

August 2, 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
3450 Highway 7 East, City of Pickering
TBG Project No. 23014**

The Biglieri Group Ltd. ("TBG") is the planning consultant for 21443345 Ontario Inc., the owner of the lands located at the north-west corner of Highway 7 and Lake Ridge Road, municipally addressed as 3450 Highway 7 East in the City of Pickering (The "Subject Site" or "Site").

Durham Regional Council recently adopted a new Official Plan ("New Durham OP") on May 17, 2023. The New Durham OP is now before the Minister of Municipal Affairs and Housing ("MMAH") for a decision under the Planning Act. The New Durham OP includes new settlement areas and employment areas. The Subject Site is currently designated as *Prime Agricultural Areas* (**Figure 1**) in the in force Durham Regional Official Plan (May 2020 Consolidation) while the New Durham OP proposes to designate the Site *Employment Areas* (**Figure 2**).

TBG has provided a letter as well as made a delegation to Regional Council supporting the inclusion of Subject Site in the *Urban Area*, and requesting that the Subject Site and adjacent proposed *Employment Areas* west of Lake Ridge Road and south of Highway 407 ("S.W. Lake Ridge Employment Lands" or "Subject Lands") be designated *Community Areas* as shown in **Figure 3**.

TBG is writing to provide similar comments on ERO 019-7195 for the 'S.W. Lake Ridge Employment Lands' prior to MMAH's decision on the New Durham OP's approval (**Figure 3**).

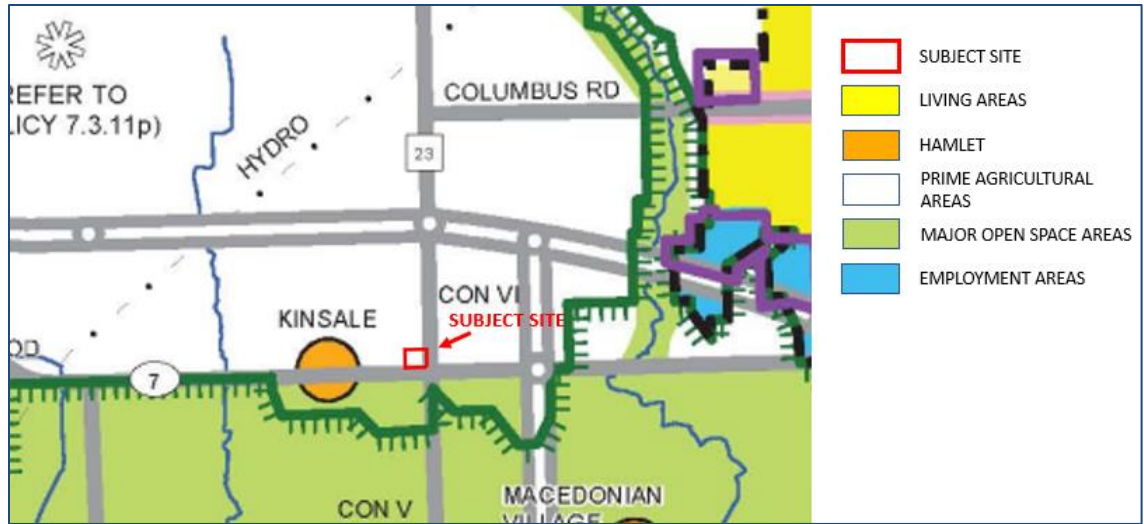


Figure 1: Subject Site in Schedule 'A'– Regional Structure, of the Durham Official Plan (2020) (Source: Durham Region, 2020)

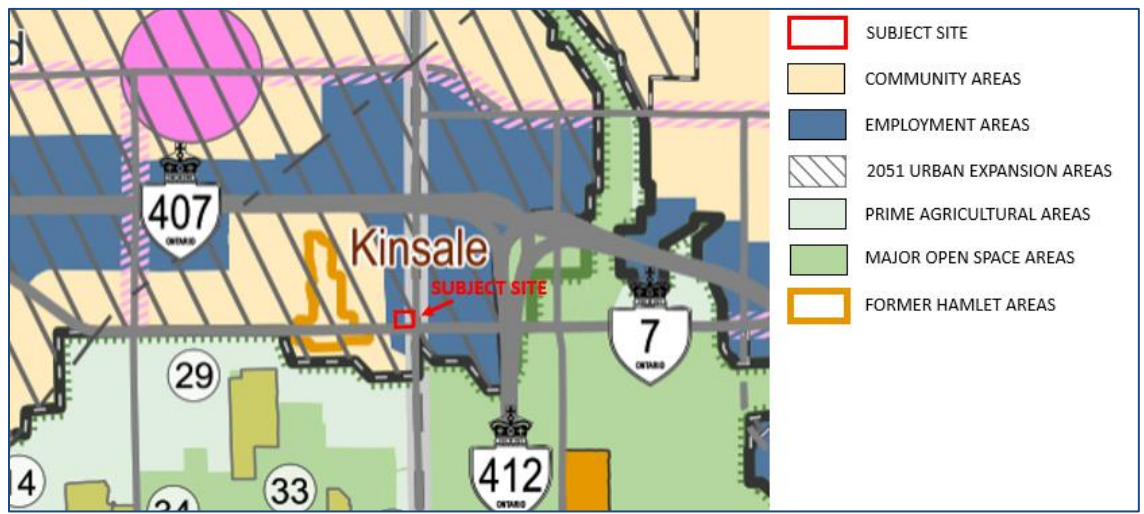


Figure 2: Subject Site in New Durham Regional Official Plan: Map 1 – Regional Structure (Source: Durham Region Adopted Official Plan, May 17, 2023)



Figure 3: Lands Requested to be Designated Community Areas ('S.W. Lake Ridge Employment Lands') (Base Map: Durham Region Adopted Official Plan, May 17, 2023)

COMMENTARY & ANALYSIS

TBG request that Ministry staff review the limits of the *Employment Areas* designation as related to the Subject Lands and consider a more appropriate designation of *Community Areas*. The reason for the requested change in designation is due to the location and size of the 'S.W. Lake Ridge Employment Lands', as well as their proximity to *Community Areas* to the west. These factors render the 'S.W. Lake Ridge Employment Lands' less suitable for employment uses. Given this, we request that the 'S.W. Lake Ridge Employment Lands' be designated *Community Areas*. See **Figure 3** (above) for the lands requested to be designated *Community Areas*.

Land Use Compatibility

In this regard, it is important to consider the revised definitions and policies in the draft Provincial Planning Statement (released for comment April 6, 2023). Firstly, the draft PPS includes a revised definition of Employment Area, being "... those areas designated in an official plan for clusters of business and economic activities including manufacturing, research and development in connection with manufacturing, warehousing, goods movement, associated retail and office, and ancillary facilities...". Secondly, draft PPS policy directs for "industrial, manufacturing and small-scale warehousing uses that could be located adjacent to sensitive land uses without adverse effects" to be located outside of *Employment Areas* (Policy 2.8.1.2.). Accordingly, it appears that recent Provincial direction is for more intensive employment uses to be located within *Employment Areas*.

Given this potential shift in policy, the types of uses encouraged in *Employment Areas* will be those which cannot be located adjacent to sensitive land uses, and will therefore require larger minimum separation distances as per D-6 Guidelines. The D-6 Guidelines identify potential areas of influence for industrial land uses ranging from 70 to 1000 meters (Section 4.1.1) and requires Minimum Separation Distances ranging from 20 to 300 meters, depending on the Class of use (Section 4.3). This would render a 20-to-300-meter strip of land abutting the proposed *Community Areas* to the west unusable for employment uses in order to accommodate appropriate distances from sensitive residential uses (see **Figure 4**). Given the 'S.W. Lake Ridge Employment Lands' are on average approximately 260m wide (east to west), this would significantly limit the space available for employment uses as well as the type of industrial employment uses which would be compatible with community uses to the west. Alternatively, if the 'S.W. Lake Ridge Employment Lands' were designated *Community Areas*, then Lake Ridge Road itself would act as a buffer area to transition from the *Employment Areas* east of Lake Ridge Road, to *Community Areas* west of Lake Ridge Road, and contribute to the minimum separation distances required by D-6 Guidelines. Use of Lake Ridge Road to provide for required separation distances is a more efficient use of land in comparison to the use of finite development lands to provide for adequate separation distances.

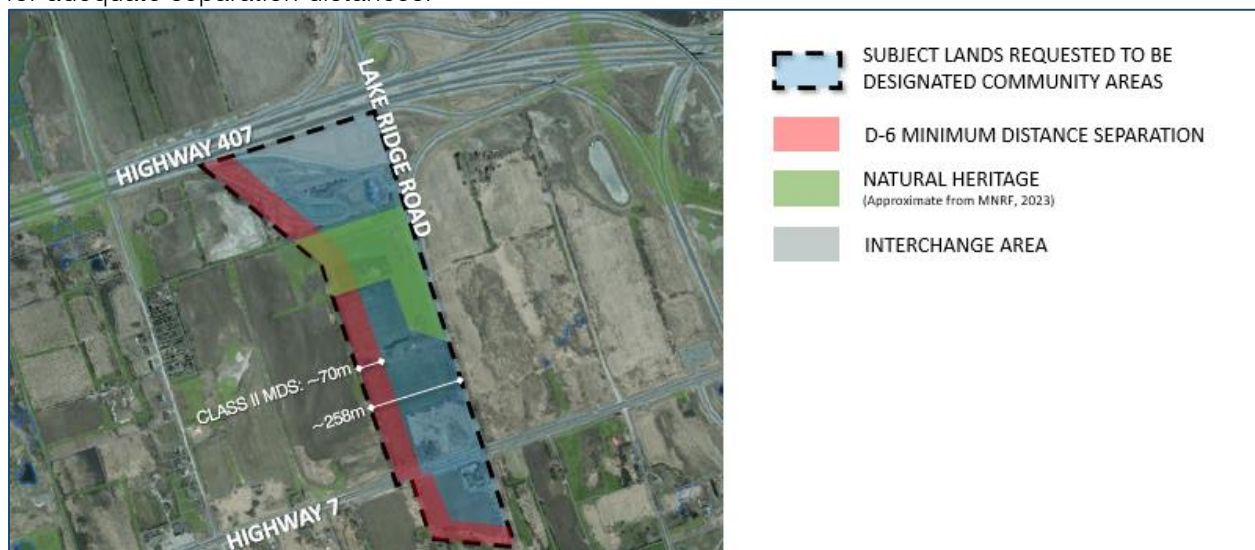


Figure 4: Concept Map Demonstrating Potential Site Restrictions for Employment Uses
(Base map: Google, 2023)

Location & Land Characteristics

Additionally, in Staff Report #2022-INFO-91, staff indicate that “within northeast Pickering, Employment Areas have been distributed along Highway 407 and clustered at future interchanges.” Furthermore, the early release *Decision Meeting Report* (May 17, 2023) highlights that lands well suited for employment use are generally “large, contiguous, and relatively free of environmental constraints.” The majority of the ‘S.W. Lake Ridge Employment Lands’ are not in proximity to Highway 407 or a highway interchange. The ‘S.W. Lake Ridge Employment Lands’ are also narrower and more limited in size than the other *Employment Areas* in the northeast Pickering Urban Area, being bordered to the east by Lake Ridge Road and to the west by *Community Areas*. Lastly, the ‘S.W. Lake Ridge Employment Lands’ are not contiguous (as they are separated from the larger employment mass by Lake Ridge Road) and include significant *Regional Natural Heritage System* features (see **Figure 5**). As such, they do not appear to be ‘well suited for employment uses’ per the Region of Durham’s stated evaluation criteria.

Lastly, the ‘S.W. Lake Ridge Employment Lands’ are highly visible from Lake Ridge East and Highway 7 when travelling towards the *Community Areas* west of the ‘S.W. Lake Ridge Employment Lands’. As such, if designated as *Community Areas*, these lands will act as an appropriate and representative gateway for the *Community Areas* north of Highway 7, south of Highway 407 and west of Lake Ridge Road.



Figure 5: Subject Site in Draft Durham Regional Official Plan: Map 1 – Regional Structure
(Source: Durham Region, May 3 2023)

CLOSING

For the reasons explained above, we request that the Subject Site and adjacent proposed *Employment Areas* west of Lake Ridge Road and south of Highway 407 be designated *Community Areas* as shown in **Figure 3**. The designation of the Subject Lands as *Community Areas* will make more efficient use of land, reduced land use compatibility issues, and allow for more housing to be built to meet the Province’s goal of 1.5 million homes built over the next 10 years.

We trust that the information provided above is of assistance. Should you require further information please contact the undersigned at 647-500-5301 or mtestaguzza@thebiglierigroup.com.

Respectfully,
THE BIGLIERI GROUP LTD.


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