



**Ontario**  
Home Builders'  
Association

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January 4, 2013

Broader Landscape Approach  
Ministry of Natural Resources  
Policy Division  
Broader Landscape Approach  
300 Water Street, Floor 5  
Peterborough, ON K9J 8M5

**Re: Taking a Broader Landscape Approach – A Policy Framework for Modernizing Ontario's Approach to Natural Resource Management**

**EBR Registry Number: 011-7540**

OHBA is pleased to be given an opportunity to present our comments as part of the input towards *Taking a Broader Landscape Approach – A Policy Framework for Modernizing Ontario's Approach to Natural Resource Management*. OHBA has worked in conjunction with our network of 30 local associations through the regulatory review process to provide industry advice to the provincial government regarding the many policies under the jurisdiction of the Ministry of Natural Resources (MNR) with a focus on Conservation Authorities and the Endangered Species Act.

The Environmental Registry posting notes that as our population and associated economies grow, we demand more from our natural resource base, creating pressures that are felt across Ontario's vast land base and watersheds. The posting notes that the challenge for resource managers is to find efficient and sustainable ways to address broader ecosystem-wide influences in a manner that positively affects local systems. Due to these challenges, OHBA is very supportive of MNR efforts to consider innovative ways to do its business to ensure it can continue to deliver on its resource management responsibilities.

MNR is moving forward with a transformation plan to modernize and more sustainably manage Ontario's natural resources. OHBA is supportive of the four main components of the transformation plan: streamlining approvals processes; operation delivery transformation; stewardship and partnership funding alignment; and science and information rationalization. OHBA was supportive of Schedule 19 of the 2012 Provincial Budget and appeared before the Standing Committee on Finance and Economic Affairs supporting the Schedule to move forward with the transformation plan. Unfortunately this schedule was removed through the budget negotiation process. The EBR 011-7540 posting proposes a framework to help deliver on this modernization initiative by informing future program-specific changes to move to broader scales of management.

OHBA supports the provincial objective for the Ministry of Natural Resources to transform its operations to make it easier, faster and more efficient for businesses and individuals to access its services. OHBA believes this transformation will provide the Ministry with long-term financial sustainability and support economic growth and job creation, while ensuring that Ontario's natural resources are protected for future generations.

OHBA is concerned that the Ministry of Natural Resources has been without the resources to respond to already listed species in a timely fashion, creating significant delays on many projects. The industry is keen to find workable efficient solutions that will protect the species at risk while not unduly constraining the Province's economic interests.

OHBA notes that habitat regulation should work in association with existing legislation and complement the broader goals and objectives of the provincial government. OHBA suggests that MNR must work closely within the MMAH provincial *one window* review to ensure that ESA permits are fully integrated into the planning process and that appropriate transition policies are applied. OHBA has expressed concern that without service improvements and careful integration, permits may be held up at the end of a process after all other various approval agency requirements have been satisfied.

OHBA strongly recommends better integration with other approvals processes and is concerned by the potential for unnecessary delays and potential duplication over existing processes which already incorporate significant environmental protection criteria.

**Response to Questions in MNR Broader Landscape Approach document:**

**1. Do you have comments about MNR moving toward managing natural resources over broader areas and longer time frames?**

OHBA suggests that a shift towards managing natural resources over broader areas and longer time frames is a reasonable response to the ongoing fiscal realities facing the MNR and the broader public service. The MNR is involved in a variety of natural resource planning and management activities that are important to the ongoing health of this province, industry stakeholders and citizens. OHBA believes that there are some redundancies and inefficiencies in aspects of natural resource management across various government agencies and organizations in Ontario. The MNR modernization and transformation process provides an opportunity to streamline and improve process efficiencies within the MNR. Furthermore, there are opportunities to better link MNR permits, processes and approvals with other existing legislation and other ministry processes.

As an example, some municipalities and conservation authorities have established complex baseline, approvals and monitoring approaches that conflict with and are in some cases redundant with MNR activities in these areas. The modernization/transformation initiative should initiate a review of programs and activities of related agencies to look for other areas of cross-jurisdictional duplication and/or redundancies. There are a number of areas that may be more effectively delivered in closer collaboration with core MNR responsibilities (e.g., biodiversity conservation, natural heritage system planning and implementation).

**2. What aspects of the current system or programs could change? Which should remain the same?**

OHBA recommends that the MNR consider winding down activities considered redundant and/or unnecessary. Furthermore there should be an examination of programs and initiatives by MNR agencies (i.e. Conservation Authorities) that are not within their legislated mandate or are considered redundant and/or are not adding value to resource management in Ontario. MNR should also create new tools and processes that can add to the efficiencies and effectiveness of ongoing core programs.

OHBA recommends that MNR increase clarity and streamline processes that can be introduced to reduce and eliminate barriers to successful resource management planning. Transformation of the MNR presents an opportunity to identify and encourage innovation in aspects of conservation and restoration.

General comments and recommendations for consideration:

- The implementation of the *Endangered Species Act, 2007* (ESA) has contributed to uncertainty and frustration with respect to both implementation and transition for the new housing and development industry. Therefore the ESA requires streamlining to improve outcomes for all stakeholders and for the listed species. The implementation of the Act thus far is very problematic from OHBA's perspective and has required substantial resources and time investments in process by both MNR and industry stakeholders as opposed to assisting in species recovery. An increased focus on the conservation of key ecosystems as opposed to a sole focus on individual listed species would enable more efficient conservation and recovery investments and more successful outcomes.
- OHBA is opposed to the delegation of additional MNR responsibilities to Conservation Authorities. Specifically OHBA is opposed to delegating ESA permitting to Conservation Authorities as this measure would do nothing to streamline the permitting process and would more likely result in further delays and additional levels of complexity.
- Natural Heritage System Planning has become quite complex with municipalities, NGOs, conservation authorities, MNR and private businesses engaged in various aspects of the planning, design and implementation of Natural Heritage Systems. The Province could continue to strengthen its role in these areas to allow for some reasonable degree of planning, design and implementation flexibility while limiting the opportunity for redundant activities and inefficient resource investments. For example, MNR could provide leadership and a coordinating role in an assessment of the current role and value of ongoing cross-jurisdictional programs related to parks, ESAs, ANSIs, and other fish and wildlife programs in southern Ontario – the shift to Natural Heritage System planning provides an umbrella that might reasonably capture and simplify an array of complex programs.
- There is a stronger, landscape level role for the MNR to coordinate ecological conservation, restoration, enhancement and restoration initiatives and to provide ongoing guidance and support to more strategic and effective initiatives. The determination of priority areas for conservation and recovery would be best determined first at the broad landscape level that the MNR understands; this is especially relevant given the MNR responsibilities for biodiversity, fish and wildlife management and species at risk.
- OHBA recommends MNR apply an "urban lense" to Natural Heritage Systems, Conservation Authority planning and permitting as well as ESA permitting in areas designated for growth in municipal and regional Official Plans as well as the Greater Toronto and Hamilton Area's long-term urban reserve (commonly referred to as the

“whitebelt”). OHBA supports the protection of environmentally sensitive lands and features, however this must be balanced with an urban lense in terms of resource management that should be applied to the very small portion of Ontario’s land mass where urban growth is planned to accommodate the vast majority of Ontario’s growing population and employment needs for decades to come.

**3. Do you feel that there are additional or different goals that should be included in this framework?**

OHBA supports the two goals outlined in the *Taking a Broader Landscape Approach* framework, which are consistent with the Ministry’s mandate:

- Adopt a modern and sustainable approach to managing Ontario’s natural resources over broader areas and longer time periods.
- Support, enable and advance ecosystem-based, landscape management approaches in Ontario over time.

OHBA further recommends that MNR also consider social and economic factors a key components within a policy framework to modernize Ontario’s approach to natural resource management.

**4. Do you agree with the proposed elements and considerations, or should different ones be included?**

The proposed elements are reasonable from OHBA’s perspective. Specific comments:

**Managing at appropriate scales** will benefit from the recognition and acceptance of the Ecological Land Classification System (i.e., Ecozone, Ecoregion, Ecodistrict) as the base for landscape unit definition in southern and central Ontario. This approach would better organize information and ongoing initiatives, especially those that are “land-based”. MNR could demonstrate multi-jurisdictional leadership and coordination to reduce conflicting and overlapping systems developed by others on more limited landscape and/or jurisdictional areas (e.g., municipal and conservation authority approaches to land based natural resource management systems and information).

The use of the Ecozone/Ecoregion/Ecodistrict approach to defining community and species significance would allow for the reconsideration of seemingly redundant initiatives (e.g., status lists of significant areas and species developed by conservation authorities, municipalities, etc.). As noted on page 10 of the proposed policy framework, watersheds and subwatersheds are the natural hydrological landscapes that can be used for watershed management at larger scales. By MNR providing landscape level leadership and coordination for land based targets, conservation authority energies could be focused on optimizing outcomes associated with water-based management decisions.

**Integrate and Coordinate** - OHBA strongly recommends better integration and coordination of MNR activities under the ESA and for Conservation Authorities with other approvals processes. This could reduce unnecessary delays and potential duplication with existing processes which already incorporate significant environmental protection criteria. With respect to the ESA, habitat

regulation should work in conjunction with existing legislation and complement other important provincial goals and objectives. OHBA notes however that we are opposed to the delegation of ESA permitting or delegation of additional MNR responsibilities to Conservation Authorities. MNR should review Conservation Authority activities to ensure they are focused on their core responsibilities and are not operating beyond their mandates. Furthermore OHBA notes that current ESA requirements provide little acknowledgement to the mitigation and stewardship practices already considered by the building and development industry at other points in the planning approvals process that have numerous environmental benefits;

**Assess Manage and Mitigate Risk** MNR should establish a risk based approach to many planning and permitting related activities. For example, MNR should establish a hierarchy of importance for habitat protection under the Endangered Species Act (i.e. direct habitat may require permit whereas indirect habitat may require a set of conditions to be met). OHBA has noted concern that the Ministry of Natural Resources has been without the resources to respond to many already listed species under the ESA in a timely fashion, creating significant delays on many projects. The industry is keen to find workable efficient solutions that will assess, manage and mitigate risk for a wide range of MNR based activities.

**Assess Manage and Mitigate Risk** – OHBA supports efforts to revisit and adjust decisions and associated policy as knowledge of the managed system improves or shifts the level of risk. It is important to industry stakeholders that MNR maintains a commitment to continuously improve policies over time.

#### **5. What outcomes would you like to see with respect to the management and use of natural resources in Ontario?**

In the consultation document with respect to taking a broader approach, characteristics of preferred outcomes are offered, rather than specific outcomes themselves. Preferred outcomes would have the following key characteristics:

- Reduced risk associated with the conservation, recovery and/or enhancement of Ontario's natural resources;
- More strategically focused and productive priorities for conservation, recovery and restoration;
- Improvements to Ontario's resource base
- Related gains and improvements to ecosystem services;
- Improved access to resource management information and guidance tools;
- Increased encouragement for innovation.
- Greater levels of certainty of process and outcomes from proponents
- Streamlining of approvals where risks are more limited
- A risk based approach to permitting
- Increased levels of automation for permitting when conditions are met
- Increased transparency and accountability through various MNR and Conservation Authority processes
- Elimination of processes that lead to duplication and/or disproportionate costs for actual benefits
- Greater emphasis on Ontario's social and economic objectives

## Conclusion

OHBA appreciates the opportunity to provide comments to the Ministry of Natural Resources and to provide advice on the proposed regulatory improvements. OHBA strongly supports a balanced approach to the environmental, social and economic goals of the province to ensure a prosperous and high quality of life for Ontario citizens.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Collins-Williams', with a long horizontal flourish extending to the right.

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