



Bruce Trail CONSERVANCY

May 14, 2024

VIA EMAIL

Public Input Coordinator
MNRF-RPDPB – Natural Heritage Section
300 Water St., 2nd Floor South
Peterborough, ON
K9J 3C7

RE: ERO No. 019-8364, Proposed amendments to development permit exemptions under R.R.O. 1990, Regulation 828 for lands in the Niagara Escarpment Planning Area that is under the area of development control

To Whom it May Concern:

Thank you for the opportunity to review proposed amendments to the development permit exemptions under R.R.O. 1990, Regulation 828.

Bruce Trail Conservancy is one of Ontario's largest land trusts that acquires, protects and restores the vulnerable habitat and biodiversity of the UNESCO Niagara Escarpment Biosphere. We are a member-driven, volunteer-based, charitable organization, governed by a 19-member Board of Directors. Bruce Trail Conservancy is a recognized *public body* within the Niagara Escarpment Plan (NEP) who works with each of the nine Bruce Trail Clubs to care for the Bruce Trail and to preserve land along its route. To date Bruce Trail Conservancy has protected over 16,000 acres of the Niagara Escarpment and secured more than 70 percent of the Bruce Trail. It is our goal to secure the Optimum Route of the Trail within a permanently protected natural corridor, through receipt of land donations, purchase of land, easement agreements, or other arrangements with landowners.

We have reviewed the proposed amendments to Regulation 828 and the Bruce Trail Conservancy is broadly in support based on the details provided. The proposed amendments would appear to meet the objectives of providing greater certainty and clarity for landowners, businesses and organizations operating within the NEP. In particular for the BTC, exempting more "environmental management activities" from development permits, such as upgrades to trail systems, construction of boardwalks and stairs, and other restoration activities, is very much welcome.

As a conservation land trust operating almost entirely within the Niagara Escarpment Plan area, we are eager to learn more specific details about some of the changes being contemplated. The BTC typically executes severances for conservation purposes (conservation severance) several times every year, some of which are already exempted from the requirement for a development permit. However, conservation severances of vacant land (for example) still require a development permit under current regulations. We would appreciate clarification if this is one of the amendments being proposed. This change, in particular, would meet the stated objective of amendments to the regulation of "making it easier for

conservation organizations to carry out activities that will benefit the escarpment environment". As stated previously, BTC has already protected over 16,000 acres on the Niagara Escarpment, under current regulations. Changes to the regulation to exempt conservation severances from the requirement of a development permit will enable BTC to work faster and with the urgency required to protect sensitive habitat from development or mismanagement.

In addition to the proposed amendments, we also wish to provide general comments related to provincial legislation, regulations and the BTC.

- As mentioned previously, the BTC is recognized as a *public body* within the Niagara Escarpment Plan (NEP). We are grateful for this special status within the NEP, however this status is not recognized elsewhere such as in the *Planning Act*. For instance, Conservation Authorities are exempt from the requirement to obtain consent to sever from local municipalities under the *Planning Act*. BTC undertakes several severances for Bruce Trail and conservation purposes every year. However, hundreds of staff hours and organizational resources are put into obtaining consents to sever as well as NEC development permits for the public good that we provide. According to the Hon. Parm Gill, the purpose of the amendments to the NEPDA in the *Less Red Tape, More Common Sense Act* were in part to free up the Niagara Escarpment Commission to "focus on more complex applications and protection measures for the area" (Hansard No. 102A, 5690). As a conservation land trust, BTC has been working for over 50 years on protecting and preserving the Niagara Escarpment for all to enjoy. We are entrusted to do this work through the NEP and as such would request further changes to streamline conservation efforts.

Respectfully submitted,



Joel Swagerman, MCIP, RPP
Land Securement Planner
jswagerman@brucetrail.org