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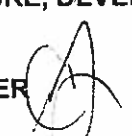
**TO:** GENERAL COMMITTEE

**SUBJECT:** NATURAL HERITAGE STRATEGY FOR NATURAL HERITAGE  
RESOURCES IN THE CITY OF BARRIE URBAN AREA

**PREPARED BY AND KEY CONTACT:** C. TERRY, SENIOR PLANNER, EXT. 4430

**SUBMITTED BY:** S. NAYLOR, MES, M.C.I.P., R.P.P., DIRECTOR OF PLANNING 

**GENERAL MANAGER APPROVAL:** R. FORWARD, MBA, M. Sc., P. ENG.  
GENERAL MANAGER OF INFRASTRUCTURE, DEVELOPMENT &  
CULTURE 

**CHIEF ADMINISTRATIVE OFFICER APPROVAL:** C. LADD, CHIEF ADMINISTRATIVE OFFICER 

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**RECOMMENDED MOTION**

1. That the Official Plan Amendment to implement the Natural Heritage Strategy for the City of Barrie be approved as included in Appendix "A", Appendix "B" and Appendix "C" attached to Staff Report PLN003-13, generally detailed as follows:
  - a) Delete and replace the policies of Section 3.5.2.4 – Natural Heritage Strategy with Section 3.5.2.4 – Natural Heritage Resources (Appendix "A");
  - b) Delete and replace Schedule H – Natural Heritage Resources with updated Schedule H – Natural Heritage Resources (Appendix "B"); and
  - c) Add the Natural Heritage Resource Classification System as an Attachment to Schedule H – Natural Heritage Resources (Appendix "C").

**PURPOSE & BACKGROUND**

Report Overview

2. Staff have developed a Natural Heritage Strategy for the existing urban area as required by the City's Official Plan. The goal of this strategy is to identify natural resources in the City, such as watercourses, wetlands and woodlands, and to provide a system of linkages between these resources and the waterfront. A classification system for these resources has been developed in coordination with the Lake Simcoe Region Conservation Authority (LSRCA) and the Nottawasaga Valley Conservation Authority (NVCA). Official Plan policies have been proposed to guide both staff and public in the review of development applications and to aid in the evaluation of activities that may impact Natural Heritage Resources within the existing urban area. These policies include the submission of an Environmental Impact Study (EIS) for projects within and in proximity to an identified Natural Heritage Resource.

Background

3. The implementation of a Natural Heritage Strategy is a requirement of the City's Official Plan. The Strategy is intended to preserve and improve the network of environmental resources remaining in the City for the area encompassed by the City boundaries as they existed on December 31, 2009, prior to the most recent annexation.

4. To create a network of Natural Heritage Resources within the former City of Barrie, staff worked co-operatively with representatives of the LSRCA and the NVCA to map environmental resources at both provincial and local levels as they relate to the specific environmental characteristics of the City. Following the preparation of detailed mapping, an analysis was undertaken to establish levels of significance for these resources. This information was reviewed and confirmed by the Ministry of Natural Resources.
5. The approach that was taken in the preparation of a Natural Heritage Strategy for the existing urban area was by its very nature different than what has been proposed for the Annexed Lands. Those lands within the City limits pre-annexation are for the most part fully urbanized. In contrast, the lands that became part of South Barrie on January 1, 2010 are largely vacant and will be urbanized over the next two decades.
6. The Natural Heritage Strategy for the urban area and the Natural Heritage System for the Annexed Lands both share the common objective of protecting natural features over the long term. Inside the Barrie urban area, the focus has been on identifying those features, putting policies in place to ensure their preservation and where possible, establishing a network throughout the existing built up area. In the Annexed Lands, the Natural Heritage System includes a connected network of core areas and linkages to be protected, around which the development options were created for the Salem and Hewitt's Secondary Plan areas.

#### Existing Policy

#### Provincial Policy Statement (2005)

7. The Provincial Policy Statement (PPS) establishes policy direction for matters of provincial interest. In accordance with the *Planning Act*, municipal Official Plans and decisions related to land use planning matters must be consistent with the PPS, including natural heritage policy direction. The Natural Heritage section of the PPS, Section 2.1, provides a policy context for municipalities to protect and enhance Natural Heritage Resources as follows:

##### *Section 2.1.1:*

*Natural features and areas should be protected over the long term.*

##### *Section 2.1.2:*

*The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.*

8. In addition, the PPS identifies restrictions on development and site alteration in, and adjacent to, significant resources such as wetlands, woodlands, and wildlife habitat. To aid in the implementation of these policies, the Ministry of Natural Resources has released the Natural Heritage Reference Manual (March 2010) with specific recognition for each environmental and ecological criterion, including a detailed explanation of why they are considered significant and how they should be protected.

#### Natural Heritage System for the Lake Simcoe Watershed

9. Using the Provincial Policy Statement (2005) as a basis for policy development, the LSRCA, in partnership with their consultant Beacon Environmental, released the "Natural Heritage System for the Lake Simcoe Watershed – Phase 1: Components and Policy Templates" (2007) report which identifies a proposed classification criteria and policy framework for the Natural Heritage

System for the Lake Simcoe Watershed. This report served as the preliminary basis for the structure of a Natural Heritage Strategy for the City of Barrie.

Official Plan

10. The City's Official Plan has an existing Schedule H: Natural Heritage Resources that identifies features of significance throughout the City. It should be noted that many of the resources identified on the existing Schedule H are also represented on the updated Schedule H proposed for this amendment and attached to Staff Report PLN003-13 as Appendix "B". A key element of the implementation of the Natural Heritage Strategy within the existing urban area is to provide a policy basis for the identification of the Natural Resource network. With a clear policy direction for environmental features, proposed development applications can be consistently evaluated and consistent direction can be given for the preparation of an Environmental Impact Study if required.
11. The new Natural Heritage Resource policies and updated Schedule H have been prepared in accordance with existing Official Plan policy 3.5.2.4-Natural Heritage Strategy that identifies the intent of the Strategy as follows:

**3.5.2.4 NATURAL HERITAGE STRATEGY**

- a) *It is recognized that the City has additional natural heritage features and areas beyond those currently identified and designated Environmental Protection Area in Schedule H. The City shall further identify significant features and areas including, but not limited to, significant woodlands, significant valleylands, and significant wildlife habitat, recognizing the linkages between and among the natural heritage features and areas as part of a Natural Heritage Strategy that will be part of an Official Plan Amendment.*
  - b) *The City will implement appropriate policies for protection and enhancement of significant heritage features and areas into a system which recognizes linkages between and among natural heritage features and areas that will be part of a future Official Plan Amendment.*
  - c) *Where practical the City will work with adjoining jurisdictions to join together the natural heritage features and areas.*
12. Staff is confident that the Natural Heritage Resource policies and revised Schedule H – Natural Heritage Resources meet the intent of the Natural Heritage Strategy identified in the City's Official Plan.

Public Consultation

13. Staff held an Open House on January 18, 2012, and a Public Meeting presentation at General Committee on February 27, 2012. In addition, a special presentation was given to the Brereton Field Naturalists Group at their meeting on October 21, 2011, and to the Environmental Advisory Committee on February 1, 2012.
14. Several comments have been provided to staff and Council via written correspondence, informal discussions and public presentation. Staff have attempted to keep in contact with the interested parties as the project has progressed to advise of minor changes to the policies and mapping.
15. Additional meetings have been held with interested parties in an attempt to facilitate discussion about development rights on site specific land parcels. Although not all of the concerns have been resolved, staff is confident that proposed Planning policies would be appropriately applied to

all lands that have been identified as having a Natural Heritage Resource but are designated for development in the Official Plan.

16. Some specific areas of concern and objections are summarized in the following list, with a brief response from staff provided in italics:

- a) The strategy has proposed a "notwithstanding" policy that provides properties identified as Level 1 significance, but designated for development, to proceed with the development application process under the permissions of the Level 2 significance. Some land owners and their representatives were concerned that the proposed policy does not provide adequate protection for development rights. Alternatively, comments were received that indicated the "notwithstanding" policy should be removed from the Natural Heritage Resource policies because it negates the protection of environmental features.

*It is not the intent of this process to re-designate and/or rezone individual land parcels. Schedule H – Natural Heritage Resources acts as an overlay to Schedule A – Land Use. The Natural Heritage Resource network has been developed to be representative of the natural resources and functions of existing wetlands, watercourses, woodlands and wildlife habitat. If through the build-out of urban form the natural landscape has been altered, the City has the ability to modify Schedule H to reflect those changes. To better illustrate those areas that are Level 1 but subject to the "notwithstanding" policy, a pattern rather than a solid colour has been used on the proposed Schedule H (Appendix "B").*

In staff's opinion, the "notwithstanding" policy provides an appropriate transition to new policy regime that balances existing development rights with protection of the environment.

- b) Questions were raised concerning the Natural Heritage Resource Classification Criteria (Appendix "C"). In general, how were the criteria applied and the resultant mapping generated to formulate the different levels of environmental significance?

*The updated Schedule H was based on the Ecological Land Classification (ELC) and available Land Use mapping. Geographical Information Systems (GIS) became the primary mechanism for the process with which Natural Heritage Resources were identified. These components were overlayed onto a base watershed map, and the maps were fine-tuned through review. Initial drafts of the criteria were circulated to a wide variety of stakeholders, as well as presented at workshops. A large portion of the existing natural heritage feature investigation within the City of Barrie (pre-annexation) was completed by the LSRCA as part of their Natural Heritage System Report (2007). Because of the extensive evaluation and policy basis completed, the LSRCA's Natural Heritage System policies were tailored to provide protection to the entire City's existing Natural Heritage Resource network. The primary objective of the Natural Heritage Strategy is to ensure that resources of environmental importance are identified and policies developed to promote the preservation, conservation and rehabilitation of the Natural Heritage Resource network in the City.*

- c) A number of site specific properties have been brought to the attention of staff. The site specific issues referenced concern with the identification of certain properties as having a Natural Heritage Resource and/or the Level of significance given to the resources identified for the property.

*The City was reviewed in terms of the Official Plan designation and the layers of data used to create Schedule H – Natural Heritage Resources. The parcel fabric is not included in the Official Plan and the relative scale of Schedule H is to provide a*

*representation of the City, not of site specific properties. The use of Schedule H as an overlay of Schedule A is intended to identify that the general area of a property should be examined in terms of the potential impact on Natural Heritage Resources at the time of proposed development.*

*Staff have explored the site specific properties, and note that the majority of lands identified as Level 1 are currently identified as having a Natural Heritage Resource on the existing Schedule H in the City's Official Plan. Through the research and analysis completed in coordination with LSRCA and NVCA, staff is confident that the Natural Heritage Resources have been represented as accurately as possible based on the information available. The proposed policies are intended to ensure a consistent analytical approach for development projects that have the potential to impact the Natural Heritage Resources in the City.*

- d) Questions were raised concerning the requirement for an EIS, such as: Is an EIS required for all development? And, how will the requirements for an EIS be determined?

*The requirement for an Environmental Impact Study would be confirmed or requested by the City in consultation with the appropriate Conservation Authority through the development application process. Applicants will be required to develop the Terms of Reference for the EIS in consultation with the City and the Conservation Authority so it can be scoped to the specific feature or function of the Natural Heritage Resource that has the potential to be impacted by development. Alternatively, if the development is determined to be minor in nature, staff in consultation with the Conservation Authority could exempt a project from completing an EIS.*

#### Agency Comments

##### Ministry of Municipal Affairs and Housing / Ministry of Natural Resources

17. In addition to attendance at meetings and discussions regarding the completion of the Natural Heritage Strategy, correspondence has been received from the Ministry of Natural Resources (MNR) and the Ministry of Municipal Affairs and Housing (MMAH). MMAH has provided final correspondence on the proposed Schedule H and the related policies as part of the one window provincial review process. The comments included the following:
- a) Request to expand the Level 2 adjacent lands to 120m from the 50m originally proposed, to correspond to the Ministry of Natural Resources Natural Heritage Reference Manual.
  - b) Recognizing that the City is an urban area, staff was asked to consider additional policies relating to the scoping of the EIS requirements with particular regard to the adjacent land areas and/or ensure that such criteria are included in the standard Terms of Reference to be developed by the City in consultation with the Conservation Authorities.
18. In response to the comments from the province, staff have incorporated the increased Level 2 adjacent land area. Staff also recognizes that not all development will require an Environmental Impact Study, and the Terms of Reference for each EIS should be scoped to reference the potential impact of development on the Natural Heritage Resource network. As noted in policy 3.5.2.4 b), a standard Terms of Reference and criteria for the requirement of an Environmental Impact Study will form part of this process.

##### Simcoe Muskoka District Health Unit

19. Correspondence was received from the Simcoe Muskoka District Health Unit that identifies their support of policies that protect the Natural Heritage Resources in the City. Stating that "...natural

spaces are a valuable resource to the community and are integral to healthy and sustainable development." The Health Unit encourages staff to utilize the Natural Heritage Strategy to protect and preserve the City's remaining natural environment and greenspace.

### **ANALYSIS**

20. As noted previously in this report, the implementation of the Natural Heritage Strategy is required by Official Plan policy. Staff have worked cooperatively with the LSRCA and NVCA to formulate a policy framework, classification criteria and mapping of Natural Heritage Resources for lands within the former City limits. A separate Natural Heritage System has been prepared for the Annexed Lands as part of the Secondary Plan project.
21. The primary objective of the Natural Heritage Strategy is to ensure that resources of environmental significance are identified, and supporting policies implemented to promote the protection, enhancement, and restoration of the Natural Heritage Resource network in the City. The enhanced Official Plan Schedule H – Natural Heritage Resources is intended as an overlay to Schedule A – Land Use and includes associated Official Plan policies detailing the requirements for evaluation and protection of environmental resources, such as the submission of an EIS.
22. Through review and discussion with the public, minor modification has been made to both the policies and the mapping since the presentation of the Natural Heritage Strategy to General Committee on February 27, 2012. These modifications include policy and schedule revisions outlined in the following sections of Staff Report PLN003-13.

#### **Policy Revisions**

23. The relationship between Schedule H – Natural Heritage Resources and Schedule A – Land Use has been clarified. The intent of Schedule H is to provide an overlay of the Natural Heritage Resource network across the City, not to represent land use.
24. Staff has evaluated the wording in Level 1 referencing development permissions. The Level 1 phrasing has been changed from "No development should be permitted" to "No development shall be permitted." This better represents the intent of the City to restrict development in Level 1 areas, with the exception of those lands with existing development permissions.
25. Staff have clearly identified that the "notwithstanding" policy provides permissions for development to be considered on lands identified as Level 1, using the Level 2 policy. This is also reflected in the Legend of Schedule H. It should be noted that the intent of this policy does not automatically reclassify the property, or the identified Natural Heritage Resource, to Level 2.

#### **Classification Criteria Revisions**

26. Minor adjustments have been made to the classification criteria, including the characterisation of significant wildlife habitat and adding connectivity linkages to the classification listing as a Level 3 Natural Heritage Resource.

#### **Mapping Revisions**

27. In response to comments and concerns raised regarding the potential impact of the Natural Heritage System and the related policies on current development permission, Schedule H has been revised to add a pattern to the areas identified as Level 1 but have a land use designation that permits development. The Legend reflects the intent of the patterned area by identifying that the lands have existing development permissions and are subject to the "notwithstanding" policy.

All of the Level 1 area that is currently designated Environmental Protection is identified in a solid green colour.

28. Additional Level 1 areas have been added to represent the shoreline of Kempenfelt Bay and Little Lake. The Natural Heritage Resource network has also expanded to include shoreline areas designated Open Space as Level 3. The Level 3 classification will recognize the active recreational use of the City's waterfront areas while identifying the significance of the shoreline as part of the natural environment.
29. In addition to shoreline areas, staff have expanded the Level 3 designation into City owned Open Space and Environmental Protection lands that are adjacent to watercourses and identified Level 1 resources. Staff feel that the supporting function of these areas should be recognized as a contributing factor to the health of the City's Natural Heritage Resource network.

### **ENVIRONMENTAL MATTERS**

30. The following environmental matters have been considered in the development of the recommendation:
  - a) The Schedule identifies Natural Heritage Resources and their significance to concentrate the efforts of preservation, protection and enhancement of these features and linkages into a network of resources within the existing urban area of the City.
  - b) The policy requirement for an Environmental Impact Study would protect individual Natural Heritage Resources as well as aid in the preservation of the network of Natural Heritage Resources in the City through protection, buffering, mitigation and responsible construction practices.

### **ALTERNATIVES**

31. There is one alternative available for consideration by General Committee:

#### **Alternative #1**

General Committee could deny the new updated Schedule H – Natural Heritage Resources and the associated policies, thereby maintaining the existing Schedule H – Natural Heritage Resources as a guide to environmental resources in the City.

This alternative is not recommended as the existing Schedule H is not supported by a policy framework that identifies the significance of Natural Heritage Resources. To ensure the Natural Resource network is consistently evaluated, a policy context is necessary to identify when the environment should be considered a significant development consideration, and when the preparation of an Environmental Impact Study should be required. In addition, the existing Schedule H does not provide a complete representation of the Natural Heritage Resources that exist in the City as required through the implementation of Section 3.5.2.4 – Natural Heritage Strategy.

### **FINANCIAL**

32. No additional staff resources will be required to implement the recommendations outlined in Staff Report PLN003-13.

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**LINKAGE TO 2010-2014 COUNCIL STRATEGIC PLAN**

33. The recommendations included in this Staff Report support the following goals identified in the 2010-2014 City Council Strategic Plan:

☒ Manage Growth and Protect the Environment

34. The implementation of current and progressive Natural Heritage Resource policies is not only an environmental consideration, but is also an important component of balanced growth. The proposed Natural Resource policies shall be considered in coordination with economic development, social and cultural enhancements, and intensification of development. The health of our community and the continued enjoyment of open space areas are also factors in the enhancement and preservation of environmental resources.

Attachments:      Appendix "A"      Proposed Official Plan Policies  
                         Appendix "B"      Proposed Schedule H: Natural Heritage Resources  
                         Appendix "C"      Natural Heritage Resource Classifications

**APPENDIX "A"**

**Proposed Official Plan Policies**

**3.5 NATURAL HERITAGE, NATURAL HAZARDS AND RESOURCES**

**3.5.2 POLICIES**

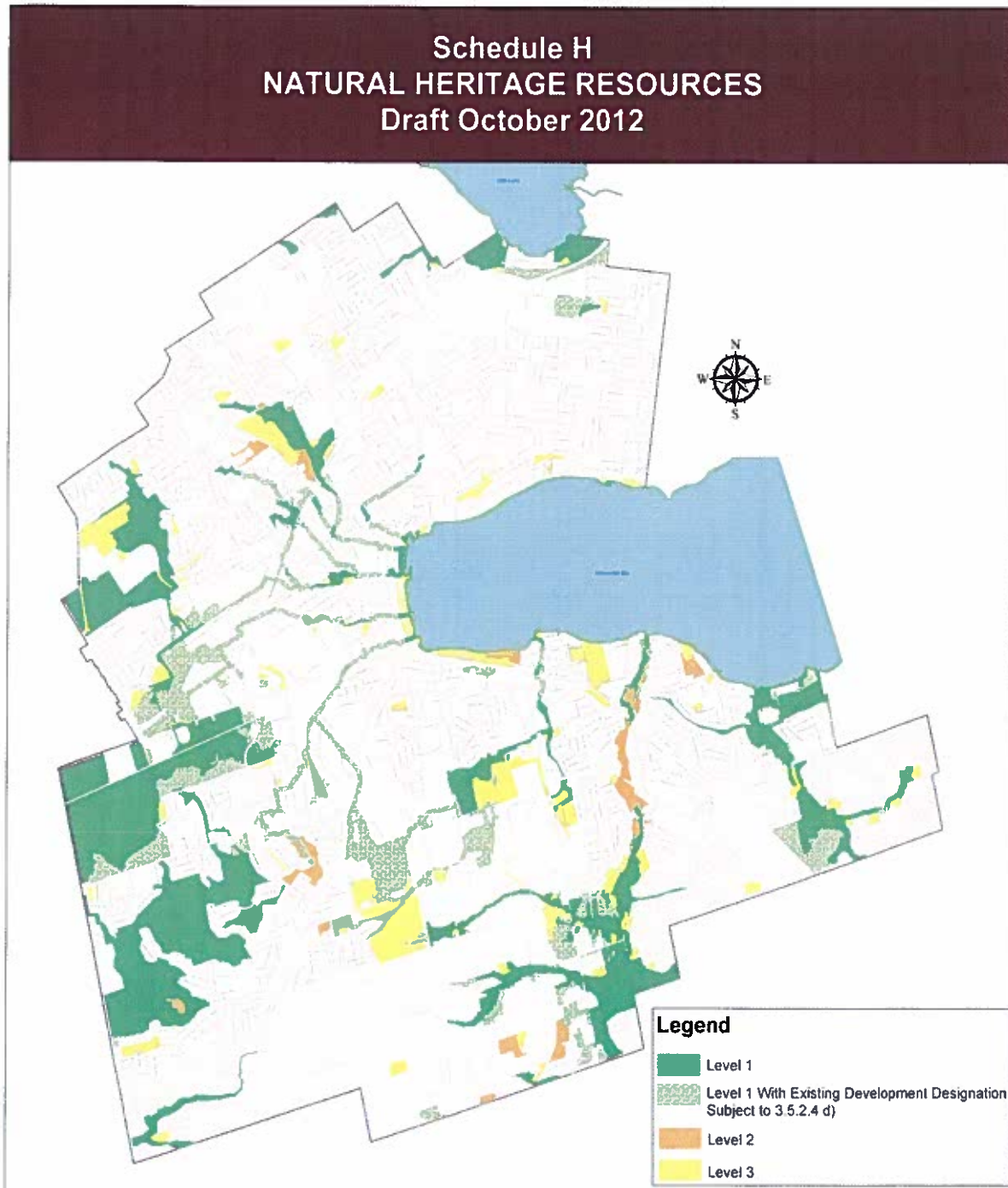
**3.5.2.4 NATURAL HERITAGE RESOURCES**

- a) The Natural Heritage Resources in the City of Barrie are depicted on Schedule H. Schedule H is intended to be used as an overlay to Schedule A: Land Use. Through the implementation of the following policies, Schedule H can be used as a guide to promote the protection, enhancement, and restoration of the City's natural heritage features and functions.
- i. **Level 1** resources represent critical components of the Natural Heritage Resource network. No development shall be permitted within these areas.
    - Environmental Protection Area policy 4.7.2.2 would apply to all properties identified as Level 1.
    - The City will strive to designate all properties identified as having a Level 1 Natural Heritage Resource as Environmental Protection.
    - An Environmental Impact Study (EIS) will be required for any development or site alteration within 120 metres of an area identified as Level 1 on Schedule H.
  - ii. **Level 2** resources represent significant components of the Natural Heritage Resource network. The features and function of these areas should be retained, however, there is potential for development if no negative impact can be demonstrated or mitigated.
    - An EIS will be required to be completed for any development or site alteration in or within 120 metres of an area identified as Level 2 on Schedule H.
  - iii. **Level 3** resources represent significant and supporting components of the Natural Heritage Resource network. There is opportunity for development if the proposal ensures the protection and buffering of the significant feature and/or retains the supporting function of the feature.
    - An EIS will be required to be completed for any development or site alteration in or within 30 metres of an area identified as Level 3 on Schedule H.
- b) A standard Terms of Reference for an EIS will be established by the City in consultation with the appropriate conservation authority, and may be scoped through the development process to reflect a specific feature or function at the discretion of the City in consultation with the applicable conservation authority. Additional Natural Heritage Resources identified through a site specific EIS will be categorized by Level and will be subject to the policies of this section. An amendment to the Official Plan is not required for minor amendments to Schedule H.

- c) To ensure the effective management and retention of the features and functions identified on Schedule H, a Natural Heritage Resource will not be reclassified to a lesser level of protection if the feature is intentionally damaged or destroyed. The restoration and rehabilitation of the Natural Heritage Resource to the satisfaction of the City and applicable conservation authority may be required.
- d) Notwithstanding the land use limitations applicable to properties identified as Level 1 in Section 3.5.2.4 a) i), where an existing designation permits other forms of development, such development may proceed subject to the policies of Level 2 in Section 3.5.2.4 a) ii) and the appropriate planning application processes.
- e) Where practical, the City will work with adjoining jurisdictions to provide connectivity and protection for the Natural Heritage Resources identified on Schedule H.

Appendix "B"

Proposed Schedule H: Natural Heritage Resources



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**Appendix "C"**

**Natural Heritage Resource Classifications**

**SCHEDULE H - NATURAL HERITAGE RESOURCES**

**Level 1** resources are critical components of the Natural Heritage Resource network within the City including:

- a) Provincially significant wetlands
- b) Non-Provincially significant wetlands greater than 0.5 hectares
- c) Significant woodlands greater than 10 hectares
- d) Significant habitat of endangered and threatened species
- e) Watercourses, minimum vegetation protection zones and connectivity linkages
- f) Lands through the site specific planning and development process identified as Environmental Protection

**Level 2** resources are significant components of the Natural Heritage Resource network within the City including:

- a) Significant valleylands
- b) Provincially significant life science ANSI
- c) Significant wildlife habitat, including but not limited to core winter deer yards, colonial water-bird nesting sites, rare vegetation communities (i.e. tall grass prairies), and significant areas of vernal pools
- d) Watercourses, minimum vegetation protection zones and connectivity linkages
- e) Woodlands greater than 4 hectares and less than 10 hectares

**Level 3** resources are significant and supporting components of the Natural Heritage Resource network within the City including:

- a) Regionally significant life science ANSI
  - b) Woodlands greater than 0.5 hectares and less than 4 hectares
  - c) Woodlands within 30 metres of a Level 1 or 2 feature
  - d) Cultural thicket or cultural meadow communities contiguous with woodland or wetland patches
  - e) Connectivity linkages
-