



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	December 5, 2023
SUBJECT/REPORT NO:	Municipal Protected Areas Project (PED23260) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Lauren Vraets (905) 546-2424 Ext. 2634
SUBMITTED BY:	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That Planning and Economic Development Department and Public Works Department staff be authorized to provide the required data to Ontario Nature for their review and analysis as part of the Municipal Protected Areas Project, and provide additional support for the project through the data analysis stage as resources allow;
- (b) That the General Manager of Planning and Economic Development, or their designate, be granted the authority to provide consent on behalf of the City of Hamilton to Ontario Nature to release the findings of the Municipal Protected Areas Project to the Ministry of the Environment, Conservation and Parks for submission to the Canadian Protected and Conserved Areas Database, as it relates to the City's properties that were assessed, and to enter into any necessary agreements relating to release of the findings;
- (c) That Planning and Economic Development Department staff, in consultation with Public Works Department staff, be directed to provide a final report at the end of the project to summarize the results for Council.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

EXECUTIVE SUMMARY

The Municipal Protected Areas Project is being undertaken by Ontario Nature, a non-profit organization, and is intended to canvas municipalities across the province to determine which municipally owned lands may count toward the federal target of protecting at least 30% of land and water in areas with high importance for biodiversity and ecosystem function and services by 2030. As a signatory to the Montreal Pledge – Cities United in Action for Biodiversity (attached as Appendix “A” to Report PED23260) in June 2023, Ontario Nature would like the City of Hamilton to participate in the Municipal Protected Areas Project as a candidate. This initiative compliments the work being undertaken on Hamilton’s Biodiversity Action Plan and has the potential to assist in informing future policy updates to the City’s Official Plans.

At the September 13, 2023 Council meeting, a motion was carried with respect to the City’s involvement with the Municipal Protected Areas Project, and provided the following direction:

- “(a) That the City of Hamilton continue to engage with Ontario Nature regarding the potential feasibility for the City to participate in the Municipal Protected Areas Project pilot;
- (b) That staff from Planning and Economic Development be directed to determine an appropriate work program for Hamilton to participate in the Municipal Protected Areas Project pilot program that compliments the work being undertaken for the City’s Rural and Natural Heritage Municipal Comprehensive Review; and,
- (c) That staff be directed to provide a recommendation report to Planning Committee in Q4 2023 outlining the potential staffing and financial needs associated with participation in the Municipal Protected Areas Project pilot.”

This report responds to the directions provided in the September 13, 2023 motion, and recommends that: Planning and Economic Development Department and Public Works Department staff participate on behalf of the City in the Municipal Protected Areas Project; the City consent to release of the findings of the project to the Provincial and Federal governments; and that a final recommendation report be brought forward at the end of the project to summarize the results for Council.

Alternatives for Consideration – See Page 7

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Not Applicable

Staffing: No additional staff resources are required at this time, and the project will be considered as a medium priority for staff time based on other priorities such as the Official Plan revision work plan. If subsequent direction for work programs related to the findings of the initiative occur, or substantive staff time related to the analysis stage are needed, then a staffing assessment will be completed and requests for resources will be made through the budget process.

Legal: Data sharing with Ontario Nature will be in accordance with City policies and procedures. Consent to Ontario Nature to release the findings of the Hamilton review to the Provincial and Federal Government will be needed and is addressed in Recommendation b) to Report PED23260.

HISTORICAL BACKGROUND

Ontario Nature (formerly the Federation of Ontario Naturalists) is a registered charitable organization whose mission is to protect wild species and wild spaces through conservation, education and public engagement. The organization has been working with municipalities and the Government of Ontario's Ministry of Environment, Conservation and Parks to assess what lands should be added to the Canadian Protected and Conserved Areas Database. At the 15th Conference of Parties on the United Nations Convention on Biological Diversity, the Canadian Government committed to the target of protecting 30% of terrestrial and inland water areas of biological importance by 2030. This target is often referred to as the "30x30 target".

The Municipal Protected Areas Project determines "what counts" towards the federal 30x30 target in terms of publicly owned lands (see Appendix "B" attached to Report PED23260). Ontario Nature has received funding for the initiative from the Greenbelt Foundation and the Government of Canada. The evaluation of lands is required to determine if they can qualify as a Protected Area or "Other Effective Area-based Conservation Measures". A Protected Area would be lands that are specifically owned by a public body with the intent to safeguard biodiversity and ecosystem functions. An "Other Effective Area-based Conservation Measure" may include lands other than a Protected Area that is managed to achieve positive long-term outcomes for conservation.

Evaluation is based on the following criteria:

- Clearly defined boundaries;
- Effective means to control all activities likely to negatively impact biodiversity;
- Protection is long-term, year-round and difficult to reverse; and,
- Managed by governing authorities so that conservation outcomes are achieved.

Since late May 2023, City staff and members of Council have been meeting with Ontario Nature to discuss potential involvement in the Municipal Protected Areas Project. Staff in both the Planning and Economic Development Department and Public Works Department have been involved in the meetings with Ontario Nature. Through these early discussions, Ontario Nature provided an explanation of the intent of the program, and the potential benefits to the City and alignment with other city initiatives like the Biodiversity Action Plan, and the forthcoming review of the City's natural heritage system policies as part of the Municipal Comprehensive Review. Ontario Nature provided a draft work plan (refer to Appendix "C" attached to Report PED23260) for including Hamilton as part of the project.

Through discussions with Ontario Nature, the following objectives have been identified for the Hamilton project:

- Build awareness and support of the initiative among City staff and elected officials;
- Build public awareness and support of protected natural areas and biodiversity;
- Seek and support opportunities for the City to contribute lands to the 30x30 target;
- Explore opportunities to strengthen local policies and procedures for natural land management;
- Meaningfully engagement with indigenous communities to advance indigenous-led conservation and the implementation of the Urban Indigenous Strategy; and,
- Highlight Hamilton as an example of local leadership in biodiversity conservation.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

There is no legislated requirement for the City to participate in the Municipal Protected Areas Project with Ontario Nature. However, the project provides an opportunity to participate in broader federal commitments to protect biodiversity for the long-term. Participation in the project also builds upon the City's commitments as a signatory to the Montreal Pledge and strengthens relationships and partnerships towards protecting the environment.

The work program for the City's Rural and Natural Heritage component of the Municipal Comprehensive Review will be considering policy amendments to the Urban and Rural Hamilton Official Plans with respect to natural area protection. The policy review will consider conformity related amendments to align with provincial land use planning policies, and additional policy amendments for natural heritage protection. As a separate item from the project objectives of the Municipal Protected Areas Project, Ontario Nature has indicated that they can support the City's local policy review and analysis as part of the project. Policy recommendations from Ontario Nature will be

considered by staff through the regular consultation review of the natural heritage system policies to ensure recommendations are consistent with provincial policy.

RELEVANT CONSULTATION

In addition to members of Council, Public Works Department and Planning and Economic Development Department staff have been involved in consultation with Ontario Nature on this project to date. Meetings regarding the Municipal Protected Areas Project have also involved members of the Hamilton Naturalists' Club as well as staff from the Hamilton Conservation Authority.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Feasibility:

As a participant of the initiative, Hamilton will need to provide property information about City owned lands to Ontario Nature, as well as documentation related to protection and management plans for certain areas. Ontario Nature will review the documentation provided, assess the City's lands based on the above criteria, and report back on the results. Data distribution to Ontario Nature will be in accordance with the City's standard data sharing and management policies.

To initiate the review and analysis of the City of Hamilton owned lands that may qualify through this project, Public Works Department staff from Environmental Services, Parks and Cemeteries will be the lead point of contact. Public Works Department staff will provide the required data to Ontario Nature for the first batch assessment under the Municipal Protected Areas Project. The information to be shared includes:

- GIS data of City owned lands; and,
- Land management information for certain properties, classes of City owned lands, or targeted species-specific programs.

Planning and Economic Development Department staff will provide direction to Ontario Nature regarding the policies of the City's Official Plans, and related land use standards and regulations.

Ontario Nature estimates that there will be a requirement of approximately 14 hours or two days of staff time by up to two staff at the City to undertake this project for Hamilton. Additional staff time will be required to report back on the findings of the project to Council, review and assist with communication about the initiative, and consider how the findings of the project can integrate into existing work plans or inform new City initiatives. It is anticipated that one existing staff in both the Planning and Economic

Development Department as well as the Public Works Department can feasibly take on the tasks associated with the initial batch assessment of Hamilton's natural lands.

The property data and land management information that Ontario Nature needs is readily available with the City, making it feasible for the City to participate in this project. Any future city-initiated projects resulting from the findings of the Municipal Protected Areas Project will need to be assessed for staff and financial resourcing before seeking appropriate direction from Council.

Integrated Work Program for Natural Heritage System policy review and the Municipal Protected Areas Project:

The work that will be undertaken by Ontario Nature will specifically be looking at what City-owned lands can count towards the federal 30x30 target. The findings may also provide assistance to determine broader policy updates that may be needed to the Urban and Rural Hamilton Official Plans. The City is undertaking a conformity review exercise of the Official Plan policies as they relate to the Natural Heritage System. Through this exercise, the City may also consider policies to further protect natural areas and biodiversity.

Planning Division staff will work to integrate the findings of the Municipal Protected Areas Project into appropriate policy revisions by undertaking the following:

- Review initial findings of Ontario Nature's batch assessment and provide advice for revisions, if necessary;
- Consider the final findings of the project when reviewing mapping and policy amendments; and,
- Include Ontario Nature in any stakeholder discussions surrounding future natural heritage policy updates for the Municipal Comprehensive Review.

Consent for Ontario Nature to share Hamilton findings:

Once the batch assessment review of City owned properties is completed, Ontario Nature requires consent from the City of Hamilton to share information on the City's behalf with the Ontario Ministry of the Environment, Conservation and Parks. The Province will then submit the lands that are confirmed to be Protected Areas or "Other Effective Area-based Conservation Measures" to the federal Canadian Protected and Conserved Areas Database. It is this database that collects information from across the country to see how Canada is achieving the 30x30 target. Approval of Recommendation b) of Report PED23260 is required to ensure the consent agreement can be signed on behalf of the City.

ALTERNATIVES FOR CONSIDERATION

The City could choose not to participate in the Municipal Protected Areas Project, however this alternative is not recommended, as the initiative and its findings could be informative to future updates to city policies and land management programs.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Report PED23260 - Montreal Pledge – Cities United in Action for Biodiversity

Appendix "B" to Report PED23260 - Municipal Protected Areas Project Summary

Appendix "C" to Report PED23260 - Ontario Nature Draft Project Scope for Hamilton

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