

MORaine: 2, DEVELOPERS: 0

Second OMB decision limits development on environmentally sensitive Oak Ridges Moraine

BY STEFANIA RIZZI
Staff Writer

The Oak Ridges Moraine is finally being recognized as an important and precious resource, Aurora residents said last week.

The comments came on the heels of yet another Ontario Municipal Board decision that severely limits development on the moraine.

The decision is sending another message as well: developers will have to abide by town planning policies.

"The message from the OMB, I feel, is that the town's plans are good, the process is good, and if you want to develop, use the official plan," said the chairperson of Ratepayers Aurora Yonge South, Susan Walmer, on the decision last month to uphold a limit of two homes an acre as outlined in Aurora's official plan.

APPEALED DECISION

"We have no problems (with development), but you have to follow the rules and policies," she said.

Last May, the South Aurora Landowners Group filed an application to build 538 cluster townhouses, or up to four homes an acre, on 138 acres of land north of Ridge Road West, west of Yonge Street, south of the CN tracks.

This plot of land lies, in part, on the environmentally sensitive moraine.

When the developers asked the town to amend its official plan limiting development to two homes an acre, to allow more dense development, the town denied the request.

SALOG appealed the decision to the OMB.

After 17 days, one evening hearing and 124 deputations, including one from a Toronto MPP OMB chairperson D.R. Granger, ruled to uphold the town's policy last Friday.

SALOG's lawyer, Chris Barnett, could not be reached for comment.

"On the planning evidence presented, the board finds that other similar developments in the general Aurora south area have developed at overall densities in the range of 1.5 to 2.2 units per acre," wrote Granger in his decision.

"The board finds no reason to treat this area differently.

"The board finds that the pro-



posed official plan is appropriate, represents good planning and is in the overall public interest," he wrote.

Town planner Sue Seibert said SALOG could wait 90 days and appeal Granger's decision.

"They can wait the 90 days to appeal but the decision was quite clear and quite strong," she said. "I'm quite hopeful, this gives credence to the process the town followed."

The ruling could influence two

other development proposals for between 200 and 300 homes in a similar area.

"We have to hear them, but one would hope the outcome would be the same," said Seibert, adding developers could appeal the town's two-homes-per-acre policy to the OMB.

"Our hope is that (once) approved, the secondary plan that covers that area will prevail and withstand any other challenges."

Granger's decision marks the second time the OMB has upheld

the town's policy.

After several OMB hearings into developer James Elder's proposal to build 296 apartments/townhouses on 20 acres of land at the northwest corner of Elderberry Trail and Yonge Street, Elder withdrew his proposal and, last month, submitted a joint proposal with the town, RAYS and other groups of two homes per acre.

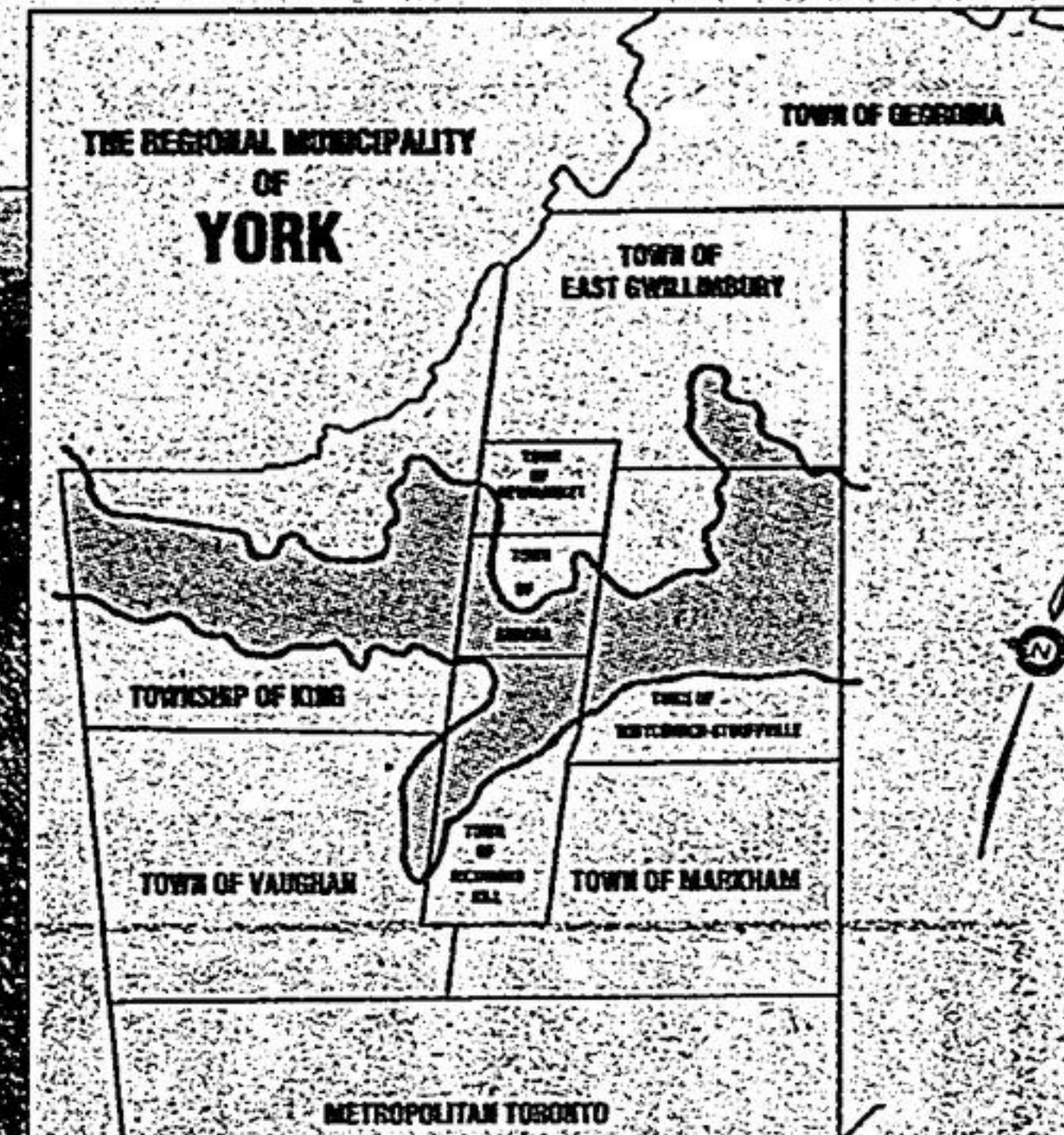
Peter Ellis, who lives across from the SALOG site and was concerned about the density of the proposal, believes developers won't be so quick to appeal the town's

decisions now that a clear precedent has been set.

"Given the existing community and the estate lots and Elder going ahead and conforming to the policy, I think the message is starting to get through," he said.

"That's not to say there won't be proposals exceeding the two units per acre, but it's going to cost money and time (to go to the OMB).

"Odds are they'll realize that if they want to develop, then they should stick to the plan," he added.



Moraine proponents cautiously optimistic

BY SARAH PARKER
Staff Writer

M ayors and environmental groups across York Region let out a chorus of cautious cheers after an Ontario Municipal Board ruling in Aurora, limiting the number of houses to be built on a section of the Oak Ridges Moraine.

But some environmental advocates are still criticizing the piecemeal approach to planning on the moraine and are urging the province to step in with a blanket protection policy.

"I'm glad to see (the OMB) ruling is adding to the protectionist stance — a stance the province should have taken and the municipal governments are trying to take," said Richmond Hill deputy mayor Brenda Hogg.

The ruling, released last Friday, upholds Aurora council's decision to limit the South Aurora Landowners Group to building two

houses per acre on 141 acres (57 hectares) of land on the moraine. SALOG had wanted to build as many as seven houses per acre.

Meanwhile, the Town of Richmond Hill is in recess until Jan. 16 from an OMB hearing regarding development on the moraine. Richmond Hill outright rejected five applications for development.

ENVIRONMENTAL DISASTER

And while Hogg lauded Aurora's tough stance in limiting development on the moraine, she cautioned even scaled-down growth could mean an environmental disaster.

Hogg said even low-density development would be "dangerous and inappropriate" for the moraine, which has some of its most sensitive lands in Richmond Hill.

In fact, if a ruling similar to Aurora's were to be decided for Richmond Hill, Hogg would not be

claiming victory.

"I'd still see it as a tremendous loss to the public and aversion of the provincial government to protect the environment."

There is no provincial policy for development of the ecologically sensitive region, opening the door for developers to appeal municipal planning decisions.

But some environmental advocates are looking on the bright side. Dorothy Izzard, co-chairperson of Save The Oak Ridges Moraine (STORM), attended the month-long hearing in Aurora. She called the decision admirable because it pays tribute to every issue concerning the moraine, particularly housing density.

"We have so often been critical of the OMB but I thought the chairman handled it very professionally and in an effective way."

Izzard was also pleased the OMB's written decision applauded the Town of Aurora's efforts to pro-

tect the moraine.

Debbe Crandall, executive director of STORM, also called the ruling a step in the right direction. However, she is still concerned about the "piecemeal" method of deciding the moraine's future.

"The process is flawed. We can't continue to plan at this (the municipal) level," she said. "We can't lose sight of the bigger picture."

Crandall is not alone in her wish to see the Queen's Park enact a provincial policy.

The moraine, which holds the headwaters for rivers flowing into both Lake Simcoe and Lake Ontario — the source of drinking water for Toronto and York Region — is Richmond Hill's biggest issue, according to Hogg.

STORM plans to have volunteers monitoring the OMB hearing in Richmond Hill and Crandall and Izzard said that hearing is a larger issue because more sensitive land is at stake.

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