The Oak Ridges Moraine:
A story of nature in the Greater Toronto Urban Region

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Introduction

When the council of Richmond Hill, a small city immediately north of Toronto, decided in the winter of 2000 to consider opening a sector of the Oak Ridges Moraine to developers, so many people came out to protest that the politicians had to move the meeting from their Council Chamber to the grand ballroom of a nearby hotel. It was a bitterly cold February night but the ballroom was packed and latecomers had to stand at the rear. People took turns stepping up to microphones to offer emotional recollections of times past when they had hiked and swam and farmed in the fields that the politicians were considering turning into subdivisions. They warned Richmond Hill Council members they would face electoral defeat – or worse – if they meddled with the moraine. At the crowded press table, reporters noted the rising fervor of the speakers and called new leading paragraphs into copy editors facing early deadlines. Television camera crews roamed the hall. The deputations went on until after midnight. The campaign to save the Oak Ridges Moraine had, a little to the surprise of people who had been involved with it for years, suddenly become a matter of passionate public concern.

In this paper, I will discuss why people began to care about the moraine and why, sadly, their efforts to preserve it fell far short of what they had hoped to achieve.

The Toronto story of nature

At the opening session of the Natural City conference in Toronto, Jack Diamond, a local architect, argued that there is nothing natural at all about cities. Cities are a built environment. Diamond has gained an international reputation in Toronto, his home city, but he first began to be celebrated 30 years ago for his skill in fitting new buildings into existing neighborhoods, most notably in the "Hydro Block" where he linked three storey apartments that preserve the existing streetscape to older houses and created a charming inner courtyard.

Diamond was determined to preserve inner city neighborhoods and many of his ideas have been incorporated into New Urbanism, the movement that attempts to replicate early 20th century inner city housing styles on the outer reaches of 21st century edge cities.

Followers of Jane Jacobs hold that inner city neighborhoods, with their small-scale housing, diversity of stores and other enterprises, help build up relationships of trust among people. These networks of trust, in turn, make city life civilized. Jacobs herself came from Greenwich Village to live in the Annex, an inner city Toronto neighborhood, shortly after her seminal work on the importance of streets and neighborhoods, *The Death and Life of Great American Cities,* was published.

The idea of the city as a federation of neighborhoods that Diamond and Jacobs helped to advance came to dominate city politics and urban planning in Toronto in the 1970s. Soon after settling in Toronto, Jacobs became part of the "Stop Spadina" movement, a campaign to prevent the Spadina Expressway from plowing through inner city neighborhoods. In 1971, the Ontario provincial government stopped work on the Spadina Expressway and then cancelled a whole grid of expressways that had been planned for Toronto. The anti-Spadina campaigners partied and danced on the main streets of Toronto and then went on to add their strength to a growing urban reform movement. The reformers, although never a majority on City Council, managed to push Toronto into making a new Central Area Plan in 1976. The plan was as thick as a small town telephone book but it had three objectives and these were met:

- It limited the size of new downtown office buildings.
- It hedged inner city neighborhoods with protective zoning regulations.
- It encouraged the construction of apartment blocks in the central area.

New condominium towers grew up just a few blocks away from the financial center at the corner of King and Bay, Toronto's Wall Street. Tourists were delighted to discover the people and activity they found on Toronto streets. Visitors from Detroit, New York and Chicago marveled that they could walk around downtown at night. In the late 1970s, Toronto promoted itself as "the city that works." But there was a price to be paid for making Toronto the city that works. The bills came due when developers threatened to spread across the Oak Ridges Moraine.

- **The moraine** is a glacial ridge that runs across the Greater Toronto Area. Geologists estimate that 13,000 years ago, two glaciers ran into each other and either exploded releasing unimaginable tons of water imprisoned under the ice or gradually melted away. Whatever the case, when the ice and water were finally gone, there remained behind a winding, 160-km ribbon of silt, sand and gravel. The moraine acts like a sponge, ab-

sorbing snow and rain. The water seeps down to underground aquifers that provide drinking water to two cities and feed the headwaters of 30 rivers flowing south into Lake Ontario and north to Lake Simcoe. The Oak Ridges Moraine is one of the most important physical features of the whole urban region.

As a journalist, I became involved with the moraine in the spring of 1998. I had written a City Hall column in the Toronto Star for 20 years but had recently given it up in order to begin work on a book about the evolution of Toronto as a global city and to write feature articles about the rapidly growing urban region around Toronto. A friend in government (a "contact," as we say in the journalism trade) told me over a quiet lunch that I should really look into Richmond Hill. What was going on out there, my friend warned me somberly, could endanger the three rivers that flow through the city of Toronto and endanger the city's whole park system.

• **Richmond Hill** is one of nine cities making up York, an urban region that spreads over 1,776 sq.km from the northern border of Toronto to the edge of Lake Simcoe, about 100 miles to the north. In earlier days, the farms of York were a buffer zone between the city and the chain of northern lakes known as "cottage country." But in the 1990s, York became the fastest growing urban region in Canada. By the turn of the century, it had almost 1 million residents.

Richmond Hill had two urban centers. The large one, at the south end of the city, was simply an extension of the growth spreading north from Toronto. The smaller urban center, a collection of pleasant looking subdivisions, was on the town's northern border. The two urban centers were separated by a 35-km wide belt of farmland. Most of this farmland lies right on top of the Oak Ridges Moraine. The land was designated "agricultural" in official plans but, in the late 1990s, developers who had bought up most of the farms began pressing to be allowed to build there. Their projects were close to the headwaters of the Don, the Rouge and the Humber, the three rivers that wind south through Toronto creating valleys and much of the city's parkland. If the moraine were covered up with asphalt and cement, very little water would be able to seep down to the underground aquifers and these headwaters would be endangered. It was clear that the swath of open land between those two sectors of Richmond Hill was a crucial section of the Oak Ridges Moraine.

I wrote a series of features on proposed developments in Richmond Hill and other cities that were threatening the Oak Ridges moraine. These features were well illustrated and my editors at *The Star* (a major Toronto newspaper) gave them a good display. But except for some grateful phone calls from environmental activists, I got little response. I moved on to writing about other issues. A year later, I began to write about the politics of the outer cities for *The Star*'s opinion page. I did a couple of columns on the moraine and suddenly I was getting telephone calls from all over the region. My callers were excited and angry. They realized that the moraine was in danger and they wanted to do something about it.

What had taken them so long to become aroused? Activists had been working for 10 years to try to establish development controls on the moraine but they had received little public attention. Then, it seemed as though overnight, people were demanding that developers be kept away and the Oak Ridges Moraine be preserved as part of the natural world.

The moraine was a sad looking expression of the natural world. On the surface most of it is just low, scruffy hills. The magnificent original forests had been clear-cut early in the 19th century and intensive farming had subsequently exhausted the soil in many areas. By the 1930s, much of the moraine had become an arid plain. The principal public parks on the moraine, the Jefferson Forest and the Ganaraska Forest, were the result of extensive reforestation programs and local authorities tended them as carefully as suburban gardeners look after flowerbeds. So if "natural" means being free of human intervention, there was really nothing natural about the moraine. What's more, there were already 100,000 people living on the moraine, mostly in "estate homes," spacious houses on large lots. But much of the moraine was still open space and developers were pushing to build homes for another 150,000 people there. This push for even more housing on the moraine came, I think, to stand for the closing of the urban frontier.

People were beginning to feel imprisoned by the pace of urban growth around them. They would buy a house in a new suburb and there were green fields just a few blocks away. They could feel they were living close to the countryside. Then, in the spring, they would see bulldozers lumbering on to the open fields and whole new subdivisions would spring up, it seemed, overnight. They were no longer living in semi-rural seclusion. Their homes were becoming part of a densely packed urban mass. The campaign for the Oak Ridges Moraine became a fight to preserve a belt of open space within this urban mass.

High densities are a necessary component for the kind of cities that Jack Diamond helps build and the followers of Jane Jacobs promote. Certainly, people living inside densely populated cities can benefit from the diversity of opportunities and the networks of trust that crowded cities can create. But people also long for a bit of greenery and open space. This yearning for open space may come from the belief that people can breathe more freely when they are in open fields. It may be a nostalgic longing for a more rural past and a simpler way of life. But whatever the source, the desire for greenery and open space became a powerful force in Greater Toronto and people focused on the Oak Ridges Moraine.

There was an ironic touch to all this for people like myself who had witnessed the urban reform movement of the 1970s. In order to preserve the inner city neighborhoods and limit the size of downtown office buildings, growth had to be directed away from the central area. The planners promoted the building of office towers and high-density apartment blocks away from the central area. There would be "downtowns" spread across the whole region. This spread-the-growth policy was known as "deconcentration," and it was hailed as a progressive step. Deconcentration worked in that it deflected growth away from the downtown core and helped keep Toronto a city of neighborhoods. But by the 1990s, the cities around Toronto were spreading out so rapidly that planners became alarmed. Deconcentration became "urban sprawl," a phenomenon to be feared and even loathed. The Oak Ridges Moraine, once an interesting geologic feature on the edge of the city, was squarely in the path of urban development.

In addition to the possibility of over 12,000 new houses on the Richmond Hill stretch of the moraine, a developer wanted to build 2,500 houses in the town of Uxbridge, a few miles to the east. He wanted to bring in a large sewer pipe to accommodate his development which he called "Gan Eden," Hebrew for "Garden of Eden." There were other smaller developments being promoted in other towns and cities and on the western flank of Greater Toronto, in the little town of Caledon, known mostly for the lush green farms of the horsey set, there was a struggle to control the spread of gravel pits. Sand and gravel extracted from under the moraine farmland made excellent building materials. The mayor of Caledon warned that pit operators were gouging so many holes down below the water level that the town would soon become known as "the land of square lakes."

The Oak Ridges Moraine runs across three urban regions bordering the city of Toronto, Peel, York and Durham and, in each region, there were plans to exploit the moraine. Saving the moraine became a cause that drew people together from right across the Greater Toronto Area.

One can see the moraine campaign as a case of conflicting desires, a piece of the unresolvable, unending urban dialectic. On the one side, there was the desire for all the varieties of ex-

perience that a compact, diversified inner city can offer. On the other side, there is a longing for the simplicity of the countryside, the fresh air and open space. As long as people living in the inner city feel that they can reach the open countryside quickly and easily, they feel they can balance these conflicting needs and desires. But when developers began to advance on the Oak Ridges Moraine, I think that people felt that all the open spaces in the Greater Toronto region would be filled up with city. The countryside would be pushed so far into the hinterland that it would be unreachable. It was this sense of urban claustrophobia that I think motivated people who came out to the Richmond Hill ballroom in the bitter cold.

They won a victory that night. The Richmond Hill politicians did back down from declaring all the open space between the city's two urban centers open for development. But there was still the possibility that individual developments might be allowed to proceed. Moraine campaigners quickly discovered that the complexities of government in Greater Toronto made controlling development across the moraine maddeningly difficult.

Greater Toronto covers 7,000 square kilometers. Politically, Greater Toronto is part of the province of Ontario. Under the Canadian constitution, Canadian cities are "creatures of the provinces." That is, cities have no inherent powers; city governments can only do as much as provincial governments allow them to do. The Ontario government had surrounded the city of Toronto with four urban regions. Grouped within these four urban regions are 24 cities and towns. This lower tier of municipalities sends members to regional councils and they are, in turn, subject to the decisions of the regional councils.

But off to one side of this complicated governmental pyramid – province at the top, regional councils at the next level and at the bottom, cities and towns – there was the Ontario Municipal Board. The OMB, as it is popularly known, is an "administrative tribunal." The members, mostly lawyers and former city politicians, are appointed by the provincial government and they function as a court of appeal. Private citizens – and developers – who are unhappy about an urban planning decision made by a municipal council can go to the OMB. The board operates with an adversarial system; witnesses are sworn in and subjected to cross-examination by lawyers for opposing sides. The board became the main arena for the fight to save the moraine.

In earlier times, people had to wait until a municipal council had made a decision before going to the OMB. But in 1995, the Conservative party won the provincial election. They were really neo conservatives in the tradition of Ronald Reagan, Margaret Thatcher and the first George Bush. They saw themselves as liberating citizens from stultifying government regulations. They made changes in the way that the OMB operated that seemed small at the time but which proved deadly when applied to the Oak Ridges Moraine.

Developers no longer had to wait for municipal councils to come to a decision. If a municipal council had not ruled on a subdivision application within 90 days, the developers could go directly to the OMB. Developers had long complained that the red tape involved in getting subdivisions approved by three levels of government, local, regional and provincial, kept them from getting housing on to the market and added to their costs. They produced charts of the approval process with arrows going to all the different bodies from whom they had to win approval and claimed that this process could take five long years and add substantially to the price of houses they brought to market.

However, the 90-day rule did more than cut away some of the complications of the subdivision approval process. It pushed elected municipal politicians to the sidelines. It was impossible for a local and regional council to deal with the complexities of a large subdivision application such as roads, sewers, water pipes, impact on transportation, education and the environment, all within 90 days. Developers quickly began to make end runs around municipal and local councils. Lawyers representing the developer promoting Gan Eden, the 2,500 unit project in Uxbridge, slapped their appeal into the OMB just 91 days after applying to the local council for approval. Moraine campaigners came to realize why the developers had not bothered to put on a big show at the meeting in the Richmond Hill hotel ballroom. The developers had already begun their appeals to the OMB. They did not need the approval or Richmond Hill Council or the approval of York Region Council. The Ontario Municipal Board had the power to give everything they wanted and they went directly to the Board.

Then, too, the Conservative government did away with a new planning act that would have required the OMB to conform to provincial guidelines when coming to a decision. Provincial governments over the years had built up a series of guidelines for dealing with environmental concerns such as wetlands and woodlots and farmland. Had these guidelines been strictly adhered to, they would have severely restricted urbanization on the moraine. But the new Conservative provincial government ruled that in future, the OMB need only "have regard" for provincial guidelines. Nobody knew what "have regard" would turn out to mean in practice. To some, it appeared to allow members of the OMB to simply say, "Yes, we looked at the guidelines and now the developer can go ahead and do what he wants."

Professor Robert McDermott of York University has done extensive research into political contributions. He has found that between the years 1995 and 1998, the real estate industry gave over $800,000 to the Conservative government. They were not, McDermott argues, trying to do anything so crude as buy support for a particular project. They were simply "investing" in government. If McDermott is right, and I certainly believe he is, the real estate industry received a handsome return on its investment. The development approval process had been removed from the uncertainty of local councils and turned over to an administrative tribunal appointed by the provincial government. People complained bitterly that crucial environmental decisions that would have an impact on many lives had been handed over to an "unelected" body. But the outcry had no effect on the Conservative government.

Two subdivision proposals in Richmond Hill involving almost 10,000 houses were the first projects to come before the Board. They were seen as the test of how the OMB would approach the moraine. The hearings began in June of 2000 and they did not open well for environmentalists. The two board members considering the Richmond Hill projects refused to fly over the area so they could see how Richmond Hill fit into the larger issue of protecting the moraine. They decided that they would consider only the merits of the projects that had been put directly in front of them. Then, they refused to give the City of Toronto status at the hearing. The City's lawyers argued that since the City's three great rivers had headwaters on the moraine, Toronto had an interest in protecting the moraine. But the Board ruled that Toronto's interests were being represented by environmental groups at the hearing and there was no need for Toronto to participate. So Toronto was reduced to contributing to the legal costs of the environmental groups instead of being able to send in its own team of highly experienced lawyers.

The Richmond Hill hearings settled into a slow, steady grind of experts contradicting each other. It quickly became apparent that the underground aquifers had been only partially mapped. No one could say with certainty how much water there actually was under the moraine, where it was coming from, where it was ultimately going. So the hearing became one group of experts declaring that it was safe to build on the moraine and other groups disagreeing. One developer spent over $500,000 hiring expert witnesses. The hearings droned on and on. But outside the sleepy hearing room in the Richmond Hill municipal building, public concern was growing.

The proceedings were often tedious but they were still well covered by the press, particularly *The Star.* The paper had a reporter there almost every day. In the summer of 2000 Mike Colle, a Liberal Member of Parliament set out on a walk across the moraine to dramatize the need for protection.

Colle was the embodiment of inner city concern with open space in the edge cities. The son of Italian immigrants, Colle had sold newspapers on the street corners of Toronto, become a high school teacher and been a highly regarded municipal councilor before entering provincial politics. Colle was the quintessential city politician but he took up the cause of the moraine and helped keep it before the public.

The Richmond Hill hearings were about to go into a second year when a provincial cabinet minister suddenly died and the government was compelled to hold a by-election to replace him. The riding of Vaughan-King-Aurora included much of the moraine in York Region. The Conservatives supported a local councilor, Joyce Frustaglio, and the Premier, Mike Harris himself, came to the riding to campaign for her. But she faced a formidable Liberal veteran, Greg Sorbara, and it was clear that anger over the moraine could cause the Conservatives to lose a seat in their heartland, the suburban belt surrounding the city of Toronto.

On May 18, 2001, with the Richmond Hill OMB hearing about to enter its second year, Chris Hodgson, the Provincial Minister of Municipal Affairs, sent out an urgent alert that he was about to make an important announcement up in Richmond Hill. He had chosen a pleasant looking suburban park as the setting. His government, he solemnly told the crowd of reporters and environmentalist who had followed him to the little park, was imposing a freeze on all moraine developments. The Richmond Hill hearings would end immediately and all applications to the OMB were suspended. The freeze was temporary, for only a six month period, but the government would set to work immediately on a plan for permanently protecting the moraine. It seemed that, despite the way that earlier developments had favored the real estate industry, the Conservatives were now going to favor the environmental advocates over the developers. The freeze cheered moraine campaigners but it did not help the Conservatives at the polls. Their candidate lost to the Liberal Sorbara by almost 10,000 votes.

Hodgson set up a task force of 13 moraine "stakeholders" that included environmentalists, citizen groups and developers. But Hodgson had, significantly, left out Glenn De Baeremaeker, the fiery young president of "Save the Rouge Valley," one of the groups representing environmental concerns at the Richmond Hill hearing. Still, hopes were high that the advisory panel would come up with a good plan for the moraine. But when the panel revealed their plan, they had somehow agreed to actually enlarge the sections that would be open to developers. Hodgson held three informational meetings that summer to try to sell the plan. People with objections were asked to put them in writing and hand them to civil servants who would be standing by. But so many people demanded the right to speak that Hodgson had to open the sessions up and people openly attacked him and his plan. De Baeremaeker denounced it as a gift to developers.

Finally, in November 2001, the Conservative government passed a moraine conservation act that did look impressive. It designated 38 percent of the moraine as "natural core area" and another 24 percent as "natural linkage area." Very tough restrictions were placed on both areas. It meant that two thirds of the moraine were protected. Another 30 percent of the moraine was designated as countryside and restricted essentially to agricultural uses. Only 8 percent of the moraine was designated "settlement area," and open to development. The act did say that these designations would be reviewed in ten years but moraine campaigners were still pleased. It looked as though for a decade at least, developers would be kept away from 90 percent of the moraine land. Even deBaeremaeker, who had been such a noisy critic of the Conservative government, praised the plan.

Then suddenly in April 2002, Hodgson issued a zoning order allowing 6,600 houses to go up in the Richmond Hill sector of the moraine. Moreover, 4,300 of those houses would be grouped around Bond Lake, one of the most ecologically sensitive points. It was not just housing that Hodgson's zoning order appeared to allow. Subdivision plans that I obtained showed a "gas bar," an apartment complex of 379 units and 6.5 hectares of "major commercial development," which most likely meant a shopping mall. A zoning order is like a royal decree. There is no appeal. When a provincial government issues a zoning order, it instantly becomes law. DeBaeremaeker denounced Hodgson's Richmond Hill zoning order as a betrayal. It did not seem too strong a word.

Except among environmentalists, there was little public reaction to this betrayal. Most of the moraine had been protected from exploitation for at least the coming decade. What is more, in a subsequent bit of negotiation, the provincial government created a public park of 1,000 acres on the Richmond Hill sector of the moraine and set up a foundation to purchase more land for more public use. Most people felt the moraine campaign had been a success.

But the fight over the Richmond Hill sector of the moraine had, in many ways, been lost. The cluster of subdivisions allowed by the ministerial zoning order accomplished something that environmentalists had said should never be allowed to happen. Those 4,300 houses did split the moraine into two lobes. Wildlife would now be confined to two islands isolated within the urban mass.

Still, if the moraine campaign had failed to create permanent protection for the moraine, it did succeed in making the natural environment a permanent feature of the local political landscape. In the spring of 2005, the McGuinty government established a Greenbelt that it said would protect 1 million acres of environmental sensitive land around the northern edge of the Greater Toronto Area and extend all the way around Lake Ontario to Niagara Falls. The Greenbelt sounded very promising but some of us recall an earlier greenbelt on the lower tier of the Greater Toronto Area. It was established by a Conservative government in the early 1970s. That earlier greenbelt is now an eight-lane toll road, Highway 407. We will see what happens to this new Greenbelt initiative.

It is tempting to attribute the failures of the Oak Ridges Moraine campaign to cynical manipulations by successive provincial governments more intent on accommodating special interests in the real estate industry than protecting open space. But those real estate interests represent a wider public interest, people seeking places to live. In the early 1990s, when Ontario was governed by the left wing New Democratic Party, the government commissioned demographers who predicted that the region's population would grow from 5.2 million people in 1991 to 6.9 million by 2021. The New Democrats instructed the regions of Greater Toronto to prepare enough serviced land so that housing could be built to accommodate all of these new people. The New Democrats were defeated in 1995 but it could be said that the new Conservative government was simply finishing what the New Democrats had started.

In reality, left and right wing parties behaved in much the same way, despite their supposedly conflicting ideological positions on the role of government. There was no political party that defended the moraine except the ineffectual Green Party and a few scattered environmental groups. There was no ideology that could provide guidance for incorporating large natural features and open land being used for agriculture into a rapidly expanding urban region.

Meeting the desire for fresh air and a bit of greenery within older cities is a fairly straightforward business. Private backyards and garden and public parks can pretty well do the jobs. It is true there is often a demand for more parkland within cities but satis-

fying this demand is part of a well understood political process. However, when large cities are linked with smaller cities and towns and rural villages to make up vast urban regions, creating open space becomes more difficult.

Some moraine campaigners who had been co-opted by the Conservative government's bewildering array of committees and advisory panels and foundations claimed that the 1,000-acre park in Richmond Hill was a very significant gain. That may be a good size for a city park but, in an urban region of 7,000 sq.km, it will not mean very much. There was no ideology, no vision, no mental picture that people could carry with them that showed how green open space should co-exist within a rapidly expanding urban region.

Conclusion

Greater Toronto contains Toronto's largest and most dynamic city and 24 small cities but it is also one of Canada's most productive agricultural regions. Joyce Savoline, the chair of Halton region, told a recent conference on agricultural strategy that the Greater Toronto Area (GTA) has 3,800 farmers and agricultural sales totaling $1.3 billion.

Agriculture is still an important part of the region's economy but it does not co-exist comfortably with urban expansion. Farmers complain that the buildup of traffic on rural roads make it difficult to move equipment from field to field and take crops to market. Homeowners living next to farms complain about the smells and dirt wafting their way. Deep inside the city many people may still think of farmers as sturdy yeomen out on land that has been in their families for generations but many of them are simply tenants. A Greater Toronto Area Profile released in 2003 showed that half the farmland in the region is being rented to the farmers who work it. The owners of this farmland are developers and speculators waiting for the right time to plant new subdivisions on it.

The urban frontier is closing faster than I think most city dwellers realize. The campaign to save the Oak Ridges Moraine exposed the conflicts that come with trying to preserve green space in an expanding metropolis. After the natural city, the next step must be figuring out how to allow expanding cities and large tracts of farmland and open space to exist peacefully side by side in vast, rapidly growing urban regions.