

**Response by Preservation of Agricultural Lands Society (PALS) To Proposed Urban Expansions by Niagara Regional Planning Department.
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1. Planning Department Has Distorted English Language to Muddy Intent of Recommendations

Throughout the development of the new Regional Plan PALS has found much of the language of the various proposals that have been circulated to be muddled and confused. Clear recommendations have been made for specific urban boundary expansions, yet at the same time we are told that the actual recommendations will await future reports. Such a lack of clarity and contradiction has continually characterized the various need calculations, which have been engineered to justify these current proposed expansions.

2. Need Projections not Authentic Reasons for Planning Department's Recommendations

Actual need projections are not the authentic reasons for the proposed expansions. The determination of the largest proposed expansion in West Lincoln has evolved on a basis of West Lincoln's urban area of Smithville expanding to be a full community, which appears to mean having a large-scale shopping center. Another large-scale urban expansion in Fort Erie is justified on the basis of taking advantage of Gateway policies based on proximity to the American border and the Queen Elizabeth Highway. Another expansion which has not been discussed yet by the Niagara Falls City Council, has gone forward largely because of supposed employment opportunities provided by its proximity to the proposed Niagara Falls Hospital.

PALS has developed detailed critiques of need projections which have not been responded to by the Regional Planning Department. Essentially, these have been that the supposed deficits for employment and residential lands are too low to justify any expansions, and that these justifications have ignored any estimate of brownfield capacity. The assumption is that these brownfield lands will simply remain vacant for the next 30 years.

3. All Urban Expansions Cause Some Environmental Damage

In this brief PALS has supplied extensive comments on what are the most egregious of the proposed urban expansions. Our silence on others, should not however, be taken as an endorsement. This is because any urban expansion, by increasing paved surfaces, has a negative impact on water quality. And, urban expansions even when natural heritage features are not present damage soils which are carbon sinks.

What is most disturbing about the Planning Department's approval of various urban expansions is that there is no mention of the impact of any of them on water courses. There is no discussion of the various watersheds that they are part of and what the impact of an urban expansion could be on them.

Regarding the Smithville urban expansion, the Twenty Mile Creek watershed is highly significant and at risk from climate change. This stream supports significant wildlife habitat, such as Species- At Risk Turtles, Bullfrog, the Northern Pike and the Grass Pickerel. Greater summer drought anticipated from anthropogenic climate change threatens these species. Urban

expansion will increase the flashiness of this significant stream, making flooding worse in spring periods, and reducing base flow when it is most needed in the summertime.

At one point in the Regional Plan development process, watershed studies of areas proposed for urban expansions were promised. These have never taken place, making the recommendations to council by the Planning Department premature.

PALS is aware of how improvements in storm water management are used to justify urban expansions. Often reference is made to provincial guidelines. These require that watershed plans examine urban boundary expansions before they are approved. Similar provisions are found in the current Niagara Regional Official Plan. The approach taken by the Planning Department to recommend that certain urban expansions take place without watershed studies violates the current Regional Plan, as well as the supposedly stronger policies that are to be developed by the new Plan.

One of the urban boundary expansions endorsed by the Planning Department was rejected by the Ontario Municipal Board (OMB), on the basis that provincial guidelines for storm management which should have guided the proposed expansion were violated. Contrary to the guidelines a storm water management pond was proposed in a vernal pool which provides breeding habitat for amphibians.

The impacts of urban boundary expansions on water quality were a critical reason why the OMB rejected the northwest Niagara Falls proposed expansion. Data given to the OMB by Dr. Michael Dickman, indicated that the Ten Mile Creek, which is outside of urban boundaries had negligible E-Coli counts. Massive contamination by E-Coli was found in the adjacent urbanized Shriners and Beaverdam's Creeks.

4. Two Urban Expansions in Niagara Falls are on Agricultural Land with Excellent Microclimate

Two of the three Urban Boundary Expansions recommended by Planning Department in Niagara Falls have excellent microclimate, suitable for high quality grape growing. This is usually a measure of suitability for a wide variety of other agricultural crops. Both areas proposed for urban expansion are adjacent to two estate vineyards. One is located north of Mountain Road, the other north of Lundy's Lane. Both are less than a quarter of a mile from the two northerly Niagara Falls urban expansion areas.

5. Consideration of Niagara Falls Urban Expansion Number 2 Violates Proposed Environmental Policies

The Planning Department's support for Recommendation 2 is based on their conclusion that, "Impacts on Natural Environmental Features are Limited." This ignores the presence of two Environmental Conservation Area (ECA), lands within this proposed expansion area. These are features that have been identified in past environmental studies as the Central Woodlot, and the adjacent Ten Mile Creek.

Recent environmental impact studies reviewed by the OMB have documented substantial environmental features in both the Central Woodlot and the Ten Mile Creek. During the critical period of amphibian breeding in the early spring these features are connected by water performing an important wildlife habitat feature. This role for habitat for such species as the

Spring Peeper, Wood Frog and Chorus Frog will be degraded if the surrounding lands are converted from their current agricultural use for urban development.

The reference to the proximity of Expansion Area Number 2 of 1,000 meters to an aggregate extraction facility, cited as a reason of support for it by the Planning Department, is a key reason it should not go ahead. The subject lands here are an important wildlife corridor between the Niagara Escarpment and the Welland River. If the area is developed there will be a cement wall for wildlife movement south of the Niagara Escarpment from the Welland Canal to the Niagara River.

The Planning Department's support for Urban Expansion Area Two shows that they have not assimilated current or proposed environmental policies. If these policies are taken seriously, no urban development would be permitted here. The entire area should be considered undevelopable, because of the combined need to protect an important corridor for wildlife movement and the habitat of vernal pool obligate species.

6. Planning Department Admits Environmental Significance of Proposed Urban Expansion Area Number Three.

Although endorsing their proposed Urban Expansion Area Number Three, the Planning Department admits that there are "environmental features that require review and protection" here. It is of concern that the Department did not take the effort to document what these are.

From PALS's review of past planning studies and discussions with the Niagara Falls Planning Department, we have some sense of the environmental features vaguely alluded to by the Regional Planning Department. These appear to be provincially significant wetlands, given protected status out of their important habitat role for breeding amphibians.

Area Number Three south of Lyons Creek is part of an extensive area of some of the highest quality and ecologically diverse Carolinian wildlife habitat which stretches from here to Lake Erie. If the environmental policies of the regional plan were logically applied to these lands the Planning Department would not be making this recommendation.

7. Niagara Falls Expansions Contrary to Recent Housing Study and Past Comments by Niagara Falls Planning Department.

Recently, the Niagara Falls City Council approved a report which indicated that given the need to facilitate infilling, which would help core housing needs, urban expansions should not be permitted. After this housing study was adopted, the Niagara Falls Planning Department wrote to the region indicating their opposition to urban expansions in their city. This background was ignored by the Niagara Planning Department in their support of the three Niagara Falls proposed expansions.

8. Proposed Expansion in Fort Erie Between Bertie Street and Curtis Road will have Highly Negative Environmental Impacts.

One of the worst urban expansions recommended by the Niagara Regional Planning Department is the 175-hectare urban expansion west of the Queen Elizabeth Highway between Curtis Road and Bertie Street. Recent comments by the Fort Erie Planning Department have indicated that much of these lands are identified as a significant deer wintering area.

Development here would negatively impact Frenchman's and Miller Creeks, which downstream, are significant fisheries, supporting Walleye, Northern Pike, and Grass Pickerel, as Species At-Risk. Much of the site is wooded provincially significant wetlands, providing habitat for amphibians and wetland bird species such as herons. Development of the surrounding lands would, as happened with the previous Canadian Motor Speedway proposal, encourage roads to fracture and degrade these protected wetlands. Environmental studies in the past have identified the presence of several Species At-Risk on these lands, notably Bobolink, Monarch Butterflies and the Eastern Meadowlark.

8. Significant Agricultural and Environmental Reasons against any Urban Boundary Expansions.

To justify other urban expansions, the Planning Department has indicated that they do not have a negative impact on livestock operations under the Agricultural Code of Practice. This is not the case with Smithville. Here such impacts are instead trivialized by the hope that they will be managed by "the appropriate phasing of growth." This is a hope that in the future these agricultural operations will go away.

The Planning Department has recognized that there are "very limited natural features" in the northern part of the proposed Smithville urban expansion area. These are provincially significant wetlands, which now are surrounded by agricultural land, onto which the amphibians that live here now can move onto during certain periods of their life cycle. This will cease if the lands are as intended to become part of an urban expansion. The wetland will be degraded, and perhaps in the future, down-rated and developed. This area is now planned, to provide a corridor for wildlife in these wetlands to the remaining agricultural land outside the proposed expansion area. This is yet another sad episode of how the Regional Planning Department has ignored the environmental policies they are supposed to uphold.

The Planning Department has acknowledged the presence of "karst features" in Smithville's proposed expansion area. Rather than leaving their protection to future local study, these areas should be identified now and incorporated into a Natural Heritage Protection System.

9. In Principle, Urban Expansions If Required Should be Confined to Central Niagara.

The most serious long-term planning by the Regional Planning Department in the past was formulated by the distinguished senior planner, the late Dr. George Nicholson. He developed a strategy centered on Central Niagara, which concentrated urban development outside the unique fruit land growing area, in appropriate lesser quality agricultural land in Thorold, Welland and Fonthill. This objective has been encouraged by what it appears to be undated provisions for community identification in the new regional plan.

Concentrating growth in Central Niagara is good planning. It protects unique agricultural microclimates and the extensive areas of diverse Carolinian wildlife habitat, which are the forested wetlands of vanished Lake Tonawanda. It also creates the land use planning basis for efficient public transit.

Most of the urban expansions proposed by the Planning Department defy the wisdom of the Central Niagara land use planning concept. Not only can't they be well serviced by transit, but most importantly, both current and more elaborate future environmental policies that are supposed to guide land use planning in Niagara, have been ignored. The Planning Department should be instructed by Regional Council to go back and justify their planning rationale.