

Durham Conservation / Green Door Alliance Newsletter
May 2006

This newsletter updates members and Patrons on recent activities of the Durham Conservation Association, (DCA), and its sister organization the Green Door Alliance. Copies of this and past newsletters are available at www.greendooralliance.ca. There have been a number of very positive developments since our last newsletter in the summer of 2005 on a broad range of issues.

The Pickering Agricultural Preserve and Bill 16

Green Door Alliance members, many of them old People or Planes members have fought to save the Agricultural Preserve for more than 30 years now. GDA members were instrumental in getting easements placed on these lands in the late 1990's before they were sold in 1999. As Parties to the OMB Hearing dealing with the sale of these lands we signed off on the Minutes of Settlement only after the Province, the Region and the City of Pickering had signed an agreement aimed at permanently protecting them. We were dismayed when Pickering unilaterally released these easements a year ago effectively opening the door to the transfer of a public asset potentially worth hundreds of millions from public to private hands.

After requesting the OMB to re-open this matter last summer, and after the OMB declined stating it was a matter for the courts, we urged the Province to take action. We appeared before the standing committee when the Province introduced Bill 16 last fall and were delighted with the subsequent passage of the Bill reinstating the easements further preventing this potential gigantic public rip off from occurring.

The Rouge Duffins Greenspace Coalition, Whitevale & District Residents Association and the Green Door Alliance held a Gala on April 21 to celebrate this accomplishment. In addition to local/regional attendees, representatives from Ontario Nature, Environmental Defense and other organizations key to the successful passing of Bill 16 were also in attendance.

However the fight still continues. Agricultural Preserve landowner Sylvio De Gasperis continues to mount legal challenges to the province's decisions to not allow development on the Preserve. His Ontario Court of Appeal hearing is scheduled for June 26th.

Seaton

Earlier this month the Provincial Cabinet after a number of years of public consultation, approved a development plan for Seaton and the Agricultural Preserve lands that while preserving a majority of the Seaton lands, as well as all the adjacent Agricultural Preserve lands, calls for a community accommodating some 70,000 residents and 35,000 jobs on the remaining lands within Seaton. This is the largest community development plan ever overseen by the Province.

Every effort has been made to plan a compact and environmental 'model' community. GDA and DCA members have been highly involved in this process for many years and are supportive of the Provincial effort.

The Seaton Land Swap and the Uxbridge lands

The environmental assessment process covering the Seaton lands has been largely completed. A Report was produced earlier this year and the Environment Minister is considering a few requests for a 'bump up' to the process. A decision is expected soon.

Once the environmental assessment process is resolved, the 'land swap' process in which Moraine Developers entered into an agreement with the Province to receive land in Seaton in return for giving up land on the Moraine can be finalized, and the Seaton lands in the swap identified. Agreement has been reached between the Richmond Hill developers and the Province on the terms of the swap. However agreement has not yet been reached with the Uxbridge developer. Nor has it proceeded to legal arbitration yet. However we understand there is a strong sense the issue will be resolved within the year. When the land swap is completed some 1300 acres of developer owned land in Uxbridge including the 'Gan Eden' lands will come into public ownership.

Regional Position on Smart Growth/Urban Area Expansion/and the Greenbelt

When the Region initiated its Official Plan review some two years ago it produced a series of discussion papers which our organizations commented upon. The discussion papers indicated there would be an overall land surplus in the Region until sometime between 2026 and 2031 and commented further that "if the Region were to develop at a higher density **consistent with a more mature urban state**, it would not need additional land to accommodate forecasted residential growth for approximately 35 years (i.e. approximately 2036)." (highlighting added).

In more recent Reports the Region is now saying the Provincial Growth Plan targets of 40% intensification by 2015 along with other intensification targets will be very difficult to meet and based on what they consider a more realistic target of 20% intensification more land will be needed overall in the Region by 2021-2026. They are concerned that if the Growth Plan comes into effect as proposed the current Plan Review process will not allow for urban Boundary expansion.

The Region is not only opposed to critical elements in the Province's Growth Plan they are attacking the Greenbelt Plan as well. In early May Durham Regional Council voted 16-8 to ask Queen's Park to remove some 1400 hectares of prime land from protection under the Province's Greenbelt Plan making Durham the only GTA Region still opposing the Province's greenbelt boundaries.

This action prompted a recent Star editorial entitled “Durham councilors love look of sprawl” which went on to say “the behaviour of Durham’s concrete-friendly councilors exemplifies why Ontario needs a greenbelt plan that is enshrined under the authority and force of provincial legislation”.

We strongly support firm urban growth boundaries. The Provincial plans allow for continuing 10 year reviews. Any expansion of growth boundaries in advance of such review would completely undercut any positive movement to influence growth patterns in the GTA over the next decade.

Pickering Airport Land Status

There is little new to report on the airport issue. Last Year the then Liberal Government agreed to the request of opponents of the GTAA’s draft Plan including ourselves, that an ‘airport needs analysis’ in South Central Ontario be conducted before making a decision on whether or not to proceed with an Federal Environmental Assessment of the GTAA’s Pickering Airport Plan.

This also appears to be the intent of the incoming Conservative Government. However to date there has been no information forthcoming on the nature and timing of such a review. We hope to receive information from the new government soon clarifying these issues.

In the past federal Conservatives have been allies and been very critical of Transport Canada’s efforts to open a second Toronto Airport at great expense and when no need had been demonstrated. We are hopeful that any needs analysis will be thoroughly conducted, and that if so it will demonstrate the GTAA plan is wildly premature; cannot be financially justified, and will result in the shelving of any Environmental Assessment directed at the Pickering site.

However regardless of the strong business case that can be made against the airport widespread community opposition remains absolutely essential to our success.

We also continue to hear unofficially that the Federal Government with provincial involvement has set up a ‘Gateway Project’ aimed at assessing south central Ontario’s transportation priorities, and that one of the issues being studied is the question of creating a single airport authority. If this comes to pass it would be welcome news because we have long felt that if the GTAA and the Hamilton airport authority were brought together GTAA enthusiasm for opening Pickering would decrease dramatically.

Other developments that have occurred over the past 6 months include:

- The premiere screening in March of an excellent documentary film - THE LAST STAND by Peter Shatalow tracing the community battle over the past 34 years to fight the Pickering Airport. The terrific attendance at this event demonstrates the continuing strength of the community resistance.

- A subsidiary of SNC-Lavalin has signed an agreement with Public Works Canada to provide property management services on the Airport lands. The implications of this move are unknown at present.
- Mirabel Airport is to be turned into amusement Park!

Uxbridge Naturally

Uxbridge Naturally is a partnership of conservationists, the Mayor and the municipality aimed at natural area protection with particular emphasis on trails. A major accomplishment last year was the opening of the 140 acre Uxbridge Countryside Preserve, including an access trail connecting the central Uxbridge Urban Area to the Preserve. DCA members were central to this effort from development of the Preserve Plan through implementation and community outreach. Upwards of a thousand people visited the Preserve during the opening weekend festivities and it continues to be heavily used and much appreciated.

DCA executive committee member John McCutcheon's family charitable foundation has provided funds to support a Preserve Naturalization initiative in collaboration with Evergreen that is aimed at reforestation, bird box creation and community outreach.

Wooden Sticks Golf Club has recently generously agreed to allow for a trail extension south across their lands and this link, combined with a strip of land heritage Hills developer Howard Emer has conveyed to the township, will link the Preserve to the Regional Forest and Wagg Road. This extension will be officially opened at a Community Picnic being held on May 27 at the Preserve. Other activities include tree planting, and birding hikes led by local naturalists.

In addition consideration is being given to creating a 1km. loop trail within the Preserve that will be wheelchair accessible.

Work continues to implement the vision of taking the existing Oak Ridges and Trans Canada Trails off road within the township; expanding and further linking the existing public land base and the trail networks within them; and creating off road trail connections to nearby communities. We will be in a position to report further on these activities which we are very enthusiastic about, later this year.

The Town trail network within the Uxbridge Urban area will also be extended and largely completed this year beginning with the launch of the Maple Bridge Trail. The township has recently acquired a couple of key connecting links greatly benefiting this effort.

The Township has been immensely supportive of trail efforts. The Toronto and Region Conservation Authority has also been a very helpful partner as have others including property owners, businesses, and developers. However in order to build on this success broader financial support from other public bodies and Foundations and from the public will also be necessary and we are making efforts to extend our approach in this regard.

As part of this effort *Uxbridge Naturally* will be planning to focus more on public outreach including the development of overall mapping of the southern part of the township bringing together the various elements of the trail and natural heritage network being developed.

Uxbridge Naturally has also been involved in working with the eight golf club owners in Uxbridge in the development of a comprehensive golf course policy and an associated system for monitoring progress. The policy requires working towards what is known as 'Certified Audubon Co-operative Sanctuary Designation' and as a result the golf courses will be leading advocates for conservation in the community. Mayor O'Connor will be presenting each golf course with a framed agreement of co-operation.

Trillium Grant - TRCA lands

As we advised in our recent letter the Ontario Trillium Foundation has agreed to fund a \$69,800 grant to DCA and our collaborative partner the TRCA, to be spent in 2006 to assist us during 2006 in expanding and rehabilitating sections of our trail system on TRCA lands in the Glen Major/Walker Woods area of Uxbridge Township. The grant will permit us to advance the expansion of the trail network by at least two years and to rehabilitate some seriously eroded trails in Glen Major.

The grant is a first for DCA and we plan to use it to showcase what can be done to design and build trails that will stand up to recreational use while at the same time minimizing environmental impact. One of the key aspects of this will be to work with the mountain biking community to develop trails that will be sustainable to biking traffic. Mountain bikers are the principal users of the trail system and by having them participate in our planning we hope to gain their active support in the use and maintenance of trails.

The Trillium grant will also fund the design and printing of an updated trail guide and map. The revised map will show the new trails to be built on TRCA lands between the 6th concession and Brock Road along with other rerouting changes and additions planned over the next year.

Greenwood and the Berrywood Farms proposal

The Berrywood proposal had called for a 381 home addition to the existing hamlet composed of 105 residences and was before the Ontario Municipal Board. The Attorney General of Canada and the Greater Toronto Airports Authority mounted a court challenge to this development which was heard by the Ontario Superior Court in January.

The Court issued its ruling in March. Essentially it concluded that the Berrywood lands fell outside the hamlet settlement area and therefore fell within the development freeze imposed by the province in December 2003 when it introduced the Greenbelt Protection Act.

As a result the court ruled the Berrywood applications were of “no effect”; subsequent processing by the municipalities was ‘ultra vires’; once the Greenbelt act was proclaimed in force and therefore the applications “could not and should not have been processed”; and “the OMB, therefore was without jurisdiction to accept or entertain the appeals”.

As to where things now stand, some 100 of the proposed 381 home development fall within the Greenbelt and cannot be proceeded with regardless. As far as possible development on the remaining lands is concerned, it is likely that a new application will be submitted - an application that could well call for somewhat greater density on the lands still available.