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**Official Report  
of Debates  
(Hansard)**

**Friday 21 May 2004**

**Journal  
des débats  
(Hansard)**

**Vendredi 21 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

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON  
GENERAL GOVERNMENT**

**COMITÉ PERMANENT DES  
AFFAIRES GOUVERNEMENTALES**

Friday 21 May 2004

Vendredi 21 mai 2004

*The committee met at 1003 in the Howard Johnson Hotel, Aurora.*

GREENBELT PROTECTION ACT, 2004

LOI DE 2004 SUR LA PROTECTION  
DE LA CEINTURE DE VERDURE

## SUBCOMMITTEE REPORT

**The Vice-Chair (Mr Vic Dhillon):** Good morning everyone. Welcome to the standing committee on general government. We're here in Aurora to look at Bill 27, An Act to establish a greenbelt study area and to amend the Oak Ridges Moraine Conservation Act, 2001.

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.

The first item on the agenda is the report of the subcommittee. Can I get somebody to move the report?

## TOWNSHIP OF BROCK

**Mr Bob Delaney (Mississauga West):** I move the adoption of the report of the subcommittee. The report of the subcommittee reads as follows:

**The Vice-Chair:** The first presenters we have are Keith Shier, mayor of the township of Brock, and Thomas Gettinby, deputy clerk, administration. Welcome and good morning. You have 20 minutes. Any time remaining will be divided up among the three parties. You may begin.

Your subcommittee met on Tuesday, May 18, 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:

**Mr Keith Shier:** Thank you, Mr Chairman. We'll be fairly quick. My name, as you know, is Keith Shier, and I'm mayor of Brock township. With me I have assistant clerk administrator and former planner, Mr Gettinby. We are pleased to be here this morning to present to you on behalf of our council, and we would like to provide our comments on Bill 27 and the impact that it has on our municipality.

(1) That the clerk provide each caucus with the list of those who have responded to the advertisement and wish to appear in Aurora and Toronto on May 21 and May 31, 2004, respectively by 5:30 pm on Wednesday, May 19, 2004.

Brock is a rural municipality with a population of 12,000 persons located in the northeast corner of the greater Toronto area on the east side of Lake Simcoe. Most of our residents live in three urban centres: Beaverton, Cannington and Sunderland. We are the most northerly municipality in the greater Toronto area and in the region of Durham.

(2) That each caucus then provide the clerk with a prioritized list of five witnesses and two alternates to be scheduled for Aurora.

We are proud of our ability to manage growth in our township, and for the past 30 years have followed development principles that have been established by the province and set forth in the official plans for the region of Durham and the township of Brock.

(3) That the official opposition caucus and third-party caucus provide the clerk with a prioritized list of two witnesses and two alternates, and the government caucus provide the clerk with a prioritized list of three witnesses and two alternates to be scheduled for Toronto.

(4) That all caucus witness lists be provided to the clerk by no later than 10 am on Thursday, May 20, 2004.

(5) 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.

Brock agrees that urban sprawl and the loss of productive agricultural land surrounding Toronto is a serious issue and is worthy of the government's attention. I myself am a farmer, so I understand what good agricultural land is and how valuable it is to our province and our country.

This is the report of the subcommittee.

Most land in the township is designated for agricultural purposes and, since agriculture is our largest employer,

**The Vice-Chair:** All in favour? Carried.

its continuance is important to our economy. However, there are areas in our township, particularly north and east of Beaverton, which do not contain productive agricultural land. Development pressures within the township are not similar to those within municipalities south and west of us. In fact, we only issued 23 building permits for houses last year.

Even though agriculture is important as an employer in our township, we do need other access to employment for our young people, who have to move or travel out of our township for employment. It's very important that we seek other avenues of employment within our township.

I'll let Mr Gettinby explain where we are and what we are doing in that venue.

**1010**

**Mr Thomas Gettinby:** The regulation in Bill 27 has a direct impact on four development applications on lands outside of our urban areas. The first one is an 18-hole golf course south of Beaverton proposed by Kaneff Properties. This application has been approved by the region of Durham. All that is left is for us to execute a site plan agreement and pass the implementing zoning bylaw. Second, we had a major expansion to an existing gravel pit, which was approved by the Ontario Municipal Board on December 15, 2003. In addition to agriculture, a lot of our residents are employed through the gravel industry, either at the pits or as haulers. The third application is a 48,000-square-foot grocery store proposed by Loblaw's, which is located in an existing zoned-commercial node on Highway 12, just east of Beaverton. Last, we have a Tim Hortons/Wendy's restaurant that is proposed, again east of Beaverton on Highway 12.

Needless to say, these developments are important to the township of Brock, particularly since we do not experience the same type of development pressures as other municipalities within the greater Toronto area, nor as those other municipalities impacted by Bill 27.

Council believes that the zoning order in Bill 27, in its present form, will cause a loss of investment, a loss of taxation revenue and a loss of employment opportunities for our residents. We do not think this is what the government intended. Council also believes that the zoning order in Bill 27, as it affects the development previously approved by council, either locally or regionally, seriously undermines the role of council in assessing planning applications. This appears to be contrary to the government's mandate to respect local decision-making authority.

Therefore, in conclusion, the township of Brock respectfully requests that the committee consider the following exemptions prior to third reading: first of all, that the township of Brock be exempted in its entirety from the provisions of Bill 27 and that the zoning order be lifted as it affects Brock; second, if a full exemption is not granted to the municipality, we would request that exemptions be incorporated into the bill that would allow for the processing of existing applications that are locally supported and far advanced in the planning process; and, third, we would request that exemptions be permitted in

areas that are already designated and/or zoned for urban uses within our rural areas.

**Mr Shier:** The reason we ask for a total exemption is that we believe we are far removed from the area you have most concern with. We are only in the greater Toronto area by virtue of being a member of Durham region. We are a 20- to 25-minute drive north of the Oak Ridges moraine and we feel we are far removed from that area which is of most concern to you. Having said that, we do believe in green areas and we do believe in good management of development, and we will continue to work toward that.

We look forward to your questions. Thank you very much.

**The Vice-Chair:** There are 12 minutes remaining. That means four minutes for each side, and we'll start off with the opposition.

**Mr Frank Klees (Oak Ridges):** Your Worship, thank you very much for your presentation. I think the central issue you make is that this bill is an absolute contradiction to a previous bill that was passed, or that's introduced, that's being considered by this government, and that relates to the whole issue of decision-making.

We heard much from this government, or certainly from the Liberal Party, during the election campaign and leading up to this last election about how important it is to respect local decision-making. You've made the point in your presentation here that this really is contrary to the government's mandate to respect local decision-making. I'd be interested in your thoughts as to the reaction of your council, what the reaction at the local level is, not only in your case but in the region as well, to this contradiction. On the one hand, you have a Minister of Municipal Affairs saying, "We want to respect local decision-making," yet there are now years of planning that you've made at the local level, there are applications in process, and this puts a halt to all of that and effectively threatens to overturn that. I'd be interested in your comments.

**Mr Shier:** Actually, we don't have many rear-view mirrors in Brock township. We're sort of looking to go ahead. What is done is done. We think there are ways and means that we can work through this, and we can work with the good parts of the legislation. We hope that members will iron out some of the wrinkles in what is presented to us. Certainly, it doesn't work for everybody. One size does not fit all. We are hopeful that we can work through this and take our township forward as quickly as possible.

If there is a great delay, and I certainly hope there won't be, there will be a leapfrogging effect, and we're beginning to see some of that effect right now. The grocery store that Mr Gettinby spoke about will not wait long and they can, by moving just a few miles north, move to an area where they will not be caught in Bill 27 and the zoning order. They don't want to do that. They want to be in the area that they have spoken to us about and that is where they have done their marketing work. They want to be there, but in today's business world you cannot sit long or your opposition will surpass you and

you'll be left behind. We don't want that to happen in Brock township.

**Mr Klees:** That leapfrogging effect is something that we're hearing right across the province from many jurisdictions, from many areas. This is effectively creating an artificial boundary, isn't it, that's restricting development? Then, beyond that, it's actually having a very interesting effect on land values as well, because this is really a market-drive issue, isn't it?

**Mr Shier:** I think that's a fair assessment.

**Ms Marilyn Churley (Toronto-Danforth):** Thank you very much for your presentation. To start with, there are some who believe that Simcoe county in general should be included under the greenbelt legislation. What do you think of that?

**Mr Shier:** I really have no opinion on Simcoe county at all. I'm just worried about the north part of Durham region. I suppose if—

**Ms Churley:** If I may, I know it's out of your area, but just in terms of leapfrogging development, you mentioned that there is great concern about that.

**Mr Shier:** I suppose if Simcoe county were included, there would have to be other areas included as well. It would be very far-reaching, to be fair to everyone and to create a level playing field for everyone.

1020

**Ms Churley:** The developments that you have mentioned here—the 18-hole golf course, the existing gravel pit expansion, the grocery store—what is on that land now? Is it agricultural land?

**Mr Gettinby:** Actually, what's on it right now is an old motel that was developed in the mid-1960s. Just to the south, there is a McDonald's restaurant that opened approximately three years ago. Immediately to the north is a Subway Restaurant and a local businessman who sells Honda motorcycles, ATVs and things like that. The property itself is zoned for highway commercial purposes. It just doesn't specifically permit a grocery store, and therefore requires a rezoning; it therefore is caught.

The gravel pit expansion that's mentioned in the report is an existing gravel pit. It's been there probably for about 40 years or more. They expanded the boundaries, perhaps by including a further 100 to 200 acres. This application was approved, both at the township and regional level. It was appealed to the Ontario Municipal Board. There was a successful mediation on December 8. The board issued its decision, I believe, one day before Bill 27 was introduced.

**Ms Churley:** What about the golf course?

**Mr Gettinby:** The golf course is just south of Beaverton. It's basically sitting on vacant land. Again, with that application there were environmental studies submitted. They have been peer-reviewed. There was an official plan amendment that was adopted by regional council. Up until Bill 27, we were working with the applicant to finalize the details of the site plan agreement.

Obviously, one of the major players is the Lake Simcoe Region Conservation Authority. At this point,

they are waiting to see what happens with Bill 27 before they spend any more money dealing with the site plan.

**The Vice-Chair:** Thank you very much.

**Mrs Maria Van Bommel (Lambton-Kent-Middlesex):** Thank you very much. I'm sure you're aware that Bill 27 is a time-out bill. All we're doing is trying to get an opportunity to have a look at the potential study area for the greenbelt.

You're talking about the Loblaws development, the grocery store development, and the possibility that they will leave. Now, you also mentioned that they've invested a lot in marketing and the development process so far. Do you think that they won't wait until the end of this year before they move on? You talk about the leapfrogging, but we've got a lot invested here already. Why would they go when they know that this bill is finished basically at the end of this year?

**Mr Shier:** The problem is, if they don't go with the store, another company can put one in just north of them, and then there's no sense in their putting in a store at all, because the market would be split. It's close enough. The area's within about four or five miles of the boundary. So they just have to move past the boundary in the Brechin area, and another company could steal the market. Then it's gone and the opportunity is lost.

I look at it as being a little too late, if we have to wait until the end of this year. By that time, we're into winter. Nothing happens until spring. We're looking at another year. That's actually too long.

**Mrs Van Bommel:** Thank you.

**Mr Tony C. Wong (Markham):** I want to maybe understand this a bit more. You've indicated that there were 18 building permits for last year. Was that an average year? Was that a good or bad year?

**Mr Shier:** Actually, 23. I think it was a pretty average year; maybe a little better than some and certainly lower than others, but pretty average.

**Mr Wong:** With respect to the golf course, what was the approval date by the region of Durham?

**Mr Shier:** We're guessing a little bit—2001, maybe.

**The Vice-Chair:** Thank you very much, Mayor, for your presentation.

#### AGGREGATE PRODUCERS' ASSOCIATION OF ONTARIO

**The Vice-Chair:** The next presenter is Carol Hochu. She's the president of the Aggregate Producers' Association of Ontario. Did I pronounce your name right?

**Ms Carol Hochu:** You did, indeed. Congratulations.

**The Chair:** You may begin. You have 20 minutes. Any time remaining will be shared among the three parties.

**Ms Hochu:** Thank you, Mr Chairman, and good morning to the members of the standing committee. My name is Carol Hochu and I'm president of the Aggregate Producers' Association of Ontario. Joining me today is Peter White. He is APAO's environment and resources manager and he'll help me answer any questions you

might have. We appreciate the opportunity to be before you today.

Last February, I had the pleasure of being appointed by the Honourable John Gerretsen, Minister of Municipal Affairs and Housing, to the Greenbelt Task Force. Comprising a wide variety and diverse number of groups, the task force has provided the minister with what we hope is invaluable advice on how to achieve the dual objectives of promoting environmental protection while ensuring Ontario's continued prosperity.

By way of background, the Aggregate Producers' Association of Ontario, or APAO for short, is the provincial industry association representing over 200 member companies. Nearly half are aggregate producers with pits and quarries, while the remaining member companies supply equipment, consulting services and other important products and services to the industry. Our mission is to build partnerships with the government and the public to promote the wise management of aggregate resources.

Just a brief definition: According to the Aggregate Resources Act, "aggregate" is a term that describes a number of products including gravel, sand, clay, stone etc. The laundry list is in your presentation.

Our members represent the majority of the 165 million metric tonnes of aggregate consumed in the province every year—a key component of Ontario's \$30-billion construction industry. Our industry employs over 41,000 workers, both directly and indirectly, in services such as transportation and equipment. Hundreds of thousands of jobs in the construction industry also rely on an adequate supply of quality aggregate products.

In Ontario, aggregates are used in greater volume than any other mineral resource. This is a direct indicator of the strength of Ontario's economic growth and is intricately linked to construction spending and sustained growth. However, it's becoming increasingly clear that a crisis in high-quality aggregate supply is upon us in and around the Golden Horseshoe. Statistics indicate that depletion of available reserves in the GTA over the past 12 years is three times greater than replacement. Scarcity is a powerful force. You might be interested to know that it takes on average six to 10 years and hundreds of thousands, if not millions, of dollars to bring new licenses on stream due to an increase in the requirements for technical studies, along with public and agency review and comment.

There is indeed an urgent need for new private sector investment to secure supply. Unless there is encouragement for new private sector investment and clear policies to protect and make aggregate available by governments, there could be severe consequences to public and private infrastructure projects and construction. In fact, you may be surprised to learn that the public sector is the largest user of aggregates in the province. Construction of hospitals, schools, community centres, civic buildings, provincial highways and municipal roads, among others, all depend on a supply of aggregates close to market.

Bill 27 provides an opportunity for the province to put in place a series of measures that will ensure a steady

stream of aggregates close to market that is entirely consistent with the goals and objectives of environmental protection.

I would ask the committee to consider the potential impact of restricting the available supply of aggregates, both in economic and environmental terms. Consider for a moment the additional transportation costs associated with bringing aggregates to the GTA because applications have been frozen in the GTA, Hamilton and Niagara areas. Transportation costs alone—and transportation does comprise more than half the cost of aggregates—associated with importing more aggregates to replace amounts produced in the GTA today would be about \$4 billion over a 10-year period.

#### 1030

The hauling of aggregates from more distant parts of the province will also have a detrimental impact on the environment, leading to additional fuel consumption and greenhouse emissions. I've provided a statistic that the impact of hauling 34 million metric tonnes of additional imports per year an additional distance of 75 kilometres translates into additional fuel consumption of 82 million litres per year and additional greenhouse gas emissions of 225,000 metric tonnes per year. It is therefore vitally important that we plan for the responsible use and production of aggregates within the proposed greenbelt area.

Bill 27 inappropriately treats aggregate extraction as a matter of urban sprawl, when mineral aggregate is clearly an interim rural resource use and recognized as such in the provincial policy statement. We feel that this error must be rectified before final reading of the bill.

Therefore, we propose three changes for your consideration. Page 1, paragraph 4 of the preamble speaks to "food, water, natural heritage systems, green space and recreation" in the Golden Horseshoe area. We believe that the Golden Horseshoe area is also an important source of mineral aggregate resources. Thanks to Mother Nature this area contains aggregate, and therefore we think it should be added to the list of greenbelt resources.

Page 2, section 1, under definitions: The "urban uses" definition is vague and needs to be clarified so that aggregate extraction is not included as an urban use. We certainly don't believe that aggregate extraction is an urban use, but it could be construed that way under the "urban uses" definition. We recommend that the "urban uses" definition be clarified by changing the phrase "non-agricultural" to "non-resource-based" throughout.

Finally, page 5, clause 8(2)(b), regulations by the minister: The prohibition on "site alteration, the cutting or removal of trees or the grading of land in the greenbelt study area" should be clarified so that it applies only to urban uses.

We believe that these proposed changes to the bill are very much in the public interest in terms of economic and environmental sustainability and are also consistent with, and supportive of, the provincial policy statement.

Let me conclude with some key messages. Aggregate extraction is vitally important to Ontario's economic prosperity and does not compromise environmental or

greenbelt objectives. Aggregate extraction is an interim land use. Once completed, the land is returned to important uses consistent with greenbelt goals and objectives. Anyone who has been to the Royal Botanical Gardens, traveled through the forks of the Credit River or played an occasional game of golf in Caledon has seen first-hand how aggregate sites are returned to compatible land uses once extraction is complete.

Our industry has worked co-operatively with all levels of government for many years on how best to return these sites to environmental, recreational, agricultural and other uses. It is indeed possible to end up with a net environmental gain through creative and science-based rehabilitation plans. And we believe we have succeeded on many fronts.

An adequate supply of aggregate close to market has positive economic, environmental and social benefits, and is essential if the government is to meet its dual objectives of addressing the infrastructure deficit while protecting the environment.

I have attached to my presentation two maps showing the location of aggregate resources in the Golden Horseshoe area as well as some wonderful examples of rehabilitation to a wide variety of after-uses.

On behalf of the Aggregate Producers' Association of Ontario, thank you for your time and attention today. Peter and I would be pleased to answer any questions you may have.

**The Vice-Chair:** Thank you for your presentation. We have about four minutes for each party, and we can start with the third party.

**Ms Churley:** Thank you for your presentation. As you know, there's a whole other point of view on this, and I'm going to raise it. In the Environmental Commissioner's report of 2002-03—I don't know if you had a chance to look at it—he indeed expressed very serious issues around aggregate extraction as a major environmental concern. He talked about the fact that when the extraction sites were no longer in operation, even after decades of extraction, with the injection of capital they can become, as you said, rehabilitated and restored to productive land use. That's why it's called interim land use. But what was pointed out was that the land is being degraded faster than it's being rehabilitated by aggregate licensees. Between 1992 and 2000, 5,500 hectares of degraded land had accumulated due to aggregate extraction. He goes on about how it is a very serious problem and one we have to take note of. I'm just wondering what your comments would be on that. Do you agree with the Environmental Commissioner?

**Mr Peter White:** We agree that the Environmental Commissioner has identified those concerns.

**The Vice-Chair:** May I get your name, just for the record?

**Mr White:** I'm sorry, my name is Peter White. The Environmental Commissioner, in pointing this out, has identified that the rate of rehabilitation is not satisfactory as far as he is concerned. Part of the issue there is

actually how you count disturbed acres. One of the biggest—

**Ms Churley:** Sorry, how you count—?

**Mr White:** How you count what we call the area that's been disturbed, that's been extracted.

**Ms Churley:** I see, disturbed area. I just didn't hear you.

**Mr White:** Part of the controversy there is that we have several locations where you have large bodies of water created as part of the operation. Those areas of water are considered to be disturbed acres. The actual rehabilitation plan calls for that area to be a lake. You don't get credit for that lake until you're actually finished, even though the rehabilitation that you would actually do is for the periphery of the lake—ie, the shoreline. But the way that the calculations are required under the regulations at the moment, even though the lake is there and created in maybe year five of your operation, you don't get credit for that number until you've reached the end. So there is some tightness within the regulations as they exist that could cause us some difficulty in reporting.

We are not dismissing that it is an ongoing problem related to how quickly rehabilitation can be done. We're required by regulation to continuously do progressive rehabilitation, and companies are working very diligently toward that.

**Ms Churley:** OK, I hear you. Thank you very much for your answer. It is a growing concern as we deplete this resource and take up land. In fact, there are also concerns that as it continues to grow, it threatens UNESCO biosphere areas.

This is not your job, but it's my view that the province should do more on conserving aggregate by using more recycled materials in road construction and other areas when possible. You make a good point, that we're running out. Of course, I know you're representing an industry. This is what you do, and I don't expect you to necessarily agree with me on this, but I believe and I think many share this belief, as well as the Environmental Commissioner, that this is huge and becoming an even bigger problem. Has your industry looked at the reality of that and started to look at other ways of doing things?

**The Vice-Chair:** Just a quick reply, because your time is up and we'll have to move on.

**Ms Hochu:** Just on the issue of substitution for aggregates or recycling, you should know that the recycling of asphalt and concrete, which largely contains aggregate, is very high. Any producer that has the ability to accept asphalt and concrete and recycle it will do so. With respect to substitute materials, there really aren't any good ones. Plastic and steel in some instances, if the price is competitive, can be used in some structural applications. Furthermore, specifications set by MTO and other agencies require high-quality aggregates for their strength and so on. The industry is looking at this issue of substitution and recycling but it's not likely to replace a large amount of aggregate any time soon.

1040

**Mr Delaney:** I'd like to thank you for a very interesting and helpful presentation and, in particular, the maps that you've provided to clarify it.

I have a number of questions, more in the range of clarification. I'll try and get down the list. I have about six of them; let's see how far we can get. What is the expected lifespan in years of your average aggregate pit or quarry?

**Ms Hochu:** I guess the answer is it depends. It ranges widely. There have been examples of small sites that have been extracted and rehabbed in five, eight and under 10 years, and there are some pits and quarries that have been in operation for 50 years.

**Mr Delaney:** Including environmental impact studies and the time required to remove any overlying vegetation or overburden, what would you estimate is the average length of time to bring a new aggregate pit or quarry into production?

**Ms Hochu:** I think we referenced that in our presentation. On average, our members report six to 10 years to bring a new site on stream, and hundreds of thousands, if not millions, of dollars due to all the technical requirements.

**Mr Delaney:** Do you think you could submit to the committee an indication of at what stage in their expected lifetime the pits that you show on your maps are, and also add a list of aggregate pits and quarries outside the Bill 27 study area?

**Ms Hochu:** Sorry, the first part of the question again, sir?

**Mr Delaney:** In the facilities that you show that are inside the Bill 27 study area, could you at some point in the future send us on paper an indication of at what stage in their expected lifetime these facilities are?

**Ms Hochu:** I guess we can do our best to assemble that information for you.

**Mr Delaney:** Can you describe the process of de-commission and remediation of an aggregate quarry; for example, an estimate of the time required to return a quarry to its natural state, and just a quick overview of what processes are required?

**Mr White:** Quarries are a little more difficult than pits because you're removing material by blasting and you're essentially going into a vertical operation. The material that you're removing you then process. If the area becomes like the Milton limestone site, where the slopes were rehabilitated, cliff swallows were introduced, trees were planted, a marshland was established and then a large lake and recreation area was established and eventually the conservation authority headquarters are going to be established there—that site, by example, on top of the Kelso Conservation Area, has taken 11 years of work since they stopped to make it into the idyllic site that it is.

The requirements to rehabilitate are legislated and are ongoing, so that, depending on how much you have done and what the prescribed end use is under the Planning Act to fit in, the time frame does go on.

**Mrs Julia Munro (York North):** Thank you very much for being here today to give us this insight. I guess one of the things that strikes me about this is the reference in your presentation on page 3 that the depletion of available reserves in the GTA over the past 12 years is three times greater than the replacement, particularly when you talk about the fact that the public sector is one of the largest users.

From an industry point of view, if we were to just step away from the current legislative moratorium that we're looking at, could you comment on what you see in terms of the future, even without the changes that you suggested in your presentation? Are we looking at a future where we're going to be paying significantly more for aggregate? Are we looking at a future where the costs of transportation and the ancillary and consequent costs in terms of environmental issues are also going to escalate? I just wondered if you could give us a sense of how you see the future unfolding.

**Ms Hochu:** The short answer is yes to all those three points that you made.

**Mrs Munro:** Then I guess my question is, obviously, looking at the current Bill 27, this simply places a greater pressure on that already existing in this aggregate industry. Is that a fair assessment?

**Ms Hochu:** Yes.

**Mrs Munro:** Do you think the questions you have raised in terms of the suggestions you've made with regard to the bill—in the definitions, the preamble and so forth—will help to ensure a supply? Will it help to ensure a stable environment for what is a huge use in the province?

**Ms Hochu:** Yes. Changing the definitions will remove the zoning order and the moratorium from aggregate and will relieve applications that are frozen. I think our suggested changes will do all that to improve the situation.

**Mr Klees:** Thank you for your presentation. I think what you've done is helped to position the importance of keeping a balance here in terms of the realities of the GTA and the need for aggregate. The fact is that it is a growth area, and aggregate is extremely important, particularly to ensure the sustainability of the kind of commitments that even this government is making with regard to transportation, highways and other aspects.

I think it's extremely important for this committee to understand the degree of commitment that the industry has to rehabilitation. If members of the committee have not already done so, I think it would be very helpful for them to have a tour of some of the rehabilitated areas. I know even within our own region here, there are some amazing places that, when you go there, you have no concept that they were ever a pit or an aggregate operation. There are areas in this region that are beautiful horse farms or recreational facilities. I think it's important for the public to understand as well the responsibility of this industry in terms of committing to the rehabilitation and that it is in fact an interim industry.

Certainly, I will be supporting your request for the changes of definition that you've requested here. I think

it just makes good common sense and it really is in the public interest. I appreciate your coming forward with those very specific recommendations.

**Ms Hochu:** Could I make one comment, Mr Chair?

**The Vice-Chair:** Just quickly. We're running—

**Ms Hochu:** It just reminds me that an invite has been extended to all members to attend a tour of active and rehabilitative properties on the Oak Ridges moraine for June 4. So if you could join us, that would be wonderful.

**The Vice-Chair:** Thank you for your comments.

ENVIRONMENTAL DEFENCE CANADA/  
ONTARIO GREENBELT ALLIANCE

**The Vice-Chair:** The next speaker is Rick Smith from Environmental Defence Canada/Ontario Greenbelt Alliance. Good morning, Mr Smith. Could I get the name of the person beside you?

**Mr Rick Smith:** This is Mr David Donnelly. He's the legal director at Environmental Defence.

**The Vice-Chair:** You have 20 minutes. You may begin.

**Mr Smith:** Good morning, everyone. My name is Rick Smith. I'm executive director of Environmental Defence Canada. We're an environmental charity based in Toronto, and as I mentioned, I'm accompanied this morning by Mr David Donnelly, who is legal director at Environmental Defence. I'd like to thank you for giving us the opportunity to speak on this important issue this morning.

I'd also like to welcome you to my old high school stomping grounds. Just down Yonge Street in Oak Ridges is Lake Wilcox, where I have to say I lifeguarded for many summers. As you know, Lake Wilcox is the largest of the moraine's wonderful and unusual kettle lakes. Whatever conservation measures we discuss here today, unfortunately, will come too late for Lake Wilcox. It's been so polluted by the ill-planned development that now rings it that when we were lifeguarding, the joke was that we weren't actually protecting swimmers from drowning, we were protecting them from being eaten by the huge, green globs of polluted slime on the lake. I regret to tell you that Lake Wilcox now relies on a permanent mechanical lake lung that pumps oxygen into the lake bottom 24 hours a day. Hopefully, your deliberations here today will ensure that similar stories of lost natural heritage will become a thing of the past.

**1050**

It's our pleasure to be presenting today on behalf of the Ontario Greenbelt Alliance. The Ontario Greenbelt Alliance includes over 50 organizations united in the common vision for a well-protected greenbelt. The alliance membership ranges from associations of health professionals, such as the Ontario College of Family Physicians and the Registered Nurses Association of Ontario, to local community groups, such as the Friends of the Rouge Watershed. Also, the alliance includes provincial environmental organizations, such as the Sierra Club, the Canadian Environmental Law Associ-

ation etc. I think it's a measure of the level of interest in seeing this greenbelt initiative succeed and the multitude of different benefits the greenbelt would bring Ontario that you see such a large and diverse number of groups coming together in such a relatively short period of time. Environmental Defence is the coordinating organization for the alliance.

We would like to congratulate the present government for moving quickly on its election commitment to establish a greenbelt that protects at least 600,000 acres, in addition to land already protected on the Niagara Escarpment and the Oak Ridges moraine.

The alliance believes that the Greenbelt Protection Act has the potential to be an historic first step in creating something truly extraordinary for this and future generations, and that is a robust and continentally significant greenbelt. Such a greenbelt, if done right, would improve Ontarians' quality of life, conserve prime farmland, protect watersheds and water sources, and restore and connect forests and natural areas to allow wild species to find recovering habitats beyond the isolated fragments in which they are now confined.

That is if the greenbelt is done right. Done poorly, this greenbelt has the potential to contribute to leapfrog development, a concept that is so well understood, it actually has a name. Why would we repeat the problem that we know can occur with leapfrog development? Done poorly, this greenbelt could be carved up by roads and eaten away over time. It could be as stillborn and unsuccessful an initiative as the ill-fated parkway belt—a chunk of land that was supposed to be a greenbelt and regrettably is now known as the 407. They say the definition of insanity is repeating the same thing twice and expecting a different outcome the second time around. We certainly don't want to repeat the parkway belt experience, and we have some commonsense amendments to propose to you today to help the committee make sure that this greenbelt is done right.

The Ontario Greenbelt Alliance members believe that in order to be successful, the greenbelt must be planned according to the following principles:

(1) We should think big and not small. The greenbelt must link the Niagara Escarpment, the Oak Ridges moraine and the Algonquin Park-Adirondack state park axis as a unified natural heritage system. This protection plan has been discussed for years by scientists. It has come to be known as NOAH. Connecting these four existing protected areas will form the greenbelt's backbone and support steps to reverse the fragmentation of natural areas, the loss of biodiversity and the degradation of watersheds. The last thing Ontario needs is another isolated island of green.

The good news is that Ontario doesn't have to reinvent the wheel when it comes to planning these sorts of ambitious corridors of protected habitats. It's being done in the Pacific northwest, called the Yellowstone to Yukon Conservation Initiative. It's being done in Florida, called the Panther Parkway. There are initiatives ongoing in Ontario that it would be a shame if this greenbelt didn't

connect with. We have hard-working groups connecting with the MNR in eastern Ontario, trying to protect the corridor of habitat between Algonquin Park and Adirondack Park. We have folks up in the Georgian Bay area coming forward with a great proposal for the Great Lakes heritage coast. We have folks down in Carolinian Canada proposing a protected system of Carolinian habitat. The greenbelt is an opportunity to fill in the middle and connect these different efforts.

(2) Some threatened areas need immediate protection. There's one called north Leslie, just down the road. You have heard already, and you will hear from some other developers following us, who want to develop north Leslie. It's one of the most threatened areas in Ontario. Quite frankly, there are some threatened areas in Ontario that need protection now, or else they're not going to be around a year from now when the greenbelt finally materializes. We have identified what we think are the top 10 most threatened of these areas, and we have appended those to our brief today.

(3) Infrastructure is another form of development that must be properly planned. The core areas of the greenbelt, representing the richest and often most threatened environmental functions and features, must be protected from further infrastructure construction and incompatible land uses.

(4) The creation of the greenbelt is not just about protecting land, it's about safeguarding our quality of life. The greenbelt must be large enough to contain urban sprawl, reduce air pollution, enhance water source protection and biodiversity and improve our quality of life. My colleague will be speaking about that in a few minutes.

Consistent with these principles, the alliance believes that Bill 27, in order to be effective, should be amended in the following five specific ways:

(1) A purpose clause should be added, stating explicitly that the greenbelt is intended to become part of a larger, connected network of protected areas across the province.

(2) The description of the greenbelt study area in schedule 1 needs amending. The greenbelt study area is frankly too small and, as currently constituted, is guaranteed to lead to leapfrog development. We've seen the articles in the Toronto Star about massive developments occurring in south Simcoe around the Kitchener-Waterloo area. It will occur.

Given the obvious link between Smart Growth planning and the creation of this greenbelt, we would suggest that it's logical to make the central Ontario Smart Growth zone congruent with the greenbelt study area.

(3) A clause should be added to the bill placing planning and approvals for all new highways and major infrastructure in abeyance.

(4) Section 14 of Bill 27 needs amending. In addition to the welcome clarification this clause currently provides regarding the qualification for transition provisions under section 17 of the Oak Ridges Moraine Conser-

vation Act, section 14 should be amended to also apply to permits for major infrastructure development.

(5) Schedule 2 of Bill 27 needs amending. We're not sure if it was an oversight or not, but the reference to the Niagara Escarpment planning area should be removed from this schedule. As currently constituted, the bill actually gives a lesser standard of protection to the escarpment, which is a perverse outcome that needs to be rectified.

Once amended as described above, the alliance feels strongly that Bill 27 should be passed by the Legislature as soon as possible before the summer recess. It's not often that you hear charities urging the government to move quickly in this manner. We're doing so because, quite frankly, the need is urgent, as the government has already correctly identified.

I'd like to pass to my colleague to conclude our remarks.

**Mr David Donnelly:** My name again is David Donnelly, legal director. I have represented numerous groups, including Save the Rouge Valley System, at land use planning tribunals at the OMB over a number of years, and had the pleasure and the pain of representing Save the Rouge Valley System at the infamous Richmond Hill hearing into the pinch point, where the development has gone into 5,700 houses.

Through that experience, I have been able to determine in my own mind that the most important date for the environment in Ontario's history, past or future, is December 16, 2004.

The greenbelt can solve many of our province's most pressing problems: traffic congestion, protection of agricultural land and farming, air quality, safe drinking water and endangered species. Many, many other social benefits can be created by this greenbelt. The public understands that, and that's why there was such widespread support for it in both the recent municipal and provincial elections. The public simply wants it.

The greenbelt is not anti-growth, as some would have you believe. Ontario will grow by 2.5 million people in the next 30 years, with or without a greenbelt. But more people would come here if we let them. The question, then, is not if we will grow but how we will grow.

It is the dream of many citizens of the world to come to our great society in Ontario. Would you really believe the proposition that these people will stop dreaming of coming to our country if we have fewer 50-foot-wide lots available and more stacked towns? That's ridiculous.

**1100**

Home builders would like you to believe that there's a land supply crisis in Ontario and that the greenbelt will exacerbate this. Well, I'd like to perform a magic trick for you here. If the province required all future greenbelt developments to be built at a transit-supportive density, the so-called Leaside density, we would have a 45- to 60-year land supply.

Some people will tell you that the greenbelt is a radical idea and we simply can't afford it as a society. Well, I'd like to play another game called "name that

radical.” In the 1970s, a leader in the province created a greenbelt and set aside thousands of acres. He also set aside 450,000 acres in the Niagara Escarpment. That crazy environmental radical, Bill Davis, protected one of our truly great environmental features. Moving ahead two decades, that radical tree-hugger, Mike Harris, put 470,000 acres of the Oak Ridges moraine into protected status and, through the Living Lands legacy, he may have protected more acres than any other leader in Ontario history. All we are asking is for a 600,000-acre greenbelt to finish the job of protecting the Oak Ridges moraine and many other of our fine environmental features. If Dalton McGuinty can’t do that, he’s no radical.

We know that we can sustain this kind of environmental protection. We know that if we don’t do it, we are going to see a great reduction in our quality of life, our air and drinking water. We encourage this government to do it as quickly as possible and make it as robust as possible.

**The Vice-Chair:** We have about two minutes for each of the parties and we’ll start with the government side.

**Ms Deborah Matthews (London North Centre):** I want to go back to something you said, David, and I just want to make sure I’ve got this right. You said there was a 45- to 60-year supply of land available if houses were built at the Leaside density. Is that what you said?

**Mr Donnelly:** It’s also known as the transit-supportive density. Yes, that’s correct. Municipalities are required to keep a land supply on hand anywhere from 15 to 20 years. Most of them have it, but that’s built at a very low density. If it’s built out at a transit-supported density, which I think we all agree is appropriate, then we have a much larger land supply than is currently being advertised.

**Ms Matthews:** That’s in the GTA you’re talking about?

**Mr Donnelly:** That’s correct.

**Ms Matthews:** Anything you could supply us that would substantiate that would be much appreciated.

**Mr Donnelly:** I’ll make a note.

**Mrs Munro:** Thank you for coming here today. Your presentation on page 2, part (d), “The greenbelt must be large enough to contain urban sprawl,” really follows on the question that has just been asked. This is certainly something that I think people recognize, having watched Toronto in one’s lifetime, having watched the communities in York region all kind of blend together. It’s hard to know where one ends and the other begins. You mention here about the transit-supported density. Are we talking about 30-storey apartment buildings? Tell me what that means.

**Mr Donnelly:** No; that’s a misconception. People use higher densities as a bogeyman, and that it’s a NIMBY syndrome. It isn’t. What it is is sensible development that you would find in any sophisticated international metropolitan area. At the centre, at the core, you do have high and medium density, where people have easy access to public transit. Out from that node, ringing that, you would then have the typical low-density, 30- or 40-foot

front lots. We are not advocating the abolition of the typical detached family home. All we’re saying is that when you build these new communities, you focus on public transit and then allow for typical urban sprawl, but it has to be a mix and it has to be built at a sensitive density.

We don’t talk about densities, we don’t talk about how many people you have to focus in an area to put them on public transit. We’ve never done that in the province, and we have to do that now in the context of the greenbelt. The greenbelt contributes to that. Who disagrees with the proposition we have to have more public transit in the GTA?

**Mrs Munro:** I guess one of the things is that, historically in municipalities, in making decisions with regard to planning, there’s been a reluctance to look at densities. But you’re suggesting that the 2.5 million people who are scheduled to come here are going to be prepared and be part of that kind of new vision. Is that fair to say?

**Mr Smith:** Before David answers, just a quick clarification: When we talk about transit-supportive density, it doesn’t need to be the same density over every square foot of ground. If you’re talking about transit-supportive density over a concession block, for instance, you can have apartment buildings in one place and single-family dwellings in another, but the average density is higher than that which is happening currently.

**Mr Donnelly:** In fact, if you look at the places where much of the new population influx or immigration comes from, they typically live in far higher densities than what we have here, particularly in the 905 area. So they’ll be coming to something with which they’re fairly familiar.

**Ms Churley:** Thank you, Dr Smith and Mr Donnelly, for your presentation. I’d like to congratulate the entire Ontario Greenbelt Alliance for the work it has been doing. It has been very helpful to the committee.

You mentioned highways, and that’s one of my big concerns with this legislation. We were in St Catharines recently and there were some who were saying—and I’ll give this as one example; although we’re not there today, it’s a good example. They were saying the highway being built through the Niagara Escarpment is actually a good thing because it will take some of the traffic away from the intense Niagara fruit land. I’m hearing a lot of why highways are actually good in that sense. I’m very worried about it, because from my understanding and what we’ve seen through history, as somebody said, I forget who, “If you build it, they will come.” I may be mixing my metaphors here, but that’s a real concern, that development grows around highways.

**Mr Smith:** Yes. I think you’re right, and the doctors, nurses and conservationists in our alliance are quite adamant about this. We’ve done this experiment. The parkway belt is one. This greenbelt very easily could end up as a temporary phenomenon that is eaten away by further ill-planned development, and further infrastructure development will facilitate that sprawl. So we’re completely opposed to the idea of the mid-peninsula corridor.

It's not a benign prospect. It will facilitate greater urban sprawl, and there are better answers.

Just to quickly conclude, it's unfortunate that even though the government is engaged in this exercise to discuss and plan for a greenbelt, the Ministry of Transportation continues with its planning, seemingly entirely disconnected from what is being discussed here. Certainly if all the roads and all the road extensions and highway extensions that the Ministry of Transportation is currently planning are acted upon over the next few years, there will not be much of a greenbelt left.

**The Vice-Chair:** Thank you for your presentation.

1110

#### TOWNSHIP OF KING

**The Vice-Chair:** The next presentation is from King township, Mr Bob Casselman and Mr Stephen Kitchen. Good morning, everybody. You have 20 minutes and you may begin.

**Mr Bob Casselman:** Thank you very much. My name is Bob Casselman. I'm the chief administrative officer for the township of King. This morning I'm joined by Deputy Mayor Linda Pabst, to my left; the councillor from the Holland Marsh, Jack Rupke, to my right; and our director of planning and development, Mr Stephen Kitchen. This morning we will be providing our remarks to the panel between myself and Mr Kitchen.

First, on behalf of the township of King, I'd like to express our gratitude to the Chair and the committee to hear our concerns and our remarks with respect to the proposed legislation. As a means of some context, I'd like to provide you with a few details with respect to the township of King.

The township of King is a large, sparsely populated municipality of approximately 20,000 people steeped in its rural character. It's bisected by Highway 400 and Highway 9 and surrounded by the urban municipalities of Richmond Hill, Vaughan, Newmarket and Aurora. Our northern boundary comprises the southern half of the Holland Marsh. To a large extent, our growth is primarily focused in the three urban centres of King City, Nobleton and Schomberg, and to a lesser extent in some of our small hamlets.

Approval of Bill 27, the Greenbelt Protection Act, will provide the province the necessary time to study the area and protect environmentally sensitive lands and the fertile farmland and also to contain urban sprawl.

The township of King generally supports the province's intent to provide growth management initiatives in south-central Ontario and to protect both environmentally sensitive land and the agricultural base, as expressed through Bill 27. However, while well-intentioned, this legislation may have several inadvertent negative impacts on municipalities within the study area, and that's where we'd like to focus our remarks this morning.

The municipality is very concerned with respect to the unintended consequences to the local government, given that they are a result of the silo effect of policies eman-

ating from individual ministries. I've provided the panel with a number of different initiatives and policies that are ongoing that collectively are really resulting in a decreased impact to local autonomy and local decision-making. Some of these ongoing policy initiatives are the Oak Ridges Moraine Conservation Act, the growth management strategy currently being undertaken by the Ministry of Public Infrastructure Renewal, provincially identified lands for future gravel pits and quarries, and of course the proposed GTA highway corridors.

The second point I'd like to make to the committee is to talk a little bit about the study area and the concern that our municipality has with respect to the Holland Marsh. Indeed, if one of the intents of the legislation is to preserve fertile farmland, a strong argument can be made with respect to the Holland Marsh. The study area, as you may be aware, splits the Holland Marsh currently between our municipality to the south and Bradford to the north. I think if it's the intent of the legislation to protect fertile farmland, I would suggest to the committee that the legislation should be amended to ensure that it includes all of the Holland Marsh.

I want to spend a moment and talk to you a little bit about growth and what the potential impacts might be. There's certainly a projected population increase in the GTA of 1.8 million people over the next 20 years. Indeed, over the course of the last three years York region by itself has averaged a population increase of 40,000 people. Due to our demographic profile within Ontario and low birth rates, immigration has and will continue to be an important factor in our goal to sustain economic prosperity. People from across Canada and indeed the world will bring their skills, families and the dreams of a good job, affordable housing and a place for their children to play to live out the Canadian dream in the Golden Horseshoe. We are concerned that the proposed legislation will result in land use intensification, thus driving the price and affordability of housing beyond the potential homeowner's and business investor's means. To achieve their dream, they will seek affordable housing north of the greenbelt, further exacerbating today's problems.

At this time, I'd like to call on Mr Kitchen to discuss some of the concerns relating to the moratorium, and also some growth management issues.

**Mr Stephen Kitchen:** Thank you, Bob. I'd like to speak to you with respect to the moratorium. I can only speak toward King township, obviously, as it's our municipality, just to sort of illustrate to you some of the implications of that moratorium and what its impact has been on the township of King at this point in time.

The intent of the bill, as we understand it, was to place a moratorium on land use changes outside of the designated settlement areas in order to allow the greenbelt study to be undertaken. It was to prevent changes to urban land uses in the rural area. However, the minister's zoning order that was passed basically has the effect of prohibiting any changes, not just urban changes, in the rural area. The preamble to Bill 27 certainly indicates the

need for measures due to the threat to agricultural and environmentally sensitive lands from sprawling urbanization.

A review of the applications in the township of King that are being impacted by the moratorium, interestingly enough, only affects two properties: one being an attempt by a landowner to recognize an existing—what I'll term "illegal"—use, and the second being an application for an additional residence for full-time farm help, an application that we generally treat as one of the few tools we have to assist and encourage the preservation and farming of agricultural lands. So I guess what I'm trying to intimate is that, at least in King, given our current policy regime, there isn't a huge threat to that form of sprawl into the rural areas.

On the other hand, the township has undertaken several other initiatives. We've been working on what we term our rural area plan, and we've been working on that plan for many years. That plan was held up from being ultimately adopted originally by the Oak Ridges moraine plan, and now we're finding it's being held up by the greenbelt plan. That plan in itself was to provide the further protections that we felt were appropriate and necessary to protect environmentally sensitive lands and agricultural lands.

So we're finding it somewhat frustrating in terms of trying to carry out what we feel are our appropriate responsibilities. Council had undertaken and given us direction to prepare a new comprehensive zoning bylaw and, again, given the current minister's zoning order, we're prevented from proceeding with implementing new zoning that would, in fact, put in environmental protection-type zones, because it's changing the uses on those environmentally sensitive lands.

The second item that I wanted the opportunity to speak to you about briefly was just with respect to growth management. Clearly, part of the stated purpose of the Greenbelt Protection Act is to contain urban sprawl. I see that as trying to help manage and contain urban growth. However, before you can maintain and manage that growth, I think it's important to determine where that growth is, how much growth there's going to be, where that growth's going to be and where and how it should occur. To undertake this greenbelt exercise in absence, or in isolation of those other studies makes it very difficult.

We've already experienced and are seeing the effects of the Oak Ridges moraine and the leapfrogging of that moraine to lands further north. The analogy that we've always used is that, effectively, you're using a balloon and you're squeezing it in the middle. When you do that, it's going to bulge at the top and at the bottom. We're very much seeing that in terms of development applications both within the township of King and beyond.

We've had inquiries and research done by various applicants to look at development of the lands north of the Oak Ridges moraine in King, and we've done our best efforts to dissuade them. At this point in time, they've not come in, and they probably can't now

because of the greenbelt legislation. But in effect, you can see the impacts of that, without taking a look at the larger picture and trying to focus on where that will go.

So in a sense, I guess what we're suggesting is that you need to establish some overall management growth forecasting, identify where those are going and then put in place the proper tools, including potentially the greenbelt, to support it. That may be various legislation, it may be infrastructure, or the appropriate tools to support city building so you can have intensification where it's appropriate and you're not forcing the development beyond that protection area.

With that, I'll turn it back to Bob.

**1120**

**Mr Casselman:** Thanks, Stephen. What I'd like to do is share with the panel some practical examples of what the financial implications might be to municipalities such as the township of King as it relates to the proposed legislation. The municipality is very concerned with respect to the potential of the leapfrogging effect of development north of our municipality and the GTA and what the implications might be to our municipality. What I'd like to do is share with you some practical examples of what impact we feel today and what potential impacts we're going to be feeling in the future. I'll give you some practical examples.

The first thing I'd like to touch upon is the implementation of the proposed legislation. I'll draw on an analogy of the Oak Ridges moraine legislation that we're currently struggling to deal with. Currently, our municipality is covered by the Oak Ridges moraine act; 67% of our municipality is impacted by that legislation. As you know, we have to go through the exercise of integrating the legislation into our official plans and comprehensive zoning bylaws, and we've embarked upon that process, a lengthy process, a complicated process, a process that to date is incomplete and has cost the municipality \$140,000. The concern we have with respect to the greenbelt legislation is, who is going to be responsible for the implementation of the act and the coordination of what the legislative intent is going to be? If it's going to be the local municipality, is there going to be any sharing of costs with respect to the incorporation of the intended benefits of the legislation into the local OPs and official plans? While it doesn't sound like a lot of money, to a small municipality, \$140,000 represents about a point and a half. So it's fairly significant for small municipalities.

The second example I'd like to bring to your attention is, having said that the municipality is impacted to the tune of 67% by the Oak Ridges moraine, that in itself will limit growth or provide very strict, stringent guidelines with respect to growth within our municipality and, as such, we're looking forward to low to modest growth over the course of the coming years. Our population today is 20,000, and we're projecting a modest growth up to 35,000 people over the course of the next 20 years. So as you can see, we're going to have modest growth. The concern is that while the combination of various pieces of

provincial legislation are going to have a negative impact with respect to potential growth within our municipality, as such, with the infringement on our growth and the ability to sustain ourselves economically, we're going to be challenged by trying to deal with the impacts of growth all around us. Quite frankly, we have been and are continuing to deal with the growth-related pressures that are not happening in our municipality, but are happening around us and indeed are having an impact on our municipality.

I'll give you a simple example. I'll talk to you about our fire and emergency services department. Our municipality is bisected by Highway 400. There is growth happening around us and to the north of us. It has resulted and will continue to result in the municipality having to go to a full-time fire department. Currently, we have a volunteer system. With the trends that have been occurring over the past five years, the number of medical assist calls emanating from the 400-series highways will result in us having to go to a full-time complement. The impact to a small municipality such as ours is, we're estimating, to the tune of about a 20% tax increase as a result of having to go to a full-time department to service the growth-related needs and pressures from municipalities around us.

So the restriction in legislation is inhibiting our growth; however, it's exacerbating the problems that are around us. We are still feeling the pressures of growth from area municipalities, yet do not have the benefits and revenue flow to properly deal with those growth-related costs. It's a very significant item.

The other issue I'd like to bring to your attention is concerns about leapfrogging and 400-series highways. There's been much movement afoot with respect to the expansion of Highway 400 and potential expansion of Highway 427, both perhaps going through our municipality. The concerns that we have flow from those highway expansions and the east-west need of arterial roads throughout our municipality. Currently, York region is trying to expand the east-west corridors throughout our municipality, adding six lanes. So we're feeling the pressures of growth and having to deal with those. The challenge is we're not getting the benefits from the growth, yet we're having to deal with the traffic congestion, pollution and all the other issues associated with the growth around us.

The concern that I have is—and we're very proud of this in King township—we're steeped in rural history and we'd like to preserve that just as long as we can. The challenge is that the growth is happening all around us. It's making it virtually impossible to revitalize downtowns, preserve our downtowns, preserve our very rural character that we have within King township and that we're very proud of. The challenge is, with 20,000 cars going through King City, Nobleton and Schomberg on a daily basis, it's pretty tough to create a downtown atmosphere and try to preserve the rural character of our municipality.

Those are some of the challenges we're facing in King township and some of the implications that we feel are going to be negative toward our municipality as a result of the greenbelt legislation.

Comments or summation to the panel: Controlling urban sprawl, along with preservation of fertile farmland and the environment, comes at a cost. Let's ensure that the cost and potential benefits of the proposed greenbelt legislation are evenly distributed. That really concludes our remarks. I'd be happy to answer any questions the panel may have.

**The Vice-Chair:** We have about two minutes left, so I'm going to ask all sides to be very quick.

**Ms Churley:** Thank you for your presentation. I can't get into the things I wanted to specifically, so I'll dwell on the issue around cost. That's becoming more and more of an issue for smaller municipalities as you see more and more government legislation, generally legislation that I support: the Nutrient Management Act, this, the Safe Drinking Water Act and stuff. I'm hearing more and more from municipalities that they need to have more development because that's the only way they could see revenue coming in to help them pay for these things. It's a Catch-22. Do you have a comment on that? Are you seeing more of that, that the more development is squashed as you're getting more government legislation to do all these things, it puts pressure on, in fact, to get more development?

**Mr Casselman:** That's a good question. I think that some of the challenges of the committee and the legislation—I know there's some intent to create policies to try to preserve farmland and environmentally sensitive areas, whether it's tax incentives or giving people breaks on assessment, as we have done in the past. Municipalities rely upon the assessment base for their revenue stream. From our perspective, we know what the future holds. We know what we want as it relates to the rural character of our municipality. We know and appreciate that we're going to have limited growth. That's what some of our goals are—

**The Vice-Chair:** Thank you very much for your presentation. Actually, it's my fault. I let that go a bit too far. Just quickly, from both sides.

**Mr Lou Rinaldi (Northumberland):** Thanks very much for the presentation. I can appreciate your concerns about keeping the rural—controlling growth. If you ever find out how to do that, I'd be really interested, because that's a real conflict.

The Oak Ridges moraine takes about two municipalities in my riding—a large chunk, probably 50%. One of the phenomena that's happened since the legislation went through is that the assessment level of what's there now in those municipalities has gone sky-high. So it is generating some extra revenue. Whether it's enough or not, I'm not so sure. It was really a comment, but is that the scenario in your case, where your existing assessment has gone up?

**Mr Casselman:** Certainly there has been an impact with respect to activity or lack thereof. Councillor Rupke

is in the real estate field. He might better be able to comment than myself on how values have appreciated as a result of the legislation.

1130

**Mrs Munro:** Just one comment. It seems to me, in listening to your presentation, that the key here is the question of the need to have a plan for growth before a moratorium. If you look at that comment you made, that would then put us in a very different position than we find ourselves in, where you see the lack of coordination among provincial initiatives, the problem of the realistic costing of services like fire and things like that. I would suggest that the government look at the initiative they've undertaken in Bill 27 from the point of view that what was required perhaps was a better look at the Smart Growth panels and the kind of work they were doing in developing their plans for growth, and then looking at where you want to put a moratorium, where you want to establish those areas. It seems to me you're struggling now with kind of the cart before the horse on this initiative.

**The Vice-Chair:** Thank you for your presentation.

#### REGION OF YORK

**The Vice-Chair:** Next we have the region of York, and presenting on their behalf is Bryan Tuckey, the commissioner of planning and development services.

**Mr Bryan Tuckey:** I want to start by thanking the committee for allowing us to attend today. Chair Bill Fisch was planning to attend, but previous or other engagements meant he was able to send me. I'm Bryan Tuckey, the commissioner of planning and development services for the region of York, and I will go through the presentation in front of you.

You have to put all of what you're doing into context, and I'm sure you're going to hear this during the course of the day and in the course of your discussions and deliberations. York region is one of the fastest-growing municipalities in Canada, with a 2003 year-end population of just over 866,000 people and an estimated employment of 415,000 people in some 25,000 businesses. By the year 2026, which is about 20 years out, this region will have a population of almost 1.3 million people and employment of 700,000 people. That gives you the enormity of the change and the growth in this region.

I'd like to put the idea of 40,000 people a year into context for you, because it's quite nice. Forty thousand people a year means that the equivalent of the town of Aurora has moved to York region each and every year for the last five years.

I'd like to first put forward the general position on the greenbelt legislation. The council of the region of York, at its meeting of January 22, endorsed a report, with its recommendations, and supported the intent to provide growth management initiatives in south-central Ontario and to protect the environmentally sensitive land and the agricultural base as expressed through Bill 27. York

region further supports the proposed changes to the Oak Ridges Moraine Conservation Act as proposed by this bill.

Within this support, though, I must put forward two important things that were caveats to this legislation which our regional council discussed. The first is to provide for the construction of necessary infrastructure to support this growth throughout York region and York region's local and regional municipalities. The second is other important public projects to support the population growth as well, things like the material recycling and recovery facilities we're in the process of constructing now. The legislation does limit some of our ability to finish our construction of these.

York region is still of this position and is heartened to see the proposed changes to the minister's zoning order which would permit some consideration of the development applications permitted during the moratorium. However, more detail of the province's specific changes, either through the minister's zoning order process or through the approval of the legislation, is needed. Our specific public facilities have been previously identified to the Greenbelt Task Force and to the Minister of Municipal Affairs.

With this context, those are two items I specifically must speak to, but I'd also like to talk about some of the overarching themes in government direction. I'm a planner. I've been a planner for 25 years, and I've worked in all three levels of government in Ontario. Bill 27 is a necessary first step to enable the province and its partner regions, municipalities and stakeholders to refine existing and additional greenbelt components. Meaningful, thoughtful public consultation is necessary to shape the greenbelt components. It's the region's intention to participate in an ongoing consultation exercise, and we will make presentations to the task force based on the discussion paper recently released and further information released by the task force.

York region considers itself a leader in environmental planning and land securement activities. Greenbelt components are well defined in York region today, with the Oak Ridges moraine official plan changes, our regional and local greenlands systems and north-south river valley protection. Many of these elements are already providing protection, although perhaps not to the extent envisioned by some on the task force, and are well established within the local regional official plans and planning documents.

The region of York is in active partnership with the Oak Ridges Moraine Foundation, the Oak Ridges Moraine Land Trust and the Nature Conservancy of Canada and has developed an acquisition and securement strategy for key environmental lands across the region. These partnerships are gaining momentum and have been working to secure a greening legacy for the region and the people who live in this region. To date, our program has annual funding of \$1.4 million, and work with our partners has been successful in securing in excess of 400 acres of priority greenlands in this region since 2001. In fact, we were quite pleased that the Nature Conservancy

of Canada chose to promote and announce their masterpiece program for the entire country of Canada in York region, in the Happy Valley area, last week. You may have seen it on the CBC news.

This is putting words into action. I stand in awe of York region council. I have the best planning job in Ontario, and they consistently put plans into action. Those will be the challenge that this committee has as well.

There are some necessary components that fall within the purview of the Greenbelt Protection Act that merit careful consideration. I'll go through them slowly, because there are improvements that I think the legislation could make to help greenlands. Help us with:

—Tableland woodlots and how they are secured.

—Wetland systems on and off the moraine and how we can secure them in a better way.

—Agricultural lands. The GTA agricultural group, of which I'm a member, has a strategy. Maybe it's time to start to implement the GTA action plan on agriculture, and I'd be happy to deal with that in any committee at any time.

—The upper reaches of the streams and the linkages between those areas on the moraine where you have opportunities to build linkages.

As Steve said very well earlier, you cannot look at this in isolation. I think that's the challenge for this group and those who embark down this path. The first step in the protection is that the province should develop a proactive provincial policy statement to support our established urban structure and growth management and city building initiatives. We have heard clearly in our consultations on centres and corridors, the Oak Ridges moraine, the transportation master plan, Vision 2026—I can go on forever on these—that it's not time for a new plan. The plans are there; it's time for action. The people have told us over and over again, "Let's translate these plans into some sort of action."

#### 1140

Further, if it is the province's intent to protect natural features and systems, of which we are in full support, then additional initiatives must be implemented to do, I would say, at least four things. First, promote city building in our existing settlement areas. Second, consider key infrastructure needs; I can't stress that enough, as I've come from a meeting of about 200 builders and construction people who put in excess of \$6 billion a year into this economy, and some of the issues we're having now in getting key infrastructure approvals through various levels of government. Third, prevent leapfrogging of development over the moraine and greenbelt areas. Fourth, implement the agricultural action plans that we have in place now. To give you a sense, agriculture in the GTA employs in excess of 35,000 people and adds about \$2.3 billion to the economy every single year, so it's a big industry here in the GTA as well.

Since 1994, with the approval of the York region official plan, the region has implemented advanced growth management and community building plans. Our

successes include comprehensive, compact community building in the face of population growth of in excess of 40,000 people per year, firm urban boundaries, and greenlands policies and structure that I think are second to none in the province. We've implemented strength in our agricultural policies and we're very strong in our fiscal analysis.

We recognize, however, that improvement is needed. We're just finishing an economic strategy, and it's quite interesting to see what our businesses tell us, because they're all on this list as well if we want to remain competitive in the next number of years: transit, housing, intensification, and support to our centres and corridors. That's the other side of the equation that must be considered during the course of your discussions.

In order to make these improvements, we require four areas. I use boxes when I talk about policy, and there are four distinct areas of policy that must be discussed and understood. First are the fiscal and financial tools. I'd challenge this committee to look at the fiscal tools and how they work, because that is generating the development we're getting in the region. Second are policy changes and supporting programs. Also needed are infrastructure investment, and public sector involvement in public education.

I'm at 10 minutes, so I'm going to cut through a little bit, if I may. I'll go to some of the specific requested changes to draft legislation.

Just to give you some sense of that, Bill 27 is an enabling tool for further work to occur, but for this further work to occur, the legislation must be given third reading and proclaimed quickly. This will afford residents, businesses and governments some certainty to continue on in their programs. We've specifically written to Minister Gerretsen on our particular public project issues that we would like to have resolved over the course of the next number of months.

With that, I would like to suggest three changes, because we are dealing with the legislation today. I realize that.

It would be helpful if we had a change in the definition of "urban settlement area" in both the bill and the zoning order to recognize as an urban settlement area those non-agricultural uses that comply with an applicable official plan, without reference to upper, lower or single-tier municipalities; just whatever the applicable plan is in the area.

Regarding the changes to the proposed Oak Ridges Moraine Conservation Act, the region supports changes to sections that have been a bit problematic—that is, regarding the transition of applications. We would respectfully request, though, that these changes be retroactive to the date of passing of the moraine legislation, not the Greenbelt Protection Act, as originally proposed. What it does is give you two triggers for transition. One date, the original Oak Ridges moraine date, would probably, in my humble view, be the appropriate one.

Third, we note that the Greenbelt Protection Act is proposed to be repealed on December 16, 2004. As cur-

rently worded, it could be argued that when the Greenbelt Protection Act is repealed, those sections that have made changes to the Oak Ridges Moraine Conservation Act would also be repealed. We respectfully request that the changes to the Oak Ridges moraine act remain in force and effect beyond the sunset date of the Greenbelt Protection Act. I'm sure your staff have picked up on that, but as we're talking about legislation, I think I should add that.

The province has embarked on a far-reaching and important initiative with the introduction of Bill 27 and other proposed bills. They cannot be looked at or formulated in isolation and must all support other growth management initiatives and city building initiatives.

Southern York region now is a city. It's changing and is going to continue to change. We will continue to assist the province in the achievement of these initiatives and look forward to the province's support in future official plans and other regional activities.

I'm sorry I took a little bit too long, but I'd be happy to answer questions. I would be pleased to give you any statistics you would like for anything I've said.

**The Vice-Chair:** Thank you very much. Any questions from the government side?

**Mr Delaney:** Thank you very much—a very interesting presentation. While I'm not normally prone to ask a long question, I think this one requires a sentence or two of preamble. With York and Peel regions especially both growing to a little more than one million people, I'd like you to explain to me, consistent with the preservation of green space, how you think we should be linking the Halton, Peel, York and Durham areas of commercial concentration through mass transit links, without sending that commuter traffic through Toronto or compromising our green space.

**Mr Tuckey:** That's an excellent question, and I'll make my best efforts to answer it. For those who aren't aware, the region of York has embarked upon what we think is a rather aggressive transit plan. That transit plan, for us, is four corridors: Yonge Street, Highway 7, and then linkages from Vaughan city centre to the subway, and from Markham city centre down to the Don Mills subway station. Those plans have been so well taken that the city of Brampton has linked their transit plans to our initiatives, and Brampton has further linked those to Mississauga. So the short answer would be that you'd start at Mississauga city centre, come up Highway 10, I believe, and across Highway 7.

Transit's the key here, sir. I just can't emphasize it enough. Steve said it fairly well. You're probably well aware that the GTA is the second-fastest-growing area in North America, and it is going to continue along those lines. Frankly, the transit and how we do our investment south of the moraine are so key now to see whether we're going to actually help stop the leapfrogging or even intensify uses along those arterial roads.

Hopefully, that helps answer your question.

**Mr Delaney:** It was very helpful. Thank you.

**Mrs Munro:** Thank you very much for coming forward today. I could ask you about the agricultural plans, but instead I'd like to ask you about the question you raised, which I think is critical, on page 4, with regard to the need for “fiscal drivers and financial tools to shape urban form and act as a catalyst for compact development.”

One of the keys to this whole issue is the question of leapfrogging. That's certainly something we've seen in other jurisdictions, so if we're to look at this, we need to look at how we avoid that. I wonder if you could provide the committee with any ideas you have with regard to what would make compact development. What are the things you need?

**Mr Tuckey:** That's a great question, and thank you for asking it. Just to give you a bit of history about me, I spent a lot of my career in the city of North York and have my name all over the Sheppard corridor, the south downtown and a lot of the development in that area.

What you need to start to do is to look at everything from a practical standpoint. You might want to look at the Bank Act. Why are developers required to pre-sell so much of a condominium unit before they actually are allowed to build? You don't have to be much of an accountant to understand that you can do one-offs and register things simply, from a practical standpoint.

The second thing is that you've got to try to initiate and generate some demand. Transit does do that, and it does effectively deal with land prices. In Toronto, about \$1 million an acre will start developers to think about going up instead of out. In southern York region, we're very close to that. In fact, some of the anecdotal evidence we see in York region, from a practical standpoint, is that raw subdivision land is selling for in excess of \$300,000 an acre. So you start to deal with those types of issues.

From our standpoint, we've got to look at development charges, which is part of our strategy. You have to look at parking, because parking in underground parking is one of the biggest hard-construction drivers of a high-density development.

**1150**

From the Greenbelt Protection Act, I would challenge you to look at—I think one of the things that we've had great success in our greening strategy is that—it may not be provincial—large development firms write off their land like chattel, like inventory. So when you get to the point of actually developing and you want to start to negotiate over environmentally sensitive lands, if they haven't written it off, they're very interested in working with us and the Nature Conservancy to use the environmental grants through the federal government. But if you've written it off, you can't double-dip from a tax standpoint. So you have to look at all the tax drivers that are there, and that's why I've always advocated that it's very important to get the Minister of Finance to the table to look at corporate tax. It's not changing, just sort of gradually changing.

**Ms Churley:** Thank you very much for your presentation. I wanted to ask you about Boyd Park in Pine Valley. Is that within your—

**Mr Tuckey:** The Pine Valley extension, yes.

**Ms Churley:** It's listed as one of the 10 hot spots by the Ontario Greenbelt Alliance. The information provided suggests that it's an old-growth forest and there's going to be a 400-metre long bridge, four lanes wide within Pine Valley, which will cause damage to the East Humber River and threaten the environment. I'm sure you've read it. Why has the region of York decided to support that instead of the park and putting the money into improving and encouraging transit use in Vaughan?

**Mr Tuckey:** I guess I'd try to answer that this way. Again, there is a mile-and-a-quarter grid in York region, and Pine Valley is one of those mile-and-a-quarter arterial roads. What you find is that it's always choices, and that's what we're faced with every day. The choice is to not build the Pine Valley and possibly widen roads for the short term, which our residents frankly couldn't walk across, or do the mile-and-a-quarter grid as an arterial road. From a planning standpoint, in north York the mile and a quarter isn't even a fine enough grid to distribute traffic. It's just choices that have to be made and I'd balance that—

**Ms Churley:** Can I interrupt a second just to say the city's own environmental review—

**The Vice-Chair:** Thank you, time is up. Thank you very much for your presentation, Mr Tuckey.

#### STORM COALITION

**The Vice-Chair:** The next presenter is the STORM Coalition. Representing them is Debbe Crandall. You may begin any time.

**Ms Debbe Crandall:** Thank you very much for this opportunity to appear before this committee. Just a little bit of background on STORM—Save the Oak Ridges Moraine—Coalition. We were founded in 1989 as a collective voice to articulate the need for legislative protection for the Oak Ridges moraine. We currently have over 20 member groups from across the moraine and I'm happy to say that there's a very vibrant environmental network between moraine citizens and denizens and that of the whole greater Toronto area.

The STORM Coalition sat on all of the provincial initiatives on the Oak Ridges moraine, 1991 to 1994, and then again in 2001 as a member of the moraine advisory panel.

In December 2001, we celebrated quite a victory, I think, when the collective efforts of a decade-long campaign to save the moraine were in fact brought to fruition with the passing of the Oak Ridges Moraine Conservation Act and then six months later with the conservation plan. We strongly support this moraine legislative package because, first and foremost, the moraine plan and act are an ecologically based conservation effort. I think it's important when we're discussing a greenbelt

study area that we look at the vision that is contained for the Oak Ridges moraine, and that's part of the regulation.

It says, "The Ontario government's vision for the Oak Ridges moraine is that of a 'continuous band of green, rolling hills that provides form and structure to south-central Ontario while protecting the ecological and hydrological features and functions that support the health and well-being of the region's residents and ecosystems.'" I'd say that that is a robust definition that could in fact be translated to include all of the greenbelt area, this idea of continuous connections and, what I like, the socio-ecological and economical sustainability definition.

I think it is to the credit of this current government that they continue to be very supportive of the moraine effort and protection of the Oak Ridges moraine, and with the greenbelt study area and this whole concept of a greenbelt in fact supporting it even further by providing an ecological buffer to the Oak Ridges moraine.

It has been almost two and half years since the moraine act became law, and I think it's obvious that a number of problems that were part of the original wording have become evident. So we're very pleased to see Bill 27 contain some amendments to the Oak Ridges Moraine Conservation Act.

Section 15, I think, is an important one, because as an NGO working with municipalities as they were going through their conformity exercise, one realized that there was a lack of clarity as to what was the province's intent regarding existing uses versus legal non-conforming uses. I think this is an important section to clarify that issue.

For one thing, a golf course that's in a natural core area, which is not a permitted use, can continue to exist but is legal non-conforming, and while there are still rights associated with that as an existing use, it clarifies that golf courses are not permitted for a number of reasons. So for that purpose, we strongly support the amendment of section 15 as part of Bill 27.

I'd also like to say that I agree very strongly with Mr Tuckey, the previous presenter, in the sense of the timing that is contained in the sunset clause of Bill 27. It should be amended to reflect the fact that it goes back to that of the Oak Ridges moraine act.

I think section 17 of the moraine act has probably been the most problematic. It closes a loophole that, in our opinion, if left open, has the potential to allow for much more unwanted development on already stressed parts of the Oak Ridges moraine, and that is within the region of York, primarily.

The original intent of section 17 was to allow for a reasoned processing of applications that had been fully commenced and were well along in the planning process. If further approvals, for instance, were a condition of draft plan approval, then section 17 was designed to allow that to happen.

However, the broad wording of section 17 as it currently exists has created a situation—in this case, in Aurora—whereby the decision of local council, who very

clearly said they did not want 40 acres in an OPA to proceed forward as if it were a settlement area, was overturned when developers appealed this to the Ontario Municipal Board under section 17 of the Oak Ridges moraine act. They said that because further approval of a regional OPA was required, it immediately triggered it as a transition item and, as such, could proceed. That unfortunately has happened, and it's my understanding that as no other parties came to support any other position, the board has decided on that, and this land is in fact going forward as development.

I think that that's a tragedy, because that was never the intention of the Oak Ridges moraine act. So we feel that unless this misinterpretation of the original intent is immediately redressed, a precedent will be set that will make a mockery of the intent of the Oak Ridges moraine act. I know that during the workshop developers are crying foul, that in fact they say the government is changing the rules halfway through the game, but it's our contention that it is the developers who are trying to make their sets of rules. So we strongly support section 17 to be amended as laid out in Bill 27.

Section 18, I think, is necessary to bring those areas that are now before the Ontario Municipal Board more into alignment with the timing established with the greenbelt initiative. So again, we support this.

#### 1200

On the other sections of Bill 27, section 8 lays out a process for changes to be made to the boundary of the greenbelt study area. There's no question that the current boundary of the greenbelt study area will not allow the government to achieve the goals set out in the preamble to the bill.

The powers given to cabinet through section 8(a) of Bill 17 to make a regulation to change the boundary of the greenbelt study area, in our opinion, should be invoked immediately to include lands to the north of the Oak Ridges moraine in Simcoe county and any other lands that are now facing unprecedented development pressure. Simcoe county is within the Nottawasaga and Holland River watersheds—two very significant watershed systems. The Holland feeds into Lake Simcoe, which has a \$21-million remediation program. It's already under incredible stress, and Georgian Bay has similar constraints. Agriculture is a mainstay of the whole socio-economic fabric of Simcoe county.

In our opinion, if these arguments are not compelling enough, the infrastructure needs—all of the highways, water, sewer pipes, whether they come from the north or the south—to service this leapfrog development—I think you've heard that term "leapfrog" a few times—will, without doubt, jeopardize the integrity of this greenbelt. It can be difficult to imagine how the continuous nature of the moraine, or the greenbelt itself, can be achieved with even more 400-series highways running straight across the moraine, the Niagara Escarpment, or more big pipe projects.

In our opinion, it is one thing for Bill 27 to be silent on the issue of infrastructure; it is quite another thing for

Bill 27, through its shortcomings on issues of dealing with this leapfrogging, to actually guarantee that the greenbelt study area will become nothing more than an infrastructure corridor.

Our preferred approach for Bill 27 would be to expressly include a clause placing planning and approvals for all new highways and major infrastructure projects in abeyance. However, in the case that this cannot be done, increasing the study area to include Simcoe county and freezing planning until certain studies are underway will achieve a similar end. We would also urge the government to remain committed to the protection in perpetuity of all the lands within the Duffins Rouge agricultural preserve.

In conclusion, STORM strongly supports the intent and vision of Bill 27. However, as we have stated many times in the past, the identification of a regional natural heritage system, ie the greenbelt, is one of only three necessary pieces to achieving our objective—Smart Growth or whatever you want to call it—which is stopping this insanity. The others are the growth management strategy, which is currently underway for the Golden Horseshoe, and a regional transportation master plan, which is an essential component of this. These three components must be brought forward concurrently and integrated and implemented simultaneously.

On behalf of STORM, thank you very much for this opportunity. This is an extremely important piece of legislation and we look forward to seeing it as it moves forward.

**The Vice-Chair:** Thank you. We'll start with the official opposition.

**Mrs Munro:** Thank you very much for coming here today. The thing that I see coming from your comments that the government needs to give serious consideration to is your final conclusion. We've seen a number of speakers who recognize the fact that there are three components. The question of management of growth is certainly one. I think the announcement of the moratorium in the fall set in motion a whole group of reactions to the problem of a transportation corridor. Looking at something like Ottawa, for instance, the greenbelt then becomes a way of getting from point A to B. These are all issues that I think many have identified. I think it's particularly important that coming to the committee from a variety of sources is an understanding of the fact that growth management is key to being able to move forward in any way with any kind of protected land. I would just compliment you on that and the fact that it's certainly something that is emerging as a strong message for the government: Look at smart growth.

**Ms Crandall:** I went to the Web site and got the names of what I thought was the standing committee and I obviously have got it wrong, so I apologize for my little cleverness at the front. Sorry I missed you guys. The Web site must be wrong.

*Interjections.*

**Mrs Munro:** We're allowed to substitute.

**Ms Churley:** Good to see you again, Ms Crandall. I wanted to ask you specifically about the highways, because I'm really concerned about that. You know governments love highways, and I think it's going to be a real battle and a challenge to keep those out of the mix, although I'll try, or at least get them in abeyance, as requested. In the meantime, what we need to do is persuade people why these are so wrong in the greenbelt and what can be done instead, in one minute.

**Ms Crandall:** All I can do is look to an example outside of Canada, the Portland, Oregon, example. They had a similar situation where they had a western bypass highway. They were proceeding forward. Even though they had done their firm urban growth boundaries, they had looked at this, they had not made the connection between transportation and planning. A group of individuals were able to illustrate and bring forward the fact that we have to look very clearly at what is the need for this infrastructure. They were able to expand the environmental assessment process to do that. It would cost them a lot of money, but they made such a compelling argument that when the numbers came through, when they truly put those numbers together, it was overwhelmingly obvious that there was no need for this highway, it would not accomplish what they wanted it to, it was going to cost more money. When you integrate it into the local smog plans, all of these—and it's an integrative process—it's the people you have to convince. I think that is too long of a process to get that kind of sustainability.

We've got to make that argument to the decision-makers: the Minister of Transportation and the finance minister. The cases can be made. It's a matter of having an ear and working with them, and I don't think there's any doubt that the outcome is very overwhelmingly that that is not the way to continue to move forward.

**Ms Churley:** I agree.

**The Vice-Chair:** Thank you very much. Any comments from the government side?

**Mrs Van Bommel:** Most often it's people who like highways. I wonder how you would envision moving people through a community if we don't have highways.

**Ms Crandall:** In this instance, we're talking about this leapfrog development, which is going north of the moraine. That is the frontier that we're particularly concerned about, not just because of the impact on the moraine but because of the overall principle of this. So number one is to create those areas where there's going to be development whereby you don't have to reach them through new infrastructure, new road systems, so that the concept of infilling, developing smartly within existing boundaries, can be made available—that transit can in fact then service that.

The issue is that a lot of people would probably want to travel by transit if they could get to where they want to go in time. For me, to get from where I live to downtown Toronto is half an hour longer by transit. So if I'm in an organized mood I will take that time, but half the time

I'm not. I'm just never on time. You saw me race in here. Thank God Bryan was long-winded.

The options aren't there, and I think that is the first thing. I don't think we can spend all our focus on the education, bringing the message. We've got to provide that infrastructure so that people see it's there and it comes to them rather than their coming to it.

**Mrs Van Bommel:** Thank you very much for your presentation.

**The Vice-Chair:** It's 12 o'clock. We'll recess now for one hour and come back at 1 o'clock.

*The committee recessed from 1208 to 1303.*

#### TOWN OF NEWMARKET

**The Vice-Chair:** Good afternoon. Can we start this afternoon's session of these hearings? The first speaker for this afternoon is Tom Taylor, mayor of the town of Newmarket. Good afternoon, sir. You have 20 minutes. You may begin any time.

**Mr Tom Taylor:** I will not use my 20 minutes, unless you decide to do so. I have given you a package, Mr Chairman, and there is a letter in there. The letter explains that the submission inside the package was directed to the Greenbelt Task Force, which I addressed last night. In reading this, I hope you will understand it. It's directed to them, but the message and the content are the same. I thanked them for their dedication to what they're doing, and I sincerely meant that. I read all of their bios, and they were certainly to be congratulated. Also, I consider the task they're undertaking to be second to none in Ontario, even given the budget, in that comparison. The reason I say this is we only have one chance to do this, and to do it right.

Here again, I'm speaking to the task force, somewhat similar to yourselves. Your task is to ask your fellow Ontarians what they think about permanently protecting green space across the Golden Horseshoe. To me, it's a slam dunk: 99.9% of the people will say, "Yes, do it, and do it today."

Your problem, and now I'm referring to you as the Legislature, will be where to start and stop, and why; how you deal with the intrinsic rights of landowners within the greenbelt; and the ripple effect of the greenbelt.

The context of your task is three and a half million people coming to central Ontario in the next 30 years, and that will require an area twice the size of the city of Toronto or an area almost two thirds of the entire size of the region of York to accommodate them.

The framework of your task is—and this is taken from different provincial ministry and greenbelt publications:

—"Greenbelt protection is one component of a number of government initiatives to manage growth and mitigate sprawl," the Ministry of Municipal Affairs and Housing.

—The vision and goals the Greenbelt Task Force has established.

—“When rapid growth is not accompanied by long-term planning on a regional scale”—I’m not sure what they meant when they referred to a regional scale, but obviously it means a larger scale than our current planning jurisdictions, and by that I mean the regions and the municipalities or the counties—“inefficient development patterns can result. These patterns include increased air and water pollution, loss of green space and agricultural land, inefficient infrastructure investment, and fewer transportation options,” from *Toward a Golden Horseshoe Greenbelt*, page 6.

—The work of the Smart Growth committee and their recommendations relative to intensification within designated urban areas.

—The Ministry of Public Infrastructure is developing growth management for intensification and transit investment in an effort to reduce the demand for new land.

—Your task force discussion paper on page 9: “Layers of a Greenbelt.” Those layers are environment and agriculture, including the grape lands and the Holland Marsh. There is an asterisk there, and that refers to the other large marsh areas comparable to the Holland Marsh in this area as well. You refer to transportation and infrastructure, natural resources, culture and tourism.

I fully appreciate their mandate and your mandate, but I would suggest to you that the influx of three and a half million people will create tremendous pressures on the areas immediately adjacent to the greenbelt and the Oak Ridges moraine.

To me, the answer is not to accommodate them within Hamilton, Halton, Peel, York or Durham, nor in the areas on the fringes of the five above-noted areas. If we—and I mean you, because that legislation, authority, responsibility and ability rest with you—do not plan to disperse our population through incentives, infrastructure, policies etc, we will end up with a megalopolis like some of the cities I have observed around the world, with their inherent problems.

I refer you to appendix A attached, which is a proposal to put 115,000 people in an area between Bradford and Bond Head, which is touching the boundary of the greenbelt itself. If you go out to the 400 and drive north to the end of the Holland Marsh, which is to be considered in this legislation, the area I’m talking about is immediately adjacent to the Holland Marsh. In my mind, this type of urban sprawl is totally contradicting the vision and goals of the committee, the Ministry of Municipal Affairs and Housing, Smart Growth and the Ministry of Public Infrastructure Renewal.

I digress a bit here, but I think it’s important. Our government structure and electoral representation permit, and indeed foster, urban growth that is not conducive to sustainable communities, to protecting our environment or to providing a live-work-play environment.

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A number of years ago, the Honourable Darcy McKeough and the Honourable Paul Hellyer both proposed a ring of medium-sized cities, plus or minus 500,000 in population, that would be removed from Toronto but

would be connected with high-speed rail systems. The size of these cities would permit full-scale educational and health facilities, plus recreation and employment; in other words, a financially sustainable community that minimizes infrastructure and operational costs and protects the surrounding environment by eliminating urban sprawl and provides almost everything you require.

What we experience today is just the opposite of that. The idea of municipalities being financially sustainable is impossible, given the way we are growing and the discontinuance in the way we are growing. I think we should grow from the centre core out and that all the services related to it can be much more economically provided.

Attached also is appendix B, which identifies two things. One, the dotted line directly north of the west half of York region and the east part of Peel region is where the 115,000 new people are proposed. If you look at the map, you will see that the greenbelt legislation, in fact, frames that, with the exception of the northern part of it. It’s to the south, it’s to the east and it’s to the west, and we’re going to put 115,000 people into that area. The second thing is the blocks, or areas where the medium-sized ring cities are suggested. These are not my suggestions. These are from the honourable people I mentioned. Those are cities such as Kingston, Peterborough, Barrie, Owen Sound, Kitchener-Waterloo and London. So you have this ring around it and you have a high-speed transportation system connecting them. At the same time, you have financially and socially viable cities in that area of a half million, approximately.

I said to the task force that it would be easiest to set this aside, as it is not fully part of their mandate, but I think it is part of your mandate as provincial politicians. I cannot stress strongly enough that to concentrate only on the greenbelt will, in my opinion, provide a solution to only part of a greater problem.

Again, my sincere thanks to you for holding these sessions here.

I know this is not directly related to Bill 27, but I don’t think you can deal with Bill 27 and the ripple effect of it without considering some of the other things. If we are going to do that, then perhaps we should do it in a much larger context and try to give some direction to the—when you go to Kingston and the setting it has, or you go to Peterborough, Owen Sound or Barrie, the beautiful settings they have. Why we’re not trying to make these communities more viable than what we are doing to our communities now, where we’re jumping 10 miles or 15 miles and establishing another community—think of police, fire, water, the sewers, anything. It’s just not a practical way of doing it. It needs direction, not only from the greenbelt but, I would suggest, from the Legislature.

**The Vice-Chair:** Thank you, Mayor, for your presentation. We’ll start off with the NDP, who have just a little bit over three minutes. I’d like all three sides to keep that in mind in asking questions and making your comments.

**Ms Churley:** Thank you very much for your presentation. I believe your area was the subject of a Toronto Star story recently. I read it with great interest. It's good that you're here today to talk to us personally about your concerns. The question would be, how would you see the greenbelt being redefined to take your area into account? You want to expand and extend the area that's included in the greenbelt, as I understand it.

**Mr Taylor:** I haven't looked at the greenbelt in detail in terms of the effect it would have going east or west; I have directly in our area. I think not to include the area I've mentioned is wrong or, alternatively to that, not to include some other direction that addresses those fringe areas is wrong. If you look at the Oak Ridges moraine legislation, and you look at the effect that it has had on our communities right through here and now, the escalation in housing prices and the demand that has been placed on the existing urban areas—all of those types of things which are happening—it's tremendous.

**Ms Churley:** I understand that there's a great deal of opposition to this development in the community. If this is not included under the greenbelt right now, how do you see stopping it, other than through this method? It's already proceeded fairly far, has it not?

**Mr Taylor:** Well, submissions have been made. I have a copy of their submission and what they're proposing. But I think that the ministry itself should be commenting on it as an official plan amendment. I know that I'm asking York region to comment on it.

**Ms Churley:** They haven't as yet?

**Mr Taylor:** I don't believe so, no. But I have asked them to do so.

**Ms Churley:** Do you have any indication that they'll be doing so, both the province and York region?

**Mr Taylor:** No, I don't.

**Ms Churley:** What would be the next step, then? I take it that having it included in the greenbelt right now would be key, in terms of where things are at.

**Mr Taylor:** Well, I think it makes sense, when you look at the geography. You're on the east, the west and the south. Why not take that strip right across? When you look at what is proposed, I think it's more than doubly sensible.

**Ms Churley:** Right, it's huge.

**The Vice-Chair:** Thank you very much.

**Mr Delaney:** Mayor Taylor, thank you for coming. A very interesting presentation. I have one question for you, which I hope is not going to be lengthy.

Many of your peers in the towns and cities in York, Halton, Peel and the Niagara region have talked about the issues that you raised here, and they've talked about solutions similar to what you've suggested. Planners say—and they pretty much all say—that planned commercial and residential densification is necessary to build the ring of cities that you talked about.

I'd like to ask you, how are you coping with the “not in my backyard”—or NIMBY—syndrome when you try to plan commercial or residential concentration, either here in your town or in York region in general?

**Mr Taylor:** Good question. The NIMBY syndrome is always going to be there. I'll give you an example. Mr Wong, who's very familiar with myself and our area—we were proposing a multiple-density affordable development on an open piece of land in our municipality. The uproar we got was unbelievable. It wasn't a matter of “those people.” I'm not sure you can divorce the two situations.

We have not experienced the same as what they're experiencing in Markham or the south end of the region—Richmond Hill or Vaughan—in terms of the intensification theory. The first public meeting's being held next week dealing with that issue in the south end.

I've asked the region to have a meeting in the north end as well, because it affects Newmarket and Aurora. It affects that “T” which is being created in York region.

I don't think I'm answering your question, in terms of how you deal with the NIMBY attitude. I've lived all my life in Newmarket. If I were to have adopted the same thing, we'd be a municipality of 4,000 people. A lot of it is, “Well, I'm here now. I'm fine. To heck with you, Mac. I don't want you here.”

Public education probably is the best way of doing it. Unless we start to intensify our populations within our existing urban areas, we're going to have problems meeting our financial viability going forward.

**Mr Delaney:** Thank you.

**The Vice-Chair:** I have one question. What's the population of Newmarket?

**Mr Taylor:** About 75,000.

**The Vice-Chair:** Next, we go to the opposition side.

**Ms Laurie Scott (Haliburton-Victoria-Brock):** Thank you very much for your presentation today. When you referred to working with Smart Growth—I don't have knowledge of Smart Growth for your area, but do you know much about the Smart Growth that was planned, the studies that were done and what positive effects they might be able to build into the greenbelt act?

**Mr Taylor:** No, what I was referring to were the recommendations of intensification which came out of Smart Growth. That's what I was referring to in my comment. I'm not familiar, to any great extent, beyond that.

**Ms Scott:** I think, in the interests of time, that's fine.

**The Vice-Chair:** I think that's it. Thank you very much, Mayor.

**Mr Taylor:** This is easier than council.

**The Vice-Chair:** There you go.

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#### TOWN OF WHITCHURCH-STOUFFVILLE

**The Vice-Chair:** The next presentation will be from the town of Whitchurch-Stouffville, and it's Mayor Sue Sherban. Good afternoon, Mayor.

**Ms Sue Sherban:** Thank you, Chair and panel. I appreciate the opportunity and the time, and for coming here locally to York region to give a personal deputation as to how we feel and what we face.

First, I'd just like to give you a bit of history about the municipality and then speak to some of the concerns that are facing us as a municipality that has an 80% freeze for the Oak Ridges moraine.

The town of Whitchurch-Stouffville is an urban/rural community of approximately 24,000 persons situated in central York region. You'll have a couple of maps there that will give you an idea as to where we are located, as well as how the moraine affects Whitchurch-Stouffville. Given our locational presence in the GTA, we are afforded GO Transit rail and bus services and there are five interchanges on to the Highway 404 corridor. The town is situated approximately 20 minutes northeast of Toronto.

These locational attributes, however, are all counter-balanced with key environmental factors which sometimes are in conflict with our close proximity to Toronto, such as the dominance of prime agricultural soils in the southern, northwest and northeast quadrants of the municipality. Eighty per cent of the municipality is situated on the Oak Ridges moraine and 27% of the land area is under forest cover. Truly, the town of Whitchurch-Stouffville is "Country Close to the City."

In recognition of the urban pressures that are influencing the town, the municipality in 1999-2000 embarked upon a comprehensive land use program. The first component was a town-wide assessment of a natural features and greenlands study. The initiatives identified and coded all warm-water and cold-water rivers, fish habitats, forest and woodlands, areas of natural significance, wetlands and bogs, recharge and discharge areas, wildlife, wildlife corridors, kettle lakes, and landform conservation and erosion-susceptible areas.

With an environment-first perspective, the town then moved into the second element of the comprehensive review, which assessed the following matters which formed the basis of an opportunities/constraint matrix:

- demographic forecasts for residential and non-residential growth for a 20-year time period, and this analysis was completed in the context of our role within the region and the GTA;

- preparation of a growth management strategy;
- transportation and servicing review;
- prime agricultural land appraisal; and
- aggregate resource appraisal.

With a true understanding of all the relevant factors which influence land use planning decisions, the town finally embarked upon the preparation of a new official plan. As a result of the analysis, the town created a comprehensive policy framework in the official plan, prohibited residential development outside of approved settlement areas and created a strategy to protect for the longer term the environmental attributes of the Oak Ridges moraine.

I would like you to take strong note of this: The strategy was adopted by council in the form of a new official plan on September 5, 2000—a full 18 months before the province created the Oak Ridges Moraine Conservation Act, 2001—implementing the Oak Ridges

moraine conservation plan. Why I point this out to you is that if you leave the tools in the hands of the municipalities that are sitting on the moraine or on the green space, we will be and are responsible. We do not need further legislation to tell us, but just give us the tools to be able to preserve and sustain our own rural communities.

This overview has been provided because the town wishes to identify and confirm that proper planning and technical assessment are being completed at the local municipal government level. This technical assessment is being taken in consultation with our ratepayers so that the decisions made by local councils are truly reflective of the desires and objectives of our community.

A piece of sweeping provincial legislation such as the Greenbelt Protection Act cannot properly account for the local initiatives and priorities. In lieu of providing a sweeping urban boundary for the Golden Horseshoe, alternative mechanisms are available which can protect our open space systems and prime agricultural lands while still empowering local governments in making land use decisions which reflect the desires and will of their ratepayers. I believe you are looking for ways you can possibly do this without putting in sweeping legislation on the greenbelt. The alternative mechanisms include:

(a) The provincial government, with the tabling of Bill 26, an amendment to the Planning Act, has proposed that no individual or corporation could appeal a decision of council to prevent the expansion of the urban settlement area boundary, or alternatively, council's failure to make a decision within a prescribed period of time. This amendment to the Planning Act returns the control back to the duly elected council—the municipal level—to render decisions on establishing urban boundaries based upon community objectives and comprehensive growth management strategies. The government needs to implement this component of Bill 26 now.

(b) The provincial government, with the tabling of Bill 26, has also proposed to revise section 3 of the Planning Act by stating that all decisions rendered with respect to a land use planning decision "shall be consistent with," instead of the current "shall have regard for," the provincial policy statement. This subtle change to section 3 of the act establishes more weight and credibility to the provincial policy statement and establishes a higher level of compliance with key environmental, agricultural, and community building objectives. Again, the government needs to implement this component of Bill 26 now.

(c) The provincial government needs to reassert itself in region-wide community building. People, goods and services do not recognize municipal boundaries. The province, in consultation with the cities of Toronto and Hamilton and the upper-tier municipalities within the Golden Horseshoe, needs to undertake a more comprehensive analysis of population modelling and demographic forecasts for a 20- to 25-year time period, with a mandatory five-year reassessment and update. These figures should then be included in the upper-tier official

plans, which then confirm the rationale for the urban boundary.

(d) As a component of the aforementioned population modelling, a firm target of future growth which will be accommodated within established neighbourhoods through redevelopment and intensification should be enshrined within upper-tier official plans. These targets would limit the expansion of the urban boundary, thereby protecting prime agricultural areas for the longer term. The carrot to ensure that these objectives are fulfilled is stable provincial funding in terms of road and transit improvements and infrastructure renewal with respect to water supply and sanitary sewer collection systems. If a municipality does not, over the prescribed period of time, achieve the targets to curb urban expansion, the assigned provincial funding model is reduced.

(e) Introduce an economic platform for the farming community which provides the incentive for the agricultural producers within the Golden Horseshoe to continue to raise animals or grow crops. The best way to save farmland is to have a legitimate agricultural producer using the land and earning a fair, representative income.

The specific fear that exists with the establishment of a firm urban boundary is that it is an arbitrary line. As an urban-rural community, we could be placed outside the urban boundary and, as a result, our assessment base could be flatlined. Because municipalities are so reliant on the property tax base to raise our revenues to fund local programs and services, we could be faced with spiralling tax increases.

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If the government moves forward with the establishment of a firm urban boundary and creates a permanent greenbelt and open space system, the following matters must be considered to ensure our continued financial viability:

(a) The municipalities within the urban boundary would have to pool tax dollars and transfer funds back to the rural municipalities. This process, albeit in reverse, is already present in the GTA, where the regions pool funds that are transferred to Toronto for social housing and welfare programs. If we in the rural areas are to be forever green for the benefit of the urban population to the south, they should financially reward the outlying rural municipalities.

(b) Do not eliminate locally based economic development initiatives such as ecotourism, agricultural ventures and associated industries, wellness centres and retreats, and home-based or small-scale commercial ventures.

(c) The population models and the extent of the greenbelt has to extend a minimum of one and a half hours of commute time outside the boundaries of Toronto. Failure to do this will result in a leapfrog over the Golden Horseshoe greenbelt into the surrounding districts of west Northumberland county, the city of Kawartha Lakes, Simcoe county, Brant county etc. This leapfrog effect would significantly undermine the intent of the greenbelt and would exaggerate the extension and

upgrades to the highway system and to commuter patterns.

In closing, we do not need the Greenbelt Protection Act or additional legislation arising from this to further regulate the land use planning process. Initiatives already underway with respect to amendments to the Planning Act, if implemented, will substantially raise the bar toward protecting for the longer term our prime agricultural areas and open space systems.

The government has to be more proactive in region-wide planning, and the government has to create a fair and sustainable funding model to protect and maintain our infrastructure. In combination, these tools will assist in directing growth and ensuring the preservation of our cherished resources. Thank you.

**The Vice-Chair:** Thank you. We have about three minutes each. We'll begin with the government side.

**Mrs Van Bommel:** In part of your presentation, you talk about introducing an economic platform for the farming community. Are you talking about economic incentives for farmers strictly within the Golden Horseshoe and greenbelt study area, or are you talking about province-wide? And how would you reconcile that with agreements and restrictions we have under NAFTA, WTO and GATT?

**Ms Sherban:** I believe you could do it province-wide. But I also believe that in the greenbelt area, there are areas that are not of significance that would be wide-sweeping, and therefore you restrict the areas from being able to gain the economic revenue. So to be fair and give it just to those in the greenbelt area—you're asking them to preserve their agricultural lands, and in the meantime you're not giving them any opportunity for continued revenue. Outside that area, you would be giving farmers the opportunity because of their ability to sell their land for future uses, whereas in the greenbelt area they wouldn't have that opportunity.

**Mrs Van Bommel:** I am a farmer. In my area, I'll never sell it to anybody but another farmer.

**Ms Sherban:** I applaud your integrity, but that is not always the case.

**Mrs Van Bommel:** It's just that the opportunity is not there. It's got nothing to do with integrity. It's simply a fact.

**Ms Sherban:** Well, if it is not there, then that is maybe not an option you have to think about. But in an area as close as our municipality is to the GTA, the opportunities have been there and have been there for a long time. Landowners have long since sold their land and have cash-cropped it, just knowing they would have the future retirement on that property.

It's not necessarily the same. I wish all farmers did feel that way, but unfortunately, they've worked X number of years on their farm, and in our area we're taking away their retirement.

**Ms Scott:** I'd like to pick up on that point with the farming, maybe together with some property rights. You have the Oak Ridges moraine in your riding. Are there

any examples of people who own property within the Oak Ridges moraine and the value—is there anything?

**Ms Sherban:** Who are not farming, or those who own property on the Oak Ridges moraine and are farming?

**Ms Scott:** I used farming, but it could be another example, just of something they have property rights with. What's the value to their property? Are they restricted presently in the Oak Ridges moraine, say, from severing off a lot from the farm?

**Ms Sherban:** Yes.

**Ms Scott:** OK, so there are restrictions now.

**Ms Sherban:** Absolutely. Being on the Oak Ridges moraine, the resale value, compared to what it was a mere two or three years ago—that farmer would have been able, if they so chose, and I'm not saying all farmers do, to sell it for uses other than farm. We saw an escalating sale per acreage from \$75,000 to \$125,000. That's because they knew they were in an area of a secondary plan, which would allow them to have future development on those properties.

**Ms Scott:** And you can see that coming with the greenbelt legislation. Have you seen prices also escalate so far for lots in the city?

**Ms Sherban:** Well, you won't see them escalate for land use. You're seeing the reverse, where they're losing, because unless there is a farmer who wants to buy it—

**Ms Scott:** Exactly.

**Ms Sherban:** Unfortunately, you don't have a great demand out there for the purchase of farmland. We find it's really passed down through families who have farmed for years, so it's then the next generation. We have a lot of third- or fourth-generation farmers in our area who think maybe their children won't take that on, so therefore they're looking for somebody to purchase so they can retire. We know what a farmer's income is, and they're going to be restricted.

Our municipality totally concurs with the support of agricultural land and green space, but we have been given, with the Oak Ridges moraine and now the greenbelt, no tools. If they had provided them—we saw this with the Niagara Escarpment, where it became ecotourism, and that's how they became sustainable as far as preserving that. With the Oak Ridges moraine act, you can't even do ecotourism. They can't even open another footprint on that property. And of course the greenbelt really just zeroes out. Where we currently have 80% and 27%, with the greenbelt it will probably become more like 9% and 10% that will be urban and the rest will be rural. It takes what the balance was, and the rest of the municipality went with it.

**Ms Churley:** Thank you very much for your presentation, Mayor. I don't necessarily agree with everything you said, but I sure agree with a lot of it. It was a very succinct sense you gave us of the frustration you're seeing in your area and areas all over.

The thing that keeps coming back, and you mentioned it as well, is infrastructure and the fact that municipalities pretty much rely on property tax assessments. We've heard from some that in fact part of the problem is that

there's a demand for development because they're not getting enough money to fund infrastructure as well as the new water regulations, the Nutrient Management Act, and now this. All these things are coming at you while you're also being told you can't develop, which is where you get your money to carry on.

I think what you're expressing is that frustration that you're in a Catch-22, and what do you do? I have to tell you, I support protecting the greenbelt and I'm as concerned as you are about the leapfrogging, but I also understand the frustration that mayors and councils in the smaller municipalities are facing. I believe that's what you're trying to tell us today.

**Ms Sherban:** Absolutely. You've got to do one or the other. If you want us to be sustainable, give us some tools—don't put far-sweeping legislation in—so we can maintain and preserve the green space for the betterment of the future of the country and the province. Or, in reverse, if you feel there is this need to put the hammer down, then give us the financial resources we need not to burden the local area residents who are there currently.

**Ms Churley:** If this goes ahead without the kinds of infrastructure dollars you're talking about for some of these things, what do you see happening in municipalities?

**Ms Sherban:** You're going to build exclusive communities. They're going to be shut out from anybody being able to afford to get in there to live. We're finding that already. Our housing prices in Stouffville—it's so sought after because of the type of community it is. I think you'll find that same thing for most of the rural areas, that the housing itself is very exclusive. Earlier, Mayor Taylor spoke about affordable housing. Well, nobody could afford to live there even if you put affordable housing in there, because you're creating communities that are going to be of a higher level. The people who live there are going to be the people who can afford it, because the tax base is going to be so high. Our last tax implementation was 8.9%—we started at 12%—and we see no relief because, as you see, we're at 80%. We have a very small amount of industrial lands for our size—we're 85 square miles, of which 80% is rural.

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#### COALITION ON THE NIAGARA ESCARPMENT

**The Vice-Chair:** Next we have the Coalition on the Niagara Escarpment, Mr Bradley Shaw. Good afternoon.

**Mr Bradley Shaw:** Thank you, Chair and members of the committee. My name is Bradley Shaw and I'm the executive director of the Coalition on the Niagara Escarpment, or CONE. With me is Linda Pim, conservation policy analyst for CONE.

CONE is a coalition of 31 province-wide environmental organizations as well as community-based groups along the Niagara Escarpment. Together, these 31 organizations represent tens of thousands of Ontarians.

CONE has worked consistently since our founding in 1978 for the protection of the escarpment and its many values to Ontario society. CONE took part in the hearings in the early 1980s leading to the passage of the original Niagara Escarpment plan in 1985, and in the first and second five-year reviews of the plan, in 1991-1994 and 1999-2001, respectively. We've also been a party at Niagara Escarpment plan amendment hearings, and we've appealed several Niagara Escarpment Commission development permits. In addition to monitoring land development within the Niagara Escarpment plan area, we also engage in educational programs to promote public awareness of and appreciation for the Niagara Escarpment.

CONE wishes to be on the record as supporting Bill 27. There's an urgent need to protect natural habitats and agricultural lands in the Golden Horseshoe, and Bill 27 sets out to fulfill that goal. What is needed is equivalent legislation to establish environment-first land use planning across southern Ontario that similarly requires the curbing of urban sprawl and, therefore, the protection of our woodlands, wetlands and farmlands. Bill 27 is an excellent start.

However, Bill 27 was tabled for first reading in the Legislature on December 16, 2003. As early as 22 December, CONE wrote to Premier Dalton McGuinty, expressing our concern that Bill 27, in schedule 2, exempts the Niagara Escarpment plan area from the interim urban boundary expansion moratorium that runs for one year until December 16, 2004. Since that time, we have had discussions and meetings about this issue with senior staff in the Premier's office, the office of the Minister of Municipal Affairs and Housing, and also the Minister of Natural Resources. We have also discussed the matter with senior staff at the Niagara Escarpment Commission, the provincial agency which implements the Niagara Escarpment plan.

It is clear to us, from the meetings and discussions noted above, that it was never intended by the government that the Niagara Escarpment plan area would be subject to a lower level of protection from urban expansion than would the rest of the lands in the greenbelt study area identified in schedule 1 of Bill 27.

Even though the Oak Ridges moraine area is also listed in schedule 2, there is not the same concern vis-à-vis the Oak Ridges moraine, because the Oak Ridges Moraine Conservation Act, with some very limited exceptions, allows for consideration of urban boundary expansion applications only at the time of the 10-year review of the plan.

By contrast, an application to the Niagara Escarpment Commission for a Niagara Escarpment plan amendment to expand an urban boundary in the Niagara Escarpment plan area—sorry, there's a lot of "Niagara Escarpments" in there—can be made by a developer or by a municipality at any time. While we cannot be sure of the reason, it appears that perhaps the government was not aware of this fact when Bill 27 was drafted, for even as we speak to you today there are four active applications for urban

boundary expansions within the Niagara Escarpment plan area that are not stayed by the ministerial zoning order currently in place under the Planning Act for the greenbelt study area and would not be stayed by Bill 27, as now drafted.

Evidently, the government did not know or did not intend the ironic situation we find ourselves in, in which the area of the Niagara Escarpment plan, Canada's first large-scale, environmentally based land use plan—an area designated a world biosphere reserve by UNESCO in 1990—is less protected from urban expansions during this one-year moratorium than is the rest of the greenbelt study area.

For your information, two of the proposed urban boundary expansions are small in scale. One is at the edge of the village of Campden in the town of Lincoln, regional municipality of Niagara. The other is at the edge of the village of Winona in the city of Hamilton.

However, the other two proposed urban expansions are large. One is an application by Central Milton Holdings Ltd for a 500-unit subdivision in the town of Milton, regional municipality of Halton, an amendment that seeks to re-designate escarpment rural area lands into urban area under the Niagara Escarpment plan. This application is currently before a consolidated hearings board hearing, with an adjournment having been granted in April 2004 until November 2004 for reasons unrelated to Bill 27.

The other application is by Castle Glen Development Corp for what amounts to an instant town of some 7,000 or more people on the escarpment in the Town of the Blue Mountains, county of Grey. An Ontario Municipal Board hearing on this proposal is currently in progress. In a letter to the Minister of Municipal Affairs dated March 19, 2004, CONE and Environmental Defence Canada requested that the minister issue a zoning order under the Planning Act for the Castle Glen property that would likely have had the effect of allowing deferral of the OMB hearing. However, the minister chose not to issue such an order.

It is our understanding that the government may rectify the treatment of the Niagara Escarpment plan area through an amendment during clause-by-clause consideration of Bill 27 by this committee. We anxiously await the opportunity to examine such an amendment and provide our comments on it informally to members of this committee during clause-by-clause.

The Niagara Escarpment Commission itself has proposed to the minister a means by which Bill 27 could be amended to level the playing field for the Niagara Escarpment plan area. We have attached to our submission a letter dated March 20, 2004, from Mr Don Scott, chair of the NEC, in which he suggests that Bill 27 could be amended to allow for urban expansions on the escarpment only at the time of the 10-year review of the Niagara Escarpment plan, as is similarly provided for in the Oak Ridges Moraine Conservation Act.

CONE finds it ironic that the government is planning a Golden Horseshoe greenbelt without simultaneously put-

ting at least a temporary moratorium on the planning of new provincial highways or highway extensions in the greenbelt study area. Several of these highway projects, including the mid-peninsula highway, the northward extension of Highway 410 and a possible new GTA east-west highway, would run through parts of the Niagara Escarpment. It is expected that the entire Niagara Escarpment plan area will be made part of the long-term greenbelt. It is CONE's position that to truly contain urban sprawl and protect natural habitats and farmlands, there should be a province-wide transportation master plan in place before any further planning is undertaken for new highways.

Bill 27 should therefore be amended to place a moratorium on planning these and other proposed highways in the Golden Horseshoe, at least while the greenbelt is still being planned. No approvals under the Planning Act, the Environmental Assessment Act or other legislation should be permitted until the above-noted transportation master plan is completed. It is essential that urban planning, green space and farmland protection, and sustainable transportation be fully integrated within the greenbelt study area and beyond.

CONE does wish to state for the record that we are pleased that in its May 13, 2004, consultation paper, the Greenbelt Task Force has recommended that the entire Niagara Escarpment plan area be included in the greenbelt and that the escarpment continue to be protected through the provisions of the Niagara Escarpment plan.

In closing, CONE is very pleased with the thrust of Bill 27, since it shows that the government is placing a high priority on nature conservation, both on the Niagara Escarpment and beyond. We look forward to the committee's further deliberations on the bill, and we hope that during the creation of the greenbelt, the government will draw upon our organization's 25 years of experience with Niagara Escarpment protection.

**The Vice-Chair:** Thank you. We have about four minutes each. We'll start with the official opposition.

**Ms Scott:** Thank you very much for your presentation. I'm just covering for today, so I'm hearing a lot of this for the first time. I appreciated that report.

Right now, I've asked a bit about the property rights of the people within the Niagara Escarpment. The plans have been in place for a while—for the one example you used up in Grey-Bruce, is it, where you used the example of a community?

**Mr Shaw:** Of the property? Yes.

**Ms Scott:** Since you've been up and going, how have you been able to deal with people who own land now, and expansions? I know there was a Smart Growth study for the infrastructure for some of the transportation that was planned for the future. I don't know if you are familiar with the Smart Growth plans. Can you comment a little bit on property rights within the escarpment and the transportation plans. Smart Growth was, I think, the latest study that was done on hubs and some transportation. I know there are a couple of questions there.

**Mr Shaw:** Is the question further examples of properties or just in general how property rights are protected through the plan?

**1350**

**Ms Scott:** Yes, in general. We'll start with that. If land is being used now—I know the mayor commented before that it has to be sold as agricultural, not development, within the Niagara Escarpment plan. Is that correct?

**Mr Shaw:** The Niagara Escarpment plan provides a zoning framework over the plan area. There are particular designations, and those designations have generally a variety of uses within each. I'm not sure changing those designations has been done on a grand scale over the course of the plan for the last 25 years. So there is some flexibility within a designation, but when purchasing the land or whatever, you're purchasing it with the understanding that that designation is in place and there shouldn't be any expectation that that will change in any broad way without going through the process of going to the Niagara Escarpment Commission.

**Ms Scott:** The Niagara Escarpment Commission works with the municipalities, or is it just totally stand-alone?

**Mr Shaw:** There are representatives from the municipalities that cover the Niagara Escarpment, as well as members at large who are appointed from the public by the government—I believe by cabinet.

**Ms Linda Pim:** Just to add to that, the Niagara Escarpment Commission makes all the decisions about land use in the escarpment, so there are the municipal members on the commission, but it is a provincial agency.

**Ms Scott:** So it does have the last say.

**Ms Pim:** Also, to expand on the land use designations, a landowner can seek an amendment to the Niagara Escarpment plan if they feel their land ought to have a different—there are seven land use designations in the plan. Often they want a less restrictive land use designation and they can seek an amendment, which may or may not be approved by the minister or by cabinet.

**Ms Scott:** By the Niagara Escarpment Commission, did you say?

**Ms Pim:** No, it's a decision of either the Minister of Natural Resources or cabinet, depending on the amendment.

**Ms Scott:** OK, thank you.

**Ms Pim:** If I could just add that early on in the Niagara Escarpment experience there were a lot of arguments raised around property rights. The Niagara Escarpment protection program began in 1973 with the passage of legislation. We are now 30-plus years later and it has broad public support. We don't find nearly as much negative reaction to it as we did 30 years ago. It has become a world biosphere reserve. It has become accepted. Property values are actually higher—and we've done the research to show it—on the escarpment, because that's where people want to live.

**Ms Churley:** Thank you for your presentation. As always, it was succinct and very clear as to what you want to see happen. I think you're probably right in that the Liberals, from what I'm hearing as well, will bring forth an amendment to rectify the Niagara Escarpment being left out. I'm sure if they don't do it, I will. We both will, I'm sure. I don't know about the Conservative Party.

I wanted to ask a specific question related to that. I, too, as you know, have been concerned about the proposed new Castle Glen development. I've raised the question a couple of times in the Legislature and in statements and things. For your benefit, if you're not aware of this, this is the new town that is going to be the first permanent, year-round town built on the escarpment. It is too complicated a case to describe quickly here—a very complicated situation—but the minister could have done something about it and chose not to. So my question is, should the escarpment plan come under the new greenbelt? Could that, in effect, stop it in its tracks now that it's before the OMB, or does this mean it's a done deal no matter what happens with the Niagara Escarpment and the greenbelt? Are you clear on what I'm saying?

**Ms Pim:** Yes. I actually testified before the OMB hearing on Castle Glen on CONE's behalf earlier this week. The answer is no, I don't think Bill 27 would stop Castle Glen from proceeding, except if the Niagara Escarpment plan area is included once the freeze is over. Section 11 gives the minister the power, if he wishes, to defer or to stay anything that is before the Ontario Municipal Board. I'm not a lawyer, but my reading of the bill is that, technically, the minister could go in and stay that hearing. I'm not sure that's a good or bad idea. There may be several ways of actually resolving the matter of Castle Glen, including some discussion of land acquisition by a number of parties from the landowner-developer in a manner that is fair to the landowner. So there are a number of options. As you say, that's a very complex one.

**Mr Delaney:** You have an excellent brief, with a remarkable degree of internal consistency, so my compliments to you on your research and preparation.

I'd like to ask you a question that I asked of Mayor Taylor: your viewpoint on commercial and residential concentration. What measures in your opinion might the towns and cities bordering on the study area take to lead public opinion into accepting commercial and residential concentration and overcoming the NIMBY effect?

**Mr Shaw:** I think one of the keys is—I don't mean to be unduly critical—that many of the municipalities we deal with could expand their role of community consultation and involvement from the beginning in any kind of planning exercise. I think having a much more open process from the beginning can go a long way, because people can take ownership of "OK, we're going to have expansion in this area," or whatever, but in that plan they can say how that is going to develop, the broader framework around that.

**Mr Delaney:** In other words, lead people into making the decision themselves?

**Mr Shaw:** Exactly. I don't know if Linda has something to add. OK.

**The Vice-Chair:** Thank you very much for your presentation this afternoon.

#### WEST DUFFINS LANDOWNERS GROUP

**The Vice-Chair:** The next presentation is from the West Duffins Landowners Group, Mr Mark Flowers. Actually, we're running a bit early.

**Mr Mark Flowers:** I have a map that I would like to hand out. I have several copies.

Good afternoon, Mr Chairman and members of the committee. My name is Mark Flowers and I'm a solicitor. I'm pleased to speak today on behalf of the West Duffins Landowners Group. The landowners group is a group of landowners in an area of the city of Pickering known as the West Duffins lands. You'll see on the map I've just had circulated that the West Duffins area is identified in a purple colour at the bottom right of the map. It's located immediately north of the existing built-up area of the city of Pickering. It's west of the provincially owned lands of Seaton, separated by the West Duffins Creek. It's south of the federally owned airport lands, and to the west is Rouge Park and the city of Toronto, and of course north of that the town of Markham. Together, the landowners group owns roughly half of the West Duffins lands, and the West Duffins lands total about 2,000 hectares or 5,000 acres.

Rather than comment today on the specific sections of Bill 27, I'd like to spend most of my time speaking to you about the ongoing planning process that applies to the West Duffins lands and then I'd like to conclude by relating that process to Bill 27 and the objectives of Bill 27.

#### 1400

As some of you may know, the city of Pickering initiated a growth management study back in 2002. They did so in order to identify future urban growth—sometimes people refer to it as north Pickering; in reality I guess it's central Pickering—recognizing the growth pressures that Pickering is facing now and certainly will face over the coming decades. As part of that growth management process, a study area was identified, and the study area roughly corresponds to the West Duffins lands in the west half and then the Seaton lands in the east half. There were some other lands, but predominantly it's the West Duffins lands and Seaton.

In 2002, city council approved terms of reference for the growth management study. They were assisted in that process by a working committee. The working group was composed of staff from the city of Pickering; other municipalities; public agencies and authorities, including the province of Ontario; landowners; community groups and other members of the public. They all worked together to form the terms of reference for the growth management study.

As part of the terms of reference for the study, a set of 10 guiding principles was developed. I don't propose today to go through each of those 10, given the short amount of time that I have to speak, but I did want to highlight the first three of those principles, because I would suggest they are consistent with the objectives of Bill 27.

The first principle that was identified for the growth management study was to maintain environmental integrity in the study area, and it would do so by identifying, protecting and enhancing a healthy ecological system, including the area's ecological features and functions, landscapes, habitats, surface and subsurface water, air and other resources.

The second guiding principle was to respect cultural heritage, and it would do so by protecting and integrating important cultural heritage attributes and resources from all time periods in the community, including significant First Nations sites and rural settlements.

The third principle was to foster a healthy countryside, and it would do so by encouraging a vibrant rural economy, including agriculture, recreational and open space uses, and conserving a resource base for current and future generations.

In order to carry out the city's growth management study, it retained a multidisciplinary team of consultants in early 2003 and they began phase 1 of the study. The study was intended to have three phases. The first phase would be basically a comprehensive environmental systems assessment which would involve a detailed inventory of both the natural and cultural heritage in the study area—effectively, that's an environment-first approach—and would identify right at the outset the constraints and the opportunities for development in the study area.

As part of phase 1, the consulting team also undertook an agricultural community assessment, and that was to identify opportunities, priorities, strategies and so forth for agriculture in the study area.

At the conclusion of phase 1, the study team then moved on to phase 2, and that was really designed to identify a recommended growth management plan and a structure plan for the study area, based on the detailed work they had done as part of the background work in phase 1. In other words, the study team's recommendations, as part of phase 2, would be based on the most current information available, taking into account, for instance, current thinking on agricultural practices and environmental systems protection. This area, particularly the Seaton lands, has been studied for a number of decades, but this is really the most current, up-to-date assessment that's been done.

The team then began by preparing five alternative growth management options, and they all had varying degrees of development being proposed in the West Duffins lands. There was one option in fact that proposed no urban development in the West Duffins lands, so that was looked at too.

I keep using the term "West Duffins lands." It has also been identified in the growth management study as the

Cherrywood community. Sometimes they distinguish between Seaton in the east and Cherrywood in the west.

Each of the five growth options was then presented to the public and to public agencies for comment. The study team also evaluated each of the alternatives against that set of 10 principles that had been developed by city council in the past. They came up with a preferred growth option that did include some development in West Duffins. Again, the preferred growth option was presented to the public and public agencies for review and comment. There was a series of public open houses held. There was a design charette held. From this, a slightly modified version of the earlier growth option was prepared and ultimately became what is referred to as the recommended structure plan.

The recommended plan proposes to accommodate within the study area a population of about 77,000 people in a series of compact, mixed use and transit- and pedestrian-friendly neighbourhoods. The plan also offers employment opportunities, and that's key for the city of Pickering. They identified that they really needed also a jobs-first strategy. They don't simply want to be a bedroom community for the city of Toronto and York region. The plan identified that there was opportunity for employment of about 33,000, and most of the employment lands would flank either side of Highway 407. Highway 407 essentially bisects the northern portion of the study area.

In its phase 2 report, which was released in February of this year, the study team concluded that projected growth over the next 20 years for the city could not be accommodated within the currently designated urban areas of the city of Pickering, and that includes the Seaton lands. That's even with a rather aggressive intensification strategy for the existing built-up area of Pickering.

They identified that growth opportunities outside the study area, still within the city of Pickering, were also very limited because of the federally owned airport lands and, of course, the noise contours and things of that nature. The southern boundary of the Oak Ridges moraine bisects the northern portion of Pickering. So there are a lot of development constraints in the city of Pickering outside the study area.

Therefore, the study team recommended urban development for roughly half of the West Duffins lands—basically the southern half—and then designated the remainder as countryside. The study team also evaluated the recommended structure plan against the provincial policy statement and concluded that it was consistent with the PPS, particularly with respect to the location of growth, protection of natural resources, cost-efficient use of infrastructure—because there is existing infrastructure in the West Duffins lands and it's also very proximate to the existing infrastructure immediately south of that in the existing built-up portion of Pickering.

With respect to the protection of agricultural lands, the study team concluded that it wouldn't be possible to avoid any prime agricultural lands if you're going to do

any urban expansion in the city of Pickering. By comparison to other areas of both Durham region and in the GTA as a whole, the West Duffins lands, it was concluded, have a low agricultural priority.

In March of this year, Pickering city council endorsed the phase 2 report for public consultation, and a number of responses have been received by the city from a wide array of stakeholders: other municipalities, the Toronto Region Conservation Authority, Durham region, and so forth, as well as residents and landowners and other stakeholders.

The West Duffins Landowners Group was one of the groups that did comment on the recommended structure plan. Admittedly, the group didn't fully embrace absolutely every aspect of the study team's report and conclusions. For instance, the group is quite concerned that both the residential and employment lands requirements have been understated. The group has also questioned the need and the viability of the extent of the countryside area that is proposed in the northern half of the West Duffins lands. Nonetheless, the group has expressed its general support for the conclusions and the recommendations of the growth management study to date.

Likewise, in a report that was released last week, the city of Pickering staff have expressed their support for the conclusions of the study. They're recommending to city council that the recommended structure plan be endorsed as the basis for establishing a new urban boundary for the city of Pickering—and land use designations, of course. That report will be considered by the city's executive committee next week and then on to city council a week or two after that.

So as you can see, the city of Pickering's growth management study, which is now approximately two years old, represents a multifaceted investigation and assessment of the study area's opportunities and potential for development, and the city's need to accommodate its forecast population growth. It has also been subject to extensive consultation with government agencies, members of the public and other stakeholders, all in a very open and transparent form.

In essence, whether or not you agree ultimately with the recommendations of the study team, I think that most people who have been involved in this process would agree that this is how land use planning is meant to be done in the province. What I mean by that is planning at the local level, with real and meaningful input from those who are most affected by the decisions.

#### 1410

We had thought that this was also the present government's attitude with respect to land use planning, reflected in its campaign platform, but also more recently in Minister Gerretsen's comments to the Legislature in December when he introduced Bill 26. He had commented at that time: "Local people, local governments should decide what happens to their communities," that government should "work for the people" by making land use planning "more open and transparent," and that government should "ensure that the will of the people ...

as expressed through their local councils, is respected when we plan for the growth of strong and healthy communities." Those were comments he made to the Legislature.

The landowners group's concern here is that in its current form, Bill 27, as it applies to the West Duffins lands, would be at odds with the objectives of doing planning at the local level rather than from Queen's Park. It's also at odds with empowering communities to shape their own destinies.

If the government is intent on carrying through with the greenbelt study with a view to establishing ultimately a Golden Horseshoe greenbelt, so be it. But for many of the reasons I've identified, including, for instance, its low agricultural priority; the growth pressures that are already faced in the city of Pickering; the location of the lands immediately adjacent to the existing built-up area of the city of Pickering; the existing infrastructure that's already in place; and the existing adjacent valley lands, reflected on the map that shows the linkages that already exist—the Oak Ridges moraine to the north and Lake Ontario to the south—obviously, that's an important objective in terms of maintaining linkages. You have West Duffins Creek immediately to the east which provides the valley land linkage, and to the west you have Rouge Park and then the Little Rouge Creek extending up to the Oak Ridges moraine.

In other words, the West Duffins lands are not needed to establish any linkage between Oak Ridges moraine and Lake Ontario. Therefore, the landowners' group is of the view that the West Duffins lands ought not be included in any greenbelt, and will be making a presentation to the Greenbelt Task Force when it meets in Oshawa next Tuesday, suggesting that the West Duffins lands be excluded from any greenbelt on the basis of, among other things, its physical characteristics. By that I mean in terms of its low agricultural priority and location with respect to other development and things of that nature.

Our recommendation to this committee is that the West Duffins lands should be excluded from the proposed greenbelt study area, not simply because of their physical attributes, because, as I say, that's a matter that will be addressed to the Greenbelt Task Force, but rather they should be excluded to recognize how far the city of Pickering's growth management study has advanced to date and to value the extensive public consultation process that has gone on; to recognize that the city of Pickering is quite capable on its own of planning with the objectives of environmental protection, smart growth and sustainable development; and finally, for the government to demonstrate that it truly believes that local people and local government should be determining the fate of their own communities.

I thank you for the opportunity to address the committee this afternoon, and at this time I'd be happy to take any questions from the members.

**The Vice-Chair:** Thank you very much. Ms Churley? We have about two minutes each, so it'll have to be really quick.

**Ms Churley:** OK. Thank you, Mr Flowers. Welcome. You're listed as a spokesperson for the West Duffins Landowners Group. In what capacity are you with the group?

**Mr Flowers:** I'm a solicitor who acts for one of the members of the landowners' group. I'm a solicitor with Davies Howe Partners. We act for one of the landowners, but I've been authorized to speak on behalf of the group today.

**Ms Churley:** I ask that because that wasn't quite clear. We've actually already heard from two other lawyers from your firm on behalf of the same group in other locations. Is that just because they are representing individuals, or are you representing the same development firm? I'm just trying to figure out—

**Mr Flowers:** I think you're referring to Mr Davies and Mr Alati, who I believe spoke at an earlier session. My understanding is Mr Davies was speaking on behalf of the Bayview East Landowners Group in Richmond Hill, which is not affiliated with this group. Mr Alati, as I recall, was speaking on behalf of the Urban Development Institute.

**Ms Churley:** You said "an individual." Are you representing the development group? I just want to be clear as to whom you're representing here.

**Mr Flowers:** I'm speaking today on behalf of the West Duffins Landowners Group.

**Ms Churley:** OK. That's what I wanted to clarify; for the developers.

**Mr Flowers:** As I say, as solicitors. We're not counsel to the landowners group, we're counsel to one of the members of the landowners group.

**Ms Churley:** One of the members, OK. That's all I wanted to know. Thank you very much.

**The Vice-Chair:** Any questions from the government side?

**Mrs Van Bommel:** Thank you very much, Chair. I thank you for your presentation, but we have no questions.

**The Vice-Chair:** The opposition?

**Ms Scott:** I just want to thank you for your presentation also, and I firmly believe the municipality should have its freedom to plan its development, in coordination with Smart Growth, agriculture groups. I praise the town of Pickering for the study that they've done and the consultation with the public. Thank you for coming here today.

**The Vice-Chair:** Thank you, sir.

#### BAYVIEW EAST LANDOWNERS GROUP

**The Vice-Chair:** Next we have the Bayview East Landowners Group; Mr Andrew Madden.

**The Acting Chair (Mr Bob Delaney):** Mr Madden, welcome. As you've obviously gathered, if you've been here longer than a few minutes, you have 20 minutes for your presentation. You may choose to use all or part of it. Whatever part remains will be divided evenly among the

members of the three parties, who may chose to ask you a question.

**Mr Andrew Madden:** Thank you. A little longer drive from Brampton than I expected this afternoon, so I haven't been here that long.

**The Acting Chair:** I had an unexpectedly long drive from Mississauga, so I know where you're coming from, but please relax and go ahead.

**Mr Madden:** If the taxpayers realized that you were all working on the Friday afternoon of a long weekend, I wonder what they would think. I don't know whether they'd congratulate you or tell you, "I'm sorry."

I represent the Bayview East Landowners Group, but the reason I'm here is a little more than that. I've had the opportunity to be invited—in fact, recently; last summer—by Mr Colle, the parliamentary assistant to the Minister of Finance, and by Dr Terry Fowler to address organizations on Kyoto and urban sprawl. Again, this fall I've been asked to attend a conference on Kyoto and urban sprawl to talk about the impact of sprawl and growth on southern Ontario. I bring a developer's perspective, because I am a developer's representative as a project manager, though a lawyer only by education, not by profession. I basically manage development projects.

In my package that I've given to you, the last page is an article from the Toronto Star from a couple of years ago. I'm the only developer who had the support of a group called Save the Rouge Valley System, who supported the development of 500 acres in Scarborough. We went beyond the then-limits of environmental boundaries to support and enhance an environmental community.

The reason I'm before you today is that I now represent a group known as the Bayview East Landowners Group within the north Leslie secondary plan area, which has been caught in the greenbelt freeze.

I want to talk about the similarities in the role of developers and the environment. We're all aware today that residents are very upset everywhere about traffic, lack of schools, lack of transit serving their areas. I certainly see it in my community of Brampton. We're now a large, growing area. Roads haven't been kept up to the standards necessary for the number of new homes we're getting.

Ontario has been under growth pressure for decades. We are the most popular place to come. My father and my mother came here for a better way of life. All of our forefathers would have done so as well. I'm first generation. People come to Ontario for that reason. Because of that, I've always held the philosophy that we have a responsibility to house the people of the world who want to come to live here for a better way of life.

But people now are talking about urban sprawl. Urban sprawl is different than urban growth. Sprawl is unbalanced and unmanaged growth. Sprawl is when you don't have the appropriate facilities in place, the infrastructure, the social services. Sprawl is when you don't manage and plan properly.

Our system, quite frankly, is out of kilter. We're not managing growth properly any longer. The pressure's on

the municipality. The pressure's on the province. I'm an active member of Canada's largest health facility for health care linen, and I understand the pressures the health care industry is under. It's the same pressure everywhere.

The greenbelt legislation was introduced, I think, to help give the government a chance to catch its breath and look at a way to manage growth so that sprawl doesn't take over, to bring it back into the terms of growth. But when you cast a net so wide, you capture things you didn't mean to.

**1420**

The example I'm bringing to you today is my project in Richmond Hill known as North Leslie. Why shouldn't North Leslie be captured by the greenbelt legislation? Well, it doesn't represent sprawl, it represents a natural extension of urban growth. North Leslie is surrounded by existing development.

Just to give you a background—sorry, I have an aerial photograph, but there's nowhere to display it, but there is an aerial photograph on the second page of my presentation. North Leslie is bounded by Bayview Avenue on the west, Highway 404 on the east, Elgin Mills on the south and Nineteenth Avenue and the Oak Ridges moraine to the north. A small portion of our lands, about 100 acres, is within the Oak Ridges moraine planning district. That doesn't mean they are moraine lands—there's a difference there—but they are within the definition of the Oak Ridges moraine.

These lands were started in a development application by the town of Richmond Hill in the late 1990s. The landowners took it over under my direction in 2000. The applications have been with the city, the town and the region since 2000. We got caught up in the Oak Ridges moraine freeze; that delayed everything for a year. We're now caught up in the greenbelt; that's delaying us for potentially a year. But we're surrounded by development. Infrastructure that's been put in place for North Leslie is already there.

When you look at sprawl, sprawl is when you run a big pipe up to King City and you open up thousands of new acres for development. That is an extension of sprawl. Growth is when you bring a service to a new community and that doesn't allow for the leapfrogging of other developments in other areas. That's growth, and that's what North Leslie is.

North Leslie would not create an opportunity for further development. North Leslie does not require major new roads, major new services, in order to develop. In fact, in North Leslie, we have more than 40% of the 1,200 acres planned for protection of the environment. Right now there are major coldwater tributaries that are the headwaters of the Rouge River system. So basically, as the Oak Ridges moraine starts to fall down and the aquifer that everybody is familiar with in the Oak Ridges moraine—as those two features come together, you get the headwaters of the Rouge system. They appear in the North Leslie lands. Those tributaries must be protected. Those tributaries must be enhanced. Right now, they're

farmed to their edge. The only way to provide for the enhancement and restoration of those is through development, where you create massive corridors to protect those. Usually you have anywhere from 10- to 30-metre buffers beyond the valley corridors, so you're looking at 100 to 150 meters wide. Then you require the developers to plant those, get the green canopy in and restore it to coldwater fisheries. That's what North Leslie will accomplish. Ultimately the development of North Leslie will be a project that environmentalists and developers and government can look at and say, "That's how you do environmental planning." This is not urban sprawl.

So why are we caught in the greenbelt legislation? Because the definition is any lands that are not in an urban boundary. Part of North Leslie is in the urban boundary, but the majority of it is not, so we're caught by the legislation. So the first flaw in Bill 27 is the definition of the lands that are impacted. You cannot use urban boundary. Quite frankly, though these lands are before the Ontario Municipal Board right now, the town, the region, the conservation authority and the landowners are on record before the board supporting these lands in the urban boundary. There's no question about that. Why we're at the board has nothing to do with environmental land use in terms of the ultimate development. It's more a case of the extension of what the boundaries are going to be for the environment and the land use of Highway 404, where we think because so much is protected for the environment that it's more suitable for residential, the town still thinks it's suitable for employment. That's the real fight. Frankly, if these lands were exempted, I believe there would be an environmental settlement achieved, but one can't negotiate an environmental settlement when there's nothing to negotiate; you don't know what you've got.

The reason I'm here is to say I'm sure there are other people who are in this position, where their lands are not in an urban boundary but they do not represent urban sprawl, they represent natural urban growth. I think when this committee looks at Bill 27, it should reflect on that distinction and try to find lands and say, "No, we're not trying to bring Ontario to a halt. We're not saying no more growth for Ontario. We're saying well-balanced, well-managed growth for stopping sprawl." Thank you.

**The Acting Chair:** Thank you very much. We have approximately nine minutes for questions, beginning with Ms Van Bommel.

**Mrs Van Bommel:** Thank you very much for your presentation and for coming out on the Friday of a long weekend. There are no questions, thank you.

**Ms Scott:** Thank you for your presentation. It was excellent, and I have no questions, either.

**Ms Churley:** Well, you can imagine that I do.

**Mr Madden:** My pleasure.

**Ms Churley:** Mr Madden, you'll have to forgive me, but I don't understand some of your comments about the only way to protect the headwaters is to develop. I can't get into the technical discussion right now about that, but

I just wanted to let you know that at a later date I might need to find out more about that.

You mentioned that some of these—the region of York, the town of Richmond Hill, Toronto conservation authorities, Save the Rouge, Richmond Hill Naturalists and the Greenbelt Alliance—all opposed your development application before the OMB. You did say that the fight isn't over the project itself, it's more around the boundaries and not environmental concerns, when this site is listed as a really hot spot on the moraine for the headwaters and all these things. I really want to clarify with you: Are all of those groups that I just mentioned not concerned about the environmental impacts, but are more just concerned about the boundaries?

**Mr Madden:** No, I think your comment is correct. You left out one other party who is concerned about the environmental impact, and that's the landowners. We are all concerned about the environmental impact in that area. We are all looking to protect. There's no real dispute over protection of features. Every feature, with the exception of one intermittent tributary, has been agreed to be supported and maintained. What we're talking about now is the extent of enhancement. There is nothing that the OMB can do or nothing that current laws can do that requires the landowners to spend money to actually enhance and restore those tributary corridors. They're farmed right up to the edge of the creek right now. Whatever products that farmer is using in his growth process gets into that water. There is no control over that. What we are saying is, the only way you get the millions of dollars for the planting of trees to create the natural tributary system again is through the development process.

**Ms Churley:** But isn't that a problem in itself, that in order to protect these headwaters, the only way to do it within our system is to have fairly massive development there? I mean, honestly, how many residents of Ontario, including the local residents, do you actually believe support putting 6,000 new houses, a Home Depot and other things on the Oak Ridges moraine and the headwaters of the Rouge River?

**Mr Madden:** I don't believe any houses should be on the Oak Ridges moraine. There are not 6,000 homes planned for this area.

**Ms Churley:** How many are planned for the area?

**Mr Madden:** If 50% of this area would be developed, it would be about 3,500 homes.

**Ms Churley:** And what else would be on it?

**Mr Madden:** I understand there would be about six schools, two high schools, and there is one landowner, who I do not represent, at the corner of Leslie and Elgin Mills, who is proposing a medium- to mid- or big-sized box retail, but I don't have any details on that.

**Ms Churley:** I can get more details later. So was it from the 6,000 reduced to—

**Mr Madden:** The landowners agreed to expand the residential areas and increase the environmental areas, so we've changed our densities.

**Ms Churley:** So it's down now from 6,000.

**Mr Madden:** No, it never was 6,000. I don't know where that number came from.

**Ms Churley:** It never was 6,000?

**Mr Madden:** It was around 4,800.

**Ms Churley:** It was around 4,800. OK.

**Mr Madden:** And it would be lower than that if the town gets the employment uses east of Leslie. That assumes that all of the land goes residential.

**Ms Churley:** Is it before the OMB right now?

**Mr Madden:** It's currently stayed as a result of the legislation.

**Ms Churley:** Oh, that's right, of course. So it was going to be before the OMB and then it was stayed.

**Mr Madden:** I'm attempting to negotiate. I have meetings with Mr De Baeremaeker and Save the Rouge organized. I'm attempting to negotiate environmental settlements.

**Ms Churley:** With Glenn?

**Mr Madden:** Well, Glenn and I did it in Scarborough. That's what the newspaper article at the back of my package is about. Believe it or not, Glenn and I have actually been panellists together. We both have the same goals. Glenn is not anti-development. Glenn is not "stop development at all costs." Glenn is "protect my environment and if you can prove you're going to protect my environment, I will support development." I agree. That's exactly the approach developers have to take.

It's sad. We're getting incredible amounts of development. We're not getting nicer neighbourhoods. We're not getting better communities. There's something wrong.

**Ms Churley:** I guess we have to stop this exchange now, do we? I had more questions, but there's no time. Thank you.

**Mr Madden:** If you would like a card, I'd be delighted to speak with you further.

**Ms Churley:** Thank you very much.

**The Vice-Chair:** Thank you, sir.

The next group on the agenda is the Markham Environmental Alliance. They're not here, so we'll go to the next one.

*Interjection.*

**The Vice-Chair:** We're running a bit early, so we'll take a five-minute recess.

*The committee recessed from 1430 to 1444.*

## YORK REGION FEDERATION OF AGRICULTURE

**The Vice-Chair:** Can everyone take their seats, please? The next presentation is from the York Region Federation of Agriculture, Mr Terry O'Connor, president. Good afternoon, Mr O'Connor. Thank you for being early.

**Dr Terry O'Connor:** It's Dr O'Connor.

**The Vice-Chair:** Dr O'Connor. You may begin.

**Dr O'Connor:** Thank you very much. I appreciate the opportunity to speak to you today and would like to let you know that we're very concerned in agriculture about the issue around the greenbelt legislation.

Agriculture is a strong economic engine in York, with gross farm receipts of over \$175 million, but it is under tremendous pressure for urban expansion and urban-type uses with the related infrastructure which encroaches on agricultural uses. If agriculture is to survive in York, we must create environments where food production can operate profitably and provide incentives for long-term economic sustainability with the next generation's succession to the farm. Basically, farming must be economical. So I'd like to make the following points, and they're in my release to you.

Farmers are the major landowners in the GTA. This regulation could impact on their operations in many ways. For example, restrictions on enlarging buildings, which we're already seeing with the Oak Ridges moraine regulations, or restrictions on farm practices would impact on an owner's ability to finance the operation and interfere with long-range planning and retirement. I have to tell you that the people whom I talk to are quite concerned about their equity in their property and, if you like, their retirement situation.

Farming changes constantly, and we need to be able to expand and modernize. For example, a dairy farmer probably modernizes his operation every 15 to 20 years. So we need that ability to take innovative and new techniques and things like that when we're into long-range planning.

The other thing that needs to be allowed to happen is that we can get involved in novel activities such as nutraceuticals and any new type of farming that comes along. So we don't need any restrictions on being allowed to do that.

The preservation of the economic viability of food producers is a prerequisite to the success of the protection of the greenbelt. The overall plan must include programs that will encourage farmers within the greenbelt to continue farming. I think the average age is something like 51 or 54. We need to have some incentive there to get the young guys and gals to take over the farming operation. So we must prevent the further loss of farmers with the resultant need to import more food too.

The greenbelt would be a significant benefit to society, and we're concerned that changes could have severe economic impacts on agriculture. Farmers already face opposition to what are considered normal farming practices, and the Farming and Food Production Protection Act must be enhanced and enforced. There isn't a meeting that I go to where the farmers don't complain about people moving out to the country and demanding that they quit spreading manure on certain days and things like that, and the noise of corn drying during the seasons and things like that. So we have to have that requirement. That Farming and Food Production Protection Act must be enhanced. A clearly defined resolution process should be established. Right now, we just go and shout at each other. We need to have something that's a little more concrete like that.

Agriculture also contributes significantly to the environment in water quality, carbon sinks, energy production, ethanol and bio-diesel and, for example, woodlots.

#### 1450

Food security is important. Food should be produced here in this area. We've got a tremendous market to the south. The environmental impact of bringing food long distances isn't any good for the environment either, so we think we should be assisted in producing food here on a local basis.

We are concerned that as society gains control over the designated areas, farmers will be under increased pressure. This happens every day with people with the four-by-fours roaring around. We've had a lot of abandoned railways in Ontario, not so much in this area but in the GTA, and they certainly do a lot of damage to the agricultural community when they are allowed to do that. There should be a clear definition between "agricultural land" and "natural heritage," "water resources," "land forms" and "wildlife habitat."

For example, the wildlife damage in Ontario, we estimate, is over \$50 million. That's what we pay to feed the wildlife in Ontario. There is a study done by the Soil and Crop Improvement Association—in 1997, I think it was. It was \$41 million then. We're sure it's a lot more now. Again, this is an issue with farmers. As you develop more green lands and things like that, we think these populations need to be controlled. The Federation of Agriculture provincially has a new proposal out to try to manage this wildlife. I was talking to an individual the other day. In the fall he did his last field of corn over in the Utica area and he said he couldn't count the deer because there were so many there. They were having a feast before the winter and before he got it off the field. It happens every day.

Provisions must be made to prevent development from leapfrogging the greenbelt area and forcing commuters to travel long distances. Of course, the infrastructure that's needed to bring them through this area would be difficult. We must be co-operative. I think the agricultural community is prepared to be co-operative with any of the other interest groups. I was talking to the regional chair the other day and he said, "You know, agriculture isn't on the radar screen." It's important that we get agriculture on the radar screen so that people understand and know what we do in agriculture. I don't think many people understand what the day-to-day operation of a farm is.

With the desire of agriculture to make this concept work for all of society, we strongly advise investigating different methods of society owning, leasing, joint ownership, optioning and other ways of establishing this resource, as has been done in other areas.

One of the most important things for us—because of the importance of the agricultural industry and the impact this legislation could have on it—is that a permanent independent committee should be struck to better represent agriculture. This should include all commodities. For example, in this area we have a wonderful facility here in

Holland Marsh and certainly they should be well represented on any committees. We think all commodities should be represented. Thank you, and I'm prepared to answer some questions.

**The Vice-Chair:** Thank you very much. We have 12 minutes remaining. That's four minutes for each side, so we'll start with the official opposition.

**Ms Scott:** Thank you very much for coming here today and for your presentation. My riding of Haliburton-Victoria-Brock is certainly a large agriculture area too. We have very similar concerns. I wanted to pass on that Julia Munro wasn't able to be here this afternoon, but I wanted to pass her regrets on to you.

I understand there is also a report on the Ontario Federation of Agriculture that was done. I think it was Bryan Tuckey who did it.

**Dr O'Connor:** Bryan Tuckey works for the region of York.

**Ms Scott:** Yes. I guess in the GTA, economically, agriculture—is it \$2.3 billion? I just wanted to bring up that point. It's large.

**Dr O'Connor:** Yes.

**Ms Scott:** I note you'd said that it was over \$175 million. I agree with a lot of what you've said, that you just can't have the Greenbelt Protection Act; you have to work with the farming groups. Certainly, the farmers have always been good stewards of the lands, but we have to give them the tools to implement with.

I really just wanted to enforce that and bring it up again, if you wanted to add anything more about the agricultural—if you've been able to have enough input in the greenbelt, anything in the past to work with, any of the legislation that's come around. I know Smart Growth had done some studies in the past.

**Dr O'Connor:** Yes. The four federations in the GTA have been working together on a task force on the GTA, which I think is mentioned in the greenbelt study. So we've been working on that, and we will come out with something firm on that in the next two or three months.

**Ms Scott:** I look forward to reading that. Thank you very much for being here to represent the agricultural community.

**Ms Churley:** Thank you very much for coming to present. I believe you're maybe the first representative today we've had from the agricultural community. It's good that you're here.

One of the things that we hear over and over again from the agricultural community is that you just keep having things thrown at you. Of course, we live in very complicated times. You've had the Nutrient Management Act, the Safe Drinking Water Act. There is source protection work going on which impacts, and has to include, the agricultural community. Now there's this.

I know that especially when I talk to some of the smaller farmers, they feel under siege a lot because they have to comply with all of these things, do their jobs, and the resources aren't there to help them comply. So the question would be, what do you think farmers need, should this pass? Of course it will pass, you can count on

that. With all of these other acts that are affecting you, what do you need, as a community right now, to be able to cope with all of this stuff being thrown at you?

**Dr O'Connor:** Certainly, we did get some funding in the last week on the Nutrient Management Act. We don't know how that's going to spin out, but that's been a concern to us.

**Ms Churley:** That was critical, wasn't it?

**Dr O'Connor:** Yes, very critical. Just what percentage is going to be funded is still in the works.

If there's any loss of productive land for any reason, I think we need compensation. If it's for public good and it's sensitive land, then we need compensation. This is the biggest concern I hear from people down in the bottom, where they're right next to the urban sprawl. Are they not going to be compensated properly if there's a freeze on this land? That's a big concern.

**Ms Churley:** That's a huge issue.

**Dr O'Connor:** Huge issue.

**Ms Churley:** Yes, we've heard that before in other locations as well.

Thank you very much.

**Mrs Van Bommel:** Thank you for coming, Dr O'Connor. It's nice to have farmers represented. We've managed to have representation from agriculture throughout these hearings, and I appreciate everyone's efforts in doing that.

One of the things that we heard at one of our other hearings was the issue of surplus buildings and the severing of surplus buildings. I notice in this commentary that you mention the Farming and Food Production Protection Act and the normal farm practices issue. Do you feel that there's a potential for conflict if a farmer is allowed to sever surplus buildings, and there comes the opportunity for conflict between the new owners and the farmer as he farms his land around that?

**Dr O'Connor:** Yes, there certainly is an issue there; a possible conflict, for sure.

**Mrs Van Bommel:** How do you feel we can resolve that?

**Dr O'Connor:** That's a very difficult issue. One of the issues that you mentioned is that I'm here on behalf of agriculture. But agriculture's in the fields these days, and it's very difficult for us to speak unified on this issue, because it's just the wrong time of the year to do any consultation.

**Mrs Van Bommel:** Yes, I recognize that.

**Dr O'Connor:** But to comment on that, it's very difficult. I think there would be issues where it should be allowed and other places where it shouldn't be allowed. Certainly, in some parts of Ontario, we who farm are disappointed to see the front right along the road. You farm too, and I think you'd be disappointed to see all the houses along the road. You can't even see the farm. I think people are disappointed in that.

**Mr Wong:** Dr O'Connor, I understand that some of the issues you've raised here are pretty common throughout a number of regions. Are there a couple of specific issues that are particularly acute or serious in

York region, since you represent the York region federation?

**Dr O'Connor:** We're like the rest of the GTA. The pressure is there for development, as you know from your area too. There's a tremendous pressure down at the bottom end of Markham for development of land. So I don't think we're any different than the other three areas, but the GTA is under tremendous pressure.

**Mr Wong:** Did you make similar submissions to the East Markham Strategic Review Committee?

**Dr O'Connor:** Yes, we were involved in that.

**The Vice-Chair:** Thank you, Dr O'Connor.

Next we're going to move on to the Coalition of Concerned Citizens, Ms Lorraine Symmes. We've skipped the presenter before that because they're not here yet.

We will take another five-minute recess because the next presenter is not ready. She wants to wait for some of her colleagues.

*The committee recessed from 1502 to 1525.*

#### DUFFERIN AGGREGATES

**The Vice-Chair:** We'll be continuing our hearings. The next presenter is Dufferin Aggregates. Presenting on their behalf is Bill Galloway. Good afternoon, Mr Galloway. You have 20 minutes. You may begin.

**Mr Bill Galloway:** Hopefully this is a brief discussion on the greenbelt legislation. We were extremely pleased to participate in yesterday's meeting with the Greenbelt Task Force. Thank you very much for the opportunity to address you, and we're certainly open to questions.

As Dufferin Aggregates, we are a business unit within St Lawrence Cement. We're one of the major suppliers of aggregates to the construction community in the greater Toronto area and the surrounding municipalities. We have five quarries, six sand and gravel operations, and distribution and recycling yards throughout the GTA. Our production is approximately 12 million tonnes. In terms of crushed stone, it's approximately 40% of the total consumption and production within the GTA. It's quite active in the residential, commercial and industrial sectors.

Most of our stone, as you know, is processed into granular material and primarily sold to construction companies. We happen to be associated with one of the largest road builders in Ontario, Dufferin Construction. Our primary use is to make sure that we have sufficient concrete quality aggregates for our own concrete construction company and to support our overall cement strategy in Ontario.

Our primary asset is our Milton quarry. It represents close to 40% of the total product that we sell into the marketplace; roughly 100 people in terms of employment; and in terms of spinoff jobs, another 400 jobs are associated with it.

We operate in Acton, just north of Milton, Flamborough, and throughout the greenbelt in the greater Toronto area. I've included a map, but I'm sure you're

well acquainted with the greenbelt. Dufferin's locations are put on the map for your interest.

As a company, we support the goals of the government with regard to the creation of the greenbelt. We believe that what we do as a company and as an industry, particularly with the rehabilitation we do, is totally consistent with the vision of the greenbelt. Aggregate is a temporary use of land, and we're highly regulated, particularly under the Aggregate Resources Act and the Ontario Water Resources Act. Once our extraction is completed, the land is returned progressively to agriculture, green space, wetlands and recreational uses.

We are an essential part of the economy. We really are depending on the government to recognize the fact that much like hydro, health care and infrastructure, there's a deficit in aggregates as well. We are very close to severe restrictions on aggregates. We should not be curtailing aggregate production within the greenbelt. It's important that we not only recognize that we must be assured of a supply for the economy of Ontario, but as one of a handful of major aggregate producers, we're looking for a clear signal from the government that we should be investing, as a company and an industry, in close-to-market supplies of aggregate.

#### 1530

Our history is such that the GTA is exhausting existing licences. I'm sure you've heard from my colleagues before that three tonnes of aggregates are consumed for every one tonne that is licensed. It takes up to 10 years to have a new licence put in place. We are currently in the ninth year of our Milton quarry extension licence and are in the process—this licence application is fully supported by all agencies, as well as the Niagara Escarpment Commission and local government. We are currently in a joint board, which will go for another 22 to 30 days, and then we expect it will be appealed to cabinet. Over the last 12 years in the Milton quarry, we've sold 60 million tonnes, and we've been trying to get our licence through. As of this point, we haven't been able to license an incremental tonne in the vicinity of the Milton quarry or the Milton quarry itself.

As an industry and as part of the GTA, we need to replace the diminishing supply of aggregate reserves. We've always said, "Well, if it doesn't come from the GTA, what else can we do? Where else can it come from?" There's the concept that Ontario is very rich in aggregates and therefore we can just move it further and further afield from the actual use, from the actual urban centres that consume our product. We recognize that when you do that, you're really creating other issues. The other issues are more trucks going past more people, the consumption of fossil fuels and an actual increase in greenhouse gas emissions. There are specific numbers in the presentation that deal with that, and specific numbers that deal with the actual increase in transportation costs, which are close to \$4 billion over the 10 years, recognizing that not only is transportation more than 50% of the total delivered price of the product but government

also is one of the purchasers of over 50% of the product used in the GTA.

We're described in the current legislation as an urban use. In all of the municipal official plans and the provincial policy statement itself, we're described aptly as an interim use of rural lands. We are in fact described as a rural land use.

We are in very strong support of the provincial policy statement, which promotes close-to-market supply of aggregates in rural areas. We also are a strong supporter of ensuring that municipalities and agencies in effect follow the provincial policy statement.

We move that the suggested "to be consistent with" versus "having regard to" would be a very important change, not only for the aggregate industry but for those who are part of managing this industry in partnership with us, particularly municipalities and agencies such as conservation authorities.

Our number one recommendation—and we have provided some wording on page 9 of our presentation dealing specifically with the definition of "urban use." We wish to suggest a change where it "means uses that are non-resource commercial, non-resource industrial, multi-residential, institutional, mixed use commercial/residential and golf courses or as otherwise prescribed by the regulation." I think that would be a simple way to define urban use and clarify the definition of aggregate within the greenbelt legislation. That would be consistent with the provincial policy statement and with most official plans within the municipalities.

I would like to also talk about the opportunity for open and accountable partnerships as a second recommendation. We do have the Aggregate Resources Act, which is a very good act. The province has the opportunity to expand the aggregate operations that are currently governed by the Aggregate Resources Act. Right now it's primarily focused on southwestern Ontario, the GTA and some other key geographies, but the entire province is not covered by the Aggregate Resources Act. This act, as well as the process you go through, provides the ability for companies such as Dufferin—and the example I've used here is Halton, where we work closely with regional governments, the Niagara Escarpment Commission, conservation authorities and the various ministries in partnership through the execution of our site plans and the execution of our monitoring reports. We have annual monitoring meetings where we sit down as a group and review the monitoring reports in detail, removing those issues that are of concern to any of the agencies and improving upon the ecological or water monitoring that may be required as time evolves or we notice changes within our operation or changes in legislation.

We recommend that new government and industry partnerships be used to strengthen the licensing and the after-use opportunities. After-use opportunities are one of the key elements. The after-use has to be consistent with the goals and objectives of the greenbelt legislation and of the greenbelt itself. We also feel that government and industry—and I would specify "and industry"—provide

the necessary funding to ensure that the aggregate program is managed in partnership on a continuing basis.

I think the current regime provides the opportunity for open and accountable partnerships. Multiple agencies can work with industry successfully. We'd like to see an expansion of those types of collaborative efforts.

I've included on page 11 a map that outlines the various rehabilitation sites across the greenbelt area, including the Niagara Escarpment and the Oak Ridges moraine, and various pictures around the Golden Horseshoe in more detail that deal specifically with the rehabilitation of pits and quarries and the various after-uses that these lands have been converted into and have been put back, in some cases, to their original use, and in some cases to a more productive use.

Regarding the aggregate quarries in the greenbelt, Dufferin has just finished the celebration of Earth Week. One of our key successes is that over the course of Earth Week, through Scouts and school groups, we had more than 1,000 youths participate in our tree planting and our ecological programs and as part of our ongoing rehabilitation. In that particular week alone, 15,000 trees were planted. Last year in the Milton quarry we celebrated a young Beaver planting the 50,000th tree in the Milton quarry.

#### 1540

We also have an ongoing partnership with the agencies around us, particularly the Bruce Trail and the conservation authority, where we have over three kilometres of main trail along the boundaries of our quarry. We also have ecological lookouts where people can participate. We have funding programs within the Royal Ontario Museum in terms of fossil programs. We've had a 40-year relationship with Scouts Canada, where the Scouts park themselves and have fun. They go up into the wilderness camp. It's half an hour from an urban community, and they have an absolutely marvellous time.

We have wonderful rehabilitation. It's been over 12 years, but the species are incredible, from cliff swallows to butterflies to frogs to trilliums. We have over 40 types of breeding birds. So progressive rehabilitation does work and does add to the goals and direction of the greenbelt. There is a variety of pictures from open houses, and they're all there for your viewing pleasure.

In summary, I think if you look at Dufferin Aggregates' position, we support what the government is trying to do. We feel we can work effectively within the document that was presented at the task force meeting yesterday. We feel that through a provincial policy statement and the rules of engagement, the goals, objectives and vision of the greenbelt can be implemented through the municipalities and the conservation authority, as long as there are clear rules of engagement.

We would ask that you recognize us as a rural use, necessary and close to market, help us get the necessary licences that are required to sustain the economy and support our own efforts as an industry in progressive rehabilitation. Thank you.

**The Vice-Chair:** We have just a little bit over four minutes, so we can get one question from each side, very quickly.

**Ms Churley:** Thank you very much for your presentation. I understand there's quite a lot of controversy about this particular quarry extension. You mentioned that it's before a joint board right now.

One of the issues—and there are many, but there's no time to go into them. You just talked about some of the wildlife in some of the rehabilitated areas. One of the issues is the salamander, which is in that area, and that the continuing extraction there could in fact cause a big problem for that particular wildlife. Are you aware of that? What's your answer to that?

**Mr Galloway:** I'm aware of it. In effect, the area that has been of concern to the environmental groups will not be extracted. In the early days, it was recognized that there were two wetland pockets, both of which were man-made, and a concrete pool that were suspected of having salamander habitat. So in agreement with the region conservation authority, and as has been told to the joint board prior to the joint board sitting, we will not extract those areas. They are not part of our footprint and it's been clearly recognized that they will not be part of our footprint.

In terms of controversy, we have approximately 275 neighbours very close to us and we have one neighbour adjoining us who has opposed. There have been five other neighbours out of the 275 who have shown up. We've had over 100 public meetings and—

**The Vice-Chair:** Thank you.

**Ms Matthews:** I have a question about rehabilitation of aggregate pits. I don't know enough about what's involved, and we have some great examples here. Are these typical results after rehabilitation?

**Mr Galloway:** They're typical within the larger companies. There are many sites where the land just goes back to agricultural use, which is still a fine benefit to the community and Ontario. Typically what we do at the beginning, and what the industry tries to do, is salvage native species so we can continue to rehab as we go along. You will find examples like this right across the province.

We also contribute to a fund to deal with history, which is called the abandoned pits fund, managed through the Aggregate Resources Corp. The industry contributes money into that fund to deal with some of the issues from the past, some people who are no longer there. We work with individuals who own the land to rehabilitate their land or do whatever they may require.

**Ms Scott:** I'll ask you a question about working with municipalities. I've heard some comments about the roads. I don't know specifically with your firm what the deal is with the municipalities for the wear and tear on the roads and the price per tonne that needs to be looked at to have more compensation for the use of the roads when they are drawing out from the quarries. I was just wondering if you could make a comment.

**Mr Galloway:** There is not in the aggregate levy a specific amount of the six cents a tonne we pay that is specifically to deal with roads; it goes into the municipality's general fund, much like it does with the province. Each situation is somewhat different. If you look at our situation in Milton, we contribute to repavings, we contribute to traffic lights, various other traffic controls. We are currently in the process of investing over \$400,000 in Kawartha Lakes in partnership with the city to replace roads. So it's not something that is specifically in the licence. It really is some of these co-operative partnerships where you try to work together with the municipality to meet their needs and meet the needs of getting the product to the market.

**The Vice-Chair:** Thank you for your presentation.

#### COALITION OF CONCERNED CITIZENS

**The Vice-Chair:** The next group is the Coalition of Concerned Citizens.

**Ms Lorraine Symmes:** I hope we're getting over our technical difficulties.

**The Vice-Chair:** You can start any time.

**Ms Symmes:** There is a handout that you all have, but it's a prettier picture if you look up here.

We are here today on behalf of the Coalition of Concerned Citizens. We congratulate the Ontario government for their proposed legislation, Bill 27. The CCC believes that a permanent greenbelt needs to protect environmentally sensitive areas and corridors, prime agriculture land, key headwaters and water source protection areas and to protect against incompatible land uses within the greenbelt.

The Coalition of Concerned Citizens of Caledon was incorporated in 1997 and today has grown to over 5,000 supporters. Our goal is to ensure good land use planning by protecting Caledon's water, environment and communities from the threat of irresponsible urban and aggregate development.

The coalition is no stranger to working hard with government toward a long-term green legacy. In the past we've worked closely with the town of Caledon and the region of Peel as a major stakeholder in the Caledon resource study settlement talks of 2003. We are also supporters of the Ontario Greenbelt Alliance and the Credit River Alliance.

#### 1550

Having read through Bill 27 and the task force discussion paper, we would like to make the following comments and recommendations.

The coalition in general supports the goals and vision of the Greenbelt Task Force. We would like, however, to recommend that greater emphasis and connectivity be made between the water source protection initiatives of the Ministry of the Environment and the greenbelt area that's ultimately protected.

Since Walkerton, water is of primary concern to all Ontarians. It is the essential building block of all healthy

natural systems and communities. We recommend that strong links be made integrating the greenbelt and water source protection. Groundwater supply, wetlands, recharge areas, river valleys and forest cover are key components of our watersheds and must be protected in the greenbelt.

We submit that water is our most important natural resource, and long-term planning in the GTA must protect water for further growth. Some of this was accomplished in the Oak Ridges moraine act, but we note that Bill 27 fails to include key source water areas west of the Niagara Escarpment in the Paris moraine. This could impact the Credit River, the Grand River and some Halton watersheds that feed into Lake Ontario and Lake Erie. Leapfrog development into Wellington and Dufferin could have an unwanted negative effect on equally sensitive water source areas in the Paris moraine. The coalition recommends the addition of these headwater areas into the greenbelt study area.

With reference to aggregate operations, we'd like to comment on the impacts of aggregate sites on water and green space, and encourage you not to exempt them from greenbelt restrictions. Since water is a necessity of life, we are concerned that the areas of important groundwater source be protected from incompatible land uses. Aggregate resources are of provincial interest, but extraction should not be at the expense of our groundwater supply.

We recommend an important clarification of the provincial policy statement that would clearly prioritize water as the most important resource to be protected in situations of conflicting resource interests.

When pits and quarries are mined below the water table, significant water draw-downs can potentially have negative impacts for kilometres around the site. They can damage sensitive areas that we are trying to preserve. This graphic is an example that shows the potential of a draw-down effect. Here, there is a potential drop in the water table of up to 65 feet immediately adjacent to the Niagara Escarpment. Groundwater contamination can also occur during these industrial operations, and contamination of the groundwater can sometimes take centuries to purify. We need to ensure that the aggregate locations do not threaten the integrity of our water quality and quantity.

Aggregate companies often inflict significant damage on green areas and communities. We therefore recommend that new aggregate operations not be allowed within the greenbelt area lands. Allowing them within the greenbelt would damage the credibility of the government's very positive plans for green space preservation.

The terms "green space" and "pits and quarries" seem mutually exclusive when you look at the noise, dust, heavy truck traffic and water impact that an aggregate operation can have. These are heavy industrial sites and do not belong in a designated protected green corridor. The essence of good land use planning is keeping incompatible land uses separate. Do these heavy industrial sites belong in a greenbelt? The coalition recommends that

aggregate operations not be considered appropriate in the greenbelt lands.

The coalition strongly agrees with the task force that a much more rigorous standard is needed for aggregate rehabilitation.

In the last decade the track record for pit rehabilitation has been poor, despite the fact that the Aggregate Resources Act states that it is a requirement. Why is this reclamation not enforced? Unless the rehabilitation rate improves dramatically, the claims of interim land use for this degraded land can no longer be made. I believe between 1992 and 2000, something like 5,000 extra hectares of degraded land have been added to that side of the balance sheet. So right now we're adding more than we're reclaiming, by a large portion. Is rehabilitation not in the best interests of the Ontario communities?

In regard to prime agricultural lands, the coalition supports the task force recommendations that land speculation pressure be reduced on prime farmland. In addition, we agree that the viability of agriculture depends on a number of issues and that a separate task force involving all levels of government should be struck to develop supportive tools and policies for the agricultural industry. We also support additions to the bill that would meet the needs of agriculture, but not erode the viability of prime agricultural areas.

As mentioned earlier, the coalition has worked extensively with the region and the town of Caledon in developing a multi-stakeholder settlement over the Caledon community resource study. This precedent-setting agreement includes approval from provincial ministries as well as the OMB. This was, and is, a significant accomplishment. We hope that any legislation coming from the government will not construe as giving more importance to the aggregate issue than is incorporated in the Caledon official plan.

In conclusion, we applaud the efforts you have made so far toward protecting our natural heritage and supporting healthier communities. We encourage the government to make this land permanently protected and to make it as large as is realistically possible. The better we buffer our green space, the more successful and healthy our natural heritage and our communities will be. Future generations will thank you for it. In the end, our society will be defined not only by what we create, but by what we refuse to destroy.

**The Vice-Chair:** Thank you. We have about 10 minutes for questions and comments.

**Ms Symmes:** I'd just like to introduce Penny Richardson, the president of the coalition. I'm a director. She's also here for questions, if you have any.

**The Vice-Chair:** Thank you. We'll begin with questions and comments from the government side.

**Mr Rinaldi:** Great presentation. Thank you very much. Part of the presentation and the photographs that you showed with the unrehabilitated quarries—were they all in the greenbelt, in the area we're talking about, or are they just photographs from anywhere?

**Ms Symmes:** No, I believe most of them were either the Acton quarry or the Dufferin quarry or the examples we have—

**Mr Rinaldi:** Are they active quarries right now?

**Ms Symmes:** Yes, they are.

**Mr Rinaldi:** Do you know what the plans are for rehabilitation once they're—

**Ms Symmes:** On those two specific sites, I cannot offer that to you, but I'm sure Mr Galloway could give that to you once they're finished. He's provided you with quite a few pictures, I know.

**Mr Rinaldi:** I just want to make sure we get a true picture of what you're presenting and of the actual facts.

**Ms Symmes:** I didn't mean to misrepresent that. What I'm saying is, those pictures show how difficult the high negative impact these sites have on any green area, any community. Certainly, those pictures, I do not believe, say that these haven't been reclaimed. I'm showing that those are heavy industrial areas and that we do have a much greater amount of acreage that is being degraded and not being reclaimed. So it's an issue we need to address.

**Mr Rinaldi:** Thank you.

**The Vice-Chair:** Any more questions?

**Mr Wong:** Just a very short question. Certainly, I think many of us agree with you that water is a very important resource, but in terms of prioritizing it as the most important resource to be protected in a situation of conflict, is that done or something similar done in any other province or state in the US?

**Ms Symmes:** Off the top of my head—Penny, do you know of any?

**Ms Penny Richardson:** No, I don't know whether that's been done or not. I just know that, from what's happened historically in Ontario and with worldwide water shortages, fresh water supplies, I think the provincial policy statement should re-examine where our priorities lie, in that aggregates can be sourced in areas other than where there is water conflict. If we do have to bring them from a little farther afield, I think it's well worth the extra cost if it's going to mean detrimental effects to our water supply.

**Mr Wong:** Thank you for that answer, but of course you are requesting that we prioritize water as the most important resource, not only the more important one with respect to aggregates.

**Ms Symmes:** When it's in conflict with other resource interests, I think, certainly after Walkerton, we know that water is of the highest importance of all our natural resources. I mean, you can't live without it. So we need to make sure that it's not degraded.

**Ms Scott:** Is there an example you can give in the Oak Ridges moraine of a pit or quarry that's done damage below the water table? Is there an example within the Oak Ridges moraine that's present now, that you know of?

**Ms Symmes:** That's not an area of my expertise. We're in Caledon. So I really wouldn't want to comment on that.

**Ms Richardson:** No, the only thing that we can say is that in the official plan that Caledon and all the stakeholders finally agreed to, it is much more onerous to mine below the water table. There are far more tests and qualifications than mining above the water table. That was agreed to by the municipalities, by the aggregate industry, by the province and by the residents. So I think they were wise to do that.

**Ms Scott:** OK. So you've been able to deal with the aggregate companies, the municipalities?

**Ms Richardson:** Yes, I think it was approximately three years that we sat around the table negotiating the settlement that finally became the resource study for Caledon.

**Ms Scott:** OK, and that's just for the Caledon area?

**Ms Richardson:** Yes, that's just recently.

**Ms Scott:** OK. Thank you.

**Ms Churley:** Thank you. That was a great presentation. The slides were beautiful. It was worth all your hard work to get it up there.

**Ms Richardson:** It was nerve-racking.

**Ms Churley:** I could tell. Good thing we had time, actually.

Just in a few short minutes—I think you have some good ideas in here that we should be exploring. I'm interested in knowing more, though, about the precedent agreement that you made around aggregate, in particular that you would like to see incorporated into this. I see that you say it includes approval from provincial ministries, as well as the OMB, but what else have you included in that agreement that makes you feel so satisfied with the final outcome?

**Ms Richardson:** What basically happened was the stakeholders went through the whole of the Caledon area and eliminated basically the villages, obviously, which couldn't be mined; they eliminated the residential areas, huge woodlots, sensitive water areas or sensitive wetlands; and then they came up with a map where the aggregate is actually found. They overlaid those sensitive areas and came down with a finer-tuned map. Then we sat around the table negotiating what would eventually be left on that map and, I guess, basically came up with something that was agreeable to all the residents and those stakeholders. That's how we did it. As I said, it took a heck of a long time, but I think it was well worth the time involved.

**Ms Churley:** Thank you very much. Good work. Congratulations.

**The Vice-Chair:** Thank you, everyone. The committee is adjourned until May 31 at 3:30 pm in Toronto. Have a nice long weekend and a nice week off, all members.

*The committee adjourned at 1604.*





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Mr Tony C. Wong (Markham L)

### **Also taking part / Autres participants et participantes**

Mrs Julia Munro (York North / York-Nord PC)

### **Clerk / Greffière**

Ms Tonia Grannum

### **Staff / Personnel**

Ms Margaret Drent, research officer,  
Research and Information Services

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