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November 4, 2020

The Honourable Steve Clark
Minister of Municipal Affairs and Housing
Queen's Park, Toronto
By email: minister.mah@ontario.ca

Dear Minister Clark:

RE: Resignation from the Greenbelt Council over the Durham Live MZO (City of Pickering) and its destruction of the Lower Duffins Creek provincially significant wetland complex

Your government's increasingly frequent use of Ministerial Zoning Orders (MZO) to bypass most of Ontario's highly regarded land use planning processes and policies under the *Planning Act* has deeply concerned me, with close to 30 MZOs having been issued in the past two years. In the case of the major Durham Live development in the City of Pickering, your October 30 news release rationalizes the MZO issued on that date as promoting economic growth and creating over 10,000 jobs. However, the provincial land use planning framework requires that *all* relevant provincial policies be met for any proposed development. Complete destruction of the 22-hectare (54-acre) Lower Duffins Creek Wetland Complex – a Provincially Significant Wetland (PSW) – for the Project Lonestar warehousing and logistics component of Durham Live, with its almost four million square feet of space, flagrantly contravenes wetland protection policies that have been well established in Ontario's provincial planning documents for several decades.

It is well documented that southern Ontario has already lost over three-quarters of its pre-European-settlement wetlands to various forms of development. Their vital roles in flood control, water quality enhancement, carbon sequestration, biodiversity conservation and public appreciation of nature through low-impact recreation are the reasons that development in PSWs is strictly prohibited in provincial policy. As you know, the Provincial Policy Statement (PPS, 2020) under the *Planning Act* states (in policy 2.1.4) that development and site alteration are not permitted in PSWs. There is no provision in the PPS for "compensating" for PSW destruction through wetland creation elsewhere or other means of creating ecological benefits, as is being called for through a compensation agreement signed by the Durham Live proponent and the Toronto and Region Conservation Authority (TRCA). This agreement, as I understand it, runs counter to the position of TRCA's board of directors of not supporting development within PSWs.

Instead of looking for other places to attempt to create a wetland equivalent in ecological value to the Lower Duffins Creek wetland complex, the Durham Live proponent's project, if it proceeds, should keep that wetland complex fully protected and instead, seek other, less environmentally sensitive lands on which to locate the warehousing and logistics component. I

understand that the Pickering East Net Employment area contains underutilized lands nearby that could provide site(s) for such development.

You attended part of the June 25, 2020 Greenbelt Council meeting. You will have received Council's Report #12 (publicly available) of July 31, 2020 following up on that meeting, a report in which Council expressed significant concerns about the increasing use of MZOs by your government since late 2018. Council recommended in Report #12, *inter alia*, that MZOs, if used at all, should be used sparingly and only in exceptional cases; that information about a proposed MZO should be publicly accessible and explicit, posted on your ministry's website and the Environmental Registry; and that the public should be formally consulted prior to issuance of an MZO. You have apparently not given these recommendations due consideration at the same time as making a decision on Durham Live that runs totally counter to decades-long provincial policy mandating complete protection of PSWs.

As an environmental biologist and land use planner with a long career behind me both within and outside of the Ontario government, I find that with the issuance of the MZO for Durham Live and its complete destruction of an irreplaceable Provincially Significant Wetland, I have simply had enough. I cannot in all conscience continue to sit on the Greenbelt Council which has provided you with its best advice on urban and regional planning issues in the Greenbelt and the entire Greater Golden Horseshoe (GGH) – advice which seems to me to have not been given due consideration. In this letter, I have spoken only for myself, not other members of Council, for whom I have the utmost respect and admiration. I have lost confidence in your government's commitment to honour and meet Ontario's long-standing requirements to protect our precious natural heritage from development. Future generations will thank us all for both economic development *and* protection of natural places. We can and must achieve both simultaneously.

I hereby resign from the Greenbelt Council, effective immediately. I have appreciated the opportunity to serve on the Greenbelt Council over the past two and a half years.

Yours sincerely,



Linda R. Pim

c.c. David Crombie, Chair, Greenbelt Council
Greenbelt Council members
Alex Beduz, Chief of Staff, Minister's Office, Ministry of Municipal Affairs & Housing
Kate Manson-Smith, Deputy Minister, MMAH
Cordelia Clarke-Julian, ADM, Ontario Growth Secretariat, MMAH
Jonathan Lebi, ADM, Local Government & Planning Policy Division, MMAH
Sean Fraser, Director (Acting), Provincial Planning Policy Branch, MMAH
Ed McDonnell, CEO, Greenbelt Foundation