



4560 Sideline 22, R.R. #5, Claremont ON L1Y 1A2 / landoverlanding@gmail.com / 905-649-2433

Comments on Proposed Changes to Agricultural System Map for Durham Region's Official Plan September 9, 2022

As an association of concerned citizens and stakeholders in the Region, Land Over Landings^[1] appreciates the opportunity to provide input into this important aspect of the Municipal Comprehensive Review.

The Context

In 2018, the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA), using the Land Evaluation and Area Review (LEAR) analysis method, released an Agricultural System Map of Prime Agricultural Areas and other Rural Lands for all land in the Greater Golden Horseshoe (GGH) outside settlement areas. The intention of the mapping was to identify the “on the ground” land-use reality, identifying areas where ongoing agriculture predominates. The requirement now is for municipalities to incorporate OMAFRA’s Agricultural System Map into their Official Plans (OP). Municipalities must obtain provincial approval for the “refinements” they suggest to the Agricultural System Map. Potential municipal refinements to Prime Agricultural Areas are quite limited in scope. (See Implementation Procedures for the Agricultural System in Ontario’s Greater Golden Horseshoe, <http://www.omafra.gov.on.ca/english/landuse/imp2019.pdf>, pp. 36-37.)

The Province has also released a Natural Heritage System Map for the GGH, identifying key natural heritage or hydrological features as an overlay on the Agricultural System Map. The Greenbelt, including the Oak Ridges Moraine (ORM), adds another layer of land-use protections. These additional protections are entirely compatible with the Agricultural System Map – which makes perfect sense, as today’s natural heritage and hydrological features in the GGH still exist because of their careful protection by many generations of Indigenous and European settler farmers.

Our Comments

In this submission we have restricted our comments to the Region’s proposed refinements to OMAFRA’s Pickering Agricultural System Map. OMAFRA’s map shows that, with the exception of the Seaton urban area and rural settlements, all of Pickering north of Highway 7 is a Prime Agricultural Area, or has “candidate” rural lands qualified to be added to the Prime

¹ <http://landoverlandings.com>

Agricultural Area. We also note that Pickering’s current draft zoning by-law map – with the exception of rural settlements, golf courses, and conservation areas – is remarkably similar to OMAFRA’s Agricultural System Map for north Pickering. (See <https://wspcanada.maps.arcgis.com/apps/webappviewer/index.html?id=ccfd4de2836c4303bc19ae165e8618ff>.)

We commend Durham Region for proposing the following refinements to Ontario’s Agricultural System Map in Pickering:

1. The proposed separation of the Duffins Rouge Agricultural Preserve from Specific Policy Area A (Seaton area), so as to designate the farmland as a Prime Agricultural Area. The agricultural designation will ensure the long-overdue, permanent preservation of this prime farmland, consistent with the Duffins Rouge Agricultural Preserve Act, 2005.
2. The proposed Prime Agriculture Overlays on the ORM for the lands southwest of the hamlet of Altona, west of the hamlet of Claremont, and north of the hamlet of Balsam.
3. The proposed redesignation from Major Open Space to Prime Agriculture Area of the lands south of Highway 7, east of the hamlet of Greenwood to Lakeridge Road, then west of Lakeridge Road to the hamlet of Audley.

We advocate that Durham Region *abandon* the following exclusions proposed for OMAFRA’s Agricultural System Map in Pickering:

“Excluding national park sites, the Pickering airport lands, and special policy areas because they are federally regulated or intended for a non-agricultural use.” [*Please note also:* Durham Region’s Official Plan refers only to “Special Study Areas “or “Specific Policy Areas” and not to “special policy areas”.]

and

“Excluding sites identified by the area municipalities, where information was provided to justify exclusion from the Prime Agriculture System.”
(See <https://www.durham.ca/en/doing-business/envision-durham.aspx#Agricultural-System-draft-map-available-for-comment>.)

Why abandon?

1. It is wrong to exclude the “Pickering airport lands” from OMAFRA’s Agricultural System Map. OMAFRA has correctly mapped the Pickering Lands^[2] as a Prime Agricultural Area –

² The Durham Region OP must correct its nomenclature to match Transport Canada’s. “Pickering Lands” is how Transport Canada has referred to the Pickering site for more than a decade. (See <https://tc.canada.ca/en/aviation/operating-airports-aerodromes/airport-zoning-regulations/pickering-lands>.) Since the mid-1970s, Transport Canada’s position has been that its Pickering Lands are being retained for a “potential future airport” provided there is a sound business case. This fact was reiterated in a March 25, 2020, letter to Regional Chair John Henry by the then Transport Minister Marc Garneau: “No decision has been made to develop an airport on the Pickering Lands. Any decision on the future of the Pickering Lands must be based on a sound business case, updated data on aviation demand and capacity, and stakeholder engagement. Given that [KPMG’s 2020 Aviation Sector Analysis report] suggests there is no immediate need for additional airport capacity in the Greater Toronto Area before 2038, Transport Canada will continue to retain the land for future consideration ...”.

which is what they are. Transport Canada has protected this farmland for agriculture since 1975. Furthermore, Transport Canada alone is entitled to decide if the Pickering Lands will ever be used for an airport. OMAFRA's exclusions from Prime Agricultural Areas are specific: "... First Nation reserve lands and federally regulated portions of aerodromes" (See Implementation Procedures for the Agricultural System in Ontario's Greater Golden Horseshoe, <http://www.omafra.gov.on.ca/english/landuse/imp2019.pdf>, p. 36.) There is no aerodrome on the Pickering Lands. The Lands must therefore be designated as a Prime Agricultural Area in the OP.

2. It is wrong to exclude the Rouge National Urban Park (RNUP) areas within Pickering from OMAFRA's Agricultural System Map. OMAFRA has correctly mapped RNUP as a Prime Agricultural Area. As noted above, OMAFRA does not exclude national parks from its Prime Agricultural Area designation. That designation is also consistent with the RNUP Act, which requires "protect[ion of] natural ecosystems" and "preservation of agricultural lands in the park." (See <https://laws.justice.gc.ca/eng/acts/R-8.55/page-1.html#h-428300>, Preamble.) Agricultural land in RNUP must therefore be designated as a Prime Agricultural Area in the OP.
3. It is wrong to exclude from OMAFRA's Agricultural System Map the "Special Study Area 1" in north Pickering (shown on p. 4 of the OP Schedule A maps). OMAFRA has correctly mapped this area, which is entirely within Transport Canada's Pickering Lands, as a Prime Agricultural Area. This land must therefore be designated as a Prime Agricultural Area in the OP.
4. There is no justification for excluding any other area (such as Major Open Space) in rural Pickering from OMAFRA's Prime Agricultural Area designation. Durham Region's Report #2022-P-16 (June 7, 2022, p. 6) offers the following justification for the Major Open Space designation:

"The Major Open Space designation [OMAFRA prefers to call these areas "Rural Lands"] provides flexibility for some non-farming uses compared to the Prime Agriculture designation. It allows for a greater variety of rural economic uses, including agri-business, commercial kennels and landscaping industrial uses, as well as major recreational uses. When lands are designated Prime Agriculture, the rural economic development potential is limited to agricultural practices."

However, the Region's claim that the Major Open Space (Rural Lands) land-use designation allows for a greater variety of rural economic development opportunities than are available under a Prime Agriculture designation is *largely untrue*. OMAFRA already allows On-Farm Diversified Uses. (See Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas, <http://www.omafra.gov.on.ca/english/landuse/facts/permitteduseguide.pdf>, pp. 17-23.)

A wide variety of agri-businesses are already permitted in Prime Agriculture Areas as On-Farm Diversified Uses (pp. 25-27), *including* kennels (p. 23), landscaping businesses (p. 27), and many recreational uses (p. 23). The limit placed on On-Farm Diversified Uses

refers to the land area occupied by the business. If one of these businesses grows larger than its permitted on-farm land area, then it rightfully belongs "in town" in a commercial/-industrial area. Other large recreational facilities, such as sports fields/rinks/recreation centres, also belong in town, closer to their users, or can be located at alternative locations on poorer CLI Class 5-7 soil or on urban brownfield sites. OMAFRA notes that golf courses may be located as far as a 1-hour driving distance from the target golfing population (p. 40). Major Open Space should therefore be redesignated as Prime Agricultural Area, and all "candidate" Rural Lands identified by OMAFRA must be added to the Prime Agricultural Area.

Thank you again for this opportunity to comment during such an important exercise. Official protection of our finite agricultural land is a duty we owe both to ourselves and to future generations.

Land Over Landings