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ENVIRONMENTAL ASSESSMENT PROCESS FOR THE OAK RIDGES MORAINE LAND EXCHANGE IN THE TOWN OF RICHMOND HILL

The Planning and Economic Development Committee recommends the adoption of the recommendation contained in the following report, July 26, 2004, from the Commissioner of Planning and Development Services:

1. RECOMMENDATION

It is recommended that:

1. This report be received for information purposes.

2. PURPOSE

The purpose of this report is to advise Committee and Council of the commencement of a Category “C” Environmental Assessment process under the Ontario Realty Corporation Class Environmental Assessment process to facilitate the exchange of lands on the Oak Ridges Moraine in the Town of Richmond Hill, owned by development interests with lands in the Seaton Community in the Region of Durham, owned by the Province. A copy of the “Invitation to Participate” is attached as *Figure 1* to this report

3. BACKGROUND

As part of the Provincial action on the Oak Ridges Moraine in 2001/2002, approximately 1057 acres of land in the Town of Richmond Hill, that had been the subject of the Ontario Municipal Board hearing in 2000/2001, was to be acquired by the Province of Ontario in exchange for developable lands in the Seaton Community in the City of Pickering, Region of Durham. Municipal involvement in negotiating the land exchange has been very limited and the details of the exchange not publicized.

At the time of the Ontario Municipal Board hearing, the Richmond Hill lands were owned or optioned by Bond Lake Holdings (Lebovic), Bond Lake Investors, Zavala Holdings and the Oak Ridges Farm Co-Tenancy. The Seaton lands are held by the Ontario Realty Corporation (ORC) for the Province and are part of the larger Ontario Government land assembly dating from the early 1970’s. The Seaton Lands under consideration are generally located east of the main branch of the West Duffins Creek, north of Highway 407 to south of Taunton Road.

When ORC undertakes a real estate activity, Order-in-Council 3540 requires that ORC undertake a Class Environmental Assessment process for the undertaking. In April 2004, ORC gave notice of the commencement of the Class EA process for “acquisition of lands on the Oak Ridges Moraine in the Town of Richmond Hill, together with the severance and sale or disposition of provincially owned lands in the City of Pickering (known as

Seaton).” ORC has retained the consulting firm of Marshall Macklin Monaghan to undertake the process on their behalf.

4. ANALYSIS AND OPTIONS

Under the terms of the Class EA process, ORC is required to consult with both the public and review agencies at a minimum two points in the process –following the identification of alternatives to the undertaking and following the identification of the preferred alternative and mitigation of the impacts. Finally an Environmental Study Report (ESR) will be filed at the completion of work and those parties requesting notification will be advised. In addition, this EA will also include an initial public information meeting to introduce the EA. MMM anticipates consultation will occur in the late summer and fall with ESR filing by the end of 2004.

Regional and Town of Richmond Hill staff met with Marshall Macklin Monaghan staff in July, 2004 for the first of these contact meetings. The purpose of this meeting was to advise municipal staff of the commencement of the EA and to obtain relevant background information for the EA. Unlike other Class EA undertakings, this undertaking involves lands for which the Province already possesses the majority of the relevant background information. Municipal involvement in the undertaking of this EA has been minimal and is expected to continue to be minimal.

The first of the Public Information centres was held in Richmond Hill on August 31, 2004 at the Lion’s Hall, 106 Centre Street East, from 5:00 p.m. to 9:00 p.m. Senior ORC and Provincial staff were in attendance at this meeting to answer questions about the undertaking. A concomitant meeting was also held in Pickering on September 1, 2004.

The lands in the Town of Richmond Hill proposed to be acquired by the Province are located on the east and west sides of Yonge Street, north of Jefferson Side Road and Stouffville Road and are consistent with the lands the Region has understood will be acquired as part of the resolution of the Richmond Hill OMB hearing. The majority of the lands are designated Natural Core Area and Natural Linkage Area in the Oak Ridges Moraine Conservation Plan. The same lands and the additional 49 acre acquisition negotiated by the Liberal government in the fall of 2004 are shown as Natural Core Area and Natural Linkage Area in adopted Regional Amendment 41 – the Oak Ridges Moraine Conformity Amendment. Policy provisions relating to these lands are directed by the ORMCP. There are no further York Region Official Plan changes that are required to facilitate this acquisition. As such, Regional staff supports the Environmental Assessment process to facilitate this acquisition.

The EA is intended to deal only with the severance, sale or disposal of the lands and the acquisition of other lands and not the specifics or appropriateness of the lands in question for the proposed uses. The potential for the land exchange to be held-up if the EA is challenged and a bump-up request filed is unknown. As indicated below, Regional staff will continue to monitor this process as it proceeds.

4.1 Next Steps

As previously indicated public and agency consultation will occur throughout the fall of 2004. Regional staff will continue to monitor the EA progress and will report back to Committee and Council on an as needed basis.

5. FINANCIAL IMPLICATIONS

Acquisition of the Richmond Hill lands is part of a larger Provincial land exchange. The Province has not requested Regional financial involvement in this acquisition. There is an expectation that the lands, once acquired, will be turned over to the Toronto and Region Conservation Authority and some portion of their maintenance or operations might then be reflected in the Authority budget. Such budgets are subject to yearly budget discussions and allocations.

6. LOCAL MUNICIPAL IMPACT

There is no direct impact anticipated from this EA or from the acquisition of these lands. The Town of Richmond Hill is being consulted as part of the on-going process.

7. CONCLUSION

The Environmental Assessment process to dispose of ORC held lands is a required process to finalize the strategic acquisition by the Province of ORM lands through the Town of Richmond Hill. As such Regional staff support the Environmental Assessment process and will continue to monitor its progress, reporting to Committee and Council on an as needed basis.

The Senior Management Group has reviewed this report.

(A copy of the attachment referred to in the foregoing is included with this report and is also on file in the Regional Clerk's office.)