

# Comments submitted by Biodiversity and Climate Action Niagara re: Proposed Urban and Rural Boundary Expansions

*Sunday, February 6<sup>th</sup> 2022*

To the David Heywood and the Official Plan Team Official Plan Team:

The following comments reflect the input of various Biodiversity and Climate Action Niagara members who have a wide range of expertise.

Our overall concerns are conveyed first, followed by specific concerns related to specific proposed boundary expansions.

## **Overall Concerns:**

### **Loss of Prime Agricultural Land**

The 830ha expansion of developable land, proposed by this plan, represents a significant loss of agricultural land in Niagara. Niagara's agricultural sector is worth \$1.41 billion to the Region's economy. The whittling away of these lands represents an irreplaceable loss, not only to the economy, but to the environment and to our food security.

The pandemic has highlighted how fragile global supply chains are and the impacts of the climate crisis will only make our current system less productive and supply chains less dependable.

Food security should be a major concern for governments at all levels. Protecting Canada's most valuable soils, so close to its major population centres, should be a priority. We should be looking at ways to build our agricultural economy, bring more food processing back to our area and gear up for the need to be able to reduce food supply chain related Greenhouse Gases (GHGs) while enhancing local food security. Each livestock farm lost, each cornfield paved over, is a death by a thousand cuts to our agricultural economy and food security. Plus, as these losses continue to add up, the ancillary businesses that supply farmers lose their customer base. One cut leads to another, leads to another until the farming sector becomes unsupportable for farmers and agricultural-related businesses. While the relatively small boundary expansions in Niagara rural areas may not seem to amount to much, they each represent an irreplaceable loss.

Ontario is currently losing 175 ha a day of agricultural land<sup>1</sup> — a loss that is simply not sustainable. The municipal comprehensive reviews being undertaken across the Province, and the urbanization that will be supported by them, including here in Niagara, will significantly add to this loss.

With only 5% of Canada's land base being arable, and with only .5% of it being Class 1 and Class 2 soils,<sup>2</sup> most of which is here in Southern Ontario, we cannot afford to continue to pave it over. We know Regional planners have gone above the 50% intensification target set by

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<sup>1</sup> <https://london.ctvnews.ca/we-have-little-land-to-produce-a-lot-of-food-to-feed-a-lot-of-people-ofa-launches-campaign-to-protect-agriculture-in-sw-ontario-1.5540655>

<sup>2</sup> [https://atrium.lib.uoguelph.ca/xmlui/bitstream/handle/10214/15222/LUPSD\\_land\\_capability\\_agric\\_rep10\\_1976.pdf?sequence=1&isAllowed=y](https://atrium.lib.uoguelph.ca/xmlui/bitstream/handle/10214/15222/LUPSD_land_capability_agric_rep10_1976.pdf?sequence=1&isAllowed=y)

the current Provincial government and set the overall intensification rate at 60%, but we believe we can, and must, do better.

**Questions:**

Will the Region develop a long-term Agricultural Protection Plan?

Is the Region developing a Food Security Plan as part of the Agricultural Plan or the Climate change plan or, even better, can some of the traditional silos in Planning and other Regional departments be broken down so some of the thorny issues facing us today that have multiple causes and effects can be tackled in a multidimensional way by having experts in various fields working together?

Why are the Municipal Designated Greenfields Density Targets for most municipalities the same for already urban areas as they are for vacant land (as per Page 11 PDS 41-2021)?

Why wouldn't we be increasing density of lands that have not yet been developed so that we can lessen the loss of agricultural and natural lands while building more transit-friendly urban forms that also supply a better range of housing options that could provide more affordable options?

Why are Pelham, Niagara-on-the-Lake, Thorold and West Lincoln being allotted such a small percentage of Growth in their built-up areas (25%, 25%, 25% and 13%) respectively?

**The Climate Crisis**

We are deeply concerned that there is virtually nothing in the new Official Plan, or in the Boundary Expansion work, that addresses the most significant issue that governments need to address: the Climate Crisis. To avoid the worst impacts of climate change and be in line with the Paris Accord, we need to reduce our emissions 50% by 2030. Cities are responsible for roughly 70% of global emissions and hence need to take the lead on driving solutions to reduce emissions.

Our Region has declared a Climate Emergency and yet the boundary expansions that are being proposed will only serve to increase GHG emissions. Worse still, the boundary expansions, as well as new infrastructure and road building that will go along with them, will remove existing natural green infrastructure that is currently absorbing carbon.

**Questions:**

What plans does the Region have to mitigate the additional GHGs generated by the proposed boundary expansions, and to make up for the significant green infrastructure benefits including carbon sequestration, that will be lost as agricultural lands and natural areas are paved over?

Is the Region planning a Natural Asset Inventory that will quantify the value of the Region's existing green infrastructure, followed by a Natural Asset Management Plan that will help manage and protect the Region's green infrastructure into the future so that it can function to its maximum value?

**Impacts of Development on the Natural Environment System (NES)  
Inside the Urban Boundary**

We are also deeply concerned about the natural environment systems within some of the urban boundary expansion areas. We have heard the reassurances that NES areas will be

protected, however, our members have learned from experience to treat such statements with extreme caution.

The first issue is that as soon as the Boundary Expansions occur, and these areas become urban, less protection will be given to the NES within them including minimized buffers, less opportunity for linkages etc.

We also understand that the NES will be “refined” by Environmental Impact Studies (EIS) that are done by developer-paid-for consultants as applications come forward. We know from experience that these studies often argue for the diminishment of features, fail to find species at risk known by residents to use the land, propose “mitigation” measures for losses that do not actually make up for the function of what was lost or that are never actually implemented. We also know of environmental features “accidentally” damaged/destroyed during or prior to construction and the lack of enforcement/penalties/restoration.

There are also some inherent flaws in the ways EIS are conducted. As an example, they do not actually include an analysis of how animals are currently using the landscape so, for instance, a hedgerow used by animals and pollinators as a critical corridor between one natural area and another, that is absolutely essential for their life cycle or their breeding success, is deemed insignificant and okayed for removal.

As well, there are holes in legislation, for instance, that protect Provincially Significant Wetlands but not the source area for their water, thus we have seen springs and overland runoff areas that support PSWs paved over leading to the inevitable loss of those wetlands. As well, we have woodlands saved but not the adjacent meadowlands that supply most of the insects that feed the birds and bats that populate the woodlands.

In general, EISs are still looking at land in terms of features and flora and not enough about natural systems and fauna.

## **Market Demand**

We have been told that part of the process of deciding what type of housing gets built is the need to meet “market demand”. We are led to believe that this directive, from the current Provincial government, means housing that consists of singles and semis. We argue that this definition of “market demand” leaves out a lot of the real market like young people wanting their first apartment, single folks and young families wanting an affordable home, seniors who want to downsize but stay in their community, new immigrants who need family-sized apartments as they get a foothold in their new country . . . . we could go on.

In a region where people hoping to rent an affordable 1-bedroom apartment from Niagara Regional Housing (NRH) can wait as long as 17 years<sup>3</sup>, with 7,700 applicants for affordable housing on the NRH waiting list<sup>4</sup> and with more than 23,800 households in Niagara paying more than 30% of their income for housing<sup>5</sup>, it passes our understanding that there isn’t more emphasis in the plan on intensification in existing urban areas and requiring even higher densities on greenfield developments.

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<sup>3</sup> <https://brocku.ca/brock-news/2020/10/exploring-the-affordable-housing-crunch-in-niagara-and-why-people-spend-years-on-a-waiting-list/>

<sup>4</sup> <https://www.stcatharinesstandard.ca/local-niagara-falls/opinion/2021/10/15/out-of-reach-a-look-at-the-housing-situation-in-niagara.html>

<sup>5</sup> <https://www.tv.org/article/inside-niagaras-affordable-housing-crisis>

**Questions:**

How does the new Official Plan and the proposed boundary expansions address the need to build much more of the “missing middle” of housing as opposed to singles/semis and high-rises?

How is the Region working with Niagara’s 12 municipalities, given that the municipalities control zoning, to end exclusionary zoning and put in place policies that would allow for gentle density in existing residential areas?

How is the Region working with Niagara’s 12 municipalities to end the appalling low-rise commercial sprawl that stretches out along so many of the Region’s arterial roads, and that is not only ugly and not pedestrian friendly but also is an unforgiveable waste of land along transportation routes where infrastructure already exists? These areas ripe for redevelopment into high quality, higher intensity, mixed use neighbourhoods?

**Concern About Additional Boundary Expansions**

The Provincial Growth Plan (2019) Policy (2.2.8.5) that permits urban boundary expansions under 40 ha outside of the Municipal Comprehensive Review process is still in effect. Despite reassurances by Planners at the recent Boundary Expansion Public Information Centre, we are concerned they will continue to be entertained and approved, including multiple 40 ha or less expansions in the same community as was recently the case with a 190 ha urban boundary expansion in Welland. Not only are we concerned about continuous loss of agricultural land but also about the impact it will have on the Natural Environment System as the system has much less protection within the urban boundary than outside of it.

**Questions:**

Does the Region basing the proposed Urban Boundary Expansions (UBE) “on low end” of Niagara’s population growth over next 30 years (as projected by Province) create a 'loophole' for province to overrule/reject the plan and insist on further expansion to accommodate a greater population?

How will future requests for UBE, each under 40 ha be handled given that this plan, if passed as is, should accommodate expected growth to 2051?

**Specific Areas Of Concern****Niagara Falls Intensification Targets**

Current plans call for only a 50% intensification target in Niagara Falls. Niagara Falls can and should be required to do better. Niagara Falls is certainly a city that could only benefit from redevelopment in core areas around transit nodes providing, as a report from Niagara Falls planning staff states, “a broader mix of housing” options that would be more affordable.<sup>6</sup>

Niagara Falls planners presented precisely such a plan to the Niagara Falls Council<sup>7</sup>. The proposal was a plan for 65% intensification within the existing urban boundary and would have

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<sup>6</sup> <https://niagarafalls.civicweb.net/document/39910>

<sup>7</sup> <https://niagarafalls.civicweb.net/document/39910>

required an urban boundary expansion of only 113 ha for new growth. The Council voted it down, however, we would like the Region to take another look at this.

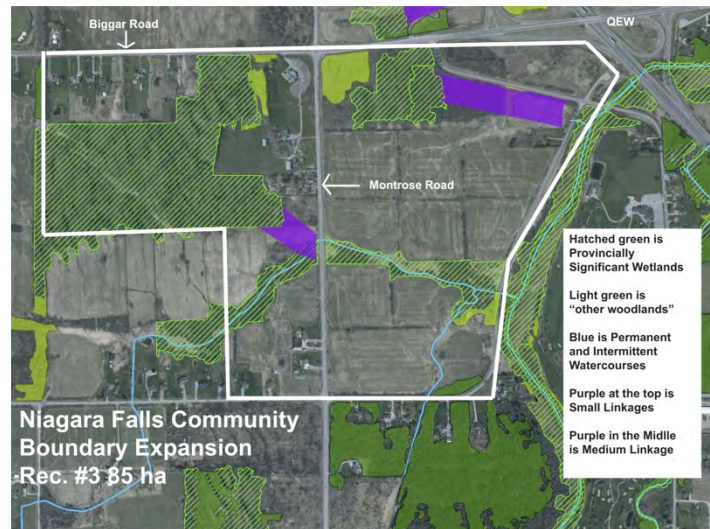
The urban boundary expansions proposed by the Region includes 310 ha. That is a large amount of land for a city that is in clear need of redevelopment within its existing urban boundary and that is also in desperate need of more affordable housing as noted in The City of Niagara Falls Housing Directions Study called *Housing Needs and Supply Report* by Dillon Consulting and released in June 2021.<sup>8</sup>

As the report notes: “In relation to the target for affordable housing in Niagara Falls, it will be numerically impossible to achieve the target of 40% of new housing as affordable if the majority of new homes to come to market within the 2021-2051 period are single-detached and semi-detached,” however, that is exactly what the current UBE proposes. As outlined in the UBE, Niagara Falls is planning to build: 11,980 single/semis, 5,090 row units and only 3,140 apartments between 2021 and 2051. How does this plan meet Niagara Falls needs as outlined by the report just cited?

### **Boundary Expansion Areas of Concern**

#### **Niagara Falls Recommendation #3**

Our concern with this site is the significant natural features that are on it. Again, planners reassured citizens that NES elements would be protected, however, we saw what happened with the hospital site to the north where no decent buffer was maintained from the wetlands on the north of the property and a small core area of forest, in the southeast area of the property, that maintained the ancient genetics of the area’s woodland and that also contributed to an important wildlife connection to wetland, woodlands and the creek ecosystem further to the northeast was completely eradicated when the hospital land was cleared.



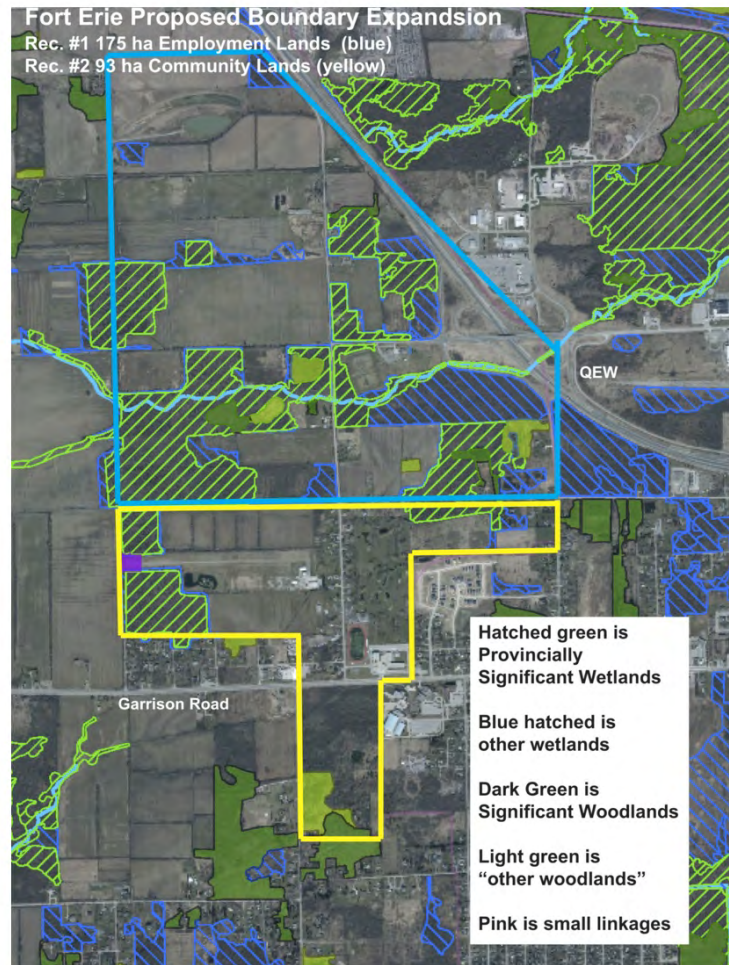
Bringing the areas to the south of the hospital into the urban boundary will eliminate the medium to large linkage currently shown on the NES mapping under the 3C policy, causing another loss to the valuable linkages for the most significant portion of the wetlands. As well, it may also

<sup>8</sup> <https://niagarafalls.civicweb.net/filepro/documents/32707?preview=36507&attachmenturl=%2Fdocument%2F36499>

cause the loss of the other linkage, depicted in the NES mapping, at the eastern side of the site as it may not all be in “a natural state” as 3C requires. More deaths by a thousand cuts.

### Fort Erie Recommendation #1

We can see the value of having employment lands next to the QEW, however, this is the headwaters of Frenchman’s Creek and therefore we ask first that buffers be adequate to the job of protecting the wetlands that support the creek. Frenchman’s Creek supports 40 fish species, including, historically, grass pickerel, a species of special concern.<sup>9</sup> Also, this site presents a good opportunity to do some restoration work along the banks of the creek north of the largest area marked “Other wetlands”. Given the importance of this area as a headwaters, the other wetlands must be maintained and buffered. Furthermore, we ask that the usual engineered solutions of stormwater management involving piping and stormwater ponds not be considered. Instead, overland systems and dry ponds that won’t negatively impact the wetlands should be employed.



### Fort Erie Recommendation #2

The entire area south of Garrison Road should be eliminated from consideration from development. That area contains core woodlands and successional growth seeded by the core area that maintains ancient, irreplaceable local genetics. The area is well used by wildlife and connects to wetland and woodland systems going south to the lake.

It is important to note that both the wooded and wetland areas of Rec. #1 and #2 provide significant habitat for seasonal and migrating birds.

### Fort Erie Recommendation #3

This area is depicted on Fort Erie Natural Heritage Mapping as being a Natural Environment Corridor between the Lake/woodlands of the Point Abino Conservation Area and the

<sup>9</sup> <http://ourniagarariver.ca/wp-content/uploads/2016/03/NIAGARA-RIVER-WATERSHED-FISH-COMMUNITY-FINAL-Aug-2013.pdf>



Provincially Significant Wetlands and woodlands to the north east, that then go further to a great wetland/stream woodland system that runs through the landscape to the Niagara River.

Currently, between the area of Rec. #3 and the significant features to the north east, there is agricultural land with some hedge rows. This area, including Rec. #3 to the northeastern wetlands/woodlands, should be mapped as a corridor of the NES as the shoreline, wetlands and woodlands of Point Abino are currently generally cut off from connections with other natural areas and this represents an opportunity to connect them to preserve the biological diversity of the area. It should be noted as well, that Snapping turtles are known to nest on the subject lands.

## **Pelham Community Area Expansion Recommendation #2**

Biodiversity and Climate Action Niagara believes that the extension and expansion of Merritt Road, that will cause the destruction of Provincially Significant Wetlands and woodlands is unconscionable and should not move forward. Given the Region’s responsibility to address Climate Change, given our Region’s responsibility to protect the most significant features of our environment, given the Region’s responsibility to protect biodiversity for future generations, the Region must find alternatives to this plan. In so far as any development of this area furthers or excuses the destruction of any of the wetlands or woodlands along Merritt Road, we object to development in this area.

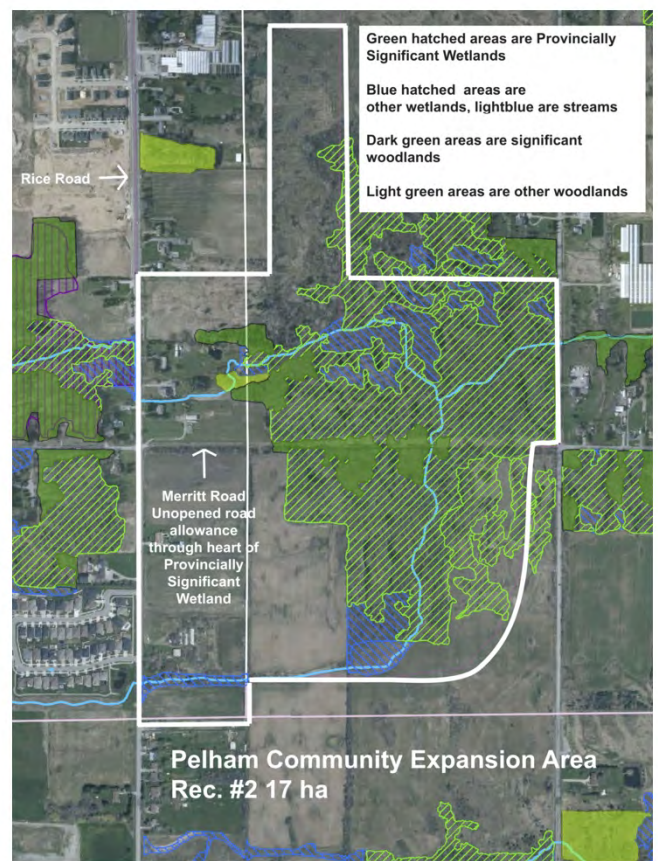
## **West Lincoln Chambers Corners North East Parcel**

The northern piece of the expansion area north of #3 where the pond is located, is a wetland area that is prone to flooding. Flood mapping must be carefully done and this area should be considered as an enhancement area where restoration could occur.

## **Conclusion**

Biodiversity and Climate Action Niagara understands that growth must be accommodated and isn’t opposed to it as we believe there can be community benefits, however, we do believe the time has come when we have to stem the losses to agricultural lands and our natural environment.

If we could be assured that the mistakes of the past will not be repeated, that EISs would not be scoped down to the point where they leave out critical information, where the intent of the



Natural Environment System would be respected and where adequate peer reviews of EISs and supervision of actual construction and enforcement of policies was adequate to protect our natural systems, if we knew the Region had a long-term food security/agricultural land protection strategy and if we saw action on the part of the Region to address the climate crisis through the best tools available to it, including exceptional urban planning, then we would have no concerns about proposed boundary expansions.

We ask, first, that Niagara Falls goes back to the drawing board and revisit staff's original proposal to accommodate 65% of growth within its existing urban boundary.

We ask that staff take another look at the intensification targets for the built-up areas of Pelham, Niagara-on-the-Lake, Thorold and West Lincoln (25%, 25%, 25% and 13%) and see if intensification in those areas could be increased.

We ask that the Region impose the best Natural Heritage System protections it possibly can.

Eight hundred and thirty ha of agricultural land, plus all the natural areas that will be lost, and negatively impacted, is a lot for our Region to lose.

We ask that the Region does the very best that it can, now, to ensure the best possible future for new generations of Niagara citizens.

Sincerely members of the Biodiversity and Climate Action Niagara collective,

**Group members of the Collective:**

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Peninsula Field Naturalists, Bob Highcock  
Niagara Falls Nature Club, Joyce Sankey  
Niagara Beekeepers' Association, Lucy Sardella  
Ontariogreen Conservation Association, Liz Benneian  
Bert Miller Nature Club, Lynda Goodridge  
Niagara Birding Conservation and Tourism Collaborative, Marcie Jacklin  
Hamilton Naturalists, Chris Motherwell,  
Friends of One Mile Creek, Klara Young-Chin  
Extinction Rebellion Niagara, Ryan Forster and Team  
Friends of Walker's Creek, Della Trojan  
Pelham Tree Conservation Society, Mike Jones  
Speak for the Creek, Lisa Welch  
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