# *Comments to Greenbelt Statute Law Amendment Act, 2023 and New Act regarding the Duffins Rouge Agricultural Preserve easements and covenants*

# *ERO 019-7739*

# *ERO 019-7735*

We appreciate the Province reversing decisions made about the Greenbelt and specifically the Duffins Rouge Agricultural Preserve and the Duffins Rouge Agricultural Preserve Act, 2005.

Despite significant public outrage, it was only after the release of the scathing Auditor General of Ontario’s Report and the Integrity Commissioners Report that on **September 21, 2023**, Premier Ford announced that he would return the 15 Greenbelt carveouts back to the Greenbelt. Specifically, he stated:

***“As a first step to earn back your trust, I’ll be reversing the changes we made and won’t make any changes to the Greenbelt in the future”***

Bill 136 Greenbelt Statute Law Amendment Act, 2023, states that the return of the 15 sites would: *"Provide for a concurrent amendment to the Greenbelt Plan's land use schedules* ***to restore the same protections to lands that they had before the 2022 amendment".***

However a review of legislation relevant to Duffins Rouge Agricultural Preserve shows that only two of the original **FOUR** layers of protection are proposed to be restored - The Duffins Rouge Agricultural Preserve Act, 2005, and Greenbelt Protection. Not addressed are the agricultural MZO 154/03 and the Central Pickering Development Plan which have NOT been restored.

These two protections must be returned to the DRAP to fulfill Premier Ford’s promise and the stated purpose of Bill 136.

***Central Pickering Development Plan (CPDP) and MZO 154/03***

The City of Pickering’s submitted comments to ERO 019-7739 and ERO 019-7735 have omitted significant facts.

The Duffins Rouge Agricultural Preserve was intended to be permanently protected, “in perpetuity”. The agricultural easements on title were to be held by the City of Pickering in public trust, not as a mechanism to further development opportunities for the City through the developer paid for Growth Management Study (2002- 2004). Additionally, the DRAP provides ecological services as expressed by the TRCA

Attached is the MOU from 1999, Ministry of Natural Resources Backgrounder on the Duffins Rouge Agricultural Preserve Act, 2005 and an April, 2005 Toronto Star article which quotes the ORC on the expectations of the agreement.

TRCA Response to Repeal OF DRAPA, November, 2022 [TRCA Responds to Planned Repeal of the Duffins Rouge Agricultural Preserve Act - Toronto and Region Conservation Authority (TRCA) (archive.org)](https://web.archive.org/web/20221116211554/https:/trca.ca/news/trca-responds-to-planned-repeal-of-the-duffins-rouge-agricultural-preserve-act/)

*“In February 2005, the Duffins Rouge Agricultural Preserve was included in the Greenbelt. The lands were also included in agricultural and natural heritage designations in the Central Pickering Development Plan which is a Provincial Plan under the Ontario Planning and Development Act.*

*The protection of these lands through statutes and the Greenbelt Plan, Central Pickering Development Plan and through the Duffins Rouge Agricultural Preserve Act helps to buffer and support the ecological integrity of the neighbouring Rouge National Urban Park while protecting features and functions associated with the Petticoat Creek and Duffins Creek watersheds.”*

The CPDP must be reinstated as part of the promise to restore all parcels of Greenbelt lands as they were. The Consultant Team for the CPDP (2006) initiated the planning process by reviewing over thirty years of agricultural planning in Central Pickering and in the Agricultural Preserve, including the City’s Growth Management Study.

<https://web.archive.org/web/20090626220909/http://www.mah.gov.on.ca/Page329.aspx>

<https://web.archive.org/web/20090627044030/http://www.mah.gov.on.ca/Page1728.aspx>

The province has admitted the success of the CPDP in “achieving its objective in setting out and implementing the framework for the establishment of a sustainable urban community in Seaton integrated with an agricultural community in the Duffins Rouge Agricultural Preserve and a Natural Heritage System”. The CPDP provides additional layers of protection for both the Seaton Natural Heritage System and DRAP lands. A simple zoning by-law change, Official Plan Amendment or Greenbelt review amendment could interfere with those objectives. Consideration should be given to including the Seaton Natural Heritage System into the Greenbelt.

Amendments are permitted in the CPDP to allow for necessary changes over time. Amend the plan to consider constraints in the employment land parameters outlined by the City of Pickering in Seaton.

We would request that the agricultural MZO 154/03 be reinstated as it provides an additional layer of protection to ensure a Greenbelt review amendment doesn’t interfere with the intended purpose of a permanent, “in perpetuity” Agricultural Preserve.

As recommended in the CPDP, 5.5 Implementation Process for the Duffins Rouge Agricultural Preserve, page 85.

“1. Identifying partnerships to ensure the long-term viability of the Preserve designation … “

We support transferring the DRAP easements to Parks Canada and including the DRAP into the Rouge National Urban Park. Alternatively, we would support the Ontario Farmland Trusts’ request to hold the easements. We also support the Greenbelt Promise suggestion that all prime agricultural lands In the Greenbelt be protected by conservation easements held by a Land Trust, at arm’s length from government.

Please ensure that the DRAP is protected in perpetuity, with all four layers of protection reinstated.

***Protect all prime agricultural lands in the Greenbelt through conservation easements to ensure speculators are dissuaded from purchasing protected agricultural lands in the Greenbelt.***

Land speculators knew that they bought protected land in the DRAP and are buying up Greenbelt lands in a frenzy. The development industry, with its power, money and political influence should not be dictating planning decisions in Ontario. Our government must represent the public interest, not private profit.

The Ontario Federation of Agriculture states:

*Less than 5% of the Ontario landscape is arable land. The best of it is often located within or next to cities. And we are only 1 of only 7 regions globally that have the ability to export more food than we import. Ontario contains 52% of Canada’s prime agricultural land.*

*The Duffins and Rouge Park regions together make a viable agricultural system, almost completely made up of Class 1 land – the best soil for agriculture. The Duffins is part of a larger regional agricultural system creating a contiguously protected area. Farmers depend on the availability of land in proximity to their operations to be able to farm more efficiently, safely, and viably. All types of farming are important, including cash crops. It’s all part of the food system.*

*The Duffins is also a part of the Golden Horseshoe region. The Golden Horseshoe is home to nearly 5,000, or 10%, of Ontario’s farms that generate over $2 billion in farm cash receipts annually. This area also has the most urban pressure for development. Although there are over 900,000 acres of farmland in the Golden Horseshoe, it has declined by over 4% in only the last 5 years. If we continue to lose 40,000 acres of farmland in the Golden Horseshoe each census, in 25 years, it will all be gone.*

Why does this matter to Ontario? It is about food security. Ontario farmers are feeding Ontario, Canada and the world. With the threat of Climate Change affecting global food insecurity, its even more important for Ontario farmers to feed Ontarians and Canadians over the long term.

***Greenbelt Promise Amendments***

In addition to our comments above, we support the further proposed amendments from the Greenbelt Promise for the PERMANENT protection of the Greenbelt:

1) Legislate that in the 10-year Greenbelt review, outside of minor housekeeping, any amendments to boundaries can only add lands to the Greenbelt with no possibility for land swaps.

2) Amend the Greenbelt legislation so that future governments are required to consult meaningfully with First Nations and Indigenous communities.

3) Introduce a provision prohibiting new “Overall Benefit Permits” (a.k.a). Pay to Slay that enables developers to harm habitat critical to the protection of Species at Risk in the Greenbelt.

4) Prohibit the licensing of new aggregate extraction applications in the Greenbelt.

5) Protect all prime agricultural lands in the Greenbelt through conservation easements to ensure speculators are dissuaded from purchasing protected agricultural lands in the Greenbelt.

6) Immediately end the grandfathering of previous zoning for future planning applications that is detrimental to the Greenbelt’s ecological, water and agricultural functions.

Thank You

Bonnie Littley

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*The Rouge Duffins Greenspace Coalition is a group of many individual citizens, resident & environmental groups advocating sustainable, eco-based urban planning & preservation of farmland and greenspace for present and future generations.*

AND

**Stop Sprawl Durham -**[**stopsprawldurham@gmail.com**](mailto:stopsprawldurham@gmail.com)