

November 29<sup>th</sup>, 2023

GSAI File: 482-003

Ministry of Municipal Affairs and Housing  
Provincial Land Use Plans Branch  
13th Flr, 777 Bay St  
Toronto, ON  
M7A 2J3

Legislative Assembly of Ontario  
Whitney Block, Room 1405  
99 Wellesley Street W.  
Toronto, Ontario  
M7A 1A2

**Submitted Via:**

[Minister.mah@ontario.ca](mailto:Minister.mah@ontario.ca)  
[schicp@ola.org](mailto:schicp@ola.org)  
[greenbeltconsultation@ontario.ca](mailto:greenbeltconsultation@ontario.ca)  
[NHplanning@ontario.ca](mailto:NHplanning@ontario.ca)

Attention: Minister Calandra, Minister of Municipal Affairs and Housing,  
Members of the Standing Committee on Heritage, Infrastructure and Cultural  
Policy

Dear Minister Calandra:

**Re: Planning Justification Brief - To exclude the Cherrywood Area Lands, City of Pickering from the lands being returned to the Greenbelt and to not reinstate the Duffins Rouge Agricultural Preserve.**  
**ERO Nos. 019-7739 and 019-7735**  
***Proposal to Return Lands to the Greenbelt - Greenbelt Statute Law Amendment Act, 2023 and New Act regarding the Duffins Rouge Agricultural Preserve easements and covenants***

Glen Schnarr & Associates Inc. are the planning consultants representing Cherrywood Lands Management Inc. (CALMI), the owners of property in the City of Pickering, (herein referred to as the 'Cherrywood Area Lands'). As generally depicted on *Figure 1 - Proposed Modification Map 6*, these lands are generally located within the Greenbelt Restoration area shown on the Proposed Restoration and Redesignation Map 6 from **ERO #019-7739**.



The Cherrywood Area Lands are one of the 15 properties removed from the Greenbelt Plan as a result of the Ministry's decision made in December 2022 and as detailed in ERO 019-6216. The Province has since announced a reversal of this decision and its intention to return these lands to the Greenbelt and to reinstate the Duffins Rouge Agricultural Preserve, the details of which are outlined in ERO 019-7739 and ERO 019-7735.

On behalf of CALMI, we are pleased to provide the unique historical site context and planning rationale in support of keeping the Cherrywood Area Lands out of the Greenbelt Plan and not reinstating the Duffins Rouge Agricultural Preserve easements and covenants.

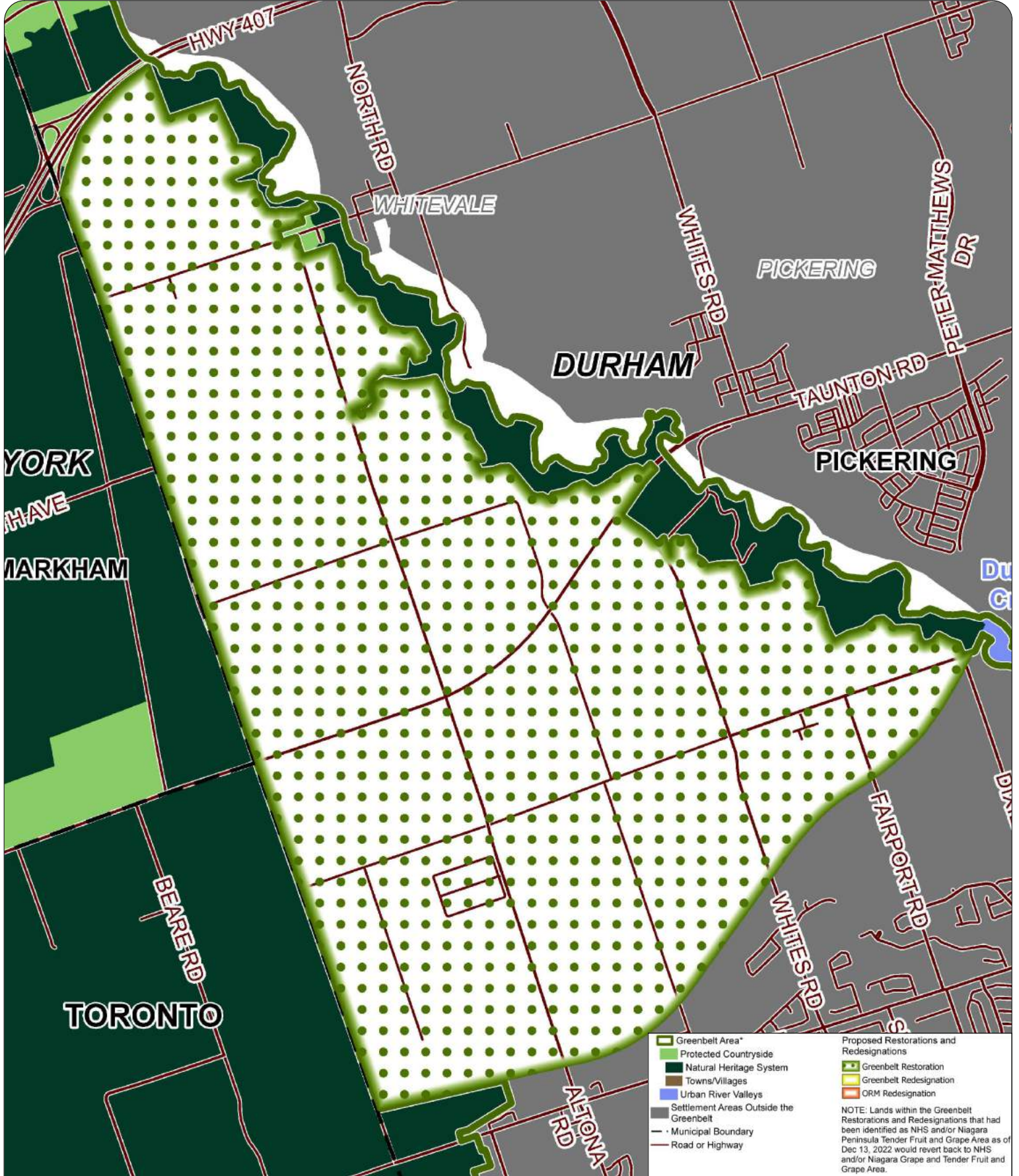


FIGURE 1 **PROPOSED MODIFICATION MAP 6**  
CITY OF PICKERING

CHERRYWOOD  
CITY OF PICKERING  
REGIONAL MUNICIPALITY OF DURHAM



SCALE NTS  
NOVEMBER 21, 2023



**Executive summary:**

We strongly encourage the Province to reassess its decision to put the Cherrywood Area Lands back into the Greenbelt and to give serious consideration to the land use planning and development merits of these lands, as well as the extensive study and planning undertaken in the last year to develop a complete community:

1. Development of the Cherrywood Area Lands directly supports the Provincial initiative to address the housing and affordability crisis. The Master Plan for the Cherrywood Area Lands contemplated **30,000 residential units, with a minimum of 25% (7,500 units) to be affordable and/or attainable housing which were to be delivered through a non-profit housing provider including Habitat for Humanity GTA and Durham Region Non-Profit Housing Corporation** (see Appendix A & B for confirmation letters);
2. The landowners of the Cherrywood Area Lands committed to deliver a complete community with numerous public benefits at no cost to taxpayers. These benefits included land for a **30-acre Healthcare campus, a post-secondary institution** (see Appendix C for Durham College letter) and **additional lands for a wide range of community uses including community centres, libraries, recreational complexes, fire halls, maintenance facilities, parks, trails and an outdoor amphitheater for the performing arts;**
3. The Cherrywood Area Lands have access to approximately **\$2 Billion dollars of existing and planned infrastructure in and around the lands to support urban growth including the ability to connect to higher order transit through Hwy 407 and the CP Rail line.** As such, development in this Area supports the Province's complete community and efficient use of infrastructure objectives;
4. Development of the Cherrywood Area Lands **will not result in the fragmentation of the Greenbelt system** as these lands are a natural and logical continuation of the City of Pickering located adjacent to the existing Pickering Urban Area Boundary, at the southern limit of the Greenbelt Plan, and adjacent to the Cities of Toronto and Markham;
5. The Cherrywood Area Lands continue to be **lower quality agricultural lands** due to their proximity to their urban areas, their high degree of fragmentation, and lack of agricultural support enterprises;
6. The Cherrywood Master Plan vision is **based on promoting the coexistence and wellbeing of people, the environment and nature.** Extensive environmental studies have been completed and are currently underway to support development that would not compromise the natural environment nor the long-term health of the Natural Heritage System;
7. The Cherrywood Area Lands can support the **creation of a complete community including the provision of employment lands to foster economic growth and job creation,** especially given the close proximity to the future Federal Airport lands;



8. The Cherrywood community would deliver an estimated increase in taxable assessment value of \$16.4 Billion, an increase in annual property tax revenues of \$63 million per year, and anticipated to produce a **GDP impact of \$12.4 Billion, 96,000 person years of employment (construction) and \$5.5 Billion in wages from construction employment;**
9. A **significant portion of the Cherrywood Area Lands were recommended as appropriate for development in a City of Pickering Growth Management Study in 2002, prior to the Greenbelt Plan being enacted.** The lands were added to the Greenbelt without adequate planning rationale and despite strong local support for growth in the area. The inability of Pickering to pursue growth in Cherrywood has forced the region and local municipality to pursue urban expansion in areas with minimal infrastructure and further from the current urban boundary, characteristic of “leapfrog development”;
10. Since the Cherrywood Area Lands were put into the Greenbelt, there has been meteoric growth in population in the GTA which is expected to continue into the foreseeable future and requiring a variety of solutions that go beyond sole reliance on intensification. **An increase in land supply will be required to meet the population growth needs to 2051.**

Given the **adjacency to developed areas and immediate access to existing infrastructure, the Cherrywood Areas Lands provide one of the most appropriate and sustainable development opportunities that can be realized immediately** within the GTA Region to assist the Province in reaching its goal of building 1.5 million homes by 2031 and to meet the needs of the rapidly growing population and forecasted growth to 2051.

***Background:***

In November 2022, the Province of Ontario announced that the Cherrywood Lands were among the selected areas to be removed from the Greenbelt and on December 14, 2022 the lands were formally removed. After the Province of Ontario announced its proposed amendments to the Greenbelt in December 2022, the Mayor of the City of Pickering submitted a request to the Minister of Municipal Affairs and Housing, Steve Clark, asking for the repeal of the Duffins Rouge Agricultural Preserve Act. In that same month, the Duffin Rouge Agricultural Preserve Repeal Act was proclaimed.

The amendments to the Greenbelt Plan were intended to facilitate the development of housing and other supportive uses, which were to contribute to the Province’s objective to build 1.5 million new homes by 2031 to help address the housing crisis which continues to grip the province. In order to contribute to the Province’s housing objective, all landowners were required to develop and implement a strategy to ensure that housing is developed quickly on the former Greenbelt lands, which included achieving significant progress in obtaining and implementing required land use planning approvals by the end of 2023, and commencing construction by 2025. These timelines were underscored by the Provincial Land and Development Facilitator.

Since December 2022, the landowners expended significant financial and human resources in their effort to meet the aggressive timelines and to develop the Cherrywood community of 30,000 units and 23,000 jobs. A multi-disciplinary consultant team was retained to expeditiously undertake all

work and studies required for this expediated master planned community. Consultants retained and studies initiated for the Master Plan included:

<b>PLANS/STUDIES/REPORTS</b>	<b>CONSULTANT RETAINED</b>
Scoped Sub-Watershed Study (SSWS)	GEI Consultants & TRCA
Master Environmental Servicing Plan (MESP)	GEI Consultants & TRCA
Rouge Park Connectivity Study	GEI Consultants
Agricultural Assessment	Colville Consulting Inc.
Urban Design and Built Form Study	GEI Consultants
Master Water Servicing Study	GEI Consultants & GM Blueplan
Master Sanitary Servicing Study	SCS Consulting Group
North Pickering Transportation Study	BA Group
Cherrywood Master Transportation Study	BA Group
Financial Impact Study	Keleher Planning & Economic Consulting
Master Environmental Study & Species at Risk Act + Migratory Birds Study	GEI Consultants
Cherrywood Retail Study	Tate Economic Research
Cherrywood Community Master Plan Vision	Adrian Smith + Gordon Gill Architecture & Glen Schnarr & Associates
Indigenous Consultation	Ishkonigan
Archeology Studies	Archaeological Consultants Canada

The CALMI landowners successfully collaborated with the Office of the Provincial Land and Development Facilitator, the Region of Durham, the City of Pickering, the Toronto and Region Conservation Authority, utility companies, affordable housing providers, and countless other interested parties. A Draft Plan of Subdivision application for Phase 1 of the Cherrywood development was submitted to the City of Pickering and outlined a plan to build 1033 homes, plus up to 350 affordable non-profit housing units.

On September 21, 2023, the Government abruptly announced its decision to return all 15 properties to the Greenbelt.

**Cherrywood Area Lands Master Plan Vision:**

GSAI worked with renowned architecture firm Adrian Smith + Gordon Gill to create a master plan vision for the Cherrywood Area Lands community (refer to *Appendix D - Cherrywood Area Lands Master Plan Vision Presentation* for details). The Cherrywood Master Plan vision is designed to be a sustainable and resilient complete community that integrates leading advances in master planning, urban design, and environmental stewardship to help address the pressing growth needs impacting the GTA.

The Cherrywood Master Plan is a community of 30,000 units and 23,000 jobs, to accommodate approximately 73,000 people. Implementation of this Master Plan Community would have

delivered a significant amount of housing through a community that embraces environmental stewardship and promotes physical and mental wellbeing of its residents, workforce and visitors through the integration of nature and the Natural Heritage System.

The primary goal of the Master Plan vision is to demonstrate how community development can be integrated with natural ecological functions, such that the post-development condition can be better from environmental, social, and economic standpoints than the current condition. To accomplish this the Master Plan addresses six performance goals that are in alignment with Provincial goals, as well as in alignment with the six United Nations performance goals for sustainable development:

- A water resilient community
- An energy efficient low carbon community
- Circular economy
- Transit-orientated community
- Public realm for people and nature
- Healthy connected community

The Cherrywood Area Lands comprise 1,935 ha of land. As determined through Smith + Gill's review of available information, up to 1,166 ha of land is used for industrialized agriculture. The farmland is presently used for soy cultivation, corn, wheat, and hay/pasture. Analysis of historical satellite imagery shows an increase in land disturbance from agricultural activities, loss of trees, flooding and resultant tree die-off and spread of the highly invasive species Common Reed (*Phragmites australis*). Further, loss of natural drainage channels, which contribute to localized flooding, and damage to natural features along West Duffin's Creek and the Iroquois Shoreline were observed.

Since the Cherrywood Area lands were put into the Greenbelt in 2005, there has been meteoric growth in population in the GTA with significant challenges in housing supply and affordability. Given the adjacency to developed areas and access to existing infrastructure, the Cherrywood Areas Lands are one of the most appropriate and sustainable development opportunities that can be realized immediately within the Region.

While some housing can be realized through intensification, this approach alone will not provide the variety of homes or the level of community services and access to greenspace that people want and need. Also, it must be noted that the creation of communities designed to meet the realities of the future can only be created through the development of comprehensive master planning for resilient and environmentally sound community.

The Cherrywood Community is organized into four districts, each with a unique identity based upon natural site features that impart character and enrich the lifestyle of the envisioned mix of uses. Each district is conceived as a complete community with a mix of housing, parks, schools, public facilities, shopping, and essential commercial services.



The 4 districts of the Master Plan Vision are as follows:

- **Cherrywood Commons:** Is the heart of the community – a variety of residential product types (medium/high density, townhomes etc.) together with a mix of workplace, arts, culture, food and beverage, hospitality, and recreation uses.
- **Cherrywood Grove:** Is a mixed density neighbourhood with parks and primary schools and includes an opportunity for an institutional mixed-use campus for learning, research and innovation.
- **Cherrywood Trails:** This residential district is connected by many trails in every direction. Both the hydro and gas pipeline corridors provide recreation trails that link neighbourhoods to Rouge Park, the West Duffins Creek and Petticoat Creek corridors, as well as the other 3 districts of the Cherrywood Community and beyond.
- **Cherrywood Heights:** a mixed-use area planned to accommodate employment, higher density residential, the proposed health care campus, long-term care, seniors housing and other related uses.

The Master Plan includes protections for the Natural Heritage System while allowing people to benefit from proximity to nature and green space. In its current state, very little of the site’s natural areas are accessible to the general public as they are surrounded by privately owned lands. A primary goal of the Master Plan is to preserve and enhance natural heritage features and provide public access to them where appropriate. The Cherrywood community would have a mix of open spaces – in the form of programmed parkland to passive trails. This is important for the physical and mental well-being of residents, the workforce and visitors to the area and its importance was something that was highlighted during the pandemic, as people need to be able to get outside and enjoy nature.

The Cherrywood Area Lands vision includes urban agriculture and community gardens designed to support a community initiative to grow local food. The underutilized lands in the hydro corridor are ideally situated to provide significant space for these urban gardens. Both the hydro and gas pipeline corridors also provide recreation trails that link neighbourhoods to Rouge Park and other destinations beyond the Cherrywood Area Lands. Urban agriculture and playfields are proposed to activate portions of the hydro corridor to transform it from a barrier into an amenity. A trail network links these neighbourhoods to the West Duffin’s Creek, Petticoat Creek corridors, and Rouge National Urban Park as well as all four districts of the Cherrywood Community.

### **Cherrywood Area Lands Community – Economic and Financial Benefits:**

Based on an analysis from Keleher Planning & Economic Consulting Inc. (KPEC) it is estimated that the development of the Cherrywood community would generate an increased taxable assessment value of approximately \$16.4 Billion and an increase in annual property tax revenues of approximately \$63 million per year. This community was anticipated to produce a GDP impact

of \$12.4 Billion, 96,000 person years of employment (construction) and \$5.5 Billion in wages from construction employment, none of which will now be realized. Refer to *Appendix E – KPEC Overview Economic, Financial and Community Benefits Memo* for details.

Further, it is important to note that the CALMI landowners committed to deliver a complete community inclusive of the following community benefits in the Cherrywood Area Lands, which were outlined in the resolution #308/23 from the City of Pickering Meeting minutes from October 23, 2023 (refer to *Appendix F - Pickering Council Cost Recovery Minutes*).

**These community benefits were to be provided all at the sole expense of the Cherrywood Area landowners and at no cost to taxpayers:**

- ***Provide a minimum of 25% of the 30,000 residential units (7,500 units) being a combination of affordable and/or attainable housing which included the provision of at least 6,000 income-based affordable housing units through recognized non-profit housing providers including Habitat for Humanity GTA and Durham Region Non-Profit Housing Corporation;***
- ***Provide a total accommodation of 73,000 new residents and 23,000 jobs;***
- ***Provide a 30-acre health care campus – which could include a hospital, confirmed with a letter of understanding with Lakeridge Health and landowners; a 14-acre post-secondary school campus with Durham College, confirmed through a letter of understanding with Durham College and landowners; and a substantial amount of publicly owned parkland, exceeding the Planning Act minimums;***
- ***Provide community centres, libraries, recreational complexes, fire halls, maintenance facilities, trails and an outdoor amphitheater for the performing arts;***
- ***Provide employment lands to foster economic growth and job creation; and,***
- ***Provide infrastructure - roads, water, wastewater, stormwater management systems, within the Cherrywood Area Lands and beyond.***

### **Site History:**

It is important to understand the historical context of the Cherrywood Area Lands in order to appreciate why the lands never belonged in the Greenbelt in the first place.

In the early 1970's the Province purchased and expropriated lands from private owners in the City of Pickering for the purpose of building a residential community of 250,000 people close to and in support of the proposed Federal airport. Delays to the proposed Federal airport project prompted the Province, in 1999, to sell lands in the Cherrywood Area back to original owners/tenants. The lands were sold at appraised market values through a process established by the Province.

As outlined in the enclosed letter from then City of Pickering Mayor Dave Ryan (refer to *Appendix G - Mayor Letter*), during the sales process of these lands, agricultural easements were placed on each property as a condition of the sale. The easements created were between the Town of Pickering and the landowners. It was understood that these easements were intended to be used as a development control mechanism to be released by the municipality once its Council determined

the ultimate use of the land. In addition, when the lands were sold, the Ontario Realty Corporation (‘ORC’) made public statements that the ultimate use of these lands would be determined by the City and Region – and not the Province.

In 2002, the City of Pickering initiated a Growth Management Study (‘Study’) to determine how future growth in population and employment should best be accommodated within the City. The study area included the Cherrywood Area Lands. The Study was informed by detailed analysis and consultation with community members and stakeholders. Ultimately, the Study recommended that a significant portion of the Cherrywood Area Lands were appropriate for future commercial and residential development primarily because the lands abut the existing Urban Area Boundary and have access to available infrastructure such as roads, water, and sewer.

Pickering City Council agreed with the recommendations of the Study for growth of the Cherrywood Area Lands and released the easements as they were no longer needed to hold agricultural easements as a development control mechanism. However, the Province subsequently passed legislation to reinstate the easements to retain control of the planning of the Cherrywood area. This was in direct contrast to the promise the Province made when it sold the land - that the ultimate land use permissions would be determined by the City and Region and not the Province. Despite the findings of the Study and the strong local support for growth in the area, the Provincial government of that time included the Cherrywood Area Lands in the final Greenbelt Plan in 2005.

**The City of Pickering Council took the position that the Cherrywood Area Lands should be developed, and that the lands were inappropriately placed into the Greenbelt Plan in 2005. The City of Pickering had formally asked the Government of Ontario to remove the Cherrywood Area Lands from the Greenbelt Plan in both 2016 and 2019.**

Another concern with returning the Cherrywood Area Lands to the Greenbelt has to do with Section 3.4.5 of the 2017 Greenbelt Plan titled *Additional Policies for Settlement Area Expansion*. This section allows a municipality to consider a municipally initiated settlement area expansion proposal, as long as they started the process prior to the effective date of the Greenbelt Plan (December 16, 2004). Despite the City of Pickering meeting the settlement area expansion transition criteria for the Cherrywood Area Lands, specific policies were included in the Greenbelt Plan which prohibit the Cherrywood Area Lands from benefiting from these provisions. In other words, while the transition provisions applied to other areas of the Greenbelt, Pickering was excluded from these same transition rules.

The landowners and the City of Pickering have requested that the Province remove the discriminatory clause [policy 3.4.5.2.(a)] from the Greenbelt Plan in 2017, which denies transition rights to the City of Pickering, while providing those same rights to all other Greenbelt lands. The City of Pickering mayor wrote several letters to the province in support of removing this Cherrywood specific policies from the Greenbelt Plan. The letter states that “*satisfactory rationale was never provided*” as to why the Cherrywood Area Lands were excluded from the settlement area expansion transition permissions. To our knowledge, the rationale for the exclusion of the Cherrywood Area Lands from the Greenbelt transition policies has never been provided.



After the Province of Ontario announced its proposed amendments to the Greenbelt in December 2022, the Mayor of the City of Pickering submitted a request to the Minister of Municipal Affairs and Housing, Steve Clark, asking for the repeal of the Duffins Rouge Agricultural Preserve Act. In that same month, the Duffin Rouge Agricultural Preserve Repeal Act was proclaimed.

**Planning Justification:**

**The following section provides planning rationale as to why we believe the Cherrywood Area Lands should NOT be returned to the Greenbelt.** From a planning perspective, there are several important and compelling land use planning reasons why the Cherrywood Area Lands are an appropriate location for development. The section below provides an overview of the key reasons:

**Site Description and Context:**

The Cherrywood Area Lands are largely made up of undeveloped parcels and contain four rural hamlet areas. The Cherrywood Area Lands are generally located east of York Durham Townline, south of Highway 407, west of the West Duffins Creek/Seaton Community, and north of the Canadian Pacific (CP) Rail Corridor.

The surrounding land uses are as follows:

*North:* Highway 407 is immediately north. Highway 407 extends east/west providing access to other inter-regional highways. Further north is the proposed Pickering Federal Airport Lands.

*East:* West Duffin's Creek is located immediately east. Further east of the Creek is the approved Seaton Community which includes a variety of residential and commercial uses planned to accommodate 70,000 people and 30,000 jobs.

*South:* The CP Rail Corridor is immediately south. Further south, beyond the Rail Corridor, are established residential communities and woodland areas in the City of Pickering.

*West:* York Durham Townline is immediately west. West of Townline Road is Rouge National Urban Park.

The Cherrywood Area Lands are located immediately adjacent to the City of Pickering Urban Area Boundary and thus form a natural and logical continuation of the City of Pickering Urban Area Boundary.

The Cherrywood Area Lands are also located on the southerly limit of the Greenbelt Plan, which means their removal will not result in the fragmentation of the Greenbelt system. In addition, the location of the Cherrywood Area Lands benefits from being surrounded by developable lands to the east and south. Being situated in this unique location provides a variety of existing community amenities in the area, making it an ideal location to facilitate growth. These amenities include but are not limited to the following: transit infrastructure – i.e. Station(s), transit route(s), schools,

police and fire protection services, local and regional parks, and a variety of retail and commercial uses. Refer to *Figure 2 – Cherrywood Lands Area Infrastructure Map* for details.

***Housing:***

The development of the Cherrywood Area Lands will support the Provincial policy objective for creating compact, complete communities and the initiative to build 1.5 million houses in Ontario over the next 10 years. There is a housing supply shortage in the GTA fueled by strong population and employment growth. The Cherrywood Area Lands could achieve a minimum of 30,000 housing units, while integrating natural heritage features and environmental stewardship.

The mixed-use development of the Cherrywood Area Lands supports Provincial, Regional, and local density targets, providing diverse housing types ranging from single-family to stacked townhomes, triplexes, fourplexes, walk-up apartments and medium and higher density apartment buildings. The unit sizes and price points would vary to meet a range of household needs and incomes and provide intergenerational housing needs for a diverse population.

Secondary suites and auxiliary dwellings would have also been proposed on the Cherrywood Area Lands. These units can be used by families who are looking to rent an additional dwelling unit or share their space with relatives, providing options for multi-generational housing and further bolstering the much needed rental market. Permitting live-work units and small-scale neighbourhood commercial uses within residential zones will promote a mix of uses and densities to support the efficient use of transit, active transportation and other public infrastructure and services, and will support the creation of complete communities.

The Region of Durham has recently undertaken its Municipal Comprehensive Review, a process that includes a Land Needs Assessment (‘LNA’). This assessment undertook a review of the Region’s land base to determine how much growth can be accommodated within the existing built-up areas and how much additional land is required through a settlement area boundary expansion. The LNA concluded that additional lands were required to accommodate future growth within the Region. The Cherrywood Area Lands may be better suited to accommodate future growth than other areas in Durham Region, as they are able to deliver housing more quickly and cost effectively due to the presence of approximately \$2 Billion dollars of existing and planned infrastructure on site. For details of the LNA lands in relation to the Cherrywood Area Lands, refer to *Figure 3 – Durham Regional Urban Structure* below.

The inclusion of the Cherrywood Area Lands in Durham Region’s settlement area boundary would allow for additional new housing units, which would support the provinces housing targets, and provide more housing choices for current and future residents of Pickering. Moreover, the landowners committed to implementing a range of housing types and densities through mixed-use development that will support Provincial, Regional and local density targets.

***Infrastructure:***

Additionally, the Cherrywood Area Lands have an existing network of local, regional and interregional roads with direct connections to Highway 407 and access to Highway 401. As The available services include but are not limited to the following:

- Municipal and Regional Roads;
- Sanitary trunk mains;
- Regional trunk water mains, including a water reservoir and pumping station;
- Gas mains; and,
- Utilities (hydro, communications).

The Cherrywood Area Lands represent a unique infill opportunity, due to its proximity to an extensive network of infrastructure that currently exists. The attached letter from GEI Consultants Inc. (See *Appendix H – GEI Existing Infrastructure Letter*) lists the major infrastructure that currently exists on the Cherrywood Area Lands which includes municipal water and wastewater facilities, natural gas and hydro-electric systems.

As outlined in the letter from GEI dated October 2022, servicing the Cherrywood Area Lands would be relatively straightforward, as *“the presence of this existing infrastructure can assist and promote the ability of future development of the Cherrywood Area Lands to proceed in a suitable manner through the logical extension of servicing within the lands from a south to north built out progression.”*

Furthermore, a memo completed by Keleher Planning & Economic Consulting Inc. (KPEC) lists the economic and financial benefits that would be created through the development of the Cherrywood Area Lands and includes the estimate that there is \$2.0 billion in existing and planned infrastructure for the Cherrywood Area Lands to build upon. Development of the Cherrywood Area Lands would support efficient use and cost-efficient extension of servicing infrastructure. This would in turn support the timely and cost-effective delivery of housing to the market. Making efficient use of these existing infrastructure investments, represents good planning, financial management and public policy and is consistent with the principles of the Growth Plan for the Greater Horseshoe.

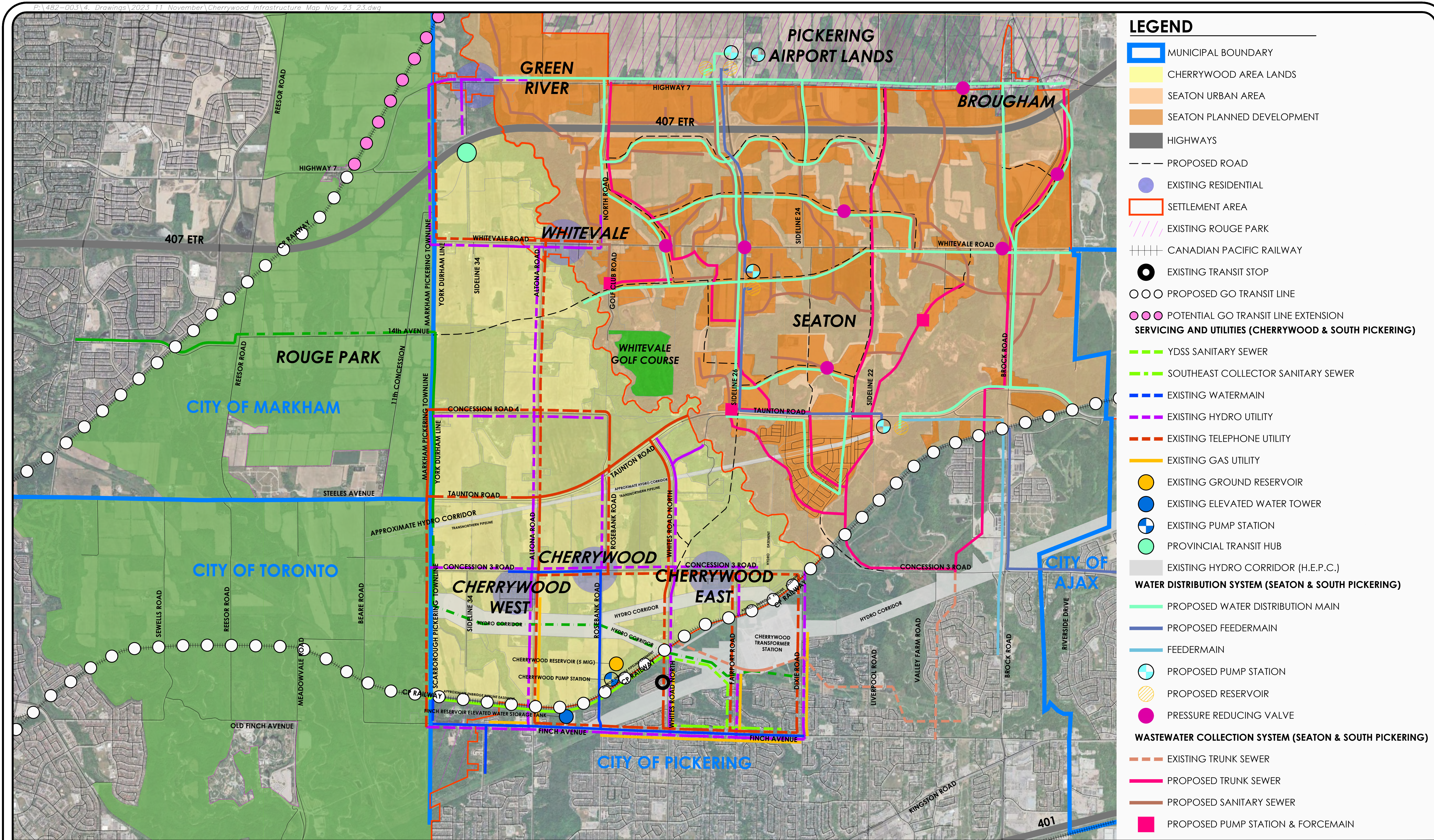
#### *Water:*

A further letter from GEI Consultants, dated November 23, 2023 states *“that the existing infrastructure as it relates to both water supply and sanitary servicing is more than sufficient to support and service the lands comprising Phase I of the Cherrywood Community Development Area. The Developer’s efforts towards a master planned servicing strategy would ensure the orderly development of infrastructure for the entirety of the Cherrywood Community Development Area.”* Refer to *Appendix I – GEI - Master Water Servicing – Executive Summary*.

#### *Wastewater:*

In a letter dated August 4, 2023 received from York Region attached as part of the SCS Consulting Group Ltd. memo (*Figure J - SCS - Sanitary Servicing Plan Executive Summary*), it is stated that *“York Region, through agreements with Durham Region, owns and maintains the existing Regional sanitary sewers adjacent to the Cherrywood development. The proposal for the Cherrywood development contemplates a series of connections into this Regional trunk system. York Region can confirm there is sufficient sanitary sewer conveyance capacity at the proposed*





### LEGEND

- MUNICIPAL BOUNDARY
- CHERRYWOOD AREA LANDS
- SEATON URBAN AREA
- SEATON PLANNED DEVELOPMENT
- HIGHWAYS
- PROPOSED ROAD
- EXISTING RESIDENTIAL
- SETTLEMENT AREA
- EXISTING ROUGE PARK
- CANADIAN PACIFIC RAILWAY
- EXISTING TRANSIT STOP
- PROPOSED GO TRANSIT LINE
- POTENTIAL GO TRANSIT LINE EXTENSION SERVICING AND UTILITIES (CHERRYWOOD & SOUTH PICKERING)
- YDSS SANITARY SEWER
- SOUTHEAST COLLECTOR SANITARY SEWER
- EXISTING WATERMAIN
- EXISTING HYDRO UTILITY
- EXISTING TELEPHONE UTILITY
- EXISTING GAS UTILITY
- EXISTING GROUND RESERVOIR
- EXISTING ELEVATED WATER TOWER
- EXISTING PUMP STATION
- PROVINCIAL TRANSIT HUB
- EXISTING HYDRO CORRIDOR (H.E.P.C.)
- WATER DISTRIBUTION SYSTEM (SEATON & SOUTH PICKERING)
- PROPOSED WATER DISTRIBUTION MAIN
- PROPOSED FEEDERMAIN
- FEEDERMAIN
- PROPOSED PUMP STATION
- PROPOSED RESERVOIR
- PRESSURE REDUCING VALVE
- WASTEWATER COLLECTION SYSTEM (SEATON & SOUTH PICKERING)
- EXISTING TRUNK SEWER
- PROPOSED TRUNK SEWER
- PROPOSED SANITARY SEWER
- PROPOSED PUMP STATION & FORCEMAIN

**FIGURE 2: EXISTING AND PROPOSED INFRASTRUCTURE PLAN**  
**CITY OF PICKERING**  
*\*The proposed infrastructure plan is for illustrative purposes only. Details can be found on GEI's Master Water Servicing Plan and SCS's Master Sanitary Plan.*



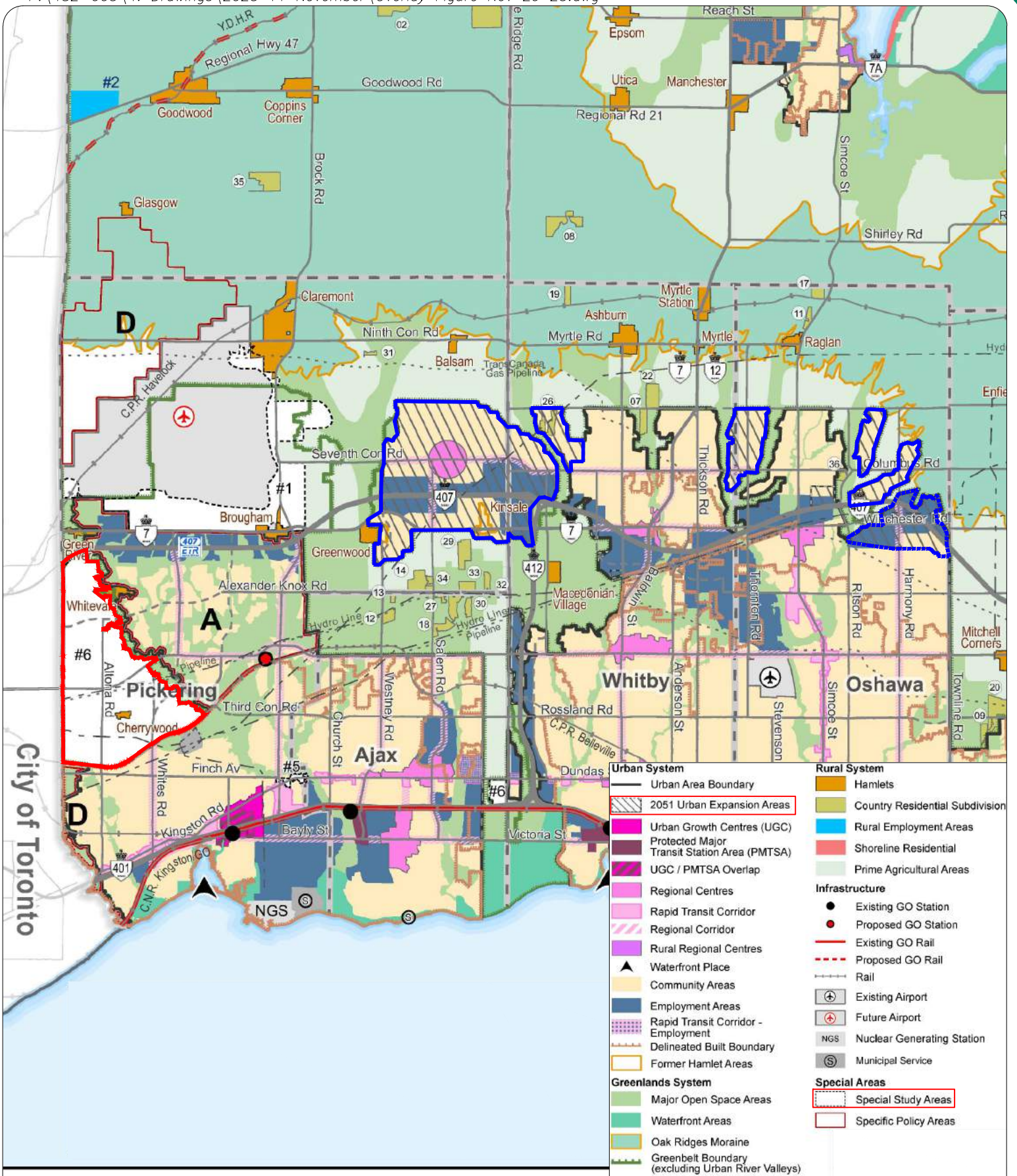


FIGURE 3 DURHAM REGION OFFICIAL PLAN  
MAP 1 - REGIONAL STRUCTURE

- Cherrywood Area Lands
- 2051 Urban Expansion Area

CHERRYWOOD  
CITY OF PICKERING  
REGIONAL MUNICIPALITY OF DURHAM



SCALE NTS  
NOVEMBER 29, 2023

*connection points. Through proper agreements and coordination, connections to the system can be facilitated with York Region. With respect to broader wastewater servicing allocation, this will be provided through Durham Region.”*

Furthermore, SCS stated that the Cherrywood Area “*were well on track to secure the requisite approvals, construct the trunk sewer connections, and provide service to Phase 1 and 2 of the Development Area, all in advance of the prescribed deadlines imposed by the Province.*”

***Transportation:***

The Cherrywood Area Lands are well-served by existing and planned transportation networks. Of note, the Durham Region Master Transportation Plan has identified two (2) roads in the Cherrywood Area as Major Transportation Corridors. Additionally, the Province of Ontario owns lands at the north end of the Cherrywood Area Lands at Highway 407, that are being held for the potential creation of a Major Transportation Hub for the 407 Transitway. Further, as outlined on the Region of Durham Official Plan - Map 3a, Metrolinx has identified the area in Seaton adjacent to the CP Rail Corridor just east of the Cherrywood Area Lands as a candidate location for a future GO Commuter Station. We also understand that BA Group, the City of Pickering, and the Region of Durham were in discussions with Metrolinx about bringing higher order transit to the area, with an additional stop being proposed on the Cherrywood Area Lands. Refer to *Appendix K – BA Transportation Presentation* for details.

The Cherrywood Area Lands are also situated adjacent to Highway 407 – a major goods movement corridor, which further supports the Cherrywood Area Lands as an appropriate and desirable location for compact, transit-supportive development and supporting employment opportunities.

***Lack of Agricultural Viability:***

In September 2023, Colville Consulting was retained to update an Agricultural Analysis that was completed by ESG International on the Cherrywood Area Lands in 2003. Colville Consulting’s updated analysis concluded that the current agricultural character of the Cherrywood Area Lands was similar to the character describes in the 2003 analysis. The analysis concluded that the Cherrywood Area Lands continue to be lower priority agricultural lands for the following reasons:

- *“they are not located in a specialty crop area and no specialty crops such as vegetable or fruit crops are grown in the vicinity;*
- *they are located in a highly fragmented area in which there is a mix of agricultural and non-agricultural land uses. The presence and prevalence of the non-agricultural land uses increases the potential for conflict arising between agricultural and non-agricultural land uses, which in turn reduces the agricultural priority of the area;*
- *they are situated between urban areas to the north, south, and east. The close proximity and high concentration of non-agricultural land uses significantly increases the potential for conflicts with agriculture and make these lands less desirable to farm than other lands further removed from these non-agricultural influences;*
- *there are plans for additional road construction through the Subject Lands, further*



*connecting the lands to City of Pickering and increasing the non-agricultural traffic. The current levels of traffic may make the moving of farm machinery difficult or dangerous at times, which will increase following the construction of the proposed Type B Arterial Road;*

- *the high land values within the Subject Lands and the surrounding area create financial limitations to investments in intensive agricultural operations; and,*
- *the amount of cultivatable land within the City of Pickering's agricultural land base continues to decrease, indicating a diminishing agricultural influence area."*

A copy of the updated Agricultural Analysis from Colville Consulting is included in *Appendix L - Agricultural Analysis*.

As the City of Pickering continues to grow, the issues outlined above will continue to degrade the agricultural viability of the Cherrywood Area Lands. We are of the opinion that removing these lands from the Greenbelt Plan to facilitate future growth would represent good planning by promoting growth contiguous to the existing built-up area of the City of Pickering and directing growth away from high-quality agricultural lands further out from the urbanized area.

***Environmental:***

We understand that the City's Growth Management Study team concluded that the development of the Cherrywood Area Lands would not compromise the natural environment nor the long-term health of the Natural Heritage System (NHS). Furthermore, the City's Study team recommended the Cherrywood Area Lands as an appropriate location for development in order to support smart growth objectives. These objectives recognize the need for growth in an efficient and compact form, while protecting sensitive areas.

As part of the future development approval processes, the Cherrywood Area landowners committed to protecting the natural environment by respecting principles of good environmental planning. The on-site Natural Heritage System features will be further analyzed and appropriate buffer widths identified to ensure the features are preserved and protected over the long term. The Toronto Region and Conservation Authority was actively engaged in on-site planning and the completion of a Subwatershed Study for the Cherrywood Area. The overall development would improve flood management and result in enhancement of key NHS features.

The Cherrywood Area Lands have undergone a robust series of environmental studies and investigations. GEI Consultants has put together a detailed overview of the environmental and/or ecologically focused studies that have been completed, are in progress, or are planned to help support the development of the community (see *Appendix M - GEI - Environmental Policies and Regulations*). These are reports that have been requested or are required by the Province, Region, Conservation Authority and/or local municipality to ensure compliance and adherence to all policies:

- *Background Information Review and Significance Analysis – March 2022. A thorough background investigation was conducted to assess existing ecological data (from a variety of ecological databases including, but not limited to the Natural Heritage Information*

*Centre's rare species records, Ontario Breeding Bird Atlas, Ontario Butterfly Atlas, DFO Aquatic SAR mapping, Ontario Reptile and Amphibian atlas, TRCA ELC data, etc). This review also looked to characterize the natural environment using these resources.*

- *Functional Servicing and Storm Water Management Report – August 2023*
- *Fluvial Geomorphological Assessment of Petticoat Creek – August 2023*
- *Natural Heritage Feature Evaluation – various studies/data collection exercises between 2022 – 2023 (including but not limited to fisheries, woodlands, wildlife, wetland and botanical studies),*
- *Arborist Report and Tree Preservation Plan, Cherrywood Phase 1 Lands – June 2023*
- *Environmental Impact Study – August 2023. This report is intended to assess potential impacts to natural heritage features and functions and to recommend adequate measures to protect and mitigate any potential negative impacts as a result of the proposed development activities.*
- *Sustainable Development Study – 2023 (\*non-GEI report – Adrian Smith + Gordon Gill Architecture),*
- *Geotechnical and Hydrogeological Site Investigation Cherrywood Development Phase 1 – April 2023 (\* non-GEI report: GEMETC Consulting Engineers and Scientists Ltd.)*
- *Slope Stability Assessment Cherrywood Development Phase 1 – April 2023 (\* non-GEI report: GEMTEC Consulting Engineers and Scientists Ltd.)*
- *Landscape Linkage Assessment – Phase 1 – June 2023*
- *Subwatershed Study,*
- *Floodplain Mapping,*
- *Fluvial Assessments,*
- *Species at Risk Habitat Assessments, and*
- *Natural Heritage System Mapping.*

It is anticipated that as planning progresses for the lands within the Cherrywood Study Area, further technical matters relating to conservation of natural heritage features and functions will be required. These may include studies to support Transportation Planning, Stormwater Management, Parks and Recreation Planning including Trail Networks, Public Transit System Expansion to name a few.

Finally, we note that sustainable development features will be required in any future development, through the Sustainable Pickering process. This process will require a high level of community and environmental efficiency, which supports climate change objectives. Opportunities to provide contextually appropriate sustainable development strategies will be explored as part of a future development application process.

***Archaeological:***

It is our understanding that an archeological review was undertaken for the Cherrywood Area Lands through the City of Pickering Growth Management Study. This analysis would have reviewed earlier research and reported on a process for confirming the data collected prior to any development. However, going forward, an Archaeological Assessment will be prepared and



receive clearance from the Ministry of Tourism and Culture in support of all future development applications on the Cherrywood Area Lands.

All efforts with respect to Indigenous engagement will be guided by the Standards and Guidelines for Consulting Archaeology, the draft Technical Bulletin for Engaging Aboriginal Communities in Archaeology and the Durham Region Official Plan for any future development on the Cherrywood Area Lands.

The Phase 1 development of the Cherrywood Area completed a Stage 1 and Stage 2 archaeology study, which was approved by The Ministry of Citizenship and Multiculturalism (MCM) on July 31, 2023. MCM is satisfied that the fieldwork and reporting for the archaeological assessment are consistent with the ministry's 2011 *Standards and Guidelines for Consultant Archaeologists* and the terms and conditions for archaeological licenses. This report has been entered into the Ontario Public Register of Archaeological Reports.

### ***Employment Lands:***

The Cherrywood Area Lands are well-positioned along key transportation corridors. These locational attributes, specifically Highway 407, support the inclusion of non-residential uses on the Cherrywood Area Lands to support Provincial and Regional economic development objectives. The inclusion of the Cherrywood Area Lands within the Urban Area Boundary of the Region of Durham and City of Pickering would support the creation of local employment opportunities and complete communities where residents are able to live, shop, work and play within their community.

The appropriateness of the Cherrywood Area Lands to provide a range and mixture of non-residential uses is supported by the following considerations:

- The Cherrywood Area Lands are in proximity to existing Provincial Highway corridors; There are two (2) Regional Roads that cross the Cherrywood Area Lands which are components of the Region's capital transit priority network. This provides an opportunity for key, strategic non-residential development;
- The Cherrywood Area Lands are the gateway between the Region of Durham, Region of York and the City of Toronto. As a gateway, there are opportunities for key transportation corridors to be extended and continue across the Cherrywood Area Lands and beyond;
- The Cherrywood Area Lands have the ability to connect to high order transit with access to a potential GO Transit Station to the south of the lands on the CP Rail Line and Bus Rapid Transit Station to the north on Hwy 407; and,
- The Cherrywood Area Lands are in proximity to and can be easily accessed from the future Pickering Federal Airport.

### ***First Nations Consultation:***

CALMI engaged Ishkonigan, a leading consulting firm with many years of experience working with Indigenous communities, to facilitate a dialogue with the First Nations whose traditional

territories include the Greater Toronto Area (GTA). The purpose of this outreach was to begin a respectful dialogue between CALMI landowners and TACC and the potentially impacted First Nations. CALMI and TACC sought to hear their concerns and to find opportunities to listen to and incorporate the knowledge and wisdom of the First Nations in areas such as site planning, archaeology, environmental assessments, and review of natural heritage systems. TACC is continuing to prioritize relationship building with First Nations in the GTA.

**Conclusion:**

**In summary, we are of the opinion that the Government should not return the Cherrywood Area Lands to the Greenbelt and not reverse the repeal of the Duffins Rouge Agricultural Preserve Act, 2005 because the development of these lands:**

- Supports the Provincial initiative to build 1.5 million houses in Ontario, specifically in the Greater Toronto Area, and positively impacts the housing and affordability challenges facing the people of Ontario, now and into future;
- Provides one of the most appropriate and sustainable development opportunities that can be realized immediately within the GTA Region, specifically due to the adjacency to developed areas and access to existing infrastructure;
- Fully utilizes \$2 Billion dollars of existing and planned major infrastructure and has the ability to connect to higher order transit through Hwy 407 and the CP Rail line;
- Delivers 30,000 residential units with a minimum of 25% (7,500 units) being a combination of affordable and/or attainable housing through recognized non-profit housing providers including Habitat for Humanity GTA and Durham Region Non-Profit Housing Corporation;
- Allows for significant public benefits to be realized at no cost to the taxpayers, as the CALMI landowners committed to delivering a complete community, including land for a 30-acre Healthcare campus, a post-secondary institution site and all community lands including community centres, libraries, recreational complexes, fire halls, maintenance facilities, parks, trails and an outdoor amphitheater for the performing arts;
- Promotes the coexistence and wellbeing of people, the environment and nature;
- Creates significant economic and employment opportunities, generating an increased taxable assessment value of \$16.4 Billion, an increase in annual property tax revenues of \$63 million per year, and an anticipated GDP impact of \$12.4 Billion, 96,000 person years of employment (construction) and \$5.5Billion in wages from construction employment;
- Supports the preservation prime farmland in other areas by directing growth to

Cherrywood Area Lands, which are appropriate for development;

- Limits fragmentation of the Greenbelt system as the Cherrywood Area Lands are a natural and logical continuation of the City of Pickering, at the southern limit of the Greenbelt, and immediately adjacent to the cities of Toronto and Markham; and,
- Allows the City of Pickering to resume the Growth Management Study which began in 2002.

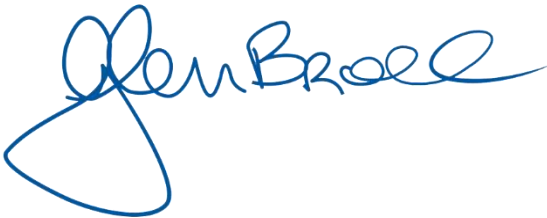
In summary, given the historical planning context of the Cherrywood Area Lands, its locational attributes, existing and planned infrastructure investments, the ability to support the achievement of Provincial policy objectives it is our opinion that keeping the Cherrywood Area Lands out of the Greenbelt Plan and not re-enacting the Duffins Rouge Agricultural Preserve represents good planning and public policy. More importantly, the Cherrywood Master Plan Vision is a unique and potent opportunity to expedite a much-needed community, leveraging stakeholder partnerships and collaboration developed over the last year, to ease the housing and affordability crisis, for the wellbeing and prosperity of the Province and its citizens.

**We would like to formally request that the Province reconsider its decision to return the Cherrywood Area Lands to the Greenbelt and reconsider burdening these lands with agricultural easements of the Duffins Rouge Agricultural Preserve**

Thank you for your consideration. Please do not hesitate to contact the undersigned should you wish to discuss this further.

Yours very truly,

**GLEN SCHNARR & ASSOCIATES INC.**



---

Glen Broll, MCIP, RPP  
**Managing Partner**

*Appendix A - Habitat Letter*

November 24, 2023

The Honourable Paul Calandra  
Minister of Municipal Affairs and Housing  
17<sup>th</sup> Floor, 777 Bay Street  
Toronto, ON M7A 2J3

Dear Minister Calandra,

**Re: Bill 136 – Greenbelt Lands Reversal**

I am writing as the CEO of Habitat for Humanity Greater Toronto Area (Habitat GTA).

Last November 2022, we learned of the Government’s decision to remove 15 parcels of land from the Greenbelt as part of its strategy to deliver 1.5 million homes. We appreciated that the Government had set a requirement that 10% of the housing built on these subject lands must be affordable housing – although we believed more than 10% was possible. Twelve of the fifteen land parcels slated for removal were within our Habitat GTA service area. Thus, in the months following the Government’s announcement, we were contacted by a several developers about potentially partnering with them to help meet the affordable housing requirements.

At Habitat GTA, our core purpose as a non-profit housing charity is to deliver affordable housing. On this basis, we concluded that *if* housing was to be permitted to be developed on these lands, we had a responsibility to ensure that as much of that housing as possible would be affordable. We developed an ethical framework through which to evaluate and negotiate opportunities that were presented to us. To ensure that any affordable housing built on these lands served a whole spectrum of income levels, we partnered with Durham Region Non-Profit Housing Corporation (DRNPHC). Through this partnership, our organizations could deliver housing ranging from Rent Geared to Income units for households receiving ODSP or Ontario Works through to rental units for lower income workers and affordable ownership units for families, couples and singles with modest incomes.

At the time the Government announced its decision to reverse the removal of Greenbelt lands, we had signed a Term Sheet with one developer group and had put discussions on hold with another developer group, pending further information.

We recognize that the Government has chosen to return all fifteen parcels of land to the Greenbelt and that this will be made law with the passing of Bill 136. The purpose of this letter is not to question this decision. Rather, **we believe the Habitat GTA - DRNPHC experience in negotiating favorable terms for the development of affordable housing provides a point of reference should this Government or a future Government choose to redesignate Greenbelt or other lands for housing in the future.**

The redesignation of land in a way that increases its market value creates a unique “moment in time” in which multiple community benefits can be captured. This does not just apply to Greenbelt lands. It applies to redesignation of employment lands, agricultural lands, lands that have been expropriated for transit development and lands the government owns and makes available for sale. The terms that Habitat GTA and DRNPHC negotiated for redesignated Greenbelt lands can provide a useful template for such redesignations.

The developer group with whom Habitat GTA and DRNPHC had signed a Term Sheet was the Cherrywood Area Lands Management Inc. (CALMI) Group, with TACC Developments as the Project Manager. Given the size of this land parcel, it was understood that development would take place in phases with the first phase starting at the southern end of these lands, immediately north of existing urban development of Pickering and with infrastructure available for immediate development.



The most important feature of our negotiation was that we had worked with the developer to exceed the 10% affordable housing requirement set by the Government. The Term Sheet we signed would have resulted in 18% or more of the housing built on these lands being affordable housing delivered by Habitat GTA and DRNPHC. We would urge that this become the minimum target for any future land redesignation in which there is a significant market uplift.

Other features of the terms we had negotiated for the Cherrywood lands included:

- Habitat GTA and DRNPHC would receive, at no cost, land on which we could build 500 to 800 new affordable homes in the first two phases of the Cherrywood development;
- The developer would be responsible for delivering these lands to Habitat / DRNPHC as fully serviced and ready for building permits;
- All development risk was retained by the developer. As an example, if a groundwater issue was discovered which would have required unforeseen work to remediate, the developer would have been responsible for all costs or, alternatively, for providing us with equivalent land elsewhere in the same phase;
- The developer would provide a \$10 million donation to enable Habitat GTA and DRNPHC to get a running start on building homes in the first Phase.

Given the multi-phase nature of this development, Habitat GTA / DRNPHC negotiated a first right of refusal on 50% of all the remaining lands earmarked for non-profit housing as subsequent phases rolled out. This 50% approach recognized the developer's intention to offer lands to Indigenous partners and other affordable housing providers in subsequent phases. To the extent that development was permitted in future phases, Habitat GTA and DRNPHC would have had access to serviced land at no cost for approximately 3,000 new affordable homes over the next 10 to 15 years. A private contribution of land (and funding) for affordable housing at this scale is unprecedented.

We were not closely involved in the negotiations of other community benefits for these Cherrywood lands. Nonetheless, one of our decision criteria had been ensuring that we were only engaging in developments that would result in "complete communities" with the full range of community amenities, greenspace, parks, health facilities and other elements. To that end, we had an opportunity to be briefed on the overall plans for these lands. We were impressed by the thoughtfulness and vision the developer was bringing to this project in terms of delivering a complete community.

Our participation in exploring and negotiating this opportunity was very resource-intensive for our organization. The developer group elected to fully reimburse us for the costs we incurred during the course of these negotiations. This kept both of our non-profit organizations financially intact even though the opportunity to deliver more affordable housing is not moving forward. We were grateful for this support.

Sincerely



Ene Underwood  
CEO  
[Ene.underwood@habitatgta.ca](mailto:Ene.underwood@habitatgta.ca)  
Cell: 647-622-6902

cc. Minister Peter Bethlenfavy, MPP for Pickering Uxbridge  
Kevin Ashe, Mayor of Pickering



*Appendix B - Durham Region Non-Profit Housing Corporation Letter*



**DURHAM REGION NON-PROFIT HOUSING CORPORATION**  
28A Albert Street  
Oshawa, Ontario L1H 8S5  
Tel: (905) 436-6610/686-1278  
Fax: (905) 436-5361  
E-mail: [drnphc@durham-housing.com](mailto:drnphc@durham-housing.com)

---

November 27, 2023

The Honourable Paul Calandra  
Minister of Municipal Affairs and Housing  
17<sup>th</sup> Floor, 777 Bay Street  
Toronto, ON M7A 2J3

Dear Minister Calandra,

**Re: *Bill 136 – Greenbelt Lands Reversal, ERO #0197739, #0197735***

I am writing to you today as the Chief Executive Officer of Durham Region Non-Profit Housing Corporation. (DRNPHC)

DRNPHC is one of the largest non-profit rental housing providers in Durham Region. DRNPHC owns 17 complexes of townhouses and apartment buildings throughout the Region. 50% of our rental base is to rent-geared-to income residents with the balance of rentals at very low affordable market rental rates. Our rental demographic is seniors, families, singles and persons with disabilities. We are completing our 4<sup>th</sup> new build since 2018 this year with two additional developments in progress.

Yet, although we have a sustainable plan to manage our existing stock and continue to develop new housing units, it is not at a scale that can satisfy the extreme affordable rental housing need in Durham Region.

Earlier this year, DRNPHC was approached by the Cherrywood Area Lands Management Inc Group (CALMI), which is the Cherrywood landowners group that TACC Developments is the project manager of, to participate in developing affordable rental housing for the Cherrywood greenbelt area. Habitat for Humanity GTA (Habitat) was also approached to develop affordable housing for ownership.

Together with CALMI and Habitat, a partnership was established to deliver greater than 18% affordable housing of the total housing units in Phase 1 and Phase 2 of the Cherrywood development. This far exceeded the affordable housing requirement set by the Government for development of the greenbelt lands and represented the largest affordable housing development in Durham Region since the 1980's in my opinion.

Other features of the terms negotiated for the Cherrywood lands:

- Habitat GTA and DRNPHC would receive, at no cost, land on which we could build 500 to 800 new affordable homes in the first two phases of the Cherrywood development;
- The developer would be responsible for delivering these lands to Habitat / DRNPHC as fully serviced and ready for build permits;
- The developer would provide a \$10 million donation to enable Habitat and DRNPHC to get a running start on building homes in the first Phase.
- To the extent that development was permitted in future phases, Habitat and DRNPHC would have had access to serviced land at no cost for approximately 3,000 new affordable

homes over the next 10 to 15 years. This opportunity likely would have been the largest land donation to affordable housing by a private interest in Ontario and perhaps Canadian history.

DRNPHC understands there were also other significant community benefits to be provided by CALMI for the Region, for Pickering and all residents who would eventually call Cherrywood their home.

It is a significant loss for affordable housing in that this partnership could not proceed however, DRNPHC would like to thank CALMI, TACC Developments, Habitat and the Ontario Government for their efforts to advance the development of affordable housing in our Region. It is our hope that comparable alternatives will be developed and that this same group be given the opportunity to deliver affordable housing at the same scale and timeframe as the Cherrywood development.

Sincerely,



Tracy Greig  
Chief Executive Officer  
[tracy.greig@durham-housing.com](mailto:tracy.greig@durham-housing.com)  
Cell: 289-685-3195

cc:  
Minister Peter Bethlenfavy, MPP for Pickering Uxbridge  
Kevin Ashe, Mayor of Pickering  
Habitat for Humanity GTA  
CALMI/TACC Developments

*Appendix C - Durham College Expression of Interest Letter*



May 11, 2023

Silvio De Gasperis  
TACC Developments

**Re: Expression of Interest in New Pickering Campus Site**

Dear Silvio,

On behalf of Durham College, I am writing to express our interest in exploring the possibility of expanding our campus presence into the city of Pickering. We believe that Pickering represents an excellent opportunity for us to further our mission of providing quality education to students, while also contributing to the growth and development of the local economy.

Durham College is interested in working with TACC Development to identify suitable land in the north Pickering, Cherrywood development that could potentially be used for the construction of a new campus. Whether it is the opportunity in Phase I for an agriculture site, or eventually in Phase II of the development for a stand alone campus. For a new campus to thrive, we believe it would have to be built with the following minimum standards to ensure long-term sustainability and quality for students:

- 60,000 sq. ft. facility on approximately 10 acres of land
- Minimum of 8 programs to start, in order to facilitate 1,000 students.
- The location of the campus should be in close proximity to community services and amenities.
- Parking would have to be developed along with a regional transit plan.

A new campus in Pickering would provide a number of benefits to both the community and the college. Pickering is a growing and vibrant city that is home to a number of key industries, including advanced manufacturing, IT and telecommunications, and entertainment to name a few. Our programs in areas such as AI, cybersecurity, supply chain management, agriculture technology, and business finance would be well-suited to support the growth of these industries, while also providing students with the skills and knowledge they need to succeed in the workforce.

In addition to our academic programs, Durham College is also committed to engaging with the local community through a range of research and innovation initiatives. We believe that a new campus in Pickering would provide an ideal platform for us to work collaboratively with local businesses and organizations to address key challenges and opportunities facing the region.

We are excited about the prospect of exploring new campus possibilities in the city of Pickering, and we look forward to working with TACC Development to make this a reality. We are confident that a new campus in Pickering would provide significant benefits to both the community and the college, and we are committed to working collaboratively with all stakeholders to ensure that any potential development is successful and sustainable over the long term.

Sincerely,



Don Lovisa  
President, Durham College

Cc:  
Kevin Ashe, Mayor, City of Pickering



*Appendix D - Cherrywood Area Lands Master Plan Vision Presentation*

# **CHERRYWOOD AREA LANDS**

## **MASTER PLAN VISION**

---

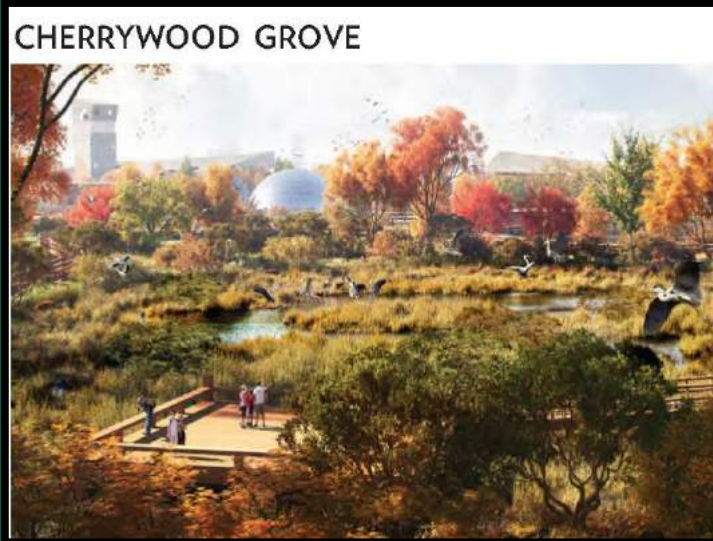
**CITY OF PICKERING, ONTARIO**





# SITE & SURROUNDINGS





# CHERRYWOOD AREA LANDS — Four (4) Districts





## DISTRICT — Cherrywood Trails





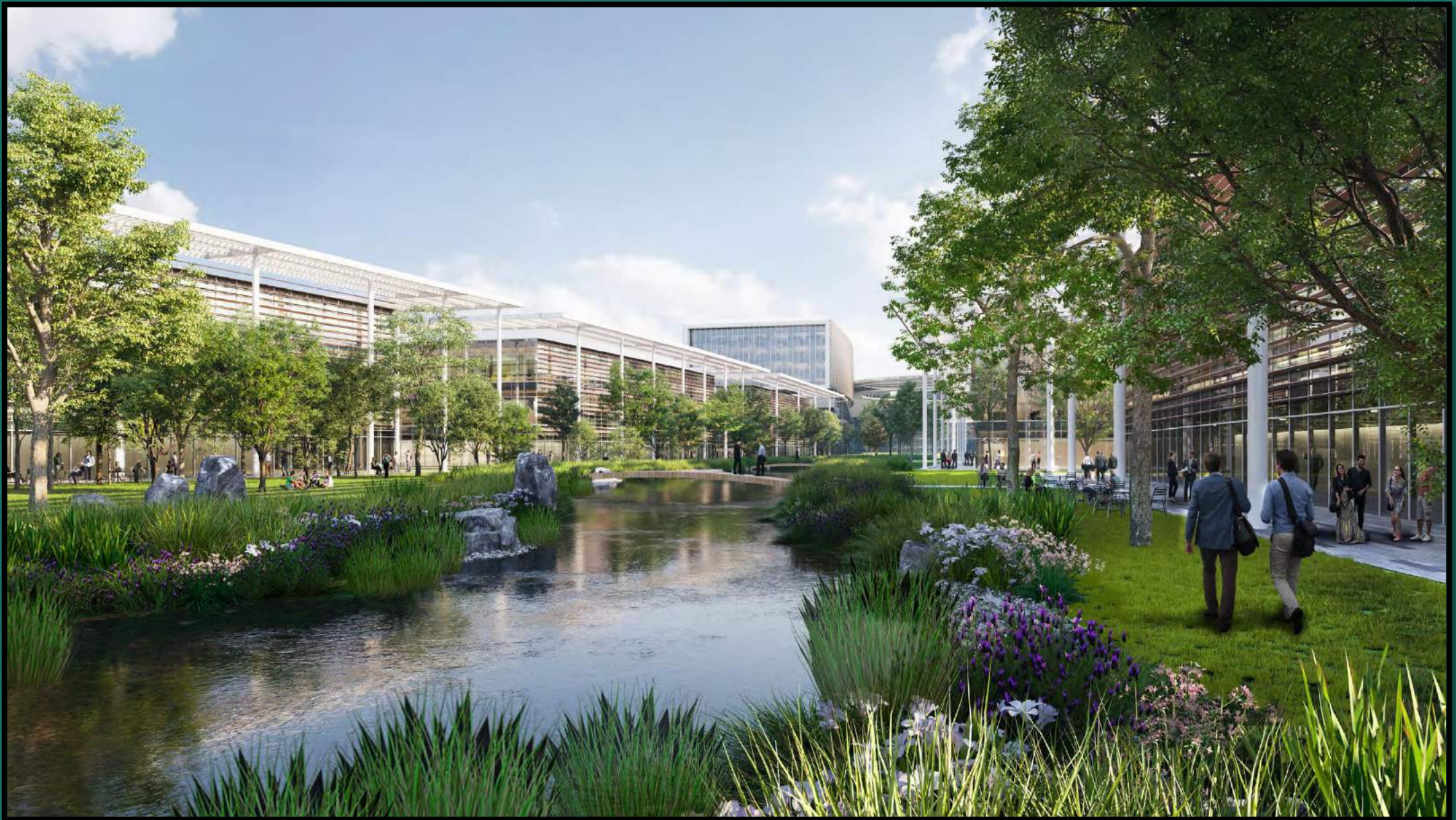
## DISTRICT — Cherrywood Commons





# DISTRICT — Cherrywood Commons





## DISTRICT - Cherrywood Heights





## DISTRICT - Cherrywood Heights

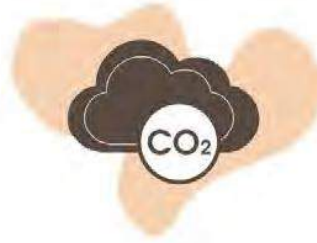


GLEN SCHNARR & ASSOCIATES INC.  
URBAN & REGIONAL PLANNERS, LAND DEVELOPMENT CONSULTANTS

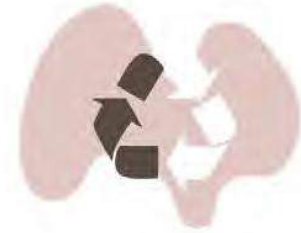




**WATER RESILIENT  
COMMUNITY**



**ENERGY EFFICIENT  
LOW CARBON COMMUNITY**



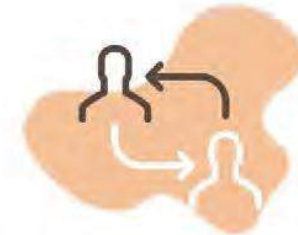
**CIRCULAR  
ECONOMY**



**TRANSIT-ORIENTED  
COMMUNITY**



**PUBLIC REALM FOR  
PEOPLE AND NATURE**



**HEALTHY CONNECTED  
COMMUNITY**

## **ENVIRONMENTAL — Guiding Principles**







# THANK YOU



GLEN SCHNARR & ASSOCIATES INC.  
URBAN & REGIONAL PLANNERS, LAND DEVELOPMENT CONSULTANTS





*Appendix E – KPEC Overview Economic, Financial and Community Benefits Memo*

November 29, 2023

**Memorandum to:** Cherrywood Area Lands Management Inc.

**From:** Daryl Keleher, MCIP, RPP, Principal  
Keleher Planning & Economic Consulting Inc.

**Re:** Overview Economic, Financial and Community Benefits Provided - Cherrywood

**Our File:** P1021

---

I have been retained by Cherrywood Area Lands Management Inc. (CALMI) to estimate the economic, financial and community benefits that would be received by the Region of Durham and City of Pickering from the development of the Cherrywood lands. This memorandum is prepared as part of the submission in response to ERO-019-7739. CALMI, in negotiations with the City of Pickering and Region of Durham committed to fully fund growth in Cherrywood through Development Charges (DCs) and/or other funding models. Not all items were costed, or the method of paying, were finalized when negotiations ended. Listed in this memo are the dollar amounts of DCs at current rates that could be used by the City and Region to offset growth costs. Also listed are estimated costs for additional benefits, including estimates for provision of lands and facilities for City or Regional services that would satisfy items negotiated with the City and Region.

## OVERVIEW OF BENEFITS PROVIDED

The range of community benefits to be provided through the development of the Cherrywood lands, including 30,000 residential units and 15.9 million square feet of non-residential floor space, could include the following:

- **Development Charges:** it is estimated that the increased units would generate \$2.17 billion in DC revenues to be used for external City of Pickering and Regional services. This includes \$1.2 billion for Durham Region and \$820 million for the City of Pickering, as well as \$154 million for education development charges;
- **Building Permit Fees:** \$78.8 million, which would be used to offset City costs associated with review of building permit applications;
- **Affordable and Attainable Housing:** affordable housing will be secured and delivered by a non-profit housing provider. A minimum of 25% of residential units (7,500 units) across all of the subject lands will be a combination of affordable or attainable residential units.
- **Community and Neighbourhood Servicing:** All City road, water, wastewater and stormwater management infrastructure and services internal to the subject lands that are required for development will be at the developer's cost and expense, including design and construction costs. The value of these works is (excluding land, carrying costs, DCs, fees, etc.) is estimated to be \$3.7 billion.

- **City of Pickering Services:** CALMI will dedicate land for community facilities, recreation complexes, libraries, maintenance facilities, fire halls, water reservoirs, pumping stations. It is assumed that the lands conveyed will be approximately 40 acres. CALMI will also fund the recreational complex, library, maintenance facilities, and fire halls. Absent an exact known cost for these works, it is assumed the cost will be \$140 million. To the extent some of these works are DC eligible works, development charge credits may apply.
- **Region of Durham Services:** CALMI will fund all Regional facilities and services necessary including police, EMS, transit, regional road, water and wastewater infrastructure, and both the land and facilities necessary for all Regional services, including the proportionate share of services external to the subject lands necessary for the development of Cherrywood. The exact amount of land to be conveyed is unknown, but for purposes of this analysis it has been assumed the landowner would provide land and buildings for Regional services (assumed to be 30 acres, with the land and buildings assumed to have a value of \$120 million), and these buildings/facilities to be constructed and delivered to the Region. To the extent some of these works are DC eligible works, development charge credits may apply.
- **Parkland:** the development agreement included a proposal to provide one 40-hectare District Park, five (5) 8-hectare Community Parks, between 16 and 21 Neighbourhood Parks each ranging in size from 2.5 to 2.9 hectares, and 40-50 Village Greens, each ranging upward from 0.5 hectares, whether or not the total amount exceeds Planning Act requirements for parkland dedication. Using rough assumptions regarding the exact provision of park quantity and park size, it is estimated that this would equate to roughly 154 hectares (or 379 acres).
- **Trail Heads and Trail System:** The agreement also included a commitment to design, construct and install a trail system within the subject lands (valued at \$11 million), consisting of approximately 19 hectares of land, much of which would be in natural areas, thus difficult to assess value of the land being conveyed for trails.
- **Conveyance of Block for Post-Secondary Institution:** land will be conveyed to the City for a new post-secondary campus and related facilities. It is assumed that the land to be conveyed would be approximately 5 hectares (12.4 acres).
- **30-Acre City Health Care Block:** land will be conveyed to the City within the subject lands, generally identified on the Conceptual Land Use Plan as the “Health Care Block”, for the construction of medical and related facilities, which may or may not include a hospital. All municipal services required for development of the Health Care Block will be provided.
- **District Energy and Sustainable Infrastructure:** the agreement requires CALMI to explore District energy and sustainable infrastructure initiatives including EV charging, district energy infrastructure, photovoltaic grids and building cladding, wastewater energy heat transfer, green roofs, air-to-air and air-to-water heat pumps and other technologies.
- **Utilization of Existing and Proposed Infrastructure:** as estimated, the Cherrywood lands would build upon, utilize and optimize existing infrastructure in and around Cherrywood already owned by the City, Region and Province, roughly valued at over \$2 billion;

A summary table of the economic and fiscal benefits provided is found in Figure 1 below. In total, the various community benefits provided, both through financial contributions (DCs, permit fees) and in-kind (conveyance of land, construction of external infrastructure), amounts to roughly \$7.5 to \$7.8 billion,

depending on the availability of DC credits for City and Regional works constructed that may overlap with their respective development charge recoveries.

Figure 1

<b>Value of Community Benefits - Cherrywood</b>		
<b>Development Charges (City, Region, Education) for External City/Region Works</b>	\$	<b>2,166,870,000</b>
<b>Building Permit Fees</b>	\$	<b>78,830,000</b>
<b>Affordable / Attainable Housing (25% of Units) (see note 1)</b>	\$	<b>1,126,970,000</b>
<b>Funding of Internal Infrastructure Costs (roads/water/wastewater/storm)</b>	\$	<b>3,700,000,000</b>
<b>Land and Facilities for City of Pickering Services (see note 2)</b>	\$	<b>180,000,000</b>
<b>Land and Facilities for Region of Durham Services (see note 3)</b>	\$	<b>120,000,000</b>
<b>Parkland Provision (District Park, 5 Community Parks, 16-21 Neighbourhood Parks and 40-50 Village Greens) (see note 4)</b>	\$	<b>378,984,000</b>
<b>Trail Heads and Trail System (see note 5)</b>	\$	<b>30,000,000</b>
<b>Conveyance of Block for Post-Secondary Institution (see note 6)</b>	\$	<b>12,355,000</b>
<b>Conveyance of City Health Care Block (30 acres) (see note 7)</b>	\$	<b>30,000,000</b>
<b>TOTAL (Low)</b>	\$	<b>7,524,009,000</b>
<b>TOTAL (High)</b>	\$	<b>7,824,009,000</b>
<b>Utilizing Existing and Proposed Infrastructure</b>		
<b>Value of Existing and Proposed Infrastructure for Cherrywood lands to build upon, utilize and optimize</b>	\$	<b>2,000,000,000</b>

Note 1: Based on rough estimate of \$150,000 per unit (Region of Durham 2018 DC Study)

Note 2: Based on assumed 40.00 acres and value of \$1.0 million/acre

Note 3: Based on assumed 30.00 acres and value of \$1.0 million/acre, and assumed land values conveyed are 25% of building/facility value

Note 4: Based on assumed 379 acres and value of \$1.0 million/acre

Note 5: Based on assumed 19.0 acres at value of \$1.0 million/acre and \$11.0 million in improvements

Note 6: Based on assumed 12.35 acres and value of \$1.0 million/acre

Note 7: Based on assumed 30.00 acres and value of \$1.0 million/acre



## Economic Benefits

In addition to the value of community benefits provided, the construction and build-out of the subject lands would generate substantial economic benefits for the City, Region and broader economy:

- Construction-Related Employment and Economic Impact:** construction of the various residential and non-residential lands within Cherrywood is estimated to generate 96,100 person-years of employment in the construction of the project, as well as \$21.4 billion in Gross Output, and \$12.4 billion in GDP. Wages for those involved in the project are estimated to be approximately \$5.5 billion.
- Permanent Employment and Associated Income:** the development of the various non-residential / employment lands within the subject lands would accommodate a total of 35,186 jobs. It is estimated that these jobs would create employment opportunities valued at \$1.96 billion in annual income for those employed. These jobs would include positions within the retail, office, industrial and institutional sectors;

Figure 2

<b>Summary of Economic Benefits (Construction)</b>	
<b>Person-Years of Employment (Construction)</b>	<b>96,000 person-years</b>
<b>Wages from Construction Employment</b>	<b>\$5.5 billion</b>
<b>Gross Domestic Product</b>	<b>\$12.4 billion</b>
<b>Gross Output</b>	<b>\$21.4 billion</b>
<b>Summary of Economic Benefits (At Build-Out)</b>	
<b>Permanent Jobs in Non-Residential Space (note 1)</b>	<b>35,200 jobs</b>
<b>Income from Permanent Jobs</b>	<b>\$1.96 billion /year</b>
<b>Increased Annual Retail Spending</b>	<b>\$1.44 billion /year</b>
<b>Increased Taxable Assessment Value (note 2)</b>	<b>\$16.4 billion</b>
<b>Increased Annual Property Tax Revenues (City/Region/Education) (note 2)</b>	<b>\$62 million / year</b>

Note 1: Based on City FIS Report, with work from home and no-fixed place of work jobs added

Note 2: Based on City FIS Report, which was based on 25,000 units, scaled-up for 30,000 unit scenario

- **Estimated Assessment Value and Annual Property Tax Revenues at Full Build-Out:** based on the assumptions used in the FIS Report, the additional units would increase the property assessment value of the City/Region by \$16.4 billion (scaled-up from the \$13.9 billion estimated in the FIS for the increase from 25,000 to 30,000 units). Based on this range of property assessment value increase, the development would generate \$63 million per year for the City, Region and education;
- **Annual Retail Spending by Residents:** it is estimated that the persons and households residing within the Cherrywood lands, once built-out, would generate approximately \$1.44 billion per year in retail spending, a significant proportion of which would be spent at local stores and businesses.

### Auditor General Estimate of Land Value Uplift

The Auditor General's (AG) report<sup>1</sup> estimated that potential ultimate land value uplift from the decision to remove the 15 properties from the Greenbelt would amount to an increase of \$8.3 billion in value across all 15 properties and \$6.6 billion for the Cherrywood lands, also known as the Duffins Rouge Agricultural Preserve (DRAP). The report summarizes the land value analysis as follows:

*The owners of the 15 land sites removed from the Greenbelt could ultimately see a collective \$8.3 billion increase to the value of their properties. The Housing Ministry did not estimate how much the value of the land would increase to the benefit of a select few, if the Greenbelt restrictions on development were removed. A subsequent estimate we requested and obtained from the Municipal Property Assessment Corporation (MPAC), which is responsible for calculating property values for all municipalities in Ontario, indicates that removing the 15 land sites from the Greenbelt will increase their value by \$8.28 billion, with the value of one area alone—the Duffins Rouge Agricultural Preserve site in Pickering—increasing by \$6.63 billion (see Figure 9). Those estimates were assessed relative to MPAC's most recent full assessment on January 1, 2016, and did not account for additional increases in Ontario land values between 2016 and 2023.*

The estimate presented in the AG report relies on an MPAC estimate. Based on the approach used, the MPAC estimate finds that all 15 properties will have a land value increase of \$8.3 billion across 7,413 acres. The DRAP lands (4,289 acres) are estimated to see an increase of \$6.63 billion, with the total value of \$6.7 billion equating to an estimated average value of \$1,565,167 per acre. By comparison, the Other 3,124 acres (located in similar 905 municipalities), were estimated to have a value of \$579,385 per acre.

The report indicates that estimate is based on 2016 assessment values, and the footnote to the AG report (Figure 9) states that the assumed land parcels (7,413 acres in total) were all “low-density residential development lands”, and notes that “actual value impact ... cannot be fully realized until development plans are finalized and actual use is established.”

An assessment estimate solely on lands having low-density residential uses ignores the variety of land uses within the DRAP lands, including large areas to be designated for employment land uses (institutional, industrial, retail, and office) and non-developable lands such as passive parkland, natural heritage, utility corridors, and so on. Of the 4,289 acres of DRAP lands only 63% is considered developable, and of the developable lands, only a portion are for residential uses, and of the residential dwelling units, only 30% are low-density residential dwelling units.

<sup>1</sup> Office of the Auditor General of Ontario, Special Report on Changes to the Greenbelt, (August 2023)

Figure 3

---

**Estimated Change in Value of Lands Removed from Greenbelt, 2022**

	Size (Acres)	Valuation Before Removal		Valuation After Removal	
		Assessment Valuation	Valuation per Acre	Assessment Valuation	Valuation per Acre
Lands Removed from Duffins Rouge Agricultural Preserve (DRAP)	4,289	\$ 82,000,000	\$ 19,119	\$ 6,713,000,000	\$ 1,565,167
Other Greenbelt Lands Removed	3,124	\$ 158,000,000	\$ 50,576	\$ 1,810,000,000	\$ 579,385
Total	7,413	\$ 240,000,000	\$ 32,376	\$ 8,523,000,000	\$ 1,149,737

Source: Auditor General of Ontario

In summary, there are several issues with the estimates done for the DRAP lands:

- 1) The assumption used that all lands will be low-density residential lands ignores that a substantial proportion of DRAP lands will be non-residential and have a generally lower land value than low-density residential. Of the DRAP lands, roughly only 2,700 acres are developable, with the other 1,589 acres non-developable for various reasons (NHS, roads ROW, SWM ponds, etc.)
- 2) The land value used (\$1,565,200 per acre) is similar to an assumed land valuation used by the City in its 2022 Community Benefits Charge Strategy Study<sup>2</sup>, which used a land value of \$1,598,600 per acre (\$3.95 million/ha) for **serviced** developments built at a density of 100 units per hectare. The subject lands are not serviced and require substantial infrastructure improvements (internal and external) to be developed.
- 3) The assumed valuation per acre of low-density lands in the DRAP (\$1.56 million per acre) is roughly three-times higher than the presumably equivalent land values of other Greenbelt lands removed (\$579,400 per acre). There is no justification provided why the DRAP lands are assigned a significantly higher value than the other lands that are located in comparable areas throughout the GTA.

For illustration purposes, if the value of the “other greenbelt lands removed” (\$579,400 per acre) was used for the DRAP lands, the assessment valuation of the DRAP lands after removal would fall from \$6.71 billion to \$2.48 billion, resulting in a reduced land value increase of \$2.40 billion for the DRAP lands, and \$4.05 billion for all Greenbelt removal lands (rather than the current estimate of \$6.6 billion for the DRAP lands and \$8.28 billion for all 15 sites).

Given the variety of land uses to be constructed on the DRAP lands, including low-density residential, other higher-density residential lands, employment lands, institutional lands, conveyed community lands, parklands, non-developable lands, etc., it would be beneficial for the estimate presented in the AG report to be updated through a more robust and thorough analysis conducted by qualified persons.

Based on my review, it appears that the current land valuation may overestimate the value of removal (and likely significantly so) by oversimplifying the types of underlying land uses to be permitted, using significantly inconsistent land values from one area to the next, and using land values that themselves appear more akin to serviced high-density residential land values.

---

<sup>2</sup> Watson & Associates, City of Pickering, Community Benefits Strategy, (May 20, 2022), page 2-11

*Appendix F - Pickering Council Cost Recovery Minutes*

1. That Council endorse the comments contained in Report PLN 36-23, and as set out in Appendix I to Report PLN 36-23, as the City of Pickering Detailed Comments on the proposed changes to the definition of an “Affordable Residential Unit” in the *Development Charges Act*; and,
2. That staff be authorized to submit the comments in Report PLN 36-23 and Council’s resolution thereon, to the Environmental Registry of Ontario posting (ERO 019-7669) as the City of Pickering’s comments on the proposed changes to the definition of an “Affordable Residential Unit” in the *Development Charges Act*.

Carried

Resolution #307/23

Moved by Councillor Brenner  
Seconded by Councillor Cook

That leave be granted to suspend the rules of procedure to introduce a motion regarding Cost Recovery: Greenbelt – Cherrywood Area Lands.

Carried on a Two-Thirds Vote

11.11 Cost Recovery: Greenbelt – Cherrywood Area Lands

A brief discussion period ensued between Members of Council regarding the request to the Province, and the importance of ensuring the approach used in any future review of the Greenbelt lands is transparent and consultative.

Resolution #308/23

Moved by Councillor Brenner  
Seconded by Councillor Cook

Whereas, on December 14, 2022, the Province removed land in the City of Pickering from the Provincial Greenbelt Plan, known as the Cherrywood Area lands;

And Whereas, the Province directed through the Office of the Provincial Land and Development Facilitator to facilitate discussions with the City of Pickering, and the Cherrywood Area landowners, to develop a Master Plan of the Cherrywood Area lands and that such discussions included:



- a minimum of 25% of the 30,000 residential units (7,500 units) being a combination of affordable and/or attainable housing which included the provision of at least 6,000 income-based affordable housing units through recognized non-profit housing providers including Habitat for Humanity GTA and Durham Region Non-Profit Housing Corporation;
- total accommodation of 73,000 new residents and 23,000 jobs;
- a 30-acre health care campus – which could include a hospital, confirmed with a letter of understanding with Lakeridge Health and landowners;
- a 14-acre post-secondary school campus with Durham College, confirmed through a letter of understanding with Durham College and landowners;
- a substantial amount of publicly owned parkland, exceeding the Planning Act maximums;
- community centres, libraries, recreational complexes, fire halls, maintenance facilities, trails and an outdoor amphitheater for the performing arts;
- employment lands to foster economic growth and job creation; and,
- infrastructure - roads, water, wastewater, stormwater management systems, within the Cherrywood area lands and beyond.

And Whereas, the Province further directed the Office of the Provincial Land and Development Facilitator to facilitate negotiations of a Development Agreement, and other agreements, required for the Cherrywood Area to support an expedited development approval process in order to meet the Provincially imposed deadlines of achieving land use planning approvals by the end of 2023 and commencing construction by no later than 2025;

And Whereas, in reliance on the Provincial direction and timelines, the City expended taxpayers' dollars to retain additional planning, engineering, and administrative staff to expedite the review of the Cherrywood Area plans and studies required to meet the deadlines established by the Province;

And Whereas, in reliance on the Provincial direction and timelines, the City also expended taxpayers' dollars to retain external Legal Counsel and other technical consultants to negotiate the Development Agreement and protect the City's interests;

And Whereas, the City and its staff have worked expeditiously and cooperatively to achieve Provincial goals and timelines as directed at considerable time and cost to the City;

Now therefore be it resolved that the Council of The Corporation of the City of Pickering:

1. Endorses the actions of the Mayor to make a request to the Honourable Doug Ford, Premier of Ontario, and the Honourable Paul Calandra, Minister of Municipal Affairs and Housing, for the recovery and reimbursement of all costs incurred by the City since December 14, 2022, respecting the Cherrywood Area lands totaling \$360,135; and,
2. That should there be any consideration for any future Greenbelt lands review, that it be undertaken in a transparent manner through impartial, nonpartisan experts in conservation, agriculture and environmentalism, and include engagement with Indigenous communities and impacted municipalities and their Councils.

Carried Unanimously on a Recorded Vote

## 12. Motions and Notice of Motions

### 12.1 Street Naming for Former Pickering Councillor Donald Kitchen

Resolution #309/23

Moved by Councillor Brenner  
Seconded by Councillor Cook

WHEREAS, Section 02.02 (a) of Policy ADM 220, Street Naming Policy states that the procedure for reserving names not on the Reserve List to be used for public or private streets in Pickering requires all applicants to submit an application to add a street name to the Reserve List to the City Development Department which shall include the proposed name and the rationale for the name, in addition to the applicable fees as per the City's Fees and Charges By-law;

And Whereas, former Ward 2 Town Councillor Donald Kitchen, who passed away on April 18, 2023, resided in Bay Ridges and was a founding President of the Bay Ridges Eastshore Community Association, served as Ward 2 Town Councillor for 16 years, and was responsible for championing Community Centres, Kinsman Park, and Green Spaces in Pickering;

Now therefore be it resolved that the Council of The Corporation of the City of Pickering:

1. Recognizes that the late former Ward 2 Town Councillor Donald Kitchen was a resident of Pickering and exhibited significant importance to



*Appendix G - Mayor Dave Ryan Letters*



February 7, 2019

The Honourable Steve Clark  
Minister of Municipal Affairs and Housing  
College Park, 17<sup>th</sup> Floor  
777 Bay Street  
Toronto, ON M5G 2E5

Subject: City of Pickering – Growth Planning for the Greater Golden Horseshoe and Request for Action  
File: A-1000-001

---

I would like to thank you and your Government for initiating meaningful dialogue with municipalities in regards to governance, accountability, efficiency, and service delivery. It is in this spirit and also in direct response to the goals in the proposed changes to the Growth Plan for the Greater Golden Horseshoe and the challenges with regard to housing supply and affordability that I am writing to advocate for your action on a very significant local and regional planning matter.

Please note, the City of Pickering is not asking for an alteration to the Greenbelt boundary, size or shape. Rather, the City is asking your Ministry to correct a long-standing injustice to Pickering, by leveling the playing field for our citizens.

The City is asking for the removal of a singularly discriminatory clause inserted into the Greenbelt Plan at the 11<sup>th</sup> hour in 2005 by the Liberal Government - with no evidence, no notice, and no opportunity to consult - that effectively stripped Pickering of the same rights afforded to every other municipality impacted by the Plan.

The Greenbelt Plan (2005) permitted municipalities who had **initiated** settlement area expansion studies prior to the effective date of the Greenbelt Plan, (December 16, 2004), to complete and implement their studies (policy 3.4.4.1), but expressly prohibited Pickering from implementing the results of its municipally initiated settlement area expansion study (policy 3.4.4.2a). This “transition” was afforded to every other municipality except Pickering. Transition is a long-standing tool employed by democracies to ensure fairness and encourage private investment. Despite a specific request to the previous Government to have the clause removed, the 2016 Greenbelt Plan retained the same policy permissions and prohibitions noted above (although renumbered as policies 3.4.5.1 and 3.4.5.2a).

The City of Pickering’s comprehensive three year settlement area expansion study was **completed** on December 13, 2004, with Council’s adoption of the Study’s results through Amendment 13 to the



---

Pickering Official Plan, which among other matters, expanded the urban area into lands bounded by the CPR Belleville Line to the south, the York Durham Townline to the west, and the West Duffins Creek to the east. With no rationale or advance warning, this area was effectively frozen.

In response to the 2015 *Coordinated Review of Ontario's Land Use Plans as they relate to the Greater Golden Horseshoe, the Greenbelt Plan, and the Oak Ridges Moraine Conservation Plan*, the City of Pickering specifically asked the Government to remove the clause. On September 19, 2016, Pickering Council endorsed Planning Report PLN 15-16, which provided as part of its first recommendation, the removal of clause 3.4.4.2a in the former Greenbelt Plan (renumbered as 3.4.5.2a in the Greenbelt Plan 2016).

While our request had the support of the Region of Durham and also our local MPPs, who sat in the Government caucus of the time, the previous Government ignored our request.

The policy clause unfairly targeted the City of Pickering and ultimately interfered with our legislated right to plan and govern for the social, economic, and environmental well-being of our city and our citizens. Our 2004 Settlement Area Expansion Study addressed those criteria and was conducted as an open and public process, but was struck down by an arbitrary policy with no consultation, and for the last 14 years has negatively impacted our ability to appropriately accommodate the growth needs of the City, the Region and the Greater Golden Horseshoe.

As you may appreciate, it was extremely frustrating that other municipalities in similar situations were allowed to continue their planning processes for development projects that were already underway. It was truly extraordinary that in all of Ontario, it was this area of Pickering alone that was singled out. To this date, we have never been provided with any reason for the prior Government's action.

The City is simply asking for the same right accorded to all other Municipalities at the time, and that the discriminatory clause be removed from the Greenbelt Plan. The City will, of course, abide by all other planning requirements and will work accordingly with all stakeholders, including the Region of Durham, the conservation agencies, and your Ministry.

Thank you for your consideration. We would appreciate the opportunity to have a more detailed and meaningful dialogue on the matter.

Yours truly



Dave Ryan  
Mayor, City of Pickering

Copy: The Honourable Peter Bethlenfavy, MPP, Pickering-Uxbridge  
Members of Council  
Chief Administrative Officer



*Appendix H – GEI Infrastructure Letter*

To: Cherrywood Area Landowners :

**Re: Existing Infrastructure Review  
Cherrywood Area Lands  
City of Pickering  
Regional Municipality of Durham**

We are pleased to present this letter which provides a high-level summary of the existing major infrastructure located within or adjacent the Cherrywood Area Lands (bounded by the Canadian Pacific Railway to the south, Highway No. 407 to the north, York-Durham Line to the west and West Duffins Creek to the east). For the purpose of this letter, existing major infrastructure is defined as municipal water and wastewater facilities, natural gas and hydro-electric systems.

**Executive Summary**

The Cherrywood Area Lands contain several major servicing and utility corridors aligned through the Lands, primarily in the southern half near the CP Railway. The presence of this existing major infrastructure can assist and promote the ability of future development of the Cherrywood Area Lands to proceed in a suitable manner through the logical extension of servicing within the Lands from a south to north build out progression. The preparation of Master Servicing Studies, completed in consultation with affected municipalities, agencies and stakeholders will be necessary to determine extent of upgrades to existing infrastructure and new servicing/utility infrastructure requirements to accommodate future development of the Lands with municipal water distribution, sanitary sewage conveyance and utility supply.

**1. Sanitary Sewage Conveyance**

Two main trunk sewer branches of the York-Durham Sewage System (YDSS) are aligned near the southern boundary of the site, adjacent the CP Railway and through the Lands in an east-west direction, conveying sewage southeasterly towards the Duffins Creek Water Pollution Control Plant. The existing trunk sewers are deep, large diameter pipes that convey millions of liters of sewage per day. The proximity of the existing trunk sewers to the Cherrywood Area Lands presents an opportunity for studying potential new connection(s) to the existing trunk sewer to provide municipal, gravity-based sanitary servicing for the Lands.



## **2. Duffins Creek Water Pollution Control Plant (WPCP)**

The Duffins Creek WPCP is located in the City of Pickering, on the shores of Lake Ontario and services a total population of approximately 1,200,000 people. Based on the Duffins Creek WPCP 2021 Annual Performance Report, the WPCP is designed to treat an average daily flow rate of 630,000,000 L/day and in 2021 the WPCP operated at 53% of its approved capacity.

## **3. Municipal Water Distribution**

The existing Cherrywood Water Reservoir and Water Pumping Station represents major water supply infrastructure located along the southern boundary of the Lands, at CP Railway and Rosebank Road. In addition, an existing 400mm diameter watermain is aligned northly along Rosebank Road from the Cherrywood Reservoir/Pumping Station to existing residential communities at Rosebank Road/Third Concession Road and at Altona Road/Third Concession Road. The presence of existing major water supply infrastructure should aid in supporting potential future extensions of water supply mains to feed new water reservoirs and pumping stations to service the Cherrywood Area Lands.

## **4. Hydro-Electric Systems**

A series of existing Hydro-Electric Power Corridors (HEPC) are aligned through and adjacent the Cherrywood Area Lands in an east-west direction. Existing corridors exist through the Lands along Taunton Road and south of Third Concession Road. A third corridor is located near the Lands adjacent the CP Railway. The existing hydro-electrical power supply are routed through the Cherrywood Transformer Station, located near the southeast corner of the Lands, between Fairport Road and Dixie Road. The Cherrywood Transformer Station services the Pickering-Ajax-Whitby Sub-Regions with step down voltage for local distribution. Local distribution of hydro-electric supply to existing residents is available along most existing roads within the Lands via overhead low voltage power lines. Consultation with the local hydro-electric distributor will be required to determine voltage step down and new infrastructure requirements to service any future development within the Cherrywood Area Lands.

## **5. Gas Distribution**

Enbridge Gas owns and operates an existing pipeline aligned along the southern boundary of the site, adjacent the CP Railway. Existing distribution of natural gas is available locally within the Cherrywood Area Lands along sections of existing roads, south of Third Concession Road. Consultation with Enbridge Gas will be required to determine new infrastructure requirements to extend high and low pressure gas lines to service any future development within the Cherrywood Area Lands.

Sincerely,

**GEI CONSULTANTS LTD.**



Peter Slama, P. Eng.  
Senior Civil Engineer



*Appendix I - GEI - Master Water Servicing – Executive Summary*

## Memo

To: Minister of Municipal Affairs and Housing  
From: Scott Cole, P.Eng.  
Date: November 23, 2023  
Re: **Master Water Servicing – Executive Summary  
Cherrywood Area Lands, City of Pickering:  
Proposal to Return Lands to the Greenbelt - Greenbelt Statute Law  
Amendment Act, 2023 ERO No. 019-7739 and New Act regarding  
the Duffins Rouge Agricultural Preserve easements and covenants  
ERO No. 019-7735**

---

GEI Consultants and GM BluePlan Engineering Limited were retained by TACC Developments (the “Developer”) for the Phase 1 development Water Supply Feasibility Study (WSFS) and also on behalf of Cherrywood Area Lands Management Inc (CALMI) to prepare the preliminary Master Water Servicing plans for the Cherrywood Community Development Area.

The Phase 1 development area is located just north of the existing Durham Zone 2 Elevated Tank, which was confirmed to currently possess enough water supply capacity to support the development of the entirety of the lands forming the Phase 1 draft-plan. Phase 1 of the overall Cherrywood Community Development Area is comprised of 85 hectares (ha) in land area with a proposed build-out of approximately 1,200 residential units. While a master planning process was intended to guide infrastructure planning for the entire 1,700 ha Cherrywood Community development area, the water system for Phase 1 was intended to be a ‘stand-alone’ interim solution as outlined in the Phase 1 Functional Servicing and Stormwater Management Report.

A Water Supply Feasibility Study (WSFS) was completed in support of the Phase 1 draft-plan which documented alternative servicing strategies for providing municipal water supply to the Phase 1 area. Consultation with Durham Region was conducted throughout the completion of the WSFS including during development of the alternative servicing strategies. The WSFS reviewed the opportunities and constraints related to each strategy and identified a preferred water supply strategy, which was further refined through local water system modelling.

Through many meetings and discussions with the Region of Durham and City of Pickering, the preferred water supply strategy was conclusively determined, and on August 16<sup>th</sup>, 2023 the Cherrywood Phase 1 WSFS was submitted to the Region. A new interim Booster Pumping Station (BPS) was planned to be constructed by the Developer within the Phase 1 draft-plan lands at its sole cost and expense. The BPS is planned to have sufficient capacity for water supply, as well as fire protection for the entirety of the lands forming Phase 1 of the development.

Based on direct consultation between and amongst the City of Pickering, Region of Durham and GEI Consultants, the Developer was well on track to securing the requisite approvals, construct the booster pumping station, and provide municipal services to Phase 1 of the Cherrywood Community Development Area. In addition, preliminary grading and functional servicing for Phase 2 was underway; all in advance of the prescribed deadlines imposed by the Province.

Upon completion of the master planning process for the Cherrywood Community Development Area, a water supply and servicing strategy would be recommended for the 1,700 hectare area of Cherrywood. This strategy was envisioned to include new transmission mains, pumping facilities, and storage



facilities for Water Pressure Zones 3, 4, and 5 in Cherrywood. Inter-connectivity with the Seaton community was also considered providing overall system resiliency.

Once the master-planned water servicing strategy was confirmed, it would be implemented and would supersede the interim water servicing strategy developed for Phase 1 through the WSFS. The interim Zone 3 BPS for Phase 1 would then be decommissioned and Phase 1 would be serviced by the master-planned water system. It is important to note that all costs associated with these infrastructure requirements would have been the sole cost and expense of the CALMI landowners.

GEI Consultants were also retained to complete a Scoped Sub-Watershed Study (SSWS) for the entire Cherrywood Community Development Area. GEI and the Developer had a positive working relationship with the Toronto and Region Conservation Authority ("TRCA") and through discussions with the TRCA, it was agreed that GEI would complete the SSWS on behalf of the TRCA.

A Terms of Reference (TOR) was prepared and approved by the TRCA to define the scope of the SSWS study. There are 3 individual watersheds involved with Cherrywood Division area: Petticoat Creek, Duffin's Creek, and Frenchman's Bay, with the Petticoat Creek serving as the major watershed across the Cherrywood lands. The TOR was originally prepared by the GEI and reviewed by TRCA. Following the close technical consultation between our office and the TRCA, the TOR was approved by the TRCA in September 2023.

**In summary, it is our view that the existing infrastructure as it relates to both water supply and sanitary servicing is more than sufficient to support and service the lands comprising Phase 1 of the Cherrywood Community Development Area. The Developer's efforts towards a master-planned servicing strategy would ensure the orderly development of infrastructure for the entirety of the Cherrywood Community Development Area.**

Should you have any questions or require further information, please do not hesitate to contact the undersigned.

**GEI CONSULTANTS INC.**

A handwritten signature in blue ink, appearing to read 'S. Cole', is positioned above the typed name and title.

Scott Cole, P.Eng.  
Principal, National Practice Leader - Civil



*Appendix J - SCS - Sanitary Servicing Plan Executive Summary*

To: Minister of Municipal Affairs and Housing

Re: **Master Sanitary Servicing – Executive Summary  
Cherrywood Area Lands, City of Pickering: Proposal to Return Lands to the Greenbelt -  
Greenbelt Statute Law Amendment Act, 2023 ERO No. 019-7739 and New Act regarding  
the Duffins Rouge Agricultural Preserve easements and covenants ERO No. 019-7735**

SCS Consulting Group Ltd (SCS) is retained by TACC Developments on behalf of Cherrywood Area Land Management Inc. (CALMI) to prepare the preliminary Master Sanitary Servicing plans for the Cherrywood development area in the City of Pickering (the “Development Area”).

The Development Area is immediately adjacent to the York-Durham Sanitary Sewer (YDSS) and the Southeast Collector Sanitary Sewer (SEC). The location of the YDSS and SEC trunks sewers allow for multiple connection points to efficiently service the entire Development Area.

The sanitary drainage from the Development Area is proposed to be divided into three separate catchment areas and connect to the YDSS sewer at Altona Road, Rosebank Road, and Fairport Road. The catchments areas are defined based on the existing terrain, drainage patterns, environmental features and land ownership to minimize sewer depths and ultimate long term operation costs. The total serviceable drainage catchment is approximately 1,145 ha servicing a potential population of approximately 97,000 people. Existing communities adjacent to the Development Area have also been accommodated in the Master Servicing Plan.

SCS submitted the Master Sanitary Servicing Plan to the Region of Durham and York for review and comment on June 22, 2023 and July 27, 2023 respectively; a complete copy of which is enclosed in this letter. SCS also presented to the Region of Durham on June 22, 2023 preliminary design submissions of the trunk sewer connections to the YDSS at Rosebank Road and Altona Road to service both Phase 1 and 2 of the Development Area. Numerous discussions and meetings of an advanced nature were held with interested parties and utilities (including Enbridge and Canadian Pacific Rail) to successfully advance the master servicing concepts and trunk connection of the Development Area to the YDSS.

**SCS and Duffin Capital Corp Inc. were well on track to secure the requisite approvals, construct the trunk sewer connections, and provide service to Phase 1 and 2 of the Development Area, all in advance of the prescribed deadlines imposed by the Province.**

Should you have any questions or require any further information at this time, please do not hesitate to contact the undersigned.

Regards,  
**SCS Consulting Group Ltd.**

A handwritten signature in blue ink, appearing to read 'PSarta', is written over the name Paul Sarta.

Paul Sarta, P. Eng.

Associate  
psarta@scsconsultinggroup.com

Attachment: Letter from York Region Regarding Sanitary Capacity (August 4, 2023)

P:\1008 Tacc Pickering\Correspondence\Letters\2023 11(Nov) 28 - PS - Sanitary Servicing Plan Executive Summary.docx



August 4, 2023

Duncan Webster  
Senior Development Manager  
TACC Developments

Dear Duncan:

**Re: Cherrywood Development – Sanitary Sewer Conveyance Capacity**

This letter is regarding the sanitary sewer conveyance capacity within the York Durham Sewage System (YDSS) for the Cherrywood development area located in the City of Pickering.

York Region, through agreements with Durham Region, owns and maintains the existing Regional sanitary sewers adjacent to the Cherrywood development. The proposal for the Cherrywood development contemplates a series of connections into this Regional trunk system. York Region can confirm there is sufficient sanitary sewer conveyance capacity at the proposed connection points. Through proper agreements and coordination, connections to the system can be facilitated with York Region. With respect to broader wastewater servicing allocation, this will be provided through Durham Region.

If you have any questions, please feel free to call me.

Sincerely,

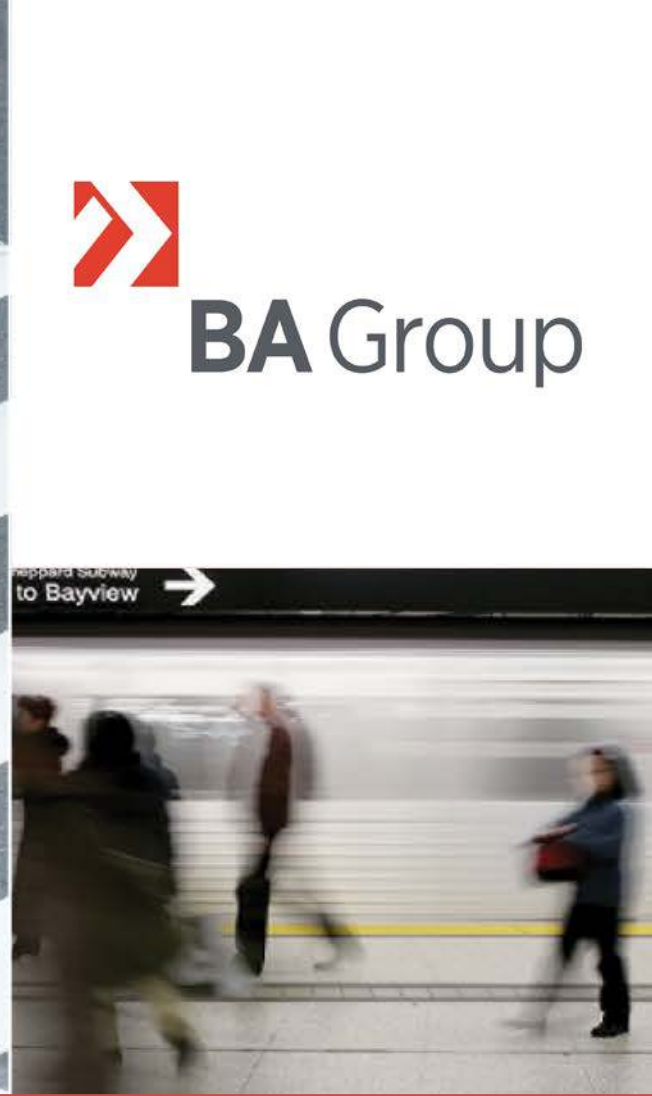
A handwritten signature in black ink, appearing to read "Mike Rabeau".

Mike Rabeau  
General Manager, Capital Infrastructure Services

cc Elaine Baxter-Trahair – CAO, Regional Municipality of Durham  
Bruce Macgregor – CAO, Regional Municipality of York

YORK-#15650674

*Appendix K – BA Transportation Presentation*



**BA Group**

# Cherrywood Transportation Review

PRESENTED TO  
Durham Region  
May 2023

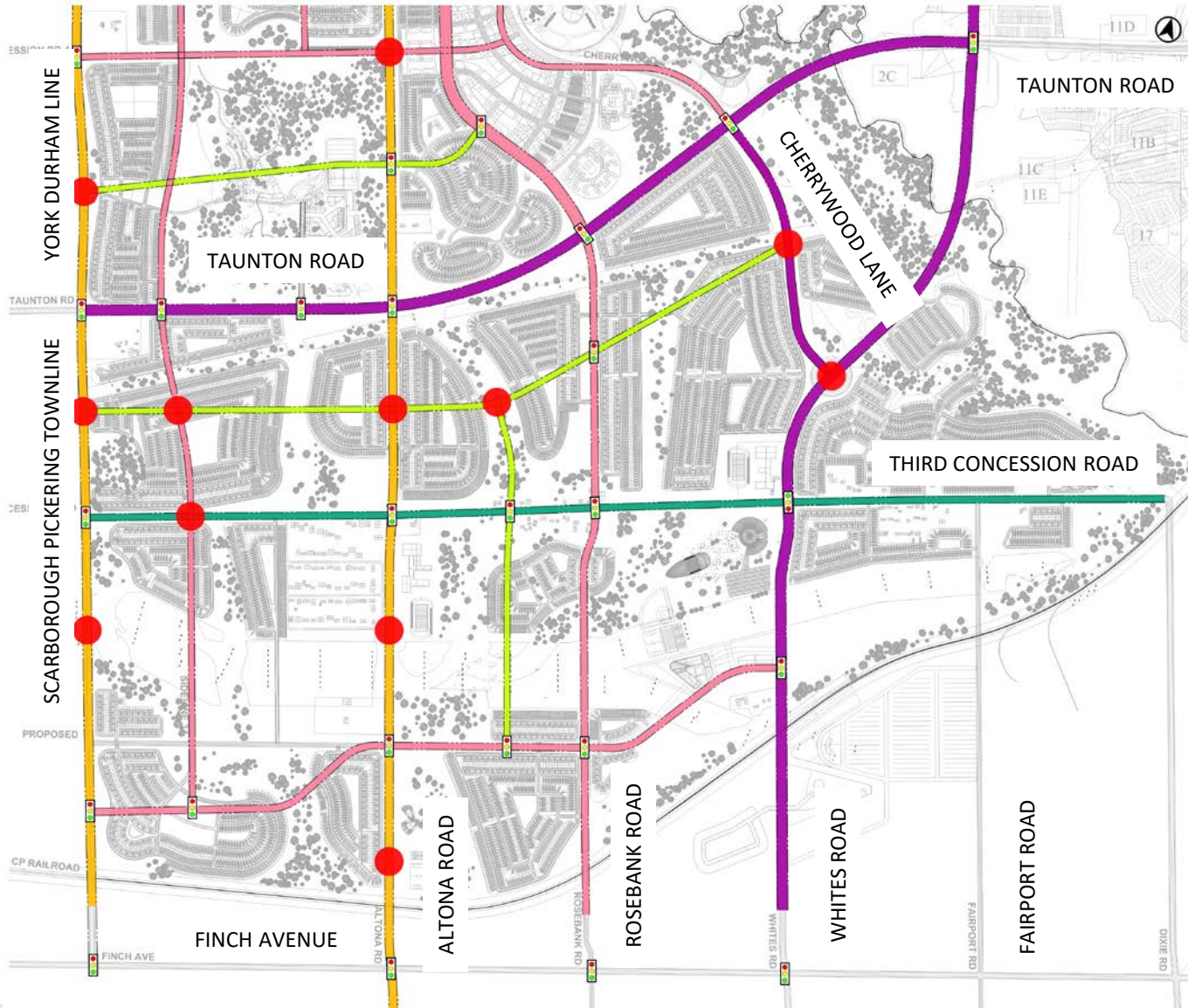
[8160-06]












- The North Pickering Transportation Project is underway
- The existing regional road network will be generally maintained
  - Altona north of Alexander Knox Realignment
  - Signal Spacing
  - Level Crossings of CP line
- Higher-order east-west transit
- Initial surface transit plan has been developed
- Active transportation

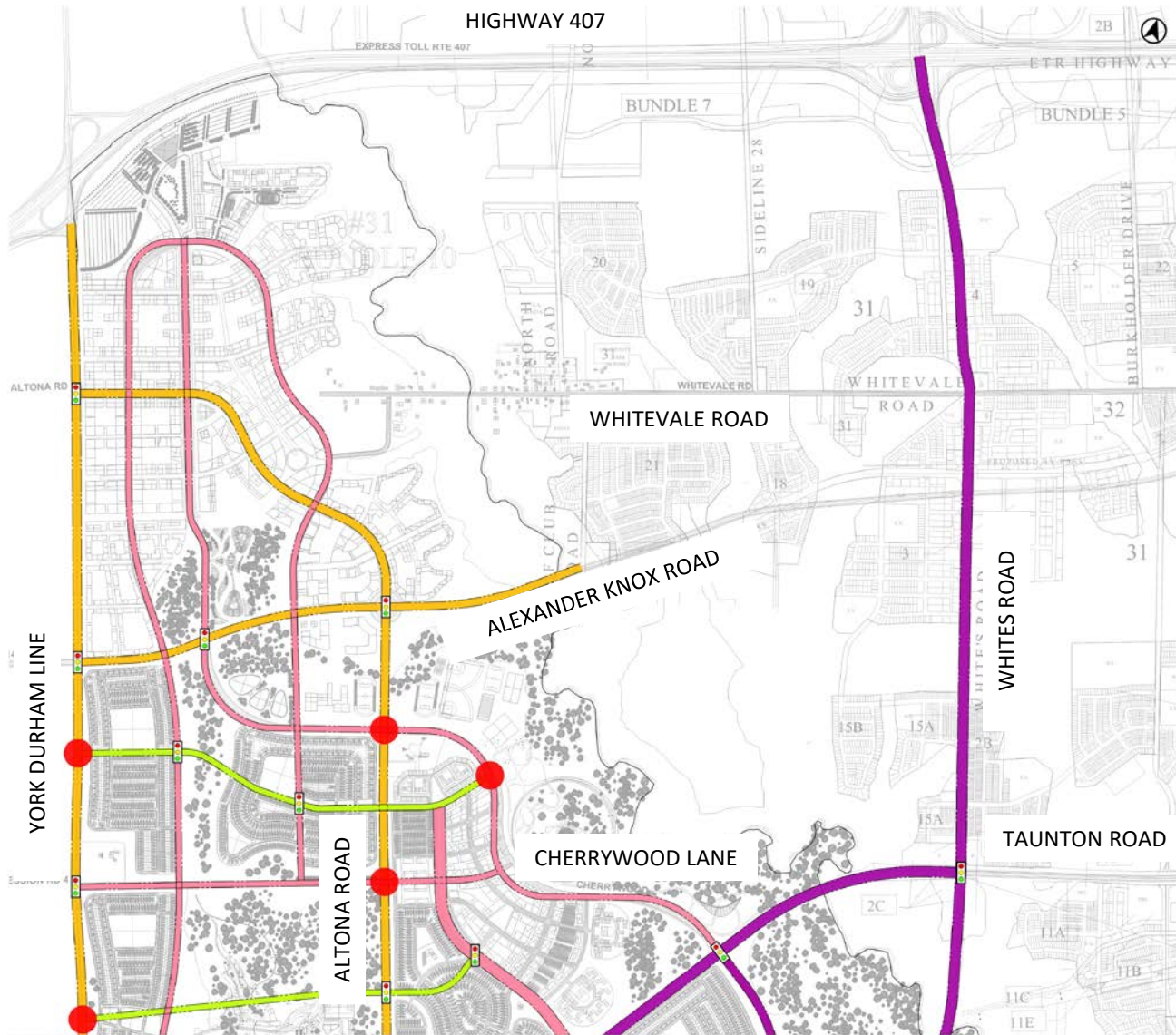
# Cherrywood Proposed Road Network










## LEGEND

-  CITY COLLECTOR
-  REGIONAL TYPE 'C' ARTERIAL
-  REGIONAL TYPE 'B' ARTERIAL
-  REGIONAL TYPE 'A' ARTERIAL
-  POTENTIAL COLLECTORS
-  SIGNAL
-  POTENTIAL SIGNAL

# Cherrywood Proposed Road Network

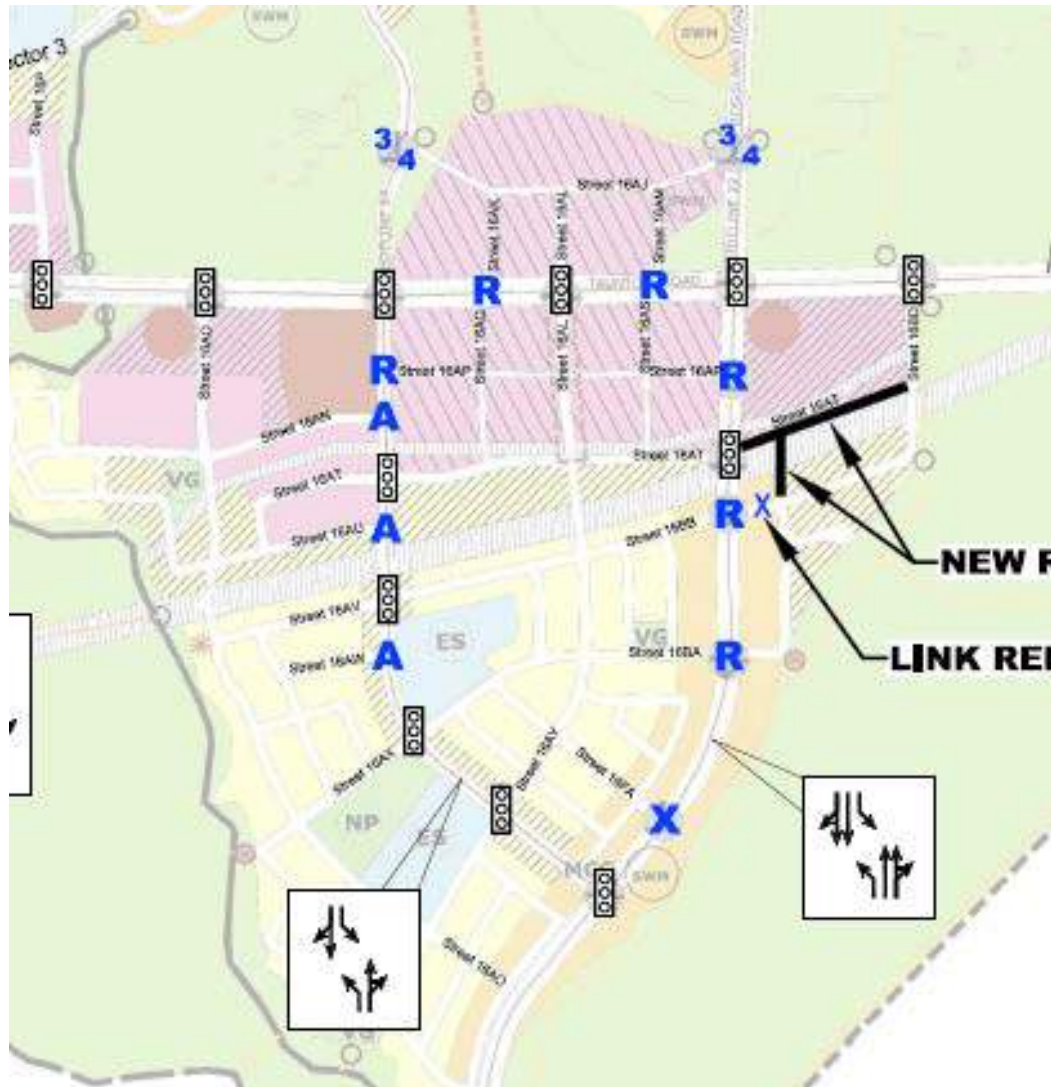


## LEGEND

-  CITY COLLECTOR
-  REGIONAL TYPE 'C' ARTERIAL
-  REGIONAL TYPE 'B' ARTERIAL
-  REGIONAL TYPE 'A' ARTERIAL
-  POTENTIAL COLLECTORS
-  SIGNAL
-  POTENTIAL SIGNAL

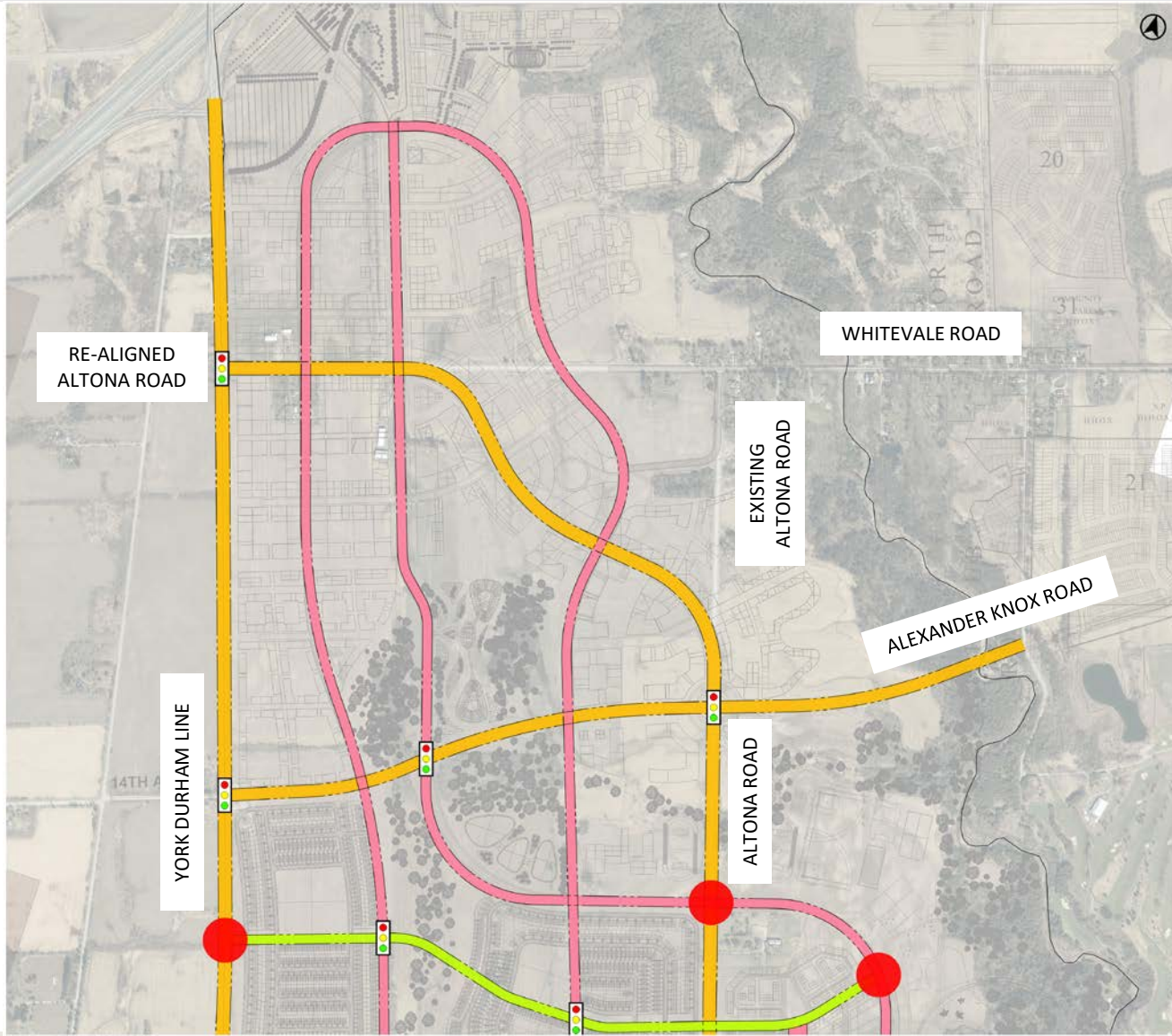


# Intersection and Signal Spacing – Next Steps










BA Group will prepare intersection and signal spacing diagrams for the arterial road network. This will be reviewed and refined in consultation with the Region and City.

# Cherrywood Proposed Road Network – Altona Road

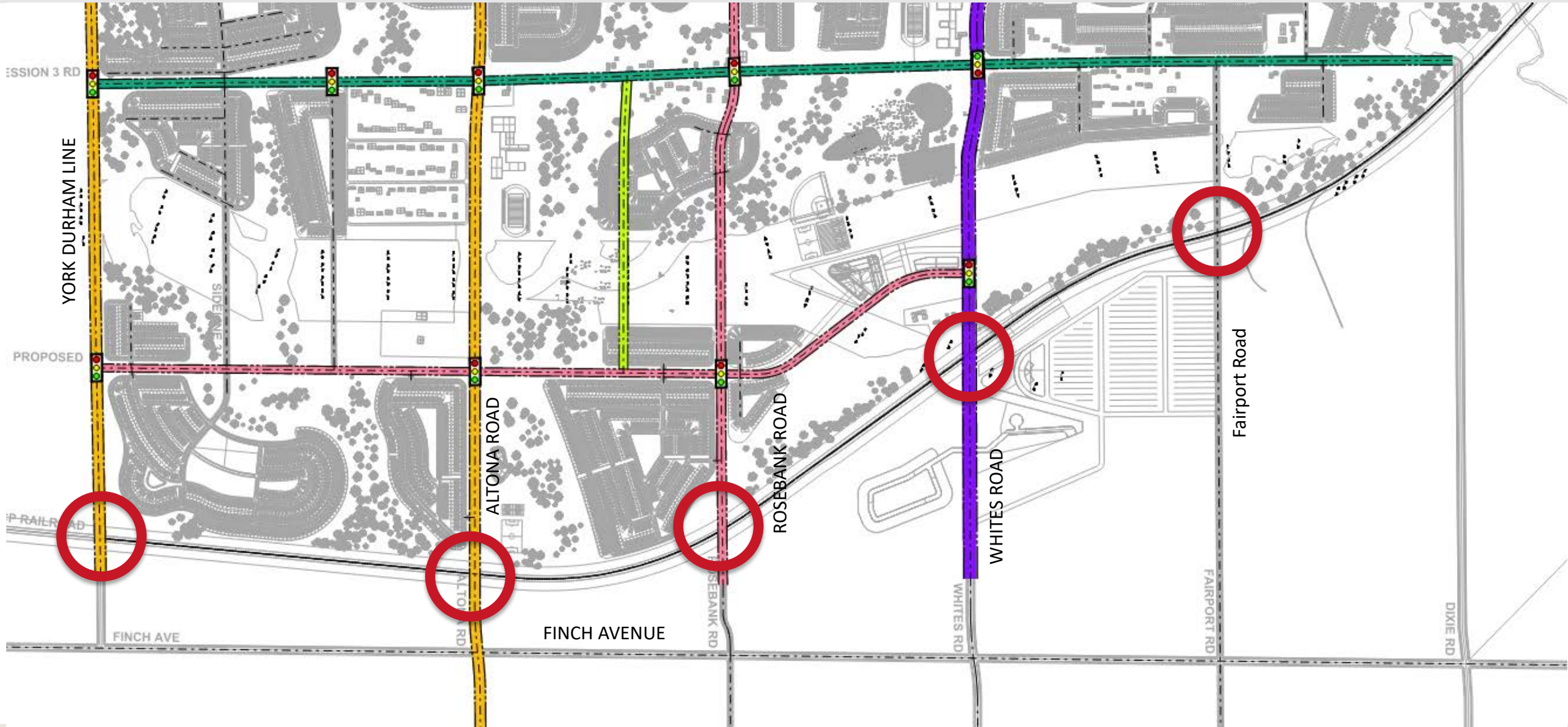


## LEGEND

-  CITY COLLECTOR
-  REGIONAL TYPE 'C' ARTERIAL
-  REGIONAL TYPE 'B' ARTERIAL
-  REGIONAL TYPE 'A' ARTERIAL
-  POTENTIAL COLLECTORS
-  SIGNAL
-  POTENTIAL SIGNAL



# Cherrywood Level Crossing Review

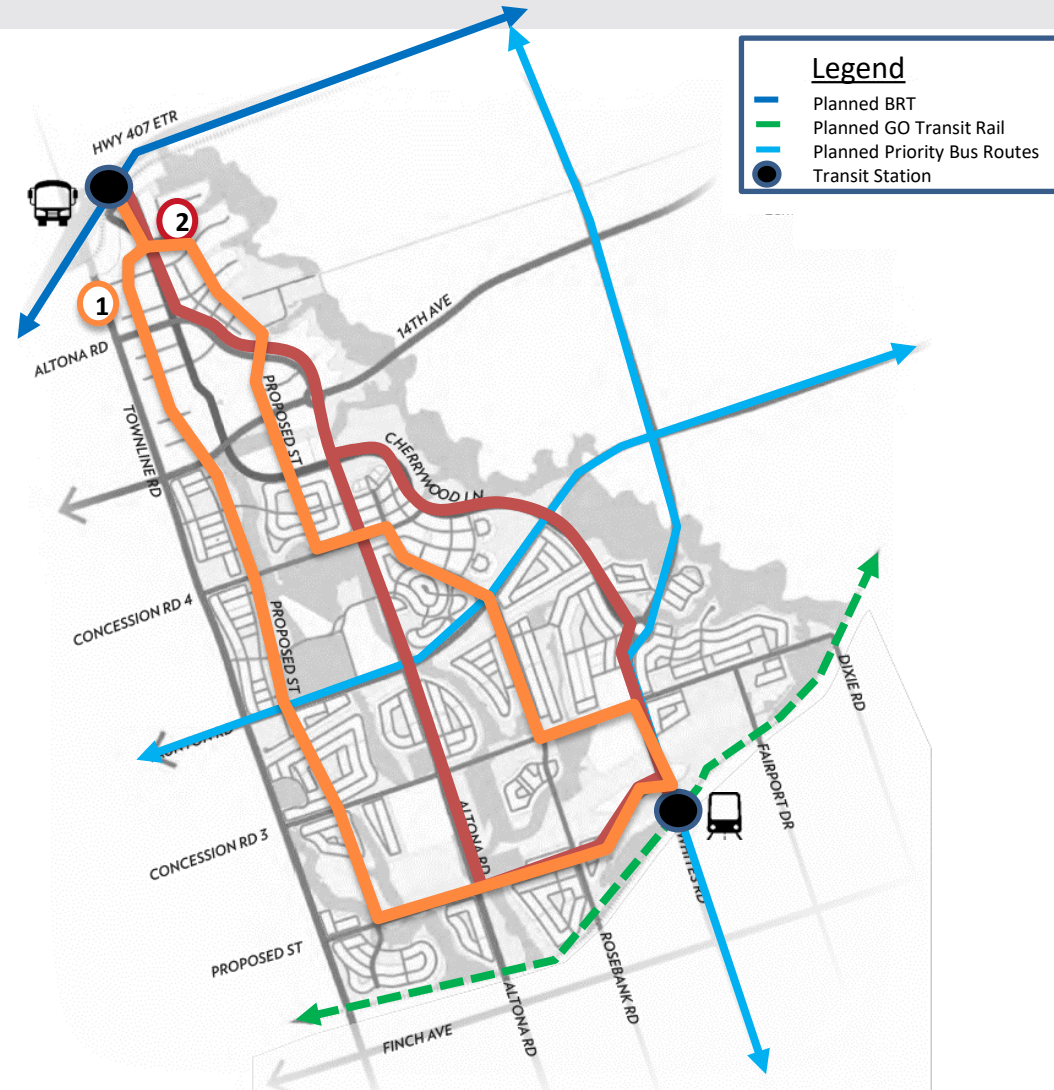




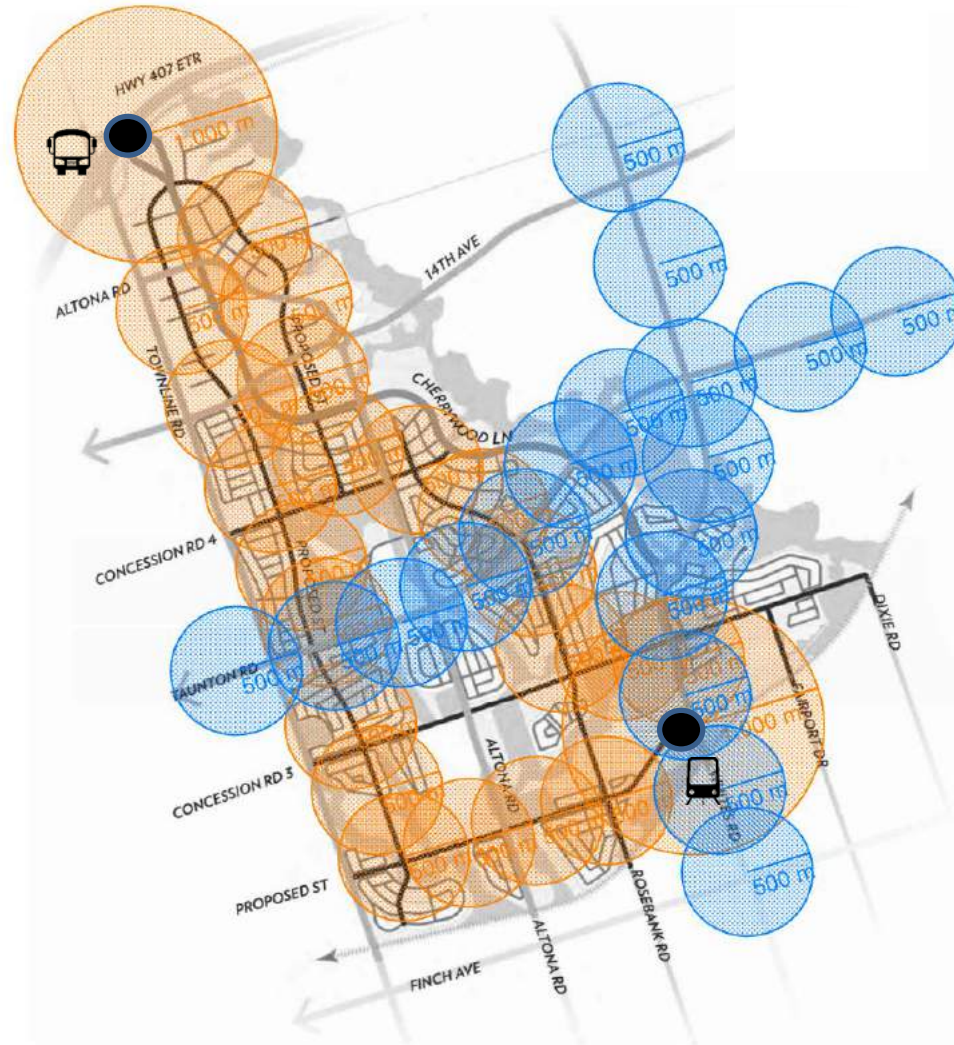
# Planned Transit Network



# Internal Transit Considerations

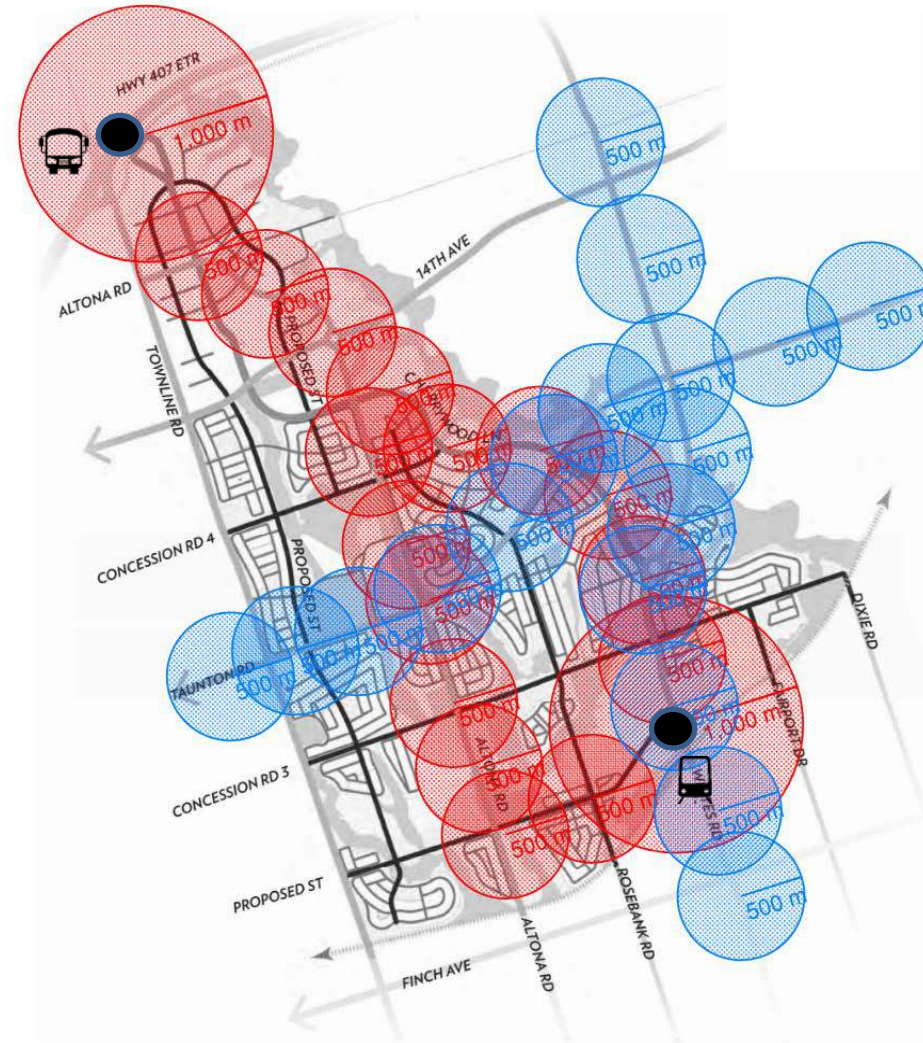


# Proposed Route 1 & Planned Bus Route Coverage

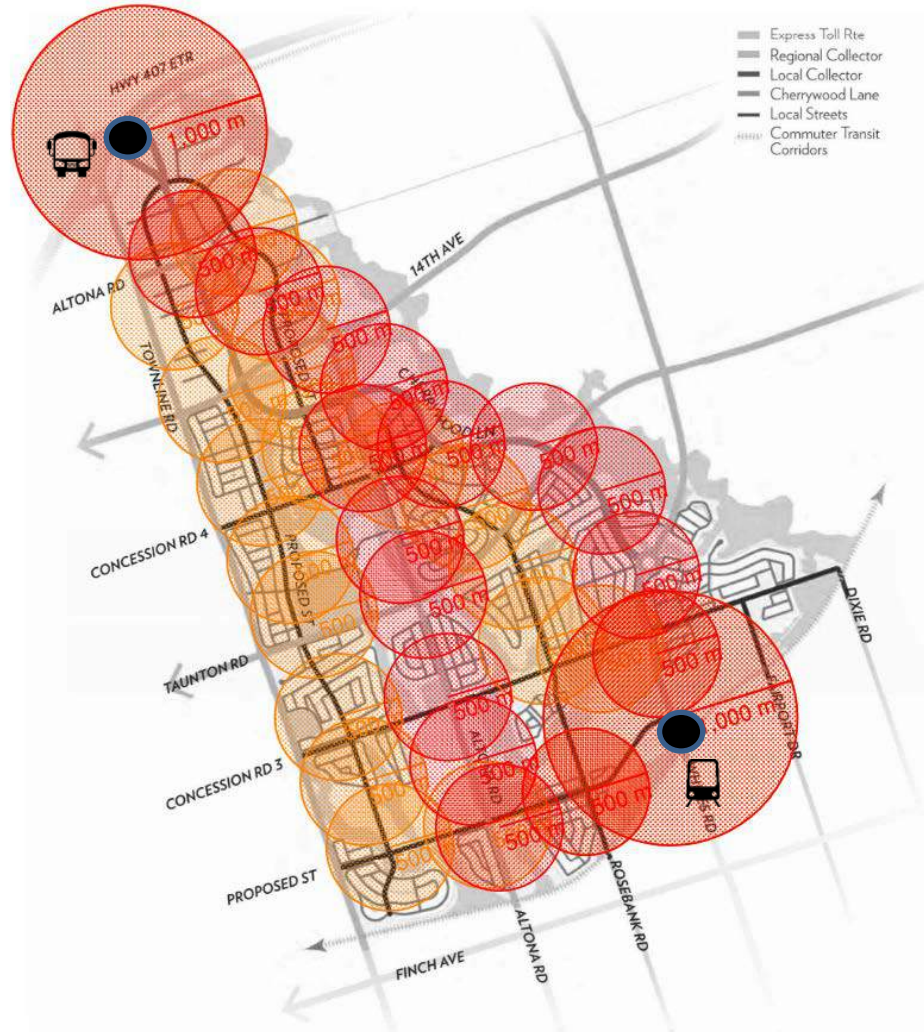




# Proposed Route 2 & Planned Bus Route Coverage



# Combined Route 1/ 2 Coverage



# Active Transportation



Three layers of active transportation connections:

- New collector and arterial roads will have cycle tracks & sidewalks
- New local roads will be designed for safe travel by pedestrians and cyclists
- A network of multi-use paths will connect to key nodes (schools, parks, transit) in the community



*Appendix L – Colville Agricultural Analysis*



November 27, 2023

Cherrywood Area Lands Management Inc. (CALMI)  
Pickering, ON  
L1X 2R5

To: CALMI Landowners

**RE: Preliminary Summary of Agricultural Analysis Findings for Cherrywood Lands**

In September 2023, Colville Consulting Inc was retained to update the Agricultural Analysis completed by ESG International in 2003 for the Cherrywood Lands in the City of Pickering. These lands, herein referred to as the Subject Lands, are located east of Marham-Pickering Town Line, south of Highway 407, west of West Duffins Creek, and north of the east-west CN rail line.

The Subject Lands are part of a previous provincial land assembly dating back to the 1970s. The intended purpose of the land assembly was to support the development of an airport north of Highway 7 in Pickering. However, due to decisions delaying the airport's construction, these lands were leased to agricultural producers under various lease agreements. In 1995, the Province initiated the sale of these lands to the long-term tenants through a Tenant Purchase Program.

As outlined in the 2003 Agricultural Analysis, the provincial ownership and leasing of these lands have not fostered a sustainable agricultural environment. The Subject Lands are situated amidst significant urban expansion to the south and east. These developments, coupled with the establishment of Highway 407, have diminished the long-term viability and agricultural significance of the lands located to the south. These are not high priority lands for farmers looking to increase their agricultural land base. The artificial maintenance of this area for agricultural purposes has resulted in a fragmented urban/rural landscape with extensive areas where agricultural and non-agricultural land uses interface. This extensive agricultural-urban interface creates a high potential for conflict between agricultural and non-agricultural land uses.

Agricultural investment within the Subject Lands has been minimal. Despite permissions for constructing agricultural structures and the farmer's ownership of such buildings, the lack of actual land ownership has deterred significant investment. The uncertainty surrounding the airport's construction and subsequent use of the Subject Lands further discouraged substantial agricultural investments. Consequently, capital-intensive agricultural investments and activities are nearly absent within the boundaries of the Subject Lands.

Given the Subject Lands' close proximity to urban development, the high prices of land make it financially unjustifiable for farmers to either purchase or retain these lands based on potential revenues from current or future agricultural production. The ESG report concluded that the conditions created by the Province in

1995 were unlikely to encourage agricultural investment by producers or agricultural financiers in the future. In our opinion, it does not appear that the conditions have changed over the past 20 years. Our assessment of the Subject Lands aligns with the ESG conclusions.

This memorandum summarizes our preliminary findings of the updated Agricultural Analysis and describes the current agricultural character of the Subject Lands.

## **STUDY FINDINGS**

In updating ESG's 2003 Agricultural Analysis, various agricultural-related sources were analyzed through a desktop review. The background data collection was supplemented with a reconnaissance-level land use survey of the Subject Lands, and all lands within 1.5 km of the Subject Lands. The land use survey was completed on September 6<sup>th</sup> and 7<sup>th</sup>, 2023. The findings of the background review and land use survey are summarized below.

### **Soils & CLI**

#### **Subject Lands**

The ESG 2003 Agricultural Analysis concluded the following regarding the Canada Land Inventory capability ratings and soils present on the Subject Lands:

- ♦ the Subject Lands are dominated by Milliken Loam soils with inclusions of Woburn Loam and Brighton Sandy Loam;
- ♦ the Milliken Loam soils are Class 1 within the Subject Lands, while the Woburn Loam soils are Class 1<sup>5</sup>2T<sup>5</sup>, and the Brighton Loam soils are Class 2FM; and
- ♦ the lands within the Subject Lands experience moderate limitations to agricultural crop production due to adverse topography (2T), low inherent fertility (2F), and droughtiness (2M).

A review of the *Soil Survey for Durham County – Report No. 9 of the Ontario Soil Survey (1946)* mapping indicates that the soils and CLI capability ratings listed in the 2003 Agricultural Analysis are accurate and have not changed since the completion of the report.

Although the ESG 2003 Agricultural Analysis does not describe the areas of Bottom Land and Muck soils, nor their CLI capability ratings, the ESG mapping indicates their presence on the Subject Lands. The presence of Bottom Land and Muck soils on the Subject Lands was confirmed by the *Soil Survey for Durham County* mapping.

Bottom Land soils and Muck soils are poor agricultural soils and are not used for common field crop production, with the exception of limited areas used for pasture. Bottom Land soils have a CLI rating of Class 5I and have very severe limitations for common field crop production due to inundation by streams or lakes. Muck soils are organic soils that occur in depressions along slowly flowing streams and are not assigned a CLI capability rating.

#### **Surrounding Area**

The ESG 2003 Agricultural Analysis concluded the following regarding the Canada Land Inventory capability ratings and soils present on the lands surrounding the Subject Lands:



“The soils of the area surrounding the Subject Lands are characteristic of the South Slope physiographic region. According to 1:63,360 County-level soils mapping, the area consists of medium to coarse textured (loam and sandy loam) soils dissected by southerly-flowing rivers and creeks. Heavy textured soils are most common south and southwest of the Subject Lands, in the vicinity of the Lake Ontario shoreline. Clay soils are, however, found as small inclusions within the surrounding, coarse textured materials situated to the east of the Subject Lands, near Oshawa.”

“According to 1:50,000 CU manuscript mapping (see Figure 8), the soils of the area surrounding the Subject Lands and more broadly of the South Slope physiographic region, are generally of high capability and are defined as prime agricultural land within provincial policy. Common limitations to agriculture within the area relate to undesirable topography (t), low inherent fertility (f) and moisture limitations (m).”

Through a review of the soils and CLI mapping of the lands surrounding the Subject Lands, we have confirmed that the information stated in the ESG information is accurate and there has been no change since the completion of the 2003 Agricultural Analysis. However, this information is most suitable for regional scale planning purposes. In our opinion, the amount of CLI Class 1 lands is significantly lower than mapped at the regional scale (i.e., 1:63,360). The methods used to map soils in 1946 have changed and we are recommending that the soils and CLI capability in the Subject Lands be refined. This should provide a more accurate representation of the CLI Capability of the lands within the Subject Lands.

## **Land Use**

The ESG 2003 Agricultural Analysis concluded the following regarding land uses present on the Subject Lands:

- ♦ there are several areas of residential developments within the Subject Lands including Cherrywood West, Cherrywood, Cherrywood East, Whitevale, and Green River. These developments have resulted in approximately 165 residential uses within the Subject Lands;
- ♦ the hamlets of Cherrywood and Green River contain residential and small commercial land uses;
- ♦ the Subject Lands contain a large number of retired or abandoned agricultural operations which are commonly used for non-farm residential purposes, while the surrounding lands are tenant farmed and used for the cultivation of common field crops;
- ♦ agricultural uses within the Subject Lands are dominated by field crop production, with minimal lands used for forage and pasture production;
- ♦ there is no specialty crop production within the Subject Lands;
- ♦ investment in agricultural infrastructure (barns, grain dryers, fencing, and irrigation) is limited and show minimal investment in new buildings or the expansion of existing agricultural infrastructure;
- ♦ most barns within the Subject Lands are older bank barns and larger, modern barns are not present;
- ♦ the majority of barns within the Subject Lands show no evidence of intensive use;
- ♦ several small hobby farms are located within the Subject Lands, with most used for the housing of horses; and
- ♦ agricultural support enterprises (e.g., farm equipment dealers, agricultural commodity processing facilities, feed and seed retailers, hardware stores, etc.) are not present within the Subject Lands.

This indicates no significant investment in agriculture in the area and may hinder the long-term viability of agriculture in the area.

A reconnaissance-level land use survey of the Subject Lands, and all lands within 1.5 km of the Subject Lands, was completed on September 6<sup>th</sup> and 7<sup>th</sup>, 2023. The results of the land use survey were similar to that of the 2003 Agricultural Analysis. The land use survey noted that:

- ♦ there are a large number of retired or abandoned agricultural operations, which are now used for residential purposes and the surrounding lands are tenant farmed for the production of common field crops;
- ♦ there is little evidence of new investment in agricultural infrastructure (new or expanding);
- ♦ the majority of agricultural operations are small scale, with most agricultural operations being hobby farms or cash crop operations;
- ♦ there are few livestock operations located within the Subject Lands;
- ♦ there are several non-agricultural land uses within the Subject Lands;
- ♦ a significant portion of the Subject Lands are forested and not used for agricultural production; and
- ♦ there are no agricultural supporting operations within the Subject Lands.

Livestock operations within the Subject Lands are limited and there does not appear to have been an increase in investments of new or expanding agricultural infrastructure. In fact, it appears that there may have been a decrease in the level of infrastructure maintenance. It is also worth noting that the 2023 land use survey identified more non-agricultural operations within the Subject Lands than the ESG 2003 land use survey. This indicates that the agricultural influence in the area has continued to diminish.

The ESG 2003 Agricultural Analysis stated that the hamlet of Green River was located within the Subject Lands. However, Green River is located north of the Subject Lands and the land uses within Green River should not have been included as part of the Subject Lands. The ESG 2003 Agricultural analysis states that “approximately 35 homes and some small commercial land uses” were identified within Green River.

## **Transportation Plan**

Schedule II of the City of Pickering Official Plan (2022) indicates the future development of a Type B Arterial Road within the Subject Lands. This road will run east-west, connecting Markham-Pickering Townline Road to the intersection of Whitevale Road and Peter Mathhews Drive. Type B Arterial Roads are defined within the City of Pickering Official Plan as a road “designed to carry moderate volumes of traffic at moderate speeds, within a municipality; have some access restrictions; and generally, have a right-of-way width ranging from 30 to 36 meters.”

The proposed Type B Arterial Road will lead to further fragmentation within the Subject Lands and will lower the agricultural priority of the lands. The introduction of this roadway will increase the volume of non-farm traffic within the Subject Lands, which may cause negative impacts to agricultural operations by making the moving of farm equipment more difficult and dangerous.

At the time of completion of the ESG 2003 Agricultural Analysis, the proposed Type B Arterial Road had not yet been mapped within the Subject Lands. However, the ESG report stated that “the Subject Lands are

connected to the existing urban area of Pickering to the south via a network of existing roads” and that “the presence of existing roads facilitates development without the requirement for extensive new road construction.” The additional roadway would further facilitate development and connect the Subject Lands with the City of Pickering settlement area. It will also result in the further fragmentation of the agricultural land base and potentially result in the introduction of new, non-farm land uses.

## **Agricultural Census Data**

The ESG 2003 Agricultural Analysis included the 2001 Census of Agriculture data for the Pickering area. At that time there were 14,817 acres of farmland in the Pickering Census Subdivision, with a total of 72 farms. As of 2021, there were 9,650 acres of farmland in the Pickering Census Subdivision, with a total of 47 farms. This represents a 34.9% reduction in farmland and a 34.7% reduction in the number farms in Pickering since 2001.

The 2003 Agricultural Analysis concluded that farms within Pickering were trending to be fewer and larger. This is consistent with what has occurred in many parts of the province. However, the 2021 Census of Agriculture data shows that the average farm size has remained fairly consistent. This indicates that in the Pickering area, the trend of farms becoming larger in size, with the decrease in the number of farms has not been realized. This is another indication of the reluctance of farmers to add to their holdings. This is likely related to the lands being less economically viable for agricultural operations and the increase in potential conflicts as a result of the prevalence of non-farm land uses and expanding urban areas.

In 2001, 71.6% of the farmland in Pickering was used for crop production, which equates to 10,611 acres of cropland. The percentage of lands in crops within the agricultural land base increased from the 1996 census period. The ESG 2003 Agricultural Analysis stated that this increase in percentage of lands used for crop production was indicative of an increasing proportion of lands in crop production on a constantly decreasing agricultural land base.

As of 2021, 78.9% of farmland in Pickering was used for crop production, which equates to 7,610 acres of cropland. This shows that the proportion of lands in crop production has continued to increase relative to the amount of farmland which continues to decrease.

## **Cropping Pattern**

The ESG 2003 Agricultural Analysis concluded the following regarding the cropping pattern based on the 2001 Pickering Census Subdivision data:

“Soybeans, corn for grain, and alfalfa and alfalfa mixtures use the greatest area of cropland in Pickering. Between them they comprised 7,372 acres, or 69.4% of all cropland, and 49.8% of all farmland, in Pickering in 2001. Alfalfa and alfalfa mixtures were grown by the greatest number of farms (28), followed by soybeans (24) and other tame hay (20).”

The 2021 Pickering Census Subdivision data shows a similar trend in crop types grown within Pickering. As of 2021, soybeans corn for grain, and hay production comprised 5,096 acres of land, or 67.0% of all cropland and 52.8% of all farmland in Pickering. Worth noting, winter wheat was grown on 572 acres of land, accounting for 7.5% of all cropland and 5.9% of all farmland in Pickering. Soybeans were grown by



the greatest number of farms (16), followed by corn (13), alfalfa and alfalfa mixtures (13), and winter wheat (8).

The 2023 land use survey identified and recorded crop types based on observations of crop stubble and other identifying features. The crops grown on the Subject Lands are predominantly a mix of corn, soybeans, hay, and cover crops. There are also limited areas of pasture lands, and large areas of scrubland and forested areas.

### **Expanding Urban Area**

The Subject Lands are identified in Schedule A – Map ‘A4’ of the Durham Regional Official Plan as being part of “Specific Policy Area A (Pickering).” Development within Specific Policy Area A must be developed in accordance with the Central Pickering Development Plan (CPDP). The CPDP indicates that the Subject Lands are designated Natural Heritage System and Preserve, while lands to the east of the Subject Lands are designated Living Area and Employment Area. The CPDP indicates that there will be an increase in non-agricultural development to the north, east, and south of Whitevale.

The introduction of additional non-agricultural land uses in close proximity will further reduce the agricultural priority of the Subject Lands. The close proximity of non-agricultural land uses significantly increases the potential for conflicts with agriculture and make these lands less desirable to farm than other lands further removed from these non-agricultural influences.

### **Agricultural Land Improvements**

OMAFRA’s Agricultural Information Atlas (AgMaps) provides artificial drainage mapping for the province. This online tool was accessed to obtain drainage mapping for the Subject Lands. According to AgMaps, the Subject Lands contain small amounts of both random and systematic tile drainage. All installations of systematic tile drainage within the Subject Lands have occurred since the completion of the 2003 Agricultural Analysis, with installations in 2013, 2014, 2015, and 2019. Most random tile drainage installations occurred following the completion of the ESG 2003 Agricultural Analysis, with installations in 2003 and 2010.

The recent installations of tile drainage are an exception to the overall lack of new investment in agriculture within the Subject Lands.

## **CONCLUSIONS**

The agricultural character of the Subject Lands in 2023 is similar to the agricultural character described in the 2003 Agricultural Analysis. The Subject Lands continue to be lower priority agricultural lands for the following reasons:

- ♦ they are not located in a specialty crop area and no specialty crops such as vegetable or fruit crops are grown in the vicinity;
- ♦ they are located in a highly fragmented area in which there is a mix of agricultural and non-agricultural land uses. The presence and prevalence of the non-agricultural land uses increases the potential for conflict arising between agricultural and non-agricultural land uses, which in turn reduces the agricultural priority of the area;

- ♦ they are situated between urban areas to the north, south, and east. The close proximity and high concentration of non-agricultural land uses significantly increases the potential for conflicts with agriculture and make these lands less desirable to farm than other lands further removed from these non-agricultural influences;
- ♦ there are plans for additional road construction through the Subject Lands, further connecting the lands to the City of Pickering and increasing non-agricultural traffic. The current levels of traffic may make the moving of farm machinery difficult or dangerous at times, which will increase following the construction of the proposed Type B Arterial Road.
- ♦ the high land values within the Subject Lands and the surrounding area create financial limitations to investments in intensive agricultural operations; and
- ♦ the amount of cultivatable land within the City of Pickering's agricultural land base continues to decrease, indicating a diminishing agricultural influence in the area.

These conclusions are based on our preliminary analysis of the Subject Lands. Please do not hesitate to contact me at 905-935-2161 should you have any questions regarding this matter. Alternatively you can reach me by email at [sean@colvilleconsultinginc.com](mailto:sean@colvilleconsultinginc.com).

Yours sincerely,



Sean Colville, B.Sc., P.Ag.  
Colville Consulting Inc.



*Appendix M - GEI - Environmental Policies and Regulations*





October 10, 2023

Cherrywood Area Land Management Inc. (CALMI)

**RE: Cherrywood Study Area Environmental Policies and Regulations**

---

GEI Consultants Ltd. (GEI) was retained by Cherrywood Area Land Management Inc. to prepare a review of environmental policies and regulations applicable to the Cherrywood Study Area. The Cherrywood Study Area (henceforth the Subject Lands) is located in the City of Pickering and Regional Municipality of Durham, in Ontario. The Subject Lands are generally bounded by Scarborough-Pickering Townline on the west, Highway 407 on the north, the West Duffins Creek in the East and the rail line which is present approximately 350 meters (m) north of Finch Ave on the south.

The Subject Lands are approximately 1935 hectares (ha) in size and are generally represented by agricultural lands with scattered woodlands, wetlands and hedgerows. Notably, the West Duffins Creek Valley is present along the eastern limit of the Subject Lands; this valley contains a considerable amount of the naturalized vegetation within the Subject Lands and also includes populated public use trails. As well, the Rouge National Urban Park is located immediately east of the Subject Lands on the west side of Scarborough-Pickering Townline.

The following memorandum includes a documentation of the various environmental policies and regulations that are being considered, reviewed and addressed to protect natural heritage, natural resources, and ecological functions for the Subject Lands. Some of these studies are completed at the community level, other at the neighborhood level and others are repeated at each stage of planning.

This document also outlines ongoing and future environmental and/or ecological studies being undertaken by technical experts as part of the development planning process.

**1. POLICY REVIEW**

In general, there are many layers of legislation, policy, regulations and permitting procedures that need to be addressed prior to site alteration and/or land development in Ontario. This legislation applies to a variety of development activities involved in building new communities and identifying the best locations for residential dwellings, schools and recreational spaces, commercial spaces, trail systems, parks, roadways, water, wastewater and stormwater infrastructure, and other critical infrastructure required to facilitate complete communities.

A summary of relevant Federal, Provincial and Municipal legislation, policies, and regulations that must be taken into consideration for the development at the Subject Lands are provided below.

## **1.1 Federal Legislation**

### **1.1.1 Fisheries Act (1985)**

Fisheries and Oceans Canada (DFO) administers the federal Fisheries Act (1985) which prohibits the death of fish by means other than fishing and the harmful alteration, disruption or destruction of fish habitat.

Where projects have the potential to impact fish or fish habitat, a “Request for Review” must be submitted to the DFO. This process allows the DFO to review the project to determine whether there is potential to impact an aquatic species at risk, cause the death of fish, or result in harmful alteration, disruption, or destruction of fish habitat (HADD).

The Phase 1 lands are inclusive of the Tributary of Petticoat Creek which is considered both fish habitat and a permanent stream. As per a proposed development plan (June 27, 2023) for Phase 1, a scoped Environmental Impact Study has determined that there are no direct impacts to the Tributary of Petticoat Creek anticipated for the proposed development, and thus no impacts to aquatic species at risk, and no risk of HADD. However, should there be any changes to the proposed Phase 1 development that may disturb the instream or riparian area, or should there be any stormwater management design aspects that impacts the Tributary of Petticoat Creek, the DFO will be consulted through a Request for Review process when detailed design plans are available.

Other watercourses, including the West Duffins Creek which flows along the eastern boundary of the Subject Lands and a network of small shallow tributaries with pools and healthy riparian zones primarily flow throughout the Subject Lands through the agricultural lands. These will be assessed comprehensively in future Environmental Impact Studies to identify potential impacts to fish communities in these watercourses and identify ways to ensure the Fisheries Act is upheld.

### **1.1.2 Migratory Birds Convention Act (1994)**

The Migratory Birds Convention Act (MBCA, 1994) provides protection to migratory birds, their habitats and nests at the federal level by prohibiting the destruction of active migratory bird nests. Currently, 700 migratory bird species are protected under this Act, including songbirds, woodland birds, waterfowl, shorebirds, and seabirds. Although no permit is required by the legislation, appropriate timing constraints on potentially disruptive activities such as vegetation clearing (e.g., tree removal) where migratory birds may be nesting are required to avoid contravention of this Act.

As this development progresses, these preventative and mitigative measures will be taken to ensure this Act is upheld and migratory bird species and their nests are protected.

### **1.1.3 Species at Risk Act**

The Species at Risk Act (SARA) applies principally on federally owned lands, however there are general prohibitions in the SARA against killing an individual of a protected aquatic or migratory

bird species, or destroying their residence, which apply to all lands, and with respect to critical habitat for aquatic Species at Risk identified in Schedule 1 of SARA. SARA is administered by Fisheries and Oceans Canada for aquatic species. Where Species at Risk are listed on Schedule 1 of the Federal SARA and are also listed on the Species At Risk in Ontario (SARO) List as Threatened or Endangered, they are offered provincial protection under the Endangered Species Act (ESA) – which is described further in **Section 1.2.4**.

A scoped Environmental Impact Study for Phase 1 of the Subject Lands identified that no direct impacts to identified SAR or SAR habitat is anticipated, either terrestrial or aquatic. A Species at Risk Habitat Assessment is currently underway to allow for a more detailed understanding of any SAR presence in the Cherrywood Study Area and to support the development of mitigation and protection measures for any potential indirect impacts or disturbances to Species at Risk.

It should also be noted that federal orders can be issued on non-federally owned land under SARA, if statutory conditions are met. These conditions are detailed in Section 80 of the SARA and must be directly related to concerns of imminent threats to survival or recovery of a species.

#### **1.1.4 Impact Assessment Act (2019)**

The Canadian Impact Assessment Act (IAA) allows for the assessment of social, economic, ecological, and Indigenous rights impacts of major infrastructure or development projects and/or projects that occur on Federal lands. The Subject Lands are adjacent to the Rouge National Urban Park, which has been subject to a federal Impact Assessment to look at the potential impacts and cumulative effects of development near this National Park. While this Impact Assessment was suspended indefinitely on September 25<sup>th</sup>, 2023 (Government of Canada, 2023b), the objectives of the Rouge National Urban Park Study were:

*‘To understand the potential effects, including cumulative effects, of past, ongoing, and potential future development on the Rouge National Urban Park (the Park).’*

This included addressing proposed development impacts in the Duffins Rouge Agricultural Preserve, inclusive of the development proposed in the Subject Lands.

To date, our participation in this IAA study was intended to help describe the existing conditions, support assessments of potential ecological impacts of the proposed development on the Subject Lands on the Rouge National Urban Park, and identify avoidance, mitigation, compensation, monitoring, and adaptive management opportunities for future development of the lands.

Participation in supporting studies had already been undertaken for the Subject Lands including a Landscape Linkage Assessment conducted by GEI Consultants which looks at the current connectivity between the Subject Lands and the Rouge National Urban Park; these linkages allow for continuous movement of wildlife across the landscape. This study addressed the impact of development on linkage and provides opportunities for mitigating impacts and enhancing natural features to increase or improve linkages.

Should the Rouge National Urban Park Study be reinstated, the development proposed on the Subject Lands will continue to cooperate with and support this study.



## 1.2 Provincial Legislation

### 1.2.1 *Planning Act (1990)*

The Planning Act provides land use planning rules and regulations for Ontario, designates decision-making authorities at the municipal level, and directs planning decisions to be consistent with the Provincial Policy Statement (discussed further in **Section 1.2.2**) and municipal Official Plans. As part of the land development process for the Subject Lands, approval for a **draft plan of subdivision** is needed to provide a fulsome description of how and where land will be divided to construct new homes, institutional uses, commercial spaces, recreational uses, natural heritage spaces, and supportive infrastructure such as roads, water and wastewater servicing, and telecoms services etc.

Municipalities have the authority, through the Planning Act, to request a wide range of investigations and studies from an applicant to help determine the best development patterns, based on policies set out in the Provincial Policy Statement and their Official Plan. These studies can be requested at two distinct phases of the plan of subdivision process:

- As part of the initial application to determine feasibility of the proposal; and
- After draft approval has been issued as a condition of final approval to ensure that any potential impacts can be mitigated or prevented.

Typical studies related to environmental conditions that may be required for applications under the Planning Act include, but are not limited to:

- Functional servicing plans to identify how key water and wastewater infrastructure can be developed in an efficient and sustainable manner;
- Hydrological and/or hydrogeological evaluations, water balance studies and/or groundwater impact studies to better understand the existing conditions on site and to help develop responsible water management and distribution plans;
- Drainage and stormwater management studies to ensure that communities are built in a way that ensures proper management of rainwater and snow melt to protect people, property, and natural features;
- Floodplain mapping and impact assessments to understand developable limits to help protect people and property from flood risks;
- Sustainable development reports to guide development patterns across a site to promote sustainability;
- Environmental impact studies and natural heritage assessments to identify key ecological features and develop protection and mitigation plans;
- Watershed/subwatershed studies to provide a comprehensive look at local water resources and provide detailed plans, targets, and actions to ensure effective water resource management.

All studies requested by a municipality must be completed to the satisfaction of the municipality and, where applicable, the local Conservation Authority. Currently, as the Subject Lands proceed through the draft plan of subdivision process, these studies are being conducted and will be submitted when all submission materials are completed for Phase 1 to the City of Pickering for their review. A fulsome list of studies that have been completed, are in progress, and are

anticipated can be found in **Section 2.0**. Each phase of development across the Subject Lands will be subject to the same rigorous Planning Act evaluation; all studies will need to be undertaken to address unique site features and conditions.

### **1.2.1.1 Ministerial Zoning Orders**

A Ministerial Zoning Order (MZO) is a land use planning tool that allows the Minister of Municipal Affairs and Housing to make land use decisions that prevail over local Zoning By-laws on a specific site. While this project may move forward under an MZO to allow for alternative land use to what was outlined in the Zoning By-law, the MZO process does not reduce environmental protections. Before a site can be altered or developed, additional planning applications are required, as defined through the Planning Act (Draft Plan of Subdivision, Site Plan Control, etc.). Compliance with federal, provincial, and local legislation continues to be necessary for final development approvals, which will require a variety of ecological reviews, studies and reports to ensure ecological features and functions are protected, enhanced, or compensated for.

### **1.2.2 Provincial Policy Statement**

The PPS (MMAH 2020) provides guidance on matters of provincial interest surrounding land-use planning and development. It “supports improved land use planning and management, which contributes to a more effective and efficient land use planning system”. The PPS is to be read in its entirety and land-use planners and decision-makers need to consider all relevant policies and how they work together.

Eight types of significant natural heritage features are defined in the PPS, as follows:

- Significant wetlands;
- Significant coastal wetlands;
- Significant woodlands;
- Significant wildlife habitat;
- Fish habitat;
- Habitat of endangered and threatened species; and
- ANSIs.

The PPS also identifies that development shall not be permitted:

- In significant wetlands within EcoRegions 5E, 6E and 7E, or in significant coastal wetlands.
- In significant woodlands, significant valleylands, SWH or significant ANSIs, unless it is demonstrated that there will be no negative impacts on the natural features or their ecological functions.
- In the habitat of endangered and threatened species or in fish habitat, except in accordance with provincial and federal requirements.
- On lands adjacent to the above features provided it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

Due to these policies, applications such as the ones for the Subject Lands require Natural Heritage Assessments and Environmental Impact Studies to evaluate potential impact to these

provincially important features prior to development. An Environmental Impact Study, such as the one conducted for Phase 1 of the Subject Lands, will usually involve natural heritage data collection ranging from botanical inventory and ecological land classification, tree inventory and health, breeding bird and amphibian surveys, bat habitat assessment and acoustic detection, turtle nesting surveys, headwater drainage feature assessments, and aquatic habitat and fish community assessments. This allows for the identification of important ecological features and the subsequent consideration of development limits to prevent disruption of significant features or mitigation measures. It can also allow for the identification of natural feature restoration or replication, where appropriate, to ensure that site alteration and development is consistent with the natural heritage requirements in the PPS and Official Plan.

Environmental Impact Studies are reviewed by the municipality with the application for draft plan of subdivision and the findings are taken into consideration through the approval and development process.

### **1.2.3 Conservation Authorities Act**

The Conservation Authorities Act outlines roles and responsibilities of Conservation Authorities (CAs) in Ontario to provide programs or services that are related to natural hazard risks, source water protection (discussed in **Section 1.2.5**), and duties and responsibilities related to prescribed regulations such as O. Reg. 166/06 – which is TRCA’s Regulation Of Development, Interference With Wetlands And Alterations To Shorelines And Watercourses. While there have been substantial changes to the roles and responsibilities with the Conservation Authorities Act, CAs continue to provide review and commenting services related to natural hazards and are responsible for permit approvals where development may interfere with any of the following:

- Great Lake/St. Lawrence River Shorelines
- River or stream valleys with depressional features;
- Hazardous lands;
- Wetlands;
- Hydrologic function of a wetland;
- 120 metres of all provincially significant wetlands and wetlands on the Oak Ridges Moraine; and
- 30 metres of all other wetlands.

To help determine the impacts of the proposed development of the Subject Lands on these regulated features, a variety of studies are being undertaken to look at the subwatershed as a whole and identify potential hazards and mitigation measures. The TRCA has been engaged through these studies and will continue to be involved where required. Studies underway are described below in **Section 2**.

### **1.2.4 Endangered Species Act**

The ESA (2007) protects all threatened, endangered, and extirpated species on the SARO list. These species are legally protected from harm or harassment and their associated habitats are legally protected from damage or destruction, as defined under the ESA (2007). Studies to determine whether any Species at Risk or their habitat is present on the Subject Lands are being undertaken, and where Species at Risk or their habitat is confirmed, these will be addressed as



per the provincial Endangered Species Act through avoidance, permitting, mitigation and/or compensatory measures such as those outlined in the Act, and/or O. Reg. 830/21 and 242/08.

An Environmental Impact Study for Phase 1 of the Subject Lands identified that no direct impacts to identified SAR or SAR habitat is anticipated, either terrestrial or aquatic. A Species at Risk Habitat Assessment is currently underway to allow for a more detailed understanding of any SAR presence and to support the development of mitigation and protection measures for any potential indirect impacts or disturbances to Species at Risk.

#### **1.2.5 Clean Water Act (2006)**

The Clean Water Act (2006) protects municipal drinking water sources. In Pickering, the TRCA is legislated under this act to oversee risk management of drinking water sources as it relates to site alteration, construction, and other activities that could impact drinking water quality through the 'CTC Source Protection Plan'. This document provides guidelines on preventing drinking water quality threats that may also be associated with development processes; where activities pose a potential risk to drinking water sources, consultation with the TRCA is required to ensure a risk management plan is in place.

#### **1.2.6 Ontario Water Resources Act (1990)**

The Ontario Water Resources Act helps protect surface and groundwater water in Ontario by protecting water quality by regulating and/or prohibiting wastewater discharge and water pollution and managing the quantity of water being used (O. Reg 387/04). In Ontario, anyone seeking to take more than 50,000 litres of water per day must apply for a permit and demonstrate no negative impacts on the environment, local water users, or the watershed as whole. Development and construction must adhere to this legislation.

#### **1.2.7 Environmental Protection Act (1990)**

The Environmental Protection Act outlines prohibitions related to environmental contaminants and enforcement measures to ensure contamination concerns are properly managed in Ontario. Within this Act are various regulations that speak to managing potential contaminants and pollutants that have known adverse impacts on the environment. These regulations range from managing emissions (O. Reg 1/17), to spill management (O. Reg 224/07), and to controlling excess soils (O. Reg 406/19). These regulations must be followed throughout the development process.

### **1.3 Local Policies**

In addition to legislation and regulations, local municipalities and regional governments have authority to guide land use planning decisions and define approval requirements as per the Planning Act (1990).

#### **1.3.1 Regional Official Plans**

The Region of Durham's Official Plan Envision Durham (Amended May 17, 2023) acts as an overarching land use planning and growth management guide for the Region. The Subject Lands have been identified in the Durham OP as Special Study Area 6. Special Study Areas are

placeholders for sites that require more fulsome collaboration between levels of government (local and provincial) and developers to ensure comprehensive site development plans are in place before lands are given appropriate land use designations. For the Subject Lands, Durham Region has outlined that provincial conditions for development of the areas must be met prior to fully including these in the Urban Area Boundary. As the Subject Lands proceed through the draft plan of subdivision approval, the Region will begin the process of updating the OP to account for the changes in land use.

Section 5.7 of the OP outlines urban expansion policies for municipalities in Durham Region. Section 5.7 f) identifies the need for “studies which identify how the natural heritage system and water resource system, including key hydrologic areas, will be protected, restored and enhanced in an urban context, and how enhanced natural heritage systems and natural coverage targets identified in this Plan or the applicable watershed plan(s) will be implemented”.

Furthermore, portions of the regional Greenlands System and Enhancement Areas are present within the Subject Lands. Section 7.4 of the OP outlines the Region’s Policies with respect to the Regional Natural Heritage System and Section 7.4.5 identifies the need for “an environmental impact study for development and site alteration within 120 metres of the natural heritage system.”

Overall, the Regional OP identifies a variety of items that the Region considers when assessing impact of potential development such as:

- Ground and surface water resources – such as quality and quantity and long-term sustainability of these resources,
- Connectivity of natural systems,
- Environmental features and functions,
- Aesthetics,
- Noxious/hazardous substance sources,
- Noise, odour, dust and light pollutions,
- Energy consumption reduction,
- Provision of social/cultural facilities, and
- Natural hazard risks.

All of the above are assessed through various studies and investigations to demonstrate impact prevention or mitigation as part of the development review process – a subwatershed study, environmental impact study, flood plain mapping, landscape linkage assessment, and other reports have been compiled to help address these policies in the Durham Region OP.

The Durham Regional OP also speaks to specific policies and provisions related to the Rouge National Urban Park (RNUP), which is located to the west of the Subject Lands. Envision Durham (2023), the Regional Official Plan, specifies measures required for the protection of the RNUP. These are reproduced below:

- *Section 3.3.12 Direct outdoor lighting away from key natural heritage and/or key hydrologic features and their associated vegetation protection zones, and other environmentally sensitive areas, including the Rouge National Urban Park.*

- *Section 3.3.46 Encourage area municipalities to preserve and protect significant natural and cultural landscapes through the development process, including the Lake Ontario waterfront, the Lake Ontario Waterfront Trail, Lake Scugog, Lake Simcoe and the Rouge National Urban Park views and vistas.*
- *Section 9.2.10 Encourage adjacent land uses outside of the park to have consideration for connections to the active transportation network, compatibility with the RNUP Management Plan and support identified actions related to planning along the park periphery.*

The environmental impact studies being undertaken for the Subject Lands will consider and implement these policies where they relate to development within the vicinity of the RNUP. A Landscape Linkage Assessment was also undertaken by GEI in June 2023 to further explore potential opportunities to protect and enhance ecological linkages between the RNUP and natural heritage features on the Subject Lands.

### **1.3.2 Local Official Plans**

The City of Pickering Official Plan (2022) identifies several significant natural features present across the Subject Lands, including:

- City of Pickering Natural Heritage System (NHS) (Schedule III A)
- Greenbelt NHS (Schedule III A)
- Significant Woodlands (Schedule III B)
- Wetlands, (Schedule III C)
- Shorelines, Significant Valley Lands and Stream Corridors (Schedule III C)

The areas immediately south of the rail corridor are identified as the Duffins-Rouge Wildlife Corridor. This was established as part of the Duffins-Rouge Agricultural Preserve.

Chapter 16 of the City of Pickering Official Plan (2022) documents the development review procedures and policies of the City and includes a detailed list of reports that can be requested for review of development applications in Section 16.5A. These ensure a comprehensive assessment of development potential and impacts are considered when designing a new development. Environmental reports are detailed further in Section 16.8 and states that the submission and approval of an Environmental Report is required as part of the consideration of a development application or a public infrastructure project for major development within 120 m of the Natural Heritage System or within the minimum area of influence prescribed in Table 18. Table 18 documents Minimum Area of Influence and Minimum Vegetation Protection Zone (VPZ) for each natural heritage features type.

Section 14.5 of the City of Pickering Official Plan (2022) has more specific subdivision development policies to help design and implementation. These include environmental considerations such as allowing for continuous landforms such as ridges, valleys and stream corridors, utilizing existing land features and vegetation to provide buffering and screening, incorporating Low Impact Development techniques inclusive of increasing tree canopy and promoting biodiversity.



As part of the draft plan of subdivision application process, studies have been undertaken to meet the requirements outlined in the City of Pickering OP for approval for Phase 1 lands including Natural Heritage Feature Evaluation, Arborist Report and Tree Preservation Plan, and an Environmental Impact Study (EIS). Each of these reports explores existing conditions, potential impacts on ecological features, provides recommendations to mitigate impacts and identifies potential opportunities to enhance existing natural features and improve ecological linkage between natural heritage features as recommended by the City's Official Plan.

These ecological studies also allow for a more in-depth vetting of existing features on the Subject Lands. For example, the Phase 1 EIS looked at confirming the location and extent of the significant natural features identified in the City of Pickering's OP maps for the subject lands. These investigations determined that in some places, agricultural practices had taken over and some features no longer existed on the landscape.

The studies that have been completed to date will be submitted to the City of Pickering for their review. As the Subject Lands proceed into additional phases of development, additional environment reports will be undertaken to assess and address the unique characteristics of each phase.

## 2. TECHNICAL STUDIES/REPORTS

The City of Pickering is expected to continue to experience major growth and the City's Growth Management Study (2002) identified a need for boundary expansion to support future population growth, inclusive of the Subject Lands. The amendments made by the Province that would enable the Subject Lands to be redeveloped were supported by City of Pickering planning staff, with the caveat that a complete community be built that considers the following (as identified in City of Pickering Council Report December 5, 2022):

- *“a robust open space and natural heritage system that protects significant and sensitive natural features and functions, including required corridors, linkages, and buffers;*
- *generous active recreational areas;*
- *implementation of the results of appropriate subwatershed/master environmental servicing studies;*
- *front funding agreements for municipal soft and hard services, for other community infrastructure such as school, and for regional infrastructure; and*
- *commitments to building an agreed to percentage of housing that is affordable housing to low and moderate income households.”*

In order to support these recommendations by municipal planning Staff, and as part of the overall comprehensive planning process. the Subject Lands have undergone a robust series of environmental studies and investigations.

The following is a list of environmental and/or ecologically focussed studies that have been completed, are in progress, or are planned to help support the Subject Lands development concepts. These are reports that have been requested or are required by the Province, Region, Conservation Authority and/or local municipality to ensure compliance and adherence to the policies explored above. Where reports were not completed by GEI Consultants, but still offer meaningful ecological information, a note has been added that they are “non-GEI reports”.

### **Completed**

- Background Information Review and Significance Analysis – March 2022. A thorough background investigation was conducted to assess existing ecological data (from a variety of ecological databases including, but not limited to the Natural Heritage Information Centre’s rare species records, Ontario Breeding Bird Atlas, Ontario Butterfly Atlas, DFO Aquatic SAR mapping, Ontario Reptile and Amphibian atlas, TRCA ELC data, etc). This review also looked to characterise the natural environment using these resources.
- Functional Servicing and Storm Water Management Report – August 2023
- Fluvial Geomorphological Assessment of Petticoat Creek – August 2023
- Natural Heritage Feature Evaluation – various studies/data collection exercises between 2022 – 2023 (including but not limited to fisheries, woodlands, wildlife, wetland and botanical studies),
- Arborist Report and Tree Preservation Plan, Cherrywood Phase 1 Lands – June 2023
- Environmental Impact Study – August 2023. This report is intended to assess potential impacts to natural heritage features and functions and to recommend adequate measures to protect and mitigate any potential negative impacts as a result of the proposed development activities.
- Sustainable Development Study – 2023 (\*non-GEI report – Adrian Smith + Gordon Gill Architecture),
- Geotechnical and Hydrogeological Site Investigation Cherrywood Development Phase 1 – April 2023 (\* non-GEI report: GEMTEC Consulting Engineers and Scientists Ltd.)
- Slope Stability Assessment Cherrywood Development Phase 1 – April 2023 (\* non-GEI report: GEMTEC Consulting Engineers and Scientists Ltd.)
- Landscape Linkage Assessment – Phase 1 – June 2023

### **Ongoing**

- Subwatershed Study,
- Floodplain Mapping,
- Fluvial Assessments,
- Species at Risk Habitat Assessments, and
- Natural Heritage System Mapping.

### **Anticipated**

It is anticipated that as planning progresses for the lands within the Cherrywood Study Area, further technical matters relating to conservation of natural heritage features and functions will be required. These may include studies to support Transportation Planning, Stormwater Management, Parks and Recreation Planning including Trail Networks, Public Transit System Expansion to name a few.

It should be noted that while this document details requirements from the Federal, Provincial and local environmental policies and regulations, it may not be all-inclusive, and additional requirements could evolve as the planning process progresses.

Yours truly,  
**GEI Consultants**



Holly Stemberger  
Environmental Planner  
780-266-2594  
hstemberger@geiconsultants.com



Shelley Lohnes  
Vice-President, Senior Ecologist  
289-971-7389  
slohnesh@geiconsultants.com



---

## References and Background Materials

---

City of Pickering. 2022. Pickering Official Plan. Amended March 2022. Available online: <https://www.pickering.ca/en/city-hall/resources/Official-Plan---Main-Page/Edition-9/OP9ACC.pdf>

City of Pickering. December 5, 2022. Report to Council: Planning Reform. Available online: <https://corporate.pickering.ca/WebLink/ElectronicFile.aspx?docid=246667&dbid=1>

Government of Canada. 1985. Fisheries Act (R.S.C., 1985, c. F-14). (Last Amended August 2019).

Government of Canada. 1994. Migratory Birds Convention Act (S.C. 1994, c. 22). (Last Amended June 2022).

Government of Canada. 2002. Species at Risk Act (S.C. 2002, c. 29). (Last amended February 2023).

Government of Canada. 2023a. Rouge National Urban Park Study – Terms of Reference. <https://iaac-aeic.gc.ca/050/documents/p84459/152654E.pdf>

Government of Canada. 2023b. Statement on the Rouge National Urban Park. <https://iaac-aeic.gc.ca/050/evaluations/document/153095>

GEI Consultants Ltd (GEI). 2023. Arborist Report and Tree Preservation Plan, Cherrywood Phase 1 Lands, City of Pickering, Ontario. Prepared for Ashburton Asset Group Inc.

GEI Consultants Ltd (GEI). 2023. Fluvial Geomorphic Assessment of Petticoat Creek, Pickering, Ontario. Prepared for Duffin Capital Corp. August 2023.

GEI Consultants Ltd (GEI). 2023. Draft Cherrywood Community Phase 1 Functional Servicing and Stormwater Management Report., City of Pickering, Ontario. Prepared for Ashburn Asset Group Inc. August 2023.

GEMTEC Consulting Engineers and Scientists Ltd. Geotechnical and Hydrogeological Site Investigation Cherrywood Development Phase 1. Pickering Ontario. April 19, 2023.

GEMTEC Consulting Engineers and Scientists Ltd. Slope Stability Assessment Cherrywood Development Phase 1. Pickering Ontario. April 19, 2023.

Government of Ontario. 1990. Ontario Regulation 166/06: Toronto and Region Conservation Authority: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses. Conservation Authorities Act, R.S.O. 1990, c. C.27. (Consolidated February 2013).

Government of Ontario 1990. Planning Act, R.S.O. 1990, c. P.13. (Last Amended 2020).

Government of Ontario. 1990a. Environmental Protection Act, R.S.O. 1990, c. E.19. (Last Amended 2021).

Government of Ontario. 1990c. Ontario Regulation 224/07: Spill Prevention and Contingency Plans. Environmental Protection Act, R.S.O. 1990, c. E.19. (Consolidated 2011).

Government of Ontario. 1990d. Ontario Regulation 1/17: Registration Under Part II.2 of the Act – Activities Requiring Assessment of Air Emissions. Environmental Protection Act, R.S.O. 1990, c. E.19. (Consolidated 2023).

Government of Ontario. 1990e. Ontario Regulation 406/19: On-site and Excess Soil Management. Environmental Protection Act, R.S.O. 1990, c. E.19. (Consolidated 2023).

Government of Ontario. 1990f. Ontario Water Resources Act, R.S.O. 1990, c. O.40. (Last amended 2021).

Government of Ontario. 1990g. Ontario Regulation 387/04: Water Taking and Transfer. Ontario Water Resources Act, R.S.O. 1990, c. O.40. (Last amended 2021).

Government of Ontario. 1990h. Conservation Authorities Act, R.S.O. 1990, c.27. (Last amended 2022).

Government of Ontario. 2006. Clean Water Act, 2006, c. 22. (Last amended 2021).

Government of Ontario. 2007a. Endangered Species Act, 2007, S.O. 2007, c. 6. (Consolidated October 2021).

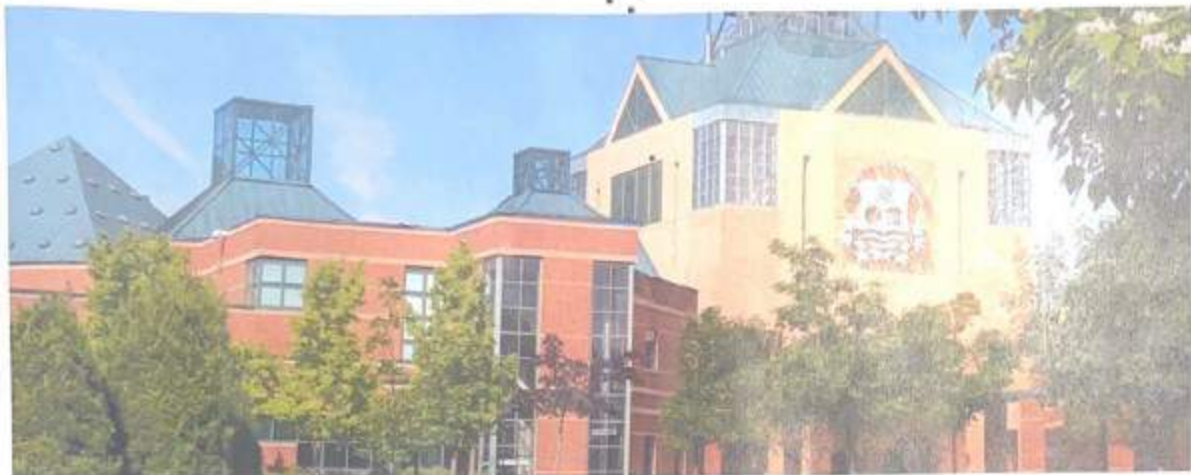
Government of Ontario. 2007b. Ontario Regulation 230/08: Species at Risk in Ontario List. Endangered Species Act, 2007, S.O. 2007, c. 6. (Consolidated January 2022).

Ministry of Municipal Affairs and Housing (MMAH) 2023. Provincial Policy Statement, 2023: Under the Planning Act. Ministry of Municipal Affairs and Housing. Queen’s Printer for Ontario. 57 pp.

Region of Durham. 2023. Envision Durham Official Plan. Adopted Official Plan, as Amended. Adopted by Regional Council May 17, 2023. Available online: <https://www.durham.ca/en/doing-business/resources/Documents/PlanningandDevelopment/Envision-Durham/Adopted-Durham-ROP.pdf>

*Appendix N – City of Pickering Website Info*





# Duffins Rouge Agricultural Preserve (Cherrywood) Growth Management Study

Home/City Hall/Plans, Projects & Studies/Duffins Rouge Agricultural Preserve (Cherrywood) ...

One of the areas that the Province has recently identified as suitable for development in Pickering is the Duffins Rouge Agricultural Preserve aka Cherrywood.

As such, it is one of the proposed Greenbelt amendments that the Province had recently announced.

In the early 2000's, the City undertook a Growth Management Study, which identified Cherrywood as suitable for commercial and residential development, because the lands abut the urban boundary and have easy access to available infrastructure such as roads, water, and sewer.

However, the provincial government of the day disagreed with the City's position and placed Cherrywood into the Greenbelt, and subsequently enacted the *Duffins Rouge Agricultural Preserve Act* as an additional legislative layer to prohibit development of these lands.

Over the years, Council's position has remained consistent with respect to Cherrywood. Namely, it believed that Cherrywood should be developed, and that it was inappropriately placed into the Greenbelt.

In fact, the City of Pickering had formally asked the Government of Ontario to remove Cherrywood from the Greenbelt in both 2016 and 2019.

Most recently, after the Province of Ontario announced its proposed amendments to the Greenbelt, the Mayor followed up with Minister Steve Clark, Municipal Affairs and Housing, asking for the repeal of the *Duffins Rouge Agricultural Preserve Act*, which would finally facilitate residential and commercial development in Cherrywood.

In addition to increasing local housing supply and job creation, development of Cherrywood would provide more opportunities for low-rise housing as well as the much needed 'missing middle', which may ease pressures for high-rise development and intensification along Kingston Road.



## Recorded Minutes

- June 29, 2004 Council Meeting Minutes
- May 25, 2004 Executive Committee Meeting Minutes

## Reports

- Report to Executive Committee: PD 22-04