



The Regional Municipality of Durham

Planning & Economic Development Committee Agenda

Council Chambers
Regional Headquarters Building
605 Rossland Road East, Whitby

Tuesday, March 5, 2019

9:30 AM

1. Declarations of Interest

2. Adoption of Minutes

- A) Planning & Economic Development Committee meeting
– [February 5, 2019](#)

Pages 4 - 11

3. Statutory Public Meetings

There are no statutory public meetings

4. Delegations

There are no delegations

5. Presentations

- 5.1 Gary Muller, Director of Planning, and Simon Gill, Director of Economic Development & Tourism, re: Planning and Economic Development Department Business Plans and Budgets (2019-P-7) [Item 6.2 A]
- 5.2 Kristy Kilbourne, Senior Planner, re: Envision Durham – Agriculture and Rural System Discussion Paper (2019-P-12) [Item 6.2 F]
- 5.3 Stephanie Jones, Manager, Data, Mapping and Graphic Services, re: The Region of Durham Business Count (Employment Survey) 2018 (2019-P-13) [Item 6.2 G]
- 5.4 Brandon Pickard, Tourism Manager, re: Durham Region 2019 Ontario Parasport Games (2019-EDT-4) [Item 7.2 A]

6. Planning

6.1 Correspondence

- A) Correspondence from D. Leroux, Clerk, Township of Uxbridge, advising that at their meeting held on February 25, 2019, the Council of the Township of Uxbridge nominated Mr. Bryan Smith as the Township of Uxbridge's representative on the Durham Agricultural Advisory Committee

Recommendation: Refer to consideration of Report #2019-P-10

- B) Correspondence from D. Leroux, Clerk, Township of Uxbridge, advising that at their meeting held on February 25, 2019, the Council of the Township of Uxbridge nominated Mr. Bruce Foxton as the Township of Uxbridge's representative on the Durham Environmental Advisory Committee

Recommendation: Refer to consideration of Report #2019-P-11

6.2 Reports

- A) 2019 Planning and Economic Development Department Business Plans and Budget ([2019-P-7](#)) 12 - 17
[Link to 2019 Planning and Economic Development Department Business Plans and Budgets](#)
- B) Durham Active Transportation Committee (DATC) Membership Appointments ([2019-P-8](#)) 18 - 20
- C) Process to initiate a Regional Official Plan Amendment to consider requests for service connections for properties adjacent to municipal services outside of the Urban Area ([2019-P-9](#)) 21 - 24
- D) Durham Agricultural Advisory Committee (DAAC) Membership Appointments ([2019-P-10](#)) 25 - 28
- E) Durham Environmental Advisory Committee (DEAC) Membership Appointments ([2019-P-11](#)) 29 - 32
- F) Envision Durham – Agriculture and Rural System Discussion Paper ([2019-P-12](#)) 33 - 117
- G) The Region of Durham Business Count (Employment Survey) 2018 ([2019-P-13](#)) 118 - 149

7. Economic Development

7.1 Correspondence

7.2 Reports

- | | |
|---|-----------|
| A) Durham Region 2019 Ontario Parasport Games (2019-EDT-4) | 150 - 153 |
| B) Proposed Amalgamation of the Oshawa and Hamilton Port Authorities (2019-EDT-5) | 154 - 187 |

8. Advisory Committee Resolutions

There are no advisory committee resolutions to be considered

9. Confidential Matters

There are no confidential matters to be considered

10. Other Business

11. Date of Next Meeting

Tuesday, April 2, 2019 at 9:30 AM

12. Adjournment

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The Regional Municipality of Durham

MINUTES

PLANNING & ECONOMIC DEVELOPMENT COMMITTEE

Tuesday, February 5, 2019

A regular meeting of the Planning & Economic Development Committee was held on Tuesday, February 5, 2019 in the Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby, Ontario at 9:30 AM

Present: Councillor Ryan, Chair
Councillor Joe Neal, Vice-Chair
Councillor Hight
Councillor Kerr attended the meeting at 9:36 AM
Councillor Lee
Councillor Yamada
Regional Chair Henry

Also

Present: Councillor Wotten

Absent: Councillor Bath-Hadden was absent due to municipal business

Staff

Present: E. Baxter-Trahair, Chief Administrative Officer
B. Anderson, Principal Planner
C. Boyd, Solicitor, Corporate Services – Legislative Services
S. Gill, Director, Economic Development and Tourism
C. Goodchild, Manager, Policy Planning & Special Studies
J. Kelly, Principal Planner
T. Lavery, Manager, Corporate Communications
G. Muller, Director of Planning
D. Pagratis, Project Planner
B. Pickard, Manager, Tourism
S. Rashad, Systems Support Specialist, Corporate Services – IT
N. Rutherford, Manager, Economic Development, Agriculture and Rural Affairs
M. Stevenson, Manager, Administrative Services
L. Trombino, Manager, Plan Implementation
T. Fraser, Committee Clerk, Corporate Services – Legislative Services

1. Declarations of Interest

There were no declarations of interest.

2. Adoption of Minutes

Moved by Councillor Lee, Seconded by Councillor Highet,
(11) That the minutes of the regular Planning & Economic Development
Committee meeting held on Tuesday, January 8, 2019, be adopted.

CARRIED

3. Statutory Public Meetings

There were no statutory public meetings.

4. Delegations

There were no delegations to be heard.

5. Presentations

5.1 Brad Anderson, Principal Planner, re: Proposed Durham Region Broadband Strategy, "Connecting our Communities: A Broadband Strategy for Durham Region" (2019-P-3)

G. Muller advised that the Broadband Strategy was initiated following Regional Council direction in 2017 in response to a previous federal broadband funding program. He stated that to be ready for future federal funding programs it was acknowledged that a Regional Broadband Strategy was needed.

B. Anderson, Principal Planner, provided a PowerPoint presentation outlining the details of Report #2019-P-3 of the Commissioner of Planning and Economic Development. Laura Bradley, Managing Partner, Actionable Intelligence was also in attendance. Highlights of his presentation included:

- Context
- Study Process and Priorities
- Connectivity Guidelines
- Actions
 - Action 1: Leverage Regional Assets
 - Action 2: Develop Regional Policies and Processes to Support Broadband
 - Action 3: Assess Corporate Broadband Needs and Smart City Needs through the Corporate IT Strategy
 - Action 4: Support Funding Applications
 - Action 5: Identify an Internal Lead/Champion (Broadband Coordinator)
 - Action 6: Establish a Broadband Working Group

- Action 7: Create a Broadband Information Database
- Action 8: Facilitate Communication, Collaboration and Cooperation
- Action 9: Advocate and Educate on the Importance of Broadband Infrastructure
- Action 10: Develop a Durham Smart Cities Framework

B. Anderson and L. Bradley responded to questions with respect to the possibility of negotiating with wireless carriers for cellular service; the possibility of working with existing carriers in the northern municipalities; the service model used by existing carriers in rural areas; the possibility of providing financial contributions; the proposed funding model; 2019 budget implications; the proposed “Dig Once” policy; the anticipated implementation timeline; and the possibility of broadband being declared a basic human right.

5.2 Jonah Kelly, Principal Planner, re: Envision Durham – Public Engagement Launch (2019-P-4)

J. Kelly, Principal Planner, provided a PowerPoint presentation outlining the details of Report #2019-P-4 of the Commissioner of Planning and Economic Development. He advised that the purpose of Report #2019-P-4 is to launch the public engagement program for Envision Durham, the Municipal Comprehensive Review of the Regional Official Plan. He briefly outlined the work undertaken since the review commenced in May 2018.

J. Kelly outlined the proposed public engagement program. He explained that a framework has been prepared with the Region’s Corporate Communications Office and that Envision Durham will include an enhanced online presence using the project website: durham.ca/EnvisionDurham. He also advised that public engagement will take place in four stages and each stage will provide an opportunity to reach stakeholders and engage interested parties.

J. Kelly provided an overview of the four stages. He advised that Stage 1 will introduce the Envision Durham project and its scope. He stated that Stage 1 includes a public opinion survey and he outlined the survey components. He also advised that in Stage 2 participants will be asked to provide input on various themes and this stage will begin once the first discussion paper is brought forward. Stage 3 will include the release of theme-based policy direction reports and solicit input on proposed directions and policy changes. Stage 4 includes releasing the draft Official Plan for review and comment and submitting the final Official Plan to the Province for approval, following Regional Council’s adoption.

J. Kelly further advised that Envision Durham is based on a community engagement process that gathers input to help shape the future vision for Durham Region. He stated that the engagement program will meet and exceed the statutory consultation requirements of the Planning Act. He concluded by showing the Envision Durham introductory video.

Staff responded to questions with respect to the purpose of the municipal comprehensive review; when the last municipal comprehensive review was completed; the reason for ending in the year 2041; the proposed public opinion survey; the public engagement program stages; processes and best practices from other jurisdictions; and whether the review would be impacted if new Provincial policies are introduced.

G. Muller advised that a report will be presented at the February 27, 2019 Regional Council meeting related to proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe.

5.3 Dimitri Pagratis, Project Planner, re: Region of Durham Draft Woodland Conservation and Management By-law (2019-P-5)

D. Pagratis, Project Planner, provided a PowerPoint presentation outlining the details of Report #2019-P-5 of the Commissioner of Planning and Economic Development. Highlights of his presentation included:

- Tree By-law Purpose
- Permit Applications
 - Good Forestry Practices Permit Application
 - Clear Cutting Permit Application
- Regional Tree By-law History
- Proposed Amendment Areas
 - Provincial and Regulatory Conformity
 - Enforcement Parameters
 - Application Circulation and Notifications
 - Fees and Fines
 - Other House Keeping Amendments
- Next Steps

Staff responded to questions with respect to the proposed definitions of clear cut and cumulative removal; the application of the by-law as it relates to residential development and Planning Act processes; proposed fine amounts; the process for increasing fine amounts; current enforcement practices; by-law compliance; the tracking of violations; the Regional Official Plan target for woodland coverage; the possibility of encouraging the planting of specific tree species; and whether there are ways for the Region to encourage tree planting.

6. Planning

6.1 Correspondence

There were no communications to consider.

6.2 Reports

A) Proposed Durham Region Broadband Strategy, "Connecting our Communities: A Broadband Strategy for Durham Region" (2019-P-3)

Report #2019-P-3 from B. Bridgeman, Commissioner of Planning and Economic Development, was received.

Staff responded to questions with respect to the proposed Broadband Coordinator position; the ten proposed actions in the Broadband Strategy; whether funding has been included in the proposed 2019 budget; the status of initiatives by other service providers; the status of initiatives by the Township of Scugog; experiences in other areas with municipal owned networks; and the anticipated timing of release of the CRTC Broadband Fund program details.

Discussion ensued with respect to the possibility of leveraging Regional assets, including Durham Regional Police Service facilities and equipment, to expand broadband services.

Moved by Councillor Joe Neal, Seconded by Councillor Yamada,
(12) That we recommend to Council:

- A) That Council recognize the importance of adequate broadband infrastructure for the wellbeing and economic competitiveness of the Region's residents, businesses, and institutions;
- B) That "Connecting our Communities: A Broadband Strategy for Durham Region", dated February 5, 2019 (Attachment #1 to Report #2019-P-3) be endorsed in principle, subject to any additional resources being contingent upon the approval of the 2019 budget and subsequent budget processes;
- C) That the Regional Chair write to the Provincial Minister of Economic Development, Job Creation and Trade and local Ministers of Provincial Parliament requesting that the Province consider its own financial contribution in support of Internet service provider applications under the Canadian Radio-Television Commission's Broadband Fund; and
- D) That a copy of Report #2019-P-3 and the attached Broadband Strategy be forwarded to the Area Municipalities, local Members of Parliament and local Members of Provincial Parliament, the federal Minister of Innovation, Science and Economic Development, and shared electronically with stakeholders that participated over the course of the project.

CARRIED

B) Envision Durham – Public Engagement Launch (2019-P-4)

Report #2019-P-4 from B. Bridgeman, Commissioner of Planning and Economic Development, was received.

Staff responded to questions with respect to the timeline for retaining consulting services; whether funding is included in the 2019 budget; and the work to be completed by consultants. Staff also responded to questions with respect to proposed changes to density targets in the Growth Plan; and whether the Provincial government has proposed any changes for expansion of settlement areas.

Moved by Councillor Lee, Seconded by Regional Chair Henry,
(13) That we recommend to Council:

- A) That Report #2019-P-4 of the Commissioner of Planning and Economic Development be received for information; and
- B) That a copy of Report #2019-P-4 be forwarded to Durham's area municipalities, conservation authorities and the Ministry of Municipal Affairs and Housing.

CARRIED

C) Region of Durham Draft Woodland Conservation and Management By-law (2019-P-5)

Report #2019-P-5 from B. Bridgeman, Commissioner of Planning and Economic Development, was received.

It was requested that staff review the possibility of increasing fine amounts in the proposed draft by-law.

Staff agreed to provide Councillor Joe Neal with a mark-up version of the draft by-law identifying the proposed changes prior to the Regional Council meeting.

Moved by Regional Chair Henry, Seconded by Councillor Kerr,
(14) That we recommend to Council:

- A) That Regional staff be authorized to circulate the Draft Region of Durham Woodland Conservation and Management By-law to Regional Stakeholders, including: the Ministry of Natural Resources and Forestry (MNRF); the Region's Conservation Authorities; area municipal staff and by-law enforcement officers; the Durham Environmental Advisory Committee (DEAC); the Durham Agricultural Advisory Committee (DAAC); and local forest practitioners; and

- B) That Regional staff report back to Planning and Economic Development Committee with a recommended Regional Woodland Conservation and Management By-law for its consideration.

CARRIED

7. Economic Development

7.1 Correspondence

There were no communications to consider.

7.2 Reports

There were no Economic Development reports to consider.

8. Advisory Committee Resolutions

There were no advisory committee resolutions to be considered.

9. Confidential Matters

There were no confidential matters to be considered.

10. Other Business

10.1 Region of Durham Agricultural Strategy

Councillor Joe Neal asked staff to provide a schedule of meetings that the Region's Agricultural Consultant would be attending in relation to the Region of Durham Agricultural Strategy.

10.2 Regional Development Charges

Councillor Kerr advised that he had met with Regional staff regarding the Regional Development charges applicable for major office development and he was satisfied with how the charges are imposed by the Region and incentive programs available.

11. Date of Next Meeting

The next regularly scheduled Planning & Economic Development Committee meeting will be held on Tuesday, March 5, 2019 at 9:30 AM in the Lower Level Boardroom (LL-C), Regional Headquarters Building, 605 Rossland Road East, Whitby.

12. Adjournment

Moved by Councillor Kerr, Seconded by Councillor Yamada,
(15) That the meeting be adjourned.

CARRIED

The meeting adjourned at 11:18 AM

Respectfully submitted,

D. Ryan, Chair

T. Fraser, Committee Clerk



The Regional Municipality of Durham Report

To: Planning and Economic Development Committee
From: Commissioner of Planning and Economic Development
Report: [#2019-P-7](#)
Date: March 5, 2019

Subject:

2019 Planning and Economic Development Department Business Plans and Budget

Recommendation:

That the Planning and Economic Development Committee recommends to the Finance and Administration Committee for subsequent recommendation to Regional Council that the 2019 Business Plans and Budget of the Planning and Economic Development Department be approved.

Report:

1. Purpose

1.1 The purpose of this report is to obtain Committee's concurrence on the 2019 Business Plans and Budget for the Planning and Economic Development Department. The Planning and Economic Development Department 2019 Business Plans and Budget will be referred to the Finance and Administration Committee for consideration during deliberations of the 2019 Property Tax Supported Business Plans and Budgets.

2. Overview

2.1 The recommended 2019 Planning and Economic Development Department Business Plans and Budget meets the Council approved guideline for the 2019 Property Tax Supported Business Plans and Budgets.

2.2 The Department's 2019 Business Plans and Budget supports the following key priorities:

- a. Innovation in operations and administration;
 - b. Responding to ongoing legislative and regulatory changes;
 - c. Investing in infrastructure renewal; and
 - d. Managing the challenges of growth and affordability.
- 2.3 The recommended 2019 Planning and Economic Development Department Business Plans and Budget includes \$10.2 million in gross expenditures requiring \$9.1 million in property tax funding with the remaining funded by program fees, recoveries and provincial investments.
- 2.4 The recommended 2019 Planning and Economic Development Department Business Plans and Budget provides operating and capital funding for the following Divisions:
- a. Planning
 - Policy and Special Studies
 - Transportation Planning
 - Plan Implementation
 - Land Division
 - Executive and Administration and Support Services
 - Citizen Advisory Committees
 - b. Economic Development and Tourism
 - Administration
 - Business Development
 - Tourism
 - Business Advisory Centre
 - Rural and Agriculture
 - Community Promotion Resource
 - Marketing Strategy Partnerships

3. 2018 Accomplishments

- 3.1 In 2018 the Planning and Economic Development Department undertook several activities to deliver the core and mandated services including:
- a. Planning
 - Council authorized the launch of Envision Durham, the Municipal Comprehensive Review of the Regional Official Plan;

- Completed Phase 1 of the Carruthers Creek Watershed Plan and Phase 1 of the Regional Broadband Strategy;
 - Council approved Amendment No. 171 to the Durham Regional Official Plan, which implements key transportation network changes from the Region's Transportation Master Plan Update;
 - Presentation on Durham's supply of market ready employment land;
 - Conducted the 7th Annual Business Count to obtain detailed and reliable employment data for the entire Region; and
 - Supported the activities of the Durham Environmental Advisory Committee, Durham Agricultural Advisory Committee, and the Durham Active Transportation Committee, including hosting the annual Environmental Achievement Awards and the annual Farm Tour.
- b. Economic Development and Tourism
- Created a series of promotional videos that showcase Durham's assets, value proposition, opportunities and successes;
 - Rebranded Invest Durham sector profiles and information packages for prospective investors, highlighting Durham's key sectors: Agri-Business, EN3 (Energy, Environment, Engineering), Life Sciences, Manufacturing and Innovative Technology;
 - Handled 144 investment inquiries by providing individualized business decision advisory services, marketing, and support, resulting in the attraction of four new investments to Durham Region;
 - Participated in ten business investment missions to markets outside Durham, meeting with prospective investors and promoting the Regional value proposition;
 - Hosted 17 incoming delegations of investors and government officials, including the 'We The East Farm Tour' and 'Energy Cluster Tour' showcasing the Region's top assets;
 - Launched the review of the existing Regional Agricultural Strategy and Vibrant North Durham Economic Development Plan for the upcoming 5-year horizon;
 - Completed the Market-Ready Employment Land report;
 - Developed an award-winning Guide to Filming in Durham, an industry which generates more than \$37 million annually in economic impact;
 - Supported sporting events which welcomed 23,430 athletes across Durham; and
 - Hosted 'Fannibal Fest: On Location with Hannibal' tour for over 200

visitors from 11 countries.

4. 2019 Priorities and Highlights

4.1 The 2019 Business Plans and Budget highlights the service programs to be provided by the Department. Emphasis in 2019 will be to:

a. Planning

- Initiate the Growth Management Study as part of Envision Durham;
- Release a series of Discussion Papers for Envision Durham (Agriculture and Rural; Climate Change and Healthy Communities; Transportation; Housing; and Growth Management);
- Implement the Region's new Development Tracking System which will track land development applications through their entire life cycle, streamline the application process, and improve efficiency;
- Finalize the Woodland Conservation and Management By-law;
- Continue to implement the action items in the Transportation Master Plan, including updating the Regional Cycling Plan;
- Promote sustainable mobility opportunities in Durham by advancing the Smart Commute Durham initiative;
- Advance the Cycling Communication Plan, including launching and promoting a Regional Bike Map;
- Update the Walking Network Database;
- Conduct the 8th Annual Business Count; and
- Reconfigure a small number of workstations to optimize our workspace.

b. Economic Development and Tourism

- Develop a comprehensive Digital Marketing Strategy, and create/deploy content over digital platforms to generate awareness of the Regional value proposition and competitiveness;
- Generate increased tourism opportunities and generate new leads for prospective tourism investment;
- Support the execution of the Broadband Strategy;
- Launch a new Economic Development website with a business service-oriented focus and design, highlighting all the unique assets and business clusters that differentiate Durham and make Durham a desirable place to invest;
- Implement the Hubspot software for inbound marketing and sales, social

media marketing, content management, web analytics and search engine optimization;

- Continue to implement the Tourism Strategy with a focus on sporting events, corporate events, and developing strategic relationships across the industry to advance local tourism objectives;
- Redesign the Visitors Guide;
- Update the Vibrant North Durham Economic Development Plan;
- Update the Regional Agricultural Strategy;
- Deliver personalized business advisory services and support to domestic and foreign businesses seeking to establish a physical presence and create jobs; and
- Continue to partner with Toronto Global on international investment attraction activities.

5. 2019 Risks and Uncertainties

- 5.1 The provincial Growth Plan Amendment 1 could have impacts on the Envision Durham – Municipal Comprehensive Review process. Further, there may also be other provincial planning legislation and policy changes coming over the course of 2019.

6. Future Budget Pressures

- 6.1 With a shifting provincial planning legislation and policy landscape, there could be financial impacts to the Region's Municipal Comprehensive Review of the Regional Official Plan, depending on the nature of the changes that are released through 2019.

7. Conclusion

- 7.1 The recommended 2019 Planning and Economic Development Department Business Plans and Budget meets the Council approved guideline for the 2019 Property Tax Supported Business Plans and Budgets and supports the Department's role of establishing and implementing a long term vision for the growth of the Region.
- 7.2 It is recommended that the Planning and Economic Development Committee approve the 2019 Business Plans and Budget for the Planning and Economic Development Department and forward this report to the Finance and Administration Committee for consideration during the budget deliberations for the 2019 Property Tax Supported Business Plans and Budget.

7.3 This report has been reviewed by the Finance Department and the Commissioner of Finance concurs with the recommendation.

8. Attachments

8.1 Detailed 2019 Business Plans and Budgets for the Planning and Economic Development Department are available on-line through the link provided on the March 5, 2019 Planning and Economic Development Committee agenda or in hard copy by contacting the Finance Department, at (905) 668-7711 ext. 2304.

Respectfully submitted,

Original signed by

Brian Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development

Recommended for Presentation to Committee

Original signed by

Elaine Baxter-Trahair
Chief Administrative Officer



The Regional Municipality of Durham Report

To: Planning and Economic Development Committee
From: Commissioner of Planning and Economic Development
Report: [#2019-P-8](#)
Date: March 5, 2019

Subject:

Durham Active Transportation Committee (DATC) Membership Appointments, File: A01-40

Recommendations:

That the Planning and Economic Development Committee recommends to Regional Council:

- A) That the following area municipal citizen volunteers be appointed to the Durham Active Transportation Committee (DATC): Keith Haines (Ajax), Jean Martin (Brock), Constance Gray (Clarington), James Bate (Oshawa), Aisha Heywood (Pickering), Marc Gibbons (Scugog) and Phil Smith (Uxbridge);
 - B) That the above-named citizen volunteers be advised of their appointment to the DATC; and
 - C) That a copy of Commissioner's Report #2019-P-8 be forwarded to the area municipalities.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to appoint citizen volunteers to serve on the Durham Active Transportation Committee (DATC).

2. Background

- 2.1 The DATC (formerly called Durham Trails Coordinating Committee), was established in 2004 to develop a Regional Trail Network (RTN) and to facilitate its implementation. In 2018, following a review of its original mandate, this Committee broadened its scope to focus on active transportation (e.g. walk, cycling) including trails.
- 2.2 The DATC is guided by an approved Terms of Reference (ToR) which outlines the Committee's activities, including membership selection, composition and meeting dates.
- 2.3 This Committee is comprised of nine voting members as follows:
- i) One Council representative from the Planning and Economic Development Committee; and
 - ii) Eight citizen volunteers, one from each area municipality.
- 2.4 On December 19, 2018, Regional Council appointed Councillor Kerr to the DATC, and Councillor Lee as the alternate member.
- 2.5 The following citizen volunteers have been nominated by their respective area municipal councils to serve on the DATC: Keith Haines (Ajax), Jean Martin (Brock), Constance Gray (Clarington), James Bate (Oshawa), Aisha Heywood (Pickering), Marc Gibbons (Scugog) and Phil Smith (Uxbridge). It is recommended that these citizen volunteers be appointed by Regional Council to the DATC.
- 2.6 Efforts are underway to secure a citizen volunteer to represent the Town of Whitby which will be addressed in a future report.

Respectfully submitted,

Original signed by

Brian Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development

Recommended for Presentation to Committee

Original signed by

Elaine C. Baxter-Trahair
Chief Administrative Officer



The Regional Municipality of Durham Report

To: Planning and Economic Development Committee
From: Commissioner of Planning and Economic Development
Report: [#2019-P-9](#)
Date: March 5, 2019

Subject:

Process to initiate a Regional Official Plan Amendment to consider requests for service connections for properties adjacent to municipal services outside of the Urban Area

Recommendation:

That the Planning and Economic Development Committee recommends to Council:

- A) That the Planning and Economic Development Department be authorized to initiate the process to amend the Durham Regional Official Plan to enable the consideration of requests for service connections for properties abutting existing municipal services outside the Urban Area; and
 - B) That a copy of Commissioner's Report #2019-P-9 be forwarded to the area municipalities and the Ministry of Municipal Affairs and Housing for their information.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to seek authorization to initiate the process to amend the Durham Regional Official Plan (ROP) to enable the consideration of requests for service connections to existing municipal services outside the Urban Area, in prescribed circumstances.

2. Background

- 2.1 Over the past several years, Regional staff have received requests from property owners outside the Urban Area to connect to existing municipal services that abut their property. These property owners are currently on private services (well and/or private sewage disposal), and their property fronts a municipal watermain or sanitary sewer within a public right of way or easement. These properties are typically at the edge of the Urban Area boundary.
- 2.2 In late 2017, staff put in place an internal procedure to consider connections to existing municipal water for existing uses outside the Urban Area, where all other options to restore a private well on the property have been explored and deemed unfeasible, to the Region's satisfaction. The procedure was reviewed by the Ministry of Municipal Affairs and Housing, and staff concurrence was provided.
- 2.3 With a few exceptions, development in the Rural Area is intended to be on private water and sewage services. Provincial policy limits growth in the Rural Area by prioritizing Urban Area municipal water and sanitary sewer services. The policy intent is to maintain the distinction between Urban Areas and Rural Areas by preventing new development or redevelopment to be supplied by municipal services which controls the lot sizing, scale and density of development within the Rural Area. The ROP includes detailed policies that limit the extension of municipal services to the Rural Area and specifies that private water and sewage disposal services is the preferred method of servicing.
- 2.4 For those properties within the Greenbelt, Section 4.2.2.2 of the Greenbelt Plan indicates where municipal water services exist outside of a settlement area, **existing uses** within the service area boundary as defined by the environmental assessment may be **connected** [emphasis added] to such a service. Most, but not all, the land in the Region outside of the Urban Area is within the Greenbelt Plan Area.
- 2.5 There is an important difference between the terms "connection" and "extension". Connection refers to situations where exiting municipal services are abutting the subject lots. Extension refers to the idea of physically extending the existing municipal service pipes beyond their current location.

3. Regional Official Plan Amendment Process

- 3.1 It is important to note that the Greenbelt Plan does not support the **extension** of municipal services to uses outside of the Urban Area, unless there is a health issue.

The ROPA is not intended to consider extensions of services, but rather for the consideration of **connections** to municipal services located in boundary roads adjacent to the Urban Area boundary.

- 3.2 To address these instances where connections may be requested along an existing watermain or sanitary sewer outside of the Urban Area, **it is recommended that staff be authorized to initiate a Regional Official Plan Amendment process to consider appropriate policies that would enable service connections to properties outside of the Urban Area along watermains and sanitary sewers.**
- 3.3 Staff's review will be based on an updated analysis of properties along existing watermains in the Rural Area, additional analysis to identify the number of properties alongside sanitary sewers in the Rural Area, a review of provincial and regional planning documents, and a jurisdictional scan of other municipalities and associated permissions related municipal water and sanitary sewer service connections in the rural area.
- 3.4 Should a ROPA be adopted by Council and come into full force and effect, property owners would not be compelled to connect to municipal services if they have a properly functioning private well or sewage disposal system. If they wanted to connect, and if the policies permit, frontage and connection charges would apply.
- 3.5 The tentative schedule for this process is as follows:
 - a. Consult with other Regional Departments, area municipalities and the Province in March 2019, to inform the preparation of the ROPA;
 - b. Hold a Statutory Public Meeting at the May 7, 2019 Planning and Economic Development Committee meeting, which would require notice a minimum of 20 days through newspaper advertisements in advance of the meeting;
 - c. Assess comments received at, and following, the public meeting over the summer; and
 - d. Present staff's recommendation at the September 3, 2019 Planning and Economic Development Committee meeting, and subject to approval of a ROPA at Council on September 25, 2019, an implementing ROPA could be in full force and effect in late October 2019 provided there are no objections or appeals.

4. Conclusion

- 4.1 It is recommended that the Planning and Economic Development Department be authorized to initiate the process to amend the Durham Regional Official Plan to

enable the consideration of requests for service connections for properties abutting existing municipal services outside of the Urban Area.

Respectfully submitted,

Original signed by

Brian Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development

Recommended for Presentation to Committee

Original signed by

Elaine C. Baxter-Trahair
Chief Administrative Officer



The Regional Municipality of Durham Report

To: Planning and Economic Development Committee
From: Commissioner of Planning and Economic Development
Report: [#2019-P-10](#)
Date: March 5, 2019

Subject:

Durham Agricultural Advisory Committee (DAAC) Membership Appointments, File: A01-38

Recommendations:

That the Planning and Economic Development Committee recommends to Regional Council:

- A) That the following citizen volunteers be appointed as **Area Municipal representatives** to the Durham Agricultural Advisory Committee: Buck Winter (Ajax); Tom Watpool (Brock); Tom Barrie (Clarington); Paul MacArthur (Oshawa); Gord Taylor (Pickering); and Hubert Schillings (Whitby);
- B) That the following citizen volunteers be appointed as **At-Large farmer** members to the Durham Agricultural Advisory Committee: Keith Kennedy; Frazer Puterbough; and Neil Guthrie;
- C) That the following citizen volunteers be appointed as **At-Large non-farmer** members to the Durham Agricultural Advisory Committee: Brad Howsam; David Risebrough; Gerri Lynn O'Connor;
- D) That the following citizen volunteer be appointed as the **Durham Region Federation of Agriculture** representative to the Durham Agricultural Advisory Committee: Zac Cohoon;
- E) That the above-named citizen volunteers be advised of their appointment to the Durham Agricultural Advisory Committee; and

F) That a copy of Commissioner's Report #2019-P-10 be forwarded to the area municipalities and the Durham Region Federation of Agriculture.

Report:

1. Purpose

1.1 The purpose of this report is to appoint citizen volunteers to serve on the Durham Agricultural Advisory Committee (DAAC) for the 2019-2022 term.

2. Background

2.1 DAAC was established in 2002 to provide advice to the Region on agricultural policy and planning matters.

2.2 DAAC's activities are guided by an approved Terms of Reference establishing the scope of activities, membership selection and composition, as well as meeting dates. The activities are further guided by an annual workplan, approved by Regional Council. DAAC reports annually to the Planning and Economic Development Committee on their activities.

2.3 The DAAC Terms of Reference provides for the Planning and Economic Development Committee to recommend individuals for appointment by Regional Council. DAAC membership corresponds with the term of Regional Council. Existing at-large members may choose to remain on the Committee for more than one term, provided they still meet the membership criteria.

2.4 DAAC is comprised of sixteen members, as follows:

- One Council representative from the Planning and Economic Development Committee (Councillor Debbie Bath-Hadden, and Councillor Gordon Highet as the alternate member, appointed December 2018).
- Eight citizen volunteers as "area municipal representatives", one from each area municipality, bona fide farmers who are directly involved in the agricultural industry;
- Six "at large" members (three farmers and three non-farmers), nominated by the Planning and Economic Development Department; and
- One representative of the Durham Region Federation of Agriculture (DRFA).

3. Membership Nominations/Appointments

3.1 In accordance with the DAAC Terms of Reference, advertisements were placed

online and in local newspapers throughout the Region in November 2018 seeking expressions of interest from individuals wishing to serve on DAAC. Current members could also confirm their interest in continuing to serve on their respective Committees. The names of all individuals who expressed interest are provided in Attachments 1 to 3.

- 3.2 Each area municipality was provided with a list of candidates and requested to nominate one individual to represent their community. Six of the eight area municipalities responded. Accordingly, **it is recommended that the following citizen volunteers be appointed as “area municipal representatives” to the Durham Agricultural Advisory Committee: Buck Winter (Ajax); Tom Watpool (Brock); Tom Barrie (Clarington); Paul MacArthur (Oshawa); Gord Taylor (Pickering); and Hubert Schillings (Whitby).**
- 3.3 Citizen volunteers to represent the Township of Scugog and the Township of Uxbridge will be addressed in subsequent report.
- 3.4 In accordance with the DAAC Terms of Reference, the Planning and Economic Development Committee appoints “at large” members in accordance with the criteria outlined in the DAAC Terms of Reference (i.e. three “at large farmer”, and three “at large non-farmer”).
- 3.5 The following existing at-large members have indicated an interest in remaining on DAAC:
 - Keith Kennedy (farmer);
 - Frazer Puterbough (farmer);
 - Brad Howsam (non-farmer);
 - David Risebrough (non-farm ruraler).
- 3.6 **It is recommended that the following citizen volunteers be appointed as “at large” members to the Durham Agricultural Advisory Committee:**
 - **At large farmer: Keith Kennedy; Frazer Puterbough; Neil Guthrie;**
 - **At large non-farmer: Brad Howsam; David Risebrough; Gerri Lynn O’Connor.**
- 3.7 The DRFA was requested to put forward a representative to sit on DAAC. The Federation has re-nominated Zac Cohoon, existing DAAC member and Chair, as the DRFA to DAAC. **It is recommended that Zac Cohoon be appointed as the citizen volunteer to represent the DRFA.**

3.8 Attachment 3 identifies the names of individuals who expressed interest in serving on DAAC, and whose names will be retained for consideration in the event of a future vacancy.

4. Attachments

Attachment #1: Area Municipal Nominations (under separate cover)

Attachment #2: At Large Nominations (under separate cover)

Attachment #3: Other Applicants (under separate cover)

Respectfully submitted,

Original signed by

Brian Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development

Recommended for Presentation to Committee

Original signed by

Elaine C. Baxter-Trahair
Chief Administrative Officer



The Regional Municipality of Durham Report

To: Planning and Economic Development Committee
From: Commissioner of Planning and Economic Development
Report: [#2019-P-11](#)
Date: March 5, 2019

Subject:

Durham Environmental Advisory Committee (DEAC) Membership Appointments, File:
A01-37-02

Recommendations:

That the Planning and Economic Development Committee recommends to Regional Council:

- A) That the following citizen volunteers be appointed as **Area Municipal Representatives** to the Durham Environmental Advisory Committee: Kim Sellers (Ajax); Richard Dickinson (Brock); Jay Cuthbertson (Clarington); Gwen Layton (Oshawa); Dr. Ozair Chaudhry (Pickering); and Susan Clearwater (Whitby);
- B) That the following returning citizen volunteers be appointed as **At-Large** members to the Durham Environmental Advisory Committee: Matt Thompson, Dimitri Stathopolous, and Kimberly Murray;
- C) That the following citizen volunteer be appointed as the **Post-Secondary** member to the Durham Environmental Advisory Committee: Connor Duffy;
- D) That the following citizen volunteer be appointed as the **Youth** member to the Durham Environmental Advisory Committee: Dhruv Upadhyay;
- E) That the above-named citizen volunteers be advised of their appointment to the Durham Environmental Advisory Committee; and

F) That a copy of Commissioner's Report #2019-P-11 be forwarded to the area municipalities.

Report:

1. Purpose

1.1 The purpose of this report is to appoint citizen volunteers to serve on the Durham Environmental Advisory Committee (DEAC).

2. Background

2.1 DEAC was established in 2001 to provide advice to the Region on environmental policy and planning matters.

2.2 DEAC's activities are guided by an approved Terms of Reference establishing the scope of activities, membership selection and composition, as well as meeting dates. The activities are further guided by an annual workplan, approved by Regional Council. DEAC reports annually to the Planning and Economic Development Committee on their activities.

2.3 The DEAC Terms of Reference provides for the Planning and Economic Development Committee to recommend individuals for appointment by Regional Council. DEAC membership, excluding post-secondary and youth members, corresponds with the term of Regional Council. Membership for the post-secondary student and youth members is a 1-year term, generally corresponding with the school year. The post-secondary student member may choose to remain on the Committee for more than one term, provided they are still a student attending a post-secondary institution.

2.4 DEAC is comprised of seventeen members, as follows:

- One Council representative from the Planning and Economic Development Committee (Councillor Steve Yamada, and Councillor Sterling Lee as the alternate member, appointed December 2018).
- Eight citizen volunteers as "area municipal representatives", one from each area municipality;
- Five citizen volunteers as "at large" members; and
- One post-secondary student and two youth members.

3. Membership Nominations/Appointments

- 3.1 In accordance with the DEAC Terms of Reference, advertisements were placed online and in the local newspapers throughout the Region in November 2018 seeking expressions of interest from individuals wishing to serve on DEAC. Current members could also confirm their interest in continuing to serve on their respective Committees. The names of all individuals who expressed interest are presented in Attachments 1 to 3.
- 3.2 Each area municipality was provided with a list of qualified candidates and requested to nominate one individual to represent their community. Six of the eight area municipalities responded. **It is recommended that the following citizen volunteers be appointed as “area municipal representatives” to the Durham Environmental Advisory Committee: Kim Sellers (Ajax); Richard Dickinson (Brock); Jay Cuthbertson (Clarington); Gwen Layton (Oshawa); Dr. Ozair Chaudhry (Pickering); and Susan Clearwater (Whitby).**
- 3.3 Citizen volunteers to represent the Township of Scugog and the Township of Uxbridge will be addressed in a subsequent report.
- 3.4 In accordance with the DEAC Terms of Reference, the Planning and Economic Development Committee recommends five additional “at large” members. **It is recommended that the following returning citizen volunteers be appointed as “at large” members to the Durham Environmental Advisory Committee: Matt Thompson, Dimitri Stathopolous, and Kimberly Murray.**
- 3.5 As noted, nominations from the Townships of Scugog and Uxbridge are yet to be received. Along with the municipal representatives for these two municipalities, the Planning and Economic Development Department’s recommendations for the two “at large” member vacancies will be addressed in a future report, to allow appropriate consideration for the remaining nominations. Candidates will be assessed with a view to achieving a combination of technical experts and community representatives with knowledge of environmental policy and land use planning matters.
- 3.6 On December 6, 2017, Council appointed Mr. Connor Duffy as a post-secondary member on DEAC. Mr. Duffy has indicated his interest in returning for the following term. Three other applications were received (See Confidential Attachment 3). **It is recommended that Connor Duffy be appointed as the post-secondary member on the Durham Environmental Advisory Committee.**

- 3.7 One application was received for the youth member positions through the advertisement released in November 2018. Efforts are underway to fill the remaining youth member position. **It is recommended that the following citizen volunteer be appointed as a “youth” member to the Durham Environmental Advisory Committee: Dhruv Upadhyay.**
- 3.8 Attachment 3 identifies the names of individuals who expressed interest in serving on DEAC, and whose names will be retained for consideration in the event of a future vacancy.

4. Attachments

- Attachment #1: Area Municipal Nominations (under separate cover)
- Attachment #2: At Large, Post Secondary and Youth Member Nominations (under separate cover)
- Attachment #3: Other Applicants (under separate cover)

Respectfully submitted,

Original signed by

Brian Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development

Recommended for Presentation to Committee

Original signed by

Elaine C. Baxter-Trahair
Chief Administrative Officer



The Regional Municipality of Durham Report

To: Planning and Economic Development Committee
From: Commissioner of Planning and Economic Development
Report: [#2019-P-12](#)
Date: March 5, 2019

Subject:

Envision Durham – Agriculture and Rural System Discussion Paper, File D12-01

Recommendation:

That the Planning and Economic Development Committee recommends to Regional Council:

That a copy of Commissioner's Report #2019-P-12 and Attachment 1, the Agriculture and Rural System Discussion Paper, be forwarded to Durham's area municipalities; conservation authorities; the Ministry of Municipal Affairs and Housing; the Ministry of Food, Agriculture and Rural Affairs, the Ministry of Natural Resources and Forestry; and the Durham Agricultural Advisory Committee for review and comment.

Report:

1. Purpose

- 1.1 The purpose of this report is to present the Agriculture and Rural System Discussion Paper which is the first in a series of discussion papers to be released as part of Envision Durham, the Municipal Comprehensive Review (MCR) of the Regional Official Plan (ROP) (see Attachment 1).
- 1.2 Comments on this Discussion Paper are requested by June 3, 2019 (90-day commenting period).

2. Background

- 2.1 On May 2, 2018, Regional Council authorized staff to proceed with Envision

Durham, as detailed in [Commissioner's Report #2018-COW-93](#).

- 2.2 On February 5, 2019, the Planning Division initiated the first stage ("Discover") of the public engagement program for Envision Durham by launching a project web page and public opinion survey, as detailed in [Commissioner's Report #2019-P-4](#). With the release of this report, the Planning Division is initiating the second stage ("Discuss"), wherein participants will be asked to provide input on various theme-based Discussion Papers, of which the Agriculture and Rural System Paper is the first one.
- 2.3 Discussion Papers on the following topics will also be released:
 - a. Climate Change and Sustainability;
 - b. Growth Management, including but not limited to reports on:
 - Current state of the regional structure;
 - Land Needs Assessment (LNA) and related technical studies, i.e. Employment Strategy, Intensification Strategy, Designated Greenfield Area Density Analysis, etc.; and
 - Additional feasibility studies, if required based on the results of the LNA.
 - c. Environment and Greenlands System;
 - d. Transportation System; and
 - e. Housing.
- 2.4 Each Paper will contain discussion questions, with a supplemental workbook, to help facilitate discussion and input.
- 3. Agriculture and Rural System Discussion Paper**
 - 3.1 This Discussion Paper provides an overview of Durham's Rural Area and the current ROP policy framework, identifies Provincial policy requirements and trends since the last ROP review, and identifies preliminary approaches and questions for discussion and feedback.
 - 3.2 A number of factors affect planning for the Region's agricultural and rural areas, including: the modernization and diversification of farming; rural business growth; loss of rural land; compatibility between urban and rural uses; urban agriculture; the effects of climate change; renewable energy; changes to provincial policies and Provincial Plans, including the introduction of the Provincial Agricultural System; and changes in the Region's Specific Policy Areas.
 - 3.3 Through Envision Durham, the Region will review its agricultural and rural policies

by:

- a. Updating goals and objectives for these areas, if necessary;
 - b. Updating definitions (and associated policies) to reflect revised provincial policy;
 - c. Broadening goals and policies to:
 - Permit all types, sizes and intensities of agricultural uses in Prime Agricultural Areas;
 - Recognize normal farm practices;
 - Recognize the agri-food network;
 - Reference provincial guidance where appropriate;
 - Require an Agricultural Impact Assessment where appropriate and necessary.
 - d. Incorporating policy considerations to account for agriculture-related and on-farm diversified uses, urban agriculture, renewable energy, and the urban-rural land use interface (i.e. edge planning);
 - e. Reviewing rural lot creation policies (including surplus farm dwelling severances);
 - f. Reviewing Rural Settlement Area policies and designations;
 - g. Considering revisions in keeping with the Province's Minimum Distance Separation Formulae and Guidelines;
 - h. Updating Specific Policy Area policies and considering whether additional areas within Durham should also be identified;
 - i. Reviewing 'Regional Nodes' that exist in the Rural Area; and,
 - j. Updating aggregate resource policies in accordance with Provincial policies.
- 3.4 Envision Durham will also involve a review of the Land Use Schedules (mapping) in the ROP as it relates to agriculture and rural areas and will consider:
- a. Refining where necessary the Agricultural and Rural System to reflect Provincial Agricultural and Natural Heritage Systems;
 - b. Refining the Major Open Space Areas designation;
 - c. Delineating hamlet boundaries in accordance with provincial requirements;
 - d. Considering whether to incorporate the Agri-Food System/Agri-food Asset Mapping; and,
 - e. Updating aggregate resource mapping in the ROP to reflect the most current available data.

- 3.5 This Discussion Paper was prepared by Regional planning staff in consultation with Envision Durham's Area Municipal Working Group, the Durham Agricultural Advisory Committee (DAAC), Regional Economic Development staff and Provincial staff from the Ministries of Municipal Affairs and Housing (MMAH) and Agriculture, Food and Rural Affairs (OMAFRA).
- 3.6 The Discussion Papers do not present positions on potential changes that may be part of the ROP, but rather provide information and pose questions for consideration.

4. Next Steps

- 4.1 Each of the Discussion Papers will be posted to the project web page at durham.ca/EnvisionDurham for public feedback. Interested parties are encouraged to subscribe for project updates and email notifications through this web page. The Discussion Papers will be announced by way of:
- a. News releases and public service announcements;
 - b. Social media platforms, including Facebook, Twitter and LinkedIn;
 - c. Email notifications;
 - d. Publications in internal and external newsletters; and
 - e. Materials published online.
- 4.2 Consultation on this Discussion Paper will be coordinated with consultations planned for the update to the Regional Agricultural Strategy being conducted through the Agriculture and Rural Affairs Section of the Planning and Economic Development Department.
- 4.3 Comments on the Agriculture and Rural System Discussion Paper are requested by June 3, 2019 (90-day commenting period). Regional staff will report to Committee on the results of the Discussion Papers through future Policy Directions Reports during the next stage of the public engagement process.
- 4.4 It is recommended that a copy of this report be forwarded to Regional Council for information and be forwarded to Durham's area municipalities, conservation authorities and the Ministry of Municipal Affairs and Housing the Ministry of Food, Agriculture and Rural Affairs, the Ministry of Natural Resources and Forestry; and the Durham Agricultural Advisory Committee for review and comment.

5. Attachments

Attachment #1: Agriculture and Rural System Discussion Paper

Respectfully submitted,

Original signed by

Brian Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development

Recommended for Presentation to Committee

Original signed by

Elaine C. Baxter-Trahair
Chief Administrative Officer

Agriculture & Rural System

Discussion Paper



March 2019
Durham Region
Planning and Economic
Development Department

Agriculture & Rural System

About Durham Region

Durham Region is the eastern anchor of the Greater Toronto Area, in the Greater Golden Horseshoe area of Ontario. At over 2,590 square kilometres, Durham offers a variety of landscapes and communities, with a mix of rural, urban and natural areas. The southern lakeshore communities of Pickering, Ajax, Whitby, Oshawa and Clarington provide urban areas and a diverse employment base. The northern Townships of Scugog, Uxbridge and Brock are predominantly rural, with a thriving agricultural sector. The Region is the home of the Mississaugas of Scugog Island First Nation and spans a portion of the territories covered by the Williams Treaties of 1923.¹

Over 80 percent of the Region lies within the provincially-designated Greenbelt which also contains the environmentally significant Oak Ridges Moraine. With access to ample green space and lakes, rivers and urban amenities, Durham Region offers a high quality of life for both city and rural residents.

Today, Durham is home to just under 700,000 people. By the year 2041, our population is expected to grow to 1.2 million people, with over 430,000 jobs. Our vision is to create healthy and complete, sustainable communities, shaping Durham into a great place to live, work, play, grow and invest.

¹ The Williams Treaties include traditional territories of seven First Nations, including the Chippewas of Beausoleil, Georgina Island and Rama and the

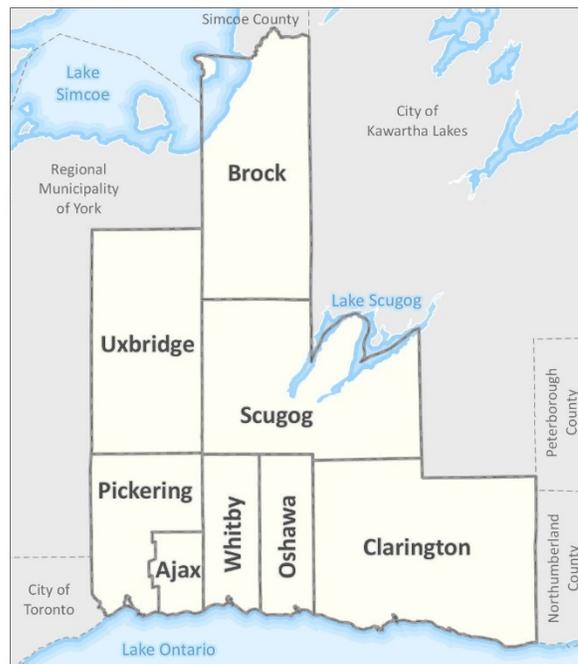


Figure 1: Map of the Region of Durham

About Envision Durham

Envision Durham, the Municipal Comprehensive Review (MCR) of the Regional Official Plan (ROP), is an opportunity to plan for fundamental change, by replacing the current ROP and establishing a progressive and forward-looking planning vision for the Region to 2041.

Over the next few years, the Region is undertaking Envision Durham to review:

- How and where our cities and towns may grow;
- How to use and protect our land and resources;

Mississaugas of Alderville, Curve Lake, Hiawatha, and Scugog Island.

- What housing types and job opportunities are needed for our residents;
- How people and goods move within, across and beyond our region.

We're planning for an attractive place to live, work, play, grow and invest – and we're asking for your help.

Why Review the Official Plan?

The ROP guides decisions on long-term growth, infrastructure investment and development – providing policies to ensure an improved quality of life – to secure the health, safety, convenience and well-being of present and future residents of Durham.

Under the Planning Act, there is a legislative requirement to review the existing ROP every five years. Since the approval of the last ROP update (January 2013), the Province has completed several significant Provincial policy initiatives, including the coordinated review and update to the following provincial plans:

- The Growth Plan for the Greater Golden Horseshoe, 2017 (Growth Plan), which is proposed to be further amended by Proposed Amendment 1, released on January 15, 2019;
- The Greenbelt Plan, 2017; and,
- The Oak Ridges Moraine Conservation Plan, 2017 (ORMCP).

The Planning Act requires the Region to complete a Provincial Plan conformity exercise to amend the ROP to ensure that it:

- Conforms with Provincial Plans or does not conflict with them;
- Has regard to matters of Provincial interest; and
- Is consistent with Provincial Policy Statements.

Envision Durham constitutes Durham's Provincial Plan conformity exercise and its five-year review of the ROP, satisfying these legislative requirements.

How to Get Involved

Public input is integral to the success of Envision Durham – we want to hear from you!

Please use this opportunity to share your vision for Durham – tell us your thoughts and opinions on the key Discussion Questions raised throughout this document (Appendix A).

Join the conversation by visiting durham.ca/EnvisionDurham to submit your comments.

To receive timely notifications on the Envision Durham process, please visit durham.ca/EnvisionDurham to subscribe for project updates.

Agriculture & Rural System

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Agriculture & Rural System

Executive Summary

This Paper is the first in a series of Discussion Papers that will be released as part of the Envision Durham exercise.

It provides an overview of Durham's Rural Area and the current Regional Official Plan (ROP) policy framework, identifies Provincial policy requirements and trends since the last ROP review, and identifies preliminary approaches and questions for discussion and feedback.

Durham's Rural Area (refer to Durham's Rural Area Map, page 24) comprises 84 percent of the Region's land base and houses approximately 8 percent of Durham's population (54,000 residents). Most of the rural area is planned for agricultural and open space uses, along with numerous scattered rural settlements.

Durham's Rural Area is characterized by:

- Large blocks of land for agriculture and food production;
- A continuous system of open spaces which support recreational opportunities, tourism, and environmental conservation;
- Rural settlements of varying sizes that provide rural residential housing and limited development;
- Rural and agricultural related businesses, as well as home-based businesses and home-based industries;
- Agri-tourism; and,
- The aggregate resource industry.

A number of factors affect planning for the Region's agricultural and rural areas, including, the modernization and diversification of farming; rural business growth; loss of rural land; changes to provincial policies and Provincial Plans; compatibility between urban and rural uses; urban agriculture; the effects of climate change; renewable energy; changes to Provincial Plans, including the introduction of the Provincial Agricultural System, and changes in the Region's Specific Policy Areas.

Issues which are relevant today include:

- Loss of productive agricultural land;
- Fragmentation of the agricultural land base;
- Rural consent/severance policies, including retirement lots and surplus farm dwellings;
- The need to strengthen and clarify the Region's rural settlement policies; and,
- Potential land use conflicts between rural and urban uses.

Through Envision Durham, the Region will review its agricultural and rural policies by:

- Updating goals and objectives for these areas, if necessary;
- Updating definitions (and associated policies) to reflect revised provincial policy;
- Broadening goals and policies to:
 - Permit all types, sizes and intensities of agricultural uses in Prime Agricultural Areas
 - Recognize normal farm practices;
 - Recognize the agri-food network;
 - Reference provincial guidance where appropriate;

- Require an Agricultural Impact Assessment where appropriate and necessary.
- Incorporating policy considerations to account for agriculture-related and on-farm diversified uses, urban agriculture, renewable energy, and the urban-rural land use interface (i.e. edge planning);
- Reviewing rural lot creation policies (including surplus farm dwelling severances);
- Reviewing Rural Settlement Area policies and designations;
- Considering revisions in keeping with the Province's Minimum Distance Separation Formulae and Guidelines;
- Updating Specific Policy Area policies and considering whether additional areas within Durham should also be identified;
- Reviewing 'Regional Nodes' that exist in the Rural Area; and,
- Updating aggregate resource policies in accordance with Provincial policies.

Envision Durham will also involve a review of the Land Use Schedules (mapping) in the ROP as it relates to agriculture and rural areas and will consider:

- Refining where necessary the Agricultural and Rural System to reflect Provincial Agricultural and Natural Heritage Systems;
- Refining the Major Open Space Areas designation;
- Delineating hamlet boundaries in accordance with provincial requirements;
- Considering whether to incorporate the Agri-Food System/Agri-food Asset Mapping;

- Updating aggregate resource mapping in the ROP to reflect the most current available data.

Many of Durham's area municipalities have also recently completed reviews and updates of their local official plans. The Region will be considering recent updates and resulting policy and mapping at the local level in the Envision Durham exercise, as well as tracking ongoing changes and proposed changes to land use planning policy at the Provincial level.

The intersection of rural and agricultural policies with other theme areas will be reviewed and considered holistically through Envision Durham and may be addressed in greater detail in other theme discussion papers including: Environment/Greenlands, Climate Change and Sustainability, Growth Management, Transportation, and Housing.

The Region is committed to working collaboratively with all stakeholders, including Durham's area municipalities, the Ontario Ministry of Agriculture, Food and Rural Affairs, the Ontario Ministry of Natural Resources and Forestry, the agricultural community, other key rural stakeholders, and the public, to develop policies that implement Provincial direction that is tailored to the local context of Durham's agricultural and rural areas.

Agriculture & Rural System

How to Get Involved

Public input is integral to the success of Envision Durham – we want to hear from you!

Please use this opportunity to share your vision for Durham – tell us your thoughts and opinions on the key Discussion Questions raised throughout this document (Appendix A).

Join the conversation by visiting durham.ca/EnvisionDurham to submit your comments.

To receive timely notifications on the Envision Durham process, please visit durham.ca/EnvisionDurham to subscribe for project updates.

Provincial Land Use Planning Policy Context

Ontario has a policy led land use planning system, governed by the Planning Act (and other legislation) with direction provided through a series of provincial land use planning policy documents. Land use policies from the Province are implemented by the Region in the ROP. Detailed area municipal official plans must then conform to the ROP.

The following Provincial Plans apply to lands within Durham (refer to Provincial Plan Areas in Durham Region Map, page 9):

- The Oak Ridges Moraine Conservation Plan, 2017 (ORMCP);
- The Greenbelt Plan, 2017;
- The Growth Plan for the Greater Golden Horseshoe, 2017 (Growth Plan);
- The Central Pickering Development Plan, 2006 (CPDP); and,
- Lake Simcoe Protection Plan, 2009 (LSPP).

In 2014, the Province released an updated Provincial Policy Statement and then undertook a coordinated review and update of provincial land use plans. In 2017, the Province updated the Growth Plan, the Greenbelt Plan and the Oak Ridges Moraine Conservation Plan. Through the Envision Durham exercise the Region will implement the 2014 PPS and 2017 Provincial Plans, as well as other legislation and plans including Source Protection Plans for the protection of drinking water and the Lake Simcoe Protection Plan.



Figure 2: Planning Hierarchy (Source: Durham Region Planning and Economic Development Department)

Agriculture & Rural System

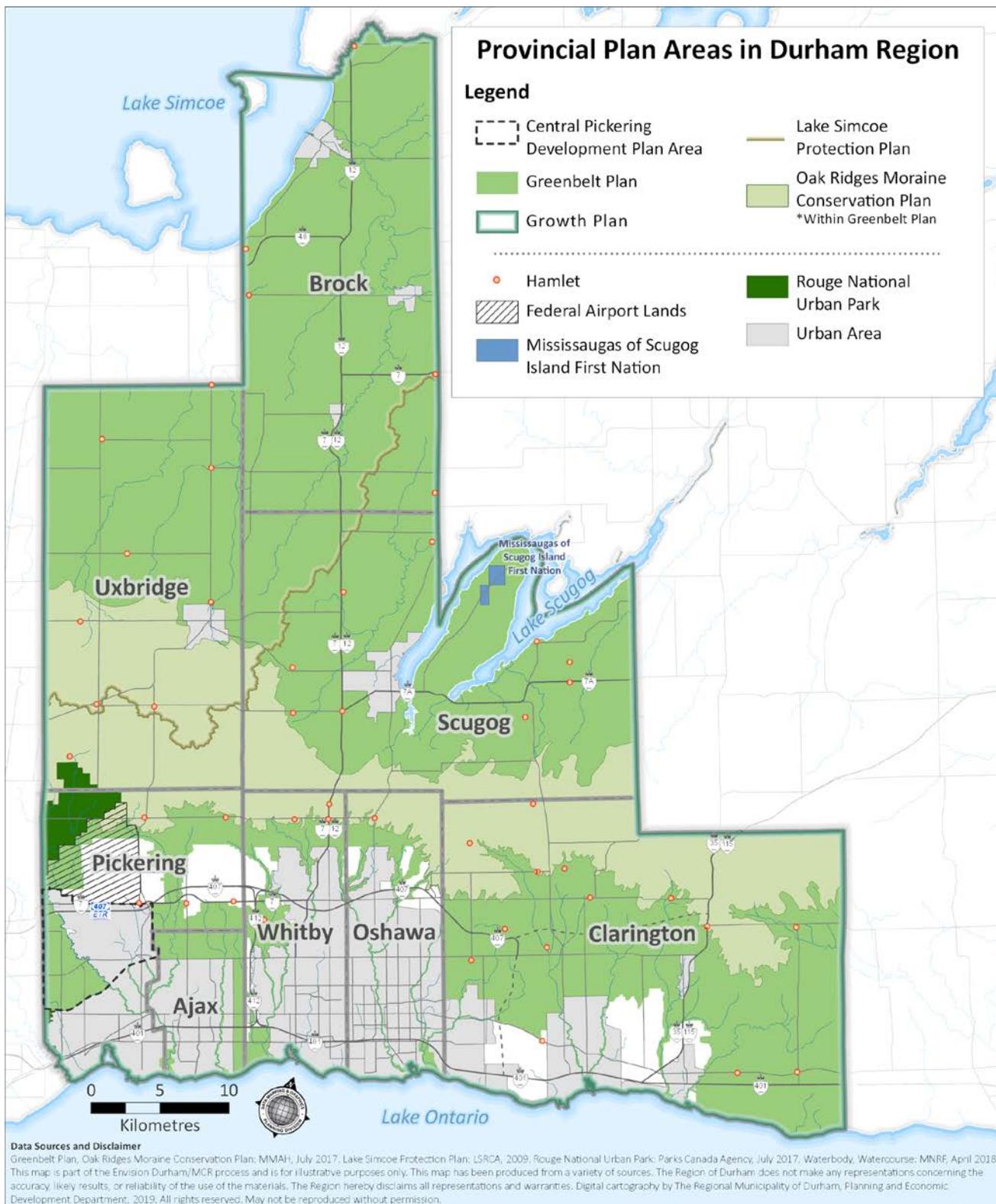


Figure 3: Provincial Plan Areas in Durham Region Map

To support the implementation of the Provincial Plans, the Province also released several guidance documents and resources to aid municipalities in the interpretation and implementation of provincial policy. Relevant guidance documentation and resources pertaining to the Agriculture/Rural theme include:

- [Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas](#);
- [Implementation Procedures for the Agricultural System in Ontario's Greater Golden Horseshoe](#);
- [Ontario Ministry of Agriculture Food and Rural Affairs \(OMAFRA\) Agricultural System Portal](#); and,
- [2017 Minimum Distance Separation Formulae and Guidelines](#).

Guidance on Agricultural Impact Assessments (AIA) is anticipated in 2019, however, has yet to be released. Additionally, the ROP recognizes other relevant legislation including the Nutrient Management Act, 2002 and the Farming and Food Production Protection Act, 1998.

Agriculture & Rural System

Durham Region's Agricultural and Rural Focus

Since 2003, several plans and strategies have been implemented by the Region and others that have impacts for the agricultural and rural sector. Relevant plans and strategies include the following:

Region of Durham Agricultural Strategy

The [Region's Agricultural Strategy](#) was endorsed by Regional Council in 2013 and guides agricultural economic development within Durham. This strategy includes recognition of the importance of the agriculture and agri-food sector and promoting opportunities for agriculture to play a key role in the production of renewable energy, considering potential impacts of policies on agricultural viability, facilitating access to the services and infrastructure required for agriculture, supporting opportunities for diversification of agricultural operations, encouraging investment in food processing and value-added agriculture, and the undertaking of agri-food asset mapping for the Region. Outreach and education was also focused on achieving a greater level of understanding of normal farm practices by the non-farming population.

An update to the Region's Agricultural Strategy is currently underway.

Durham Agricultural Advisory Committee

In 2002, the Durham Agricultural Advisory Committee (DAAC) was established by Regional Council to provide advice on agricultural and related rural matters. This volunteer Citizen Advisory Committee is comprised of members appointed by Regional Council representing a diversity of agricultural expertise, experience and knowledge of agriculture and related rural issues.

Through this process, DAAC will be asked to participate by reviewing and providing input on proposed changes to the Region's agricultural and rural policies, mapping and by providing input more broadly on other topics.



Vibrant North Durham Plan

The [Vibrant North Durham Plan](#) was endorsed by Regional Council in 2013 and is an economic development strategy focused on Durham's northern municipalities of Brock, Scugog and Uxbridge. The four elements of the Plan are to: be open for business; inspire and support entrepreneurship; create a vibrant future for young adults; and build a stronger rural and small town identity. This Plan speaks to matters including rural employment areas, support for home-based businesses, and revitalization of rural downtowns.

An update to the Vibrant North Durham Plan will be undertaken in 2019.

The Right Choice for a Bright Future: 2017-2021 Economic Development Strategy and Action Plan

Durham's [Economic Development Strategy and Action Plan](#) was endorsed by Regional Council in 2017. The strategy is centred around four pillars of economic growth and states Durham Region will be:

- A supporter of business (support);
- A builder of jobs and the economy (develop);
- A highly effective collaborator and facilitator (partner); and,
- The choice location for business, investment and labour (market).

Agri-business and Tourism are among the key economic sectors in Durham and are influenced by and influence agriculture and rural policy.

Approximately three quarters of survey respondents (73.2%) think that maintaining a Rural System that supports agriculture as a key economic industry is “very” to “extremely important”.

(Based on the Envision Durham Public Opinion Survey responses received at the time of writing this paper, 123 of 123 respondents).

Durham Region Food Charter

The [Durham Region Food Charter](#) was endorsed by Regional Council in November 2009 as a community document. The Durham Region Food Charter is focused on food security and building a sustainable local food system as a foundation for a healthy population. The Charter outlines the following actions to achieve these goals, including:

- incorporating food security principles into key strategic regional and local policy documents;
- promoting the development of a local food system that supports agricultural production; and,
- advancing sustainable resource management and the protection of agricultural lands through land use planning.

Key elements of the Charter include: sustaining local agriculture; building community partnerships; and promoting health and well-being. The Food Charter provides the mandate and direction for the ongoing work of the Durham Food Policy Council. The Durham Food Policy Council is comprised of individuals who live, work or study in Durham Region that are interested in Durham's food system, food security and sustainable food production.

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Durham Community Climate Adaptation Plan

The [Durham Community Climate Adaptation Plan](#) (DCCAP) was endorsed by Regional Council in 2016 and contains 18 programs across seven sectoral areas including: cross-sectoral, building sector, electrical sector, flooding, human health, roads and the natural environment. These programs are intended to help the Region adapt to future climate conditions. The plan also recommends developing climate adaptation strategies to ensure food security and a viable agriculture sector in Durham Region.

Work on food security is underway through the DCCAP and a regional strategy to address climate adaptation in the agricultural sector is also being developed and is expected to be released this year.

Results and outcomes of the above-noted studies and strategies will be considered through Envision Durham and relevant supporting policies will be recommended, where appropriate.

Additionally, some of the Region's area municipalities have recently updated their local Official Plans. Significant efforts including preparation of studies and extensive public consultation went into these processes. Adopted local approaches to agriculture and rural policies and mapping will be reviewed and considered through the Envision Durham exercise. For reference purposes, Official Plans can be found on the websites of each of the area municipalities.

Durham's Rural Area

Durham's Rural Area comprises 84 percent of the Region's land base and houses approximately 8 percent of Durham's population (54,000 residents). Most of the rural area is planned for agricultural and open space uses, interspersed with rural settlements. The predominance of good soils, proximity to markets, and a relatively long growing season supports a prosperous agricultural industry.

Durham's Rural Area plays a significant role in supporting:

- Large blocks of land for agriculture and food production;
- A continuous system of open spaces which supports recreation opportunities, tourism, and environmental conservation;
- Rural settlements of varying sizes that provide rural residential housing and limited development;
- Rural and agricultural related businesses, as well as home-based businesses and home-based industries;
- Agri-tourism; and,
- The aggregate resource industry.

Although the number of farms and the quantity of farmland has declined, Durham continues to lead the Greater Toronto Area (GTA) in the number of farms, the amount of farmland and gross farm receipts. The majority of the Rural Area in Durham is farmland (refer to Assessed Farm Parcel Map, page 15).

In addition to prime agricultural lands, there is a continuous system of open space lands,

woven through the Region's Rural Area. This system also supports environmental conservation, major recreational uses including golf courses and ski hills, and other rural and agricultural land uses. The Region's Rural Area also contains a significant amount of aggregate resources. Durham is the leading producer of aggregates in the GTA.

From 2001 to 2017, the proportion of building permits issued for construction of residential units within Durham's Rural Area has been relatively consistent, accommodating between 1 and 4 per cent of all permits issued and averaging 121 new units/year. Between 2001 and 2017, approximately 2,062 new residential units were built in the Rural Area.

It is estimated that there is the potential for approximately 2,245 additional residential dwellings in the Rural Area. The majority of vacant lots (nearly 1,800) which could accommodate a new dwelling are located outside of rural settlement areas. This would represent an additional population of approximately 6,800 in Durham's Rural Area.

Agriculture & Rural System

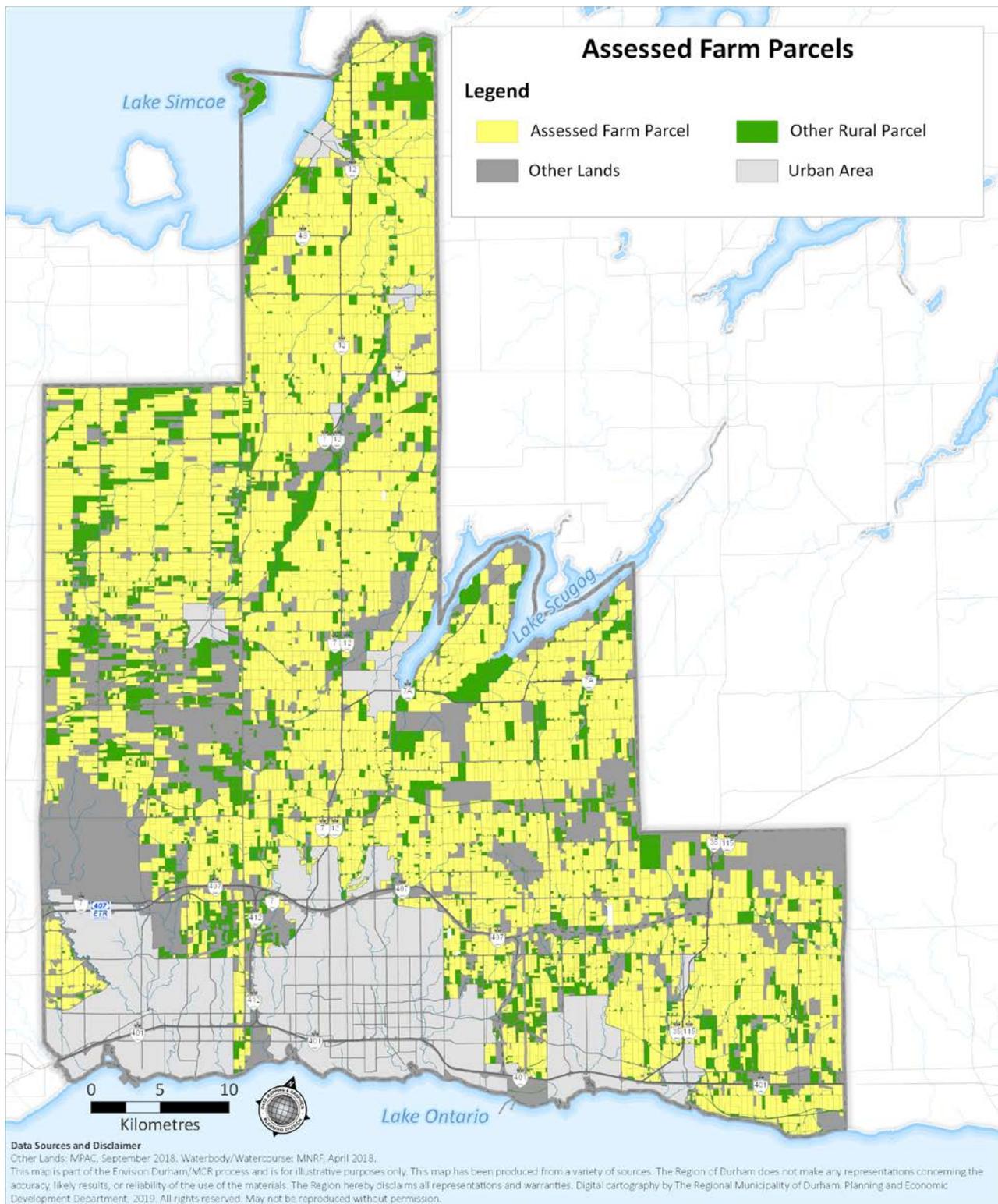


Figure 4: Assessed Farm Parcel Map

Observations on Agriculture and Rural Areas in Durham

The following are recent trends affecting the Region's agricultural and rural areas.

Modernization and diversification of farming

Based on the 2016 Census of Agriculture, there were 1,323 farms in Durham. This represents a decrease from 1,709 farms in 2000. Today's average farm size is 29 hectares (approximately 72 acres). The total number of farms and total farmland has declined, in line with historical trends of declining number of farms and land in the Greater Golden Horseshoe and the Province. Durham continues to lead the GTA in the number of farms, amount of farmland and gross farm receipts, behind only Niagara Region in the broader GGH.

Farms and farmland

There were 5,604 farms within the GGH in the 2016 Agricultural Census. Niagara Region had the greatest proportion of farms (32.6 percent), followed by Durham (23.6 percent). Durham Region had the greatest proportion of land area (29.4 percent) and area of land in crops (31.2 percent), followed by Niagara (24.8 percent and 23.2 percent respectively) (refer to Farms in the GGH Graphs, page 17).

Approximately \$2 billion in gross farm receipts were reported in the GGH, representing 13 percent of the provincial total. Niagara Region reported \$838 million (42.6 percent) in gross farm receipts, followed by Durham (\$322 million or 16.4

percent) and Hamilton (\$260 million or 13.2 percent). Total market capitalization (value including land and assets) of all farms in the GGH was \$16.5 billion (refer to Farms in the GGH Graphs, page 17).

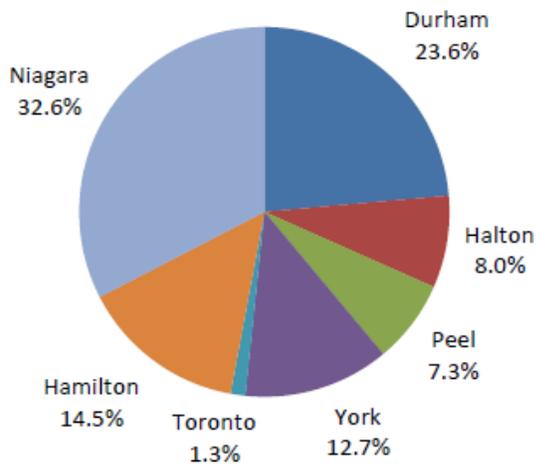


Photo 1: Durham's Rural Area - Aerial View (Source: Durham Region Planning and Economic Development Department)

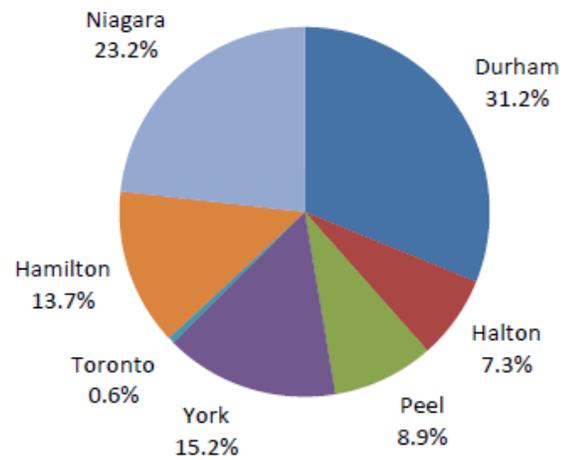
Agriculture & Rural System

Farms in the Greater Golden Horseshoe (GGH)

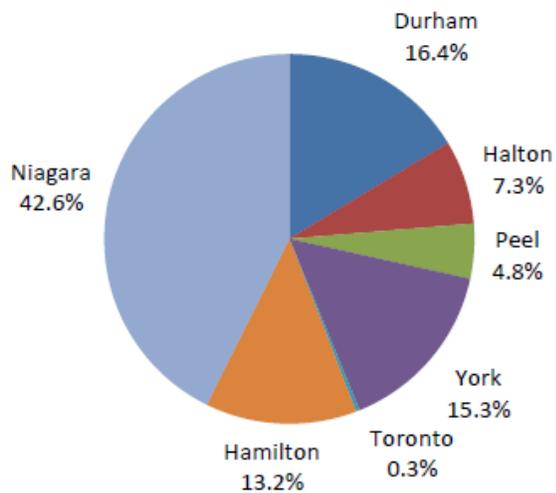
Total Number of Farms



Total Land Area of Farms



Gross Farm Receipts



Market Capitalization

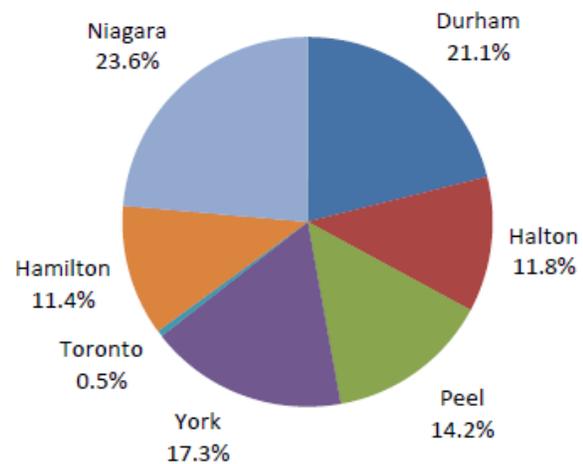


Figure 5: Farms in the Greater Golden Horseshoe (Source: Durham Region Planning and Economic Development Department, 2016 Agricultural Census)

The average size of farms in Durham Region has increased over time. Economies of scale and better farming practices have led to a consolidation of smaller farms within the Region which has been a common trend in Ontario and across the GGH (refer to Average Farm Size Graph). Over a third of farms in Durham Region are 53 hectares (130 acres) and larger (35.4 percent), with over 13.2 percent of all farms being at least 162 hectares (400 acres). The majority of farms are between 4 and 52 hectares (10 to 129 acres) (58.3 percent) (refer to Farm size in Durham infographic). Similar patterns for

farm size can be seen at the Provincial and Regional level.

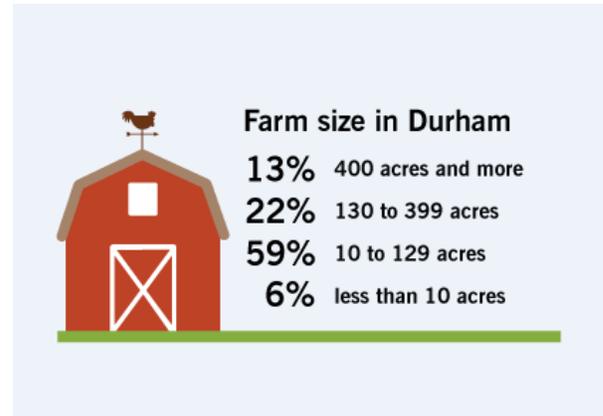


Figure 6: Farm Size in Durham (Source: Durham Region Planning and Economic Development Department, Statistics Canada Census)

Average Farm Size

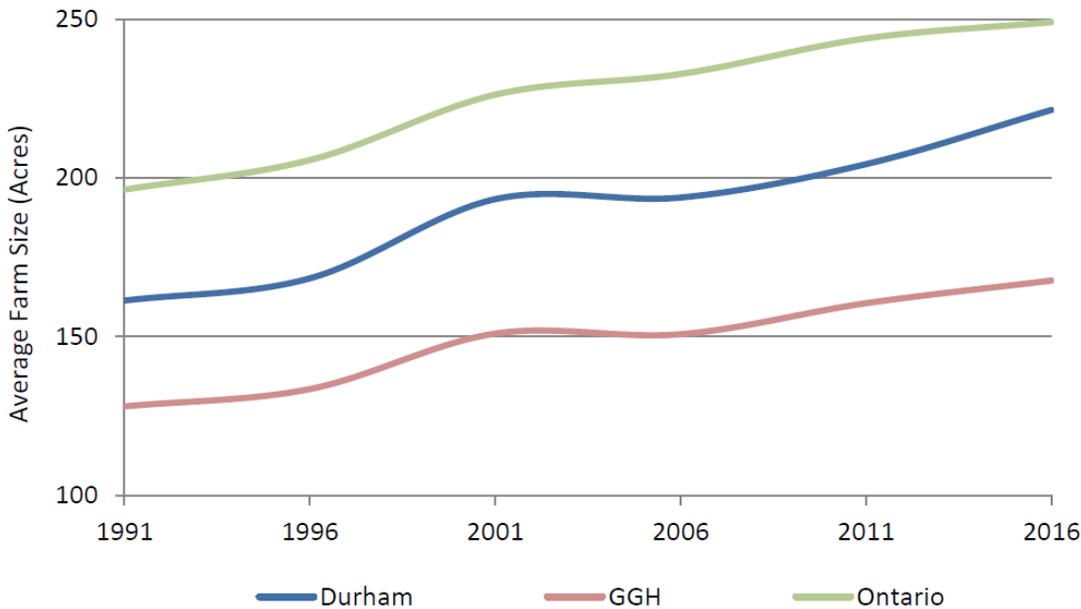


Figure 7: Average Farm Size (Source: Durham Region Planning and Economic Development Department, Statistics Canada Census)

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In Durham, the proportion of agricultural land that is owned by farm operators (68 percent) is much higher than throughout the GGH (51 percent). Durham has similar rates of ownership as the provincial (67.8 percent) and national (72 percent) averages. The remaining farm lands are crop shared, used for non-agricultural purposes, or leased to farmers by government and other residents and businesses that do not actively farm. The share of land in Durham that is leased (26.9 percent) is comparable to the provincial (21.2 percent) and national (26.2 percent) averages. Within the other Regions of the GGH, the percentage of land that is leased was significantly higher (41.8 percent).

Farm industries

Within Durham Region's agricultural sector, oilseed and grain farming (21 percent) and cattle ranching and farming (20 percent) are the predominant industry groups (refer to Farms in Durham Infographic). The cattle industry makes up nearly half of all animal

producing farms (41.8 percent), while oilseed and grain farming represents over a third of all crop farms (40.2 percent) in Durham Region. The following are other observations:

- The greenhouse, nursery and floriculture production industry represents a much larger share of farms in Durham (7.6 percent) when compared to the province as a whole (4.1 percent);
- Beef cattle represents over two thirds of all cattle farms (69.3 percent). Dairy cattle and milk production is also important, as 81 farms are dedicated to this industry;
- Horse and equestrian production is represents 28.2 percent of all animal farms.
- Within the oilseed and grain farming industry group, corn (34.2 percent) and soybeans (24.5 percent) are the dominant crops in the Region. Among other crops, hay farming also represents a significant proportion of all farms in Durham (19.8 percent).

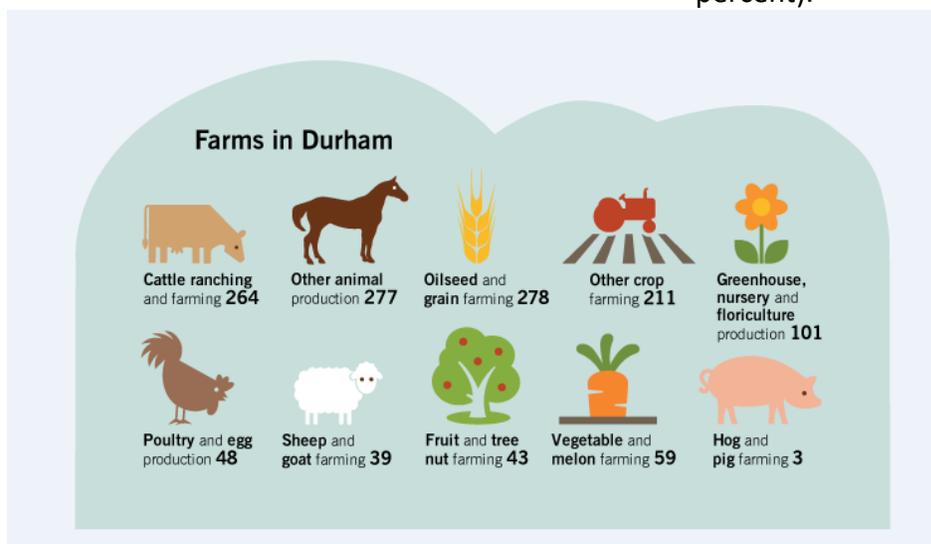


Figure 8: Farms in Durham (Source: Durham Region Planning and Economic Development Department, 2016 Agricultural Census)

Post-secondary educational programs

Local post-secondary institutions have established programming related to agriculture and food. The W. Galen Weston Centre for Food at Durham College was established in 2013 and offers programs in horticulture including horticulture technician and food and farming programs, as well as other programs. Trent University also recently established a Sustainable Agriculture and Food Systems Program. University of Ontario Institute of Technology offers programs in sciences and engineering.

Diversification and value-added agriculture

Today, farming is more diverse. The Region's recent Local Food Business Retention and Expansion Study found that many farms are diversifying to take advantage of widening market opportunities within the GGH. This includes farm experiences such as u-pick operations, corn mazes and the cultivation of agricultural products catering to the tastes of ethnic populations. The study also identified gaps and challenges such as a lack of food hubs, distribution networks, and processing facilities (including abattoirs and cold storage facilities).

Rural business growth

Since the last review, the shift toward a more knowledge-based economy has resulted in changes in the Rural Area. The Vibrant North Durham study found that Durham's Rural Area is experiencing growth in several industries including agriculture, manufacturing, arts and culture and professional businesses. These enterprises

are scattered across the region and contribute to the growing rural economy.



Photo 2: Tyrone Mill, Clarington (Source: Durham Region Planning and Economic Development Department)

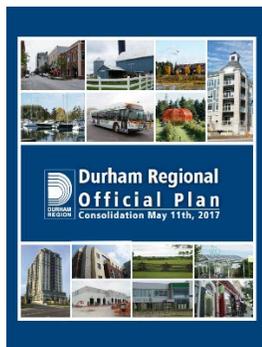
There has been a renewed interest in rural and agricultural tourism. Proximity to rapidly growing markets in the GTA have provided opportunity for growth in these sectors, as well as home-based businesses and opportunities for residents to work from home. However, some rural businesses have had a difficult time transitioning due to several factors, including lack of access to reliable broadband in rural areas and lack of serviced employment lands.

Loss of rural land

In 2003, Durham's Rural Area encompassed 214,200 hectares (529,300 acres) or approximately 85 percent of the Region's total land area. Since then, approximately 2,080 hectares (5,140 acres) of land were added to the urban areas of Whitby, Oshawa, and Clarington to allow for settlement area expansions to accommodate urban growth. Currently, the Rural Area is approximately 212,120 hectares (524,150 acres) or approximately 84 percent of Durham's total land area.

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Current Durham Regional Official Plan



The current ROP establishes broad land use goals and directions. Some of the directions that support agriculture and Durham's Rural Area include:

- Recognizing the distinction between Urban Areas and areas where agriculture and open space predominate;
- Encouraging developments that utilize land efficiently;
- Protecting agricultural lands;
- Supporting food security for all residents of the Region;
- Encouraging stewardship of land;
- Coordinating and managing the development of the Region in a manner that is consistent with provincial planning policies;
- Identifying and protecting resources in the Region; and,
- Limiting rural population growth.

The ROP also sets out goals specifically for the Rural System, which support:

- agriculture and aggregate extraction as key economic industries;

- existing rural settlements which support residential, social and commercial functions for the surrounding area; and,
- community food security.

Food Security:

Means a situation in which all community residents obtain a safe, culturally acceptable, nutritionally adequate diet through a sustainable food system that maximizes community self-reliance and social justice, and the ability of the agricultural community to support this system. (ROP, 2017)

The majority of survey respondents (52.9%) think that supporting local food security is "extremely important".

(Based on the Envision Durham Public Opinion Survey responses received at the time of writing this paper, 123 of 123 respondents).

Additional goals are also set out for the different designations (e.g. prime agricultural areas, rural settlement areas, etc.). The goals of the ROP are achieved through structural policies that provide direction on development within the rural land use designations. Through this review, these goals will be evaluated, and input on policies and approaches will be requested to lend greater support for rural businesses.

Discussion Question:

Are the current goals and directions for the Agricultural/Rural System still relevant/appropriate?

Since 2003, the Region received 65 applications to amend the ROP pertaining to lands in the Rural Area which can be classified as follows:

- 35 applications proposed the consolidation of non-abutting farm parcels, and allowed for the severance of a dwelling rendered surplus to a farm operation;
- 6 applications dealt with aggregate operations (5 expansions, 1 new);
- 3 applications were related to golf courses/driving ranges; and,
- other applications including for commercial or landscaping uses in the Rural Area.

The majority of these applications are approved; however, a few were closed or withdrawn by the applicant, and one was denied approval. Applications for site specific Regional official plan amendments in the Rural Area filed between 2003 and 2018 are shown on Rural Area ROPA Map, page 23.

Rural Area Land Use Designations

Durham's Rural Area includes all lands outside the Region's designated Urban Areas, and are covered by the following land use designations (refer to Durham's Rural Area, page 24):

- Prime Agricultural Areas;
- Major Open Space, Oak Ridges Moraine, and Waterfront;
- Rural Settlements, including Hamlets, Country Residential Subdivisions, Rural Employment Areas and Shoreline Residential Areas;
- Regional Nodes;
- Aggregate Resource Extraction areas; and,
- Various Specific Policy Areas, the Darlington Nuclear Station and the Federal Airport Lands.

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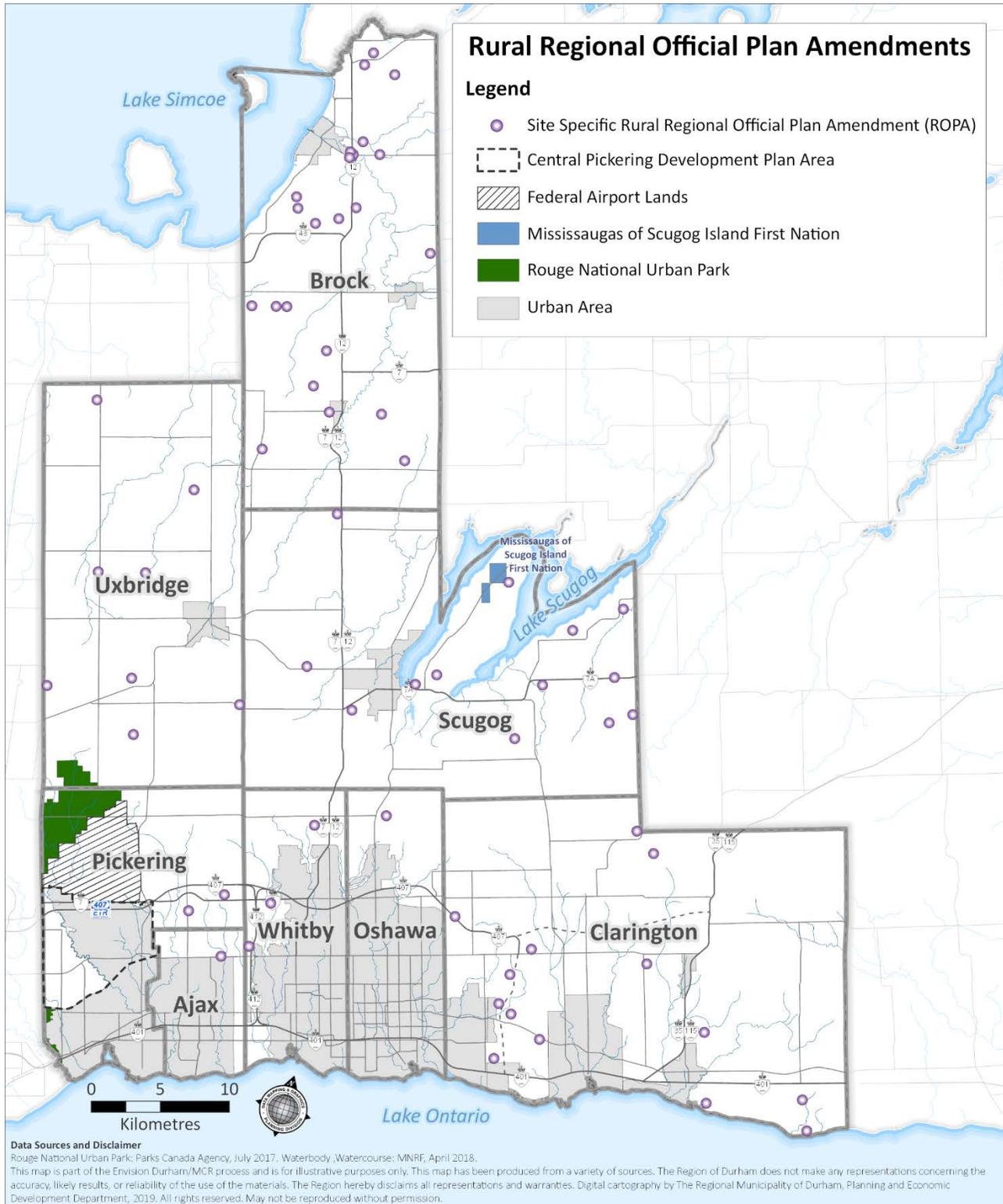


Figure 9: Rural Regional Official Plan Amendment Map

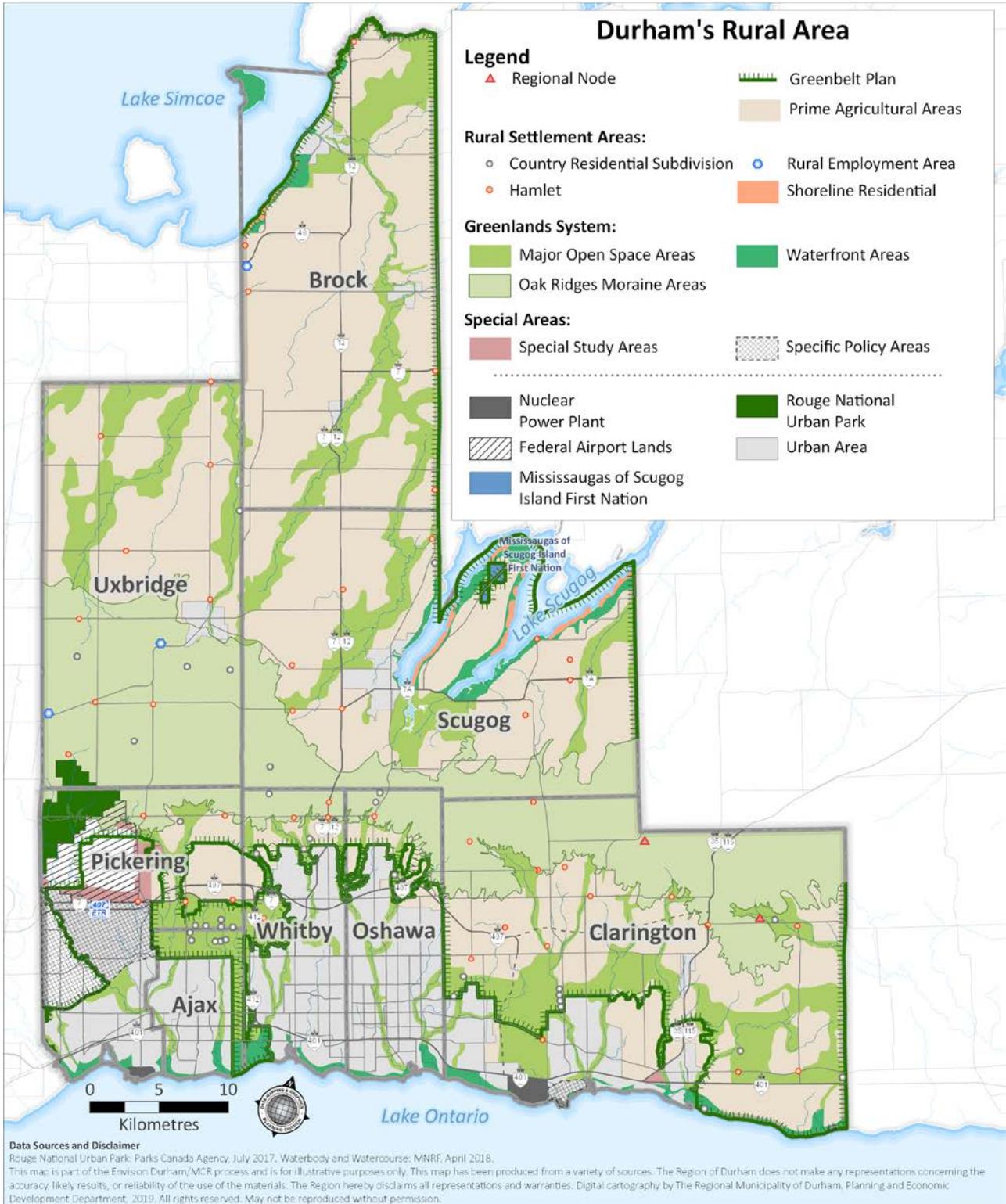


Figure 10: Durham's Rural Area

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The following table shows a breakdown of the components of the Region's Land Base:

Table 1: Region's Land Base

Description / ROP Designation	Estimated Area (hectares)	Estimated Area (acres)	Percentage of Total Region
Urban Area*	41,500	102,500	16.36
Rural Area	212,120	524,150	83.64
Prime Agricultural Areas	101,400	250,600	39.98
Major Open Space System	48,000	118,600	18.93
- Major Open Space**	43,100	106,500	16.99
- Shoreline Residential	700	1,700	0.28
- Waterfront Areas**	4,200	10,400	1.66
Oak Ridges Moraine	51,800	128,000	20.42
Rural Settlement Areas	3,900	9,600	1.54
- Hamlets	2,900	7,200	1.14
- Country Estate Residential Subdivisions	900	2,200	0.36
- Rural Employment Areas	100	200	0.04
Special Areas	7,020	17,350	2.77
- Special Study Areas	1,200	3,000	0.47
- Specific Policy Areas (A, C):	-	-	-
A – Duffins/Rouge Agricultural Preserve	2,100	5,200	0.83
C – Port Granby	20	50	0.01

Description / ROP Designation	Estimated Area (hectares)	Estimated Area (acres)	Percentage of Total Region
- Darlington Nuclear Plant	500	1,200	0.20
- Federal Airport Lands	3,200	7,900	1.26
<i>Aggregate Resource Extraction Areas***</i>	<i>3,800</i>	<i>9,400</i>	-
Regional Total	253,620	626,650	100

Source: Durham Region Planning and Economic Development Department

Note: numbers and percentages may not add due to rounding / area conversion

* Urban Area includes Columbus (ROP Deferral 12), parts of Orono (ROP Deferral 4), the Seaton portion of Specific Policy Area 'A', St. Mary's Cement Specific Policy Area 'B', and Special Study Areas 3, 4, 5, and 6. It also includes the Waterfront Areas and Major Open Space which fall within the Urban Area.

** Excludes areas already captured by the Urban Area

*** Aggregate Resource Extraction Areas are excluded from the overall land count, as the underlying designation captures these areas. The area totals have been calculated using Table 'E1' of the Regional Municipality of Durham's Official Plan, 2017.

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Policy Considerations

The following are some of the policy considerations which will be considered for agricultural and rural areas as part of Envision Durham.

Updates to Provincial Minimum Distance Separation Formulae and Guidelines

The Minimum Distance Separation (MDS) Formulae were developed by the Province to separate uses and to reduce incompatibility concerns stemming from odour impacts from livestock facilities. The formulae are based on:

- The type of livestock housed;
- Potential number of livestock housed;
- Percentage increase in the size of the operation;
- Type of manure system and storage; and,
- Type of encroaching land use.

The MDS Formulae and Guidelines were updated in 2017. There are various approaches that the Region can undertake to achieve consistency with the PPS, including:

- Adopting the entire MDS Document as a schedule or appendix;
- Adopting only the definitions (Section 3), Implementation Guidelines (Section 4), and Factor tables (Section 5) in a schedule or appendix; or
- Including a text reference to this MDS Document in official plan policies or zoning by-law provisions, including clauses such “as amended by the Province from time to time”.

The Region currently addresses MDS in line with the last approach noted above. Preliminary discussions with the area municipalities indicate a staff preference for flexibility to implement MDS at the local level. Through the MCR, the Region will continue to consult to determine whether any policy refinements may be needed.

While the MDS formulae is an important tool for reducing impact of odour between the agricultural uses and sensitive receptors, it does not account for other potential issues related to operations including noise, dust, trespass, harassment of livestock, conflicts around use of farm machinery, bio-security, invasive plants, liability, litter, vandalism, privacy, or the safety of future residents.

Changes to the MDS Formulae and Guidelines in 2017 included minor changes to definitions, technical revisions that affect when and how the MDS Formulae are applied and from where they are measured; and, implementation guidelines for municipalities to address matters including setbacks for building permits on existing lots, setbacks and lot creation for a residence surplus to a farming operation, setbacks for secondary on-farm and agriculture-related uses, and setbacks for cemeteries.

Discussion Question:

Are there aspects of Minimum Distance Separation or other considerations that you would like to see addressed in greater detail in the ROP?

The urban/rural interface



Photo 3: Farmer's Field Next to Subdivision (Source: Durham Region Planning and Economic Development Department)

The interface between urban/rural uses, as well as fragmentation of agricultural land continue to be concerns. Growth of settlement areas, an increase in non-farm rural residents, and the intensification and diversification of agricultural operations generate unique challenges where these diverse land uses come together. The 2014 PPS directs that agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices should be promoted and protected in accordance with provincial standards.



Photo 4: Farm Operation Next to Subdivision (Source: Durham Region Planning and Economic Development Department)

Preventing land use conflicts in these areas requires proactive policy measures. Some municipalities have adopted edge planning guidelines. The Region has undertaken a preliminary scan of other jurisdictions ranging from the Province of British Columbia, City of London, and Region of Waterloo, as well as the approaches being undertaken by other Regional Municipalities in the GTA.

Normal Farm Practices:

Means a practice, as defined in the Farming and Food Production Protection Act, 1998, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with the Nutrient Management Act, 2002, and regulations made under that Act.

Through Envision Durham, the Region will continue to review and consider best practices such as requiring agricultural impact assessments, providing adequate distance separation, setbacks, or how to incorporate appropriate intervening land uses between urban and rural land uses; natural buffers; landscaping; and education for property owners including resources provided through OMAFRA. Working closely with the area municipalities, the Region will determine how these approaches might best be applied at the regional and local levels through policy, or whether the development of edge planning guidelines similar to those developed or are under development (within

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Peel and York Regions for example) should be established.

Discussion Question:

In what ways do you believe the Region should address the potential for land use conflicts arising between urban and rural uses?

Urban Agriculture



Photo 5: St. Andrews Garden, Ajax (Source: Town of Ajax)

Urban agriculture generally refers to the production, processing, and distribution of food in urban areas, typically in smaller spaces and different scales than traditional agriculture. Urban agriculture can take place within many contexts including, urban, near-urban, rural, and rural settlement areas. Common aspects of urban agriculture include:

- community gardens;
- urban farms;
- rooftop gardens;
- greenhouses or vertical farming;
- aquaponics;
- beekeeping; and,
- the keeping of backyard chickens.

Since 2003, there has been an emergence of urban agriculture in Durham. Both public and private community gardens have been established, as well as other urban agriculture projects, led largely by community groups and efforts, however, urban agriculture can be volunteer or for-

profit.



Photo 6: Hebron Community Garden, Whitby (Source: Durham Integrated Growers)

The benefits of urban agriculture also extend into the realms of public health, food security, environmental sustainability, community development, and the economy. Ensuring that food production can flourish in both rural and urban areas can open untapped food supply chains, diversify sources from which food products are grown and obtained, and increase access to local, sustainable food. The province also recommends that urban agriculture be recognized as part of the Region’s Agricultural System.



Photo 7: Mary Street Community Garden, Oshawa (Source: Durham Integrated Growers)

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A policy scan was undertaken by the Durham Integrated Growers for a Sustainable Community in 2016, entitled “Digging for a Just and Sustainable Food System: A Scan of Municipal Policies Influencing Urban Agriculture Projects across Durham Region”.² A subsequent workshop was held with municipal staff from across the Region and a summary document was prepared entitled, “Cultivating the Conversation: Urban Agriculture Policy Workshop Summary Report”.³ Some of the local policy challenges and barriers identified included:

- Lack of existing policy framework - few policies in place for forms of urban agriculture other than community gardens, including greenhouses, rooftop gardens, and urban farms;
- The keeping of bees and hens within urban areas is prohibited across the region;
- Approaches to urban agriculture and food system policy in Durham region are divided along urban/rural lines;
- Variable or lack of municipal staff knowledge regarding urban agriculture;
- Urban agriculture policy development is in an infant stage compared to urban agriculture project development; and,
- Existing or older policies and by-laws create barriers to the establishment of urban agriculture uses.

The Region can provide policy support for urban agriculture through a variety of measures, including:

- Clearly defining urban agriculture and expanding the agricultural focus to recognize urban agriculture as being a part of the Region’s Agricultural System;
- Providing high-level policy support within the ROP (goals and objectives) to:
 - Urban Agriculture;
 - Food Security; and
 - Durham Food Charter.
- Incorporating permissions for the establishment of urban agriculture uses within appropriate land use designations;
- Encouraging the use and/or interim use of marginal, excess, or underutilized private and public lands for urban agricultural purposes;
- Encouraging area municipalities to support urban agriculture through policies and mapping as suggested by the Province’s guidance documentation.

²Digging for a Just and Sustainable Food System: A Scan of Municipal Policies Influencing Urban Agriculture Projects across Durham Region <https://static1.squarespace.com/static/555e0f61e4b0d488441001b4/t/58863a1fff7c505d7c16d6a9/1485191762061/DIG+-FINAL+Urban+Ag+Policy+Scan+%28Nov+17+2016%29.pdf>

³ Durham Integrated Growers. Cultivating the Conversation: Urban Agriculture Policy Workshop Summary Report, <https://static1.squarespace.com/static/555e0f61e4b0d488441001b4/t/5a771e5953450ac9095fa7ee/1517756000485/Cultivating+the+Conversation+UA+Policy+Workshop+Summary+Report+%28Nov+2017%29+%28003%29.pdf>



Photo 8: Whitby/Ajax Community Garden (Source: Durham Integrated Growers)

Through Envision Durham, the Region will engage in further discussion with area municipalities to ensure that any unnecessary policies that could impede urban agriculture are minimized.

Discussion Question:

What measures can the Region take to support urban agriculture through policy in the ROP?



Photo 9: We Grow Food, Cordova Neighbourhood Garden, Oshawa (Source: City of Oshawa)

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Renewable Energy



Photo 10: Ganaraska Windfarm (Source: Jason Liebrechts Metroland)

The Green Energy Act came into effect in 2009 and in response to that legislation, Durham Region became home to several renewable energy projects in the Rural Area. These projects support the Region's overall renewable energy objectives, including solar and wind projects in Brock, Clarington, Scugog, and Uxbridge.

Recently, the Green Energy Act was repealed, including the feed-in-tariff program which supported the financial viability of these projects. The repeal of the feed-in tariff program could have a range of implications for Durham's rural communities and the agricultural industry. Many farmers in Durham utilized financial incentives associated with hosting a renewable energy project offered under the former Green Energy Act to support their farm operations. Upon the expiry or cancellation of the associated electricity contracts, property owners who host these projects will have to find other sources of revenue.

Because of the Act's repeal, municipalities may now need to consider and develop local criteria for the siting of renewable energy projects. Regarding the siting of renewable

energy projects in rural areas, considerations could include mandating the avoidance of prime agricultural lands as was previously required in the Province's siting considerations, or that applications require an AIA.

Through the MCR process and the development and implementation of the Durham Community Energy Plan, the Region will continue to work with area municipalities and the community to explore this matter. Renewable energy will also be discussed in further detail in the Climate Change and Sustainability Discussion Paper.

Rouge National Urban Park



Photo 11: Farming in the Rouge National Urban Park (Credit: Scott Munn/©Parks Canada / Rouge National Urban Park)

In 2011, the Federal Government committed to work towards the establishment of the Rouge National Urban Park (RNUP). Once completed, the Park will be the largest urban park in North America. Numerous successive land transfers/agreements from all levels of government as well as the Toronto and Region Conservation Authority have taken place since the announcement, with approximately two-thirds of the Park currently under Parks Canada administration.

The RNUP spans the jurisdictions of the City of Toronto, the City of Markham within York Region, and the City of Pickering, and the Township of Uxbridge within Durham Region. Once all land transfers are completed, the Park will encompass an area of approximately 79 square kilometres of which approximately 22 square kilometers are located within Durham Region.

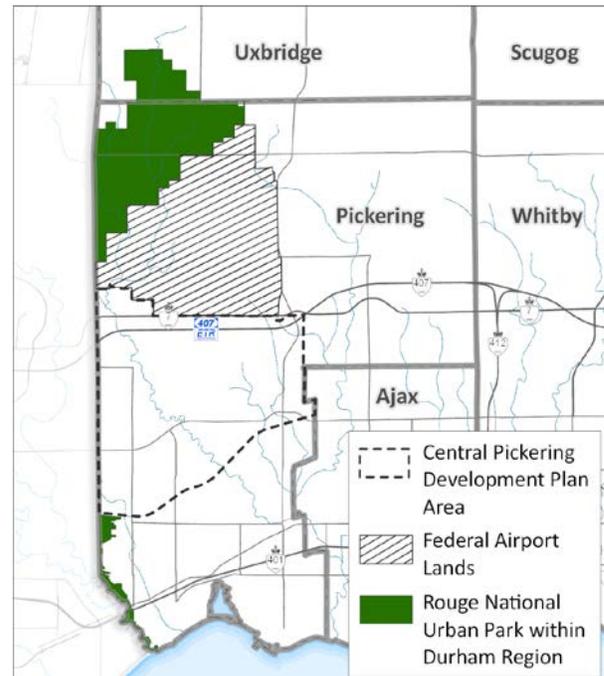


Figure 11: Map of Rouge National Urban Park Boundary in Durham Region (Source: Regional Municipality of Durham)

The Park is comprised of environmental lands, agricultural landscapes, and cultural resources. Agricultural lands within the Park are leased for farming. Some of the farmers and their families in the Park have been farming in the Rouge Valley since 1799.⁴

A draft Management Plan was developed in 2014. The Management Plan will provide guidance on how the lands are to be managed by Parks Canada for a 10-year period. The Plan was finalized in early 2019 and is currently awaiting final approval from the Federal Government.

Through Envision Durham, the ROP will be updated to recognize the RNUP, including whether planning for the lands surrounding

⁴ Parks Canada, <https://www.pc.gc.ca/en/pn-np/on/rouge/info/jalons-milestones>

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RNUP should consider the Management Plan, account for connections to and through the Park, and how it can support agriculture both within and surrounding the RNUP.

Specific Policy Areas

There are Specific Policy Areas in the ROP that apply to unique areas in the Region (refer to Durham’s Rural Area Map, page 24). These Areas are described below.

Specific Policy Area A - Duffins/Rouge Agricultural Preserve and Seaton

Specific Policy Area A includes the Duffins/Rouge Agricultural Preserve and Seaton which are located within the City of Pickering.

Lands east of Duffins Creek represent the new community of Seaton and are within the Urban Area, which is not the subject of this Discussion Paper. The lands to the west of Duffins Creek are in the Rural Area and within

the Greenbelt, representing the Duffins/Rouge Agricultural Preserve. On April 17, 2003, the Minister of Municipal Affairs and Housing signed an order under the Ontario Planning and Development Act, 1994 establishing a Development Planning Area covering the Pickering portion of the Duffins Rouge Agricultural Preserve and the Seaton lands. On May 3, 2006, the Province released the CPDP for this area (refer to Provincial Plan Areas in Durham Region Map, page 9).

Policies within the ROP for Specific Policy Area A were intended to support the protection of the Duffins/Rouge Agricultural Preserve in accordance with the CPDP. The Greenbelt Plan prohibits consideration of urban area expansion into the Duffins/Rouge Agricultural Preserve.

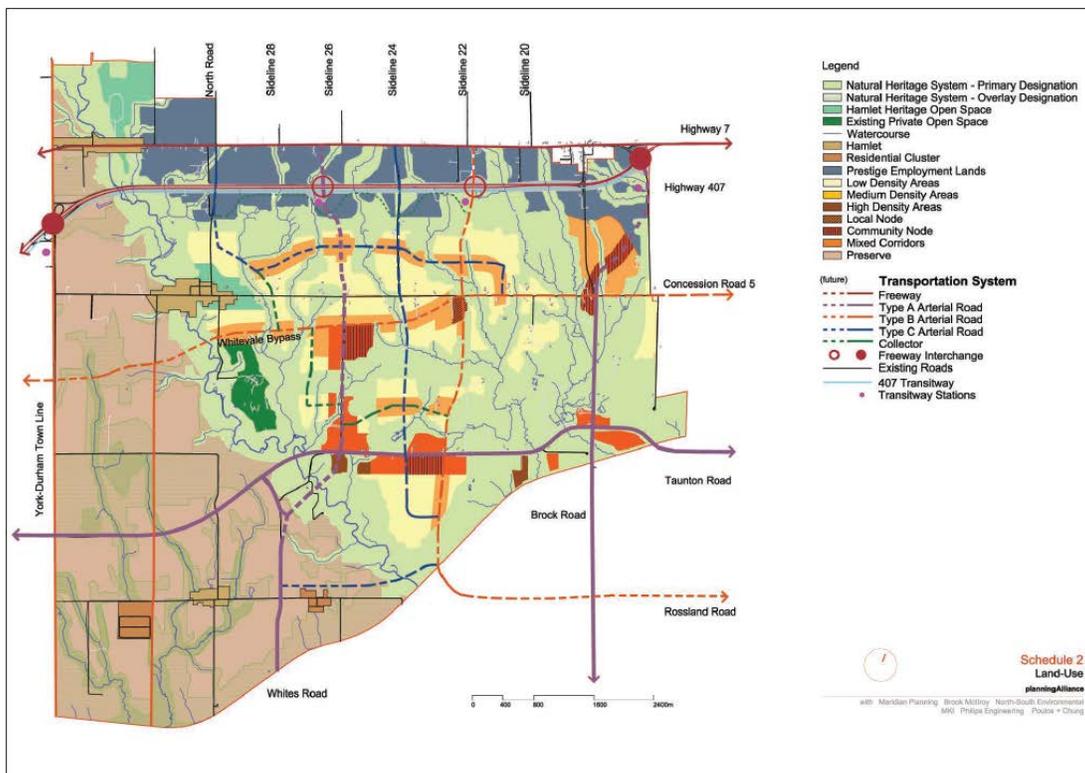


Figure 12: Land Use Schedule, Central Pickering Development Plan

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Specific Policy Area B – St. Marys Cement

Specific Policy Area B applies to the licensed aggregate extraction area and the cement manufacturing facility operated by St. Marys Cement located on the Lake Ontario waterfront in the community of Bowmanville in the Municipality of Clarington. This is the only aggregate extraction site located within in the Urban Area and addressed as a Specific Policy Area. Policies in the ROP permit the aggregate operation and speak to waterfront planning, future rehabilitation, and possible future establishment of a harbour at this location.

In 1991 this Specific Policy Area was appealed to the Ontario Municipal Board by the Port Darlington Community Association. In 1997 a resolution was passed by the Municipality of Clarington approving a “Principle of Understanding” between the municipality and the aggregate company. In 2001, Durham Regional Council recommended that the modified deferral be approved based on agreement from all involved groups, except for one portion of the policy related to the expansion of the dock facility. Through Envision Durham, the Region will be investigating this deferral further as part of the review of Specific Policy Areas, as well as how aggregate extraction areas are depicted in the ROP.

Specific Policy Area C – Port Granby

Specific Policy Area C applies to lands containing a historic waste management facility, licensed by the federal government for low-level radioactive waste. The site is located on 270 hectares (667 acres) of

federally owned lands in the southeastern corner of the Municipality of Clarington, of which 251 hectares (620 acres) are in Clarington.

Since 2016, the Federal Government has undertaken a substantial clean-up initiative intends to relocate the low-level radioactive waste and contaminated soils from the Port Granby Waste Management facility (shown on ROP Schedule ‘A’) to a new, long term waste management facility, located 1 km north of the existing site.

Construction of the new facility began in 2016 and is expected to be completed in 2021. The Municipalities of Clarington and Port Hope, together with the Ganaraska Region Conservation Authority (GRCA) are seeking to establish a nature reserve on the lands surplus to the Port Granby waste facilities. In 2015, the Port Granby Nature Reserve Alliance Working Group, made up of the Municipalities of Clarington and Port Hope, along with the GRCA and the South East Clarington Ratepayers Association developed a Management Plan for the Port Granby Nature Reserve entitled “Nature Reserve: Realizing the Vision” which was endorsed by the Municipal Councils and the GRCA Board and was submitted to the Federal Government for consideration.

Through Envision Durham, the Region will review and update the Specific Policy Area policies and mapping where necessary, to reflect changes in these areas and local official plan policies and will consider whether other supportive policies and approaches should be included.

Discussion Question:

Are there additional areas we should consider identifying as Specific Policy Areas?

Planning Considerations

The following are considerations specific to Agricultural Areas which will be considered through the Envision Durham exercise.

Prime Agricultural Areas

The existing Prime Agricultural Areas designation in the ROP consists of areas where prime agricultural lands predominate, comprising the highest quality of soil classification, identified under the Canada Land Inventory (CLI) as Classes 1 to 3 soils. These areas also include soils of lesser agricultural significance (CLI Classes 4 to 7) and areas where there are local concentrations of farms which exhibit characteristics of ongoing agriculture. Prime Agricultural Areas are shown as a designation in the ROP (refer to Durham's Rural Area Map, page 24) and comprise approximately 40 percent of the total land base of the Region.

The ROP established the following goals for Prime Agricultural Areas:

- To protect and maintain agricultural land for future generations; and,
- To support a healthy and productive agricultural industry as an important element to the Region's heritage, identity and its economic base.

Permitted uses within Prime Agricultural Areas include a full range of agricultural, agricultural-related and secondary uses. The establishment of non-agricultural uses in Prime Agricultural Areas are currently limited to forest, fish and wildlife management, conservation, infrastructure, aggregate extraction, existing uses, in accordance with the policies of the ROP, and the Oak Ridges Moraine Conservation Plan and Greenbelt Plan, where applicable.

The 2017 Growth Plan, Greenbelt Plan, and Oak Ridges Moraine Conservation Plan introduced policy requirements for Agricultural Impact Assessments (AIAs) that provide support for the long-term prosperity of agriculture. AIAs are required for certain types of development including, settlement area boundary expansions, infrastructure, and mineral aggregate operations within prime agricultural areas. Where AIAs are not required by the provincial plans, they are encouraged as a tool to identify and evaluate the potential impacts of non-agricultural development on agriculture and suggest recommendations to avoid or mitigate impacts to agriculture.



Photo 12: A farmer standing in his field (Source: Durham Region Planning and Economic Development Department)

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Staff's review of the changes to Provincial policy have revealed that changes are likely to be required to address Prime Agricultural Areas. This includes:

- A broadening of goals and policies to:
 - Permit all types, sizes and intensities of agricultural uses;
 - Recognize normal farm practices;
 - Recognize the agri-food network;
 - Reference provincial guidance where appropriate;
 - Discourage non-agricultural uses;
 - Further address compatibility by requiring AIAs where appropriate and necessary;
 - Eliminate the requirement for agricultural products to be sourced from the farm unit upon which a farm stand is situated.

There are also a series of definitions such as: Agricultural uses, Agriculture-related uses, On-farm diversified uses, Agri-business, Agri-tourism, and Secondary uses which need to be introduced, removed, or refined.

The PPS defines Agriculture-related uses as those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations and provide direct products and/or services to farm operations as a primary activity.



Photo 13: Farm produce stand (Source: Durham Region Planning and Economic Development Department)

Since 2003, there have been proposals for new Agriculture-related uses in Durham which include: proposals for a dry grain processing mill, an on-farm brewery/cidery, and retail sales of food grown/raised on the farm.

Agricultural uses: means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment. (PPS, 2014)

The PPS defines On-farm diversified uses as uses that are secondary to the principal agricultural use of the property and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products.



Photo 14: Apple orchard in Durham (Source: Durham Region Planning and Economic Development Department)

Proposals for new on-farm diversified uses in Durham since 2003 include: an on-farm restaurant, overnight accommodation, spa, educational tours, and weddings and other special events.

Managing the scale (i.e. size) of on-farm diversified uses, as well as ensuring these uses remain secondary to the primary agricultural function of the property, has become challenging as some uses can generate increased traffic, noise, and other impacts to adjacent agricultural operations and rural residences.

There has also been increased interest in other types of activities such as aquaponics (fish farming). In addition, development of cannabis production operations have

occurred in the wake of recent legalization in Canada. These types of uses may be considered as agricultural or agricultural-related uses and permitted as of right within prime agricultural areas, however, they also pose unique challenges related to size and scale of the operations, water usage and proximity to residential uses.

Agricultural Impact Assessment (AIA):

An Agricultural Impact Assessment is a study that evaluates the potential impacts of non-agricultural development on agricultural operations, and the Agricultural System and recommends ways to avoid or, if avoidance is not possible, minimize and mitigate adverse impacts. (Greenbelt Plan, 2017)

Discussion Question:

Is there criteria that should be considered when siting “new” types of agricultural-related and on-farm diversified uses?

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Major Open Space Areas

The existing ROP includes a Major Open Space (MOS) System as a continuous system of open space lands woven through the Region. It serves to define the boundaries of distinct urban areas, supports the ecological health of the Region, and protects environmental areas and their functions.



Photo 15: Recreational activities (Source: Durham Region Planning and Economic Development Department)

Within this designation, the following uses are permitted: conservation uses and a full range of agricultural, agricultural-related and secondary uses. In addition, the establishment of non-agricultural uses, including agri-business, cemeteries, major recreational uses, commercial kennels and landscape industry uses may be considered subject to the policies of this Plan, and the Greenbelt Plan. Area municipal official plans may further distinguish between non-agricultural uses which are compatible with the character of the Major Open Space Areas in urban and rural areas.

Lands designated as open space in the Rural Area are intended to be the focus for agricultural uses, environmental stewardship

and conservation, and recreation opportunities of a passive nature. These open space areas support the Regional structure envisaged by the Plan, by providing undeveloped land between urban areas (urban separators) and supporting an ongoing fundamental planning principle of clearly distinguishing between urban and rural areas.

In contrast, designated open space areas in urban areas are intended to focus on both active and passive recreational uses and environmental protection, and do not function as urban separators.

Much of the Region's Major Open Space designation has been identified as Prime Agricultural Land in the Province's recently released Agricultural System. Consequently, it is anticipated that the Region's Major Open Space designation could be significantly reduced. The Province has also indicated a preference for lands within the Rural Area that are not considered to be prime agricultural lands to be referred to as "rural lands".

The Major Open Space System and designation form part of the Region's Greenlands System which will be discussed further in the Environment/Greenlands Discussion Paper. This Paper is scheduled to be released later in 2019. There is significant overlap between areas where Major Open Space predominates and the Agricultural/Rural System (refer to Durham's Rural Area Map, page 24) Approximately 19 percent of the total land base of the Region is designated Major Open Space Areas.



Photo 16: Recreational activities (Source: Durham Region Planning and Economic Development Department)

Through Envision Durham, the Region will consider whether to have a “Rural Lands” designation in the Rural Area and a separate environmental designation, or a Rural Lands designation with environmental policies.

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Provincial Agricultural System

In 2018, the Province released a Provincial Agricultural System (refer to Provincial Agricultural System Maps, pages 47 and 48). The Agricultural System is defined as the system mapped and issued by the Province, comprised of a group of inter-connected elements that collectively create a viable, thriving agricultural sector. It has two components:

- a) an agricultural land base comprised of prime agricultural areas, including specialty crop areas, and rural lands that together create a continuous, productive land base for agriculture; and
- b) an agri-food network, which includes infrastructure, services and assets important to the viability of the agri-food sector.

The Provincial Agricultural System is comprised of Prime Agricultural Lands (CLI Classes 1 to 3) plus other associated Classes 4 to 7 lands and additional areas where there is a local concentration of farms with characteristics of ongoing agriculture.

For the purposes of the agricultural land base mapping, the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) undertook a Land Evaluation Area Review (LEAR) and identified:

- 1) Areas already designated as prime agricultural areas in approved official plans;

- 2) Additional areas identified by OMAFRA as meeting the definition of prime agricultural areas; and,
- 3) Candidate areas for the agricultural land base that were equal to or larger than 250 hectares (617 acres) that are in agricultural production and received medium LEAR scores.

There are considerable differences between the Province’s Agricultural System mapping and the Prime Agricultural Areas designation in the current ROP. Many of the lands currently designated as Major Open Space Areas in the ROP have been identified by the Province as Prime Agricultural Areas or as candidate lands for adding to the Agricultural System.

The Province’s Agricultural System mapping is intended to be reviewed and refined by single and upper-tier municipalities during the MCR process.

Agri-Food Network



Photo 17: Screenshot of OMAFRA Agricultural Portal

The Greenbelt and Growth Plan encourage municipalities to plan for the success of the agri-food sector, by recognizing and supporting the agri-food network. The Agri-Food Network is defined as:

“A network that includes elements important to the viability of the agri-food sector such as regional infrastructure and transportation networks; on-farm buildings and infrastructure; agricultural services, farm markets, distributors and primary processing; and vibrant, agriculture-supportive communities.”

Elements of the agri-food network are not limited to Prime Agricultural Areas. Urban agriculture may also form part of the Agricultural System which can be mapped by municipalities, and their link to the broader Agricultural System recognized. The Province has recommended that Rural lands (i.e. those designated as Major Open Space Areas in the ROP) include policies that specify all areas in agricultural production and areas that support elements of the agri-food network be defined as being part of the Agricultural System.

The Province’s implementation procedures also suggest that OMAFRA’s Agricultural System Portal or other local Agri-Food Asset Mapping be included as an appendix to an Official Plan and/or as part of an accompanying economic development strategy. The Durham Region Economic Development Division, partnered with the Greater Golden Horseshoe Food and Farming Alliance (GGHFFA) and several other municipalities, to develop agri-food asset mapping. Hosted through an online portal controlled by the GGHFFA. The focus of this mapping was primarily for economic development purposes. An update to this mapping is planned for the Spring of 2019 and will consider the use of agri-food asset mapping more broadly. The Region also conducts an annual Business Count which can

be referenced in the development of agri-food asset mapping.

As part of Envision Durham, consideration to whether to incorporate the agri-food network into the ROP. Some of the proposed changes could include:

- Recognizing the agri-food network as part of the Agricultural System;
- Encouraging area municipalities to recognize urban agriculture as part of the Agricultural System and mapping urban agriculture in local Official Plans as recommended by the Province; and,
- Including Agri-food Asset Mapping as an Appendix to the ROP.

Refinement of the Agricultural/Rural Land Base

The Region will rely on the Province’s LEAR for the purposes of this MCR. Through Envision Durham, the Region will evaluate and refine, where appropriate, the Provincial Agricultural System based on the following general approaches:

- Lands which are currently designated in the ROP as “Prime Agricultural Areas” and which are identified as Prime Agricultural Areas in the Provincial Agricultural System would not be changed (refer to Provincial Agricultural System Maps, pages 47 and 48);
- Lands designated as Prime Agricultural Areas in the ROP but have not been identified in the Provincial Agricultural System will be reviewed to determine whether they should remain designated as Prime Agricultural Areas, or whether

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- they should be re-designated as Major Open Space Areas or Rural Lands; and,
- Refinements to Prime Agricultural Areas mapped in OMAFRA’s land base map will be considered against the Province’s criteria for refinement as outlined in their Implementation Procedures.

Candidate Lands

Through the MCR process, the Region will work closely with area municipalities to consider Provincially identified Candidate Lands (identified on Provincial Agricultural System Mapping, pages 49 and 50) and other lands should be included as prime agricultural areas. These candidate areas could be added to Prime Agricultural Areas or designated as Rural Lands (Major Open Space Areas).

OMAFRA identified candidate areas for the agricultural land base as areas that are equal to or larger than 250 hectares (617 acres) which received medium LEAR scores and are in agricultural production (based on Agriculture and Agri-Food Canada's Annual Crop Inventory).

The following considerations will be given to Candidate Lands:

- Where these lands are included in an agricultural designation in the area municipal official plan, these lands could be included as Prime Agricultural Areas in the ROP, subject to consultations with the area municipality;
- Candidate lands not included within an agricultural designation in the area municipal official plan will be reviewed and considered based on:

- Whether the land is currently being used for agriculture;
- Natural Heritage/Hydrologic Features and System Mapping – certain lands containing environmental features may be more appropriately designated or left as Major Open Space/Rural Lands;
- Provincial LEAR information; and,
- Soil Data.

Other matters for consideration

As a best practice, the Province has recommended that existing non-agricultural uses within the prime agricultural area be designated as a prime agricultural area with a site-specific exemption policy permitting the existing non-agricultural use. The Region will review existing site-specific exemptions to determine how best to treat such uses in light of the Province’s recommended approach.

The Implementation Procedures indicates that existing approved but undeveloped employment areas in prime agricultural areas be assessed at the time of development, for impacts to the Agricultural System. The Procedures indicate that where non-agricultural uses cease, or where it is determined the lands are not required, the prime agricultural areas designation should apply.

The Province’s Agricultural System identifies lands in the Town of Whitby and the City of Oshawa (currently under appeal and subject to ROP Policy 14.13.7), as well as the East Orono Employment Area in the Municipality of Clarington as Prime Agricultural Areas. These lands will be reviewed, and any

refinements would reflect a future decision of the Local Planning Appeal Tribunal.

Finally, the Region will undertake an edge mapping exercise for the Prime Agricultural Areas designation to evaluate whether the Durham's current Major Open Space Areas designation should be adjusted, or if a new Rural Lands designation should be established.

Discussion Question:

Are there any additional considerations the Region should have regard for in the refinement of the Agricultural System mapping?

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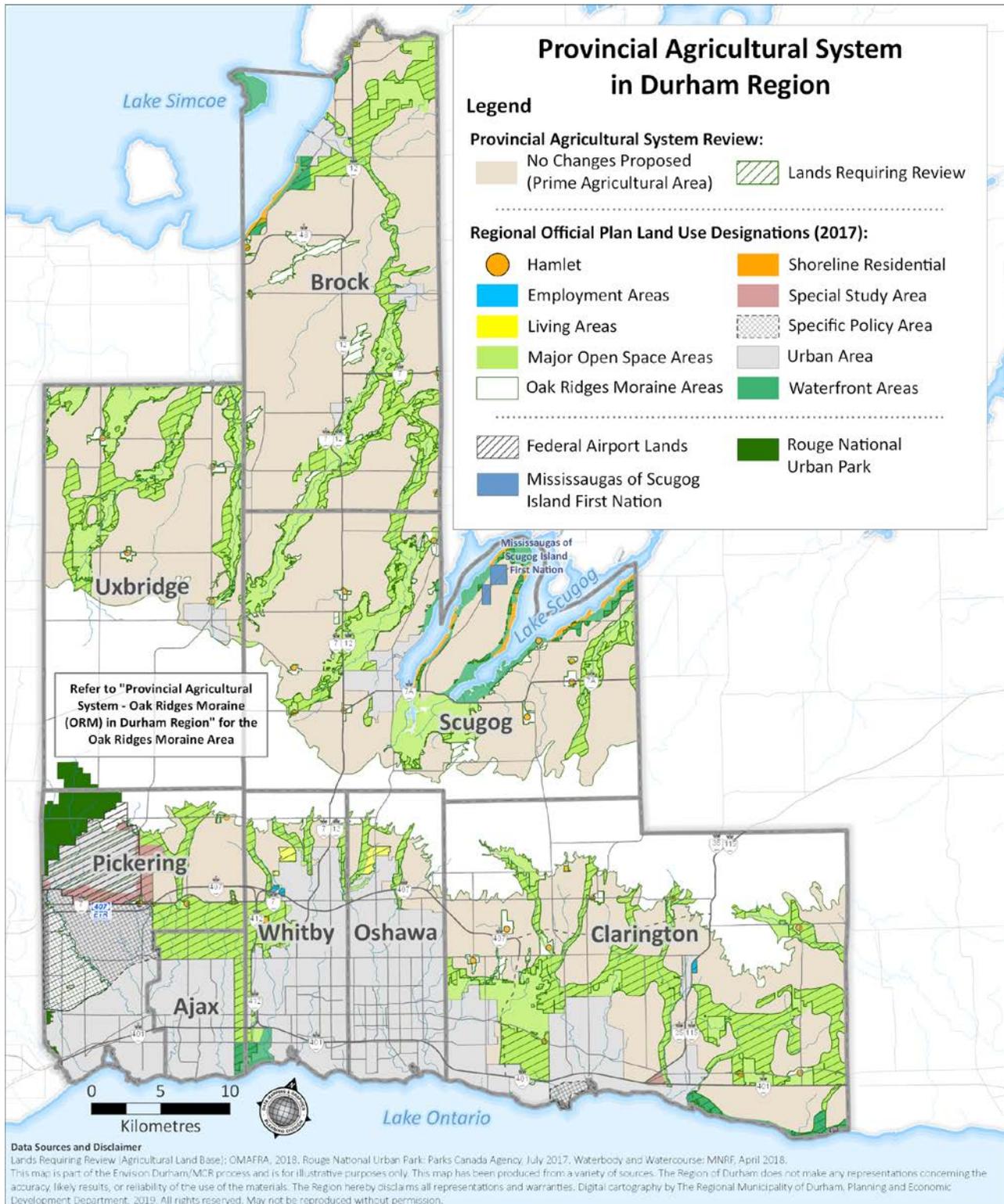


Figure 13: Map of Provincial Agricultural System in Durham Region

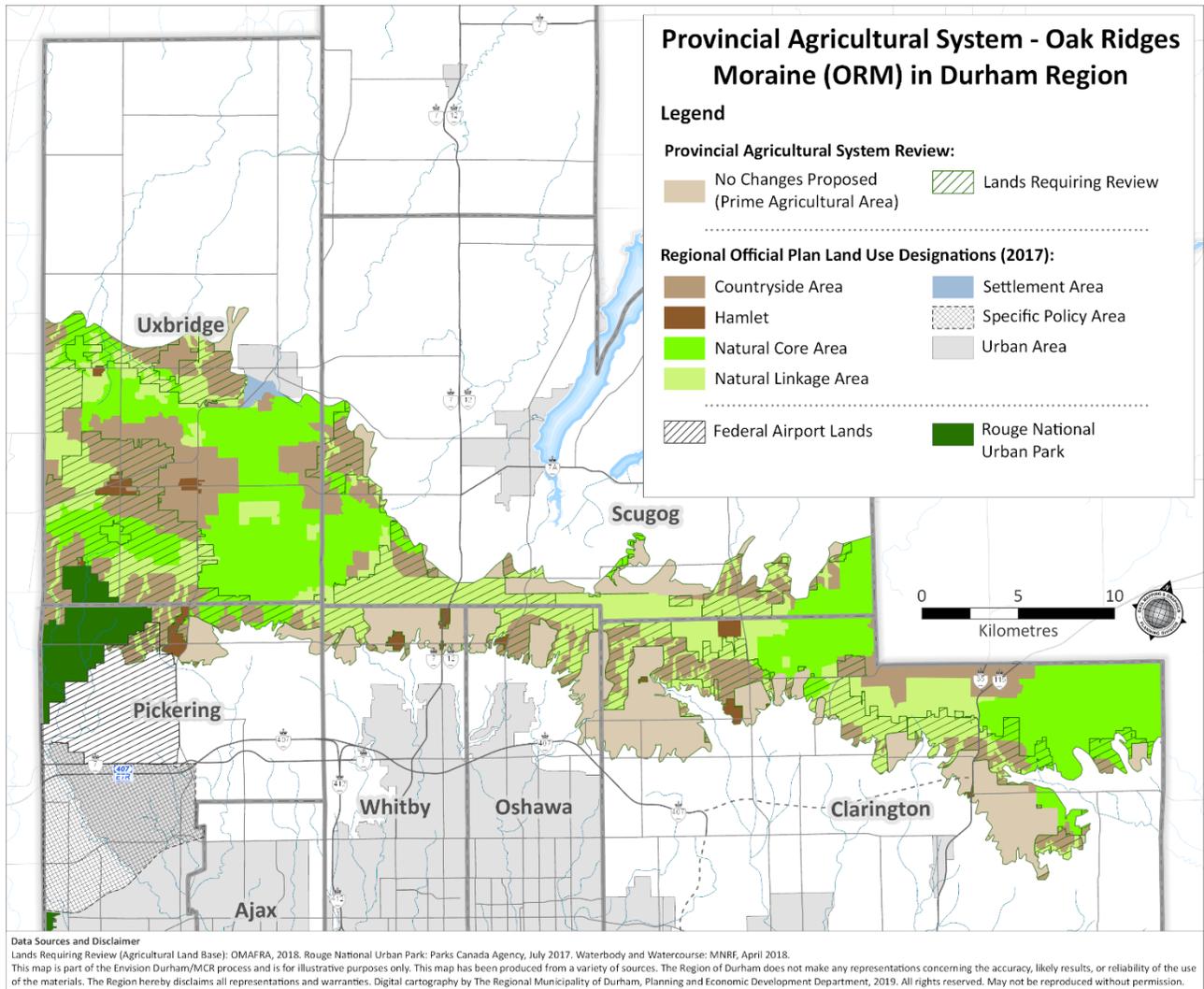


Figure 14: Provincial Agricultural System - Oak Ridges Moraine in Durham Region

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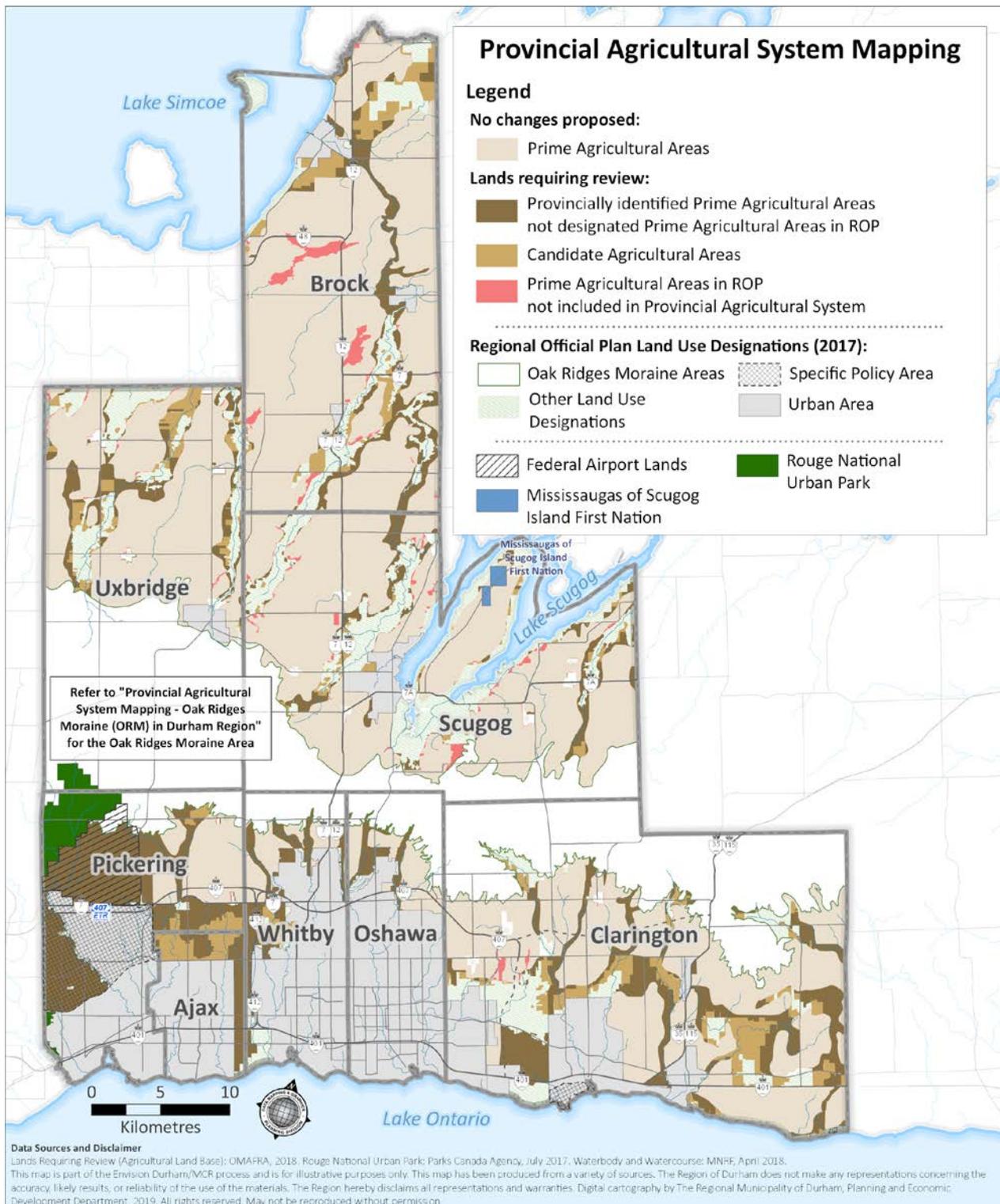


Figure 15: Provincial Agricultural System Mapping

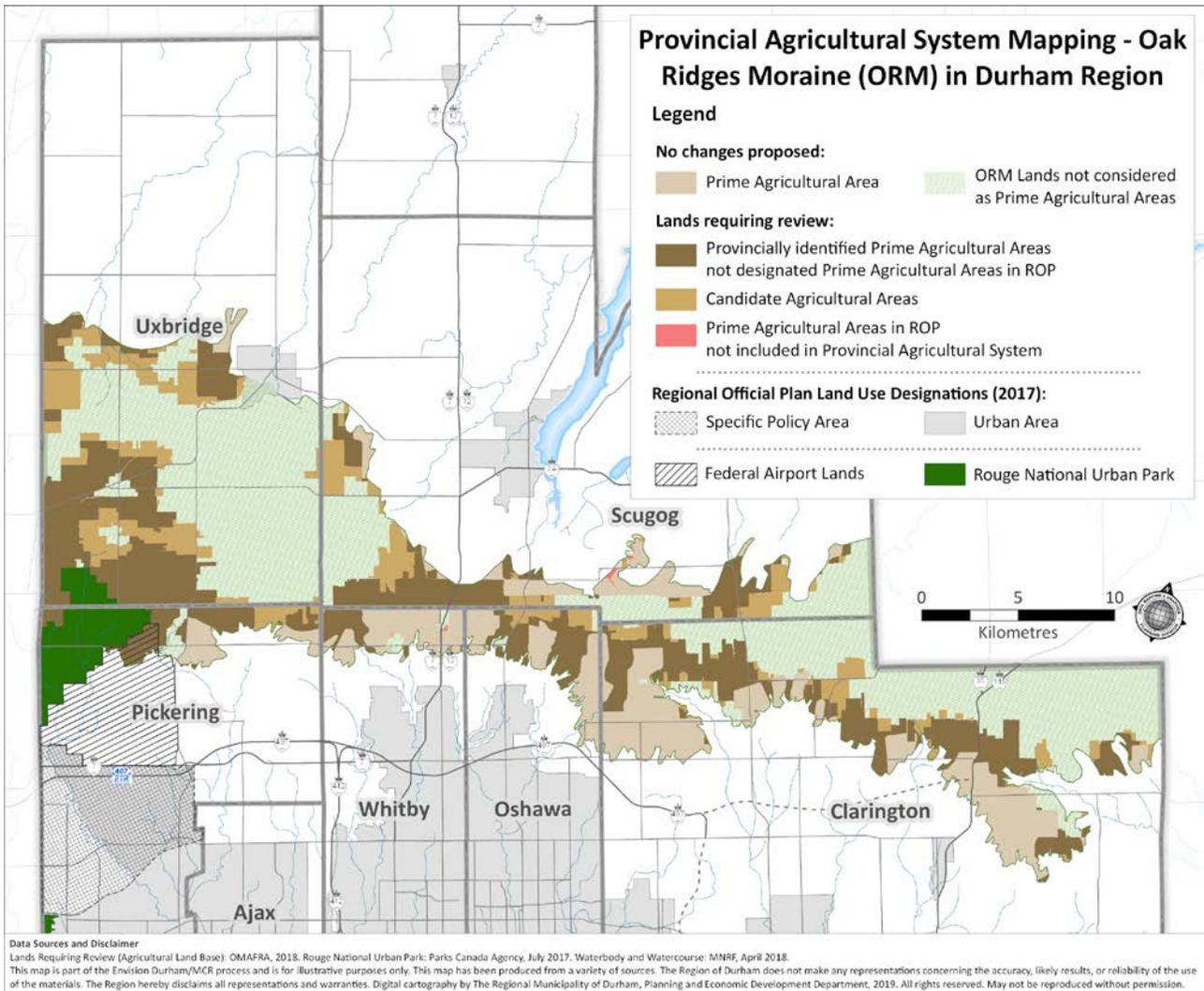


Figure 16: Provincial Agricultural System Mapping - Oak Ridges Moraine in Durham Region

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Rural Lot Creation

There has been a significant decline in the number of rural parcels created in Durham through the consent process since the Greenbelt Plan came into effect in 2005, from 715 during the period 1991 – 2004 to 246 during the period 2005 - 2018 (refer to Consent Application Tables, page 54 and 55).

The PPS 2014 contains language discouraging lot creation in Prime Agricultural Areas except for agricultural and agriculture-related uses, where it permits a residence surplus to a farming operation as a result of farm consolidation, infrastructure, and lot adjustments, subject to criteria.

The Greenbelt Plan, 2017 and ORMCP, 2017 include language discouraging lot creation. Policies permit lot creation only for the uses specified in the PPS. The Greenbelt Plan, 2017 and ORMCP policies which will need to be considered include:

- Permitting lot creation for agricultural uses and agriculture-related uses, subject to criteria;
- Permitting lot creation for the acquisition of land for infrastructure purposes;
- Permitting lot creation to facilitate conveyances to public bodies or non-profit entities for natural heritage conservation, provided it does not create a separate lot for a residential dwelling in prime agricultural areas; and,
- Permitting second dwelling units within a single dwelling or existing accessory structures on the same lot, provided the lot is outside of the Greenbelt Natural Heritage System.

In addition, the ORMCP, 2017 does not allow secondary dwellings to be a temporary, mobile or portable unit.

The Provincial Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas provides guidance related to agricultural and associated uses. This includes best practices for farmers to consider alternatives to building a new, separate, permanent dwelling for farm help, with three alternative examples listed, including:

- A second dwelling unit within an existing building on the farm;
- A temporary structure, such as a trailer or other portable dwelling unit; and
- An existing dwelling on a parcel of land that is part of the extended farm operation or located in a nearby settlement area or on a rural lot.

In Durham, the guiding principles related to lot creation in Rural Areas include:

- Allowing for limited infilling opportunity in rural settlement areas;
- Protecting and maintaining agricultural land for future generations;
- Supporting a healthy and productive agricultural industry;
- Discouraging the fragmentation of the agricultural land base;
- Encouraging the consolidation of agricultural parcels of land; and
- Complying with the Minimum Distance Separation formulae.

However, rural lot creation may present issues including the following:

- Fragmentation of the agricultural land base;
- Creation of vacant (potentially undersized) agricultural parcels, zoned to prohibit the construction of a dwelling in perpetuity;
- Smaller parcels can reduce the flexibility and viability of adequately sized parcels of land for future generations of farmers;
- Potential for compatibility issues through the introduction of more non-farm residents to the Rural Area; and
- For non-abutting surplus farm dwellings specifically, the long-term effectiveness of zoning retained parcels to restrict the construction of new residential dwellings.

However, this additional lot creation allows land owners, particularly agricultural land owners, to:

- Avoid being a landlord;
- Use the revenue from the sale of a surplus dwelling to purchase land and/or farm equipment;
- Plan for business, estate, retirement, or other purposes; and
- Have housing options in the Rural Area; and,
- For non-abutting surplus farm dwellings specifically, the restrictive zoning on the retained lands helps to moderate the cost of agricultural parcels.

An analysis of rural parcel size (refer to Rural Parcel Size Map, page 53) and assessed farm parcels (refer to Assessed Farm Parcel Map, page) indicates that the larger the parcel of land, the more likely it is to be an assessed farm parcel. While there are about 6,500 rural parcels less than 2 hectares (5 acres) in

size, only approximately three percent of these are parcels assessed as farms by the Municipal Property Assessment Corporation (MPAC). In contrast, while there are a little more than 1,000 rural parcels greater than 40 hectares (100 acres) in size in Durham, nearly 80 percent of these larger parcels are assessed farm parcels. Other lands include aggregate operations and government owned properties including conservation lands.

Discussion Question:

Should the ROP be more or less restrictive in terms of lot creation in the Rural Area? What criteria should be considered?

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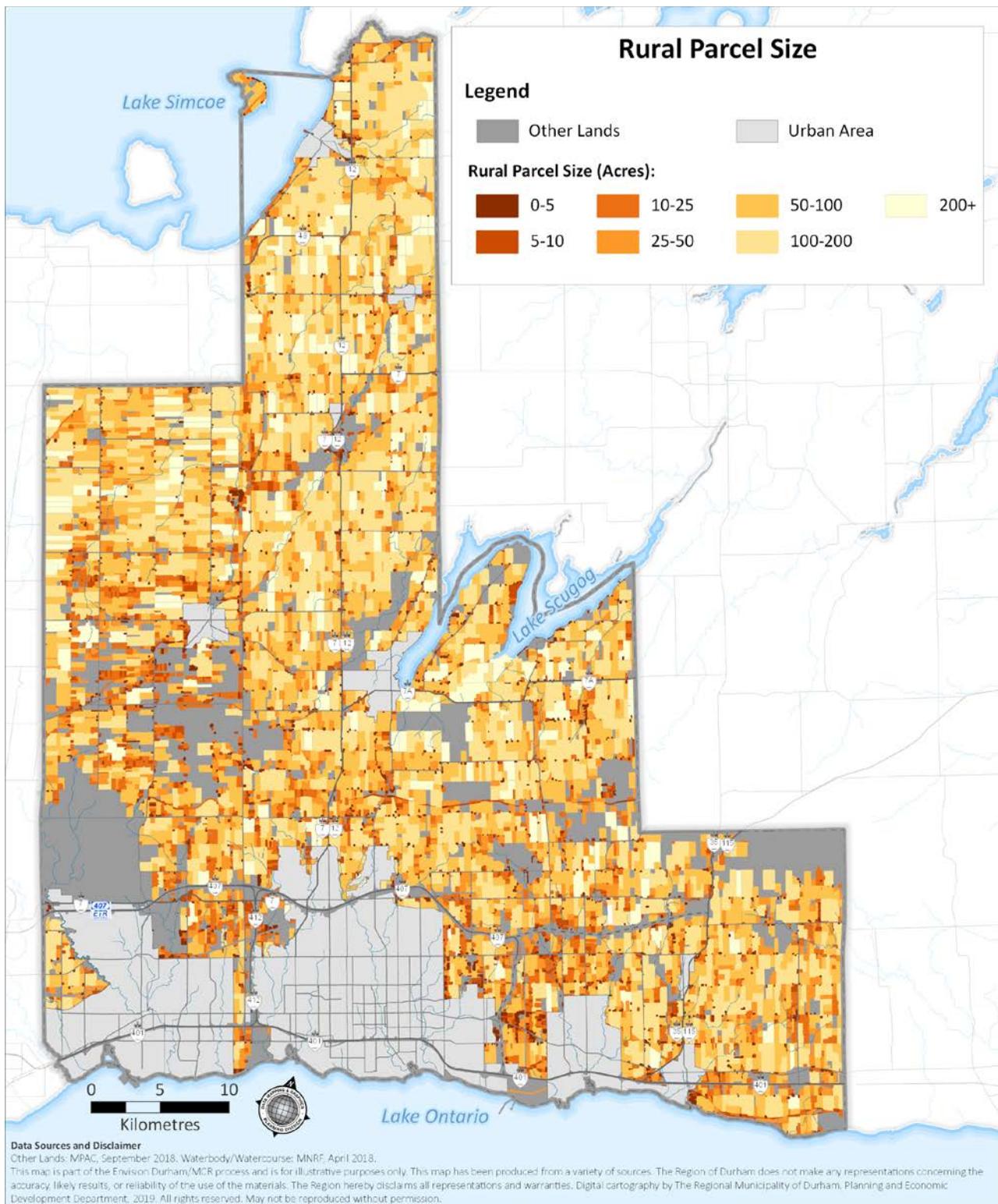


Figure 17: Rural Parcel Size

Table 2: Rural Consent, Deeds Stamped in Durham's Rural Area, 1991 – 2004

Existing Use of Proposed Severed Parcel	Number of New Lots Created (Residential and Non-Residential)	Number of Residential Lots Created
Agricultural	372	137
Commercial	13	0
Farm Related Rural Residential	6	6
Industrial	37	0
Non-Farm Related Rural Residential	123	121
Rural Cluster	30	30
Rural Hamlet	128	128
Seasonal Residential	6	6
Totals	715	428

Source: LDO and Durham Region Planning Division.

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Table 3: Rural Consent, Deeds Stamped in Durham’s Rural Area, 2005 – 2018

Existing Use of Proposed Severed Parcel	Number of New Lots Created (Residential and Non-Residential)	Number of Residential Lots Created
Agricultural	107	45
Commercial	1	0
Farm Related Rural Residential	18	17
Industrial	0	0
Non-Farm Related Rural Residential	35	32
Other	18	3
Rural Cluster	11	11
Rural Hamlet	54	45
Seasonal Residential	2	2
Totals	246	155

Source: LDO and Durham Region Planning Division.

Rural Settlements

Rural Settlements include Hamlets, Country Residential Subdivisions, Shoreline Residential Areas and Rural Employment Areas that are currently designated on Schedule 'A' of the ROP (refer to Figure 10, "Durham's Rural Area", Page 24). Rural Settlements also include residential clusters and 4 hectare (10 acre) lots. Rural settlements comprise approximately one and a half percent of the Region's total land base.

The current ROP established the following goals for Rural Settlements:

- To strengthen, preserve and foster the cultural attributes and historic heritage of Rural Settlements;
- To recognize existing Rural Settlements, and support their function of providing for the limited residential, social and commercial needs of the Rural System; and,
- To establish a firm limit to Hamlet development.

Hamlets

Hamlets are concentrations of development within the Rural Area. Hamlets are currently shown as symbols on Schedule 'A' of the ROP and are further delineated in area municipal official plans. There are 53 hamlets in Durham Region, ranging from 7 lots to nearly 400 lots. The median hamlet size is 63 lots. Since 2003, the number of residential units within hamlets has increased by approximately 16 percent, with the largest increases in the Township of Uxbridge. The ROP directs hamlets to be the predominant location for residential and social,

commercial and employment development serving the needs of the surrounding area, and that limited growth will occur only in those hamlets that are determined to be suitable for further development, subject to criteria.

The PPS, Growth Plan and ORMCP all refer to hamlets only as a type of rural settlement area while the Greenbelt Plan goes further to state that, since hamlet lots are privately serviced, they are not locations to which growth should be directed. A review of rural residential development potential undertaken by the Region in 2018 indicated that there are approximately 132 existing vacant residential lots remaining within hamlets across the region.

Direction from the updated Growth Plan has indicated that all Settlement Area boundaries are to be delineated in official plans, including hamlets. This process will include proposed delineation of hamlet boundaries. Related ROP policies regarding the delineation of hamlets could then be removed or revised.

Residential Clusters

The ROP recognizes that there are distinct clusters of non-farm residential development that exist in the Region's Rural Area that have been identified in area municipal official plans and/or zoning by-laws. The ROP does not designate clusters but permits residential infill development within the boundary of such recognized clusters, subject to criteria.

Residential clusters should possess the following characteristics:

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- It is a definable separate entity and is of a size so as not to be considered as scattered or strip development;
- It is identified in the local official plan and/or zoning by-law and once defined, no further extensions may be permitted;
- Dwellings are on lots generally less than 3 hectares (7.4 acres) in size; and
- Any development within the cluster is privately serviced, compatible with surrounding uses, and conforms with MDS and agricultural best practices.

Clusters range in size with the median size being 16 lots. Larger clusters include “Cherrywood West” in Pickering and “Blackwater” in Brock. The size of these larger clusters approach or exceed the median number of residences in Hamlets, which is 68. Between 2005 and 2018, 11 severances were granted for rural cluster development (infilling), which averages 0.8 new lots per year. This is down significantly from 47 severances between 1991 and 2000.

The PPS and the Provincial Plans are silent on residential or rural clusters; however, the PPS definition of Settlement Areas includes lands which have been designated in an official plan for development over the long-term planning horizon of up to 20 years. The Growth Plan contains a definition with similar language.

Through Envision Durham, the Region will be undertaking a review of rural residential clusters and associated ROP policies.

4 Hectare Lots

The ROP recognizes concentrations of abutting rural non-farm residential lots, predominantly 4 hectares (about 10 acres) in size located within the Rural and Greenlands Systems and prohibits the creation of new rural residential lots within or adjacent to these concentrations.

The PPS and relevant Provincial Plans are all silent on 4 hectare (about 10 acres) lots as an entity. This policy could potentially be removed from the ROP since the restriction of severances within these areas is already addressed in other areas of the Plan. This matter will be explored in conjunction with the residential clusters review.

Country Residential Subdivisions

Country Residential Subdivisions are large lot residential subdivisions, with single detached dwellings, predominantly serviced by individual private wells and septic systems, and typically with their own internal road system.

The Greenbelt Plan prohibits the establishment of new Country Residential Subdivisions and the creation of additional lots within existing approved country residential subdivisions.

The ROP identifies 36 Country Residential Subdivisions, approved prior to the Greenbelt Plan coming into effect in 2005, with a maximum total of 901 permitted units. Of those subdivisions, 6 subdivisions have not yet been developed. In total, there exists potential for the further development of approximately 176 additional units within developed and undeveloped Country Residential Subdivisions. On average, approximately 12 units/year have been constructed since 2001 which is consistent with the period of 1991-2000.

Shoreline Residential Areas

The ROP designates Shoreline Residential Areas adjacent to Lakes Ontario, Simcoe and Scugog, where seasonal and permanent residential uses predominate.

The ROP does not permit new Shoreline Residential Areas, and limits development within existing areas to minor rounding out, infill development, redevelopment and resort development, subject to criteria. A review of rural residential development potential

undertaken by the Region in 2018 indicated that there are approximately 139 existing vacant shoreline residential lots remaining in the municipalities of Brock and Scugog.

In the area subject to the Lake Simcoe Protection Plan (LSPP) criteria have been established for development or alteration within Shoreline Built-Up Areas which establishes detailed criteria with respect to development or site alteration within these areas. The Growth Plan also includes policy related to these areas.

Through Envision Durham, the Region will consider the need to add a definition for Shoreline Residential Areas and consider the establishment of criteria or appropriateness of adopting similar policy language as is included in the LSPP and the Growth Plan.

Rural Employment Areas

Currently, the ROP designates three Rural Employment Areas. Two are located in the Township of Uxbridge and one in the Township of Brock (refer to Durham's Rural Area Map, page 24). Based on the most recent analysis, 49 percent of lands designated as Rural Employment Areas were vacant and 23 percent of those lands were available for development with private water and sewer services, representing 53 hectares (140 acres) and 12 hectares (29.6 acres) respectively. 77 percent (41 hectares/ 101 acres) of the vacant lands were potentially serviceable with private water only (refer to Rural Employment Areas Table). It should be noted that vacant land is not necessarily available for sale or lease.

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Generally, Rural Employment Areas are to contain industries of a dry nature (do not require significant amounts of treated water), be of a high-quality design, and are to be individually serviced with privately drilled wells and private sewage disposal systems. The general intent of the ROP is to encourage the concentration of employment uses within urban areas. The ROP does not permit the creation of new rural employment areas.

Section 2.2.9.5 of the Growth Plan states that existing employment areas outside of settlement areas on rural lands that were designated for employment uses in an official plan that was approved and in effect as of June 16, 2006 may continue to be permitted. All three of the current Rural Employment Areas were in existence prior to this date.

The Growth Plan also states that expansions to these existing employment areas may be permitted only if necessary to support the immediate needs of existing businesses and if compatible with the surrounding uses.

The Region is undertaking a review of all employment lands in Durham as part of Envision Durham. Employment lands will be further discussed in detail through growth management discussion paper(s) scheduled to be released later in 2019.

Table 2: Rural Employment Lands in Durham

Rural Employment Area Number	Location	Size (hectares)	Occupied (hectares)	Vacant (hectares)
1	Part Lot 26, Con 5, Uxbridge	18.7	8.8	9.9
2	Part Lots 13, 14 & 15, Con 1, Uxbridge	80.5	23.9	53.9
3	Part Lot 1, Con 12 & 13, Brock	8.7	3.8	4.9
Totals	Not applicable	107.9	36.5	68.7

Source: Durham Region Planning Division.

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Considerations

To implement Provincial policy, there is a need to enhance ROP goals and policies to:

- Include reference to building on local diversity and rural character;
- Recognize and allow for appropriate additional housing opportunities such as secondary suites and/or garden suites; and,
- Encourage community hubs/complete communities.

Over 90% of survey respondents think that protecting the character of Durham’s existing rural settlements is “somewhat” to “extremely important”.

(Based on Envision Durham Public Opinion Survey responses received at the time of writing this paper, 122 of 123 respondents).

The Region will also consider the following:

- Addressing policies for rounding out of hamlets and shoreline residential areas
- Delineating hamlet boundaries; and,
- Treatment of existing policy exceptions.

Rural Settlements are typically served by private water supply (wells) and private sanitary sewage systems. However, there have been some cases where poor water quality has arisen in certain locations. In this regard, the Greenbelt Plan provides for the extension of municipal or private communal sewage or water services outside of a settlement area boundary in the case of health issues or to service existing uses and the expansion thereof adjacent to the

settlement area. If municipal water services exist outside of a settlement area, existing uses may be connected to the service if included in the service boundary for the environmental assessment.

The ROP contains policies related to health concerns to conform to the 2005 Greenbelt Plan. These policies will be examined through this review to consider if amendments are needed to conform to the 2017 Greenbelt Plan.

The ROP contains policies related to addressing the reasons for contamination of wells in Rural Settlements, above providing new and/or expanded.

Regional Nodes

Currently the ROP identifies Kirby Ski Area (now known as Brimacombe) and Mosport Park (now known as Canadian Tire Motorsport Park) as Regional Nodes (refer to Durham’s Rural Area Map, page 24).

Regional Nodes are intended to recognize existing Regional scale areas of major recreational activities, such as centres of tourist activity and specialized recreational facilities, within the Region's Rural System, and to provide for their continued function.

Regional Nodes are to be developed in a manner that will attract other compatible non-residential uses and incorporate high quality designs and visual standards. Typically, they are under single ownership and are serviced with private, on-site systems in the Rural Area.

Through Envision Durham, a review will be undertaken to examine whether Regional Nodes should continue to be designated and/or whether a new policy approach is appropriate.

Discussion Question:

Is there value in continuing to identify Regional Nodes in the ROP? If so, what Regional Nodes, (or areas exhibiting these characteristics), should be considered?



Photo 18: Brimacombe Ski Area - Clarington (Source: Durham Region Planning and Economic Development Department)



Photo 19: Canadian Tire Motorsports Park (Source: Durham Region Planning and Economic Development Department)

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Aggregate Resources



Photo 20: Aggregate Operation, Clarington (Source: Durham Region Planning and Economic Development Department)

Aggregate Resources, such as sand, gravel, bedrock, and clay, are used for road building and construction. Durham contains significant aggregate resources with the majority of aggregate resources concentrated in Uxbridge, Scugog, Brock, and north Clarington (refer to Aggregates Map, page 67). Sites where sand and gravel, or other loosed material is extracted are classified as pits. Sites where solid material such as bedrock is extracted are classified as quarries.

It is estimated that the Region contains 35,000 hectares (86,500 acres) of land with significant aggregate resource potential. The Region contains 3,755 hectares (9,279 acres) under license for aggregate extraction, which is down from 4,258 hectares (10,521 acres) in 2003. Additionally, there are currently 67 active licences for aggregate extraction in

Durham, down from 86 active licences in 2003 (Refer to Aggregates Table, page 66).

The current ROP established the following goals for Aggregate Resource Extraction Areas:

- To provide opportunities for the extraction of aggregate resources for local and Regional needs, as well as to contribute to Provincial needs, while protecting significant features of the Region's natural environment and minimizing financial and social impacts on residents, the area municipalities and the Region; and,
- To protect high potential aggregate resource areas from incompatible land uses.

The ROP's Resource Extraction Areas policies aim to manage mineral aggregate extraction activities to minimize impacts on the natural heritage and socio-cultural environments. The ROP also aims to protect high potential resource areas from incompatible land uses. Mineral aggregate extraction refers to the removal of aggregate resources in licensed pits and quarries.

Approved Resource Extraction Areas are currently shown on Schedule 'A' of the ROP. In addition, Schedule 'E' – Table 'E1' of the ROP includes a description of each resource extraction area, including its location and its licensed area. Once an area is no longer licensed, the symbol on Schedule 'A' and the description on Schedule 'E' – Table 'E1' may be removed without amendment.

New Resource Extraction Areas or expansions to existing areas may be considered by

amendment to the ROP. Since 2003, there have been 6 applications for amendment to the ROP for aggregate uses, 5 for expansions of existing sites and 1 application for a new site.

Applications to amend the ROP for the establishment of a new operation, or an expansion of an existing operation, must be accompanied by prescribed background information, including a hydrogeological study to address potential impacts on water resources, and an assessment of potential impacts of the operation on the natural and socio-cultural environments.

Aggregate-related industrial uses, outside of designated Employment Areas, such as asphalt plants, ready-mix concrete plants and aggregate transfer stations, may be considered by amendment to the ROP, as exceptions. Such aggregate-related industrial uses that have been approved are listed on Schedule 'E' – Table 4 of the ROP.

Portable asphalt plants are permitted without amendment for a temporary period in any ROP designation, except within environmentally sensitive areas and residential areas. Wayside pits and quarries are also permitted without amendment to official plans or zoning by-laws, except in locations in and around environmentally sensitive areas, Urban Areas and Rural Settlements.

The ROP also identifies areas of high potential aggregate resources on Schedule 'D', in accordance with geological information that was available during the last ROP review. The high potential areas shown on Schedule 'D' are not land use

designations, but rather provide information on the location of the significant aggregate resources.

Aggregate licensing and regulation are governed by the Aggregate Resource Act and is administered by the Ministry of Natural Resources and Forestry (MNRF). MNRF oversees the rules governing aggregate management, issues licenses, permits and changes to existing approvals, inspects aggregate operations and responds to complaints, enforces compliance and ensures rehabilitation is carried out on sites.

Other ministries such as the Ministry of the Environment, Conservation and Parks and the Ministry of Municipal Affairs and Housing are also involved in regulation. Other legislation that regulates aggregates include:

- Environmental Protection Act;
- Environmental Assessment Act;
- Ontario Water Resources Act;
- Endangered Species Act; Conservation
- Authorities Act;
- Planning Act;
- Oak Ridges Moraine Conservation Act; and,
- Greenbelt Act.

The 2014 PPS includes policies modernizing the regulation of aggregates. There are key aspects of the PPS that must be addressed in the ROP including:

- Identifying deposits of mineral aggregate material to the relevant ROP schedules;
- Providing policy direction on accessory aggregate recycling;
- Adding policies on comprehensive rehabilitation;

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- Adding policies requiring rehabilitation of extraction areas back to agricultural condition; and,
- Adding various definitions for consistency with the PPS.
- The identification of tertiary aggregate resources is not being proposed, nor is there an intent to depict aggregate resources within the existing approved urban area boundaries.

In addition, to achieve conformity with Provincial Plans, the following changes would be required:

- Incorporating aggregate polices from the Growth Plan into the ROP;
- Reflecting changes to application criteria in Greenbelt Natural Heritage System and Oak Ridges Moraine Natural Linkage Areas;
- Addition of new policy on Agricultural Impact Studies; and,
- Addition of requirement for rehabilitation to an agricultural condition.

Over three quarters of survey respondents (77.3%) think that providing opportunities for the extraction of aggregate resources are “somewhat” to “not at all important”.

(Based on Envision Durham Public Opinion Survey responses received at the time of writing this paper, 122 of 123 respondents).

Rehabilitation of Pits and Quarries

The ROP policies encourage the rehabilitation of all abandoned pits and quarries and promotes the progressive rehabilitation of all operating pits and quarries, in a manner compatible with the surrounding land uses and landscape.

In the ROP, area municipalities have been encouraged by the Region to pursue the rehabilitation of abandoned pits and quarries through participating in the Management of Abandoned Aggregate Properties (MAAP), which is administered through the Ontario Aggregate Resource Corporation (TOARC).

The ROP also supports site-by-site rehabilitation programs, and the development of an overall rehabilitation program to ensure the comprehensive rehabilitation of all operations in the Region.

The PPS 2014 includes a policy requiring rehabilitation back to agricultural condition in prime agricultural areas which will need to be reflected in the ROP.

Table 3: Aggregate Resource Extraction Areas in Durham, 2018**Pits**

Municipality	Licensed Pits (#)	Licensed Pits (%)	Licensed Area (Hectares)	Licensed Area (%)	Yearly Tonnage Limit (Millions)	Yearly Tonnage Limit (%)
Brock	8	12.1	709.6	20.1	4.3	12.75
Clarington	15	22.7	639.5	18.1	9.5	28.36
Oshawa	1	1.5	21.4	0.6	0.03	0.1
Scugog	11	16.7	356.7	10.1	2.0	6
Uxbridge	31	47.0	1,803.1	51.1	17.7	52.8
Whitby	0	0	0	0	0	0
Pickering	0	0	0	0	0	0
Ajax	0	0	0	0	0	0
Total	66	100	3,530.3	100	33.5	100

Quarries

Municipality	Licensed Quarries (#)	Licensed Quarries (%)	Licensed Area (Hectares)	Licensed Area (%)	Yearly Tonnage Limit (Millions)	Yearly Tonnage Limit (%)
Clarington	1	100	225	100	4.5	100
Total	1	100	227	100	4.5	100

Source: Ministry of Natural Resources Aggregate Pits and Quarries Online Data, 2018 and Region of Durham Planning and Economic Development Department Records.

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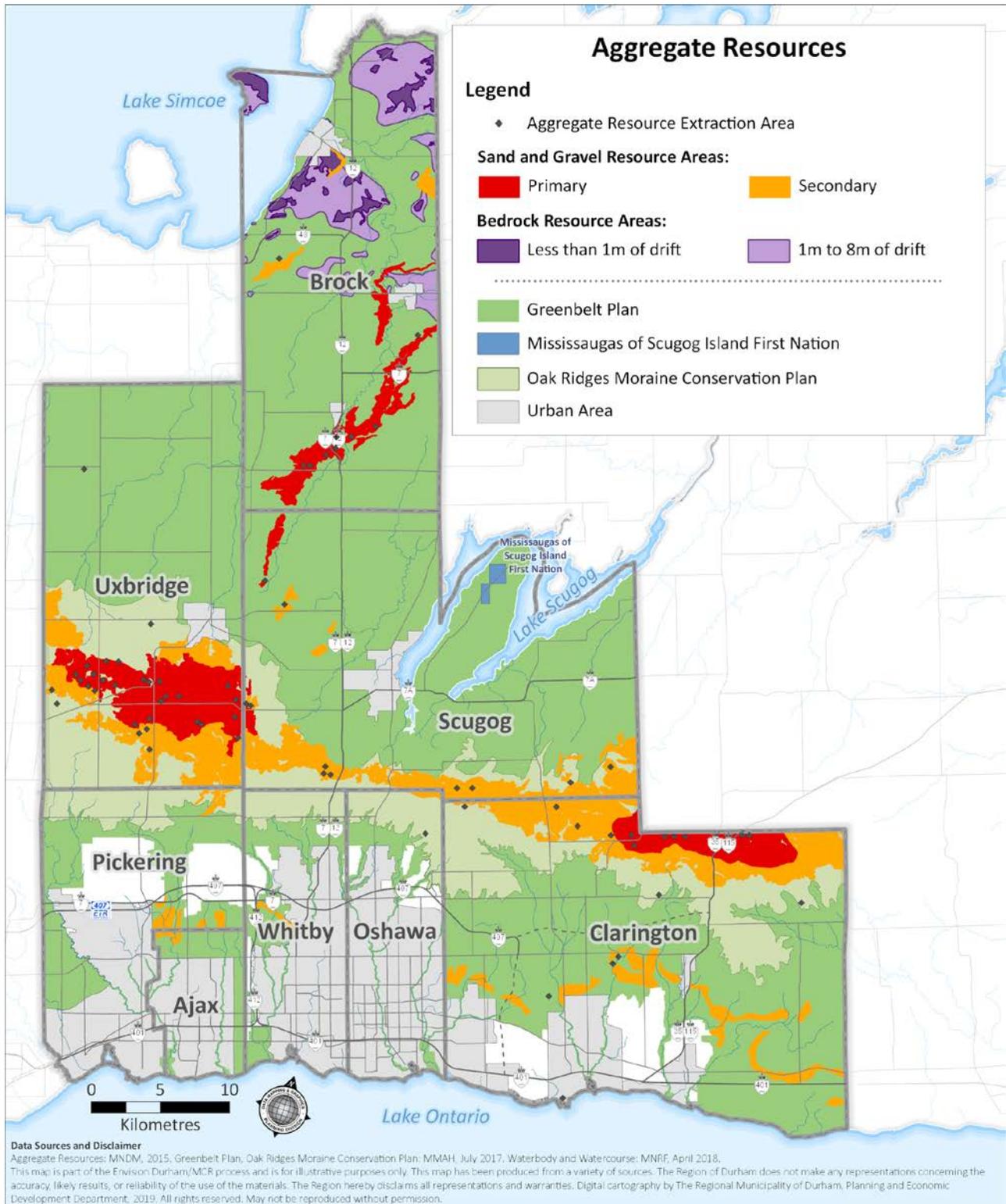


Figure 18: Aggregate Resources

Non-Agricultural Uses

Certain non-agricultural uses exist within the Rural Area. These include golf courses, landscape industry uses, commercial kennels, and cemeteries. These uses are described below.

Golf Courses



Figure 19: Royal Ashburn Golf Course (Source: Durham Region Planning and Economic Development Department)

The Region currently has 57 existing, approved or proposed golf courses, the majority of which are located in the rural area. Since 2003, there have been 3 ROP amendment applications proposing a total of 4 new golf courses within the Region. Of those applications, 2 have been approved and one has been built in the Rural Area of Pickering.

Golf courses may be considered in the Major Open Space and Waterfront designations, either by amendment to the ROP or the area municipal official plan, where detailed policies would be included to guide development. The criteria specified in the ROP to be considered in assessing an official plan amendment application to permit a golf

course, requires the proponent to address hydrogeological issues, best management practices, traffic, the application of pesticides and fertilizers, water use, impacts on the environment and agriculture, and servicing.

New golf courses, or expansions to existing courses may also be considered by amendment to the ROP within “Countryside Areas” of the Oak Ridges Moraine Area designation of the ROP, subject to specified criteria.

The golf courses that have been approved by amendment to the ROP are described in the text of the Plan; however, the locations are not identified in any of the ROP schedules.

Accessory uses on golf courses may have the potential to create land use conflicts in the Rural Area. For example, if the scale and function of clubhouse facilities is similar to banquet or convention facilities found in Urban Areas, which accommodate year-round use; generate increased traffic on a more regular basis throughout the year; and provide a use that may no longer be considered as a secondary use of the property, the potential for off-site impacts increases. The scale of clubhouses and associated golf course uses in rural areas are limited through the local official plan, to ensure such that they will be clearly secondary to the primary use of the golf course.

Landscape Industry Uses

Landscape industry uses generally refer to businesses associated with horticulture but may include the manufacture, storage, sale and distribution of other hard landscaping

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materials such as stonework or materials used for the construction of walkways, patios, and decks. They may also include equipment storage and assembly areas (contractors yards).

The ROP encourages landscape industry uses to locate in Employment Areas; however, provided they are small in scale, such uses may be permitted on existing lots of record in the Major Open Space designation and in the Countryside Area, outside of Prime Agricultural Areas in the Oak Ridges Moraine Conservation Plan subject to various criteria, provided that:

- the use does not require large-scale modification of terrain, vegetation or both, or large-scale buildings and structures;
- the buildings and structures will be planned, designed and constructed so as not to adversely affect the rural character of the area; and
- there are no negative impacts on the ecological integrity of the area.

Severances for small-scale landscape industry uses are not permitted, and the ROP directs that area municipal official plans provide additional criteria to address potential land use compatibility impacts to guide the consideration of these uses.

Large-scale landscaping operations, which may entail the mixing of paper bio- solids or sewage sludge for the purposes of manufacturing a product, the manufacturing of garden supplies, on site retailing, large-scale modification of terrain, vegetation or both, or large-scale buildings and structures, are to be directed to Employment Areas;

however, they may be considered within the Major Open Space designation by amendment to the ROP.

The current approach appears to be consistent with Provincial Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas, where such uses would not be considered as agricultural, agriculture-related, nor on-farm diversified uses.

Commercial Kennels

Commercial Kennels generally refer to businesses which care for domestic animals. This includes both day programs and/or overnight boarding for pets.

The ROP permits commercial kennels on existing lots of record within the Major Open Space designation and in the Countryside Area outside of Prime Agricultural Areas on the Oak Ridges Moraine, subject to various requirements. Severances for commercial kennels are not permitted. The ROP includes policies that area municipal official plans provide additional criteria to address land use compatibility impacts to guide the consideration of commercial kennels.

The Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas indicate that kennels may be another example of an on-farm diversified use, the evaluation of which will form part of this exercise

Cemeteries

There are many existing licenced active cemeteries in the Rural Area of the Region, as well as inactive cemeteries that no longer have an active licence for burials. Inactive cemeteries include historic cemeteries that

may have been associated with rural churches which are no longer in operation or existence, family plots located on private farms, and indigenous burial sites. Cemeteries cannot be re-used for other purposes.

With the rising cost and decreased availability of land in urban areas, there has been increased interest in the establishment of cemeteries in the Rural Area. With the designation of Prime Agricultural Areas also expected to increase, less rural land is expected to be available in the Region for the siting of new cemeteries or expansions to existing cemeteries within the Rural Area.

The ROP recognizes cemeteries as necessary and essential community facilities and that they may vary in scale, depending upon the location and needs of the population to be served.

Cemeteries are recognized as permitted uses in the ROP and may be permitted to expand to the limits of the license issued under the Cemeteries Act or the Funeral, Burial and Cremation Services Act, 2002, provided that they comply with the respective area municipal zoning by-law and intent of the ROP.

The ROP indicates that the establishment of new cemeteries, and expansions to existing cemeteries, may be permitted by amendment to the respective area municipal official plan and provides criteria for proposals, as follows:

- That the proposal meets the general intent of the ROP;
- Has no adverse traffic, parking and visual impacts on the surrounding land uses and residents;
- Is situated on lands suitable to be developed as a cemetery;
- Has no adverse impacts on the natural environment; and,
- Has made provision for future roads.

The uses associated with active cemeteries (including reception areas and parking lots, which may generate traffic and cause disruptions to surrounding uses) are matters to be addressed by the area municipality in their consideration of an amendment to local official plans to permit a new or expanded cemetery.

The PPS does not allow for the establishment of new cemeteries within Prime Agricultural Areas. In addition, within the Oak Ridges Moraine, the establishment of cemeteries may only be permitted in the Countryside and Settlement Areas, subject to the provisions of the ORMCP. Within the Greenbelt Protected Countryside, rural lands of the Protected Countryside are intended to continue to accommodate a range of commercial, industrial and institutional (including cemetery) uses serving the rural resource and agricultural sectors.

How cemeteries are currently accommodated, and whether any changes need to be considered, will be addressed through this process.

Existing Non-Conforming Uses

The ROP currently permits Councils of area municipalities, at their sole discretion, to zone lands to permit the continuation,

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expansion or enlargement of legal, non-conforming existing uses, or the variations to similar uses, based on specific criteria. This is a discretionary policy that is intended to acknowledge that there are land uses that local municipalities may view as desirable and wish to continue. Generally, non-conforming uses would be expected to cease over time.

The PPS appears to be silent on existing legal non-conforming uses; however, the Growth Plan, Greenbelt Plan and ORMCP all address this matter. How these uses are currently accommodated, and whether any changes need to be considered, will be addressed through this process.

Discussion Question:

Have we missed any trends that you feel should be reviewed and considered in the agriculture/rural context as part of the MCR?

Next Steps

This Discussion Paper is the first in a series of Discussion Papers being released over the course of 2019. These Discussion Papers provide an overview and background on theme-based land use planning matters and pose various questions in order to gather opinions and to help shape future policy.

Your feedback is important to us. The Regional Planning Division appreciates your interest and encourages your participation throughout the Envision Durham process. To submit your comments, please visit durham.ca/EnvisionDurham.

Following the release of these Discussion Papers, interested parties will also have opportunities to provide feedback on theme-based policy proposals and, a future draft Regional Official Plan.

To stay up-to-date on Envision Durham, please visit durham.ca/EnvisionDurham and subscribe to receive email updates.

Appendix A: Discussion Questions Workbook

Discussion questions are posed throughout the Agriculture and Rural Discussion Paper. We are interested in hearing from you on these topics or any others that are important to you which have not been addressed. The following is a summary of the questions contained within this discussion paper:

1. **Are the current goals and directions for the Agricultural/Rural System still relevant/appropriate? (Page 21)**

2. **Are there aspects of Minimum Distance Separation that you would like to see addressed in greater detail in the ROP? (Page 27)**

3. **In what ways do you believe the Region should address land use conflicts arising between urban and rural land uses? (Page 29)**

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4. How can the Region support urban agriculture through policy in the ROP? (Page 32)

5. Are there additional areas we should consider identifying as Specific Policy Areas? (Page 38)

6. Is there criteria that should be considered when siting “new” types of agricultural-related and on-farm diversified uses? (Page 40)

7. Are there any additional considerations the Region should have regard for in the refinement of the Agricultural System Mapping? (Page 46)

8. Should the ROP be more or less restrictive in terms of lot creation in the Rural Area? What criteria should be considered? (Page 52)

9. Is there value in continuing to identify Regional Nodes in the ROP? If so, what Regional Nodes, (or areas exhibiting these characteristics), should be considered? (Page 62)

10. Have we missed any trends that you feel should be reviewed and considered in the agriculture/rural context as part of the MCR? (Page 71)

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Appendix B: Glossary

Agricultural condition:

Means:

- a) in regard to *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture are restored, the same range and productivity of specialty crops common in the area can be achieved, and, where applicable, the microclimate on which the site and surrounding area may be dependent for specialty crop production shall be maintained or restored; and
- b) in regard to *prime agricultural land* outside of *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture are restored (PPS, 2014).

Agri-food network: Means within the *Agricultural System*, a network that includes elements important to the viability of the agri-food sector such as regional *infrastructure* and transportation networks; on-farm buildings and infrastructure; agricultural services, farm markets, distributors and primary processing; and vibrant, agriculture-supportive communities. (Greenbelt Plan, 2017)

Agricultural impact assessment (AIA): A study that evaluates the potential impacts of non-agricultural development on agricultural operations, and the Agricultural System and recommends ways to avoid or, if avoidance is not possible, minimize and mitigate adverse impacts. (Greenbelt Plan, 2017)

Agricultural System

Means the system mapped and issued by the

Province, comprised of a group of interconnected elements that collectively create a viable, thriving agricultural sector. It has two components:

- a) an agricultural land base comprised of *prime agricultural areas*, including *specialty crop areas*, and *rural lands* that together create a continuous, productive land base for agriculture; and
- b) an *agri-food network*, which includes *infrastructure*, services and assets important to the viability of the agri-food sector. (Greenbelt Plan, 2017)

Agricultural uses: means the growing of crops, including nursery, biomass, and horticultural crops, raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment. (PPS, 2014)

Agricultural-related uses: means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity. (PPS, 2014)

Community hubs: make it easier for local residents to access the health, social, cultural, recreational and other resources they need together in one spot. It can be

located in a physical building or accessed through a digital service.

Community hubs serve as a central access point, which:

- offer services in collaboration with different community agencies and service providers
- reduce administrative duplication
- improve services for residents and are responsive to the needs of their communities

Whether in a high-density urban neighbourhood or an isolated rural community, each hub is as unique as the community it serves and is defined by local needs, services and resources. (Ministry of Municipal Affairs and Housing website)

Complete communities: are places such as mixed-use neighbourhoods or other areas within cities, towns, and settlement areas that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and public service facilities. Complete communities are age-friendly and may take different shapes and forms appropriate to their contexts. (Growth Plan, 2017)

Contaminate Management Plan: means a nutrient management strategy or plan if and as required by the Nutrient Management Act, 2002, or a municipal nutrient management by-law, or a comparable management and contingency plan for the management of contaminants stored on or discharged from

the subject lands and that are not nutrients as defined by the Nutrient Management Act, 2002. (ROP, 2017)

Food Security: means a situation in which all community residents obtain a safe, culturally acceptable, nutritionally adequate diet through a sustainable food system that maximizes community self-reliance and social justice, and the ability of the agricultural community to support this system. (ROP, 2017)

Mineral aggregate operation:

Means:

- a) lands under license or permit, other than for wayside pits and quarries, issued in accordance with the *Aggregate Resources Act*;
- b) for lands not designated under the *Aggregate Resources Act*, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
- c) associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products (PPS, 2014).

Minimum Distance Separation Formulae: means formulae and guidelines developed by the Province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities. (PPS, 2014)

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Normal Farm Practices: means a practice, as defined in the Farming and Food Production Protection Act, 1998, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with the Nutrient Management Act, 2002, and regulations made under that Act. (PPS, 2014)

On-farm diversified uses: means uses that are secondary to the principal agricultural use of the property and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products. (PPS, 2014)

Prime agricultural area: Means an area where *prime agricultural lands* predominate. This includes areas of *prime agricultural lands* and associated Canada Land Inventory Class 4 through 7 lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. *Prime agricultural areas* are to be identified by the Ontario Ministry of Agriculture, Food and Rural Affairs using guidelines developed by the Province, as amended from time to time. (Greenbelt Plan, 2017)

Prime agricultural land: Means *specialty crop areas* and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection (PPS, 2014).

Residence surplus to a farm operation
Means an existing habitable farm residence

that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation) (PPS, 2014).

Rural lands: Means lands which are located outside *settlement areas* and which are outside *prime agricultural areas* (PPS, 2014).

Settlement areas: Means urban areas and rural *settlement areas* within municipalities (such as cities, towns, villages and hamlets) that are:

- a) built-up areas where development is concentrated and which have a mix of land uses; and
- b) lands which have been designated in an official plan for development in accordance with the policies in the Growth Plan. Where there are no lands that have been designated for development, the settlement area may be no larger than the area where development is concentrated (Growth Plan, 2017).

Specialty crop areas: Means areas designated using guidelines developed by the Province, as amended from time to time. In these areas, specialty crops are predominantly grown such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil, usually resulting from:

- a) soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both;
- b) farmers skilled in the production of specialty crops; and

- c) a long-term investment of capital in areas such as crops, drainage, *infrastructure* and related facilities and services to produce, store, or process specialty crops (PPS, 2014).



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The Regional Municipality of Durham Report

To: Planning and Economic Development Committee
From: Commissioner of Planning and Economic Development
Report: [#2019-P-13](#)
Date: March 5, 2019

Subject:

The Region of Durham Business Count (Employment Survey) 2018

Recommendation:

That the Planning and Economic Development Committee recommends:

That this report be received for information.

Report:

1. Purpose

1.1 The purpose of the report is to provide an overview of the Region's seventh annual Business Count conducted during the summer of 2018.

2. 2018 Durham Region Business Count

2.1 The purpose of the Business Count project is to build and maintain the Region's comprehensive employment database. The regular updating and monitoring of the Business Count information, and its analysis of year-over-year trends is used to: update the Region's on-line business directory; provide background information for various planning studies; monitor growth; and, promote economic development initiatives in the Region. It is a collaborative project, led by the Planning and Economic Development Department with support from Social Services, Finance, Corporate Services (Information Technology and Human Resources), and the Area Municipalities.

2.2 The Region's seventh annual Business Count was conducted by a group of seven

summer students primarily through short face-to-face interviews. The students were generally able to conduct each survey in less than five minutes. In the event a face-to-face interview was not possible, businesses had the option of returning the survey by mail, fax, or by completing it on the Region's website. Large employers such as school boards, Ontario Power Generation and municipal government offices are contacted by phone or email. The survey included all the Region's urban areas, hamlets and rural employment areas. In the rural areas, each road was travelled and a visual inspection of the road frontages was conducted in an effort to locate additional businesses to make sure the database is as complete as possible.

- 2.3 Business locations surveyed include, but are not limited to, professional offices, stores, places of worship, hotels, medical offices, industrial facilities, farm operations, schools, government offices, hospitals, not for profit establishments, vacant commercial, industrial and institutional locations.
- 2.4 Homebased and mobile businesses were not included in the door-to-door survey. These types of businesses are challenging to survey in person due to a lack of a traditional bricks and mortar location. A targeted social media advertising campaign was used to encourage homebased businesses to participate. In total, 267 homebased businesses participated in 2018 compared to 248 in 2017.
- 2.5 Farm operations were identified through signage including: signs identifying the location as a farm; OFA signs; and, CFFA signs. Although many farms were identified, and address information was gathered, finding a person to survey at the farm often proved challenging. Survey details for the farm operations were collected for 635 of the 842 farms identified. Farm operators were encouraged to participate in the Business Count through targeted radio and social media campaigns.

3. Results and Analysis

- 3.1 The total number of business locations visited increased from 13,626 in 2017 to 13,994 in 2018. This total includes 12,599 businesses (including farms and home-based businesses), and 1,395 vacant business locations. In the past year, 1,968 new businesses opened and 1,027 businesses closed.
- 3.2 The total number of reported jobs increased from 196,713 in 2017 to 200,291 in 2018. The increase in jobs can be attributed to the following:
 - new businesses opening;
 - existing businesses expanding; and

- businesses, which had previously been reluctant to provide their job numbers, reporting their job numbers for the first time in 2017 or updating number of jobs for existing businesses.
- 3.3 Full-time work accounts for 128,849 jobs, while part-time and seasonal jobs are 61,492 and 9,950 jobs respectively. The retail sector employs the largest number of people and accounts for 17% of the total jobs. The health services and social assistance sector ranks second and accounts for 13% of the jobs. The total amount of square footage reported increased by 7,337,540 square feet.
- 3.4 A breakdown of the survey results can be found in the Durham Business Count Highlights (Attachment 1). The information below provides a brief overview of the 2018 Business Count results:
- 12,112 of the 12,599 (96%) businesses reported a total of 200,291 jobs;
 - 10,920 of the 12,599 (87%) business locations reported a total of 107,172,560 square feet of floor space;
 - 83% of business locations supporting 91% of jobs are located in the southern municipalities;
 - 591 of 798 (74%) farms supporting 1,738 jobs (60%) visited, are located in the three northern municipalities;
 - 64% of jobs are full-time, 31% of jobs are part-time, and, 5% of jobs are seasonal;
 - 10% of the business locations visited were vacant;
 - 443 businesses reported experiencing a shortage of skilled workers;
 - approximately 10% of businesses were surveyed for the first time in 2018; and
 - 0.3% of businesses did not participate in the survey.

4. Conclusion

- 4.1 The data collected during the 2018 Business Count will be provided to the local municipalities and will be used to update the Region's business directory. Additionally, it will be used for a variety of planning and economic development purposes such as land use studies and growth monitoring. It will also provide the foundation for the next annual Business Count to be conducted in the summer of 2019.
- 4.2 This report will be circulated to the Area Municipalities for their information.

5. Attachments

Attachment #1: 2018 Business Count Highlights

Respectfully submitted,

Original signed by

Brian Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development



Region of Durham

Highlights

Business Count

In 2018, the Regional Municipality of Durham's Planning and Economic Development Department, and its municipal partners, conducted the 7th annual Business Count.

Between May and September, the Business Count Team visited each and every business establishment in the Region, including farms, but not including home-based and mobile businesses.

The 2018 Business Count Highlights Report contains the results of this year's Business Count program including information about the types of businesses operating within the Region, and the jobs these businesses provide.

Although this is a voluntary survey, the majority of business locations visited, participated in the survey.

The information gathered during the Business Count is used to better understand the Regional economy, to monitor planning and promote economic development initiatives, and to update the Region's online Business Directory.

Thank you to the Region's Business Community for your support and continued participation in this very important initiative.

Brian Bridgeman
Commissioner, Planning and
Economic Development

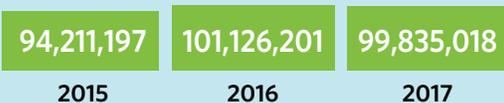
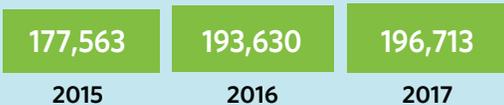
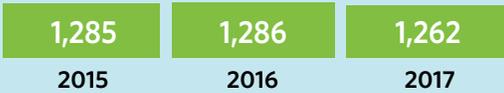
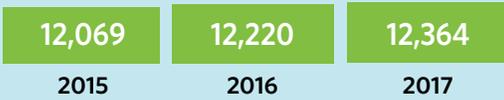




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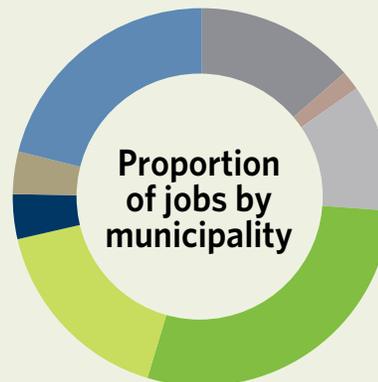
Durham Region



Jobs by employment type



- Ajax - 14%
- Brock - 4%
- Clarington - 11%
- Oshawa - 24%
- Pickering - 16%
- Scugog - 7%
- Uxbridge - 6%
- Whitby - 18%



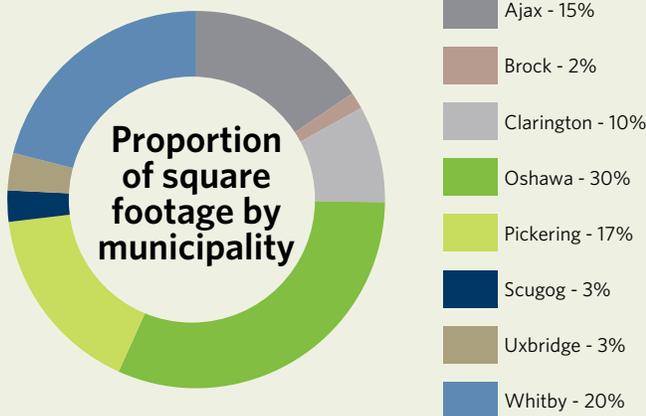
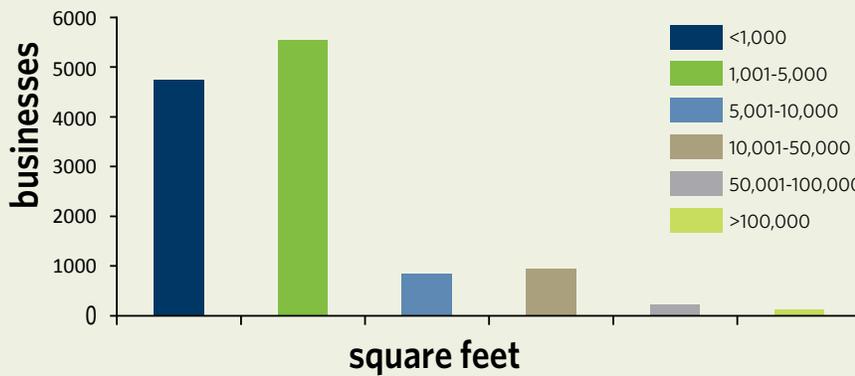
- Ajax - 14%
- Brock - 2%
- Clarington - 11%
- Oshawa - 27%
- Pickering - 17%
- Scugog - 4%
- Uxbridge - 4%
- Whitby - 21%



9% of businesses were identified for the **first time** in **2018**.

83% of businesses surveyed in **2017** are **still** operating at the same location in **2018**.

Businesses by floor area



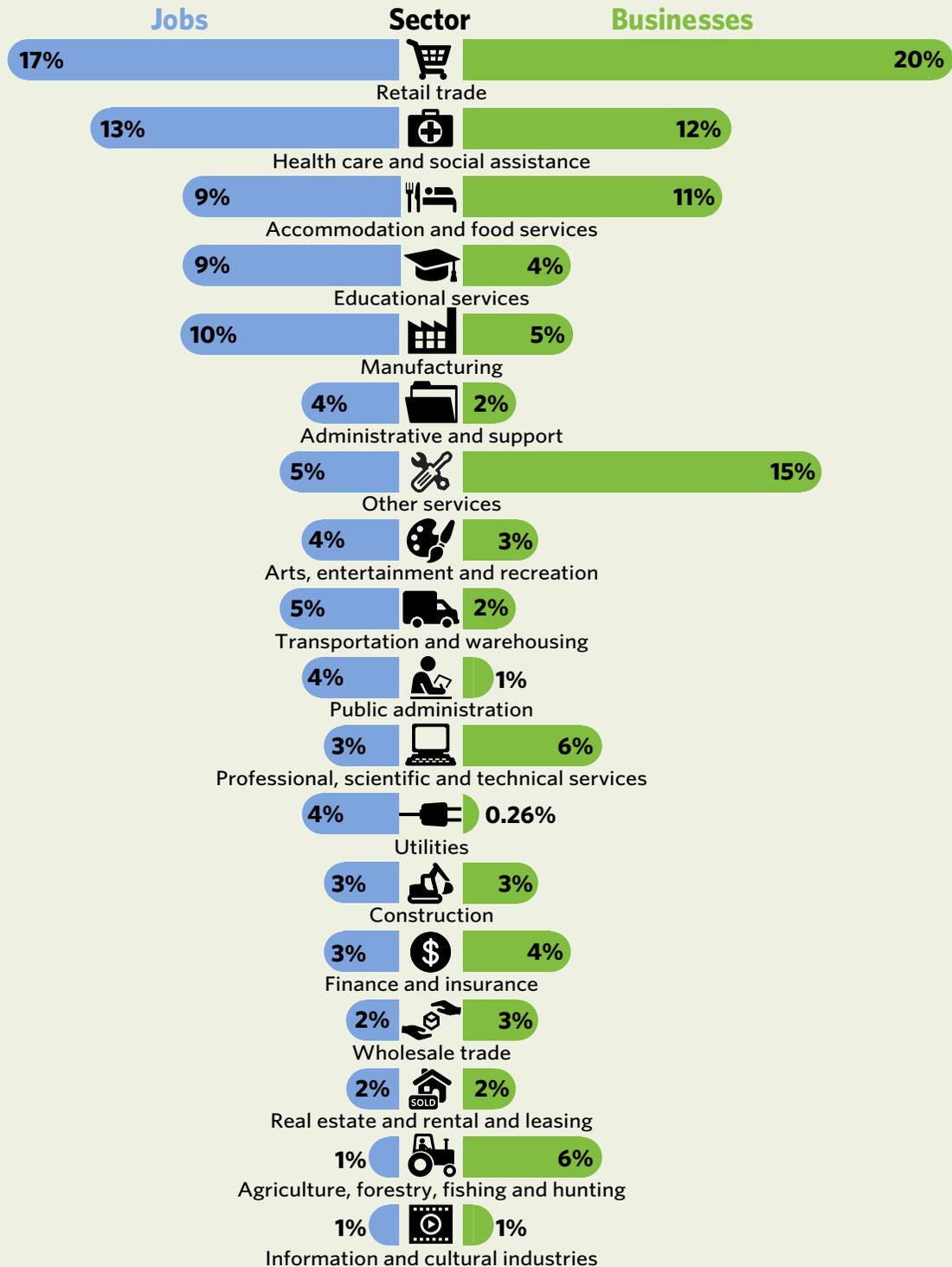
816
businesses
import



468
businesses
export

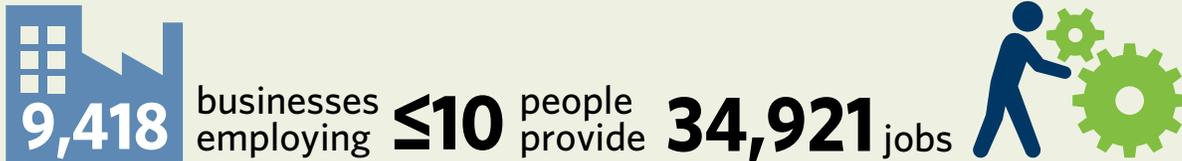
Durham Region

Percentage of Jobs and Businesses by Sector*



*Classified using the North American Classification System (NAICS) Canada, 2012

Businesses* by employment size



- Co-op/Non-profit - 5%
- Corporation - 56%
- Government - 5%
- Partnership - 4%
- Sole Proprietor - 27%
- Not Reported - 4%

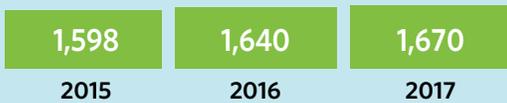


- Branch - 17%
- Franchise - 10%
- Independent - 62%
- Institutional - 4%
- Public - 3%
- Not Reported - 4%

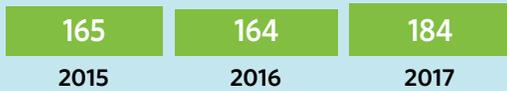
Businesses most commonly reported a demand for skilled people in these areas:

- automotive;**
- food services;**
- health services;**
- construction;**
- sales & management;**
- hairstylists;**
- skilled trades;**
- technology & design**
- and general labour.**

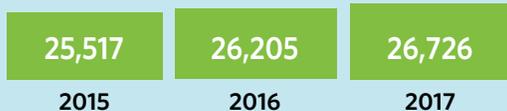
Ajax



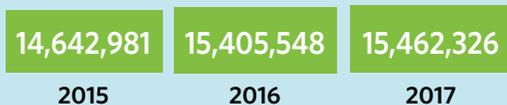
197 vacant



28,430 jobs



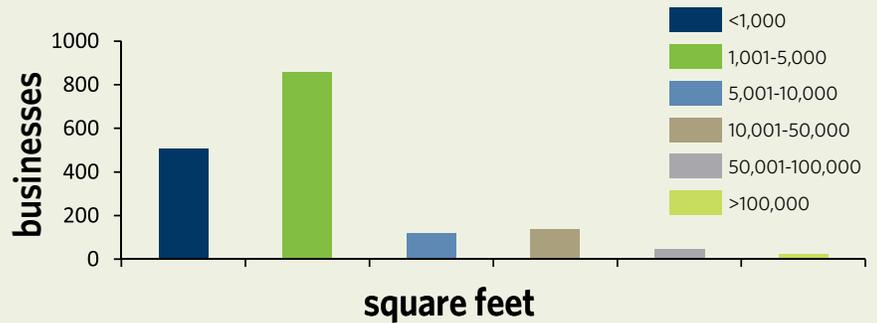
15,804,220
Floorspace (square feet)



Jobs by employment type



Businesses by floor area

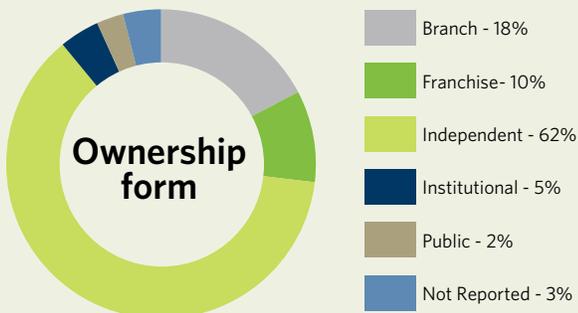
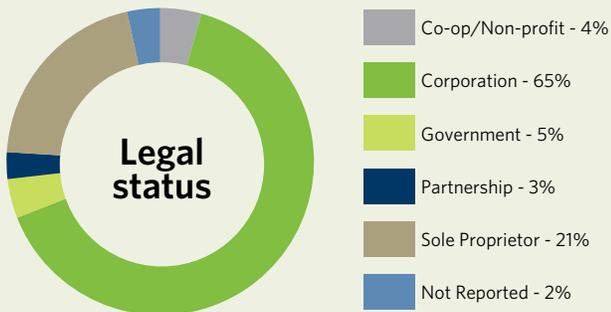


146
businesses
import

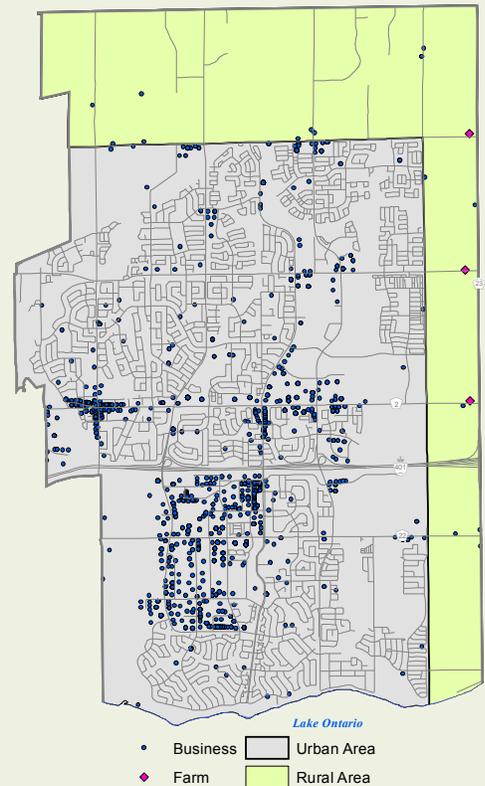


89
businesses
export

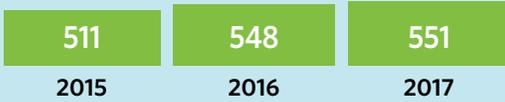
Businesses* by employment size



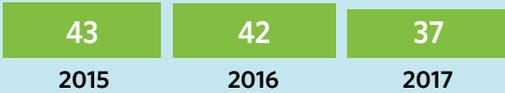
Business locations:



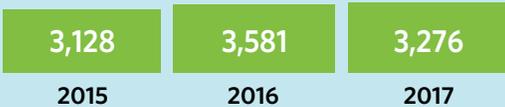
Brock



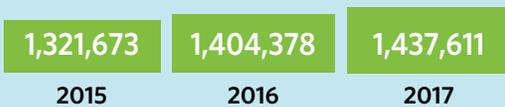
34 vacant



3,637 jobs



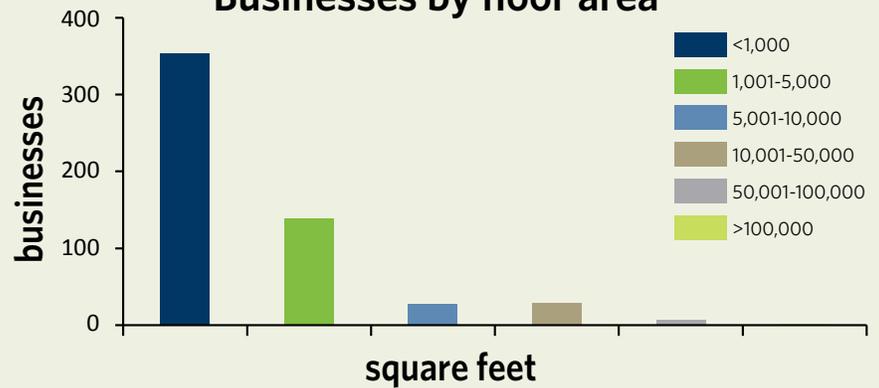
1,617,470
Floorspace (square feet)



Jobs by employment type



Businesses by floor area



11
businesses
import

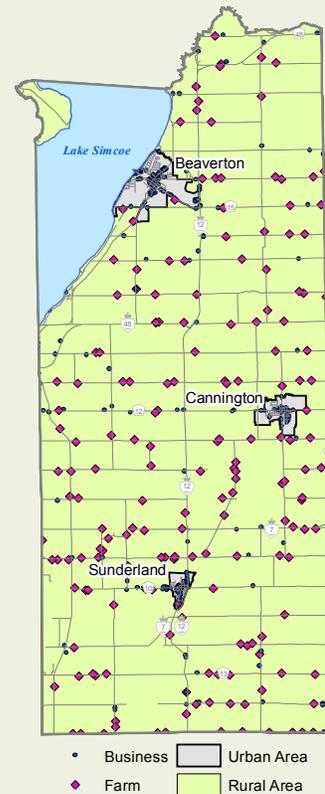


14
businesses
export

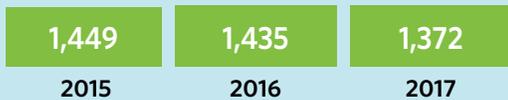
Businesses* by employment size



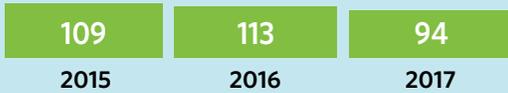
Business locations:



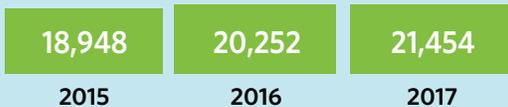
Clarington



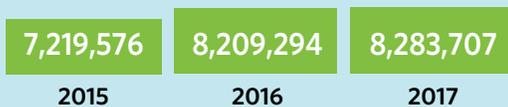
102 vacant



22,275 jobs



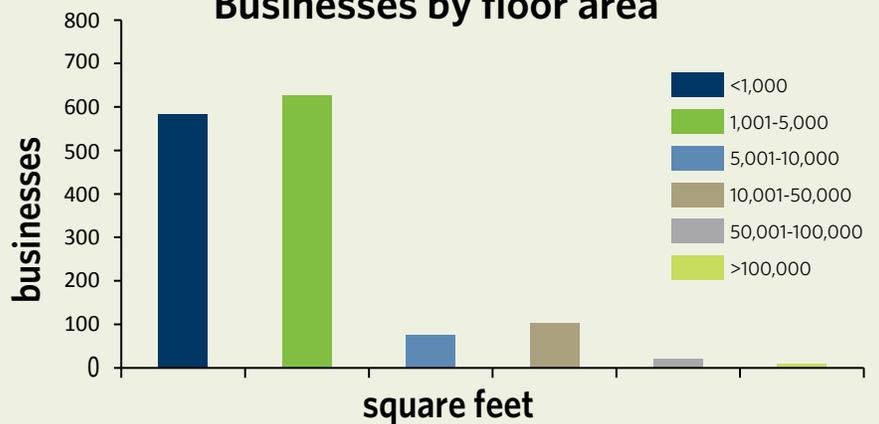
10,828,680
Floorspace (square feet)



Jobs by employment type



Businesses by floor area

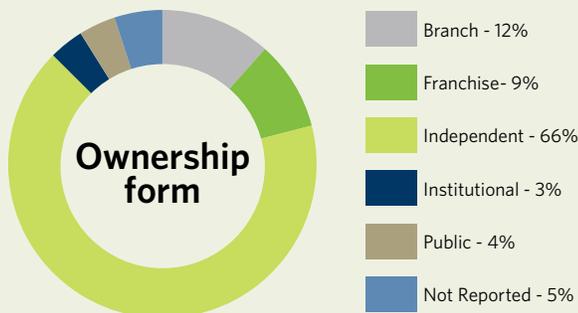
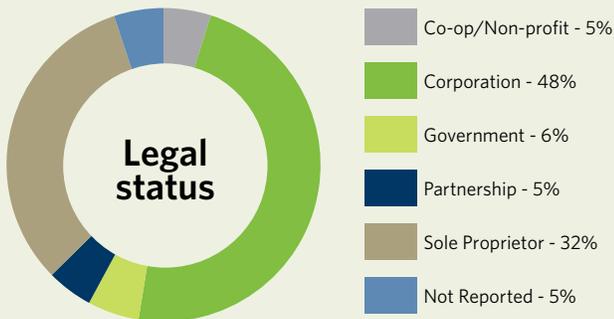


87
businesses
import

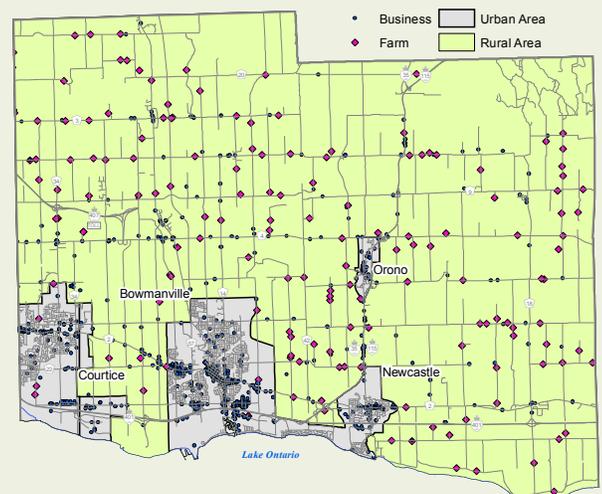


52
businesses
export

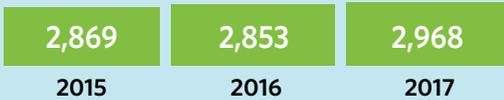
Businesses* by employment size



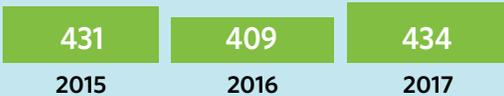
Business locations:



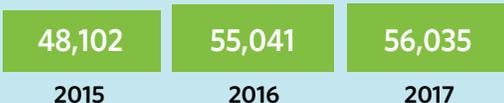
Oshawa



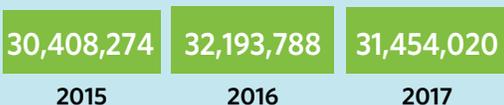
450 vacant



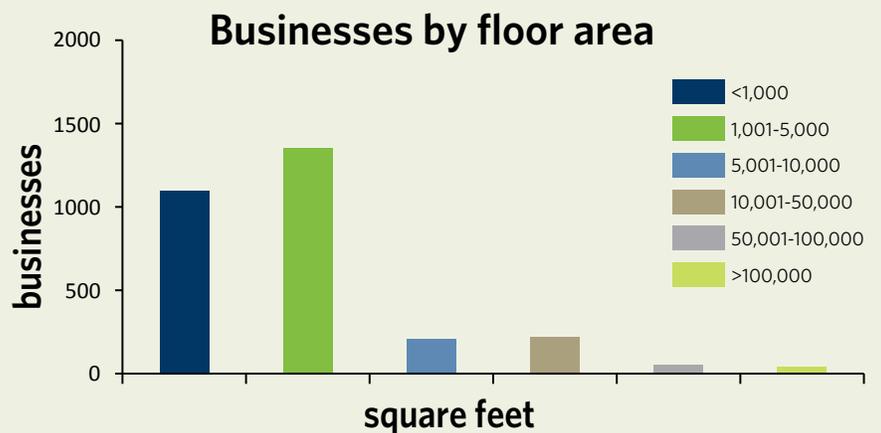
54,831 jobs



32,600,190
Floorspace (square feet)



Jobs by employment type



173

businesses import



73

businesses export

Businesses* by employment size

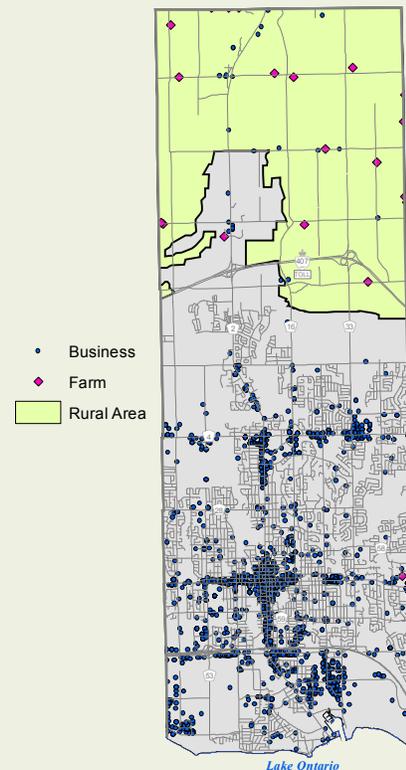


- Co-op/Non-profit - 7%
- Corporation - 60%
- Government - 5%
- Partnership - 3%
- Sole Proprietor - 23%
- Not Reported - 3%

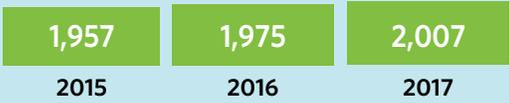


- Branch - 20%
- Franchise - 11%
- Independent - 58%
- Institutional - 5%
- Public - 3%
- Not Reported - 4%

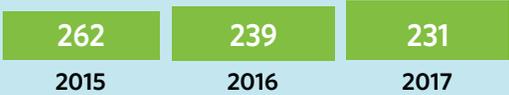
Business locations:



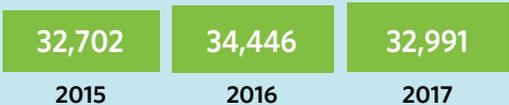
Pickering



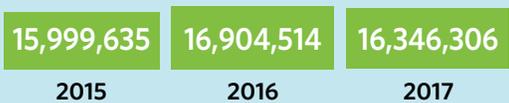
311 vacant



34,486 jobs



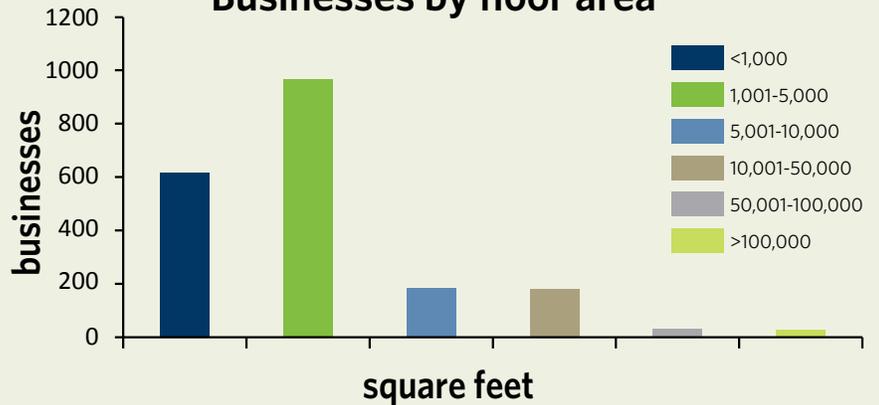
18,504,290
Floorspace (square feet)



Jobs by employment type



Businesses by floor area

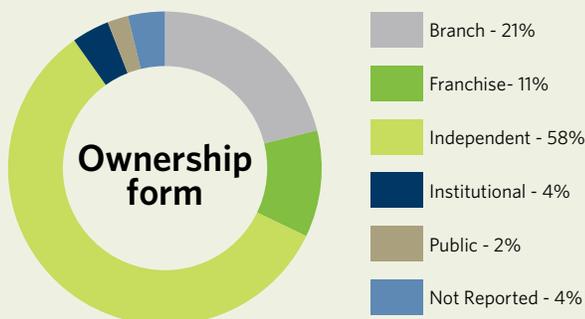


161
businesses
import

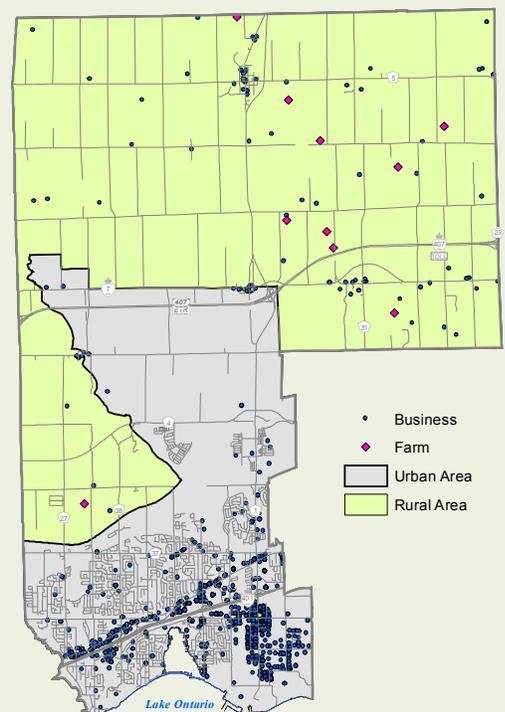


112
businesses
export

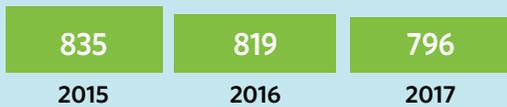
Businesses* by employment size



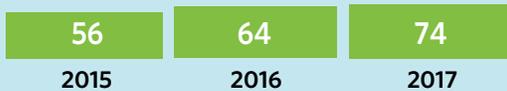
Business locations:



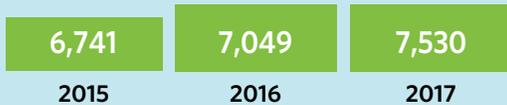
Scugog



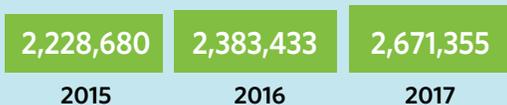
74 vacant



7,536 jobs



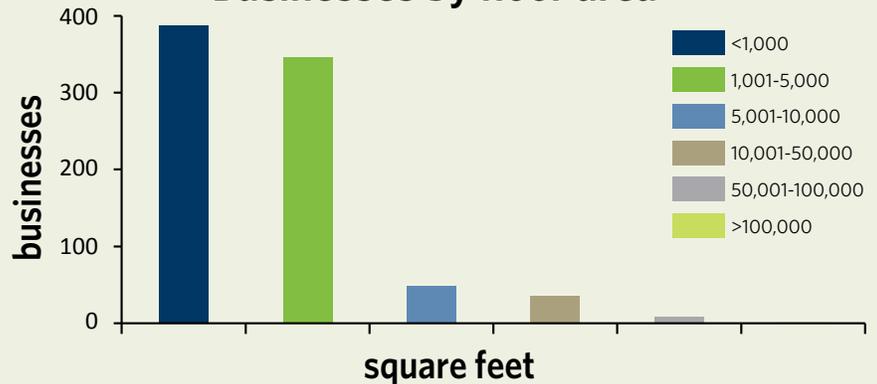
2,926,840
Floorspace (square feet)



Jobs by employment type



Businesses by floor area

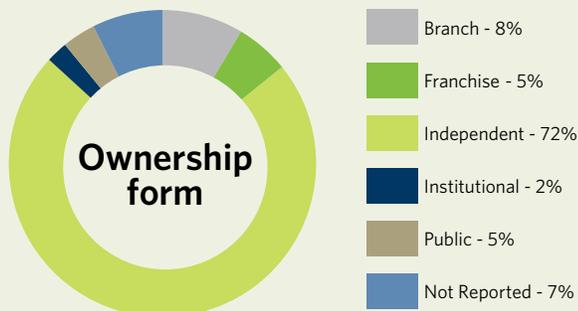
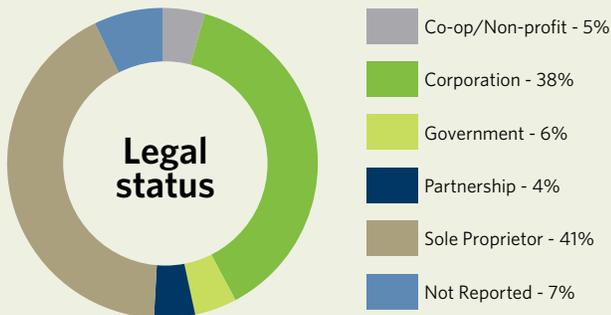


37
businesses
import

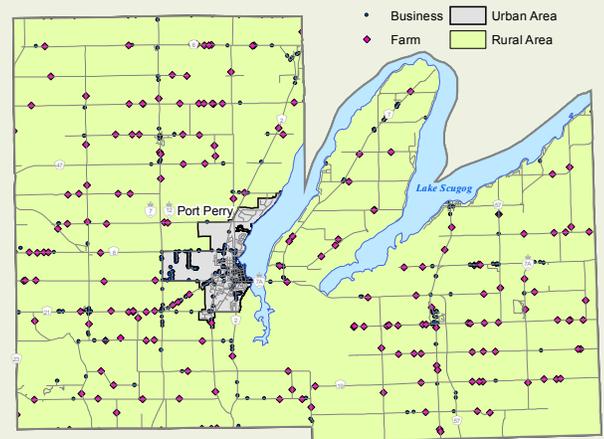


27
businesses
export

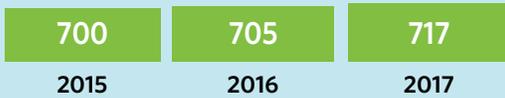
Businesses* by employment size



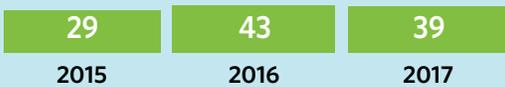
Business locations:



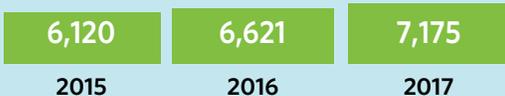
Uxbridge



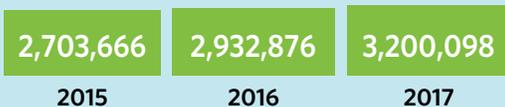
46 vacant



7,366 jobs



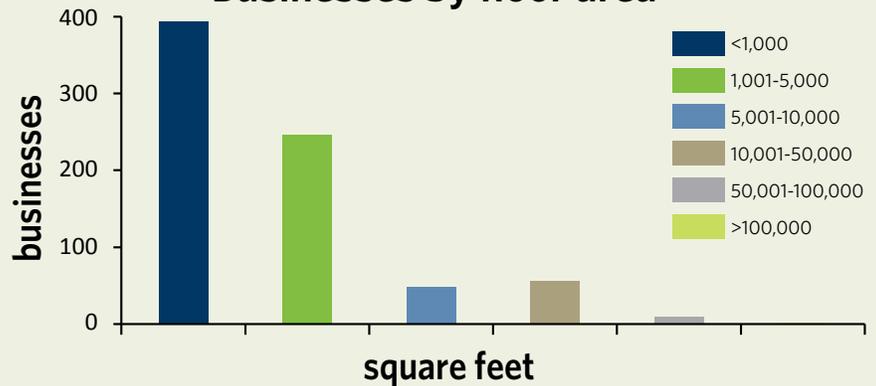
3,319,160
Floorspace (square feet)



Jobs by employment type



Businesses by floor area

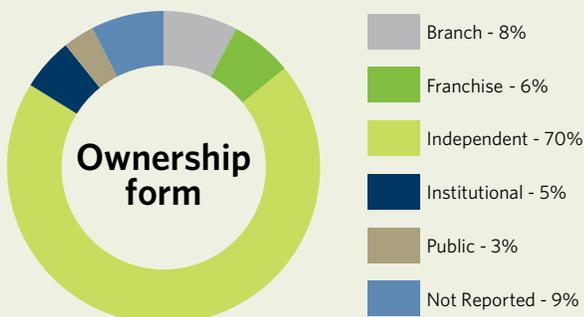


49
businesses
import

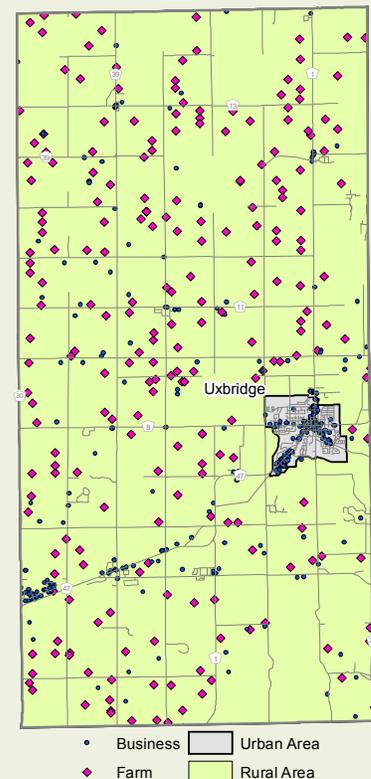


26
businesses
export

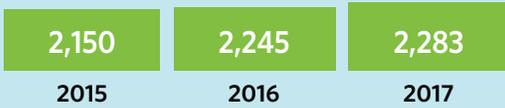
Businesses* by employment size



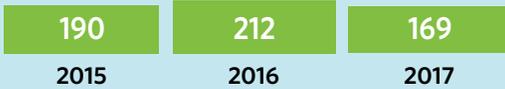
Business locations:



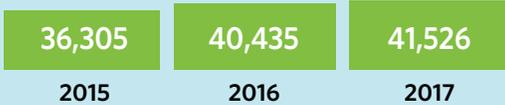
Whitby



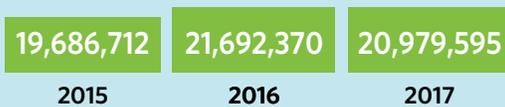
181 vacant



41,730 jobs



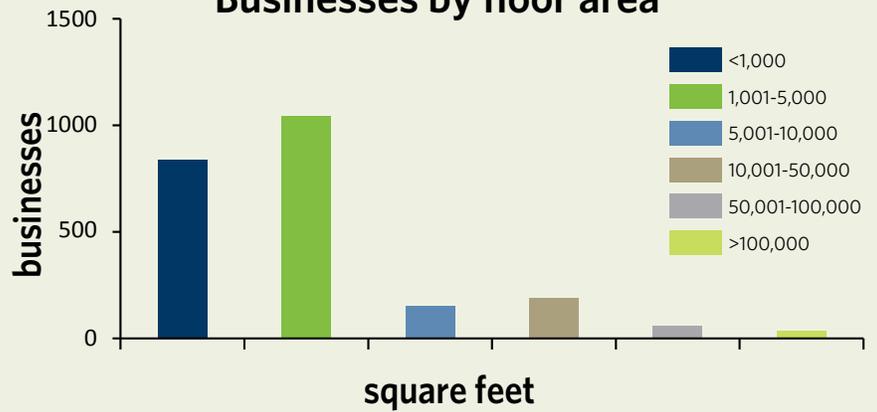
21,571,700
Floorspace (square feet)



Jobs by employment type



Businesses by floor area

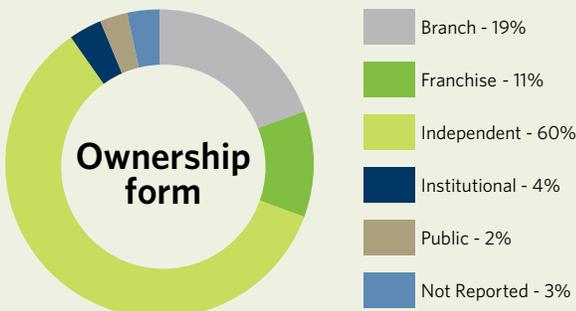


152
businesses
import

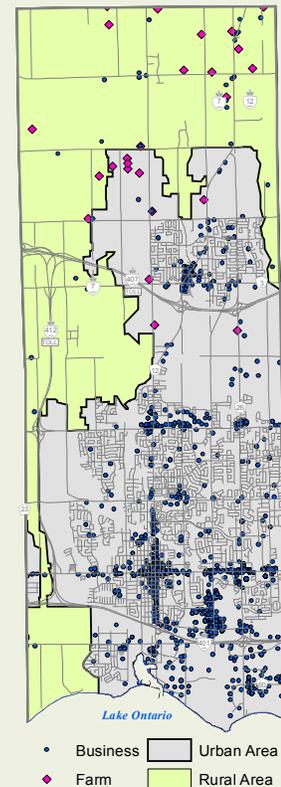


75
businesses
export

Businesses* by employment size



Business locations:







Glossary of Terms:

Businesses: Includes, but not limited to, professional offices, stores, restaurants, hotels, medical offices, industrial facilities, schools, government offices, hospitals, not for profit establishments, home based businesses. Vacant commercial and industrial locations are reported separately.

Business Sectors: The sectors are defined by the North American Industrial Classification System (NAICS) 2017 version. It is a standard classification system used throughout, Canada, the United States and Mexico.

Vacant: There is no business operating at a location. Includes vacant commercial, institutional and industrial locations.

Full-time jobs: Total number of workers, including self-employed owner operators, who work 30 hours a week or more.

Part-time jobs: Total number of workers who work less than 30 hours a week or more.

Seasonal jobs: Total number of workers who are considered as seasonal or temporary.

Floor space in square feet: The total floor space used by a business (covered area).

Import: If a business answers yes when asked about importing products and/or services into the country.

Export: If a business answers yes when asked about exporting products and/or services out of the country.

Legal Status: The legally recognized framework for conducting commercial activities including: sole-proprietor, partnership, corporation, cooperative/non-profit and government.

Ownership Form: The business ownership forms include: independent, franchise, branch, institutional and public. The ownership form of a business does not necessarily have any link to its legal status.



Notes:

The Region's annual Business Count is conducted from May to August. It is conducted by a group of seven summer students primarily through short face-to-face interviews. The students are generally able to conduct each survey in less than five minutes. In the event a face-to-face interview is not possible, businesses have the option of returning the survey by mail, fax, or completing it on the Region's website. Large employers such as school boards and municipal government offices are contacted by phone or email.

Every effort is made to collect all of the survey information for each business. As the survey is voluntary, the data collected is incomplete for some businesses.

Home-based and mobile businesses are encouraged to complete the survey online. Farms are identified through signage including: signs identifying a location as a farm located on the property or barn; OFA signs; and, CFFA signs.

While all care and diligence has been used in processing, analysing, and extracting data and information, the Region of Durham does not warrant the information to be error free.



The Regional Municipality Of Durham
605 Rossland Rd. E., Whitby, ON L1N 6A3
905-668-7711 or 1-800-372-1102
www.durham.ca

If this information is required in an accessible
format, please contact 1-800-372-1102 ext. 2570



The Regional Municipality of Durham Report

To: Planning and Economic Development Committee
From: Commissioner of Planning and Economic Development
Report: [#2019-EDT-4](#)
Date: March 5, 2019

Subject:

Durham Region 2019 Ontario Parasport Games

Recommendation:

That the Planning and Economic Development Committee recommends:

That this report be received for information.

Report:

1. Purpose

- 1.1 The purpose of this report is to celebrate the very successful 2019 Ontario Parasport Games which were hosted by Durham Region from February 8 to 10, 2019. The success of the Games is captured in the following "Celebration Video": https://www.youtube.com/watch?v=j6dl_cPDGH0. As of the date of this report, the Celebration Video has been viewed more than 7,000 times on social media.
- 1.2 A more detailed report will be prepared in the coming months to highlight the economic impact of the Games, once the requirements of the Transfer Payment Agreement with the Ministry of Tourism, Culture and Sport ("MTCS") have been fulfilled.

2. Background

- 2.1 The Ontario Parasport Games is one of the Province's five multi-sport Ontario Games events. Ontario Games provide athletes with quality competitive experiences and the opportunity to pursue their athletic goals.

- 2.2 On December 14, 2016, Regional Council endorsed Sport Durham's bid to host the 2019 Ontario Parasport Games and approved up to \$20,000 toward the cost of hosting the Games (2016-COW-73).
- 2.3 On June 9, 2017 the MTCS announced that Durham Region was the successful bidder to host the Games.
- 2.4 On March 21, 2018 Durham Regional Council authorized the execution of the Transfer Payment Agreement between the Region and the MTCS for the delivery of the Durham Region 2019 Ontario Parasport Games (2018-COW-47).
- 2.5 The Durham Region Economic Development and Tourism Division formed a Games Organizing Committee ("GOC"), led by the Region's Sport Tourism Coordinator Lori Talling, as well as Don Terry (Co-Chair and Chair of Sport Durham) and Emmy Iheme (Co-Chair, and Durham Regional Police Service member). The GOC also had 12 committee chairs, supported by over 30 committee volunteers and three representatives from the MTCS.

3. Durham Region 2019 Ontario Parasport Games

- 3.1 From February 8 to 10, Durham Region welcomed over 500 athletes, attendants, guides, coaches, managers, officials and provincial sport organization representatives, as well as thousands of spectators. The Games were supported by more than 200 volunteers.
- 3.2 The Games also received tremendous support from Regional staff across a variety of roles, from the bid phase through to execution of the event. The Durham-hosted Games were widely reported by the athletes, coaches and other participants to be an overwhelming success at every level.
- 3.3 It was projected that the Games would result in a Regional economic impact of greater than \$500,000. A final economic impact report will be produced in the near future based on final attendance tallies and other data collected.
- 3.4 Special events and program elements included:
 - Pre-Games promotions at community events such as Open Streets Whitby
 - 100 Day Countdown including parasport try-it sessions with local schools – Pickering High School
 - Toque Knitting Campaign
 - Be The Roar Campaign

- Official Proclamation for Ontario Parasport Games Days, February 8 to 11 and Ontario Parasport Games Flag Raising
- Opening Night Participants Dinner – Pickering Recreation Complex
- Opening Ceremonies – Abilities Centre
- VIP Reception – Abilities Centre
- Celebration Dinner – Pickering Recreation Complex
- Legacy planning including partnership with Their Opportunity to ensure economic standing is not a barrier to parasport participation for youth in Durham Region, and a School Grow-it Program (in progress)

3.5 The Durham Region 2019 Ontario Parasport Games featured 11 sports at 8 venues:

- 5-a-side Soccer – Pickering Soccer Centre
- Boccia – Abilities Centre
- Goalball – Donald A. Wilson Secondary School
- Para-Alpine – Brimacombe
- Para-Nordic – Brimacombe
- Sitting Volleyball – Abilities Centre
- Sledge Hockey – Iroquois Park Sports Centre
- Visually Impaired Curling – Oshawa Curling Club
- Wheelchair Basketball – Durham College & University of Ontario Institute of Technology Campus Recreation and Wellness Centre
- Wheelchair Curling – Oshawa Curling Club
- Wheelchair Rugby – Brooklin High School

3.6 The official Games website containing additional information is:

www.durhamregion2019.ca

4. Conclusion and Next Steps

4.1 The Durham Region 2019 Ontario Parasport Games were a resounding success. The Games received tremendous support throughout planning and execution from the entire Regional community through sponsorship, volunteerism, spectators, contracted services, toque knitting, athlete support through the Be The Roar campaign, attendance at special events, and much more.

4.2 The Durham Region 2019 Ontario Parasport Games Organizing Committee will complete event wrap-up activities and will prepare a final report for the MTCS and Regional Council which will include financial reporting, an economic impact report, and the legacy contributions from the Games.

Respectfully submitted,

Original signed by

Brian Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development



The Regional Municipality of Durham Report

To: Planning and Economic Development Committee
From: Commissioner of Planning and Economic Development
Report: [#2019-EDT-5](#)
Date: March 5, 2019

Subject:

Proposed Amalgamation of the Oshawa and Hamilton Port Authorities

Recommendations:

That the Planning and Economic Development Committee recommends to Regional Council:

- A) That Commissioner's Report #2019-EDT-5 be endorsed and submitted to Transport Canada as Durham Region's preliminary comments on the proposed amalgamation of the Oshawa and Hamilton Port Authorities, including the following key comments and recommendations:
- i) The timeline of 30 days to provide comment is insufficient and should be extended by 90 days to adequately and meaningfully consult with the business communities, municipal governments, and indigenous communities that may be affected;
 - ii) The proposed name of "Oshawa-Hamilton Port Authority" is most preferable;
 - iii) The City of Oshawa, and the Region of Durham each be granted the authority to appoint one member to the Board of Directors of the amalgamated port authority;
 - iv) That the amalgamated Port Authority engage in early consultation with the City of Oshawa and Region of Durham prior to any proposed changes to land use at the Port of Oshawa, to ensure any development is appropriate and compatible with surrounding land uses; and

- v) That the Durham Regional Chair respectfully requests a meeting with the Minister of Transport to discuss the Region's objectives and concerns.
- B) That the Regional Chair be authorized to provide further comments on the proposed amalgamation to Transport Canada, if necessary, as additional information becomes available and meetings take place; and
- C) That a copy of this report be forwarded to the City of Oshawa and Durham Region's area municipalities, the Oshawa Port Authority, the Greater Oshawa Chamber of Commerce, the City of Hamilton, the Hamilton Port Authority, all Durham MPs and MPP.
-

Report:

1. Purpose

- 1.1 On February 5, 2019, the Honourable Marc Garneau, Federal Minister of Transport, announced that the Government of Canada intends to amalgamate the Oshawa and Hamilton Port Authorities ("OPA" and "HPA", respectively) to form a new entity to be named the "Oshawa-Hamilton Port Authority" in an effort to improve port efficiencies and planning in the region. Notice of intent to amalgamate was published in the Canada Gazette on February 9, 2019.
- 1.2 The publication of the notice of intent to amalgamate marked the beginning of a 30-day consultation period, and interested parties have until March 11, 2019 to submit comments on the Government of Canada's proposal.
- 1.3 The purpose of this report is to provide preliminary Regional comments to Transport Canada on the proposed amalgamation.

2. Background

- 2.1 The Federal Government has the authority under the *Canada Marine Act* to amalgamate two or more port authorities. In this case, the newly amalgamated authority would assume the geographical jurisdictions, assets, liabilities and obligations of the OPA and the HPA.
- 2.2 After the consultation period concludes on March 11, 2019, the Government of Canada could decide whether to confirm the amalgamation through the publication of a certificate of amalgamation in the Canada Gazette.
- 2.3 The notice of intent to amalgamate noted that:

- This proposal seeks to strengthen the Canadian supply chain in Ontario by providing a coordinated approach to port development, land use and marketing and would allow the amalgamated port authority to leverage the operations of the HPA and the established operations of the OPA to successfully broaden multimodal transportation options in the Greater Toronto Area;
- The benefits of amalgamating Canadian Port Authorities (CPAs) were raised in the 2016 review of the Canada Transportation Act which recommended that work be conducted to further the amalgamation of Port Authorities;
- Canada's national port system is made up of 18 CPAs that are non-share capital corporations incorporated under the Canada Marine Act ("CMA"). CPAs handle about 60% of Canada's marine commercial cargo tonnage and contribute over 213,000 direct and indirect jobs and over \$25B to Canada's GDP;
- This amalgamation is administrative in nature and would represent no further financial costs for the Government of Canada or to the Canadian public. Operations at both ports would continue without disruption and the amalgamated port would be in a strong financial position and forecast positive growth; and
- There are no expected environmental implications, as no changes to the current land holdings, infrastructure, or real property of the OPA and HPA are being proposed.

2.4 CPAs are intended operate at arm's length from the federal government and are governed by a board of directors chosen by port users and the municipal, provincial and federal governments. Each board:

- Sets the business direction and makes commercial decisions for the port;
- Sets fees (e.g. berthage and wharfage fees);
- Is responsible for maintaining and dredging commercial shipping channels; and
- Acts as a landlord, leasing port operations to private operators.

2.5 Transport Canada states that CPAs must also be financially self-sufficient. They do not receive federal funding to meet operating costs or deficits, and finance capital projects using their own revenues. CPAs can partner with the private sector, borrow from commercial lenders or apply for certain federal grants related to infrastructure, the environment or security.

3. Preliminary Responses to the Proposed Amalgamation

3.1 The City of Oshawa Development Services Committee received a staff report (see Attachment 1) September 24, 2018 which provided responses to the Federal Discussion Paper regarding the Transport Canada Ports Modernization Review. Responses were grouped in 6 themes:

- a. Theme 1: Communication, Building Relationships and Building Trust
- b. Theme 2: Land Use and Environmental Responsibility
- c. Theme 3: Innovation
- d. Theme 4: Safety
- e. Theme 5: Financial Support
- f. Theme 6: Governance

3.2 The City of Oshawa, during their Council meeting February 8, 2019, resolved as follows (see Attachment 2) regarding the proposed amalgamation:

- a. That the Development Services staff be directed to present a report to the February 25, 2019 Development Services Committee regarding the proposal to amalgamate the Oshawa Port Authority and Hamilton Port Authority in order to provide a submission to the Federal Minister of Transport on this matter and that a Special Council meeting be held thereafter to meet the March 11, 2019 deadline for comments;
- b. That:
 - (i) The City re-establish a city working group consisting of the Mayor, Chair of Development Services Committee, a Ward 5 Councillor and a Councillor from another Ward, as determined by Council, and appropriate staff to monitor the evolving governance and land use issues at the Port of Oshawa and adjacent lands and to provide recommendations and advice to City Council through the Development Services Committee.
 - (ii) The Federal Minister of Transport be requested to meet with the Working Group to discuss the Government of Canada's intent to amalgamate the Oshawa Port Authority and Hamilton Port Authority before any final decision is made on the matter; and
 - (iii) Councillors Nicholson and McConkey be appointed to the Working Group.
- c. That Transport Canada be requested to provide the public, the Indigenous community and other stakeholders additional time (90 additional days) to provide comments to the Government of Canada's certificate of intent to amalgamate the Oshawa Port Authority and Hamilton Port Authority and to

allow the City of Oshawa to host a public meeting to obtain comments from its residents and businesses, the Indigenous community and other stakeholders on this important matter to Council and which could influence the Federal Government's final decision on this matter; and

- d. A copy of this resolution be forwarded to the Prime Minister of Canada, the Federal Minister of Transport, Region of Durham, all Durham area municipalities, the Greater Oshawa Chamber of Commerce, all Durham MP's and MPP's, the Oshawa Port Authority, Friends of the Second Marsh and Central Lake Ontario Conservation Authority."

3.3 The City of Hamilton Council received a staff report (see Attachment 3) on February 20, 2019 which recommended:

- a. That the Mayor be directed, on behalf of the City of Hamilton, to request a meeting with the federal Minister of Transport to discuss this proposed amalgamation and outline the City of Hamilton's objectives and concerns;
- b. That Transport Canada be requested to provide to the City of Hamilton, the draft Letters Patent proposed for the newly amalgamated port authority for the City's review and input prior to finalization;
- c. That the Mayor be directed, on behalf of the City of Hamilton, to make written representations to the Minister regarding the amalgamation respectfully requesting that the:
 - (i) Corporate name of the amalgamated port authority be known as the 'Hamilton-Oshawa Port Authority' and have its registered offices located in Hamilton, Ontario;
 - (ii) Board of Directors of the amalgamated port authority have no more than seven members and that the Cities of Burlington, Hamilton and Oshawa each be granted the authority to appoint one member; and
 - (iii) Newly amalgamated port authority be directed to continue the close working relationship established between the Hamilton Port Authority and the City of Hamilton, its citizens and stakeholders particularly with respect to the transparency of port operations, project reviews, development planning, site plan approvals and the issuance of building permits.

4. Discussion

4.1 Durham Regional staff are still gathering relevant information and consulting stakeholders to determine potential Regional impacts and draft the response to the

Minister of Transport.

- 4.2 Regional Economic Development staff are supportive of the City of Oshawa's submission to the Federal Minister of Transport, including the request for more time for consultation and comment.
- 4.3 The HPA has considerably more shipping traffic than the OPA. The HPA is 16 times larger in terms of total assets, and in 2017 generated considerably more net income than the OPA.
- 4.4 The proposed amalgamation could present various economic development opportunities:
 - a. The HPA is space-constrained, and growth of certain components of its shipping business and operations depend on being able to access additional development land. In this respect, the OPA lands may offer some opportunities for new development for the newly created port authority. The HPA's customers would be more easily able to access the Eastern & Central Ontario and Durham markets through the Oshawa Port.
 - b. The HPA's size and global industry network is considerable. The HPA may have customers or partners in their network that are prospective investors seeking to establish a new physical presence. If these connections are well suited to the Durham Regional economy, and if there is a strong relationship between the Region, City of Oshawa, and the new port authority, the Region may be able to leverage this large network to generate new investment.
 - c. The HPA, due to space constraints, may be operating at capacity at certain times of year. Diversion of overflow shipping traffic to Oshawa could be a potential outcome, resulting in increased economic activity.
 - d. The HPA has considerable current assets so it is possible that the amalgamation may enable the newly formed port authority to pursue and fund new projects in Durham with greater speed in the future, such as new intermodal capabilities. The HPA generates annual free cash flow of \$12M-\$14M which is continually being reinvested in Port infrastructure and new projects.
 - e. The HPA's significant cash position allows them to commit matching funds for applications for funding from Transport Canada's \$2B National Trade Corridors Fund for infrastructure projects, presenting opportunities to access new infrastructure capital streams for projects at the Oshawa port lands.
 - f. Local Regional businesses may be able to access a broader range of customers and shipping logistics service providers if services are now offered

more broadly across both ports.

4.5 The proposed amalgamation presents certain Regional concerns:

- a. Since the HPA has a much larger administration, it is possible that the centralized office location and registered place of business for the newly-created port authority would be Hamilton. This may result in:
 - The relocation of OPA jobs away from Oshawa to Hamilton;
 - Lack of focus or attention by the new port authority on supporting the economic development mandates of the City of Oshawa or the Region, or timely response to requests by Oshawa or the Region;
 - Difficulty in Oshawa maintaining strong relationships with executive-level port authority staff due to the travel distance.

5. Conclusion and Next Steps

5.1 The proposed amalgamation of the Oshawa Port Authority and the Hamilton Port Authority by the Federal Minister of Transport presents concerns as well as potential economic development opportunities.

5.2 A 30-day consultation period is considered inadequate; therefore, it is recommended that the Regional Chair be authorized to provide further comments, if necessary, as additional information becomes available and meetings take place.

6. Attachments

Attachment #1: City of Oshawa staff report dated September 20, 2018

Attachment #2: City of Oshawa correspondence dated February 11, 2019

Attachment #3: City of Hamilton staff report dated February 20, 2019

Respectfully submitted,

Original signed by

Brian Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development

Recommended for Presentation to Committee

Original signed by

Elaine C. Baxter-Trahair
Chief Administrative Officer



Public Report

To: Development Services Committee

From: Paul D. Ralph, BES, MCIP, RPP, Commissioner,
Development Services Department

Report Number: DS-18-150

Date of Report: September 20, 2018

Date of Meeting: September 24, 2018

Subject: Transport Canada Ports Modernization Review, 2018 -
Recommended City Comments

File: F-3041-0005

1.0 Purpose

Transport Canada is undertaking a review of Canada Port Authorities to optimize their current and future role in the transportation system. Transport Canada wants to hear from key partners and stakeholders, including Canada Port Authorities and municipal governments and local communities that have a particular interest in port activities.

Transport Canada released a discussion paper to help guide the review of the Canada port's system and to obtain meaningful feedback from stakeholders (see Attachment 1).

The purpose of this report is to obtain Council approval of City comments on the discussion paper for Transport Canada's Ports Modernization Review. The deadline to provide comments is October 26, 2018.

Attachment 1 is a copy of the discussion paper for Transport Canada's Ports Modernization Review.

Attachment 2 is a copy of the main body of Staff Report DS-13-02 dated January 10, 2013, which includes staff comments on the proposed Oshawa Port Authority Draft Land Use Plan at that time.

Attachment 3 is a copy of a letter dated December 22, 2016 forwarding City comments for consideration by the expert panel tasked with reviewing federal environmental assessment processes.

Attachment 4 is a copy of the Oshawa Harbour Land Use, Development and Municipal Services Agreement dated July 15, 2010 between the City and Port Authority, which remains in effect to July 15, 2020 as a result of an extension of term agreement made on July 15, 2015.

2.0 Recommendation

That the Development Services Committee recommend to City Council:

1. That Report DS-18-150, dated September 20, 2018, be endorsed as the City's comments on the discussion paper for Transport Canada's Ports Modernization Review.
2. That a copy of Report DS-18-150, dated September 20, 2018, and the related Council resolution be sent to Transport Canada, the Oshawa Port Authority, the Region of Durham, the Friends of the Second Marsh and the Central Lake Ontario Conservation Authority.
3. That Transport Canada be requested to meet with the Mayor to discuss the City's comments on the discussion paper for the Ports Modernization Review.

3.0 Executive Summary

Not applicable.

4.0 Input From Other Sources

The following have been consulted in the preparation of this report:

- City Manager
- Commissioner, Community Services
- Director of Economic Development

5.0 Analysis

5.1 Background - Canada's Port System

5.1.1 Legislative Framework

Today's port system is governed by the 1995 National Marine Policy and the 1998 Canada Marine Act.

The National Marine Policy lays out a detailed model for Canada's marine transportation system, whose key principles emphasize accountability to users and the public, business discipline and self-sufficiency to shift port operation costs from the general taxpayer to port users.

The 1998 Canada Marine Act created 18 Canada Port Authorities having national significance, and began the divestiture of other ports owned by Transport Canada to local interests. These changes were intended to promote a more competitive, effectively managed and sustainable port system.

On February 18, 2012 the Port of Oshawa was given its Port Authority status through the issuance of letters of patent under the 1998 Canada Marine Act and its previous status as a Harbour Commission under the Harbour Commissions Act ceased to apply.

5.1.2 The Importance of Ports

Canadian ports play an important role in supporting economic development and global trading. Many Canadians rely on the port system for the goods they use and consume and for delivering their merchandise to domestic and international markets.

The Port of Oshawa is a major economic driver and the City recognizes the importance of the port from an economic development and jobs creation perspective. The role and capabilities of the Port of Oshawa represent significant infrastructure for the City and Region and create a competitive economic advantage.

Canadian Ports are also important community members as they manage land within our municipal boundaries, function as marine security and safety, contribute to environmental protection and contribute to the creation of direct and indirect jobs.

5.1.3 Port of Oshawa

The Port of Oshawa has had a long history of being the centre of trade, and a vital transportation link for industries dating back to the 1800's. From facts and statistics published on-line by the Port of Oshawa, the port has handled more than 500 vessels carrying over 3 million metric tonnes of cargo over the last decade. Further, the same source material indicates the movement of cargo through the port supports 294 jobs.

According to the latest facts and statistics available on-line at the Port of Oshawa's website, the Port of Oshawa on average handles approximately \$23 million worth of cargo annually, including products such as salt, steel, asphalt and grain.

5.2 Purpose of Transport Canada's Ports Modernization Review

Transport Canada indicates that over the last 20 years the operating landscape for Canadian Ports has changed and will continue to change at a greater pace, thereby creating new challenges and opportunities. In order to ensure our country remains well-positioned to innovate and compete within the port industry, Transport Canada feels it necessary to re-examine Canada Port Authorities and how they operate.

Key drivers of change include:

- An evolving marine industry;
- Reconciliation with Indigenous peoples;
- Local communities;
- Environmental protection and climate change;
- Safety and security; and,
- Governance.

Submissions and comments to Transport Canada are due on or before October 26, 2018. The Honourable Marc Garneau, Minister of Transport, launched a roundtable series of meetings for the ports modernization review, with Indigenous peoples, provincial governments, municipalities, etc. To date staff are not aware that the City of Oshawa has been notified by Transport Canada of any roundtable discussions to discuss the review, and staff have not located any online calendars or advertisements related to any roundtable discussions being held by Transport Canada prior to the October 26, 2018 deadline for comment.

5.3 Staff Response to Discussion Paper

Transport Canada prepared a discussion paper (see Attachment 1) including background information as well as a list of 14 questions to lead the discussions and comments from stakeholders.

Staff has reviewed the discussion paper and notes that only certain questions require input from the City as the balance of the questions are more appropriately answered by others, such as the indigenous community or port users. These questions are relevant to the City of Oshawa in its role as a municipal authority and host to a Canada Port Authority, and read as follows:

- Discussion paper Q3. What strategies could link business to research, and research to learners in support of innovative solutions and greater competitiveness?
- Discussion paper Q7. How can ports ensure their operations and future development remain environmentally sustainable and adapt to climate risks?
- Discussion paper Q8. How can Canada Port Authorities contribute to building healthier communities?
- Discussion paper Q13. What models or approaches could be pursued to ensure Canada Port Authorities are more responsive to user and local perspectives?

In developing appropriate responses to these questions, it became apparent that the responses share a variety of commonalities and similar themes. Responding to the questions is therefore most effectively achieved through a thematic approach. On this basis, it is recommended that the following comments be endorsed by Council and forwarded to Transport Canada for their consideration during the Ports Modernization Review.

5.3.1 Theme 1: Communication, Building Relationships and Building Trust

Fostering and maintaining a collaborative, respectful and trusting relationship between Port Authorities and host municipalities and the public is critical to building a strong relationship and trust. This should be a key objective for all parties. Regularly scheduled, ongoing meetings between Port Authorities and local municipal governments are an important and highly effective way to ensure alignment of the municipality's and the Port Authority's strategic plans and corporate objectives.

Waterfront districts are highly visible, important areas of shoreline communities, and communities having the added advantage of a port stand to benefit from substantial economic opportunities as well as opportunities for well-being and recreation.

Municipalities and Port Authorities can parlay these assets to their mutual advantage provided that they work collaboratively and are in frequent communication. For this reason it is important to recognize that over time, board members, port staff and elected officials change and nothing in the current legislative framework mandates having regular set meetings. As personalities change, previous relationships can diminish or disappear in the absence of a formal communications framework.

The City's relationship with the Port Authority has improved over the years. For example, the City of Oshawa and the Oshawa Port Authority (O.P.A.) staff have committed to meet both quarterly and on an as-needed basis rather than merely comply with the minimum annual meeting requirement. In addition, the Mayor and Councilor Pidwerbecki are invited to attend certain O.P.A. meetings. Communication and interaction between the City and the O.P.A. has been further facilitated recently through arranging bus tours of the port facility for elected representatives.

Both the City and the O.P.A. have benefitted from this collaborative approach to communication, as recently exemplified when the parties came together to successfully amend a long-standing agreement to now allow fishing on the landmark pier under the O.P.A.'s jurisdiction.

In addition to recommending that Port Authorities and their host municipalities formally establish a communications framework that is regular, frequent and multi-faceted in terms of incorporating different opportunities for building relationships and trust, staff agrees with the ideas provided in the discussion paper as examples of communication approaches being employed by leading ports, i.e.:

- Hosting open houses to explain their major projects;
- Starting good neighbor committees; and,
- Talking with Canadians on social media.

The above communication approaches should be mandatory for each Port Authority.

In addition, it is recommended that Port Authorities post agendas and minutes for all their meetings, to be more open and transparent. This would improve on the current situation which requires only the agenda and minutes from the single annual public meeting along with the annual financial statement to be publicly available.

As noted under subsection 5.3.2, regular environmental monitoring to gauge compliance with standards for matters such as noise, vibration, and air and water quality is an important ongoing function. Sharing monitoring results with the community is an ideal opportunity to reinforce positive communication and build trust. Similarly, the posting of incident reports (e.g., spills) for the benefit of the public would augment the efforts of Port Authorities to demonstrate greater transparency and accountability.

5.3.2 Theme 2: Land Use and Environmental Responsibility

Port Authorities should be accountable for their environmental performance as it relates to greenhouse gas emissions, energy use and energy conservation, air quality, water quality, impact on wildlife habitat and provincially significant wetlands etc. It is recommended that

Port Authorities take a leadership role in environmental stewardship by producing a plan for reducing their overall impact on the environment (i.e. greenhouse gas emissions reductions, improved air quality, restoration of certain plant and wildlife habitats, etc.) and publicly reporting on their performance each year.

Port Authorities could produce a climate adaptation plan based on local climate science, to better prepare for the rapidly and ever changing climate. Greater frequency of severe weather events and higher precipitation levels may have significant impact on port operations in years to come.

As an example, Durham Region and all lower-tier Durham municipalities have adopted a Durham Community Climate Adaptation Plan consisting of a number of programs which will address local adaptation measures to protect the residents and infrastructure from the changing climate. The Durham Community Climate Adaptation Plan received national recognition and is the winner of the Federation of Canadian Municipalities 2018 Sustainable Communities Award, in the climate change category.

Port Authorities could also benefit from a greenhouse gas emissions reduction plan to actively pursue climate mitigation and reduce the impact of their operations/activities on the environment. The City of Oshawa has itself committed to reducing its greenhouse gas emissions and energy consumption, and is required to provide a Corporate Facilities Energy Management Plan to Ontario's Ministry of the Environment, Conservation and Parks. As a member of the Federation of Canadian Municipalities Partners for Climate Protection program, the City has successfully completed key milestones in its Corporate Plan aimed at reducing emissions and is now developing a community-based plan to help reduce the impacts of climate change and respond to the goal of Environmental Responsibility as outlined in the Oshawa Strategic Plan.

In addition to being environmentally responsible, Port Authorities can contribute to building healthier and economically robust communities by ensuring land use compatibility and optimizing the use of port lands for activities well-suited to benefit from proximity to port facilities.

In accordance with the Canada Marine Act, 1998, the O.P.A. adopted a Land Use Plan in early 2013. Through Report DS-13-02, the City of Oshawa provided comments to the O.P.A. on the proposed Land Use Plan in January 2013 (see Attachment 2). The City's primary concern was that the O.P.A.'s Land Use Plan did not include a detailed land-use plan or land use map showing land use designations and applicable policies. The City of Oshawa's comments that were expressed in Report DS-13-02 are largely still applicable. It is recommended that Port Authorities work together with local governments and the community to determine appropriate land uses on port lands that have regard for the land use designations and policies contained in their municipal Official Plans, to ensure compatibility and harmony with land uses in the vicinity of the port.

It is recommended that Land Use Plans developed by Port Authorities reference the standards and requirements applicable to users/tenants in terms of site development, erosion control during construction, applicable building code standards, applicable emergency and fire standards, appropriate air and water emissions standards, appropriate

standards for noise and vibration, lighting standards, odour standards, impact studies (i.e. traffic, environmental), etc.

As key environmental stewards of federal Crown land, Port Authorities should adopt the most rigorous standards in place, whether they be Federal or Provincial in origin.

For example, on December 19, 2016 Oshawa Council endorsed comments for consideration of the expert panel tasked with reviewing federal environmental assessment processes (see attachment 3). These comments include a recommendation that projects subject to federal environmental assessment processes should also be subject to compliance with provincial standards and guidelines where they are more rigorous than federal standards and guidelines.

Mechanisms to monitor and enforce the aforementioned standards are likewise recommended.

Land Use Plans also provide an excellent mechanism for Port Authorities to identify strategies to optimize the use of port lands and facilities by targeting development that can make the most advantageous use of a port location, as opposed to uses whose locational needs can be appropriately accommodated elsewhere. It is recommended that consideration be given to requiring Port Authority Land Use Plans to include goals, objectives and strategies in this regard. In addition, Port Authority Land Use Plans should include requirements for due diligence in terms of undertaking archaeological investigations prior to development and sharing the results of such investigations with the public and host municipality. Archeology studies are important given the possibility of indigenous and early settler activity in the area of ports along the waterfront.

It is also recommended that a priority of land offerings protocol be implemented by Port Authorities giving host municipalities the first opportunity to acquire port lands deemed surplus by the Crown, in the event that a Port Authority decides to dispose of lands that no longer serve the needs of the Port Authority.

5.3.3 Theme 3: Innovation

The City of Oshawa Council is committed to economic growth in the City through strategic activities that enhance job growth and create investment opportunities, including actively encouraging the growth of the City's post-secondary educational institutions.

The City of Oshawa is home to four (4) universities and colleges:

- University of Ontario Institute of Technology
- Durham College
- Trent University
- Queen's University

In June 2017 the City of Oshawa teamed up with its educational partners and research partners (Canadian Urban Institute and University of Toronto) to spearhead an initiative called TeachingCity. The partners address Oshawa's urban issues through innovation, collaboration, applied research and shared experiential learning opportunities with the aim

to position Oshawa as a local, national and global community of urban research and learning.

Transport Canada and the Port Authorities could explore a similar model of partnership and collaboration between post-secondary institutions, researchers, local and provincial governments to discover innovative solutions to real life issues in the port industry.

In particular, the Port of Oshawa is encouraged to investigate collaboration with the Teaching City initiative in Oshawa.

5.3.4 Theme 4: Safety

As noted earlier, waterfront areas are of significant importance to shoreline municipalities, including Oshawa. As part of the City's efforts to promote its waterfront, the City is investigating the reestablishment of a boat launch in the harbor and have marketed the opportunity to reintroduce a marina facility for recreational boating as components of the City's waterfront revitalization plans. Given the presence of a working industrial port that is also important to Oshawa as a major generator of economic activity and jobs, working closely with the O.P.A. to ensure that recreational waterfront activity is safely accommodated is paramount. This activity includes boating as well as the use of the Waterfront Trail for active transportation purposes, where there is a need to ensure a safe crossing for pedestrians and cyclists where the trail traverses the main driveway leading into the port facility. Accordingly, it is recommended that Port Authorities continue to investigate ways of allowing safe public access to waterfront areas near ports.

Another key element under the theme of safety relates to a requirement under the Oshawa Harbour Land Use, Development and Municipal Services Agreement (see Attachment 4) between the City and the O.P.A. for the Port Authority to consult with Oshawa Fire Services to identify special needs and equipment. Port facilities may include uses and involve operations/activities that do not commonly occur in municipal settings outside of port lands. Accordingly, it is recommended that Port Authorities take appropriate steps to ensure that the need for specialized fire services/training is communicated with the host municipality and appropriate procedures are developed to contain potential incidents. It is also recommended that other Port Authorities consider similar types agreements with their host municipalities.

5.3.5 Theme 5: Financial Support

It is recommended that a sustainable funding source be established for Port Authorities to undertake the above recommended activities identified under the preceding themes. In addition, a sustainable funding source would enable investment in infrastructure, maintenance and modernization. Support staff for Port Authorities may be limited and in the absence of financial support to augment staff resources (either internally or externally), implementing the recommendations contained in this report may not be feasible.

In addition, it is recommended that the Crown be responsible for contributing financially to the costs incurred by a host municipality (at both the Regional and local area municipal level) for such matters as erosion control and road, bridge and other service infrastructure installation and/or maintenance attributable in whole or in part to the activities associated

with the Port Authority. For example, Port Authorities should be required to undertake traffic studies for a major development to determine the impact of traffic on Regional or City roads. If the study requires road improvements (i.e. traffic signals or road widenings) then the Crown should financially contribute to these improvements.

In addition, heavy truck traffic to and from a port can impact road quality.

5.3.6 Theme 6: Governance

In some cases, a Port Authority may operate in a location under the governance of more than one host municipality (such as an upper-tier Regional municipality and a lower-tier local area municipality). Given that the activities of the Port Authority in such circumstances will involve the use of resources and infrastructure (e.g., roads) under the jurisdiction of both levels of government, and the port's economic importance will similarly relate to both municipalities, appropriate Board representation for each host municipality is recommended (i.e. Regional and Local).

6.0 Financial Implications

There are no financial implications associated with the comments in this report.

7.0 Relationship to the Oshawa Strategic Plan

The comments are intended to advance the Economic Prosperity, Social Equity, Environmental Responsibility and Accountable Leadership goals of the Oshawa Strategic Plan.



Warren Munro, HBA, Director,
Planning Services



Paul D. Ralph, BES, MCIP, RPP, Commissioner,
Development Services Department



Corporate Services Department
City Clerk Services

File: A-2100

February 11, 2019

The Honourable Marc Garneau, MP
Minister of Transport
Email: marc.garneau@parl.gc.ca

Re: Government of Canada's Intent to Amalgamate the Oshawa and Hamilton Port Authorities to Form a New Entity

Oshawa City Council considered the above matter at its meeting of February 8, 2019 and adopted the following recommendation:

"Whereas, on February 5, 2019 the Honourable Marc Garneau, Minister of Transport, announced that the Government of Canada intends to amalgamate the Oshawa and Hamilton Port Authorities to form a new entity in an effort to improve port efficiencies and planning in the region; and,

Whereas, the notice of intent to amalgamate will be published in the Canada Gazette on February 9, 2019; and,

Whereas, the publication of the notice of intent to amalgamate will mark the beginning of a 30 day consultation period, and interested parties will only have until March 11, 2019 to submit comments on the Government's proposal to amalgamate the Oshawa Port Authority and Hamilton Port Authority; and,

Whereas, after the 30 day consultation period the Government of Canada can decide to confirm the amalgamation through the publication of a certificate of amalgamation in the Canada Gazette; and,

Whereas it appears the Federal Government has been working on this proposal for some time without consulting with the City and without any details concerning this important matter at this time such as a proposed governance structure, the business case for the amalgamation and the priorities for this new entity; and,

Whereas, the Port of Oshawa is a major economic driver and the City recognizes the importance of the port from an economic development and jobs creation perspective; and,

Whereas, given the importance of the Port of Oshawa to the Regional and City economies, the importance of a good working relationship between the Port Authority and the City, 30 days is an insufficient amount of time for the public, the Indigenous community and other stakeholders to provide comments; and,

The Corporation of the City of Oshawa, 50 Centre Street South, Oshawa, Ontario L1H 3Z7
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www.oshawa.ca

Whereas, on September 24, 2018 in accordance with Report DS 18 150 dated September 20, 2018, City Council provided comments on Transport Canada's Ports Modernization Review and requested that Transport Canada meet with the Mayor to discuss the City's comments; and,

Whereas, as of the current date Transport Canada has yet to schedule a meeting with the Mayor to discuss the future of Canada Port Authorities, and more specifically the future of the Oshawa Port Authority and the City is unaware that a final report has been released on Transport Canada's Port Modernization Review; and,

Whereas it comes as a surprise to the City that the notice of intent to amalgamate the two Port Authorities was provided before the final report of Transport Canada's Port Modernization Review was released;

Therefore be it resolved:

1. That the Development Services staff be directed to present a report to the February 25, 2019 Development Services Committee regarding the proposal to amalgamate the Oshawa Port Authority and Hamilton Port Authority in order to provide a submission to the Federal Minister of Transport on this matter and that a Special Council meeting be held thereafter to meet the March 11, 2019 deadline for comments; and,
2.
 - a) That the City re-establish a city working group consisting of the Mayor, Chair of Development Services Committee, a Ward 5 Councillor and a Councillor from another Ward, as determined by Council, and appropriate staff to monitor the evolving governance and land use issues at the Port of Oshawa and adjacent lands and to provide recommendations and advice to City Council through the Development Services Committee.
 - b) That the Federal Minister of Transport be requested to meet with the Working Group to discuss the Government of Canada's intent to amalgamate the Oshawa Port Authority and Hamilton Port Authority before any final decision is made on the matter; and,
 - c) That Councillors Nicholson and McConkey be appointed to the Working Group.
3. That Transport Canada be requested to provide the public, the Indigenous community and other stakeholders additional time (90 additional days) to provide comments to the Government of Canada's certificate of intent to amalgamate the Oshawa Port Authority and Hamilton Port Authority and to allow the City of Oshawa to host a public meeting to obtain comments from its residents and businesses, the Indigenous community and other stakeholders on this important matter to Council and which could influence the Federal Government's final decision on this matter; and,
4. A copy of this resolution be forwarded to the Prime Minister of Canada, the Federal Minister of Transport, Region of Durham, all Durham area municipalities, the Greater Oshawa Chamber of Commerce, all Durham MP's and MPP's, the Oshawa Port Authority, Friends of the Second Marsh and Central Lake Ontario Conservation Authority."

If you need further assistance, please contact Paul Ralph, Commissioner, Development Services Department at the address listed below or by telephone at 905-436-3311.



Andrew Brouwer
City Clerk

/ld

- c. Prime Minister of Canada
- Region of Durham
- All Durham Area Municipalities
- Greater Oshawa Chamber of Commerce
- Durham MP's
- Durham MPP's
- Oshawa Port Authority
- Friends of Second Marsh
- Central Lake Ontario Conservation Authority
- Development Services Department



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Economic Development Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	February 20, 2019
SUBJECT/REPORT NO:	Proposed Amalgamation of Hamilton Port Authority and Oshawa Port Authority (PED19065) (City Wide) (Outstanding Business List Item)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Glen Norton (905) 546-2424 Ext. 5780 Michael Kyne (905) 546-2424 Ext. 4716 Ed VanderWindt (905) 546-2424 Ext. 2574 Tom Hewitson (905) 546-2424 Ext. 4159 Anita Fabac (905) 546-2424 Ext. 1258 Chris Phillips (905) 546-2424 Ext. 5304 Ray Kessler (905) 546-2424 Ext. 7019
SUBMITTED BY:	Glen Norton Director, Economic Development Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That the Mayor be directed, on behalf of the City of Hamilton, to request a meeting with the federal Minister of Transport to discuss this proposed amalgamation and outline the City of Hamilton's objectives and concerns;
- (b) That Transport Canada be requested to provide to the City of Hamilton, the draft Letters Patent proposed for the newly amalgamated port authority for the City's review and input prior to finalization;
- (c) That the Mayor be directed, on behalf of the City of Hamilton, to make written representations to the Minister regarding the amalgamation respectfully requesting that the:
 - (i) Corporate name of the amalgamated port authority be known as the 'Hamilton-Oshawa Port Authority' and have its registered offices located in Hamilton, Ontario;

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- (ii) Board of Directors of the amalgamated port authority have no more than seven members and that the Cities of Burlington, Hamilton and Oshawa each be granted the authority to appoint one member; and,
- (iii) Newly amalgamated port authority be directed to continue the close working relationship established between the Hamilton Port Authority and the City of Hamilton, its citizens and stakeholders particularly with respect to the transparency of port operations, project reviews, development planning, site plan approvals and the issuance of building permits.

EXECUTIVE SUMMARY

This Report responds to Planning Committee's February 5, 2019 direction to staff to report on the implications of the proposed merger of the Hamilton Port Authority (HPA) and the Oshawa Port Authority (OPA).

This staff review indicates that:

1. With little prior notice or explanation, on February 9, 2019, the federal Minister of Transport formally proposed the amalgamation of the HPA and OPA to continue as a single port authority named the "Oshawa-Hamilton Port Authority". Interested persons have 30 days to make representations to the Minister subsequent to which the Minister may propose that the federal Governor in Council issue a Certificate of Amalgamation formally amalgamating the two authorities;
2. The federal government has the specific authority under the *Canada Marine Act* to amalgamate two or more port authorities the effect of which would be that the newly amalgamated authority would assume the geographical jurisdictions, assets, liabilities and obligations of the HPA and OPA;
3. Recent financial reports indicate that the HPA is in a stronger financial position than the OPA;
4. The City and the HPA have long enjoyed a cooperative, consultative and mutually beneficial relationship—particularly with respect to land use planning and development—that the City of Oshawa does not apparently enjoy with the OPA;
5. The City has a number of ongoing agreements with the HPA (which will be assumed by the newly amalgamated port authority) and is currently resolving a few issues of common interest (including the lease of part of Pier 22 and the acquisition of water lots to facilitate the rehabilitation of the Pier 8 shore-wall); and,

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6. In order to provide useful input to the federal government regarding this proposed amalgamation, the City requires a better understanding of the federal government's motivations and objectives. To that end, staff recommend that the City meet with the federal Minister of Transport to obtain that information—including a copy of the draft Letters Patent for the newly amalgamated port authority—and directly communicate the City's concerns to the Minister. The City will then be better informed to provide its formal written submissions.

Alternatives for Consideration – N/A

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: While the financial implications are more fully outlined in this Report, a review of recent financial statements indicates that the HPA currently enjoys a stronger financial position than the OPA particularly in terms of asset value under management, annual revenues/deficits, debt and borrowing limits.

Staffing: There are no known staffing implications for the City of Hamilton.

Legal: The complete legal implications are more fully outlined in this Report. Significantly, the newly amalgamated port authority will assume the geographical jurisdictions, assets, liabilities and obligations of the HPA and the OPA.

HISTORICAL BACKGROUND

Planning Committee's Direction

Subsequent to the February 5, 2019 announcement by the federal Minister of Transport (Minister) that the federal government intended to amalgamate the Hamilton Port Authority (HPA) and the Oshawa Port Authority (OPA), Planning Committee directed staff "to report back to the General Issues Committee on the legal, financial, economic and development implications of the recently announced merger of the Hamilton Port Authority and Oshawa Port Authority".

Formal Announcement of Intent—Canada Gazette (February 9, 2019)

On February 9, 2012, the federal government formally announced its intent to merge the HPA and OPA by publishing a Certificate of Intent to Amalgamate in the Canada Gazette (<http://gazette.gc.ca/rp-pr/p1/2019/2019-02-09/html/order-decret-eng.html>) which noted that:

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- Pursuant to section 59.1 of the Port Authorities Management Regulations the Minister recommended that the OPA and the HPA be amalgamated and continue as one port authority to be named the “Oshawa-Hamilton Port Authority”;
- This “proposal seeks to strengthen the Canadian supply chain in Ontario by providing a coordinated approach to port development, land use and marketing” and “would allow the amalgamated port authority to leverage the operations of the” HPA and “the established operations of the” OPA “to successfully broaden multimodal transportation options in the Greater Toronto Area”;
- The benefits of amalgamating Canadian Port Authorities (CPAs) have been raised in the 2016 review of the *Canada Transportation Act* (which recommended “that work be conducted to further the amalgamation of CPAs guided by ‘common user principles embodied in the *Canada Marine Act*’ and also noted the success of the previous Port Metro Vancouver amalgamation”) as well as the Minister of Transport’s Transportation 2030 vision which “proposed a broad agenda for the future of Canada’s transportation system that includes examining the governance and the optimization of CPAs”;
- Canada’s national port system is made up of 18 CPAs—non-share capital corporations incorporated under the *Canada Marine Act (CMA)*. CPAs handle about 60% of Canada’s marine commercial cargo tonnage and contribute over 213,000 direct and indirect jobs and over \$25 B to Canada’s GDP;
- This amalgamation is administrative in nature and would represent no further financial costs for the Government of Canada or to the Canadian public. Operations at both ports would continue without disruption and the amalgamated port would be in a strong financial position and forecast positive growth;
- There are no expected environmental implications, as no changes to the current land holdings, infrastructure, or real property of the OPA and HPA are being proposed. Available industrial land at both ports would complement one another in terms of business coordination and development planning to strengthen the Ontario regional supply chain. Continuity of operations at both ports would result in continued direct and indirect economic benefits for surrounding communities; and,
- Consultations will be conducted after the posting of this Certificate of Intent. Interested persons may make written representations to the Minister within 30 days after publication of the Certificate. “The results of these consultations would be considered within the context of a second submission to the Governor in Council

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on whether to seek the issuance of a Certificate of Amalgamation that officially amalgamates the two ports. Consultation with entities directly affected by a proposed amalgamation will be conducted by Transport Canada within the consultation period.”

The Creation of the Hamilton and Oshawa Port Authorities

The federal government created the HPA in 2001 to replace the Hamilton Harbour Commission (which had been in operation since 1912) and created the OPA in 2012 to replace the Oshawa Harbour Commission (which had been in place since 1960).

The Port Authorities Management Regulations (PAMR) are issued under the *Canada Marine Act* (CMA) which was enacted in 1998 with the stated purpose of establishing a system of “competitive, efficient and commercially oriented” Canadian ports and commercializing the St. Lawrence Seaway.

CPAs are intended operate at arm’s length from the federal government and are governed by a board of directors chosen by port users and the municipal, provincial and federal governments. Each board:

- Sets the business direction and makes commercial decisions for the port;
- Sets fees (e.g. berthage and wharfage fees);
- Is responsible for maintaining and dredging commercial shipping channels; and,
- Acts as a landlord, leasing port operations to private operators.

Transport Canada states that CPAs must also be financially self-sufficient. They don’t receive federal funding to meet operating costs or deficits but finance capital projects using their own revenues. However, CPAs can also partner with the private sector, borrow from commercial lenders or apply for certain federal grants related to infrastructure, the environment or security.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

RELEVANT CONSULTATION

- Ian Hamilton, CEO, Hamilton Port Authority;
- Financial Policy and Planning Division and Legal Services Division, Corporate Services;

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- Building Division, Planning Division, Real Estate Section of the Economic Development Division, Planning and Economic Development Department;
- City Manager's Office.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The Amalgamation Process

The PAMR were specifically amended in 2007 to permit the amalgamations of two or more port authorities using the following process:

1. The government must publish a Certificate of Intent to Amalgamate in the Canada Gazette and at least one major newspaper that is distributed in the municipalities where the affected ports are situated. The Certificate shall also state that interested persons may make written representations to the Minister within 30 days of publication;
2. The government may, at any time after the 30-day period, amalgamate the port authorities by issuing a Certificate of Amalgamation which shall specify the day on which the amalgamation takes effect and contain the Letters Patent of the amalgamated port authority; and,
3. The government may also revoke a proposed amalgamation by issuing a Certificate of Revocation of Intent to Amalgamate at any time before the Certificate of Amalgamation is issued.

The Legal Effect of Amalgamation

On the day on which an amalgamation takes effect:

- (a) Every director of an amalgamating port authority who remains in office continues as a director of the amalgamated port authority for the balance of their term or until s/he ceases to hold office. However, the federal government may remove any director of an amalgamating port authority during the period that begins on the day on which the federal government requires the amalgamation and ends on the day before the day on which the amalgamation takes effect;
- (b) The navigable waters within the jurisdiction of each amalgamating port authority continue to be within the jurisdiction of the amalgamated port authority;

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- (c) The property, rights and interests of each amalgamating port authority continue to be the property, rights and interests of the amalgamated port authority. However, this does not constitute a disposition of the property, rights and interests of an amalgamating port authority to the amalgamated port authority;
- (d) The amalgamated port authority continues to manage any real property or immovable (i.e. a fixture) that the Minister has given to an amalgamating port authority;
- (e) The real property or immovables occupied by each amalgamating port authority continue to be occupied by the amalgamated port authority;
- (f) The amalgamated port authority continues to be liable for the obligations of each amalgamating port authority;
- (g) An existing cause of action, claim or liability to prosecution is unaffected;
- (h) A civil, criminal or administrative action or proceeding pending by or against an amalgamating port authority may be continued to be prosecuted by or against the amalgamated port authority;
- (i) A conviction against, or ruling, order or judgment in favour of or against, an amalgamating port authority may be enforced by or against the amalgamated port authority;
- (j) Every fee fixed by an amalgamating port authority continues in force until the expiry date specified in the provision that fixes the fee or until the amalgamated port authority repeals that provision or replaces the fee; and,
- (k) The letters patent contained in the Certificate of Amalgamation are the letters patent of the amalgamated port authority.

The Importance of the Letters Patent

Under the CMA, the power of a port authority to operate a port is limited to the power to engage in:

- (a) Port activities related to shipping, navigation, transportation of passengers and goods, handling of goods and storage of goods, to the extent that those activities are specified in the Letters Patent; and,
- (b) Other activities that are deemed in the Letters Patent to be necessary to support port operations.

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Letters Patent are the official documents issued by the federal government confirming the creation/incorporation of the new amalgamated port authority as well as its official name, headquarters and the composition/authority of its Board of Directors.

The CMA specifies that the Letters Patent shall set out:

- (a) The corporate name of the port authority;
- (b) The place where the registered office of the port authority is located;
- (c) The navigable waters that are within the port authority's jurisdiction;
- (d) The federal real property and federal immovables under the management of the port authority;
- (e) The real property and immovables, other than the federal real property and federal immovables, held or occupied by the port authority; and,
- (f) The number of directors, between seven and eleven, to be appointed, to be chosen as follows:
 - (i) One individual nominated by the Minister;
 - (ii) One individual appointed by the municipalities mentioned in the Letters Patent;
 - (iii) One individual appointed by the province in which the port is situated; and,
 - (iv) The remaining individuals nominated by the Minister in consultation with the users selected by the Minister or the classes of users mentioned in the Letters Patent;
- (g) A code of conduct governing the conduct of the directors and officers of the port authority;
- (h) The charge on the gross revenues of the port authority, or the formula for calculating it, that the port authority shall pay each year to the Minister on the day fixed by the Minister to maintain its Letters Patent in good standing;

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- (i) The extent to which the port authority and a wholly-owned subsidiary of the port authority may undertake port activities referred to in paragraph 28(2)(a) and other activities referred to in paragraph 28(2)(b);
- (j) The maximum term of a lease or licence of federal real property or federal immovables under the management of the port authority;
- (k) The limits on the authority of the port authority to contract as agent for Her Majesty;
- (l) The limits on the power of the port authority to borrow money on the credit of the port authority for port purposes or a code governing that power, as the case may be; and,
- (m) Any other provision that the Minister considers appropriate to include in the Letters Patent and that is not inconsistent with this Act.

Comparing the Current Letters Patent for the HPA and the OPA

Except for expected differences outlining their respective geographical jurisdictions, the current Letters Patent for both the HPA and the OPA are largely similar and meet the legislated requirements listed above. That said, the HPA's present Letters Patent:

1. Provides more precise instruction regarding the appointment of directors. For example, although both Boards are composed of seven members appointed as follows:
 - the Governor in Council appoints one individual nominated by the Minister;
 - the Province of Ontario appoints one individual;
 - The local municipality appoints one individual. However, the City of Oshawa appoints its member independently while the City of Hamilton is required to consult with the City of Burlington; and,
 - The Governor in Council appoints the four remaining individuals. For the OPA, all four are appointed from one 'User' group (described as "Major Business Users") whereas, for the HPA, these appointments come from three "User" groups—"Private Docks" (one position), "Port Authority Docks and Related Businesses" (two positions) and "All other port users, including but not limited to labour, environmental and recreational users" (one position);

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2. Grants the HPA the explicit authority to operate or maintain a railway within the port;
3. Provides the HPA with more explicit authority to delegate activities to any subsidiary corporations it creates. For example, a HPA subsidiary company can operate a freight forwarding facility or a dry dock;
4. In certain circumstances, limits the length of a licence/lease of federal real property granted by the HPA to 40 years (OPA's limit is 60 years) but both the HPA and OPA can extend this limit to 99 years with Minister's approval; and,
5. Permits the HPA to borrow up to \$5 M while the OPA is limited to \$500 K and a 365-day term and must borrow from a member of the Canadian Payments Association.

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Financial Comparison of the HPA and the OPA

A review of the financial statements of both the HPA and OPA reveals a very dissimilar picture. The HPA is in a relatively strong financial position marked by operating surpluses, significant assets and little debt. The OPA, in turn, would appear to be in a relatively weak financial position marked by operating losses, declining asset base and increasing short term debt.

The chart below provides highlights of the financial information:

Port Authority Financial Information (2017)

Financial Indicator	Hamilton		Oshawa	
	\$	Trend	\$	Trend
Assets	145,425,725	↑	9,909,613	↓
Current Assets (CA)	14,555,887	↑	234,658	↓
Equity	134,202,739	↑	3,812,220	↓
Net Income	3,645,543	✓	(230,306)	✗
Cash/Investment	11,807,642	✓	0	✗
Liabilities				
Current Liabilities (CL)	5,211,705	↓	5,525,220	↓
Non-Current Liabilities	6,011,281	↑	21,141	↑
Debt (Borrowings)	0	✓	551,032	↑
Ratios:				
<i>Liquidity Measurement Ratio</i>				
Current Ratio (CA/CL)	2.79	✓	0.04	✗
<i>Debt Ratio</i>				
Debt to Equity Ratio	0.08	✓	1.60	✗

In general, the HPA's financial measures are healthy and trending positively while the OPA's measures are less healthy and trending negatively. With respect to assets, the HPA has significantly more resources including current assets which include cash and investments. The OPA's assets are declining and include no cash or investments. With respect to liabilities, the HPA's Liquidity Current Ratio (Current Assets vs. Current Liabilities) is fairly strong at 2.79 (2.79 times the assets versus liabilities) while the OPA's ratio is quite weak with current liabilities far exceeding current assets. A ratio over 1.0 is considered positive.

Debt to Equity Ratio is also a common measure of financial health. In general, a measure less than 1.0 is considered positive (indicating equity surpasses debt), while a measure

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over 1.0 is considered poor (more debt than equity). HPA's ratio of 0.08 is quite strong, while OPA's ratio of 1.60 is quite weak.

The HPA's net income of \$3.6 M in 2017 (\$8.6 M in 2016) is modest given the assets, but none-the-less positive. The OPA had a deficit of about -\$230 K in 2017 (-\$4.4 M in 2016).

With respect to this industry in general, the majority of port authorities have annual surpluses with revenue exceeding expenditures. In a 2015-2016 report entitled "Federal Port Review" by Canadian Sailings, there were only two ports that had operating losses (deficits) that year: Oshawa and Nanaimo. The report noted the challenging financial circumstances of the OPA identifying that their current liabilities exceed its current assets by more than \$6.0 M. The article quotes the OPA's auditor as indicating that this situation would "cast significant doubt on the Port Authority's ability to continue as a going concern".

The primary driver for the OPA's liabilities is a recent arbitration ruling that directed the OPA to pay \$4.4 M related to a development issue. The terms and conditions of this payment have not been finalized and certainly would transfer to the merged corporation.

Based on the OPA's financial challenges, it is possible that the primary reason for the Federal Government to propose this merger is financially motivated (the announcement indicates increased supply chain efficiencies). The significantly different financial positions give cause for concern that the merger may lead to HPA's financial strength being diminished in the short-term as its assets become merged and possibly used to support the OPA's operations. HPA's assets could also be used to make investments in the OPA lands which may possibly divert potential business from Hamilton to Oshawa.

Land Use Planning and Development Implications

In August 2000, Report PDC00137 was approved by Council which established a "project review" or Site Plan Control process for the area known as Eastport. The report established the mutual goals and objectives of the City and the HPA (then the Hamilton Harbour Commission) and laid out the process for development proposals which required the HPA to attend pre-consultation meetings with staff and submit Site Plan applications.

When the City established its current Site Plan Control Process, the previous direction remained in place. City staff and the HPA continue to have pre-consultation meetings to discuss the HPA's land use plan, vision and upcoming projects, and the HPA utilizes the City's Site Plan Control process for its projects, including attending Development Review

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Team meetings and consulting Building Division decision-makers. While the City is not the formal approval authority for HPA developments, this cooperative process results in jointly developed recommendations related to matters such as engineering requirements, urban design, landscaping treatments and other site planning matters which the HPA typically implements.

City of Oshawa Planning staff recently confirmed that Oshawa does not enjoy a similar established process with the OPA. City of Oshawa staff do not have pre-consultation meetings and the OPA does not utilize the site plan process for its projects nor does it receive recommendations from City staff on development proposals.

City Building Division and Planning staff are particularly concerned that the long established, cooperative and mutually beneficial relationship and consultations between the City and the HPA may be lost if the newly amalgamated port authority does not accord the relationship the same priority as the HPA. The continuation of this relationship is particularly critical given the extensive developments presently underway on the Hamilton waterfront.

Economic Development Implications

The Economic Development Division acknowledges the potential value of an amalgamated port network. However, the Division think it appropriate to seek a commitment from the new port authority that any prospective investments introduced to new port authority by City staff would not be solicited to locate in Oshawa, unless the City first concluded that there is no other viable location anywhere within Hamilton.

Other Issues of Common Interest Between the City and the HPA

The City has several commercial agreements with the HPA including, importantly, the 2000 Dispute Resolution Agreements and the 2014 Marina Management Agreement. In addition, City is presently negotiating with the HPA regarding a lease of a portion of the Pier 22 lands, the City's acquisition of water lot property for the construction of the new Pier 8 shore-wall and pedestrian way and the potential realignment of Ship and Niagara Streets to accommodate a new rail spur.

While the legislation dictates that the newly amalgamated port authority would assume the HPA's rights and responsibilities under these agreements, staff reiterates the benefit of the established relationships with current HPA representatives and is concerned that any change in management philosophy may alter the tone of the relationship and adversely impact the traditionally successful cooperation between the parties.

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Summary

While the federal government has the legal authority to amalgamate port authorities, it is noted that the City has little prior notice of, and still lacks a complete insight into the motivation for, this proposed amalgamation. As such, staff recommends that the City promptly request a meeting with the federal Minister of Transport in order to better understand the federal government's plans and objectives regarding this proposed amalgamation and to directly outline the City's concerns. The City can then incorporate that new information and its known concerns into its formal written submissions on a more informed basis. City staff also recommend that the federal government be specifically requested to provide the draft Letters Patent proposed for the newly amalgamated port authority for the City's review and input prior to finalization.

ALTERNATIVES FOR CONSIDERATION

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Built Environment and Infrastructure

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

APPENDICES AND SCHEDULES ATTACHED

N/A

GN:dt