

THE BLUE MOUNTAIN WATERSHED TRUST FOUNDATION
DEPUTATION TO THE BLUE MOUNTAINS COUNCIL ON JUNE 28/10
RE: PROPOSED TERRASAN OPA

Our mission obliges us to care about the continuing loss of our natural heritage. The Terrasan development has the potential to harm the Provincially Significant Silver Creek Wetland, to reduce biodiversity and to damage the survival of species at risk.

We made a presentation to the Public Meeting with Council on April 12, 2010 and provided you with a copy of our June 11 letter to David Finbow in which we identified some of our concerns with the draft OPA. We wish to emphasize two remaining issues.

How can this Development harm the Silver Creek Wetland (SCW)?

There is a need to provide sufficient buffer around a wetland to prevent harm from development or site alteration. The Provincial Policy Statement requires that adjacent lands within at least 120 m of a Provincially Significant Wetland to be studied and that it be demonstrated that there will be no negative impacts on the natural features or on their ecological functions. The problem is that negative impact is to a large extent a matter of subjective judgment. Experts often differ on the degree of protection needed.

A precedent has been established

An important precedent has been established for protection of the SCW in the Town of Collingwood where agreement was reached under the OMB for setbacks from the wetland boundaries. In that case, the typical setback was 30m, ranging from 50m to 15m depending on sensitivity. In the proposed Terrasan OPA section 4.28.3.3(7), the average setback to be provided is 15m, and where no significant features or functions are identified, a minimum of 10m is allowed.

If this project was appealed to the OMB, the Collingwood precedent would guide the decision. We would be pleased to allow our consultant to work with other experts to establish equivalence with what was decided in other parts of the Silver Creek Wetland. We would expect that The Blue Mountains would at least want equivalence.

Section 4.28.2(19) of the proposed OPA is not consistent with current provincial policy

Section 4.28.2(19) requires a study to be done within 50m of the PSW re species at risk habitat. The April 2010 edition of the Natural Heritage Reference Manual (for implementation of the Provincial Policy Statement) has been revised from 50m to 120m for the study requirements. This change should be made in the proposed OPA.

Conclusion

Without the revisions as noted above, we cannot support the proposed Terrasan OPA.

Presented by Don Kerr, Director, BMWTF