

February March 1, 2019

Ministry of the Environment, Conservation and Parks
Species Conservation Policy Branch
300 Water Street, Floor 5N
Peterborough, ON
K9J 3C7

**RE: 10th Year Review of Ontario's Endangered Species Act:
Environmental Registry - EBR #013-4143**

Since 1972 Paradise Developments has been developing communities and building homes across the Greater Toronto Area, ranging from Whitby in the east to Oakville in the west and virtually every municipality in between. We remain committed to our roots and over 13,000 exquisitely built homes stand testimony to our passion.

Before we put nails to wood and pen to paper, extensive research and planning goes into building every one of our homes and communities. We strive to produce master planned communities of distinction that carefully take into account social needs, economics and the creation and protection of functional and beautiful natural habitats.

Over the last several years Paradise has been engaged with MNR, DFO, local conservation authorities and other public bodies across the GTA to design and develop robust Natural Heritage Systems that not only protect, but provide new and better habitat for Species at Risk, then what existed previously. The grassland and woodland channels, wetlands, woodland areas, thickets, stormwater management ponds and neighbourhood parks are all part of the NHS and are home to owls, birds, turtles, frogs, fish (notably redbreast dace), small and large mammals and others. It is through this experience, and our commitment to the environment and greening our communities, that we present the comments below which are endorsed by the Building and Land Development Industry (BILD) in general.

Paradise Developments supports the protection and recovery of our province's species at risk. We are proud to live and do business in a province that protects our land, air, water as well as our rich biodiversity. The current *Endangered Species Act* however, has a number of operational and implementation challenges that we believe can and should be improved while continuing to provide important protection for species at risk. Paradise is therefore very supportive of the 10-year review of the *Endangered Species Act* which is currently being undertaken by the Ministry of the Environment, Conservation and Parks.

We at Paradise have experienced tremendous challenges in implementing the *Endangered Species Act* and legislative and regulatory changes are required to improve the Act's effectiveness, reduce administrative burdens, improve customer service timelines and reduce barriers to economic development. With 10-years of experience, now is the appropriate time to take stock of what aspects of the legislation are working well and where improvements can be made that consider modern and innovative approaches to achieve positive outcomes for species at risk. This is also an appropriate time to re-examine and streamline the approvals process in support of land development projects throughout southern Ontario.

The implementation of the *Endangered Species Act* has contributed to significant uncertainty and frustration, with respect to both implementation and transition for the new housing and development industry. The implementation of the Act, thus far, has been very problematic from our perspective and has required substantial resource and time investments by Paradise and other member companies of the BILD Association, through an administratively difficult process. We are supportive of a modern risk-based approach that streamlines permitting and provides certainty for projects having already earned substantial and time consuming approvals through the planning process. Furthermore, we support a broad objective to modernize Ministry operations to make it easier, faster and more efficient for businesses and individuals to access services.

We have a number of specific recommendations:

- We continue to support the protection of species at risk;
- Streamline approvals and provide greater clarity regarding policy and permits to support economic development;
- Introduce and implement strict permit review timelines and service standards;
- Automatic species and habitat protections create tremendous business uncertainty. The legislation should be amended with the following objectives:
 - A) Longer advanced public notice periods before being listed on the Species at Risk in Ontario list;
 - B) Longer transition periods that temporarily delay species and habitat protection;
 - C) Respect planning approvals that have been obtained through transition policies for newly listed Species at Risk;
 - D) Allow Ministerial discretion for being listed on the Species at Risk in Ontario list;
- Continue to identify additional opportunities for using a risk-based approach to the implementation of the *Endangered Species Act*;
- Enhance Ministry resources and guidance for handling permitting functions;
- Enhance the Ministry tools available for Species-at-Risk by developing guidance materials on best management practices and habitat identification on an ongoing basis;
- Develop “transition” policies for existing work completed in support of development applications when new species are identified, to avoid being forced into an additional review process. This results in significant time delays and creates greater uncertainty;
- Support streamlining approvals through standardized conditional approaches.

Thank you for the opportunity to provide comments for the 10th Year Review of Ontario’s Endangered Species Act. We are looking forward to working with you to deliver fresh and innovative approaches that will ensure a balanced approach to the environmental, social and economic goals of the Province and which will modernize the Act.

Sincerely,

PARADISE DEVELOPMENTS



Mark Jepp, MCIP, RPP
Vice President of Land Development

C. Hon. Rod Phillips, Minister of the Environment, Conservation and Parks