

Chief Executive Officer



November 24, 2022

**BY E-MAIL ONLY** ([MSOC.Admin@ontario.ca](mailto:MSOC.Admin@ontario.ca))

**Re: Response to Request for Comments  
Proposed Revocation of the Central Pickering Development Plan (ERO #019-6174)**

Thank you for the opportunity to comment on this posting on the Environmental Registry of Ontario (ERO) by the Ministry of Municipal Affairs and Housing (MMAH) which proposes to revoke the Central Pickering Development Plan (CPDP), under the Ontario *Planning and Development Act, 1994*. As the ERO states, this proposal intends to help support the government's commitment to streamline, reduce and eliminate burdens and to potentially increase housing supply.

Toronto and Region Conservation Authority (TRCA) has an ongoing interest in the proposed changes given our roles as:

- A regulator under Section 28 of the *Conservation Authorities Act* (CA Act);
- A public commenting body under the *Planning Act* and the *Environmental Assessment Act*;
- A delegated commenting body to represent the Provincial interest in natural hazards;
- A service provider to our municipal partners;
- A resource management agency operating on a local watershed basis; and
- One of the largest landowners in the Greater Toronto region owning and directly managing lands and conducting programs and projects in collaboration with the province, municipalities, stakeholders, and indigenous communities within the confines of the CPDP area.

In these roles, and as stated in the *Made-in-Ontario Environment Plan*, CAs work in collaboration with municipalities and stakeholders to protect people and property from flooding and other natural hazards, and to conserve natural resources.

## COMMENTS

TRCA appreciates the Province's important goal of addressing the housing crisis through expediting development approvals and has taken streamlining actions that help support this objective. We do not believe, however, that resolving the housing crisis needs to come at the expense of the environment. To this end, we provide the following comments to ensure that well planned sustainable development can happen safely while maintaining nature's beauty and diversity.

Revocation of the CPDP would remove an area-specific policy framework focused on the permanent protection, maintenance and enhancement of natural features, functions and systems. Revocation of the CPDP combined with recent legislation will also remove protection of areas that previous governments and stakeholders intended to be preserved for agricultural and conservation uses. Careful consideration of the CPDP and its objectives were shaped by previous provincially led EA and planning processes that

involved extensive public and stakeholder consultation including consultation with indigenous communities. These CPDP objectives were refined through the Seaton Community Master Environmental Servicing Plan Amendment (MESPA) process, but the MESPA is not a statutory document. Amendment 22 to the Pickering Official Plan (OP) provides policies for developing and managing the Seaton community but is subject to potential amendment. Further, there are no applicable higher level regional policies that would articulate the strong policies in the CPDP as the Region of Durham's OP only defers to the CPDP. Together, proposed changes through Bill 23 to the CA Act, the proposed repeal of the Duffins Rouge Agricultural Preserve Act, proposed removal of the Duffins Rouge Agricultural Preserve from the Greenbelt, and proposed changes to the Ontario Wetland Evaluation System create potential for loss of significant biodiversity and damage to downstream areas of the Petticoat and Duffins Creek watersheds. Without clarity on how features and functions will be protected in the absence of the CPDP, these proposed changes will increase the vulnerability of this area's natural systems, significant natural features, and endangered species that were proposed to be protected permanently through the CPDP, Greenbelt, and other legislative protections.

To date, the CPDP has been successful in achieving the goals set out in its mandate, however, the ERO posting does not provide any insight into how these important objectives would continue to be met. Rather, the ERO posting highlights how neither Pickering or Durham Region's OPs have adopted the full approach of the CPDP and that further planning approvals (e.g., subdivision approvals) will continue to be implemented. Prior to revocation of the CPDP, a high-level replacement policy framework articulating the objectives of the original Plan should be in place to ensure that the Region of Durham and City of Pickering adopt strong policies in support of protecting natural systems and comprehensive policy framework to guide planning decisions for all of the CPDP area. Any changes in these areas may also require initiation of new infrastructure and planning processes in neighbouring municipalities including York, Markham, and Toronto which were factored into CPDP development.

Revoking the CPDP would leave lands in the approved MESPA highly susceptible to negative impacts of development and potentially exacerbate natural hazards in downstream areas. The removal of the CPDP would nullify the extensive review and approval process that went into identifying the impacts of residential, employment, commercial and infrastructure in the Duffins Creek watershed including the sizing of servicing and infrastructure to support these thresholds. It could also result in provincially owned properties and privately owned lands slated for dedication into public ownership being developed and henceforth removed from the natural heritage system. Further, from the recently proposed draft City of Pickering's Comprehensive Zoning By-Law, there appears to be no intention to uphold the full extent of the provincially identified Seaton Natural Heritage System as identified in the MESPA or the CPDP. Converting existing environmental protection within the Greenbelt Protected Countryside, Seaton NHS, and Duffins Rouge Agricultural Preserve to other zoning designations could result in negative impacts. The Province has recommended that the CPDP should be adopted into the municipal plans, however, this has not been the case, as is clearly demonstrated in the City's draft By-law of August 2022.

The protection of the Duffins Rouge Agricultural Preserve is a crucial factor in protecting the Rouge National Urban Park and ecosystem components of the Rouge River, Duffins Creek and Petticoat Creek watersheds. Downstream portions of these creeks are particularly susceptible to flooding impacts and these issues must be addressed in any replacement municipal policy framework if the CPDP is removed. By promoting connectivity free from urbanization between the Rouge, Petticoat and Duffins watershed, the ecological systems can be conserved and restored as intended. Opening lands for new infrastructure and or development within this area without proper and extensive planning could undermine the important goals of ecological connectivity, gene dispersion and system connection of the corridors with

potential impacts on infrastructure and downstream communities subject to flood risk. Thus, **TRCA strongly recommends that clear direction be provided to affected municipalities to ensure that municipal OPs and by-laws uphold the ecological systems established through the CPDP and consistent with the Duffins Creek Watershed Plan prior to revocation. We also strongly recommend that the CPDP stay in place until a watershed and subwatershed plan for Petticoat Creek is completed, until related and linked legislative processes are complete, and details of proposed infrastructure improvements to the York Durham Sewer System in Bill 23 are better known.**

**Finally, TRCA recommends that the Province pause the proposed revocation of the CPDP and convene a special panel to include the City of Pickering, City of Markham, City of Toronto, York and Durham Regions, Rouge Park/Parks Canada and TRCA which could include the Province (Infrastructure Ontario) and other landowners to identify shared interests, potential impacts of this decision, mitigative policies and a path forward that would protect and restore natural systems and address natural hazard risks in this area and in downstream areas.**

Should you have any questions, require clarification, or wish to meet to discuss any of the above remarks, please contact the undersigned at 416.667.6920 or at [john.mackenzie@trca.ca](mailto:john.mackenzie@trca.ca).

Sincerely,

< Original Signed By >

John MacKenzie, M.Sc.(PI), MCIP, RPP  
Chief Executive Officer

Cc: Sameer Dhalla, Director, Development and Engineering Services  
Laurie Nelson, Director, Policy Planning  
Steve Heuchert, Associate Director, Development Planning and Permits