



Sent by Email

November 14, 2022

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

Subject: City of Pickering – Duffin’s Rouge Agricultural Preserve Act 2005
File: A-1000 - 002

I would like to thank you and your Government for your efforts in proposing the removal of the Cherrywood Area Lands from the Greenbelt Plan and in proposing to repeal the Central Pickering Development Plan. These lands were part of the Regional and Municipal growth plans for settlement area expansion prior to the Greenbelt – 20 years ago. They can now be positioned as an important part of Ontario’s Housing Supply Action Plan

Unfortunately, there is an additional obstacle impeding the Cherrywood Area Lands from producing much-needed housing. It is the Duffin’s Rouge Agricultural Preserve Act 2005, S.O. 2005, C.30. This Act restored, by statute, agricultural easements which had been released by the City of Pickering. Those agricultural easements were always in favour of the City of Pickering and remain in favour of the City of Pickering even under the Duffin’s Rouge Agricultural Preserve Act 2005. The City of Pickering released certain of those easements, as it was permitted to do, upon being satisfied that the terms for such releases were met.

Minister, I draw to your attention the City request I addressed to you, dated February 7, 2019, copy attached.

I understand that the simplest resolution of this problem would be for the Province to repeal the Act. The effect of such a repeal would be to return control of the easements to the City of Pickering. Those easements which had already been released by the City would remain released but those that were never yet released would remain in force. The City of Pickering supports such a repeal as soon as

possible. Delaying the repeal will needlessly delay plans for attainable housing in Cherrywood by 2025.

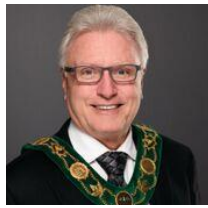
Thank you for your consideration.

Yours truly

A handwritten signature in black ink, appearing to read "Dave Ryan". The signature is written in a cursive, flowing style.

Dave Ryan
Mayor

Copy: MPP Peter Bethlenfalvy
Members of Council
Chief Administrative Officer, Marisa Carpino



February 7, 2019

The Honourable Steve Clark
Minister of Municipal Affairs and Housing
College Park, 17th 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 11th 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