



Official Submission of the Oak Ridges Moraine Foundation to the Co-ordinated Review of the Growth and Greenbelt Plans

About the Oak Ridges Moraine Foundation

The Oak Ridges Moraine Foundation (ORMF) is the body dedicated to the enhancement and preservation of the Moraine as a health and vibrant ecosystem through coordinated initiatives with partners across the moraine. Since 2002, the ORMF has lead and supported initiatives that preserve, protect, and restore the ecological and hydrological integrity of the Oak Ridges Moraine. The Foundation has invested in 177 successful conservation and protection projects with diverse partners to enhance the health of the Moraine. The initial \$15 million allocated to the Foundation was leveraged into another \$35.8 million in additional funding for land securement, stewardship, education, research and the Oak Ridges Moraine Trail.

ORMF's Recommendations

The ORMF has developed recommendations for the Coordinated Review based on extensive stakeholder consultations and research over the past two years. This process has resulted in recommendations that answer the questions provided by the Ministry of Municipal Affairs and Housing's Coordinated Land Use Planning Review. The accompanying document containing our main policy recommendations is entitled "*Sustaining Our Environment, Planning for Our Future: Key recommendations to Inform the 2015 Provincial Review of the Oak Ridges Moraine Conservation Plan*" and is part of our submission.

Based on the government's engagement and consultation process, the Directors of the ORMF further organized our findings into the six themes identified by the Province for explicit feedback from stakeholders. As many of our recommendations fit into more than one theme, each section should be read as stand-alone under the following categories:

- Protecting Agricultural Land, Water and Natural Areas;
- Keeping People and Goods Moving, and Building Cost-effective Infrastructure;
- Fostering Healthy, Livable and Inclusive Communities;
- Building Communities that Attract Workers and Create Jobs;
- Addressing Climate Change and Building Resilient Communities; and
- Improving Implementation and Better Aligning the Plans.

The ORMF'S Perspective on the Moraine

Stretching 160 kilometres from the Trent River to the Niagara Escarpment, the Oak Ridges Moraine is a vital water source (headwaters, aquifers, recharge areas) in southern Ontario, and is one of the most essential groundwater recharge zones in the Province providing safe and clean drinking water for over 250,000 Ontarians. Over 80 rivers and major creeks originate on and flow north and south off the moraine, directly impacting over 6 million Ontario urban and rural residents.

The ORM is important and unique as a continuous geological, ecological, and hydrological feature providing key recreational and social benefits and is an important greenspace that enhances the image and economic desirability of Ontario, Toronto and the GTHA as a high quality place to live and invest.

1.0 Protecting Agricultural Land, Water and Natural Areas

The ORMF supports the belief that agricultural land, water and natural areas can be protected over the long-term through maintaining, enhancing and improving the clarity and consistency of existing legislation and regulations and through increased investment in stewardship, restoration and land securement. These goals are supported by the following specific recommendations:

Recommendations:

- **Natural Core Area and Natural Linkage Areas To Be Upheld**
 - It is vital that the Province recognize that the Natural Core and Natural Linkage areas of the Oak Ridges Moraine Conservation Plan are the backbone of the natural heritage system for southern Ontario. It is recommended that, consistent with its ongoing commitment to source water protection, healthy sustainable communities and smart growth, that the Province reaffirm its responsibility to maintain and, where possible, increase the Natural Core and Natural Linkage areas of the Oak Ridges Moraine Conservation Plan. It is the view of the Oak Ridges Moraine Foundation that this is absolutely essential to the integrity of the plan.
- **Maintain Hydrological and Ecological Integrity**
 - It is recommended that the Province ensure that the ecological and hydrological integrity of the ORM is maintained and enhanced.
- **Support Stewardship and Land Securement.**
 - It is recommended that the Province continue its support of and investment in stewardship, restoration and land securement on the ORM.

- **Prohibit Large Scale Infrastructure in Natural Core and Natural Linkage Areas**
 - It is recommended that the Province take a strong position in prohibiting new major large scale infrastructure such as manufacturing facilities and electricity generation facilities in the natural core or natural linkage areas. This is consistent with the Niagara Escarpment Plan and would advance a consistent position across these unique Ontario landscapes.
 - It is recommended that the Province develop a provincial regulation on large scale commercial fill. This will enable municipalities to broaden and strengthen their by-laws to better manage fill importation issues on a consistent basis across the moraine.

- **No New Aggregate In Linkages**
 - It is recommended that the Province prohibit any new aggregate operations in the Natural Linkage areas. This is consistent with the Niagara Escarpment Plan and would advance a consistent position across these unique Ontario landscapes.

- **Comprehensive Rehabilitation Plans Required**
 - It is recommended that the Province amend the Oak Ridges Moraine Conservation Plan to ‘require’ rather than ‘encourage’ the completion of comprehensive rehabilitation plans. It is further recommended that the Province issue a Technical Guideline to provide direction and advice in preparing comprehensive rehabilitation plans to ensure there is a clear benefit to the natural heritage system.

- **Additional Uses In Keeping With Rural and/or Agricultural Character**
 - It is recommended that the Province support additional permitted uses that:
 - a. are in keeping with the rural and/or agricultural character of the area; and
 - b. support greater economic viability, social and environmental sustainability of rural communities and rural areas, including sustaining existing farms and their ability to compete, provided these additional uses:
 - i) can be justified as legitimate uses that would normally be expected to occur in rural landscapes;
 - ii) would not involve the introduction of major new buildings and structures; and
 - iii) would not result in large scale modifications to the landscape and encroachment on to KNHFs, HSFs, and VPZs zones; and, in the case of farms,
 - iv) an Environmental Farm Plan is in place.

- **Clear Direction on Small Scale Additions and Accessory Uses**
 - It is recommended that the Province provide clear and consistent policy direction for common sense application of the ORMCP policies as they apply to small scale additions and accessory uses such as decks, sheds, pools, barns etc.

- **New Data and Guidelines Needed**
 - It is recommended that the Province update existing natural heritage data and Technical Guidelines to ensure that natural heritage features and systems are properly protected given that current data and guidelines are insufficient.
 - It is recommended the Province invest in thorough monitoring and reporting on the ecological and hydrological health of the moraine to assess the impact of the ORMCP and guide conservation and protection initiatives.
- **Stronger Policies Needed**
 - It is recommended that the Province revisit and strengthen the water resources policies of the ORMCP:
 - a. To integrate new initiatives developed through the Drinking Water Source Protection Plan;
 - b. To further promote and develop implementation of watershed plans, water budgets and water conservation plans; and
 - c. To improve linkages to other legislation such as the Ontario Water Resources Act and the Lake Simcoe Protection Plan.
- **Climate Change**
 - It is recommended that the Province review and, if necessary, amend existing Technical Guidelines to ensure that the implications of climate change are addressed in the preparation of natural heritage and hydrological evaluations.
- **Major Recreational Uses**
 - The Province should require golf courses to meet an Environmental Standard such as those prescribed by Audubon International.
- **Policy on Tree Cutting By-laws Needed**
 - It is recommended that the Province include a policy to require municipalities to enact or update existing tree management by-laws to reflect the policies of the Plan. It is further recommended that the Province issue a Technical Guideline to provide clarity and direction on the content, focus and key components to be included in a tree management by-law.
- **Parks/Natural Areas Management and Securement Strategy**
 - It is recommended that the Province include a policy to require an implementing body to develop a comprehensive Land Stewardship and Parks/Natural Areas Land Acquisition Strategy.

- **Support Stewardship, Restoration and Land Securement.**
 - It is recommended that the Province continue its support of and investment in stewardship, restoration and land securement on the ORM.
 - It is recommended that the Province support a policy to facilitate the conveyance of land for natural and cultural heritage conservation purposes.

2.0 Keeping People and Goods Moving, and Building Cost-effective Infrastructure

The focus of the ORMF is on protecting and preserving the unique natural heritage and features of the Oak Ridges Moraine. In that spirit, we make the following recommendations in regard to infrastructure development:

Recommendations

- **Consistency**
 - It is recommended that the Province adopt one rule that applies equally to all new infrastructure development.
- **Prohibit Large Scale Infrastructure in Natural Core and Natural Linkage Areas**
 - It is recommended that the Province take a strong position in prohibiting new major large scale infrastructure (e.g. manufacturing facilities, electricity generation facilities, etc.) in the natural core or natural linkage areas. This is consistent with the Niagara Escarpment Plan and would advance a consistent position across these unique Ontario landscapes.

3.0 Fostering Healthy, Livable and Inclusive Communities

In the interest of preserving and protecting the moraine, the ORMF supports the design and development of attractive, livable and healthy communities that coexist with the unique natural heritage of the moraine. Our issues with respect to this theme are focussed on the link between public accessibility, nature and long term protection. We also focus on improved aggregate planning because of the impact siting and operation of aggregate pits can have on communities, and the frequently divisive nature of these impacts. Improving rehabilitation policies will provide the community with opportunities to build better partnerships and social capital with aggregate producers.

Recommendations

- **Complete the Oak Ridges Trail**
 - It is recommended that the Province commit to complete and maintain the Oak Ridges Trail and involve willing landowners and interested stakeholders.
- **Define Low Intensity Recreation**
 - It is recommended that the Province provide clarification on the definition of low intensity recreation.
- **No New Aggregate In Linkage Areas**
 - It is recommended that the Province prohibit any new aggregate operations in the Natural Linkage areas. This is consistent with the Niagara Escarpment Plan and would advance a consistent position across these unique Ontario landscapes.
- **Comprehensive Rehabilitation Plans Required**
 - It is recommended that the Province amend the Oak Ridges Moraine Conservation Plan to 'require' rather than 'encourage' the completion of comprehensive rehabilitation plans. It is further recommended that the Province ensure there is a clear benefit to the natural heritage system by issuing a Technical Guideline to provide direction and advice in preparing comprehensive rehabilitation plans.

4.0 Building Communities that Attract Workers and Create Jobs

The ORMF believes that allowing small scale uses and promoting rural prosperity will encourage new economic development and foster local economies that are compatible with the ecological and hydrological values of the ORM. We also recognize that the current overly restrictive policies are stifling rural based economic activity and the following recommendations seek to improve the definitions of permissible use of land:

Recommendations:

- **Additional Uses In Keeping With Rural and/or Agricultural**
 - It is recommended that the Province support additional permitted uses that:
 - a. are in keeping with the rural and/or agricultural character of the area; and
 - b. support greater economic viability and social and environmental sustainability of rural communities and rural areas, including sustaining existing farms and their ability to compete, provided these additional uses:
 - i) can be justified as legitimate uses that would normally be expected to occur in rural landscapes;
 - ii) would not involve the introduction of major new buildings and structures;
 - iii) would not result in large scale modifications to the landscape and encroachment on to KNHFs, HSFs, and VPZs zones; and,
 - iv) in the case of farms, an Environmental Farm Plan is in place.

- **Clear Direction on Small Scale Additions & Accessory Uses**
 - It is recommended that the Province provide clear and consistent policy direction for common sense application of the ORMCP policies as they apply to small scale additions and accessory uses such as decks, sheds, pools and barns.
- **Define Low Intensity Recreation**
 - It is recommended that the Province provide clarification on the definition of low intensity recreation.

5.0 Addressing Climate Change and Building Resilient Communities

The ORMF believes that the moraine plays a significant role in mitigating climate change. Our partners have conducted scientific research that could be utilized by the government to support the importance of addressing climate change. Many of the ORMF-supported activities are a good fit with the response that is essential to maximize the ORM’s potential to mitigate climate change and enable the ORM and surrounding areas to adapt to a changing climate.

In essence, the ORMCP is a climate change strategy. With further investments in collective efforts, over time the ORMCP can strongly support and demonstrate results from the Province’s strong stance on climate change mitigation and adaptation. Climate change policies require us to do more than just maintain the current ecological and hydrological features and functions of the ORM. We must restore and enhance these features and functions. Stewardship, restoration, carbon sequestration, and carbon off-setting were all part of the ORMF strategies in delivering grants to partners. The following recommendations highlight the need for continued and strengthened protections for the moraine as a vital component of Ontario’s action on climate change.

Recommendations

- **Support Stewardship and Land Securement**
 - It is recommended that the Province support stewardship, restoration and land securement on the ORM.
- **Vital Role for Conservation Authorities**
 - It is recommended that the Province continue to support local watershed-based implementation, recognizing Conservation Authorities as the foundation for ORMCP implementation and the vital role they must continue to play in guiding and assisting municipalities with implementing the Plan.
- **Dedicated Staff and Resources**
 - It is recommended that the Province ensure that there are dedicated staff and resources at the provincial level to support plan development, implementation, coordination and monitoring in support of adaptive environmental management to deal with climate change.

- **Uphold Core and Linkages**
 - It is recommended that the Province ensure that the existing natural core area and natural linkages are boundaries are upheld to maximize the resilience of the ORM’s hydrological and ecological assets to climate change.

- **New Data and Guidelines Needed**
 - It is recommended that the Province update existing natural heritage data and Technical Guidelines to ensure that the resource remains protected given that current data and guidelines are insufficient.

- **Climate Change**
 - It is recommended that the Province review and amend existing Technical Guidelines to ensure that the implications of climate change are addressed in the preparation of natural heritage and hydrological evaluations.

- **Parks/Natural Areas Management and Securement Strategy**
 - It is recommended that the Province include a policy to require an ORM implementing body to develop a comprehensive Land Stewardship and Parks/Natural Areas Land Acquisition Strategy.

- **Support Stewardship, Restoration and Land Securement.**
 - It is recommended that the Province continue its support of and investment in stewardship, restoration and land securement on the ORM.
 - It is recommended that the Province support a policy to facilitate the conveyance of land for natural and cultural heritage conservation purposes.

6.0 Improving Implementation and Better Aligning the Plans

In developing our recommendations, a key theme that emerged from our research and consultations was the great need for improved implementation and alignment of the ORMCP, the Niagara Escarpment Plan (NEP) and the Greenbelt Plan (GP). The foresight and precedent-setting nature of the three Plans together must be celebrated and continue as an outcome of this review. Each Plan is tailored to the unique needs and environment of the subject lands: the NEP for access, open landscape character and environmental protection; the ORMCP for water and natural heritage protection; and the GB protected countryside for enhancing the agricultural system and ecological connections to other regions in southern Ontario. The specific targets of each plan are vital to the long-term success and prosperity of the region. Our recommendations address many ways in which the Plans can be better implemented and aligned.

Recommendations

- **Plan for the ORM**
 - It is recommended that the Province recognize the unique and critical importance of the ORM by retaining the specific plan for the Oak Ridges Moraine.
- **Support Stewardship, Restoration and Land Securement**
 - It is recommended that the Province continue its support of, and investment in, stewardship, restoration and land securement on the ORM.
 - It is recommended that the Province support a policy to facilitate the conveyance of land for natural and cultural heritage conservation purposes.
- **Ensure a Voice for the ORM**
 - It is recommended that the Province appoint a Minister without Portfolio or a Parliamentary Assistant to be responsible for the ORM.
 - It is recommended that the Province provide continued support for an oversight and coordinating body for the ORM, given its uniqueness and importance as a vital water source and natural heritage feature, in the form of an independent foundation, commission, community-based institution or the formal coalition of the nine conservation authorities having jurisdiction.
- **Community-based and Partnership Focused Implementation**
 - It is recommended that the Province support a community-based and partnerships focused implementation body dedicated to stewardship, restoration, land securement, education and awareness.
- **Honour Municipal Implementation**
 - It is recommended that the Province continue to support the current governance model that promotes municipal implementation of the ORMCP.
- **Vital Role for Conservation Authorities**
 - It is recommended that the Province continue to support local watershed-based implementation, recognizing CA's as the foundation for ORMCP implementation and the vital role they played in providing municipal guidance and assistance regarding plan implementation.
- **Dedicated Staff and Resources**
 - It is recommended that the Province ensure that there are dedicated staff and resources at the provincial level to support plan development, implementation, coordination and monitoring.

- **Policy Integration and Alignment**
 - It is recommended that the Province include a policy in the ORMCP to indicate that where there are two or more provincial plans containing different policies on specific issues, the more restrictive policies apply.

- **More Restrictive Policies May be Developed by Municipalities**
 - It is recommended that the Province continue to support the position that the Oak Ridges Moraine Conservation Plan (ORMCP) establishes a baseline of protection for the Oak Ridges Moraine. It is further recommended that the Province ensure that there remains a provision in the Plan to acknowledge that municipalities may, as they deem appropriate, enact more restrictive policies than those provided in the ORMCP.

- **Consistent Definitions Needed**
 - It is recommended that the Province adopt a consistent set of definitions across all provincial plans and policies. Problematic definitions include rural lots, small scale development, and intermittent streams.

- **First Nations**
 - It is recommended that the Province ensure the 2015 Review of the ORMCP honours the important contribution of First Nations' communities, and proceeds with proper accommodation and consultation.

- **Full Engagement and Follow Through.**
 - It is recommended that, in carrying out the 2015 ORM Review, the Province embrace an open, transparent and robust engagement process that allows for full oral and written public input, and further provides an opportunity to indicate how such input has been honoured in the next version of the ORMCP.

- **Consistency**
 - It is recommended that the Province adopt one rule that applies equally to all new infrastructure development.

- **Prohibit Large Scale Infrastructure in Natural Core and Natural Linkage Areas**
 - It is recommended that the Province take a strong position in prohibiting new major large scale infrastructure such as manufacturing facilities and electricity generation facilities in the natural core or natural linkage areas. This is consistent with the Niagara Escarpment Plan and would advance a consistent position across these unique Ontario landscapes.

- **ORMCP Act Primacy Related To Infrastructure**
 - It is recommended that the Province address the issue of legislative integration and alignment by ensuring that legislative primacy is given to the Oak Ridges Moraine Conservation Plan Act as it pertains to infrastructure development on the moraine.

- **Technical Guidance and Clarity**
 - It is recommended that the Province issue a Technical Guideline to provide clarity to Section 41 of the Plan. It is further recommended that specific clarification be provided with respect to the application of the 'need' test; the application of the 'no reasonable alternative' test; and how Section 41 is to be applied to private land owners.

- **ORMCP Policy On Fill Needed**
 - It is recommended that the Province develop a provincial regulation on large-scale commercial fill. This will enable municipalities to broaden and strengthen their by-laws to better manage fill importation issues on a consistent basis across the moraine. It is recommended that improved linkages be made with the fill importation process for aggregate pit rehabilitation under the Aggregate Resources Act.
 - It is further recommended that the Province assess the level of rigour needed to reconcile the different standards with respect to the importation of fill so that the most stringent provisions apply across the Oak Ridges Moraine.
 - It is recommended that the Province include a policy in the ORMCP to control the importation of fill to ensure that the hydrological and ecological integrity of the Oak Ridges Moraine is maintained.

- **No New Aggregate In Linkages**
 - It is recommended that the Province prohibit any new aggregate operations in the Natural Linkage areas. This is consistent with the Niagara Escarpment Plan and would advance a consistent position across these unique Ontario landscapes.

- **Comprehensive Rehabilitation Plans Required**
 - It is recommended that the Province amend the Oak Ridges Moraine Conservation Plan to 'require' rather than 'encourage' the completion of comprehensive rehabilitation plans. It is further recommended that the Province ensure there is a clear benefit to the natural heritage system by issuing a Technical Guideline to provide direction and advice in preparing comprehensive rehabilitation plans.

- **New Data and Guidelines Needed**
 - It is recommended that the Province update existing natural heritage data and Technical Guidelines to ensure that the resource remains protected given that current data and guidelines are insufficient.
 - It is recommended the province provide investment for continued monitoring and reporting on the ecological and hydrological health of the moraine.

- **Stronger Policies Needed**
 - It is recommended that the Province revisit and strengthen the water resources policies of the ORMCP:
 - i. To integrate new initiatives developed through the Drinking Water Source Protection Plan;
 - ii. To further promote and develop implementation of watershed plans, water budgets and water conservation plans; and
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 - It is recommended that the Province review and, if necessary, amend existing Technical Guidelines to ensure that the implications of climate change are addressed in the preparation of natural heritage and hydrological evaluations.

- **Major Recreational Uses**
 - The Province should require golf courses to meet an Environmental Standard similar to those prescribed by Audubon International.

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Conclusion

The Oak Ridges Moraine Foundation believes it is in the best interest of the Ontario Government and the people of Ontario to strengthen the Oak Ridges Moraine Conservation Plan not only to maintain but also enhance the Moraine and to retain a clear focus on the geological, ecological, hydrological, recreational, social and economic attributes of the Oak Ridges Moraine as a distinct entity.

The ORMCP is worth protecting and strengthening with renewed investment for restoration, stewardship and land securement. The ORM needs the leadership of a stewardship organization with a collaborative partnership approach to ensure we achieve the goal of enhancing its ecological and hydrological features and functions.

We specifically would like to underline our call for the continued management of the Oak Ridges Moraine as a unique area and an implementation and coordination body to ensure we achieve the objectives of the ORMCP. We also would like to underline our recommendation for a Parliamentary Assistant or a Minister without Portfolio to be a legislative champion for the ORM.

It is in the best interest of the Ontario Government, and the people of Ontario, to strengthen and keep a clear focus on the Oak Ridges Moraine Conservation Plan.

Submitted by the Oak Ridges Moraine Board of Directors:

Caroline Schultz:	Chair (Executive Director, Ontario Nature)
Rob Messervey:	Vice Chair (Chief Administrative Officer, Kawartha Region Conservation Authority)
Debbe Crandall:	Past Chair (Save the Oak Ridges Moraine Coalition)
Don Prince:	Secretary (Oak Ridges Moraine Land Trust)
Graham Whitelaw:	Treasurer (Associate Professor and Queen's National Scholar, Queen's University)
Cindy Sutch:	Director (Immigration & Public Relations, CFE Inc. and Save the Oak Ridges Moraine Coalition)
Michael Jolliffe:	Director (Senior Vice President, Strategic Partnerships and Corporate Development, Tetra Tech)

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