

February 1, 2023

MGP File: 20-2918

Honourable Steve Clark
Ministry of Municipal Affairs and Housing
777 Bay St, 17th Floor
Toronto, ON M7A 2J3

Attention: Andrew Doersam (Municipal Services Office -Central Ontario)
andrew.doersam@ontario.ca

**RE: ERO No. 019-5147: Durham Region Official Plan Amendment 186
Submission on behalf of the North-East Pickering Landowners Group**

Malone Given Parsons Ltd. (“MGP”) is the planning and land economic consultant for the North-East Pickering Landowners Group (“NEPLOG”), who own multiple properties in North-East Pickering. On behalf of the NEPLOG **we request that the Province modify Durham Region Official Plan Amendment 186 (“ROPA 186”) to expedite the second phase of the Growth Management Study (“GMS”) and approve the proposed settlement area boundary expansions, which include the lands in North-East Pickering.**

Given the significant housing supply and affordability issues and the anticipated timing of the completion of the GMS and adoption of the new Durham Region Official Plan (which has already exceeded the provincial conformity deadline of July 1, 2022), the Province has an opportunity **now** to accelerate development by **modifying ROPA 186 to include both** the delineation of Major Transit Station Areas (“MTSAs”) and the designation of the settlement area boundary expansions, so that all lands requiring local planning to provide additional housing can proceed as soon as possible.

For the reasons set out in this letter, it is our opinion that North-East Pickering is the most logical and appropriate location for this settlement area boundary expansion and will achieve all the goals of the City of Pickering (“City”), Durham Region (“Region”) and Province, for the following reasons:

- 1) North-East Pickering is required for growth in the City and Region and has been identified as a growth area since 2006 by the Region through two MCR processes.
- 2) As part of the current Envision Durham Municipal Comprehensive Review (“MCR”), *Durham Information Report #2022-INFO-91* identifies the settlement area boundary expansion of North-East Pickering as required as part of the current conformity exercise with *A Place to Grow: Growth Plan for the Greater Golden Horseshoe* (“Growth Plan”).
- 3) North-East Pickering provides the only opportunity along the Highway 407 corridor to realize a comprehensively planned complete, healthy, smart and sustainable community that can accommodate significant new population and employment growth.

- 4) North-East Pickering is essential to the Region's economic prosperity and the creation of a contiguous urban structure along the Highway 407 corridor consisting of strategic employment lands near to the future Pickering Airport.
- 5) North-East Pickering implements a critical portion of the Region's east-west settlement and mobility pattern by providing new community and mixed-use nodes that will meet residential growth needs while supporting future transit corridors through north Pickering, Whitby, and Oshawa.
- 6) The City has already commenced a Secondary Planning process to advance local planning in anticipation of the designation of this area for urban uses in the new Durham Region Official Plan, which will accelerate housing and development. This means that the North-East Pickering lands are significantly more advanced in their planning than any other lands within the Region outside of the existing urban area.

The NEPLOG have undertaken extensive master planning and technical studies for this area to realize a complete community that protects significant natural features and functions, provides sustainable forms of development and strategic community and public uses that will serve residents of North-East Pickering and the surrounding area.

1.0 Background

The purpose of this letter is to provide comments with respect to *ERO No. 019-5147: Durham ROPA 186* posted by the Ministry of Municipal Affairs and Housing on September 8, 2022, and re-opened December 5, 2022.

On December 22, 2021, Durham Regional Council adopted ROPA 186, which delineates seven MTSAs across the Region and introduces new policies to support transit-oriented development within these transit station areas, including minimum density targets. ROPA 186 represents the first phase of the Region's MCR, with a second phase to complete the GMS, which includes identification of the proposed settlement area boundary expansions, anticipated to conclude in late 2023 with the adoption of a new Regional Official Plan.

The NEPLOG have participated throughout the Envision Durham MCR process and support the Regional staff's most recent report on the proposed location of settlement area boundary expansions ("SABE") to accommodate growth to 2051, including North-East Pickering. However, there is uncertainty at the local and regional planning level related to the timing of formal adoption and approval of these SABEs. For this reason, we are requesting that the Province modify ROPA 186 to approve the proposed SABEs now, including North-East Pickering, which would provide certainty and allow municipal planning to continue on these lands and deliver housing faster.

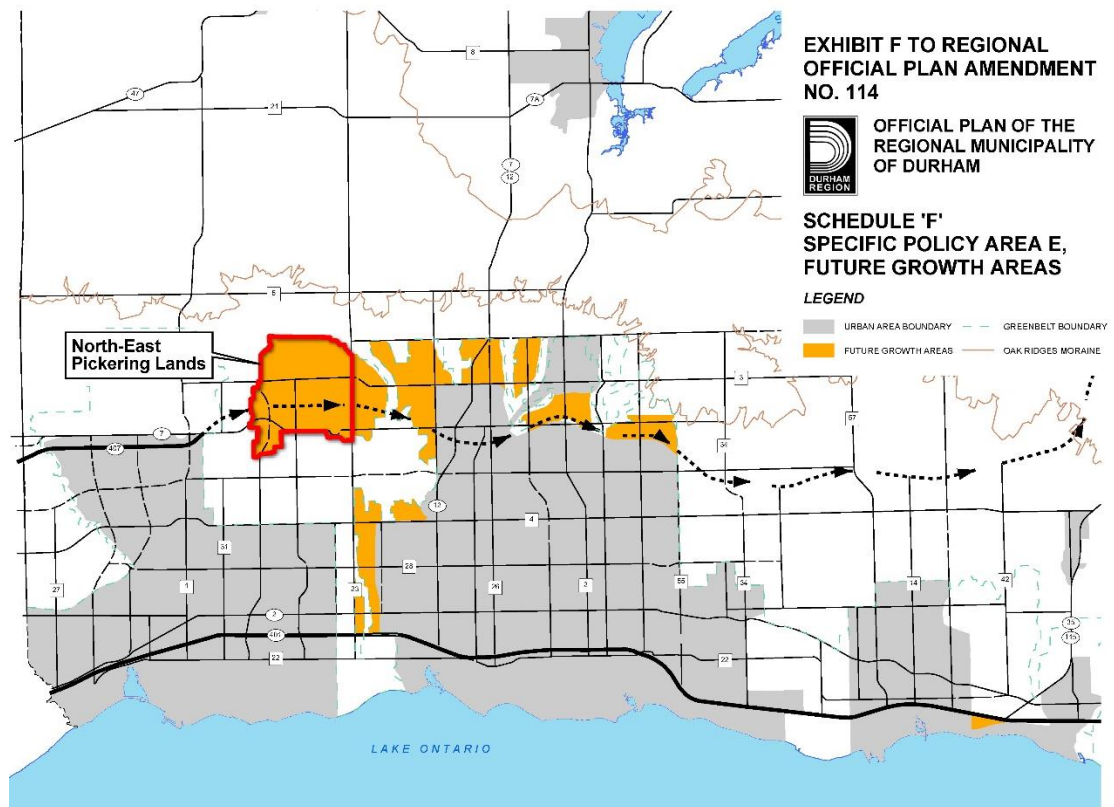
The remainder of this letter provides detailed reasons and background for this request, as well as the modifications to ROPA 186 required to implement the proposed request.

2.0 Previous MCRs and Identification of North-East Pickering as a SABA

Since 2000, the North-East Pickering lands have been considered for SABA and were endorsed as a Settlement Area by Regional Council during the ROPA 114 and ROPA 128 processes.

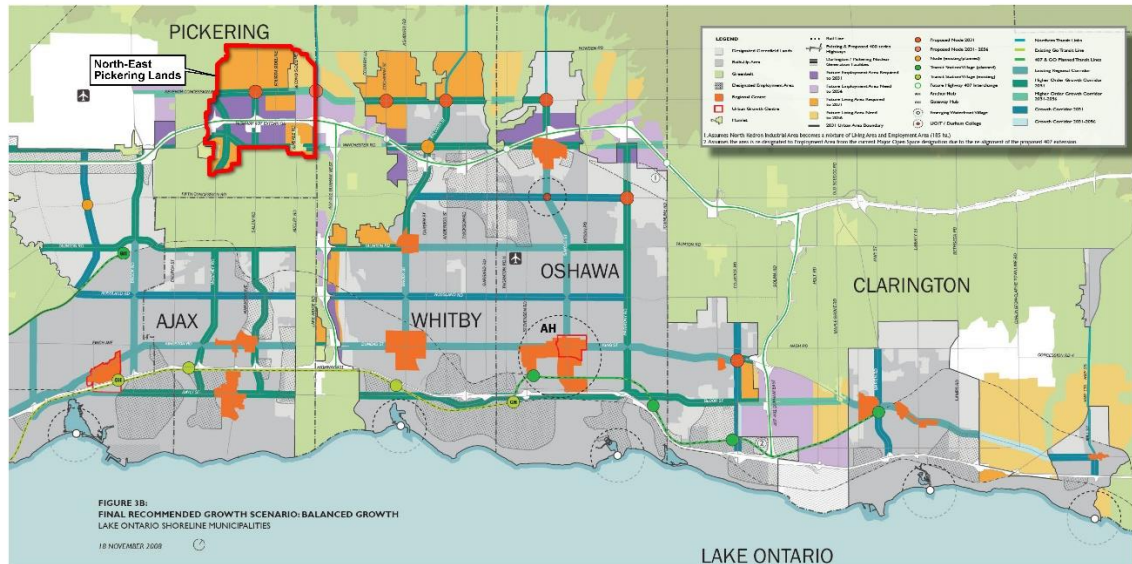
In 2006, through ROPA 114, the Region recommended that most of the ‘whitebelt’ area in southern Durham Region be included within the urban area boundary to accommodate growth to 2031. The recommendation included the North-East Pickering lands for urban area expansion. Following the enactment of the Growth Plan and in response to the Planning Committee’s direction at the Public Meeting held on June 27, 2006, the consideration of the North-East Pickering lands for SABA was deferred and instead identified as a “Future Growth Area”. The intent of the Future Growth Area identification in the Regional Official Plan was to recognize Council’s long-term vision for the future growth in the Official Plan as a context for future planning decisions. The recognition of these Future Growth Area lands does not represent land-use designations or actual urban area boundary expansions. Regional staff recommended that the recognition of Future Growth Areas be approved to provide the most definitive statements of the Region’s long-term intent for growth on these lands. ROPA 114, as adopted, identifies the North-East Pickering lands as a Future Growth Area on Schedule F (see Figure 1).

Figure 1: Excerpt of Schedule F (ROPA 114)



In 2007, the Region commenced ROPA 128 as part of the “Growing Durham” planning process, which again identified the North-East Pickering lands as an area for SABE. During this ROPA 128 process, the population and employment forecasts of the Growth Plan formed the basis for the development of the Recommended Growth Scenario. The North-East Pickering lands were designated as “Future Living Area Required to 2031” and “Future Employment Area Required to 2031” in the Final Recommended Growth Scenario and Policy Directions Report, as identified in Figure 2. The recommended growth scenario used a balanced growth approach. The Growth Plan requires the Region to plan for growth in a manner that wisely uses land to achieve complete communities. As noted in the Region’s reports on this work, the balanced growth approach introduces a policy-led change to an otherwise purely market-driven approach to meet demand on a municipal level. The North-East Pickering lands were designated for Living and Employment Areas by Regional Council when ROPA 128 was adopted.

Figure 2: Excerpt of Final Recommended Growth Scenario (ROPA 128)



The Province approved a modified ROPA 128, which removed the North-East Pickering lands from the settlement area boundary and instead included the Seaton Community, following which ROPA 128 was appealed. A settlement decision approving ROPA 128, with modifications, upheld the removal of the North-East Pickering lands and the inclusion of the Seaton Community. However, a site-specific policy was added to the Durham Region Official Plan, policy 7.3.11.p, to establish the intent that the North-East Pickering lands should be planned to receive growth and should be reconsidered for inclusion within the settlement area boundary as part of the next MCR process. Accordingly, this policy outlines the additional requirements that must be addressed when considering any SABE for the North-East Pickering lands. Furthermore, the future growth horizon has now been extended from 2031 to 2051 and makes these lands all that more important for inclusion into the settlement area boundary to meet Provincial housing and employment targets.

3.0 North-East Pickering is an optimal location for Settlement Area Boundary Expansion

The Region has twice concluded, in 2006 and 2008, that the North-East Pickering lands are appropriate for inclusion in the settlement area boundary. This remains the case in the current MCR, initiated in 2018. The North-East Pickering lands benefit from several attributes that make them ideal for accommodating new growth in the Region to 2051, as described below.

3.1 North-East Pickering can be planned as a complete, healthy, smart, and sustainable community in Pickering, including the creation of new urban nodes and transit-supportive corridors

The North-East Pickering lands can be planned as an integrated community with opportunities for residents and visitors to live, work, learn, socialize, and be healthy. The size and configuration of the North-East Pickering lands mean they can be comprehensively planned to ensure that growth will result in a complete community. As demonstrated in the Veraine Master Plan, prepared by a member of the group and reflected in the principles adopted by the City in undertaking the land use planning of this area, the North-East Pickering lands will be planned to surpass base conformity with Provincial and Regional planning policy and will achieve prototypical sustainable community and employment areas.

To allow for the comprehensive planning of this area, the entirety of North-East Pickering must be included within the settlement area boundary to allow the City to undertake its planning process. The area must be planned as a whole to ensure the larger objectives are achieved through interim years of community development. Failure to include portions of the lands can undermine good planning of this area and may preclude the achievement of larger objectives, such as the realization of urban nodes, a local transit and active transportation network, affordable housing options, natural heritage protection, economic sustainability, and the logical and efficient servicing of development, including managing stormwater.

It is good planning and achieves the intent of the Growth Plan to direct growth to areas that can achieve complete communities. As opposed to other areas of the Region that can result in the incremental growth of existing neighbourhoods and employment areas, North-East Pickering provides the only opportunity along the Highway 407 corridor to realize a comprehensively planned community that can accommodate significant new population and employment growth. The NEPLOG lands represent an excellent opportunity within the City and Region to accommodate additional growth through the creation of a complete community featuring an appropriate mix of housing and jobs.

3.2 North-East Pickering is integral to the Region's economic prosperity and implements a critical portion of the Region's east-west settlement and mobility pattern

The North-East Pickering lands are within 'whitebelt' lands that were purposely excluded from the Greenbelt Plan Area to accommodate future growth associated with the Growth Plan. The principals of growth applying to these lands have been established many times in the past. In the Regional context, developing these lands are vital to realizing connected

roads, transit, and economic activity along the Highway 407 corridor. The lands are strategically located along the Highway 407 corridor, providing a contiguous regional structure of nodes and communities in this corridor (between Markham and Whitby), with the potential to support future transit corridors such as along Columbus Road, while also supporting the realization of jobs in traditional and mixed-use employment areas with convenient access to Highway 407.

The North-East Pickering lands are in proximity to the economic drivers of the future Pickering Airport and the Highway 407 corridor. North-East Pickering has the potential to be the next large bank of employment lands in the Region and is a strategic opportunity for growth in the City. The lands adjacent to Highway 407 provide a prime opportunity for the realization of jobs that can be planned for traditional and mixed-use employment areas that will integrate with surrounding new neighbourhoods and have access from Highway 407.

4.0 Urgent need to designate new settlement areas and commence local planning

Initiated in 2018, Durham Region's GMS/Land Needs Assessment, as part of its larger MCR and Official Plan review process, reviewed the Region's land base and determined how the population and growth forecasts to 2051 from the Growth Plan could be accommodated and how much additional urban land is required.

The Region was required to complete its conformity exercise with the Growth Plan by July of 2022. While the Region has completed its land needs assessment, resulting in the Council-endorsement of growth scenarios to 2051 (which include Scenario #2A to bring in approximately 2,500 hectares of community lands), the Region does not expect to adopt a new Official Plan with the preferred settlement area boundary expansions until the middle of 2023. The consequence of the City and Region not meeting the Province's July 2022 conformity deadline with the Growth Plan results in a significant delay in the delivery of much needed housing. There is an urgency to determine and designate settlement areas required to accommodate growth so that planning at the lower-tier municipal level and the resultant housing in these areas can be achieved as soon as possible.

The Region adopted ROPA 186 as an individual component of the MCR to expedite the planning of MTSAs to accommodate the significant level of growth that could come from these areas. In particular, it is important that these areas be designated in the Regional Official Plan now, so that lower-tier municipalities can commence the local planning of these areas to expedite the delivery of housing. The Region expedited the delineation of these areas in 2021, leaving the remainder of the GMS to conclude, and designate settlement area boundary expansions as part of a later stage in the process. As of November 2022, the Region has identified both the need for settlement area boundary expansion, and the proposed areas for such an expansion.

Similar to the need to commence planning of the MTSAs, there is a corresponding urgency to designate lands required for new settlement areas so that local planning can commence and realize the significant growth that can come from these areas. In regard to North-East Pickering, the City has commenced a secondary planning exercise that was scheduled for initial work to be undertaken in 2023, where the first public meeting was to have occurred in

January 2023. With the ongoing delay in designating the lands as within a settlement area by the Region, this process has stalled and the local planning of this area, and the delivery of housing and employment has been delayed.

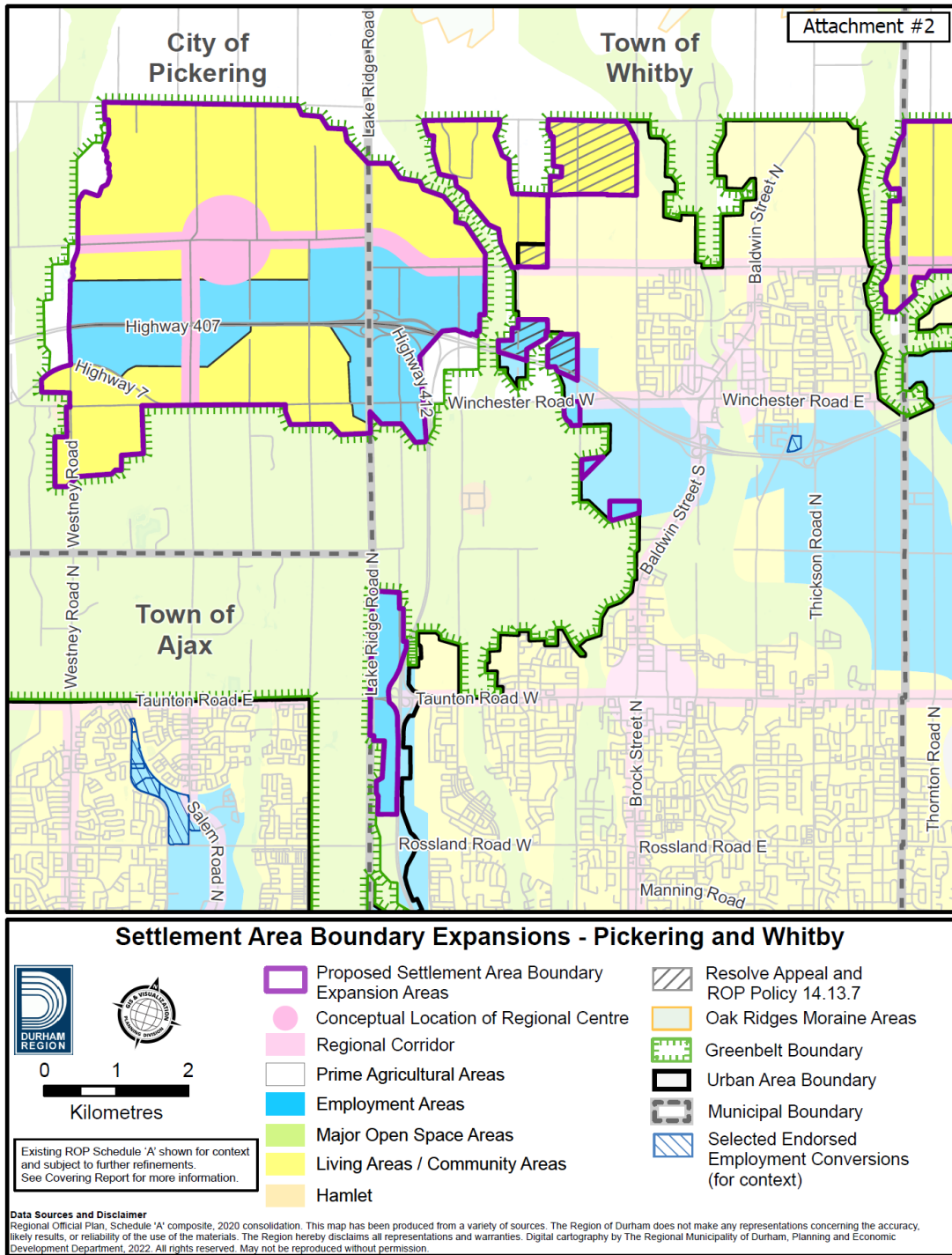
Extensive work and study have already been completed to support development of the NEPLOG lands since the initial consideration for a SABE on the NEPLOG lands in 2006. Based on a review of the Region's planned infrastructure improvements, it is our understanding that these lands can be serviced and start accommodating housing within the next 10 years, contributing to the City's achievement of the Province's 2031 housing target for Pickering.

The NEPLOG are committed to work with the Province, Region, and City to expedite the delivery of servicing, housing, and employment lands in this area, however the planning cannot continue without the certainty of the lands being within the settlement area boundary. For these reasons and given the current timing of the remaining stages of the MCR, ROPA 186 should be modified to include **both** the delineation of MTSAs and the designation of the SABEs, so that all lands requiring local planning to provide additional housing can proceed as soon as possible.

5.0 Requested modifications to ROPA 186 to designate North-East Pickering as a Settlement Area Boundary Expansion

The NEPLOG lands are identified as part of Durham Region's proposed SABE, released on November 10, 2022 in the information report *Draft Settlement Area Boundary Expansions and Area Municipal Growth Allocations Report, #2022_INFO-91* (Appendix A). The Region's proposed SABE constitute an additional community area land need of approximately 2,500 hectares and an additional employment area land need of approximately 1,250 hectares within the Region. Of these land needs, approximately 1,160 hectares of community area and 290 hectares of employment area are identified within the City on the NEPLOG lands as depicted on Attachment #2 to the Region's report and shown on Figure 3 below.

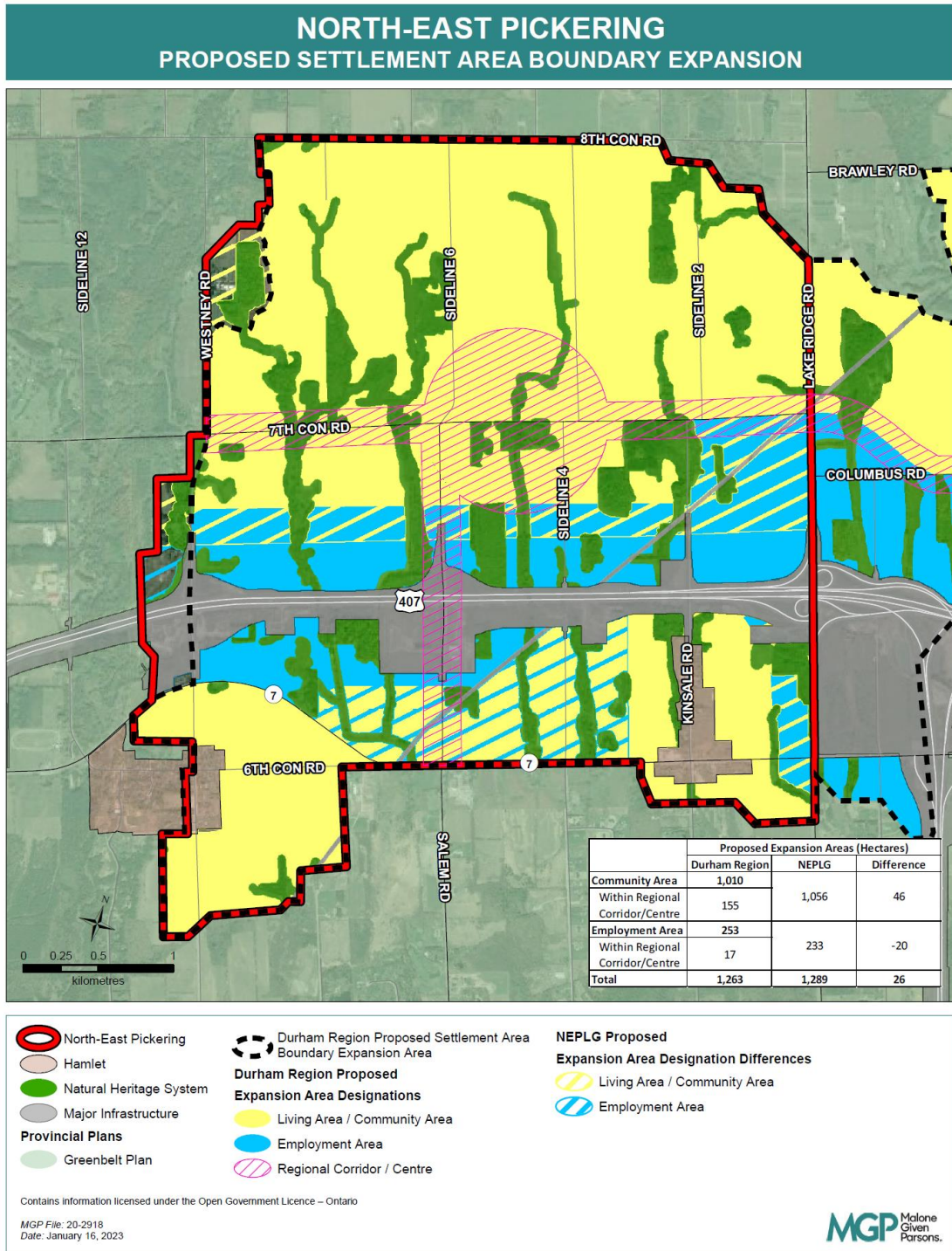
Figure 3: Durham Region's Settlement Area Boundary Expansions – Pickering & Whitby



5.1 Requested Modifications to the Region's Natural Heritage System and Land Areas Mapping within North-East Pickering

The Region identifies 1,195 hectares of additional land need in the City, with 947 hectares of community area and 248 hectares of employment area, described in Appendix #2 and illustrated in a map in Attachment #2 to report #2022-INFO-91. As illustrated in Figure 4 below, the NEPLOG believe that refinements to the draft designations proposed by the Region should be implemented prior to final approval by the Province. These refinements integrate the Region's urban structure elements with the more detailed planning and environmental work completed by the NEPLOG, which has yet to be considered by the Region in refining its own mapping.

Figure 4: NEPLG Proposed Refinements to North-East Pickering Designations



Based on our detailed mapping and calculations, there are discrepancies between what has been numerically proposed as new community and employment area, and what has been mapped, as illustrated in the table below, which we understand to be a result of differences in the boundaries of the natural heritage system (“NHS”).

North-East Pickering SABE	Report #2022-INFO-91	Attachment #2 Map (MGP Calculation)	NEPLOG Proposed Areas (MGP Calculation)
Community Land Area	947 ha	1,010 ha	1,056 ha
Employment Land Area	248 ha	253 ha	233 ha
Total Land Area	1,195 ha	1,263 ha	1,289 ha

By our calculation, the Region is proposing a SABE in North-East Pickering of 1,263 hectares of additional land (68 hectares more than the Region’s 1,195 hectares described in report #2022-INFO-91) and have been unable to recreate the 1,195 hectares identified by the Region.

We believe that refinements are necessary to reflect the developability of these lands. By our calculations, the North-East Pickering lands contain a total of 1,289 hectares of developable lands, a 26-hectare difference to the 1,263 hectares shown on the Region’s proposed SABE map.

As shown on Figure 4, our calculations and map exclude NHS lands and areas encumbered by highway and utility infrastructure. The NEPLOG consultants have undertaken detailed environmental work to delineate the boundaries of the NHS that informs our land area exclusions.

In this regard, the NEPLOG’s environmental consultant, GeoProcess Research Associates (“GeoProcess”), provided an earlier submission to the Region through the Envision Durham process dated May 2, 2022 that outlines the NEPLOG’s concerns with the Region’s mapping of the NHS (Appendix E). GeoProcess identifies the NEPLOG’s proposed NHS mapping following fieldwork and ground-truthing, as well as a detailed review of the proposed NHS mapping from the Region, City, and conservation authorities. We request that GeoProcess’ mapping be utilized in the delineation of the NHS within North-East Pickering in the proposed Regional Official Plan.

Similar to what the Region has done for the Council-endorsed employment areas, we request that the Region amend the North-East Pickering SABE areas to be consistent with the calculations prepared by the MGP on behalf of the NEPLOG, avoid irregular and awkward shaped parcels, establish logical boundaries, respect the updated boundaries of the NHS, and avoid non-developable lands used for infrastructure. Attached as Appendix H to this letter are the GIS shapefiles for the NEPLOG’s proposed SABE and the refined NHS.

5.2 Requested Schedule Amendments to ROPA 186

We request that the delineation of community and employment areas in North-East Pickering should be amended to reflect a better balance of land uses appropriate for the context in this part of the Region.

As shown in the figures below, we request that the Province amend Schedules A – Map A4 to designate North-East Pickering with the NEPLOG-refined extent of Living and Employment

Areas, and Schedule B – Map B1d with the NEPLOG-refined extent of the Key Natural Heritage and Hydrological Features.

Figure 5: Requested Amendments to Durham Region Official Plan – Schedule A – Map A4

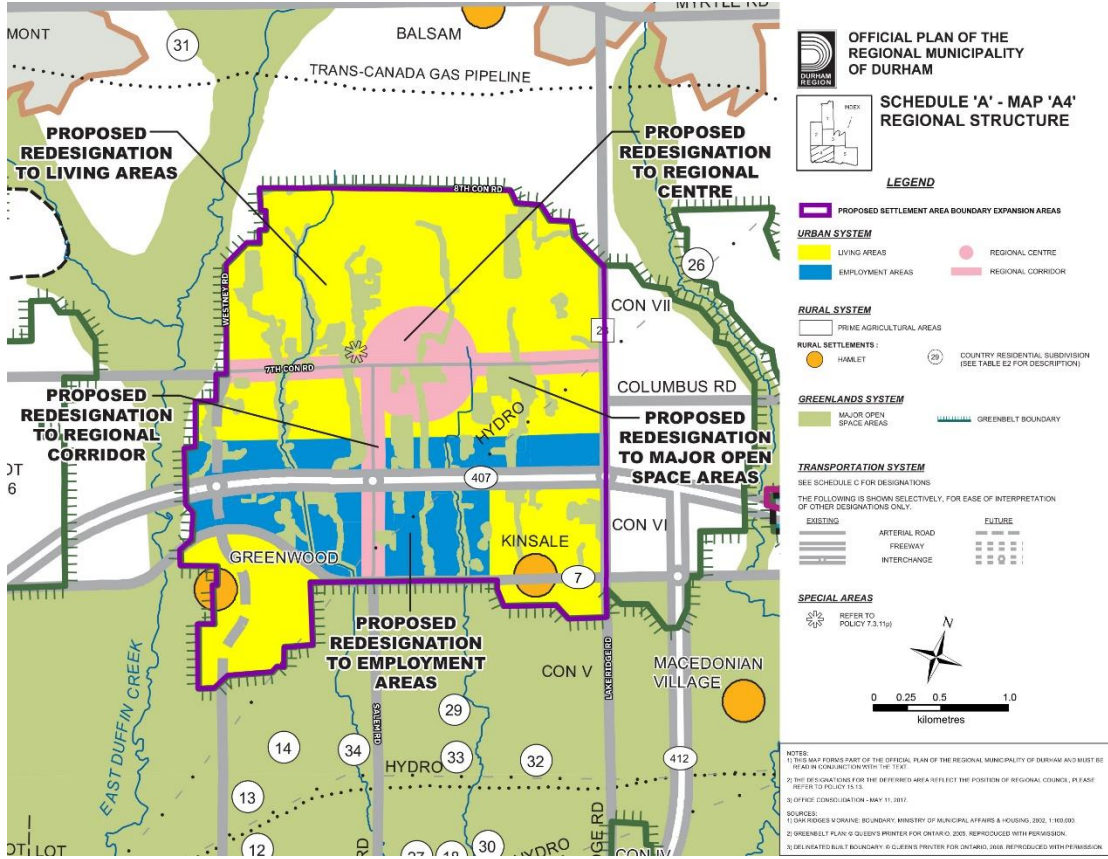
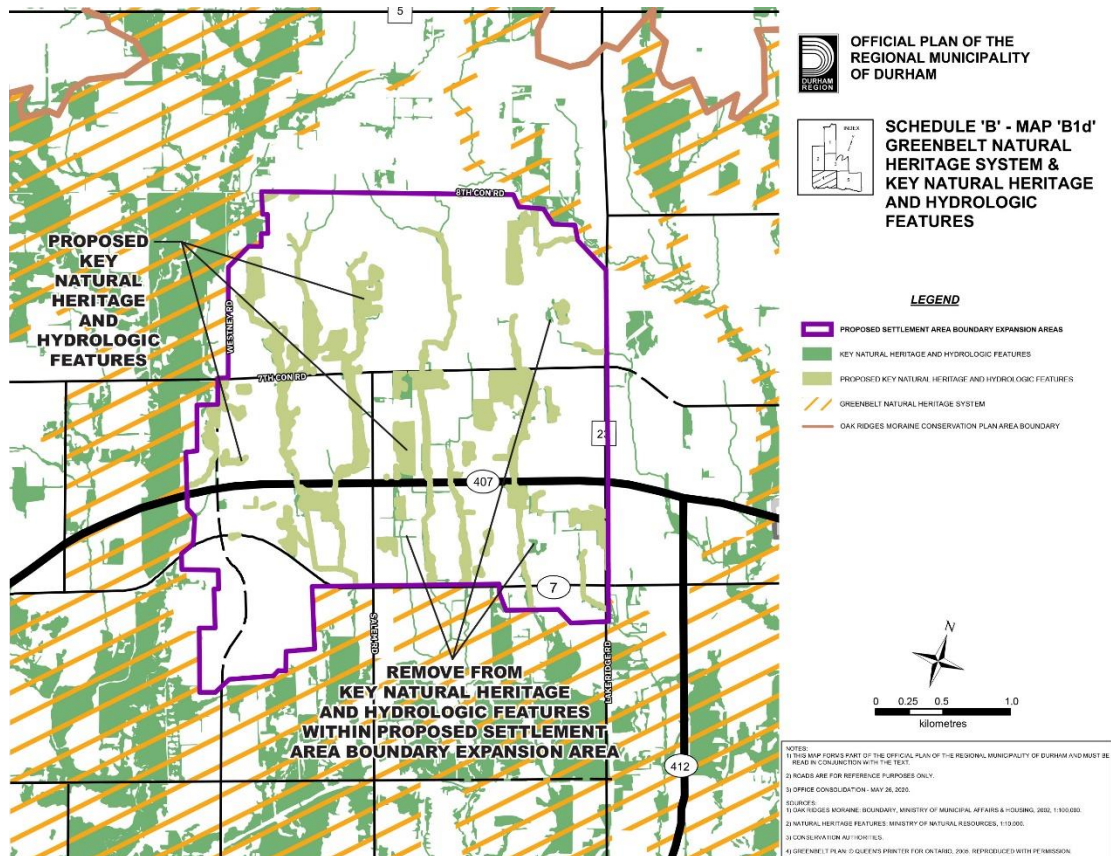


Figure 6: Requested Amendments to Durham Region Official Plan – Schedule B – Map B1d



6.0 Conclusion

For the reasons noted in this letter, we believe the Province should amend ROPA 186 prior to final approval to include North-East Pickering as Settlement Areas to meet growth needs in the City and Region to 2051.

As further background to our request, we are attaching our prior submissions to the City and Region which include the NEPLOG's detailed comments on the Region's GMS, the proposed SABEs, and other components of the MCR, as well as MGP's own land needs assessment.

We would like to thank the Province for giving us the opportunity to provide comments on these proposed amendments. If you have any questions, please do not hesitate to contact the undersigned.

Yours very truly,
Malone Given Parsons Ltd.



Matthew Cory, MCIP, RPP, PLE, PMP
Principal, Planner, Land Economist, Project Manager

cc. Catherine Rose, City of Pickering
Brian Bridgeman, Region of Durham
Myron Pestaluky, Group Manager, NEPLOG

Attachments:

- Appendix A: Regional Staff Report #2022-INFO-91, Envision Durham – Growth Management Study, Phase 2: Draft Settlement Area Boundary Expansions and Area Municipal Growth Allocations, File D 12-01 dated November 10, 2022
- Appendix B: Envision Durham – Proposed Policy Directions Report (#2021-P-7), North-East Pickering Landowners Group Response dated June 30, 2021
- Appendix C: North-East Pickering Landowners Group Response to Envision Durham –Comments on the Region-Wide Growth Analysis Technical Report File D12-01 dated July 30, 2021
- Appendix D: North-East Pickering Landowners Group Response to Envision Durham – Comments on the Community Area Urban Land Needs Technical Report File D12-01 dated November 12, 2021
- Appendix E: Proposed Natural Heritage System dated May 2, 2022
- Appendix F: North-East Pickering Landowners Group Inc., Re: 2022-P-11 – Envision Durham, Growth Management Study and Land Need Assessment, Planning and Economic Development Committee dated May 2, 2022
- Appendix G: North-East Pickering Landowners Group Response to Envision Durham – Comments on the Draft Settlement Area Boundary Expansions dated January 18, 2023
- Appendix H: North-East Pickering GIS Shapefiles for the Proposed SABE and NHS