

Residents concerned about environmental impacts of Shining Hill development

Delegates raised concerns about the environmental impact of a subdivision being developed in the Shining Hill community and alerted the Town to stay accountable to protecting wildlife.

The subject lands are 79 acres of mostly vacant land located at the north side of St. John's Sideroad between Yonge Street and Bathurst Street.

Wendy Kenyon, Vice President of Henderson Forest Aurora Ratepayer Association (HFARA), said that the presence of endangered and threatened wildlife under the protection of the Ministry of Environment, Conservation and Parks (MECP) has been confirmed on the property.

"We all know [the development is] a done deal. But I think it could have been a far better deal for the wildlife that's really struggling right now," she said.

According to the Auditor General, she said, approvals that harm endangered species have gone up by 6,000 per cent since 2009.

Approval from the MECP is required in order to remove the habitat of an endangered species, but seeing that the approval is likely to be given, Kenyon said that the Town may need to take action if committed to protecting the endangered species.

"We can't just sit back and wait for the MECP to save the day. However, if we're genuinely committed to protecting endangered species, we can uphold our own Official Plan, but only if we know where there's an issue in the first place, and importantly, before it's too late," Kenyon said.

Furthermore, Kenyon emphasized the importance of accountability and brought up a former public planning meeting from 2021 in which she said planners failed to follow protocol that could have protected the endangered barn swallow habitat.

"The Endangered Species Act demands an entire protocol. But that wasn't followed. Where's the accountability for this? The consultant speculated nests may have been predated," she said.

"If developers can remove protected habitat during prohibited periods with no accountability, this makes a complete mockery of regulation," she said. "I've just scratched the surface here. There's also the problem of narrow buffers, loss of wetland feature trails along with an encroachment into sensitive wildlife habitat. Wildlife that wants to roam throughout the lands will be driven into remaining natural areas, resulting in risks of overcrowding and competition for limited resources."

Summarizing what can be learned from past events, Kenyon suggested that developers be required to respect regulation at all levels and that accountability be put in place. Critical reports should include endangered species regulation, she said, noting that it will become more difficult to ensure respectful development on environmentally sensitive lands when Bill 23 comes into effect.

Maricella Saucedo, a Ward 5 resident, highlighted an error in the number of trees proposed for removal and expressed her disappointment that the number was not corrected by the Environmental Planner from Shining Hill when it was mentioned at the last Public Planning meeting in September 2021.

"One Councillor had made an honest error in misinterpreting a table that separated out healthy trees from those dead or decaying... The last report indicated that approximately 1,500 trees will have to be removed," she said.

The public and Council was then told that 1,300 trees will be removed, she said, noting it led people to believe that it was a reduced amount when, in fact, it was the amount of trees excluding the ones that were already dead or decaying.

She added that now the number of trees proposed for removal has since then increased from 1,492 to 1,574.

“For an increase of nearly 100, only 507 trees are being retained, none above 20 centimeters at the diameter at breast height (DBH). So, let's not be fooled into thinking this is a figure to celebrate. In a climate emergency, trees lost are what matters. All 1,574 of them,” Saucedo said.

Saucedo brought to light several other occurrences where she said incorrect information was given, and questioned the validity of information provided by public planning.

“With all due respect, I'm not very confident that what you hear is what you'll get in the world of public planning,” she said. “The bottom line is trees matter, especially mature trees. And I've already spoken twice at length about the climate crisis and why the trees we already have are so important. And yet instead of finding some way to reduce the number of trees removed on this enormous property, the figure has actually gone up, not down.”

Resident George Skoulikas shared a chronology of events he said demonstrated what he described as “egregious abuses” transpiring at the subject sites, including the alleged approval for the removal trees.

“We have photographic evidence that the trees are removed. All this taking place while MECP approvals are still not approved,” he said.

“So, in my opinion, it has become obvious that these lands are not and will not be protected as the applicant's consultants had promised and as the regulation intended. So, to put it bluntly, it very much appears this large, very experienced developer has no follow-up process and I will welcome an explanation.”

Don Given, speaking on behalf of Shining Hill, shared a phased development plan and requested that Phase 3 be approved by Council.

The updated development plan included the replacement of a high rise building with townhouses, changing the original plan from March 2021 which planned for 200 apartment units to be replaced with 21 townhouse lots.

Overall, the revised development plan decreased residential space and included more space for parks, trails, open spaces, and roads.

Given said the building process will take several years to complete and will house up to 4,000 people in total.

When asked by Ward 5 Councillor John Gallo about whether approval from MECP has been received for the removal of trees, Given replied that it has already been submitted to Town for approval.

Director of Planning Marco Ramunno said that the development plan has passed all the required approvals, counting up to over 100, and in respect for tree removal, they do have all required permits.

“The Ontario's Ministry of the Environment (MoE) has identified about 20 conditions to satisfy, and the Conservation Authority has signed off on development limits, and the applicant will be constructing a barn swallow nesting kiosk in the valley system as well as a condition,” he said.

Ramunno confirmed that staff does have a copy of the approval to remove trees from MECP which was issued in February this year.

By Elisa Nguyen