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**Official Report  
of Debates  
(Hansard)**

**Monday 31 May 2004**

**Journal  
des débats  
(Hansard)**

**Lundi 31 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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ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON  
GENERAL GOVERNMENT**

**COMITÉ PERMANENT DES  
AFFAIRES GOUVERNEMENTALES**

Monday 31 May 2004

Lundi 31 mai 2004

*The committee met at 1538 in room 151.*

**GREENBELT PROTECTION ACT, 2004**

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

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

**The Chair (Mr Jean-Marc Lalonde):** I would call this meeting to order. Before we ask any of our presenters to come to the table, I would just like to remind members that we got an answer from the minister. One of the members had asked a question to the minister the week before last and everyone has received this copy.

**CITY OF PICKERING**

**The Chair:** The first presenter this afternoon is the city of Pickering. Mr Thomas Melymuk, you have 20 minutes, all of which you can take up, or you can leave some time for a question period at the end. Also, if any presenter wants to do it in the language of their choice, we have instant translation in place. You can proceed.

**Mr Thomas Melymuk:** Thank you, Mr Chairman and members of the standing committee, for giving me an opportunity to speak to you today.

I'm here on behalf of the city of Pickering to present my comments, observations and suggestions on Bill 27. I've provided a copy of my presentation to the clerk and have asked that it be distributed to committee members.

Before I go any further, I'd like to give you some background on myself. I've worked for the city of Pickering for over 25 years, initially within the planning department and, more recently, in the CAO's office. I hold a master's degree in urban environmental planning from York University's faculty of environmental studies. In my current position with the city as division head of corporate projects and policy, I oversee and coordinate various programs, including growth management, economic development and emergency preparedness.

In terms of my environmental activities, I am currently a member of Transport Canada's Green Space Stewardship Advisory Committee, which is assisting the federal

government in preparing a master plan for over 7,000 acres of federal lands in Pickering, Markham and Uxbridge. Also, for the past eight years I have been a member of the Rouge Park Alliance. I have a broad and diversified background and believe that I bring a balanced perspective to the discussion of Bill 27.

Let me begin my remarks by saying that the city of Pickering has mixed feelings about Bill 27. Initially, when we heard about the bill, we were pleased to see that green space protection had become an important government priority and that the province was prepared to take action. But then, after we read the bill more closely, we became increasingly uneasy. From our perspective, the bill has two main purposes: (1) It establishes a very broad greenbelt study area; and (2) it severely limits the rights of municipalities and individuals to undertake certain planning activities within this very broad study area.

Unfortunately, the bill is silent on the type of study that is to be done and makes no mention of how municipalities are to be involved in the process. It also provides no assurance that planning work being undertaken by municipalities will be incorporated or considered in the greenbelt study.

We began to wonder whether Bill 27 was introduced to help municipalities deal with the complex problem of growth management or whether it was simply a politically expedient quick fix that would have the unfortunate side effect of giving the provincial government more control over the municipal land use planning process than absolutely necessary.

Perhaps you will better understand our concern after I tell you a bit about the work we are doing in the city of Pickering.

I'd like to start by referring you to the map entitled "Planning Context." The city of Pickering lies immediately east of Toronto and Markham. It extends from Lake Ontario to the Oak Ridges moraine. The city is predominantly urban in the south and rural in the north. It also has substantial provincial and federal lands within its boundaries, lands that were acquired by the federal and provincial governments 30 years ago to build a new airport for Toronto and a new community to the south. Neither the airport nor the new community has yet been built.

The planning context map also shows you the city's growth management study area. That area abuts Pickering's existing urban area and includes 7,000 acres of

provincially owned lands known as Seaton, as well as about 5,000 acres of privately owned lands to the west.

I'd now like to refer you to the table entitled "City of Pickering Population and Employment Projections." As the table indicates, Pickering has an existing population of around 95,000 people, and we provide approximately 30,000 jobs. Over the next 30 years, regional projections indicate that the city will need to accommodate a total of 215,000 people and 87,000 jobs. This represents an additional 120,000 people and 87,000 jobs.

The challenge this poses for the city is to try to accommodate this population and employment increase in a cost-effective and environmentally responsible way. We have established a two-pronged strategy to manage our growth: first, by accommodating about one third of the expected increase through infill and intensification in our existing urban area in south Pickering. That's about 40,000 more people and 19,000 more jobs. The second part of our strategy is to accommodate the remainder of the expected increase through the development of a compact, transit-supportive new community in central Pickering. That will account for the remaining 80,000 people and 38,000 jobs.

We currently have an intensification study underway to proactively encourage 40,000 more people and 19,000 more jobs in south Pickering. We are also completing a growth management study for lands in central Pickering, and I'd now like to tell you more about this study.

Early in 2003, Pickering council hired a consulting team, led by Dillon Consulting, to complete an independent, arm's-length review of lands in central Pickering, including the provincial Seaton lands and the abutting privately owned agricultural assembly lands to the west.

Council asked the consulting team to prepare a structure plan for the growth management area based on 10 principles. Additional detail is provided in the handout, but in summary the principles are:

- (1) Maintain environmental integrity;
- (2) Respect cultural heritage;
- (3) Foster a healthy countryside;
- (4) Provide jobs first;
- (5) Use infrastructure economically;
- (6) Create a mixed-use community integrated with the existing built-up area;
- (7) Support a range of transportation choices;
- (8) Require quality urban design;
- (9) Create a community that can evolve and adapt over time; and
- (10) Stage development to be consistent with the principles.

Our growth management study is divided into three phases, the first of which was to gather and analyze background information, including up-to-date environmental information. Phase 1 was completed last year. It formed the basis for phase 2, which was the selection and evaluation of growth options. Our consulting team completed phase 2 early in 2004.

In February of this year, the consulting team's recommended structure plan was circulated to agencies and the

public. Substantial input has been received and a staff report has since been prepared. The staff report will be presented to council before the end of June.

Staff is recommending that council endorse the consulting team's structure plan as a basis for establishing a new urban boundary and land use designations. A copy of the recommended structure plan is provided in the handout.

Without getting into a lot of detail, I'd just like to say that the recommended structure plan accommodates the city's required population and employment projections that I mentioned earlier, using as small an urban footprint as possible.

The plan provides for a compact, transit-supportive urban form, makes efficient and economic use of existing infrastructure, and protects all significant natural areas. It also proposes to retain significant countryside north of Taunton Road that can contribute to a continuous regional green space between Lake Ontario and the Oak Ridges moraine. This regional green space is shown in the handout, on the map entitled "Regional Greenspace and Existing Infrastructure."

We have presented our growth management study to the Greenbelt Task Force and have encouraged them to incorporate the results of our work in making their recommendations. We have also presented this information directly to the Minister of Municipal Affairs and Housing as well as to the Minister of Public Infrastructure Renewal.

We believe strongly that the conclusions reached in our growth management study are appropriate, comprehensive and defensible. We also believe that the best way to establish green space boundaries is through the completion of a comprehensive, defensible growth management study that takes into consideration environmental, economic and social objectives.

We do not want our work to go to waste or to be disregarded in the greenbelt study process. To ensure this does not happen, the city has the following specific suggestions with respect to Bill 27:

(1) That the bill be amended to require that any study that is undertaken pursuant to the bill consider and incorporate the results of growth management studies that have been initiated by local municipalities prior to the introduction of the bill; and

(2) Failing this, that Bill 27 be amended to exempt from the provisions of the bill those municipalities that have initiated growth management studies prior to the introduction of Bill 27.

I thank you for your time and would be happy to answer any questions you may have.

**1550**

**The Chair:** We have approximately 13 minutes left, which will be divided among the three parties. I will start with the official opposition.

**Mr Jerry J. Ouellette (Oshawa):** Thank you very much for your presentation. I very much appreciate that.

I know the area fairly well. How do you think this legislation is going to affect everything that may be

taking place in the future in Claremont, which is essentially located directly in a lot of the planned area right now?

**Mr Melymuk:** Your question was on the hamlet of Claremont?

**Mr Ouellette:** Yes.

**Mr Melymuk:** The hamlet of Claremont is not designated for urban growth. I think it would be surrounded by green space and that would be consistent with our plans for that hamlet.

**Mr Ouellette:** So you don't expect any impact at all?

**Mr Melymuk:** Not on the hamlet of Claremont.

**Mr Ouellette:** One of the other areas, as you know, is that your community has benefited significantly from the 407 coming into it. With this new legislation moving forward, it may make some changes—I know the regional chair was concerned about the development of the 407—to the rest of the region. Quite frankly, the people who are living in your community may not be just working there; as well, they'd be working outside. Do you think there'll be any impact on the movement of the 407, which in my opinion is probably the largest economic stimulus for the region?

**Mr Melymuk:** The city's position on 407 is to encourage its extension easterly so that we can take advantage regionally as an economic stimulus, but also to alleviate traffic problems that we're having right now on Brock Road, which is the terminus of Highway 407. In terms of the legislation, we, in our growth management study, identified an opportunity for a strong economic corridor along Highway 407 to provide a number of new jobs for the city. So we very much hope that the growth management study, the conclusions we have with respect to the Highway 407 corridor, will be allowed to be implemented.

**Mr Tim Hudak (Erie-Lincoln):** Thank you for the presentation. I think you make an excellent point on page 2. No doubt this is a politically expedient quick fix that brought the legislation forward without thinking about the impacts on municipalities, agriculture and business. Hopefully we'll get some answers to that before this committee is asked to report back to the Legislature.

With respect to your growth management study and the agricultural preserve in the Pickering area, what's been the government's response to the proposal of that growth study to look at some controlled development in the Pickering agricultural preserve?

**Mr Melymuk:** We've had an opportunity a number of times, as I mentioned, to present our information to the ministry and to the minister himself. We have received information back that it is under consideration. The entire portion that we refer to as the agricultural assembly on the west side is under consideration for part of the greenbelt. Quite frankly, that causes us concern since our growth management study indicated that the most reasonable use of land in the south portion of that assembly is indeed as part of our urban expansion.

**Mr Hudak:** Have they indicated they might consider some development in that south portion of the parts of the agricultural assembly?

**Mr Melymuk:** We haven't received definitive word on that yet. We're hoping, as we continue to present our information, that our work will be convincing enough that that position can be accepted by the government.

**Ms Marilyn Churley (Toronto-Danforth):** Thank you very much for your presentation. I want to go to left field a little bit, so to speak, and not ask you directly about your proposal and your deputation today but ask you in general. I know you have a specific case to make here, but the pieces of land that aren't frozen right now—and that's what we've been referring to a lot in this committee as leapfrog development. Are you familiar with that term?

There was an article about this by Kate Harries in the Toronto Star on May 30, talking about the leapfrog development that's going on, while some is being frozen in a particular geographic area. I just wonder what you have to say about that, if you have any comments on the issue of the impact that could have. While certain lands are being frozen right now, perhaps never to be developed, this other leapfrog development will be taking place if there is no amendment put forward.

**Mr Melymuk:** Thank you for the question. I'm personally very concerned that legislation like this could indeed create a leapfrog north of the Oak Ridges moraine and put pressures on municipalities that, in my estimation, wouldn't be in a position to respond as effectively as municipalities that currently have the infrastructure, have the support services to accommodate growth and, as our study indicated, could very well accommodate a significant amount of population and employment—which is the other side of the equation that we sometimes forget about—within close proximity of where people will live and work, so that we really do reduce commuting. If the overall objective is greenbelt protection, I think we have to be very careful that the legislation does not preclude reasonable and responsible development opportunities in close proximity. Indeed, our lands that we were suggesting for urbanization are south of Steeles Avenue for the most part, which is where the services are in most communities.

**Ms Churley:** So what you're saying is, in your opinion from what you know about this legislation, if some amendment isn't passed to include some of those lands further north, in south Simcoe for instance, we could end up with legislation that might make us worse off in some ways because there will be less planning and more leapfrog development, which will cause even more environmental problems perhaps.

**Mr Melymuk:** Indeed. Part of what we've seen in doing our work is that the issue is very complex. A single legislative action, however well intended, may not have the appropriate response; it could create more problems than it was intended to solve.

We approached the issue from a very comprehensive perspective, looking at growth requirements as well as environmental protection, and came up with a responsible position. I think that's the way this issue has to be addressed: more from a growth management side than, strictly speaking, greenbelt protection.

**Mr Brad Duguid (Scarborough Centre):** I just want to thank Mr Melymuk and the city of Pickering for the extensive work they have done in terms of their planning. We've actually had the opportunity to meet with you and your staff and your mayor on at least one or two occasions. I don't know if the minister has gotten out and done the tour yet, but that's something that is in the plans, and I want to thank you for that invitation as well. You've done an extensive amount of work, and you've done a very extensive amount of work for your presentation today, so I thank you for that.

You're quite right: The land issue in Pickering is a very complex issue. It's one that we're all having a look at right now and consulting with you on. Have you had an opportunity to sit down with environmental groups in the area and have you been able to reach a consensus with them in terms of the agricultural preserve? That seems to be the key issue that's outstanding right now.

**Mr Melymuk:** We have had numerous opportunities through our study for public input and consultation. Indeed, as I mentioned earlier, I sit on the Rouge Park Alliance and have been part of Transport Canada's Greenspace Stewardship Advisory Committee. So through a number of months working on this project I have had opportunities to discuss with many environmental groups the work that we're doing.

I think it's fair to say that we haven't reached consensus, because I don't think that's possible on something as complex as land issues. But we're very closely trying to establish a strong greenbelt connection between the lake and the moraine, that when we have talked about it—particularly with respect to lands in Markham, where we will share some green space. Quite frankly, the solution we came up allows for four to five kilometres of green space between Finch Avenue and the Oak Ridges moraine. So it's quite significant, but not a consensus; I cannot claim that.

**The Chair:** We have about 30 seconds left, and Mr Arthurs had a question.

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** Very quickly. Tom, it's good to see you. Tom and I go back some 21 years in elected and staff capacities.

Your recommendations on page 5: The first one says "That the bill be amended to require any study that is undertaken pursuant to the bill"—once the bill's passed—"take into consideration growth management studies" in local municipalities that were in the works "prior to introduction of the bill."

In effect what I think you're saying there is that we understand this bill is about setting out a boundary area, a study area, and what you would like to see is, even within that study area, where there are growth management studies under way, that the bill specifically takes those into account on the subsequent processes. Is that a fair assessment?

1600

**Mr Melymuk:** Yes, indeed, that is what we are asking, because we have done a lot of work and we believe we have a very appropriate solution for our particu-

lar part of the world. We would hate to have legislation come forward that totally disregards some of that work we have done. So we would like it incorporated, and if the bill can guarantee that the amount of work municipalities have done is not wasted and is built into things on a go-forward basis, that would very much meet our favour.

**The Chair:** Thank you, Mr Melymuk. Our time is up. We appreciate your presentation.

#### WOODBINE ENTERTAINMENT GROUP

**The Chair:** Our next group is Woodbine Entertainment Group, represented by Jane Holmes. Good afternoon. On behalf of the standing committee on general government, I'd like to welcome you this afternoon for your presentation. You have 20 minutes. You could take the whole 20 minutes or leave some time at the end for question period.

**Ms Jane Holmes:** Thank you very much for allowing me to come make this presentation today. My name is Jane Holmes. I'm vice-president of corporate affairs at Woodbine Entertainment Group. I'm here to make a presentation about a development for which we have already submitted zoning bylaw changes and official plan changes with the town of Milton and the region of Halton.

To give you a little bit of background about Woodbine Entertainment, it is a not-for-profit organization with a clearly defined objective to generate the revenues necessary in order to provide horse racing of the highest quality at the best facilities possible for the benefit of the public and all industry participants. We're the largest racing operation in Canada. We represent about 70% of horse racing in Canada.

The site that we're talking about is located out in Campbellville, which is on the north side of Highway 401 and on the west side of Guelph Line. Right now we have there a seven-eighths-mile harness racing track. There's a grandstand that holds 5,000 people. We have trackside dining and we have a 20,000-square-foot themed gaming facility in which there are 750 slots, with which the Ontario Lottery and Gaming Corp is our partner. We also have a backstretch that has a training track and we have approximately 700 horses stabled on the facilities. We have dormitories for approximately 90 groomers in the backstretch.

Woodbine employs about 2,700 individuals at Mohawk and Woodbine racetracks and at our off-track tele-theatre locations, but I think the importance is the number of jobs that the racetrack generates across the province and rural Ontario. Right now, horse racing generates up to 60,000 jobs directly and indirectly in the province.

The calibre of racing on the Woodbine circuit is one of the best in North America in terms of all of the participants. We compete with only one track in the United States, and that would be Meadowlands, but we are considered the number one, number two track in North America.

Included in your package is an aerial photograph of the property. You can see along the bottom Highway 401; north is Guelph Line. There's a light ring across the top, which is a hydro corridor, so the land is separated to the north with a hydro corridor. To the east of the property, there's a small residential development. There is a turkey farm on the other side of the hydro right-of-way. There's also a junkyard adjacent to Guelph Line, north of the property. To the south of the property, there's a KOA Kampground, and right at the turnoff at Highway 401 and Guelph Line, there is a gas station and a Mohawk Inn.

We submitted our planning applications last year. They got stalled with the ministerial zoning order in December. While we're still working with Conservation Halton, no progress has been made on this. We believe that the development, which will be a hotel, conference centre, spa and meeting and trade exhibition facilities, will complement the existing facilities on site, those being the horse racing and the gaming.

Right now the property is identified or designated and zoned as rural area and there's a small portion on the southeast corner, which is just—here's the racetrack oval here, this is the grandstand area, and right here we have an area that is designated as greenlands area. Beside that, we have the sewage lagoons for the complex now. So it's that one small area which is called greenlands area, in which no development can happen, and when you see our outline for our development proposal, you can see that we are preserving the greenlands area. If we go to the concept drawing, again this is our greenlands area right here. It doesn't have anything provincially significant in it but it does encourage promotion of the wetlands. You can see that we are maintaining the backstretch. That's where we have the 700 horses stabled in the backstretch.

The development is going to be contiguous to the existing grandstand. So the hotel, convention facility, spa, meeting rooms and dining facilities will all be attached to the existing grandstand. We have designed a golf course around the system and some changes have been made to that based on comments we've received from Conservation Halton.

The next diagram gives you an overview of what the facility would look like. This is the existing grandstand on this side. The rest of it would be the new facility. In that area, there is not a major hotel. The closest one is in Mississauga and there's nothing until Cambridge. You have some roadside motels but you don't have any development or conference facility complex.

The market study that was done for this facility identified that this would be a very significant resort-gaming sector facility. It would be one of the few that offers gaming facilities along with the proposed resort-recreational amenities that come with the harness racing and the gaming facilities. What they believe is that it has a built-in competitive advantage. The other thing is that with all the traffic going up Highway 400, it's only 35 or 45 minutes outside of the GTA, so therefore it provides a facility in south-central Ontario that can also be competitive to draw tourists to this area.

If we look at the regional impact, we expect to draw over 331,000 people in the first five years. There'll be \$155 million generated in new and indirect regional expenditures. We'll create almost 1,400 person years of new direct and indirect employment. That's in addition to the jobs that we already have at Woodbine and the jobs that we create in the countryside.

In terms of property taxes: for the municipality, \$4.7 million; \$8.9 million to provincial sales taxes; and the federal government will get \$9.5 million in goods and services taxes.

What I want you to know is this is not just a development that will—the issue we have is that we are not in an urban settlement area. It's on the south side of the 401. We're in an area that's considered rural agricultural or a rural area. That's why this legislation will have a significant impact. Unless there is an exemption, it cannot go forward.

We looked at what the impact of horse racing is, because some people question why horse racing is agriculture. Horse racing is agriculture because Mohawk Raceway is the hub of standardbred breeding farms, training centres and horse farms in central Ontario. In fact, with the resurgence of the industry in the last four years, there has been a growth in the number of horse farms within that area. That has had a trickle-down effect. It affects the farmers who grow hay, oats and wheat because they have a market for those products from the horses.

#### 1610

It has also affected the rest of the equine industry across Ontario. The next quote is from the Ontario Reining Horse Association and basically puts it into perspective. It's not just the horse racing industry: "The money has brought in more vets, more facilities, increased the number of farmers ready to plant hay, and more products in the stores. People are making money and spending money. It is healthier for everyone with horses and means a stronger voice for all of us, no matter what kind of horses we've got." That is part of the whole rural economic impact that horse racing does have, and it's been part of the rural fabric.

On the next page is a study that was done by the Ministry of Agriculture in 1996. The numbers have been adjusted to the CPI for 2003. The market area for drawing horses to Mohawk-Woodbine circuit is approximately two hours. If you look at the number of horse farms in that area, almost 30,000 horse farms are being supported by Mohawk-Woodbine racetracks. If you look at the estimated number of horses, it's 188,000. The economic impact, what OMAFRA has identified as the farm gate cost, is almost \$1.26 billion. If you look at the investment in fixed assets, it's \$19.67 billion.

We can translate that back down to what Mohawk has done for the rural economy with just standardbred racing. We have 2,600 unique horses that race at the track. For every horse on the track there are approximately four horses on the farm team. That's a total of 10,428 horses. With the farm gate economic impact, that's \$70.3 million

for Mohawk Racetrack alone. The fixed investments: \$686.5 million. So you can see it does have a huge impact now. We need to be able to grow that industry, and one of the ways of doing it—and what the industry looked at—was making racetracks entertainment tourism destination centres. That's what this development at Mohawk would do.

If we look at environmental protection, we are working with Conservation Halton, the town of Milton, the region of Halton and the Ministry of the Environment with regard to protection of environment and water management issues, including the quality of groundwater. We have our own sewage lagoons. We have plans to create a batch-sequential process where all the runoff on the property that goes into the sewage lagoons would then be used to irrigate the golf course. We would not be using any groundwater to irrigate the golf course; we would be using the sewage lagoon cleansed water for that.

The environmental assessments that had been done and were submitted with the original zoning bylaw have indicated that there are no environmentally sensitive areas on this property or on adjacent properties. However, we are looking—as you can see in the diagram, it's quite broken up, the different woodlot areas on the property. But we would be working to protect and preserve the fish habitats that may be in an intermittent stream that flows through the property; the riparian habitat—that means the salamanders, I found out; the on-site wetlands, as well as the plant species; and some of the wildlife habitats they have—there are a couple of small birds that have nesting areas within it.

If we look at the economic impact, the environmental impacts and the vision of the Greenbelt Task Force, the development on this property would achieve four of their five vision objectives that have been set out:

It protects and enhances the environmentally sensitive lands and natural heritage systems. The green land space that is on the property is not going to be touched; it will remain undeveloped.

It recognizes the region's social, natural and economic needs. Horse racing is a very important factor in the horse farms within that region.

It sustains and nurtures the region's agricultural sector.

Because there aren't any significant natural resources, we don't sustain the region's significant natural resources, but we will provide high-quality and compatible recreational and tourism opportunities for central Ontario.

In terms of goals, we meet three of the five goals that have been identified by the task force:

We will preserve the viable agricultural land as a continuing commercial source of food and employment by recognizing the critical importance of the agriculture sector's prosperity to the regional economy. If you look at an aerial photograph of the town of Milton, in that area there are training tracks across all the farms, because most of them are horse farms. A few years ago these horse farms were going out of business. The only way we can sustain them is to continue to move the industry

forward, and that's what we are attempting to do with this development.

It will sustain the region's countryside and rural communities.

It will ensure the infrastructure investment achieves the environmental, social and economic aims of the greenbelt.

In summary, Mohawk Racetrack plays a significant role in the health and well-being of the standardbred horse racing industry, and it's a significant economic generator for the region. The proposed development will further establish Mohawk as the premier North American destination for standardbred racing and entertainment. The additional uses we are proposing in this development will be complementary to the existing entertainment-gaming uses and will create a unique tourist destination.

On this basis, Woodbine Entertainment is seeking an exemption from the greenbelt legislation, as this property is currently zoned rural. Under the legislation, unless you are in an urban development area, a development cannot proceed.

**The Chair:** Thank you. We have approximately two minutes left; just enough time for one question. Ms Churley.

**Ms Churley:** It's nice to see you again, Ms Holmes. I should confess that when I was Minister of Consumer and Commercial Relations, Ms Holmes was on staff there, and we worked together quite closely on horse racing issues. I must admit I have a bit of a bias, because I became very fond of that community and brought in measures to help support the industry, which you will recall was in a lot of stress at the time.

In such a short time, without going into a lot of detail about this, I'm more interested in the process, because I don't think it's this committee's purpose or mandate to make decisions about exemptions. I'm just wondering what process you've been told is going to happen in terms of your request.

**Ms Holmes:** It's my understanding that with all the consultations that are taking place, recommendations will go forward from these consultations for the regulations to set out exemptions for properties that are not currently in an urban development area, so the criteria of what those exemptions will be and specific properties may or may not be exempt.

**Ms Churley:** So you're here today to make committee members aware of your particular case, but you will be going through that process, which I described as a major loophole, by the way, in the bill. Are you surprised?

**Ms Holmes:** Well, our concern, as we read the bill, is that it does not let anybody know what the next steps are.

**Ms Churley:** So that's one of your problems. You're not sure what the next steps are?

**Ms Holmes:** Exactly. We have no idea how it's going to be proceeding in terms of what will be the criteria, how the consultation will take place on that, and will there be exemptions, or is it going to be just rural area?

**Ms Churley:** I see.

**The Chair:** Our time is up. I would like to thank you very much for taking the time to come.

Mr Hudak?

**Mr Hudak:** I'm sorry to interrupt, Mr Chair. I wish I had time to talk to Ms Holmes; it was a great presentation.

Just following up on Ms Holmes's presentation and the questions by my colleague Ms Churley, could I ask the ministry staff to provide us with the process as to how exemptions will be granted for projects like Woodbine's or others we've heard from? I think this helps us give better input on the legislation. Is it simply through section 8 of the act, or is there another process the minister is going to follow to grant exemptions? Secondly, is it the intention that the minister himself will grant exemptions, or will this be delegated to the municipal level, based on certain criteria? If I could kindly ask that the staff, that would be outstanding and help us a lot.

**The Chair:** Mr Duguid, is this possible?

**Mr Duguid:** I think that's a reasonable request. Maybe I can ask staff. Did you want it in writing?

**Mr Hudak:** Yes, if you could table it with the committee. It just helps us understand where we're going from here.

**Mr Duguid:** Sure. I'll have it for you by the next meeting.

**Mr Hudak:** Great.

**The Chair:** Thanks again, Ms Holmes.

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#### PEMBINA INSTITUTE FOR APPROPRIATE DEVELOPMENT

**The Chair:** Our next presenter will be the Pembina Institute, Mark Winfield. On behalf of the standing committee, welcome to the committee on Bill 27. You will have 20 minutes to do your presentation. You can either take the whole 20 minutes or leave some time at the end for questions.

**Dr Mark Winfield:** Thank you, Mr Chairman. I'll try to leave some time for questions at the end. My name is Mark Winfield. I'm program director with the Pembina Institute for Appropriate Development. I'm also an adjunct professor of environmental studies at the University of Toronto.

The Pembina Institute is an independent, not-for-profit environmental research and education organization. It's national in scope, with offices in Ottawa, Toronto, Edmonton, Calgary, Vancouver and Drayton Valley, Alberta. The institute has taken a strong interest in issues related to the environmental, social and economic sustainability of urban communities in Ontario over the past year. It has published two major reports on the subject.

In this context, the institute welcomes the introduction of Bill 27, the Greenbelt Protection Act, as an important first step toward the reform of the land use planning process in Ontario, to curb urban sprawl and promote more sustainable urban development patterns in the

Golden Horseshoe region. The Pembina Institute supports the government's overall approach of providing a pause in the approval of expansions of the urban settlement area in the region while a plan for the establishment of a greenbelt is completed.

The Golden Horseshoe region has been subject to intense development pressures as a result of the concentration of population and economic growth in the region. Unfortunately, the dominant development pattern in the region has been one of low-density urban sprawl on to prime agricultural lands and ecologically significant areas. The consequences of the continuation of these patterns of development in the region are severe.

In August 2002, the Neptis Foundation analyzed and offered projections of the impact of the land use, transportation and infrastructure implications associated with the continuation of business-as-usual development patterns in the region over the next 30 years. You'll find in the brief a table that actually summarizes the Neptis Foundation's findings. It highlighted the rate of loss of agricultural land at the rate of about 3,000 hectares a year, a likely quadrupling of the costs related to traffic congestion, a 42% increase in transportation-related greenhouse gas emissions, the decline in transit use relative to automobiles, and estimated infrastructure needs in the range of \$77 billion to support these development patterns.

In this context, the establishment of a greenbelt in the region has the potential to limit these sprawling development patterns and encourage the redevelopment and strengthening of existing communities. Significant population growth is anticipated in the region over the next 30 years. Research completed by the Neptis Foundation indicates that this population growth can be accommodated on lands already designed for urban development in official plans within the region at relatively low densities.

The implication is that there is no need to expand the existing urban settlement area in the region to accommodate the projected population growth. Indeed, if development occurs at slightly higher densities than it is occurring now, then it would be possible to add lands that are currently designated for urban development to the greenbelt and still accommodate the projected population growth, without having to go to high-rise development patterns.

The institute's comments on the bill are focused on two areas, one being the scope of the greenbelt study area and the second being the status of major infrastructure projects that may affect the greenbelt initiative and its underlying goals.

The limitations placed on municipal planning powers within the greenbelt study area established by Bill 27 are an important first step in the planning process, but it is also important that steps be taken to ensure that other actions by local and provincial agencies during the study period do not undermine the goals of the greenbelt initiative. Provincial transportation initiatives, in particular highway extensions and expansions, as well as the

development of large-scale sewer and water infrastructure, can have a major influence on development patterns.

The previous government, through its SuperBuild Corp, initiated a program of 400-series highway extensions throughout the Golden Horseshoe region. You'll find a map attached to our brief which actually shows these projects and their status. This was prepared by the Pembina Institute and the Neptis Foundation in conjunction with the cartography office at the University of Toronto and provides information on their planning, approvals and construction status as of last month. It's important to note that all the projects would run through areas that have been identified by the government as potential elements of the Golden Horseshoe greenbelt.

In addition to their direct impacts on important ecological features like the Oak Ridges moraine and the Niagara Escarpment, the projects are already encouraging leapfrog development well beyond existing urban areas and the boundaries of the government's proposed greenbelt. This problem has been particularly evident, for example, in the recent proposals for very large-scale residential developments in the area of Bond Head to Bradford along the path of the proposed 404-400 Bradford bypass in Simcoe county. That's roughly in the centre of the map. It's marked in yellow.

Despite the challenges presented to the government's greenbelt initiative by these projects, planning and approvals processes in relation to them are continuing to advance. For that reason, we are recommending that the bill be amended to add a clause placing planning and approvals for extensions of 400-series highways, expansions of the capacity of existing 400-series highways, and extensions or expansions of municipal roadways of equivalent size—that means four lanes or more—in the greenbelt study area, identified in schedule 1 of the bill, in abeyance during the greenbelt study period.

A similar provision should be added regarding the approval of extensions or expansions of sewer and water infrastructure beyond existing urban settlement areas in the greenbelt study area except where such infrastructure is required to service existing dwellings in the study area.

The greenbelt study area is defined by schedule 1 of the bill. Schedule 2 provides that the restrictions on applications for and approvals of bylaws, official plans, official plan amendments and plans of subdivision do not apply to a number of areas, including the Niagara Escarpment planning area.

The Niagara Escarpment is central to the ecological integrity of the region, and there are significant development pressures within the planning area. For this reason, we believe that schedule 2 of Bill 27 should be amended to remove the reference to the Niagara Escarpment planning area.

Significant development pressures are also emerging in areas immediately beyond the greenbelt study area to be established by Bill 27. These potential developments highlight the possibility of leapfrog low-density urbanization in response to the initiative. Such development

patterns would defeat the underlying purposes of the greenbelt initiative of containing urban sprawl in the region.

These development pressures are particularly acute in Simcoe county. I believe that last week the Neptis Foundation released a report on the planning situation in Simcoe county. For these reasons, we're recommending that schedule 1 of Bill 27 be amended to at least include the southern portion of Simcoe county.

The Pembina Institute welcomes Bill 27 as a first step toward the development of more environmentally, socially and economically sustainable urban communities in the Golden Horseshoe region. The institute looks forward to the completion and implementation of the greenbelt protection plan and other measures proposed by the government, including the reform of the Planning Act, the Ontario Municipal Board appeal process, and the provincial policy statement made under the Planning Act, all of which are needed to make this vision a reality.

I'd be happy to answer any questions that members of the committee might have.

**The Chair:** We have approximately three minutes each left. I'll go to the government side.

**Mr Arthurs:** I have a question with respect to the infrastructure. You were commenting on things like water and sewers, and 400-series highways. Acknowledging that not all of the growth in this area is going to occur within the boundaries of the city of Toronto for all practical purposes, does it make sense to take advantage of existing infrastructure capacity, even if it means going outside an urban envelope in some fashion, as opposed to developing an area where you're going to be required to put in the expanded 400-series highways and brand new water and sewage treatment facilities?

**Dr Winfield:** What we're saying is, hold on expanding that infrastructure during the planning period. Our assumption is that, for the most part, one will try to build on places where infrastructure exists. That's essentially part of the goal of containing sprawl. But our concern is that as these projects are continuing—and they're expanding, as you can see on the map—outwards from the existing urban area and right through the areas that are proposed for a greenbelt and beyond them, you run the risk that the infrastructure in effect becomes the plan. What we're saying is that really the infrastructure should be following where, as a result of the greenbelt planning initiative, things like the government's growth management initiative, we make decisions about where we want to focus the growth and then we move the infrastructure in support of that. All we're saying is that until that planning process is complete, these things should go on hold. Then we can pick up the question of, do these investments then still make sense, because there may be certain assumptions built into these about where growth would occur that may not be valid once these planning exercises are completed.

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**Mr Arthurs:** But you would want to capitalize on existing infrastructure?

**Dr Winfield:** Absolutely, where it exists. Our concern is that a number of these projects that we show on the map are complete greenfield extensions. They're not building on existing capacities and those kinds of things. Clearly, those are the things we need to do if we're going to develop more sustainable communities in the region.

**The Chair:** I will go now to the official opposition.

**Mr Hudak:** Thank you to the Pembina Institute for their presentation today. I'm just following up on your point with respect to the Niagara Escarpment plan, the act and schedule 2. Let me take it a step further. After this bill, if passed, the government will have to start planning a long-term solution. You've got the Niagara Escarpment act, you've got the Oak Ridges Moraine Conservation Act and local planning initiatives. What's your advice on the ultimate governance model and reconciling different pieces of legislation?

**Dr Winfield:** There are a number of possibilities. The government's own platform references a greenbelt commission as the holding body. I think it would make more sense, in the case of the Niagara Escarpment, to leave the institutional structure that's there in place, the commission. The plan—there was a review conducted and it's due for revision anyway, and that needs to be integrated.

The idea of a greenbelt commission has a certain cachet to it. It really becomes a question of how firmly the government wants to build into the planning structures itself a plan and land use planning restrictions. If you have relatively clear rules built into the legislation, the ultimate version of whatever this greenbelt plan takes, then you may not need a commission. It may be that simply the course of bodies like the Ontario Municipal Board and their role in overseeing implementation of the Planning Act may be able to carry out some of those functions. That assumes a certain amount of reform in terms of the role of the OMB as well. So I wouldn't take it that *prima facie* there's a need for a commission.

We know in the case of the Oak Ridges moraine that it already seems to have been working reasonably well with the plan put in place by the previous government. So far it seems that things are rolling reasonably smoothly, partially because the rules about the moraine are now set relatively clearly in legislation in the plan.

**Mr Hudak:** What's your advice for the role of the minister once the ultimate greenbelt is established? What role should the minister's office or cabinet play vis-à-vis local municipalities under Planning Act reform etc?

**Dr Winfield:** I think one does not necessarily want to see interventions into local planning decisions on a regular basis, so I think the province needs to speak through policy. It doesn't want to be intervening on a case-by-case basis. So in terms of land use, you want to have a relatively clear set of rules which then could be left to be implemented by the municipalities and enforced by a reformed OMB and those kinds of structures.

I think where the role of the cabinet becomes more important is on the issue of infrastructure funding and in directing where we then want growth to occur because it

becomes critically important that we make sure that the province's infrastructure investments, be they in transit, roads or sewer and water, reinforce the directions that are trying to be set through the overall growth management plan for the region. So they need to be saying to municipalities, "Well, if you want money for transportation or for sewer and water, then you need to be demonstrating how what you're proposing to do lines up with the overall plan," which you assume seeks to contain urban sprawl, preserve agricultural land and all those kinds of things.

**The Chair:** I'll move on to Ms Churley.

**Ms Churley:** Thank you very much for your presentation. I was particularly struck by your comment about leapfrog development. You said that such development patterns would defeat the underlying purposes of the greenbelt initiative of containing urban sprawl in the region. There was this article that came out in the Star on May 30; developers pressed their case north. I wonder if, in the very little time we have, you could expand a bit on it. I've been raising this for some time and it's my biggest concern, I believe, with what's missing from the legislation before us. What are your concerns about leapfrog development?

**Dr Winfield:** I think the proposal that was written up in the Star yesterday around the Bond Head development is a very, very good example. Essentially what you've got happening is—and this is a concern which is raised around urban containment boundaries and greenbelts generally—if you don't design it as part of a larger package of reform around land use planning, you can have the effect of providing perverse incentives and causing developers to just go farther and farther out. That's a problem from a number of perspectives. It's a problem in the sense that it means in this region you're almost certainly moving on to class 1, or specialty cropland. It's a problem in terms of infrastructure provision and the costs. It's a problem in terms of the transportation-related air pollution and greenhouse gas emissions. It just piles on. In a sense, it puts the sprawl problem on steroids. In effect, you're disconnecting the sprawl from the existing communities, so you undermine your goals in terms of preserving agricultural land and trying to produce communities that are less automobile-dependent, reducing air pollution associated with urban growth, these kinds of things.

This is the reason we're making the suggestion that the planning area itself needs, in the short term, to encompass a wider geographic scope, particularly in the places where these development pressures are acute. But it also speaks to the question that in the longer term the greenbelt is not the complete answer to the land use planning problems in the region. It's clear that you need Planning Act reform. You need a revised provincial policy statement. You may need other forms of provincial interventions around agricultural lands as well.

This is just one piece of the puzzle, and if it's allowed to stand alone, then you do run this risk of leapfrog.

**The Chair:** Mr Winfield, our time is up. Thank you for taking the time to come and present this afternoon.

OAKVILLEGREEN CONSERVATION  
ASSOCIATION INC

**The Chair:** The next group is the Oakvillegreen Conservation Association Inc, Mr Hank Rodenburg. On behalf of the standing committee on general government, I would like to welcome you to this public hearing.

**Mr Hank Rodenburg:** Mr Chairman and members of the committee, my name is Hank Rodenburg. I'm representing Oakvillegreen Conservation Association Inc. Thank you for allowing me the opportunity to make some comments on Bill 27. It seems appropriate to do this during Canadian Environment Week.

First of all I'd like to tell you briefly who we are and what our aspirations are. Oakvillegreen Conservation Association was incorporated in July 2000 by a few Oakville residents who became increasingly concerned with the growth plans for 7,600 acres of agricultural land in north Oakville that had been declared urban by the regional municipality of Halton in 1999. They were concerned with the unrestrained development in Oakville and the GTA, continuing urban sprawl, the effect on our deteriorating air and water quality, traffic gridlock, the loss of green space and the shrinking habitat for plants and animals with which we share this planet.

Since that date, Oakvillegreen has grown and become very active in raising awareness in the community and at the regional and provincial levels in regard to these issues. Oakvillegreen worked hard to try to create a town official plan amendment for north Oakville that would firmly establish a sustainable natural heritage system consisting of significant woodlands, wetlands and open space, complete with the necessary linkages and buffers, before it would start any detailed urban planning in its secondary plan.

Oakvillegreen appealed the town's official plan amendment, OPA 198, to the Ontario Municipal Board because it felt strongly that the amendment did not clearly define the protected areas and did not contain the strong policies that were necessary to protect the environment in general and enhance our quality of life.

The province, through the Ontario Realty Corp, owns 1,100 acres of the 7,600 acres scheduled for further development in north Oakville. It is known as the ORC land or the Oakville land assembly. With the assistance of our dedicated member of Provincial Parliament, Mr Kevin Flynn, Oakvillegreen has lobbied the government to preserve this land in perpetuity by donating it to Conservation Halton and has submitted approximately 4,000 signatures from residents in support of this effort.

My reason for being here today is not to promote Oakvillegreen and its activities but to speak in support of the proposed Greenbelt Protection Act, to share with you some of our thoughts and submit a plea for your help.

We were very excited when this bill was introduced in December 2003 and wholeheartedly agreed with Minister Gerretsen when he said:

"Our economy cannot thrive if goods and services are stuck in gridlock. Our families cannot thrive if parents

are stuck on the highways and there is no green space left to enjoy. Our environment will not thrive if development is unfettered and irresponsible....

"Too often developments got the green light where communities did not want them, could not sustain them, and subsequently regretted them. This form of urban planning only encouraged urban sprawl and is simply not sustainable."

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An attitude survey was conducted by Ipsos-Reid for the regional municipality of Halton in April 2004. It concluded that "the key top-of-mind regional priorities are growth management and the interwoven tandem issues of transportation and the environment."

Participants indicated that the green space, waterfront, parks, escarpment, wildlife, forests, ravines, conservation areas, "open spaces" and "the country beauty across the region" combined to be the key analogous assets to their quality of life in the region.

They also stated that "our beautiful farmlands" are a key element of environmental aesthetics that must be preserved—for their visual impact, growth-inhibiting impact and their role as a source of food for the region.

Oakvillegreen agrees with the purpose of Bill 27 to create a moratorium on development within the study area to permit adequate time to study future greenbelt applications. Oakvillegreen strongly supports the vision and goals as stated in the May 2004 Greenbelt Task Force public consultation document, particularly the ones related to the protection of the environment:

"providing green space between, and links to, open spaces within the region's growing urban areas;

"protecting, sustaining and restoring the ecological features and functions of the natural environment;

"preserving viable agricultural land as a continuing commercial source of food and employment by recognizing the critical importance of the agricultural sector's prosperity to the regional economy."

Oakvillegreen joined with 50 other environmental groups to create the Ontario Greenbelt Alliance and fully endorses their submission to the committee.

Many studies similar to this greenbelt study have been done in the past, with limited or no results. Oakvillegreen sincerely hopes that this study will receive the attention it deserves and will lead to the future actions it needs.

We also believe that this laudable initiative by itself will have little success if it is not supported by similar desires and coordinated actions on the part of the federal government, the provincial government, the regions and the municipalities.

A visionary greenbelt connecting the Niagara Escarpment to the Oak Ridges moraine, Algonquin Park and ultimately to the Adirondack State Park is a terrific concept, but only if the space between this greenbelt and Lake Ontario is not paved over in our endless pursuit of more urban sprawl. If we need a car to drive from Oakville in order to reach this greenbelt, we will defeat some of its objectives. Trees in the greenbelt may not be able to absorb some of the air pollution created by cars

stuck on the QEW. It is therefore imperative that we protect additional green spaces within our municipalities where people can walk or cycle to. We believe that most of the initiative to identify and preserve such areas has to come from the individual municipalities with the full support of the province.

Oakville has undertaken such an initiative. With the assistance of the planning departments of the province and the region and with the expertise of the Ministry of Natural Resources and Conservation Halton, Oakville has conducted one of the most extensive and detailed environmental studies of these 7,600 acres of land in north Oakville ever conducted. The result of this study was the identification of a 2,200-acre natural heritage system consisting of core preservation areas and natural linkages.

In addition, Oakville invited one of the foremost urban renewal planners in North America to hold a one-week charrette in Oakville to create a vision of what a compact, comfortable, cohesive and walkable community should look like.

Oakvillegreen has supported this process, and although we believe that the natural heritage system may still need additional work to ensure that buffers and linkages are wide enough and to minimize road crossings and although we are disappointed that all of the Trafalgar moraine may not be protected, we think that, overall, we are on the right track.

The proposed north Oakville secondary plan will be presented to council in the very near future. It could become a blueprint of a responsible and sustainable planning process. We would hope that the province will fully endorse it by saying, "Here's an example of what this greenbelt vision is all about; let us together make it into a reality." And we trust it will stand by its recommendation to protect this valuable resource in Oakville.

The developers have already submitted their own plans for this area, and we fear that this will wind up where it usually winds up—at the Ontario Municipal Board, where a battery of lawyers and scientists will battle each other while wasting the taxpayers' money.

Mr Gerretsen stated in his address to local municipal officials in Burlington on April 22, 2004, "It is up to us to give you the autonomy, power and tools and, yes, the money to chart your community's future." So we come with a plea for help from Oakville and other communities in the GTA.

We believe that as part of, or concurrent with, the Greenbelt Protection Act and in support of those communities that want to plan proactively to meet the visions and goals of the act, the government needs to implement the following initiatives:

(1) To show its commitment to the vision and goals, the government should declare that all lands it currently owns within the greenbelt study area will be protected in perpetuity as environmental preserves. This will give a clear signal to all landowners that the burden of environmental protection will be shared with the taxpayers who ultimately own those lands.

(2) The moratorium on any changes or approvals of bylaws regarding lands outside the urban areas should be extended to include those lands that have been declared urban but where detailed zoning has not yet been approved. It would seem reasonable to us to delay these plans until the greenbelt study has been completed. In Oakville, current planning is at a stage where such a delay would be prudent and warranted.

(3) Accelerated implementation of the recommended changes to the rules for the Ontario Municipal Board: Bill 26 is a good start but does not adequately address the concerns and recommendations made by the task force. Municipalities must have the authority and flexibility to chart their own future. It is a waste of scarce human and financial resources to have even minor planning decisions second-guessed by such a board.

While these changes are being implemented, any hearing before the board that involves major land use planning in the greenbelt protection area should be stayed at least until the study has been completed.

(4) Changes to the Development Charges Act: Mandatory discounts on development charges should be eliminated in order that municipalities can be empowered to determine who will be carrying the capital burden for new growth.

Development charges are currently largely determined by comparing them to the average cost of the last 10 years. That's like driving forward while looking only in your rear-view mirror. It stifles new and progressive thinking and planning and is one of the major reasons that so many good initiatives, for instance on mass transit, are shelved because it would create an unreasonable burden on the local taxpayer.

(5) Mass transit: I would like to quote to you from the introduction in a transit study commissioned by the region of Halton in October 2002. It says: "Halton region has reached a critical crossroad. The region can continue to attract people and jobs by providing the infrastructure and tools necessary to sustain and augment the quality of life of its residents and economic vitality of its businesses, or risk future economic stagnation due to growing pressures on a transportation system that is ill-equipped to deal with future travel demands."

GTA-wide studies suggest that the average commute could lengthen by 50% within the next 20 years, which would add an estimated \$8 billion per year in congestion cost, as well as claim the lives of 2,500 people who will die prematurely due to poor air quality.

Oakville is ready to adopt an aggressive transit policy, but it needs the co-operation of and funding by the region and the province.

The gasoline tax rebate to municipalities is a good start and will have a significant effect, but it's not sufficient by itself. We need:

A moratorium on any major road expansion proposal until the greenbelt study has been completed and a GTA-wide transit and transportation plan has been formulated;

A detailed study on alternatives to the current methods of transporting goods, and this should involve the eval-

uation of increased rail transport and the strategic locations of intermodal rail facilities, as well as an assessment of the principle of just-in-time delivery of products, which has caused many additional trucks to travel our highways half full, causing “just a little more” air pollution;

Tax incentives for the purchase and use of fuel-efficient cars—no GST or PST on hybrids and/or tax penalties on vehicles with high-fuel consumption;

Stricter emission guidelines for all vehicles—if California can do it, so can we.

**1650**

Oakvillegreen is very supportive of the goal to preserve our agricultural lands. Ontario is blessed with a huge capital asset: our prime agricultural lands, which produce some of the best fruits and vegetables on this earth. The value of this asset will increase considerably once people realize that the food we eat and the wine we like to drink should be produced locally. We will come to realize that eating tasteless strawberries imported from California in February and eating Chilean-grown grapes, which may have been sprayed with unknown chemicals is not smart thinking, and increasing transportation cost will hopefully assist in this trend. We, therefore, need to carefully nurse this asset and protect it under provincial and federal legislation.

I would like to share with you a Jewish folk wisdom: Two men were fighting over a piece of land. Each claimed ownership. To resolve their differences, they agreed to put the case before the rabbi. The rabbi listened but could not make a decision. Finally he said, “Since I cannot decide to whom this land belongs, let us ask the land.” He put his ear to the ground and straightened up. “Gentlemen, the land says that it belongs to neither of you, but that you belong to it.”

In summary, I would like to state once more that Oakvillegreen is fully supportive of the intent and spirit of the proposed Greenbelt Protection Act and applauds the government for taking fast action on this initiative. It will not be an easy task. It will require changes in perceptions, priorities and principles. However, if there is genuine will, we can accomplish positive change. Oakvillegreen is ready and willing to assist in any way we can.

Let us remember the words of J. C. Sawhill, who was the president of the Nature Society, 1990 to 2000: “In the end, our society will be defined not only by what we create, but by what we refuse to destroy.” Thank you very much.

**The Chair:** We have time for two questions only. The first one is from Mr Hudak, the official opposition.

**Mr Hudak:** Thank you very much for the presentation by Oakvillegreen. Just a quick question for you. Obviously you’re justifiably proud of the work that’s been happening in Oakville and the support of your local MPP.

**Mr Rodenburg:** Absolutely.

**Mr Hudak:** A couple of aspects of the bill deal with the minister’s authority and the Lieutenant Governor in

Council or cabinet’s authority to make exemptions as to definition of “urban use,” for example, or “urban boundaries.” As advice to the committee, do you like that approach? Do you like the approach to be more local in nature, subject to provincial rules? What’s Oakvillegreen’s comfort level in addressing exemptions and changes in definitions?

**Mr Rodenburg:** I think basically that municipalities should be able to start the initiatives with the support of the government. However, before that can be done, there must be some guidelines and rules set up, which means there must be an overall plan. Unless we have an overall plan for the whole GTA, the municipal initiative will not work. We must start with the overall plan. That’s what I hope this initiative with the greenbelt will start, so that we have an overall plan where development will occur, where the transportation hubs will be and then let the individual municipalities do their own work through those priorities and through those policies.

**The Chair:** I’ll go on now to Ms Churley.

**Ms Churley:** Thank you very much for your great presentation. You are a true visionary. It’s nice to have you here. I liked your quotes and I think you make some very reasonable suggestions and recommendations. I wonder if you could make a brief comment. My theme of the day is leapfrog development, so-called. Do you have concerns about that and recommendations?

**Mr Rodenburg:** I think leapfrog development would be one of the worst things that could happen, because it would basically negate everything we’re trying to do here. I’m not sure how you can prevent it. I know it’s an issue and we’re all thinking about it. I think it’s good that we are thinking about it. We have to set up some rules as far as the leapfrog development. We must start with the infrastructures that we have and what we know.

**Ms Churley:** Thank you. I agree with you on that.

**The Chair:** Mr Rodenburg, you made a very good presentation. It was a great one. Thank you once again.

**1650**

#### ONTARIO SEWER AND WATERMAIN CONSTRUCTION ASSOCIATION

**The Chair:** I will now call on the Greater Toronto Sewer and Watermain Contractors Association, Mr Sam Morra. On behalf of the committee, welcome to the standing committee on general government. You have 20 minutes. You can take the whole 20 minutes or leave some time at the end for a question period. You can proceed now.

**Mr Sam Morra:** Good afternoon, Mr Chairman and all members of the standing committee on general government. My name is Sam Morra, and I’m the executive director of the Ontario Sewer and Watermain Construction Association. We’re an active association. We represent more than 700 companies. Our members supply and install the vast underground network of pipes that bring clean water to and take dirty water away from the

residents and businesses of Ontario. For over 33 years, this association has been representing the industry.

Our members work on the front lines of the industry, and we've been very active in the area of provincial policy-making. The OSWCA was a major force in the creation of the provincial water protection fund to help municipalities deal with the provincial transfer of water and waste water services. We were also very active participants in the Walkerton inquiry and continue to lead the campaign for full cost pricing and accounting for water and sewage services.

Ontario's challenges of managing growth cannot be underestimated. The Golden Horseshoe, in particular, is a magnet for growth and has in fact outpaced the rest of Canada by a margin of three to one. Much of this growth is fuelled by immigration, estimated to account for as much as 60% of our new population growth. As is widely supported by noted economists and municipal experts, the GTA and Hamilton will grow by an additional 2.5 million people over the next 25 to 30 years. In addition, 1.3 million jobs will be created.

The OSWCA has always advocated that there is a strong role for government in balancing growth with a myriad of public policy issues, including maintaining an efficient land use pattern, ensuring appropriate and modern infrastructure capacity is in place, protecting significant environmental areas and providing sound economic development opportunities for all Ontarians.

We have long been partners with the land development industry. Many of our members work side by side in growing our communities. In many ways, we are already one of the most regulated and supervised sectors in Ontario. Your own discussion paper from your task force acknowledge that growth and development have been quite well managed in this province. Ontario has achieved higher urban population densities and housing concentrations when compared to major US cities and is in fact approaching other cities such as London and Paris.

It is our contention in this presentation that to meet the government's clear objective of creating sustainable urban areas, there must be a more holistic vision for this process.

An urban area which offers a balance of housing, employment, transportation, social and recreational choices and opportunities will be the most successful in attracting a wide demographic variety, which will enhance long-term prosperity for the region. This approach will, for my industry, ensure that we are working in a focused way with government and our development industry partners to build the Golden Horseshoe and make it prosperous and sustainable for the future.

Respectfully, we are concerned that this bill signals that the government may be headed in the opposite direction and moving back to the piecemeal planning that has put us in this situation in the first place.

Our concern is that Bill 27, on its own, is lacking a correlating land needs and infrastructure strategy. I understand that there is some movement in government toward a growth management plan. This was mentioned

in your recent budget. But that vision for planning is not entrenched in legislation; this small component of that growth and vision will be if this bill is passed.

I want to lend support to my colleagues in the development industry when they contend that this bill may significantly impact the supply of housing and employment lands. This will lead to a rise in land prices, a further escalation in the cost of new and resale housing, and may jeopardize Ontario's economic prosperity and competitiveness relative to other Great Lakes states.

**1700**

My association would contend that the regime in Ontario governing land use is by far one of the most regulated and comprehensive public processes on the North American continent. The government says that it wants to develop a big-picture policy approach to land use, environmental and strategic infrastructure policy. The question this committee needs to consider is whether this legislation, in establishing the greenbelt, actually will effectively facilitate the future growth management exercises that the government indicates will flow from this process.

I want to take you through some of this province's historic approaches to planning and also raise some relevant questions about whether or not this legislative tool will allow Ontario to meet its future needs, in hopes of giving this committee some additional perspectives from my industry.

Let me speak briefly about the recent history of land use planning in Ontario. In the late 1980s, the combination of a surge in new housing demand and an inadequate supply of serviceable land in the GTA led to a significant rise in housing prices, both new and resale, as a result of low inventories. In an effort to bring equilibrium to the marketplace, in 1989 the David Peterson government introduced the Land Use Planning for Housing policy statement that contained policies requiring official plans to ensure a 10-year supply as well as a range of housing types.

This approach was adopted by the NDP in their comprehensive provincial policy statement in 1994. When the provincial policy statement was amended in 1997, during the Conservative administration, it was recognized that the longer-term view of land supply—a 20-year view—was warranted to respond to the dynamics of the economy. Now the provincial policy statement is being reviewed again, and Bill 26 is bringing further change to make this statement binding on municipalities—another strong and effective tool.

What is the lesson from this? It is that the adequacy of designated land is a key public policy issue and an economic issue that cannot be ignored. It has caused governments of all stripes to respond in order to ensure a balanced marketplace in terms of affordability and the provision of a range of housing types. In my industry, it has meant that we have been able to work closely with municipal governments and industry to maximize the efficient provision of water and sewage infrastructure. It allows my members, especially those focused on devel-

opment, to plan. I think all members of this committee can understand how critical that is for my members and their companies. I think you can also understand how a movement away from this planning approach would have them concerned.

Our association wants to be clear that this committee understands the impacts of this bill on meeting Ontario's future needs. It is clear from your Greenbelt Task Force that you acknowledge a new approach to transportation and infrastructure and recognize the related future needs of the province. The task force also understands that this should not be done in a vacuum. It begs the question for the OSWCA as to whether this is putting the cart before the horse.

Perhaps what might be more appropriate before this bill proceeds to third reading is that the government's critical work in the area of growth management be completed. Perhaps before this greenbelt is imposed, the province should be making sure that this move will meet its long-term needs, especially in the context of housing and employment lands. A work of this nature will ensure that the region's needs for designated urban lands are properly defined. Since this bill does not contain a statutory review process, future environmental, social and economic interests cannot be easily accommodated.

Let's recall what our municipalities must currently do when considering an urban expansion. They already prepare exhaustive studies, they have to prepare official plan amendments, and these studies take years from start to finish. We clearly understand the desire of the government to establish a greenbelt, but we would encourage caution and the completion of the processes that have already begun in the development of a comprehensive growth management strategy. The need to include some future urban areas to accommodate the explosive growth in these regions is vital.

This government is also deeply involved in planning and regulations around source water protection. This will clearly be a major component of the future growth management strategy. For my industry's water and wastewater management issues, this government will clearly influence the development of the infrastructure corridors that we produce and maintain, corridors that will have to cross and intermingle with the boundaries of the proposals in this bill.

What does this mean for the sewer and water industry if this bill passes now, as written? Please understand that if this government moves forward, it is the view from my industry's perspective that there are some serious questions about the ability of our existing towns and cities to accommodate growth within their boundaries due to the current major infrastructure deficit that exists. There is some \$12 billion of infrastructure deficit that needs to be addressed over the next 15 years.

The government wants cities in the Golden Horseshoe to accommodate explosive growth over the next 15 to 25 years. It has been clear in the Strong Communities plan that urban intensification is a major initiative for the government. We don't disagree with that approach, but

we're also waiting to see what happens with the regulations surrounding full-cost pricing in the O'Connor report. Without these rules around dedicating revenues and moving water prices to more appropriate levels, the Golden Horseshoe areas affected by this bill may not have the capacity to grow as the government hopes.

The land development and infrastructure construction industries play a vital role in the economy of Ontario. We at the OSWCA understand clearly the policy intentions of this government. We clearly understand the desire of the government to establish a greenbelt and to move forward on its campaign commitments, but we would encourage caution and would encourage the government to delay passage of this bill until the completion of the processes that have already begun in the development of a comprehensive growth management strategy and a long-term capital plan for Ontario. These need to include some future urban areas to accommodate the explosive growth in these regions.

We think that complementary to this notion is a provincial strategy that accommodates population and employment growth in conjunction with well-established infrastructure and transportation plans. We would encourage this government to get all of the pieces of this puzzle in place before moving forward. We at the OSWCA are committed to advancing this planning process.

Thank you very much for the opportunity to address the committee today. I'd now like to turn the podium over to Mr Ira Kagan, who will speak to you about a couple of specific incidents where the proposed bill will result in inefficiencies in existing infrastructure utilization.

**Mr Ira Kagan:** I will be brief, because we both want to leave time for questions. My name is Ira Kagan. I'm with the law firm of Kagan Shastri. The message I want to send to you is, first, that urban growth is not all bad, and second, that there are valid purposes in a greenbelt and when you apply those valid purposes, you'll get efficient results.

Why do I say that all growth is not bad? Maybe it's trite to say this, but badly planned growth is bad; well-planned growth is good. Most of us wouldn't be living in the houses we're living in and enjoying what we have now if it weren't for well-planned growth. Many parts of Canada, the US and the world would envy the problem we have: a need for growth. They would envy, for example, the economic prosperity we enjoy. They would envy the affordable housing we enjoy. They would envy the need that employers have for more people to work and the fact that there are more employers in the GTA. They would envy all of these things.

How does that all fit in with the purpose of a greenbelt? Why do we want greenbelts? Why is this important? One reason, of course, is to protect important environmental features, and the government already does that by virtue of the Oak Ridges Moraine Protection Act and the Niagara Escarpment plan. These are worthwhile initiatives.

The other purpose of a greenbelt is to contain growth. You can't exceed growth outside the greenbelt. The greenbelt represents the limit of growth. Why do we want to contain growth? You want to contain growth so that you make more efficient use of public funds, private funds, transit, libraries, schools, parks and infrastructure. Why is that important? It's important because the less money we spend on infrastructure, roads and schools, the more money we have to do other things, like health care, or to enjoy quality of life. The more efficiently we are able to build communities, those cost savings get passed on to homeowners. More people are able to afford homes. That's a worthwhile thing.

Keeping all that in mind, how does this play out in the real world? I want to use Pickering as an example, and Mr Melymuk spoke of this earlier today. If you look at Pickering, you've got two areas that are part of their growth management study, Seaton and the agricultural assembly, and they're next to each other. In the agricultural assembly you have—and we handed out to you earlier today a chart that gives you an idea of existing infrastructure in the assembly—\$80 million. We don't have a chart to show you the existing infrastructure in Seaton, because there wouldn't be a chart. It would be precious little. So you have \$80 million in the ground already in the agricultural assembly; virtually none or by comparison none in Seaton.

1710

So the city of Pickering begins a growth management study, and they don't just say to themselves, "I'm only going to look at the agricultural assembly because there are services there." They look at everything. They do a comprehensive study and consider areas where there are services and where there are no services. They do an environment-first approach, and they say to themselves, "We're going to protect the environmentally sensitive land first." They realize that when they do that, Seaton has more environmentally sensitive land than does the assembly. So if you can't fit all the people you need within Seaton because you want to protect the environment, where else are you going put them? It only makes sense to put them in the areas where you already have the services.

The city of Pickering has undertaken an extremely comprehensive plan, a well-thought-out plan. There may be areas that we would all disagree with, but you have to respect their process as being all-inclusive. What it does is it tries to capitalize on existing services in the ground while at the same time protecting environmentally sensitive land. The government has stated on numerous occasions their commitment to respecting the local decision-making process, to treating them as a full partner. I think everybody recognizes that nobody can know the citizens of Pickering as well as the city of Pickering. They've already held an election on these very issues and they've gotten the mandate they deserve. The difficulty with Bill 27 as it is currently drafted is it ignores that process. It, in some ways—and I hate to use this word—disrespects the process, because it doesn't

even accommodate the work that has been done by Pickering. Mr Melymuk has asked, for example, that at the very least the work done by Pickering not be wasted and be rolled into the greenbelt process, and I would encourage that.

In a presentation that I've given Ms Grannum, I have at tab 4 a proposed amendment to the bill that would allow this very thing to occur, and I would ask that the committee members read it. That presentation is also on a different topic, one that I was supposed to speak on today, but somehow my name was removed from the list. It was dealing with the revised changes to the Oak Ridges Moraine Conservation Act, the transition provisions. I have proposed amendments in there as well. If you have time, please read it.

**The Chair:** I have enough time for one question.

**Ms Churley:** There's not very much time to respond. Mr Kagan, I just wanted to ask you—I'm not clear on who you're representing here today. You say you're a lawyer, right?

**Mr Kagan:** Yes.

**Ms Churley:** Are you with the north Leslie landowners in any way?

**Mr Kagan:** That is another set of clients of mine, but that's a different presentation I've handed in. I haven't spoken about that today.

**Ms Churley:** I see.

**Mr Kagan:** Today I'm here on behalf of the sewer and watermain association.

**Ms Churley:** I just wanted to clarify that you are also the lawyer for one of the north Leslie—

**Mr Kagan:** I have three clients in north Leslie, yes.

**Ms Churley:** OK. What are your concerns about my theme of the day, and that is leapfrog development, in the context of everything we're talking about here today?

**Mr Kagan:** I think it goes hand in hand with my principal theme, which was that badly planned development is bad and well-planned development is good. If you're going to leap over areas that you consider to be untouchable just to invest more money in more expensive communities even further away from the jobs and the schools and the concentration of existing population, how can that be good? How is that a good use of public funds? The answer isn't, in my opinion, to just enlarge the greenbelt area so it goes all the way up to, say, North Bay. The answer is to have a proper greenbelt area that recognizes the needs for additional growth and concentrates them in the right location.

**The Chair:** Very good. Our time is up. Thank you for taking the time to make your presentation.

#### SAVE THE ROUGE VALLEY SYSTEM

**The Chair:** The next group is the Save the Rouge Valley System. Once again, on behalf of the committee, thank you for coming down to make a presentation on Bill 27.

**Mr Glenn De Baeremaeker:** Thank you, Mr Chair. I'd just like to thank you for staying here past the

5 o'clock hour to hear deputations on this important issues and to say hello to my own MPP councillor—member Brad Duguid.

**Mr Duguid:** You're the councillor now.

**Mr De Baeremaeker:** I am the volunteer president of the Save the Rouge Valley System. I've had about 18 years of very intensive involvement, both in creating the largest urban park in North America and fighting to protect parts of the Oak Ridges moraine. More recently, I've had the great honour to fill the shoes of Brad Duguid, member for Scarborough Centre; I am now a city of Toronto councillor.

I come here today to ask you to put some very specific amendments into your act. There are 10 of them. I am going to start very specifically and then go to more broad and general recommendations.

Certainly, number one is, I would ask you to include protection of the Rouge Park lands within the act itself, all the way from the Oak Ridges moraine down to Lake Ontario. My understanding as a layperson reading the act is that these lands are not all in the study area. I believe they all should be in the study area. Certainly, as the largest urban park in North America, this should be a foundation for the greenbelt in the east end of Toronto.

I would also ask the committee to give legislative status to the Rouge Park North plan within the ultimate greenbelt act. I say that because the Rouge north plan basically allows development adjacent to the Rouge Park and defines how close you can get or how far you can get to nature features and wetlands to make sure the ecological integrity of the park is protected. Unfortunately, nobody is listening to it, and when we as citizens go to the Ontario Municipal Board and say, "Please protect the environment based on these scientific principles contained within a park plan," the OMB says this plan has no legal status. So we would ask you to give that plan legal status and to put it in the act.

The other way we can do this is by having five or six different municipalities incorporate the plan into their official plans. We've been trying to do that for six years now. I'm afraid it's going to take another six years before we actually get it implemented. The developers are great at doing delaying tactics and appealing things to the OMB, so all the urban development may have already taken place before we get this plan in place. The principles were adopted six years ago, and nobody is listening to that plan yet.

I would also ask you to include the protection of the north Leslie area of the Rouge watershed within the study area and within the act. Your own scientists at the provincial government, under the previous government, identified the vast majority of this area as having provincial significance, with a series of wetland complexes, environmentally sensitive areas, discharge areas and headwater streams. Virtually all the lands in this area are outside the urban envelope. All of them today are outside the urban envelope. We're afraid the OMB will come in and rezone these lands before you get a chance to study them and, we hope, protect them.

I'd like to take issue. I understand that there was another developer who was here who said, "Save the Rouge and us are almost at a settlement at the OMB. You don't need to study these lands." Nothing could be further from the truth. There is Newfoundland and there is British Columbia, and those two places are closer together than the developers and us. We and the developers have a fundamentally different vision of what's happening. I will be polite and say I believe it is not accurate for anyone to characterize our discussions with developers or our activities as directed by the OMB by saying we are close to a deal with the developers. We are a million and a half miles apart.

We'd also ask you as a committee to cancel the OMB hearing or ask the minister to cancel the hearing starting in the north Leslie area. The two chairs of the OMB have, if you will, stepped back from the hearing. There is a new hearing starting. They are debating about it now. We believe that section 6 of the greenbelt act before you allows you to stay and allows the minister to stay the hearing. We think that's what should occur. Virtually all of this area is outside an urban area, and this hearing should not go ahead. You, as the people elected by the people of Ontario, should make the decisions where the greenbelt starts and where the greenbelt ends. We've had a horrible history at the OMB, and have no confidence that they will give the environmental sensitivity and the advice of your own provincial experts the weight that it deserves.

I'd also ask you as a committee to protect the agricultural lands in both Markham and Pickering. These lands have been designated as an agricultural preserve for over 25 years. In this past provincial election, the Ontario Liberal Party promised to permanently protect the preserve and protect 66% of the Seaton lands. The Ontario Liberal Party also promised to stop all housing on the Oak Ridges moraine, and it broke that promise. For whatever good reasons it may have, for whatever reasons it felt compelled to break that promise, the Ontario Liberal Party broke its election promise to stop housing on the moraine. We hope the party and this government will actually keep its promises in terms of the agricultural preserve.

**1720**

The sixth thing I would ask the committee to advise the minister to do is to buy back the agricultural preserve lands sold to developers for \$5,000 an acre. I'm sure every one of us at this table would love to buy lands adjacent to Steeles Avenue, adjacent to the municipality of Toronto or Markham or Pickering, for \$5,000 an acre, and walk in and get it rezoned, thanks to the town of Pickering. Suddenly, your \$5,000 investment per acre has gone up to \$100,000 per acre. This is a billion-dollar rip-off. There was a mistake made by the Ontario government. The Ontario government sold these lands off for as little as \$4,000 an acre, up to \$8,000 an acre.

Now, the same people they sold them to with permanent agricultural easements are knocking on the door and coming to you saying, "Let us build here. It makes a lot

more sense.” I say to you, absolutely not. These lands were sold as an agricultural preserve, and I would urge you to buy these lands back at that same price with interest, or to swap them for lands where the developers can build in an urban area but not on a designated permanent agricultural preserve.

For people and organizations to come here to you and say, “Well, look at all the infrastructure we have”—according to the developer scenario, do you know the best place to build in the GTA? High Park, Centre Island, Thompson Park, the Scarborough Bluffs. If you look at the amount of infrastructure around High Park, including the TTC and the subway, that’s the number one place to park. In fact, any baseball diamond or soccer field close to the subdivision where you live is the ideal place to build the next set of houses, because that’s where the infrastructure is. We have to have a balance, and the balance is an urban boundary that has permanency to it.

I would ask the committee as well to include Toronto in the study area. Again, the Rouge Park, the largest urban park in North America, is excluded from part of your study area south of Steeles Avenue. We have 5,000 acres of protected greenlands which you won’t consider because it’s south of Steeles Avenue. We also have important areas—the Humber and Don rivers as well—that should be examined. So I think schedule 2 of your proposed act should be amended to allow Toronto to be included.

I would ask you to make the study area larger. I think you’d have to go from Windsor to Ottawa, at a minimum. The area you’re looking at today is drastically too small. When we were given direction by Premier David Peterson and Minister of Natural Resources Lyn McLeod to do a Rouge Park study—I was on the advisory committee to the Premier and to the minister of the day—they said to us, “Give us a park south of Steeles Avenue.” Our recommendations went to them and said, “Even though it wasn’t formally in our mandate, we are recommending you protect all the lands north of Steeles, and you protect them all the way up to the Oak Ridges moraine.” That was back in 1990, when we handed in our final report.

So you have to, as a committee, disregard the advice of all the lawyers and all the staff who will give you 50 reasons why you shouldn’t act, why you should sit on your hands and do nothing. The spirit and the intent of this legislation is to create a permanent greenbelt. That’s what you have to do. It’s very obvious to me, and maybe to a lot of you as you go through this exercise, that you can’t just put one little dot on the map and say, “There, we’ve protected this land.” I think you have to go from Windsor to Ottawa. I think you have to include the principles of the NOAH project, and I think you’re looking at an area of some five million acres of land, not 800,000 acres of land that you’re currently looking at.

My last two recommendations are global, but I think also important in terms of the legislation. Make the preamble in the bill part of the legislation. Some of the best greenbelt statements are found within that preamble or purpose of the legislation. Therefore, I don’t think—and I

could be wrong—they’re considered part of the legislation. I’ve seen that in a lot of official plans, too. You have these great intentions, great visions, great motherhood statements in the preamble, but when you get to the OMB or when you go to a tribunal or a council, they don’t include that; they only include the technical provisions.

So I’d say that the purpose of the act should be part of the formal legislation and that the purpose of the act should include formal legislative authority to the Rouge Park plan, protection of the agricultural preserve in the Seaton lands, protection of regionally and locally rare species, the NOAH concept, and it should state formally that this greenbelt that you’re going to create will be part of a larger connected protected green space system. That has to be in your legislation, or it will be ignored.

Finally, I would ask you, as a committee, to have the wisdom to provide a funding mechanism within the legislation. I would ask you all to ask yourselves this over the next coming months: Why did the Bill Davis 1975 Parkway Belt Act fail? You aren’t the first people trying to create a greenbelt. Others have tried it before you, back in 1975, and they failed. The parkway belt plan, which was a magnificent plan, is filled with houses, highways and hydro corridors today. That plan failed.

I believe you have to provide the financial support to reward good behaviour. We’ve all heard examples of the Oak Ridges moraine land trust. Some people will voluntarily give them easements on their land at a very nominal cost. Funding has to be provided. If we had done that back in 1975, maybe there would be a greenbelt today, but there isn’t. It’s chockablock of houses, highways and hydro fields where there was supposed to be a greenbelt. I’m suggesting that you consider that a charge of one cent per cubic metre of water be added to all water bills across Ontario to provide funds to ensure that the permanent greenbelt that you are, I hope, going to create, stays permanent. If you have a source of funds, land trusts across this province can go to volunteers and pay to do the surveying and the legal work and put easements on the land that say, “These people voluntarily put easements on their land.”

Those are my top 10 recommendations to you as a committee. I wish you well. I congratulate you for doing this. I hope you do it very quickly. I know that the people of Ontario are behind your doing the right thing.

**The Chair:** We have approximately six minutes left. I’ll go to the government side first.

**Mr Duguid:** I want to thank Councillor De Baeremaeker for coming from Toronto city hall down here to Queen’s Park. He’s my councillor as well. He’s been doing a great job for us out there in Scarborough. I want to commend him for the great work he has done on the Rouge file. I’ve known Glenn, as probably all of us here have, for—it goes back decades—well beyond 10 years—

**Mr De Baeremaeker:** It would be about 18, I think.

**Mr Duguid:** Probably something like that. He’s been tireless in his efforts to preserve that land.

Glenn, I was with you in 1990 when the Peterson government announced the park, and it was a proud moment. It was a proud moment within the first six months of this government when we were able to make it all official by dedicating the land when Minister Ramsay came out. I know you were in council at that time and you missed that announcement a number of weeks ago.

My question to you is regarding your first suggestion, to include the protection of Rouge lands within the act. Do you have any concerns right now with the current regime of protection for the lands or is this something that would be more symbolic to ensure there is absolutely no discrepancy?

**Mr De Baeremaeker:** I do have genuine concerns about the fate of those lands. Every year we get somebody coming forward to the Rouge Park Alliance who says, "Let's sell off this piece of land and use the profits from that to do something else," and they may be all noble purposes. But my fear is that without formal protection in the greenbelt, these proposals will continue to come forward—perhaps not this year or next year, but sooner or later; maybe in 15 years none of us will be sitting at any council seat of any sort—and we may see a new set of people and the intent of what we're doing will be undermined. So yes, I have fears that this land will be declared surplus, as they say, and sold off, and I think that's wrong.

**The Chair:** The time is up on this side.

**Mr Hudak:** Thank you, Councillor De Baeremaeker, for your presentation on behalf of the Save the Rouge Valley System. I'll ask questions at the beginning. I had two. First, we had a presentation by the city of Pickering a bit earlier that actually proposed development on the agricultural lands in Pickering. I myself asked the ministers questions back in the fall with respect to their commitments on the agricultural preserve and the Seaton lands, where they seem to be backing away from their campaign commitments. Have you had a reassurance in any way that they're going to maintain their campaign commitments of preservation?

The second point is, we heard a lot in Niagara about the importance of supporting farmers and making sure that our agricultural land can stay green. Any suggestions for the committee on how best to support our farmers to make sure that land stands in profitable agricultural production?

**Mr De Baeremaeker:** Sure, I have just two quick responses. I have not had any formal response from the government that it's going to abide by that commitment. In good faith, I can only hope they will. I know that the study done by the town of Pickering was supported by the development industry and paid for in part by the development industry. A study was done on a permanent agriculture preserve for its utility for urban uses. Why would you study a piece of agricultural land for a subdivision when it's supposed to be permanent? I think this is the exact problem of why you're here. The planning system has failed grotesquely and that's why we're all sitting at this table today.

**1730**

This committee and the government, I hope, have to say, "These lands are off limits. Stop wasting everybody's time hitting us with this over and over again." I started 18 years ago and we still have the same people saying, "Let's bulldoze this land and let's pave it, and here are 101 reasons why." I hope that the government will abide by the spirit and intent of what it said and just declare this off limits.

Look at my point 10, in terms of the agricultural support. The farmers tell me now that they can't farm because the developers and the speculators are upping the price of land. A farmer can buy land at \$4,000 an acre to farm and make a good living and maybe even save for a pension plan, but when the developers start walking in up in Uxbridge and bidding \$15,000, \$20,000, \$25,000, \$30,000 for an acre of land, farmers can't compete. They don't have the capital.

I think, by creating a permanent boundary, you will send away the speculators and then the farmers will be able to buy the farmland. If you provide the funding so that somebody like the Oak Ridges moraine land trust can go to a farmer and say, "You've got 400 acres of land. We'll help you by putting an easement on it. We'll assist you financially in terms of the transition. That way you can farm it, it can stay in private ownership, but there is an easement registered on title so that no matter whom you sell it to, you can't do anything but farm it." Then the developers of the world won't want to buy that land and that piece of land will stay at \$4,000 an acre. That's the way to do it, but there needs to be funding in place to protect these lands.

**Ms Churley:** Thank you very much, Councillor De Baeremaeker, for coming here today. I'm sure you're very busy. Thank you for your bold presentation with great recommendations. I wanted to come back to your interesting comment about intensifying in existing built-up areas. Among the things that we've heard over the course of these hearings from developers or lawyers representing developers in some municipalities are dire predictions of practically the world coming to an end—those are my comments, but, you know, no more affordable housing, housing being unaffordable for a lot of people, all of those kinds of things—if we go ahead with this greenbelt as it's proposed. Can you give me your ideas of how you see the available land in existing built-up areas?

**Mr De Baeremaeker:** I think those doomsday predictions are just garbage. The Neptis Foundation, every planning body that I've come across—and I've been intensively involved in the development industry for 18 years—every set of planners I talk to says we already have enough lands in our OPs to go for 30 years. Without signing one more unit anywhere in the GTA or southern Ontario, we have enough land supply for 30 years. South of Steeles Avenue, as Councillor Duguid knows, we have people still farming. This is outside the Rouge Park on McNicholl Avenue, Steeles Avenue or Kennedy Road.

People are farming land way down in the urban centre, close to subway lines, while they're building up in

Richmond Hill and Uxbridge—and Stouffville, of all places. Why? It's just inventory. It's cheaper for developers to sprawl, and unless you create those firm boundaries, the cheapest and easiest thing for developers to do is to build on greenfield. Without a permanent greenbelt, there's no incentive and there's no reason for them to intensify properly. The cheapest, quickest way to make a buck is by bulldozing a cornfield up in Richmond Hill. The better way to do it is to intensify. We have enough land supply for 30 years without doing anything.

**Ms Churley:** Thank you. Could I—

**The Chair:** Our time is up, Ms Churley.

**Ms Churley:** No, I want a point of order. I want to ask a question to the staff.

**The Chair:** Thank you very much for taking the time. Well done.

**Mr De Baeremaeker:** Thank you, Mr Chair.

**Ms Churley:** On a point of order, Mr Chair: Just very briefly before we move on, I'd like to ask if perhaps the parliamentary assistant, through the staff, can bring back some information. There's been a lot of discussion at the committee level regarding the number of years each GTA municipality has in undeveloped land supply, so I'm wondering if we could get a summary of these figures, including the density in units per hectare that these figures are calculated on. And number two is an estimate of how the number of years of land supply would change if that density was built instead in transit-friendly areas. What kinds of changes would that mean? I think you understand what I mean.

**Mr Duguid:** In fact, I have seen some numbers around number of years. In terms of density numbers, I haven't seen anything specific. I just want to make sure our staff understand what you're asking for. Do you understand? Just nod your head. Or you can come up and—

**Ms Churley:** I think it's pretty clear, isn't it?

**The Chair:** Is it clear?

**Mr Duguid:** If they have any questions, they'll contact you to make sure—

**Ms Churley:** To not take up the time of the next deputant, why don't we clarify this after?

**Mr Duguid:** OK. I don't think that will be a problem, but they'd have to do the work, so I'd have to check with them first.

**Ms Churley:** OK. Thank you.

#### CREDIT RIVER ALLIANCE

**The Chair:** I will call on the next group, Credit River Alliance's Leslie Adams. Thank you for taking the time. On behalf of the committee, welcome to the presentation on Bill 27.

**Ms Leslie Adams:** Thank you. I'm here today as a volunteer member of the Credit River Alliance. When I moved to Ontario about eight years ago, I chose to get involved in the volunteer community. I had the option to go and work; I chose to get involved as a volunteer because I felt my skills and background were most suited

to helping small groups get some movement forward on issues. That's all I'm going to say about myself.

Good afternoon, Chairman Lalonde and distinguished members of the standing committee on general government. Thank you very much for allowing me this opportunity to speak to Bill 27, the Greenbelt Protection Act. My name is Leslie Adams and I am here representing the Credit River Alliance.

The Credit River Alliance comprises 30 environmental and conservation groups in the Credit Valley watershed. We share a common concern and goal of protecting the quality, health and viability of our watershed and all of its components. We represent an alliance of more than 10,000 supporters who place a high priority on maintaining a healthy and sustained river system and watershed. We realize that human and other impacts anywhere in our watershed, be it, for example, upstream or downstream, in the valleys or on the table lands, not only affect the integrity of our watershed but also impact our individual quality of life.

On behalf of the Credit River Alliance, I congratulate this government for the initiative it has taken in recognizing that the continued destruction of our natural areas and the services they provide free of charge is not consistent with a vibrant, sustainable society. In its wisdom, this government is looking at the carrying capacity of the area and beginning to recognize that it is nature's services that sustain our economic enterprises and our people. In the view of the Credit River Alliance the essence of this act is to recognize that economic, social and ecosystem values must be considered equally. We applaud the government, especially Minister Gerretsen, for taking a proactive step towards creating an approach to land use in the Golden Horseshoe area that is sustainable.

With regard to Bill 27, we offer the following comments and recommendations.

If the intent of this government is to enact legislation that supports sustainability, this must be clearly stated, and that element should be developed. This legislation must be strong, to ensure that the regulations are enforceable. The bill must allow for flexibility, so that the lower-tier governments, at a minimum, ensure provincial interests while allowing for enhanced legislation at this lower-tier level.

To do this, Bill 27 needs to include additional parts of the bill to articulate the generality of the bill, such as a goal or vision, a purpose or definitions. If sustainability is a goal of this bill, the definition of what sustainability means should be included.

Parts of the bill should also speak to management planning and information of the lands. This includes the process and contents, monitoring, that would go on on these lands.

The implementation should include mechanisms for formal partnerships, stewardship measures and the like. And there has to be a part in this bill for remedies and enforcements, such as damages and fines etc. In this vein, we would recommend to this government that the

legislation be structured in a similar fashion to other acts, such as the Crown Forest Sustainability Act.

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The Credit River Alliance supports a systems approach based on principles of sustainability for this legislation. Bill 27 needs to develop a monitoring regime based on carrying capacity, and allow for a vision or goal of what we want in the area as a human settlement pattern. That includes our agriculture areas, our resource areas, our development areas, and it also includes our natural areas. To help us get to this vision, a back-casting approach, as opposed to a forecasting approach, should be used. Back-casting would allow us to evaluate our policies based on where we are now and identify the gap to where we want to get in the future. Policy adjustments could then be made to put us on a trajectory towards sustainability.

The four principles of sustainable development that I am referring to are basic principles of physics:

(1) Substances from the earth's crust must not be used at a rate exceeding the natural regenerative capacity of that substance. So if we're taking carbon stores out of the earth, we shouldn't be burning them at a rate exceeding their regeneration back into the earth's crust.

(2) Substances foreign to nature must be replaced with alternatives found in nature. That would get to some issues around pesticides and things like that, and a plethora of other issues.

(3) Resource use should not exceed the natural regeneration of the resource.

(4) As a societal principle, our natural capital that's entrusted to you—for me, as a resident of Ontario—has to be equitably shared with everybody in this province.

The first three principles are based on physics, while the last principle incorporates social justice. This approach was developed by a cancer oncologist in Sweden, Karl Henrick Robert. It is now used by the national government of Sweden to shift their policies towards sustainability. It's also being used internationally, and it was the focus of the Canadian municipalities' Sustainable Communities Conference held this past February.

Measuring the carrying capacity could also be done succinctly with the ecological footprint. This measurement is accepted worldwide and is the work of Ontario-born Dr William Rees. This legislation needs to ensure that human settlement patterns on the landscape move toward a sustainability assessment approach, on which there is a growing body of literature. By considering the legislation through this lens, it focuses us on an ecosystem approach and allows us to consider the impacts our decisions have in a broader context.

The third point I want to bring forward is that water source protection must be integrated into Bill 27. Water is a fundamental need for our economy, agricultural production and for the survival of all species. We understand that our water, while renewable, is not an infinite resource and that changes and impacts to the hydrological cycle have far-reaching effects. In order for

Bill 27 to be robust, it must incorporate water source protection.

We would also recommend including entire watersheds in this legislation. The current delineation of the study area cuts watersheds off from source areas. This poses several potential problems, including some crucial headwater areas not being considered within the protection area. This could place undue pressures on these areas more sensitive to negative impacts and very important in the downstream context. If this is not addressed, impacts upstream in the watersheds could seriously affect the downstream health and integrity of the watershed and cause harm to the livelihoods and health of people. In the Credit watershed, the boundary suggested by the study area does not include recharge areas west of the Oak Ridges moraine and significant sections of sub-watersheds of the Credit.

Our fifth point would be to broaden the scope of the bill to recognize that the area is not only for environmentally sensitive areas but is also recognized as a green infrastructure belt that supplies services such as clean air, food, safe drinking water and waste assimilation. Consideration must also be given to what resources and infrastructure is allowed within the greenbelt. Careful consideration of the real costs of these activities must be considered for all projects.

Our sixth point would be to include all of southern Ontario in the study area. The current bill must allow for the whole of southern Ontario to be considered within the legislation. Upon completion of the area under immediate pressure, a similar exercise needs to be undertaken for the rest of southern Ontario. Substantial work has already been undertaken in this area, by both government and civil society, through exercises like the conservation blueprint from the Nature Conservancy of Canada; the Big Picture and the Bigger Picture, exercises in Carolinian Canada; a natural core and corridors strategy by the Ministry of Natural Resources. The source protection planning is another form of big picture planning, and the NOAH project that was mentioned earlier today.

These are just a few examples. If you include in this the work done by conservation authorities, lower-tier municipalities and not-for-profit organizations, there's a strong base from which to develop a strategy for all of southern Ontario. The task now is to take these existing approaches and integrate them into a comprehensive whole to form a complete picture of ecosystem health and integrity.

Point 7 is that the greenbelt legislation, in our view, must be the base on which growth management and natural resource use must be layered, and the provincial policy statements must recognize and develop a mechanism to address conflict use. We're saying the green infrastructure has to be at the base of it.

This mechanism could well be the approach I mentioned in my second point. By approaching conflicts over land use in this framework, consideration would be given to the economic, social and ecological implications of undertaking or not undertaking a specific activity. In this

way, we would begin to recognize the true cost of an activity on the ecosystem in which it operates.

Concerning the Credit Valley watershed in and of itself, we must recommend that it be of the utmost importance within the greenbelt area. The Credit River is a crucial asset to all of Ontario for several reasons. The Credit is home to 45 different species of fish. It is the most diverse cold water fishery and one of the most important river systems in the province. The Credit has huge runs of 20,000-plus Chinook salmon and 10,000 steelhead every year, with the steelhead population, now at 90% wild, that has been reintroduced into the watershed. Coho, pink, and Atlantic salmon occur in small numbers, not to mention largemouth and smallmouth bass and many other fish species. Around the Forks of the Credit there is a world-renowned trout fishery of both brown and brook trout.

It is also estimated by the MNR that millions of dollars are generated annually in this region due to the fishery. The fish also allow us to monitor and maintain the health of the watershed. Like canaries in a mineshaft, the health of the fishery is directly related to how we control or minimize the cumulative impacts to our river system.

The Credit River is already seriously stressed with the pressure of urbanization. We are more than halfway toward a level of damage that is irreversible. The next five to 10 years have much more development planned and the Credit River faces a potential tipping point as to which way the river will go.

Healthy rivers and communities in watersheds depend on a sustainable water supply. The Credit's base flow is 65% dependent on the groundwater supply, and the MNR indicates that this groundwater contribution is essential to the health of our watershed in the Credit. We need to ensure that the flows of our Credit are maintained. To maintain the flow, Environment Canada recommends that a healthy watershed should have 10% wetlands, whereas the Credit only stands at 6%. The same is true for forest cover. Environment Canada recommends a 30% forest cover, and the Credit stands at less than 15%. Adding wetlands and forest cover will help us maintain our groundwater supply. Reforesting stream corridors, especially in critical recharge areas, and acquiring and restoring lands around sensitive sites are all positive steps that can help counter cumulative impacts.

Credit Valley Conservation has a well-developed greenlands securement strategy that identifies areas in need of permanent protection. The Credit River Alliance recommends that the Greenbelt Protection Act ensure that the lands identified are given the highest protection, and we even go so far as to transfer over time damaging land uses in critical areas in our watershed out of those areas. We also recommend to this government that the west branch of the Credit, Silver Creek, be considered first as a strong candidate for provincial park status.

In closing, I'd like to thank this government again for considering the collective good of all Ontarians by recognizing the need to enact greenbelt legislation that

will halt the degradation of our natural areas in the Golden Horseshoe. We applaud this government for realizing that this area is not only a component of our economic and societal fabric, but also critical in that natural areas are the very basis on which we depend for life-giving and sustaining processes, and that by putting our ecosystems in danger of collapse we are putting ourselves in danger as well.

We believe this government will enact legislation that is not dominated by the self-interest of a small number of private landowners. Credit River Alliance believes that ecosystems are the basis on which our lives, livelihoods, health and futures operate.

We look forward to partnering with our provincial government and others to ensure our watershed is brought to and maintained in a healthy, vibrant and sustainable state through the Greenbelt Protection Act.

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**The Chair:** Thank you, Ms Adams. We have time for one member's question.

**Mr Hudak:** Thank you very much for the presentation. I want to follow up on your point with respect to local control and local decision-making. Obviously there will be a transition from this bill to a permanent greenbelt approach, whether it's legislation or some other method.

This legislation allows the minister as well as cabinet to make exemptions in the areas of what would be defined as an urban use, what the boundaries are and the exemptions for particular pieces of land or uses on that land. Are you comfortable with that approach? Do you think more should be in the hands of municipalities? What's your advice to the committee on where we go with respect to the power of the minister versus local community councils?

**Ms Adams:** I'm not an expert in those types of areas. I know from some of the experience I've had that you need to be very careful in allowing solely a municipality to exempt something, to put it into an urban area. My personal preference—this is just me—would be that if there was something like that going on, you would have to create a stakeholder panel within the community so that you would have community input, and especially made up of the people who had worked so hard to make sure that was part of the area that was going to be protected. Otherwise you're throwing the baby out with the bathwater if you say, "Yes, that's there," and you turn around and just say, "Oh, we can do this."

So it should be the minimum of what the provincial government has identified and put as the overlay, and then the lower-tier governance could go beyond that. They shouldn't be able to unless they're looking to protect something. You would have to have community input.

**The Chair:** Thank you for coming down, Ms Adams.

**Ms Churley:** I have a point, if I may. Do you want me to do it now or wait until you—

**The Chair:** Perhaps you could wait for a second.

**Ms Churley:** OK. I just didn't want people to leave.

TORONTO AND AREA  
ROAD BUILDERS ASSOCIATION

**The Chair:** We have with us the Toronto and Area Road Builders Association, which had asked to be on the list before. Due to a strike, they sent us a memo on May 25, I believe, that they would not be able to attend. They've asked to be put back on the list. They were replaced by the Woodbine Entertainment Group. We have enough time. We have about eight minutes left. If I have unanimous consent, we could hear their case. Do you all agree? Agreed.

Could you state your name, please? You have approximately seven minutes.

**Mr Silvio De Gasperis:** Thank you for hearing me. I really appreciate this. There is a strike still going on, so Michael O'Connor could not make it.

My name is Silvio De Gasperis. I'm the president of TACC Construction, a member of the road builders association, the sewer and watermain association, the home builders' association, the concrete pipe manufacturers association—I could go on, but we'll just keep it at that.

Road building is directly related to the economic development of this province. Better road infrastructure means less gridlock. Better roads mean less pollution. The entire construction industry is all interrelated. Road building, electrical distribution, gas, powder cement, ready mix, sewer and water main, and concrete pipe manufacturing are directly related to road building and infrastructure.

We cannot build a road without utilizing some or all of these industries. Without roads, the home builders—low-rise, high-rise—could not achieve their requirements and goals of providing housing for people in this province.

That's one of the handouts I gave out. That was a release from the home builders this morning that shows how many jobs are created by the entire home building—high-rise, low-rise—industry. We as an industry provide more jobs than the car industry—the auto parts industry and the manufacturing of cars.

We need some recognition of that. I know the province has initiated half a billion dollars to promote the car industry, but what's also important is our industry. If we cannot create affordable housing, affordable infrastructure that will provide affordable housing, people cannot afford their houses. If they cannot afford their houses, manufacturers will not be here to provide factories for them.

I know of two plants that just recently moved down to the States because of incentives through the government. One ended up in Kansas and the other ended up in, I believe, Utah. I can get you those names; both were a part of the auto parts manufacturing industry. Mercedes moved part of their division down there and so did General Motors. So it's important we as an industry are able to provide good transportation for all the roads in the GTA.

The export of manufactured products is still done mostly in trucks. Rail does not work as well because

eventually they have to get on to a truck to end up at their final location.

Environmental assessment is another thing that's an issue with our industry. Environmental assessment is taking way too long. It could take three to five years, and then there could be a bump-up that could delay it even further. These are a few of the projects that are being affected by environmental assessment right now in the GTA area: the Markham bypass, the 427 extension, the Red Hill expressway, which I believe took 12 or 13 years to get done, the 407 east, which is going to be starting, hopefully, and the Pine Valley extension. These are only a few that have to do with roads. In York region there are other things that have to do with infrastructure, such as the trunk sewers, the southeast collector, which in two or three years will be able to shut down York region if that sewer is not—it's become a real issue with environmental assessment. For all of these examples it takes years to complete the environmental assessment. Special-interest groups appeal them for bump-ups and, in turn, further delays.

In 1994, TACC Construction, which is our company, was the first contractor to start on the 407. We started at Bathurst, just north of where the 407 is now. Environmentalists showed up with signs saying that this was the highway from hell. Fortunately, this is the best highway and the best thing that could have happened to the GTA and York region. It has transit corridors, good transit for the industry up there. Without the 407, the gridlock would have continued to get worse.

Bill 27, An Act to establish a greenbelt study area, must keep in mind the economic growth of the province: jobs, housing, public transit, transportation of product, affordability of industrial land and housing. The success in the future of the roads and the transit system: They serve an independent—concentrating growth activity closer to the source of the jobs. This has been recognized by municipalities in their urban expansion and growth management studies.

I'd like to make a few other comments, if I can. I heard Mr Glenn De Baeremaeker's comments on the Pickering lands, but the fact is that those lands were expropriated for building a community of 270,000 people back in the early 1970s. The infrastructure was put in place; it would be a waste for the 407, the 401 and Highway 2. There are all sorts of other minor roads in there which I believe are paid for. It would be an injustice to taxpayers not to utilize the infrastructure to the max. Thank you.

**The Chair:** Very good, Mr De Gasperis. I know that your original application was made on May 14, but we did recognize the position you were in. Thank you very much for taking the time.

Before we adjourn, Ms Churley, you had a point of order.

**Ms Churley:** Thank you, Mr Chair, for this opportunity. I want to bring to members of the committee's attention, because we do get a lot of correspondence as well as people who come to give deputations, a letter—and I

think this is very important to get on the record—from Mayor William Bell of Richmond Hill, dated—sorry, I don't see a date on it.

On page 2 he thanks me for the questioning of Mr Davies, for clearly identifying weaknesses in his argument. This letter is relevant and people should read it. I want to put on the record that the mayor disputes several comments that he and Ms Foran made in regard to that city's position on the development of Bayview north landowners. I recall at the time specifically, when questioning Mr Davies, that they had taken a different position. I believe it's unfair to leave on the record just the misstated position of that council and that mayor without getting on the record at least the fact that Mayor Bell wrote a letter clearly outlining many differences, not only in opinion, but also attaching council decisions that

were diametrically opposed to some of the things these two developer lawyers—I believe representatives—stated the position of that council to be.

I urge people to read this letter. For the record, Mr Chair, I wanted to make sure that information was included so that people can see the true position of the council in regard to the Bayview north landowners.

**The Chair:** Thank you very much for those comments and the attention we have to pay to this letter.

We will have clause-by-clause starting on Wednesday, June 2. As you all know, we had scheduled three days of public hearings and we ended up having four. There was a lot of interest in this bill. I thank all the members for their participation.

The meeting stands adjourned.

*The committee adjourned at 1803.*





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