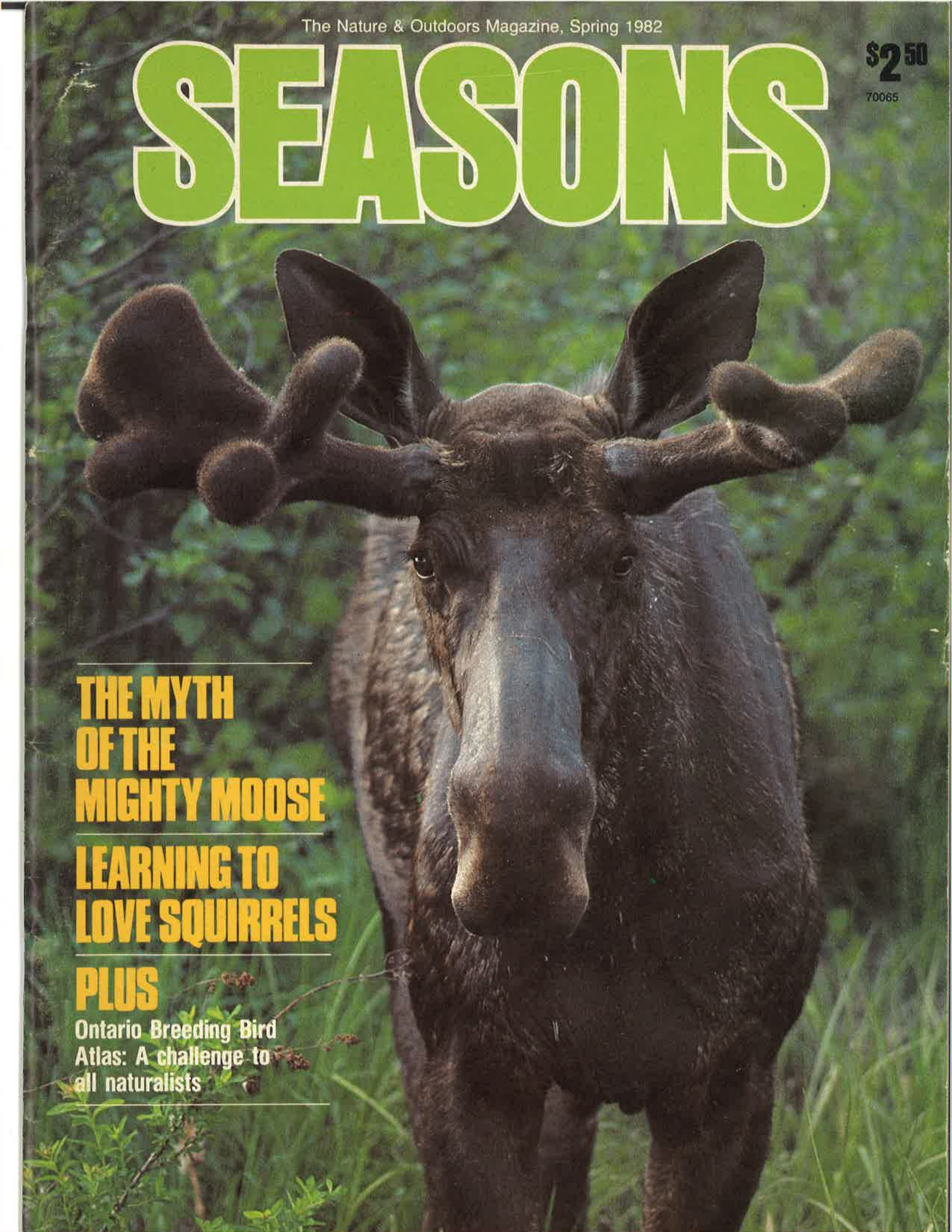


The Nature & Outdoors Magazine, Spring 1982

SEASONS

\$2.50

70065



**THE MYTH
OF THE
MIGHTY MOOSE**

**LEARNING TO
LOVE SQUIRRELS**

PLUS

Ontario Breeding Bird
Atlas: A challenge to
all naturalists



THE BATTLE OF BEAVER VALLEY

Is it the 'last stand' for protection
of the Niagara Escarpment?

By Lyn MacMillan

Why has Ontario's beautiful Beaver Valley become an ugly battleground of warring developers vs. up-in-arms landowners and conservation groups? Why? Because, as is the inevitable case anywhere in Ontario, whether it be the Toronto waterfront, class I agricultural land, or the Lady Evelyn wilderness area in the north, exploitation is the name of the game. There is no land-use planning in this province that is worth a tinker's dam. Nothing is fully protected, nothing is safe, nothing is sacred. Unless we fight for it over and over again, we lose every time. That is the tragedy and the irony of our so-called democratic system as it currently exists in this province.

Southern Ontario is not overly endowed with wide steep river valleys. Its physiography, in fact, is often boringly flat. So when one finds these long, deep, pre-glacial river valleys along the Niagara Escarpment, one rejoices in their beauty, and welcomes the change they create in the landscape. A good example is the Dundas Valley, nearly ten miles long, which provides the traveller with a breath-

taking view over the rolling countryside around Hamilton. It is followed, farther north, by the Credit and Hockley Valleys, Devil's Glen, and the valleys of the Mad, Pine, Noisy and Pretty Rivers.

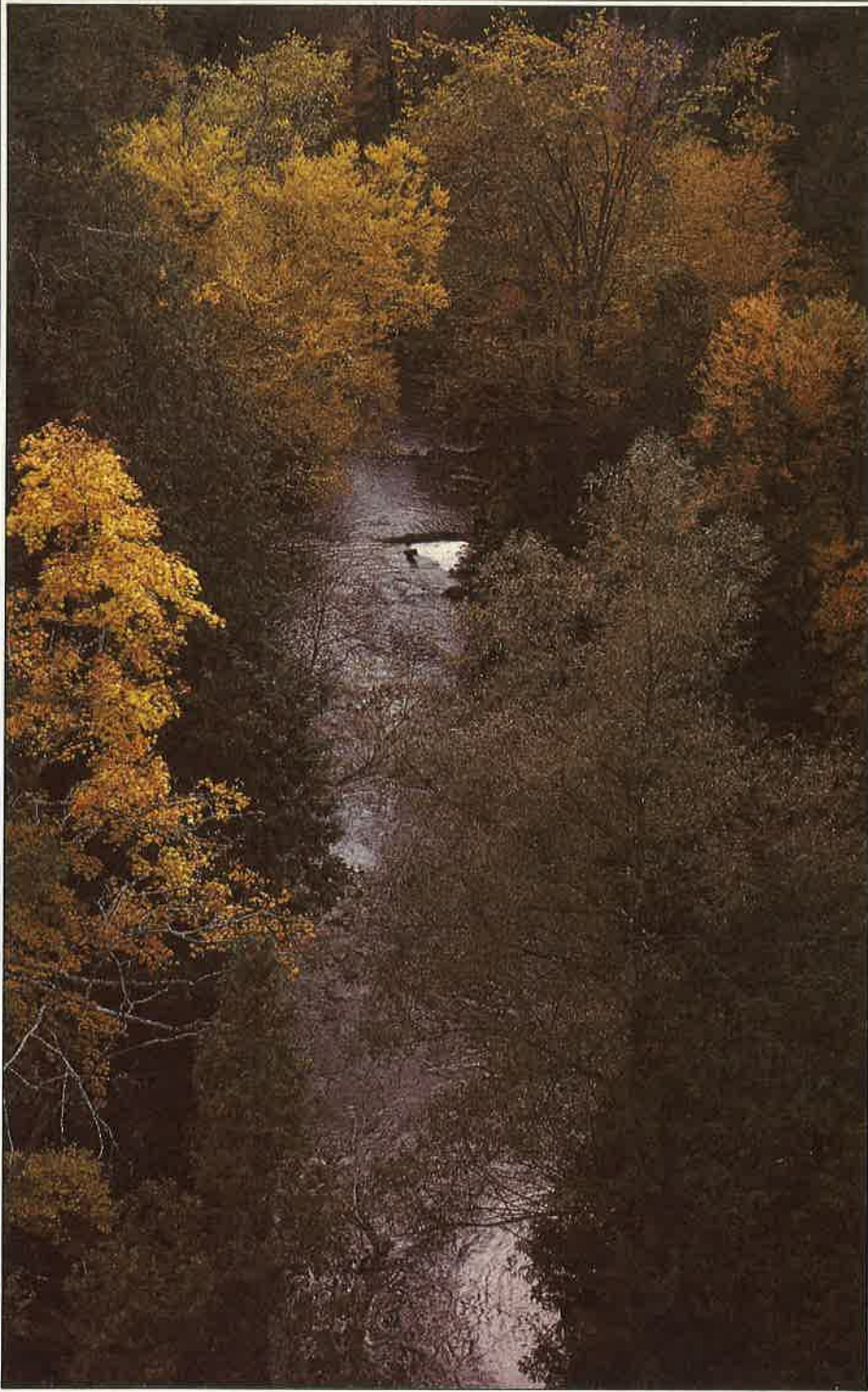
But perhaps most glorious of all, because it runs well over thirty miles long, is the valley of the Beaver River. It stretches all the way from Thornbury on Georgian Bay, to Flesherton. Here, escarpment cliffs rise over 600 feet in the narrowest upper reaches, and the views are spectacular. So far, it remains unspoiled and serene.

The Beaver Valley's gentler slopes consist of pastures and fields. Belts of forests cover the valley floor, and the craggy limestone rocks tower above. There are hamlets clustered intermittently along its length, a few scattered farm houses cling to its lower slopes, and here and there an occasional ski lodge and open ski runs can be seen. Otherwise, the whole picture is one of rural peace and beauty.

But the "battle" of Beaver Valley is a reality. It all started with what is known as the 'Epping Commons' development, which according to Rob Levery, landowner in the valley and environmentalist, went something like this:

"One of the reasons I bought a farm in the Beaver Valley was that I thought the area was to be protected by the Niagara Escarpment Act [passed in 1973]. Over the years there have been a number of development proposals in the Valley, but the ones that clearly conflicted with the goals and objectives of the Escarpment Act were always turned down. So when we heard about the Epping Commons development, we didn't really take it too seriously. How could we? The idea of building 46 luxury condominiums and a 50-room commercial hotel with tennis courts and swimming pools right on the slope of the Valley seemed utterly absurd.

"Our confidence soon eroded, however, when we were told in July 1980 that the Minister of Housing, Claude Bennett, had received an amendment to the Official Beaver Valley Plan for his approval. On checking the minutes of the local council, we discovered there had already been a meeting with a Mr. Milt Farrow, who is the Executive Director of the Plans Administration Division in the Ministry of Housing, and Mr. Farrow had indicated 'that this was the only route if the applicant wanted the development ... and the indication was that the Minister would



Landscapes to please the most discerning eye abound in the Beaver Valley — from limestone cliffs towering over villages and woods, through fields that roll like green velvet, to chasms like Feversham Gorge.



still "political." 'Epping Commons' will eventually go to the Premier and his Cabinet for a final decision, which is expected within the year."

What is obvious here is that the government is going to have to face two fundamental issues, and soon. First: will the law of the province and government policy for the Niagara Escarpment, established in 1973, be respected, or will the Beaver Valley, which is blessed with two escarpments, be sacrificed to powerful development interests? Second: will the government realize that a healthy economy requires an equally healthy natural environment? In the 1980s we cannot build our economy by destroying our natural resources.

No one is against rational and orderly development. But we must not destroy the very reasons that have always attracted people to this lovely valley — the majestic views, the splendid silence, the finest fishing. The excellent trout fishing, for example, attracts millions of tourist dollars to this area.

I have just finished reading the federal government's sub-committee re-

(Continued on page 44)

look more favourably on the proposal'.

"This jolted us, so we landowners began in earnest to organize ourselves. The task seemed overwhelming, especially when informed sources kept saying to us, 'Oh, Epping Commons, it's political.' Thank goodness for CONE [Coalition on the Niagara Escarpment]. We contacted Lyn MacMillan, CONE's President, and she moved quickly into action. The Minister backed off and finally released a report by a hearing officer from his own ministry that flatly rejected the development. Subsequently

we were able to have the Ontario Municipal Board hearing for the local amendment adjourned. We also had the Niagara Escarpment Commission on our side. They, too, had refused to issue a development permit on the grounds that it conflicted with the Plan and the Act.

"The developers were conspicuously silent after that, until last October when we had to appear at another hearing, this time the hearings on the proposed plan for the Niagara Escarpment. We're not sure how *those* hearing officers will make their rulings, but it is clear that the proposal is

The Battle of Beaver Valley

Continued from page 29

port on acid rain, 'Still waters — The Chilling Reality of Acid Rain.' When you see all the areas that are sensitive to acidification in Ontario, Quebec and the northeastern United States, you begin to realize how critical it is to preserve a resource like the Beaver Valley. It is surrounded by an escarpment that offers a natural buffering for acid rain due to the limestone of which it is made.

Beaver Valley will be a priceless asset, a place where people can come not only to catch fish but where they can eat them safely, without chemicals, too. So the environmental plan for the Escarpment takes on a significance greater now than we ever imagined in 1973. It is bitterly ironic, however, that here in this beautiful valley the concept of environmental land-use planning on Ontario and the gifts of nature it seeks to protect are still on trial — with the verdict very much in doubt.

Rob Leverty is not the only landowner who is concerned. At least 90 of them have joined together since the Epping Commons development materialized, into a group known as the Beaver Valley Heritage Society. A stalwart member of this Society is 78-year-old Herman McConnell. Here is how he sees what has been going on:

"I've been farming in the Beaver Valley since the outbreak of the First World War. When I was a young boy, the old farmers used to talk about how the Beaver River just used to teem with fish. The Indians who lived in the basin of the valley, right here at my farm, used to simply haul them out, they were so plentiful. Epping Commons would be a disaster, the worst thing that could happen to the valley. The developers keep promising they won't harm the environment — well, they'd be the first people since Moses to keep that promise.

"Of course Epping Commons will affect the river and the fishing. There will be erosion, and sedimentation will kill the fish eggs. There will be all kinds of human pollution, too. Where are they going to put that? In the river? You take all the water from those roofs, and the hard surfaces like the roads and parking lots, and that will speed up the run-off. That's a very bad thing.

"I've been with the East Grey Anglers and Hunters for over twenty years. I'm also a member of the Saugen Field Naturalists. There are thirteen streams on the property proposed

for development, and that whole side of the valley is a natural feeding ground for all kinds of wildlife. All my life I've seen deer tracks on that land, but after the condominium builders get finished there won't be any deer left, and it will be terrible on the fishing. In fact, building a development, that size, right on the slope of the escarpment, is the most foolish thing I've ever heard. Ruin the beautiful view. And that property has so much water, farmers were afraid at times you could lose a team of horses up there.

"The Beaver River has always been the finest in the whole area for trout. We worked so hard to get the Ministry of Natural Resources to improve the river. They spent hundreds of thousands of dollars. People come from all over to fish here. Friends from Ohio come very year. Well, you're going to lose all those tourist dollars if you ruin the river."

Is Herman McConnell right in his prediction of pollution and sedimentation? He was present at the hearings when hydrogeologist-engineer Keith Lathem gave his devastating report. Mr. Lathem had been commissioned by CONE to examine the water table of the Beaver Valley and the potential impacts a development the size of Epping Commons would have on the environment. Boiled down, his conclusions were as follows:

(1) The Beaver Valley is dominated by its regional hydrologic processes and must be managed carefully to protect them. (i.e. You can't have development in the Beaver Valley without interfering with the water table, whether it be streams, run-offs or wells. Therefore, the first thing you've got to recognize is that they *must* be protected.)

(2) The upper lands in the Beavercdale area above the Escarpment are important as massive recharge areas for regional groundwater supplies, and land use changes in those areas must be carefully controlled to retain this capability. (i.e. You have this large, flat plain on top of the Escarpment and its use is to allow water to enter the ground and be carried down the slopes to streams and wells for human needs. Any change such as a large development here will cause this supply to deteriorate.)

(3) The slope lands are important as massive discharge areas for shallow groundwater aquifers and interflow zones which supply water to the Beaver River. (i.e. The sloping sides of

the Escarpment act as a sort of pipeline to the lower lands and the Beaver River, so when we talk about developments on these slopes, we are again talking about the quality and quantity of this water being lowered.)

(4) The slope land discharge areas account for up to 50 percent of summer flows in the Beaver River and provide greater than 25 percent of annual volumes in the Beaver River at Clarksburg. (i.e. The area here now carries over 50% of all the water recorded in the summer in the Beaver River. The biggest natural carriers of pollutants in a river are the sediments. Therefore sediments from erosion carried down the river tend to make the water murky and muddy, and will, of course, be most damaging to fishing, among other things.)

(5) Any attempt to develop the noted lands, which include the subject property, will have a very significant impact on the discharge areas and, subsequently, the Beaver River.

(6) Approval of the subject property must be viewed as a statement of policy for development in the Beaver Valley. Development is likely to cause massive, irreparable damage to valley hydrology and river water quality and supply. (i.e. The Beaver Valley now is a



Herman McConnell on developers' assurances that the environment won't be harmed: "They'd be the first people since Moses to keep that promise."

natural system. No approval has been given to large condominium developments since the Niagara Escarpment Planning and Development Act came into being. While 'Epping Commons' might be a fairly small development in the valley as a whole, we know that

planning is generally based on precedent. 'Epping Commons' would, therefore, set a very bad precedent that could open the door to widespread development.)

(7) Engineering design can be used to deal with the environmental impacts to permit habitation of the site, but such design cannot be used to eliminate totally the effect of the development on the environment. (i.e. No amount of "engineering" can totally eliminate adverse environmental impacts on this site.)

(8) Development of the slope lands including the subject property would offend the objectives stated in section 8(a) and (b) of the Niagara Escarpment Planning and Development Act, 1973. (i.e. In preparing the Niagara Escarpment Plan (under section 8 of the Act), the Commission was asked to look at seven objectives, among them (a) which states the objective should be "to protect unique ecological and historic areas," and (b) "to maintain and enhance the quality and character of



Rob Leverty: "Informed sources kept saying to us, 'Oh, Epping Commons, it's political.'"

natural streams and water supplies." Obviously, development on the slope lands, including the Epping Commons property, would conflict with these objectives.)

Finally, Mr. Lathem recommended that the Hearing Officers seriously consider the information contained in this report and refuse to allow this development on the subject lands.

So far, this evidence has been uncontested. It cost CONE many thousands of dollars to spearhead the study and present it with the help of legal counsel at the hearings. It was money well spent. Conservation groups must get used to spending money at hearings in order to present good professional data, rather than just saying we don't like what's going on, and hope to be listened to on that basis. The time has come to get tough and challenge the developers on their own ground and with their own tools.

No one else had done hydrogeologic studies — none of the Ministries, the Commission or the developers. Someone had to do them, so CONE launched a strong fund-raising appeal, raised over \$12,000, and hired the best hydrogeologist they could find. Mr. Lathem's expertise and qualifications are internationally recognized. He will continue his work, and be called by CONE to give evidence at any future hearings, so long as CONE can continue to raise the necessary money.

We are hoping against hope that the Proposed Plan for the Niagara Escarpment comes out strongly in favour of its preservation as a natural area. On paper it has been so designated, but there are many forces at work pulling it apart — forces such as developers, local

councils, the Beaver Valley Planning Board, and even some Ontario Ministries who sit with hands folded.

We can only stand up and be counted with others who are fighting for the Valley's preservation — the Niagara Escarpment Commission, the Coalition on the Niagara Escarpment (CONE), and the Beaver Valley Heritage Society ... not to mention all the other concerned individuals.

Recently I came across an article by Pierre Berton written in 1960 for the *Toronto Telegram* and he has kindly given me permission to reprint excerpts from it. It brings home more than anything else just how much we stand to lose. Describing the beauty of the countryside around Toronto in fall and a trip he took via the Hockley Valley north up the Escarpment, savouring as he went the glorious colours and the scent of ripening apples in the air, Berton wrote:

"In the hidden valleys and secret glens that lie between the city and Georgian Bay the frost has already yellowed the birches and the flame is hot on the maple...

"Eugenia stands at the entrance to the Beaver Valley, one of the loveliest in all Ontario. The road skirts the valley's rim, and you can gaze across the mile-wide expanse and see a Joseph's coat of colours. Then a sudden plunge downward takes you right through the valley town of Kimberley and north through a pastel world towards Thornbury on Georgian Bay.

"The Beaver Valley was settled back in 1825 and once was alive with beaver. When Champlain landed not far from the mouth of the Beaver River, two centuries before that, he saw the Beaver Indians with the silhouette of the animal painted on their shields. It is said that this sight caused him to choose the beaver as the emblem of Canada."

How sad to destroy the Beaver Valley and the source of our country's emblem. How easily it can be overdeveloped and changed. How hard it would be, after all these years, to see our work, and the work of hundreds of dedicated people, evaporate into thin air as the bulldozers take over, and the roots of rural Ontario are upturned and smashed. □

Lyn MacMillan has a long, loving and tenacious involvement with the Niagara Escarpment. She is founder and Chairman of the Coalition on the Niagara Escarpment (CONE), which began as a splinter group of the FON.

Help Wanted

If you feel you want to help, you can do any or all of the following:

(1) Join CONE. For a \$10 membership fee you'll become part of the battle. Cheques can be sent to:

CONE

355 Lesmill Road

Don Mills, Ontario M3B 2W8

CONE is made up of the Federation of Ontario Naturalists, plus eight other conservation groups and concerned individuals dedicated to the wise use and orderly planning of the Niagara Escarpment.

(2) Write Premier William Davis
Room 281, Legislative Building
Queen's Park

Toronto, Ontario M7A 1A1

Tell him:

(a) You oppose 'Epping Commons' development in the Beaver Valley;

(b) You support the Niagara Escarpment Planning and Development Act and its mandate to protect the Escarpment;

(c) You feel that all the millions of dollars that have been spent on the planning process so far will just go down the drain unless an orderly plan is adopted, and soon.

(3) Lobby your local MPP (MLA) by a personal visit, a phone call, or letters.

(4) Support the Federation of Ontario Naturalists by a healthy donation to go towards the Niagara Escarpment Fund (355 Lesmill Road, Don Mills, Ontario M3B 2W8). Receipts for income tax purposes will be mailed immediately.