



The Regional Municipality of Durham

To: The Planning, Finance & Administration and Works  
Committee

From: A.L. Georgieff, Commissioner of Planning  
R.J. Clapp, Commissioner of Finance  
P.W. Olive, Commissioner of Economic Development and  
Tourism  
C.R. Curtis, Commissioner of Works  
B.J. Roy, Regional Solicitor

Report No.: 2008-J-1

Date: February 5, 2008

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**SUBJECT:**

Central Pickering Development Plan (Seaton) – Status of Implementation #2,  
File: D03-06-24

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**RECOMMENDATIONS:**

- a) THAT the Planning, Finance & Administration and Works Committee recommend to Regional Council that Joint Report 2008-J-1 be received for information; and
  - b) THAT a copy of Joint Report 2008-J-1 be forwarded to the Minister of Municipal Affairs and Housing, Minister of Public Infrastructure Renewal, Minister of the Environment, Minister of Transportation, Ontario Secretariat for Aboriginal Affairs, Indian and Northern Affairs Canada, City of Pickering, Town of Ajax, Regional Municipality of York, City of Toronto, Town of Markham, Toronto Region Conservation Authority, Ontario Realty Corporation, Sernas Associates, North Pickering Community Management Inc., 407 ETR, Transport Canada, Environment Canada, the Greater Toronto Transportation Authority (Metrolinx) and the Greater Toronto Area Airports Authority (GTAA).
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**REPORT:**

**1. BACKGROUND AND PURPOSE**

- 1.1 In March 2007, Council received Report 2007-J-08, which provided a status report on the implementation of the Central Pickering Development Plan (CPDP). The Report included:

- an update on court challenges;
- recommendations related to the initiation of the Municipal Class Environmental Assessment for Regional Infrastructure;
- a summary of Regional issues that need to be addressed;
- a description and status of activities and studies underway; and
- requests to the Province for cooperation and assistance in future implementation efforts.

1.2 Subsequently, in June 2007, Council endorsed Report 2007-J-22, detailing Regional comments on the Provincially led Highway 407 (Seaton) Economic Development Study. In September 2007, Council authorized proceeding with the process of prequalifying engineering firms that would submit proposals on the Municipal Class Environmental Assessment for Regional Infrastructure to service Seaton, to be completed at the Seaton landowners' cost. (Report 2007-W-86).

1.3 The purpose of this Report is to provide an update on the progress of implementing the CPDP, including the status of the:

- Court challenges;
- Land Exchange Agreements;
- Regional Fiscal Impact Study;
- Municipal Class Environmental Assessment (EA) for Regional Infrastructure;
- Durham/Toronto/York (DTY) Area Transportation Plan Study;
- Highway 407 Interchanges;
- Natural Heritage System (NHS) Management and Master Trail Plan Study;
- Master Environmental Servicing Plan (MESP);
- Neighbourhood Plans; and
- Committee/Group meetings related to Central Pickering.

This Report also summarizes the issues that Regional Council has directed staff to address in implementing the CPDP, along with the progress made for each issue (Refer to Attachment 1).

## **2. COURT CHALLENGES**

- 2.1 As previously reported, Ontario Realty Corporation's (ORC) land exchange EA was challenged by Hollinger Farms Inc. and others, requesting a "bump-up" of the EA on the basis that it was too narrowly scoped. The application was heard by Divisional Court in early February 2007, and a decision was issued on June 13, 2007.
- 2.2 In summary, the Court dismissed the application, finding that Hollinger's application was an abuse of process and that the Minister's decision not to grant the "bump-up" request was reasonable.

## **3. LAND EXCHANGE AGREEMENTS**

- 3.1 On August 14, 2007 the land exchange agreement between the Province and the Oak Ridges Moraine – Richmond Hill developers<sup>1</sup> closed (Richmond Hill Agreement). On August 16, 2007, the land exchange agreement between the Province and the Oak Ridges Moraine – Uxbridge developer<sup>2</sup> came into force (Uxbridge Agreement). As a result, a significant portion of the residential/mixed use lands within Seaton were transferred to private developers. The Province (ORC) however, retained ownership of the employment lands along the Highway 407 corridor, the entire Natural Heritage System, the Hamlet Heritage Open Space adjacent to Whitevale and Green River, and portions of the residential/mixed use lands generally along Brock Road. Attachment 2 illustrates the current land ownership pattern in Seaton.
- 3.2 The Land Exchange Agreements were held in confidence by the Province until closing. Subsequently, copies were forwarded to the Region in early September 2007. The Agreements have been reviewed by the Legal Department. The following provides a summary of the pertinent aspects, with comments in *italics*:
- As a development objective, the Richmond Hill Agreement contains a provision that Regional Council adopts an amendment to the Regional

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<sup>1</sup> Gray, Metrus Development Inc. (now "Cotenancy (ORFCT)" and "Zavala/Gray"), Lebovic Enterprises, and Mattamy Homes Limited.

<sup>2</sup> Uxbridge Valley/Jay-M Holdings, formerly known as "Gan Eden" (now "White Sun Developments").

development charges (DC) by-law before February 14, 2008, to deal with the provision of roads, water and sanitary sewer services as detailed in the CPDP. According to the Agreement, the amendment to the Regional DC by-law is to specifically permit front-end financing by the landowners, and also provide for DC credits and/or reimbursement in cases where the landowners contribute to front-end financing costs, or where other parties paying development charges benefit from the services delivered through the front-end financing agreements. The Agreement also includes a potential penalty, that the Province is required to convey an additional 10% of Provincial land to the landowners if the Regional DC by-law and the CPDP are not in place by February 14, 2008. *(The Region is not a Party to this Agreement);*

- The Seaton landowners agree to implement the principles of Smart Growth. *(This is consistent with the CPDP and the Regional Official Plan policies for Seaton.);*
- The land “Owners and the Province are required to convey to the Region of Durham, the City of Pickering or any other appropriate Authority without consideration, any rights-of-way, including fee interests, dedications or transfers, where required, or lesser interests if so specified by the Region of Durham, the City of Pickering or any other appropriate Authority so as to permit the construction of any municipal services including but not limited to water, sewage, and arterial roadworks....and any other services required by the Region of Durham, the City of Pickering or any other appropriate Authority.” *(Although this provision suggests that the landowners and the Province agree to provide land free of charge to the Region and the City for any municipal services, the Region requires confirmation from the Parties, since other provisions in the Agreements suggest that the Region might be required to pay for lands for municipal services.); and*
- The Uxbridge Agreement contains a provision restricting registration of plans of subdivision until October 2010. As far as the Region has been able to determine, the Richmond Hill Agreement has no such provision. *(The Region has been advised that the City of Pickering recently received four (4) applications for plans of subdivision from Metrus (now “Cotenancy*

*(ORFCT) and Zaval/Gray”). Metrus is a Party to the Richmond Hill Agreement.)*

- 3.3 In addition to the Land Exchange Agreements, the Province also has a Cost-Sharing Agreement with the landowners effective July 18, 2007. This Agreement provides for the equitable distribution of the costs of community and infrastructure facilities in Seaton. The intent is to ensure that all of the landowners contribute their proportionate share towards the provision of these facilities. A trustee, the “North Pickering Community Management Inc.”<sup>3</sup> is responsible for the administration and implementation of the Cost-Sharing Agreement.

#### **4. REGIONAL FISCAL IMPACT STUDY**

- 4.1 As reported previously, the IBI Group has been retained by the Province/Seaton developers to undertake a Fiscal Impact Study. The purpose of the Study is to examine the capital and on-going operating cost implications on the Region with respect to all Regional services, including roads, water supply, sanitary sewerage, transit, public health, police, EMS and social services. The Study will account for the higher standards planned for this model sustainable community; demonstrate if there will be a financial hardship on the Region from the development of Seaton; and assess if the community will be financially sustainable. The Study addresses all of the Seaton lands and the Federal lands to the north.
- 4.2 The Study will provide the information needed to ensure appropriate financial agreements, including front-ending and cost-sharing agreements are in place prior to the development of Seaton. It will also provide the information needed for staff to calculate Seaton area specific development charges for transit, water supply and sanitary sewerage.
- 4.3 The costs of the Regional road network required to service Seaton will also be considered. The analysis will not only include Regional roads within Seaton, but also Regional roads outside of Seaton that will require expansion due to the anticipated growth within Seaton and the Federal lands (similar to water and sewer infrastructure requirements).

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<sup>3</sup> c/o Paladin Development Consultants, Mr. Andrew Orr, President.

- 4.4 A “Study Group”, consisting of representatives from the IBI Group, the Region (Finance, Works, Planning and Legal), Ministry of Municipal Affairs and Housing (MMAH), ORC, Ministry of Public Infrastructure Renewal (MPIR), Watson & Associates (representing the Region), Hemson Consulting (representing the Province), and Sernas Associates (representing the Seaton developers), have been meeting regularly to provide input into the Study, including the development of assumptions and scenarios.
- 4.5 A draft Study report is expected in the Spring of 2008, which will be forwarded to the Study Group, including the City of Pickering, for review. Once completed, the Study’s findings will be presented to Regional Council. It should also be noted that the IBI Group has recently initiated a Fiscal Impact Study with the City of Pickering to address the financial implications of the Seaton development on the City.
- 4.6 Three main issues have arisen as work has progressed with the Fiscal Impact Study. One is with the population and employment figures that are proposed to be used for the Study. The CPDP identifies a population of up to 70,000 and 35,000 jobs for Seaton. Sernas Associates, representing the Seaton developers, has prepared conceptual land use plans (“Sernas Plan”) for Seaton which would accommodate a population in the order of 54,000, which is much less than envisioned in the CPDP. The IBI Group is proposing to use this figure for the purposes of the Fiscal Impact Study. In addition, the IBI Group is proposing to use a lower job figure than that contained in the CPDP, to coincide with the lower population figure. In this regard, the Province has communicated with the developers that “...the CPDP is a provincial plan created under the authority of the *Ontario Planning and Development Act, 1994*. The CPDP provides a clear directive policy framework which all implementing studies and decisions are to conform to, including those related to planning a community that will accommodate up to 70,000 people and 35,000 jobs in initial build-out.”
- 4.7 Sernas Associates has suggested that the 70,000 population may be achieved in the long-term with redevelopment and intensification. The primary reason for the population variance appears to be that the CPDP assumes that there will be residential development over the mixed uses areas at the outset of development (i.e residential units above non-residential uses). On the other hand, the “Sernas Plan” assumes that residential development

- in the mixed uses areas will occur over the long-term, through redevelopment and intensification. Another reason for the population difference is that the “Sernas Plan” appears to be applying residential densities that are within the lower end of the CPDP prescribed residential density ranges. The CPDP is based on the average of the density ranges. These differences are currently under discussion amongst Regional, City and Provincial staff and the Seaton developers’ consultant (Sernas Associates).
- 4.8 In order to move forward, and for the purposes of the Fiscal Impact Study, a scenario will be completed for both the higher and lower population and employment estimates. By considering the lower population and employment forecasts put forward by the Seaton developers, the Fiscal Impact Study will identify the financial impact to the Region if the population and employment figures identified by the CPDP are not achieved (i.e. the worst case financial scenario).
- 4.9 The second issue relates to the assumptions to be used for the servicing costs for the Federal lands north of Seaton. The water, sewer and roads infrastructure that will be constructed for Seaton need to be oversized to service the Federal lands. **Accordingly, these additional costs (capital and operating) are being included in the Fiscal Impact Study analysis. How funding will be secured for the up-front capital costs to service the Federal lands remains unresolved. Since no decision on the development of the Federal lands is expected until 2009, no financial commitment has been made by Transport Canada.**
- 4.10 **Lastly, the Fiscal Impact Study is also addressing Regional Transit service and the associated costs. A preliminary analysis of a proposed transit network for Seaton indicates that, in order to accommodate the extensive transit service contemplated by the CPDP, the capital and operating costs will exceed revenue projections. This is due to the restrictions in the Development Charges Act, which only allows consideration of 10 years historical level of service. The anticipated future transit service for Seaton will significantly exceed this. Therefore, a significant portion of transit capital costs for Seaton is expected to be ineligible for development charge funding.**

Regional Council expressed this concern to the Province at the time the CPDP was approved (Report 2006-J-14), and requested that the Province amend the Development Charges Act to allow for the enhanced service expected in new communities. Regional Council reiterated this concern when commenting on the Provincially-led Highway 407 Economic Development Study (Report 2007-J-22). Council requested that the Province provide upfront capital and operating funding for the necessary transit infrastructure. Regional staff will further discuss this issue with the Province once preliminary cost estimates are finalized.

## **5. MUNICIPAL CLASS ENVIRONMENTAL ASSESSMENT (EA) FOR REGIONAL INFRASTRUCTURE**

- 5.1 On September 19, 2007, Council authorized the pre-qualification of up to five (5) engineering consulting firms to respond to a Request for Proposals (RFQ) for the Class EA related to Regional infrastructure (Report 2007-W-86). Council also reiterated its position regarding the financing of Regional infrastructure for Seaton, specifically:
- that growth pays for growth; and
  - that the Region will not bear any extraordinary long-term operating costs resulting in higher property taxes and/or water and sewer rates for Durham Region residents as a result of the Seaton development.
- 5.2 In November 2007, six (6) submissions were received. An “Evaluation Committee” consisting of Regional staff has selected the top five (5) qualified consultants/consultant teams to respond to the RFP for the Class EA. Once a consultant/consultant team has been retained by the Region, and their proposal has been approved by the Region, study timelines can be established. At this time, based on experience, the EA is expected to take approximately 1-3 years to complete.
- 5.3 In accordance with Council direction in March 2007 (Report 2007-J-08), the RFP will not be issued until a Memorandum of Understanding (MOU) for the funding arrangements between the Region and Seaton developers, for the cost of the EA has been completed. **In this regard, negotiations to finalize the MOU are close to completion.**

## **6. DURHAM/TORONTO/YORK (DTY) AREA TRANSPORTATION PLAN STUDY**

6.1 The Durham/Toronto/York Area Transportation Plan Study (DTY Study) runs parallel and in support of the CPDP implementation discussions. As previously reported, the Province (Ministry of Transportation Ontario - MTO) is the proponent for this strategic transportation network planning study that will evaluate long-range inter-regional road and transit improvements required to support the development of Seaton.

6.2 The objective of the DTY Study is to identify the key transportation infrastructure investments required to address the long term inter-regional road and transit network, to ensure that the land in Seaton will be serviceable and its value maximized. Ultimately, the Study recommendations could form the basis for provincial investments. The DTY Study is expected to be completed by Spring 2008. Regional staff continue to participate in this Study as members of a "Technical Advisory Group".

## **7. HIGHWAY 407 INTERCHANGES**

7.1 The Region has recently been contacted by consultants (Morrison Hershfield) working on behalf of MTO to initiate a "Working Group", in order to proceed with the studies and planning required for the design and construction of the Highway 407 interchanges designated by the CPDP at Sidelines 22 and 26. The Study is to include:

- a review of existing conditions and constraints;
- consideration of environmental issues;
- traffic analysis related to possible phased implementation;
- development of construction phasing scenarios based on traffic and Seaton development projections;
- preparation of construction cost estimates and funding requirements; and
- analysis of cost saving opportunities through phased implementation of the interchanges.

7.2 In this regard, staff attended a "start-up" meeting in late January 2008, together with other stakeholders, including the City of Pickering and MTO staff. This activity will need to be closely coordinated with the roads

components of the MESP, Regional Class EA for Infrastructure and the City's Neighbourhood Planning process, to ensure that the interchange designs are consistent with the preferred road alignments of Sidelines 22 and 26.

## **8. NATURAL HERITAGE SYSTEM (NHS) MANAGEMENT AND MASTER TRAIL PLAN STUDY**

8.1 As previously reported, the CPDP requires the preparation of a Natural Heritage System (NHS) Management and Master Trail Plan Study. This is a Provincially led Study, for which the Province has retained a consultant (Schollen & Co.).

8.2 The purpose of the Study is:

- to establish long-term uses for the NHS;
- identify maintenance requirements and responsibilities, programs and associated financial implications;
- address cultural heritage protection; and
- plan and design a master trail plan for Seaton's NHS.

8.3 To date, the consultant has gathered and synthesized background material; developed a preliminary trails concept plan; and has formulated preliminary management strategies. Also, a First Nations consultation program is being undertaken, to address existing and potential archaeological components of Seaton's extensive NHS. To date, two meetings have taken place with First Nations representatives. In addition, the consultant is conducting a public consultation program. The first Public Meeting was held on December 5, 2007, to share the background information; present the preliminary trails concept plan and draft management strategies for Seaton; and to obtain input.

8.4 A "Steering Committee" has been formed for the purposes of this Study. Regional Planning staff are members of the "Steering Committee", in an advisory/commenting capacity. Staff from other Departments are consulted from time to time, as required.

8.5 As part of the public consultation program, an "Advisory Group" has also been formed, to provide advice to the Steering Committee. The Advisory Group

- consists of a broad range of stakeholders, including Durham Police Service, Regional Works, recreational groups, and other local community group representatives. To date, two Advisory Group meetings have been held, with another planned for early 2008.
- 8.6 The first of three stages of this Study is nearing completion. Stage One is to produce a background report and initial trail concept plan. Stage Two is to prepare preliminary management strategies and a draft trails concept plan. Stage Three is the completion of the Management Plan and Master Trails Plan for the NHS, including implementation and operational strategies. A draft report is expected to be completed in February 2008.
- 8.7 Regional issues that need to be addressed through this Study include maintenance and operating costs of the NHS; financial implications; policing/safety; compatibility with Regional infrastructure, and connectivity with the approved Regional Trails system. Most of these matters will be addressed in third stage of the Study.
9. **MASTER ENVIRONMENTAL SERVICING PLAN (MESP)**
- 9.1 The purpose of this Study, which is being led by Sernas Associates on behalf of the Seaton landowners, is to complete an overall MESP for Central Pickering, and develop phase-specific implementation recommendations for infrastructure and major community facilities, in the context of the CPDP. The MESP is to fulfill the requirements of the Municipal Engineers Association Class Environmental Assessment – Master Planning Process, and at minimum, address the first two phases in the Planning and Design Process of the Class Environmental Assessment (EA) for all non-Regional road projects and local water and wastewater infrastructure projects. Terms of Reference were completed in June 2007, and work is well underway.
- 9.2 An “Oversight Committee” has been established for the purposes of this Study, consisting of various stakeholders, to provide an overview and consultative function, including reviewing the results of the analyses at key milestones. Regional staff from Planning and Works are members of this Committee, and consult with other Regional Departments, including Finance, Social Services, Health and Regional Police Service, as required. To date,

two Public Information Centres have been held, to inform interested citizens and agencies of the work that has been completed, and to receive input.

9.3 In late December 2007, a meeting was held to provide input to the MESP, in terms of major community facility requirements for Seaton. Regional staff attended to express Regional needs that have been identified to date, which include:

- a centrally located police station;
- a works operations centre/depot;
- an EMS station/facility;
- commuter/car pool parking areas;
- a transit depot; and
- water storage facilities (reservoirs) and water and sewer pumping stations.

City of Pickering staff also attended the meeting, and expressed need for:

- a fire hall/headquarters;
- a works operations centre/depot;
- an animal shelter;
- a library; and
- a district park (100 acres) and two community parks (25-35 acres), where playing fields, recreation centres, a cultural centre, ice surfaces, soccer pitches, tracks, baseball diamonds, etc. can be located.

In addition, school board staff attended the meeting, expressing need for two public secondary schools and one separate secondary school, totalling 45 acres. Elementary school needs, and other smaller community facility needs will be addressed through the City's Neighbourhood planning process.

9.4 At this point in time, it has not been confirmed that lands for community facilities will be free of charge. It should be noted however, that in October 2007, the Regional CAO and the City of Pickering CAO wrote a joint letter to the Assistant Deputy Minister of Public Infrastructure Renewal, expressing interest in the conveyance of Provincially owned land in Seaton to the Region and City for municipal purposes. To date, there has been no response.

- 9.5 A background report to the MESP is expected to be completed and released in March 2008. A draft MESP, which will include alternative recommendations will be completed in April/May for public review and input. Next, a final MESP will be prepared containing the preferred recommendations, with finalization of the MESP planned for summer 2008.

## **10. NEIGHBOURHOOD PLANS**

- 10.1 In May 2007, the City initiated the Neighbourhood planning process for Central Pickering. Currently, the City is preparing Terms of Reference, and once drafted, will circulate to various stakeholders, including the Region for comment. The City intends to retain a consultant for this work.
- 10.2 Once the preparation of the Neighbourhood Plans is underway, it will be important to coordinate with the MESP and the NHS Study with the Region's Class EA. In an effort to provide a "one-stop-shop" information source for the studies and activities related to the development of Seaton, and to assist in coordination, the City recently added a "Seaton Community" section to the home page of its website [www.cityofpickering.com](http://www.cityofpickering.com). This will become a valuable resource as the implementation of the CPDP progresses.

## **11. SEATON ADVISORY COMMITTEE AND SEATON INTER-GOVERNMENTAL GROUP**

- 11.1 Since June 2007, Regional staff have been invited to attend "Seaton Advisory Committee" meetings hosted by the City of Pickering to share information related to the implementation of the CPDP. The Committee is chaired by Regional Councilor Johnson and Co-chaired by Regional Councilor Littley.
- 11.2 Meetings are generally scheduled monthly, and representatives from the Region (Planning and Works), City of Pickering Mayor and Councilors, City staff, TRCA, a Whitevale resident, the Seaton landowners, the landowner's Trustee Corporation, Sernas Associates, Ministry of Municipal Affairs and Housing, Ministry of Public Infrastructure Renewal, Transport Canada, among others, are invited. Staff find these forums beneficial for information sharing and coordinating activities related to Central Pickering.

- 11.3 It should also be noted that a “Seaton Inter-governmental Group” has been established, consisting of senior staff members from the Ministry of Municipal Affairs and Housing, Ministry of Public Infrastructure Renewal, the Region and the City. The purpose of these meetings is for information sharing; coordination of government responsibilities, and to resolve issues as they arise. Meetings are chaired by Regional and City staff on a rotating basis, and to date, 3 meetings have been held. These meetings have served to be useful for conflict resolution and advancing the various studies related to the development of Seaton.

**12. SUMMARY OF COUNCIL DIRECTIONS TO ADDRESS REGIONAL ISSUES**

- 12.1 Attachment 1 provides a summary of Council directions to staff to address Regional issues related to the implementation of the CPDP and the development of Seaton. The Attachment also lists the numerous requests that Council has made to the Province to seek assistance. As can be seen in the Attachment, many of the matters that have been raised remain unresolved. This is largely because the studies and activities that might lead to resolution of the issue have either not commenced or are in early stages.

**13. CONCLUSIONS AND RECOMMENDATIONS**

- 13.1 The court challenges have concluded and the Land Exchange Agreements have been executed. The ownership pattern in Seaton has shifted from lands entirely owned by the Province, to lands that are partially in public ownership. At this point in time, it has not been confirmed that lands for Regional community facilities will be free of charge.
- 13.2 Many studies and initiatives are underway related to the development of Seaton. Many groups/committees have been formed, and many meetings are being held in relation to the implementation of the CPDP. There is a need to closely integrate studies, groups/committees, and coordinate activities being undertaken at the various levels of government. The Seaton Advisory Committee, the Seaton Intergovernmental Group and the City of Pickering’s newly launched “Seaton Community” website section can work toward meeting this need.

- 13.3 A number of issues have arisen as work on the Fiscal Impact Study has progressed. Staff will continue with the Study Group to resolve the issues. Where resolution cannot be achieved, staff will ensure that various scenarios of the Fiscal Impact Study will be completed to address the unresolved issues.
- 13.4 Regional Council has provided direction to staff in a number of areas related to the development of Seaton, and has made many requests to the Province for assistance, as illustrated on Attachment 1. Many of these matters remain unresolved because the studies and activities that might lead to resolution have either not commenced, or are in early stages.
- 13.5 It is recommended that this Report be received for information, and that copies of this Report be forwarded to various stakeholders to keep them informed.
- 13.6 Staff will continue to participate, contribute and advocate for Regional interests to resolve the Regional issues, and report on the progress of implementing the CPDP, as appropriate.
- 13.7 This Report has been prepared in consultation with the Office of the CAO, Health and Social Services Departments, Durham Region Transit and Durham Police Services.

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A.L. Georgieff, M.C.I.P., R.P.P.  
Commissioner of Planning

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R.J. Clapp, CA  
Commissioner of Finance

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C.R. Curtis, P.Eng., MBA  
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Patrick W. Olive  
Commissioner of Economic  
Development and Tourism

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B.J. Roy  
Regional Solicitor

RECOMMENDED FOR PRESENTATION TO COMMITTEE

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Garry H. Cubitt, M.S.W.  
Chief Administrative Officer

- Attachments:
1. Summary of Regional Council Directions to Staff and Requests to the Province Related to the Implementation of the CPDP and the Development of Seaton
  2. Seaton Land Ownership Map

**Summary of Regional Council Directions to Staff and Requests to the Province  
Related to the Implementation of the CPDP and the Development of Seaton**

Report No. and Subject	Council Date	Direction	Status
<p><b>2006-J-14</b></p> <p><b>Central Pickering Development Plan (CPDP)</b></p>	<p>May 31, 2006</p>	<p>That the Minister of Municipal Affairs and Housing be advised that the Region of Durham will continue to pursue resolution of the following interests through Stage 2 of the implementation of the Central Pickering Development Plan:</p> <p><u>Planning</u></p> <ul style="list-style-type: none"> <li>• Establishment of a Provincial role and commitment to achieving a viable agricultural community, over the long term;</li> </ul> <p><u>Servicing and Financing</u></p> <ul style="list-style-type: none"> <li>• Financial Agreements to ensure that:               <ol style="list-style-type: none"> <li>i) the Region is fully funded by the Province and/or developers for the actual costs to construct the necessary infrastructure; and</li> <li>ii) the Region does not bear any extraordinary long-term operating costs resulting in higher property taxes and/or water and sewer rates for Durham Region residents;</li> </ol> </li> <li>• servicing of the Federal airport lands prior to development approvals;</li> <li>• servicing and release for purchase of the 407 Employment Lands prior to any residential development in Seaton;</li> <li>• transportation concerns, including the financing of the proposed Highway 407 interchanges; Highway 7 upgrades/widening and "Freeway" designation; expanded transit services for Central Pickering'; and binding agreements to address inter-regional transportation systems;</li> </ul>	<p>No progress to date on this matter.</p> <p>Ongoing. Regional Fiscal Impact Study is underway to address these matters.</p> <p>The issue of costs related to servicing the Federal lands remains unresolved.</p> <p>Unresolved.</p> <p>Ongoing. The Region has recently been contacted by consultants working on behalf of the Ministry of Transportation (MTO), to establish a Working Group in order to prepare and direct the studies and planning required for the Highway 407 interchanges. Also, the DTY Study, to address inter-regional transportation is</p>

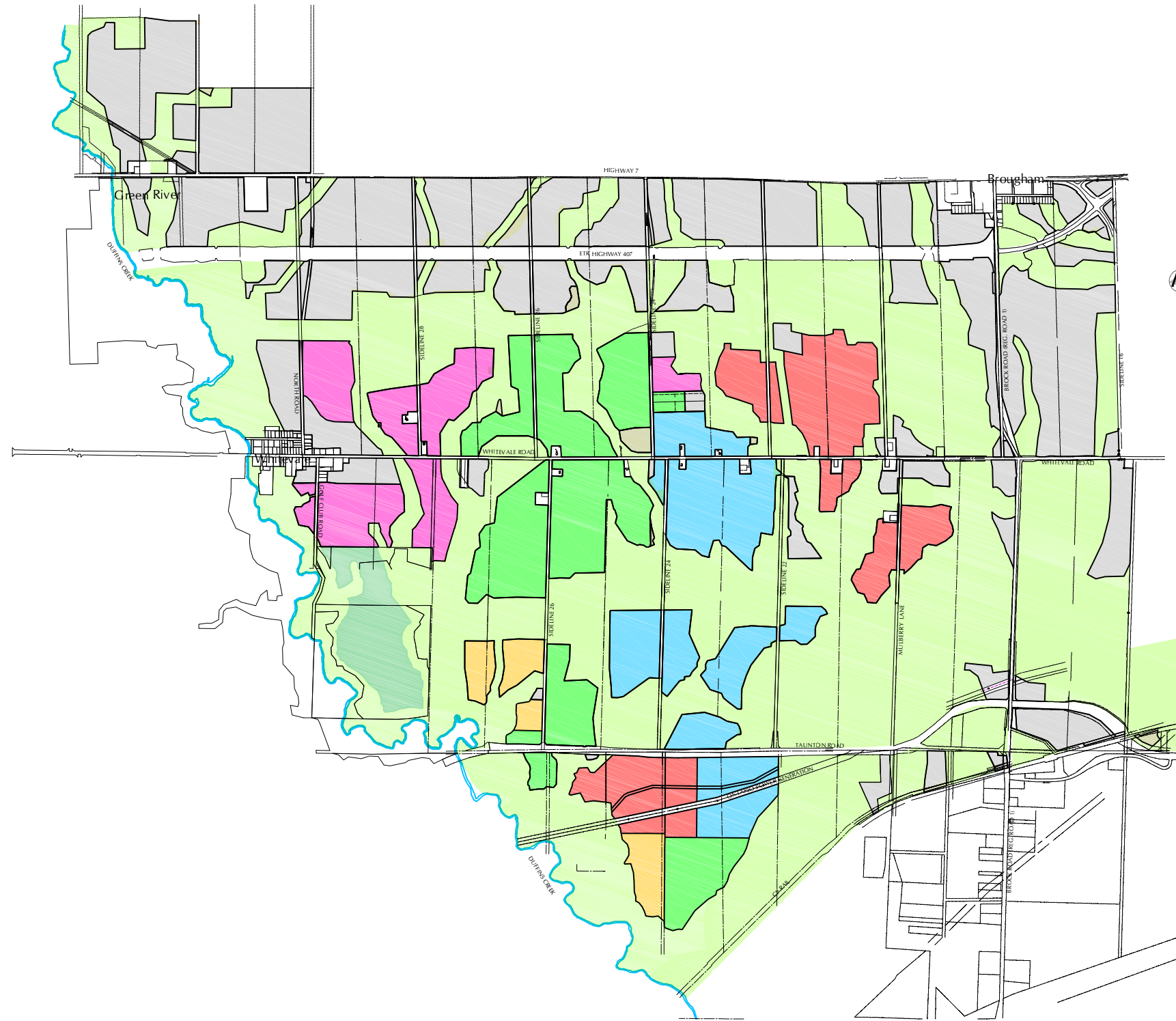
Report No. and Subject	Council Date	Direction	Status
		<ul style="list-style-type: none"> <li>• financial assistance to the Region, in accordance with subsection 20 of the Ontario Planning and Development Act, in the event that increased costs are encountered in the implementation of the Central Pickering Development Plan;</li> <li>• amendments to the Development Charges Act to enable municipalities to fully recover the costs of new development, so that 'growth pays for growth' in Seaton;</li> </ul> <p><u>Health</u></p> <ul style="list-style-type: none"> <li>• formalization of an implementation plan for a Health Care Strategy with the Minister of Health and Long Term Care, that will address the issue of the shortage of physicians that exists in Durham Region.</li> </ul> <p>That the Durham Regional Official Plan be amended through the Regional Official Plan Review, to recognize that a Development Plan is in effect for Central Pickering.</p>	<p>ongoing, and is expected to be completed in Spring 2008.</p> <p>Increased costs are yet to be determined.</p> <p>Unresolved.</p> <p>Unresolved.</p> <p>Completed. Amendment 114, which was approved, in part, by the Ontario Municipal Board on January 2, 2008, recognizes the CPDP. The Amendment also acknowledges that conformity amendments to the Regional Plan to implement the CPDP will be considered at a later date, in consultation with the City of Pickering, TRCA and the Ministry of Municipal Affairs and Housing.</p>

Report No. and Subject	Council Date	Direction	Status
<p data-bbox="115 267 254 300"><b>2006-W-73</b></p> <p data-bbox="115 342 436 626"><b>Class Environmental Assessment (EA) for Regional Infrastructure Related to Water Supply, Sanitary Sewerage and Transportation for the Central Pickering Development Plan</b></p>	<p data-bbox="468 267 638 300">June 21, 2006</p>	<p data-bbox="690 267 1358 332">That Regional staff be authorized to proceed with Class Environmental Assessment for Regional Infrastructure.</p> <p data-bbox="690 375 1358 586">That the Class EA studies are to be funded 100% by the landowners within the CPDP (to be secured by a letter of credit), with the costs of the study recognized as part of the overall costs to service the CPDP, and that their costs be incorporated into the final financial agreement with the Region.</p>	<p data-bbox="1383 267 1942 332">See Report 2007-W-86 below. Prequalification process is underway.</p> <p data-bbox="1383 375 1942 553">Ongoing. Negotiations to finalize a Memorandum of Understanding (MOU) for funding arrangements are being undertaken by the Legal and Finance Departments, and are close to completion.</p>
<p data-bbox="115 673 243 706"><b>2007-J-08</b></p> <p data-bbox="115 748 436 886"><b>Status of Implementation of the Central Pickering Development Plan (CPDP)</b></p>	<p data-bbox="468 673 638 706">March 28, 2007</p>	<p data-bbox="690 673 1358 943">That given the uncertainties related to the completion of the Seaton land exchange transaction due to recent court challenges, and the heightened risks that the required Class Environmental Assessments for Regional infrastructure for Seaton may be subject to appeals, Regional staff be authorized to continue to move forward with the Environmental Assessments required for the development of Central Pickering on the basis that:</p> <ul data-bbox="690 976 1358 1464" style="list-style-type: none"> <li data-bbox="690 976 1358 1195">• The Province, being the owner of the Seaton lands, provides the Region with adequate assurance that the Region may fully participate in its Class Environmental Assessment work for water, wastewater and transportation infrastructure, including access to Provincially owned lands, pending completion of the land exchange; and</li> <li data-bbox="690 1227 1358 1464">• The Region obtain indemnities from the benefiting development proponents, in a form acceptable to the Regional Solicitor, for any losses incurred as a result of the Region's participation in the Class Environmental Assessment work to be undertaken, in addition to the previously agreed upon 100% funding of the Environmental Assessments by the benefiting development proponents.</li> </ul>	<p data-bbox="1383 976 1942 1122">Completed. The Land Exchange Agreement has been executed and the Province has provided assurances by way of correspondence received in March/April 2007.</p> <p data-bbox="1383 1227 1942 1406">Ongoing. Negotiations to finalize a Memorandum of Understanding (MOU) for funding arrangements are being undertaken by the Legal and Finance Departments, and are close to completion.</p>

Report No. and Subject	Council Date	Direction	Status
		<p>That the Minister of Municipal Affairs and Housing be requested to facilitate discussions between:</p> <ul style="list-style-type: none"> <li>• the Ministry of Transportation, 407 ETR, and the Region of Durham, to determine the timing, design and construction of the Highway 407 interchanges designated at Sidelines 22 and 26; and</li> <li>• Transport Canada, Environment Canada, the Greater Toronto Airports Authority (GTAA), and the Region of Durham, in order to participate in planning for Regional infrastructure (water and wastewater) required to service the Federal airport lands.</li> </ul>	<p>Ongoing. The Region has recently been contacted by consultants working on behalf of the Ministry of Transportation (MTO), to establish a Working Group in order to prepare and direct the studies and planning required for the interchanges.</p> <p>No progress to date on this matter, although meetings have been held.</p>
<p><b>2007-J-22</b></p> <p><b>Highway 407 (Seaton Lands) Economic Development Study</b></p>	<p>June 20, 2007</p>	<p>In order to promote development of the Highway 407 Prestige Employment Lands concurrent with the development of the residential lands within Seaton, the Province who are the sole owners of the land, be requested to:</p> <ul style="list-style-type: none"> <li>i) Commit funding for the infrastructure necessary to service the employment lands;</li> <li>ii) Sell a minimum of 40% to a maximum of 50% of the industrial lands prior to the servicing being finished;</li> <li>iii) Work with the Hwy 407 Interchange Consortium to ensure that Hwy 407 Interchanges be constructed at</li> </ul>	<p>Unresolved.</p> <p>Unresolved.</p> <p>Ongoing. The Region has recently been</p>

Report No. and Subject	Council Date	Direction	Status
		<p>Sideline 22 and 26 (as identified in the Central Pickering Development Plan) in a timely manner;</p> <p>iv) Commence with the Environmental Assessment to widen Provincial Highway #7 within the Seaton lands (from the York-Durham Boundary to Brock Road in Pickering) and commit to funding the necessary road improvements; and</p> <p>v) Limit the amount of employment lands sold and subsequently developed as design-build arrangements.</p> <p>In order to abide by the North Pickering Land Exchange Review Panel's Principles, the Province should remain an active participant in the development of Seaton employment lands through the following actions:</p> <p>i) Market the prestigious employment lands in conjunction with the Region of Durham and City of Pickering;</p> <p>ii) Take an active role in attracting the first major users to Seaton to provide overall market profile to the area and encourage prestige employment development;</p> <p>iii) Sell large blocks of land to industrial developers to advance the timing of development and control the type of development; and</p> <p>iv) Prohibit the development of large warehousing type developments.</p>	<p>contacted by consultants working on behalf of the Ministry of Transportation (MTO), to establish a Working Group in order to prepare and direct the studies and planning required for the interchanges.</p> <p>No progress to date on this matter.</p> <p>Unresolved.</p> <p>Unresolved, however the City of Pickering is considering the establishment of a "Jobs First Forum" to discuss marketing strategies.</p> <p>Unresolved.</p> <p>Unresolved.</p> <p>This matter will be addressed through the City's Neighbourhood Planning process.</p>

Report No. and Subject	Council Date	Direction	Status
		<p>In order to provide transit services at the outset of development and attract ridership in the early stages of development for this compact model community, the Province provide upfront capital and ongoing operating funding to the Region for the necessary transit infrastructure.</p> <p>In order for the Highway 407 Employment Lands to capitalize on the eastern market, the Province advance the timing of the Environmental Assessment to extend Highway 407 east of Brock Road in Pickering.</p>	<p>No progress on this matter.</p> <p>The Province has committed to a completion date of 2013 for the Highway 407 extension.</p>
<p><b>2007-W-86</b></p> <p><b>Class Environmental Assessment (EA) for Regional Infrastructure related to Water Supply, sanitary Sewerage and Transportation for the Central Pickering Development Plan – Prequalification process for a Request for Proposals</b></p>	<p>September 19, 2007</p>	<p>The Region of Durham agrees to undertake the class Environmental Assessment study on behalf of property owners administratively, but that such approval does not change the current Regional position regarding financing of Regional infrastructure for Seaton.</p> <p><i>NOTE: the Regional position regarding financing for Seaton is:</i></p> <ul style="list-style-type: none"> <li>• <i>that growth pays for growth, and</i></li> <li>• <i>that the Region does not bear any extraordinary long-term operating costs resulting in higher property taxes and/or water and sewer rates for Durham Region residents as a result of the Seaton development.</i></li> </ul>	<p>Prequalification process is underway. The Region will issue a Request for Proposals (RFP) to pre-qualified consultants/consultant teams as soon as a Memorandum of Understanding (MOU) is in place. Financing of Regional infrastructure is to be determined through the Regional Fiscal Impact Study and subsequent financial arrangements.</p>



Legend

- COTENANCY (ORFCT)
- ZAVALA/GRAY
- LEBOVIC
- MATTAMY
- WHITE SUN DEV.
- ONTARIO REALTY CORPORATION
- NATURAL HERITAGE SYSTEM (NHS)
- WHITEVALE GOLF COURSE

# SEATON LAND OWNERSHIP

Source: Sernas Associates, January 25, 2008

**SERNAS ASSOCIATES**  
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