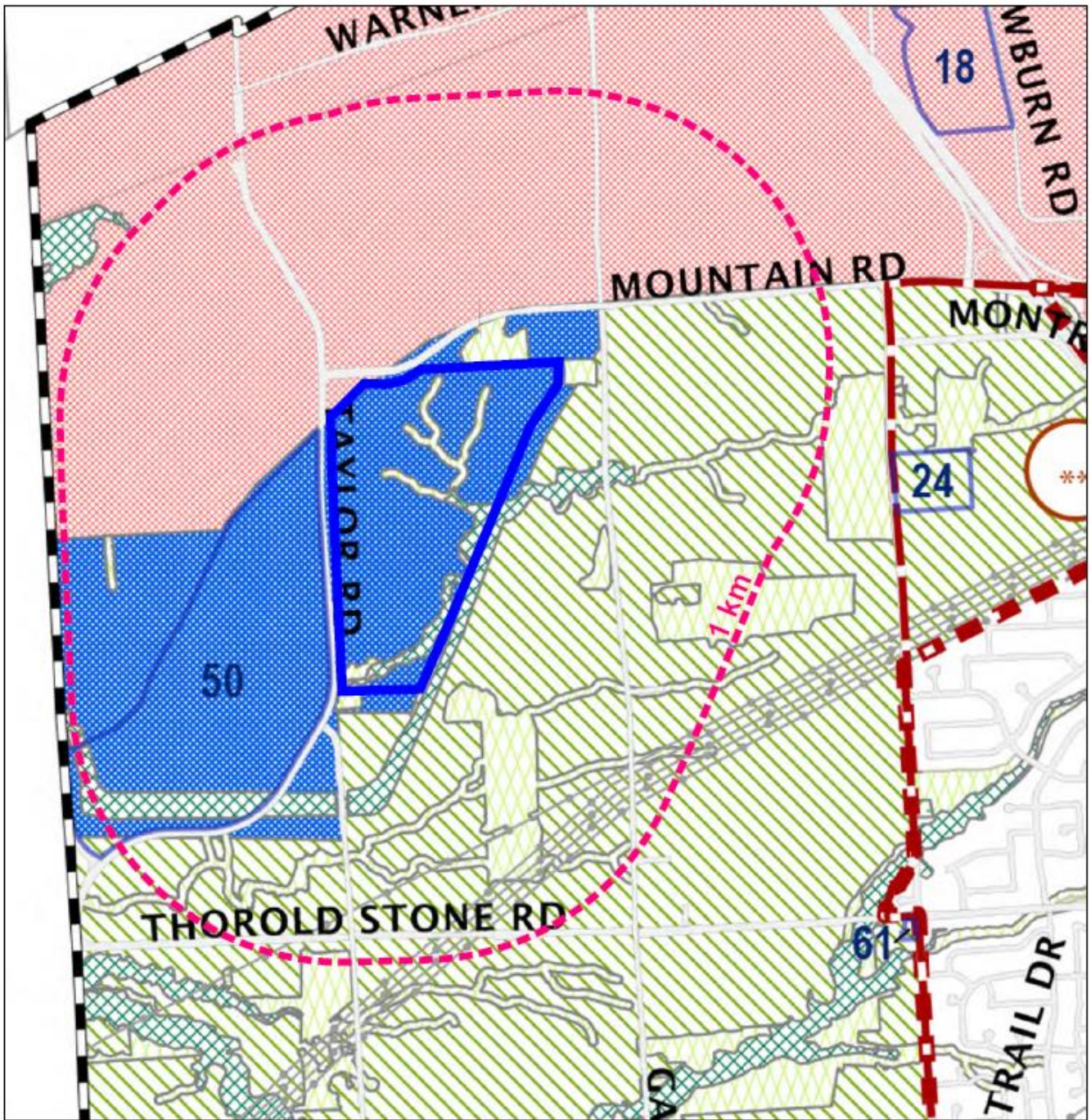


Figure 9 - Study Area - Niagara Falls Official Plan - Schedule A to the Official Plan Future Land Use

LEGEND

- | | | | |
|---|-------------------------------|---|---------------------------------|
|  | Site Study Area |  | Environmental Conservation Area |
|  | Local Study Area |  | Niagara Escarpment Plan |
|  | Environmental Protection Area |  | Residential |
|  | Extractive Industrial |  | Special Policy Area |
|  | Good General Agriculture |  | Urban Area Boundary |



An overview of these relevant land use designations is provided below:

Extractive Industrial

A majority of the Site Study Area is designated as Extractive Industrial. The west and southwest portions of the Local Study Area is also designated as Extractive Industrial and also contains Special Policy Area "50", which was implemented by OPA #70, By-law 2007-082, approved April 16, 2007. Special Policy Area "50" allowed for previous quarry site to be used as a non-hazardous, solid waste landfill an interim land use and permitted a maximum annual capacity of 750,000 tonnes accommodating waste from the Province of Ontario. It further outlines that an additional capacity of up to 100,000 tonnes may be used by the Regional Municipality of Niagara for contingency/emergency waste residuals.

Section 9 states that "The extraction of mineral aggregate resources is an important industry to the local and Regional economy. Areas licensed for extractive industrial operations are shown on Schedule "A". It is the intent of the Plan to ensure compatibility of such operations with adjacent properties, as well as their progressive rehabilitation to suitable after-uses."

In terms of the rehabilitation of extractive industrial operations, Policy 9.6 states that "A progressive rehabilitation program shall be encouraged during the period that aggregate is being extracted. Final rehabilitation for all extractive industrial sites will be required following the expiration of any licensed site or extraction of material has been exhausted. Rehabilitation will be required in accordance with a Ministry of Natural Resources approved rehabilitation plan. Development on, or adjacent to, former mineral mining or aggregate operations may be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are under way or have been completed. The City will encourage the rehabilitation that will restore and create compatible land uses with adjacent properties and their occupants. An Official Plan and Zoning By-law amendment shall be required to consider new uses within extractive industrial sites that are not agriculturally related."

Environmental Protection Area (EPA) and Environmental Conservation Area (ECA)

Relatively minor portions of the Site Study Area and the Local Study Area are identified as EPA and ECA (please see Figure 10). Although Schedule A-1 of the NFOP shows EPA and ECA designations within the SSA, this section of mapping is outdated and does not reflect current site conditions as portion of Ten Mile Creek associated with designations within the SSA was realigned through previous works associated with the quarry operation. Section 11.2 outlines that it is the aim of the plan to protect, maintain and enhance the important ecological and environmental features within the City. Areas designated EPA are to receive the highest level of protection with policies that prohibit development or site alteration. The Environmental Conservation Areas are important natural heritage areas where some restricted development or site alteration may occur if supported by an Environmental Impact Study.

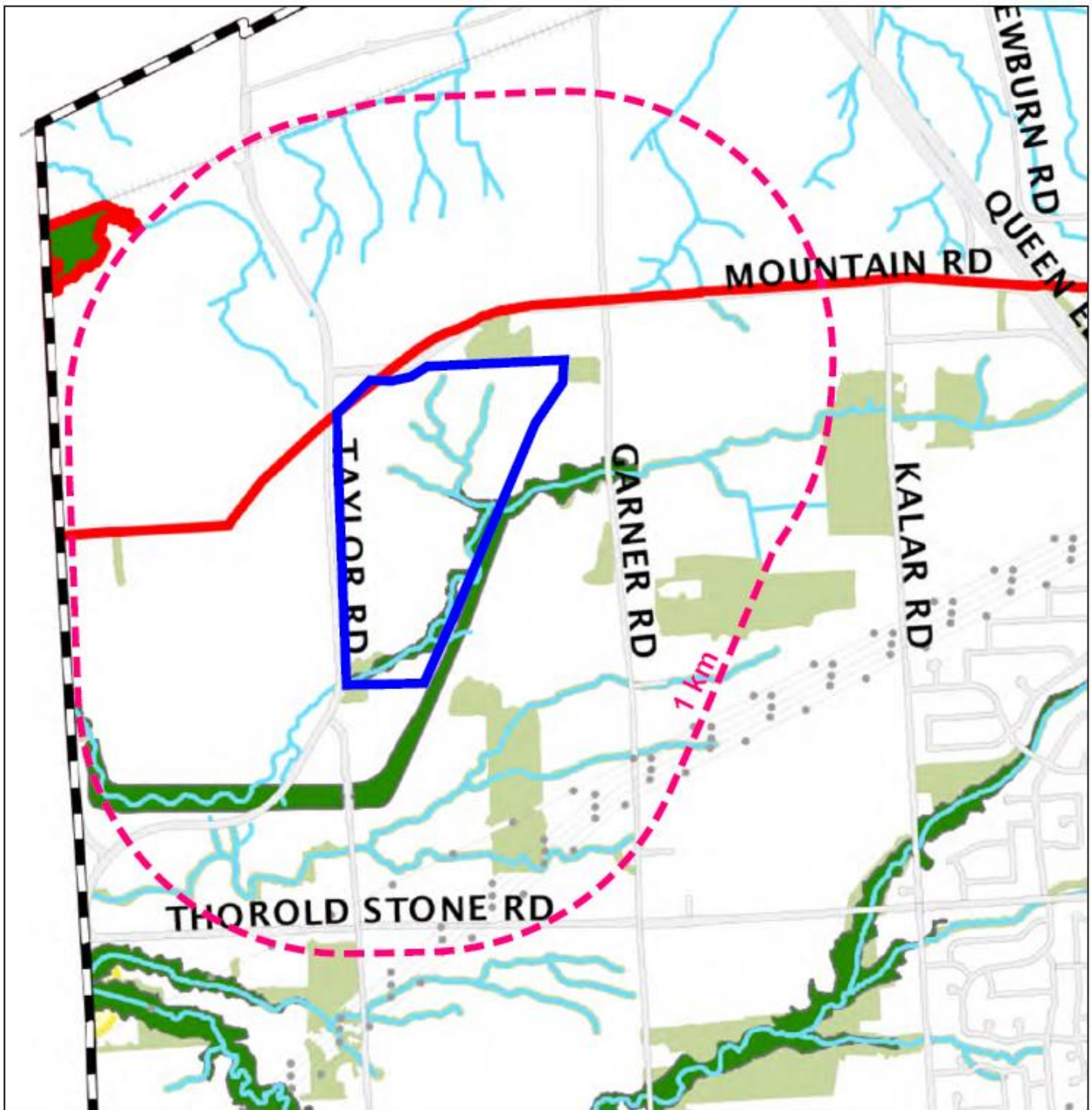


Figure 10 - Study Area - Niagara Falls Official Plan - Schedule A-1 to the Official Plan Natural Heritage Features and Adjacent Lands

LEGEND

- | | |
|---|---|
|  Site Study Area |  Environmental Conservation Area |
|  Local Study Area |  Adjacent Land |
|  Environmental Protection Area |  Creek |



Good General Agriculture

A majority of the eastern and southern portions of the Local Study Area are designated as Good General Agriculture. Section 7 of the NFOP includes policy to protect the continuation of farmland operations, provide a range of agriculture related uses, and to minimize land use conflicts in favour of agriculture wherever possible. In particular, Policy 7.1 sets out that “the predominant use of land in the Good General Agriculture Area will be for agriculture of all types including crop farming, tender fruit and vineyards, dairy farming, livestock operations including equestrian activities, nurseries, and intensive greenhouse as well as agricultural value retention uses, forestry, conservation uses and farm related residential dwellings. Uses of land not related to agricultural uses will not be permitted in the Good General Agriculture Area except as provided for in this Plan.”

Niagara Escarpment Plan (NEP) Area

As set out in Section 4.1.4 of this Report, the north and northwest portion of the Local Study Area is situated within the NEP Area as identified on Schedule A of the NFOP.

Section 10 of the NFOP provides jurisdictional context regarding the NEP Area and states that “within the Niagara Escarpment Plan Area, development is to be compatible with the natural environment in accordance with the Niagara Escarpment Plan. Municipal zoning regulations do not apply to lands under the jurisdiction of the Niagara Escarpment Plan. Instead, a development permit is required from the Niagara Escarpment Commission for all development not specifically exempted. This Official Plan clearly recognizes the Niagara Escarpment Plan and its prevalence in land use decision making, together with any applicable and more restrictive policy contained in the Niagara Regional Policy Plan.”

Further, Policy 10.2 outlines that “the Niagara Regional Policy Plan, which has been amended to incorporate the Niagara Escarpment Plan, contains land use designations and policies affecting lands within the Niagara Escarpment Plan Area. Where the Regional Plan policies are in conformity with the policies of the Niagara Escarpment Plan but are more restrictive, the Regional Plan policies would take precedence over the policies of the Niagara Escarpment Plan.”

4.1.7 City of Niagara Falls Zoning By-law 79-200

Figure 11 illustrates the zoning applied to the Site and Local Study Areas pursuant to City of Niagara Falls Zoning By-law No. 79-200 (Zoning By-law). As illustrated, the Site Study Area is zoned Extractive Industrial Zone (EI, Exemption No. 304). Lands within the Local Study Area are zoned:

- Extractive Industrial Zone (EI)
- Hazard Land Zone (HL)
- Agricultural Zone (A)

- Rural Zone (R)
- Environmental Protection Area Zone (EPA)
- Agri-Tourism Zone 1 (AT1)
- Agri-Tourism Zone 2 (AT2)

A brief description of each zone is provided below.

Extractive Industrial Zone (EI)

Section 11.6 of the Zoning By-law sets out the permitted uses and regulations applicable to the EI Zone. The permitted uses are as follows:

- (a) A pit or quarry licensed under The Pits and Quarries Control Act, 1971
- (b) Processing of natural materials removed from the site including crushing, screening, mixing, washing and storing of such materials
- (c) Concrete or asphalt mixing plant
- (d) Accessory buildings and accessory structures
- (e) A use, building or structure permitted in any one or more of clauses (a) to (d) inclusive or section 12.1

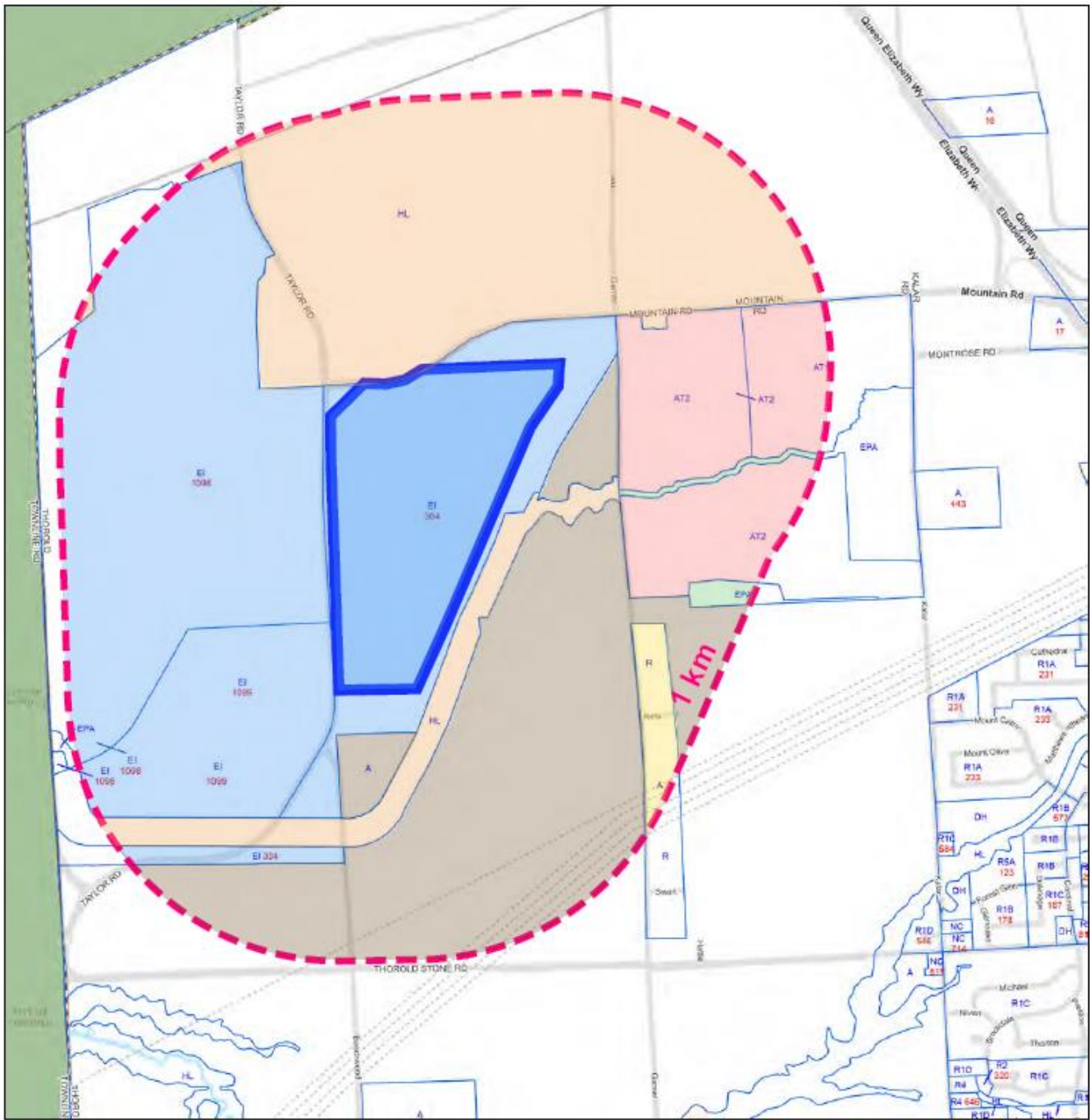


Figure 11 - Study Area - Niagara Falls Zoning By-Law 79-200 - Sheet A1-A3, B1-B3

LEGEND

- | | | | |
|------------------|----------------------------|-------------------------------|--------------------------|
| Site Study Area | Extractive Industrial Zone | Hazard Land Zone | Agri-Tourism Zones 1 & 2 |
| Local Study Area | Agricultural Zone | Environmental Protection Area | Rural Zone |



The Site Study Area is also subject of site-specific by-law which states that:

"Notwithstanding the provisions of "Permitted Uses" of Subsection 11. 26. of Section 11.6 of said Zoning By -law No. 79 -200, as amended, no person shall use the lands zoned Extractive Industrial 304 (EI -304) for any purpose other than:

- a) A quarry under the terms and conditions of a license issued pursuant to The Aggregate Resources Act, 1989; and
- b) An accessory mobile sorter.

The processing of material, whether originating on or offsite and including a concrete or asphalt plant, shall be prohibited."

Certain properties located to the west of the LSA, which are zoned EI, are also subject to site-specific by-laws (By-law No. 2019 - 66) that permits a waste disposal site and associated renewable natural gas facility.

Hazard Land Zone (HL)

Section 16 of the Zoning By-law sets out the permitted uses and regulations applicable to the HL Zone. The following uses are permitted on lands zoned HL:

- (a) A use permitted in any one or more of clauses (a) to (d) inclusive of section 12.1 except a dwelling, dwelling unit or any other building or structure
- (b) A dwelling existing at the date of the passing of this By-law, but not the conversion, extension or enlargement thereof
- (c) Parks, playgrounds, tennis courts, lawn bowling greens, outdoor natural rinks, athletic fields, golf courses, picnic areas and boat launching ramps, boat shelters and docking facilities and accessory structures but not including any dwelling or dwelling unit

Agricultural Zone (A)

Section 12 of the Zoning By-law sets out the permitted uses and regulations applicable to the A Zone. The following uses are permitted on lands zoned A:

- (a) Agricultural including the growing of field, berry, bush or tree crops; truck gardening; flower gardening; nurseries; orchards; commercial greenhouses; aviaries, apiaries, mushroom farms, farms devoted to the hatching, raising and marketing of chickens, turkeys, or other poultry, fowl, rabbits or other fur-bearing animals and fish; farms or ranches for grazing of farm animals; breeding, raising or training of horses or cattle; goat or cattle dairies; the raising of sheep or goats; the raising of swine; dog kennels or the breeding and sale of dogs and other domestic animals

- (b) Commercial forestry
- (c) Commercial riding stable
- (d) Accessory buildings and accessory structures which are accessory to any of the foregoing uses, including:
 - (i) storage buildings, including cold storage
 - (ii) farm produce outlet, subject to the provisions of section 4.36 \
 - (iii) no more than 1 detached dwelling which is on the same lot as and is accessory to a use permitted in clauses (a) to (c) of this section and which is occupied as a residence by the owner of such lot or the principal operator of the use being conducted on such lot. (2016-105, 81-79, #19)
 - (iv) accessory buildings and accessory structures which are accessory to the dwelling units described in subclause (iii) of this clause (d)
- (e) A bed and breakfast in a detached dwelling, that complies with the provisions set out in section 4.37 (2018-91)
- (f) An additional dwelling unit subject to the provisions of Section 4.45 (2023-110)

Rural Zone (R)

Section 13 sets out the permitted uses and regulations applicable to the R Zone. The following uses are permitted on lands zoned R:

- (a) A use, building or structure permitted in any one or more of clauses (a) to (d) inclusive of section 12.1
- (b) A detached dwelling on a separate lot, the location of which complies with the Minimum Distance Separation formula issued by the Ministry of Agriculture, Food and Rural Affairs. (2007-156)
- (c) Accessory buildings and accessory structures which are accessory to the use described in clause (b) ,
- (d) Farm produce outlet, subject to the provisions of section 4.36. (2016-105)
- (e) A bed and breakfast in a detached dwelling, that complies with the provisions set out in section 4.37 (2018-91)
- (f) An additional dwelling unit subject to the provisions of Section 4.45 (2023-110)

Environmental Protection Area Zone (EPA)

Section 13 sets out the permitted uses and regulations applicable to the EPA Zone. The following uses are permitted on lands zoned EPA:

- (a) Conservation use
- (b) Existing agricultural use
- (c) Wildlife management
- (d) Works of a Conservation Authority

Agri-Tourism Zone 1 and 2 (AT1) (AT2)

The AT1 and AT 2 Zones were established via a Ministry Zoning Order on the lands east of the Local Study Area located south of Mountain Road between Garner Road and Kalar Road.

The permitted uses in the AT1 Zone are:

- (a) the uses permitted in the Agricultural Zone (A Zone) as set out in section 12.1 of the Zoning By-Law;
- (b) an estate winery;
- (c) a farm winery;
- (d) a golf course;
- (e) a hotel;
- (f) an assembly hall;
- (g) recreational uses;
- (h) a restaurant;
- (i) a retail store;
- (j) a spa;
- (k) a villa; and
- (l) accessory uses.

The permitted uses in the AT2 Zone are:

- (a) the uses permitted in the Agricultural Zone (A Zone) as set out in section 12.1 of the Zoning By-Law; and
- (b) a golf course, including any associated maintenance buildings and fairway structures.

4.1.8 Development Applications In Local Study Area

A review of the City of Niagara Falls Planning and Development website was undertaken to determine if there were any current planning applications located within the Local Study Area. No planning applications were identified within the Local Study Area at the time of writing this report.

4.2 Other Areas Considered as per Approved Terms of Reference

4.2.1 Secondary Plans Located Outside Of The Local Study Area

Although situated outside of the 1km Local Study Area, the Northwest Secondary Plan and Glendale Secondary Plan have been reviewed and included as part of the Land Use Existing Conditions Report in accordance with the approved Terms of Reference for Land Use.

4.2.1.1 Northwest Secondary Plan (NWSP)

The NWSP is located west of the QEW, south of Mountain Road and east of Kalar Road and was brought into the City's Urban Area boundary through the recent approval of the NROP in 2022 (see Figure 3). The preparation of the NWSP is at an early stage and is currently in Phase 1 (Project Commencement and Background Review) of a three-phase initiative.

City staff have initiated background studies as part of the first phase, which included the preparation of a Land Uses Compatibility Study (September 2024). This Study acknowledges the existing Walker Brother Quarry and efforts to introduce a future landfill, as follows:

"2.2 Surrounding Area Description

"...The Walker Brother Quarry further to the West is the primary use identified by the City staff, which is of interest with respect to compatibility, as outlined in numerous meetings. The facility

property limits are greater than 1000m from the property line of the subject Secondary Plan Area, which as per the MECP, does not warrant land use compatibility assessment. The distance setbacks and potential for impacts will be discussed further in Sections 4.0 of this report” (pg. 2).

“4.2 The Walker Brothers Quarry

The Walker Brothers Quarry to the West is the primary use identified by the City staff which is of interest with respect to compatibility, as outlined in numerous meetings. The MECP Guideline for which this study is based on (D-6) does not apply to pits and quarries, rather, defers these guidelines to site specific studies. Current efforts are underway by Walker Brothers to modify post-extraction use of their current quarrying operations, to provide for a Landfill; however, the timeline of this remains uncertain at the time of this report. City and public consultation by Walker Brothers would indicate approximately 7 years of extraction remains before exhaustion. Should all necessary approvals be acquired, the use as a landfill would be expected immediately thereafter and could see operations as a landfill for an additional 20-30 years before ultimately being capped with a final land use to be determined (such as agricultural or open space use).

Should quarry blasting continue at the time of development of this Northwest Secondary plan area, blasting operations should be confirmed to be in compliance with NPC-119, and all other applicable documents. As such, SSWA recommends SS Wilson Associates Consulting & Engineering Project No.: WA24-018 8 independent noise/vibration, odour, and dust studies be undertaken to address the impact of the neighbouring Quarry on the Plan Area, especially as it pertains to blasting activities.” (pg. 8).

“4.3 Storm Sewers, Sanitary Sewers and Landfill

In SSWA’s collection of Municipal and Provincial data, there were found to be a number of sanitary sewers, storm sewers, and landfill sites which have been established under their respective Environmental Compliance Approvals (ECA’s). These sites and facilities are operating within this study’s area of concern as per D6-4.1.1. These sewers and landfill sites are expected to be of no concern and need not be considered further” (pg. 9).

“5.0 Conclusions

With regard to the Walker Brothers existing Quarry operations to the west, for which the MECP D-series guidelines do not apply, SSWA recommends independent noise/vibration, odour, and dust studies be undertaken to address the impact of the proximate Quarry on the Plan Area, especially as it pertains to blasting activities.

As such, the proposed Secondary Plan Area should be considered compatible with all existing and proposed uses with respect to the MECP D-Series guidelines, specifically D6.

Location and Existing Uses

The lands subject of the Northwest Secondary Plan are located south of Mountain Road, west of the QEW and east of Kalar Road and are bounded to the south by the existing residential area south of the hydro corridor. According to the Existing Conditions Report prepared as background to the Secondary Plan, “the area is largely undeveloped and/or is being used by non land intensive uses”, including:

- Environmental/natural features
- Cash crop (majority of the NWSP lands)
- Place of worship (and ancillary uses)
- Club Italia (hospitality and event centre)
- Restaurant and short-term accommodation (Regency Athletic Resort)
- Mobile Home Park (Shady Oaks)
- Limited rural residential (approximately 21 residential units²)
- Niagara Sports Centre Ltd.

Policy Context

Niagara Region Official Plan (NROP)

Figure 3 of this Report shows that the Northwest Secondary Plan (NWSP) area is identified as a Designated Greenfield Area (DGA) on Schedule B – Regional Structure. Furthermore, the area is also identified as an Urban Expansion Area in Appendix 2 of the NROP. The NWSP represents a gross area of approximately 101 ha.

Designated Greenfield Areas are defined as “lands within urban areas but outside of built-up areas that have been designated in an official plan for development and are required to accommodate forecasted growth to the horizon of this Plan. Designated greenfield areas do not include excess lands and are identified in Schedule B”.

Chapter 2 of the NROP provides regional growth forecasts and structure policies which are applicable to Designated Greenfield Areas, and therefore the NWSP, including:

- 2.2.2.23 Designated greenfield areas shall achieve a minimum density of 50 residents and jobs combined per hectare as measured across the entire region.
- 2.2.2.25 Designated greenfield areas will be planned as complete communities by:

² Existing Conditions Report – Northwest Secondary Plan, prepared by Hemson, dated September 30, 2024, pg. 4 and 12

- a. ensuring that development is sequential, orderly and contiguous with existing built-up areas;
 - b. utilizing proactive planning tools in Section 6.1 and Section 6.2, as appropriate;
 - c. ensuring infrastructure capacity is available; and
 - d. supporting active transportation and encouraging the integration and sustained viability of public transit service.
- 6.1.4.2 Secondary plans will be prepared for new designated greenfield areas within urban area expansion areas as shown on Appendix 2, except where the urban area expansion is less than 15 hectares or determined by the Region to be too small to require a secondary plan.
 - 7.7.1.1 The Region shall align strategic land use direction of this Plan with the Water/Wastewater Master Servicing Plan and the Transportation Master Plan to assist in the management of growth in urban areas, including designated greenfield areas and built-up areas, to appropriately plan for orderly and efficient urban development.

Despite policy 2.2.2.23, the 2051 Land Needs Assessment states that “while the overall target remains 50 people and jobs per hectare across Niagara, the Provincial Land Needs Assessment Methodology requires an analysis of planned DGA lands be considered through the Community Area analysis. As a result, the Community Area assessment has been refined to reflect the density, based on capacity for future growth, of vacant and future DGA lands within each municipality.” As such, the planned DGA Density on Vacant Lands is 65 people and jobs per hectare for the City of Niagara Falls.

Additionally, Tables 8 and 10 of the 2051 Land Needs Assessment provides the Housing Forecast by Policy Area and Municipality, 2021 to 2051 and the Housing Forecast by Unit Type, DGA, 2021 to 2051 respectively. Table 8 shows a 49.5% share of household growth for Designated Greenfield Areas in Niagara Falls. The Designated Greenfield Area Housing Unit Growth for Niagara Falls is 10,010 as shown on Table 10.

City of Niagara Falls Official Plan (NFOP)

The Northwest Secondary Plans are located within the Urban Area Boundary (Urban Area Expansion as per the 2022 Niagara Region Official Plan) and are currently designated:

- Good General Agriculture
- Environmental Conservation Area

The policies associated with the above-noted designations are set out under section 4.1.6 of this Report.

Conclusion

The Northwest Secondary Plan is currently in the early stages of the planning process which entails the undertaking of background studies and the initiation of public consultation. Details on land use (i.e. the location, type, density and height of sensitive land uses) within the Secondary Plan continue to be under review by the City.

As such, consideration of sensitive receptors within the NWSP area will continue to be monitored and considered through the EA process as details are proposed as part of the Secondary Plan review and approval process.

4.2.1.2 *Glendale Secondary Plan*

The Glendale Secondary Plan (approved in 2012) forms part of the Niagara-On-The-Lake Official Plan as a Special Policy Area. In January 2025, the Town of Niagara-on-the-Lake recently adopted an Official Plan Amendment to update the current Glendale Secondary Plan in the Town of Niagara-on-the-Lake Official Plan with a new set of detailed policies and guidelines that establish a framework for growth and development in the Glendale Secondary Plan area to the year 2051. Both the in-effect and adopted policy regime is summarized as follows relative to the Project.

Description of Existing Uses

The Glendale Secondary Plan is generally bound by Queenston Road to the north, Concession 7 Road to the east, the Niagara Escarpment to the south and Homer Road to the west. The subject lands currently contain the Outlet Collection at Niagara, hospitality uses on both sides of the Queen Elizabeth Way (QEW), existing residential development south of Glendale Avenue and along the south side of Queenston Road, and industrial and employment uses north of the QEW.

Policy Context

Niagara Region Official Plan (NROP)

The Glendale Secondary Plan Area contains the following designations pursuant to Schedule B (Regional Structure) in the NROP (also see Figure 3):

- Designated Greenfield Area
- District Plan Area (the entire Secondary Plan Area is identified as a District Plan Area and is labelled as "Glendale Niagara District Plan" in the NROP)
- Employment Areas

Schedule G of the NROP, shows the portions of the Secondary Plan Area to the east / northeast as Knowledge and Innovation Employment Area Type.

Section 2.2.2.1 states: "Within *urban areas*, forecasted population growth will be accommodated primarily through intensification in built-up areas with particular focus on the following locations:

a. *strategic growth areas*, including:

iv. district plan areas identified in Section 6.1" (which includes Glendale District Plan).

In term of growth forecasts, the NROP provide the following targets:

- Designated Greenfield Areas shall achieve a minimum density of 50 residents and jobs combined per hectare as measured across the entire Region (Policy 2.2.2.23).
- Minimum Residential Intensification Targets for Niagara-on-the-Lake (2021-2051) is 1,150 units and a 25% intensification rate
- Minimum Density Target for Strategic Growth Areas (which includes the Glendale Niagara District Plan) is 100 people and jobs per hectare by 2051 (Table 2-3)

Niagara On The Lake Official Plan (NLOP)

The Glendale area contains the following land use designations pursuant to Schedule "F" (Land Use Plan) of the NLOP (see Figure 12):

- Regional Commercial
- Prestige Industrial
- Urban Residential
- Light Industrial
- Open Space and Community Facilities
- Conservation
- Future Urban Use

The Urban Residential and Open Space and Community Facilities designations in particular include permitted uses which would be considered as sensitive land uses. The Urban Residential designation (at the closest point) is situated approximately 2.02 km from the Site Study Area and the Open Space and Community Facilities designation (at the closest point) is situated approximately 2.36 km from the Site Study Area. It is also noted that the QEW/ Highway 405 is located between the SSA and the Open Space and Community Facilities designation, while as a rail line corridor is situated between the SSA and Urban Residential designation within the Glendale Secondary Plan.

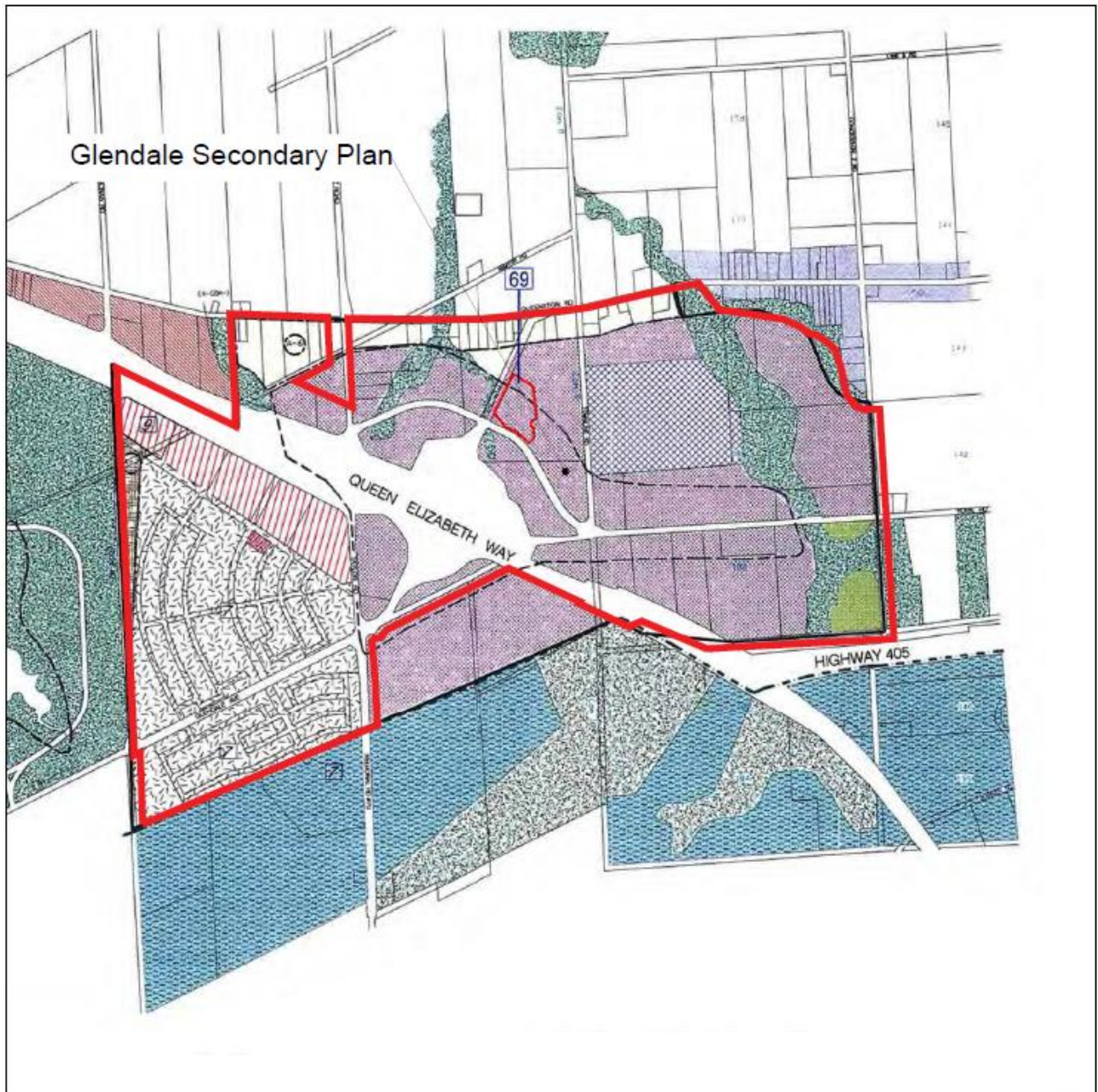


Figure 12 - Niagara On the Lake Official Plan - Schedule F - Glendale Land Use Plan

LEGEND

| | | | |
|--|---------------------|----------------------------|-----------------------------------|
| Glendale Secondary Plan Area | Urban Area Boundary | Agricultural | Open Space & Community Facilities |
| Wetlands (including adjacent lands) | Non-Farm Rural | Escarpment Protection Area | Escarpment Natural Area |
| Niagara Escarpment Commission Boundary | Service Commercial | Urban Residential | Regional Commercial (O.P.A. 72) |
| Amendments | Light Industrial | Prestige Industrial | |



Glendale Secondary Plan (2012)

The Glendale Secondary Plan was approved by Niagara Region in 2012 for both residential and employment/industrial uses.

The Glendale area contains the following land use designations pursuant to Schedule A (Land Use and Character Precincts) in the 2012 Glendale Secondary Plan.

- Queenston Road Community
- Prestige Employment
- Hospitality Precinct
- Industrial Park
- Mixed Use Destination
- Village Centre
- Niagara on the Green Residential Community
- Institutional Campus

The following provides a breakdown of the above-noted designations and associated polices:

Queenston Road Community

The land uses and character of development within this designation are not anticipated to change significantly. The existing residential uses and their rural qualities provide an appropriate transition between the existing and planned employment uses to the south and the agricultural lands to the north. The following uses are permitted (Section 3.3.2):

- Detached dwelling
- Accessory dwelling unit within a detached house or separate structure, such as a garage or carriage house
- Public or institutional use

Prestige Employment

Section 3.3.3 states Prestige Employment Areas are intended to accommodate a wide range of office and industrial uses occupying sites and buildings that demonstrate design excellence. The following uses are permitted in Prestige Employment Areas:

- corporate or other business office
- research and development facility
- manufacturing and assembly
- information processing
- goods distribution and warehousing
- enclosed technical or commercial school

Industrial Park Areas

Section 3.3.4 states that Industrial Park Areas are located in a less publicly visible area of Glendale and therefore are an appropriate location for industrial uses whose operations may have adverse visual impacts. The following uses are permitted:

- research and development facility
- manufacturing and assembly
- fabrication
- information processing
- goods distribution and warehousing
- industrial and transportation servicing and maintenance facility
- construction and agricultural equipment sales and rental facility

Hospitality Precinct

Section 3.3.5 states the hospitality precinct is intended to become a focal area for hotels, restaurants and other commercial uses catering to the travelling public and business community in Glendale and supporting tourism elsewhere in the town. The following uses are permitted:

- hotel
- convention centre
- restaurant
- retail store
- medical or other professional office

- corporate or other business office
- financial institution

Mixed Use Area (Special Study Area)

Section 3.3.6 states that the mixed use Destination Area is intended to become a major inter-regional shopping and entertainment destination, complementing the town's other visitor attractions. The following uses are permitted:

- retail store
- cinema
- restaurant
- personal or business service
- medical or other professional office
- financial institution
- apartment and live/work dwellings
- places of entertainment and amusement
- health or fitness facility
- micro-brewery
- winery
- enclosed commercial school

Village Centre

Section 3.3.7 states the Village Centre is intended to accommodate over time a mix of uses and provide a focal point for commercial and social activities for residents, workers, students and visitors in Glendale. Permitted uses include the following:

- Hotel
- convention centre
- recreation facilities
- restaurants

- retail stores
- medical or other professional office
- corporate or other business office
- apartment and live/work dwellings
- educational facility
- day care centre
- place of worship

Institutional Campus

The following uses are permitted in this designation (3.3.8):

- college or university
- enclosed technical or commercial school
- research facility
- student housing
- day care centre
- winery
- accessory retail of products developed in college programs
- other ancillary uses to a college or university

Glendale Secondary Plan (Adopted by Council - January 2025)

An update to the Glendale Secondary Plan was recently adopted by NOTL Council in January 2025. The adopted Secondary Plan establishes a framework for growth and development to the year 2051 and aims to “manage change in a way that ensures that the evolution of Glendale occurs in a way that enhances it as a successful and desirable place to live, work, play and invest in” (s.1.1).

The Glendale area contains the following land use designations pursuant to Schedule 1 – Land Use Designations in the new Glendale Secondary Plan (see Figure 13):

- Existing Residential

- New Residential
- Regional Commercial
- Mixed Use I
- Mixed Use II
- Industrial Business Park
- Environmental Protection

Overall, the adopted Plan continues to maintain a large Industrial Business Park in the same location as the 2012 Plan but identifies new land use designations in order to accommodate additional residential and employment growth forecasted to 2051. As a result of the adopted Plan, the New Residential designation (at the closest point) is situated approximately 2.35 km from the Site Study Area. In addition, additional Mixed Use Designations have been added, which are situated (at the closest point) approximately 2.37 km from the Site Study Area.

In comparison to the previous Glendale Secondary Plan (2012), the newly adopted Secondary Plan does not introduce sensitive land uses any closer to the SSA. Some lands have been redesignated to new land uses. In particular, certain land parcels located to the north of Glendale Avenue and Lampman Court have redesignated from Urban Residential and Prestige Industrial to Mixed Use designations, which will allow for the further development of sensitive land uses. However, much of these lands were already designated to allow for the development of sensitive lands uses. Building height limits for these areas are generally the same as the previous Glendale Secondary Plan, however, a slight height reduction in heights (from 3-8 to 5/6 storeys) occurs on the lands located along both sides of Taylor Road to the north of Glendale Avenue, while as building heights increase (from 1-3 to 4/5 storeys) occurs along the north of Glendale Avenue situated to the southwest of the Secondary Plan area. Notwithstanding this, land use designations will be planned to be compatible with the Industrial Business Park uses that are planned within the same Secondary Plan Area. Further, the designations that permit sensitive land uses are located well beyond the 1 km Local Study Area and separated by the NEP and by Provincial Highways and rail corridor.

Population and Employment Growth

As noted in Section 3.1, Glendale is identified as a Strategic Growth Area. To the year 2051, it is estimated that the population of Glendale could grow to approximately 14,000 people, representing an increase of approximately 12,600 people. The employment base in Glendale, currently estimated at 5,200 jobs, is anticipated to increase by approximately 4,000 jobs by 2051, to a level of 9,200 jobs. The Niagara Region Official Plan (2022) establishes a long-term minimum density target for Glendale at 100 people and jobs combined per hectare.

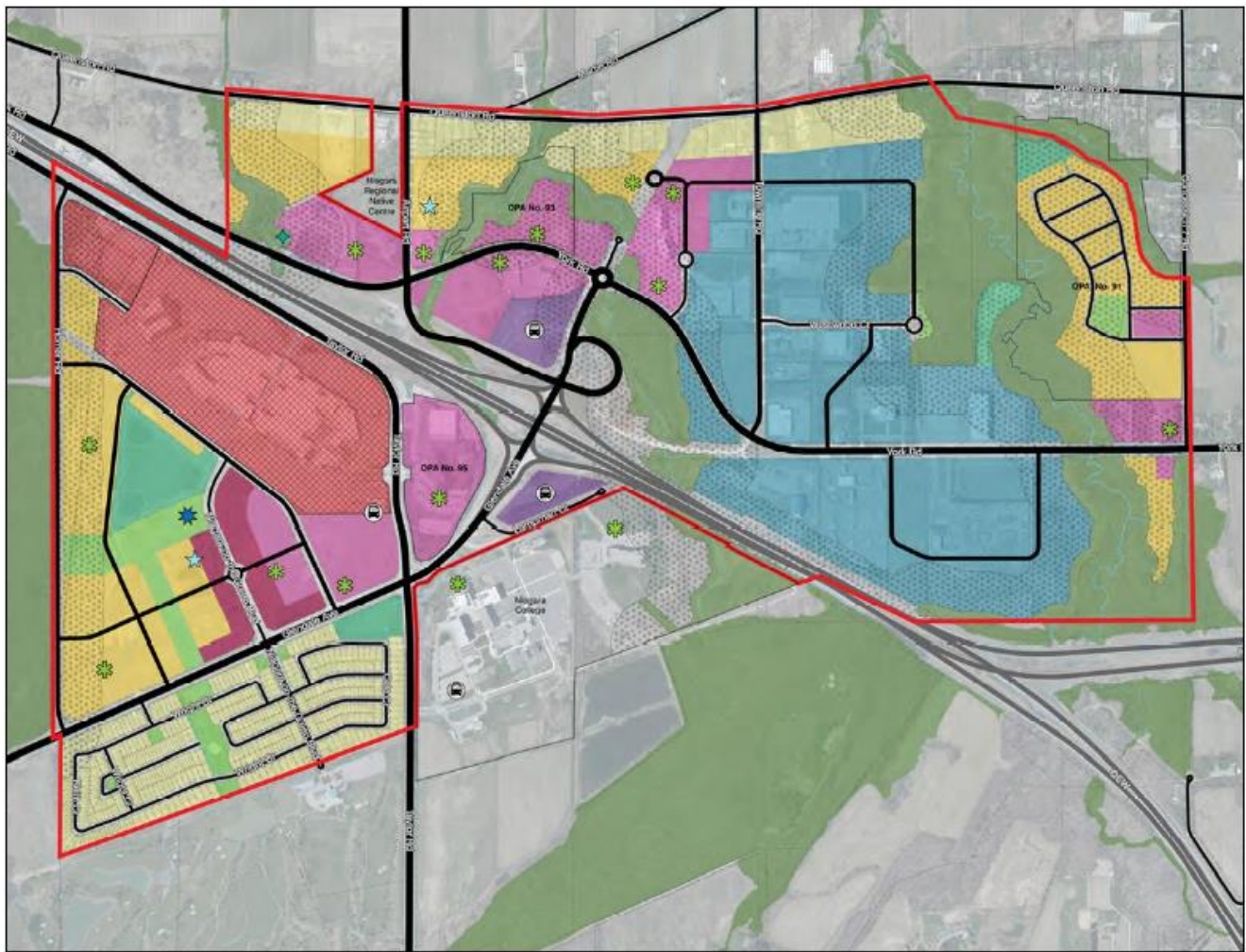


Figure 13 - Glendale Secondary Plan - Schedule 1 - Land Use Designations

LEGEND

- | | | |
|-------------------------------------|---------------------------------------|---------------------------------------|
| Potential Regional Transit Hub | Existing Residential Designation | Industrial/Business Park Designation |
| Potential School Location | New Residential Designation | Public Parkland Designation |
| Potential Community Centre Location | Regional Commercial Designation | Transportation Facilities Designation |
| Potential Urban Park Location | Regional Commercial Mixed-Use Overlay | Environmental Protection Designation |
| Stormwater Management Facility | Mixed-Use I Designation | Adjacent Lands Overlay |
| Glendale Secondary Plan Area | Mixed-Use II Designation | Stormwater Management Facility |



Existing Residential

Section 6.1.1 states that the Existing Residential designation recognizes existing low-rise neighbourhoods and estate style lots within Glendale. It is the intent of this designation to ensure that existing housing stock and the existing character of the neighbourhood are appropriately conserved. The following uses are permitted (6.1.2):

- Single-detached dwellings, semi-detached dwellings, duplex dwellings, multi-plex dwellings and all forms of townhouses;
- Additional residential units;
- Additional needs housing;
- Home-based businesses;
- Neighbourhood scale Public Service Facilities;
- Neighbourhood scale office uses, retail and service commercial uses; and
- Day care facilities.

New Residential

Section 6.2.1 states that the New Residential designation will promote new well-designed and attractive residential communities that act as a transition to rural landscapes and/or environmental features that are adjacent to, and outside of the boundaries of Glendale. The following uses are permitted:

- Single-detached dwellings, semi-detached dwellings, duplex dwellings, multi-plex dwellings, all forms of townhouses and apartments;
- Additional residential units;
- Additional needs housing;
- Live-work units;
- Home-based businesses;
- Neighbourhood scale Public Service Facilities;
- Neighbourhood scale office uses, retail and service commercial uses;
- Day care facilities; and
- Places of worship

Mixed Use I

The Mixed Use I Designation is intended to provide a focal point for commercial and social activities for residents, workers, students and visitors in Glendale. Permitted uses include the following (6.4.2):

- Restaurants, retail and service commercial uses;

- Winery and brewing facilities;
- Artisan studios and maker spaces;
- Entertainment uses;
- Home-based businesses;
- Hotels, including ancillary uses;
- Office uses;
- Private education, recreation and health-related facilities;
- Places of worship;
- Public Service Facilities;
- Day care facilities;
- Residential apartment units above or behind a non-residential permitted use
- Additional needs housing;
- Commercial and/or accessory parking facilities at-grade and/or in structures.

Mixed Use II

Mixed Use II is intended to promote the development of a diverse mixture of retail and service commercial uses, restaurants, cultural, entertainment and recreational land uses, as well as office uses and a range of residential apartment dwellings. Permitted uses include the following (6.5.2):

- Restaurants, retail and service commercial uses;
- Winery and brewing facilities;
- Artisan studios and maker spaces;
- Entertainment uses;
- Home-based businesses;
- Hotels, including ancillary uses;
- Convention/conference facilities;
- Office and major office uses;

- Private education, recreation and health-related facilities;
- Private clubs;
- Places of worship;
- Public Service Facilities;
- Day care facilities;
- Residential apartments
- Additional needs housing;
- Commercial and/or accessory parking facilities at-grade and/or in structures.

Policy 6.5.2 b) states that in addition to the above, modestly scaled research and development facilities, light manufacturing uses and warehousing facilities, or other low-impact employment generating uses in wholly enclosed buildings may also be permitted, subject to the implementing Zoning By-law.

Industrial/Business Park

Permitted uses in this designation include the following (6.6.2):

- Industrial uses, including:
 - Light manufacturing facilities;
 - Warehousing and distribution centres;
 - Municipal works yard;
 - Research and development facilities;
 - Data processing facilities;
 - Transportation servicing and maintenance facilities;
 - Construction and agricultural equipment sales and rental facilities; and
- Office and major office uses;
- Institutional and major institutional uses;
- Private education, recreation and health-related facilities;
- Winery and brewing facilities; and

- Commercial and/or accessory parking facilities at-grade and/or in structures.

In addition to the above, the following may also be permitted, subject to the implementing Zoning By-law:

- Retail commercial uses that sell products manufactured, or assembled on-site; and
- Restaurant, retail and service commercial uses catering to the daily needs of employees within the Industrial/Business Park area.

Environmental Protection

The lands within this designation are to be protected from the impacts of development and that the biodiversity, ecological and hydrological function of the features incorporated within the designation are protected, maintained, restored or, where possible, enhanced for the long-term. Permitted uses may include the following (6.8.2):

- Conservation uses;
- Small-scale buildings or structures appropriate and supportive of public parks and trails and other associated passive recreational opportunities and facilities; and
- Buildings or structures necessary for flood or erosion control

Conclusion

The Glendale Secondary Plan was approved in 2012 for a range of employment/industrial uses, commercial and residential uses and is situated north of the Niagara Escarpment Plan, with a large portion also located north of the QEW and Highway 405. In January 2025, NOTL Council recently adopted updates to the Glendale Secondary Plan to establish a framework for growth and development to the year 2051.

While the land use designations that permit sensitive land uses within the Glendale Secondary Plan continue to be situated well beyond the potential area of influence for land use impact, the EA will continue to have regard for the Glendale Secondary Plan and the planned land uses for that area as approved by the Secondary Plan and amendments recently adopted by NOTL Council.

4.3 Existing Land Uses

Current or existing land uses within the Site and Local Study Areas are summarized in the following discussion. The identification of land use activities in this defined area was based primarily on an examination of aerial imagery, provincial and federal mapping resources, and municipal planning documentation.

4.3.1 Existing Land Uses – Site Study Area (SSA)

The SSA is currently utilized predominantly as an active quarry operation, under a licence (Licence 11175) regulated by the Ministry of Natural Resources under the *Aggregate Resources Act*. A licenced quarry (Licence 4437) is also part of Walker's Campus, which began operations in 1887 with early quarrying operations being located to the west of the SSA (see Figure 14).

Within the licensed boundaries, the operation includes an extraction area where aggregate materials are excavated, stockpiled and processed for use and hauled to the local asphalt, concrete and road construction markets. The existing quarries utilize entrances to the north and northwest from Mountain Road and Taylor Road respectively. Landscaped berms and vegetation planting are situated around the western, southern, northern and portions of the eastern perimeters of the site for screening purposes. Under the existing Licenses, any change to the site plan, or surrender of the license, will require approval through the Ministry of Natural Resources (MNR).

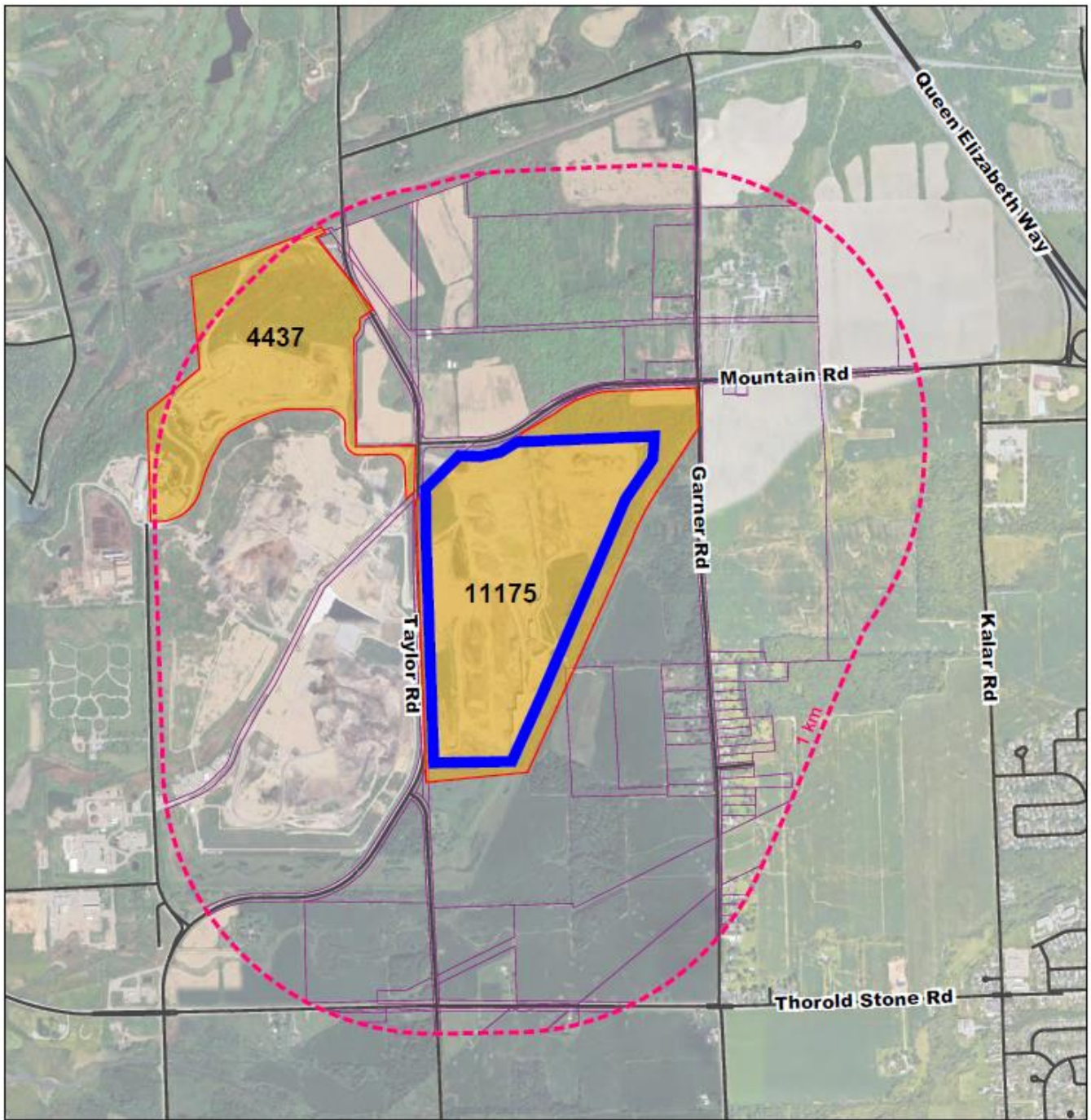


Figure 14 - Pit and Quarries Aggregate Licence Boundaries

LEGEND

- Site Study Area
- Local Study Area
- Aggregate Licence



4.3.2 Existing Land Uses – Local Study Area

The existing lands uses within the Local Study Area are shown in Table 2.

Table 2 Existing Land Uses in Local Study Area

| Description of Existing Land Uses – Local Study Area | |
|---|---|
| West | <p>Immediately west of the Site Study Area is the existing Walker Resource Management Campus, which comprises of a number of waste management and aggregate related facilities including the following:</p> <ul style="list-style-type: none"> - Landfill sites comprising of two landfill areas / sites (East and South). Both landfills incorporate landscape berming and planting and are largely screened from view along Taylor Road and Thorold Townline Road. - A large portion to the west of the Campus towards Thorold Townline Road is under rehabilitation to agricultural uses. - Aggregate processing areas comprising of stockpile areas and an asphalt plant. - A biosolids facility including outdoor yard and parking areas. - A compost facility comprising of outdoor processing and storage areas. - A residential waste drop-off area. - Ancillary office buildings. |
| North | <ul style="list-style-type: none"> - Lands the north / northeast located between the South Landfill Phase 2 lands and Mountain Road forms part of the existing quarry operation Licence 4437 but is located outside of the Site Study Area for this project. This portion of land is generally undisturbed and contains a forested area and is partially used for agricultural purposes. - The north of the South Landfill Phase 2 lands is partially bound by Mountain Road, beyond which are mainly agricultural lands and woodland areas. Further agricultural and woodlands are located beyond these uses. |

| | |
|--------------|---|
| | <ul style="list-style-type: none"> - A railway line is situated along the boundary of the Local Study Area to the north / northwest. - A property containing a single residential building with yard and shed building to the rear is located to the northeast of the site beside the intersection of Garner Road and Mountain Road. - Two single detached dwellings also situated further north along Garner Road. - A large garden center is located on the northeast corner of Garner Road and Mountain Road, which includes a number of associated buildings, planting, display areas and storage areas. - Beyond these land uses are further agricultural lands and woodland areas. |
| East | <ul style="list-style-type: none"> - A Trans Canada Pipeline easement runs adjacent along the eastern boundary of the Site Study Area. Beyond this feature are wooded and agricultural parcels of land. - A number of single residential dwellings are located along both sides of Garner Road to the east / southeast of the South Landfill Phase 2 lands, many of which contain rear yard accessory structures. - Additional agricultural and woodland areas extend further east of Garner Road. - A utility meter station is located to the northeast of the South Landfill Phase 2 lands to the south of Mountain Road. |
| South | <ul style="list-style-type: none"> - Lands located to the south of the South Landfill Phase 2 lands mainly consist of agricultural lands. - Vacant / undeveloped lands are located directly to the south. - Woodlands are situated to the southeast and also opposite Beechwood Road to the southwest. - Further south, along Thorold Stone Road, are three single residential dwellings, which lie within a wider agricultural area. |

- | | |
|--|---|
| | <ul style="list-style-type: none">- A residential dwelling is also located to the southwest in proximity to the junction of Taylor and Thorold Townline Road. |
|--|---|

In general, the lands surrounding the South Landfill Phase 2 lands within the Local Study Area are characterized by a mix of industrial uses (including aggregate and waste management operations), agricultural uses, with a limited number of residential uses. There are also a variety of natural heritage areas / features dispersed throughout the Local Study Area (e.g., watercourses, drainage corridors, woodlots).

4.3.2.1 Walker-owned Lands in the Local Study Area

In addition to the Walker Resource Management Campus, Walker owns a significant amount of land within the Local Study Area, which accumulates to approximately 428.6 ha or 64.3% of the LSA (~666.5 ha). (see Figure 15 below). A majority of the lands owned by Walker, except for the Walker Resource Management Campus, are undeveloped and are primarily agricultural lands.

A total of six of the Walker owned properties within Local Study Area contain residential dwellings (see Table 3). Two of these properties are located to the northeast, along Garner and Mountain Road, with two residential properties also located along Garner Road to the southwest of the Local Study Area. The remaining two residential properties are situated to the southwest of the Local Study Area.

The remainder of the Walker lands to the north / northwest, east and south / southwest of the Local Study Area comprise of agricultural lands, with sparse shed structures, and pockets of wooded areas.

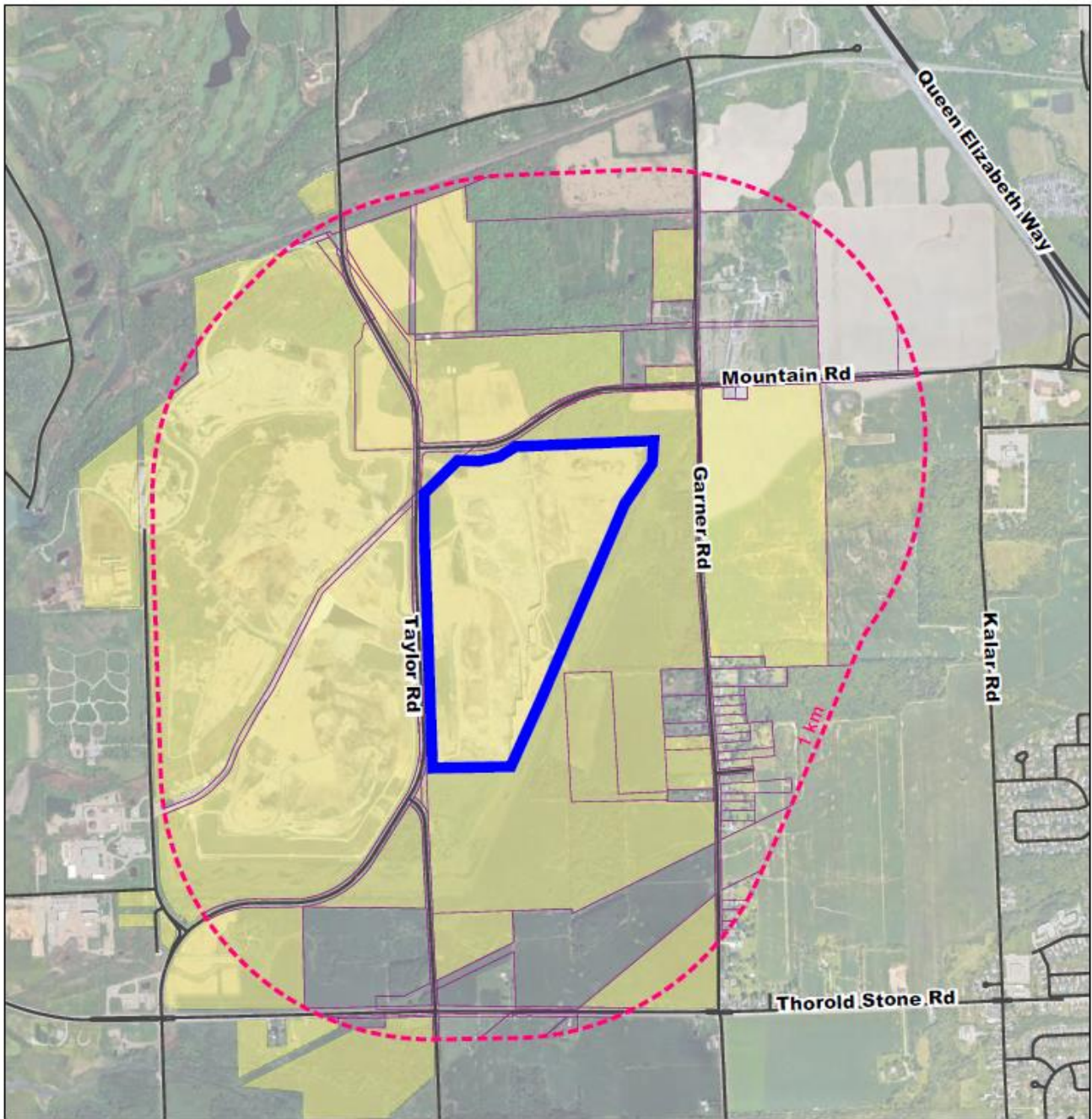





Figure 15 - Walker Owned Properties

LEGEND

-  Site Study Area
-  1 km Local Study Area
-  Walker Owned Properties



4.3.2.2 Residential Land Uses in the Local Study Area

The PPS and D-Series Guidelines identifies residential uses to be sensitive land uses in proximity to major facilities or landfills. Residential land uses within the Local Study Area are largely concentrated along Garner Road, with additional single-detached residential dwellings located on Mountain Road and Thorold Stone Road.

Rural residential properties within the 1km Local Study Area are broken down into the following categories:

- A. Rural Residential Lots, containing single detached dwellings – lots less than 2.63 ha (6.5 acres) in area; and,
- B. Farms with single detached residential dwellings – properties greater than 2.63 ha (6.5 acres) in area.

Please see Table 3 and Figure 16 (the Reference Numbering in Table 3 corresponds with the numbering on Figure 16). Single-detached dwellings on rural residential lots are the predominant form of rural residential housing within the Local Study Area. Land parcels greater than 6.5 acres were considered as farming lots where agricultural uses are present, which also contained a single detached dwelling.

In some cases, a property is situated within the Local Study Area but the dwelling on that property is situated beyond the 1 km Local Study Area. In those cases, the lots within the Local Study Area which have dwellings situated beyond the 1 km boundary have been included on Figure 16 and in Table 3 below.

Table 3 Residential Properties within Local Study Area

| Ref No. | Address | Approximate Distance from the Site Study Area (Measured from the Dwelling) | Direction Relative to the Site Study Area |
|------------|---|--|---|
| 1.0 | Rural Residential Lots – lots less than 6.5 acres in area. | | |
| RR1 1 | 2155 Garner Rd | 501 m | North |
| RR2 | 9001 Mountain Rd * | 245 m | North |
| RR3 | 3162 Garner Rd | 538 m | East |
| RR4 | 3194 Garner Rd | 492 m | East |
| RR5 | 3217 Garner Rd | 575 m | East |
| RR6 | 3232 Garner Rd | 600 m | East |

| | | | |
|------------|--|---------|-----------|
| RR7 | 3252 Garner Rd | 609 m | East |
| RR8 | 3274 Garner Rd | 632 m | East |
| RR9 | 3296 Garner Rd | 650 m | East |
| RR10 | 3281 Garner Rd | 560 m | East |
| RR11 | 3318 Garner Rd | 663 m | East |
| RR12 | 3305 Garner Rd | 579 m | East |
| RR13 | 3353 Garner Rd * | 611 m | East |
| RR14 | 3443 Garner Rd * | 674 m | East |
| RR15 | 3469 Garner Rd | 699 m | East |
| RR16 | 3340 Garner Rd | 683 m | East |
| RR17 | 3360 Garner Rd | 692 m | East |
| RR18 | 3382 Garner Rd | 708 m | East |
| RR19 | 3402 Garner Rd | 723 m | East |
| RR20 | 3438 Garner Rd | 752 m | East |
| RR21 | 3460 Garner Rd | 757 m | Southeast |
| RR22 | 3482 Garner Rd | 773 m | Southeast |
| RR23 | 3504 Garner Rd | 788 m | Southeast |
| RR24 | 3526 Garner Rd | 807 m | Southeast |
| RR25 | 3562 Garner Rd | 826 m | Southeast |
| RR26 | 3720 Garner Rd | 942 m | Southeast |
| RR27 | 3744 Garner Rd | 963 m | Southeast |
| RR28 | 3766 Garner Rd | 982 m | Southeast |
| RR29 | 9536 Thorold Stone Rd | 992 m | South |
| RR30 | 3800 Garner Rd | 990 m | Southeast |
| RR31 | 3812 Garner Rd | 1,000 m | Southeast |
| 2.0 | <i>Farms with single detached residential dwellings</i> | | |
| AgR1 | 1901 Garner Rd | 1112 m | North |

| | | | |
|------|----------------------------|--------|-----------|
| AgR2 | 2195 Garner Rd * | 509 m | North |
| AgR3 | 9332 Thorold Stone Rd | 1001 m | South |
| AgR4 | 9435 Thorold Stone Rd | 788 m | South |
| AgR5 | 4164 Thorold Townline Rd * | 955 m | Southwest |
| AgR6 | 9984 Thorold Townline Rd * | 1142 m | Southwest |

Note: * Indicates property owned by Walker.

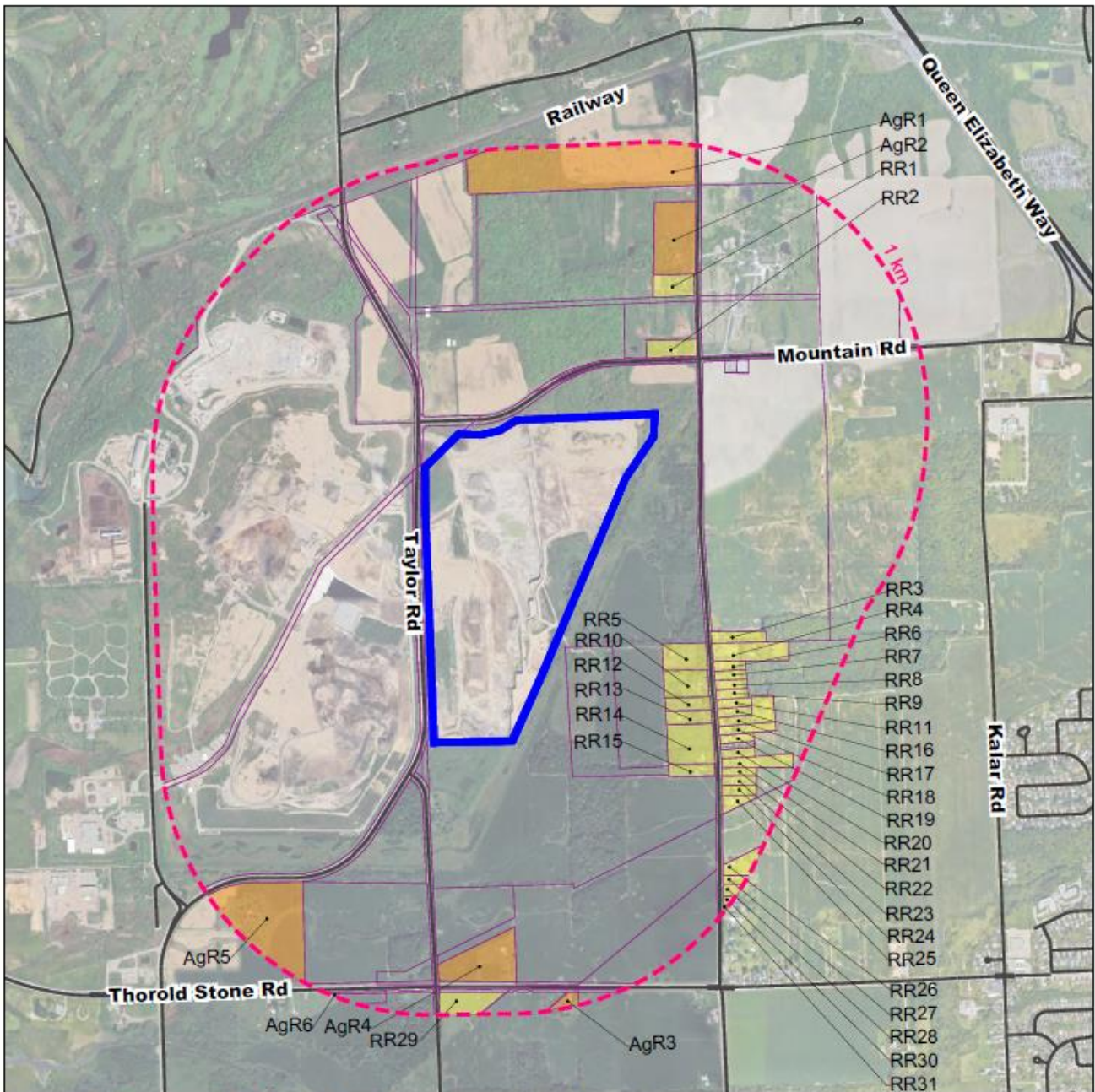


Figure 16 - Location of Residential Land Uses within the Local Study Area

LEGEND

- Site Study Area
- Local Study Area
- Property Boundary
- Road Network
- Rural Residential Lots- Lots Less than 8.5ac in Area
- Farm with Single Detached Residential Dwellings- Properties Greater than 8.5ac in Area



4.3.2.3 Agricultural Land Uses/Operations in the Local Study Area

The D-1-3 Land Use Compatibility Guidelines identify that “certain agricultural operations (e.g., cattle raising, mink farming, cash crops and orchards)” may be considered sensitive land uses, and the D-4 Guidelines identify that livestock pastures and “permanent structures used in animal husbandry” are considered sensitive land uses for landfills currently in operation.

Agricultural uses are the primary land uses within the Local Study Area with the exception of certain portions containing residential land uses as discussed in section 4.2.2.1 in this report. The agricultural uses comprise of cash crop farming. No livestock operations were identified. There is also one agri-commercial use within the Local Study Area, which comprises of a garden center / plant nursery and is located on the northeast corner of Garner Road and Mountain Road.

Most “undeveloped” land within the Local Study Area is used for agricultural cash crop farming. Please see Table 4 and Figure 17 below (the Reference Numbering in Table 4 corresponds with the numbering on Figure 17).

Table 4 Agricultural Properties / Uses within Local Study Area

| Ref No. | Address | Approximate Distance from the Site Study Area | Direction Relative to the Site Study Area |
|------------|--------------------------------------|---|---|
| 1.0 | Agricultural Uses/Operations | | |
| Ag1 | 8865 Mountain Rd – PIN: 642670020 | 428 m | North |
| Ag2 | Warner Rd – PIN: 642670156 | 860 m | Northeast |
| Ag3 | 8865 Mountain Rd – PIN: 642670286 | 222 m | Northeast |
| Ag4 | PIN: 642670039 | 650 m | Northeast |
| Ag5 | PIN: 642670261 | 945 m | Northeast |
| Ag6 | PIN: 642670279 * | 52 m | North |
| Ag7 | PIN: 642670012 * | 462 m | Northwest |
| Ag8 | PIN: 642670011 * | 329 m | Northwest |
| Ag9 | PIN: 640510123 * | 165 m | Northwest |
| Ag10 | 8656 Mountain Rd * | 176 m | East |
| Ag11 | PIN: 642670276 | 618 m | East |
| Ag12 | PIN: 642670092 | 695 m | Southeast |

| | | | |
|------------|------------------------------------|-------|------------------|
| Ag13 | PIN: 642670095 | 815 m | Southeast |
| Ag14 | PIN: 642670169 * | 854 m | Southeast |
| Ag15 | PIN: 642670195 | 565 m | Southeast |
| Ag16 | PIN: 642670272 * | 0 m | East / Southeast |
| Ag17 | PIN: 642670251 * | 43 m | Southeast |
| Ag18 | PIN: 642670098 * | 566 m | South |
| Ag19 | PIN: 642670160 | 551 m | Southwest |
| Ag20 | PIN: 642670193 | 842 m | South |
| Ag21 | PIN: 642660162 | 998 m | Southwest |
| Ag22 | PIN: 642660149 * | 955 m | South |
| Ag23 | PIN: 642660164 | 940 m | South |
| Ag24 | PIN: 642660139 | 980 m | South |
| 2.0 | <i>Agri-Commercial Uses</i> | | |
| AgC1 | 8865 Mountain Rd (Plant Nursery) | 675 m | North |

Note: * Indicates property owned by Walker.

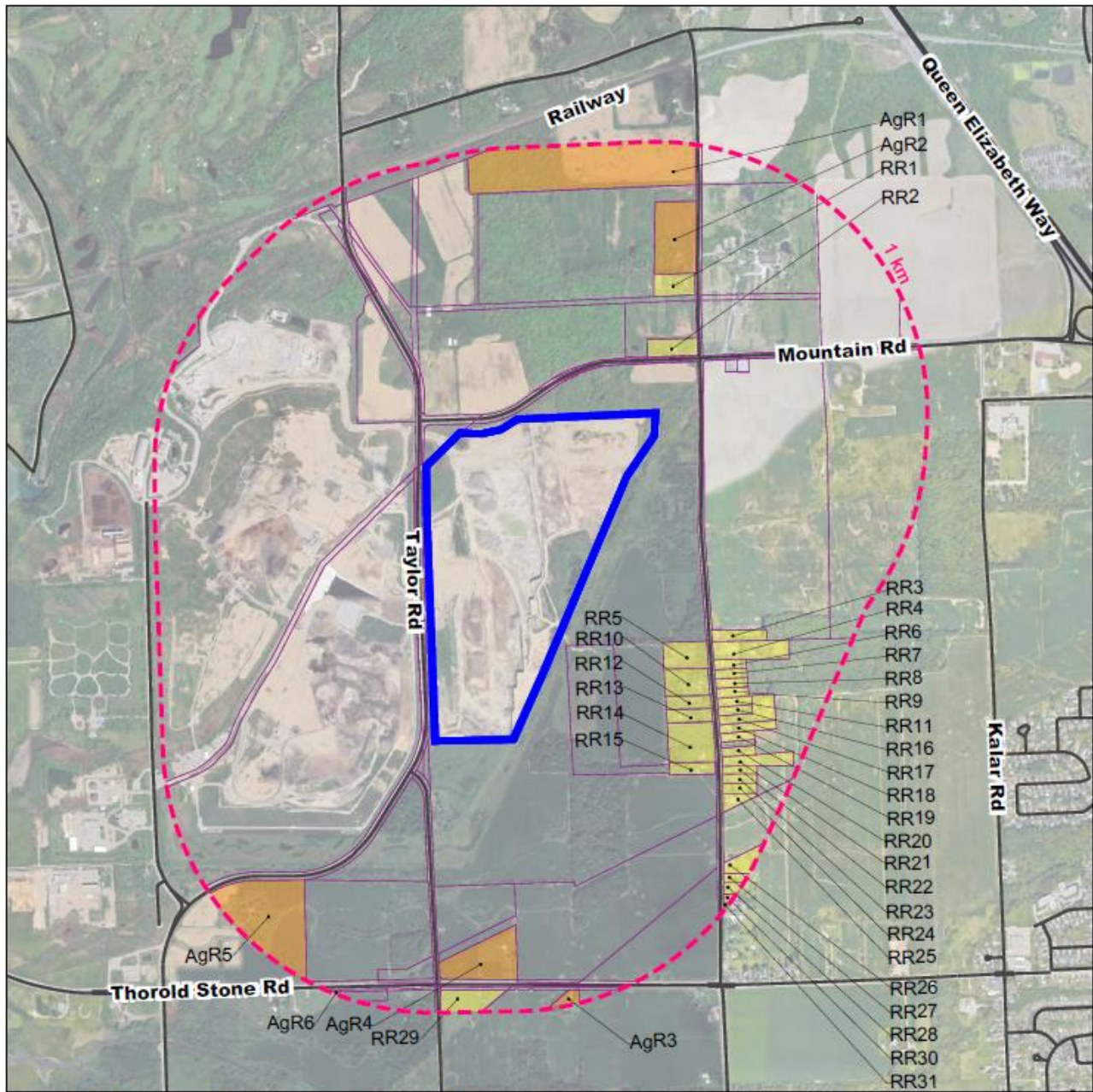


Figure 16 - Location of Residential Land Uses within the Local Study Area

LEGEND

- Site Study Area
- 1 km Local Study Area
- Property Boundary
- Road Network
- Rural Residential Lots- Lots Less than 6.5ac in Area
- Farm with Single Detached Residential Dwellings- Properties Greater than 6.5ac in Area



4.3.2.4 *Employment Land Uses/Operations in the Local Study Area*

The D-4 Guidelines outlines compatible land uses for landfills currently in operation. Although, the South Landfill Phase 2 is not in operation and subject to a permitting process, compatible uses may include the following as set out in the D-4 Guidelines:

- utilities and above grade transportation routes except major highways;
- fences;
- wood harvesting and other forestry activities;
- certain farming activities;
- industrial uses, including incinerators permitted to operate under O. Reg. 347;
- gravel pits and quarries, and other mining activities (provided the landfill water table is not affected); or
- such land uses which would not be threatened by any hazard to public health or safety and would not be impaired by nuisance effects.

The Local Study Area contains utility uses including a Trans Canada Pipeline, which runs adjacent along the eastern boundary of the Site Study Area, and the TransCanada Energy Meter Station located northwest of the Site Study area along Mountain Road. Employment uses are located to the west of the Local Study Area and comprises of the Walker Resource Management Campus that contains a number of uses which are listed earlier in section 4.2.2 of this Report. Please see Table 5 and Figure 18 below (the Reference Numbering in Table 5 corresponds with the numbering on Figure 18).

Table 5 Employment Uses and Utilities within Local Study Area

| Ref No. | Address | Approximate Distance from the Site Study Area | Direction Relative to the Site Study Area |
|------------|---|---|---|
| 1.0 | Employment / Industrial | | |
| WC1 | Walker Resource Management Campus – PINs: 640510127, 642670208 | 20 m | West |
| 2.0 | Utilities | | |
| U1 | Mountain Rd - TransCanada Energy Meter – PINs: 642670291, 642670284 | 369 m | Northeast |
| U2 | Trans Canada Pipeline | 0 m | East |

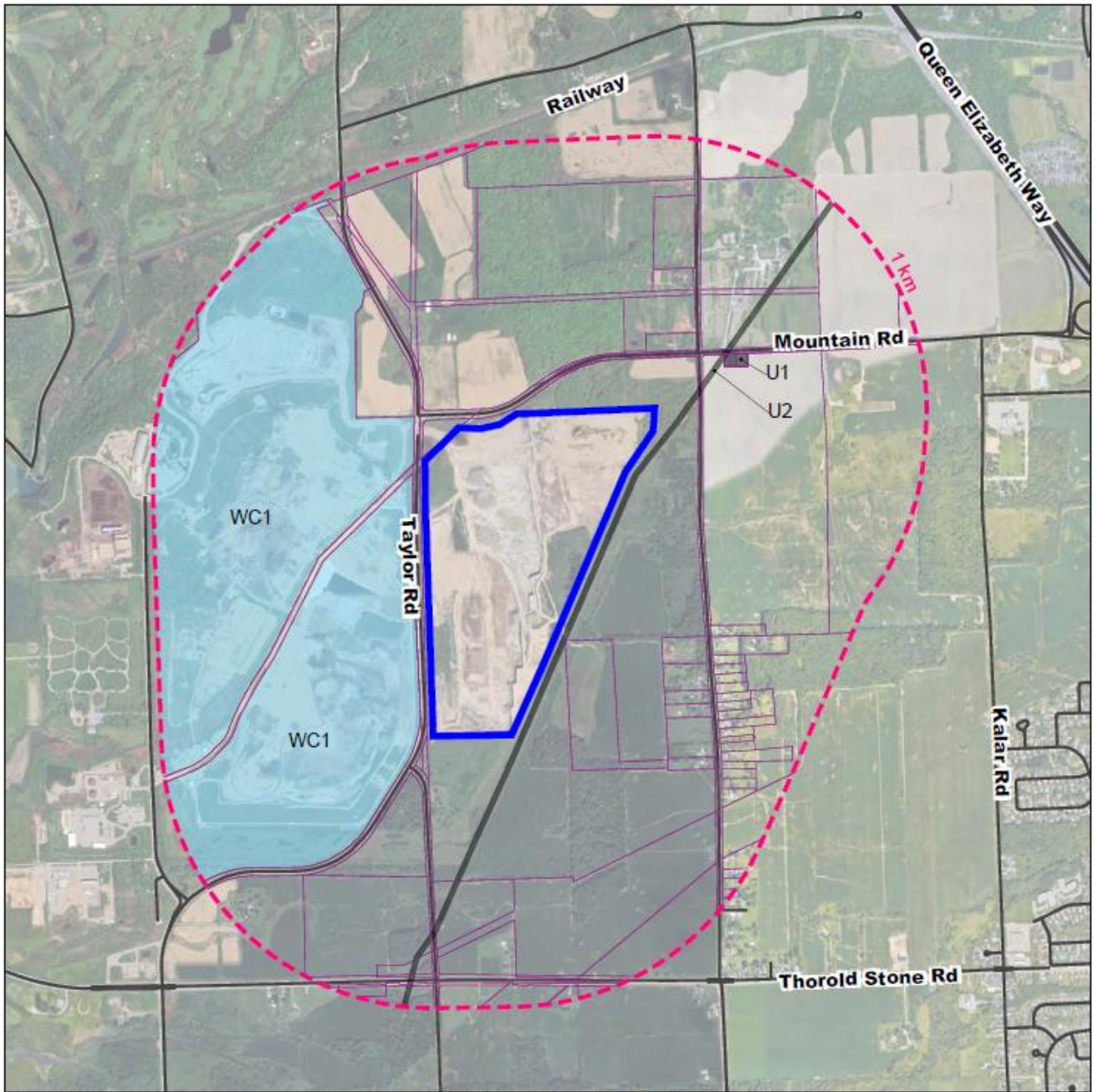


Figure 18 - Location of Employment and Utility Land Uses within the Local Study Area

LEGEND

-  Site Study Area
-  1 km Local Study Area
-  Property Boundary
-  Road Network
-  Employment/Industrial
-  Utilities



5.0 Summary of Findings and Conclusions

The following provides a summary of the findings from the analysis of information regarding planned and existing land use conditions within the Study Areas:

Planned Land Uses

Based on our review of in-effect planning policy and zoning regulations, the planned land uses within the Site Specific Area and Local Specific Area can be summarized as follows:

1. Amendments to the Niagara Region Official Plan, the City of Niagara Falls Official Plan and the City of Niagara Falls Zoning By-law will be required to implement the land use approvals as determined by the Class EA process prior to the expansion of the existing landfill facility.
2. Applications for such Amendments will be required to demonstrate:
 - a. Regard for matters of Provincial interest set out in Section 2 of the Planning Act
 - b. Consistency with the Provincial Planning Statement (2024)
 - c. Conformity with the Niagara Region Official Plan (policies not being amended)
 - d. Conformity with the City of Niagara Falls Official Plan (to policies not being amended)
 - e. Compliance with the City of Niagara Falls Zoning By-law (to regulations not being amended)
3. Given the nature and scale of the Project and the surrounding development context, Chapter 3, including Section 3.7 (Waste Management) and Section 3.5 (Land Use Compatibility) are most relevant. Chapter 4, including Section 2.5 (Rural Areas), Section 4.3 (Agriculture) and Section 4.5 (Mineral Aggregate Resources) are relevant given existing land uses. Policies contained within Chapters 2, 3, 4, and 5 of the PPS have relevance to the Project overall.
4. Section 4.5 of the PPS contains policies related to Mineral Aggregate Resources. The Site Specific Area contains an existing licenced quarry (Licence 11175). An existing licenced quarry also exists northwest of the SSA in the Local Study Area (Licence 4437). Furthermore, known

deposits of mineral aggregate resources have been identified in the Local Study Area (see Figure 8).

The PPS contains policies to protect mineral aggregate operations from development and activities which would preclude or hinder their expansion or continued use (4.5.2.4). Also, the PPS protects known deposits of mineral aggregate resources from development and activities which would preclude or hinder the establishment of new mineral aggregate operations or access to the resources (4.5.2.5). Therefore, given the presence of aggregate resources and mineral aggregate operations in the Local Study Area, the PPS includes policies aimed at protecting the Site Specific Area and a large portion of the Local Study Area from a further encroachment of sensitive land uses.

5. The Site Study Area is situated outside of the Greenbelt Plan Area and Niagara Escarpment Plan Area.
6. Portions of the Local Study Area are situated within the Greenbelt Plan Area and specifically the Niagara Escarpment Plan Area.
7. Niagara Region is planning to accommodate a minimum population of 694,000 people and 272,000 jobs by 2051. This represents an increase of over 200,000 people and 85,000 jobs compared to 2021. The population and employment forecast for Niagara Falls is 141,650 and 58,110 respectively and will be accommodated predominantly within settlement areas.
8. Both the Local and Site Study Areas are situated outside of the Settlement Area and Urban Area boundaries and are situated within the Rural Area as set out and defined in the NROP (Figure 3).
9. On Schedule F of the NROP (Figure 7), the Site Study Area and the majority of the Local Study Area is identified as Prime Agricultural Area. The north and northwest portions of the Local Study Area are situated in the NEP and are identified as Specialty Crop Area.
10. On Schedules C1 and C2 of the NROP (Figures 4 and 5), an area identified as a Natural Environment System Overlay is situated along the eastern boundary of the Site Study Area and within portions of the Local Study Area.
11. On Schedule C3 of the NROP (Figure 6), the Site Study Area and the north and northwest portion of the Site Study Area are identified as Highly Vulnerable Aquifer Areas.
12. The Site Study Area and Local Study Area are situated within the jurisdiction of the City of Niagara Falls. The City is in the process of creating a new Official Plan.
13. According to the current, in-effect NFOP (approved in 1993 and consolidated up to January 1, 2024), the Site and Local Study Areas contain the following land use designations pursuant to Schedule A (Future Land Use) of NFOP (see Figures 9 and 10):

- a. Environmental Conservation Area
- b. Environmental Protection Area
- c. Extractive Industrial
- d. Good General Agriculture

14. According to City's Zoning By-law 79-200, as amended, the Site Study Area is zoned Extractive Industrial Zone (EI, Exemption No. 304). Lands within the Local Study Area are zoned (see Figure 11):

- a. Extractive Industrial Zone (EI)
- b. Hazard Land Zone (HL)
- c. Agricultural Zone (A)
- d. Rural Zone (R)
- e. Environmental Protection Area Zone (EPA)
- f. Agri-Tourism Zone 1 (AT1)
- g. Agri-Tourism Zone 2 (AT2)

15. Based on the City's Planning and Development website, no planning applications were identified within the Local Study Area at the time of writing this report.

Secondary Plans Situated Outside of the Local Study Area

1. Although situated outside of the Local Study Area, the Northwest Secondary Plan (NWSP) and Glendale Secondary Plan (GSP) have been reviewed and included as part of the Land Use Existing Conditions Report in accordance with the approved Terms of Reference for Land Use.
2. The NWSP is located west of the QEW, south of Mountain Road and east of Kalar Road and was brought into the City's Urban Area boundary through the recent approval of the NROP in 2022 (see Figure 3). The preparation of the NWSP is at an early stage and is currently in Phase 1 (Project Commencement and Background Review) of a three-phase initiative.
3. The Glendale Secondary Plan was approved in 2012 for both residential and employment/industrial uses and is situated north of the Niagara Escarpment Plan, with a large portion also located north of the QEW and Highway 405.

4. An update to the Glendale Secondary Plan was recently adopted by NOTL Council in January 2025. The adopted Secondary Plan establishes a framework for forecasted growth and development to the year 2051.
5. Overall, the adopted Plan continues to maintain a large Industrial Business Park in the same location as the 2012 Plan but identifies new land use designations in order to accommodate additional residential and employment growth forecasted to 2051. As a result of the adopted Plan, the New Residential designation (at the closest point) is situated approximately 2.35 km from the Site Study Area. In addition, additional Mixed Use Designations have been added, which are situated (at the closest point) approximately 2.37 km from the Site Study Area.
6. While the land use designations that permit sensitive land uses within the Glendale Secondary Plan are well beyond the potential area of influence for land use impact, the EA will continue to have regard for the Glendale Secondary Plan and the planned land uses for that area as approved by the Secondary Plan.

Existing Land Uses

The existing land uses within the Site Study Area and Local Study Area can be summarized as follows:

1. The Site Study Area is currently utilized predominantly as an active quarry operation, under a licence (Licence 11175) regulated by the Ministry of Natural Resources under the *Aggregate Resources Act*. A licenced quarry (Licence 4437) is also part of Walker's Campus. The existing quarries utilize entrances to the north and northwest from Mountain Road and Taylor Road respectively. Landscaped berms and vegetation planting are situated around the western, southern, northern and portions of the eastern perimeters of the site for screening purposes.
2. Under the existing Licenses, any change to the site plan, or surrender of the license, will require approval through the Ministry of Natural Resources (MNR). Therefore, upon approval of the EA, the existing Licence within the SSA (Licence 11175) will also need to be surrendered in accordance with the requirements of the Aggregate Resources Act. Prior to the Ministry surrendering the Licence, an interim amendment to the Site Plans approved for Licence 11175 may also require amendment(s) depending on the outcome of the EA and in order to reflect a different or transitional rehabilitation condition compared to the rehabilitation plans currently in effect.
3. A large portion of the Local Study Area, that is not situated within the Walker Resource Management Campus, consists of agricultural lands and uses, with some farm parcels containing dwellings associated with farmland (6 in total, 3 of which are owned by Walker). There are a number of smaller rural residential lots with dwellings fronting Garner Road east of the Site Study Area.

4. More specially, 31 properties containing residential uses (primarily rural residential lots less than 2.63 ha (6.5 acres in area) were identified in the Local Study Area, which are considered as sensitive land uses according to the PPS and D-Series Guidelines and are not owned by Walker.
5. The agricultural uses within the Local Study Area comprise of cash crop farming. No livestock operations were identified.
6. There is also one existing agri-commercial use within the Local Study Area, which includes a garden center / plant nursery and is located on the northeast corner of the Garner Road and Mountain Road.
7. Environmental features are also present within the wider agricultural landscape and mainly comprise of woodlots and watercourses / drainage channels.
8. Utility uses are also situated within the Local Study Area, including a Trans Canada Pipeline that runs in a southwest to northeast direction adjacent to the east of Site Study Area Boundary. A TransCanada Energy Meter Station is also located towards the northwest of the Local Study area along Mountain Road.
9. Walker owns a significant amount of land within the Local Study Area, comprising of approximately 428.6 ha or 64.3% of the LSA (~666.5 ha).

6.0 References

The proposed quarry is located within the City of Niagara Falls in Niagara Region. Based on the location of the site, the proposed quarry is subject to the:

- Planning Act, Section 2; Online source available at: <https://www.ontario.ca/laws/statute/90p13>. Accessed: December 2024.
- Provincial Planning Statement; Online source available at: <https://www.ontario.ca/page/provincial-planning-statement-2024> Accessed: December 2024.
- D-Series Guidelines; Online source available at: <https://www.ontario.ca/page/environmental-land-use-planning-guides> Accessed: December 2024.
- 2022 Niagara Official Plan; Online source available at: <https://www.niagararegion.ca/official-plan/final.aspx>. Accessed: December 2024.
- City of Niagara Falls Official Plan; Online source available at: <https://niagarafalls.ca/city-hall/planning/official-plan-current-document.aspx>. Accessed: December 2024.
- City of Niagara Falls Zoning By-law No. 79-200; Online source available at: <https://niagarafalls.ca/pdf/planning/by-law-no.-79-200-updated-to-may-31-2024.pdf>. Accessed December 2024.
- Northwest Secondary Plan Webpage; <https://letstalk.niagarafalls.ca/northwest-secondary-plan> Accessed: January 2025.
- Glendale Secondary Plan; <https://www.notl.com/business-development/projects-initiatives/glendale-secondary-plan> Accessed: January 2025.
- Greenbelt Plan (2017); Online source available at: <https://files.ontario.ca/greenbelt-plan-2017-en.pdf>. Accessed December 2024.
- Niagara Escarpment Plan (2017); Online source available at: https://files.ontario.ca/appendix_-_niagara_escarpment_plan_2017_-_oc-10262017.pdf. Accessed December 2024.
- Aerial Photographic Mapping:
 - Google Maps; <https://www.google.com/maps/> Accessed: December 2024.
 - VUMAP (First Base Solutions Inc.); <https://vmapadmin.firstbasesolutions.com/> Accessed, December, 2024.
 - Niagara Falls online GIS mapping; https://map.niagarafalls.ca/Viewer/Index.html?viewer=LandRegulation&runWorkflow=Turn_on_Zoning_Layers&gl=1*1ht4me1*_ga*ODYwNjYwNjg3LjE3MzQzODIzODg.*_ga_G6QPL58N6M*MTc0MDY4OTEzMy4yNy4wLjE3NDA2ODkxMzMuMC4wLjA. Accessed: December, 2024.
- OMAFRA's Agricultural Systems Portal; <https://agriculture-systems-portal-ontarioca11.hub.arcgis.com/> Accessed: January, 2025.
- Find Pits and Quarries; <https://www.ontario.ca/page/find-pits-and-quarries> Accessed: December 2024.