



THE PRESERVATION OF
AGRICULTURAL LANDS
SOCIETY (PALS)

*Working to Protect the
Best Farmlands in Canada
Since 1976*

Winter 2023-24

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PRESIDENT'S LETTER

Dear PALS Supporters,

Good News at last! The past two years of unprecedented public opposition, supported by the Auditor General's damning report of the Provincial land use process, has forced the Government to admit it was a disastrous mistake to remove thousands of acres of prime farmland and natural areas from the Greenbelt, force unneeded urban expansions in Niagara and several other municipalities, and allow further Ministerial Zoning-Ordered development of prime farmland, fruit land and natural areas.

Going forward, if Ontario's recent Greenbelt Statute Law Amendment Act holds true, many of these lands, and those more recently added in the Paris Galt Moraine and urban river valleys, as well as the Greenbelt's largest piece of land by far, the Rouge Duffins Agricultural Preserve and the Oak Ridges Moraine Conservation lands, will be legislatively protected, with previous easements restored to the latter.

Nevertheless, further strong actions are required. These should include the cancellation of the very destructive 413 and Holland Marsh expressways; a halt to aggregate extraction on prime farmlands and natural areas; and the assurance that there will be no more lands removed from the Greenbelt. As well, more prime farmland, fruit land and protected natural areas should be added to the Greenbelt in the 2025 Greenbelt review, and, in Niagara, we will continue to urge action on the development of an updated and revitalized 1995 Ontario Tender Fruit Land easement program, to ensure permanent protection of these unique, threatened, and best farmlands in Canada.

Doug Woodard



First Snow, Young Apricot Orchard in Ridgeville

Photography by Natalia Shields

AROUND THE REGION

St. Catharines:

PALS is preparing for our extremely important upcoming Ontario Land Tribunal hearing regarding the New Hope Church request to expand non-farm uses onto what were to be a “permanently” protected fruit lands of St. Catharines. We have an excellent lawyer, assisted by top notch planning advisors, and our case is grounded in very strong City and Regional planning reports, but not by a large number of City and Regional politicians.

Meanwhile, good sources have told us that developers, along with some farmers, are definitely waiting in the wings to see how this case goes. And, while we know that OLT decisions by tradition are not precedent setting, and stand on their own merits, it is clear that if this specialty crop land is ruled developable by a non-farm use, despite all our local, regional, provincial planning protections, then it will open the door wide for other fruit lands and all kinds of prime farmlands.

Wish us well, and if possible make an extra contribution, to help us in this new /old battle to protect the best farmlands in Canada!

- **Gracia Janes**

Niagara Falls:

Walker Industries & the Proposed Upper's Quarry

In 2019, Walker Industries submitted a ‘Request for Rezoning’ of 103.6 Ha (256 acres) from Agricultural to Industrial, for the proposed development of Upper's Quarry in the City of Niagara Falls, between Lundy's Lane on the South, Beaverdams Rd. on the North, Thorold Townline on the West, and Beechwood Rd on the East. Peer Reviews were completed and Walker Industries re-submitted its Application on August 28th, 2023. On October 11th, presentations were made at the Niagara Region Statutory Public Meeting (Regional Official Plan Amendment ROPA-21-0003) on the Proposed Quarry and a decision will be rendered at a later date.

At present, the RCMP is investigating an MZO which was issued for a Recreational Development (hotel, 26 villas, spa, retail, golf, etc.), on an agricultural area (95 ha -257 acres) located South of Mountain Rd., between Garner & Kalar Rds, and partially owned by Walker Industries. Rumor has it that this MZO may be rescinded, but if it isn't, the Recreational Development plus Walker's quarry will mean the loss of approx. 200 ha (520 acres) of Agricultural land in the City of Niagara Falls.

However, more acres may be added if the following public notice comes to fruition:

Published Dec. 4, 2023 - Walker is proposing a landfill expansion in Niagara Falls, South of Mountain Road and East of Taylor Road, directly to the South-East of the present landfill and West of Ten-Mile Creek, within an existing quarry site and in an area generally surrounded by agriculture and residences. An Environmental Assessment is required and regulated by the Ontario Ministry of Environment, Conservation, and Parks (MECP) through the Environmental Assessment Act.

- **Helene Gayer**

ACROSS THE PROVINCE - by Dr. John Bacher (PhD)

Hamilton:

In 2021, through the power to approve official plans, the Provincial government imposed major urban expansions on the City of Hamilton. This had been the focus of massive public opposition, and as a result they were rejected by the Hamilton City Council. The largest of these was a 2,800 acre block, known as the Elfrida lands. There was also a smaller urban expansion in Mount Hope area, along Whitechurch road. These lands are of considerable ecological significance, being in recharge areas which contribute to the health of the Twenty Mile Creek and Welland River.

The provincial retreat in Hamilton is of considerable significance given the massive urban expansions in Niagara which were recommended by its Regional Planning Department on the basis of overinflated provincial population projections. It was claimed that these expansions, one of which, in Niagara Falls, had been rejected earlier by the Ontario Municipal Board after a protracted hearing, was widely justified on the basis of supposed later provincial imposition. This expansion, along with three others in Niagara Falls, all on prime agricultural land were also opposed by the Niagara Falls Planning Department.

NB: A December 6th Globe and Mail news story reports that Ontario's Integrity Commissioner has linked the Hamilton expansion and those in Halton Peel and York, which added 7,600 acres to their urban boundaries, with the Urban Solutions Planning Consultants who helped develop their Official Plans and had contact with the staff of former Minister of Municipal Affairs and Housing Steven Clark.

ACROSS THE PROVINCE

Pickering Rouge Duffins Agricultural Preserve – a Belated PALS Blossom Walk - John and Mary Lou Bacher

Our much belated 2023 PALS Blossom Walk was an exploration of the Rouge Duffins Agricultural Preserve, that had been removed from the Greenbelt, through the passage of the Rouge Duffins Agricultural Reserve Repeal Act. This extremely destructive action was later condemned by the Provincial Auditor as a \$6.2 billion dollar giveaway to developers through the escalation of land prices due to preferential treatment.

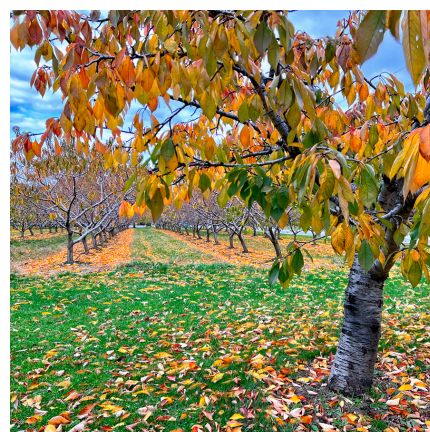
All of the Agricultural Preserve was once land owned by the Provincial government. Although not included within the final Rouge Provincial Park boundaries when they were established in 1994, they were intended to be a complimentary buffer. The lands were to be subject to consultation which would have addressed such issues as the agricultural purposes its Class One farmland would be used for. In 1996, however, the land was sold and eventually became owned by developers. Although for a brief period, Agricultural Easements were placed on them by the City of Pickering, these restrictions were later dropped. In 2005 the provincial government rescued the area through a combination of putting the preserve in the newly created Greenbelt and by having the legislature pass the Duffins Rouge Agricultural Preserve Act.

PALS worked closely with the founder of Save the Rouge, the late Lois James, assisting her in securing the creation of the Rouge National Park. As we walked we were certain that Lois James, who received the Order of Canada for this accomplishment, would be very proud of the way the Rouge National Park is managed today. We then walked from the former Pearce House, an interpretive center, rescued from the wrecking ball by her determination, which serves as an interpretation center for the Rouge National Park to Finch Avenue.

The walk was most impressive. We passed by a pond where we were able to observe 15 individuals of a Species at Risk, the Midland Painted Turtle. Forests had greatly expanded along the trail where we had walked twenty years earlier on a Toronto Field Naturalist hike with Lois and a good friend, Peter Shepherd. Then, colorful meadows lined the trails, with the brilliant purple wildflower, the New England Aster. Here, Parks Canada had successfully planted Common Milkweed, which did attract the numerous Monarch Butterflies we observed, and we were greeted by abundant Black Capped Chickadees and Goldfinch.

We were able to reach Amos Pond along Finch Avenue. Here we observed numerous Canada Geese, several Double-Breasted Cormorants, and a single Midland Painted Turtle. However, we could see that this eastern edge of the Rouge National Park within the City of Pickering was threatened by urbanization. When we walked here with James twenty years ago, there were no subdivisions, but now these are found right along Finch Avenue right past the southeastern edge of Amos Pond.

(Cont'd on pg. 4)



Peach orchards show off their fall colours in Vineland

Photography by Natalia Shields

ACROSS THE PROVINCE, Cont'd.

Pickering Rouge Duffins Agricultural Preserve – a Belated PALS Blossom Walk, Cont'd.

Unless the decision to repeal the former Rouge Duffins Agricultural Preserve is reversed, Amos Pond will be completely surrounded by urban development, except for road across from the National Park (now marked by a Turtle Crossing Warning Sign). It would prevent wildlife passage from the National Park to Duffins Creek. The valleys of both streams provide significant wildlife habitat.

Our 2023 PALS Blossom Walk highlighted PALS work in protecting the complimentary relationship between agriculture and the environment which is the cornerstone of the Rouge National Urban Park. PALS supporters should be proud of this achievement, which is now at the heart of much debate in provincial politics.

Addendum:

At the time we did our walk, the Rouge Duffin Agricultural Reserve was threatened by its removal from the Greenbelt. Now, a government announcement which has subsequently been upheld by provincial legislation restores the Rouge Duffin Agricultural Reserve Protection Act, and also the agricultural easements which had been imposed on the lands by the City of Pickering.

QUOTABLES

Letter to the Editor:

Victor Doyle's recent excellent article in defense of the Greenbelt, is further enhanced by understanding how much unique conditions in St. Catharines were responsible in the mid-1960s for the birth of provincial land use planning in Ontario. Alarm bells went off at Queens Park in the government of Premier John Robarts, due to the results and implications of a 1965 St. Catharines Transportation Study. It favored urban expansion for the city, all the way to the 15 Mile Creek, although this would pave over more than a third of the peach growing land in the province. In response to the ominous alarm, Robarts' government wisely set in motion the basic tools for provincial land use planning which eventually resulted in the establishment of the Greenbelt. This is why St. Catharines has a permanent urban boundary to protect.

- John Bacher, St. Catharines



December Golden Hour Light Illuminates a Pelham Orchard

Photography by Natalia Shields

QUOTABLES, Cont'd.

Letter to the Province re: Fruit Land Removals from Grimsby Urban Boundaries

- Dr. John Bacher, (PhD.) Nov/ 2023

(Editor's Note: Through a Present and Historic Lens)

PALS is responding to the request of the Town of Grimsby to remove two parcels from the Greenbelt, both of which have long been designated in its own Official Plan and the Niagara Region's, as Specialty Crop, (tender fruit) lands. In essence, the basic reason for this position is that the Town has been lobbying for twenty years to urbanize these lands. PALS is quite familiar with these efforts, and has so far successfully opposed them, not only through the Province's periodic reviews of the Greenbelt, but through the five-year reviews of the Niagara Regional Official Plan.

At the outset, PALS wishes to establish that none of the information supplied to challenge the inclusion of the two parcels of land that the Town is seeking to remove from the Greenbelt, actually provide the climate information that would be required to justify such a decision. Instead, it has been based on the Canada Land Inventory, (CLI). Such CLI mapping is intended to evaluate land suitability for common field crops. CLI mapping was never intended to evaluate land for suitability for the growing of tender fruit. What is significant in this regard are climate conditions. If mapping had been provided to demonstrate, for instance, that situations such as a frost pocket exists, which would damage fruit trees, there might be some legitimacy, subject to scientific peer review and public comment, for removal based on land suitability.

PALS also stresses that there is no justification for the proposed Greenbelt removals based on any urban need. According to the Planning Director of the Town of Grimsby, Thomas Madi, who presented the planning justification for the Town's request at its November 20th Council meeting, there are "significant infill opportunities in Grimsby." Such areas are found "along the highway corridor", and "along some of the main streets in dying or kind of antiquated commercial plazas and strips for mixed use developments that would include higher densities." In a similar vein, Walter Basic, a senior planner with Grimsby's Planning Department, said that the removed Greenbelt lands, if developed, would be "usurping" lands which although approved for development, have not yet, unfortunately, been built upon.

PALS members have carefully scrutinized land use planning in Grimsby since the 1950s. One of our founding members, Jack Travers, at this time was a member of the Hamilton Naturalists, an organization which was involved in founding the Bruce Trail. A key objective of the founders, who then included Commissioner for Land of Planning of Wentworth County, Dr. Norman Pearson, was the protection of magnificent vistas from the Niagara Escarpment to Lake Ontario.

In 1959 in a Tri-County report on the Niagara Escarpment, Pearson extolled the vistas of the Niagara Escarpment to Lake Ontario as, "A symphony of rugged grandeur, broad vistas, history lore, primitive beauty." To persuade readers of this reality, Pearson included a magnificent vista in Grimsby from the Niagara Escarpment to Lake Ontario, dominated by the massive pink blossoms of peach trees in bloom. He put next to the dramatic photo a poignant warning, "Must all this pass with the ruthless sweep of change?"

Pearson's plea eventually set in motion the events that led to the creation of the Niagara Escarpment Commission, and the development of its land use plan. In 1977, Preliminary proposals for this plan, which, had they been adopted, would have maintained the fruit lands in Grimsby between the Escarpment and Lake Ontario, were published. Unfortunately, the Grimsby tender fruit growing area on the Escarpment was removed from the Escarpment Plan. (Although in 2012, what was left of it was protected through similar provincial planning of the Greenbelt.)

There are current allegations that the lands within the Greenbelt in Grimsby were mapped without adequate care. This observation ignores how what eventually became the Greenbelt boundaries in Grimsby, were mapped at a lengthy Niagara Regional Plan Ontario Municipal Board Hearing that was dominated by the testimony of two towering figures, Dr. Pearson, and Dr. Robert Hoover, then Chair of PALS.

At the OMB review Dr. Hoover meticulously assembled soils, climate, and planning need evidence to support the vast sea of peaches in Grimsby remaining in an agricultural designation. Dr. Pearson did not challenge any of this evidence but indicated that a more permissive attitude towards urban expansion was justified on the basis that the boundary between urban areas and tender fruit land be permanent.

On Pearson's advice an appendix was written into the Niagara Regional Official Plan that the urban boundaries adjacent to tender fruit land were to be permanent. This principle was later reinforced through the provisions of the Greenbelt Plan, which was violated by the earlier removal of lands from the Greenbelt. (Cont'd. on pg. 6)

QUOTABLES, Cont'd.

(Letter to the Province re: Fruit Land Removals from Grimsby Urban Boundaries, Cont'd.)

- Dr. John Bacher, Nov. 2023

The few areas of agriculturally zoned land in Grimsby between the Niagara Escarpment and Lake Ontario are vulnerable to urbanization. All that effectively stops this is their continued protection through the Greenbelt. To adopt from Pearson's prophetic words, if the Greenbelt is compromised, "all this will pass, with the ruthless sweep of change."

MEMBERSHIP, ORDERS OF EDUCATIONAL MATERIALS & DONATIONS

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Note: Donations to PALS may also be made through the national charity CanadaHelps at CanadaHelps.org or by e-transfer: for the payee, please use The Preservation of Agricultural Lands Society. For the recipient's email, use gracia.janes@bellnet.ca



Photography by Natalia Shields

Winter Colours of Niagara Orchards



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