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To:  
Andy Doersam  
Municipal Services Office - Central Ontario  
16th floor  
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**RE: ERO number 019-7195; Ministry reference number 18-OP-23779; Submission of Comment on Ministerial Approval of the Regional Municipality of Durham Official Plan**

On behalf Ridge Group Inc., the owners of the lands municipally known as 3830 Lake Ridge Road, Pickering ON (herein referred to as the 'subject lands') we submit this commenting letter recommending the Minister to designate the subject lands currently approved by the Region of Durham in their Official Plan as "Employment Areas" to "Community Areas" for the rationale provided herein.

**DESCRIPTION OF THE SUBJECT LANDS**

The subject lands are located on the east side of Lake Ridge Road in the City of Pickering, forming lands that are along Lake Ridge Road between Highway 7 and Highway 407, at the north-west section of Highway 7 (Winchester Road) to the south, and Lake Ridge Road. The subject lands are approximately 40 acres (16.1874 hectares) in area. The residential hamlet of Kinsale is located directly to the west of the subject lands, and immediately to the west and across from Lake Ridge Road are lands owned by the Ministry of Transportation ("MOT Lands"). The MOT Lands are the preferred site for a proposed new hospital for Durham Region, which was announced in January 2022. The Site is currently developed with one detached home and an accessory building accessed by Lake Ridge Road, and the existing surrounding uses are agricultural.

**PLANNING FRAMEWORK AND LAND USE OF THE SUBJECT LANDS**

The subject lands are currently used for agricultural purposes and are zoned in City of Pickering's Rural Zoning By-law 3037 as "A" *Agricultural*, and the Draft Comprehensive Zoning By-law for the City of Pickering zones the subject lands as "A" *Agricultural*. The City of Pickering Official Plan (Edition 9 – March 2022) designates the subject lands as "Agricultural" and portions of the subject lands are designated as "Natural Areas." Schedule 'A' – Map 'A4' Reginal Structure Map of the Region of Durham Official Plan (2020) designates the subject lands as "Prime Agricultural Areas".

**ADOPTED FUTURE REGIONAL PLANNING FRAMEWORK AND LAND USE FOR THE SUBJECT LANDS**

Policy 5.1.16 of the 2023 Regional Official Plan states that It is the policy of Council to: "Encourage an orderly withdrawal of agricultural related land uses where urban development is designated in areas presently characterized by agricultural activities. Municipalities may consider placing such areas in an Agricultural Zone or under a Holding

Symbol in the respective zoning by-laws." In this instance, an orderly withdrawal of the existing agricultural lands is adopted by Council on lands designated for urban development through to 2051 (Urban Expansion Area).

This appears in Map 1 of the Regional Council-Approved Official Plan of the Regional Municipality of Durham (May 2023) ("2023 Regional Official Plan"), which re-designates portions of the subject lands as "Employment Areas", "Community Areas", and as part of the "2051 Urban Expansion Areas." Lands to the west of the subject lands are designated as "Community Areas", forming part of the planned urban Expansion Areas surrounding the Kinsale Hamlet, immediately to the west of the subject lands. The future planned land use designations remove the agricultural lands from the 2023 Regional Official Plan for the future expansion of the urbanized areas of the City of Pickering within and surrounding the subject lands.

As referenced above, the subject lands have been approved to contain uses conforming to the "Community Areas" and "Employment Areas" land use designations in the 2023 Regional Official Plan. The western portion of the subject lands are designated as "Community Areas", and the lands fronting onto Lake Ridge Road are designated as "Employment Areas".

"Community Areas" are intended to offer a complete living environment for Durham's residents. They are comprised of housing, commercial uses such as retail shopping and personal service uses, offices, institutional uses, community uses, and public service facilities such as schools, libraries and hospitals, as well as an array of cultural and recreational uses. They are planned for a variety of housing types, sizes and tenures within connected neighbourhoods that include population-serving uses such as commercial, retail (including major retail), personal service uses, home businesses, recreational uses, public service facilities, institutional uses and office uses, provided such uses are appropriately located and compatible with their surroundings.

"Employment Areas" are locations for primary employment generating uses such as manufacturing, assembly, processing, generation, freight and transportation, warehousing, storage, major facilities and similar uses that require access to highway, rail, shipping facilities and/or separation from sensitive land uses. Hotels, subject to land use compatibility, service industries, and limited supportive uses including associated retail and ancillary facilities may also be permitted. They are also planned for manufacturing, warehousing, logistics and associated uses and ancillary facilities. Limited-service industries and limited supportive uses, including associated retail and ancillary facilities may be permitted in these locations.

The City of Pickering Official Plan will be updated in the near future to conform to the land use designations in the Regional Official Plan, as required by Section 27(1) the Planning Act, which states that:

***"Amendments to conform to official plan***

*27 (1) The council of a lower-tier municipality shall amend every official plan and every by-law passed under section 34, or a predecessor of it, to conform with a plan that comes into effect as the official plan of the upper-tier municipality. 2002, c. 17, Sched. B, s. 7."*

This means that the next Edition of the City of Pickering Official Plan will be amended to designate the subject lands for one of the Employment Area subcategories, such as general, prestige, and mixed employment.

**REQUEST TO FOR THE MINISTER TO ADOPT THE DESIGNATION OF THE SUBJECT LANDS AS "COMMUNITY AREAS"**

It is my recommendation that the Minister approve the 2023 Regional Plan with the subject lands to be designated as "Community Areas." The subject lands are within the planned 2051 Urban Expansion Areas of the City of Pickering, and as such, the current agricultural lands will be developed in the future to form the contiguous northerly expansion of the urban areas of the City of Pickering with excellent access to Highway 407 and Highway 412. The rationale for the recommended adoption of a "Community Areas" designation for the subject lands is provided below.

**1. THE SUBJECT LANDS ARE SURROUNDED BY DESIGNATED AND PLANNED: A) SENSITIVE LAND USES; B) A FUTURE HOSPITAL; AND C) THE REGIONAL NATURAL HERITAGE SYSTEM - WHICH STERILIZE THE SUBJECT LANDS FOR FUTURE EMPLOYMENT AREAS LAND USES:**

***“COMMUNITY AREAS” TO THE WEST OF THE SUBJECT LANDS***

- a) The subject lands are bordered to the west by lands designated as “Community Areas”. As stated above, “Community Areas” are planned for a full range of uses that are considered by 2023 Regional Official Plan as “sensitive land uses”. “Sensitive land uses” are defined in the 2023 Regional Official Plan as *“buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by nearby major facilities. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.”* As such, the planned development of “Community Areas” immediately to the west of the subject lands will comprise sensitive land uses, and the use of the subject lands as “Employment Areas” will sterilize the ability of the subject lands to be developed with the land uses permitted in an “Employment Areas” designation.

If continued to be designated in the 2023 Regional Official Plan as “Employment Areas”, the subject lands would not provide an attractive location for the future location and development of manufacturing, assembly, processing, generation, freight and transportation, warehousing, storage, and major industrial facilities.

In my opinion, it would be unlikely that proponents of the above-listed employment land uses would see the subject lands as an appropriate location to develop their facilities, considering the proximity of their employment land use to the adjacent westerly “Community Areas” and would produce land use conflicts between future abutting residents and future industrial operators.

***FUTURE REGIONAL HOSPITAL TO THE EAST OF THE SUBJECT LANDS***

- b) The subject lands are located immediately west and across Lake Ridge Road to a planned Regional Hospital. In January 2022, Lakeridge Health announced the land south of Highway 407, west of Highway 412, east of Lake Ridge Road and north of Highway 7/Winchester Road located in Whitby. The Site was selected as the preferred location for a proposed new hospital for Durham Region. The lands are currently owned by the Ministry of Transportation. The location in Whitby has been selected to provide care closer to home for residents from across the region. The planned Hospital could take approximately ten years to be constructed and opened to the public, so the opening of the hospital would be around 2033.

As per a), above regarding the 2023 Regional Official Plan’s definition of “sensitive land use”, the planned hospital is a health facility that is included in the definition. Per Policy 3.3.20 of the 2023 Regional Official Plan, *“Community, cultural and health facilities that are deemed to be sensitive land uses.”* If continued to be designated in the 2023 Regional Official Plan as “Employment Areas”, means that the subject lands would be bordered on the west and east side with sensitive land uses, further sterilizing the subject lands for future Employment Areas development. If the Ministry approved the “Employment Areas” designation for the subject lands, industrial development may proceed in advance of the completion of the planned Regional Hospital immediately to the east of the subject lands.

Lakeridge Health has selected a Site immediately to the east of the subject lands for a new Regional Hospital to open in the next decade; the development of the subject lands to contain “Employment Areas” land uses immediately to the west of the future Hospital would be undesirable because of the

adverse effects that employment area land uses would have on the future sensitive (health facility) land use.

In my opinion, the planned development of the subject lands for Employment Areas land uses is inappropriate and will undoubtedly cause land use conflicts between industrial/employment operations. If approved in its current form, the development of employment areas with operations that produce adverse effects could proceed prior to the completion of the Regional Hospital. The future Regional Hospital would be within the province's Class 1, 2, and 3 Industrial D-6-3 Separation Distance Guidelines of any industrial/employment development on the subject lands. This would constitute, in my opinion, bad planning, and Lakeridge Health would need to develop the Regional Hospital with at-receptor mitigation if industrial development were to proceed in the subject lands before the completion of the Regional Hospital.

#### **REGIONAL NATURAL HERITAGE SYSTEM WITHIN AND TO THE NORTH OF THE SUBJECT LANDS**

- c) Portions of the subject land are designated in Map 2a "Regional Natural Heritage System" of the adopted 2023 Regional Official Plan as "Regional Natural Heritage System". The Natural Heritage System is defined in the 2023 Regional Official Plan as: *"a system made up of natural heritage features and areas, and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems. These systems can include natural heritage features and areas, federal and provincial parks and conservation reserves, other natural heritage features, lands that have been restored or have the potential to be restored to a natural state, areas that support hydrologic functions, and working landscapes that enable ecological functions to continue. The province has a recommended approach for identifying natural heritage systems, but municipal approaches that achieve or exceed the same objective may also be used."*

The subject lands have a north-south strip of land bisecting the southern portion of the subject lands, and another northerly section of the subject lands designated as "Regional Natural Heritage System", reflective of the kettle lakes and intermittent streams detailed on the subject lands on Map 2c. On Map 2d, a northerly portion of the subject lands are shown as a "Significant Groundwater Recharge Area"; on Map 2e, as a "Ecologically Significant Groundwater Recharge Area"; on Map 2g, as a "Highly Vulnerable Aquifers" area. Section 7.4 of the 2023 Regional Official Plan describes the "Regional Natural Heritage System" as an overlay on Map 2a that identifies a system of core natural features and the land and water that links these core features together. Protecting, enhancing and restoring this system supports the long-term ecological integrity and climate change resiliency of the region.

In my opinion, with the above designations on and around the subject lands for a "Regional Natural Heritage System", the currently-adopted "Employment Areas" designation would have the effect of facilitating the most impactful form of land use development (employment) on lands that are indicated to contain significant natural heritage features, significant groundwater recharge areas, and highly vulnerable aquifers. The "Employment Areas" designation would permit future development of the subject lands for manufacturing, assembly, processing, generation, freight and transportation, warehousing, storage, and major industrial facilities. These future uses, if permitted in the 2023 Regional Official Plan, would in my opinion produce adverse effects onto the existing natural heritage system, groundwater recharge and aquifers, and do not recommend their implementation.

## RECOMMENDATIONS AND CONCLUSIONS

Future development of the Urban Area of the City of Pickering is intended on the subject lands, and it is my opinion that development on the subject lands, if containing an “*Employment Areas*” designation, will facilitate future industrial and employment development that will have adverse effects on the adjacent westerly “*Community Areas*”, the adjacent easterly future Regional Hospital, and the Natural Heritage Features with the subject lands.

As such, and in my opinion, the logical form of future development of the subject lands are for “*Community Areas*”, given the existing and planned context. Policy 5.4.2 of the 2023 Regional Official Plan states that it is the policy of Council to “*Plan Community Areas for a variety of housing types, sizes and tenures within connected neighbourhoods that include population-serving uses such as commercial, retail (including major retail), personal service uses, home businesses, recreational uses, public service facilities, institutional uses and office uses, provided such uses are appropriately located and compatible with their surroundings.*” In my respectful opinion, designation the subject lands as “*Community Areas*” will facilitate future development that will be compatible with its surroundings, being adjacent to other community areas, a future hospital, and being on or near lands that form part of the Region’s Natural Heritage System.

Given the above, it is my recommendation to the Minister that should the 2023 Regional Official Plan be approved, that the land use designation for the subject lands on Map 1 be “*Community Areas*” and constitutes good land use planning. The subject lands are included within the boundaries of the Region of Durham’s 2051 Urban Expansion Areas contained in Map 1 “*Regional Structure*”. A “*Community Areas*” designation in Map 1 for the subject lands will facilitate forms of development that would produce the least adverse effects, if any, upon the future Regional Hospital and the Natural Areas within and around the subject lands and would form a contiguous and planned “*Community Area*” to the west.

### APPENDICES:

Appendix 1: Plan of Survey of Subject Lands

Appendix 2: Location Map of the Subject Lands

Appendix 3: 2020 Region of Durham Official Plan Schedule ‘A’ Regional Structure

Appendix 4: 2023 Region of Durham Official Plan Map 1 Regional Structure – Urban and Rural Systems

Appendix 5: 2023 Region of Durham Official Plan Map 2a – 2h

Appendix 6: 2022 City of Pickering Official Plan Edition 9, Schedule I – Sheet 3 Land Use Structure, Schedule IIIA – Natural Heritage System, Schedule IIIB Key Natural Heritage Features, Schedule IIID Highly Vulnerable Aquifers

Appendix 7: City of Whitby Website: A New Proposed Hospital in Durham Region

Regards,



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