

May 28th, 2015

Dear Mr. Stromberg:

Environment Hamilton thanks you for the opportunity to comment on the province's 4 land-use plans, currently under review. We are a non-profit organization, established in 2001 with a mandate to provide Hamiltonians with the knowledge and skills to enhance and protect the environment in Hamilton.

As an active organizational member of the Ontario Greenbelt Alliance (OGA), we have signed onto, and are in full support of the OGA's detailed proposals for strengthening the protection of agricultural land and natural areas and ecological features province-wide as set out in the submission the Alliance has made on the coordinated land use plan review.

Along with the OGA, we not only ask you to keep the Greenbelt's boundaries firm, but we ask that the Greenbelt be grown. We ask this for many reasons but specifically out of great concern for the effects of climate change and the negative impacts that climate destabilization will have on future generations--particularly when it comes to food security and food sovereignty for Ontarians.

The four plans were developed before the crisis of climate change was fully appreciated. The plans must be strengthened to take into account this now recognized threat to natural systems. We ask that the province consider climate change preparedness as an overarching touchstone in the efforts to review and update the plans. Our request is well timed, we believe, given that the province is currently in the process of developing a climate strategy.

With the OGA, we particularly wish to see the Greenbelt Plan, Niagara Escarpment Plan and Oak Ridges Moraine Conservation Plan work together to protect and restore natural areas and to increase biodiversity, by protecting endangered species habitat and creating a fully connected natural heritage system in the face of a changing climate.

We want to underscore key requests from the OGA submission for each plan:

GREENBELT PLAN

- **Keep Greenbelt boundaries strong.** There should be no changes to the existing Greenbelt plan area boundaries except where the objective is to expand the plan area.
- **Grow the Greenbelt.** Revise policies to make it easier for municipalities to grow the Greenbelt, while ensuring there is no shrinkage in the Greenbelt boundaries. For example, **designate Urban River Valleys to be automatically part of the Greenbelt.** Halt the rezoning of 'whitebelt' lands by bringing these prime agricultural lands and natural heritage lands into the Greenbelt.
- **Help farms thrive.** Protecting farmland is not enough. More needs to be done to support the long-term economic viability of agriculture (with a clear understanding of what that means) and enable a prosperous and diverse rural economy while protecting natural heritage systems and improving water quality.
- **Improve Natural Heritage protection.** Specific best approaches could include providing one definition for natural heritage across all four plans and identify and protecting from development, key natural heritage **features and hydrological features** across the four plan areas. As well, **biodiversity and pollinator health** needs are a priority, including meadowland and wildlife habitat.
- **Keep the water in.** Take the best, most protective approaches from each plan for water management and adopt them across all three plans. Some ideas OGA suggests are completing watershed plans that include a water budget, a conservation plan, a monitoring plan and a stewardship strategy for improving water

quality. Also it would be very helpful to include policies for water taking that extend across the GGH and monitor cumulative impacts.

- **Keep pits and quarries out of key areas.** All three plans should be strengthened to stop the development of any new aggregate operations (including expansion of existing operations) in core natural heritage areas or below the water table. Aggregate and asphalt recycling operations should also not be allowed in these key areas.

GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE

- **Freeze urban boundary expansions for at least 10 years** in the GGH to support the policies in both the Growth Plan and the three greenbelt area plans and determine their effectiveness.
- **Align growth with existing infrastructure.** Growth should be focused around existing transit hubs. Urban Growth Centres should be the focus of higher intensification targets supported by regional and local transit services. Municipalities and the province should be strongly directed to avoid the development of infrastructure -- such as highways, sewers and water services -- that promote sprawl. There is no reasonable future for more highways if we are serious about climate change and protection of foodlands and natural ecosystems.

NIAGARA ESCARPMENT PLAN

- The Niagara Escarpment Plan has, for the most part, withstood the test of time, offering critically important protection for our marvelous Niagara Escarpment. But there are some issues that require attention as part of the coordinated plan review in order to ensure strong protection for the Niagara Escarpment into the future. **The review of the Niagara Escarpment Plan must include a focus on limits to growth - more specifically, a maximum allowable square footage/building footprint for homes being constructed within Niagara Escarpment Plan protection areas.**

IMPROVE PLAN IMPLEMENTATION

- Overall, the province needs to reflect on making changes to the four land use plans that result in **improved implementation across all municipal jurisdictions.** We support OGA's suggestion that the best way to make this happen is to establish an entity akin to the Niagara Escarpment Commission to oversee implementation of the three plans that apply with the greenbelt area. Steps must be taken to ensure municipalities comply with the Greenbelt Plan and the Growth. The Province needs to create an expert body with the authority to oversee implementation of the Greenbelt Plan and Oak Ridges Moraine Plan, and also the Growth Plan to work alongside the Niagara Escarpment Commission.

SECTION 2:

PROPOSED CHANGES TO THE PLANS THAT WE WANT TO SEE BENEFIT HAMILTON SPECIFICALLY

As a place-based organization, we are pleased to detail specific Hamilton concerns and where we see opportunities for improvement. We have been hosting workshops to help Hamiltonians better familiarize themselves with the plans, and in particular the Greenbelt Plan as they prepare comments for submission.

1. Firm Urban Boundaries.

We should aim to eliminate sprawl. Specifically, we want firm urban boundaries (the Province should reject all proposals to reduce the Greenbelt) and increased intensification targets. The Province should dramatically increase the percentage of housing units that cities must accommodate within the serviced areas. The minimum intensification

requirements need to be steadily increased from the current 40 percent within the built boundary. Even adding 5 percent every five years – with notice given now – would make a difference. At the same time, the 50 jobs/persons per hectare on greenfield sites should also be steadily increased. And both need to be ENFORCED. Hamilton recently added 700 hectares to the urban boundary with a target of only 37 per hectare. That should not have been permitted. In Hamilton, our growth rate is far lower than predicted, and most of our growth has been in the suburbs and rural areas.

When the Greenbelt was established, the City of Hamilton pushed to reduce its size. Now, we are concerned that the city of Hamilton may be requesting that portions of the Greenbelt be removed. We do not have definite confirmation of this however, because the city has opted not to share the staff report prior to May 28th deadline (they have requested and received an extension) and Planning Committee and Council will not be considering the staff report until June 16th and beyond.

2. Grow the Greenbelt.

The Neptis Foundation study *Implementing the Growth Plan*, and the study by Ray Tomalty, *Inside and Out Sustaining Ontario's Greenbelt* identified there is already enough land designated for residential development by municipalities for generations; whitebelt lands are not needed for urban development. But Hamilton's whitebelt is unprotected from the threat of development. Already, Hamilton has lost precious farmland to "employment land" and there is real concern that the sizable pieces still left, are being targeted for unnecessary "growth." The whitebelt lands in the GTA and Hamilton are primarily class 1 and 2 soils; not only are these lands highly productive but they are located close to Ontario's most populated region. We wish to see this vital area immediately brought into the Greenbelt and turned into a foodbelt to feed the city.

As well, the Greenbelt needs to be expanded beyond its present boundaries to deal with "leap frogging" pressure for development in municipalities adjacent to Hamilton that are outside the existing Greenbelt, specifically in Brant County, Haldimand, Niagara and Waterloo. **Ideally, greenbelt the entire province where there is prime agricultural farmland and natural heritage areas.**

3. Help farmers thrive

We have heard quite a bit from farmers in our area that they need support in order to thrive. Farmers need more support from the province and Ontarians need to appreciate the true cost of food, so more education is needed on that front. Some ideas we've heard and would like to suggest include allowing agricultural operations to incorporate value-added processing for locally produced crops and livestock or allowing low-impact hospitality uses such as bed and breakfasts and food stands in the countryside, provided that the cumulative impact of such proposed uses be evaluated before approval is granted. **We need to keep farmland in farmers' hands.** The province needs to work towards protecting farmland in perpetuity as well as ensure that Ontario's prime farmland is being farmed. We need to create opportunities for young farmers who want to farm. For example, it would be useful to consider a "commons" set-up such as the Alberta Pastures.

<http://esrd.alberta.ca/lands-forests/provincial-grazing-reserves/default.aspx>

Our province needs to rebuild what we have lost; a viable, food economy. Although the Greenbelt provides a large portion of our food, it is not enough. As an example, we would do well to support small businesses and factories for canning fruit and vegetables. These could employ young people in the growing season.

Measures are necessary to facilitate market gardening to supply urban areas with locally-grown produce. One current obstacle is the restriction on farm sizes accidentally imposed by severance rules. The objective of preventing strip urbanization in rural areas is very important, but amendments are likely necessary to allow for intensive small farms to be re-established.

A shift to more intensive small-scale agricultural production for the local market would increase rural employment. Measures to encourage this include modification of farm-size zoning rules, assistance with direct marketing, increased demand for local food from institutions such as schools, hospitals and governments, and local food terminals. Travelling farm market buses/trucks should be supported to provide access to local food to more urban residents, especially in low-income areas and where food deserts currently prevail.

4. Natural Areas

Hamilton has identified itself as “The City of Waterfalls with many streams flowing down from the Niagara Escarpment into ravines and river valleys through urban areas into Lake Ontario. Offering much needed green infrastructure, these provide refuges for locally rare vegetation communities that contribute to the biodiversity of the area. At the same time, they provide relatively easy access for urban dwellers to passive recreational opportunities in natural areas. These urban river valleys and ravines need to be included in the Greenbelt Plan to ensure their ecological integrity. Please grow our urban river valleys into Greenbelt.

Minimum stream buffers already required in urban areas should be extended into the rural areas as much as possible to minimize erosion and other water quality impacts. Where productive agricultural land directly borders streams, the buffers may be narrower to protect the agricultural economy, but some minimum should be required.

Note**Upstream contamination of waterways like the Welland River watershed has already occurred because of chemical use at Hamilton’s airport. This should not be allowed to repeat.

Please consider biodiversity and habitat creation as a top requirement for municipalities and help them implement programs to make this a reality.

5. Compact Urban Form and Infrastructure.

Compact cities are more efficient and yet there is little encouragement given to renovating, rebuilding, expanding, converting or replacing low density, post war, suburban housing (as an old city, Hamilton has an abundance of these). The Province and cities should deliberately encourage the expansion of residential buildings through all appropriate means to achieve higher energy efficiency, more housing units, more affordability, and more potential for public transit.

Re-use and intensification of existing built-up areas should preclude any further losses of agricultural land or ecosystem services. One practical measure is to require all new commercial construction to include at least two additional storeys for office or residential purposes. New developments of more than 10 units should be required to include 20% affordable units. Hamilton has a surfeit of retail, much of it operating on the edge of bankruptcy. The closure rate for small businesses is far too high and appears to reflect a situation where builders have too much economic incentive to construct retail strip malls. That needs to change. The current situation primarily transfers money from hard-working individuals trying to establish small businesses to the owners of the retail spaces. A useful step would be higher construction and design standards on new retail – a fact evident from the slum-like quality of much of the retail constructed in the last 30 years.

Strong measures are also required to limit surface parking. This might be accomplished by direct taxation, as well as a complete re-vamp of the grossly outdated parking requirements demanded by municipal planning departments. A provincial study could help correct these problems.

Hamilton has one of the highest infrastructure deficits per capita of any city in Canada. Just as the Province has passed legislation requiring municipalities to have budgets without deficits, the Province should make it mandatory for municipalities to have a financially sustainable plan in place to guarantee that the infrastructure be maintained in reasonable condition.

Provincial legislation should expand the opportunities for municipalities to cover ALL growth costs through development charges (DC). Legislation should also require variable DC rates calculated on actual costs in specific

zones within the municipality. At a bare minimum, there should be two zones – outside the built boundary and inside the built boundary, with the former paying significantly higher DCs to reflect both the higher servicing costs as well as the loss of foodlands and natural areas. DCs should also vary by size of property to reflect the higher costs imposed by sprawling development. The province should also ban or severely restrict DC discounting which is employed by many municipalities in a ‘race to the bottom’ that harms the public interest and only serves the development sector. Variable geographic charges for utilities based on actual costs should also be permitted. In general these would penalize greenfield growth and reward intensification. The entire DC legislation should be reviewed to advance these objectives.

The province should make it costly to drive. Municipalities like Hamilton have unwisely created infrastructure to facilitate car dependence. Incentives and disincentives to reduce **road space** would be helpful. The objective should be road infrastructure that assumes very significant reduction in single-occupancy vehicle use. **Disincentivize driving.** Provincial gas tax funding is currently based 70 percent on ridership. In Hamilton that seems to be too low to encourage city council to invest local tax dollars, so an increased emphasis on this factor would be helpful. Hamilton also underfunds transit by maintaining the only variable transit taxation rates within an urban area in Ontario. Provincial intervention to end that area rating system would be very helpful. Vehicle licensing fees should be calculated based on kilometres driven in the previous year, with higher fees for higher kilometres driven. The additional funds could be directed to transit improvements.

Measures to reduce parking availability especially at commercial sites would help. This could include development incentives for businesses that provide transit passes for employees. Carbon pricing is important including higher gasoline taxes. There also needs to be a focus on off-road emissions from construction equipment where little attention to emissions is currently evident.

Another easy step would be to lower urban speed limits to 30 km per hour. That is a cost effective way to make streets much safer for pedestrians and cyclists and to reduce injuries and health costs associated with vehicle collisions. There should also be permission and encouragement to permanently narrow roads to allow for tree planting and other complete street amenities. It should be possible to extend this to complete closure of some residential streets to vehicular traffic, with paired sidewalks allowing for emergency fire and ambulance access. Imposition of impervious surface fees should be legislated or strongly encouraged, combined with incentives to reduce existing impervious features such as driveways and parking lots.

Working remotely should be encouraged, and mandatory on smog days. Bringing jobs closer to where people live are inter-related goals, which need to be supported by the Greenbelt and Growth Plan review.

Trucks are particularly damaging to roads and those costs should be recovered from the trucking sector as much as possible. That should improve the competitiveness of rail and water transport, as well as lead to more efficient use of trucks. The current blanket road subsidy of trucking has encouraged the negative trend of putting ‘warehousing on wheels’. The public should not be subsidizing such trends.

Niagara Escarpment Plan - Urban Areas designation

In some urban areas, including Hamilton, there exist lands that have an ‘urban area’ designation under the Niagara Escarpment plan. Our experience in Hamilton is that this arrangement can prove to be problematic. Our urban core is growing, with requirements that the city increase urban density to comply with policies within the Growth Plan for the Greater Golden Horseshoe. This has already resulted in direct conflicts between policies within the Niagara Escarpment Plan to protect urban views of the escarpment face and proposals for higher density development within the city’s core. Because of the manner in which urban-designated escarpment lands are dealt with in the Plan, the Niagara Escarpment Commission does not issue development permits. Instead, municipalities are required to uphold Niagara Escarpment Plan policies. But there are sometimes differences of opinion on this front, as we witnessed

recently with a condominium development proposed in urban Hamilton at the toe of the Niagara Escarpment. We ended up with an approved development that will have an impact on the escarpment views from the lower city. Given this outcome, we believe there is a need to revisit this approach, and consider a system where developments within urban-designated escarpment lands must receive permits from the Niagara Escarpment Commission. This will become that much more critical as urban cores like Hamilton's continue to grow. It is critically important to accommodate growth, but to do so in a manner that effective measures are taken to protect common resources and natural features like the Niagara Escarpment. We are truly lucky to have this amazing natural feature running right through our city so we need the entity best qualified to protect that feature, the Niagara Escarpment Commission, empowered to do so.

Mega-homes within the Niagara Escarpment Plan protection area -

In Hamilton, as has been the case in other escarpment areas, there has been a growing trend over recent years for some property owners to build excessively large homes within Niagara Escarpment Plan protection areas. These homes are sometimes 10,000 square feet and greater, leaving surrounding residents concerned about these homes not fitting within the existing built form but also raising questions and concerns around impact on the natural ecosystem from buildings consuming larger areas of land within the most fragile ecosystems of the escarpment area. While many are uncomfortable about moving towards controlling where people build their homes and how large their homes should be, given their location, the escarpment is too precious to put at risk from impacts like large, estate-style homes.

CONCLUSION

Ontario needs to be bold and embrace the reality that rampant development is no longer economically viable. Instead we need to be furthering the sustainable economy that the province has already began to embrace, including renewable energy and the jobs being created in this sector. Climate change is too serious an issue to continue in the outdated "business as usual" model. Ontario needs to continue exhibiting leadership and working with municipalities to create strong, resilient communities that are climate change prepared. This includes helping municipalities align their climate change plans with the provinces climate change strategy.

Please put quality of life of future generations at the forefront of these land-use plans. They will thank us for it.

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