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Comments on Proposed Policy Directions for Durham Region's Official Plan

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About Us

Land Over Landings^[1] is a non-profit organization based in Durham Region and dedicated to securing permanent protection of the farmlands, woodlands, and wetlands of the Federal Lands in north Pickering – 8,765 acres (3,547 hectares)^[2] of Crown land, mostly prime farmland, administered by Transport Canada.

As concerned citizens and stakeholders in the Region, we appreciate this opportunity to provide input into the Municipal Comprehensive Review.

The Focus of This Submission

We are responding to the following sections of the *Proposed Policy Directions* report of March 2021:

- **Prosperous Economy** (4. Proposed Direction: Pickering Federal Airport Lands, p. 19)
- **Healthy Communities** (6. Proposed Direction: Greenhouse Gas Reduction, p. 24; and 8. Proposed Direction: Air Quality, p. 28)
- **Vital Urban System** (52. Proposed Direction: Settlement Area Boundary Expansion, p. 94)
- **Thriving Rural System** (54. Proposed Direction: Goals for a Thriving Rural System, p. 99)

Because certain proposed directions overlap or conflict with others – in fact, are mutually exclusive – the relevant topics are discussed in combination.

1. <http://landoverlandings.com>

2. Directory of Federal Real Property, Treasury Board of Canada

Part A

Prosperous Economy / Healthy Communities

A.1 Prosperous Economy: The Region’s Support for a Pickering Airport

The Missing Factor

In August, 2019, our organization submitted comments on the *Climate Change and Sustainability Discussion Paper*, hoping to persuade the Region to rescind its support for a new airport. We wrote then:

Durham Region must decide whether to promote an airport ... or ... support meaningful, positive, long-term actions that will build resilience and help ease the lives of its residents as the climate crisis deepens. It can’t do both.

The response, in the *Discussion Papers Submissions: Summary Tables* (March 2021) was dispiriting, if not unexpected: namely, that the airport was needed, that it would bring economic benefits, and that the Region would continue to support it and lobby for it. The garbled justification that followed was not convincing – nor could it be. None of the pro-airport studies that the Region apparently relied on as the basis for its decision had taken into account the consequences of a heating planet.

Transport Canada’s recent *Pickering Lands Aviation Sector Analysis report*,^[3] by KPMG, also failed to factor global heating and climate change into its analyses and forecasts. Yet even without including those immense complications, KPMG was unable to make a case for an airport in the foreseeable future on the Federal Lands. A close reading of the report debunks any stakeholder claims to the contrary. While KPMG did develop what were dubbed “exploratory” scenarios, those scenarios were not business cases, nor did they result in solid conclusions or recommendations – as the report’s authors went to great pains to point out.

Similarly, the Region’s claim in *Proposed Policy Directions* (p. 19) that “economic benefit” would flow from an airport in Pickering rings false for two incontrovertible reasons:

- Covid-19 has left the aviation industry battered and in disarray, and the timing, nature, and degree of its recovery remain unknown.
- The rapid heating of our planet is already triggering crises: severe droughts, floods, and storms; hotter temperatures; melting permafrost; rising seawater; uncertainty about the future health and survival of much of the world’s biodiversity. Conditions will only worsen as the crisis deepens. The main cause of the crisis, fossil fuel emissions, must be cut drastically – starting now.

Reliant on fossil fuels, the aviation sector clearly has overwhelming challenges ahead.

3. <https://tc.canada.ca/en/aviation/operating-airports-aerodromes/airport-zoning-regulations/pickering-lands#summaries>
Note: We did not rely on the summaries for our information but on the full reports (the set of four).

Global Heating and Aviation Decisions

Since our last submission to the Region, the world is two years closer to 2050, the critical date by which we must reach net-zero emissions or face catastrophic consequences. Despite the 2015 Paris Agreement and myriad other government and industry pledges, and even after a year of pandemic shutdowns, the National Oceanic and Atmospheric Administration of the U.S. Department of Commerce reported this past April that “carbon dioxide levels are now higher than at any time in the past 3.6 million years.”^[4] This shocking news underscores how hard it will be for us to wean ourselves off fossil fuels, and how crucial it is that we do it quickly.

The aviation sector faces the greatest challenges, having no credible path to net-zero emissions within the timeframe. Carbon offsetting, the main pillar of the industry’s climate-change-mitigation strategy, merely shifts accountability elsewhere while delivering no emissions reductions. Aviation’s current immunity from accountability for its international emissions is now being revisited.^[5] The UK is about to legislate new climate-change targets that will, for the first time, include international aviation and shipping emissions, leading the way for other countries to do the same and putting even greater pressure on both segments of the industry to get serious about their emissions-reduction efforts. If they don’t, they will face increasing government intervention.

Yet the Region seems determined to turn a blind eye to such facts. Perhaps it assumes that aviation will solve its dilemmas in time to avert disaster. This is foolhardy thinking at best. Fact-avoidance does not make for sound policy planning.

Meanwhile, on the global stage, proposals for new or expanded airports are being resisted, revisited, shelved, or cancelled. Courts are ruling against them, citing climate concerns and emissions-reduction commitments. Durham’s support for a Pickering airport is out of step with the times. Promoting a new airport over alternative visions that would deliver a cleaner, safer, and more-livable future is nothing but business as usual – indefensible in today’s world.

A.2 Healthy Communities: The Region’s Support for Sustainability, Lower GHG Emissions, and Air Quality

A Square Peg, a Round Hole

The “Goals for Healthy Communities” section vows (p. 21) that the Region will “protect, preserve and restore the natural environment, including greenspaces, waterways, parks, trails, and farm-lands.” This is commendable – and necessary.

Yet the “Pickering Federal Airport Lands” section claims (p. 19) that the Lands “provide an opportunity to create an innovative, sustainable hub that protects and integrates the approximately 3,885 hectares of green space and agricultural uses into its [airport] site design from the start.”

Which is it to be? Because it can’t be both.

The “Airport Lands” Proposed Direction, a gem of buzzwords and marketing hype, can’t hide the fact that a large percentage of those “protected” 3,885 hectares of Federal Lands would be destroyed by the construction, buried under the concrete and asphalt of an airport, an aviation hub, and all the public infrastructure that is required to serve them.

4. <https://research.noaa.gov/article/ArtMID/587/ArticleID/2742/Despite-pandemic-shutdowns-carbon-dioxide-and-methane-surged-in-2020>

5. <https://www.greenairnews.com/?p=977>

And the land that isn't actually airport? The Healthy Communities section vows to “protect, preserve and restore the natural environment” but such efforts would be overruled on the Lands. Federal aviation regulations require that a broad area, including any green space within and around an airport, be kept free of birds and other wildlife.^[6] That same green space would no longer attract visitors or tourists either. Who could blame them for trading a day on the “airport lands,” or even in Rouge National Urban Park, for an outdoor destination elsewhere, free of aircraft noise and pollution?

Similarly, the boast of integrating protected agricultural uses into an airport context is just greenwash. Farmers would not find sharing the Lands with an airport an advantageous partnership, and for good reason:

- Aircraft noise is stressful to livestock in a number of important respects.
- An airport pollutes the air, soil, and water around it.
- Transport Canada imposes intrusive and onerous limitations on farmers in terms of the types of crops they are allowed to plant in the vicinity of an airport, and how and when certain farming activities can be carried out.^[7]

Most importantly, a Pickering airport would sound the death knell for the Region's attempts to lower GHG emissions. The facility would create – and lock in – a massive increase in emissions. Its very construction would add emissions on a vast scale:

Removal of the topsoil and trees would release the carbon they had sequestered. Massive amounts of dust would be raised during earth-moving operations. The manufacturing processes to create the requisite steel, glass, plastic, asphalt, and concrete would all generate greenhouse gas emissions. The energy used by vehicles, machinery, and equipment would produce more. Without a technological sea change before then, many of the emissions would be the product of burnt fossil fuels – and this is just to get the airport built.^[8]

Once opened, the airport's day-to-day operations, no matter how “innovative,” would not be green. *Green airports are a fallacy.* Airports exist to serve aircraft and all the ground traffic they attract and that their operations require. A Pickering airport would emit pollution (noise, light, air, and water) hitherto unknown on what is currently a carbon sink, a sparsely populated rural landscape, a *de facto* wildlife refuge beside a national park. An airport's emissions would nullify any climate-change-mitigation efforts the Region undertook.

A Position Without Justification

Proposed Policy Directions asserts (text, p. 19) that its airport support “is reflected in the Durham Region Strategic Plan, recent Council resolutions, and through the reports and studies commissioned by the Region,” and that these “demonstrate the need and economic benefit of an airport that incorporate [sic] the substantial agricultural land assets through innovative sustainability and environmental management approaches.” (What does “innovative sustainability and environmental management approaches” actually mean with regard to agricultural land assets? Does it mean anything?)

6. Government of Canada: Transport Canada, “Pickering Airport Site Zoning Regulations: Mitigation of Bird Hazards Arising From Particular Land Uses,” 2004. LGL Limited report no. TA2916-2. See also section 6.(2): <http://www.gazette.gc.ca/rp-pr/p1/2015/2015-07-18/html/reg2-eng.html>.

7. Ibid.

8. https://landoverlandings.com/resources/https-landoverlandings-com-wp-content-uploads-2019-08-rp-9-airportspollution-2019-final-pdf/?sf_paged=2

With respect, regional strategic plans, council resolutions, and reports and studies commissioned by the Region may all take a pro-airport stance but they fall far short of *proving actual need* for an airport, and they do not justify support for one. To put the assertion in context: not a single one of the comprehensive studies done by and for Transport Canada since 1975 could find sufficient need for a Pickering airport – which is why none of those reports contained a recommendation to begin the approval process.

As to the matter of sustainability, which is mentioned twice in the passage on p. 19, it is questionable whether a new airport, especially a clearly unnecessary one, would ever be viable. There is a vast difference between *want* and *need*. In 1972, a Pickering airport may have been *wanted* by Ottawa for political reasons, but there is plenty of evidence that the facility wasn't *needed* even then. Again, none of the many in-depth studies done by and for Transport Canada since 1975 ever managed to prove need. An unneeded airport can mean public subsidies, struggles, failure. So blithely claiming that the airport and hub would be sustainable ignores both history and reality.

Considering the Best Interests of Durham Region Residents

From all we have heard and seen, the vast majority of Durham residents would welcome and support a climate-aware decision on the Federal Lands, and *we urge you to join us in calling (and planning) for one.*

The stark truth is that we are confronting the greatest challenge of our times, the greatest emergency human beings have ever faced. Scientists warn that, *during this decade*, emissions must drop by 45% to give us any chance of keeping global heating to 1.5°C to avoid a dangerous, deadly future. And yet emissions keep climbing. On April 22, President Biden, during his climate summit, put the matter bluntly: “The cost of inaction keeps mounting.” Ottawa ramped up its emissions-reduction commitment, aiming for 40-45% emissions below 2005 levels by 2030. The U.S. has committed to a 50% reduction in the same timeframe. The UK to 78%. The goals seem beyond the realm of possibility, yet they aren't enough. Our future depends not only on achieving them but on greatly exceeding them. Sacrifices will be necessary and new thinking essential.

While an airport's construction and ongoing operations would massively increase the Region's GHG emissions and levels of pollutants, there would also be the economic risk of ending up with a ghost airport, a stranded asset, after having damaged – irreversibly – thousands of acres of prime, sustainable foodland that could have provided the Region (and beyond) with health and economic benefits for generations.

In such a context, how can Durham Region continue to beat the drum for a new airport?!

To successfully pursue a green-energy economy and climate-change adaptation initiatives, the Region must embrace policies guaranteed to deliver the kind of positive results we need today, as well as actual jobs. And not just jobs for the future but, more importantly, jobs *with* a future. This new way of thinking about our economy is happening elsewhere; it can and must happen here too.^[9]

9. <https://www.cbc.ca/news/canada/edmonton/future-farming-edmonton-region-master-plan-1.6046769>

A.3 Observations and Specific Recommendations

Proposed Direction: Pickering Federal Airport Lands (p. 19)

2. Support the development of an airport on the Federal Airport Lands in Pickering and encourage the federal government to make a timely decision to develop an airport on the Lands.

OBSERVATIONS: The first verb – *support* – throws the Region into direct conflict with its own climate-change-mitigation goals and climate-emergency declaration. Was the declaration just for show? If you pursue this direction, you will be (a) denying the climate emergency and (b) acting to compound it.

The second verb – *encourage* – conflicts with a statement on p. 19; namely, “the decision of whether to proceed with an airport remains outstanding and fully within the jurisdiction of the Federal Government...”. The statement on p. 19 is accurate. The federal government will make its own decision about its own lands in its own time.

For the record, Transport Canada’s position is that “no decision has been made to develop an airport on the Pickering Lands” and any future decision will be based on “a sound business case, updated data on aviation demand and capacity, and stakeholder engagement.” The 2020 KPMG report stated multiple times that no new airport would be needed in the southern Ontario airport system before 2036. And in 2036, analyses found that Toronto Pearson would still have sufficient runway capacity, with plenty of additional capacity available once the approved 6th runway was built. KPMG could not make a sound business case for any type of airport on the Pickering Lands before 2036. While all detailed economics for “scenarios” were redacted in the version made public, the report contained no airport recommendation to the government, and the scenarios section was replete with cautions.

A sound business case does exist for the Lands, however.^[10] It is one that would allow Transport Canada to declare the Pickering Lands an “abandoned project” – as happened with the surplus Mirabel lands and the Fifth Welland Canal project – and it would allow the continuation of the Lands’ agricultural use as a permanent agri-business and agri-tourism hub, close to a large urban population with a growing demand for fresh local food. This business case is *remarkably consistent* with one of the proposals in the Thriving Rural System section of *Proposed Policy Directions* (p. 101):

55. Proposed Direction: Rural System

1. Promote and protect a full range of agricultural, agriculture-related and on-farm diversified uses as permitted, based on provincial Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas. ... This increased policy support will confirm the range of permitted agriculture-related uses, including farm equipment repair shops, produce processing and grain dryer farm operations (if the produce/grain is from the area). This clarification will also be extended to on-farm diversified uses such as agri-tourism (e.g. corn maze), café and value-added uses (e.g. winery, bakery).

The business case describes a vision that is also consistent with the Region’s sustainability and GHG goals. It would help protect wild areas, forests, wetlands, and green space; the soil would continue to act as a carbon sink; the Lands would become a source of fresh food, good jobs, and economic benefits to Durham Region and beyond. While we acknowledge that agriculture is not emissions-

10. Econometric Research Ltd. and JRG Consulting Group, *A Future for the Lands: Economic Impact of Remaining Pickering Federal Lands if Returned to Permanent Agriculture*, January 2018. <http://landoverlandings.com/wp-content/uploads/2018/04/Final-Report-Mar-7-FINAL.pdf>

free, this is a sector with numerous options open to it for greatly reducing emissions, increasing resiliency, and practising sustainability. And the Lands would be a very good neighbour for the Park and the rest of the Region.

WE RECOMMEND that the nomenclature used in any reference to the federal lands in north Pickering be consistent and neutral. Since 2010, Transport Canada has called these Lands the *Pickering Lands* or the *federal lands in Pickering*. To avoid misleading the public and opening the door to biased, wasteful, planning decisions extremely expensive for the ratepayer, Durham Region's Official Plan must reflect the official nomenclature as designated by the landowner.

WE RECOMMEND that the Region exclude all goals supporting an airport and support instead an agricultural and agri-tourism future for these thousands of hectares of prime farmland.

3. Support the development of an aviation based multimodal employment hub surrounding the airport, and that the necessary municipal services and supporting transportation and transit infrastructure be provided by the responsible service providers.

OBSERVATIONS: The original airport plan of 1972 fell apart in 1975 when the Province decided not to provide the necessary infrastructure. This was partly because the Province was unconvinced of the airport's necessity, and partly because of the huge costs (both financial and political) involved in providing infrastructure for an unnecessary project. There is a real risk of repeating history here if no compelling evidence exists today that this airport is truly needed and will be of actual economic benefit (rather than merely adding to our GHG emissions tally and becoming a burden on Pickering taxpayers). That compelling evidence *does not exist*.

WE RECOMMEND that, in the best interests of the residents of Durham Region, Proposed Direction #3 be excluded from the Official Plan.

Proposed Direction: Air Quality (p. 28)

1. ...

c) increasing the tree canopy;

d) protecting and enhancing the natural environment;

2. Require the submission of an Air Quality Study as part of [a] complete application requirement where air quality is a potential concern between facilities and sensitive land uses.

OBSERVATIONS: A new airport in Durham Region would undermine and conflict with these air quality goals or, in the case of #2, would never see the light of day if the proposal had to include the findings of an Air Quality Study, which would inevitably show an airport's negative impact on the surrounding farmlands and national park.

WE RECOMMEND that these Air Quality goals be retained and the airport goals be excluded as inconsistent with (and harmful to) the rest of the Official Plan.

Part B

Vibrant Urban System / Thriving Rural System

B.1 Observations and Specific Recommendations

Proposed Direction: Vital Urban System: Settlement Area Boundary Expansion (p. 94)

Proposed Direction: Thriving Rural System: Goals (p. 99)

OBSERVATIONS: We are told in the Vital Urban System section that the Region continues to receive Settlement Area Boundary Expansion requests, that there are dozens awaiting resolution, and that they involve some 2,670 hectares of land in total. Keep that number in mind as you read on. While the Region is required to conform with provincial policy – increasing the minimum land supply for urban expansion and extending the maximum time horizon to 2051 – some of the Expansion Requests, if approved, would have grave consequences for goals in the Thriving Rural System section.

The following Proposed Direction, under Settlement Area Boundary Expansion (p. 94), is especially troubling:

3. Establish a 90-day submission window that closes on May 31, 2021 to allow proponents to submit any new requests for Settlement Area Boundary Expansion, or for those with existing requests, allow the opportunity [to] update their requests to respond/address these criteria.

OMAFRA’s Agricultural Mapping System was introduced on February 9, 2018, and took effect immediately to protect prime agricultural areas within the Greenbelt. It was designed to eliminate planners’ chronic and unrepentant abuse of our best farmland for urban sprawl. (It seems to have been a norm for our politicians and planners to consider all land as dirt, regardless of its food/agricultural production capability.)

According to A Place to Grow policy 4.2.6.8, the provincial mapping of the agricultural land base *outside* the Greenbelt does not, however, go into effect until incorporated into the applicable upper- or single-tier Official Plan. Now is the time for Durham Region to add it. Yet the Region states in *Proposed Policy Directions* (p. 99) that “the Provincial Agricultural System mapping is being reviewed and refined by the Region through Envision Durham.” It is still being reviewed? This is three years late. The Region has had this map since 2018. It is a prerequisite map, to be refined and incorporated by the Region into its Official Plan this year, and then applied to all future land-use planning decisions.

The permitted refinements for Prime Agricultural Areas – our best farmland – are quite narrow.^[11] But unlike the policies protecting the Greenbelt, they still provide Regional planners with ample flexibility to identify the poorest agricultural soil as the location for needed urban expansion. Why, then, are Regional planners accepting Boundary Expansion Requests for urban expansion onto prime farmland? Worse still, why are they accepting Expansion Requests for urban development that is only a fancied possibility years or decades after the Official Plan and Agricultural Mapping System are implemented?

11. (see Implementation Procedures for the Agricultural System in Ontario’s Greater Golden Horseshoe, OMAFRA, March 2020, pp. 36–37)

12. (Implementation Procedures for the Agricultural System in Ontario’s Greater Golden Horseshoe, OMAFRA, March 2020, p. 18).

Two egregious examples, both submitted by the City of Pickering, show the complete failure on the Region's part to protect thousands of acres of our best food-growing farm soil. They involve massive land-grabs, with no specific need or timeline identified, and they blatantly ignore the urgent necessity to protect our best farm soil under the guidance of the Agricultural Mapping System.

They can be found in *Proposed Policy Directions*, Appendix D: Requests for Boundary Expansion (p. 206).

Example 1: BER-13 – described as “North East Pickering Lands.” This Request is the very definition of urban sprawl/anti-densification on our best farmland. Worse, it is sprawl that Pickering intimates would take place at some unknown date in the distant future, well after the Region's Official Plan, with its refined Agricultural Mapping System, is in place. Absent fundamental details, how can Regional planners rationally accept this proposal's size, location, and economics, as well as its impacts on the existing rural communities (such as Greenwood, Kinsale, Mt. Zion, and Balsam) and on the area's clean air, natural habitat, pristine watershed, and some of our most precious farm soil?

Assuming Seaton's population reaches the predicted 70,000 by 2051, the rest of the Region's population will grow by 530,000 by 2051. BER-13 claims that 60,000 people will occupy the target area – 1,650 hectares in north-east Pickering – while intentionally ignoring the fact that the land is *designated a Prime Agricultural Area* within the Agricultural Mapping System, and is “a high priority for protection for long-term use for agriculture.”^[12] The sprawl proposed in BER-13, on our best farmland, is outrageous, unacceptable. The other BERs (BER-12 aside) together total only 1,020 hectares – a much smaller land area, yet they are apparently expected, by 2051, to accommodate a far greater population density than BER-13 is: 470,000 people as opposed to 60,000! There is something seriously wrong here.

Furthermore, the location is precisely what the 4-Plan Review warned against, creating an isolated city in rural Ontario, far from mass transit and other amenities demanded by urban dwellers, far more expensive for the municipality to run streets, water, and sewerage lines to, and a threat to the existence of the area's heritage rural communities. It would also occupy the Carruthers Creek headwaters, where its hardscapes would rapidly shed rainwater and snowmelt into the Creek, increasing Ajax's flood risk.

Example 2: BER-12 – described bizarrely as “all lands within the City of Pickering that meet a certain set of criteria.” Unlike other Requests, no actual locations are indicated. How can Regional planners consider a request to approve an urban boundary expansion onto unidentified lands that meet a set of unstated criteria? Which lands? What criteria? Is this a secret the public isn't to know? Since when did it become an acceptable Regional planning practice to approve stealth zoning?

A map (Requests for Boundary Expansion – Ajax and Pickering, no page number) finally reveals these lands as most of Transport Canada's Pickering Lands (all those Lands not already designated as Greenbelt), plus numerous privately owned properties, primarily east of Pickering's Sideline 16.

What is this Request doing here?

As pointed out earlier, Transport Canada has made no decision on the future use of the Lands it administers, other than to maintain the current agricultural and rural residential/business uses, as it has done for the past half-century. Unless there is a proven aviation need and a sound airport business case before 2036, these Lands will retain their present use and zoning. Transport Canada

has determined that zoning. The Region's planners cannot rezone federal land for urban expansion at the request of a municipality.

Moreover, *all* the land in question is identified by OMAFRA as a *Prime Agricultural Area* and is expected to be given high-priority protection under the Ministry's Agricultural Mapping System. Planners shouldn't even be considering, much less approving, the rezoning of areas with an OMAFRA Prime Agricultural Area designation. There is plenty of space for Pickering to expand in Seaton and in its Prestige Employment Lands along Hwy 407. The expansion requests of other jurisdictions appear to be eminently reasonable and realistic, unlike BER-12. Why is it being entertained at all?

The Region must do more than pay lip service to its important agricultural sector. It must actively protect it.

WE RECOMMEND that Durham Region's prime agricultural lands be given the protections they require and deserve under OMAFRA's Agricultural Mapping System. Their protections in the Official Plan must take the form of clear and unambiguous policy. *Proposed Policy Directions* recognizes (p. 97) that "agriculture is one of the largest primary goods producing sectors within the Region." It is therefore incumbent on the Region to end the destruction of one of its greatest natural assets and economic strengths, and end the urban sprawl that has persisted in gnawing away at (or steam-rolling across) the irreplaceable farmland that feeds us.

Thank you again for this opportunity to comment during such an important exercise. Given the times we live in, this revised Official Plan will arguably be more important to the Region's residents than any that has preceded it.



Chair, Land Over Landings