

# ***Policy Development and Urban Design***

## **Land Use and Natural Systems**

### ***Summary of Meeting with MNRF Kemptville***

October 1, 2015  
1:30 PM to 3:30 PM

MNRF Kemptville District Office

**Topic:** Significant Woodlands: Scoping of Issues and Questions

**In Attendance:** Nick Stow (City), Martha Copestake (City), Laura Melvin (Planner, MNRF), Mary Dillon (Management Biologist, MNRF), Jeff Ward (Partnership Specialist, MNRF)

1) Purpose of the meeting:

- a) Nick introduced the purpose of the meeting. The City needs to review and revise its Official Plan policies for significant woodlands, in order to comply with the new PPS requirements. The City also anticipates the need for a set of Council-approved guidelines for implementation of the significant woodlands policies, both with respect to their identification and to application of the “no negative impact” requirements. The policies and guidelines need to be consistent with the upcoming Urban Forest Management Plan and the City’s review of suburban design policies (“Building Better and Smarter Suburbs).
- b) The City provided several general questions and areas of discussion prior to the meeting:
  - Does Policy 2.1.3 of the PPS allow Ottawa to develop a “made in Ottawa approach” with respect to significant woodlands, which would distinguish between settlement areas, rural areas and prime agricultural areas (other some other breakdown of land uses)?
  - If so, how would the MNRF judge if the City’s policies were respecting the intent and language of the PPS policies?
  - Can the MNRF offer any guidance on balancing the NHS policies with the other policy directions in the PPS, especially with respect to efficiency of land use?
  - Does the MNRF know of any examples of municipal policies that Ottawa might emulate?
  - With respect to the NHRM criteria: basic questions about the appropriate planning unit/scale, definition of woodlands (ELC versus Forestry), number of criteria required for significance, size as a screening criterion, overlap with other legislation and policies (*e.g.* Endangered Species Act 2007).

2) General Questions:

- a) Question 1. *What are the “provincial criteria” for significant woodlands?*
  - Answer: The provincial criteria are those found in the Natural Heritage Reference Manual 2010. The MNRF is working on guidelines for implementation of the criteria, but they are not expected anytime soon.

Kemptville Office does not recommend that the City wait for them. The MNRF, through Municipal Affairs and Housing, is asking municipalities to implement the new PPS policy. Provided that the City provides a reasonable rationale for any interpretation or implementation of the NHRM criteria, no subsequent revisions should be necessary.

- b) Question 2. *Can the City use a modified set of criteria for different parts of the City: for example, different criteria for natural rural areas, agricultural areas, and suburban/urban areas?* In particular, can the City place less emphasis on biodiversity criteria and more emphasis on socio-economic criteria or ecosystem services in the evaluation of urban woodlots.
- Answer. Yes, this would be consistent with the PPS and the NHRM, provided that the *intent* of the policy is respected.
- c) Follow-up question. The City's EIS guidelines specify that "no negative impact" will be applied to those characteristics and functions for which a feature has been deemed "significant". *If an urban woodland is identified as "significant" on the basis of socio-economic criteria or ecosystem services, then is the MNRF comfortable with the impacts of development being assessed on that basis?* It is conceivable, for example, that some impacts may enhance the socio-economic value or ecosystem services of a woodlot, while negative affecting its "naturalness".
- Answer. Yes, that is a reasonable application of the "no negative impact" principle.
- d) Question 3. *If the urban boundary expands in the future to encompass a previously-identified, significant woodland, would the MNRF support a re-evaluation of that woodland using urban criteria for significance?*
- Answer: That's a much tougher question. The MNRF would likely support a evaluation that would reassess the uses and management goals for such a woodlot, provided that the woodlot was retained. The MNRF supports the long-term retention of as much urban woodland as possible.
- e) Question 4. *Could the City set a minimum age criterion for significance for any woodland being encompassed by an expansion of the urban boundary: e.g. 20, 30, 40 years?* Landowners and developers often acquire and hold land for many years in anticipation of future urban boundary expansions. In many cases, these lands are un-forested when originally acquired, but re-grow as forest in the intervening years. Consequently, a good portion of the land most suitable for urban growth may become unavailable for that purpose, precisely because it was protected with that purpose in mind. The current approach could actually create an incentive for pre-emptive clearing of peri-urban lands.
- Answer. We will consider that issue and get back to you after consulting with Peterborough. However, the idea makes us very uncomfortable. As with the policies for provincially significant wetlands, evaluations are normally done on existing conditions. We think that a better way to address pre-emptive clearing is the City's proposed Site Alteration By-law.
- f) Question 5. *Can we assume that the MNRF would not object to the City identifying all urban woodlots as significant?* One of the City's environmental

stakeholders has suggested that any urban woodland should be considered significant, because of the magnitude of forest loss in the urban area.

- Answer. Yes.

g) Question 6. *Can the MNRF provide any guidance on balancing the PPS policies for significant woodlands and other NHS features with the PPS direction regarding growth, intensification and efficient land use?* The City's industry stakeholders have suggested that these policies seem in conflict with each other. The City is currently looking to improve the efficiency of land use through its "Building Better and Smarter Suburbs" initiative. Any direction would be appreciated.

- Answer: We will pass that question along to the Policy group in Peterborough to consider.

h) Question 7. *What criteria or standard will the MNRF use when advising Municipal Affairs and Housing on whether the City of Ottawa has satisfied the PPS policies?* In other words, if the City modifies the NHRM criteria for different parts of the City, or wants to take an alternative approach in some areas, how will the MNRF judge whether or not it is "consistent with" the PPS?

- Answer: The PPS sets out "minimum standards". It says that planning authorities and decision makers, "may go beyond these minimum standards..." The MNRF would be looking for City policies that are *more conservative* not *less conservative*. Any deviation from the NHRM criteria will need to be supported by a defensible rationale.

### 3) NHRM Questions

a) Question 1. *Does the MNRF have any preference for the ELC or Forestry Act definitions of woodlands?*

- Answer: Section 7.3.2 of the NHRM 2010 (p. 72) suggests an approach that combines both definitions.

b) Question 2. *Does the MNRF have a preference for any particular planning unit or planning scale in application of the NHRM criteria: e.g. the City boundary, watersheds, subwatersheds, ecoregions, major land uses?*

- Answer: We were going to ask you the same question. We prefer an approach that is based upon ecological boundaries, rather than an administrative boundary. Any of the ecological or landscape approaches would be satisfactory, provided that it comes with a defensible rationale.

c) Question 3. *Can the MNRF provide any guidance on choosing minimum area thresholds for those criteria where only a range is provided: e.g. woodland interior or proximity to other woodlands/habitats?*

- Answer: The thresholds should be conservative, and they should be defensible.

### 4) MNRF Questions for the City?

a) How would the City propose to maintain and update its significant woodlands in the future?

- Answer: We fly aerial photography every three years, and we have started a program to convert that aerial photography to landcover mapping. We would use that mapping in a GIS analysis to update our significant woodlands mapping at every five years, during our regular review of the Official Plan.

5) Wrap-up

- a) City Question: What's the status of the wetland policy review? Should we expect to see changes to the policies for significant wetlands? How soon can we expect to see policy changes.
- b) MNRF Response: The discussion paper is supposed to lead to development of a 15 year Strategy, with implementation policies to follow. We expect that any changes will come with plenty of warning time. But please get your comments in.