

Preserving the Oak Ridges Moraine: City of Toronto Interests

(City Council on December 14, 15 and 16, 1999, adopted this Clause, without amendment.)

The Planning and Transportation Committee recommends the adoption of the joint report (November 26, 1999) from the Acting Commissioner, Urban Planning and Development Services and the City Solicitor subject to amending Recommendation (2) therein by adding the words:

“and support the establishment of a provincial plan as the best method of extending protection to the Moraine;”

so as to read:

“(2) the City of Toronto endorse the actions recommended in the joint report produced by the staff of the Regions of Peel, York and Durham entitled ‘The Oak Ridges Moraine: Towards a Long Term Strategy’ (September, 1999), offer City staff assistance, request City staff participation in the process, and support the establishment of a provincial plan as the best method of extending protection to the Moraine;”.

The Planning and Transportation Committee reports for the information of Council, having received the report (November 25, 1999) from the City Solicitor.

The Planning and Transportation Committee submits the joint report (November 26, 1999) from the Acting Commissioner, Urban Planning and Development Services and the City Solicitor:

Purpose:

To identify the steps the City of Toronto can take to advance the City's interest in preserving the Oak Ridges Moraine as a natural resource.

Recommendations:

It is recommended that:

- (1) the City of Toronto urge Provincial leadership in implementing a long term strategy for the Oak Ridges Moraine, including consideration of planning tools such as a Provincial Policy Statement, a plan pursuant to the Ontario Planning and Development Act, or a plan pursuant to special legislation similar to the Niagara Escarpment Planning and Development Act;
- (2) the City of Toronto endorse the actions recommended in the joint report produced by the staff of the Regions of Peel, York and Durham entitled “The Oak Ridges Moraine:

Towards a Long Term Strategy” (September, 1999), and offer City staff assistance and requests City staff participation in the process;

- (3) the City of Toronto support the formation of the advisory panel on hydrogeological matters with respect to the Oak Ridges Moraine, as recommended in the joint report by the Regions of Peel, York and Durham, and request representation on that panel;
- (4) the Toronto and Region Conservation Authority be requested to continue to monitor all development applications and proposals within their area of jurisdiction on the Oak Ridges Moraine and participate actively in the planning process to protect the interests of the City of Toronto in maintaining and enhancing the water quality and quantity in the City’s watersheds;
- (5) the City of Toronto continue to promote urban intensification within existing urbanized areas as a primary means of relieving future growth pressures on the GTA countryside in general, and the Oak Ridges Moraine in particular;
- (6) this report be referred to the Works and Emergency Services Committee for information; and
- (7) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Background:

Council action at its meeting of October 22-25, 1999, regarding the Oak Ridges Moraine, in which Council:

- (i) stated its support for the protection of the Oak Ridges Moraine and its opposition to development that does not protect or enhance the health of our river systems and of the Oak Ridges Moraine;
- (ii) requested participation in the discussions regarding a long term strategy to protect the Oak Ridges Moraine spearheaded by the Regions of Peel, York, and Durham;
- (iii) expressed support for the Toronto and Region Conservation Authority in its efforts to protect the natural resources of the watersheds including the headwater areas in the Moraine;
- (iv) requested the Province to provide leadership in a long-term strategy and its implementation;
- (v) stated that the City of Toronto is not taking a position regarding specific setbacks from tops of banks in the watersheds until satisfied that our rivers and valleys are adequately protected; and
- (vi) requested the Chief Planner and the City Solicitor to submit a joint report to Planning and Transportation Committee on the steps the City and City Council can take to advance the City’s interest in the Oak Ridges Moraine as a natural resource.

This report responds to the request for a report as set out in (vi), above. At the Council meeting on November 24, 1999, a motion was adopted to do the following:

- (i) the City of Toronto support the request for a Provincial Policy Statement for the protection and enhancement of the Oak Ridges Moraine;
- (ii) the City supports a moratorium on development while the Policy Statement is being developed and approved; and
- (iii) the City be actively involved in discussions concerning the Oak Ridges Moraine.

Council approved an additional motion at its meeting on November 25, 1999, to undertake the following:

- (i) the City Solicitor to maintain a watching brief at the upcoming Ontario Municipal Board hearings in both Richmond Hill and Uxbridge to monitor progress and protect the City's interests, and give notice that the City may seek party or participant status;
- (ii) the City Solicitor and the Commissioners of Works and Emergency Services and Urban Planning and Development Services work with counsel and staff of the Toronto and Region Conservation Authority to prepare and present a case in support of protecting watercourses, natural areas and other environmentally sensitive areas;
- (iii) the Commissioners of Works and Emergency Services and Urban Planning and Development Services and the City Solicitor be requested to report to the December 7, 1999 meeting of Policy and Finance Committee on the financial implications of City participation in the OMB hearings, including the cost of staffing and the retention of outside consultants and legal counsel as necessary;
- (iv) the City Solicitor be requested to report to November 29, 1999 meeting of Planning and Transportation Committee and the December 1, 1999 meeting of Works Committee on the outcome of the first and second prehearing conference, if possible;
- (v) the Commissioners of Urban Planning and Development Services and Works and Emergency Services report to the November 29, 1999 meeting of Planning and Transportation Committee, as requested by Council at its October 26 and 27, 1999 meeting, on further steps the City can consider taking to help protect the Oak Ridges Moraine as a natural resource;
- (vi) the appropriate City staff, in cooperation with the Waterfront Regeneration Trust and the Toronto and Region Conservation Authority, organize a tour of the Oak Ridges Moraine for interested members of Council; and
- (vii) the City Solicitor and the Commissioners of Works and Emergency Services and Urban Planning and Development Services be requested to develop strategic policy initiatives to address the protection of the Oak Ridges Moraine as a natural resource at the Provincial, Greater Toronto Area, regional and local levels, and to participate in policy formulation

in the relevant municipalities, and to report further on the resources necessary to give effect thereto.

Staff acknowledges the Regions of Peel, York and Durham as the sources of much factual information contained in this report, obtained from their joint report entitled “The Oak Ridges Moraine: Towards a Long Term Strategy” (September 1999).

Comments:

1. Oak Ridges Moraine

The Oak Ridges Moraine (ORM) is a prominent ridge of sediments, primarily sand and gravel, formed by the actions of two advancing and retreating lobes of glacial ice about 12,000 years ago. It extends approximately 160 km in an east-west direction from the Region of Peel and Counties of Dufferin and Simcoe in the west, across the Regions of York and Durham to Northumberland County in the east. In the Greater Toronto Area (GTA), approximately 21% of the total land area in Peel, York and Durham Regions lies within the ORM. It varies in width from 3 km to 24 km. At its thickest point, in Richmond Hill, it reaches 240 m. in depth.

The Moraine provides and supports a diversity of functions, including:

- Providing a groundwater recharge and discharge function for approximately 65 watercourses flowing north to Georgian Bay, Lake Simcoe and the Kawartha Lakes, and south to Lake Ontario, including the Humber, Don and Rouge River systems;
- Providing a groundwater recharge function for the very deep aquifers which are the source of drinking water for many communities on and around the ORM;
- Supporting many of the remaining significant natural areas in the GTA bio-region, including forests, wetlands, and the associated vegetation and wildlife;
- Providing recreational and educational opportunities;
- Providing approximately 50% of the sand and gravel consumed within the GTA; and
- Providing housing and employment opportunities.

In recent years, concerns have arisen over the impact of development and aggregate extraction on the natural functions of the ORM.

2. City of Toronto’s Interests in Protecting the ORM as a Natural Resource

The ORM forms the northern and eastern boundaries of the Greater Toronto bio-region, which includes the City of Toronto. The Niagara Escarpment forms the western boundary, and Lake Ontario the southern boundary. The natural functions of the ORM are vital to the health of the bio-regional ecosystem. The most obvious example of this inter-relationship is the location of the headwaters of the Humber, Don, and Rouge River systems within the ORM. The groundwater discharge function of the Moraine, as well as surface water retention and runoff, is very

important in maintaining and regulating the quality and quantity of water flow in these watersheds.

The rural portions of the ORM form an essential component of the GTA “countryside”, which has intrinsic value as GTA rural area with unique character, value and functions, rather than as “undeveloped” land awaiting some “higher and better” use. The countryside is a distinct and valuable resource that contributes to the overall quality of life in the GTA. Greenlands, open space, agricultural lands, and the recreational opportunities available in the countryside, contribute to the social, economic and environmental health of the GTA. The health and well-being of the City of Toronto is thus intrinsically tied to the protection of the countryside, including the ORM.

3. City of Toronto’s Interests in GTA Development Patterns

While not specifically related to the ORM, the City of Toronto has a more general interest in the pattern and form of development occurring within the GTA which also pertains to development on the ORM. The most efficient and cost-effective means of providing transit, roads and other infrastructure within the GTA will occur through the implementation of a compact form of urban development. In addition, the preservation of the countryside and rural resources including greenlands, recreational resources, agricultural lands and aggregate resources is directly related to the development patterns. GTA competitiveness in the global economy, and GTA quality of life issues, are thus directly related to the preservation of these resources.

4. Historical Outline of Protection Initiatives Regarding the ORM

1989: Greater Toronto Greenlands Strategy (Kanter Report) recommended that due to the environmental significance and sensitivity of the ORM, the Province should declare a Provincial Interest under Section 2 of the Planning Act, and thus provide time to conduct a comprehensive land use planning study.

1990: “Watershed” Report of the Royal Commission on the Future of the Toronto Waterfront (Crombie Commission) emphasized the importance of the ORM as an integral component of an ecosystem approach to waterfront management in the GTA bio-region. The report recommended that the Province act immediately to preserve the ORM, quickly prepare a conservation and growth management strategy for the ORM, and also recommended the declaration of a Provincial Interest in the ORM.

1990/91: Province declares Provincial Interest and releases ORM Implementation Guidelines as an interim approach to Moraine development until a long term strategy is formulated and approved by the Province. The Guidelines identify areas of no development and the studies required prior to consideration of development approvals.

1994: Draft Provincial Oak Ridges Moraine Strategy submitted for Provincial approval. In 1990, with the declaration of Provincial Interest, the Province also established a broad-based Technical Working Committee (TWC) to formulate a strategy for the protection of the ORM. Fifteen studies and 4 years later, a draft Strategy was submitted to the Province. It established 3 interconnected natural systems; the Natural Heritage

System, the Water Resource System, and the Landform Conservation System. The Strategy identified a number of implementation options, including a Provincial Policy Statement, a plan under the Ontario Planning and Development Act, and a plan under new legislation similar to the Niagara Escarpment Act. The Province has never acted on this proposed Strategy.

- 1999: Proposed Tri-Regional Approach to a Long Term Strategy for the ORM. The Regions of Peel, York and Durham issued the joint report entitled “The Oak Ridges Moraine: Towards a Long Term Strategy” (September 1999). The contents of the joint report are summarized in section 7.2 of this report, below.

5. Current Official Plan Policy

While Regional and local Official Plans currently contain policies to direct growth and to protect the resources of the ORM, a comprehensive strategy for protection is lacking, resulting in uneven protection across the ORM. Growth pressures and other factors affecting growth decisions vary across the ORM. In most cases, the 1991 Provincial Implementation Guidelines are applied by the municipalities, but these Guidelines have been criticized for taking a non-comprehensive approach to development issues, for a lack of direction with respect to level of detail of studies, for their lack of status under the Planning Act, and for inconsistent application within and across various municipalities and agencies. In York Region, the York-Durham Servicing System (YDSS), colloquially referred to as the “big pipes”, have and will continue to have a tremendous influence on growth pressures and the resulting pattern of development both on and off the ORM. The Regional Official Plan policies regarding the growth pattern on the ORM are summarized below.

In Peel, the ORM is within the Rural System of the Official Plan and entirely within the Town of Caledon. Components of the Rural System include one Rural Service Centre (Caledon East), several small rural settlements and the Palgrave Estate Residential Community within the ORM. Outside the ORM, Caledon’s growth is directed to the Rural Service Centres of Bolton and Mayfield and other small rural settlements. South of Caledon, the Region of Peel is virtually completely urbanized or designated for urban development, and the pressure for northward expansion of urban growth into Caledon is growing.

In York, the growth management policies direct the majority of new growth to the Urban Areas and Towns and Villages. Rural plans of subdivision are considered in the rural portions of the ORM. Provisions in the Official Plan permit expansions to the settlement areas by amendment to the Regional Official Plan, subject to the appropriate studies. The majority of Urban Area growth on the ORM has occurred and is proposed where the York-Durham Servicing System (YDSS) is provided, in the Yonge Street corridor in Richmond Hill and Aurora, and in Vaughan to the west of Richmond Hill. The development in the Yonge corridor is a continuance of a historical growth pattern. The extension of the YDSS to the Stouffville community in the east has been approved, and is proposed for King City to the west of the central corridor, to support expansion of those communities. Expansion of the Ballantrae community in Whitchurch Stouffville has also been approved.

In Durham, the ORM is a principle component of the Major Open Space System. The growth management policies direct the majority of new growth to Urban Areas and Rural Settlements,

the great majority of which are located outside the ORM. Only a small portion of the existing Uxbridge urban area lies within the ORM.

6. Proposed Development on the ORM

A number of the GTA municipalities have strong Official Plan policies which reflect the desire to preserve their rural character, greenlands and environmentally sensitive areas including the ORM. These policies have been repeatedly challenged by developers who appear to view these policies as unreasonable restrictions on their land. They seem to view a refusal of a development application as a confiscation of their property. The Provincial government response to date has been mixed. While there is some recognition of the need to protect the ecological health of the ORM, there is also a competing interest in promoting “growth and prosperity”.

As noted in this report, preserving the countryside is a critical factor in maintaining and enhancing the environment and the quality of life in the GTA, which in turn is an essential factor in promoting GTA growth and prosperity. City staff strongly support the actions of the Region of Durham and the Town of Uxbridge as they are attempting to implement and enforce the relevant Official Plan policies already in place. They are not attempting to change existing designations, whereas that is what the developer is asking the OMB to do.

It will be up to the OMB to decide whether to support the preservation of the ORM, a goal reflected in the municipalities’ current Official Plan policies, or allow further urban development on the ORM in contravention of the existing Official Plan and Zoning provisions.

The tri-regional report entitled “The Oak Ridges Moraine: Towards a Long Term Strategy” contains a summary of the development activity occurring on the ORM within the Regions of Peel, York and Durham. New private development applications and municipal official plan proposals may have occurred since August, 1999 when the list was compiled, but it provides a snapshot. The ORM occupies, within Peel, York and Durham, respectively, 15%, 33%, and 21% of the total area of the Region.

Table 1: Estimated Population on the Oak Ridges Moraine

	1991	1999	2011	2021
York Region	54,850	85,000	151,000	178,000
Durham Region	14,087	19,668	24,000	26,000
Peel Region	8,920	n/a	14,000	18,000

Source: “The Oak Ridges Moraine: Towards a Long Term Strategy” (Sept. 1999), Regions of Peel, York, Durham

In summarizing active development files, in York Region there are currently about seven large proposals for urban development on the Moraine, connected to the York-Durham Servicing System. Designation of King City as an urban area and extending municipal services will add about 5,200 people. This proposal is currently before the OMB. In Richmond Hill, four private Official Plan Amendments propose adding 752 hectares to the urban area, adding a population of

approximately 36,000 at build out. In addition, the Town is proposing to add about 2,000 ha of land on the Moraine to its urban area, on municipal services, comprising about 500 ha (no population figures provided) in the north half of the North Leslie Secondary Plan, and 1500 ha representing the balance of the rural lands within the Town (no population provided). These proposals are also involved in the current Richmond Hill OMB hearing. A prehearing conference was held on November 19, 1999, at which City Legal staff secured a watching brief status. York Region staff have advised that at least 1500 ha of these lands have not been included in the population forecasts in Table 1, above.

In the rural area of York Region, there are currently 2 golf course communities, 1 resort/recreational community, and 1 plan of subdivision under consideration on the ORM, totaling 637 ha with an estimated population of 5,400. There is also a proposed golf course of 112 ha. York Region staff have advised that these unapproved proposals would not have been included in the ORM population forecasts contained in Table 1, above.

In Durham Region, there are currently under consideration on the Moraine six development proposals. The most prominent is the Gan Eden development, comprising a major expansion (456 ha) of the Uxbridge Urban Area onto the ORM, involving 2,500 dwelling units. The applicant also proposes to extend the sanitary sewer to the site from York Region and a watermain from Uxbridge. The Town of Uxbridge and The Region of Durham do not support the development, and the applicant has appealed the application to the OMB. The second prehearing conference is scheduled for November 29 and 30, 1999. The City Solicitor will be reporting further on the results of the York and Durham prehearing conferences.

Also within the ORM, there is another proposal to expand the Uxbridge urban area by 61 ha for 332 dwelling units, there are two rural subdivisions comprising 57 ha and 84 units in total, a golf course community of 379 ha and 750 units with associated commercial development, and a 29.5 ha golf course. Neither the Region nor the Town of Uxbridge has yet taken a position on the 379 ha, 750 unit expansion of the hamlet of Coppins Corners, and it could also be a controversial development along the lines of the Gan Eden proposal. The population forecasts contained in Table 1, above, do not take into account either the Gan Eden proposal or the proposed expansion of Coppins Corners.

In Peel, nine rural subdivisions have been proposed on the Moraine since 1991, comprising 371 hectares and 383 units in total. Only one of these has been registered, one is draft approved, and one is in circulation, with the rest remaining in the pre-circulation stage. Two of the unapproved applications are associated with Caledon East Village, and five are within the Palgrave Estate Residential Community. The Caledon East Rural Service Centre is currently undergoing a secondary planning process which will likely see it expanding onto the ORM in future. The Town and Region successfully opposed at the OMB a proposal to expand the Town of Bolton onto the Moraine. Peel staff has advised that the as yet unapproved development proposals on the Moraine were included in the population forecasts contained in Table 1, above.

New aggregate extraction on the ORM and/or the related haul routes are expected to be a controversial topic in future in all three Regions.

7. Possible City of Toronto Actions to Protect Interests in ORM

7.1 Provincial Long Term Protection Strategies

The most appropriate and effective course of action to protect the City's interests would be for the Province to follow through with its declaration of interest in the Moraine and take action to put in place a long term strategy for growth management, environmental protection and resource development. The 1994 draft Strategy formulated under Provincial leadership has never been implemented. Provincial implementation options include a Provincial Policy Statement pursuant to Section 3 of the Planning Act, a plan under the Ontario Planning and Development Act, and a plan under special legislation, similar to the Niagara Escarpment Planning and Development Act.

Staff of the three Regions favour the first option because it is not heavy-handed on the part of the Province, it is the least costly and easiest to implement, and allows the greatest municipal flexibility. The Planning Act requires that Councils, Ministers and Ministries of the Crown, government agencies and bodies (including the Ontario Municipal Board) "shall have regard to" such policy statement in exercising their respective authority on planning matters. Drawbacks of a Provincial Policy Statement are that it is not prescriptive, and thus has the least strength and enforceability.

A Provincial plan under special legislation might be the most effective in terms of its protection for the ORM, but even if the Province was willing, necessary legislation could be a long time in coming, plan formulation would likely then involve a lengthy process, and administration might be the costliest of the three options.

Of the three options, City staff view a Provincial Policy Statement as being the tool with the broadest support among the municipalities and stakeholders, and the easiest for the Province to implement in the short term. Given the need for Provincial action sooner rather than later to protect the City's interests in the ORM, the Policy Statement approach has the best chance of success at the earliest date. Because the City's interests in the long term would be best served by a Provincial Plan, the recommendation urges Provincial action in implementing any one of these three options.

7.2 The Tri-Regional Effort to Formulate a Long Term Strategy

Planning staff of the Regions of Peel, York and Durham have jointly produced a background report Durham entitled "The Oak Ridges Moraine: Towards a Long Term Strategy" (September, 1999), advocating a process for the Province, the 3 Regions and other interested parties to cooperatively produce a coordinated long term strategy for the ORM. Current implementation of Official Plan policies, no matter how strongly worded, and requirements for various studies to support development applications, and implementation of the Province's 1990 Implementation Guidelines, are not seen to be comprehensively protecting the significant features, functions and character of the ORM.

The report recommends that the Province be approached for support for the preparation of a Policy Statement under Section 3 of the Planning Act for the ORM. Other recommendations include the investigation of the formation of a hydrogeological advisory panel. A lack of

comprehensive, detailed hydrogeological information on the ORM was cited as an ongoing problem requiring further study and coordination. Related to this issue, the report also recommended a feasibility study of a hydrogeologic data management program, meaning a computerized data base for hydrogeological information.

Should the Province not commit to involvement in preparing a long term strategy, the report recommends that the Regions jointly explore proceeding to a long term strategy without the Province as a financial and political partner.

The proposed actions in that report would further the City's interests in protecting the Moraine, and this report thus recommends City endorsement of the actions recommended in the tri-Region report, and offers City staff assistance. The tri-Region report recommends wide consultation with stakeholders in the process of developing a long term strategy for the ORM. As a stakeholder, the City of Toronto should participate in this process, and the recommendation in this report also requests such participation.

The tri-Region report contains a recommendation to investigate the establishment of an advisory panel of consulting hydrogeologists to provide expert advice, analysis and interpretation, and provide a forum to discuss inter-regional groundwater issues. Preparation of vulnerability or risk maps is one area where the panel may be of assistance in developing protocols for such mapping. York Region Planning staff have advised that the Toronto and Region Conservation Authority (TRCA) would play a significant role in this panel, including the administration. City Planning staff have consulted with TRCA staff and have been advised that it is precisely this inter-municipal interest in watershed matters that constitutes a primary role for the Authority, and they would see it as their mandate to represent the downstream interests of the City of Toronto on this hydrogeological panel. This report recommends that the three Regions be formally requested to have City of Toronto representation on the panel. The details of implementing such representation will be discussed among City departments and the TRCA.

7.3 City Participation in Formulation of a Countryside and Environment Strategy by the Greater Toronto Services Board (GTSB)

The Greater Toronto Services Board Act requires the development by the GTSB of a countryside management strategy. Some City Councillors on the GTSB are participating in the Countryside and Environment Working Group (Councillor King serves as co-chair), which may be upgraded to a standing committee in future. City staff are involved on the staff team supporting this committee. Although Terms of Reference for the Committee are still being discussed, a GTSB strategy with respect to the protection of the countryside and the environment would likely involve a coordination role more so than a prescriptive role, given the wishes of the member municipalities. A coordinating growth management strategy might help municipalities direct growth to urban and settlement areas where it is desired and away from the countryside where it is not desired. This could be described as managing growth pressures. Protection of the Oak Ridges Moraine would presumably be a component of any GTSB Countryside and Environment strategy. However, it is difficult at this point to gauge the likelihood of success, or the time frame within which a strategy may emerge. Staff and members of Council will continue to participate in this exercise.

As part of both a Countryside strategy and a growth management strategy, staff views urban intensification within existing urbanized areas as an essential element of protecting the

countryside. Urban intensification will help accommodate the demand for GTA growth, hopefully alleviating some of the pressure in the GTA for urban expansion and rural development. Encouraging urban intensification would benefit the countryside in general, and the Oak Ridges Moraine in particular. Opportunities for intensification exist throughout the GTA and in existing urban areas outside the GTA. Within the City of Toronto, brownfields development, nodal development, and intensification along main streets and arterial roads could be significant components of an urban intensification strategy. A recommendation of this report is that the City of Toronto continue to promote urban intensification within existing urbanized areas in the GTA.

7.4 City Involvement in Local Planning Process

As can be seen from the above summary of active development applications and proposals on the Moraine in the three Regions of Peel, York and Durham, and given the recharge and discharge functions of the ORM, any or all such proposals could potentially have adverse impact on the quality and quantity of water in the City's watersheds. Even proposed development on the north slope of the Moraine, such as the Gan Eden project in Uxbridge, where surface water drains north to Lake Simcoe, could potentially have an adverse impact on the recharge function of the Moraine, which could in turn adversely affect the water table within the Moraine and ultimately the discharge function to south flowing watersheds. There is also the less direct but nonetheless important impact on the City of the urbanization of the countryside and the potential loss of rural resources and character (e.g. greenlands and linkages, environmentally sensitive areas, agricultural areas, recreational areas), and the economic impact of inefficient development patterns (e.g. pollution from automobile dependency). The cumulative impact of many small developments can be significant.

The City thus has an interest in all development on the Moraine, because even a small development can contribute cumulatively to adverse impact on the City. To monitor, review, analyze, and comment on all development applications on the ORM, and potentially participate in OMB hearings on those applications, is an enormous and very costly task which cannot be supported with current staff resources. With respect to addressing the impact of proposed development on water quality and quantity on watersheds within the City, that function is more properly the ongoing role of the Toronto and Region Conservation Authority. A recommendation of this report is that the Toronto and Region Conservation Authority continue to perform that monitoring and participatory role in the local planning process, but they can only do so within their watershed area.

City Planning staff is of the opinion that fostering an effective long term planning strategy for the GTA and the Moraine is the most cost-effective approach that the City can take, whether that strategy is led by the Province, the GTSB, or the Regions, or a combination thereof. The drawback of this approach is that a long term strategy may take considerable time to be implemented, and development continues to be approved in the meantime.

Council has recently expressed an interest in particular development matters currently before the Ontario Municipal Board in Richmond Hill in York Region and Uxbridge in Durham Region. The City Solicitor has attended the November 19, 1999 pre-hearing conference on the Richmond

Hill matter, in anticipation of formal Council instructions regarding such participation. The second and final pre-hearing on the Uxbridge matter is scheduled for November 29 and 30, 1999.

The possible City status at such OMB hearings ranges from a watching brief, which is essentially a monitoring role, to participant status where the City may present evidence but may not cross-examine witnesses, to full party status where the City may present evidence, cross-examine all witnesses, and present arguments.

Although the City could be added as a party at OMB hearings regarding proposals within its boundaries, the City does not have an automatic right to be added as a party in hearings pertaining to matters outside its municipal boundaries. The City needs to show that it has an interest in the proceedings in the sense that it can demonstrate to the Board that surface or ground water flowing through the City will be deleteriously affected by the development of the lands in question. In all likelihood, this will require the retaining of outside consultants proficient in the fields of hydrology and hydrogeology.

In view of the fact that development on the Moraine is controversial and that hearings will include many parties and participants with both planning and environmental interests, hearings of four to five months in length or longer can be reasonably anticipated. Participation in these hearings by the City with full party status will occasion significant expenditure of funds and stretch limited staff resources in the Legal Division resulting in other matters within the City being delayed. City Planning does not have the resources to support such hearings. Resources in Works and Emergency Services may also be taxed. Expert witnesses may also need to be hired. There is thus the need for allocation of resources if party or participant status is desired. Staff will report further on the impact on staff and City resources of City Council's decisions with respect to these hearings.

Conclusions:

The City of Toronto has a definite interest in protecting the Oak Ridges Moraine as a natural resource. Without a long term strategy in place for its protection, the City's interests are being adversely affected by continued approvals of development and aggregate extraction for which there is no comprehensive approach across the Moraine. In addition, the Ontario Municipal Board can approve development which is not supported by the Regional or local municipalities and/or which could have an adverse impact on the important functions of the Moraine.

Provincial leadership is needed in developing and implementing a long term strategy for the protection of the Moraine. The Regions of Peel, York, and Durham are attempting to initiate a long term strategy, and should be supported. The City of Toronto should be a participant in that exercise, and be represented on the proposed hydrogeological advisory panel. The Greater Toronto Services Board can also contribute to a countryside management strategy which includes the Moraine. Urban intensification of existing urbanized areas is an important component of any overall strategy.

City involvement in the local planning process on the Moraine to monitor and review individual development applications and proposals would be an enormous and costly undertaking, so the implementation of a comprehensive, effective strategy is in the City's interests. The Toronto and

Region Conservation Authority should continue to be involved in the local planning process on behalf of the City. The recommendations of this report reflect these conclusions.

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