

August 16, 2023

**Ministry of Municipal Affairs and Housing**

777 Bay Street, 17th floor

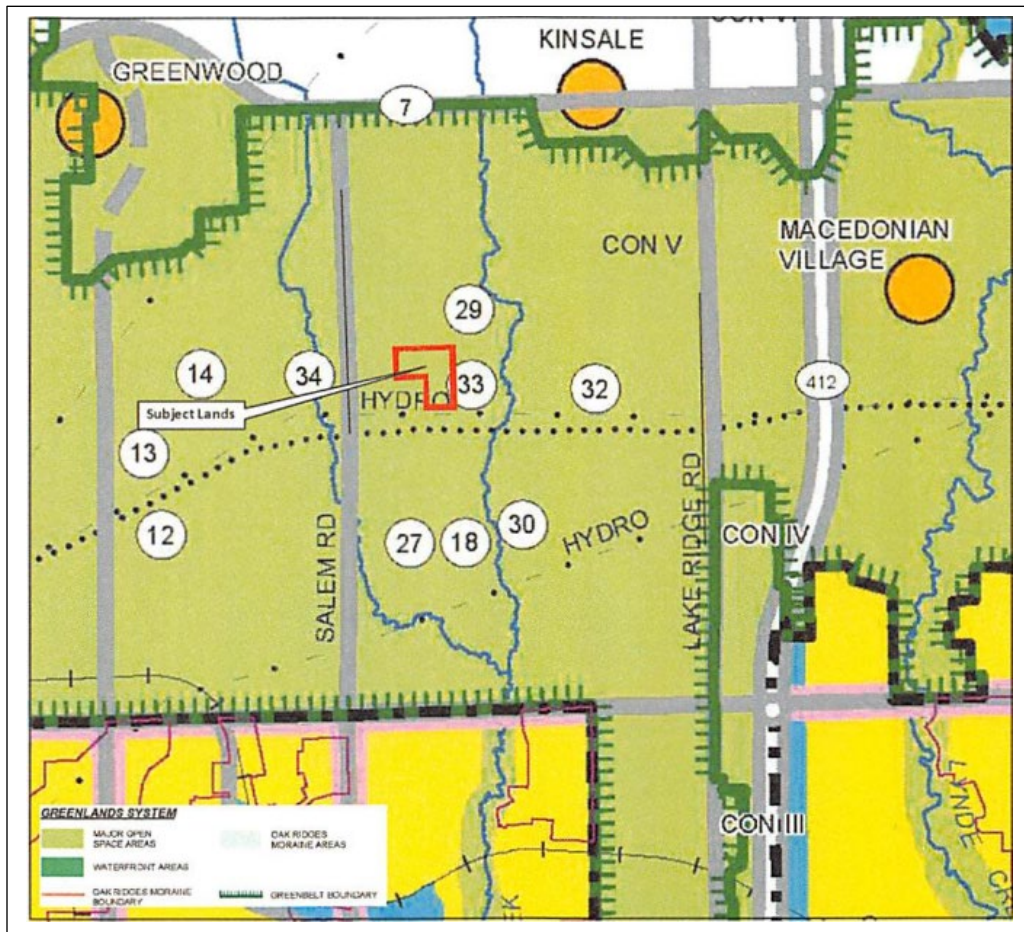
Toronto, Ontario M7A 2J3

**RE: ERO 019-7195**  
**Comments on Durham Region Official Plan**  
**Barclay West - 0 Sideline 4, Part of Lot 5, Concession 5, Pickering**  
**TBG File: 21801**

**SUBJECT SITE**

The Biglieri Group Ltd. ("TBG") represents Fourteen Estates, owner of the property known as Barclay West located on the west side of Sideline 4, south of Highway 7 and north of Concession Road 5 (the "Subject Site"). The Subject Site is approximately 12.4 hectares in size, with 417m of frontage along Sideline Road 4, and a lot depth of approximately 406m. The Subject Site is currently designated as *Major Open Space* in the Durham Region Official Plan Schedule 'A', 2020 Office Consolidation, see Figure 1.

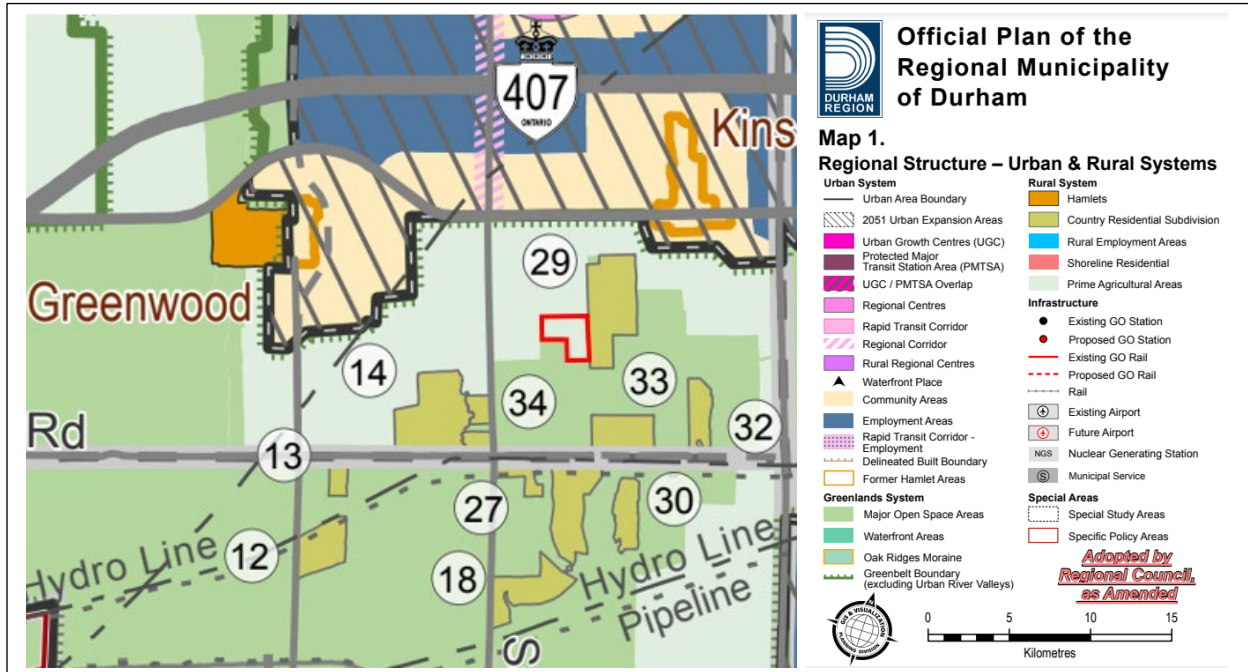
**Figure 1. Current Official Plan Designation**



## ENVISION DURHAM OFFICIAL PLAN DESIGNATION

The Regionally adopted Envision Durham Official Plan designates the Subject Site as *Prime Agricultural Area* as seen in Figure 2 below.

Figure 2. Envision Durham Official Plan Designation



## PREVIOUS CORRESPONDENCES & COMMENTS

Clark Consulting Services submitted an Agricultural Land Report (the “ALR”) to the Region of Durham in February of 2022 to inform the Envision Durham process (see Appendix A). The ALR concluded that agricultural uses are not predominant in the area and that the Subject Site is located in an area dominated by residential and recreational uses. Further, the ALR notes that existing nearby residential uses (stretching south to Taunton Road), and the past use of the Subject Site as a quarry, limit the potential for agricultural uses on Site. Ultimately, the ALR concludes that the Subject Site does not meet the definition of *Prime Agricultural Area* per the PPS and is not part of the Agricultural System, as defined by the PPS.

Regional Staff did not provide a response to these materials and it does not appear that they were considered in the determination of the *Prime Agricultural Area* designation as is being proposed. In particular, the June 7, 2022 “Envision Durham – Implementation of the Provincial Agricultural System” report (“Envision Durham Report”) appears to have ignored these materials. Line 4.6 of the Envision Durham Report outlines the manner in which the Region undertook its assessment of the Agricultural System. Line 4.6 does not list a review of reports and commentary received from the public as a consideration. Further, line 4.2 and 4.3 of the Envision Durham Report gives the impression that the municipal review was segmented to an exclusive review of, “*Areas currently designated as Major Open Space Areas in the ROP have been identified by the Province as Prime Agricultural Areas, or as Candidate Areas that could either become Prime Agricultural Areas or remain as Major Open Space Areas*”.

## TBG COMMENTARY AND RECOMMENDATION

It is our recommendation that the adopted Official Plan be amended prior to approval by the Minister and that the Subject Site, as well as the lands to the south which were previously *Candidate Areas*, remain designated *Major Open Space* (rather than *Prime Agriculture*).

To provide context and substance to this recommendation, we again refer to the previously submitted ALR which outlines the reasons for this recommendation.

The Subject Site is currently at the southern limit of the *Prime Agricultural Area* per OMAFRA mapping. Further, according to the Growth Plan for the Greater Golden Horseshoe (“Growth Plan”) policy 4.2.6.9:

*Upper- and single-tier municipalities may refine provincial mapping of the agricultural land base at the time of initial implementation in their official plans, based on implementation procedures issued by the Province. ... After provincial mapping of the agricultural land base has been implemented in official plans, further refinements may only occur through a municipal comprehensive review.*

As such, the ongoing Municipal Comprehensive Review for the Durham OP requires a careful consideration of the unique features and historical use of the Subject Site in determining its appropriate designation, since any opportunity for redesignation following the conclusion of this process will not be readily available.

A Prime Agricultural Area is defined by the PPS as, “*areas 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... .*”

As noted above, the ALR prepared by Clark Consulting Services identified that the historical use of the Subject Site was for a quarry and that agricultural uses are not a predominant use on neighbouring lands as the surrounding area consists of existing residential and recreational uses. As such, the ALR concludes that the site does not meet the requirements of a Prime Agricultural Area. By extension, and upon review of the ALR, there is no apparent planning rationale for why the *Candidate Areas* to the south were included in the *Prime Agricultural* designation.

**It is important to note that the *Prime Agricultural Area* designation will constrain permitted uses on the Subject Site (in comparison to the existing *Major Open Space* designation). Accordingly, the *Prime Agricultural Area* designation should not be applied to land, such as the Subject Site, which cannot realistically be used for the agriculture purposes permitted in the designation. To do so would not represent good planning and would not meet the intention of the applicable Provincial policies and plans.**

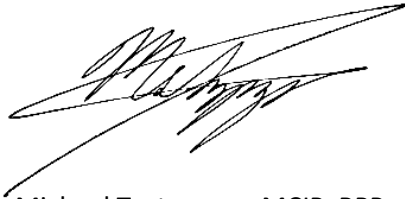
Accordingly, it is our professional recommendation that the Subject Site remain entirely *Major Open Space* rather than be redesignated *Prime Agricultural Area*. We therefore kindly request Ministry staff amend the adopted version of the Durham Official Plan to remove the proposed *Prime Agricultural Area* designation from the Subject Site and maintain the lands as *Major Open Space*. The *Major Open Space* designation will allow for a broader range of uses on the Site which better reflects the historic uses and physical realities of the Subject Site.

Alternatively, TBG's client would also support designation of the Site as *Country Residential Subdivision* in recognition that the Site was previously part of the zoning and subdivision applications which were approved on the east side of Sideline 4/Balsam Road (Barclay Field Stone Estates, centred around Hollywood Court).

Should you have any questions or require any additional information, please contact the undersigned at your earliest convenience.

Respectfully,

**THE BIGLIERI GROUP LTD.**

A handwritten signature in black ink, appearing to read 'M. Testaguzza', with a long horizontal flourish extending to the right.

Michael Testaguzza, MCIP, RPP  
Partner

A handwritten signature in black ink, appearing to read 'C. McCoy', with a long horizontal flourish extending to the right.

Cameron McCoy, MPI  
Junior Planner

**APPENDIX 1**

**AGRICULTURAL LAND REPORT PREPARED BY CLARK CONSULTING SERVICES**



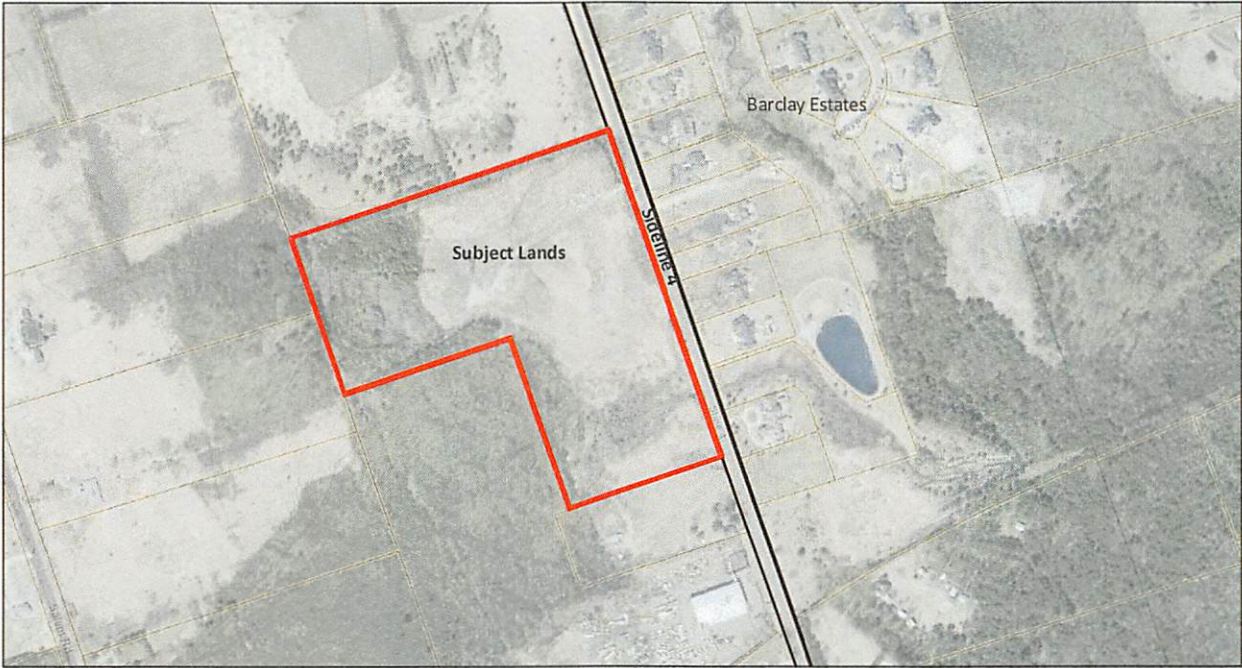
# Agricultural Land Report

Review of Prime Agricultural Area Designation



**CLARK**  
CONSULTING SERVICES

Site No. 1 Location: Sideline 4, Part of Lot 5, Concession 5, City of Pickering  
Region of Durham  
CCS Project No.: 4931  
Date: January 24, 2022  
Revised: February 7, 2022  
Roll No.: 1801 030 008 21600  
Region of Durham: Major Open Space Areas  
City of Pickering OP: Natural Areas  
Subject Land Size: 12.4 ha  
Prepared for: Biglieri Group on Behalf of Fourteen Estates  
Prepared by: Clark Consulting Services



*Subject Lands – Sideline 4, Pickering*



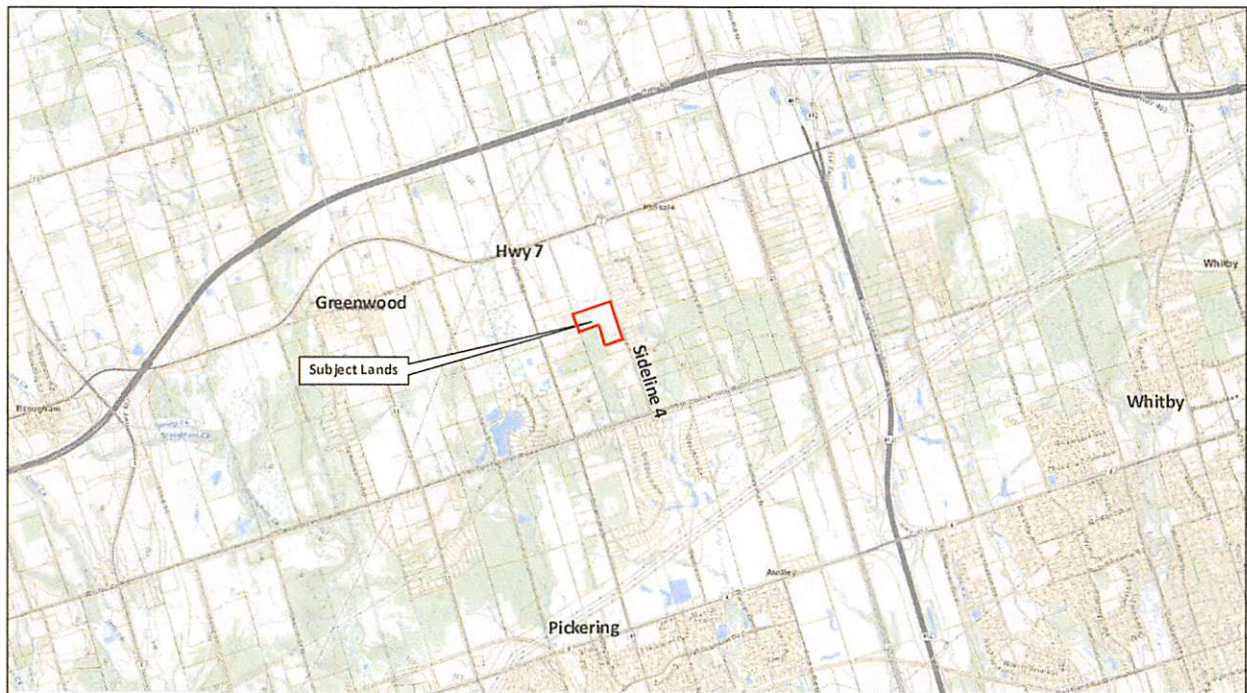
## 1. INTRODUCTION

Clark Consulting Services (CCS) was retained by the Biglieri Group on behalf of Fourteen Estates to review the existing designation of the subject lands, as part of a Prime Agricultural Area and prepare a report to be submitted to the Region of Durham for consideration during the Regional Official Plan review, or Envision Durham.

A site visit was conducted on January 3, 2022 to review the property and neighbouring land uses. A review of the applicable planning documents was completed and the following report prepared.

## 2. SUBJECT LANDS

The land subject to this review is located on Sideline 4, south of Highway 7 and north of Concession 5. *Figure 1* illustrates the general location.



*Figure 1 - Location Map*

The subject lands are an 'L' shaped parcel of approximately 12.4 ha. The parcel has recently been used for topsoil storage and removal. The development of a residential subdivision on the east side of Sideline 4 required an area for topsoil storage. On August 2014 a permit was issued by the City of Pickering to permit the storage of topsoil and engineerable fill. The subdivision is now completed and the topsoil and fill required for the Barclay Subdivision has been removed from the subject





lands. The subject lands today have been stripped and soils and fill have been left as berms and piles throughout the property.

### 3. PURPOSE OF REPORT

The Region of Durham is in the process of reviewing and updating the Durham Regional Official Plan. This review was launched in 2019 and the Official Plan review looks at:

- How and where the cities and towns may grow.
- How to use and protect land and resources.
- What housing types and job opportunities are needed for residents.
- How people and goods move across the region and beyond.

The Agricultural System (*mapped and published by the Province in 2018*) includes lands comprised of Prime Agricultural Areas, Specialty Crop Areas and Rural Lands. The intention of the Agricultural System is to maintain the viability and growth of the agricultural and agri-food sector.

The subject lands are within an area of natural lands, rural subdivisions, commercial uses and golf courses. Agricultural land is limited and includes limited pasture and cropping lands on the south side of Highway 7.

This report will review the subject lands, neighbouring land uses, and how the subject lands interface with the Natural Heritage System and the local agricultural community.

*Attachment A* to this report includes the CV of the reviewer, Bob Clark, his professional qualification, and a statement declaring he has no perceived or actual conflict of interest in the completion of this Assessment.

### 4. REVIEW OF PLANNING DOCUMENTS

Land use within the City of Pickering is guided by various planning documents including the Provincial Policy Statement, the Oak Ridges Moraine Conservation Plan, the Greenbelt Plan, the Growth Plan for the Greater Golden Horseshoe, the Region of Durham Official Plan, and the City of Pickering Official Plan. These documents include, where provided, policies on the determination of Prime Agricultural Lands, Natural Lands and Rural Lands.

#### 4.1. Provincial Policy Statement (PPS)

The Provincial Policy Statement describes agricultural lands and uses in the following ways:

- **Prime Agricultural Lands** - *'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’.*

- **Prime Agricultural Area** - *‘areas 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 may be identified by the Ontario Ministry of Agriculture and Food using guidelines developed by the Province as amended from time to time. A prime agricultural area may also be identified through an alternative agricultural land evaluation system approved by the Province’.*
- **Agricultural Condition** - *‘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’.*
- **Agricultural System** - *‘a system 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’.*
- **Agricultural Uses** - *‘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’.*
- **Agri-food Network** - *‘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’.*
- **Agriculture-related Uses** - *‘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’.*

#### **4.2. Oak Ridges Moraine Conservation Plan**

The subject lands are not within the Oak Ridges Moraine, so no further review has been made.

#### **4.3. Greenbelt Plan**

The Greenbelt Plan describes the Agricultural System as providing *‘a continuous, productive and permanent agricultural land base and a complementary agri-food network that together enable the*



*agri-food sector to thrive*. It says the Agricultural System is comprised of Prime Agricultural Areas, Specialty Crop Areas and Rural Lands. It says the Agricultural System is delineated by the LEAR system, assessing soils, climate, productivity and land fragmentation, among other factors.

#### 4.4. Growth Plan for the Greater Golden Horseshoe

The Growth Plan, in Section 4.2.6, says that *‘Prime agricultural areas, including specialty crop areas, will be designated in accordance with mapping identified by the Province and these areas will be protected for long-term use for agriculture’*.

#### 4.5. Region of Durham Official Plan

The Region of Durham Official Plan designates the subject lands as Major Open Space Areas within the Greenbelt Area. Subsection 10A.1 says, *‘Major Open Space Areas are designated on Schedule ‘A’ and include key natural heritage and hydrologic features, prime agricultural lands as well as lands of lesser agricultural significance’*.

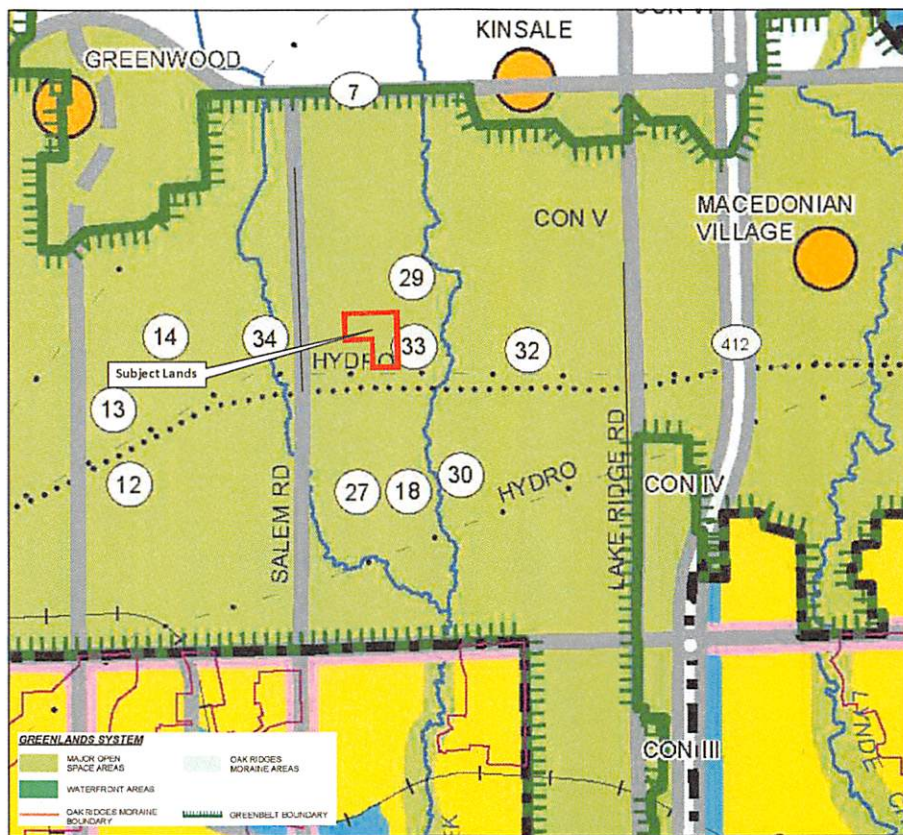


Figure 2 – Region of Durham Official Plan, Schedule 'A', Map 'A4'





#### 4.6. City of Pickering Official Plan

The Official Plan of the City of Pickering designates the subject lands as ‘Natural Areas’ within the Greenbelt Boundary as shown on Figure 3 – City of Pickering Official Plan. Table 2, Land Use Categories and Subcategories, describes the criteria for determining Open Space Systems as, ‘The area’s ability to withstand human activity without impairing significant ecological functions or endangering human life/property and locations within the Oak Ridges Moraine, Natural Linkage and Core Areas and the Greenbelt Natural Heritage System, and the Natural Heritage System outside the Oak Ridges Moraine and the Greenbelt Plan’.

Table 2 also provides the criteria for determining Prime Agricultural Areas as, ‘Areas where prime agricultural lands predominate. Prime agricultural lands include specialty crop areas and/or Canada Land Inventory Classes 1, 2 and 3 lands, in this order of priority for protection. Prime Agricultural Areas also include 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’.

The subject lands are surrounded by residential and natural uses. The surface soils on the subject lands have been disturbed or removed.

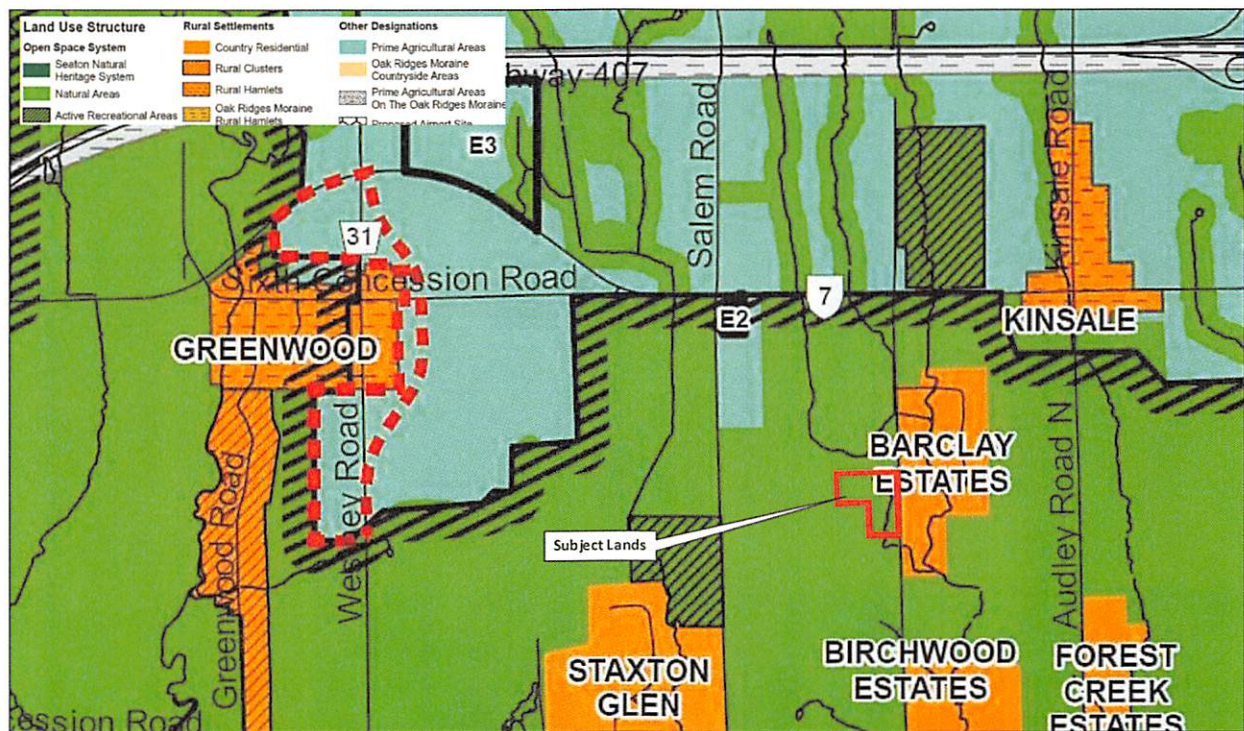


Figure 3 – City of Pickering Official Plan Excerpt

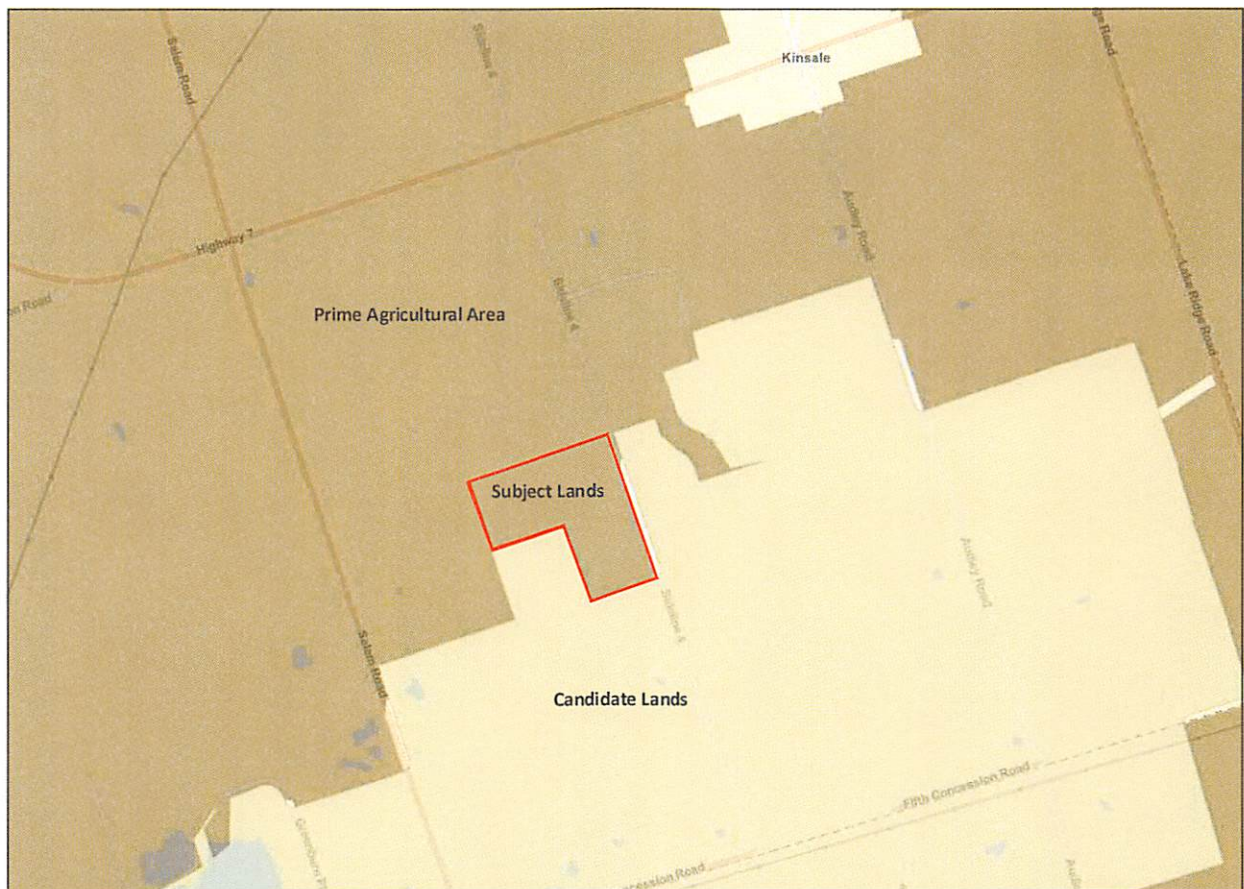




#### 4.7. Provincial Agricultural Systems

The Province has implemented an Agricultural System approach to identify agricultural land within the municipalities that make up the Greater Golden Horseshoe. The Agricultural System includes mapping that shows Prime Agricultural Areas, Candidate Areas and Specialty Crop Areas. The Agricultural System Mapping has been prepared to guide how municipalities prepare their Official Plan Land Use Schedules at the time of municipal comprehensive review.

The subject lands are within the Greater Golden Horseshoe, and therefore are included on the land base for the Agricultural System Mapping. *Figure 4* shows how the subject lands are within the Prime Agricultural Areas and on the edge of the Candidate Areas.



*Figure 4 – Provincial Agricultural System Mapping*

The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) describes the Agricultural System as being comprised of two components; an agricultural land base and an agri-food network.





OMAFRA has prepared Publication 856, *Implementation Procedures for the Agricultural System in Ontario's Greater Golden Horseshoe, Supplementary Direction to A Place to Grow: Growth Plan for the Greater Golden Horseshoe*, to help municipalities implement the Agricultural System references and policies found in the Growth Plan for the Greater Golden Horseshoe, the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan, and the Niagara Escarpment Plan and reference them into their Official Plan documents and schedules.

Section 3.3.4 of Publication 856, that to *“achieve conformity with the applicable provincial land use plans and consistency with the PPS, agricultural land base mapping refinements and official plan policies need to work together”*. Official Plan policies need to *“address the protection of prime agricultural areas, including specialty crop areas, for long-term use in agriculture”*.

The Province recognizes that the Agricultural Systems Mapping, as published, is to be refined by municipalities and included in their updated Official Plan Schedules (both upper tier and lower tier municipalities).

Section 3.3.2 says that, *“OMAFRA and MMAH will support municipalities as they undertake the refinement process. OMAFRA will share data and work with municipalities to address data errors, incorporate new information supplied by municipalities and consider issues raised by landowners”*. The subject lands are not comprised of Prime Agricultural Soils (the lands were used as a gravel pit) and are within an area of residential uses. The subject land is a candidate for refinement within the Regional Official Plan to remove them from Prime Agricultural Areas, and the information within this report may be used by the Region to consider this refinement.

#### **4.8. Description of the Subject Lands and Planning Policies**

The above planning documents provide policies for determining and designating lands as Prime Agricultural. The following are comments on how the subject lands meet the intent of *‘Prime Agricultural’* in these planning documents:

1. The subject lands are not within, or part of, Specialty Crop Areas.
2. The lands are mapped as Class 1 and 2 soils (please see further information in Section 5 below).
3. The local area is not predominately agricultural, so is not a Prime Agricultural Area as defined in the PPS.
4. The subject lands are not in an Agricultural Condition as defined in the PPS.
5. The subject lands are not used for Agricultural Uses. The local area has very limited land areas used for Agricultural Uses.
6. The subject lands are not within an Agri-Food Network.
7. Agriculture related uses were not noted on or adjacent to the subject lands.



8. The description of the determination of lands within the Agricultural System does not appear to describe the subject lands. The subject lands are a poor candidate for inclusion in the Agricultural System, based on the factors of:
  - a. soils assessment (the soils have been removed and/or disturbed)
  - b. productivity (there is no productivity on the subject lands and very limited productivity in the local land area)
  - c. land fragmentation (the majority of the surrounding land uses are non-farm in nature).
9. The subject lands have a very low significance with regard to agricultural production.

## 5. REVIEW OF SOILS – AVAILABLE INFORMATION

Soils in the City of Pickering were studied, mapped and presented in a report called '*Soil Survey of Ontario County*', Report No. 23 of the Ontario Soil Survey. This survey was published in 1956 and describes soils on the subject lands and the local area. The associated mapping is found as part of the 1956 report. An excerpt from that mapping is included below as *Figure 4-1956 Soil Mapping*.

Of note in this map is that a quarry existed on the subject lands and through a large part of the Barclay Estates property during and prior to 1956. The reference to a quarry is not shown on other available soils mapping.

### 5.1. Soil Mapping - AgMaps

The OMAFRA online mapping site called AgMaps, includes the soils mapping from the 1956 report under the '*Ontario Soil Survey Complex*' tab. The soil map shows that the northern part of the subject lands is Bondhead loam (BI) and the southern portion is Brighton sandy loam (Brs1). *Figure 5 – 1956 Soil Mapping*, shows the subject lands and the neighbouring subdivision as part of an old quarry.

Soils mapping is also found on the OMAFRA AgMaps website, shown below as *Figure 6 – AgMaps Soil Mapping*. This shows the soil edges in relation to the lotting fabric in the local area. No mention of the former quarry is made on this map.





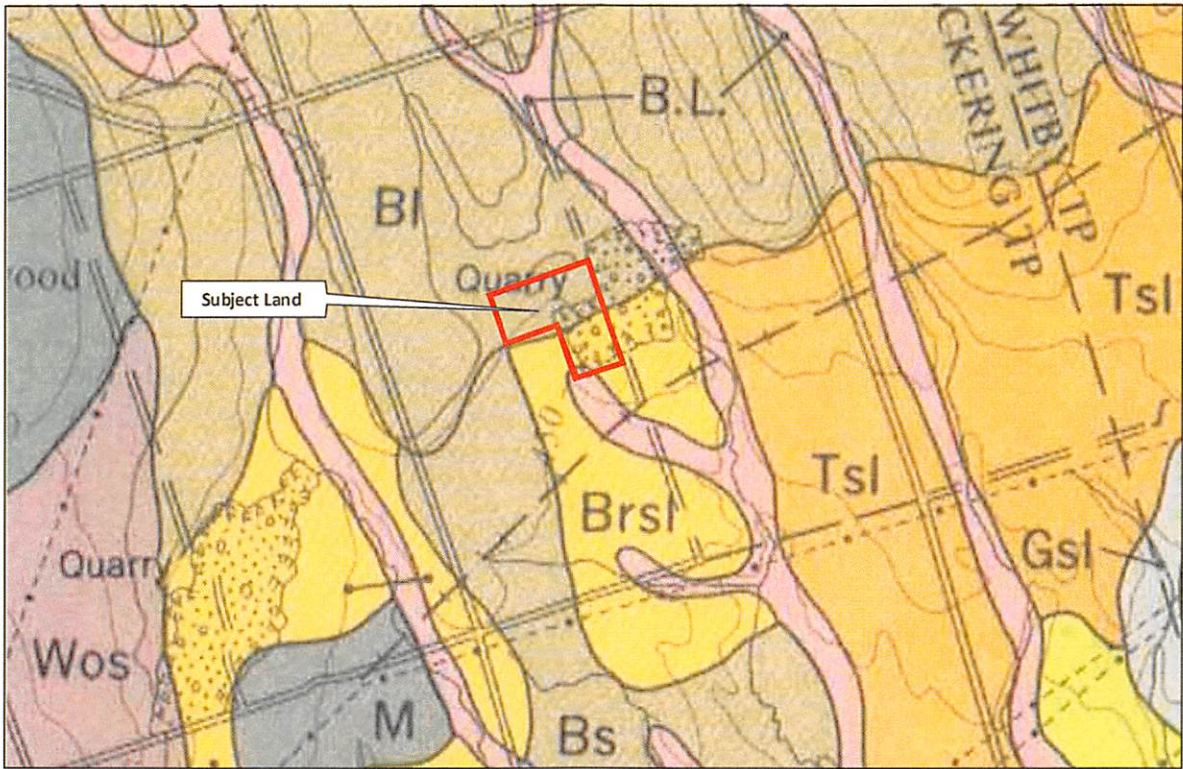


Figure 5 - 1956 Soil Mapping

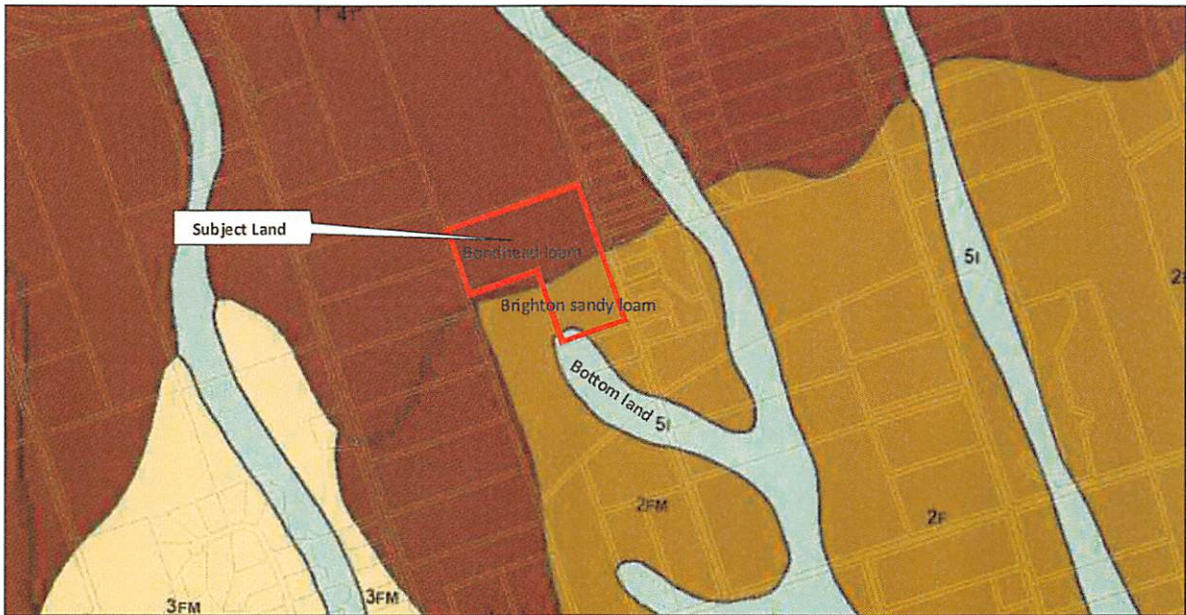


Figure 6 – AgMaps Soil Mapping



## 5.2. Soil Descriptions

The soils are described in the report as follows:

### **Bondhead loam**

Over a large area of the southern half of Ontario County, the soil materials consist of till derived from limestone of the Trenton formation.

The Bondhead soils are developed from loam and sandy loam calcareous till. The till is light brownish-grey in color and contains numerous limestone fragments.

These soils occupy an area of approximately 75,000 acres in the southern part of the County, extending from Whitby in the south, to Lake Simcoe in the north. The soils of this series also occur in York, Simcoe, Durham and Victoria Counties.

The topography ranges from gently sloping to steeply sloping, but in general the steeper slopes are more frequent. The soils are open and therefore have good internal drainage. Stones and boulders are common but can be readily removed.

Practically all of the Bondhead soils are used for agricultural purposes. Dairy farming is the main enterprise, consequently grain, hay and pasture are the chief crops grown. The soils are suitable for growing many different crops, but erosion control must be practiced, especially on the steeper slopes. Erosion can be serious under the present system of cultivating up and down the hill. Canning crops grow well on these soils but for best results fertilizer and manure must be used.

### **Brighton sandy loam**

Areas of outwash sand and gravel occur throughout the County. The majority of this material is sand, but small areas of stratified gravel also occur.

The Brighton soils are developed from light brownish-grey coarse textured sand and gravel. The surface texture is usually sandy loam. The parent materials, that occur at a depth of approximately 24 inches, are calcareous. The profile in some areas is more characteristic of a Brown Podzolic soil than a Grey-Brown Podzolic soil.

Very gently sloping to level topography characterize the Brighton series. In some areas the topography is moderately sloping, especially near the stream courses. External and internal drainage is good in spite of the nearly level topography. In some areas, many boulders are present on the surface, and these have been mapped as a stony phase.

The Brighton soils, because of the coarse textured materials of which they are composed, are low in fertility and low in organic matter content. Commercial fertilizer and manure are necessary to obtain





good yields. Market garden crops are grown extensively on these soils. Tobacco is grown in some areas. These sandy and gravelly soils are droughty during mid-summer.

### **Bottom Land**

Soils occurring along stream courses, which are subject to periodic flooding, are classified as bottom land. The alluvial materials that are deposited vary considerably in texture. The soil is used chiefly for permanent pasture. Where the drainage is fairly good, grain and hay crops are sometimes grown. Often these alluvial soils are very fertile and hence supply good pasture.

### **5.3. Soil Capability**

Soils in the City of Pickering, mapped and described in the Soil Survey of Ontario County, are rated for their capability for agricultural production within the Canada Land Inventory (CLI). This includes a numerical rating system for the soils with ratings from 1 to 7, with 1 being a soil with little or no constraints to agricultural production to 7, which has little or no capability for agricultural production.

The soils mapped on the subject lands are rated CLI 1 (Bondhead loam) and 2 (Brighton sandy loam), with the Bottom Land rated 5. As we reference back to the definition of Prime Agricultural Lands in the PPS, we note that these include lands that are comprised of Classes 1, 2 and 3 soils. The mapping indicates the subject lands may be part of a productive local area of common field crops and agricultural investment in structures and equipment. As noted during the site visit, this is not so. Instead of productivity and investment, we see rough pasture and heavily treed and wet areas. This is not indicative of prime farming lands.

During the site visit, CCS Staff could see that the subject lands have been worked and that berms have been created around part of the parcel perimeter. Heavy equipment sits between piles of soil materials, indicating that the surface soils have been disturbed and possibly removed.

Since a quarry existed on this property some 65 years ago or more, it is reasonable to assume the surface soils have been removed or altered from their original capability. We can also assume that since the neighbouring lands do not indicate that they are under cultivation or productive farming, that the original soils on the subject lands may not have been typical of the Bondhead or Brighton soils. These soils may have had the characteristics of Class 1 or 3 soils.

Brighton soils in particular, are developed from sorted outwash sand and gravel. It may be that the subject lands were developed as a quarry because of the quality and quantity of sand or gravel deposits within the soils.

In some cases where CCS prepares a review of soils to determine the agricultural capability of field



soils, we physically make test pits in the surface soils to determine the type and depth of the soils. In this case, since it is apparent the soils have been disturbed or removed, making a series of test pits would not help us understand the soils on the subject lands and on adjacent lands. We cannot use test pitting to better understand why the local soils are mapped as Prime Agricultural (Classes 1 to 3) while the visual evidence is that the local soils are poor.

Further review of the soils may not yield additional information as to their capabilities.

## **6. LAND USE REVIEW**

### **North**

The lands to the north are mostly open with rough shrubs and rough pasture.

### **West**

The lands to the west are heavily treed opening to rough shrubland and residential uses.

### **South**

The lands to the south are residential and commercial/industrial uses.

### **East**

The lands to the east are residential subdivision, giving way to rough shrub and treed land followed by large rural residential lots.





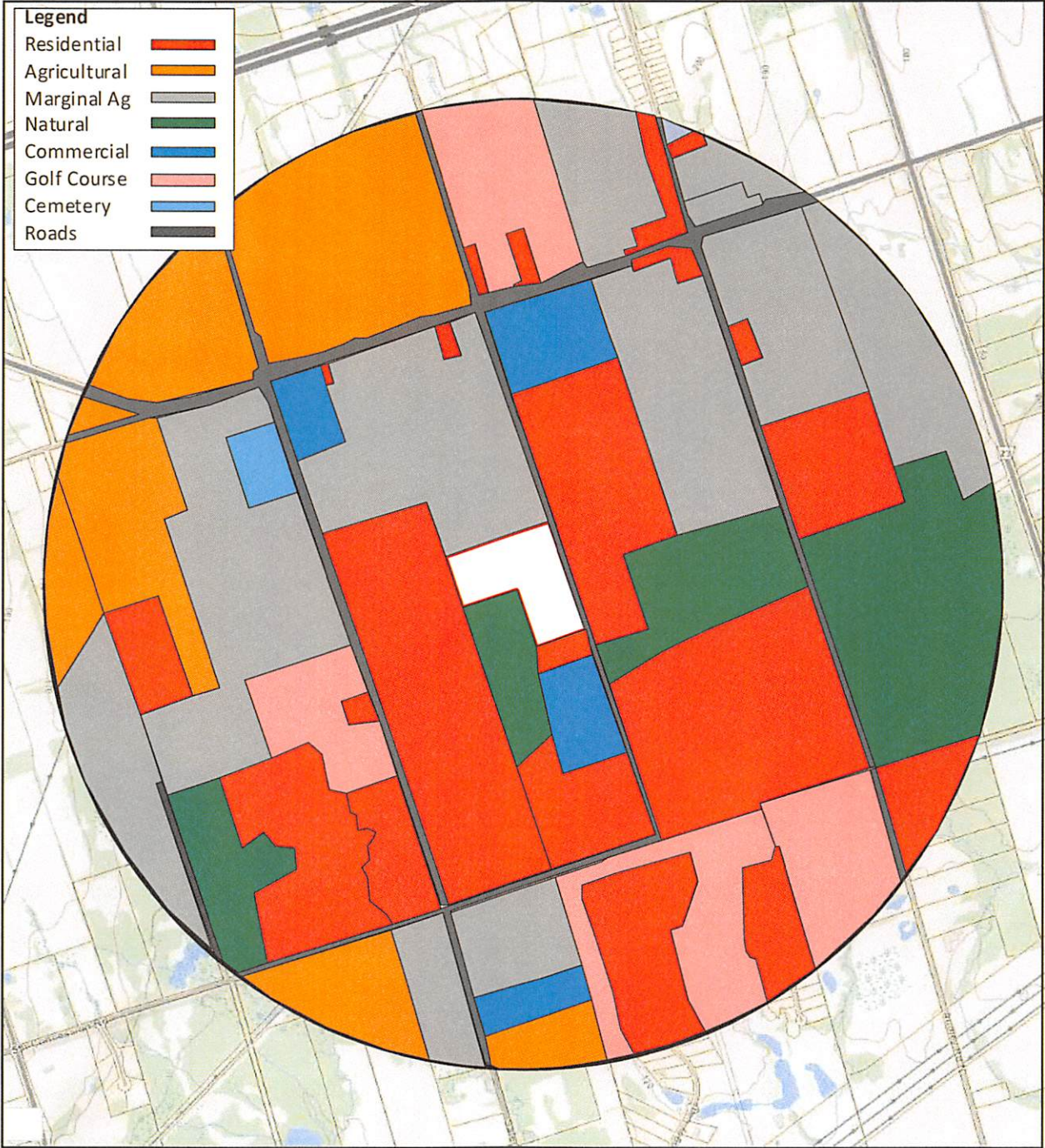










Figure 7 – Adjacent Land Use Map



CCS has prepared a review of land uses in an area extending around the subject lands. Land uses have been placed within categories including Residential, Agricultural, Marginal Agriculture, Natural, Commercial, Golf, Cemetery, and Roads. The Residential category includes residential subdivisions, individual lots, large rural estate lots and residential lots within golf courses. We have presented these various categories graphically on a sketch and have added a table showing the percentage area each category covers within the review area. The review area, including the subject lands, is approximately 983 ha. From this review we can see that good agricultural land represents 14.3 % of the review area.

***TABLE 1 – LAND USE***

	<i>CATEGORY</i>	<i>AREA HA</i>	<i>PERCENT</i>
	Residential	278	28.3
	Agricultural	141	14.3
	Marginal Agriculture	274	27.8
	Natural	107	10.9
	Commercial	33	3.4
	Golf Course	91	9.3
	Cemetery	42	4.2
	Roads	5	0.5
	Subject Lands	12	1.3
	<b><i>TOTAL</i></b>	<b><i>983</i></b>	<b><i>100</i></b>

### **6.1. Neighbouring Land Use Review**

The first notable observance from the review of lands in the local area is that agriculture is not a dominant use on the subject lands or abutting land. The properties abutting the subject lands are predominately residential uses.

The second observance is that there are agricultural uses along Highway 7 and to the west of the subject lands. The fields closer to the subject lands are used for pasture or hay, indicating poorer soil capabilities. The fields farther from the subject lands are used for tree farming or field crops.

The third observance is that the lands to the west, south and east of the subject lands are





predominantly used for residential, recreational (golf) and commercial uses, with natural lands interspersed to the east.

The final observation is that when the wide area is viewed around the subject lands, we see the urban areas of Ajax to the south and farmland to the north of Highway 7 and 407. There appears to be a large area west of Highway 412 and north of Taunton Road and Concession 5, that is heavily treed, residential and recreational. This area does not exhibit the agricultural uses that you would expect to see in a Prime Agricultural Area as defined in the PPS. The subject lands, as part of this greater land area, do not appear to be within, or even on the edge of, a Prime Agricultural Area.

## 7. CONCLUSIONS

Clark Consulting Services was asked to review a 12.4 ha land parcel on the west side of Sideline 4, north of 5<sup>th</sup> Concession Road in the City of Pickering. The property was historically used as a quarry and more recently was permitted to be an area for the storage of topsoil and engineerable fill. The existing topsoil is to be graded back to original grade.

A review of neighbouring lands shows that agricultural uses are not a predominant use with the review area. A wide area review shows that the subject lands are within an area of residential and recreational uses. The predominance of these uses appears to stretch south towards Taunton Road and east toward Highway 412.

Based upon this review and assessment, it is our opinion that the subject lands do not meet the definition of Prime Agricultural Land as provided in the Provincial Policy Statement (PPS), does not appear to be within a Prime Agricultural Area, does not appear to be part of an Agricultural System or part of an Agri-Food Network, all as defined in the PPS. The subject lands and local area do not meet the Provincial Policy Statement definitions of Prime Agricultural Lands and are not part of a greater Prime Agricultural Area. CCS submits that these lands should not be included within the Prime Agricultural Areas designation, as part of Envision Durham and the Comprehensive Municipal Review.

Clark Consulting Services respectfully submits this Review of Prime Agricultural Area to the Region of Durham. We welcome comments and are available for discussion of this conclusion.

Sincerely,



Bob Clark, *P.Eng., P.Ag., MCIP, RPP, OLE*  
Principal Planner



**FIGURES (Illustrated within the Agricultural Land Report)**

Figure 1 - Location Map

Figure 2 - Region of Durham Official Plan, Schedule 'A', Map 'A4'

Figure 3 - City of Pickering Official Plan Excerpt

Figure 4 – Provincial Agricultural System Mapping

Figure 5 - 1956 Soil Mapping

Figure 6 - AgMaps Soil Mapping

Figure 7 - Adjacent Land Use Map

**TABLE**

Table 1 – Land Use

**ATTACHMENT**

Attachment A - Curriculum Vitae of Robert K. Clark

z:\4931-Sideline 4-Biglieri\Site No. 1-Prime Ag Review-Part of Lot 5-Concession 5 (Revised-February 7-2022)



**ATTACHMENT A**  
**Curriculum Vitae - Robert K. (Bob) Clark**

*Mr. Clark has no perceived or actual conflicts of interest in preparing this AIA.*  
*Mr. Clark maintains membership in good standing with the Ontario Institute of Agrologists (P.Ag.).*





## ROBERT K. CLARK

Bob's career in the field of planning spans 46 years. He approaches each project with creativity and a strong intent to meet and exceed the client's expectations. The Planning Field is changing rapidly to address the changing needs of our communities. While financial viability remains an important consideration in all projects, increasingly, sustainability, impact on the environment, the health of the community and the individual are key aspects of successful projects. Clark Consulting Services was created to give Bob the freedom to take on projects that he found interesting and challenging as well as work in an atmosphere guided by the principles of honesty and integrity.

### **Professional Qualifications and Associations**

Canadian Institute of Planners (MCIP)  
Ontario Professional Planning Institute (RPP)  
Ontario Institute of Agrologists (P.Ag.)  
Professional Engineers of Ontario (P.Eng.)  
Association of Ontario Land Economists

### **Professional Background**

1994-Present – Clark Consulting Services  
Principal Planner, President

### **Expert Testimony**

Qualified by the OMB to give expert testimony in the fields of:

- Land Use Planning
- Agricultural Land Evaluation
- Municipal Finance
- Land Economics
- Environmental Impact Assessment

### Education

1972  
Master of Science,  
Resource Development and  
Resource Economics,  
University of Guelph

1970  
Bachelor of Science (Eng.)  
Water Resources Engineering,  
University of Guelph

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CURRICULUM VITAE



## **Selected Experience**

### ***Agricultural Land Assessments/Analysis (Project Manager and Senior Professional Agrologist/Pedologist on all projects)***

- Agricultural Lands Review, United Counties of Stormont, Dundas and Glengarry
- City of Kingston - Agricultural Study
- Stormont Dundas and Glengarry: Review of Prime Agricultural Area for Official Plan Update
- Capital Region Resource Recovery Centre, Agricultural Land Assessment (as part of Environmental Assessment) Russell and Boundary Road Sites
- Vale Agricultural Land Assessment Prince Edward County
- Dafoe Agricultural Assessment, City of Quinte West
- Desjardine, Agricultural Assessment, Township of Elizabethtown Kitley
- Sills Agricultural Assessment, City of Quinte West
- Lafleche Agricultural Assessment, Stormont, Dundas and Glengarry
- McQuillan Land Assessment, Haldimand Township
- Pepper/Hamilton Township
- Espie Agricultural Assessment Beckwith Township
- White Tail Golf Course Agricultural Assessment and Professional Evidence OMB
- Wesleyville Land Assembly, Municipality of Port Hope
- Baulch Road Land Review, Municipality of Port Hope
- Midtown Corridor Hamilton Township Land Evaluation
- Cavan Millbrook North Monaghan OP Prime Agricultural Land Evaluation
- Hamilton Township OP Prime Agricultural Land Evaluation
- Frontenac Islands OP Prime Agricultural Land Evaluation
- Campbellford Seymour Agricultural Land Evaluation
- Sidney Township OP Agricultural Land Evaluation
- South Fredricksburgh OP Agricultural Land Evaluation
- Agricultural Land Use Analysis, Former Township of Hope

### ***Agricultural Impact Assessment***

- Fenelon Falls Baptist Church
- Cation Ag Impact Assessment
- Brown Planning Justification including Agricultural Impact Assessment
- May Agricultural Assessment
- Peer Review of Agricultural Viability for planning applications, City of Oshawa
- White Tail Golf Course, City of Kawartha Lakes
- Snug Harbour, City of Kawartha Lakes
- Murray Hills Subdivision former Murray Township

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***Agricultural Land Assessments for Solar Installations***

-Agricultural Land Capability Assessment for Potential Solar Farm Installations to meet requirements of OPA FIT Program, (over 340 projects to date)

***Environmental Assessment***

-Public Works Garage, Class EA, Town of Gananoque,  
-Wilson Island Bridge (Socio-economic Assessment), County of Northumberland,  
Environmental Impact Assessment, private owners including Michael Lash, Eithery/Buttery Lands, Vanden Hoek site; Three Strand Development Group – Communal Sewage System.

***Environmental Impact Study/Statement***

Based on experience and training as a water resource engineer and pedologist, Mr. Clark has prepared Environmental Impact Studies/Statements for situations in which the primary issues relate to site grading, drainage and building location. Examples include:

- Lash Cottage addition (minor variance)
- Hog Island EIS (consent application)
- Eberle Farm lot creation ORMCP

***Official Plans, Official Plan Updates and Amendments***

Township of Cavan-Millbrook-North Monaghan, Township of Haldimand, Township of Hamilton, Township of Smith, Township of Lochiel, Township of Charlottenburgh, Town of Brighton, Township of Burleigh and Anstruther, Township of Sidney, Township of Frontenac Islands, Township of Hope, Town of Gananoque.

***Secondary Plans***

Fraserville Secondary Plan - Township of Cavan- Millbrook-North Monaghan; South Sidney Secondary Plan, Township of Sidney; Alcan District Area Study - City of Kingston; Shasta Secondary Plan - Town of Westminster, Baltimore-Creighton Heights Community Plan, Township of Hamilton, Southwest Industrial Sector Plan, Township of Hamilton, Jackson Creek West Secondary Plan, City of Peterborough.

***Growth Strategy Studies***

Township of Hamilton, Township of Manvers, Town of Cobourg/Township of Hamilton, Village of Stirling, Village of Cochrane, Township of Smith.

***Development Charges Studies***

Township of Murray, Township of Hamilton, Township of Smith, Township of Manvers, Town of Brighton, Township of Alnwick, Township of Haldimand, Township of Somerville, Township of Woodville, Townships of Anson, Hindon, Minden, Village of Omemee, Township of Galway, Cavendish & Harvey, Township of Fenelon, Township of Verulam, Township of Emily, Township of Eldon, Village of Fenelon Falls, Township of Smith-Ennismore, Township of Cavan-Millbrook-North Monaghan, Village of Bobcaygeon, Township of Brighton, Township of Centre Hastings, Town of Greater Napanee, County of Victoria, Township of Cramahe, Municipality of Campbellford/Seymour, Village

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of Colborne, City of Kawartha Lakes, The Township of Frontenac Islands, The Township of Alnwick/Haldimand, Municipality of Trent Hills, Township of Rideau Lakes, Township of Asphodel Norwood, County of Peterborough, Municipality of Trent Lakes.

***Municipal Financial Impact Assessments***

Sandy Point Recreation Development, Harvey Township, Reference Plan Development, Cavan Township, Township of Manvers, Township of North Monaghan.

***Zoning By-laws/By-law Amendments***

Township of Cavan-Millbrook-North Monaghan; Township of Frontenac Islands; Township of Percy, Township of Alnwick, Town of Campbellford, Town of Brighton, Village of Madoc, Town of Picton

***Aggregate Resource Planning***

Review of Aggregate Potential for Official Plans and Zoning By-laws

Howe Island Gravel Pit – review of proposal; prepare report to Council with planning documents; provide professional opinion evidence at OMB Hearing; Stonescape II Quarry Appeal – review of proposed quarry, preparation of planning review, attendance at OMB Hearing; Codrington Pit Proposal – review of proposed pit, advice to adjacent land owner, monitor approvals

***Official Plans, Official Plan Updates and Amendments***

Township of Cavan-Millbrook-North Monaghan, Township of Haldimand, Township of Hamilton, Township of Smith, Township of Lochiel, Township of Charlottenburgh, Town of Brighton, Township of Burleigh and Anstruther, Township of Sidney, Township of Frontenac Islands, Township of Hope, Town of Gananoque.

***Recent Renewable Energy Projects***

Planning Approvals, Wolfe Island Wind Farm, Township of Frontenac Islands; Gas fired Peaking Plant Location study; Epcor, Skypower; Solar Farm; Algonquin Power. – Wind Farm

***Watershed Plans***

South Sidney Watershed, Lower Trent Region Conservation Authority; Storm Water Management Plan, Town of Delhi; Oshawa Creek Watershed Master Plan, City of Oshawa.

***Waterfront Studies***

Town of Deseronto, Town of Deep River, City of Kingston.

Tourism Development Studies

Ministry of Industry and Tourism, Tourism Development Strategy Trenton Cornwall and Renfrew

- Kingston Zones, County of Northumberland Tourism Planning Study.

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### ***Socio-Economic Assessments***

TransCanada Pipelines Transco Project, Brampton to Burlington Gas Pipeline, TransCanada Pipelines, Eldorado Nuclear Hexafluoride Refinery, Hope Township site, Wilson Island Bridge, County of Northumberland, Three Strand-Communal Sewage System EA.

### ***Recreational Studies***

Riverwalk-Minden, Georgian Trail, Township of Collingwood, Recreation Master Plan, Township of Cavan, Beavermead Park Redevelopment Plan, City of Peterborough,; Rail Corridor Study, County of Victoria; Pangman Conservation Area Master Plan, Lake Simcoe Region Tourism Study, ESI - Sir Sandford Fleming College, provided Social-Economic Impact Assessment for the Millennium Trail Master Plan, County of Prince Edward.

### ***Advisory Services including Planning Appraisals***

Township of Cavan-Millbrook-North Monaghan; Township of Frontenac Islands; Township of North Monaghan, Township of Smith, Township of Burleigh and Anstruther, Municipality of Sherbourne McClintock and Livingstone, Township of Stanhope, Township of Lutterworth, Township of Hope, Township of Hamilton, Township of Alnwick, Township of Percy, Township of Seymour, Town of Campbellford, Town of Gananoque, Village of Hastings, Township of Haldimand, Municipality of Trent Hills, County of Prince Edward

### ***Industrial Development Studies***

City Owned Industrial Land Study, City of Kingston; Lucas Point, Town of Cobourg, Township of Charlottenburgh, Town of Brighton, Great Lakes Deep Water Port Industrial Site Development Plan, Township of Hallowell; Draft Plan of Subdivision; Cataraqui Business Park, City of Kingston.

### ***Economic Development Studies***

Accommodation Evaluation, Township of Asphodel-Norwood; South Dundas Economic Development Study, South Dundas Economic Development Commission, Almonte Economic Development Study, Town of Almonte and Township of Ramsay; Best Use Study, Douro-Dummer Township.

### ***Housing Policy Statements***

Town of Cobourg.

### ***Solid Waste Management Studies***

County of Haliburton, Township of Hallowell, County of Northumberland, Seymour Township, National Capital Region, Lanark County, Snow Disposal Study, National Capital Region.

### ***Private Development/Projects***

Assist developers in the design and approval of both residential and industrial/commercial projects. References available upon request.

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***Recent OMB Cases***

OMB Case No. PL090057 Lash  
OMB Case No. PL100622 – Reynolds  
OMB Case No. PL101329 – White Tail  
OMB Case No. PL100904 – Stonescape  
OMB Case No. PL090838 - Sepa  
OMB Case No. PL09841 - Bremer  
OMB Case No. PL100475 - McDonald  
OMB Case No. PL050584 – City of Ottawa  
OMB Case No. PL031324 – City of Ottawa  
OMB Case No. PL080239 – City of Ottawa  
OMB Case No. PL080373 – City of Ottawa  
OMB Case No. PL070728 - Carter  
OMB Case No. PL090147 – Semler  
OMB Case No. PL1000711 – Mound Brighton  
OMB Case No. PL011198 – City of Kingston, Alfred Street  
OMB Case No. PL030524 – City of Kingston  
OMB Case No. PL110520 - City of Niagara Falls  
OMB Case No. PL130785 – Township of McNab/Braeside  
OMB Case No. PL141138 – Evans  
LPAT Case No. PL 150192 – Municipality of Brighton  
LPAT Case No. PL160588 – Municipality of Trent Hills  
OMB Case No. PL170008 – Township of Brock  
OMB Case No. PL170878 – Burl’s Creek  
LPAT Case No. PL171446 & PL 180385 – Municipality of Brighton  
LPAT Case No. PL170178 – Municipality of Clarington

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