

(210) 100-1000 (210) 100-1000

## North Oakville MANAGEMENT INC.

February 6, 2003

Regional Municipality of Halton  
Planning and Public Works Department  
Oakville, Ontario  
L6M 3L1

Attention: Mr. Pat Murphy MCIP., RPP  
Commissioner of Planning and Public Works

Dear Sir:

Re: North Oakville Management Inc.  
Comments: Directions Report; Technical Background Papers

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As you are aware, many of the landowners within the land area known as Official Plan Amendment No. 8 in Oakville have come together to form an organization entitled North Oakville Management Incorporated ("NOMI"). Our organization has as its purpose the collective investigation and study of matters relating to land use issues as they affect the OPA 198 lands. The five year Official Plan review for the Region of Halton is of substantial interest to NOMI and, as such, NOMI, through its member input and through discussion with the NOMI consultants, has undertaken a review of the Directions Report and the associated Technical Background Papers for the Region of Halton 5 Year Official Plan Review. Our comments are summarized below.

Please be advised that these comments may be augmented by any of the individual landowners that may have a specific issue on a particular parcel of land or background paper presented by the Region as part of its own official plan review exercise.

### Technical Paper #1 – Adequacy of Urban Land Supply

NOMI has no comment at this time.

### Technical Paper #2 – Smart Growth Index

#### *Smart Growth Indicators:*

Smart Growth is a major focus of the Directions Report. NOMI members have expressed serious reservations with the proposal to use a series of Smart Growth indicators.

The Directions Report recommends the creation of a matrix measuring system to evaluate

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100-2896 South Sheridan Way  
Oakville, Ontario L6J 7G9  
Tel: 905 829 8600 Fax: 905 829 2035 E-mail: lyn.townsend@on.aibn.com

## **Technical Paper #6 – Rationale and Methodology for Determining Significant Woodlands in the Regional Municipality of Halton**

The Region prepared this report “to provide the scientific basis on which the Region will base its policies for woodland protection.” As such the following comments are categorized into two headings – Policy Comments (of which there are six) and Scientific Comments.

### ***Policy Comments (6)***

#### ***(1) Provincial Policy Statement, 1997***

The Region of Halton, in part, based this Technical Paper on the Provincial Policy Statement (PPS) and in particular Section 2.3.

The Region is directed to “have regard for” all the statements found in the PPS and to balance them appropriately as the situation dictates. “Significant woodlands” policies must be given regard and balanced with all the other PPS objectives.

The PPS, section 2.3, allows development and site alteration in “significant woodlands” if it has been demonstrated that there will be no “negative impacts” on the natural features or the ecological functions for which the feature is identified.

The PPS defines both the words “significant” and “woodlands”.

The term “significant” as it relates to woodlands means “ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable heritage system. Criteria for determining significance may be recommended by the Province but municipal approaches that achieve the same objective may also be used.”

Woodland is also a defined term that means “treed areas that provide environmental and economic benefits such as erosion prevention, water retention, provision of habitat, recreation and the sustainable harvest of woodland products. Woodlands include treed areas, woodlots or forested area and vary in their level of significance” (emphasis added).

The Region, utilizing its proposed 7 Criteria for identifying significant woodlots, concludes the following:

“With the addition of identification of the functions that woodlands provide in the Halton landscape, a total of 97% can be recommended as candidates for significance (page 53).



The PPS, including its definitions, directs that it be read in its entirety and that a balance between all of its objectives are to be considered. The PPS acknowledges that the "significance" of "woodlands" vary. By identifying 97% of all woodlands as "significant" the Region's criteria is inconsistent with the intent and purpose of the PPS.

**Therefore NOMI requests that more realistic criteria be established that truly capture "significant woodlands" within the intent of the PPS and at a regional planning level. (Note: additional more detailed comments are provided below on the Region's proposed 7 criteria)**

## (2) *Greenlands Targets*

Section 3.2, "Guidelines for Regional Woodland Cover" addresses the issue of percent coverage of woodland whether on a watershed basis or a planning area basis. This section provides little detail regarding the definition of woodland cover and whether the agencies cited (e.g. Environment Canada, Ontario Ministry of Natural Resources or American Forests) provide comparable definitions.

The report states on page 10: "Recommendations in the literature indicate that woodland cover should achieve a minimum of 30 to 40% of the planning area". This is not the same as the statement on page 9 which indicates that Environment Canada recommends >30% per watershed. The major watersheds in Halton, (i.e. 16 Mile Creek Valley) have their headwaters on the escarpment so the amount of actual forest coverage in these watersheds is much higher than what is found within the urban areas only. The argument does not directly follow that 40 % of the watershed relates to 40% for a planning area.

At the second Significant Woodlands Workshop hosted by the Region on January 22, 2003 the issue of alternative targets and monitoring of woodlands was discussed. Specifically a range of alternatives was presented by the Region for discussion including a 30% woodland coverage in 20 years. The following provides a brief summary of the impact of such a proposal if pursued by the Region.

Within this Technical Paper it is stated (page 10) that the Region of Halton currently has a percent forest cover of 22.30%, therefore to achieve the target of 30% woodland coverage will require that an additional 7.7% of land be rehabilitated and reforested to woodlands.

Using the figures contained in Table 3 Woodland Cover by Municipality (pages 10 and 11) the Region of Halton has a total land area of 97,437 ha with 22,350 ha being wooded. To achieve the 30% target will require a total of 29,231 or an additional 6881 ha (say 7000 ha) of land to be converted to woodland – this equates to 350 ha (basically one concession block) a year for the next 20 years. This figure, if applicable to lands within future and existing urban areas, is also underestimated as we believe no allowance has been made for buffers.

In addition, this number could be extremely conservative depending on what function the 30% woodland cover is intending to perform. For example, if it is intended to accommodate "interior forest" species the amount of woodland required increases substantially.

Using the minimum interior forest criteria (page 37) - the minimum patch size is 4.0 ha with a perimeter of 200m - the amount of land required increases substantially. Based on our calculations, 4.0 ha of "interior forest" requires 28 ha of "perimeter forest" (assuming 200 m around the "interior" forest). Therefore the 7000 ha figure may grossly understate the amount of land required to achieve a 30% forest cover target.

The use of a minimum target for woodland coverage requires much further analysis and dialogue. The policy implications of taking a minimum 7000 ha out of either the urban or rural area on such matters as settlement patterns, infrastructure and the loss of productive agricultural lands must be considered. We recommend that no decision on any targets be made until all the issues/implications are fully understood and debated.

**Therefore NOMI requests that before any consideration of the merits of any woodland targets more complete information be provided including the practicality of such a measure in the context of balanced land use planning decision making process, a consistent definition of how a woodland coverage is defined and measured and how such a measure will be applied (e.g., watershed versus planning area etc).**

(3) *Town of Oakville Woodland Coverage Figure and Other Permanent Open Space Features*

In Table 3, "Woodland Cover by Municipality" (pages 10 and 11) it is stated that Oakville has 1691 ha or approximately 12% "wooded" area.

We understand wooded areas less than .5 ha are not part of this total. In addition we understand that no allowance has been made for the "urban canopy" which is used by some agencies in calculating "woodland cover" targets.

In addition other permanent open space features add significantly to the environment including valleylands and their buffers, floodplains, parkland (in particular North Park), the closed landfill in North Oakville, Parkway Belt lands, utility corridors such as pipelines and hydro corridors, and the Lake Ontario shoreline etc. and we believe these should be considered in the context of the amount of open space exists within the Town.

**Therefore, NOMI requests that the Region calculate the woodland cover for Oakville which includes the wooded areas less than .5 ha as well as the "urban canopy". In addition, we request that the Region calculate within the Town of Oakville the amount of "other" lands that could contribute to the environment in the form of other types of permanent open space including but not limited to Parkway Belt lands, valleylands including buffers, floodplains, parkland (in particular North Park), the closed Region of Halton Landfill in North Oakville, pipeline and hydro corridors and the Lake Ontario Shoreline etc.**



(4) *Subwatershed Studies and the Region's Significant Woodland Study*

In January 2002 the Town of Oakville commenced a Sub-Watershed Study for lands in North Oakville, east of Sixteen Mile Creek which study is being done in support of future secondary plans.

Since its commencement various consultants on behalf of the Town have undertaken detailed inventories and analysis of numerous features in North Oakville including woodlands. The findings are summarized in a Characterization Report dated December 2002 which has been released for public comment.

Given the advanced state of this town-initiated sub-watershed study we ask the Region to consider the necessity or appropriateness of the Region's woodland criteria being applied to the lands affected by this study.

**Therefore NOMI recommends that the lands in North Oakville east of the Sixteen Mile Creek, which are currently subject to a detailed Sub-Watershed Study be exempt from the Region's Significant Woodlands Criteria.**

(5) *Compensation*

This report provides no or little guidance with respect to compensation. This is a fundamental issue that should be addressed so that landowners and taxpayers alike understand the financial implications of the recommendation being proposed.

**Therefore, NOMI requests that the Region of Halton staff be requested to fully discuss how landowners are to be compensated for the identified woodlands and what on-going operating costs can be expected in the maintenance and management of these features.**

(6) *Adjacent Lands*

The Directions Report, section 6.3, "Adjacent Lands" indicates that based on the PPS that an Environmental Impact Assessment (EIA) be undertaken for development proposals on lands within 120m of a Provincially Significant Wetland and within 50m of both Greenlands A and B. This requirement is summarized in Direction #8, 8.3 and 8.4.

As noted above the Town of Oakville has initiated a detailed sub-watershed study that has inventoried and assessed all features in North Oakville east of the Sixteen Mile Creek. NOMI questions the need for an EIA in light of the detailed analysis completed to date and the additional work that will be completed to support future planning applications including secondary plans.

**Therefore, NOMI requests that a provision to be added to Directions 8.3 or 8.4 pertaining to Adjacent Lands that would avoid duplication of the need for EIA where comparable work has been completed as part of a sub-watershed study or as part of the background work in support of a secondary plan. Furthermore, it is recommended that the Region in association with local**

**municipalities, the conservation authority and with input from all stakeholders prepare a comprehensive (but consistent) set of EIA guidelines.**

### *Scientific Comments*

Generally, the criteria can be grouped into three categories:

- i) those that can be scientifically supported and may be appropriate (subject to further discussion) to identify significant woodlands;
- ii) those that may have merit, but either the manner in which they are defined in the report, or the data used to apply them in the report, is not scientifically supported; and,
- iii) those that should not be used, or should only be used as a secondary criterion to complement, or enhance the understanding of the significance of a woodland, already identified as significant by some other criterion.

The Region's report states that if a woodland meets any one of the criteria, it is considered to be a Significant Woodland. The application of any criterion as a stand-alone reason for categorization is questionable.

### *Discussion of three types of criteria:*

(Region's criteria numbers used for reference)

- i) Criteria that can be scientifically supported and may be appropriate (subject to further discussion)
  6. *Distance From Perimeter*
    - woodlots, with interior areas a certain distance from their edge, are well recognized as providing higher quality habitat, and supporting a greater diversity of species.
    - for minimum size woodlots (i.e., in the 4 ha range), the condition of the woodland also should be taken into consideration.
- ii) Criteria that need clarification
  4. *Age*
    - data used in report for this criterion (FRI Maps) is known to be very inaccurate and, regardless.

- a clear definition of “old growth”, and an indication that *environmental type* studies (e.g., EISs) should apply this criteria in assessing significance be considered appropriate.

#### 5. *Patch Size*

- small polygons of woodlands may provide an aesthetic benefit to a community but unless it can be demonstrated that a specific woodland of 2 ha has specific other natural heritage attributes that warrant protection (e.g., use by vulnerable, threatened or endangered species; provides connectivity, etc.), then this minimum patch size is too small.
- very small sizes, accompanied by levels of disturbance and probable future level of intrusion indicates that only urban tolerant wildlife generalists would use the woodland.

#### 7. *Landscape Connectivity*

- this is not considered a ‘significant woodland’ criteria, but the linking of ‘significant woodlands’ to create a pathway or corridor may be
- biogeographical studies indicate that linkages-corridors-pathways are important in maintaining viable wildlife populations; however, the routes for linking significant woodlands (or other natural areas) should be based on more than just proximity.

### *Criteria that may be Secondary, or may be inappropriate*

#### 1. *Terrain*

- relates to landform stability, which in and of itself is important, however the identification of woodlands on slopes of >10% as significant, without consideration of other factors, is too simplistic.
- examples can be found where woodlands in such locations are not directly responsible for slope stability (e.g., very coarse granular soils will hold a much steeper slope without trees) or where the density of trees are not sufficient to provide stabilization and an engineering solution (regarding the slope) would be more appropriate
- where other conditions exist (e.g., related to hazard lands), the role of the woods in enhancing slope stability may be identified as important - indicating that this perhaps should be a *secondary* or an *inappropriate* criteria

2. *Groundwater Quality and Quantity and*

3. *Surface Water Quality and Quantity*

- the descriptions and application of these criteria are confusing in the text and the data available are poor (re., quality and quantity) (i.e., changes in significance with changes in upstream area).
- where woodlands are found to be important for these criteria, as demonstrated through detailed studies, then the woodland may be important; this typically would relate to other criteria that would modify the development potential in an area (e.g., wetlands, floodplains, etc.).

**Therefore, NOMI recommends that the 7 criteria proposed within this technical paper be subject to a complete and thorough review and discussion prior to being used as a methodology for determining the significance of any particular woodland.**