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GTA

# Pickering wetlands fast-tracked for development by Doug Ford's government gets temporary reprieve

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Mon., March 15, 2021 | ⌚ 4 min. read

A provincially significant wetland in Pickering will remain untouched for now — but how long it will be able to stave off development is unclear.

The Lower Duffins Creek Wetland at Highway 401 and Bayly Street was scheduled to be stripped of its vegetation and filled with soil over the weekend to prepare the land for a warehouse project approved by the [Doug Ford](#) government last year through a [minister's zoning order \(MZO\)](#).

But news on Friday that Amazon was no longer considering the proposed site for a distribution centre due to ongoing controversy and public outcry, led the mayor of Pickering to call for a “pause” in the destruction of the site.

On the weekend, the developer, Pickering Development (Squires) Inc, promised “not to interfere with, alter or remove” any of the natural heritage features on the site.

On Monday, Pickering Development and the environmental groups Environmental Defence and Ontario Nature came to a legal agreement that would prohibit activity on the property until the environmental groups get the chance to challenge the legality of MZOs — a planning tool that allows the province to fast-track developments by overriding local zoning rules — in court later this year.

But environmental groups say that the site will continue to be at risk until the MZO for the site is rescinded.

“The pause is not permanent. They are reserving the right to get other permits from the city, so this keeps them off the site while we prep for the judicial review,” said Tim Gray, executive director of Environmental Defence.

“I think in the long run, the developer very much wants to develop the site, because if they get it through, the speculative value of the land will be much more than what they paid for it,” said Gray. “That’s why it’s so important to get Pickering council to ask for the MZO to be changed, and for the minister for do it.”

Gray said his group is also asking for the province to repeal legislation that would allow MZOs to override provincial planning policy, including policy that inhibits development on environmentally sensitive land.

On Monday afternoon, Doug Ford addressed the Pickering MZO saying, “With this MZO, and with Amazon, since they are moving along, we are going to sit down with the region, we are going to sit down with the mayor and ask them what they want to do with it.”

Ford added that MZOs were necessary to help get the economy moving. “As we come through the pandemic, guess what this number one issue is going to be? The economy. And we can’t afford to wait...it could take two-three years on all fronts.”

Stephanie Bellotto, a spokesperson for the Minister of Municipal Affairs and Housing, said minister Steve Clark has written to the city of Pickering and the region of Durham to ask if they would like the MZO amended to exclude the portion of the lands that would allow for the construction of a distribution centre.

Pickering did not respond to questions from the Star.

The provincial NDP called on the Ford government to revoke the MZO, saying the Pickering situation was a victory for the community.

"This is a victory for the community, First Nations and for every Ontarian who wants to protect our environment from being paved over by Ford's developer friends and donors," said NDP leader Andrea Horwath.

The Lower Duffins Creek site is not the only provincially significant land that has been impacted by MZOs. In a February staff report, the Toronto Region and Conservation Authority (TRCA) identified that out of the 30 MZOs requested by local councils, 20 of those were in areas regulated by the TRCA.

The staff report says that in three instances where MZOs were on provincially significant lands — the Mayfield West housing development, a Canadian Tire warehouse in Caledon and a Walmart Distribution Centre in Vaughan — consultation between the developer and TRCA allowed environmentally sensitive features to be "appropriately identified and impacts avoided, mitigated, or compensated for, in cooperation with municipalities and the Ministry of Natural Resources and Forestry."

But there are others that have been issued on environmentally sensitive lands — and without consulting the conservation authority, the report states.

"TRCA staff were not notified prior to a council endorsement to request an MZO and/or consulted prior to the minister's issuance of an MZO. This is despite TRCA's regulatory authority and/or previous involvement in related subwatershed studies and secondary plans."

According to the report, a number of MZOs are on valley lands, flood plains and along stream corridors.

Previously, John MacKenzie, CEO of the TRCA, told the Star it was closely watching an MZO request in Vaughan that will impact provincially significant lands near Jane Street and Kirby Road. MacKenzie said 80 of the 200 acres of the property are on a provincially significant wetland, and would normally be "off-limit."

The government has yet to issue the MZO.



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