



Ontario
Home Builders' Association

20 Upjohn Rd., Suite 101 (416) 443-1545
North York, Ontario Toll Free 1-800-387-0109
M3B 2V9 Fax: (416) 443-9982
www.ohba.ca info@ohba.ca

October 4, 2017

Ala Boyd
Ministry of Natural Resources and Forestry
Natural Resources Conservation Policy Branch
300 Water Street
Peterborough, ON K9J 8M5

RE: Criteria, methods, and mapping of the proposed regional Natural Heritage System for the Growth Plan for the GGH – EBR 013-1014

Background:

Following two years of consultation, including recommendations from an Advisory Panel chaired by David Crombie, the provincial government released four updated land use plans in late May guiding growth across the Greater Golden Horseshoe (GGH) for the next 25 years. Natural heritage policies for the Growth Plan for the GGH were reviewed as part of Ontario's Coordinated Land Use Planning Review. New policies in the Growth Plan, 2017 require municipalities to incorporate the Provincially identified Natural Heritage System (NHS) outside of settlement areas as an overlay into official plans, and to apply appropriate policies to maintain, restore or improve its diversity and connectivity. During the public consultation for the coordinated land use planning review, the government announced that the province would lead the development and mapping of a Natural Heritage System (NHS) for the Growth Plan for the GGH beyond the Greenbelt Plans.

Natural Heritage Systems are made up of natural heritage features and areas (core areas) linked by natural corridors (linkages) to maintain biological and geological diversity, natural functions, and viable populations of indigenous species and ecosystems. Criteria and methods were developed to create a regional landscape NHS under the leadership of the Ministry of Natural Resources and Forestry with preliminary technical input provided by staff at several key ministries including the Ministry of Municipal Affairs, Ministry of the Environment and Climate Change and the Ministry of Agriculture, Food and Rural Affairs.

The Ministry of Natural Resources and Forestry (MNRF) met directly with OHBA members in June and OHBA staff and members participated in regional workshop consultations in August and September. OHBA appreciates the opportunity for direct dialogue regarding the implications of proposed provincial policies and mapping with our members.

OHBA Commentary:

OHBA continues to support the guiding principles of protecting our most valuable environmental resources and the creation of complete communities that are the foundation of the Growth Plan and Greenbelt Plans. Ontario's GGH is one of Canada's economic engines and contains some of Canada's best farmland and natural features. It is also one of the fastest growing regions in the country which is why it is so critical to that the plans work together to provide a broad, long-term planning framework for the region. It is also critical to

ensure a clear, transparent and effective public policy framework to guide and support growth while protecting our environment. Our members however have serious concerns with proposed aspects of the mapping and associated protection of natural heritage systems.

As stakeholders in the planning process, we are partners with the government in creating complete, transit-oriented communities, protecting the environment and ultimately implementing the PPS and Provincial Plans. Our comments are intended to assist the government in achieving sustainable growth by providing for housing choice, creating complete communities, attracting employment opportunities, improving inter-plan co-ordination and balancing the Province's economic, social and environmental interests over the long-term.

OHBA will support a clear, transparent, accountable and science based NHS mapping process provided that landowners receive notification, are consulted and that prior to the finalization of any proposed boundary changes or any new land use designations have an appeal window. An appeal process for new land-use designations and protections at the provincial level is essential to ensure accuracy, transparency and accountability.

OHBA recommends that the Province ensure the mapping of the NHS is accurate and ground-truthed at a scale that is appropriate for development review. OHBA members that have reviewed the proposed mapping have expressed concern that the level of detail presented thus far is problematic and that the mapping the province has currently provided is not adequate for the industry to make decisions with. OHBA notes that a number of municipal submissions to the MNRF share our perspective, and have identified site specific mapping concerns that demonstrate the requirement for the MNRF to provide more detailed mapping. OHBA understands that at the time of implementation, municipalities will be able to refine (with greater precision) provincial mapping of the NHS through a municipal comprehensive review, however this leaves a great deal of uncertainty for all stakeholders to deal with until that occurs. Accurate mapping of the NHS is critical to ensuring not just its protection, but also the reasonable restriction only on those lands where the core features actually exist, and not where incorrect mapping has identified a feature or where features may exist, but the lines protecting the feature are not in the correct location.

While OHBA is supportive of allowing local/municipal refinement of provincial mapping, OHBA recommends that MNRF engage in a "ground-truthing" exercise that is evidence based rather than model based to further refine their own mapping prior to finalizing the NHS mapping. Such a process could be completed in conjunction with Conservation Authorities and municipalities that may already have detailed mapping. Furthermore, OHBA requests clarification from the province regarding the potential to refine the boundaries of the NHS and ground truthing during the development approval process. The development approvals process offers an opportunity for professional practitioners to accurately delineate boundaries of features with tremendous accuracy on the ground and refinement should be possible through the approvals process.

OHBA also notes that the mapping portal connected to the Environmental Registry Posting is utilizing an old greenbelt line (does not include the recent revisions - EBR #012-7198) – this should be updated. OHBA supports a process, based on real-time data, and for the process to include an opportunity to for the landowner (farmer, non-profit, municipal, regional, institutional and private) to appeal the mapping and confirm the accuracy of any identified NHS features and the application of any required buffering.

OHBA requests that MNRF provide greater clarity with respect to NHS features that extend south from the greenbelt into the whitebelt and how this proposed new mapping relates to defining the area of protected features. OHBA notes that mapping occurs outside of settlement areas (Designated Greenfield Areas) and that future urban boundary expansions into the NHS are not prohibited, but that public policy focuses on avoidance. In the future event of an MCR that considers an urban boundary expansion OHBA seeks clarity that the NHS will be excluded from proposed settlement areas when calculating a Land Needs Assessment for future settlement boundary area expansions. OHBA therefore suggests that the adoption of these policies

in the absence of the methodology for the Land Needs Assessment would be premature as they are linked closely to one another.

It is important for the province to consider a range of uses and flexibility for both NHS core areas and linkages. OHBA's submission regarding the Greenbelt within the Coordinated Review (EBR #012-7195) recommended that the Province should consider partnership programs and strategic investments to enhance recreational opportunities throughout the existing Greenbelt plan as well as allowing for public stormwater management facilities. OHBA reiterates this recommendation for the proposed NHS as the Province should consider supporting a range of provincial goals and objectives (i.e. parkland, stormwater management facilities and recreational designations). OHBA further recommends that municipalities be required to accept NHS linkage features adjacent to urban lands to be used for parkland dedication. OHBA strongly recommends that MNR recognize that new NHS mapping that adds buffers and linkages to existing protections of NHS features provide for an opportunity to utilize these lands for other public policy objectives.

Regarding NHS Core Area policies, OHBA is generally supportive of the concept to differentiate the minimum size criteria based on the fact that the SW portion of the GGH is a highly fragmented landscape with limited areas of contiguous natural cover. OHBA is however concerned that the differentiation from a 500ha core area to 100ha core area is too significant. The use of smaller 100ha core area sizes outside the greenbelt results in a high number of core areas and linkages, which we believe should be adjusted through larger minimum core area sizes to more accurately reflect the on the ground reality and to ensure a greater degree of policy consistency with the Greenbelt Plan area.

The NHS Core Area policies take a "broad brushed" approach that will capture parcels of land without Natural Heritage value. OHBA is generally supportive of requiring that core areas have at *least* 50 per cent natural cover, however, a higher threshold would more appropriate. OHBA is also generally supportive of including public lands that intersect with core areas in the NHS. OHBA is however concerned by additional 30m buffers and 250ha holes being filled in as part of core area identification. These are potentially large areas of limited natural heritage value and the policy should be revisited. Aspects of the mapping are based on models and algorithms that add buffers, fill in large holes and have vague considerations that may not accurately reflect actual features on the ground. OHBA is concerned the new NHS mapping will create provincial government mapping conflicts between Ministries, Conservation Authorities, municipalities and other agencies that will further confusion on the ground regarding the status of lands within the broader legislative and regulatory framework.

OHBA's primary concern with the Criteria, methods, and mapping of the proposed regional Natural Heritage System (EBR 013-1014) are the minimum 500m computer generated linkage features. While OHBA recognizes that in some cases linkage features can be a valuable environmental planning tool to connect and protect corridors between "core" natural heritage features, the proposed methods and mapping of a network of Natural Heritage Systems connected by these proposed linkages are a "blunt" policy instrument. OHBA is very concerned that many of the proposed linkages provide high-level protections on lands that are "working landscapes" including agricultural uses, private businesses, infrastructure ROWs (roads, highways, hydro and utility corridors) and homes that may contain low natural heritage values.

The reality is that in many cases a 500m NHS linkage may traverse through and protect lands that do not inherently have a higher ecological and environmental value than immediately adjacent lands of either side of the linkage and have simply been protected based on the model suggesting it was the "best route" between two core areas of NHS protection. OHBA is very concerned that the proposed linkages are to be afforded high level provincial policy protections despite a lack of scientific evidence or rationale to do so. OHBA strongly recommends that the linkage features not be included within the finalized Natural Heritage System, and that if the Province does not adopt this recommendation, that flexibility be applied to fine-tune the mapping of linkages so that adjustments can be made to shift linkages to more appropriate locations.

While the provincial documents note that 72 per cent of the draft NHS consists of natural cover, OHBA has concerns with mapping that results in an NHS with policies to add additional layers of protection for an area in which 28 per cent of the lands are not in a state of natural cover (most of these lands are already identified as Prime Agriculture in the draft Agricultural System). OHBA questions the rationale for an NHS that so heavily overlaps with an Agricultural System, when each system has different attributes and policies. OHBA recommends the proposed methodology be refined to omit agricultural property with no significant natural heritage features.

Lastly, OHBA seeks clarification regarding the Brantford/Brant annexed lands with respect to the NHS mapping. These lands were very recently annexed and were the subject of a decade of negotiation. It would be inappropriate for the province to add new policies and protections to the lands subject of lengthy and complicated negotiations.

On behalf of our 4,000 member companies, we look forward to ongoing dialogue and consultation with respect to growth, environmental and infrastructure planning across the Greater Golden Horseshoe and the Province

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Collins-Williams', written in a cursive style.

Michael Collins-Williams, MCIP, RPP
Director, Policy
Ontario Home Builders' Association