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Monday 31 January 2005

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des débats
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Lundi 31 janvier 2005

**Standing committee on
general government**

Greenbelt Act, 2005

**Comité permanent des
affaires gouvernementales**

Loi de 2005 sur
la ceinture de verdure

Chair: Linda Jeffrey
Clerk: Tonia Grannum

Présidente : Linda Jeffrey
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LEGISLATIVE ASSEMBLY OF ONTARIO

**STANDING COMMITTEE ON
GENERAL GOVERNMENT**

Monday 31 January 2005

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**COMITÉ PERMANENT DES
AFFAIRES GOUVERNEMENTALES**

Lundi 31 janvier 2005

*The committee met at 1004 in room 228.*GREENBELT ACT, 2005
LOI DE 2005 SUR
LA CEINTURE DE VERDURE

Consideration of Bill 135, An Act to establish a greenbelt area and to make consequential amendments to the Niagara Escarpment Planning and Development Act, the Oak Ridges Moraine Conservation Act, 2001 and the Ontario Planning and Development Act, 1994 / Projet de loi 135, Loi établissant la zone de la ceinture de verdure et apportant des modifications corrélatives à la Loi sur la planification et l'aménagement de l'escarpement du Niagara, à la Loi de 2001 sur la conservation de la moraine d'Oak Ridges et à la Loi de 1994 sur la planification et l'aménagement du territoire de l'Ontario.

The Chair (Mrs. Linda Jeffrey): Good morning. The standing committee on general government is called to order. We are here today for the purpose of commencing public hearings on Bill 135.

SUBCOMMITTEE REPORT

The Chair: The first item of business on our agenda is the report of the subcommittee on committee business. May I ask someone to move the report of the subcommittee and read it into the record.

Mr. Lou Rinaldi (Northumberland): Madam Chair, I will move the report of the subcommittee.

Your subcommittee met on Wednesday, December 15, 2004, and Monday, January 10, 2005, to consider the method of proceeding with Bill 135, An Act to establish a greenbelt area and to make consequential amendments to the Niagara Escarpment Planning and Development Act, the Oak Ridges Moraine Conservation Act, 2001 and the Ontario Planning and Development Act, 1994 and recommends the following:

- (1) That the committee meet for the purpose of public hearings on Bill 135 on January 31, February 1, 2 and 3, 2005.
- (2) That the committee meet in Toronto, Grimsby and Markham from 10 a.m. to 5 p.m. Times and locations are subject to change and based on witness response and travel logistics.
- (3) That an advertisement be placed in the English dailies and the one French daily in the areas affected by

Bill 135. If there is not an English daily in that area, then an advertisement will be placed in the English weekly. And that an advertisement also be placed on the OntParl channel and the Legislative Assembly Web site.

(4) That the deadline for those who wish to make an oral presentation on Bill 135 be 5 p.m. on January 24, 2005.

(5) That the clerk provide the subcommittee members with the list of witnesses who have requested to appear by 6 p.m. on January 24, 2005, and that if all witnesses cannot be accommodated, the caucuses provide the clerk with a prioritized list of witnesses to be scheduled by 4 p.m. on January 25, 2005.

(6) That individuals be offered 10 minutes in which to make their presentations and organizations be offered 15 minutes in which to make their presentations.

(7) That the Minister of Municipal Affairs and Housing be invited to make a 30-minute presentation before the committee the morning of January 31, 2005, followed by a 30-minute technical briefing by ministry staff.

(8) That the opposition critics be allotted 15 minutes each to respond to the minister's and ministry staff's briefing on January 31, 2005.

(9) That the deadline for written submissions on Bill 135 be 5 p.m. on February 3, 2005.

(10) That amendments to Bill 135 should be received by the clerk of the committee by 1 p.m. on February 8, 2005.

(11) That the committee meet for the purpose of clause-by-clause consideration of Bill 135 on February 10, 2005, in Toronto.

(12) That the research officer provide the committee with a summary of witness presentations prior to clause-by-clause consideration of Bill 135.

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

The Chair: Are there any questions or comments on the report of the subcommittee?

Mr. Tim Hudak (Erie-Lincoln): The point I want to raise—and I do apologize; my office has given notice—is with respect to restricting media access to the hearings in Grimsby. Are we going to have an opportunity to discuss that this morning? Obviously, you know where I stand on

the issue. I think there should be full media access to those hearings. I guess I'd like a response from the Chair as to how we're going to solve that issue.

The Chair: We could have a subcommittee meeting after this to address that issue. In order to respect the time of the delegates who are here today, I would recommend that we have a subcommittee meeting following today's meeting.

Mr. Hudak: Maybe we could do it at the lunch break or something like that. I know Cogeco in Niagara wants to cover the hearings from gavel to gavel, which I fully support. I think that's appropriate. It's an important issue in Niagara.

The Chair: I'm happy to take your advice, and if the subcommittee is available during the lunch hour, we'll do that.

Mr. Hudak: That way we can give them the signal quite early.

1010

Ms. Marilyn Churley (Toronto–Danforth): Again, out of respect for all those waiting to speak to us, including the minister, of course, I would agree that we should meet at noon because I too have concerns about media access being cut off there. I think it's important that we resolve that.

The Chair: Are there any other questions or comments on the report of the subcommittee?

Mr. Hudak: Chair, if I could, I'm pleased to see all the media here this morning for the Toronto hearings, including a camera in the room, so hopefully the same type of access—

The Chair: Mr. Hudak, are you discussing the minutes?

Mr. Hudak: Certainly I am—and the same type of access, hopefully, would be available for those folks in Niagara.

The Chair: I think we're going to address the access issue at the subcommittee meeting. Do you have any more comments with regard to the minutes?

Mr. Hudak: I do, actually, Chair, and I thank you for your interest. The fact of the matter is, since the subcommittee met, I think we've been pleasantly surprised by the number of requests for time before the committee. In fact, I think we were able to invite maybe half or slightly less than half of those people who wanted to appear before this committee. Granted, a lot of important groups and individuals will be before this committee. I look forward to their input, as do my colleagues, but I am concerned that a large number of groups and individuals won't have their chance to bring their concerns forward to this committee. So I'd like to add a bullet: that the committee would extend the hearings to February 7, 8, 9 and 10 to hear from those delegations that were unable to make the first cut.

Ms. Churley: Madam Chair, was that a motion or just a suggestion?

Mr. Hudak: It's a motion.

The Chair: We're just getting some clarification.

Mr. Hudak: I appreciate the assistance of the clerk. I'd like to move a motion that the whip's office give us the authority and arrange for further committee hearings for February 7, 8, 9 and 10 to hear from delegates that were unable to appear before us on the four scheduled days this week.

The Chair: I open the floor to debate on that motion.

Mr. Hudak: I think I've made most of my points, so I don't need to belabour them because it's nice to have the minister here and I know how busy the minister's and staffs' schedule will be. I just want to make the point that there have been growing and widespread concerns about the greenbelt legislation, concerns about the sloppiness of the mapping exercise: areas left out of the greenbelt that probably should be part of it; areas that are in the greenbelt that probably have little or no scientific justification for being part of that. I think we would get some relevant and helpful suggestions from the groups that were left off the hearings this week and that additional days would enable us to get the best possible input on this piece of legislation.

The Chair: Any further debate? Seeing none, all those in favour?

Mr. Hudak: Recorded vote.

Ayes

Hudak, Yakabuski.

Nays

Churley, Duguid, Matthews, Rinaldi, Van Bommel, Wong.

The Chair: That motion is lost.

Any further questions with regard to the committee's minutes?

Seeing none, all those in favour? All those against? That is carried.

MINISTER OF MUNICIPAL AFFAIRS AND HOUSING

The Chair: Good morning, Mr. Minister. We appreciate your attendance. You're the star of this first half-hour.

Hon. John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors): Good morning. I've been looking forward to this day for a long time, because it's very important that the public consultation process continue with respect to this bill. I'm very pleased to see everyone here again. Many of you I haven't seen, I guess, since the Christmas break.

Let me just start off by saying that I'm pleased to appear before the standing committee on general government and to have this opportunity to discuss our government's bill, the proposed Greenbelt Act, 2005.

I look to these public hearings as the next step in the extensive consultation process our government has

already carried out toward a proposed permanent greenbelt across the greater Golden Horseshoe to help curb sprawl, protect valuable natural heritage and agricultural systems and improve quality of life for Ontarians now and in the future.

Since assuming office, our government has taken many steps to advance these critical objectives. On December 16, 2003, the Greenbelt Protection Act, Bill 27, was introduced. It came before this same standing committee following second reading and, following third reading, it received royal assent last June 24. It established a one-year moratorium to December 16 of last year on new urban development in rural and agricultural areas within a study area, and it gave our government a time out to determine how best to proceed with permanent greenbelt protection. Bill 157, which was the Greenbelt Protection Amendment Act, 2004, extended the sunset date of Bill 27 to March 9, 2005.

Last February, I appointed the Greenbelt Task Force to provide preliminary recommendations to the government on long-term greenbelt protection, and then consult on these recommendations before delivering its final advice. The task force carried out extensive consultations last summer. It heard from more than 1,200 people and received more than 1,000 submissions, with representations from more than 60 stakeholder groups. The task force submitted its recommendations to me last August and they were made public, something that was not done with respect to the Oak Ridges moraine task force that was appointed a few years ago.

Staff from my ministry, as well as from the Ministries of Natural Resources, Environment, Agriculture and Food, Transportation, Public Infrastructure Renewal, Culture, and Tourism and Recreation then took the recommendations and worked together to draft a workable plan. On October 28 of last year, Premier McGuinty outlined the government's vision for permanent greenbelt protection and growth planning for the greater Golden Horseshoe. That same day, I introduced Bill 135 in the Legislature and released a draft greenbelt plan to the public.

If passed, the legislation will authorize the establishment of both a greenbelt area in the Golden Horseshoe and a greenbelt plan to provide details of how that protection will be achieved. It will require a review of the proposed greenbelt plan every 10 years to ensure the plan is doing what it set out to do; namely, to curb sprawl and protect environmentally sensitive and agricultural lands. It would authorize the Minister of Municipal Affairs and Housing to establish a Greenbelt Advisory Council to provide the minister with advice on matters relating to the legislation and the plan.

It would also allow for complementary amendments to the Oak Ridges Moraine Conservation Act, 2001, the Niagara Escarpment Planning and Development Act and the Ontario Planning and Development Act, 1994. For example, certain lands that the province has intended for years to be part of the Niagara Escarpment plan would, if Bill 135 is passed, be transferred to the NEP.

I want to spell out clearly the separate purposes of the proposed legislation and the plan. The proposed legislation, which is the subject of the committee hearings, sets the stage for greenbelt protection using broad objectives. These proposed objectives include, first of all:

- to establish a network of countryside and open-space areas which support the Oak Ridges moraine and the Niagara Escarpment;
- to sustain the countryside and rural communities;
- to preserve agricultural land as a continuing commercial source of food and employment;
- to recognize the critical importance of the agricultural sector to the regional economy;
- to provide protection to the land base needed to maintain, restore and improve the ecological and hydrological functions of the greenbelt area;
- to promote connections between the lakes and the Oak Ridges moraine and the Niagara Escarpment;
- to provide open space and recreational, tourism and cultural heritage opportunities;
- to support the social needs of a rapidly expanding and increasingly urbanized population;
- to promote links between ecosystems and provincial parks or public lands;
- to control urbanization of the lands to which the greenbelt plan applies;
- to ensure that the development of transportation and infrastructure proceeds in an environmentally sensitive manner; and
- to promote sustainable resource use.

1020

These are all vitally important objectives, critical to ensuring the overall continuing strength and success of the Golden Horseshoe region. They are also broad objectives. Note that they do not constitute specific detail, as is found separately in the draft greenbelt plan. This, I think, is an important clarification that must be made. These hearings are to discuss Bill 135, the legislation that enables the government to set out the details in a greenbelt plan. Although we are not here to talk specifically about the draft plan, I realize that individuals who may be directly affected may wish to do so.

We have taken a page from the approach to greenbelt protection that my colleagues in opposition took a few years ago on the Oak Ridges moraine act and its plan. But this time we're taking more time to make sure we protect what needs protecting. I'll speak more about this a little later.

The Oak Ridges Moraine Conservation Act, 2001, is enabling legislation, and so is the proposed Greenbelt Act before the standing committee today for your consideration. The purpose of the standing committee hearings on the Oak Ridges moraine act was not to talk about the Oak Ridges moraine conservation plan; the purpose was to talk about the act. Similarly, our purpose here today is to talk about the proposed Greenbelt Act, 2004.

The proposed act would give the government the authority to specify land use designations through the greenbelt plan. The proposed act will, if passed, provide

a timetable for when municipal official plans must conform to policies. That doesn't make our task here any less important, however, for the proposed legislation is a catalyst for the quality of life in the Golden Horseshoe. We are moving toward protecting green space in the Golden Horseshoe, preserving Ontario's natural heritage and curbing sprawl. This is important for those who live and work in communities across this region today and for generations to come. I believe that Ontarians understand this.

During the last election campaign in October 2003, Premier McGuinty promised a permanent greenbelt for the greater Golden Horseshoe area in this part of Ontario, and our government is fully committed to keeping this promise. Support for the greenbelt was clearly evident in 2003, and it has not wavered. An Environmental Defence poll released this past November showed that 81% of the people surveyed in the region support our plans for a greenbelt.

The issues and the need for response are well understood. The Golden Horseshoe is one of the fastest-growing regions in North America. As we know, by 2031 about four million more people, the combined populations of Vancouver, Calgary and Edmonton, are expected to move to the Golden Horseshoe area. This growth will add about two million jobs and create new strength in our economy. It will also create significant challenges to ensuring growth in a planned, thoughtful and well-managed way. If passed, the proposed Greenbelt Act would respond to this challenge.

As we moved further along the road to delivering on our greenbelt commitment, we wanted to be sure we got the draft legislation and the draft plan right. We consulted extensively during the fall and winter of 2004, while Bill 135 was continuing through the legislative process. This consultation, which had at least eight public meetings, provided a further opportunity for our government to ensure that the draft greenbelt plan would achieve the protection envisioned for the Golden Horseshoe area.

While we are clearly not here discussing the specifics of the draft greenbelt plan, I do want to emphasize that the overall plan was developed using a combination of technical, scientific and land use planning analysis. This science is well established and is regularly used for identifying prime agricultural lands and natural heritage systems in official plans.

I might at this time refer to the document called Building a Greenbelt, which is on our greenbelt Web site, that specifically speaks to the science used to determine the actual plan itself. I'm only doing so here, even though I realize full well that the legislation that is before you does not deal with the plan itself, because I know there's a quite an interest in this.

Specifically, I refer to item 4 in the posted document, which sets the tone and the framework as to how we determined the area that should be protected:

"The natural heritage system for the Golden Horseshoe greenbelt is based on an approach to natural heritage

management that has been both an accepted and evolving science for many years. This approach has been utilized in a number of jurisdictions including the United States and Canada. A 'natural heritage system' is a system made up of natural heritage features and areas linked by natural corridors necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems. These systems can include lands that have been restored and areas with the potential to be restored to a natural state.

"This general approach was used in the development of the natural heritage system outlined in the Oak Ridges moraine conservation plan. Generally, the system involves the identification of major core areas in locations where there is a concentration of natural features, together with a series of linkages that provide connectivity between the cores and other areas.

"The natural heritage systems of the Oak Ridges moraine and the Niagara Escarpment, for the purposes of the greenbelt plan, remain the same as the systems defined" in those two plans, respectively. "A natural heritage system that supports and reinforces the systems in these two plans has been developed for the additional lands protected in the greenbelt or the protected countryside of the greenbelt plan area.

"The protected countryside of the greenbelt natural heritage plan consists of three parts: cores, linkages and river valley corridors."

Let me deal with the cores first.

"Sixteen natural core areas have been defined in the protected countryside. These areas are recognized for high concentrations of natural heritage features and functions. They have at least 50% of their land areas covered by natural features such as woodlands, wetlands, streams, valleys and/or they are at least 50% public lands.

"Minimum core sizes are 500 hectares in areas south of the Oak Ridges moraine, east of the Niagara Escarpment and in the Niagara Peninsula; and 1,000 hectares in areas north of the Oak Ridges moraine and west of the Niagara Escarpment.

"Linkages were identified to connect natural core areas inside and outside of the greenbelt plan. These linkages allow the movement of plants and animals between the cores and to natural cores located outside the Golden Horseshoe area. Linkage widths vary and have no set minimum. In locating linkages, attempts were made to include natural features as stepping stones between cores."

The river valley corridors "flowing south from the Oak Ridges moraine and north and east from the Niagara Escarpment, provide linkages between the greenbelt and Lake Ontario and protect wildlife habitats along shorelines. These valley corridors, where appropriate, link to the valley corridors identified in the Oak Ridges moraine conservation plan.

"The widths of river valley corridors are wide enough to protect water and riverbank habitats in the valley, as well as the linkage function of providing for the free movement of plants and animals."

"The task force also recommended that important water resource areas like the Iroquois shoreline be included, and that watersheds are the most meaningful way to manage resource planning.

"Accordingly, the draft plan area included the tops of the watersheds draining into Lake Ontario that were not already included within the Niagara Escarpment or Oak Ridges moraine conservation plans. It extended into Wellington and Dufferin counties to include the tops of the watersheds of the Credit River, Bronte Creek and the Sixteen Mile Creek. As well, the non-urbanized portion of the Lake Iroquois shoreline in Durham region was included because of its groundwater recharge and discharge functions, as well as the concentration of wetlands and woodlands associated with these functions."

1030

The second aspect that was used was that on top of this natural system approach, in which the Ministry of Natural Resources was primarily involved, we built the agricultural system, as far as the science of the development of the greenbelt is concerned.

"OMAF," the Ontario Ministry of Agriculture and Food, "has developed a guide that was revised in June 2002, to the land evaluation and area review system for agriculture as a tool for the identification of key agricultural areas. LEAR," as it's commonly known, "provides a structured methodology for incorporating subjective criteria that has been used by municipalities to identify agricultural areas for protection in their official plans.

"The LEAR system has two components: a land evaluation that assesses the land capability for agriculture based on the Canada Land Inventory, and an area review that assesses other important factors that affect agricultural activities such as parcel size and surrounding fragmentation.

"A scoring system and weighting is assigned to each LE and AR factor. Every land parcel is analyzed and given a score for each" of those factors. "A total score is calculated for every land parcel based on the weighed value for each factor.

"A LEAR analysis was conducted for lands within the Greenbelt study area and adjacent areas. The analysis focused on lands that were designated as agricultural or rural in municipal official plans. The process was conducted using geographic information systems. The factors for LE included CLI capability for agriculture, climate and the factors for AR included parcel size, fragmentation, infrastructure and economic activity."

That documentation is available on our Web site for anyone who wants to see the science that was used to determine what should and should not be protected.

During our consultations, more than 3,500 people attended meetings across the Golden Horseshoe, where ministry staff presented the draft map and outlined the draft plan. The more than 81,000 visits to the government greenbelt Web page, more than 1,000 written submissions and more than 2,000 electronic surveys sub-

mitted, further testify to the thoroughness of the consultation.

Personally, I have conducted another round of discussions with municipal representatives—both elected and planning officials—from each of the regions, local municipalities and the two cities involved. As a matter of fact, I still have a couple to go, but they are due to conclude sometime in early February. We have received a lot of encouragement and advice through these consultations, and we have listened. We have heard support for the advisory council and for the 10-year review. We've heard advice from the agricultural advisory committee that was set up.

As the process unfolds, there will be a number of areas, as a result of these consultations, where we will at the appropriate time be making amendments in order to strengthen the bill as we go along. For example, we want to introduce amendments that will clarify that there will be no net loss in the proposed greenbelt area in the event that some parts are taken out. We want to make sure that the greenbelt advisory council is not just a good idea; we want to make it mandatory within the legislation.

There are some technical clarifications: that minister's zoning orders can be made in the protected countryside area. We want to make sure that authority is provided to the Lieutenant Governor in Council to make transition regulations to deal with applications that were made prior to December 16, 2003. We want to provide for authority to describe additional matters that may not be required to conform to the greenbelt plan, and we want to make sure that technical clarification of the legal description of the link lands being transferred from the parkway belt west plan to the NEP is definitely included.

We hope that the process you and the committee members are going through over the next four days will lead to other amendments that will strengthen the act and the plan.

We recognize that there's an enormous interest in this, and it's understandable. This has been and continues to be a massive undertaking. It proposes protection for an area of land of about 1.8 million acres: close to the size of Algonquin Park, greater than the area of Prince Edward Island and about half the land area of Vermont. After all, it's about ensuring our quality of life: the trails to hike and parks to enjoy, fresh produce to eat, a secure food supply in an area where getting food across the borders from other countries cannot always be taken for granted. It's about fresh air and clean water, and it's about our health.

Forests, meadows and wetlands in the Golden Horseshoe help filter water. This water is absorbed by these natural features, filtered through the ground and deposited in the aquifers that provide clean, fresh water for about 7.5 million Ontarians.

The Ontario Medical Association estimates that over 1,900 deaths each year in Ontario are due to poor air quality. By preserving a hectare of trees, we can reduce the levels of carbon dioxide in the atmosphere by 350 tonnes.

Madam Chair, as you know, our proposed plan for greenbelt protection is complemented by Bill 136, the proposed Places to Grow Act, 2004. My colleague the Minister of Public Infrastructure Renewal introduced Bill 136 on the same day that I introduced Bill 135. This proposed legislation will allow the government to designate specific geographic regions across the province for the purpose of developing long-range growth plans. If passed, the first plan established would address population growth and economic expansion in the same general area of the greater Golden Horseshoe.

The discussion paper Places to Grow: Better Choices, Brighter Future outlines a vision and proposed strategies for where and how the Golden Horseshoe should be growing. This vision includes municipal and provincial decisions on such issues as urban development and land use planning, infrastructure and capital investment planning, housing, transportation, environmental protection and economic development.

As the economic engine of this province and this country, it's important that we address the growth challenges of the Golden Horseshoe area before other equally important parts of Ontario are considered. If passed, Bills 135 and 136 together will help us do this.

The proposed greenbelt plan would identify where growth can take place—I'm sorry, where growth cannot take place, but allows room for growth. It is our intent that a growth plan would indicate where and how that growth would take place. Together they would chart a course toward safeguarding the quality of life in the Golden Horseshoe.

Planning reform will also support this new direction. The recent enactment of the Strong Communities (Planning Amendment) Act, 2004, ensures that land use planning decisions shall be consistent with the provincial policy statement. The new proposed PPS would ensure that planning and development occurs in accordance with provincial interests.

There's no doubt that our government's goals are ambitious. We are planning beyond today and beyond our mandate. We want to ensure that as Ontario strengthens, grows, builds and develops, this growth will always be balanced with care and preservation of the green space. We want to ensure that as more and more people settle in central Ontario, there will be a simultaneous protection of our natural resources, watersheds, ecosystems and agricultural and rural lands.

Now is the time to create the framework for responsible planning. Greenbelt protection in the Golden Horseshoe will strike a fundamental balance between protecting our green spaces and meeting the needs of an expanding population and economy. Preserving our green spaces will mean stronger, healthier communities and a high quality of life for all of us, for our children and the children of future generations.

The Premier has stated that 50 or 100 years from now, no one will complain that the problem with that government at the beginning of the 21st century was that they protected too much green space. Rather, if the act is

passed, Ontarians years from now will look back and thank this government for having shown the leadership and for taking the opportunity while it still existed to preserve the green space we enjoy, to protect the air we breathe and the water we drink, and to make sure we can grow the food we need. Thank you very much.

1040

The Chair: Thank you, Minister Gerretsen. I understand some of your staff are here as well to give a technical briefing. Is that right?

Hon. Mr. Gerretsen: Yes. We have individuals here from the Ministry of Municipal Affairs and Housing and also from the Ministry of Natural Resources. If this is something you wanted to get into now, I would ask them—

The Chair: Could the members who are going to give us the technical briefing give their names for Hansard, please?

Hon. Mr. Gerretsen: I've just been advised that the technical briefing will be by Barb Konyi, who is the manager of the planning and development division; Carol Healy, senior planner with the planning and development division; and Irvin Shachter, who's the lawyer in the legal branch.

Ms. Churley: Madam Chair, before we begin with the technical briefing: Minister, now that you've given your comments, I wonder if you could provide a copy of those comments to the committee.

Hon. Mr. Gerretsen: I can provide you with a copy of them. They are rather scratched up, though, since I changed the language here and there. We could have that for you this afternoon.

Ms. Churley: I would appreciate it, because there are a few comments you made that I'm interested in that I wasn't able to write down fast enough. Thank you.

Hon. Mr. Gerretsen: We'll try to get that here this afternoon, or at the latest tomorrow morning.

Ms. Churley: That would be fine.

The Chair: Minister, would you be available here should there be questions after the technical briefing?

Hon. Mr. Gerretsen: Absolutely. I'm always available to this committee. I look forward to it.

The Chair: Great. Thank you very much.

Ms. Barb Konyi: Good morning. I'm Barbara Konyi. I'm the manager Minister Gerretsen introduced from the provincial planning and environmental services branch of the Ministry of Municipal Affairs and Housing. I'm going to take you through the technical briefing. I'm just going to ask everyone if you have your copy of the slide deck.

My presentation this morning will cover a brief history of the legislative process of the provincial greenbelt initiative, thereby setting the context for Bill 135, the subject of these standing committee hearings. The bulk of this presentation will cover the highlights of Bill 135.

We'll go on to the first slide—Minister Gerretsen did go over this, but I'll just reinforce it. You may recall that the Greenbelt Protection Act, Bill 27, was first introduced in the Legislature on December 16, 2003. After

second reading, the bill was referred to this same standing committee early last summer, and then the bill was referred back to the Legislature and received third reading and royal assent on June 24, 2004. The Greenbelt Protection Act, among other matters, defined a greenbelt study area and established a one-year moratorium on new urban development in rural and agricultural areas within that greenbelt study area. The bill had a sunset date of December 16, 2004, which was exactly one year from the date of introduction. The moratorium was retroactive to December 16, 2003, and the purpose of this moratorium was to allow a time out for the government to determine permanent greenbelt protection.

With respect to the moratorium, you may recall that the December 16, 2004, sunset date was extended to March 9, 2005, by the passage of Bill 157, the Greenbelt Protection Amendment Act, 2004. You may also recall that Minister Gerretsen had appointed a Greenbelt Task Force in February of last year to provide preliminary recommendations to the government on long-term greenbelt protection. Then the task force was asked to consult on these recommendations prior to giving the government their final recommendations and advice.

You may recall that the Greenbelt Task Force had carried out extensive consultations over this past summer—Minister Gerretsen described those consultations for you—and provided Minister Gerretsen with their recommendations for long-term green belt protection in August of last year. One of the main recommendations of this task force was that there be legislation put in place to establish the authority for the creation of a greenbelt plan.

On to the next slide—We'll deal with Bill 135 now, the proposed Greenbelt Act. It was given first reading, as the minister said, on October 28, 2004, and on that same day a draft greenbelt plan was released for public review and consultation by the government. You may also recall that government staff led a series of stakeholder workshops and public information sessions during November of last year across the Golden Horseshoe. Minister Gerretsen, in his remarks, described the full extent of the consultation on the draft greenbelt plan. Bill 135 was given second reading on December 8, 2004, and was referred to this standing committee for public hearings. That's why we're here today to begin that very process.

The next slide: The proposed legislation does cover a number of matters. My presentation will go over the highlights of the major components in the order in which they appear in the bill.

We'll start with the greenbelt area. Bill 135, if passed, would authorize the establishment of the greenbelt area by Lieutenant Governor in Council regulation. This is in section 2 of the bill. The greenbelt area, it's important to understand, is made up of three parts: the area covered by the Niagara Escarpment plan, the area covered by the Oak Ridges moraine conservation plan and the remaining areas, which are described as the protected countryside.

The next slide briefly describes the sections dealing with the greenbelt plan itself. Bill 135, if passed, would

authorize the establishment of the greenbelt plan by Lieutenant Governor in Council order. That's section 3 of the bill. Bill 135 states that the plan can be retroactive to a date no earlier than December 16, 2004, and, as per another Greenbelt Task Force recommendation, the Niagara Escarpment plan and the Oak Ridges moraine conservation plan would remain in effect. That's in section 4. Bill 135 also sets out the objectives and outlines what the greenbelt plan may contain. The minister outlined these objectives and content in his remarks this morning, and they are contained in the bill in sections 5 and 6.

The next slide briefly describes the sections of the bill dealing with conformity to the greenbelt plan. First of all, decisions made under the Planning Act, the Condominium Act and the Ontario Planning and Development Act would be required to conform to the greenbelt plan. That's in section 7 of the bill. The Oak Ridges moraine plan and the Niagara Escarpment plan would prevail in their areas of application. The proposed legislation is not intended to undo either of those provincial plans or their enabling legislation. That's in section 8 of the bill. Municipalities would be required to bring their official plans into conformity with the greenbelt plan at the time of their next official plan review as required under the Planning Act. That's typically your five-year cycle, where municipalities are required to review their official plans, and that provision comes from the Planning Act.

The next slide describes the 10-year-review process for the greenbelt plan. Bill 135, if passed, would require a 10-year review of the greenbelt plan. That's in section 10 of the bill. As the greenbelt area, again, will be made up of the areas of the Niagara Escarpment plan and the Oak Ridges moraine conservation plan, as well as the new areas called the protected countryside, Bill 135 directs that the reviews of the Oak Ridges moraine conservation plan and the Niagara Escarpment plan be carried out at the same time as the protected countryside portion of the greenbelt plan. So all of the plans will be reviewed at the exact same time in a 10-year time frame. The bill requires a mandatory public consultation process as part of this 10-year review.

The next slide deals with greenbelt plan amendments. Those are found in sections 11 to 14 of the bill. Only the Minister of Municipal Affairs and Housing could propose amendments to the protected countryside area of the greenbelt plan. This requires a full consultation process that is the same consultation process required for the 10-year review. The minister could appoint a hearing officer, if he so desires, to provide recommendations on the proposed amendment, and this also would include a full consultation process. Amendments to the protected countryside area of the greenbelt plan, however, would require approval of the Lieutenant Governor in Council. So the minister can initiate the amendments and conduct the full consultation, but the actual approval of amendments to the greenbelt plan rests with the Lieutenant Governor in Council. There is also a provision in the bill that no amendment could reduce the total area within the greenbelt plan.

1050

The next slide deals with the Greenbelt Advisory Council. Bill 135 provides that the Minister of Municipal Affairs and Housing could establish a Greenbelt Advisory Council, and that's in section 15 of the bill. The advisory council could provide advice on matters relating to the act or any other specified functions.

The next slide describes other matters; in this case, Bill 135 is ensuring that the Minister of Municipal Affairs and Housing retains his authority for certain matters that he has under the Planning Act as well as under the Oak Ridges Moraine Conservation Act. For example, the Minister of Municipal Affairs and Housing would retain his authority to make zoning orders under the Planning Act in the greenbelt plan areas and the protected countryside area of the greenbelt plan. He already has this authority in the Oak Ridges moraine through the same provisions in the Oak Ridges Moraine Conservation Act. The minister would also have the authority to stay matters before the Ontario Municipal Board and joint board in the protected countryside areas that were appealed or referred to those boards before or after December 16, 2004. The same authority for the minister is also contained in the Oak Ridges Moraine Conservation Act.

The next slide describes the Lieutenant Governor in Council regulation authority proposed in the bill. That's in section 22. This authority includes prescribing additional objectives and other policies for the greenbelt plan and harmonizing policies in the Niagara Escarpment plan and the Oak Ridges moraine conservation plan to facilitate the effective operation of the greenbelt plan.

The next slide describes the Minister of Municipal Affairs and Housing regulation authority proposed in the bill. That's in section 23. The main regulation-making authority includes requiring municipalities within the protected countryside area to pass tree cutting and site alteration bylaws, as well as having the ability to prescribe other matters identified in the act.

The next slide describes the transition provisions in the bill. Bill 135 provides that applications commenced prior to December 16, 2004, in the protected countryside area would not be required to conform to the greenbelt plan. The bill also provides that a regulation could be made to require decisions with respect to certain applications commenced before December 16, 2004, to conform to prescribed policies in the greenbelt plan.

The next slide describes, very generally, the proposed amendments to the Niagara Escarpment Planning and Development Act. They're contained in section 25 of the bill. Bill 135 would amend the Niagara Escarpment Planning and Development Act to remove the ability of a person to apply for amendments to the Niagara Escarpment plan for uses in specified designations. Bill 135 would also require the Minister of Natural Resources to carry out a review of the Niagara Escarpment plan at the same time as the greenbelt plan review. This is the complementary amendment to the Niagara Escarpment Planning and Development Act to match the requirement

for the 10-year review of the greenbelt plan that I described earlier in my presentation. Finally, Bill 135 would allow the transfer of certain lands from the parkway belt west plan to the Niagara Escarpment plan. This area is known locally as the link lands.

The next slide describes very generally the proposed amendments to the Oak Ridges Moraine Conservation Act and the Ontario Planning and Development Act.

Bill 135 would amend the Oak Ridges Moraine Conservation Act to require the review of the Oak Ridges moraine conservation plan at the same time as the greenbelt plan review. This too is a complementary amendment to the Oak Ridges Moraine Conservation Act to match the requirement for a 10-year review of the greenbelt plan that I described earlier.

With respect to the Ontario Planning and Development Act, Bill 135 would amend the act to allow the transfer of certain lands from the parkway belt west plan to the Niagara Escarpment plan. This is the complementary amendment to the Niagara Escarpment Planning and Development Act amendment that I described in my previous slide with respect to the link lands.

The Ontario Planning and Development Act is the enabling legislation for the preparation of provincial plans, including the parkway belt west plan, and that's why you go through that piece of legislation.

This last slide describes the last two main sections of the bill. Section 28 states that the proposed Greenbelt Act would come into force, or be deemed to come into force, on December 16, 2004, and section 29 states that the short title of the bill is the Greenbelt Act, 2004.

That concludes my presentation.

The Chair: Thank you. We have five minutes left for technical questions, otherwise we won't be able to stay on schedule. Does the official opposition have any technical questions?

Mr. Hudak: I'm sorry, Chair, five minutes per caucus?

The Chair: No, there are five minutes left before you would do your statement. We can either cut into your statement time or—

Mr. Hudak: Just a quick question to the minister. What's the scientific basis for stopping sprawl around Beaverton while leaving wide open sprawl to Barrie, where it's a real problem?

Hon. Mr. Gerretsen: Well, you'd be interested in knowing that what we've done in Simcoe county is enter into a—

Mr. Hudak: Is there a study, is there some justification for stopping sprawl in Beaverton?

Hon. Mr. Gerretsen: There is a study going on right now. We got together with Simcoe county politicians just before Christmas and had buy-in from them, generally speaking, whereby we're doing both a planning study with them in Simcoe county—

Mr. Hudak: But with respect, Minister, the map is drawn. You drew the map. You included Beaverton as a centre to stop sprawl, and you left out Barrie and have wide open sprawl north to Barrie. What was the science

that possessed you to stop sprawl around Beaverton but leave out Barrie altogether? How can you justify that, and what study informed that decision?

Hon. Mr. Gerretsen: What you fail to understand, Mr. Hudak, is quite simply this: We made a commitment to look at a greenbelt area in a certain part of Ontario during the election last year. We wanted to make sure there were good, sound, scientific reasons, both from a natural resources and an agricultural point of view, that those areas were included. It may very well be, once the Simcoe county study is done or once we've finished this process, that we will be looking at other areas as well to add to the greenbelt.

Mr. Hudak: This is the problem we in the opposition have, Minister: You just said the lines were drawn up in a Liberal campaign document. They're based on political science. The Liberal campaign decided where those boundaries would lie, not good environmental science. I defy you to tell me—please tell me which study said, "Protect sprawl around Beaverton, as opposed to sprawl to Barrie," and cite it so we can look at it. Clearly, Minister, you must admit that when you drew those boundaries of the greenbelt, purely political science, not environmental science, justified the Beaverton decision.

Hon. Mr. Gerretsen: I do not agree with you at all. The science within the greenbelt area that we've identified and the plan we're developing is based on the natural resource information that's available and the LEAR system in the agricultural system.

The Chair: Thank you, Mr. Hudak, I think you have an answer.

Mrs. Churley, you have an opportunity to ask a technical question.

Ms. Churley: Thank you. I will be saying more about this a little later, but there are many concerns about what has been left out, as well as what's left in there.

One of the issues I have grave concerns about, so to speak, is aggregate extraction and the fact that we're allowing even more and are strengthening it for the industry within the greenbelt itself. Especially after the Environmental Commissioner has proposed that there's already too much happening—there's more recycling and things going on—why are you allowing this to happen within the greenbelt itself?

Hon. Mr. Gerretsen: So far, we're not allowing anything. You're once again talking about the plan rather than the enabling legislation here.

Ms. Churley: Which you talked about at great length as well, so I think it's a legitimate question in the same context.

1100

Hon. Mr. Gerretsen: It's a very legitimate question. All I can tell you is that the policies we've developed within the plan itself are good, sound policies based on both good planning and designs that I referred to earlier. It may very well be that some amendments will be coming forward as a result of the process we've gone through. We have to deal with the reality of the situation: If there's going to be construction, either in a public way

or in a private way to deal with the three to four million we expect in this area, a certain amount of aggregate extraction is going to be necessary. That's the reality of the situation. You either take it from the places where the building and construction are going to take place or you haul it hundreds of miles further away, which may—

Ms. Churley: Or you recycle it.

Hon. Mr. Gerretsen: Absolutely. If we can recycle it, we would certainly encourage that in every way possible.

Ms. Churley: I will certainly be putting forward an amendment, among others, Minister. Are you saying that you would consider such an amendment?

Hon. Mr. Gerretsen: We will consider any amendment that will improve the legislation.

Ms. Churley: You did previously, on the Niagara Escarpment, and included some lands that were a result of my amendment. I'm hoping that will happen in these hearings as well.

The Chair: Thank you, Mrs. Churley. Thank you, Minister and ministry staff, for your briefing. We appreciate your appearing before the committee and giving a statement.

We've come to the point in our schedule now that we have time for the official opposition critic's statement. Mr. Hudak, you have 15 minutes.

Mr. Hudak: Thank you very much, Chair. Minister, I thank you and your staff for appearing before the committee today and for your outline of your plans with respect to the Bill 135 hearings.

Minister, as you've heard, and as I tried to make clear during my questions, probably everybody in this room supports the preservation of green space, supports the preservation of prime agricultural land and wants to ensure orderly growth. I think we all support those principles.

We have grave concerns with the growing and widespread mistakes that exist in this greenbelt plan. In fact, we're calling it the greenbotch plan. Maybe you've had a chance to look at greenbotch.ca, where we list our concerns. Every day we're getting e-mails from more and more individuals who are asking, "Upon what kind of science is this plan based?" The conclusion, clearly, is that this is based purely on political science.

With due respect, Minister, I don't think I got an answer with respect to why you think it's imperative to stop urban sprawl around Beaverton, stopping a Tim Hortons from being developed, while you allow wide open sprawl north to Barrie. Look at the map. An issue of concern that you've talked about, and that I think all in the House have talked about, is sprawl to Barrie, more congestion coming down the highways into Toronto. But, curiously, you left that out entirely and you're more concerned about sprawl in Beaverton. I suggest strongly that these boundaries—and I actually heard it from the minister a few moments ago—were devised by the Liberal Party of Ontario. Sure, based on solid political science, you won the election; you did your homework. But these boundaries are based on political science, and not good environmental science.

We'll be hearing from groups today—I think Environmental Defence is our first one—that make good points. For example, why was Boyd Park, a pristine environmental area, left out of your greenbelt plan? Some may suggest, "Well, it's in the finance minister's riding. Maybe he wielded some political influence to exclude that." Groups like Environmental Defence will argue that if it were truly a science-based approach, Boyd would be included. Pleasantview in Dundas is another, and Marcy's Woods in the Niagara Peninsula, one you've helped me with in the past. Why are these pristine environmental sites left out of the plan while in some areas land that probably will never be a viable farm operation is covered?

We also have concerns about why prime agricultural land has been left out of the greenbelt while you protect class 3 or class 4 land. We heard at one of the public open houses about a farmer along the QEW whose land had been impacted by years and years of road salt along the Queen Elizabeth Way, to a point where he could never farm that land viably. Your greenbatch plan says that has to stay in agriculture, while prime agricultural land in other parts of the province is left wide open for development. What is the science behind that?

Minister, I think I know—and we'll see what bears out from advice from committee guests. You rushed this plan out the gate to cover for a key broken promise on the Oak Ridges moraine. Dalton McGuinty said he was going to stop 6,000-plus homes on the Oak Ridges moraine. He made a solemn promise before the election, made a solemn promise after he had the keys to the Premier's office, and once in office, Dalton McGuinty broke that plan.

When you were before the estimates committee and I was questioning you about the Oak Ridges moraine land swap, after you broke your promise, you confessed that it was key operatives in the Premier's office who negotiated directly with landowners for that land swap. Clearly, I asked you if ministry staff were involved in that swap. The answer I received from ministry staff was, no, they had no role in determining which lands in Seaton would be exchanged for which lands in the Richmond Hill area. It's true, Minister. I can refer to the minutes later on, if you like. They said they had no role. Clearly it was a decision based on political science and political benefit rather than good environmental science.

No doubt you were racked by some 30-plus broken promises within your first year, and as a result you rushed out this greenbatch plan based on political opportunism and political science rather than good environmental science.

In fact, your parliamentary assistant, Mr. Duguid, said in the Legislature on November 17, 2004, in Hansard, "You know what? I don't give a damn whether it's real science or political science."

Mr. Brad Duguid (Scarborough Centre): Finish the sentence.

Mr. Hudak: You said that.

Mr. Duguid: Keep going. Finish the sentence.

Mr. Hudak: You argued with respect to the 60-metre setback, a key issue that we'll hear about in the committee today, I say to my colleagues—

Mr. Duguid: Finish the sentence.

Mr. Hudak: You said that you don't give a damn whether it's political science or real science, that it doesn't matter whether it's a 60-metre boundary—

Mr. Duguid: Keep going. Finish the sentence.

The Chair: Please stop the debate, Mr. Duguid. Allow him to continue.

Mr. Hudak: But you have to wonder about the mind-set when your own parliamentary assistant says he didn't care if it was political science or real science. I think that's an insight into the way that the Liberals have approached this legislation.

We've brought forward a great number of concerns and look forward to doing more throughout these hearings. No doubt they'll number in the hundreds, I would expect, of problems with the mapping scheme: a lot of straight lines, Minister. I don't understand how Mother Nature can so conveniently draw straight lines down a boundary and say, "On the left-hand side of the straight line, you've got to protect that land, but when you cross the street on the right-hand side, it's wide open." That can't be based on science.

The Beverly marsh in Puslinch, an important wetland, is cut in half. The Liberal Party of Ontario has decided that the south part is worth protecting, but no such protections have been put into place for the north part. I can't for the life of me understand the environmental science behind cutting a wetland like that in half.

We have brought forward and continue to hear from farmers whose land has been cut in half, where one part is deemed to be worthy of protection and the other part not. Now, is there maybe some science behind that? We'd encourage you to bring it forward so we can actually see. I doubt it. I think it reflects the sloppiness of the exercise and the politics behind the exercise, where you cut marshes in half and you cut farmland in half.

I think the OFA will be making a very strong case later today, which we support fully: If you want to save the farm, you need to save the farmer. You can't just sit at Queen's Park with a green Magic Marker and say that you're going to colour this land agricultural forever. It doesn't work that way. You need an agricultural support plan for farm viability to ensure that farmers will continue to do what they've done for generations and farm that land.

In fact, Minister, you cited the Greenbelt Task Force, led by Mr. MacIsaac, the mayor of Burlington. We appreciate the work they've done. I have a grave concern that three of their major recommendations are absolutely absent from the process. Maybe there's some lip service, some commitments that you'll follow through, but I am actually appalled that we're sitting here today and you're asking us to consider the bill, and likely then asking us to pass it come February, with major areas omitted from your approach.

1110

Your own panel called for an agricultural support plan to support farm viability. I suspect that almost every group that will come before this committee will say you need that plan. We are sitting here today, as these hearings begin, with no plan. I wonder where the Minister of Agriculture is on this. He is absent. He has gone AWOL on this. We should have that plan as this moves forward.

Minister, your committee also asked for a growth strategy. They said that this legislation should not proceed unless it went hand in hand with a growth plan.

You actually misspoke and corrected yourself. You said that this legislation tells you where you can grow, and then you corrected yourself and said that it tells you where you cannot, but that underlined that that solution of where the future growth is going to occur is a missing piece.

Sure, you introduced the bills at the same time, but since then, I don't think Bill 136 has been called. We have no indication of what that growth plan is going to be. We've heard, "Be patient. It'll come forward sometime." But I think taxpayers, farmers and those who are concerned about future growth in the province are rapidly running out of patience with where that plan is going to be.

Your panel also spoke about the importance of having an appellate tribunal. That's lacking in your approach to date. I think there is a fundamental issue of fairness. Given that so many mistakes and widespread concerns have come forward with the greenbotch scheme, I think people should have an opportunity to appeal. I mentioned some things that were left out—some appeal of how those things could be brought in for protection. There are other citizens who will bring forward matters of why they believe, based on science, that their property should not be included. The appellate tribunal, championed by your very own committee to potentially review things like boundaries and designations—absent. In fact, with respect, the only route of appeal for people today is through the minister himself. I don't think that's fair. I don't think that's appropriate.

Skeptics could say, "If you talked to the right minister or MPP or went to the right fundraiser, maybe you'd get a right of appeal." I'd certainly feel much more comfortable if there was a science-based appeal mechanism of fairness so that people could go before individuals of expertise, a step away from government, and make their case on boundaries or designations. I don't have faith that it should be politicians, particularly ministers, making those decisions, given the weight of problems already identified with the lack of science behind this initiative.

You cite the Oak Ridges moraine plan. I was proud to be part of the government that brought that forward, with support—and we thank them—from the then opposition and the then third party; a different history. As you well know, the Oak Ridges moraine plan was based on the physiographic characteristics of that area and was based on over a decade of research—a consensus base as well, forged by David Crombie with a very diverse panel of

environmentalists, municipal leaders and those in the building sector. They actually sat down and walked through the science-informed, I believe—correct me if I'm wrong, but there was a very broad-based consensus that it was science-based and that the right decisions were made.

Interjection.

Mr. Hudak: I don't see that consensus. I see an absolute lack of consensus that you got the science right, that you got the boundaries right or that individuals who come before this panel today are being treated fairly.

You're more interested in the quantitative side rather than the qualitative. In your remarks, you stressed a lot the one million acres, and you spoke about the importance of an amendment to make sure that the one million acres stays constant. The concern I have, and hopefully we'll hear it from others through the committee process, is that it's the type of land that's protected that's most important, not the million acres. If it was all high-quality and if it was all based on good environmental science, you wouldn't be having this argument from me. You're counting in landfills; you're counting in cemeteries.

There was great concern raised in the region of Niagara that your mapping exercise includes a cemetery and a landfill site for tender fruit production. Our farmers are very talented individuals, but I don't think they're going to be growing peaches in a cemetery. When you see examples like this come forward, it raises grave concern about the science and the sloppiness of the mapping exercise.

Also, in the Niagara region there's concern about the highway corridor as it exists, potential development through Highway 406, Highway 20, which have been designated, I believe, tender fruit land. I think Thorold has brought that forward and the region as well.

So it begs grave doubt about the accuracy of the planning boundaries: a huge difference between the ORM's birth based on consensus, based on years of science, versus more arbitrary, politically motivated decision-making by the government of today and born out of a broken campaign promise—to try to cover up that promise and turn the page.

We've spoken about four fatal flaws in the legislation. I've covered a number of those, but just to restate, if you truly want to save the farm, save the farmer. Bring forward a real, thoughtful and provincially supported agricultural viability strategy. Look at initiatives like marketing, look at initiatives like good research, doing more for the Ontario grape and wine industry through the LCBO and these other initiatives. While you do have the Vanclief and Bedggood report, it has sat on the minister's desk for months. No wonder the agricultural community across the province is outraged and engaging in tactics like blocking the highway.

Minister, will you kindly move forward with a recommendation of your own panel and bring forward an agriculture viability strategy?

Secondly, greenbelt municipalities—

The Chair: Mr. Hudak, could I interrupt you. You have 30 seconds left. If you could summarize, please.

Mr. Hudak: Thank you, Chair.

Greenbelt municipalities, many boxed in with no hope for future growth: The province is deeming that there should be provincial assistance for those municipalities.

Third, let's make it a public process. Put the science on the table. Even consider a peer review, which I think we'll hear from groups today.

Fourth, we need that infrastructure strategy to go hand in hand. Where is the growth going to be to complement the areas where you're stopping growth?

The Chair: Thank you, Mr. Hudak.

Hon. Mr. Gerretsen: Madam Chair, is there an opportunity to respond to some of these allegations?

The Chair: You're actually not scheduled, not any more.

Hon. Mr. Gerretsen: That's too bad. There's something wrong with our process.

The Chair: Mrs. Churley, you have 15 minutes for your opportunity as critic.

Hon. Mr. Gerretsen: Maybe the opposition should go first so the minister can respond to the issues that are raised by them.

The Chair: I'll take that under advisement.

Ms. Churley: You're cutting into my time, Minister. My time begins now. On a minor note, it's "Ms.," by the way.

I just wanted to start by saying that when the Tories first started opposing this in the Legislature, I thought the NDP and the Tories were very far apart in where we stood. I felt from their comments that the Conservative Party wanted to pave more, while the NDP wanted to save more. It's very interesting listening to the comments by Mr. Hudak today, because from what he is saying it appears as though we've come closer together in terms—not in all aspects. Believe me, I do not want these hearings—we really do need to get on with this and get it passed and get the Places to Grow Act and some of the other legislation that has to be part of this passed. I'm very concerned that we're moving forward with this without the other pieces in place.

To my surprise, I seem to be hearing, probably with some very important exceptions, that Mr. Hudak is bringing up some of the very concerns that New Democrats have been bringing up from day one. Minister, you know that we were supportive of the greenbelt and still are, and we still do want to get on with it. But we have pointed out time and time again that without significant improvements, the greenbelt could actually, ironically, really mean more urban sprawl, not less.

I'm going to point this out in a positive way. I'm going to talk about the things we absolutely need to see in the greenbelt. I think Mr. Hudak did a really good job on the political side. I have to say, as an aside, that I believe it's true that because of the broken promise on stopping the 6,000 new houses might have been a motivation for moving forward with the greenbelt. To me, that doesn't matter. The fact that you broke the promise matters, and it's too bad those 6,000 houses are going to be built. If that's why we have a greenbelt

before us to debate today, that's a good thing. But there are really troubling provisions and omissions that undermine its ability to curb sprawl and will perhaps make this but exactly just that, a greenbelt, not a mechanism to do what you say you want the act to do; that is, prevent urban sprawl. As it stands right now, it's not going to do that. It's not just me saying that in opposition, Minister, as you know. There are others you will hear from today who will tell you the same thing.

1120

Mr. Hudak and you will hear time and time again the issues around Boyd Park, and that is one very good example, whether it's political science or not. The fact is, there's something weird going on there, the way that's cut in half, and it's just totally unacceptable within this greenbelt plan. That has to be fixed.

The greenbelt needs to include new lands to the south and north of its present proposed boundaries to be effective in curbing urban sprawl. Let me tell you why. Some 146,000 hectares lie between the greenbelt's proposed southern boundary and the current edge of urban development. You're very well aware that of these 146,000 hectares, 68,000 hectares are already designated urban expansion lands within existing urban boundaries; 68,000 hectares are left lying both outside designated urban expansion areas and outside the southern greenbelt boundary. This is completely unacceptable and unworkable, given that the government states that the greenbelt is the "cornerstone of Ontario's proposed Golden Horseshoe greenbelt growth plan." It negates that completely, if this is not included within the greenbelt.

As I said, there are others saying this as well. For instance, the highly regarded Neptis Foundation made this point quite forcefully in their recently released commentary on the greenbelt. I'm going to quote the Neptis researchers: "Although the greenbelt would prohibit urban expansion within its own boundaries, it would not generally serve as an effective regional growth management plan, at least not for several decades. The claim in the [greenbelt] plan that the greenbelt will serve as the 'cornerstone' of a new regional growth plan is overstated." That's from the Neptis Foundation.

To remedy this really glaring and very problematic omission of lands, what you need to do is expand the greenbelt to the south, or existing urban centres in the greater Golden Horseshoe will continue to sprawl—there's absolutely no question about that—on to unprotected prime farmland and eat up ecologically significant features, as they are at present.

I come back—and this is highly important, highly significant—to the area known as south Simcoe county, north of the greenbelt and reaching up to Lake Simcoe, which absolutely has to be included in the greenbelt in order to stop leapfrog development—which we all know about, and I won't go into the details of what that means; it's pretty self-explanatory—over the greenbelt.

Lands have already been assembled in this area and plans prepared for two very large developments. One development proposes a population of 50,000 people, and

a second an estimated population of 114,000 in the Bradford-Bond Head area. That's already in the works.

The Greenbelt Act needs to be amended so that there is no further development of aggregates within the protected countryside area and the natural heritage system in the greenbelt area. Aggregates are the number two, and major, concern. I want to tell you why this is so important. Aggregate extraction is just not consistent with the natural heritage and source water protection goals underlying the establishment of the greenbelt. It goes contrary to both of those. The greenbelt is a significant supplier of aggregates to the GTA; you've already mentioned that. Despite minor restrictions on aggregate extraction in some of the natural heritage features within the greenbelt, at the same time the government is proposing to amend the provincial policy statement relating to aggregates to make the siting and licensing of aggregate operations easier. I don't know if you're aware of that, but I think I pointed it out in the Legislature in the form of a question. There's a big contradiction there. This would apply in the greenbelt as well as out. I will be introducing amendments to ensure that the greenbelt does not simply become, as I put it, a gravel belt, providing aggregates to the GTA market. So we could go from having a greenbelt here to a gravel belt. I'm sure, Minister, that you don't want your greenbelt ending up being a gravel belt.

Let me refer to the Environmental Commissioner here, because he's raised this issue on several occasions. I'm quoting him: "Do we need more 'green field' quarries in ecologically sensitive locations such as the Niagara Escarpment or the Oak Ridges moraine?" He goes on to state, "Moreover, in order to reduce the demand for 'virgin aggregate,' shouldn't Ontario become a leader in the reuse and recycling of materials in road construction? ... Estimates suggest that only 3% of Ontario's aggregate consumption is supplied by non-virgin materials."

Minister, if you look at the European example, for instance, they're far, far ahead of us and we are so far behind, and obviously this is the direction we should be going: recycling more aggregate and finding substitutes, which again has been successfully done, to reduce consumption, instead of giving the aggregate industry virtually free rein within the greenbelt area, which is what you're doing.

Another concern and point: In order to curtail development leapfrogging the greenbelt and further sprawl, there should be no new highways that go into the greenbelt area and no new or expanded Great Lakes-based water and sewer systems within the protected countryside. I'm talking about the big pipe, which I've raised many times. It's contrary to this act.

As for the highways that have been proposed, let me tell you the reasons why this goes contrary to your greenbelt legislation as well. It gives easier access to areas beyond the greenbelt and that will only further—if you build it, they will come—the established pressures for urban sprawl and serve to frustrate the intensification of development on lands within existing urban bound-

daries, when you have those new highways and highway expansions. We should be focusing much more, again, on the built-up areas and on public transportation within those.

A recent study by the Ontario College of Family Physicians points to—and this is very recent—urban sprawl contributing to increasing traffic fatalities and air pollution as a factor in the rising incidence of respiratory and heart disease. There's more and more evidence of this now. According to them, people in car-dependent neighbourhoods walk less, weigh more, have higher blood pressure and more incidence of diabetes and heart disease, and are more likely to suffer from—Minister, do you think I'm describing you or something?

Hon. Mr. Gerretsen: Let's not get personal about this.

Laughter.

Ms. Churley: Well, you're having a good laugh over this.

It's actually very serious. There's a tendency for us to all joke a little bit about that, and I do too, as we sit in our cars driving for hours every day, but these doctors see it as a very, very serious health problem, which we have to consider. Those links between urban sprawl and human health make it imperative that the Liberals commit scarce government funds to public transit, far more GO transit and transit within our urban areas, and incentives aimed at urban intensification, and not to new highways or Great Lakes-based water and sewer systems through the proposed greenbelt area.

I will, of course, be making amendments—and we'll be asking the government and the official opposition to support those—fixing the greenbelt boundaries to prevent leapfrog developments, banning major highways and other large-scale infrastructure on the greenbelt, and stopping new aggregate operations and the expansion of existing aggregate operations within the greenbelt.

The other thing I'd like to state briefly is that we need to see more farm aid—absolutely. With or without the greenbelt, as you know, this is critical. Our farmers, particularly the small farms, have been under many, many pressures for some time. Nobody can argue that all about the necessary legislation that's been brought forward because of the tragic incident in Walkerton—some of this legislation has come out of that. It was a big wake-up call. Nutrient management, source protection, safe drinking water and many of the acts that you're working on are absolutely critical, but nobody can deny that most of this legislation has a huge impact on top of the pressures that farmers are already dealing with. This legislation does impact them in many ways.

1130

Hand in hand, we do need to see much more aggressive—in fact we're seeing very little—farm aid packages, all the way from "buy in Ontario" to bringing back a New Democratic tender fruit program that we had in place; all those kinds of things, like source protection and safe drinking water. New Democrats had a small but very effective program called CURB, Clean Up Rural

Beaches, that was taken away by the Tories, as was the tender fruit program and many more that need to be brought in.

If we could look at bringing back some of those programs that we brought in when we were in government, that were taken away by the Tories—I think it's incumbent upon your government to take a good look at the kinds of programs that were in place and had been taken away, as well as bringing in, working with the agricultural community, more programs to help them stay viable. Obviously we all support making sure that we preserve our prime agricultural land. But the reality is, if we don't have these programs in place, then it's pretty hard to protect it. A lot of farmers say that they can no longer afford to farm, particularly the smaller ones.

Those are some of the things that we will be talking about and bringing forward amendments on. I'm hoping very much, Minister, that as you listened to a couple of my amendments in the previous go-round on the greenbelt, and in particular to recommendations I put forward in a private member's bill—

The Chair: Ms. Churley, could you summarize, please?

Ms. Churley: Yes, I can. You followed up on increasing the protection of the Niagara Escarpment, and expanding the greenbelt to include areas like the Duffins-Rouge Agricultural Preserve. Now there are many other areas that you need to include to make this truly a greenbelt that will preserve into the future farmland and environmentally sensitive land. Without those amendments, you'll have some green space preserved, and nobody can argue that that would be a good thing, but the reality is that you will not reach your stated objective, and that is to curb urban sprawl. Thank you for this opportunity.

The Chair: Thank you, Minister, for appearing, and your staff for their technical briefing. This brings to a close that portion of the meeting, and we're at the public portion. I appreciate your attendance today.

Hon. Mr. Gerretsen: Thank you very much. I wish you well in your deliberations. It really is too bad that I don't have an opportunity to respond to some of these issues, but I'm sure I will in due course.

The Chair: Very well. Thank you very much.

ONTARIO GREENBELT ALLIANCE

The Chair: Our first speaker will be from Environmental Defence Canada. Mr. Smith, welcome. Could I ask that you and the gentleman accompanying you identify yourselves for Hansard, please, and the group that you represent? Then you will have 15 minutes to do your presentation.

Mr. Rick Smith: Thank you very much, Madam Chair, and good morning. My name is Rick Smith. I'm executive director of Environmental Defence. With me is Mr. David Donnelly, legal counsel for Environmental Defence.

Thank you for the opportunity to speak with you this morning. Certainly, like many of you here, I'm pleased

that we're getting to the end of the moment of truth for this important decision. By my count, this is something like round five for greenbelt public hearings, if you add together committee hearings, open meetings around the province and task force consultations, and I'm not even including Mr. Hudak's latest provincial tour in that count.

It's our pleasure today to be presenting on behalf of the Ontario Greenbelt Alliance. I'm pleased to tell you that the alliance now unites more than 70 organizations in a common greenbelt vision. Our membership is very diverse, from the Ontario College of Family Physicians and the Registered Nurses Association of Ontario, to Greenpeace and the David Suzuki Foundation, to the Canadian Organic Growers and the Green Tourism Association, to local community ratepayer groups like the Friends of Boyd Park and Oakvillegreen Conservation Association. We are here to speak with one voice to say that we support a world-class greenbelt, because it's crucial to the future health and well-being of our province.

I want to start today by quoting one of the province's most eminent advocates for green space protection and smart growth. A few years ago, this astute Ontarian said, "I'm sure that all members of the Legislature, and especially those from the central Ontario region and constituencies along the Niagara Escarpment, recognize the vital necessity of checking urban sprawl, of preserving community identity and of ensuring that there will always be sufficient green space among the grey." Now, the speaker wasn't Dalton McGuinty. It wasn't John Gerretsen. The year was 1974, and the speaker was former Premier Bill Davis. What was true in 1974 for the Niagara Escarpment is true 30 years later for the greenbelt. I could quote you similarly eloquent speeches by other Conservative, Liberal and New Democrat Premiers. The point here is that the protection of green space in Ontario has always been guided by a non-partisan spirit.

The alliance congratulates this provincial government on its commitment to establish a greenbelt that protects at least two million acres of land, including the entire existing Niagara Escarpment and Oak Ridges moraine areas. We support the general intent of the proposed Greenbelt Act and plan, and we believe that it does build on the legacy of previous governments' protection initiatives.

Our alliance believes, however, that serious deficiencies in the current proposal need to be addressed in order for the greenbelt to be truly effective. We have appended detailed recommendations for changes to the Greenbelt Act and plan to the submission you have in front of you, but I wanted to spend just a few moments today to highlight a few of our more serious concerns.

First, the proposed greenbelt is not large enough. The Neptis Foundation has calculated that the greenbelt excludes over 50% of the threatened green lands in the Toronto metropolitan area. Irreplaceable and threatened habitat hot spots, such as Boyd Park in Vaughan, the north Leslie lands in Richmond Hill and Castle Glen near Collingwood, just to name a few examples, must be included in this greenbelt. Unless it is expanded to include the entire greater Toronto commuting area by being

extended to Waterloo region, Wellington county, south Simcoe county and western Northumberland county, the greenbelt will be the cause of damaging, ill-planned leapfrog development. South Simcoe in particular right now, as members may know, is frankly the Wild West of ill-planned development. Unless it is reined in, the Lake Simcoe watershed will be irreparably damaged. In addition to these areas, if the greenbelt is to truly assist in controlling urban sprawl, it must be expanded to include the 146,000 hectares of land between the current urban development boundary and the belt's proposed southern boundary. This area contains some of the richest agricultural land in the province, and it is under intense development pressure.

Our second concern is that major new infrastructure projects should not be permitted in sensitive areas of greenbelt. There's no point in creating a greenbelt if you allow it immediately to be criss-crossed by new highways and hydro corridors. The act and the plan's proposed treatment of infrastructure is flawed. The Ministry of Transportation continues to seem primarily interested only in the highway construction portion of its mandate, and this must be changed. Major infrastructure projects, particularly new highways and highway extensions, have the potential to threaten and fragment the greenbelt, and these types of projects quite simply do not support the government's commitment to contain urban sprawl.

1140

Our third concern deals with mineral aggregates. Mineral aggregate operations should not be permitted in key natural heritage and hydrologic features of the greenbelt. Again, there's no point in creating a greenbelt if you then allow it to be pockmarked by new gravel pits and quarries.

Our fourth concern is that the greenbelt must strengthen, not impair, other important concurrent government initiatives. As one example, the greenbelt plan's proposed 60-metre buffer along streams and tributaries is completely inadequate for the purposes of source water protection and must be increased to 100 metres at a minimum. A buffer of 60 metres will be hard pressed to serve as a functional wildlife corridor. If the idea is that deer and other wildlife are going to find these corridors to migrate through, well, if you're a deer, you're pretty hard pressed to find a 60-metre corridor in the middle of sprawling development in Richmond Hill. Sixty metres will certainly not protect tributaries from contaminated runoff, and as such, it fails to respond to the lessons learned from the Walkerton tragedy.

In terms of greenbelt implementation, the proposed conformity time frame is too long. Municipalities should be required to bring official plans into conformity within two years. In addition, the transition provisions of the act and plan need to be re-examined. Decisions on applications made before December 16, 2004, should be made on the basis of the rules in place at the time of the final decision made on the application.

Further, a greenbelt-specific appellate tribunal should be established, as per the recommendations made by the Greenbelt Task Force.

Finally—and this is a monetary item, and I think it will be a statement of the obvious—the greenbelt will be a failure unless the government allocates a budget adequate to ensure its effective launch and implementation. Given the large land mass, complicated management issues involved and urgent need for land acquisition for habitat restoration, the alliance believes that \$100 million is a minimum budget to ensure the greenbelt's success.

That's a quick overview of our major concerns. We believe this greenbelt proposal needs to be made stronger, and I think it bears mentioning that the extent of the public appetite in our province for a strong greenbelt is difficult to overstate. In a province-wide poll conducted for our organization, Environmental Defence, between November 12 and 17 last year, over 80% of Ontarians indicated that they support the greenbelt concept. Only 7% of Ontarians oppose this plan. Over one third of respondents believe that the currently proposed greenbelt is too small. Significantly, almost 70% of those polled think that the next generation will see the greenbelt as a benefit.

I want to turn to science for a second, and I have to say that this delights me as professional zoologist. There's been a lot of talk about greenbelt science lately, about the extent to which the boundaries of the greenbelt can be scientifically justified. The answer to this is quite simple, and again, I say this as a professional zoologist. Scientific and medical evidence point overwhelmingly to the need for aggressive green space protection in the Golden Horseshoe in the interests of the environment and human health. If anything, therefore, the scientific consensus supports the case for a substantially larger greenbelt. It has already been mentioned this morning that a recent study by the Ontario College of Family Physicians noted that urban sprawl contributes to increased obesity, high blood pressure, diabetes and other ailments. The Ontario Medical Association has been warning about the deadly effects of air pollution for years. The prescription from the doctors, therefore, is that green space protection near our cities is critical for our health, critical to rein in urban sprawl and critical to mitigate air pollution.

On the environment side, a recent analysis conducted for Environmental Defence indicated that the critical habitat of fully one third of Ontario's endangered species is contained within the greenbelt area. Whether these species, things like monarch butterflies and other wonderful animals, continue to exist in our province will depend on the implementation of this greenbelt. So it's not an exaggeration to say that, arguably, this greenbelt could be the single most important decision ever taken to protect declining biodiversity in our province.

In terms of agriculture, the greenbelt is the last chance to ensure the future of farming in southern Ontario. Soil and climate analyses show that over 50% of Canada's class 1 farmland and fully 70% of Canada's tender fruit lands are found in Ontario. According to the Neptis Foundation, at the current rate, in excess of 1,000 square kilometres of rural land will be urbanized by 2031, almost double the size of the city of Toronto. About 92%

of this is classified as prime agricultural land. Quite simply, you can't farm pavement. This situation cries out for decisive and urgent action.

Given that the medical and scientific evidence so clearly points to the need for the largest greenbelt possible, I actually welcome the opportunity this morning to challenge those who have been highlighting the importance of the greenbelt being science-based to join our call for a better protected and larger greenbelt than that currently proposed. Tomorrow morning, we'll be releasing a widely supported open letter from Ontario's scientific and planning profession communities commenting on the scientific support for the greenbelt. I've brought advance copies of that open letter this morning, and I invite those of you who are interested in the science of the greenbelt to consider signing it.

In conclusion, for over 30 years, green space protection initiatives in Ontario such as those for the Niagara Escarpment, the Oak Ridges moraine and, most recently, the greenbelt have been the target of alarmist and erroneous accusations that they would result in increasing housing prices, adverse impacts for farmers and sundry other unpleasant things. I have sympathy for some of these concerns but, frankly, most of them are not fact-based. They have not been borne out in the past, and there is no evidence to indicate they will be today. In fact, available evidence on the agricultural side demonstrates that escarpment farmland values have disproportionately appreciated compared to other areas, and this positive experience is common to other jurisdictions in North America where similar agricultural protection schemes have been implemented: the Agricultural Land Commission in British Columbia, the Napa Valley in California. These farmland protection schemes have been important to maintaining agricultural viability. Of course, the government should be looking at other measures to enhance agricultural viability, but we would submit that this is an issue distinct from the greenbelt issue at hand.

Green space protection in Ontario has typically been supported by all sides in the Legislature in a positive and non-partisan spirit. One of the high-water marks of this legacy was the unanimous adoption of the Oak Ridges Moraine Conservation Act in 2001. The Ontario Greenbelt Alliance looks forward to all three political parties now carrying forward this legacy by rejecting the recent fearmongering being levelled at this greenbelt and instead embracing the hope that the greenbelt represents for a better future for our province. We think our children deserve nothing less.

Thank you very much. We'd be pleased to take your questions.

The Chair: You've taken all but a minute and 45 seconds, and Mrs. Munro has requested that time.

Mrs. Julia Munro (York North): Thank you very much for being here today.

On page 3, point 12 of your presentation, you refer to the Ontario College of Family Physicians, and they talk about urban sprawl. Within your organization or the community at large, is there a clear understanding of

exactly what we're talking about when we talk about urban sprawl?

Mr. Smith: I think so. I think, as the college has demonstrated with their study, it has actually been a fairly well studied phenomenon.

Mrs. Munro: Are we talking about a population density?

Mr. Smith: Well, certainly urban sprawl would connote development at a density that is not transit-friendly, that is not conducive to building the kinds of communities we would like.

If I might ask, Ms. Munro, I was delighted to hear the comments from Mr. Hudak earlier, and I'm wondering whether some of the points that we've made this morning with respect to expanding the greenbelt to south Simcoe and north Leslie to alleviate urban sprawl are something the Progressive Conservatives might support.

The Chair: Thank you, Mr. Smith. Your time has been exhausted. I appreciate your being delegated here today.

Mr. Smith: Oh, Madam Chair—

The Chair: I'm sorry, but the time is up. I'm trying to stick to the schedule.

Mr. Hudak: If there is all-member support, Chair, I would be pleased to respond to Mr. Smith.

The Chair: I think we're going to try to stick to our schedule.

Mr. Hudak: Fair enough.

The Chair: Thank you. And thank you, Mr. Smith. I appreciate you coming out for your delegation.

1150

GREATER TORONTO HOME BUILDERS' ASSOCIATION

The Chair: Our next speaker will be from the Greater Toronto Home Builders' Association.

Mr. Jim Murphy: Good morning, Madam Chair.

The Chair: Good morning. Could you identify yourself for Hansard, please, before you begin. You have 15 minutes.

Mr. Murphy: Thank you very much. My name is Jim Murphy. I'm the director of government relations for the 1,300-member-company Greater Toronto Home Builders' Association, or GTHBA. With me this morning is Mr. Jeff Davies, who is a member of our government relations committee.

You should have in front of you packages that I hope the clerk has distributed, which include our speaking notes and our formal responses to both the Greenbelt Act, called The Cart Before the Horse, and to Minister Caplan's Places to Grow document, called Getting It Right. We've also included a slide package on a recent poll that we did last fall on attitudes of GTA residents to growth issues within the greater Toronto area, which I'll reference briefly. In the limited time provided us, I will begin with some general comments and Jeff will speak more specifically to the legislation.

First, let me say that GTHBA supports the protection of natural features or environmentally significant lands.

This was also our stated position during the discussions on the Oak Ridges moraine act in 2001. Our comment is that these protections should be based on real science and a transparent mapping process. One of our recommendations is for an independent peer review of the proposed greenbelt boundaries.

Second, GTHBA supports a role for the province in regional planning, particularly the important link between growth and infrastructure. Our concern is overregulation and duplication. In fact, as a result of this process, the GTA will be the only jurisdiction in North America where we'll have three levels of official plans: a lower-tier plan, a regional plan and now a provincial plan in the 905. We're also moving to a situation where we'll have two government ministries, the Ministry of Municipal Affairs and Housing and the Ministry of Public Infrastructure Renewal, involved in the land approval business. This will not assist with certainty. It will add to red tape and duplication. The province should be focusing on investments in infrastructure, which is the main goal as identified in our poll.

On this point, we also remain concerned that the province has not released its growth management plan, as referenced by Minister Gerretsen in his comments. The greenbelt tells our industry where not to build; the growth plan is supposed to tell our industry where we can build. We have been meeting with the Ministry of Public Infrastructure Renewal, but until we see the actual plan, which is still in draft form and which we understand may not be released until March, we have no idea as to whether there is enough land or there isn't, based on intensification targets. We truly believe it is still a matter of The Cart Before the Horse, as our document is entitled in response to the greenbelt plan.

Thirdly, and this references our poll, do not misread the value of GTA residents. As our poll showed, the vast majority of GTA residents prefer to live in at-grade housing in single-family homes. You'll see on page 29 of our slide deck that fully 66% of GTA residents want to live in single-family homes. Further, as shown on page 33, if people don't get that because of rising prices as a result of restricting land supply, they're going to move further out; 30% of all respondents to the poll will move further out. They'll go to Wellington county, Simcoe county, other places where they can afford to own. That will not assist in curtailing sprawl.

My last point is this: When you limit a commodity, whether it be gasoline or land, the price rises. It's Economics 101. Government reports reference greenbelts in Vancouver and London. The speakers before us just talked about Napa Valley. We all know that Vancouver is the most expensive city in Canada in which to own a home. London is one of the most expensive cities in the world, let alone Europe, to own a home. The Napa Valley: San Francisco is the most expensive city in the United States in which to own a home. Is that where we want to go?

We think the dream of home ownership for thousands of residents of the GTA should not be hindered by this

greenbelt. The legislation will dramatically affect affordability. Current homeowners, those of us who are fortunate enough to own our homes, will benefit. Their children—our children—current renters and new Canadians will not benefit, because they will not be able to afford to own.

Now I'd like to pass it to Jeff.

Mr. Jeff Davies: Madam Chair, if I could ask, how much time do we have left?

The Chair: Eleven minutes.

Mr. Davies: Thank you. Madam Chair and members of the committee, my name is Jeffrey Davies. I'm a member of the government relations committee of the GTHBA. I'm going to ask the committee to bring forward a series of amendments to Bill 135.

First of all, I'd like to ask that the bill be amended to require the government to release all background information and all justification for the boundaries and designations within the greenbelt. To date, these remain a total secret. We have no reason to understand the designations, other than very high-minded statements that have been issued so far. None of the studies has been released. We're asking that the act be amended to require the release of all of the background information that would show why a piece of land is in or out and why the designation is as it is.

We ask that the legislation be amended so that there is a right of appeal in favour of those who have been put into the greenbelt so they can have their day before a tribunal to determine whether in fact their land should be included in the greenbelt according to the principles of the greenbelt. And we ask that that appeal process be under the Statutory Powers Procedure Act and be a fair process.

We ask that the act be amended so that the objectives of the greenbelt are fully stated within Bill 135, and that the minister or the cabinet are not allowed to change the objectives of the greenbelt by regulation. We think they should be entirely in the act.

We think that the legislation needs to be amended to provide for a more comprehensive amendment process. There should be a five-year review based on the housing market impact and a five-year mandatory review based on the impacts on farm operations and viability. There should be provision in the bill to allow individuals to bring forward amendments to the greenbelt plan.

There are many aspects of the bill that we say are draconian. They may be legal, but they sure aren't right. We think that the bill should be amended to ensure that there is fairness for all.

In subsection 24(3) there's the provision that follows the grandfathering provisions yet says that the grandfathering can be clawed back by regulation or by the minister. We think that's a cruel provision that should not be in.

We think that subsections 18(1) and 18(2) should be amended so that the hearings that are before the Ontario Municipal Board stay before the Ontario Municipal Board and that the minister cannot interfere due to political pressure.

We would ask that the act be amended to reinstate rights that are normally applicable under the Statutory Powers Procedure Act, under the Expropriations Act and under the Courts of Justice Act so that this bill, which is designed to serve all Ontarians, can be carried by all Ontarians. The people who are in the greenbelt shouldn't think they're victims. The public shouldn't be wondering if somebody is in the greenbelt because of what they did or what they said opposite the government and that somebody is outside the greenbelt because they have friends in high places.

The whole thing really smacks of being done behind closed doors and requires very thorough amendments. We would ask that thorough amendments be made and that a further right be given to the public to address a further version of the bill, which we say is terribly flawed.

Mr. Murphy: I would just add, Madam Chair, that those amendments are included on the bottom of page 6 and the top of page 7 in our submission, which is called The Cart Before the Horse.

Mr. Davies: I have supplemented the points that are on pages 6 and 7.

The Chair: You have six minutes left for questioning, so I'm going to try two minutes per party, if people don't get too verbose. Ms. Churley, would you like to begin the questioning?

Ms. Churley: I just wanted to ask you a question around Places to Grow. You mentioned in section 4 on page 5 that you welcome that Places to Grow "foresees the need for urban boundary expansions." Obviously, there's a lot of legislation that is part and parcel of this. Have you had any consultations with the government yet? There are huge swaths of land that I'm complaining about that aren't included in the greenbelt. Are you looking at some of that land now that's been left outside, for instance?

1200

Mr. Murphy: Ms. Churley, you're absolutely right. We feel very strongly that the two are linked, that one will say, "Development or residential development cannot occur here," and the other plan is going to tell you where.

We have had some meetings with the Ministry of Public Infrastructure Renewal. We met with Minister Caplan last week. Our concern is that in the draft Places to Grow plan there is an intensification target. It's currently at 40%. Our view is that in the 905 municipalities in particular, that is a very high threshold. As you'll see in our polling, which I believe is on page 25, you'll even find that a majority of GTA residents really don't want development in their backyard. I'm sure, as a city of Toronto person, you understand the power of ratepayers.

Ms. Churley: My backyard is this big. I love it.

Mr. Murphy: So you do have one. You have great housing. Well, we want to make sure other people continue to be able to have that great housing, to be able to purchase it and not live in condos all the time, because there is a market for that, as you've said.

That's our concern, and Minister Caplan and his officials are working through that definition. Then the lands that you're talking about would be released, based on those municipalities putting into a place a plan that would meet that intensification target. We don't know at what level that intensification target will be applied. We don't know over what time frame. We don't know how it will be defined, in terms of population or units. All those sorts of issues are still out there. Yes, we have a total gross land area, but we don't know if it's enough or not because that will be netted out with some of the setbacks and other things based on this plan. So there's still a lot of uncertainty out there.

The Chair: Anybody from the government side?

Mr. Duguid: Mr. Murphy and Mr. Davies, thank you very much for joining us here today. From the outset, let me thank you for the leadership and work that you've done and continue to do in ensuring that our government and all governments are aware of the importance of the building sector to our economy.

I want to talk a little bit about your request for additional scientific evidence. I'm not sure that you've referred to our Web site, where there is a plethora of information. In fact, we've seen it printed out, the science based on the decisions that have been made with regard to the greenbelt, where there's paper about yea high—for those reading Hansard, about a foot and a half high of paper, of studies that have been done based on protecting environmentally sensitive and agricultural lands and allowing for the need for growth in our communities. These studies have been done through a combination of technical/scientific study and land use planning policy analysis to identify areas for permanent protection. This is the same type of system study that's been done through conservation authorities, municipalities, the development sector and through developing our zoning and planning policies, the same type of planning studies that have been done to establish the Niagara Escarpment plan, the Oak Ridges moraine conservation plan—studies that take into consideration things like natural systems, agricultural systems and appropriate levels of settlement areas. So there has been an incredible amount of study done on this already.

Specifically, my question to you would be, have you looked at the Web site to review the studies that have been done? If you haven't, I'd strongly suggest you take a look at it. If there are additional specific studies that you have in mind that are lacking, we'd be interested in knowing what they may be.

Mr. Davies: Thank you, Mr. Duguid. Our view is that we have looked at the Web site and we don't think that it goes far enough. We think there is a need for a bigger and fuller disclosure and a need to enable Ontarians to test those studies to the extent that they are specific—I don't think they're very specific at all; I think they're all very high level—to have an opportunity to see whether there is favouritism in who was excluded and whether or not there is a reason. There are some lines which jog in the most unpredictable, inexplicable way. We think that much more specific information needs to be disclosed.

Of course, Mr. Duguid, we appreciate your response. We always look at the material on the Web site, but we don't think it goes far enough. It's not specific enough. It's too high-minded and too generally principled to put on the ground.

Mr. Murphy: I might just add, Brad, that our understanding is that the ministry and the minister, in fact, are out meeting with the various municipalities to review the boundaries in those municipalities. I think that's a good thing. I think one other thing where perhaps the government benefits from a bit of further review of the legislation is in making sure those boundaries are accurate. There are lots of issues. I know there are ongoing discussions in York region and down in the Stoney Creek area about some of the earlier references to lands that are in perhaps not making much sense, and that perhaps there should be lands added that have been excluded for whatever reason. It's important to get it right, and I think it's important to take the time to get it right. Municipalities are in the best position to know that, in terms of what's going on in their municipalities and what's being covered by official plans.

Mr. Duguid: Is there time left?

The Chair: There are 30 seconds left.

Mr. Duguid: Just in response, there has been a lot of consultation with municipalities. In fact, our minister and our officials have met with just about every municipality through the greater Golden Horseshoe, certainly all that have expressed interest. We are working very closely. Getting those lines drawn is not what's before us today, of course, and it is a challenge. But we have consulted greatly and we continue to talk regarding those particular specific issues, and will continue to talk to them until we come forward with our plan. But I appreciate those comments.

Mr. Davies: Mr. Duguid, we have made requests of ministry staff—

The Chair: Can you make it a really short response, please.

Mr. Davies: A really short response. We have made efforts to meet with ministry staff to discuss specific pieces of land and have been told that that opportunity is not available. If there are negotiations, discussions, with municipalities, we think that's a two-way street. This is a multiple-stakeholder process, and we want to be involved on behalf of the home builders. There are many other stakeholders that want to be involved. We don't want to see those discussions going on behind closed doors.

The Chair: Thank you, gentlemen, for your delegation today. We appreciate your time. The time has expired; I'm sorry. We only had about three minutes to play with.

ONTARIO NATURE— FEDERATION OF ONTARIO NATURALISTS

The Chair: Our next delegation is from Ontario Nature—Federation of Ontario Naturalists. Welcome. Please introduce yourself and the organization that you

represent for Hansard. You will have 15 minutes once you start.

Ms. Linda Pim: Thank you, Madam Chair and members of the committee, for the opportunity to appear before you today. My name is Linda Pim. I am acting director of conservation and science for Ontario Nature.

Ontario Nature, founded in 1931, currently with over 25,000 members and over 135 member organizations, strongly supports the intent of this legislation. As drafted, the bill has very many positive features to protect natural areas and agricultural lands. This is a bold initiative to protect a large geographic area in the Golden Horseshoe. Protecting green space is vital in providing habitat for wildlife and in helping to improve air and water quality. We will focus here on some of our concerns about the bill in order to give this committee input on how the bill could and should, in our view, be amended. I should add that we are restricting our comments to the Greenbelt Act rather than the specifics of the greenbelt plan.

First is the need for permanency of the greenbelt, as promised by the government. This is perhaps the most contentious and problematic matter in the entire bill. The government has characterized the Golden Horseshoe greenbelt as "permanent" as recently as this morning by Minister Gerretsen; yet subsections 12(2) and 13(7), as drafted, would not achieve permanency. These sections simply state that there shall be no amendment to the greenbelt plan that reduces the total area of the greenbelt. The Ministry of Municipal Affairs and Housing has made it clear that the boundaries of the greenbelt may indeed shift over time. For example, lands at the so-called "inner" or more southerly boundary of the greenbelt that are the subject of more intense urban development pressure may be taken out of the greenbelt in exchange for lands elsewhere, likely at the "outer," more northerly and more westerly edges that experience less intense development pressure. The worst-case but entirely plausible scenario would be that the entire protected countryside portion of the greenbelt could in fact migrate northward and westward as urban boundaries are allowed to expand at the edges of existing urban-approved boundaries. Therefore, subsections 12(2) and 13(7) should be amended to provide that (a) no lands may be removed from the greenbelt, and (b) more lands may be added to the greenbelt. These amendments would fulfill the government's stated intent that the greenbelt be permanent.

1210

Secondly, geographical extent of the greenbelt: It is Ontario Nature's position that bioregional planning that protects both natural areas and prime agricultural and specialty crop lands is essential across southern Ontario before any consideration is given to expanding the boundaries of cities and towns. Without green planning initiatives for all of southern Ontario, it is inevitable that there will be leapfrog urban development over protected lands onto less protected lands. For that reason, Ontario Nature has proposed a southern Ontario greenway strategy, which is attached to my submission as appendix A, that would achieve for all of southern Ontario what the gov-

ernment's Golden Horseshoe greenbelt seeks to achieve for this part of Ontario.

However, given that the geographical mandate of Bill 135 is the Golden Horseshoe, Ontario Nature proposes that the bill itself could be amended to lessen the tendency for urban sprawl and leapfrog development. It is clear that the specific metes and bounds delineation of greenbelt boundaries, or large-scale maps as regulatory schedules, will be in the regulation that accompanies the greenbelt plan. However, Ontario Nature has produced a map, which is attached as appendix B—and to make it easier for you to find it, it's the very last page of our submission—which shows, in red, the lands that the government has left out of the greenbelt and that should be included. I will be referring to a larger version of it here to make it a little easier; I hope you can all see that.

Bill 135 could be amended to give a general description of where these lands are located, with specific delineations left to regulation. These lands consist of three distinct areas: firstly, the individual parcels of land south of the Oak Ridges moraine, southeast of the Niagara Escarpment and south of Hamilton, all between the outer greenbelt edge and Lake Ontario. I should point out that this map is adapted from schedule 1 of the draft greenbelt plan. These lands, totalling approximately 173,000 acres, according to research by the Neptis Foundation—and these are all these individual parcels of land all along here—are not needed for urban expansion for well over 30 years, since Neptis has identified 178,000 acres of land within current urban-approved boundaries in the greater Toronto area and Hamilton that are not yet developed and that could accommodate expected urban growth for well over 30 years.

Secondly, land which we think should be included in an expanded Golden Horseshoe greenbelt is this area here, all of south Simcoe county, which is currently under intense threat by leapfrog development north of the Oak Ridges moraine.

Thirdly, lands over here, in Northumberland county, at the eastern end of the moraine to the Lake Ontario shoreline in the Port Hope area, should be included to protect watersheds there in the same way that the draft greenbelt plan seeks to protect water resources elsewhere.

Since the government has already, at first reading, shown its willingness to use Bill 135 to bring what are called the escarpment link lands in Hamilton and Burlington into the greenbelt through section 25 of the bill that amends the Niagara Escarpment Planning and Development Act, it can be argued that a similar, though not identical, process could be used to bring the above-mentioned lands into the greenbelt through a regulation pursuant to this bill.

Another key point is prevalence of the more environmentally protective plan in cases of conflict. Sections 4, 8, 20 and 22 of Bill 135 present a rather complex array of provisions for what happens when two or more land use plans in the greenbelt area conflict. While staff at the ministry have explained to us that the intent in these sections is to bring any less environmentally protective

plan up to the standard of the more environmentally protective plan, these sections do not necessarily read that way. In particular, clause 22(1)(c) allows the varying of any provision of the Oak Ridges moraine conservation plan or the Niagara Escarpment plan “in order to facilitate the effective operation of the greenbelt.” The foregoing language does not explicitly state that the bar be raised in favour of environmental protection. In fact, clause 22(1)(c) could be used to lower environmental protection.

There is a straightforward solution to this problem that is found in the government's own Bill 136, the draft Places to Grow Act, introduced for first reading on the same day, October 28, 2004, as Bill 135. Section 14(4) of Bill 136 states that “if there is a conflict between a direction in a growth plan and a direction in a plan or policy that is mentioned in subsection (5) with respect to a matter relating to the natural environment or human health, the direction that provides more protection to the natural environment or human health prevails.” Our position is that a similar primacy clause is needed in Bill 135.

Another matter of concern is the timing for bringing municipal official plans into conformity with the greenbelt plan. The effect of section 9 of Bill 135 is that if a municipality has not yet begun an official plan review or has just begun such a review, it has as long as five years to bring its OP into conformity with the greenbelt plan. Ontario Nature finds that an unacceptably long time period, especially when compared to the conformity timelines for municipalities of 12 to 18 months under the Oak Ridges moraine conservation plan. Our position is that section 9 should call for official plans to be in conformity with the greenbelt plan within two years of the approval of the greenbelt plan.

A final specific point relates to hearing officers for appeals. Bill 135 does not state with which board the hearing officers are affiliated. If the government is not prepared to establish a greenbelt-specific appellate tribunal, as recommended by its own Greenbelt Task Force in its final report of August 2004, then, since the greenbelt is primarily an environmental initiative, the Environmental Review Tribunal rather than the Ontario Municipal Board is the appropriate tribunal from which to draw hearing officers under sections 12 and 18.

In conclusion, then, Ontario Nature would like to reiterate its strong support for the general direction and intent of Bill 135 and hopes that it will be passed promptly, with several amendments, such as those outlined above, to improve it, some of which I wanted to highlight in the time available. Thank you very much.

The Chair: The official opposition has five minutes, if they can use it.

Mr. Hudak: Thank you very much to Ontario Nature for the presentation. I enjoyed a similar presentation here at Queen's Park slightly before Christmastime—certainly a consistent message that gels well with the comments from the opposition parties with respect to the arbitrary boundaries that the government has chosen to draw, whereas yours looks like it tries to bring in a bit more environmental science as opposed to political science.

You did mention in your brief, and in one you prepared in December, the appellate tribunal and the importance of the government following through on such a tribunal that the task force had recommended. Could you characterize how the tribunal will be made up and perhaps the functions that Ontario Nature would prefer to see?

Ms. Pim: As I mentioned in my comments, the task force did recommend a greenbelt-specific tribunal. The government has chosen not to include that in Bill 135. We would support a greenbelt-specific tribunal, and that would be our preference. However, if the government, as I said, is not prepared to do that, we would prefer that the tribunal the hearing officers will be affiliated with be the ERT, the Environmental Review Tribunal, rather than the OMB. The reason for that is that there has been a history of more environmental expertise brought in the members of the Environmental Review Tribunal—formerly the Environmental Assessment Board and Environmental Appeal Board—than has historically been the case at the Ontario Municipal Board, although things are improving at the Ontario Municipal Board.

So we would like to see a greenbelt-specific tribunal in addition to the other body the government has put in the bill, the Greenbelt Advisory Council, which we also support. As you have talked about a science base, we would like to see a strong science base to the knowledge and expertise of the hearing officers who are chosen to hear any appeals under the Greenbelt Act.

1220

Mr. Hudak: I had another quick question—I'm not sure my colleagues had one. In the legislation, as you had mentioned, municipalities are required to amend their official plans—you have some concern about the time frame there—to conform with the greenbelt and any growth plans. At the same time, legislation really exempts the province itself from conforming with a greenbelt plan. It gives extraordinary powers to the minister to make zoning orders exempt from compliance with the greenbelt plan, the growth plan or the provincial policy statement. In fact, I don't even think the PPS has to conform with the growth plan.

Isn't this a double standard? Why one set of rules for municipalities and other groups and a different set for the province?

Ms. Pim: I would like to see room for amendment to Bill 135 to ensure that there is, as the saying goes, a level playing field for conformity of municipal plans and any provincial initiatives with the greenbelt plan.

The Chair: We only have about a minute left. Ms. Churley, did you have any questions? You have about a minute and 45 seconds or so.

Ms. Churley: Thank you very much for your presentation. I have so many questions and so little time. Out of all your recommendations for amendments, are there some that you would highlight—I think they're all important—as absolutely critical in terms of the government achieving what it's saying it's going to achieve, and that is stopping urban sprawl?

Ms. Pim: As you say, it's hard to choose. Our Environmental Bill of Rights submission actually had a lot more amendments, but we just chose some, because of the time limit. I would have to say the need for permanency of the greenbelt. It was an election promise that the greenbelt be permanent. It was stated by the minister this morning. It has been stated in many other places—on government Web sites—that this was a permanent greenbelt, and yet this is not the way it's written. So I've explained that that, in our view, is very important.

Secondly, the geographic intent of the greenbelt: If you don't include south Simcoe, if you don't include what we call this choker of lands that is not needed for urban development, you're just encouraging urban sprawl. So if I had to pick two out of the dozens that we have, I would pick those two.

The Chair: Thank you for your delegation. We appreciate you coming out this morning to appear before us.

MUNICIPAL LEADERS FOR THE GREENBELT

The Chair: Our next delegation is Mr. Glenn De Baeremaeker. Have I said it right?

Mr. Glenn De Baeremaeker: Pretty close.

The Chair: Thank you for coming out. I believe you're from the municipality of Toronto.

Mr. De Baeremaeker: I am now an elected city official in former Councillor Duguid's seat. My name is Glenn De Baeremaeker. I am now a city of Toronto elected official. I also represent the Municipal Leaders for the Greenbelt, a coalition of 24 elected officials representing over a million people who have signed on to a position statement congratulating the government and urging the government to actually do a lot more than is on paper right now.

I would like to say that I would have brought our chipmunk along with us, that we've had for many years, but my understanding is that he's been kidnapped by the Ontario PC Party and forced into slave labour spreading misinformation on Internet sites. Without my trusty chipmunk at my side, I will do the best I can.

As an individual and on behalf of the 24 municipal leaders, including the mayor of Whitby, the mayor of Oshawa and leaders across the GTA, I would like to thank the government for taking this initiative. I want to remind you why we're all here, because you're getting a gazillion pieces of information, but I think you have to try to funnel it all. We're here in the public interest. This is why you ran for office, this is why you're sitting in these chairs and this is why you're going to pass this act: the public interest. And the public interest is best served by moving forward with your Greenbelt Act and, indeed, strengthening it as per our recommendations in our letter. I'm not going to go into each one, because I only have 10 minutes.

Let me just say that I will admit to you right now that every environmental group, every ratepayers' group, will

lose the battle against urban sprawl, against the UDI, the development industry, the home builders' association. The status quo now means urban sprawl forever. I can tell you this from 18 years on the front line, fighting developers, and I've never won. I've never won in 18 years, and I would like to say, without being too immodest, that I'm probably one of the most knowledgeable, one of the most active, one of the best urban guerrillas fighting urban sprawl that I know of, and do you know what, folks? I lose all the time.

The public policy put in place today means the person with the deepest pockets wins. The people who have the most money win. To give you one example, Save the Rouge went to one OMB hearing, and this is just one out of hundreds that are going on today in the province. We were given a \$1-million grant by the city of Toronto because they were not allowed to participate in the hearing. Our group consumed all that money and we were the smallest party at the OMB, with \$1 million in our pocket.

Can you name me one ratepayers' group or volunteer group or church group in your local area that could afford \$1 million to defend what they believe is in the public interest? It is impossible. Those with the deepest pockets win.

The system right now—for example, with the OMB, the developers have better lawyers than we have and better lawyers than you, and they certainly have better lawyers than local municipalities like Stouffville, Uxbridge, Oakville, Richmond Hill or the town of Markham. The developers have the best that money can buy. They have better lawyers than the municipalities/public. They have better planners, they have better biologists and they have better hydrologists.

When you get four planners in the room, do you know what you get? You get four different opinions. But the people with the money who can hire the most planners, the most hydrologists and the most biologists are the developers. In my experience, in my 18 years, they have beaten us every single time.

I'd like to focus your attention on why you need to have permanent greenbelt boundaries. You need to freeze the urban boundaries today and not allow them to expand for the next 30 years. There's a housing supply in existence today for 30 years, and that's without intensification—30 years without intensification. If we intensify, it goes up to 50 years, and if we were to—and I wouldn't support this—allow them to sprawl out on the land that you should have let go to the Oak Ridges moraine, you're looking at a 70-year supply of land without even touching the greenbelt. I would suggest to you that you need to freeze those urban boundaries now.

When you look at a town's official plan, whether that be Markham, Richmond Hill or Stouffville, they're imaginary. They're not real. The public policies we have in place to protect us, the members of the public, and to protect the environment do not really exist. They're a figment of somebody's imagination, it's like a colouring book, because any day of the week a developer can walk in and apply for an official plan amendment. Again, 90%

of the time they win because their resources can vastly outspend ours. So when you look at what's happening out there, if you look at an official plan and you see a green space or an open space on an official plan map, don't believe it. It's not true. It's a temporary, make-believe designation, meaning developers aren't paving it over today.

I'd like to talk about this quest for science. What is science? Dr. Reed Noss, whom we had up here, says that science has to be continent-wide. I believe the government has done a great job with their science. The science says that your greenbelt shouldn't be isolated as an island of green. This isn't rocket science. You should be connecting your greenbelt to Algonquin Park and to the Adirondack Park in the United States. If you have a GTA greenbelt on its own, it will become another island of green surrounded by asphalt. So I would encourage you, as per our recommendations, to expand the greenbelt by 800,000 acres.

I'd like to say too that I've seen science in the past. The Tories had science. The Tories' own scientists gave them science saying, "Don't build houses on this part of the Oak Ridges moraine." And do you know what they did? They gave the people who gave lots and lots of money to their campaigns the right to build houses on the Oak Ridges moraine. The people getting the right to build are the same people donating money to the Tory party. So do you know what? The Tories had their science and they ignored the science.

I'd like to ask you another question. Have you ever seen a wetland? I would think all of us have seen a wetland. You know the stupidity I have to put up with, with all these developers and the UDI? I have to fight over the definition of a wetland. I'll say, "Look, that's a wetland." The MNR scientists will say, "That's a wetland." Do you know what the developers say? "That's not a wetland; that's a puddle. It's just a puddle that kids will come and splash around in and then leave. It is not a wetland." So we're spending hundreds of thousands of dollars, millions of dollars of taxpayers' money, fighting over, "Is it a puddle or is it a wetland? Is it a stream or is it a ditch?" What's in the public interest? Obviously, it's to protect the environment, but the environment is not being protected because of the massive shift in resources.

1230

I'd like to say again that we will lose this battle to stop urban sprawl. We had the Ontario College of Physicians and Surgeons come out a couple of weeks ago and actually describe urban sprawl as a disease, that we're getting fatter and less healthy because of the way we're structuring our cities. We will spend hundreds of millions of extra taxpayers' dollars, because when you sprawl out to Uxbridge, Stouffville and Markham, for example, do you know what residents say? "We need our own hospital, because I don't want to have a heart attack and have to travel 45 minutes to a hospital." We'll need new hospitals, new fire departments, new police stations and new schools. All this new infrastructure is bankrupting the province of Ontario and the municipalities because the

development fees and the taxes generated don't cover the development costs.

I've had 18 years' experience, and I've never met a single developer who has said to me, in a development application, "Do you know what, Mr. De Baeremaeker? My land on the Oak Ridges moraine is too sensitive to build on"—not one, not a single one. Isn't that strange? There must be some sensitive land out there that shouldn't be built on. But if you went down a list of every single developer in this province, you wouldn't find one who would say to you, "My concession block of 1,000 acres shouldn't be built on." We have to intervene on behalf of the public to protect the environment and to protect us from urban sprawl.

I would direct you to our submission. I think we have a lot of good input there. We congratulate the government on what it's doing. We've spent too, too long wasting time and allowing urban sprawl to go forward, and I would encourage you to act, and act now.

The Chair: Thank you. You've left two minutes for the government side.

Mr. Duguid: Councillor De Baeremaeker, we very much appreciate your coming here today. Thank you for your leadership on the Rouge, your local leadership in Highland Creek and for your input on this very important greenbelt.

I just want to ask you this question: It's been clear over recent days that the official opposition and John Tory are trying to back away from their original support for the greenbelt and water down the greenbelt. These things happen sometimes, when push comes to shove. Politicians like to talk a big game when it comes to environmental protection, but when it actually comes down to doing it, they tend to lose their backbone. I kind of get the feeling that that's what's happening here. Just by way of evidence, Mr. Hudak said in December, with respect to the greenbelt legislation, that he's quite supportive of it and he knows Mr. Tory is quite passionate about it. Maybe you have some insight into this. What do you think might have happened between Christmastime and now? Does it concern you that the official opposition would have flip-flopped on this very important issue?

Mr. De Baeremaeker: Yes. I would agree with you. I find it astounding that the people leading the charge now—again, to my amazement, developers are defending farmland. The biggest threat to farming and farmland is the development industry. They're the ones who pave it over. If you're 25 or 35 years old and you want to buy a farm, you'll be very happy that there's a greenbelt because, instead of having all these speculators outbidding you, you'll be able to get a reasonable price.

I think the PC Party is getting very bad advice, but it will benefit the government, I guess, because the Tories will lose more seats because of it; they'll lose more votes. Good luck to them. They're making their bed, and they're going to sleep in it. I can tell you, I'll be one of the people out there saying, "Don't vote for the Tories, because they betrayed us and sided with the development industry when it came to protecting greenbelt lands."

The Chair: Thank you, Mr. De Baeremaeker, for your delegation and your passion. We appreciate your coming out this morning.

URBAN DEVELOPMENT INSTITUTE/ONTARIO

The Chair: Our next delegation is the Urban Development Institute of Ontario. Good morning, and welcome. Thank you for coming. Would you please identify yourselves before you begin speaking. You have 15 minutes for your presentation.

Mr. Neil Rodgers: Thank you, Madam Chair. My name is Neil Rodgers. I am the president of the Urban Development Institute of Ontario. Joining me is Mr. Mark Tutton, the chair of the organization. We are pleased to present our views on Bill 135.

I will not go into detail as to the development and construction industry's contribution to the economy, because we have spoken to this committee on several occasions in the last several months, but it is fair to say that we are a significant contributor to this province's economic well-being, and that in turn does deliver crucial social services such as health care and education.

The UDI recognizes the government's intentions concerning the long-term protection of southern Ontario's significant natural heritage features, water and agricultural resources.

As an organization, we have long advocated that policy and land use planning documents must be clearly articulated. The UDI submits that the greenbelt plan is generally vague, with substantial mapping errors, a lack of demonstrable good science underpinning the plan and integration with Places to Grow, the growth management strategy for the greater Golden Horseshoe area. This leaves UDI very concerned as to the process employed by the ministry and the government in interpreting and incorporating the Greenbelt Task Force's recommendations, stakeholder comments and other stated provincial policy.

UDI believes that the greenbelt should be considered as one component of an overall coordinated strategy that is driven by the growth management plan. We feel strongly that the collective provincial strategy must be one that incorporates the vision and objectives of the greenbelt, while accommodating population and employment growth, along with the necessary infrastructure and transportation investments needed for a long-term period, preferably 30 years or greater. When the system operates in balance, the industry is able to respond to the dynamics of Ontario's industrial, commercial and residential consumers, while contributing to the protection of the natural environment and provision of lands for public open space. In our opinion, both green- and growth-based objectives can be achieved to the benefit of all.

UDI has considerable misgivings concerning the science that forms the basis of the plan and its policies. In order for the industry to support the plan, we must have confidence that it is grounded in good planning and based

on the best available science. As we believe that the plan, as currently proposed, is fundamentally flawed and the enabling bill fails to provide sufficient accountability, transparency and natural justice, we cannot support the bill and the plan until such time as our concerns are addressed.

For such a significant proposal, with such far-reaching implications, UDI submits that there is a disturbing lack of transparency of the scientific justification of the plan's boundaries and the method in how the plan was prepared, a process that our membership finds troublesome. This, in addition to the lack of opportunity afforded to stakeholders to evaluate the ministry's criteria or conduct a review of the ministry's assessment of appropriate boundaries, is disconcerting.

Collectively these matters demonstrate, in our respectful opinion, the antithesis of a government that purports to embody the principles of fairness, transparency and accountability. It is difficult, if not impossible, to comment on the greenbelt boundary without knowing the criteria upon which the boundaries were delineated. Needless to say, our members would be severely criticized and their proposals rejected or declared premature if they were to produce mapping in support of a development application that lacked basic supporting justification and information.

As a result of the inaccuracies, inconsistencies and lack of justification, we have no confidence in the alleged criteria used to establish the mapping to delineate the greenbelt and natural heritage system boundaries. We request immediate disclosure from the province on boundary delineation and the criteria employed and a process thereafter that promotes rigorous dialogue. Municipalities, stakeholders and conservation authorities have also called for the publication and release of background data and scientific methodology. This asks a universal question: What is the government afraid of? If this plan is to stand the test of time, it must stand the test of scrutiny and debate. To that end, we recommend that the province establish a peer review panel in order to provide oversight and ensure that the plan, its policies and mapping are based on the best available science.

An area of particular concern to our members is how the province is proposing to treat and define major river valleys. In areas south of the Oak Ridges moraine and east of the Niagara Escarpment, the greenbelt plan area includes portions of major river valleys that connect these areas to Lake Ontario. We acknowledge that this was one of the recommendations of the task force. However, the task force did not itself establish criteria to define these features; they established only the principle. Provincial staff have established the boundary of the plan adjacent to identified major river valleys at 60 metres without justification and consultation. This lack of transparency and accountability is troubling.

Assuming the province has confidence in the plan, the rationale for the selection of specific major river valleys and the 60-metre distances should be readily available for debate. This information has not been provided to us.

UDI finds it difficult to believe that there is any justification to raise the standard from the standard set in the Oak Ridges moraine conservation plan of 30 metres, as this plan applies to a much more highly ecologically sensitive area.

1240

During meetings with provincial staff after the release of the plan, ministry staff advised UDI members that separate criteria had been established and applied to different major river valleys. UDI finds the lack of stated criteria and the arbitrary application of these criteria troubling. Additionally, UDI believes that the setback standard derived from the application of this arbitrary value will unintentionally impact community planning and design, hamper the ability to link communities with transit and other infrastructure connections and, perhaps most ironically of all, perpetuate the notion of urban sprawl. We have quantified the effect of the environmental dedications, including the proposed 60-metre setbacks, throughout the entire greenbelt plan, and it calculates to some 43,700 acres. This could accommodate a population of over 576,000 persons, or, putting that into context, the 2001 census population of the former city of Scarborough.

We recommend that the criteria applied to establish boundaries adjacent to major river valleys be published immediately and be included in the plan. Furthermore, we recommend that reference to the 60-metre setback be deleted from the plan and that the standard of 30 metres established in the Oak Ridges moraine conservation plan be applied as the maximum setback limit adjacent to major river valleys, when justified by science.

Mr. Mark Tutton: First, I'm going to discuss the costs of infrastructure. In our estimation, the combined effect of several policies of the plan will lead to substantial increases in provincial and municipal infrastructure costs, both capital and operating. The most appropriate example to highlight this is the need for bridge structures spanning a minimum of 120 metres across defined major river valleys. The effect of the 60-metre policy is to increase the cost of roads by a conservative factor of two to three times on the capital side. Also, these bridge structures are extremely costly for municipalities to maintain. Most bridge decks need to be replaced every 15 to 20 years, so that's an added cost that's going to be there.

The imposition of the 60-metre policy could, in our opinion, pave the way for conservation authorities to apply this standard on minor tributaries and other intermittent watercourses. If this were to be the case, not only would the cost of the infrastructure become prohibitive, but the infrastructure may find itself incapable of meeting the tests of the criteria applied or future rulings arising from the environmental assessment process.

UDI recommends that the province reconsider the infrastructure policies of the greenbelt plan in light of these facts and ensure that approved or planned infrastructure projects will in fact be able to proceed in a timely manner.

Here are UDI's recommended amendments to Bill 135.

Section 10 is the 10-year review time frame. Given the import of the changes proposed by Bill 135 and the draft plan, it is UDI's position that a 10-year review time frame is too long, particularly in the absence of a process that openly validates the science of the draft plan or a decision-making process that protects the natural justice rights of landowners.

UDI is concerned that the review itself will be a cumbersome process that will result in recommendations not being adopted for some considerable time after the 10-year review begins. We note that the terms of reference of the latest review of the Niagara Escarpment plan were established in 1999 and the results of the two-year review still have not been approved. Municipal official plans are subject to a five-year review, and we are of the view that this is a more appropriate time frame.

UDI recommends that the review of the plan should occur every five years to coincide with the review of municipal official plans, as required by the provisions of the Planning Act.

Section 12, hearings regarding the draft plan: It is important that a process be established that will ensure that the decisions that are made regarding property are properly informed. In the interest of respecting natural justice and providing transparency, UDI recommends that the province develop a process whereby landowners would be afforded an opportunity to appear before a panel of hearing officers regarding the appropriateness of the designations and the proposed boundary. The hearing officers would be able to make recommendations to the minister regarding modifications to the boundary and land use designations before final approval of the draft plan is granted. UDI recommends that hearings administered by ministerial-appointed hearing officers should be conducted prior to the approval of the draft plan by cabinet.

Section 18, hearing rights: UDI firmly supports the rights of landowners within the context of and in balance with the public interest. The discretion granted to the minister in section 18 of Bill 135 would allow for hearing rights to be taken away without any opportunity for review of that decision. Recently, through the Bill 26 amendments, the minister has been granted the ability to declare a provincial interest in a matter. When exercised, this power gives the province the final word on matters where an interest is declared. Although similar in scope, there are important differences between these two powers.

Unlike section 18 of this bill, the declaration of interest under the Planning Act allows the hearing to proceed, and therefore permits parties to present evidence and argument in a proceeding that is subject to the rights and obligations associated with the Statutory Powers Procedure Act. We are of the view that the declaration of a provincial interest under Bill 26 is a more appropriate use of ministerial authority. Therefore, we recommend that section 18 be deleted in its entirety.

UDI recognizes that the greenbelt initiative is a significant campaign commitment of the McGuinty gov-

ernment. The committee should be aware that UDI is not suggesting that the greenbelt not proceed as a legacy for Ontarians. In our opinion, the plan and the process were not fully considered and integrated in the context of growth management, land supply, housing affordability and the infrastructure required to accommodate some additional four million people. It would appear that the process was undertaken with haste, without fairness and without regard to the future costs of infrastructure, the rights of landowners and the burden of those costs to municipalities and taxpayers. These issues and their possible unintended consequences are not insignificant to Ontarians. As legislators, it is crucial that you consider them accordingly and take a deliberate, conscious and fulsome approach to this endeavour.

We have only highlighted a few of the substantial errors encountered in our review of the plan and the proposed bill. We are aware of a number of other persons and organizations who will reiterate similar accounts of lack of transparency, fairness and accountability, errors in the plan based on lack of science and, perhaps most regrettably, a process that was unnecessarily rushed. Cumulatively, the consequences of the issues raised in this submission run counter to the intentions, preferences and values of many Ontarians.

We urge you to look at the greenbelt plan and the bill in this light and make the amendments that we have suggested herein. Thank you very much.

The Chair: Thank you. You've left a minute and a half for the official opposition.

Mr. Hudak: Thank you, gentlemen, for the presentation. Strong language. The UDI has considerable misgivings concerning the science: "fundamentally flawed," "disturbing lack of transparency of the scientific justification of the plan's boundaries," "the antithesis of a government that purports to embody the principles of fairness, transparency and accountability." You say, "We have no confidence in the alleged criteria used to establish the mapping to delineate the greenbelt." Strong language.

The response we heard from the minister this morning and from some of my colleagues opposite: "Just look at the Web site. All the science you need is on the Web site." Is that fair?

Mr. Rodgers: I think it's an unfair comment—sorry, your comment is, is the information on the Web site appropriate to—

Mr. Hudak: On a scale of one to 10, one being poor and 10 being outstanding, what's your degree of satisfaction that they've got the science right?

Mr. Rodgers: Less than five. The question is how we said it in our presentation: The onus on a developer to put forward an application before a municipality is considerable. If the ministry were a landowner going before a municipal council anywhere in Ontario, I would believe that council would have to reject that application on the basis of prematurity because there would not be enough information to advance the proposal.

You will recall, Mr. Hudak, that one of the significant background motivations of Bill 26, which was the Planning Act amendment, was that municipalities felt that developers did not give them enough information, and certainly not enough time, to make an informed and reasonable decision. I would suggest that what the government has given the industry and the public is of similar ill information and lack of good information quality.

The Chair: Thank you, Mr. Rodgers, your time has expired. I appreciate your coming out this morning and giving us your presentation.

Committee, our next delegation cancelled on us at 10:46 this morning, so we are technically recessed now until 2 o'clock this afternoon. There will be a subcommittee meeting just following—

Ms. Churley: Madam Chair, before we break, I do have a point of order: I note on the agenda today that we had a presentation from the Greater Toronto Home Builders' Association at 11:45, and one of the presenters didn't present. Instead, we had a substitute, Jeffrey Davies, who is a senior partner with Davies Howe Partners, who is presenting later on this afternoon. I raise this not to be petty, by any means, but we were told, when we were letting people know that they could apply to present today, that people had to be very clear who was speaking for whatever organization and that they couldn't speak twice. There may be at least one person I know of who wanted to represent another group, but it was our impression that because there were more people than we had space for, people couldn't present twice. I just think, in fairness to everybody, I would like that clarified.

The Chair: My understanding is that the individual was told that he couldn't appear twice and he won't.

Ms. Churley: That's what I wanted a clarification on. Thank you.

The Chair: We're recessed now. Could the subcommittee please stay? We'll be reconvening at 2 o'clock.

The committee recessed from 1251 to 1404.

The Chair: I'm going to call this meeting to order. We're reconvening.

I'd like to make a short notification that the subcommittee did meet during the lunch hour on the issue of televising on-the-road meetings. The standing committee has come to the agreement that that will be occurring, should local television stations wish that.

COALITION ON THE NIAGARA ESCARPMENT

The Chair: Our first delegation this afternoon is the Coalition on the Niagara Escarpment. Could they come forward, please. Welcome. If you wouldn't mind, identify yourself, spelling your name and telling us the group. You will have 15 minutes to speak.

Mr. Bradley Shaw: Good afternoon, Madam Chair and members of the committee. My name is Bradley Shaw. I am the executive director of the Coalition on the Niagara Escarpment.

CONE is a coalition of 32 province-wide environmental organizations and community-based groups along the Niagara Escarpment, representing tens of thousands of Ontarians. CONE has worked consistently since our founding in 1978 for the protection of the escarpment and its many values to Ontario society. CONE took part in the hearings in the early 1980s leading to the passage of the original Niagara Escarpment plan in 1985, and in the first and second five-year reviews of the plan in 1991-94 and 1999-2001, respectively. We have also been a party at Niagara Escarpment plan amendment hearings, and we have appealed several Niagara Escarpment Commission development permits. In addition to monitoring land development within the Niagara Escarpment plan area, we also engage in educational programs to promote public awareness of, and appreciation for, the Niagara Escarpment.

CONE wishes to be on the record as supporting Bill 135. There is an urgent need to protect natural habitats and agricultural lands in the Golden Horseshoe, and Bill 135 sets out to fulfill that goal. CONE congratulates the provincial government for moving expeditiously to set up a Golden Horseshoe greenbelt. The decision to restrict urban sprawl in the Golden Horseshoe is a bold step forward in land use planning in Ontario. It is refreshing to see the province involved in the planning arena in such a positive way.

We are very pleased that the government has decided to preserve the existing Niagara Escarpment plan, NEP, and the Oak Ridges moraine conservation plan, ORMCP. The greenbelt will provide much-needed connections between these important features and Lake Ontario. The harmonization of the 10-year reviews of the three plans is an appropriate step in this process.

CONE applauds the government for the excellent objectives of the greenbelt plan in section 5 of the proposed act. We feel that they are an excellent interpretation of the recommendations of the Greenbelt Task Force and the wishes of Ontario citizens. We especially applaud the government for the inclusion of the Escarpment link lands—Niagara Escarpment amendment 71—in the Niagara Escarpment plan through this bill.

We would like to offer a few comments and suggest some amendments for various specific aspects of the proposed act. The first deals with issues in sections 4, 8, 20, 22 and related subsections of 25 and 26.

CONE is pleased that the Niagara Escarpment plan and the Oak Ridges moraine conservation plan will generally continue to take precedence over other legislation in their areas of application. However, section 22 allows the Lieutenant Governor in Council to make changes to these plans "in order to facilitate the effective operation of the greenbelt...." Ministry staff assures us that the intent of these sections is to bring any less environmentally protective plan up to the standard of the more environmentally protective plan. However, the language in these sections does not specifically require that this actually take place.

By contrast, subsection 14(4) of the proposed Places to Grow Act, Bill 136, introduced the same day, states that "if there is a conflict ... with respect to a matter relating to the natural environment or human health, the direction that provides more protection to the natural environment or human health prevails." We would like to recommend that a similar statement be included in the Greenbelt Act. In other words, we feel that language should be introduced to Bill 135 that ensures that in the cases of conflict, the greenest plan will apply. This should also apply to municipal official plans; that is, municipalities should have the ability to pass official plan policies and/or zoning bylaws that are more restrictive with respect to natural heritage, agricultural land protection or source water protection, for example, than provincial plans that apply to the same area.

Sections 12 and 13: CONE is very concerned with the ability of the minister and the Lieutenant Governor in Council to make amendments to the boundaries of the greenbelt area. It is our understanding that the government intends to establish a permanent greenbelt. If land can be removed from the greenbelt, whether or not it is replaced with land elsewhere, then it is not permanent, even though the bill does indicate that the total area is not to be reduced. It is our position that the bill should provide for lands to be added to the greenbelt, but not removed.

As written, the proposed bill would technically allow lands to be removed from the Niagara Escarpment plan area, something which has never before occurred in the 20-year history of the Niagara Escarpment plan. CONE recommends that the relevant subsections be amended to replace the phrase "the effect of reducing the total land area within the greenbelt plan" with the phrase "the effect of removing land from the greenbelt area."

Sections 25 through 27: CONE supports the proposed amendments to the Niagara Escarpment Planning and Development Act. We are especially pleased with the restriction on urban boundary expansions to possible consideration only at the 10-year review and the addition of the escarpment link lands to the Niagara Escarpment plan. We support the decision of the government to eliminate the ability of developers to seek compensation for these and other adjustments made through the proposed act.

1410

We especially applaud the escarpment link decision, since it was a vote of the Legislature in 1990, 15 years ago, that this should occur. We would like to bring to the committee's attention a similar situation nearby. In the former town of Dundas, now in the city of Hamilton, is a 1,000-acre parcel of land called Pleasantview that, in a 1995 ruling, the Ontario Municipal Board indicated should be kept outside the urban boundaries of Dundas. CONE has joined with a number of other environmental organizations and public bodies that are requesting the Pleasantview survey also be included in the Niagara Escarpment plan through the Greenbelt Act. This area is an important link between the Niagara Escarpment and

Cootes Paradise. On November 18, 2004, the Niagara Escarpment Commission passed a motion in full support of this proposal.

CONE recommends that the Pleasantview survey in Hamilton be included in the Niagara Escarpment plan by amendment of Bill 135 in the same way that the escarpment link lands now appear. I have attached to our submission a joint letter signed by several environmental organizations, including CONE, Ontario Nature, two Hamilton city councillors, the Hamilton Conservation Authority and Conservation Halton, as well as a copy of the NEC motion.

In summary, ladies and gentlemen, CONE is very supportive of the general direction of the proposed Greenbelt Act. This is an absolutely essential initiative for Ontario's future and we wish the government well in its successful implementation. We hope that this committee will act on our suggestions for improvements to make Bill 135 the strongest Greenbelt Act possible for the citizens of Ontario.

The Chair: Ms. Churley, do you have any questions or comments to the speaker?

Ms. Churley: Thank you very much for your presentation and recommendations today. I wanted to ask you a bit more about the Pleasantview situation. What is the issue around that? What's going on?

Mr. Shaw: Pleasantview is an area of land that has been part of a series of discussions related to the escarpment link lands. They're adjacent and very similar properties between the two areas. There have been a number of decisions—those are detailed in the attachments—from the Ontario Municipal Board and so on that have indicated that the general direction of these lands should be in line with the general direction of the greenbelt plan as a whole. For the same reasons that the escarpment link lands are important to the escarpment and to the greenbelt as a whole, we think the Pleasantview lands should also be included.

Ms. Churley: I take it that because of the general area you represent you mostly spoke specifically about the Niagara Escarpment. But there are other submissions, related to some of the things I've been saying, that the greenbelt needs to be expanded and more lands included because of concerns around leapfrog development and other things. Do you support that contention?

Mr. Shaw: Definitely. For example, we would recommend that the Niagara Escarpment planning area, not just the plan area, be included as a whole in the greenbelt. There are also other areas; for example, south of the Oak Ridges moraine there are vast areas that we think would be very appropriate to include. So, yes, we definitely think that the leapfrog development—and for many other reasons, including the characteristics of those specific lands, there are several additions that could be made.

Ms. Churley: What about—you didn't refer to it and it's not part of the greenbelt, of course—the Castle Glen development on the Niagara Escarpment, which I've been vigorously opposing? I understand that there were complications in terms of how it was allowed to go ahead

in the first place. But do you see any opportunity within this legislation or any other legislation that the government is bringing forward to put a stop to that development?

Mr. Shaw: We would certainly support any move in that direction. I'm afraid I'm not familiar as much with the language of legislation to know how that could go forward, but we would certainly be in support of anything that would put a halt to that particular development. It's one that we've been working on for a long time and it's definitely plopping a town right on the edge of the escarpment. It's not something that we are in favour of.

Ms. Churley: Can you tell us why that is such a big concern to the Niagara Escarpment, that a year-round town—the first town since the 1970s, really, when the Niagara Escarpment Commission was formed—is being built? Some say it's not a particularly significant piece of land on the Niagara Escarpment. Can you describe why it's a problem and should be included?

Mr. Shaw: Could I consult with one of my colleagues just for a second?

Ms. Churley: Well, there wouldn't be time. Maybe I could just say for the record that I know there are many in the area who have been opposing this, but it had been approved. Of course, I've been calling on the government to use its powers to declare it a provincial interest or something to put a stop to it, because it's really building a year-round town, with a golf course and all the other amenities that go with that, on the Niagara Escarpment.

Mr. Shaw: It was recognized, even in the decision that approved the half of the development that has been approved so far, that this is a sensitive area. It's holding off, waiting for the finish of an environmental assessment. Even after that, the second half, which is on the escarpment brow itself, will then go forward for another proposal. So even though there has been a tentative approval, it was still recognized, even within that decision, that this is a sensitive area that needs to be protected.

Ms. Churley: OK. Thank you.

The Chair: The government side.

Mrs. Maria Van Bommel (Lambton–Kent–Middlesex): Thank you, Mr. Shaw, for your presentation. We've heard quite a bit today about the science of the greenbelt. From your perspective and your involvement in the Niagara Escarpment, could you tell us what your feelings are on the science that we are using?

Mr. Shaw: I think it's fair to say that for a good chunk of the land that's currently within the boundaries there are very strong scientific reasons for it to be preserved as natural heritage lands, agricultural lands and so on. I think there are equally strong reasons for some of the lands currently outside of the greenbelt to be added in.

Some of the boundaries, I have to agree, seem to follow political lines as opposed to ecological lines. We would use that as an argument that there should in fact be an expansion to include some watersheds, particular

environmentally sensitive lands that have been identified and so on.

A greenbelt shouldn't necessarily have the straight lines that you see in the plan right now. But I think there is strong scientific evidence for a greenbelt, for a greenbelt to be the size or larger than it is currently, and I'd be happy to discuss specific references.

Mrs. Van Bommel: So you would be comfortable with using the current science that we have to further expand the greenbelt?

Mr. Shaw: I think there's a lot of data available that supports the greenbelt, yes. I think there is always room for improvement, always room for more studies to be done, but I don't think the science is inadequate currently for us to move forward.

Mrs. Van Bommel: Thank you.

The Chair: The official opposition has two minutes.

Mrs. Munro: I want to thank you for bringing your comments to us here today. I want to specifically refer to page 4, where you're talking about sections 25 through 27. In the last part of that first paragraph, you talk about the decision of the government to eliminate the ability of developers to seek compensation. It raised the issue of compensation in my mind. I wondered if you could give us your views about whether there is any room for compensation at any point in a process such as this. I wondered if you could give us the position you would take on that issue.

Mr. Shaw: I think the term "compensation," as it has been used in this debate so far, is actually a misnomer, because in terms of having lands stay the way they are currently, there is nothing there to compensate. The issue of compensation, as it has come up, is that the land-owners want to be compensated for future values that may or may not materialize in the future, depending on a whole host of other concerns, and that's a fairly nebulous argument to base a dollar value on.

I feel that if we're maintaining the status quo in terms of land development, in the sense that the lands will continue to be used as they currently are—not the status quo as in the process to change those, but the way those lands are used currently—then compensation is not a realistic way for the government to move forward.

1420

Mrs. Munro: I just wanted to ask you, further to that issue—there are those who have put forward the notion that obviously this initiative is something seen in terms of the public good. If there are issues related to the public good, they argue, it would seem that any cost of the public good should obviously be borne by people in general as opposed to anyone specifically or any one group specifically. I just wondered if your group had considered that kind of argument and what your response is to the position taken by those.

Mr. Shaw: I guess my concern is, again, that it's a public good, yes. The specific costs to any one individual are very difficult to calculate. The administrative and technical complications in order to come up with any kind of figure—it's impossible, I would have to say.

Again, the costs are not costs in the sense of money out of pocket; they're costs in terms of potential opportunities that may come in the future.

On the other side, we think it's very important for the government also to be looking toward expanding the public lands. The process—

The Chair: Thank you, Mr. Shaw. Your time has expired. We appreciate you coming out this afternoon and speaking before the committee.

ONTARIO FEDERATION OF AGRICULTURE

The Chair: The next group before us will be the Ontario Federation of Agriculture. Gentlemen, as you sit down, if you would do me the favour of stating your name and the organization you're with. If you have an unusually spelled name, could could spell it out for Hansard before you begin. You will have 15 minutes once you start.

Mr. Paul Mistele: Before we start, I would ask that the back doors be opened. We have farmers, members of our organization, who have taken time away from their families and farms to attend the proceedings here today. I would appreciate it if the back doors could be opened so they would feel a part of this.

The Chair: I can appreciate that you want them to hear, and they can hear in the overflow room.

Mr. Mistele: We would ask that the back doors be opened. They've taken time from their farms and families to be part of this.

The Chair: They can go in the overflow room. We will not be opening the doors. They can go into the overflow room and hear your comments.

Mr. Mistele: It's not our fault that you didn't have a big enough room. I know you've got a tight budget; that's what I hear.

The Chair: We're sorry. Would you like to—

Applause.

The Chair: I'd appreciate it if the audience would not provide any support or any other comments. Otherwise, I will have to clear the room.

Would you like to introduce yourselves, please.

Mr. Mistele: Good afternoon. My name is Paul Mistele. I am the vice-president of the Ontario Federation of Agriculture. I will start off with a presentation—

The Chair: Would you introduce all the other individuals as well before you begin.

Mr. Tom Wilson: Tom Wilson. I represent Peel Federation of Agriculture.

Mr. Neil Currie: Neil Currie, general manager of the Ontario Federation of Agriculture.

Mr. Mistele: Good afternoon. I want to thank you all for ensuring the OFA is here today. However, I must tell you that I am dismayed, after all farmers have told government about this legislation, that we even have to be here.

The Ontario Federation of Agriculture is the largest and most active general farm organization in Canada. We

work very closely and on behalf of Ontario commodity organizations and our individual members, who number nearly 40,000. I am here today on behalf of that membership to give you a brief glimpse of the state of Ontario farm business.

As the second-largest contributor to Ontario's economy, it is important that all of you, as members of the Ontario Legislature, understand the status of our industry and our issues. Let me state, up front and clearly, that the Ontario Federation of Agriculture supports the protection of farmland. As an organization, we participate in and advise local independent projects and trusts across Ontario that are working to protect farmland. We work to establish and support science-based environmental programs for farms. We work to establish and support best management practices on farms.

Farmers own and care for a large portion of the land in this province, and now farmers face a government action that threatens that land and their businesses. It is our submission that Bill 135 is the most draconian piece of legislation farmers in this province have ever been faced with. The legislation seeks to impose a one-size-fits-all approach to one of the most diverse regions of Canada. It ignores science, it ignores economics and it ignores farm businesses and their contribution to the Ontario economy.

The government promised that they would make the Ontario Ministry of Agriculture and Food a lead ministry in the government. Looking at the greenbelt proposal, it's hard to say that anything leading has come from that ministry. It is very disappointing to farmers to have to acknowledge that, in spite of platitudes to the contrary, the government has not acknowledged or embraced the simple fact that you cannot protect farmland unless you protect farm businesses.

The rural landscape the government is so desperate to maintain is actually land that has been maintained for over a century by Ontario farm families. This land, under the stewardship of farmers, has been contributing to the aesthetic and environmental health of this province over that time.

If the government were paying attention to our members, they would understand that in order to continue to contribute to a local, stable food and fibre supply and continue to protect and enhance the beautiful landscape, a vibrant processing industry, the environmental health and employment of citizens in agribusiness, primary agriculture needs to provide farmers with a living wage and, dare I say, a profit from their contribution. Right now, most of the agricultural commodities grown in this province are being sold for less than what it costs the farmer to produce them. To make ends meet, many farm families have one or two members with off-farm jobs. This is because the farm income in 2003 was less than \$15,000. Last year it was lower, and this year will be an income disaster. Add in the increasing cost of regulations that overlap and are unnecessary, time-consuming and as restrictive as Bill 135, and you can come to no other conclusion: It is the Ontario farmer who is subsidizing the food supply.

We have our response to the greenbelt draft plan here with us today, and I think you will find it a very reasonable assessment of the greenbelt proposal. Among the many flaws we have pointed out in this government proposal, and there are many, we have identified a monumental flaw: It will not even allow any citizen an avenue of appeal.

The Ontario government, in the development of this legislation, claimed to rely on the advice of their own appointed Greenbelt Task Force. In May 2004, after consultation with hundreds of citizens, that task force realized that the greenbelt would not happen unless the government did more work to identify the reasons why farming in Ontario may not be viable. The government did not listen to its own task force.

I am here today to tell you that if this government does not come to the table and work seriously with us on solutions to the farm income crisis currently taking place here in Ontario, they risk losing their credibility as protectors of the environment and sound financial managers.

OFA members here in the room have come away from their farms and their families today so this committee can see the faces of Ontario farmers who are being buried under an avalanche of restrictive government legislation and regulation based more on political agendas than solid science or acknowledgment of the contribution of agriculture to the provincial economy. Bill 135 is a solid example of that.

I would at this time like to introduce a young farmer who operates his farm business in Peel region, Tom Wilson. Tom sees first-hand how this legislation is going to impact his community and farm families.

Mr. Wilson: I am sitting here before you today as a young farmer in Ontario who is going to be directly affected by this legislation. I have been farming for approximately eight years as the general manager of our farm operation, but I was born and raised on a farm. I find that in today's economic uncertainties in agriculture, viability is just proving to be a shifting goal that we cannot find or accept. One per cent of the population that is actively farming today in Ontario will bear the brunt of this burden for 99% of the population.

Future infrastructure of agriculture that's within this greenbelt legislation will not be fit to remain. With the supporting infrastructure disappearing and leaving within the greenbelt, any hope of future farm viability is gone. Add to this the increased commuter traffic and developer leapfrogging, and this will only make matters worse.

The effect of the greenbelt legislation on farm operation viability must be seriously considered by this body. I've always been a person of action, and this current situation with the addition of the greenbelt to our economic uncertainty makes me seriously consider selling my family farm and moving outside of the greenbelt area before it is implemented.

Bill 135 will be a burden to farmers in Ontario. If this were serious legislation from the start, this greenbelt legislation would encompass the entire province, but it does not.

1430

Mr. Currie: Thank you, Madam Chair, and ladies and gentlemen of the committee. As mentioned, I'm Neil Currie. I'm the general manager of the Ontario Federation of Agriculture.

As Mr. Mistele has clearly stated, if you really wish to protect farmland, you must protect the business of farming. As suggested, farm viability is of paramount importance, and how one goes about preserving farmland can have a profound impact on that viability. Today, I want to highlight an alternative farmland preservation tool that directly addresses farmer concerns, demonstrating that there are other ways.

OFA president Ron Bonnett and I were recently in Pennsylvania, meeting with farm organizations and with legislators. The representatives of the commonwealth of Pennsylvania consider agriculture to be the backbone of the Pennsylvania economy. The production of agriculture contributes \$4.5 billion and agricultural business—equipment, manufacturers, processors etc.—provide \$45 billion a year to the state's economy. Ontario farm cash receipts are significantly larger, at \$8.5 billion, making agriculture and the dependent agri-food business the second most important in our economy.

In addition to the economic contribution of farming, Pennsylvania recognizes and values agriculture's unique contribution to the environment, as well as the aesthetic charm of the agricultural landscape. They acknowledge that these open spaces and the environmental contributions made by farmers are key to the health of their citizens.

Between 1950 and 1980, Pennsylvania lost 46% of its farms to reckless development and growth. Bucks county, just outside Philadelphia, lost 80% of its farms. Studies in the early 1980s found that the actual need for expansion during that same period was only 13%. This uncontrolled growth created an automobile-dependent society and all of the economic, environmental and societal damage that is inherent in that kind of growth—a situation we see today in Ontario. The state also recognized that every house that went up over productive farmland took the economic contribution of that farmland out of the state's economy permanently.

Bolstered by a shared need to preserve farmland, the state of Pennsylvania and its farmers collaborated to develop the farmland preservation program as their tool. The state and counties established a \$100-million bond issue. These funds are sustained by both levels of government and are used to purchase development rights. Farmers retain ownership of their land, and it can be passed on to generations or sold, with the understanding that the land will only be used for the production of agriculture. Local agriculture preservation boards, which are made up of farmers, county representatives and developers working together, make recommendations to the state regarding identification of lands for preservation and other planning matters. The state makes the final decision.

The Pennsylvania agricultural preservation program is a model for success. They are national leaders in farmland preservation. The program has preserved over 275,000 acres of farmland in perpetuity.

Further, farmers have used the funds to invest in more farmland, pay mortgages and invest in environmental and business improvements on their farms. In this way, farmers in Pennsylvania, in partnership with the state, can preserve and maintain a stable source of food and fibre, the agricultural industry and workforce, and continue their positive contribution to the environment and health of the state.

Madam Chair, there are collaborative alternatives to the draconian measures of Bill 135 that will preserve farmland and the business of farming. We are pleased to provide with our submissions today a DVD from Pennsylvania that outlines the details of their program.

The Chair: Thank you. Ms. Churley, we have about four and a half minutes left, so I'm going to divide it between you and the government side. You have the first half.

Mr. Hudak: Chair, if I could, I think we had another group where the same thing happened. The official opposition has important questions for the folks from the OFA, and I feel like I'm being left out if you simply divide it among two parties as opposed to three.

The Chair: Well, if you keep talking, we'll have even less time for both sides. If the delegations take the time and determine that they're going to use all their time to speak to us, I can't limit the amount of time they're going to speak.

Mr. Hudak: With due respect, Chair, how could you make the arbitrary decision of dividing it among two parties? You would think it would be one or three. Why are you leaving out the official opposition on this deputation?

The Chair: Well, on one occasion, you got all the time. It's just a rota.

Mr. Hudak: You would think it would be one or three. Why are you choosing arbitrarily to leave out the opposition and divide it among two parties? I have not seen this before at the committees I've sat on. It's either divided three ways or to one party.

The Chair: The amount of time you've taken now would only leave Ms. Churley to speak. Ms. Churley, you have the floor.

Ms. Churley: Thank you very much for the opportunity. There isn't much time, really, for any of us to ask concise questions. I wanted to follow up on the agricultural preservation board. Are you suggesting that the government just completely scrap the greenbelt and bring in something like that, or would you be at least happier if there were something like that brought in and very precise farm aid—I don't have time to mention; I'm sure you could think of a lot—programs that could be brought in at the same time as the greenbelt that would, at least to some extent, alleviate some of the hardship issues in the farm community that you've brought before us today?

Mr. Currie: The Pennsylvania program is only one example. New Jersey, I understand, also has a very successful program. We're illustrating the fact that there are alternative approaches to the stick that is being used with the Greenbelt Protection Act. This is a carrot program, if I can use that metaphor, where the farmers and developers and zoning officials are working collaboratively with the state, as opposed to having land confiscated under greenbelt legislation. So it's a collaborative model; we're not suggesting it's entirely applicable here, but I certainly think there are lessons to be learned from their collaborative approach.

Ms. Churley: But following up on that, I presume that—we're going to have a greenbelt, I would say. Accepting that, what would you like to see brought in, should the greenbelt go ahead, to help you with your issues in the agricultural field?

Mr. Mistele: I understand your question and thank you for that. We're asking for a task force to study other alternatives, pure and simple. Push back the time frame and make sure you're getting things right, because once you make this decision, it's gone. Once you pave it over, once you cement it over, it's gone; it doesn't ever come back. So let's see where we're going. Let's look at the costs that are going to be implied with this and make sure the government gets it right.

Ms. Churley: So you want to save the farmland. You don't want to see it paved over. That's a given; we all agree on that. So the issue—

Mr. Mistele: I don't know if we all do agree with that. I think you're jumping to the conclusion that we all agree with that. I know the agricultural sector doesn't want to see it paved over.

Ms. Churley: Exactly. I think that especially in the agricultural community, you don't want to see your farmland paved over. So, going from that premise, the issue becomes one of how best in the agricultural community to preserve that land for farmland.

Mr. Mistele: You make agriculture viable. You bring in policies and legislation, and then it'll take care of itself. This is the terminal generation that we're looking at here. We can't do this. If they want to use Iron Curtain measures to do land policies—Russia tried to do it about 70 years ago, and we found out how well it works.

Ms. Churley: So you want to see farm aid programs brought in at the same time to deal with all of these issues you're bringing before us today?

Mr. Mistele: I don't want you to use the words "farm aid." We want measures and legislation that make agriculture viable. We have a North American free trade agreement; we need policies on agriculture that line up with that. When we were in Guelph—

Ms. Churley: That's what I mean. You're calling it something else, but that's what I mean.

Mr. Mistele: OK, thank you.

The Chair: Thank you, gentlemen, for your delegation today; we appreciate your coming out.

Mr. Hudak: On a point of order, Chair—

The Chair: Yes, Mr. Hudak.

Mr. Hudak: Thank you, Chair. First, thank you very much to the members of the OFA for being here. I appreciate those who are in the hall too. There's a lot of interest, obviously, in the bill. Unfortunately, we don't have enough seats, but I appreciate those who took the time to come away from the farm, and the spirit of presentation.

Chair, with all due respect, there have now been two occasions where the time was split between the third party and the government, to the exclusion of the opposition. My observation, unless there's another precedent, has been, in my 10 years of sitting on these committees, that time is either divided up equally among the three parties or given to one particular group, depending on the procedures that the committee follows or the time remaining.

My colleague Mrs. Munro and I had some important questions that we wanted to ask the delegates from the OFA; the home builders was another situation where this happened, where at the beginning we were told we had two minutes each. I believe a government member spoke longer, and our time was extinguished because they spoke too long.

Chair, I wonder if you would clarify, then, how you see that we should be splitting up the time, and I would request that the time be split up on a more equitable basis for questions to delegations.

The Chair: Mr. Hudak, on one occasion I recall giving your party five minutes and no one else had an opportunity to speak. I am trying to give whoever's turn it is sufficient time to ask a reasonable question and get a reasonable answer. I don't think it's practical to give somebody one minute. So if there are only three minutes left, I don't think it's reasonable to ask someone to put their question and get a reasonable answer back in a minute. Based on the amount of time that's left, I try to get in as many speakers as I possibly can. If you are prepared to take my advice as to when your time is up and don't make your question longer than the time you have available, then I will be prepared to try and divide it equally by the second, to be fair. But I have been trying to be fair and in some cases you've had more than your fair share of time.

1440

Mr. Hudak: I appreciate the point, and my colleague may have some further comment. I don't want to take more than my fair share of time; I would like equal time. I think, particularly as a member of the official opposition, it's important for us to bring points that are different from government members who have the ability to better communicate, given all the staff. I wish—

The Chair: I will take your comments under advisement. I will try and be as absolutely fair as I possibly can. I've attempted to do that so far.

Mr. Hudak: Could we have some greater clarity on how you're going to allocate the time, then, so we could time our questions appropriately? Will you split it three ways, will it be all in one group or is it an arbitrary process?

The Chair: I will split it absolutely evenly amongst the three parties if there is sufficient time, if the groups don't speak beyond their 15 minutes or 10 minutes. But you will have to confine your questions to the time I have, and you may not have time for an answer if you don't follow the time limitations I give you. Does that answer your question?

Mr. Hudak: To an extent. I just—

The Chair: Good. Ms. Churley, did you have a question?

Ms. Churley: No, but on this subject, I just want to make a point. We all feel at times it's unfair. I was dying to ask a question to the UDI on science. I had a really, really good question and I didn't get an opportunity to ask it. So it's frustrating for all of us, and I think we need to be mindful of how much time we each take when we ask questions.

The Chair: I'll do my best to give you as much advice as I can.

Ms. Churley: I just want Tim to know I've shared that frustration when I wanted to ask a burning question and didn't get to ask it.

The Chair: OK. I will do my best to make sure you're mindful of the time so that you can ask your question.

PEMBINA INSTITUTE FOR APPROPRIATE DEVELOPMENT

The Chair: Our next group is the Pembina Institute. Welcome. Could you identify yourself and the organization you're speaking for this afternoon. When you begin, you will have 15 minutes.

Dr. Mark Winfield: Thank you. My name is Mark Winfield. I'm program director with the Pembina Institute for Appropriate Development and also an adjunct professor of environmental studies at the University of Toronto.

The Pembina Institute is a national independent, not-for-profit environmental and energy policy and research education organization founded in 1984. The institute has followed the province's greenbelt initiative closely over the past year. We made submissions to the Greenbelt Task Force and to this committee on Bill 27, the Greenbelt Protection Act.

The institute welcomes the proposed Greenbelt Act and accompanying plan and believes that the greenbelt initiative is an important component of the government's overall efforts to reform Ontario's land use planning system to curb urban sprawl and promote more sustainable urban development patterns. Indeed, our most significant concern with respect to the plan itself is that it doesn't go far enough.

The protected countryside incorporated into the greenbelt plan leaves a significant amount of land between the current designated settlement areas and the greenbelt area, particularly south of the Oak Ridges moraine. Given that work by the Neptis Foundation has concluded that there is sufficient land in the region already designated for development, which is unaffected by the

greenbelt initiative, to meet the region's housing and employment needs for the next 20 or 30 years, even assuming no progress in increasing urban development densities, in our view there is no need to leave such a large area of land available for development between the greenbelt and the existing designated settlement area. This area encompasses prime agricultural lands and natural heritage and source water lands and, in our view, should be included in the greenbelt. Failure to incorporate these lands into the greenbelt in our view will encourage speculation and unnecessary urban sprawl.

Similarly, the outer boundary of the greenbelt needs to be extended outward to better encompass the greater Toronto area commuteshed. In the absence of an extension of the area encompassed by the greenbelt, there is a significant risk that the initiative will prompt low-density leapfrog development in these locations. Indeed, we have quite significant evidence that such patterns are already emerging in the southern part of Simcoe county.

Leapfrog development patterns would undermine the basic goals of the province's greenbelt plan and other planning reform and growth management initiatives. We've incorporated into our submission the map that I believe Ontario Nature presented earlier today, indicating the areas that we think the greenbelt should be expanded to include. More generally, the Pembina Institute emphasizes that the greenbelt initiative is only one component of the legislative, policy and fiscal reforms that the province needs to undertake to ensure the development of more sustainable urban development patterns in the greater Golden Horseshoe area. These initiatives would include the redrafting of the provincial policy statement, Ontario Municipal Board reform, changes to the development charges system and other measures.

In terms of Bill 135 itself, our comments are focused on the issues of the conformity of provincial and municipal plans and decisions with the greenbelt plan, aggregates development within the greenbelt area, the role of the proposed advisory committee and transitional issues related to the implementation of the plan. Section 7 of the plan would require that municipal and provincial decisions under the Planning Act, the planning and development act and the Condominium Act conform with the greenbelt plan. It would also prohibit municipal bylaws and undertakings that may conflict with greenbelt plan.

These provisions are central to the effective implementation of the plan. However, in our view, provincial decisions made under other legislation, including the Ontario Water Resources Act, the Environmental Protection Act, the Aggregate Resources Act, the Mining Act, the Public Lands Act and the Drainage Act, should also be required to conform with the greenbelt plan. Similarly, provincially initiated undertakings, as well as municipal projects, may have significant implications for the integrity of the greenbelt and therefore should be required to conform with the greenbelt plan as well.

We note that mineral aggregate extraction represents a significant threat to the natural heritage features, source

waters and prime agricultural lands in the greenbelt area. In our view, aggregate extraction is not consistent with the natural heritage and source water protection goals of the plan, and therefore Bill 135 should be amended to exclude new or expanded aggregates development in key natural heritage features of the greenbelt as defined in the greenbelt plan.

Section 12 of the act requires that proposed amendments to the greenbelt plan not have the effect of reducing the total land area within the greenbelt. Such a provision would allow the movement of lands in and out of the greenbelt area, regardless of their importance from a natural heritage or agricultural perspective. In our view, this clause should be deleted and replaced with the provision that the minister not recommend amendments to the plan if the proposed amendments would result in the removal of any lands from the greenbelt area.

Section 15 of the bill deals with the issue of the greenbelt advisory committee. In our view, the greenbelt initiative is an important and complex undertaking. Its successful implementation will require ongoing monitoring and reporting. The mandate of the advisory committee should be amended to address this need. In particular, in addition to the establishment of a requirement that the advisory committee be created—at the moment, that's a discretionary duty on the part of the minister—the committee should be mandated to provide an annual report and recommendations on the status and integrity of the greenbelt.

The final issue I want to touch on briefly is the question of transitional issues. These are dealt with in section 24 of the act. In our view, the principle that should underlie this aspect of the implementation of the plan is that decisions should be made on the basis of the rules that are in place at the time of decision, not at the time of the application. That will discourage speculation and ensure that decisions going forward are made on the basis of the provisions of the greenbelt plan.

I'd be pleased to answer any questions that you have. I thank you for your time.

The Chair: Each party has three minutes.

Ms. Deborah Matthews (London North Centre): Thank you very much. We've heard from UDI, from the home builders, from the PC Party, arguments for more science-based involvement. On the other hand, we've heard the people with the best scientific credentials arguing that we should not only adopt this greenbelt plan but expand the boundaries. I just want to ask you what you think about the notion that this is not science-based enough.

Dr. Winfield: I think the scientific basis for the plan is sufficient to move forward. We have very, very clear projections in terms of the consequences of continuing the business-as-usual development patterns in the region. I think those are serious enough to provide a basis for action. We know that considerable effort has gone on at MNR and municipal affairs in terms of specific locations, particularly of watersheds and natural heritage features and those kinds of things. Indeed, I think the case is

actually very strong, from both a natural and social science perspective, for the expansion of the greenbelt area, given, again, that we have very, very detailed analysis. In fact the latest one, from the Ministry of Public Infrastructure Renewal, indicates we've actually underestimated how much available land for development is within the existing designated settlement areas. It seems to be somewhere in the neighbourhood of 1,400 square kilometres. So we're good out to 20 or 30 years.

I think the case for the greenbelt is very compelling. The science is there. One reaches a point where you have to move from analysis to decision, and at this stage of the game I think that's the stage the province needs to move forward with.

Ms. Matthews: Thank you very much for that.

1450

The Chair: The official opposition: three minutes.

Mr. Hudak: Thank you very much for the presentation. You make an interesting point, and Neptis does as well, about prime agricultural land that's been left out of this. We have great questions about the science. There's the map, for example, of the Durham region where there are some strange shapes that are cut out, that are left wide open for development, between environmentally sensitive areas, some with wetlands and such. Has it been explained to you how these fingers, these little slices that eat into the greenbelt, have been based on science? Have they explained these types of anomalies to you adequately?

Dr. Winfield: We have not looked at it at that level of minutiae. This is part of the reason, though, that we make the argument that the rational way to deal with those types of issues is to bring the greenbelt boundary down to the existing designated settlement area boundary. That would make sure you've encompassed all that prime agricultural land and the natural heritage features there. There has been a lot of work that has gone on, and we could probably talk for weeks about each individual point along the boundary.

In our view, the government has made this macro policy decision that it's not going to do any down-zoning. It's going to let what's designated as a settlement boundary stand. One could disagree or agree with that decision, because that in itself will allow quite a lot of development of prime agricultural land, but at this stage of the game that seems to be the choice they've made. It's really just a question of what to do with these lands between, which from our viewpoint it would probably make sense to include.

The Chair: Ms. Churley, you have the last three minutes.

Ms. Churley: Thank you very much for your presentation. Look, whether the boundaries are political, science or what, there's no question that there's some political interference here—the fact that Bond Park has been left out and various other little slices and things. I think that's a given; I don't think even the Liberals can argue with that. There has been some political interference.

The issue for me, though, is to move beyond that and talk about where we go from here. We now have scientific evidence—some of it was presented to us this morning and will be later—that says the greenbelt should be much larger. So we need to put some of these parcels that have been left out—in my view, as well, for political reasons—back in. But to me, the bigger issue is all of the huge pieces that have been left out, leaving aside all the tiny, funny bits and pieces and parcels.

What I want to ask you is this: England, for instance, has set its intensification target at, I think, 60% by 2008, and we've got 40% that we're supposed to get to by 2014. If Britain can do that, why can't we do that here?

Dr. Winfield: It's a very good question, and I think the short answer is that we almost certainly can. A study has just been completed for the Ministry of Infrastructure Renewal by Joe Berridge, who is the chief planner for the city of Toronto, looking at not only the United Kingdom but also Sydney, Australia; Auckland, New Zealand; and a number of other locations where indeed the redevelopment rates are in the neighbourhood of 60% or 70%. That would certainly relieve, if we can achieve anything like that—and we don't need to relieve some of the outward pressures that are there. At the moment, we seem to be achieving redevelopment rates somewhere in the 15% to 20% range. The government is looking to move that forward.

Of course, with every step you can move that forward, you buy more and more time in terms of the point at which you might have to consider a settlement area boundary expansion. I would note that the plan does include provisions which allow for those kinds of considerations to occur at some point in the future. But at this stage of the game it seems to us, particularly given that the government has already taken a policy decision that it wants to improve the redevelopment rate substantially, that the best way to deal with these questions about the kinks and the curves in the boundaries—and I'm not privy to exactly how individual decisions got made—

Ms. Churley: Neither are we.

Dr. Winfield: I think the way to deal with that criticism, though, is to bring the boundary down to the edge of the existing designated settlement area, in effect the white lands or the fuzzy pink, as it's variously referred to in various documents, because we're in a very strong position. We do have this enormous stock of land out there designated for development which is undeveloped. It gives us a great deal of flexibility in terms of being quite aggressive at this stage and then seeing how we do over the next decade as the kinds of policies we've been discussing have a chance to play out. We have a 10-year review on the greenbelt to say, "How have we done?" That still leaves us, on the worst-case projections, 10 to 15 years short of where we'd start to run up against the actual designated settlement area boundaries. So I think we're in a position to be relatively aggressive around these issues.

The Chair: Thank you, Dr. Winfield, for your delegation. Our time has expired. We appreciate your coming out this afternoon and appearing before us.

NIAGARA ESCARPMENT COMMISSION

The Chair: Our next delegate is the Niagara Escarpment Commission.

Welcome, gentlemen. For Hansard, could you identify yourselves and the organization you represent this afternoon. After you have introduced yourselves, I will give you 15 minutes.

Mr. Don Scott: Thank you, Madam Chair. Today I have with me Mr. Mark Frawley, who is the director of the Niagara Escarpment Commission, and on my left is Ken Whitbread, who is the manager of the commission. Hopefully, among the three of us, we should be able to answer all of your questions.

The Chair: And you are?

Mr. Scott: I'm Don Scott, the chairman.

The commission has been involved for quite some time in the lead-up to the legislation that you are considering, and we are thankful to have been consulted and invited to participate in the Greenbelt Task Force process, the formulation of the draft greenbelt legislation, the preparation of the draft plan and the related Places to Grow Act. And that is just recent history. I would note that we were involved with the previous government in its Smart Growth dialogue, the development of the Oak Ridges moraine plan, and the proposed new provincial policy statement. We consider these to be part of the same planning continuum for this issue.

In a sense, the consultative process has been moving forward steadily for several years toward the juncture you are at today. It is fair to say that there has been significant public and agency consultation. We are grateful that Ontario's Niagara Escarpment is considered to be a keystone and a model for the greenbelt, and we are happy to share what we have learned over the past years.

I would like to touch on just a few of the suggestions that we have brought forward. For a deeper understanding of our rationale, you may wish to review some of the materials that we have distributed to the committee, Madam Chair.

Overall, the commission is very pleased and impressed with the direction of the legislation. We feel that the greenbelt plan reflects an abiding public interest to improve our quality of life by protecting significant resources—natural, environmental, agricultural, cultural and recreational. In combination with Places to Grow, it is a landmark effort to intensify development and direct it to appropriate areas, particularly within existing urban boundaries. There is a rightful sense of public urgency around coming to terms with such issues as limits to growth, traffic gridlock and affordable municipal services.

On a specific matter, we commend you and encourage you to stay the course by bringing more than 5,600 acres of Niagara Escarpment located in Halton region and the city of Hamilton into the protection of the Niagara Escarpment plan through the Greenbelt Act. This land is currently the subject of Niagara Escarpment plan amendment number 71—it is referred to as the “escarp-

ment link”—in recognition of the fact that the actual escarpment feature is missing from the escarpment plan in this particular area.

1500

The area is being moved from the parkway belt west plan, since that plan has achieved its intended objectives for transportation and infrastructure planning in the area. These lands have always been considered to be an integral part of the Niagara Escarpment natural feature and the rural countryside.

The proposal to finally place the link in the Niagara Escarpment planning area will deliver a long-awaited, decisive clarity to a matter that has been endorsed by the government but delayed for more than 20 years. Indeed, the past three years have been mired in unproductive legal manoeuvring. The cost of this wrangling has been a burden for the taxpayers of Ontario, as well as the rate-payers and councils of Hamilton, Halton region and the city of Burlington, who all support the initiative.

While you are considering this addition to the plan, I would also draw your attention to the maps we have put before you, and specifically map 1 in our brief. It's under tab 5. The white area with the thick black line around it is the escarpment link area that I referred to. You will see that there are two orange-coloured slivers of land at either end of this link area, which are contiguous to, and environmentally intertwined with, the remainder of the escarpment link. These areas have been subject to public consultation and have been endorsed by our current Minister of Natural Resources, the Honourable David Ramsay, and previous ministers, including former Minister John Snobelen and Minister Jerry Ouellette. We strongly recommend that you arrange to have these two parcels transferred into the escarpment planning area for all the same reasons that hold true for the escarpment link.

Now, turning to some matters specifically related to the act that is before you, we would like to highlight some of our recommendations.

The points I am about to refer to are on a one-page list in our brief. The title of the sheet is “Key Niagara Escarpment Commission Recommendations,” under tab 1.

(1) We strongly support the proposed prohibition on expansions to urban areas and urban uses except at the time of a 10-year review of the greenbelt area; that is, the greenbelt countryside, the Niagara Escarpment plan and the Oak Ridges moraine plan.

This review would be a consolidated analysis of the workings of all three plans that compose the greenbelt. Accordingly, future planners and legislators would be able to comprehensively review land use matters with regard to the relative merits of growth across a wide geographic area, having multiple connected ecosystems, resource opportunities and servicing needs.

(2) Please ensure that the Consolidated Hearings Act hearings are covered by the legislation. If the Ontario Municipal Board and other land use tribunals are obliged to conform to the legislation, so too should the joint board.

This act has given us no end of difficulty over the years. It allows proposals to be moved, then heard by a hearing body which is viewed as being more development-oriented. This defeats the purpose of having progressive, forward-thinking land use legislation.

We are therefore strongly recommending that you adjust the relevant sections of the draft act and the Niagara Escarpment Planning and Development Act provisions in this bill. Your aim should be to ensure that referrals to the joint board require the endorsement of the minister or the Niagara Escarpment Commission respectively before any matter can be sent to the board.

(3) We like sections 12 and 13 of the draft act. They contain limitations that prevent amendment from reducing the total area of the greenbelt plan.

We have proposed wording changes that would also make this a condition of any review of the plan. Moreover, because we see the potential for uneven land trades, any adjustment in the plan area should be confined to the same local municipality. In this way, you will assure local environmental integrity. You will also avoid the criticism that dissimilar lands are being swapped between scattered municipalities.

(4) We would prefer that there be some clarification in the intent between sections 17 and 7 of the draft act. It is unclear whether the Ontario Planning and Development Act must conform to the greenbelt legislation. Since the Ontario Planning and Development Act has the potential to be used for the development of other provincial plans or strategies, the relationship should be clear. In our view, the Greenbelt Act should prevail.

(5) Sections 22 and 25 of the draft act state that the Lieutenant Governor in Council may "vary, supplement or override" the Niagara Escarpment plan and the Oak Ridges moraine plan to facilitate the effective operation of the greenbelt plan. This would be clearer and more effective if words were added to say that any variance is subject to the variance being "with respect to providing more protection for the environment or human health." This is also consistent with wording proposed for the Places to Grow Act and would assure that the highest standard is being applied.

(6) Municipal official plans or zoning bylaws should be allowed to be more restrictive than the greenbelt plan, if that is the wish of the local or county municipality. This is already provided for in the Oak Ridges moraine plan. It makes sense to make this consistent for the remainder of the greenbelt plan, including the Niagara Escarpment plan.

There are two more matters that I wish to touch on, with your indulgence, Madam Chair.

First, we have read about and heard from some individual landowners who feel that they deserve compensation for the loss of anticipated future land value. Some are farming, but many are biding their time as the subdivisions march toward their land, and they anticipate a big cash-out. We would encourage you to stay on the high road. This issue is not new to provincial or municipal planning and is discussed every time new planning

documents are being formulated. The NEC itself faced this argument 30 years ago and it was not accepted then. If direct compensation were a prerequisite to land use planning, it is unlikely that the parkway belt west plan, the Niagara Escarpment plan or the Oak Ridges moraine plan would exist today. As well, municipal planning would be much more difficult, since the same compensation arguments could be brought to bear on local or regional land use and zoning matters. Compensation paid for the effect of good planning done in the public interest has never been provincial or municipal policy, nor should it ever be.

The objective is to provide a balanced and managed planning environment allowing appropriate growth in the context of protecting the province's natural resources and its communities. This benefits all citizens and compensates them with a high standard of enjoyment; a clean, safe environment; livable, engaged communities; and healthy prospects for people and future generations.

We are up to our final point, Madam Chair, and I regret if you have heard this one before.

Throughout the entire greenbelt process, and through the Smart Growth process before it, the assumption has been that there will be no limits to growth in Ontario. As you know, the projection is that there will be four million more people in Ontario over the next 30 years. The social and monetary costs are predictable. Successive governments at various levels, from the municipal level up, are already struggling to balance the books while shoring up sagging or crumbling infrastructure amid growing public demands for service. Limits on growth must become part of the public dialogue. In that regard, Madam Chair, you and your colleagues have our deepest respect for the dedication that you bring to the difficult work you do for the people of Ontario.

In conclusion, the greenbelt plan is a critical first step in what should be a very long-range, comprehensive planning direction for Ontario. We encourage you to stay the course. We pledge you our continued assistance and wish you the very best as you move toward the many decisions you will be making. Thank you.

1510

The Chair: Thank you, Mr Scott. The official opposition has one minute.

Mrs. Munro: Thank you for being here today.

I want to ask you a question that perhaps you might feel initially is a little further out from what you presented us with. On page 6, you mentioned Places to Grow, and that sort of twigged in my mind, because there have been those who have come before us and suggested that with the presentation of the legislation we have before us, it's as if we're trying to hop on one foot, that the other half of the equation hasn't been presented, hasn't moved along in the same way that this has.

I wondered if, with your experience on the Niagara Escarpment Commission, you would agree that one of the limitations to what we're looking at today is that it is not accompanied by a plan for growth.

The Chair: Mr. Scott, you have no time to answer the question. The question was too long. I apologize.

Our next speaker is Ms. Churley. You have one minute to ask your question and get an answer.

Ms. Churley: Thank you very much for your presentation. I think you made some excellent suggestions in terms of amendments, and we'll be taking a good look at them and will move forward. It was a very good presentation.

The Chair: To the government side.

Mrs. Van Bommel: Very quickly, you mentioned compensation and land values. Could you tell me what has happened to land values on the Niagara Escarpment since the establishment of the Niagara Escarpment Commission?

Mr. Scott: Since the escarpment commission was established, the land values, according to the couple of research reports that were prepared by qualified appraisers, have increased upwards of up to 50% more, as compared to comparable properties outside the escarpment.

The Chair: Thank you, gentlemen, for your delegation. We appreciate you coming out today.

SCOTCH BLOCK LAND OWNERS GROUP

The Chair: Our next group will be the Scotch Block Land Owners Group. Gentlemen, I'm going to give you a couple of seconds. I'd like the flurry at the back of the room to be clear so we can hear your delegation.

Welcome. If you could identify yourself and your group for Hansard, please, and when you begin, you have 15 minutes.

Mr. Robert McClure: Thank you. I'm representing the Scotch Block Land Owners group. I am Robert McClure, and Ross McClure is here with me. Madam Chair, ladies and gentlemen of the standing committee on general government, thank you for the opportunity to speak before you today representing this group.

We, as landowners in the town of Halton Hills in the region of Halton, are here today to comment on and make recommendations regarding Bill 135.

We would like to advise you that the town of Halton Hills council has rescinded a previous motion they made as a resolution in their original response to the province on the greenbelt plan and Bill 135. The motion, dated January 14, 2005, is an attachment to this submission. We ask Minister Gerretsen to respect the request of the town of Halton Hills council in this matter.

Our second comment is that we feel local governments should be allowed to continue governing land use planning, as they are most in touch with the uniqueness of their communities. The region of Halton's and the town of Halton Hills' official plans contain land use policies and designations that protect prime agricultural land and environmentally sensitive areas and preclude urban development within these 4,700 acres.

We have recommendations.

Recommendation 1: Time must be allowed for amendments and recommendations to be properly considered. This process has not afforded the minister responsible for this mandate the time to fully understand the ramifications of this life-altering decision by government on the farm families of Ontario, when a large number of farmers are already struggling to survive in the global agricultural market place.

Recommendation 2: Address Halton region uniqueness.

To say that farmers in Halton region can continue to do what they are already doing is not an acceptable response, because many farmers cannot continue, as they are now at retirement age. The average age of farmers in Halton region is 56 years old. This age will definitely rise in this region because the next generation of farmers in the business of food production will not buy farms in this area of the urban shadow. The reasons are very clear to us, but for your better understanding of our unique situation in Halton region, I will address them with 6 points.

(1) The farm support infrastructure has left this region because of the lack of full-time farmers. These support businesses can only survive in areas of large-scale commercial agriculture. The support network includes farm equipment sales and service, grain and feed suppliers, dairy equipment sales and service, and the office of the Ontario Ministry of Agriculture and Food.

(2) The greenbelt plan and its regulations will not reverse this trend but will only be detrimental to the continuing viability of this area, because we won't be on a level playing field with intensive agricultural communities.

(3) The extra time spent traveling to deliver crops, purchase machinery, parts, feed, chemicals and fertilizer is time spent away from the farm, increasing the cost of production in this area.

(4) When service is required on the farm, the extra distance and time is also adding to the cost of production.

(5) This area is becoming less livestock intensive and more crops are leaving the farm. This requires extensive use of rural roads, which are becoming less able to accommodate agricultural machinery and commuter traffic, making it very dangerous to move crops and increasingly larger machinery from farm to farm and from farm to elevator. This is a risk that is real, and young farm families can't accept that extra liability in their farm business.

(6) Farm families have always had a sense of community. I say this as a fifth-generation Canadian farmer. We take pride in our farmsteads and those around us. Young farmers can't see this community culture remaining in this area because of the fragmentation that has already taken place. I know this is important, as I have been a full-time farmer for 35 years.

We recommend that Halton region be excluded from greenbelt protection in regard to agricultural lands, because Halton region already has farmland protection in place within their official plan. The farmers of retirement age cannot be left without options at this stage of their

life. Bill 135 leaves them only one option, which states that they or future generations must farm their land forever. We trust you understand that this isn't an option. We are already seeing Halton-region farm leases not being renewed between younger cash crop farmers and long-time family farm owners because commodity prices are far below the cost of production.

Recommendation 3: Farm equity protection and corrective measures must be addressed in the regulations.

Saving farmland does not save the farmer without addressing viability or retention of equity in their property values. Farmland equity is an important part of any business plan when a farmer approaches a bank for business financing or mortgage renewal. If government insists on a cheap food policy, they must protect those whom they want to produce the food. The regulations must prove to farmers that government is committed to keeping the Ontario food production industry viable forever. We challenge the government to show us their business plan, and then we can deal with it in an educated manner.

Recommendation 4: Hard and fast environmental facts must be used when determining mapping.

The present mapping is unreliable and incorrect because common sense did not prevail. Presumption is a poor excuse for correctness. Mapping must be determined by meeting with people in the field on an individual basis. It is obvious that the mapping process to date has not been done with acceptable standards. Maps number 74 and 75 of the draft greenbelt plan, which show our Scotch Block group properties, are a clear indication of boundaries not being determined by science and fact.

Recommendation 5: Fairness in government legislation of this magnitude must be appropriately addressed. Fairness can only be achieved using the knowledge of key organizations within the agricultural community and allowing for an adjudication process if needed. In the future, if farmland values are proven to be reduced in greenbelt designation areas, those property owners must be compensated by some form of government program within the scope of Bill 135.

Ross McClure will now speak.

1520

Mr. Ross McClure: Good afternoon. My name is Ross McClure. I own approximately 98 acres in Halton Hills, being the west half of lot 9, concession 4. I'm here to briefly give you one point of view about the effect the greenbelt will have on young farmers.

My wife and I purchased my family's farm four years ago at fair market value, making me a third-generation owner of the farm. In order for us to do this, we had to obtain a very large mortgage to pay for it. We bought the farm to keep the land in the family and in the hope of farming it ourselves one day. Now we realize that day may never come. We both have to work off the farm in order to make our mortgage payments and pay all our bills.

I believe that the greenbelt will cut the value of our land in half, at best. Because the greenbelt will diminish farm property values throughout, we may in fact lose our farm for this reason, as we would owe more money than our property is worth. I believe that the banks would not grant an extension of our mortgage when they find out, through a required appraisal, that the value has decreased substantially. In this circumstance, the bank would take over our property and everything we have worked for all our lives. We would be left with no savings, no home and no money to purchase another one.

The Chair: Thank you, gentlemen. Each party has two minutes. Ms. Churley will begin.

Ms. Churley: Thank you very much for your presentation. It's always good to hear from people who are directly affected, because we do hear from a lot of the major organizations—so I appreciate that.

I just want to ask you, in terms of the issues that are affecting the smaller family farm particularly, what other kinds of things are happening that you need to see changes to, in terms of government policy, to help with what I understand is a really drastic and almost a crisis situation, especially in the small family farm community?

Mr. Robert McClure: I have to speak specifically about our area, because that's what we're speaking about. I have addressed the fact that once a farmer isn't on a level playing field, he will never dig himself out, because infrastructure will never return to the area of Halton Hills. That's a fact; you have to understand that.

On top of that, there are a number of pieces of legislation coming in now that will restrict intensive livestock operations in Halton Hills. A land base is not available. A younger farmer can't afford to buy another farm just to be able to produce livestock to make a living. There are prime examples of the second generation wanting to farm, but a hog farmer can't build a barn big enough to sustain two farm families because of already fragmented happenings in the Halton region. Land bases are so close to urban development that that can't happen. So you're losing a generation of farmers just from what has happened in the past, and we have no control over that. There's BSE; there's nutrient management. Farmers have—

The Chair: I'm sorry. I'm going to have to interrupt; otherwise, we won't get more questions in. The government side—Mrs. Van Bommel, you have two minutes.

Mrs. Van Bommel: I would just like to go further into the issue of the farm. You're talking about the value of the farmland. You mentioned that you bought your farm at fair market value, and you're saying that now you're concerned that the land would be devalued to half. How do you come to that conclusion?

Mr. Ross McClure: I've been talking to a couple of real estate agents, and I'm just quoting one—her first statement on a farm property in a relative close area to ours, a property located outside the proposed greenbelt area. So now the clause of the greenbelt area must be shying people away, at best.

Mrs. Van Bommel: You're a young farmer, so I'm assuming that you want to grow your business. I'm a farmer, you know, and when you're first starting out, you want to grow the business. I would think it would be an advantage to you if the lands stayed at the agricultural values rather than you having to compete with the speculators to buy the farm or to buy more land.

Mr. Ross McClure: But when I bought the property four years ago, there was no greenbelt, so the property was worth a lot more than it will be if the greenbelt is proposed.

The Chair: You only have 13 seconds to have this conversation.

Mrs. Van Bommel: I'm just looking at it from the perspective of a young farmer. My husband and I are bigger than our parents were in their farm operation. I fully expect my son would be too.

The Chair: Thank you, Mrs. Van Bommel. I'm going to have to cut you off and give the last two minutes to Mr. Hudak.

Mr. Hudak: Thank you, gentlemen, for the presentation.

A simple answer would be some sort of monitoring process. The OFA has suggested that; the government so far has rejected that. Maybe to answer Mrs. Van Bommel's question, they'll agree to that monitoring process.

The problem I have with the lack of science behind this plan is that there's only one avenue for appeal: the minister himself. You know the minister, you've got a contact in his office, you go to the right fundraiser, and you might get your appeal; otherwise, you're out of luck. Do you think that's a fair process? What would you suggest would be a fair way of determining whether these boundaries are accurate?

Mr. Robert McClure: I think a fair process would be to monitor land values. Obviously, you have to compare oranges to oranges, just like in anything you do. I mean, land outside the original greenbelt area is priced at a certain amount; land inside is priced at a certain amount. So there's something already there. There have been recent sales. It's all recorded. There's no big job in determining that. So if there can be a determination by present-day market value, that's what we have to go by.

I think there has to be an adjudication process, like I mentioned. There has to be some way of dealing with certain instances. That's why I think each individual property owner should be consulted beforehand, and then everything can come out on the table.

The Chair: Your time has expired. Thank you very much for coming this afternoon.

EVERGREEN

The Chair: Our next delegation is Evergreen.

Welcome. If you could state your name and the organization you represent, and when you begin, you have 15 minutes.

Mr. Stewart Chisholm: My name is Stewart Chisholm, and I represent an organization by the name of Evergreen.

I'd like to start off by thanking Madam Chair and members of the standing committee for the opportunity to speak to you today. As I mentioned, my name is Stewart Chisholm and I'm representing Evergreen, a non-profit environmental organization with a mission to bring nature back to our cities.

For more than 15 years, we've worked with municipal governments and community organizations, supporting their efforts to protect, restore and steward green spaces in urban and urbanizing areas. The focus of my presentation today is going to be the long-term care and stewardship of the greenbelt and the enormous opportunities to achieve this through community-based partnerships. The comments I'm about to deliver today are also summarized in our submission to the greenbelt plan, which we submitted to the government last December. I believe you have copies of that.

I'd like to start off by congratulating the province for its leadership and vision to protect the last remaining green spaces within this rapidly urbanizing part of the province. We feel that it demonstrates a commitment to the protection of our natural, open green space heritage that hasn't been in evidence for decades.

1530

However, I'd like to remind the members and the government that protection is only the first step to achieving the greenbelt's objectives. To ensure that the greenbelt's integrity is successfully sustained over the long term, the Ontario government must support local efforts to steward important community green spaces and natural areas within the greenbelt area.

If there's one message I'd really like to deliver strongly today, it's the concept of partnerships. I realize partnership is not a concept that's new to the provincial government, but it's one that I feel is totally underutilized when it comes to community-based initiatives for protecting and stewarding green spaces in urban and urbanized areas.

I'm going to refer to community naturalization, and by that I mean a process by which local communities work collectively together to transform publicly accessible, degraded landscapes within their communities into healthy, dynamic, urban natural-area ecosystems. Community naturalization itself offers a number of key important benefits, and I'll just list a few of them very quickly. The point I'd like to make here too is that this is not just about environmentalism; this is about many other aspects that reach deeply into our lives.

First, community building: When you have a group of people working together collectively on a community-based project, it gives people the opportunity to work together toward a collective end, and through the process of getting to know your neighbours, you build stronger communities.

Second, education: To build support for the greenbelt initiative, the province must ensure that people under-

stand its significance and develop a sense of ownership over the protected lands. The best way to achieve this is by providing people with first-hand experience to learn about it. Of course, there's no better way to learn than by getting your hands in the dirt.

Third, I'd like to talk about the economic components of protecting the greenbelt. Green space protection itself enables municipalities, the provincial government and other agencies to significantly leverage their scarce dollars by working collaboratively with community partners in the non-profit sector. Again, this stretches limited dollars and provides new opportunities for community members to get involved.

I'm talking conceptually here, but I'll give you a very concrete example of one of the projects we're involved in. We've been working in partnership with the town of Richmond Hill over the last couple of years at a site called Briar Nine. It's a very interesting park space because it's basically on the urban fringe of Richmond Hill, so there's lots of urban sprawl happening around it. As a municipal space, the city has budgeted \$50,000 in its capital budget to transform this underutilized green space into a much more well-programmed community space.

By working in partnership with the town of Richmond Hill, what we've been able to do is leverage dollars from sources that aren't available to municipal government, i.e. from the corporate sector, private foundations and other levels of government. On top of that, what we're able to do is mobilize community efforts to get community groups to come out to the site to plant trees and that type of thing. And it's not just about planting trees in the ground; it's much more than that. It's about us going out to local schools, to seniors' groups, talking about the significance of the green space and getting them to come out to participate and, again, build a sense of ownership of the site. So in addition to the financial benefits that come to the town, it basically means that the community plays a much more active role in the management of green spaces that are important to them.

By giving you this example, this just demonstrates that greenbelt protection is not just an environmental issue; it indeed is one of local economic development, public health, leveraging dollars of different levels of government, and community engagement. I urge the provincial government to consider this when you develop your messaging to promote the greenbelt to the citizens of Ontario, so they can see that it's more than just about environmentalism.

But the benefits of green space and community participation don't happen on their own. We really need the support of different levels of government and the municipal sector to make these projects happen. From our observation as largely an urban-based, non-profit environmental group, there's a huge opportunity, especially in the 905 communities surrounding Toronto, to engage community groups. We do see that there are community groups that are active in this area, but these groups tend to be much more focused on specific sites and hinterland wilderness landscapes as opposed to urban natural open

spaces. So the opportunity for the provincial government to get these groups more active is one that I think is quite huge.

What can the provincial government do to help increase stewardship within the greenbelt area?

First, I'd suggest providing new funds to non-profit organizations that we can use to leverage dollars, like I said, from other sources, including the corporate sector and other levels of government. The provincial government is already doing a very good job at this. For example, the Ministry of Natural Resources has its community fisheries and wildlife improvement program, and the government is already disbursing funds through the Oak Ridges Moraine Foundation—so building on that type of funding foundation.

Second, we need to support training initiatives that enhance the capacity of both municipalities and local stewardship groups to take on these projects. Currently, I've been delivering a series of professional training workshops that I developed in partnership with the Ontario Professional Planners Institute. That's basically going out to municipalities across the province and saying, "There are different partnership approaches for protecting green space and there are different ways for you to get involved in doing this." The argument we always hear back from the municipalities is, "We are working with a few community partners, but tell us how we can become more strategic and more comprehensive in developing much more advanced partnerships with community groups." They see the opportunity. They'll see within their watershed different community groups working in different areas, but a lot of times they don't have an overarching strategy. The point is, there's a huge opportunity here to train municipalities so that they can become more strategic in working with their community partners.

Also think about providing in-kind support to the local community groups that work in the area. By "in-kind support" I mean that these groups are very resourceful and they operate on a shoestring budget. So if the province is even able to offer administrative support, help them get their newsletter out, provide office space in surplus buildings, little things like that, which don't actually cost the province hard dollars, go a long way in leveraging the limited resources of these community organizations.

Last, there's a great opportunity for the province to demonstrate environmental leadership on appropriate provincial lands within the greenbelt. What I'm talking about here is showcasing best practices, taking the lead and working with some of the local stewardship groups to transform degraded provincial lands into ecologically diverse native plant habitats. Some of the opportunities that I think are available to you are lands that are owned by different provincial ministries, crown corporations and agencies such as the Ontario Realty Corp.

Just to summarize here, partnerships between the province and non-profit organizations are critical to the successful implementation of the greenbelt over the long

term. NGOs such as Evergreen are able to mobilize community efforts and facilitate the development of diverse partnerships. To inspire this type of work, what Evergreen has been doing over the last 14 years is working with municipalities across Canada, developing a comprehensive program strategy that provides support to professional land use decision-makers at the municipal level, as well as working with our community partners. By raising funds from different sources, we're able to bring new dollars to the table. For example, through our corporate partnerships, we ourselves are providing \$400,000 in funding to community stewardship groups across the country.

We're also, as I mentioned, providing professional training to land use decision-makers. We have a whole family of practical resources for both land use decision-makers and community groups, such as how-to guidebooks, municipal policy guidelines, case studies etc., basically to increase awareness and understanding of why we need green spaces in our urban areas.

Finally, we're also involved with the city of Toronto and a number of other partners to transform the former Brickworks factory in the Don Valley into a cultural centre that brings together history, culinary arts, environmentalism, youth programming and a number of other diverse sectors under one roof, to transform a degraded historical site into a really dynamic green space that showcases what's possible when a multitude of partners work together.

To wrap up, we welcome the opportunity to work with the provincial government and other stakeholders in this important issue by contributing our knowledge and resources toward the protection and implementation of the greenbelt.

I'd like to thank the members of the committee for giving me the opportunity to speak to them, and I'd be pleased to answer any questions. Thank you.

The Chair: Mr. Chisholm, you have left each group with a minute and a half. The government side.

Mr Tony C. Wong (Markham): Mr. Chisholm, I'm from Markham. About three years ago, we had the opportunity to work with Evergreen on a Thornhill project, and it was extremely fruitful. I take it from your presentation that your organization feels that the proposed legislation would enhance these good land stewardship activities, as well as community naturalization. Do you foresee an increased level of such activities and, also, do you feel that the science behind the proposed legislation is adequate?

Mr. Chisholm: I feel that the legislation is a very good opportunity to increase the type of activity that I've talked about. The important thing to note is that it's not going to happen on its own. Protection is an important first step to securing the lands and making sure they're protected in perpetuity, but lands that are protected without a greater plan and vision in place to ensure that they're looked after mean that the greenbelt won't be sustained over the long term.

1540

In our view, the worst way to protect a piece of property is to fence it off and say, "This is protected landscape." If you want to protect a landscape, you need to have the community engaged. I use the term "ownership," not meaning, of course, that they're owning it but that they feel a sense of responsibility over it. That's not going to happen on its own, and that's why I'm urging the provincial government to think about ways it can make stewardship happen throughout the greenbelt.

The Chair: Mr. Hudak, you have one and a half minutes.

Mr. Hudak: Mr. Chisholm and Evergreen, thanks for the very well done, very sincere presentation. I like your point, and the OPPI would probably agree with you. Public planners would say that land use planning alone isn't going to make an effective green strategy, that you need a support plan. The OFA made that point a bit earlier on in different words. I believe, for the Oak Ridges moraine plan, there's about a \$15-million fund set aside to help the issues behind ORM.

Can you just give me an example: How much do you think would be a suitable amount of funding to help Evergreen get some good projects off the ground?

Mr. Chisholm: It's hard to use a dollar figure without the context of a specific project, but I would say that this work definitely comes very inexpensively, and that's solely because of the resourcefulness of the community partners we work with. We have dedicated volunteers who bring incredible expertise and knowledge as well as sweat equity to these projects.

For example, some of the projects we're involved in funding right now, even the largest projects that happen over a multitude of years, quite often come in for under \$100,000, and quite often less than \$50,000, for a large watershed-based ecological restoration. In a local community park, sometimes we're talking just tens of thousands of dollars. So very little money goes a long way.

The Chair: Ms. Churley, the last minute and a half.

Ms. Churley: Thank you very much. I have a lot of good things I'd say about your organization if I had time. You do great work. I'm particularly pleased with the work we're all about to engage in at the Brickworks, which is in my riding. When we were in government, we put the initial funding into saving that site, and I'm just so pleased that you're working in partnership with us all to do even more work on that.

It is a really good example, if people want to look at an example, of the kinds of partnerships you're talking about: the community, government, municipality, everybody working together. I should just say to government that this is an organization that requires very little money to do an awful lot of good work with the community. Any proposal that you put forward to enhance the work you do, let me know and I will be there to back you up. Thank you for all the good work you're doing.

Mr. Chisholm: Thank you for those comments. I appreciate that.

The Chair: Thank you very much for your delegation. We appreciate your time here this afternoon.

ALLAN ELGAR
RENEE SANDELOWSKY

The Chair: Our next delegation is Mr. Allan Elgar. **Mr. Allan Elgar:** I'll be splitting my time, like we did last time, with a fellow councillor.

The Chair: Can you identify yourself, who else will be speaking and what city you're from.

Mr. Elgar: My name is Allan Elgar. I'm a regional and town councillor in Oakville and Halton region. I'm representing myself today. Here to speak with me is Councillor Sandelowsky, who is also a town councillor in Oakville. She will be speaking first.

The Chair: Mr. Elgar, you'll have 10 minutes.

Mr. Elgar: I appreciate that.

Ms. Renee Sandelowsky: Hi. Thank you for letting me split the time. I'm Renee Sandelowsky. I'm a town councillor in Oakville, but today I am here not only as a resident of Oakville but as a proud resident of Ontario. I am so pleased with the direction that this government is taking with Bill 135.

Before I begin my remarks about Bill 135, I just have to tell you all how excited the residents of Oakville are about your decision to protect the provincially owned lands in north Oakville, as promised. We're thrilled that the majority of the provincially owned lands will be preserved and we see that these lands, together with our proposed natural heritage system in north Oakville, will provide the backbone that's necessary to help support the intense growth slated for the surrounding area.

We also very much appreciate MPP Flynn's visit to Oakville council to clarify the province's position on zoning for our natural heritage system. We are encouraged when we read section 34(1)3.2 of the Planning Act, and many of us agree that zoning is clearly the immediate solution for protecting these lands. Unfortunately, in my opinion, our town staff thinks otherwise and tells us that we must purchase the lands so that we may manage them. If you'd like to help make peace between the two different schools of thought, please feel free to include our natural heritage system in the greenbelt plan. As much as I'd like to say more about that, I need to make sure I have enough time left to tell you what I think about Bill 135, but suffice it to say you've done a wonderful thing. Future generations will thank you, and so do we.

Now for Bill 135: I'm honoured to have the opportunity to speak to you again about the Greenbelt Protection Act. I will not repeat my remarks from last time, but I'd like to tell you that my support, as well as the support of many residents in Oakville, has only grown stronger. Even though you may not have received additional comments from those residents, I think you can appreciate that the many residents who already made comments may not have realized that they had another opportunity to do so. My remarks are as follows.

First of all, the recent Neptis Foundation report tells us that currently in southern Ontario, only 19% of our green lands are fully protected. The report explains that development is permitted on the rest of the green lands if it can be shown that there will be no negative impacts on the feature and its functions: "However, it is difficult to conclusively demonstrate negative impacts, especially where development is proposed adjacent to but not actually within a feature."

Given the destruction and degradation of five out of seven environmentally sensitive areas in Oakville, I can wholeheartedly attest to the truth of that last statement. We've lost or have almost lost three of these five ESAs to development that was adjacent to these features. That's right: the development that was supposedly conclusively demonstrated to show no negative impact.

Secondly, I've learned from the Neptis report that the total amount of green land in Halton region is 38.7%, and out of that, only 4.1% is currently fully protected by stringent policies that prevent or tightly restrict development on it. The remaining green lands are, as Neptis puts it, "subject to varying degrees of insecurity."

Given all we know and all we continue to learn, we need to act now, before all of southern Ontario is paved over. It's clear that we need better and broader protection for our green lands. We need the Greenbelt Protection Act, but we need it to be even stronger. The Greenbelt Protection Act is a great start, but let's not stop there. We need protection for natural spaces in urban areas as well. I believe that important natural heritage areas outside the greenbelt area deserve equal protection with those lands in the greenbelt area. Take Oakville's proposed natural heritage system, for example. Are those lands less valuable than those in the greenbelt? Absolutely not, and I suspect they're under a great deal more pressure from development than the lands included in the greenbelt.

And let's not forget our farmers. We must ensure that farming be made viable. After all, we can't survive without our farms, and the way it looks now, not too many in the next generation appear to be interested, and that's bad news for all of us.

Dr. Riina Bray, one of the authors of the recent Ontario College of Family Physicians research document, Report on Public Health and Urban Sprawl in Ontario, says it best: "The preservation of green space, or the natural environment, is essential to human health. People cannot lead healthy lives without farmland to grow local foods, forests to help purify the air, wetlands to provide safe drinking water and natural surroundings for recreation. Without green space you get floods, increased temperatures and increases in water pollution and water-borne disease."

Jan Kasperski, executive director of the Ontario College of Family Physicians, hopes that their research review will be a guide for provincial and municipal governments as they make important land use decisions. She goes on to say that the review shows clearly that how we choose to build our communities has a direct impact on the health of our citizens, and it's important that gov-

ernments develop and implement strategies to control sprawling growth and plan for safe, healthy and integrated communities.

That's why I believe we need Bill 135. Thank you. It's Al's turn.

Mr. Elgar: My name is Allan Elgar. I'm a regional and town councillor in Oakville and Halton region. I'm speaking on behalf of myself today.

Please accept my sincere appreciation for the opportunity to speak to you today. Thanks for moving forward with a bold and visionary plan to establish a permanent greenbelt across the Golden Horseshoe. I strongly support the greenbelt plan, which supports agricultural land use and protects natural systems that sustain ecological and human health. We have waited a long time for a provincial leader who actually believes in protecting green space and fighting urban sprawl.

With regard to the ORC lands in Oakville, not only are the residents of Oakville ecstatic, but it is also a great time in Ontario because the democratic system worked. The people spoke and the government listened and acted. That's how a democracy is supposed to work, and we're very proud today to be Ontarians.

It hasn't always been that way in Ontario. A few years ago, Mike Colle of the Liberal Party introduced the Trafalgar Moraine Protection Act in the Legislature, which was supported by both the Liberal and NDP members of Parliament. However, the Conservatives defeated the act. In 2004, Oakville hired Environics to do a survey, which showed that the single most important issue facing the community today by far was urban sprawl and rapid development, and they went on to say that this proportion had increased dramatically since 2001.

I have personally received thousands of e-mails from residents in Oakville and the GTA who are concerned about our rapidly vanishing natural areas and our environment.

1550

Decreasing forest cover—the lungs of the earth—has impacted on our air quality. Environment Canada, the Ontario Ministry of Natural Resources and the Ontario Ministry of the Environment indicate that the percentage of woodland cover in a watershed should exceed 30%. American Forests recommends that 40% woodland cover should be maintained to benefit air quality. In Oakville, our forest cover is at 12% and is decreasing fast as development progresses.

Please continue to listen to the people, the regular people, those who voted for this government because they hoped very much that you would listen to their concerns about our environment. The regular people out there are worried about clean air and clean water and leaving a legacy for their children. The regular people are worried that there will not be enough farmland left to feed the residents of this province.

Please do not weaken the greenbelt protection plan, and please ensure that farmers can make a living farming. If there are certain initiatives required so that farmers will

continue to farm, I would support that. What I don't support is catering to special interest groups such as developers or land speculators. I am absolutely and vehemently opposed to giving land speculators bonuses because they happened to speculate in the wrong place. Does the government bonus residents who bought bad stocks? Then why would we bonus a developer for buying environmentally sensitive land or agricultural land?

I urge you to adopt the following recommendations. I'm just going to read them in bullet form.

(1) Eliminate the loophole that needlessly redesignates 180,000 acres of rural lands to urban uses and, instead, freeze all current urban boundaries for 25 years.

(2) Expand the greenbelt to include an estimated 800,000 acres of natural heritage features located adjacent to the greenbelt. In Oakville, the Ministry of Municipal Affairs is a member of our interagency review team and has taken a leadership role in working to identify elements of the natural heritage system. According to a town staff report, the ministry has been advised that the town will need additional tools and assistance to implement the system. I would ask that this particular natural heritage system be included in the greenbelt plan or that specific boundaries should be ecologically based and not politically based.

(3) Provide permanent funding for a permanent greenbelt.

(4) Protect all natural features connecting the greenbelt lands to Lake Ontario, not just the major rivers that connect to Lake Ontario.

(5) Expand the government's greenbelt to the rest of southern Ontario, based on the NOAH proposal, which is the Niagara Escarpment to Oak Ridges moraine north to Algonquin Park/Adirondack Park heritage system, for a total greenbelt area of at least five million acres.

(6) Ensure that all planning decisions "shall conform to" the guidelines contained in section 3 of the plan.

(7) Ensure that the Greenbelt Act applies to all land use applications currently in the system, whether before the Ontario Municipal Board or any other decision-making body.

(8) Ensure that the natural heritage features within the greenbelt cannot be reduced in size in any future land use decisions.

(9) Create an independent greenbelt commission, similar to the Niagara Escarpment Commission. This commission would be charged with implementing the grand, long-term vision of the Greenbelt Act and ensuring that local municipalities and regions adhere to the act.

Incorporating these recommendations into the Greenbelt Act would mean true and lasting protection of our precious natural heritage. It would make the grand and bold Greenbelt Act even grander and bolder. Failure to do so will mean that urban sprawl will continue to spread like a cancer in the GTA, with disastrous consequences to our clean air, clean water, wildlife and our children.

The Chair: Thank you both. You've only left 23 seconds for questions, so I appreciate your passion. The

fact that you got it all in was very impressive. Thank you very much for coming. We're going to have to move on to the next delegation. We've exhausted the opportunity to speak to this.

Mr. Elgar: Thank you so much.

HALTON REGION FEDERATION OF AGRICULTURE

The Chair: Our next group that will be appearing is the Halton Region Federation of Agriculture.

Good afternoon and welcome. Thank you for coming. Could you identify yourselves and the organization you represent. When you begin, you will have 15 minutes.

Mr. Lieven Gevaert: Thank you, Madam Chairman. My name is Lieven Gevaert. I am a director of the Halton Region Federation of Agriculture. Our federation represents approximately 400 families or 400 members.

Mr. John Opsteen: My name is John Opsteen. I'm the president of that organization. As well, we're both farmers.

Mr. Gevaert: We would like to present the following comments. Because there are many relevant topics, we could talk here for two hours. Here are some of the topics we will not represent: the greenbelt plan duplicating and confusing the proven successful Halton region planning process; the greenbelt plan enforcement with sticks and no carrots; no appeal process; planning chaos in the rural areas of the GTA; severe time constraints in the process; unclear definitions in the plan—I'll mention section 3.2.4; such words as "significant," "seepage areas," "streams" and many more; recognition by the people of Ontario that greenbelted ones will give up property use rights, will give up property equity, will give up future restrictions for the stated benefit of all Ontarians, and I will add that we have recommendations on how the process would work. We are not speculators. I have lived in the same place for 31 years. I am not a speculator. We have examples of how this can be done. And finally, there is insufficient coordination between the greenbelt study and Places to Grow.

We will concentrate on three issues: (1) priority on Places to Grow, (2) farm viability, (3) science and greenbelt boundary setting.

The Places to Grow document is the prime document to plan for the population increase in southern Ontario for the next 20 or 25 years. One of the basic principles of this document is that there will be urban densification for all the good reasons given, such as better use of infrastructure, less gridlock, lower transportation energy requirements and, some people say, greater efficiencies in use of water and sewage infrastructure.

Urban densification priorities would delay the urbanization of rural farms for the next 10 to 15 years. However, there must be a huge social mindset change for all Ontarians if urban densification is to become accepted. We respectfully recommend:

(1) Prioritize Places to Grow and implement urban densification first, to reap those obvious, immediate previously mentioned benefits.

(2) Implement the greenbelt plan after the Places to Grow plan has been properly implemented.

I will now let John speak on farm viability.

Mr. Opsteen: The proposed greenbelt plan sets out an admirable goal, which we support, of protecting prime farmland. The plan doesn't take into account that it is not effective to preserve farmland without preserving the business of farming and farmers.

Soil type and climate are only small factors in defining what prime farmland is. Other factors, such as agricultural infrastructure, proximity to suppliers road safety factors, and many more, need to be considered when defining prime farmland. The simple designation of land will not have the positive effect on agriculture that the greenbelt plan intended.

Viability of farming must be addressed before the implementation of the greenbelt takes place. The business of farming and farm viability is very complex. This is why we would recommend the following:

(1) That the government strike a task force on the issue of the viability of Ontario agriculture inside and outside the greenbelt, looking at the full economic effects of the greenbelt, and that the government put a plan in place based on the recommendations of this task force before the greenbelt is enacted.

(2) That the greenbelt plan be changed to "the agricultural greenbelt plan." The reason for this request is that some members of the public hear terms like "greenbelt" and "protected countryside" and automatically think "park." For many reasons, such as liability, biosecurity and trespass issues, this change in name will change from a park mindset to a agricultural mindset. The issues of liability and trespass, and especially biosecurity, are all things that are very important and need to be studied further.

(3) To ensure a level playing field for all farmers in and out of the agricultural greenbelt, an adjudication body that is farm knowledgeable, such as a normal farm practice tribunal or a Halton agricultural advisory committee model should be enacted.

(4) Farming equality in the agricultural greenbelt should be enshrined for the present and the future.

(5) It is unclear what effect a greenbelt may have or is having on equity in the farming community. Therefore, we recommend a land value monitoring program be struck to look at past, present and future values of land and a commitment be made by the government to rectify any negative inequities through negotiations with the agriculture community, as this greenbelt is to be of benefit to all Ontarians.

(6) That the government look seriously at other models that save farmers from extinction, such as the Pennsylvania agricultural preservation model that the OFA presented.

Now I'm going to hand it back to Lieven.

1600

Mr. Gevaert: Science in boundary setting: There is a strong apprehension among farmers that the proposed greenbelt plan boundaries have been set in an illogical fashion, without scientific and logical guidelines.

During the November consultations, the LEAR report was stated to be the basis of science and logic in boundary setting, yet we were told there was no such written report and that we could not get a copy of it. Secondly, we were told that the computer data which backed LEAR was not available to us because of the data complexity.

Impartial, objective, scientifically based, public and transparent boundary-setting methods are essential if there is to be any buy-in, acceptance and perceived justice of those being greenbelted or not being greenbelted. I personally have had great difficulty on the various Web sites in finding the scientific background. Maybe I wasn't smart enough to find it. I'm going to show you three examples.

On map number 83—

Mr. Opsteen: These are all in your package.

Mr. Gevaert: —this area is proposed greenbelt. This is Oakville. This boundary is straight, except it flips downwards. You can see that—flipping downwards. There is no difference when you look at the land between here and here. My question is, why is that? My second question is, who owns it?

The second example is map number 78. This is in Milton. This is the Niagara Escarpment, and this here is the edge of the greenbelt. It is very interesting to note that there is a little gerrymandering going on over here, as you can see right here. My question is, what is the science, recognizing that the land here and here is visually no different and looks the same? So the question is, I wonder why that is?

Third, watershed is the basis of “in” or “out.” For this reason, things were added at Puslinch township and also in Dufferin. Watersheds that led to the Ontario lake streams were included and that's why this was added. This is a watershed which happens to be going toward Lake Erie. That initial part is greenbelted, but the majority of that watershed, which happens to be the Grand, is not. That is illogical science.

These are just three examples; there are many more. I'm just trying to make a point.

The recommendations we make are:

(1) That the government enunciate what the boundary-setting scientific rules are, that the rules be transparent, that the rules be open and that the rules be discussed with all citizens openly;

(2) That the scientific proposals be reviewed by the proposed greenbelted ones, that there be agreement and that the scientific rules be used to review the boundaries of each affected owner, whether he is in or out—there may be some people who are not in who want to be in;

(3) That there be an adjudication process to ensure that boundaries are set according to agreed-to principles, and if not, that there be someplace to complain and be heard; and

(4) That such principles as prime ag land, land with proven productivity capability, climatic conditions, watershed basis and sensitive features be included, not political boundaries and not land ownership.

When a farmer wants to plow and prepare his land in the spring, he will plan—and I've done this—by walking the fields to ensure that the fields are dry enough to work them. He doesn't want his tractor to get stuck in the mud, requiring the tractor to be pulled by his neighbour's tractor and himself be embarrassed to tears and lose all that time. We are certain that the government does not want to be embarrassed by a poor plan, a poorly implemented plan, just for the sake of inadequate planning and rushing.

We thank you very much, Madam Chair and standing committee, for the opportunity to present, and we welcome any questions that you may have.

The Chair: You have left us with a little less than four minutes. I'm going to give a minute and a half to each party, the opposition first.

Mr. Hudak: Gentlemen, thank you very much for your presentation. I know you've done a lot of work, and you've been kind enough to send some of this information on to me in my capacity as opposition critic.

You raise some real and alarming concerns on the map in your area. When I was in Caledon last week, and you were there too, in one night alone they had 69 individual errors on the map that the municipality felt were verified, felt were legitimate. That's 69 in Caledon alone in one night, which gives you real pause to wonder about how many there are across the greenbelt.

You used a very strong term: gerrymandered. What are you suggesting in terms of political interference versus environmental science? How would you solve it to give transparency?

Mr. Gevaert: The way I would solve that problem, and I'm only an individual, is that the whole process be open, that the rules of science be actually stated for the public, that there be no backroom deals and that each landowner be given the opportunity to evaluate his own through the scientific rules.

Ms. Churley: Thank you very much for your presentation. It was very good. Because there is so little time, I want to ask you about other types of provincial plans that would ensure farm viability. I know that goes well beyond just the greenbelt, to lots of other policies and problems as well. What do you want to see put in place?

Mr. Gevaert: I'll be terribly brief: What I want to see put in place is a task group that can address the issues. It is going to take a couple of years to look at these complex issues. The Bob and Lyle show was not given the opportunity in the short period of time to make an appropriate agricultural team.

Ms. Churley: Bob and Lyle who?

Mr. Gevaert: I'm sorry; the agricultural team special group were not given the opportunity—

Ms. Churley: For the record, I just wanted clarification.

Mr. Gevaert: They didn't have enough time.

Mr. Opsteen: Like we've stated, there are a lot of different issues and we need the time to look at them. Biosecurity is one. Right from the start, as a part of this greenbelt plan, they talk about public trails on private

lands and issues in that regard. Diseases within the agricultural community can really hurt and devastate an industry. An example is avian influenza in British Columbia. They're still looking at how it was all spread, and part of that could have been through people walking through those agricultural areas. No one wants to devastate an industry; no person just going for a walk wants to do that. But we have to deal with those issues before we enact a greenbelt, so we know what we're dealing with and we can educate the public.

The Chair: The government side.

Mrs. Van Bommel: Thank you for your impassioned presentation. I certainly have heard it and quite welcome it.

Under farm viability, you're talking about a level playing field for all farmers by the establishment of an adjudication type of board or panel. Who would sit on a panel like that?

Mr. Gevaert John, do you want to address that?

Mr. Opsteen: I would say a combination of government and farmers and people policing themselves, to make sure that we do this right, to create a level playing field. Just to give you an example, HAAC, the Halton Agricultural Advisory Committee—they advise the council of Halton—is mainly made up of farmers from different aspects of agriculture, just general people there who can be standing members, and councillors. They work together to come up with good recommendations for council. I think they do an amazing job.

Mrs. Van Bommel: Percentage-wise, what would you say, 50% farmers?

Mr. Gevaert: Approximately 70% farmers.

Mrs. Van Bommel: Is that the case in the AG advisory at Halton?

Mr. Opsteen: I would say it's about that.

Mrs. Van Bommel: Predominantly farmers?

Mr. Opsteen: Yes. If I may say, farmers are hardest on themselves. They police themselves very well. But those are the issues that we need to look at.

The Chair: Thank you, gentlemen, for your delegation today. We appreciate you coming out and giving us your submission.

1610

AGGREGATE PRODUCERS' ASSOCIATION OF ONTARIO

The Chair: The next group that will be appearing before us is the Aggregate Producers' Association of Ontario. Welcome. Could you identify yourselves and the organization you speak for today, for Hansard. You will have 15 minutes.

Ms. Carol Hochu: Thanks, Madam Chair, and good afternoon, ladies and gentlemen. My name is Carol Hochu. I'm president of the Aggregate Producers' Association of Ontario. Joining me today is Greg Sweetnam, from James Dick Construction, one of my members and second vice-chairman of our board of directors. We're pleased to be here today representing the interests of

Ontario's sand, gravel and crushed-stone producers, speaking on a matter of public interest.

Some of you may be unfamiliar with our industry's contribution to Ontario, although everyone in this room is a user of aggregate. Whether it's the road you travelled to get here today, the school your children attend or the hospital that cared for your ailing family member, all these sectors depend on a vital supply of close-to-market aggregate, as do the environment and our economic prosperity.

Let me add that the products we supply are not discretionary. The industry only supplies product that is required for construction and for which there is an immediate demand. Without aggregates, neither maintenance nor construction of infrastructure is possible.

Our purpose in attending today's meeting is to raise our industry's concerns about the impacts of the proposed greenbelt legislation. At the outset, let me say that our industry was very pleased when asked by the government to be a member of the Greenbelt Task Force. I, along with environmentalists, developers, government officials and others, spent countless hours trying to achieve a balance between natural features preservation and ensuring continued economic prosperity for the province. In large part, I think the task force succeeded.

Our recommendations to government last August contained some important statements, including:

(1) That aggregate extraction is a temporary land use, entirely consistent with the objectives of the greenbelt;

(2) That a close-to-market supply of aggregate is critically important if we are to protect the environment and invest in the aging infrastructure of the greater Golden Horseshoe;

(3) That a close-to-market supply of aggregate is an important way to guard against having more and more trucks hauling aggregate along the highways from other parts of the province;

(4) That the industry, working in concert with provincial agencies, local municipal officials and the community, develop plans for aggregate operations that are the least disruptive possible to the community and the environment; and

(5) That no priority should be automatically assigned.

We were very surprised to learn, then, that the draft greenbelt plan proposes additional restrictions in excess of what the task force recommended to government. We don't know why the government did not fully implement the task force recommendations, particularly in light of the serious and hopefully unintended consequences. Here are a few examples:

(1) The present provincial policy statement allows for aggregate extraction, taking into account the significance of the resource that is present and the broader environmental context.

(2) It is consistent with the Kyoto accord.

(3) It emphasizes adequate close-to-market supply for environmental, economic and social reasons.

(4) This policy has been in place for many years.

The greenbelt legislation, however, will sterilize the licensing potential of significant hectares of aggregate, resulting in the following outcomes: restricted supply with increased price and longer, more distant haulage, adding to gridlock, with more fossil fuels being burned and greenhouse gas emissions created, thereby pushing the perceived problem to someone else's backyard.

The government of Ontario, municipalities, school boards and hospitals will all feel the effect of restricted supply and increased price. At a time when the government is attempting to revitalize our aging infrastructure, this just doesn't make economic or environmental sense.

The relationship between the proposed greenbelt legislation and other policy statements is unclear. The environment and water resources are well protected in current legislation and planning. For example, the current provincial policy statement and environmental legislation and regulations appropriately protect groundwater and surface water, protecting headwaters and aquifers. The Aggregate Resources Act also requires water resources assessment when appropriate.

The proposed greenbelt plan would require municipalities to map key hydrologic features to ensure no development or site alteration. To unintentionally ban aggregate from recharge areas will dramatically alter our economy. Please remember from your geology 101 that aggregate is only found in recharge features—moraines, kames, eskers, outwash and limestone plains. Our industry, working in concert with other stakeholders, has managed successfully to protect key hydrologic features, making site-specific adjustments as necessary.

All resources in the greenbelt have to be considered and balanced. The ability to restore ecosystems or natural heritage features should be recognized. Rehabilitation opportunities have to be factored into the decision-making process. For example, woodlands are a renewable resource. Our industry has shown that we can rehabilitate land back to natural environment, including woodlands and wetlands. Prohibitions in the draft plan leave no opportunity to balance site-specific circumstances and potentially rob the province of vital supplies of aggregate.

As you hopefully know, the requirements for new pit and quarry applications are currently set out in the Aggregate Resources Act, a provincial act adopted by the Liberals in 1989 on the grounds it was amongst the most environmentally sustainable legislation in North America. This act is accompanied by stringent standards that must be adhered to by our industry.

As a responsible industry, we share the government's goal of speedy rehabilitation of aggregate sites as desirable and necessary. Some of you in this room might be surprised to learn that some of Ontario's greatest natural assets and tourist attractions were once aggregate sites, including the Royal Botanical Gardens, the Osprey Valley golf course and parts of the Kelso Conservation Area, to name but three.

The proposed greenbelt plan suggests a requirement to restore the site to the same feature of the same size in the

same location where certain natural features have been affected. This is in effect a prohibition by another name, especially for below-water quarries, which, incidentally, are the most critical form of new supply required. We would like to work with the government on a rehabilitation regime that is practical, workable and attainable.

We share the government's goal to minimize disruption to the community and the environment, because we live here too. As a past chairman of our board, one of our elder statesmen, once said, "We're not from outer space. We love Ontario too." We firmly believe that it's possible to protect the environment and not compromise Ontario's prosperity.

We continue to assert that a close-to-market supply is essential if we are to revitalize Ontario's aging infrastructure, reduce greenhouse gas emissions, ease traffic gridlock by reducing the number of trucks hauling aggregate from other parts of the province and keep the price of aggregate affordable for the broader public sector.

But you don't have to take my word for this. Studies have demonstrated that in the GTA we are running a 3 to 1 deficit in replacing depleted supply. In the past 12 years, only one tonne has been replaced for every three tonnes produced. For crushed stone there has been no replacement supply in the GTA for the past 25 years. Halton region, which has historically supplied 45% of the GTA's aggregate, will be depleted by 2010 unless new licences are permitted. These are alarming consequences for our province.

On the subject of recycling, our industry is actively involved in recycling and supports any and all initiatives to do more. Ontario's use of recycled aggregate is ahead of most other North American jurisdictions, but there are limits, and recycling will only replace a small proportion of the province's demand.

If aggregate is not available within the GTA, haul distances will significantly increase, as alternative deposit areas are much more than twice the distance from market. Imagine an additional 1.5 billion—that's with a B—kilometres of truck travel over 10 years and one million additional truckloads on the roads leading into the GTA each year to deliver the same amount of aggregate currently produced in the GTA. The environmental consequences are staggering. This additional truck traffic will add 2.25 million tonnes of greenhouse gases over 10 years. This amount is equal to double what the province hopes to reduce through the Drive Clean program. These millions of tonnes of greenhouse gases are the equivalent of adding 50,000 more cars each year into the GTA.

Financially, the increased transportation costs of importing aggregate currently produced inside the GTA is about \$4 billion over a 10-year period. Simply put, this is not a sustainable expenditure for the public sector.

1620

In summary, our industry remains committed to supplying the province of Ontario with vital aggregate resources to repair our aging infrastructure and to fuel

our thriving economy. We can do so with minimal environmental impacts. Ontario is at a critical juncture and must carefully consider how to preserve our natural features while not compromising our hard-won economic gains and future prosperity by unintentionally adding to costs and environmental degradation through transferred truck impacts. The aggregate industry is willing to do its fair share and will continue to work with the government during the weeks and months ahead to ensure the proposed greenbelt plan does not rob our province of this vital resource.

We appreciate the opportunity to speak to the committee. If time permits, Greg and I would be pleased to answer any questions you might have.

The Chair: We have a minute and a half for each party. Ms Churley is the first speaker.

Ms. Churley: Thank you very much for your presentation. I'm sure you've read some of my public comments and understand how I feel about this issue.

I have here a report by Pembina, and there are also the Environmental Commissioner's comments, which I'm sure you've read. I'm just wondering, because it's such a short time, how you know—you mention in your report that there is a supply problem. The commissioner and the Pembina Institute both say there is very little information about this. Where is this—

Mr. Greg Sweetnam: To use the example of crushed stone, which makes up 45% of the GTA market, recently our company flew over all of our competitors' sites and with aerial photography—it's a public document, OPA 161 in the Caledon hearing—we determined exactly, plus or minus 2%, what our competitors have in their quarries. That number, running out in 2010, is a hard, defensible number. The problem we have is that you get something like the Pembina, which isn't tested, other than in a very general forum like this. We would just love to get something like that with a hard surface behind them so that we could test that in a hearing type of atmosphere. We would carve that report to pieces.

The way we did planning in Ontario a number of years ago was that we did specifically target individual policies and test them in hearings. The one I'm most familiar with is the NEC five-year-review hearing. We used to do planning with a sniper rifle. We kind of moved to Lancaster bombers from 20,000 feet, where we're generally hitting the target, which was the Oak Ridges moraine. Now we're into what I call the era of nuclear weapons planning, when there are all kinds of unintentional consequences realized for something that had good intentions behind it initially.

Ms. Churley: I don't have time to pursue that, do I?

The Chair: You don't.

Ms. Churley: Too bad. Thank you.

The Chair: From the government side, Ms Van Bommel.

Mrs. Van Bommel: First of all, I want to thank you for your participation on the Greenbelt Task Force. You certainly brought information in that was very valuable.

On page 6, you talk about the Aggregate Resources Act, which requires rehabilitation of new pits. What are

we doing about abandoned pits? That is certainly a concern of the public, when you drive by and you see these great holes. How are we dealing with that?

Mr. Sweetnam: Currently, the industry funds a program called MAAP, which stands for—

Ms. Hochu: Management of abandoned aggregate properties program.

Mr. Sweetnam: Industry is funding the rehabilitation of anywhere between 15 and 30 sites a year and basically decreasing the backlog of those. That's something that isn't funded from the public purse; it's funded by industry money. The industry is making great strides, moving forward in getting those taken care of.

Interestingly enough, one of the greatest challenges of that program is to find landowners who currently own these abandoned sites and who are willing to allow our program to go in and rehabilitate them. For every four sites that are approached to do those rehabilitation projects, probably only one actually accepts our help, and it's done at no cost to the landowner.

Mrs. Van Bommel: Interesting. Thank you.

The Chair: To the official opposition and Mr. Hudak.

Mr. Hudak: Thank you very much to the APAO for their presentation. Ms. Hochu makes a good point, that the Greenbelt Task Force had done extensive consultations. They had forged together, I believe, a plan that they would describe as balanced, that worked to protect areas that are protected and at the same time made sure there was a support plan for farmers, a support plan for municipalities and such. Somewhere along the line, though, the Greenbelt Task Force's plan was changed through a political process of government. There are probably a lot of pages in here, parts that we could cross out.

Interjections.

The Chair: Could I have a little order so we can hear the question, please.

Mr. Hudak: Do you think members of the task force would agree that their recommendations have been fully adopted by the government in this legislation?

Ms. Hochu: I can't speak for the other members of the task force, Mr. Hudak, but certainly our assertion is that the task force recommendations of last August didn't fully translate into the draft greenbelt plan that was released at the end of October.

Mr. Hudak: In a variety of areas. The aggregates make this point, agriculture makes this point, the municipal sector, I think, is making the point, the building sector is making that point as well.

You talked about an approach that would be less intrusive for aggregates within the greenbelt area. Can you describe what that process would be and how you could persuade citizens that it could be restored to an environmental state?

Ms. Hochu: Are you referring specifically to the rehab opportunities? We certainly have lots of fine examples—and I mentioned a few in my presentation—that the industry can and must rehabilitate back to something compatible with the surrounding landscape. We've got

lots of great examples in the Niagara region and all through the greater Golden Horseshoe, where wetlands and woodlands and natural features have been restored and enhanced.

Mr. Sweetnam: I happened to note, walking into this building, that the stone to build this beautiful structure came from Caledon, and that quarry is now basically encompassed in a provincial park. You'd never know in a million years that there had been a quarry there, unless you knew where to look.

The Chair: On that note, we'll end. Thank you very much for coming. We appreciate you being here.

FRIENDS OF BOYD PARK

The Chair: Our next delegation is the Friends of Boyd Park.

Ms. Deborah Schulte: Just a minute while I get this ready. I'm sorry to delay. I think it's warming up. While it's warming up, I just want to explain who I am.

My name is Deborah Schulte, and I'm the co-chair of the Friends of Boyd Park. That's a coalition of environmental and ratepayer organizations dedicated to protecting Boyd Park, and that park is in Woodbridge, in Vaughan, Ontario. I was also a member of the minister's Greenbelt Task Force.

The Chair: When you begin, you will have 15 minutes.

Ms. Schulte: I understand. I'm just trying to get—

The Chair: OK. You're our first show-and-tell today, so don't worry.

Ms. Schulte: I thought I'd try to do something different.

Ms. Churley: It's normally not the presenter's fault.

Ms. Schulte: Well, I don't know about that. I'm not very good at this stuff, and at the moment, I don't see anything on the screen. It should be coming up by now.

Ms. Matthews: Is it the same as what we have?

Ms. Schulte: You know what? It is. So let's just go with that. It's a little bit easier to see on the screen, and there's some detail in there that I would have liked you to see better, but just forget that.

I want to thank you, Madam Chair, for the opportunity of addressing this committee about our concerns with this legislation. We share the government's vision of protecting Ontario's most significant environmental and agricultural features in a greenbelt.

While we congratulate Premier McGuinty for launching this initiative, there are three critical areas missing from the greenbelt. One is Boyd Park, which has been called the finest forest south of the Oak Ridges moraine in greater Toronto by the Ministry of Natural Resources. Second is South Simcoe, arguably the finest non-tender fruit agricultural land in the province and now the subject of intense developer speculation. Also, there is North Leslie, the critical connection point between the Oak Ridges moraine and the headwaters of the Rouge River, one of the most sensitive and threatened environmental areas in southern Ontario.

Despite an overwhelming scientific consensus on the extraordinary significance of each of these natural resources, these areas have been excluded from the greenbelt. We want the Premier to know that the greenbelt will not be complete unless these areas are designated for protection. All these sites are listed as top 10 hot spots by the Greenbelt Alliance, of which Friends of Boyd Park is a member. Mr. John Tory and Mr. Tim Hudak have rightly criticized the government for excluding Marcy's Woods and Beverly marsh from the greenbelt, but these properties are locally and regionally significant. We respectfully ask, why have the government and opposition not called for the protection of north Leslie, south Simcoe and Boyd Park, when these areas have far higher ecological value?

I'll now direct the majority of the presentation to the actual presentation that you have in front of you.

1630

I just want to say that the greenbelt goals that are relevant for this particular presentation are: protecting, maintaining and, where possible, enhancing the natural heritage features and functions; maintaining or enhancing the quality and quantity of ground and surface water within the greenbelt; and supporting the conservation and promotion of cultural heritage resources.

Greenbelt boundaries should not be based on anything but science. I was on the task force, and we believed that we should have good science behind what we were doing. We've been assured repeatedly by the ministry staff and, recently, by the Honourable Greg Sorbara that sound planning and science should define the greenbelt, not politics. Science dictates that Boyd Park be included in the greenbelt. I have a stack of documents five times higher than this from MOE, TRCA, MNR and other consultants that have been studying the area, saying there's good science in understanding the importance of these areas and why they're so sensitive and need to be protected.

We are asking that the greenbelt be expanded to include Boyd Conservation Area and the East Humber River Valley. I'll get into that in a minute. Just so that you know, Boyd Conservation Area is located in the city of Vaughan, as I said, and it is just south of the existing greenbelt boundary. The understanding is that it's within municipal boundaries and that's why it was excluded. However, we feel that that is just not appropriate, based on its significance and its connectivity to the rest of what is in the greenbelt.

MNR states, as said before, "The Pine Valley forest is the best forest south of the Oak Ridges moraine within the greater Toronto area." We need this area protected. It belongs in the greenbelt because it's an integral part of the East Humber valley system and it abuts the greenbelt boundary. It's ecologically significant: It has the Pine Valley forest provincially significant life science ANSI and many associated ESAs. There's a map in there, which we'll get to in a minute, that shows you how extensive this area really is. It's an important recreational destination. It needs source water protection, and we'll

talk about that in a minute. It's already in public ownership, so there's no reason not to do it.

As I said, there's a map, and I wish I could have put it on the screen, because you can't see the detail, but the green and the lighter green are ANSIs and ESAs. If you take a look, it's quite extensive, going all the way from Boyd, which is below Rutherford Road—again, I'd like to have been able to point it out better to you—going up into Kortright, north Boyd, all the way up Glassco Park and up the East Humber River Valley. It is an incredibly extensive, ecologically significant area; it's our Rouge Park in Vaughan.

Boyd Park itself provides 5.7 hectares of interior forest habitat, and as you probably know, this is an important kind of habitat that you just don't get in every forest. It has to be solid forest cover and very dense, and this is what we have here, because it's old-growth forest. Of the 237 plant species, there are 28 of concern. We have 21 fauna species of concern living there, and nine of the amphibian species breeding are of concern. So it's telling you that this is incredibly high quality and there are a lot of important species here. This is why it was designated as an ANSI.

At the heart of the forest sits a wetland, which is a recharge source for the East Humber River cold-water fishery. The East Humber watershed is considered to have the most significant population of redside dace, a provincially threatened species, in the greater GTA.

The area is a vital part of the terrestrial natural heritage in the region, providing important connectivity from the moraine to the Lake Ontario shoreline.

TRCA's groundwater management study indicates that the base of the Pine Valley virtually cuts through the entire glacial till cap covering the underlying aquifer, which is making the area highly susceptible to contamination. This is why it should be protected.

The recreational significance of Boyd: It's a significant regional destination. It attracts approximately 75,000 visitors annually. It's an integral part of a larger recreation and education complex—the East Humber valley complex, which we identified in the recommendation to the government from the task force—which we included because of its ecological, recreational and cultural importance.

The remains of several early First Nations settlements have been found in the area. Boyd Park itself contains the remains of an important Iroquois village. In fact, this village goes directly under Pine Valley, the road that they are intending to expand. This area has the possibility of providing a unique opportunity to re-create a First Nations village on the site.

I just want to let you know that part of what I handed around was a letter from the cultural representative of the Huron-Wendat Nation in Wendake, Quebec. They oppose the destruction of the aboriginal village site in Boyd Park. They are suggesting that the best way to prevent this from happening is to protect Boyd Park by putting it in the greenbelt, and there's a letter to that effect.

The really key thing here is, the reason you didn't want to go into existing urban areas was because of the complications of the land ownership. In this case, the land is in the TRCA's possession and they are supportive of putting it in the greenbelt. It's in their submission.

We need better protection for these areas than we have in conservation areas. They get nibbled away. Municipalities frequently look on these conservation areas as land banks for their infrastructure needs and for prime development opportunities.

Boyd Park belongs in the greenbelt: There's a plethora of science that dictates that Boyd Park does belong in the greenbelt. Tim Hudak, Tory MPP, stated on Focus Ontario: "I'm on the same wavelength as David Donnelly at Environmental Defence about Boyd Park being in the greenbelt.... Based on good science, it should be protected."

I've also—you're smiling at me.

Mr. Hudak: Put me in charge.

Ms. Schulte: Excellent. Greenbelt map 57 shows a couple of other areas that we are concerned about and that we believe need to be in the greenbelt, because this whole area is the East Humber watershed and headwaters area. Boyd is the bottom area of a big complex, as you can see in that map I showed you. This area is entailing the top end of that complex. We believe that to support the protection of the East Humber watershed and the associated ANSIs and ESAs—and I've included a document at the back. There's quite a lot of detail here about why this land is so important, so I've included the document from MNR at the back. There are also similar documents from TRCA for their ESAs. I didn't put those in because it would just get to be too much. But if you start reading them, you realize how very, very important this area is. Those areas are the area north of Teston Road, west of Kipling. If you look, there's a little area that you have jutting up into the greenbelt, bounded by the East Humber River Valley on one side and the greenbelt on the other side. It doesn't make sense to allow development to go up in that area. If you go through the resources that I have in there, they'll tell you that there are very significant ANSIs and ESAs up there that need more buffer than we would get if you put development up in that area.

Just so you know, redside dace have been observed in that ESA. The combination of topography and heavy forest cover provides the necessary conditions to maintain that cold-water fishery. Redside dace now exist only in southern Ontario and not very many places. This is one of the places where they still exist.

The valley and associated tableland forests provide habitat for fauna that require large tracts of interior habitat and cannot tolerate disturbance. Allowing development into this area would not provide adequate buffers to these very significant regional ANSIs and ESAs and would negatively impact the cold-water fishery. So we're asking, please don't let that area be developed.

1640

There's another area that is equally important, and it is the headwaters of the East Humber and the Purpleville

Creek. This area consists of rolling hills, wetlands, forest tracts and farms. It's the recharge area for the largest valley system on the East Humber River. Purpleville Creek, previously known as Cold Creek, flows through the area and is currently home to brook trout and the redeye dace. It's essential to protect the surrounding tableland if we're to maintain that cold-water fishery. This area also supports prime agricultural farmland.

Allowing development to extend between the greenbelt and the moraine will place tremendous pressure on infrastructure, ultimately making the greenbelt area to the south unsustainable. More urban sprawl is not required. Vaughan has significant land already designated for development in OPA 600. In addition, there's plenty of other land provided for future growth if they are unable to meet their needs through intensification and infill.

Please heed the goals of the greenbelt and resist bowing to development lobbyists and growth-obsessed municipalities. I've put in an interesting article, a letter to the editor that hit it right on the mark. So it isn't just us saying this; a lot of people are saying this as well.

Our conclusions: Based on best science from MNR, MOE, TRCA and independent consultants, Boyd Park should be put in the greenbelt, as should those other areas. If it's left out, it leads us to wonder why.

Thank you very much. If there are any questions, I'd be happy to answer.

The Chair: Everybody has about 30 seconds. The government side.

Mrs. Van Bommel: Just quickly, on greenbelt map 57 you talk about the little thumb or whatever. How many acres is that?

Ms. Schulte: I do not know how many acres that is. I'm sorry; I can't answer that question. Does anybody know? Can anybody help me there, the experts back here?

Mrs. Van Bommel: I'm just doing an eyeball on the mapping.

Ms. Schulte: I'm not an expert at figuring that out, and I wouldn't want to make a guess and get it wrong. We're looking at something on the order of five concessions going north.

Mrs. Van Bommel: That's OK. I'll do the math. I just thought you might know.

Ms. Schulte: No, sorry. I just started to figure it out myself.

Mrs. Munro: I appreciate your concern in identifying this area. I just wondered if you were aware of any other similar situations. You point out that this is public land owned by the conservation authority. Are there any other examples of this in the greenbelt, as far as you're aware?

Ms. Schulte: I understand that the TRCA in their submission have raised a similar situation in two other areas that they're concerned about. So they've requested that in their submission.

Mrs. Munro: It just seems very odd that you have public land not included.

Ms. Churley: I have a critical question for you, and it might turn into a statement. I have been calling for Boyd Park as well as Leslie lands and Castle Glen and others

since the government announced this greenbelt. The difference between the Tory—and this is why it's a critical question, and there are many—and the New Democratic approach is that we're not trying to hold up the hearings; we're trying to make amendments to get these left-out lands included. That has been my goal from day one, because there's a fear that the developers and others who want to stop the greenbelt completely, if they have more time, will put more and more pressure on the government to do that. Do you support what the Tories are calling for, to actually hold up this legislation for God knows how long to get Boyd in, or would you support just making the amendment—

The Chair: Summarize your question, please.

Ms. Churley: —and getting these lands put back in?

The Chair: It's going to have to be a yes or a no. You have no time to answer any more.

Ms. Schulte: The answer would be no, I would not support holding it up for a long duration. I think there are a lot of data available and we should be able to determine that quickly.

The Chair: Thank you very much. We appreciate your coming here today.

DAVIES HOWE PARTNERS

The Chair: Our next delegation is Davies Howe Partners. Good afternoon and welcome

Mr. John Alati: Thank you, Madam Chair and members of the committee.

The Chair: Could you identify yourself and the company.

Mr. Alati: My name is John Alati, and I'm a lawyer at Davies Howe Partners. I'm counsel to six clients who are landowners either in or near various parts of the greenbelt, on whose behalf I will be expressing their collective concerns about Bill 135 today. By way of identification, the six clients I represent are noted on the handout that is now going around by Ms. Grannum. They are: Hamount Investments Ltd. and Valley Grove Investments Ltd., who own lands in the township of Amaranth; Bayview East Landowners Group—I think you may have heard reference to their lands as being in north Leslie or the north Leslie secondary plan area in Richmond Hill; 1013351 Ontario Inc., which is also known as the Cardinal Golf Club; 1480290 Ontario Ltd./Davis Downs; DiPoco Management Ltd.; and Miller Paving Ltd.

With respect to Hamount and Valley Grove's land, they own approximately 211 acres of land in the township of Amaranth, just outside of Orangeville. The lands were not originally shown as part of the proposed greenbelt under Bill 27, yet they showed up as being in the protected countryside area as part of the greenbelt plan.

These lands are designated in the township of Amaranth's official plan as estate residential and have been so designated for approximately 20 years. They have been redesignated for estate residential use and zoned for those uses for that period of time as well. In fact, the northern portion of these lands, the 100 acres to the north, at one time did have a residential draft plan of

subdivision prior to my client's ownership. That draft plan subsequently lapsed.

These lands represent a small portion of the township's total land area, and to have these growth objectives and long-standing plans at risk of being eliminated by the province is, in my respectful opinion, inappropriate and unfair.

The Bayview East Landowners Group, as I mentioned, owns lands in the town of Richmond Hill, in the region of York, generally bounded by Elgin Mills Road, 19th Avenue, Bayview Avenue and Highway 404. An Ontario Municipal Board hearing in relation to these lands was commenced, but ultimately the hearing was stayed, pending the operation of Bill 27.

We have reviewed the proposed draft greenbelt plan as it relates to those lands. The majority of those lands are not included in the greenbelt, but there are two watercourse fingers that bisect our client's lands, running from the north, from 19th Avenue, to Elgin Mills Road East in the south. These environmental fingers are proposed to be included in the greenbelt.

For all of this proposed secondary plan area, there has been a wealth and a dearth of environmental study undertaken already. This material has been filed with the town, the region and the OMB, and circulated to the MMAH. Of the approximately 240 hectares of land holdings, approximately 60 hectares, or 25%, are proposed to be protected as part of the environmental system.

We are respectfully requesting that the watercourse fingers that are proposed to be included in the greenbelt be removed and that these lands be planned in accordance with the secondary plan process, which should be permitted to resume at the OMB.

Cardinal Golf Club is the owner of part of lots 13 and 14, new survey, Concession 1, in the township of King, located west of Keele Street, north of Highway 9. Again, there is an existing application pending to build a golf course and restore many of the natural features on these lands. They can be found on map 28 of the draft greenbelt plan.

Davis Downs, the numbered company, owns a site of approximately 90 acres bounded by Davis Drive to the south, Highway 404 to the west and Woodbine Avenue to the east. Our client's planning consultants, who did try to speak independently here but were not able to get an attendance before this committee, will be providing, under separate cover, a written brief to this committee.

Miller Paving is one of the largest private landowners, with 3,000 acres affected by the greenbelt plan and the Oak Ridges Moraine act. Six of their existing sites are distributed amongst the regions of York and Durham, within the municipalities of Brock, Ajax, East Gwillimbury and Georgina. Miller is extremely concerned about the effects of Bill 135 removing its rights of appeal, its elimination of access to the courts and its removal of rights under the Expropriations Act.

DiPoco Management Ltd. and related companies own approximately 735 acres of land within the northern portion of the city of Vaughan. A significant majority,

approximately 75%, of these land holdings is located in what is proposed to be the provincial draft greenbelt plan.

1650

I've grouped my concerns about Bill 135 on behalf all these clients into four main topic areas. These areas can be summarized as follows:

(1) Bill 135 strips away powers from local municipalities to manage their own growth and centralizes power in the hands of the minister.

(2) Bill 135 has suffered in its preparation from a lack of adequate consultation and insufficient background scientific and empirical study. Even the Building a Greenbelt document, which is printed and available on the ministry's Web site, is an insufficient and inaccurate basis for the establishment of the greenbelt.

(3) Bill 135 lacks transparency, and there is a lack of accountability in powers which have been centralized in the hands of the minister. Elements of the bill are unfair and contrary to the principles of natural justice and due process, as it strips away rights of individuals, doesn't provide for rights of appeal and does not provide for compensation for the taking or expropriation of lands or for the elimination of these rights.

(4) Bill 135 suffers from internal inconsistencies and is inconsistent with the objectives and time frames associated with other planning policy documents and legislation.

To turn just briefly to some of the items that emphasize my points under topic 1—that is, stripping powers from local municipalities and the concentration of power in the hands of the minister—the Minister of Municipal Affairs has spoken frequently since the introduction of Bill 27 about giving local municipalities more power and more autonomy, and yet, in my respectful submission, Bill 135 flies in the face of that and does just the opposite. Bill 135 concentrates power in the hands of the minister and allows the minister to disregard the growth management plans and planning objectives of local municipalities. By way of example, I draw your attention to the following sections of Bill 135, namely, sections 9, 11, 12, 13, 16, 17, 22 and 23.

By way of further example, section 9 of Bill 135 requires municipalities to ensure that for land areas designated as protected countryside, their official plans must be amended to conform with the greenbelt plan. The manner in which section 9 is written means that lands like those of many of my clients—Amaranth, for example—which have been the subject of long-standing designations and intended for certain forms of development can have those development rights stripped away. These development rights can be removed notwithstanding the local municipality's own needs for growth and in consideration of the existing environmental regime established by the municipality.

The minister can propose amendments under subsection 11(1), and this is after the minister has effectively established the greenbelt area and the greenbelt plan in the first place. After the minister has proposed an amendment, the minister has to engage in a mandated consultation and public participation process, which on its

face appears to be a good and democratic thing. But the minister, after considering any submissions received and consultation undertaken, can make any recommendations he chooses about approving, amending or modifying as he solely considers appropriate.

Subsection 13(3) allows a hearing officer to adopt rules of procedure for any matter that the minister refers to a hearing. In my respectful submission, this is unacceptable and should not be tolerated. At a minimum, the rules established under the Statutory Powers Procedure Act should apply to any hearings.

Section 22 allows for the prescribing, by way of a regulation, of additional objectives for the greenbelt plan, in addition to the long list of objectives already articulated under section 5 of the act. In my respectful submission, this is an odious approach. The objectives and purpose behind legislation should be known before the law is enacted. To put it in the vernacular, you should not be able to go back to the buffet table and add additional ingredients after the meal has been taken out of the oven. This type of provision has the potential to be subject to abuse and misuse.

Under clause 23(1)(a), the minister can force municipalities to pass bylaws under sections 135 and 142 of the Municipal Act related to the cutting of trees and site alteration for things like site grading and removal of top-soil. Clause 23(1)(b) allows the minister to specify the precise provisions in those bylaws and he's permitted to prescribe powers beyond those which a municipality normally has. These powers, in my respectful submission, have the ability to be used in an extremely unfair, arbitrary, heavy-handed and non-transparent manner.

Item 2, lack of adequate background study: In my respectful submission, this legislation has been and continues to be rushed. There has been inadequate time set aside for public consultation—only one more reading before March 9. If the government is serious about getting this legislation right, then more time is necessary.

In my respectful submission, there has been little if any scientific explanation or empirical research presented to demonstrate why the boundaries chosen for the greenbelt plan are appropriate. There has been no public consultation to examine or consider any scientific basis for the establishment of the boundaries. Much of the information provided on the ministry's own Web site as justification—if you look at the Building a Greenbelt section—is fraught with problems and inaccuracies.

Concern number 3, lack of due process, natural justice and a lack of transparency: Section 18 eliminates transparency from the decision-making process. The hearing officer is not required to hear evidence, just representations, the difference being that evidence would be sworn under oath. A hearing officer writes a report to the minister—he does not write a decision—and the minister only makes recommendations to the Lieutenant Governor in Council.

Section 19 unfairly strips away the rights of recourse to seek compensation for those individuals who may

have their existing development rights removed. Section 19 is very broad and eliminates all causes of action, whether they result directly or indirectly from the imposition of the act or the regulations made under its authority.

Clause 23(1)(c) grants a further unfettered power to the minister in that it allows him to prescribe anything else that is referred to in the Greenbelt Act as being prescribed, other than specific matters already prescribed in section 22. Again, the minister is given extraordinary powers that are not subject to any formal review or due process.

Finally, the act suffers from internal inconsistencies and is inconsistent with other legislation. Subsections 7(2) and 8(1) conflict with each other. Subsection 7(2) says that the decision made by the minister in terms of a policy statement under section 3 of the Planning Act is exempt from and does not need to conform with the greenbelt plan, and yet clause 8(1)(c) says that the greenbelt plan prevails in the event of a conflict between the greenbelt plan and a provincial policy statement. Clearly, these policies are in direct contravention of each other.

The review period stipulated in section 10—every 10 years—is out of step with the review period for both official plans and out of sync with the review of the provincial policy statement, both of which are every five years.

Section 15 establishes a greenbelt advisory committee. There is no clear role or mandate established or provided for this committee. Its establishment is all that appears to be done by the legislation.

The Greenbelt Act and the plan are being proposed in the absence of the finalization of the province's Places to Grow legislation. As a result, there is not enough interplay between the establishment of the greenbelt and efforts to link it with planning for future growth. An infrastructure plan for the greater Golden Horseshoe and mechanisms to see that its implementation are in place should be released prior to the finalization of the act.

My recommendations on behalf of the six clients that I mentioned would be as follows:

Amend the act to allow appeals against decisions made by the minister under the Statutory Powers Procedure Act.

Amend the act so that power is not consolidated and centralized in the hands of the minister, and return to municipalities at the local level the right to plan for their own growth management.

Amend the act to restore the application of the Expropriations Act to permit an opportunity for compensation to property owners whose lands or rights are expropriated.

Amend the act to permit aggrieved parties the opportunity to appeal to the courts.

Amend the act so that the Statutory Powers Procedure Act applies to hearings and processes commenced under this act.

Amend the act and the greenbelt plan to ensure that the plan's boundaries are based on defensible, sound and easily discernable science.

Extend the time for meaningful consultation prior to the passage of Bill 135 into law.

Subject to any questions, Madam Chair, those are my submissions.

The Chair: You've left yourself two and a half minutes, so I'm going to divide that among the parties. I believe it's the opposition first.

Mrs. Munro: I appreciate the analysis you've provided us with today. In thinking back to the point in time when the minister was dealing with Bill 26, the Planning Act changes, there again we saw unprecedented power of the minister in that particular piece of legislation as well. He advised the committee at the time that he would not abuse the power. Do you have the same confidence in looking at this particular piece of legislation?

Mr. Alati: No, I don't. I'd like to take it on faith that the minister would not abuse the power, but unfortunately, there are no guarantees. It seems to me that the best and only way to ensure that everyone is treated fairly and in accordance with natural justice and due process is to make it express in the legislation. It's simple, it's easy and it's clear.

Ms. Churley: Thank you for your presentation. You have some very specific recommendations around certain pieces of land and more broadly. There is a lot of discussion around whether or not these boundaries are scientific. I would agree that there are some areas where it looks very political; there's no question about that. But more and more, a scientific consensus is coming—we got some data on that today—that says the greenbelt should in fact be made larger. Given that you put so much emphasis on science, would you commit to supporting a larger greenbelt today, since we have some scientific data that says that in fact the problem is—

The Chair: I think your answer is going to have be one word, at this rate. Can you wrap it up?

Ms. Churley: Yes or no?

Mr. Alati: I'd commit to a thorough scientific review that's peer-reviewed and appropriately screened and reviewed.

1700

The Chair: The government side.

Mrs. Van Bommel: Thank you for your presentation. How many of these things that you talk about in here currently exist in the Oak Ridges moraine act? How would it compare to what we're doing here?

Mr. Alati: How many of the powers; for example, the minister's power under section 47 to impose zoning orders? Certainly it exists. The problem is that if it's imposed under this act, there is no right of appeal and there is no right of recourse. I have concerns that even if it's a restatement of certain powers that are already provided under the Planning Act or another piece of legislation, there is no appeal if it's brought in under the auspices of this act or a regulation promulgated thereunder, and that's unfair.

The Chair: Thank you for your delegation today. We appreciate your being here.

ROUGE PARK ALLIANCE

The Chair: Our last speaker today will be the Rouge Park Alliance. Welcome. We saved the best till last. It's hard at the end of the day, I know.

Mr. Lewis Yeager: I'm a very boring person, but Rouge Park is quite interesting and the greenbelt concept is exciting, so perhaps that will help you survive.

The Chair: Thank you very much for coming. Could you identify yourself and the group you represent for Hansard. When you start, you will have 15 minutes.

Mr. Yeager: My name is Lewis Yeager. I'm general manager of Rouge Park and the Rouge Park Alliance board of directors. Our chair, Ron Christie, would have liked to be here today, but he just had his knee scoped and he's not as mobile as he normally is. He sends his regrets and asked me to carry on. I'll try to do so.

I'll walk you through this brief that I prepared, but I won't go through all of it. I've summarized all the recommendations at the end for ease of use during your clause-by-clause and in preparing the summary. But I'd like to talk a bit about what Rouge Park is, why it's an important part of the greenbelt and perhaps put a few general concepts into play.

Rouge Park Alliance endorses the need to study the Golden Horseshoe and supports the objectives stated in section 5 of Bill 135. We recognize that clear limits must be set on development in order to protect environmentally sensitive areas and farmland as a greenbelt for the long term. In particular, Rouge Park plays an important role in meeting some of Bill 135's specific objectives: objective (e), providing a land base for ecological and hydrological functions; objective (f), providing a connection between Lake Ontario and the Oak Ridges moraine; and objective (h), to provide linkages between ecosystems and public lands.

Rouge Park also protects agricultural heritage and contains the only working farms in the city of Toronto.

The first recommendation basically shows our support for the general directions of Bill 135 and the greenbelt plan. We urge the committee and the government not to be timid in strengthening these.

On page 2 of the brief, I talk a bit about what Rouge Park is? It has been described as the largest natural environment park in an urban setting in North America. It presently includes about 4,000 hectares in York and Durham regions and the city of Toronto. The intent of our plans is to one day have a continuous natural corridor connecting the Oak Ridges moraine to Lake Ontario in the Rouge River watershed. In addition to these natural heritage objectives, Rouge Park also protects cultural and agricultural heritage lands.

Rouge Park is in its infancy—this is our 10th anniversary—but already performs important functions in the Golden Horseshoe greenbelt area. The park was first envisioned in the 1980s, its management plan was prepared in 1994 and the park officially became a reality in 1995.

One thing I would like to emphasize is that all of the Ontario governments in power from the 1980s to the

present have been strong supporters of Rouge Park. The consistent enthusiasm of all parties for the creation of this great public asset has been very gratifying.

The board of directors for the park, the Rouge Park Alliance, is chaired by a provincial appointee, currently Ron Christie. However, Rouge Park is neither a provincial park, a national park, a conservation area nor a municipal park. It is a unique partnership park created by contributions of land, money and services by all levels of government, regional agencies and with NGO support on our board. However, it lacks a strong base in legislation or the provincial policy statement, so it's vulnerable at the Ontario Municipal Board and other similar bodies.

On page 3, I go over the park objectives; I'm not going to go through them now. In the sidebar, one of the points is that we're in the process now of making a greenbelt a reality in the Rouge River watershed and adjacent lands.

On the map on page 20, there's an outline of the present area of Rouge Park, and the headwaters of the Rouge River are in the Oak Ridges moraine. So we touch upon a lot of things that this committee will find relevant.

Our organizational structure is on page 4. You can see that there's a large buy-in from federal, provincial and all levels of government in the Rouge Park concept.

We have a number of management plans. They're listed on page 5. The process is ongoing.

There's a list of current Rouge Park members on page 6. Mr. Duguid, your committee cohort here, is the provincial representative on the Rouge Park Alliance.

Beginning on page 7, I'd like to speak a bit about a critical mass of public lands. Rouge Park fulfills important roles for the proposed greenbelt in the heavily populated Toronto area. Its plans include developing major tracts of natural habitat, including interior forests where plants and animals sensitive to disturbance can flourish. We have redside dace too. Rouge Park will therefore act as a reservoir of biodiversity in the area and will support nearby greenbelt habitats that are smaller and less viable over the long term.

As well, Rouge Park is the best hope for an Oak Ridges moraine to Lake Ontario connection in the central greenbelt area, but it is yet incomplete. A critical mass of public lands is needed to ensure that Rouge Park can successfully support the greater greenbelt concept. In 2004, the province transferred 1,400 hectares of land in York region, Pickering and Toronto for Rouge Park purposes. This was a welcome addition to the park and is a great step forward.

Why is Rouge Park a good steward for public lands like these? Well, as noted on pages 13 and 14, a recent study of the natural environment in Toronto found that the largest forest patches, the largest meadow habitats and the majority of rare plants and animals were all found in Rouge Park. We need to accomplish a similar role throughout the watershed, particularly in newly urbanizing areas in York region.

The opportunity to make a difference is now. If you turn to page 19, there's a map which shows Rouge Park and the Rouge Park watershed. The lands labelled "D"

were the lands transferred by the province in 2004. But in addition to those, there are provincially owned lands in east Markham, labelled "A", and other lands to the west of the transferred corridor, labelled "B", that would form a much stronger natural system if added to Rouge Park. These are all in public ownership now.

Also important is an area of public land, labelled "C", in Pickering which would form a vital east-west link between Rouge Park and natural areas in the Duffins Creek watershed. The development and strengthening of such linkages among viable ecosystems is the most important result that could come out of the greenbelt initiative. Rouge Park has a proven track record, sound management plans and buy-in from all levels of government and citizens' groups, so we feel Rouge Park would be the best steward for these adjacent public lands in a greenbelt context.

To continue accomplishing these goals, the province should incorporate a separate section and schedules recognizing the unique circumstances and opportunities of Rouge Park as a significant component of the greenbelt plan.

On page 20, there's a pair of maps. The one on the left shows the existing Rouge Park, the public ownership part. With the addition of the remaining provincially owned lands that I've just mentioned, it would become as on the right. You can see that the critical mass of natural habitat north of Steeles Avenue would begin to balance out what we have south of Steeles Avenue.

1710

On page 9, we talk about ensuring the viability of Rouge Park. The original Rouge Park management plan is a provincial document and is well respected in planning circles. The Rouge North management plan, however, was produced by the Rouge Park Alliance itself after a lengthy consultation process with all stakeholders. Until it is formally adopted in municipal official plans, its valuable strategies are not receiving formal recognition at the Ontario Municipal Board and other venues. This problem persists because the alliance is not a legal entity with the weight of provincial legislation or even mentioned in the provincial policy statement under the Planning Act. Rouge Park needs a stronger provincial mandate if the greenbelt objectives of its management plans are to succeed.

Rouge Park and the Rouge River watershed should be designated a special biodiversity maintenance area in the draft greenbelt plan's natural system, which is section 3.2 of the plan, much in the way that the two specialty crop areas are described in the plan's agricultural system, section 3.1. This would provide for more complete support of our management plans and for the inclusion of measures in the Rouge that are more protective than might be necessary elsewhere.

Another measure of protection could be accomplished by amending paragraph 3 in section IV, Implementation/Interpretation of the provincial policy statement, to read—and I've quoted possible wording for that here that I won't go through now. In essence, though, we need the province to step up and provide more weight to

the Rouge Park and its management plans to ensure that they're viable over the long term and can provide those functions to the remaining greenbelt that it's critical mass of habitat will do.

One very valuable outcome of the creation and implementation of the Rouge North management plan was the identification of 11 ecological and cultural heritage criteria that, when combined in an overlay fashion, ensure a riverside protection zone that maintains the essential in-stream and adjacent terrestrial environments. I discuss that in here. I won't go through all of that with you now, but it's a verified scientific approach that was begun partially with the insistence of the development industry, which was tired of a fixed-width buffer zone. They would like something more scientifically developed. I'm not suggesting that they agree on all facets with this, but it's an attempt to bring science into the river protection environment.

The current direction in the draft greenbelt plan, that municipalities must consider specific plans like the Rouge Park management plan and the Rouge North management plan, is too weak to be effective. The words "must consider" should be strengthened to "must conform to" or "must comply with," both in terms of "natural system" in section 5.3.2 as well as "parkland," "open space" and "trails" in section 5.3.5 of the draft greenbelt plan.

Also, the plan should be amended to include specific transitional policies related to Rouge Park's management plans that are applicable to planning applications that were submitted prior to the greenbelt moratorium but not yet approved, particularly with respect to Rouge Park lands and policies that are now before the Ontario Municipal Board.

The next couple of pages, 13 and 14, talk about some of the unique aspects of Rouge Park that were discovered during natural environment studies done for the creation of the city of Toronto's new official plan. It has quotes from that report, but one of the best ways to describe this is that most of the best examples of habitat remaining in the city of Toronto are in the Rouge watershed and in Rouge Park.

In the way of concluding remarks, the opportunity offered by the passage of Bill 135 and the greenbelt plan, as amended, is an exciting challenge for Ontario. The growing population of the Golden Horseshoe will provide an insatiable market for enjoyment of the natural and cultural values provided by our presently diminishing farmlands and natural ecosystems.

The Rouge Park Alliance has been providing on-the-ground protection and restoration of these land uses for almost a decade. We welcome the opportunity to work on a larger scale with the general government committee, the province of Ontario and the proposed Greenbelt Advisory Council. We like to refer to Rouge Park as greenbelt plus, and we thank you for allowing us to participate in your process.

The Chair: Thank you, Mr. Yeager. You've left us with just under a minute each. Ms. Churley, you have the floor first.

Ms. Churley: There's never enough time in a minute to ask a reasonable question, so I won't. I just want to congratulate you and thank you and all of the Rouge Park Alliance for all the great work you've done over the years in consultation and in working with all three parties. Thank you for coming forward today. I assume that you've been talking with the government about the recommendations you put forward today on Rouge Park, and we're hopeful that they will accept amendments to include your recommendations.

Mr. Yeager: Thank you. I'll pass your good wishes on to the alliance.

Mr. Duguid: You began your remarks, Mr. Yeager, by saying you were boring but the Rouge Park is exciting. I'd say your passion and professionalism in working with the Rouge over the years has been anything but boring, so we don't consider you boring at all.

Please pass along to the chair our best wishes for a quick recovery on his procedure; hopefully he'll be back up and at it very soon.

As you know, the Peterson government was the government that got the Rouge going originally—originally announced the Rouge Park. Within a few months of being in office, the McGuinty government made a significant announcement adding more land to the park. We look forward, Mr. Yeager, to your suggestions in here to enhance the park even further. We're fully committed to it. Thank you for all your good work.

The Chair: The official opposition.

Mrs. Munro: I just want to offer my congratulations too, in terms of the fact that all parties have worked with you in recognizing how important this particular watershed is and the protection of it. We certainly appreciate your bringing to the committee today the issue of its inclusion in the greenbelt. Thank you very much.

Mr. Yeager: If I might just add a comment, much of Rouge Park is in the greenbelt, and we're happy to be there. You asked earlier about an area that is not in the greenbelt, whether any were excluded. If you look at the map on page 20, you'll see that on the main Rouge River, which goes up toward Milne Park, there's a gap in Rouge Park. Much of that is publicly owned land. It would be very useful if the government would reconsider whether that publicly owned land, even though it's within a municipal boundary and a developed area, might be included. Thank you.

The Chair: Thank you very much. We appreciate your coming out today.

Committee, this exhausts our list of public delegations today. Tomorrow we'll be in Markham. I just wanted to remind those members taking the bus that it is leaving at 7:45 a.m. from the main doors, Queen's Park, Legislative Building. If you want to be on the bus, you need to be there on time.

Unless there's any other business, this committee stands adjourned until 10 a.m. tomorrow in Markham.

The committee adjourned at 1718.

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Mrs. Maria Van Bommel (Lambton–Kent–Middlesex L)

Mr. Tony C. Wong (Markham L)

Also taking part / Autres participants et participantes

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

Clerk / Greffière

Ms. Tonia Grannum

Staff / Personnel

Mr. Jerry Richmond, research officer,
Research and Information Services

CONTENTS

Monday 31 January 2005

Greenbelt Act, 2005, Bill 135, Mr. Gerretsen / Loi de 2005 sur la ceinture de verdure,	
projet de loi 135, M. Gerretsen	G-587
Subcommittee report	G-587
Ministry of Municipal Affairs and Housing	G-588
Hon. John Gerretsen, minister	
Ms. Barb Konyi, manager, planning and development division	
Ontario Greenbelt Alliance	G-600
Mr. Rick Smith	
Greater Toronto Home Builders' Association	G-602
Mr. Jim Murphy	
Mr. Jeff Davies	
Ontario Nature—Federation of Ontario Naturalists	G-605
Ms. Linda Pim	
Municipal Leaders for the Greenbelt	G-607
Mr. Glenn De Baeremaeker	
Urban Development Institute/Ontario	G-609
Mr. Neil Rodgers	
Mr. Mark Tutton	
Coalition on the Niagara Escarpment	G-612
Mr. Bradley Shaw	
Ontario Federation of Agriculture	G-615
Mr. Paul Mistele	
Mr. Tom Wilson	
Mr. Neil Currie	
Pembina Institute for Appropriate Development	G-618
Dr. Mark Winfield	
Niagara Escarpment Commission	G-621
Mr. Don Scott	
Scotch Block Land Owners Group	G-623
Mr. Robert McClure	
Mr. Ross McClure	
Evergreen	G-625
Mr. Stewart Chisholm	
Mr. Allan Elgar; Ms. Renee Sandelowsky	G-628
Halton Region Federation of Agriculture	G-630
Mr. Lieven Gevaert	
Mr. John Opsteen	
Aggregate Producers' Association of Ontario	G-632
Ms. Carol Hochu	
Mr. Greg Sweetnam	
Friends of Boyd Park	G-635
Ms. Deborah Schulte	
Davies Howe Partners	G-637
Mr. John Alati	
Rouge Park Alliance	G-640
Mr. Lewis Yeager	