

GREENBELT FOUNDATION

Response to ERO # 019-6192

Supporting Growth and Housing in York and Durham Regions Act, 2022



Possibility grows here.

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www.greenbelt.ca

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The Greenbelt Foundation appreciates the opportunity to provide the following feedback in response to ERO posting #019-6192. However, this feedback is offered with the caveat that more time would be required for a full impact analysis, particularly in the context of the range of other legislative proposals being made at the same time under the umbrella of Bill 23 and Bill 39, as well as amendments to the Greenbelt Plan, and other concurrent legislative matters.

The Greenbelt Foundation supports the Province of Ontario's commitment to improving housing affordability and meeting the demands of our growing province. However, before proceeding with costly infrastructure such as the York Durham Sewage System (YDSS), a proper assessment of potential agricultural and natural heritage system impacts should be completed. We would also encourage further thought on how population growth and housing supply needs can be met by building and investing within existing settlement areas.

For 18 years, The Greenbelt Foundation has been a trusted and effective partner to the Province in unlocking the enormous economic, ecological, agricultural, and social benefits of Ontario's Greenbelt, which is vital to the prosperity and growth of southern Ontario. We appreciate this partnership and look forward to continuing our work together.

HIGHLIGHTS

Minimize infrastructure utilization and costs through better land-use planning

The Province is acting on the York Region Wastewater Advisory Panel's Report, which identified Option C as the most cost-effective of the options at \$861 million (capital and O&M; 50-year NPV)¹. Nevertheless, the most cost-effective option is no doubt to plan efficiently to avoid the need for the expansion at all. The Province should work with the municipalities to assess other options for population growth allocation and twinning development with existing employment zones and to make the best use of existing infrastructure while reducing negative environmental and agricultural impacts.

Assessment of Agricultural Impacts is Necessary

The agri-food sector in York Region provides approximately 57,000 jobs and contributes \$2.7 billion dollars to the local economy². Durham Region contributes \$321.7 million³ to Ontario's total farm production and is home to 1,323 farms⁴. An agricultural impact assessment is needed to

¹ Ministry of Environment, Conservation and Parks. [Report of the York Region Wastewater Advisory Panel](#).

² York Region. (2022). [Agriculture and Agri-Food Sector](#).

³ Durham Region Economic Development and Tourism: [Think Agri-Business: Think Durham](#), p.3

⁴ Ibid, p.5

properly understand the potential impact of the YDSS on York Region's agricultural sector. Without this more detailed understanding, the negative impact on the region of accommodating 153,000 new residents and the infrastructure needed to support that growth could be profound.

Environmental Assessment is strongly recommended

Further to the above, we strongly recommend that the project not be excluded from the Environmental Assessment Act, as a substitute requirement for environmental impact reports and consultation is unclear and presumably intended to be less rigorous in protecting the natural heritage, hydrological and ecological assets of the Greenbelt and the Oak Ridges Moraine.

Priority should be given to Indigenous rights prior to proceeding

Consultation with Indigenous communities must happen, and interests and concerns addressed before implementation decisions are made. The Advisory Panel report notes that in their process, "questions and concerns were raised regarding the impact of the alternative methods on archaeological resources, water quality, terrestrial and aquatic habitats and species." The Panel also noted that the Chippewas of Georgina Island expressed concern about the process and that there could be impacts on areas of spiritual and cultural significance to the Michi Saagiig People.

Greater transparency is needed to ensure the right decision is being made on and under these lands.

Recommendations

The Province of Ontario should:

1. Withdraw the proposal to exempt the York Durham Sewage System from the *Environmental Assessment Act*.
2. Require a robust Agricultural Impact Assessment before proceeding with the YDSS
3. Given emerging concerns about the degree of municipal infrastructure deficits and rapid loss of agricultural lands, reassess the expansion of wastewater infrastructure to service growth in York Region and consider growth management that reduces the need for such infrastructure.
4. Continue its support for the reduction of phosphorous in Lake Simcoe.

Insights

The proposed York Durham Sewage System would traverse the Oak Ridges Moraine and the Greenbelt.

To reduce the encroachment of development onto the Greenbelt, we support growth planning that prioritizes intensification of existing urban lands and designated greenfields before urban expansion. It is important to make efficient use of existing infrastructure before more is built.

Experience shows us that urban growth tends to follow water infrastructure, so any expansion should be carefully considered in terms of urban planning.

The proposed wastewater infrastructure is meant to support population growth in Aurora, Newmarket and East Gwillimbury but opens up the possibility of much more low-density development in neighbouring areas, which will ultimately place pressure on the Greenbelt, Oak Ridges Moraine, and related systems.

Linear Infrastructure

In a 2021 working paper published by the Greenbelt Foundation, it was noted that the original Greenbelt Plan in 2005 did not permit the expansion or extension of Great Lakes servicing or Lake Simcoe based servicing that did not already have it:

“The extension of water and wastewater services from a Great Lakes source was only permitted if a number of conditions were met, including: a requirement to limit negative impacts ecological features and functions; applicable recommendations, standards or targets within watershed plans and water budgets are reflected; any sewage and water servicing installation is planned, designed and constructed to minimize surface and groundwater disruption. The Greenbelt Plan required the need for the servicing to be established. This policy seemed to be effective at limiting the expansion of water and wastewater systems crossing the Greenbelt to service existing settlement areas and limiting pipe led growth.”⁵

However, these policies were moved from the Greenbelt Plan to the Growth Plan in 2017 and became more permissive.

We remain concerned about the long-term impact of these decisions, especially in the context of the proposed reduced role of conservation authorities⁶ in commenting on impacts of infrastructure, on ecological features and functions, surface and groundwater from infrastructure projects.

We share the opinion of the working paper that:

⁵ Lloyd Swail, S. (2020). The Impacts of Linear Infrastructure Development in the Greenbelt. Greenbelt Foundation. Retrieved from https://www.greenbelt.ca/linear_infrastructure_report. p. 33

⁶ See our submission to ERO posting #019-6141

“This project is an example of infrastructure driving growth. This project underpins the importance of data driven decision making, knowing the servicing options, the capacity and feasibility prior to allocating population to an area.”⁷

Report of the York Region Wastewater Advisory Panel

We recognize the work of the York Region Wastewater Advisory Panel and their advice to the government on choosing an option for wastewater infrastructure to service growth in Upper York.

While we applaud the crucial decision to reduce the impact on phosphorous levels in Lake Simcoe, we note that communities downstream in the Duffins Creek watershed have expressed concern about receiving the wastewater from York Region, and the potential effect on Lake Ontario, despite mitigation efforts.

Intra-Basin Agreement

The Great Lakes St. Lawrence River Basin Sustainable Water Resources Agreement includes certain exceptions for intra-basin transfers that would otherwise be considered a prohibited diversion or transfer of water from the Basin into another watershed under the agreement. We note with concern that the Panel’s advice comes with a caveat that their advice is subject to:

- Hydraulic modelling of the YDSS to confirm that the ultimate flow of 80 MLD can be accommodated within the existing and expanded infrastructure
- Confirmation that the existing Intra-basin transfer agreement will be sufficient to support this servicing strategy to 2051 and beyond.”⁸

Predicating an infrastructure decision of this magnitude on the presumption that all international jurisdictions will agree to a future amendment carries great risk.

Financial Implications

The Advisory Panel estimates that recommended Option C, at \$861 million, would have the lowest cost, despite the significant funding that has already been spent on the Upper York Sewage Solutions.

Nonetheless, every financial decision should be accompanied by a cost-benefit analysis. In the case of cash-strapped municipalities, the Financial Accountability Office reported in 2021 that “the current cost to bring municipal assets into a state of good repair (in other words, to eliminate the

⁷ Lloyd Swail, S. (2020). The Impacts of Linear Infrastructure Development in the Greenbelt. Greenbelt Foundation. Retrieved from https://www.greenbelt.ca/linear_infrastructure_report.

⁸ Report of the York Region Wastewater Advisory Panel

municipal infrastructure backlog) is about \$52 billion⁹, with wastewater at \$7.3 billion and potable water \$5.3 billion.

A preferred option would, in our opinion, be to revisit growth planning and ensure that options for intensification that reduce the need for costly investments at a time when municipalities have such a significant backlog are prioritized. It is good planning practice to ensure existing infrastructure is being efficiently used before expansion.

The Greenbelt and the Oak Ridges Moraine

The Greenbelt is an extraordinary and irreplaceable resource for Ontario, supported by an overwhelming majority of the public who cherish it as a source of pride. It is an economic powerhouse for Ontario, provides a source of clean drinking water and clean air for millions of Ontarians, helps build climate resilience and attract businesses, jobs, and families to the Greater Golden Horseshoe region.

In addition to providing us with fresh air, clean water, fantastic local food, and drink, as well as world-class outdoor recreation and tourism experiences, the Greenbelt today provides more than \$9.6 billion in contributions to provincial GDP and directly supports 177,700 full-time jobs. It protects over 4,500 farms that earn 68 per cent more revenue per acre than the average Ontario farm. The Greenbelt is home to 78 species at risk and 721,000 acres of wetlands, grasslands and forests that provide \$3.2 billion in annual ecosystem services --- which includes \$224 million of flood protection services and 71 million tonnes of carbon storage.

The Greenbelt's forests, lakes, rivers, and wetlands also provide essential recreational opportunities for the GGH's growing population. It is home to over half of the large parks in the region, has a network of biking and hiking trails including the 475 km Greenbelt cycle route and numerous cultural and historical sites that are all with easy access to our urban centres.

Greenbelt protections are based on a systems approach that supports these benefits. Removing lands may result in unintended consequences that compromise these protections, which are key to a thriving and prosperous region.

Importance of the Oak Ridges Moraine

As part of the Greenbelt, the Oak Ridges Moraine (colloquially known as "the Rain Barrel of Southern Ontario"), is an environmentally sensitive, geological landform in south central Ontario that stretches 160 kilometers from the Trent River in the east to the Niagara Escarpment in the west, covering approximately 470,000 acres.

⁹ Financial Accountability Office of Ontario. (August 17, 2022). Media Release: Ontario's municipal infrastructure backlog was \$52 billion in 2020. Retrieved from [https://www.fao-on.org/en/Blog/media/MR-municipal-infrastructure-2021](https://www.fao.on.org/en/Blog/media/MR-municipal-infrastructure-2021)

The Ontario government has recognized the value of the Moraine by establishing the Oak Ridges Moraine Conservation Plan to “provide land use and resource management planning direction to provincial ministers, ministries, and agencies, municipalities, landowners and other stakeholders on how to protect the Moraine’s ecological and hydrological features and functions.”¹⁰

A key natural heritage system due to its hydrological significance, the Oak Ridges Moraine was formed over 12,000 years ago by advancing and retreating glaciers. The Oak Ridges Moraine currently forms the watershed divide between Lake Ontario and Lake Simcoe. It feeds our families fresh locally-grown vegetables, it provides us with clean drinking water (over 20% of earth's fresh water is located in the Great Lakes water system, and over 6 million Ontarians depend on the Oak Ridges Moraine for clean water), it keeps farmers and food producers in business powering Ontario's economy, and it provides us with idyllic natural space which connects us to the timeless wonders of a living and breathing ecosystem as complex as the Oak Ridges Moraine.

It is the headwaters of more than 30 rivers. Due to its location and formation, the aquifer located below the Moraine contributes to both local and regional ground water flows, making it an important asset for Ontarians.

Beyond being both a natural and essential resource for ground water flows, the Moraine is also home to a variety of diverse vegetation and wildlife species, including over 1-thousand plant species; 30 species of reptiles and amphibians; 51 mammal species; 73 fish species; and 74 species of butterfly.

About The Greenbelt Foundation

The Greenbelt Foundation is a charitable organization dedicated to ensuring Ontario’s Greenbelt remains permanent, protected, and prosperous. Our work centres on protecting and investing in near-urban nature, natural infrastructure, and climate resilience; supporting local Greenbelt farmers and the rural agricultural sector and economy; promoting the vast and varied tourism and recreation opportunities that the Greenbelt offers; and engaging Ontarians in enjoying and helping to keep the Greenbelt thriving.

¹⁰ Ministry of Municipal Affairs. (2017). Oak Ridges Moraine Conservation Plan. Retrieved December 6, 2022, from <https://files.ontario.ca/oak-ridges-moraine-conservation-plan-2017.pdf>. pp. 3.