

Roundtable on Land Use Planning



Environmental
Commissioner
of Ontario

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Executive Summary

On April 14th, 2011, the Environmental Commissioner of Ontario (ECO) and the Carolinian Canada Coalition hosted a roundtable on land use planning in Ontario. The purpose of the roundtable was to reflect on Ontario's current land use planning approaches, discuss their environmental and socio-economic effects, and to identify desirable approaches for the future. Sixteen individuals attended the roundtable from thirteen agencies. Coming from different professions and disciplines, participants included planners, biologists, lawyers, ecologists and geographers. The roundtable consisted of short presentations by Commissioner Gord Miller, and Gordon Nelson and Michelle Kanter (both with Carolinian Canada Coalition) then followed by an open discussion amongst participants. The proceedings do not necessarily reflect the views or opinions of the ECO, nor the positions of any of the participants' agencies.

Gordon introduced his book, *Beyond the Global City: Understanding and Planning for the Diversity of Ontario*. The book focuses on place-based planning and posits that the current land use planning model does not give sufficient weight to the larger regions within the province. The book separates the province into major regions, provides a description of each region, and identifies specific regional issues. It argues that these regions are not sufficiently recognized in current land use planning decisions. The book recommends the use of geo-regions in land use planning, the establishment of regional groups, regional advisors to the Premier, and biannual or annual reports on each region.

Main Discussion Points

- There is currently a disconnect between local issues and provincial land use planning policy. This disconnect occurs when local jurisdictions implement provincial plans which insufficiently reflect regional considerations including unique environmental, social and economic qualities.
- A solution to this disconnect is to integrate the different scales of planning (local, regional, and provincial), as well as adopting a more trans-disciplinary approach. For example, the regional framework could tie local and regional perspectives into provincial policy and provide an enhanced opportunity to engage trans-disciplinary discussion, analysis and integration,
- A natural heritage systems strategy for Ontario is needed for long-term sustainability. The strategy could encompass both terrestrial and aquatic resources.
- Geo-regional planning could bring different disciplines to the table (e.g., planning, biology, etc.) to build a more comprehensive understanding of challenges as geo-regions are defined in environmental, social and economic terms.
- It is essential to engage the public and a range of disciplines to increase awareness, ownership, and participation in land use planning decisions.
- There would be value in holding a future conference to discuss land use and regional planning in Ontario.

Introduction

On April 14th, 2011, the Environmental Commissioner of Ontario (ECO), in association with the Carolinian Canada Coalition, hosted a roundtable on land use planning in Ontario. The purpose of the roundtable was to reflect on Ontario's current land use planning approaches and their environmental and socio-economic effects, and to identify desirable approaches for the future. Sixteen individuals attended the roundtable from thirteen agencies. Coming from different professions and disciplines, participants included planners, biologists, lawyers, ecologists and geographers. The roundtable consisted of short presentations by Commissioner Gord Miller, and Gordon Nelson and Michelle Kanter (both with the Carolinian Canada Coalition) then followed by an open discussion amongst participants.

The following document summarizes the presentations that were made and the resulting discussion. The document does not necessarily reflect the views or opinions of the ECO. Participants have been kept anonymous as they were presenting their professional opinions, not the positions of their agencies.

Presentations

Gord Miller (ECO) – Background

For years, numerous individuals have raised concerns about land use planning in Ontario with the ECO. Additionally, the ECO has previously analyzed, reported and made recommendations to the government on land use planning. The ECO recently published a primer that synthesized our most significant articles on land use planning from the ECO's annual reports over the last 10 years. The ECO has noted on-going problems at the landscape level; for example, situations that created the need to establish the Oak Ridges Moraine legislation, plan, and foundation.

Gordon Nelson (Carolinian Canada Coalition) – Beyond the Global City: Understanding and Planning for the Diversity of Ontario

Gordon introduced his book, *Beyond the Global City: Understanding and Planning for the Diversity of Ontario*. The book focuses on place-based planning, which is similar to landscape planning. The book highlights that the current land use planning model does not pay sufficient attention to larger regions in the province.

The book separates the province into major regions. It provides a description of each region in environmental, social and economic terms and identifies specific regional problems. It argues that these regions are not sufficiently recognized in current land use planning decisions. For example, the Carolinian Canada Coalition is constantly faced with transportation and road approvals or other projects that do not consider the special features of this region. Gordon wants to see a broad based regional approach used for land use planning by establishing regional groups like the Carolinian Canada Coalition and regional advisors to the Premier, and by producing biannual or annual reports on each region.

The Carolinian Canada Coalition is contemplating holding a land use planning conference to bring together a variety of people to discuss issues.

Michelle Kanter (Carolinian Canada Coalition) – Planning in Biodiversity Hotspots

In the Carolinian zone of southern Ontario, there is a high human population and high biological diversity – it can be a model for other places because a lot of the problems that occur here happen elsewhere. Michelle provided a brief history of the Carolinian Canada Coalition (e.g., it started in the 1980s from a collaboration of different groups in response to development and environmental protection clashes). The Carolinian Canada Coalition was one of the first organizations to implement landscape planning to set conservation and restoration goals (i.e., the Big Picture project and Lake Erie Coastal Zone program). There are many competing priorities in land use planning and there needs to be better awareness that natural heritage ties everything together. Right now, land use planning does not sufficiently make these connections at a broad scale. When push comes to shove, biodiversity often loses.

Discussion

The following section is a brief summary of the discussion that occurred at the roundtable.

Many land use problems seem to come out of the blue as there is often little perceived connection between what is occurring within the region and within provincial policies. Having representation from both levels (provincial and regional) will bring a regional perspective into policy and should improve links to what is happening on the ground.

Our shared lexicon is an issue as “landscape planning” is not a term used by planners or landscape architects. It was suggested that it be reworded, so that it would have a commonly understood meaning.

The easiest model to compare landscape planning to is watershed planning as it transcends municipal boundaries. Landscape ecology recognizes the need for and ability to look at all scales at the same time. Without focusing on terminology, the Oak Ridges Moraine, Greenbelt, Niagara Escarpment, Lake Simcoe, watershed planning, and source water protection are all based at a landscape level. While the Province has been moving in that direction, there are still some problems.

Planners are having problems dealing with all the different provincial plans and they are facing challenges to interpret the technical ecological aspects of the plans.

Municipal planners should be provided with the right information so that they have an understanding of landscape-level issues, including having sufficient data and information to support their work. We need to evolve to be trans-disciplinary and learn the language of other disciplines.

There is a need to understand that different scales have different attributes on the landscape.

In northern Ontario, there is a perception that insufficient planning occurs; it should not be forgotten that there are First Nation treaty rights and the *Far North Act, 2010*.

In rural areas where no provincial plans apply, the existing land use policy process works relatively well. However, when an environmental impact study is required, that is when the train goes off the track. One participant stated that in 20 years they have not seen an environmental impact statement that concluded that a proposed development could not proceed.

Essentially, the current land use planning system serves the developers. At some point, we need to ensure that the land use planning system serves the greater public good.

There is a need to integrate different scales of planning and determine how to influence and bring broad regional perspective to local decisions and vice-versa. The challenge, to a large degree, is to communicate regional issues to the planning community.

Great Lakes and near shore coastal areas should not be disconnected from land use planning policy discussions; it should not be forgotten that the watershed or basin boundary provides that connection. The Provincial Policy Statement, 2005 (PPS) speaks to natural heritage systems, but it is focused on natural heritage features, when it needs to emphasize a systems approach that includes water. We need to see greenbelt policies in the PPS that acknowledge and protect the linkages between water and land through natural heritage systems. Each scale is important, but the problem is integration at the different policy levels.

When looking at the multiple scales, how do you get the public to engage in and feel a sense of ownership within the planning process? For example, the public and planners were consulted on the *Places to Grow Act, 2005* and the Growth Plan for the Greater Golden Horseshoe. However, generally speaking, the public does not pay attention when provincial policy goes through; it was not until a few years later when municipalities started to apply those policies that people took interest. When municipalities consult on official plans, there are few people participating, but when you get to the site specific approval level, people come out. They are then told that they could have commented before and that the approval in question is essentially a *fait accompli*. It is not the fault of the agencies and the public; the real issue is engaging people to take ownership at each step in the process.

When talking about planners, the Ontario Professional Planners Institute (OPPI) “Healthy Communities” initiative was a success. It had significant media coverage and was a successful outreach project. It outlined how to be part of the solution. Planners should be perceived as partners.

OPPI held a symposium called “The Shape of Things to Come: Improving Health Through Community Planning.” The symposium discussed the link between planning and health – about good planning. It sold out and attended by many public health workers. As a result of the symposium, OPPI, in partnership with health agencies and the Ministry of Municipal Affairs and Housing (MMAH), released a handbook, *Planning By Design: A Healthy Communities Handbook (2009)*.

Engaging people and getting different stakeholders (e.g., ministries, municipalities, lawyers, planners, etc.) to speak the same language is fundamental to avoid disconnect. Getting everyone together is key.

It may not be possible to ever devise a system or method to fully share meanings or definitions as professional interests are different. Getting across scales and areas of expertise is another problem. Most

land use planning guidelines are developed for areas around Toronto. We need to consider the applicability of policy and legislation. The only way to get at this is interchange (integration) is in an action context. A regional or landscape body could be set up to have an impact on broad provincial policy.

There needs to be an overarching protection policy with each provincial plan. Planners are inundated with new pieces of legislation; definitions and terms are not necessarily consistent and they become difficult to interpret. It is important to engage people, but as soon as provincial funding is gone, landowner engagement is also gone. The Carolinian Canada Coalition is one of the only agencies that was able to continue going. A natural heritage strategy is needed that is both regulatory and non-regulatory.

We need to translate what is going on locally and then tweak provincial policy. Land use planning policy formation should be an iterative process, which assesses and considers local experiences. Attention should be focused on engaging the public during policy formation.

The social landscape in southern Ontario is complex. At every public meeting there is education and outreach, but, yet, there is little guidance on how to successfully do public outreach.

The system is not working at the provincial level; politicians come and go, and a continuity of understanding is often lost on many issues. We may need new institutions that will transcend politicians. We can create shared values through maps and visualization of landscape, like the Neptis map. This type of platform would address multiple scales and values.

Local engagement is essential. If you try the same engagement techniques in two separate regions, they may not work as local conditions are different. People respond to different types of engagement. The geo-regions overlay social and economic factors on the environment and we need to think of these parameters.

At the Convention on Biological Diversity meeting in Japan, countries came to an agreement that there is a biodiversity crisis, but the system broke down when the discussion turned to who will pay. There is no direct ownership to pin leadership on. Environmental non-governmental organizations have had to pick up the leadership role. We need somebody for the buck to stop at.

A number of local drainage works to restore wetlands have succeeded because of how these projects were presented to landowners. Rural landowners are generally not receptive when approached by the government to do a project, but landowners can be receptive when approached by another farmer. We need to look at how effective regulatory approaches are as money might be better spent on incentives and education. A regulatory approach can sometimes pit people against each other. For example, when the Ministry of Natural Resources designates provincially significant wetlands they do not always talk to landowners. When a particular municipality then updated their official plan, they thought it would be responsible to inform landowners that they had a provincially significant wetland on their land. When landowners found out that about certain restrictions, most were okay with the designation. This points to the value of education.

In the planning context, we should not lose sight of using the ecosystem as the base for the economy and sustainability. Integrated watershed management does this, making the connection between management decisions and the watershed ecosystem. Integrated watershed management plans are being done and some

recent examples have included climate change scenario modeling. As we go forward, climate change will be an important issue for planning in Ontario and with impact all sectors of society.

We will never have the money to buy all significant natural heritage features and bring them into public ownership. We need to use the system we have, to restrict things through policy. At some level, we need a provincial-scale plan, tied to the landscape.

Geo-regions recognize social and economic factors while not divorcing them from the environment.

There are three levels of scale, with regions acting as a filter between municipal and provincial.

We need a high level policy or overarching framework for natural heritage. It would define how we invest in stewardship and education. Additionally, there is an absence of an overarching policy or strategy for water. Integrating the terrestrial and the aquatic through a systems approach would be a possible resolution. Moreover, the fragmentation of environmental policies, which are not linked by a common purpose or principles, as opposed to a single overarching framework, is a significant issue. Many people are interested in the concept of ecological goods and services as it puts price tags on natural features like wetlands, but who is really going to pay for it? Who is going to compensate the landowner?

We need some kind of direction statement on natural heritage, regardless of what it is, to provide direction on where we want to go. A natural heritage system is a vision. We are missing an effectiveness assessment or assessment of incremental improvements over time, aiming towards a vision or direction of a plan.

Some feel that the natural heritage section of the PPS is effective, but it does not have any teeth.

Components of the PPS, with the exception of wetlands and endangered species' habitat, are being eroded and are constantly being challenged. If you lose the core of the natural heritage system, connectivity becomes irrelevant. In the overall planning process, the natural heritage policies of the PPS are secondary to the pressures of development. There are two solutions: to strengthen natural heritage policy and to embed natural heritage systems in the process.

Who has the knowledge? Who holds the information about the areas, demography, economic conditions, etc.? We have to have some kind of body working at that level to truly understand the systems they are working with. Policies are good, but sometimes you need to draw a line on the map that is based on overall knowledge of the area.

For ecosystem services provided by the boreal forest, the numbers need to be on the table when confronted with cutting down forest. However, trying to get data is difficult because it is expensive and some people that have the information may not share it.

If we are going to go with a new planning institution, like the Niagara Escarpment Commission, we need to look at models in other jurisdictions.

Boundary lines may be dotted or fuzzy because they depend on social and economic conditions at the time that they are drawn. One model that works is for environmentally significant (core) areas that uses fuzzy boundaries. In Waterloo Region, they have only lost 3 out of 88 core areas using this process. Australia

(New South Wales) and the United Kingdom use the core and fuzzy boundaries principles for nature reserves.

We need to consider the incremental impact of activities on the landscape. For example, agencies can say they restored and protected a certain amount of area, but we generally do not look at what was lost. It is important that any type of system that goes forward look at environmental impacts and include monitoring.

Communities are ready for this change and want to be clear where the green lines are on the map, fuzzy or not. They want planning to catch up with the science. Landowners want to know where environmentally significant areas are so they can plan around them. Currently, at provincial meetings, they only want to talk about species at risk. By having a natural systems plan or vision, it would bring all things together and reduce the costs because it would speak to all players. It could integrate natural heritage systems and water systems into a single plan.

The vision and values in the PPS are not MNR's vision; their vision is not represented and is heavily filtered through another ministry. MNR staff want more power to protect.

We should look at the Big Picture map that the Carolinian Canada Coalition did as a possible model.

What part is broken, are we talking about environment, economy, or culture? We are talking primarily about places, then natural perspectives, then social, and then economic. There are broad regional places in the province, with ecosystems as the foundation of the approach.

Our planning system is unsustainable. Environment should be the top priority when designing new systems and tools.

The recent Greenbelt conference was positive, but it did not focus on what was going wrong. There are huge problems and we need to have quick wins for people to achieve in their community. If we come up with some huge, high level policy concept people will not respond to it.

While still unclear about geo-regions, it is fascinating that it would bring to the table many different sectors in those regions.

A conference on land use planning could discuss the regional framework. It would be important that people interested in different regions attend. At the conference, we could clarify and develop approaches to issues over the long term. It could consist of regional conferences, rather than one.

Fact sheets that apply to different municipalities could be created to portray key information. They would be prepared in association with people in a given municipality.