



Via email

Monday, February 12, 2018

Attention: Brent Spagnol
Director of Planning and Bylaw Enforcement
Township of Springwater
2231 Nursery Road
Minesing, ON L9X 1A8

Dear Mr. Spagnol,

Thank you for taking this letter into your consideration with regards to expansion of the Greenbelt into Springwater Township. We appreciate your time and interest.

The Simcoe County Greenbelt Coalition (SCGC) is comprised of 30 organizations from across Simcoe County and the province who want to see the Greenbelt expanded. Three of our member organizations and their respective constituencies are based in Springwater: Midhurst Ratepayers' Association, Friends of Simcoe Forests, and the Elmvale Foundation, which is chaired by Dr. William Shotyky.

All of our members agree that our natural heritage, water, and farmland requires more stringent protection than what current policies allow within the Provincial Policy Statement (PPS) and Growth Plan. Further, SCGC believes that municipalities that prioritize the long term health of their communities, watersheds, and local agricultural systems, should openly encourage Greenbelt expansion, as it is "the cornerstone of Ontario's Greater Golden Horseshoe Growth Plan", helping establish "a land use planning framework for the [Greater Golden Horseshoe] that supports a thriving economy, a clean and healthy environment and social equity."¹

¹ Government of Ontario (2017). *Greenbelt Plan*. Retrieved from <http://www.mah.gov.on.ca/Page13783.aspx#1>

We read with interest the staff report submitted to council dated February 7, 2018², on Greenbelt expansion and appreciate staff resources dedicated to this report. While we recognize that there are implications to the Greenbelt, these are most notably due to an effective policy framework that protects agricultural, natural heritage, and water systems.

Within the Greenbelt these systems provide services worth \$3.2 billion annually, including \$224 million in flood protection for private property, \$358 million in clean drinking water, and \$52 million in carbon sequestration.³

The value these ecosystem services provide to Ontarians is sustained year over year, and will grow with the expansion of the Greenbelt. Additionally, the value of Greenbelt designation continues to grow proportionally as the risks associated with climate change increase, since it protects and strengthens the very systems that act to mitigate these emerging threats to our health and economic prosperity.

The information we've outlined below is meant to both address some of the questions raised in the staff report, as well as provide additional evidence-based information on the benefits of Greenbelt designation.

We ask you to make Council aware of the information below in the hope that it helps provide a better understanding of the benefits of the Greenbelt and expanding it to Simcoe County.

Greenbelt's Impacts on Private Property Owners

The first implication listed on the staff report suggests potential restrictions that could be placed on private property owners who are in close proximity to natural features, and questions how those restrictions could impact development on their property.

The Greenbelt Plan (section 3.2.2.3) details how any site alterations or development on lands within the designated Natural Heritage System must demonstrate there are no negative impacts to areas of any key hydrologic or natural heritage features. Further, there must be consideration for the connectivity of these features, limits are placed on the size of the developable area as well as policies that prohibit the removal of natural features.

Property owners within what has been designated as a natural heritage system who want to alter the site or build will be subject to policies that are intended to limit negative impacts to watersheds, natural heritage and agricultural systems, and to thereby preserve and enhance the

²Russell, C. (2018) *Information Report – Greenbelt Study Area EBR Posting # 013-1661*. Retrieved from <https://springwater.civicweb.net/FileStorage/B026D5CC08854BEAA3822235CDA79DB2-Planning%20Report%20-%20Greenbelt%20Study%20Area%202018.pdf>

³ Wilson, J., Taylor, A., Patriquin, M., Saczuk, E., Brownless, M., & McFatridge, S. (2016) *Ontario's Good Fortune: Appreciating the Greenbelt's Natural Capital*. Retrieved from https://d3n8a8pro7vhmx.cloudfront.net/greenbelt/pages/2825/attachments/original/1485878510/OP_20_Web_version_2017.pdf?1485878510

benefits they provide. This does not mean that private property owners are restricted from any activity, but there is rigour when impacts to water, other agricultural lands and natural heritage may be realized.

The strength of the language contained within this policy is why Ontario's Greenbelt is considered to have some of the strongest legal protection when compared to greenbelts established in other jurisdictions.⁴ We should celebrate that this legislation does not afford loopholes that can easily be manipulated or accessed. While we recognize that these policies may have an impact on some private property owners, the good of one person's development must be measured against the greater good to the larger community's water, food resources and environment. Accordingly, we suggest the Greenbelt both reflects and fulfills the letter and the spirit of the County's motto: "For the Greater Good."

Regarding implications of how the Greenbelt might impact activities on private farmland, section 3.2.2.2 of the Greenbelt Plan states:

"New buildings or structures for *agriculture, agriculture-related* and *on-farm diversified uses* **are not** subject to the policies of section 3.2.2.3" (*emphasis added*).

These activities, rather, are subject to section 3.2.5 (specifically 3.2.5.7), which states:

"...new buildings and structures for agricultural, agriculture-related or on-farm diversified uses are not required to undertake a natural heritage or hydrologic evaluation if a minimum 30 metre vegetation protection zone is provided from a key natural heritage feature or key hydrologic feature. In addition, these uses are exempt from the requirement of establishing a condition of natural self-sustaining vegetation if the land is and will continue to be used for agricultural purposes."⁵

Greenbelt and Agriculture

Point two within the staff report states that "expansions or new on-farm diversified uses may be...limited or restricted."

In the updated section of the Greenbelt Plan, section 3.1.3.1 clearly outlines that the Greenbelt does not restrict on-farm uses:

"All types, sizes and intensities of *agricultural uses* and *normal farm practices* shall be promoted and protected and a full range of *agricultural uses, agriculture-related uses* and *on-farm diversified uses* are permitted based on provincial Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas. Proposed *agriculture-related uses* and

⁴ Canadian Institute for Environmental Law and Policy (2006). *Ontario's Greenbelt in International Context*. Retrieved from http://www.greenbelt.ca/canadian_institute_for_environmental_law_and_policy_2006

⁵ Government of Ontario. (2017)

on-farm diversified uses shall be compatible with and shall not hinder surrounding agricultural operations.”

In fact, the Greenbelt Plan (section 3.1.3.5) emphasizes the primacy of agriculture over non-agricultural uses explicitly stating that other land uses should not negatively impact agriculture:

“Where *agricultural uses* and non-agricultural uses interface, land use compatibility shall be achieved by avoiding or, where avoidance is not possible, minimizing and mitigating adverse impacts on the *Agricultural System*, based on provincial guidance. Where mitigation is required, measures should be incorporated as part of the non-agricultural uses, as appropriate, within the area being developed.”

This puts the onus on other land owners to work with existing agricultural operations rather than forcing farmers to adapt to development, aggregate or infrastructure, potentially negatively impacting the farms’ viability as has been the case in the past.

In addition, the Greenbelt Plan (section 3.1.5) has also tried to elevate agriculture’s importance by encouraging planning exercises to include opportunities to support and enhance the agricultural sector through various means including developing a regional agri-food sector, creation of agricultural advisory committees, minimizing land use conflicts and protecting agricultural resources.

Beyond these points, the Greenbelt has added benefits to agricultural systems:

- The Greenbelt is effective at stopping the loss of farmland to development. Since its inception until 2014, zero hectares of farmland has been lost to development⁶ in the Greenbelt proving its effectiveness in preserving agricultural land for food production. Conversely, outside of the Greenbelt, 7,500 hectares of farmland has been lost to development in that same time frame. As recognized by the Ontario Federation of Agriculture, “land capable of supporting agricultural activity is a strategic non-renewable resource worthy of preserving” and the preservation of this land is in “all of society’s best interest.”⁷ If Springwater wants to preserve this land base to ensure a strong future agri-food economy, then providing the most effective land protections seems both visionary and pragmatic.

⁶ Dr. Wayne Caldwell, University of Guelph (2016). “*Measuring Farmland Conversion in Ontario: Quantifying Farmland Loss through Official Plan Amendments*” Retrieved from: <https://ontariofarmlandtrust.ca/wp-content/uploads/2016/11/Measuring-Farmland-Conversion-in-Ontario.pdf>

⁷ Ontario Federation of Agriculture (2017). *Consolidated Land Use Policy*. Retrieved from: <https://ofa.on.ca/resources/ofa-consolidated-land-use-policy/>

- The Greenbelt does not lower farmer to farmer sales value. Farmland prices have steadily increased in the Greenbelt at 10% or more annually (total 41% over 4 years) according to MPAC.⁸ Moreover, farms in Waterloo that are already protected by a regional Greenbelt, with policies modeled after the provincial Greenbelt Plan, have been shown to have the highest farm revenues in the province (\$410,210 Waterloo vs. \$304,977 provincial average).⁹

Greenbelt and Aggregate

The third implication on the staff report notes potential impacts to “rural-type businesses (including mineral aggregates)” and their ability to expand operations.

Within the Protected Countryside designation of the Greenbelt, as outlined in policy 4.3.2.2, non-renewable resource activities (including mineral aggregate) are permitted and subject to all other applicable legislation. So it is possible for aggregate to be located close to market and continue operations depending on the location of the operation within the Greenbelt.

However, the increased standards of the Greenbelt on aggregate operations, in certain areas, should be viewed as a net benefit to the community.

- Increased standards on aggregate safeguards our most sensitive environments. As stated in section 4.3.2.3, when a new non-renewable resource activity is proposed within the Natural Heritage System, key areas are protected from these activities, including significant wetlands, habitat of threatened or endangered species and significant woodlots. The language in this part of the plan clearly prohibits “new *mineral aggregate operation* and no new wayside pits and quarries, or any ancillary or accessory use” (4.3.2.3 (a)). Considering the widespread degradation of our key habitats, these standards allow municipalities to stand behind provincial policy to protect locally important environments. As the Environmental Commissioner noted in his 2006/2007 report, “The inherent conflicts between aggregate production and the protection of natural areas arise because many of the highest quality aggregate deposits in Southern Ontario are found in areas of great ecological and social significance.”⁷ The Greenbelt would reduce conflicts in these areas and preserve the ecological integrity of our most sensitive spaces.
- Increased standards to ensure health of our water systems. In addition, any new application for aggregate mining outside of these sensitive habitats, as listed above, has increased obligations to demonstrate how the connectivity of water systems and natural heritage will be maintained before, during, and after aggregate extraction, as well as an obligation to show how the water resource systems will be protected or enhanced

⁸ Municipal Property Assessment Corporation (Nov. 2012). *MarketSnapshot: Farm Assessed Values in Ontario*. Retrieved from: <https://www.mpac.ca/sites/default/files/imce/pdf/MarketSnapshotFarm.pdf>

⁹ Statistics Canada (2016). *Census of Agriculture*. Retrieved at: <https://www.statcan.gc.ca/eng/ca2016>

(4.3.2.3). Mandating consideration for the long-term health of our water resources is a net benefit to the community and environment at large.

- Greenbelt policies ensure aggregate operations consider their impact on agriculture. In prime agricultural areas, new applications must include an agricultural impact assessment as well as consider how the connectivity of nearby agricultural systems will be maintained or improved. No longer is the onus on the farmer to adapt to new aggregate operations including increased truck traffic, noise or air quality. Rather, the responsibility lies with the aggregate operation to consider its impact on agriculture and adapt its practices accordingly.

Finally, we note that the aggregate industry has historically been both environmentally and socially problematic. As the Environment Commissioner notes, cited above, this is due, in part, to the conflict between resource extraction needs and sensitive ecological areas, inherent within the activity. Additional issues suggest work remains to ensure a healthy balance between resource extraction activities, and the health and viability of the ecosystems and citizens they are situated within and take place next to. These issues include a history of non-compliance with the Aggregate Resources Act, with, according to figures gathered by the MNR, 100 out of 121 operations non-compliant,¹⁰ as well as a frequent failure, incommensurate with the notion that its activities are an “interim use”, to return to sites pre-existing features or otherwise natural functions, with “most operators ... not conducting progressive or final rehabilitation as required.”¹⁰

Greenbelt Implications on Settlement Boundary Expansions and Growth Management

The final point of the staff report draws concerns about the restrictions around settlement area expansions and how this could “alter where future growth in the Township is directed”. We feel that this statement needs to be dissected to ensure that this concern is congruent with council priorities as well as current land use budgets and updated provincial policies.

- Most recent Growth Plan policies have already likely lessened population allocations for Springwater Township. The policies within the Growth Plan determine where growth will occur. The most recent Growth Plan clearly prioritizes growth to primary settlement areas as outlined in Growth Plan policy 6.3.4. According to Simcoe County Official Plan Schedule 5.1.2, there are no primary settlement areas designated in Springwater Township, thus, the likelihood of Springwater receiving a significant proportion of population allocations to justify settlement boundary expansions is low.

¹⁰ Environmental Commissioner of Ontario (2006/2007) *Annual Report*. Retrieved from <http://docs.assets.eco.on.ca/reports/environmental-protection/2006-2007/2006-07-AR.pdf>

- Springwater Township’s existing housing unit oversupply further decreases the need for settlement boundary expansions. An excess supply of 14,994¹¹ housing units already exists in Springwater Township. If we assume that future demand for housing in Springwater stays relatively stable at roughly 1800 homes every 15 years, as outlined in the Municipal Residential Land Budget¹², then there is be enough supply *already* to feed the demand for over 120 years ($14,994 \text{ oversupply units} / 1800 \text{ units per 15 years} = 8.3 \times 15 \text{ years} = 124 \text{ years of supply}$). This is despite new provincial policies that one could argue would only lessen population allocations to the Township and thus decrease demand trends in the future. As such, it is more likely that Springwater will need to discuss how it handles excess lands versus settlement boundary expansions.
- New Growth Plan policies already put tight restrictions on settlement boundary expansions. A municipality, through its municipal comprehensive review, has a high threshold to justify settlement boundary expansions, including proving that the growth cannot be accommodated:
 - through *intensification* and in the *designated greenfield area*:
 - i. within the upper- or single-tier municipality, and
 - ii. within the applicable lower-tier municipality.¹³

Similarly, there are requirements to demonstrate consideration and concern for life cycle costs of infrastructure, future water supply and preservation of natural heritage and agricultural systems among many other requirements.¹⁴ So even without the Greenbelt settlement area boundary expansions are a rigorous exercise.

The benefit of the Greenbelt is that it works with the Growth Plan to ensure growth goes where it belongs and sensitive areas are provided protective policies to ensure this vision remains intact. It provides other benefits, as well, to a municipality and its growth management strategy:

- A Greenbelt designation permits municipalities to proceed with planning based on long-term certainty as to where growth will and will not occur. This allows municipalities to focus development, more accurately plan for infrastructure, reduce unnecessary over-sizing to provide for future urban expansions in all directions, thus reduce capital spending and development charge expenditures.¹⁵

¹¹ Township of Springwater (2016). *Municipal Residential Land Budget*. Retrieved from: https://www.simcoe.ca/Planning/Documents/2017%20SPNGWTR%20Residential%20Land%20Budget_FINAL_JUNE21_17.pdf

¹² Ibid.

¹³ Government of Ontario (2017). *Growth Plan for the Greater Golden Horseshoe (Section 2.2.8.2.)* Retrieved from http://placestogrow.ca/index.php?option=com_content&task=view&id=430&Itemid=14#2.2.8

¹⁴ Ibid. (Section 2.2.8.3.)

¹⁵ Eby, K. (2018). *Growing the Greenbelt*. Ontario Planning Journal 33 (1) p. 22.

- A Greenbelt could help guard against challenges to land use designations in future municipal comprehensive reviews. Currently, there is no protection against challenges to the underlying designations that would influence or guide decisions relating to settlement area expansions through future municipal comprehensive review processes. In the absence of provincial level protection for such areas, municipalities are left to potentially re-litigate the same issues over and over again. A Greenbelt would provide that level of protection thereby reducing municipal costs.¹⁶
- Greenbelt designation helps inform private sector investment decisions, thereby providing greater certainty in returns on investments made in raw land. Better long-term infrastructure planning can also reduce both up-front costs and development charges, while focused development activity potentially would lead to more timely recovery of front-ending expenditures.¹⁷

Moreover, the Greenbelt is a policy vehicle that strengthens and supports other policies, such as those contained in Source Water Protection plans, the Clean Water Act, Natural Heritage and Ag Systems mapping, the Endangered Species Act, and the Growth Plan.

- The Greenbelt can build on Source Water Protection Plans to protect private well owners. The Greenbelt protects water on a landscape scale including quality and quantity considerations, whereas Source Water Protection Plans were designed to assess threats of water quality and quantity for municipal wells. As noted in the Annual Report (2014) of the Auditor General of Ontario, “Private wells or intakes that serve one residence are currently excluded from source protection planning. An estimated 1.6 million people in Ontario rely on private wells for their drinking water supply.”¹⁸ Accurately mapping and understanding where all of these private wells are located is cost prohibitive and would take considerable time. A recent critique of Ontario’s source water protection regime points out:

“The Ontario experience suggests that source protection legislation...may not be a cost-efficient means to achieving drinking water security. As of September 2014, the Ontario government had dispensed \$241.3 million (CAD) on source protection of which only \$38 million (CAD) went to implementation, which had barely begun.”¹⁹

¹⁶ Ibid.

¹⁷ Ibid.

¹⁸ Office of the Auditor General of Ontario (2014). *Annual Report*. Retrieved from http://www.auditor.on.ca/en/content/annualreports/arreports/en14/2014AR_en_web.pdf

¹⁹ Cook, C. (2016) Implementing drinking water security: the limits of source protection. *Water*, 3, 5-12. doi: 10.1002/wat2.1117

A more cost-efficient and effective method would be to apply Greenbelt designation over rural areas identified by the Source Water Protection Plans including aquifers and recharge areas to ensure activities that could threaten water supply or quality (i.e. site alteration or development) are restricted.

- The Greenbelt can protect significant recharge areas as mapped in Source Water Protection Plans. Since most jurisdictions in Simcoe County, including Springwater Township, rely on finite groundwater resources for municipal water supply, protection of areas that allow groundwater to be recharged is key to the future health of our water supply. By not allowing “development or site alteration” in these areas, as a Greenbelt would do, the permeability of these complex recharge areas is protected. Current policies that govern these areas now, such as the PPS, do not ensure protection; indeed, as of a few years ago only “1.2% of the total land area of source water protection areas will be protected by significant threat policies.”²⁰ Even more recent figures show implementation remains inadequate, with only 8 of 22 SWPs having been approved by the Ministry.²¹
- The Greenbelt has a stronger policy framework that can safeguard threatened or rare habitats, water systems and sensitive natural heritage features. First, the Greenbelt Plan requires “conformity” of municipal planning documents versus “consistency” with PPS. Second, the language in the Greenbelt for protection means “no development or site alteration”, whereas in the PPS the level of protection is “no negative impact”, which can be widely interpreted and has led to continued degradation. The Greenbelt includes higher minimum protection standards on more features, such as all wetlands and smaller forest plots, mandates a 30m buffer, and protects key natural and hydrological features through site alteration or development thresholds including streams, springs and seepage areas. This would strengthen the protective measures for all of these sensitive systems.
- Municipalities are empowered to increase local protections beyond Greenbelt protections.
“Despite the policies in the Greenbelt Plan, there is nothing in this Plan that limits the ability of decision-makers on planning matters to adopt policies that are more stringent than the requirements of the Plan, unless doing so would conflict with any of the policies or objectives of the Plan. With the exception of the policies of section 4.6, official plans and zoning by-laws shall not, however, contain provisions that are more restrictive than the policies of sections 3.1 and 4.3.2 as they apply to agricultural uses and mineral aggregate resources respectively.”²²

²⁰ Ibid

²¹ Office of the Auditor General of Ontario

²² Greenbelt Plan (Section 5.3)

Thus the Greenbelt plan does not restrict municipalities from adding more protective measures, unless for aggregate or agriculture. Having provincial plans support protective measures at the local level reduces challenges to said policies and thereby reduces municipal costs and red tape.

- Considering climate change projections and technical limitations, the time to protect our water is now. As noted by the Council of Canadian Academics Expert Panel on Groundwater, “Our technical ability to map capture zones and time-of-travel zones necessary for source water protection plans is still developing, and there is a tendency to err on the conservative side when delineating these zones.”²³ Therefore, a landscape level of protection is likely better suited to ensure that the entirety of capture zones is protected. Also, since local conservation authorities have projected that municipal and private wells could run dry and would need to find new sources of water^{24,25}, erring on the side of permanently protecting all features that contribute to our water quality and quantity is not only pragmatic but essential.
- Finally, the Greenbelt Plan is an additional layer in the multi-barrier approach to water protection recommended by Walkerton Inquiry, the addition of which has been shown to provide stronger legal protections for water and wetlands compared to jurisdictions elsewhere in Ontario.^{26 27} The Greenbelt follows a thread that arcs back to Walkerton, where the death of seven people and illness of more than 2300 others, many of whom continue to suffer with ailments associated to drinking water infected with *Escherichia coli*, when groundwater was contaminated by seepage from manure on a nearby farm.

We are well reminded of what can happen in the absence of protection, and conversely of the value of care for the environment in which we live, because ultimately what happens to our environment happens as well to us and our community. In its lineage the Greenbelt reminds us that caring for what is around us is not so different from caring for ourselves.

²³ The Council of Canadian Academics (2009). *The Sustainable Management of Groundwater in Canada: Report of the Expert Panel on Groundwater*. Retrieved from [http://www.scienceadvice.ca/uploads/eng/assessments%20and%20publications%20and%20news%20rel eases/groundwater/\(2009-05-11\)%20qw%20report.pdf](http://www.scienceadvice.ca/uploads/eng/assessments%20and%20publications%20and%20news%20rel eases/groundwater/(2009-05-11)%20qw%20report.pdf)

²⁴ Lake Simcoe Region Conservation Authority (2015). *Lake Simcoe and Couchiching-Black River Source Protection Area Approved Assessment Report* Chapter 14. Retrieved from: <http://ourwatershed.ca/resources/reports-and-plans/assessment-reports/>

²⁵ Nottawasaga Valley Conservation Authority (2015). *Nottawasaga Valley Source Protection Area Approved Assessment Report*. Chapter 20. Retrieved from: <http://ourwatershed.ca/resources/reports-and-plans/assessment-reports/>

²⁶ Ducks Unlimited Canada, Earthroots, Ecojustice, & Ontario Nature (2014) In *Protecting greenbelt wetlands: How effective is Policy?* (3.4 What Was Learned & 4.2 What Was Learned) Retrieved from http://d3n8a8pro7vnmx.cloudfront.net/greenbelt/pages/876/attachments/original/1383685176/Protecting_Greenbelt_Wetlands- How_Effective_is_Policy.pdf?1383685176

²⁷ Ministry of Municipal Affairs, Ontario (2018). In *Protecting water for future generations: Public consultation document*. (Appendix 3: Policies for protecting water in the GGH) Retrieved from <http://www.mah.gov.on.ca/AssetFactory.aspx?vid=25649>

Should you require more information or have any questions, we would be happy to oblige. We thank you for your time and consideration in this matter.

Sincerely,

Simcoe County Greenbelt Coalition