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**Official Report  
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(Hansard)**

**Wednesday 12 May 2004**

**Journal  
des débats  
(Hansard)**

**Mercredi 12 mai 2004**

**Standing committee on  
general government**

**Greenbelt Protection Act, 2004**

**Comité permanent des  
affaires gouvernementales**

**Loi de 2004 sur la protection  
de la ceinture de verdure**

Chair: Jean-Marc Lalonde  
Clerk: Tonia Grannum

Président : Jean-Marc Lalonde  
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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON  
GENERAL GOVERNMENT**

**COMITÉ PERMANENT DES  
AFFAIRES GOUVERNEMENTALES**

Wednesday 12 May 2004

Mercredi 12 mai 2004

*The committee met at 1607 in room 151.*

**SUBCOMMITTEE REPORT**

**The Chair (Mr Jean-Marc Lalonde):** I will call this meeting to order. First of all, I'd like to thank the minister for taking the time from his busy schedule to come and give us some additional information, and also the technical staff.

I would ask first that Mr Delaney give us the subcommittee report.

**Mr Bob Delaney (Mississauga West):** Thank you, Mr Chair. This is the report of the subcommittee.

Your subcommittee met on Monday, May 10, 2004, to consider the method of proceeding on Bill 27, An Act to establish a greenbelt study area and to amend the Oak Ridges Moraine Conservation Act, 2001, and recommends the following:

1. That the committee meet for the purpose of public hearings on Bill 27 on May 14, 2004, in the Niagara region, on May 17, 2004, at Queen's Park, May 21, 2004, in Newmarket and, if necessary, May 31, 2004, at Queen's Park.

2. That the committee meet from 1 pm to 5 pm in the Niagara region, 3:30 pm to 6 pm in Toronto and 10 am to 4 pm in Newmarket. Times and locations are subject to change and based on witness response and travel logistics.

3. That the committee invite the Minister of Municipal Affairs and Housing to make a 15-minute presentation before the committee on May 12, 2004, and that ministry staff provide the committee with a 30-minute technical briefing, followed by a 30-minute question and answer period from members of the committee.

4. That the committee meet for the purpose of clause-by-clause consideration of Bill 27, June 2 and June 7, 2004, in Toronto.

5. That amendments to Bill 27 be received by the clerk of the committee by 5 pm on May 31, 2004.

6. That an advertisement be placed on the OntParl channel, the Legislative Assembly Web site and via the Canada NewsWire service.

7. That the clerk provides each caucus with the list of those who have responded to the advertisement on a daily basis.

8. That the deadline for those who wish to make an oral presentation on Bill 27 on May 14 in the Niagara

region and May 17 at Queen's Park be 5 pm on May 12, 2004. That the deadline for those who wish to make an oral presentation on Bill 27 on May 21 in Newmarket and May 31 at Queen's Park be 5 pm on May 19, 2004.

9. That the clerk be authorized to schedule groups and individuals in consultation with the Chair, and if there are more witnesses wishing to appear than time available, the clerk will consult with the Chair, who will make the decisions regarding scheduling.

10. That the deadline for written submissions on Bill 27 be 5 pm on May 31, 2004.

11. That individuals be offered 15 minutes in which to make their presentations and organizations be offered 20 minutes in which to make their presentations.

12. That the clerk of the committee, in consultation with the Chair, be authorized prior to the passage of the report of the subcommittee to commence making any preliminary arrangements necessary to facilitate the committee's proceedings.

This is the report of the subcommittee.

**The Chair:** Any questions on the subcommittee report? If not, all in favour? Carried.

**GREENBELT PROTECTION ACT, 2004**

**LOI DE 2004 SUR LA PROTECTION  
DE LA CEINTURE DE VERDURE**

Consideration of Bill 27, An Act to establish a greenbelt study area and to amend the Oak Ridges Moraine Conservation Act, 2001 / Projet de loi 27, Loi établissant une zone d'étude de la ceinture de verdure et modifiant la Loi de 2001 sur la conservation de la moraine d'Oak Ridges.

**STATEMENT BY THE MINISTER**

**The Chair:** Our next item is the Minister of Municipal Affairs, the Honourable John Gerretsen.

**Hon John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** Thank you very much, Mr Chair. I'm very pleased, particularly in the nine years I've been here, to present a bill like this for the first time. I must congratulate you on the beautiful décor you have here now. There must have been some money left in the Clerk's budget to provide for this new setting, and I'm very pleased to see that. And it's nice to see that you have such a talented clerk and legislative

researcher here. I worked with both of them in the past, and you are very blessed in this committee to have such wonderful and talented people working with you.

**The Chair:** She's the best.

**Hon Mr Gerretsen:** I will now continue with my presentation. I have with me Barbara Konyi, who is the manager of the planning policy branch for the Ministry of Municipal Affairs and Housing, and she will give the technical briefing later on, as well as Irvin Shachter, who is the legal counsel, in case there are any questions relating to some of the legal issues surrounding this bill.

I'm happy to be here today for this discussion on the proposed Greenbelt Protection Act, 2004. We are now one step closer to the realization of one of this government's commitments to the people of Ontario, and we are another step closer to the creation of permanent greenbelt protection in the Golden Horseshoe.

This government recognizes the importance of, and has made a commitment to, protecting green space. Ontarians need green space because it improves our quality of life. A high quality of life is what this government was elected to deliver, and we intend to do just that.

We are taking a number of decisive steps toward smart growth by introducing legislation that would create a permanent Golden Horseshoe greenbelt. By better managing urban growth, we enhance our quality of life, and creating a permanent greenbelt is one of the ways we can manage growth responsibly. Achieving the right kind of growth in the right places is what's needed. We are changing the direction of government, and we certainly think that's a real, positive change. The proposed Greenbelt Protection Act, 2004, now before the Legislature and having been given second reading, is a prudent and crucial first step in the government's overall approach to properly managing growth.

In 2001, the population of central Ontario, much of which is located within the smaller Golden Horseshoe area, was 7.5 million people. It's expected to grow to 11 million by the year 2028. This means that we can expect 3.5 million more people to be living in central Ontario in a little more than 25 years.

Coupled with this population growth will be employment growth. We could ask ourselves, "What is the draw to this area; why do people come here?" Population growth in central Ontario, I believe, is a reflection of the high quality of life we enjoy here. It's also due to the economic opportunities available to its residents. The region is attractive to those in research jobs, but also to those in search of jobs, including international immigrants and those migrating from across the country. Ontario is a place where people simply want to be, and we welcome that. Population and economic growth are good, and we will ensure that this growth is managed responsibly.

But when growth is not properly managed or supported, quality of life is adversely affected. Poorly planned development can result in increased air and water pollution and loss of green space and agricultural land. Poorly planned development can result in economic losses to

businesses when they cannot get their goods to market. It also means that working parents are spending too much of their time commuting. Studies show disturbing results if current trends persist for central Ontario. If your commute takes an hour now, 30 years from now it could take two hours. That's another hour every day that a commuter won't have to spend with their family. It's actually two hours, an hour coming and an hour going. That's not what we call quality of life.

In another 30 years, unchecked development could consume another 1,000 square kilometres of land. That's nearly twice the size of the city of Toronto. This area is home to considerable areas of prime agricultural land, and we have some of the best agricultural land in North America. That's sacrificing Ontario's food, and that's not what we call quality of life.

The population trend clearly will be a challenge to balance a wide variety of our society's needs. The government must guide the future development of the Golden Horseshoe to ensure that it stays a healthy and prosperous region. We simply cannot ignore this challenge. Our government is taking the critical steps to manage that growth and develop in a responsible manner. It would be irresponsible for our government not to give careful consideration to the potential effects of sprawl without ensuring that a plan is in place for careful, managed growth.

There are many factors that need to be examined. These factors are interrelated and will require careful consideration before we can establish a greenbelt in the Golden Horseshoe. When discussing greenbelt protection, we must talk about permanent environmental protection. The Ontario government will protect and maintain our environment to ensure it is safe, clean and liveable. Ontarians understand, and we understand, that a clean environment and a strong economy go hand in hand. Together they mean a high quality of life.

We must talk about the protection and sustainability of agricultural lands. Protecting particularly sensitive regions, such as the Niagara tender fruit and grape lands, and making them viable over the long term, must be an important consideration. We will ensure that agricultural viability is an important aspect of growth management planning.

Many of us have a specific interest in the protection of culture, tourism and recreation opportunities in the region. These things must also be discussed.

Last, but certainly not least, we must ensure that our industries have a competitive business climate, efficient and high-quality infrastructure and access to strategically located employment lands to contribute to the region's wealth and quality of life.

The greenbelt study area is a foundation for both our provincial and national economies. Our economy is vital not only to Ontarians but to Canada as a whole. We must be able to move through the Golden Horseshoe to ensure our economy stays healthy.

The proposed Greenbelt Protection Act will allow us the time we need to discuss these issues. It will allow us

to seek out and find the balance we need. It will also clarify provisions in the Oak Ridges Moraine Conservation Act, 2001, that deal with lands already in different stages of development when the act was proclaimed.

Once we have discussed all these factors and have worked out a coherent strategy for balancing all these important interests, we have another task. We must discuss how to manage a greenbelt into the future for the generations of Ontarians to come. Included in the bill is a study area to provide a framework for our discussion. The study area includes Toronto, the regions of Durham, York, Peel and Halton, the city of Hamilton, the Oak Ridges moraine plan area, the Niagara tender fruit and grape lands and the Niagara Escarpment plan area.

The bill also includes a moratorium on new urban development. This moratorium would mean that until December of this year, there would be no urban development on land outside urban settlement areas unless development has already been approved. This does not mean that building in the Golden Horseshoe will stop. On the contrary, all land previously designated for urban development will remain available for urban development, subject to the normal municipal planning processes.

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In the greater Toronto area, the supply of urban land will already accommodate the demand for single detached dwellings for the next 10 to 15 years. For more intensive developments such as apartment buildings and condominiums, the land available will accommodate demand for 20 years. This information is based on forecasts prepared by the province and municipalities in which this development will occur. But these time frames could be extended if municipalities undertake work to encourage more compact types of urban development during this period.

The proposed greenbelt protection area creates opportunities to do just that, by giving municipalities the time to promote compact urban development in their communities. In doing this, communities will encourage the preservation of green space, and land in the agricultural and rural areas would still be able to be developed for rural and agricultural uses. Normal municipal planning processes will ensure appropriate development in these areas. During this brief time out, while we are maintaining the status quo on new urban development, we will be working on a plan for the future, a plan for permanent greenbelt protection. The proposed moratorium will protect the status quo only until the consultation phase is complete and permanent greenbelt protection is in place.

The government is committed to consulting with stakeholders and the public on the establishment of a permanent greenbelt, and the Greenbelt Protection Act would give us the time to do that. We appointed the greenbelt task force in February of this year to help us define the scope, content and function of a greenbelt. I might say that they've been meeting on a weekly basis. They will work toward sustaining and improving the overall quality of life for present and future residents. The task force will oversee upcoming stakeholder and

public consultations on the scope, content and implementation of the proposed greenbelt. The consultation will start on May 20.

During the time out that the Greenbelt Protection Act would provide, the task force will gather the information it needs to formulate recommendations for action. After receiving recommendations from the task force, the government will consider the most effective way to establish and permanently protect the proposed greenbelt in the Golden Horseshoe.

The members of the greenbelt task force were chosen to represent a wide variety of interests and different viewpoints on greenbelt protection. Some of the interests represented are home builders, the development industry, municipal government, environmental protection, agriculture, the aggregate industry and individual citizens. The task force has been hard at work preparing for this consultation. We need to collect the views of these individuals to be sure all of the factors that we know are important are considered as we build the greenbelt, because we are consulting on the best way to create a greenbelt that would ensure the long-term protection of a number of different resources. Natural heritage systems, water resources and agriculture simply must be protected. We must also provide for resource management, recreation and tourism in the Golden Horseshoe.

Municipal planning plays a large and important role in the successful protection of a greenbelt. Clear limits set on development can ensure that the greenbelt is protected for the long term. Housing, for example, can be constructed in areas where services already exist and in areas that do not put important natural resources at risk. Growth also provides the opportunity to revitalize under-used lands and achieve objectives such as the redevelopment of brownfields.

In addition to maintaining green space, other benefits are easily recognized. By focusing growth in existing built-up areas, the escalating public costs for roads, garbage pickup, leasing, transit and other services in urban sprawl areas can be controlled. This can reduce pressures on the municipal tax base and the taxpayer.

As I said before, through containing sprawl and encouraging growth management, we will enhance our quality of life. Creating a permanent greenbelt is one of the ways we can manage growth responsibly. We understand that the greenbelt is one component, one of a number of different government initiatives underway that will contribute to the larger growth management plan. The proposed Greenbelt Protection Act, 2004, is one very important component and is a very important first step. We are building strong communities. We believe that's real, positive change.

I'd be more than pleased to answer any questions.

**The Chair:** Thank you, Minister.

Will there be any questions?

**Mr Jerry J. Ouellette (Oshawa):** Thank you for your presentation. I have a number of questions. First, it's not very clear about the boundaries of the greenbelt area. When you're looking at it and trying to find out the plan-

ning, is there any way we can get some defined boundaries and how they play out? The reason is that developers are asking: "Is it applicable to us? Is it not applicable to us?"

You mentioned the fact that if they have a current plan or they're in the plan already, that development would be allowed to continue. When you speak about that, does that mean if they have a building permit or does that mean if they're part of the official plan at this time, they would be allowed to continue? Those are two things to start off with.

**Hon Mr Gerretsen:** If land is located within an urban designated area, which would normally be in the official plan, then building can continue, provided that the zoning is in place. Obviously that would have to be worked out with the local municipality. The zoning would have to be put in place by the municipality. The whole purpose of the act is not to prevent any development from taking place that is contained within urban designated areas.

**Mr Ouellette:** So which areas, then? For example, within my own riding, or even in the region of Durham for that matter, a lot of the Oak Ridges moraine was under an official plan; part of the development was to come forth. What you're saying here is that those areas would be allowed to continue so long as they were under the official plan?

**Hon Mr Gerretsen:** That's correct.

**Mr Ouellette:** OK. A couple of other things: When I spoke to some developers it really didn't bother them, because what they expected to take place was that they were going to leapfrog, and that meant that development on the south side of the Oak Ridges moraine, predominantly in the region of Durham, would now take place on the north side, so instead of developing, say, in Oshawa, which goes right up on to the moraine, they would go to Port Perry or Peterborough. Are you expecting a leapfrogging of development in those areas?

**Hon Mr Gerretsen:** Quite frankly, it's part of the growth management mandate that Minister Caplan is looking at as well. But let's be realistic about this. If we expect another 3.5 million people to come into this area over the next 25 years, it may very well be that a certain amount of leapfrogging goes on. But you've got to remember that leapfrogging is only taking place, if it is going to take place, because of the fact that this land that we want to designate as a greenbelt is either environmentally sensitive or it's excellent agricultural land that should be preserved. Whether leapfrogging will take place, I suppose in the long run, will develop to a large extent on how counties like Simcoe or north of the greenbelt in Durham will be designated in the future by councils and by the various planning authorities.

**Mr Ouellette:** I actually have a very strong background and a lot of details on that. I'm sure you're well aware that water pressure or the pressure put on by the moraine forces the aquifers down and then they come up as springs just outside the greenbelt area, which will be dramatically affected. I hope that those will be looked at and how they're going to apply.

I know that eventually there are going to be books written and chapters dealing with such items as urban cholesterol, which will be traffic congestion and things like that. Once you get this leapfrogging taking place, is there anything in place to accommodate—I know in our area, bringing people down from Port Perry, where new developments are taking place, is becoming more difficult. Is there anything taken into consideration to account for things like traffic congestion that's expected as it develops outside those areas?

**Hon Mr Gerretsen:** I think as those areas get developed, quite frankly, what's equally important is to make sure there's employment land set aside for that kind of development so that the kind of urban sprawl conditions that we have now, with people having to drive into the centre of this urban region for their jobs etc, will not take place. Hopefully in the long run, and I'm speculating here to some extent, it isn't just residential development that we're talking about beyond this area. Hopefully there will be some employment lands as well so people simply won't have to travel that far to their jobs.

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**Mr Ouellette:** The last question I bring up is one that Regional Chair Roger Anderson specifically asked that I mention if I had the opportunity. They hoped there would be an exemption for 400-series highways. Predominantly the 407, coming through the region of Durham, falls somewhat into the Oak Ridges moraine. They hope that's taken into consideration so that traffic congestion can be dealt with.

**Hon Mr Gerretsen:** There's no question about it that the Ministry of Transportation will be involved in this, not only from a highway viewpoint but also from a transit viewpoint.

There is one other thing that I might say. What the task force has been doing so far, among other things, is setting out the criteria whereby the greenbelt protected area will be defined. They are not in the process of actually drawing a line on a map. That will be done in accordance with the criteria they come up with in their final recommendations. That will then be turned over to the planners and the engineers to define the actual lines.

We are aware of a number of situations where people have some very legitimate concerns about a particular type of development etc that perhaps should or should not be exempted, and they are in the process of drawing up some criteria whereby the various projects can be judged as to whether or not they should be allowed to proceed.

**The Chair:** Ms Churley?

**Ms Marilyn Churley (Toronto-Danforth):** Minister, are you feeling a little hot? It's a little warm in here.

**Hon Mr Gerretsen:** It is warm in here.

**Ms Churley:** That's my opening question.

There are a lot of questions, and we'll get to them. I don't know if you're going to be able to make it to any of the hearings, but it would be great if you could come.

I'm wondering about your relationship with the Minister of Transportation and if there are conversations

between the two ministries about some of the problems with the proposed highways in some of these hot environmental spots. I'm just wondering what you're going to do about that, because it is a big problem. When you build highways in these areas, the development comes; it just does. What are your plans? How are you going to deal with that?

**Hon Mr Gerretsen:** I can tell you that one thing we've undertaken over the last four or five months is that we have a group that's called the G8: eight ministers and their deputies who actually get together—

*Interjection.*

**Hon Mr Gerretsen:** I know. It sounds huge, doesn't it?

**Ms Churley:** Or frightening.

**Hon Mr Gerretsen:** It's not that frightening. Actually the ministries are working well together, and particularly the four ministries directly involved—municipal affairs, environment, transportation and public infrastructure—in dealing especially with the kinds of concerns you've addressed.

We realize that with the Minister of Public Infrastructure Renewal having the growth management piece, if I can put it that way—it's through his ministry, after all, that the infrastructure needs of this area hopefully will be accommodated. We realize that transportation routes—whether it's transit or highway routes or other different ways of travel—are an integral part of that, and of course the environment is an integral part of that because we are talking here about very environmentally sensitive land. Really, the role of the Ministry of Municipal Affairs is to draw this all together and work with these other three ministries so we can come up with a comprehensive plan.

**Ms Churley:** Don't filibuster my question time, Minister.

**Hon Mr Gerretsen:** I would never do that to you.

**Ms Churley:** I am wondering if you'd be willing, as per questions in the House, to take some responsibility for the Castle Glen development on the Niagara Escarpment and put on a ministerial zoning order and stop that from going ahead.

**Hon Mr Gerretsen:** As you well know, this matter is before the Ontario Municipal Board right now. It would be highly improper for me to make any comments on that whatsoever. You've been in this position. You wouldn't make any comments, and I'm sure you wouldn't expect me to make any comments on that.

**Ms Churley:** If I were you, Minister, I'd reform that OMB in a hurry then.

**Hon Mr Gerretsen:** We're doing that as well, but that's a subject for another day.

**Ms Churley:** The problem with this, quite seriously, as you know, is that it's the first year-round town that's been built on the Niagara Escarpment since the 1970s, when the plan came into effect. You know the details of how the agreement was made. Because an agreement was made between most of the players, plus the new members on the Niagara Escarpment Commission—and the town

even said they went along because they couldn't afford to go any further with protesting or going through legal processes—the OMB is unlikely to overturn it. I congratulate your government on the new appointees to the Niagara Escarpment Commission, but it's unlikely—in fact, unheard of—that they will overturn those decisions, even though I'll bet you anything they think it's wrong. It's a major problem, and I'm wondering if I could get a commitment from you to at least take a second look at it.

**Hon Mr Gerretsen:** I can't comment on that.

**Ms Churley:** OK. I will keep this fight up.

I wanted to come back briefly to what we refer to as leapfrog development. Listening to you carefully here, the way you put it is that your view or vision of this greenbelt legislation, the greenbelt area, is mostly to protect environmentally sensitive areas and agricultural land. If that's the framework in which this legislation exists, leapfrog development is not a big problem for you because, in your view, as long as environmentally sensitive and agricultural lands are being protected, you're OK with that.

**Hon Mr Gerretsen:** I'm not saying I'm OK with that at all. It all depends on what's planned in the area beyond the greenbelt. All I'm saying is that this act is primarily concerned with protecting the environmentally sensitive nature of this particular area.

As I've mentioned before, I think your questions relate a lot more to the ultimate growth management of the larger GTA and how those 3.5 million people we expect here over the next 25 years can be accommodated. I'm not for a moment saying we're not interested in that, but as far as this particular bill is concerned, our main concern is to make sure the greenbelt that exists around Toronto, which ties together the Oak Ridges moraine and the Niagara Escarpment land, is protected. You may raise some very valid issues about the balance of the land beyond that, which obviously will have to be looked at very carefully as well, and other ministries are right now.

**Ms Churley:** Of course—

**The Chair:** The time is up.

**Ms Churley:** He had more time than me.

**The Chair:** No, I calculated it. I timed it.

**Ms Churley:** Are you coming to any of the hearings?

**Hon Mr Gerretsen:** I'm not sure.

**The Chair:** Mr Patten?

**Mr Richard Patten (Ottawa Centre):** I missed the first part of your presentation, but something comes to mind that has often disturbed me and I think perhaps a lot of members around the table as well. I think I understand the purpose of the study, to set up the criteria by which you're going to look at protecting the greenbelt, which has a lot of functions within it. But the area that concerns me most, quite frankly, is farmlands, where people grow. I'm not too worried about the wine industry so much, because they're flourishing, but I'm worried about other farm areas and the pressure that is always put on the agricultural area. We must have tens of millions, if not hundreds of millions, of acres on some prime agricultural land in Ontario.

It's a way of life. It's part of what we are. It's our food source. We're not in a tropical climate, so we can't grow year-round unless we rely somewhat on the indoor greenhouse producers. But it seems to me to be very precious to our way of life, and I'm curious to see whether you have any thoughts on this or whether that indeed will be a particular area to look at. Because when you use the term "normal process of development" and developing official plans that are used now, the normal process ends up getting rid of a lot of agricultural land.

1640

**Hon Mr Gerretsen:** That's exactly what we're trying to prevent here. First of all, there is an agricultural representative on the task force, an individual who either was a former president or certainly on the executive of the OFA: Mary Lou Garr. She has played a significant role in that.

The issues you raise are very valid. I think the main issue the farm community has is that they want to make sure the viable farm operations that exist right now are not going to be hampered from continuing that way once the greenbelt protection is in place. So one of the things the task force is looking into, and obviously the ministry will as well once the task force has reported and we're implementing the greenbelt, is to make sure that farms and the agricultural community will continue to be viable operators within this greenbelt area.

We're not just talking about environmentally sensitive lands that have to be protected from an environmental viewpoint; we're also talking about making sure that agricultural land can be protected as well for agricultural purposes, so that farm industries are not going to be hampered by the greenbelt legislation.

**Mr Delaney:** Just two short questions: Can something like a hydro transmission corridor, a telecommunications line or a gas transmission corridor traverse a protected greenbelt area?

**Hon Mr Gerretsen:** I believe so, but I think I'll turn it over to Barbara here.

**Ms Barb Konyi:** This legislation is only doing a few things, and that's setting up a greenbelt study area and a proposed moratorium. The moratorium only impacts applications that are under the Planning Act. If any of those matters you are listing there are not subject to a Planning Act application, they will not be subject to the proposed moratorium.

**Mr Delaney:** One final question: What would govern how close a highway, for example, or an industry that discharges effluents into the air or the water could be located to a protected area?

**Ms Konyi:** That would be subject to the regulations. Some things will be put in standards in official plans in terms of setbacks from environmentally sensitive features, but there's also a whole series of environmental legislation that governs a lot of the things you're mentioning, like the Environmental Protection Act and the Ontario Water Resources Act. So there are a lot of provisions.

**The Chair:** The time is up for the minister. Thank you very much, Minister, for answering those questions. Now the members will have a chance to ask questions of our technical people.

**Hon Mr Gerretsen:** Thank you very much, Mr Chair. I wish you well in your deliberations and your travels. As you travel throughout Ontario, I'm sure you will get some good deputations and have a good time doing it as well.

**The Chair:** Thank you.

Now it's going to be open to questions to the technical staff. We have Barb Konyi and Irvin Shachter. Do you want to brief us on the information and technical points?

**Ms Konyi:** Actually I have presentation slides that are going to be passed around right now, and I'll just wait for that.

**The Chair:** While that is being distributed, I have a question for you. If the urban development has been identified in the official plan but municipalities have not identified this development in their zoning bylaw, would that mean that the developer could still have the zoning amendment changed or identified in the official plan?

**Ms Konyi:** At this point in time, yes. The proposed moratorium would be based on lands designated in the official plan, so it's based on the official plan designation. If you have an urban designation in the official plan, then all other planning applications that would follow from that would be allowed to continue. It's the expansion on to rural and agricultural lands that the moratorium would seek to stop.

**The Chair:** Very good. Thank you.

**Ms Konyi:** Are we ready?

**The Chair:** It's all yours.

**Ms Konyi:** Good afternoon, Mr Chair and members of the committee. I'm here to provide you with your technical briefing on Bill 27, the proposed Greenbelt Protection Act, 2004. Your binders contain copies of the bill. That's in tab 1. The compendium to the legislation is in tab 2, as well as the Oak Ridges Moraine Conservation Act, 2001, which I'll refer to later, and that's in tab 3.

Moving on to page 2 of the presentation, my presentation will cover the details and highlights of Bill 27. I'll briefly go over the details of the minister's Golden Horseshoe zoning order, which is Ontario regulation 432/03. Finally, I'll speak about the activities of the Greenbelt Task Force and how they relate to this bill.

On to page 3: Bill 27, the Greenbelt Protection Act, was introduced in the Legislature and was given first reading on December 16, 2003. We all know that the bill recently received second reading on April 28, and it was referred to this committee for consideration. That's why we're here today, to begin the standing committee process.

As the minister stated previously, this bill is the first step toward the creation of a permanent Golden Horseshoe greenbelt and is part of a larger growth management initiative. This proposed legislation allows time out for the Greenbelt Task Force to provide recommendations and the government to consult and determine what shape

the permanent greenbelt will take. In other words, this bill is the beginning of the process, not the end product of the greenbelt initiative.

Moving on to page 4: The proposed legislation does four main things. I'll list them and give you the details in later slides.

First, it establishes the greenbelt study area and sets out the geographic limits of the area to be under consideration for greenbelt protection. That's in section 2 of the legislation, as well as schedule 1. Second, it imposes a moratorium within key areas of the greenbelt study area. That's sections 4, 5 and 6, as well as schedule 2. Third, it stays matters that are appealed to the Ontario Municipal Board. Sections 6 and 11 refer to that. Fourth, it has provisions to strengthen the protection of the Oak Ridges moraine, which is in section 14 of the bill.

On to page 5 of the slides: In terms of the main components, the first one is the establishment of the greenbelt study area. The bill establishes this area. It is based on a written description that is found in schedule 1 to the bill, and there is no map. For clarification purposes, as the minister stated, it includes the regions of Durham, York, Peel and Halton; the cities of Hamilton and Toronto; the tender fruit and grape lands as designated in Niagara region's official plan; the lands within the Niagara Escarpment plan area; and the Oak Ridges moraine area as identified in the Oak Ridges Moraine Conservation Act, 2001.

To clarify Mr Ouellette's question, the municipalities that are identified follow the municipal boundaries as outlined. The only area where it deviates is the land in the Niagara region official plan. It follows the designations from that document, as well as the two provincial plan boundaries.

Moving along to page 6: The moratorium is also within key areas of the greenbelt study area. The proposed moratorium is on changes from rural and agricultural to urban uses. It will allow time for the Greenbelt Task Force to provide their recommendations and the government to consult and determine what shape the permanent greenbelt will take. The moratorium on new urban uses is on key rural and agricultural lands within the study area, and it would be retroactive to December 16, 2003. That happens to be the date of first reading of the bill.

#### 1650

On to page 7: We're continuing to describe the moratorium. The proposed moratorium restricts the ability to apply for and receive municipal approval of specific types of planning applications for urban uses. Urban uses are defined in the bill. The planning applications that the proposed moratorium would apply to include official plans and official plan amendments, zoning bylaws and zoning bylaw amendments, as well as plans of subdivision.

The proposed moratorium, as currently worded, does not include the Niagara Escarpment plan area, the Oak Ridges moraine area or the city of Toronto. Existing legislation and provincial plans cover the Niagara Es-

carpment and the Oak Ridges moraine. The long-established Niagara Escarpment plan has been in place for over 20 years. The more recent Oak Ridges moraine conservation plan came into effect in 2002 and does not allow anyone to amend the plan for urban expansion. The city of Toronto is an urban area in its entirety.

Finally, the bill is intended to sunset on December 16, 2004, which is exactly one year to the date of introduction and first reading. Therefore, by virtue of the sunset date, the proposed moratorium is a temporary measure, or a time out, to allow the Greenbelt Task Force to provide the recommendations and the government to consult and determine what shape the permanent greenbelt will take.

On to page 8, matters appealed to the Ontario Municipal Board: The bill proposes to automatically stay planning applications for urban uses in the moratorium area that are before the Ontario Municipal Board or the joint board under the Consolidated Hearings Act as of December 16, 2003. The bill also provides the Minister of Municipal Affairs and Housing with the ability to stay any matters in the greenbelt study area that are before either the Ontario Municipal Board or the joint board under the Consolidated Hearings Act. This provision is broader than the first bullet, as the staying of proceedings is only within the moratorium area. The minister would have the ability, through this section of the proposed legislation, to stay matters anywhere within the greenbelt study area.

On to page 9, the main component of the bill, strengthening the protection of the Oak Ridges moraine area: The bill does propose changes to the Oak Ridges Moraine Conservation Act, 2001, to help strengthen the Oak Ridges moraine by clarifying the existing transition provisions in that legislation. There have been some differing interpretations of the transition provisions of what was originally intended in this legislation. This change will help clarify matters.

The Oak Ridges Moraine Conservation Act already contains a section in it that gives the Minister of Municipal Affairs and Housing the authority to stay certain matters that have been appealed to the Ontario Municipal Board. Bill 27 contains provisions to extend that authority of the minister to be able to stay any transition application that has been appealed to the Ontario Municipal Board within the Oak Ridges moraine.

The bill also proposes to add another clause to the Oak Ridges Moraine Conservation Act to provide the authority to refer appeals, which have been stayed from the item I just described above, to a hearing officer who would make recommendations to the Minister of Municipal Affairs and Housing for a decision, which is subject to the approval of cabinet.

On the next page, page 10, I'm going to move on to the other legislative powers that are contained in Bill 27. The bill would give cabinet the authority to make regulations. This would be in subsection 8(1) of the legislation. There are three different points here. The first is to change the boundary of the greenbelt study area. If, for

whatever reason, there is a desire to change those boundaries, the legislative authority to do this would be through a cabinet regulation. There's also the same ability, through cabinet regulation, to change the areas to which the moratorium applies. Finally, cabinet has the authority to make regulations to exempt land or any use of land or class of uses of land from the moratorium.

Now, if there's a desire to provide relief from the moratorium, this would allow cabinet to make exemptions to the moratorium generally by a class of uses, like highway-commercial, commercial-industrial or a particular use such as a gas station, a specific industry or a site specifically for a property; for example, the gas station at such-and-such Elm Street. Therefore, if a regulation were made for this purpose, there is the ability through this regulation power to tailor the exemptions to individual circumstances.

Page 11 of the slides: The bill would also give the Minister of Municipal Affairs and Housing the legislative authority to make regulations in a few instances. One is to make changes to the definitions of "urban settlement area" and "urban uses." Those definitions are found at the beginning of the bill. The minister can also make regulations to prohibit site alteration, tree-cutting or the removal of trees, or the grading of land in the greenbelt study area. The minister can set out transition rules through regulation, which can detail how applications that were in process at the time of first reading of this bill would be treated, as the bill is retroactive to the date of first reading.

Page 12 of the slides: I'm going to briefly describe the minister's Golden Horseshoe zoning order. The Minister of Municipal Affairs and Housing put in place a minister's zoning order for the area covered by the same area as the greenbelt study area proposed in this bill, as an interim measure to maintain the status quo while this bill is proceeding through the legislative process and the proposed legislative moratorium could come into effect.

The zoning order applies to rural and agricultural lands within the greenbelt study area that are outside of designated urban settlement areas in municipal official plans. The zoning order permits uses that lawfully existed on December 16, 2003, or where the uses are permitted by the applicable municipal zoning bylaw on December 16, 2003. Again, that is the date of first reading of Bill 27, and is also the date to which the proposed legislation would be retroactive.

I want to also confirm with you that the zoning order does not apply to the Oak Ridges moraine area, the Niagara Escarpment plan area and the city of Toronto, as well as a couple of other areas. There's a minister's zoning order on the land surrounding the Pickering airport. As well, there's the Duffins Rouge ag preserve zoning order. That was just to eliminate having a layering of ministers' zoning orders in that area.

We're going to move on to slide 13, and I'll just basically go over a bit about the Greenbelt Task Force. By way of background—and the minister covered some of this as well—the Minister of Municipal Affairs and

Housing appointed the 13-member Greenbelt Task Force, chaired by the mayor of Burlington, Rob MacIsaac. The task force is made up of a broad cross-section of stakeholders, including municipalities, the development industry, home builders, aggregates, environmental and agricultural interests.

The task force has met 13 times since February, and its preliminary considerations for approaches to greenbelt protection are contained in their consultation document, which is due to be released later this week. In addition to their regular meetings during March and April, the task force also consulted with municipal politicians and their staff at a series of meetings in Hamilton, Burlington, and Durham, York and Peel regions, as well as with the recently formed GTA countryside alliance mayors, and that meeting was held in Caledon. All these meetings helped the task force shape their consultation document. The task force consultation document covers topics such as agricultural protection, the Niagara tender fruit and grape lands, environmental protection, infrastructure, transportation, future resource needs, including mineral aggregates, as well as recreation and tourism opportunities and administration and implementation of the greenbelt.

A series of theme-based stakeholder workshops and geographically dispersed public meetings will be held by the task force on the scope, content and implementation of a future greenbelt strategy. The workshops and public meetings begin on May 20. The first one happens to be in King City, and the theme that day is environmental protection. The workshops and public meetings run until June 16. The last scheduled meeting is in Burlington, and it happens to be on administration and implementation.

#### 1700

The task force also provided advice on the criteria and conditions for possible exemptions to the minister's zoning order and the moratorium proposed in Bill 27 at the request of the Minister of Municipal Affairs and Housing. There are some backgrounders in your binders that describe this in greater detail. Flowing from these suggestions, the minister is proposing as a first step to amend the minister's zoning order to provide relief for certain situations while not impacting any long-term strategy for greenbelt protection.

Following consultation, the task force will provide recommendations to the government. Consultation on the proposed course of action is expected in the fall. This will coordinate policy direction with the other provincial initiatives that are taking place, including planning reform, such as Bill 26, which is currently in second reading debate in the Legislature, and the PPS, the provincial policy statement. There are transportation, source water and growth management initiatives taking place as well.

That concludes my presentation. I'm pleased to take any questions.

**The Chair:** Thank you. Questions or comments?

**Ms Churley:** Thank you very much for that presentation. We've got copies of your slides. Do we have a copy of all your remarks?

**Ms Konyi:** No.

**Ms Churley:** Could we have those provided? They're very thorough; a good overview.

**Ms Konyi:** I've written on them. Would it be helpful if I could just clean up the copy?

**Ms Churley:** I don't need them right now; for later. When will we have the Hansard?

**The Chair:** When will we have the Hansard? Two days?

**Ms Churley:** We're putting you on the spot. If it's within a couple of days, that will be fine. They'll be provided? OK.

I'm not going to ask a lot of questions right now, but one of my concerns is around the very tight timelines. On one hand, I am supportive of moving quickly on this and getting protection, because we really need it, but this is a very complex area, as you well know, with all the different ministries involved. There's a moratorium placed until the deadline. When is that? I don't have the paper.

**Ms Konyi:** December 16 of this year.

**Ms Churley:** Do you think it can all be done by that time?

**Ms Konyi:** Nothing's impossible.

**Ms Churley:** If it's not, what happens then? Would there be an extension, do you think? I guess that would be the minister's decision.

**Ms Konyi:** It's not my position to comment on that.

**Ms Churley:** So you think nothing is impossible, but it is a very tight time frame to get it all done.

**Ms Konyi:** We are working very closely with all the partner ministries. The minister described his group of eight ministries as working together. We also work at a staff level to coordinate and work together. So we're trying to integrate and make sure that one initiative informs the other and that they're all coordinated.

**Ms Churley:** The other thing is, again, just technical; we talked about it in the subcommittee, and it may have been discussed already. Are we going to be provided with a detailed map for the committee hearings so its very clear where the belt is, so we can point out to people and we can see very clearly the area of land we're talking about?

**Ms Konyi:** The request is to have a map.

**Ms Churley:** That's it. Thank you.

**The Chair:** I would just like to advise that each party will have a total of 10 minutes. If they want to take it at different times, they could do that.

**Mr Delaney:** Just a question for clarification on the exemptions: Could you perhaps sum up for me what types or classes of organizations or projects would not be exempt?

**Ms Konyi:** The advice the task force gave to the minister was that the exemptions be minor in scale. They support the intent of the greenbelt, so they wouldn't undermine long-term greenbelt protection. They wouldn't involve the extension of infrastructure unless it's to sup-

port something that's already approved and dependent on that infrastructure and very late in the process, so that things have progressed to a point where sufficient approvals have been given and it's very difficult to turn the clock back.

**Mr Delaney:** Such as?

**Ms Konyi:** Say, a final approved plan of subdivision or a development that has zoning but has a holding zone on it and the municipality has to lift the holding. It just has to fulfill a certain number of conditions and remove the holding provision, and everything else could fall into place. Those are some examples of how far advanced in the process.

**The Chair:** Any other questions?

**Mr John Yakabuski (Renfrew-Nipissing-Pembroke):** I share Ms Churley's concerns about the time. The task force was appointed in February, and by then two months had slipped by. We'll be starting workshops near the end of May. We know what the summer's like. I really have concerns that they'll be ready to implement this by December 16, which is the expiry of the moratorium.

**Ms Konyi:** The task force will be consulting over May and June. They will provide their recommendations based on what they hear back to the government, and then we'll go from there. We expect to be back doing some kind of consultation in the fall as to permanent greenbelt protection, but at this point, I couldn't comment any further on that.

**Mr Yakabuski:** Will this be coming back to committee?

**Ms Konyi:** Not through this bill, because, once again, the purpose of this bill is to set up the greenbelt study area and put the moratorium in place. It's the first step to permanent greenbelt protection. It's not the final product.

**Mr Yakabuski:** Are we going to have some kind of interim report provided fairly soon, then? Will the task force release a public consultation document that's going to be coming out?

**Ms Konyi:** Yes, the Greenbelt Task Force consultation document is due to be released this week, in advance of the first scheduled meeting. Right now, on our Web site—

**Mr Yakabuski:** Why wouldn't we do that before we have some meetings? If people are going to be making presentations to the committee, would that not be part of the process?

**Ms Konyi:** Like I say, this bill is to establish the greenbelt study area as well as to put the legislative moratorium in place. It is not about permanent greenbelt protection. The task force is charged with looking at the broader aspects of it and reporting back on some recommendations to the government.

**Mr Yakabuski:** It would just be nice to have that before we actually start listening to people.

**Ms Konyi:** We'll get it to you as soon as it's released.

**Mr Yakabuski:** We know what one party is already saying or what their feelings are. It's something to digest and understand or attempt to understand before we start

listening to people who may want to make presentations on where they feel this legislation should go.

**Ms Konyi:** It is my understanding that this committee will get copies of the task force consultation document as soon as it's public.

**The Chair:** Other questions? The only comment I have is, you say that we should be getting the task force report, but the public hearings start this Friday.

**Ms Konyi:** It's a consultation document, Mr Chair. It just speaks to the various issues that I spoke of. It's a document for the purposes of consultation, for them to talk about the broader greenbelt protection. It's based on the various themes of agricultural protection. I should clarify that: It is not a government report, it is the task force report, and it's based on what they want to go out and consult on. But for your purposes, we will be able to give you a copy of that.

**The Chair:** In other words, we should be getting this task force report, as you call it—

**Ms Konyi:** It's their consultation document. That's what it is.

**The Chair:** —the consultation document, before we start the clause-by-clause?

**Ms Konyi:** Oh, yes.

**The Chair:** Very good. Any other questions?

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** I think one of the things we will have to be very clear about with the deputants or presenters is that this is to establish the greenbelt study area and not the greenbelt. I somehow suspect some of the folks who come to see us may think that this bill is about establishing the greenbelt. I think there will have to be considerable clarity for those folks arriving.

**The Chair:** Any more questions? If none, I thank you very much. If people want to stay here for a few minutes, we'll let you know where we're going on Friday. We're just waiting. Is it there?

**Mr Yakabuski:** It's in there.

**The Chair:** It's in the package. OK. Can we move the adjournment of the meeting?

**Mr Delaney:** So moved.

**The Chair:** Moved by Mr Delaney. Any objection? All in favour? The meeting is adjourned.

*The committee adjourned at 1710.*







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