



**CITY OF HAMILTON**  
**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
*Planning Division*

<b>TO:</b>	Chair and Members Planning Committee
<b>COMMITTEE DATE:</b>	October 17, 2017
<b>SUBJECT/REPORT NO:</b>	Provincial Plans Implementation - City of Hamilton Comments on July 2017 Growth Plan Natural Heritage System Mapping (Wards 11, 12 and 13) (PED15078(g))
<b>WARD(S) AFFECTED:</b>	Wards 11, 12, and 13
<b>PREPARED BY:</b>	Cathy Plosz (905) 546-2424 Ext.1231  Melissa Kiddie (905) 546-2424 Ext. 1290
<b>SUBMITTED BY:</b>	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

**RECOMMENDATIONS**

- (a) That the Ministry of Natural Resources and Forestry and the Ministry of Municipal Affairs be advised that the City of Hamilton supports the intent of the Growth Plan Natural Heritage System, specifically:
  - (i) the overall objective of the Growth Plan Natural Heritage System “to maintain and restore the overall biodiversity and ecological functions over the long term”; and,
  - (ii) the identification of natural heritage Core Areas and the Linkages between them on a regional scale across the Greater Golden Horseshoe. The approach aligns with the City of Hamilton’s Natural Heritage System (NHS) which is identified on Schedule B in the Rural Hamilton Official Plan (RHOP) and the Urban Hamilton Official Plan (UHOP).
  
- (b) That the Ministry of Natural Resources and Forestry and the Ministry of Municipal Affairs be advised that identifying the natural heritage system in areas subject to the Growth Plan for the Greater Golden Horseshoe should be the responsibility of the City of Hamilton and the City should not be required to use the provincial mapping or methodology for the following reasons:

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- (i) the recent technical document released by the Province “Development of the Proposed Regional Natural Heritage System for the Growth Plan for the Greater Golden Horseshoe: Technical Report on Criteria, Rationale, and Methods” and the associated mapping has introduced a third methodology to map natural heritage features which differs from the Greenbelt Plan and the Oak Ridges Moraine Conservation Plan, and adds unnecessary complexity;
  - (ii) the proposed mapping for the areas in Hamilton contain errors, as identified on Appendix “A” for four of six areas (Areas 1, 2, 3, and 5);
  - (iii) the methodology does not include all existing protected areas; and,
  - (iv) the City has more up-to-date, accurate mapping at the local level and has already mapped a NHS in the RHOP.
- (c) That the City Clerks be requested to forward Report PED15078(g) to the Ministry of Natural Resources and Forestry (MNRF) and the Ministry of Municipal Affairs (MMA). This Report is considered the City of Hamilton’s formal comments on EBR Posting #13-1014.

## **EXECUTIVE SUMMARY**

On July 6, 2017, the Province released Environmental Bill of Rights (EBR) posting #13-1014 respecting the Natural Heritage System (NHS) for areas outside the Greenbelt Plan; the deadline for the comments is October 4, 2017. The purpose of this Report is to provide formal comments on the draft NHS mapping and the document, “Development of the Proposed Regional Natural Heritage System for the Growth Plan for the Greater Golden Horseshoe: Technical Report on Criteria, Rationale, and Methods”. The document and mapping have been produced by the Ontario Ministry of Natural Resources and Forestry (MNRF). The letter to the Province (Appendix “B”) includes the staff comments in response to the EBR Posting deadline of October 4, 2014 but acknowledge that City Council will be considering this matter and the decision of Council will be forwarded to the Province for consideration.

Natural Heritage Planning staff have reviewed the Technical Report and associated mapping and have a number of comments and recommendations, as follows:

- Staff support:
  - the implementation of a regional scale NHS for the Greater Golden Horseshoe, as this will enhance the connectivity of natural areas, biodiversity, and ecosystem health; and,

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- the identification of core areas and linkages, and the recognition that restoration areas (degraded areas or lands where there is currently no habitat) may be required connect features and allow ecological processes to continue.
- Staff recommend a consistent approach to identifying NHS. There are existing Provincial criteria for identifying NHS features within the Provincial Policy Statement (Natural Heritage Reference Manual), the Greenbelt Plan, and the Oak Ridges Moraine Conservation Plan. The development of new criteria for the Growth Plan NHS will add another layer of policies and mapping to an already complex Provincial planning system.
- For municipalities like Hamilton that are primarily within the Greenbelt Plan, staff are of the opinion that the Growth Plan NHS is duplication. The existing NHS, mapped using Greenbelt Plan and Natural Heritage Reference Manual criteria and locally significant natural areas (Environmentally Significant Areas), already provides strong protection to the portion of the regional NHS within Hamilton.
- Staff have the following concerns about the mapping methodology:
  - The automated process using land cover did not include all existing protected areas. To ensure the ecological integrity of Core Areas, staff recommend the mapping include the entire extent of the existing protected areas.
  - It is important that the Province use the most accurate and up-to-date information when mapping the Growth Plan NHS. Land cover mapping was based on 2011 aerial photography and Provincial layers (hydro, streams and water bodies, and roads). Staff recommends that local data from municipalities and Conservation Authorities and aerial photography be included, as it may be more accurate and up-to-date.
- Since most of the rural area of the City of Hamilton is within the Greenbelt Plan, there are only six areas within Hamilton which are affected by the Growth Plan NHS, as shown in Appendix “A” to Report PED15078(g). Areas 1, 2, 3, and 5 appear to be inaccurate and require review by the Province.

These comments have been provided to the Province before the October 4, 2017 deadline (see Appendix “B” to Report PED15078(g)).

***Alternatives for Consideration – See Page 9***

## **FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

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Financial: None.

Staffing: Staff will be required to hold public meetings as part of the Rural Hamilton Official Plan Conformity exercise and future zoning to reflect the proposed Provincial mapping in the affected areas of Hamilton.

Legal: The City will be required to conform, through Amendments to the Rural Hamilton Official Plan and Zoning By-law No. 05-200, to any Natural Heritage System mapping.

## **HISTORICAL BACKGROUND**

### **1.0 Provincial Requirements/EBR Posting**

On July 6, 2017, the Province released EBR posting #13-1014 respecting the Natural Heritage System for areas outside the Greenbelt Plan. The deadline for the comments is October 4, 2017. The purpose of this Report is to provide formal comments on the document, "Development of the Proposed Regional Natural Heritage System for the Growth Plan for the Greater Golden Horseshoe: Technical Report on Criteria, Rationale, and Methods". To ensure that comments were received by the October 4, 2017 deadline, staff sent a letter to the Province respecting our concerns (see Appendix "B") and noted that Council would be considering this matter.

The areas affected are outside the Greenbelt Plan area (see Appendix "A" to Report PED15078(g)).

### **2.0 Natural Heritage System**

In the 2005 Greenbelt Plan, the Province introduced the Natural Heritage System (NHS) mapping and policies. To map the NHS, the Province included all existing protected areas and features, including Significant Habitat of endangered, threatened, and special concern species, permanent and intermittent streams, lakes and their littoral zones, seepage areas and springs, fish habitat, wetlands, Life Science Areas of Natural and Scientific Interest, Significant Valleylands, Significant Woodlands, Significant Wildlife Habitat, sand barrens, savannahs, and tallgrass prairies, and alvars.

In 2006, the City prepared a Natural Heritage System consisting of Core Areas and Linkages based on Provincial and City criteria and mapping, including the Greenbelt Plan Technical Criteria, Natural Heritage Reference Manual for the Provincial Policy Statement, local Nature Counts data, and Environmentally Significant Area (ESA) mapping. The Region of Hamilton-Wentworth/City of Hamilton has been maintaining local mapping and species occurrence data since 1991.

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The policy direction in the 2017 Growth Plan was that a similar exercise would be carried out for the lands between the Greenbelt and the existing urban boundaries. However, the methodology for mapping the Growth Plan NHS uses a completely different approach; instead of a features-based approach, the Province has used an automated process based on land cover. As such, there are significant discrepancies between the City's mapping and the Provincial mapping.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

The City must implement these Provincial directions/mapping as part of the next UHOP and RHOP conformity exercises.

It also has a further impact on the zoning which was completed in July 2015.

## **RELEVANT CONSULTATION**

Natural Heritage Planning staff participated in a Workshop and a Webinar conducted by the Provincial staff who provided information and requested input from municipal and Conservation Authority Planners.

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

### **1.0 Background to Provincial Growth Plan NHS**

Over the past 15 years, the Province has identified Natural Heritage Systems for the Oak Ridges Moraine and the Greenbelt, in areas of Ontario where development pressures are particularly high. The Province is extending the NHS mapping to lands subject to the Growth Plan in the Greater Golden Horseshoe, as shown on Appendix "A" attached to Report PED15078(g). The Province has provided a Technical Report which describes the rationale and technical methods used to map the NHS. A Summary Report and draft mapping have also been provided.

The Growth Plan NHS is a regional-scale system which consists of:

1. core areas – the largest and most significant natural areas; the building blocks of the NHS; and,
2. linkages – corridors and functional routes between core areas that allow for wildlife and plant movement; Linkages include areas without natural features with the potential to be restored.

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Staff support the identification of a regional NHS (core areas and linkages), and the recognition that restoration areas (degraded areas or lands where there is currently no habitat) may be required to connect features and allow ecological processes to continue. This approach aligns with the City of Hamilton's NHS, shown on Schedule "B" of the Rural Hamilton Official Plan.

## **2.0 Mapping Methodology**

To identify the Growth Plan NHS, the Province focused on a transparent and scientifically-based approach which is defensible and repeatable (i.e. the same map would be produced by someone else applying the same criteria and methods). The Province's mapping is based on an automated process that detects land cover types. Specifically, the mapping was generated using:

- natural cover (wetlands, woodlands, grasslands, successional areas) based on 2011 aerial photography; and,
- all or a subset of protected areas (e.g. Provincially Significant Wetlands, Significant Woodlands, etc.).

Natural Heritage Planning staff are concerned that the Province has identified another completely different methodology for identifying NHS. Multiple methodologies result in confusion in mapping, applying policies, and add complexity to an already complex system of Provincial policies. It would be preferable to use a consistent mapping method for all NHS.

### 2.1 Automated Process

The automated process using land cover did not include all existing protected areas. For example, only 90 percent of Provincially Significant Wetlands and 73 percent of cold water streams were included in the NHS. To ensure the ecological integrity of Core Areas, staff recommends that the mapping include the entire extent of the existing mapped features.

The automated approach allows an objective, consistent and repeatable process for mapping NHS features. However, it will be important that the Province refine the resulting mapping based on aerial photography, existing land uses, and EBR posting comments to ensure that it is accurate and makes sense.

### 2.2 Accuracy of Data Used

Staff are concerned that the Province did not use the most accurate and up-to-date information when mapping the Growth Plan NHS. Land cover mapping was based on

2011 aerial photography and Provincial layers (hydro, streams and water bodies, and roads). The only local data used was obtained from the Grand River Conservation Authority. Staff recommends that local data from municipalities and Conservation Authorities be included, as it may be more accurate and up-to-date.

### 2.3 Threshold size

A minimum size threshold for including Core Areas in southwestern Ontario was set at 100 hectares. This minimum size may be too large for the heavily populated areas of the Province, where little original natural cover remains. The City of Hamilton is not able to recommend a specific minimum size, as this should be based on scientific literature and percent natural cover, which varies across the landscape.

### **3.0 Comments on the Draft NHS Mapping**

Natural Heritage Systems within the Greenbelt Plan and Oak Ridges Moraine Conservation Plan are within the boundaries of the Growth Plan area, but are governed by the policies of their respective plans. Therefore, since most of the rural area of the City of Hamilton is already within the Greenbelt Plan, there are only six areas within Hamilton which are affected by the Growth Plan NHS, as shown in Appendix "A" to Report PED15078(g). Five of the areas are adjacent to the Airport Employment Growth District (AEGD), while the sixth is near Old Guelph Road and Highway 403. For Areas 1 to 3, the City undertook an extensive natural heritage system review as part of the AEGD Secondary Plan. Each of these areas is discussed below.

- Area 1 – This area is located to the southwest of Garner Road East and Glancaster Road, Ancaster (Ward 12). The draft Growth Plan NHS mapping shows a triangle of new natural heritage area on the southwest corner of this area. The area identified by the Province and has been in active agriculture for many years and there are no apparent natural areas or potential linkages present. In contrast, the RHOP Schedule B Natural Heritage System identifies three natural features (Provincially Significant Wetland, stream, and Significant Woodland) in the northern edge of this area that are not captured by the Provincial mapping. Therefore, staff recommends that the Province revise its draft mapping in Area 1, as it does not appear to be accurate.
- Area 2 – Area 2 is found to the southeast of Glancaster Road and Twenty Road West in Glanbrook (Ward 11). The draft Growth Plan NHS mapping identifies approximately two-thirds of this area as NHS. Based on aerial photography, the site is a golf course, with streams and wooded areas. Staff recommends that the Province review its mapping of the NHS in Area 2.

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- Area 3 – This area is located just to the east of Area 2, south of Twenty Road West and west of Upper James Street, Glanbrook (Ward 11). Two small areas are identified in the draft Growth Plan mapping, one on the southeast corner and another on the southwest corner. Aerial photography shows active agricultural lands with intermittent stream tributaries running across the property. However, the draft Growth Plan mapping does not coincide with the stream locations. Therefore, staff recommends that the Province revise its mapping for this area.
- Area 4 – This area is bounded by Upper James Street, Miles Road, Twenty Road East, and Dickenson Road East, Glanbrook (Ward 11). The draft Growth Plan mapping identifies three linear areas, which are Provincially Significant Wetlands and streams. These areas have been identified as Core Areas in the RHOP Schedule B Natural Heritage System. Therefore, staff are satisfied that Area 4 is accurately mapped and reflects existing natural heritage features. However, since the features are already identified in the City's NHS, there is duplication.
- Area 5 – This large area is bounded by Fiddlers Green Road, Garner Road East, Southcote and Glancaster Roads, and Regional Road 65 (White Church Road), Ancaster (Ward 12). Generally, there are additions around the edges of the existing Greenbelt Plan NHS features. These serve to include enhance connectivity by including additional features such as streams, woodlands, and wetlands. However, the Province should review its mapping adjacent to Hamilton Airport, since a wide area has been included at the end of the western runway, which currently includes paved areas.

Also in Area 5, south of Garner Road East and west of Highway No. 6, staff recommend that the draft Growth Plan NHS extend to Garner Road, to include the entire wetland and successional area. It is not clear why this feature is cut off before it reaches Garner Road East.

- Area 6 – This area is located at York Boulevard and Highway 403 and Highway No. 6, Dundas (Ward 13). It includes natural areas already identified in the RHOP as Provincially Significant Wetlands, streams, Significant Woodland, and ESA. Staff is satisfied that Area 6 is accurately mapped. However, since the features are already identified in the City's NHS, there is duplication.

Of the six areas discussed above, Areas 1, 2, 3, and 5 are inaccurate. As part of the next RHOP Conformity exercise, the City will be required to identify these areas in its Official Plan and Rural Zoning By-law 05-200. Although the changes are relatively minor, they do not reflect reality and will create unnecessary hardship for landowners by limiting the use of their property.

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The City of Hamilton appreciates the Mapping Tool that the Province has provided to allow municipalities to zoom in on specific areas. However, the Provincial mapping does not distinguish between core areas and linkages; all mapped areas are simply identified as Growth Plan NHS. It would be helpful to municipalities if the Growth Plan NHS could distinguish between core areas and linkages and also include an aerial photography layer.

## **ALTERNATIVES FOR CONSIDERATION**

City Council could choose not to submit or modify comments to the Province on the Technical Criteria and mapping for the Growth Plan Natural Heritage System. This option is not recommended, since there appear to be errors in the mapping which should be corrected.

## **ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**

### **A Prosperous & Healthy Community**

*WE enhance our image, economy and well-being by demonstrating that Hamilton is a great place to live, work, play and learn.*

#### **Strategic Objective**

- 1.1 Continue to grow the non-residential tax base.
- 1.3 Promote economic opportunities with a focus on Hamilton's downtown core, all downtown areas and waterfronts.
- 1.4 Improve the City's transportation system to support multi-modal mobility and encourage inter-regional connections.
- 1.6 Enhance overall sustainability (financial, economic, social and environmental).

### **Leadership & Governance**

*WE work together to ensure we are a government that is respectful towards each other and that the community has confidence and trust in.*

#### **Strategic Objective**

- 3.1 Engage in a range of inter-governmental relations (IGR) work that will advance partnerships and projects that benefit the City of Hamilton.

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**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" Map Showing the Locations of Areas 1 to 6 affected by the Draft Growth Plan Natural Heritage System Mapping.

Appendix "B" Letter to the Province - Staff comments on draft Natural Heritage System

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