

**From:** Carolyn Lance <[clance@georgina.ca](mailto:clance@georgina.ca)>

**Sent:** Friday, February 26, 2021 4:30 PM

**To:** [doug.ford@pc.ola.org](mailto:doug.ford@pc.ola.org); [ahorwath-gp@ndp.on.ca](mailto:ahorwath-gp@ndp.on.ca); [jfraser.mpp.co@liberal.ola.org](mailto:jfraser.mpp.co@liberal.ola.org); [mschreiner@ola.org](mailto:mschreiner@ola.org); [caroline.mulroney@pc.ola.org](mailto:caroline.mulroney@pc.ola.org); [jeff.yurek@pc.ola.org](mailto:jeff.yurek@pc.ola.org); Town of Aurora <[info@aurora.ca](mailto:info@aurora.ca)>; Town of Bradford West Gwillimbury <[rmurphy@townofbwg.com](mailto:rmurphy@townofbwg.com)>; Town of East Gwillimbury <[town@eastgwillimbury.ca](mailto:town@eastgwillimbury.ca)>; Town of Innisfil <[inquiry@innisfil.ca](mailto:inquiry@innisfil.ca)>; Town of New Tecumseth <[bkane@newtecumseth.ca](mailto:bkane@newtecumseth.ca)>; Town of Newmarket <[info@newmarket.ca](mailto:info@newmarket.ca)>; Gillian Angus-Traill <[gillian.angus-traill@townofws.ca](mailto:gillian.angus-traill@townofws.ca)>; Township of King <[online@king.ca](mailto:online@king.ca)>; Township of Oro-Medonte <[info@oro-medonte.ca](mailto:info@oro-medonte.ca)>; Township of Ramara <[ramara@ramara.ca](mailto:ramara@ramara.ca)>; Township of Scugog <[mail@scugog.ca](mailto:mail@scugog.ca)>; Township of Uxbridge <[info@town.uxbridge.on.ca](mailto:info@town.uxbridge.on.ca)>; Townshp of Brock <[clerks@townshipofbrock.ca](mailto:clerks@townshipofbrock.ca)>; Region of Durham <[info@durham.ca](mailto:info@durham.ca)>; AccessYork <[AccessYork@york.ca](mailto:AccessYork@york.ca)>; City of Barrie <[cityinfo@barrie.ca](mailto:cityinfo@barrie.ca)>; City of Kawartha Lakes <[info@kawarthalakes.ca](mailto:info@kawarthalakes.ca)>; City of Orillia <[corporate@orillia.ca](mailto:corporate@orillia.ca)>; Simcoe County Customer Service <[info@simcoe.ca](mailto:info@simcoe.ca)>; [Erin.OToole@parl.gc.ca](mailto:Erin.OToole@parl.gc.ca); [a.cullen@lsrca.on.ca](mailto:a.cullen@lsrca.on.ca); [steve.clark@pc.ola.org](mailto:steve.clark@pc.ola.org); Regional Clerk <[ClerkGeneralLine@york.ca](mailto:ClerkGeneralLine@york.ca)>; [donna.bigcanoe@georginaisland.com](mailto:donna.bigcanoe@georginaisland.com); [Jagmeet.Singh@parl.gc.ca](mailto:Jagmeet.Singh@parl.gc.ca); Michael Parsa <[michael.parsaco@pc.ola.org](mailto:michael.parsaco@pc.ola.org)>; Stephen Lecce <[stephen.lecce@pc.ola.org](mailto:stephen.lecce@pc.ola.org)>; Christine Elliott, MPP, Newmarket-Aurora <[christine.elliott@pc.ola.org](mailto:christine.elliott@pc.ola.org)>; Paul Calandra <[paul.calandra@pc.ola.org](mailto:paul.calandra@pc.ola.org)>; [natasha.charles@georginaisland.com](mailto:natasha.charles@georginaisland.com)

**Subject:** 10 Year Review of Lake Simcoe Protection Plan

Honourable Premier, Honourable Ministers, MPP's, Sirs/Madams:

Please be advised that the Council for the Corporation of the Town of Georgina, at its February 24<sup>th</sup> meeting, considered Staff Report No. DS-2021-0022 entitled '10 Year Review of the Lake Simcoe Protection Plan' (attached) and passed the following motion;

**RESOLUTION NO. C-2021-0050**

Moved By Councillor Neeson

Seconded By Regional Councillor Grossi

1. That Report No. DS-2021-0022 prepared by the Planning Policy Division, Development Services Department dated February 24, 2021, be received for information.
2. That Council endorse Report No. DS-2021-0022 prepared by the Planning Policy Division, Development Services Department dated February 24, 2021, as the Town of Georgina's comments and input into the 10 Year Review of the Lake Simcoe Protection Plan, supplementing the Council resolution of October 28, 2020.
3. That the Province of Ontario update its Phosphorous Reduction Strategy to examine the Comprehensive Stormwater Management Master Plans of watershed municipalities, and in consultation with the Lake Simcoe Region Conservation Authority, prioritize effective phosphorous reduction works and

develop a funding strategy to accelerate their development and implementation.

4. That prior to posting any notices of changes to the Lake Simcoe Protection Plan Act or Lake Simcoe Protection Plan on the Environmental Bill of Rights web-site that the Ministry of Environment, Conservation and Park undertake an additional round of consultation of any such proposed changes.
5. That the Council of the Town of Georgina requests that the Province of Ontario revise the Phosphorus Reduction Strategy to create a time bound plan and the associated budgets to achieve the 55% phosphorus pollution reduction to no more than 44 tonnes per year as soon as possible.
6. That the Council of the Town of Georgina hereby opposes the use of Minister Zoning Orders by the Province of Ontario which override the environmental protections contained within the Lake Simcoe Protection Plan and further, that the Province not approve any development which does not meet applicable targets and standards set out in the Lake Simcoe Protection Plan, particularly those related to Phosphorus loading in Lake Simcoe.
7. That the Town Clerk forward a copy of Report No. DS-2021-0022 and Council's resolution to the Ministry of Environment, Conservation and Parks, the Region of York, the Chippewas of Georgina Island First Nation, the Lake Simcoe Region Conservation Authority, all other Lake Simcoe watershed municipalities, all MPP's of Lake Simcoe watershed municipalities, the Premier of Ontario, the Ministry of Municipal Affairs and Housing and the leaders of the Progressive Conservative, Liberal and NDP parties.

Carried

Accordingly, Town Council respectfully requests your serious consideration of its position on this matter. Thank you.

Sincerely,



**Carolyn Lance**

Council Services Coordinator

Clerk's Division | Town of Georgina

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**THE CORPORATION OF THE TOWN OF GEORGINA**

**REPORT NO. DS-2021-0022**

**FOR THE CONSIDERATION OF  
COUNCIL**

**February 24, 2021**

**SUBJECT: 10 YEAR REVIEW OF THE LAKE SIMCOE PROTECTION PLAN**

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**1. RECOMMENDATION:**

**1. That Report No. DS-2021-0022 prepared by the Planning Policy Division, Development Services Department dated February 24, 2021, be received for information.**

**2. That Council endorse Report No. DS-2021-0022 prepared by the Planning Policy Division, Development Services Department dated February 24, 2021, as the Town of Georgina's comments and input into the 10 Year Review of the Lake Simcoe Protection Plan, supplementing the Council resolution of October 28, 2020.**

**3. That the Province of Ontario update its Phosphorous Reduction Strategy to examine the Comprehensive Stormwater Management Master Plans of watershed municipalities, and in consultation with the Lake Simcoe Region Conservation Authority, prioritize effective phosphorous reduction works and develop a funding strategy to accelerate their development and implementation.**

**4. That prior to posting any notices of changes to the Lake Simcoe Protection Plan Act or Lake Simcoe Protection Plan on the Environmental Bill of Rights web-site that the Ministry of Environment, Conservation and Park undertake an additional round of consultation of any such proposed changes.**

**5. That the Town Clerk forward a copy of Report No. DS-2021-022 and Council's resolution to the Ministry of Environment, Conservation and Parks, the Region of York, the Chippewas of Georgina Island First Nation and the Lake Simcoe Region Conservation Authority.**

**2. PURPOSE:**

The purpose of this report is to provide Council with Staff's comments and recommendations on the 10- Year Review of the Lake Simcoe Protection Plan (LSPP).

**3. BACKGROUND:**

On December 18, 2020, e-mail correspondence was received from Ling Mark, Director, Great Lakes Inland Waters Branch, Land and Water Division of the Ministry of Environment, Conservation and Parks launching a 75 day engagement period for the legislated review of the Lake Simcoe Protection Plan ending on March 3, 2021 (Refer to Attachment 1).

During this period, the Province has established an on-line public survey as well as a “Virtual Science Event “(held on January 28, 2021) and a “Virtual Town Hall” held on February 11, 2021. Both sessions were attended by Town Staff.

Under Section 17 of the Lake Simcoe Protection Plan Act 2008 (LSPP Act), the Minister is required to ensure that a review of the LSPP is carried out at least every 10 years after the date the Plan takes effect to determine whether the Plan should be amended.

During the review the Minister is required to consult with:

- The council of each municipality that has jurisdiction in the Lake Simcoe watershed or the prescribed outside areas;
- The Lake Simcoe Region Conservation Authority (LSRCA);
- Public bodies that in the opinion of the Minister could be affected by the review, the Lake Simcoe Science Committee and the Lake Simcoe Coordinating Committee; and,
- The public.

The review was launched on December 18, 2021, just prior to Christmas for a 75 day commenting consultation period. This short window for comments is inadequate for consultation on a Plan with the significance of the LSPP and negates meaningful opportunity for greater dialogue and consultation with stakeholders. A short consultation window for a 10 year review as provided does not engender the necessary spirit of trust and transparency that is important to maintain in these type of engagements.

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3.1 COUNCIL RESOLUTION – OCTOBER 28, 2020- RESCUE LAKE SIMCOE COALITION

On October 28, 2020, staff received a briefing note and recommendation from the Georgina Environmental Advisory Committee and a delegation from Claire Malcomson, Executive Director, Rescue Lake Simcoe Coalition concerning the upcoming LSPP 10 Year Review and adopted RESOLUTION NO. C-2020- 0339 as follows:

*That Town Council receive the briefing note from the Georgina Environmental Advisory Committee and endorse the following position of the Lake Simcoe Protection Plan to ensure the provisions of the Lake Simcoe Protection Plan that protect water quality and natural heritage are upheld:*

*WHEREAS a healthy environment provides the foundation for healthy communities, healthy people and a healthy economy;*

*AND WHEREAS the passage of the Lake Simcoe Protection Act received unanimous, all party support in the Ontario legislature in 2008;*

*THEREFORE BE IT RESOLVED that the Town of Georgina calls on the Ontario Government to demonstrate its commitment to clean water and protecting what matters most in the Provincial statutory review of the Lake Simcoe Protection Plan, by ensuring that provisions in the Lake Simcoe Protection Plan that protect water quality are not weakened and that policies protecting natural heritage be strengthened, in order to meet the targets of the Lake Simcoe Protection Plan;*

*AND that the Ontario Government be requested to work collaboratively with affected Provincial Ministries and all levels of government, including First Nations and Metis, to achieve the goals and targets of the Lake Simcoe Protection Plan and to resource the programs that improve Lake Simcoe's water quality during the provincial statutory review of the Lake Simcoe Protection Plan;*

*AND that copies of this resolution be provided to Ontario Premier Doug Ford, Official Opposition Leader Andrea Horvath, MPP John Fraser, MPP Mike Schreiner, MPP Caroline Mulroney, MPP Jeff Yurek, Ministry of the Environment, Conservation and Parks and to all Lake Simcoe Watershed municipalities for their support.*

3.2 UPPER YORK SEWAGE SOLUTIONS

The Upper York Sewage Solutions project is to provide sewage servicing to accommodate planned employment and community growth of approximately 153,000 residents and employees in the towns of Aurora, Newmarket and East

Gwillimbury. All of these communities are located within the Lake Simcoe watershed.

The proposed treatment facility (Water Reclamation Centre).would outfall into the East Holland River and into Lake Simcoe.

In July 2014 the Environmental Assessment for the project was completed and forwarded to the Province for approval which remains pending. The undertaking is opposed by the Chippewas of Georgina Island First Nation and Town Council.

In this regard, on November 18, 2020, Town Council adopted the following resolution:

*WHEREAS the Town of Georgina includes fifty-two (52) kilometres of Lake Simcoe Shoreline;*

*AND WHEREAS the Region of York was directed by the Province of Ontario to find local solutions for wastewater in the communities of East Gwillimbury, Newmarket and Aurora to accommodate Provincially legislated growth targets;*

*AND WHEREAS the Lake Simcoe Protection Plan (Act) received unanimous, all party support in the Ontario Legislature in 2008, which prohibits any new sewage treatment plants on Lake Simcoe, however, does permit expansion and technology improvements to existing systems;*

*AND WHEREAS the Region of York has invested significant taxpayer dollars - including those of our local tax payers - in the proposed Upper York Sewage Solution (UYSS) to accommodate the above mentioned growth, at the request of the Province of Ontario;*

*AND WHEREAS expansion and technology upgrades are required among several Lake Simcoe Communities, including in the Town of Georgina, to similarly accommodate Provincially required growth and also to further ensure the current and future health of Lake Simcoe;*

*AND WHEREAS the Town of Georgina opens every meeting with a land acknowledgement whereby recognizing our close relationship with the Chippewas of Georgina Island who have voiced their opposition to the UYSS;*

*AND WHEREAS the Chippewas of Georgina Island have been on a boil water advisory and have not had access to safe drinking water since approximately 2017;*

*NOW THEREFORE BE IT RESOLVED that the Council of the Town of Georgina hereby requests that the Province of Ontario and the Government of Canada:*

- 1) *Cancel the Upper York Sewage Solution (UYSS)*

2) *Negotiate in good faith with the Region of York to accommodate the growth as mentioned above for our partner Municipalities to a non-Lake Simcoe discharge point as per the Lake Simcoe Protection Plan (Act).*

3) *Reimburse the previously made taxpayer investment from York Region Municipalities including the Town of Georgina with respect to the UYSS towards the new solution to a non-Lake Simcoe discharge point.*

4) *As a part of the above, also facilitate an end to the sewage lagoons in the Town of East Gwillimbury in consultation with their local council, staff and its residents*

5) *Be an active participant and joint funder of using the technology advancements that the Region of York has developed in order to upgrade or expand capacity on wastewater facilities for all Lake Simcoe communities to further improve to the health of Lake Simcoe*

6) *As a matter of the utmost importance, work in a collaborative fashion with the Chippewas of Georgina Island to provide resources whether financial or otherwise, to ensure that they have access to clean drinking water on a sustainable basis, without delay.*

7) *That copies of this motion be forwarded to all Lake Simcoe Municipalities, the Chippewas of Georgina Island, all York Region MPP's, all York Region MP's, Ontario Official Opposition Leader Andrea Horwath, Leader of the Ontario Liberals, Steven Del Duca, Leader of the Ontario Green Party, Mike Schreiner, Ontario Premier Doug Ford and the Prime Minister of Canada and the Right Hon. Justin Trudeau.*

### 3.3 MINISTER'S 10-YEAR REVIEW REPORT

Prior to the commencement of the review, the Minister of Environment, Conservation and Parks released a 10-Year Review Report (Minister's Report) which acts like a high level monitoring summary and discussion paper. Owing to the length of the Minister's Report, it is not attached here but is available at the following link: <https://www.ontario.ca/page/ministers-10-year-report-lake-simcoe>

The Minister's Report highlights some of the recent actions that the Province and partners have taken to protect and restore Lake Simcoe. It also highlights monitoring results and suggests that there have been encouraging signs of improvement which demonstrates the positive impacts of the remedial efforts that have taken place since the LSPP was adopted including:

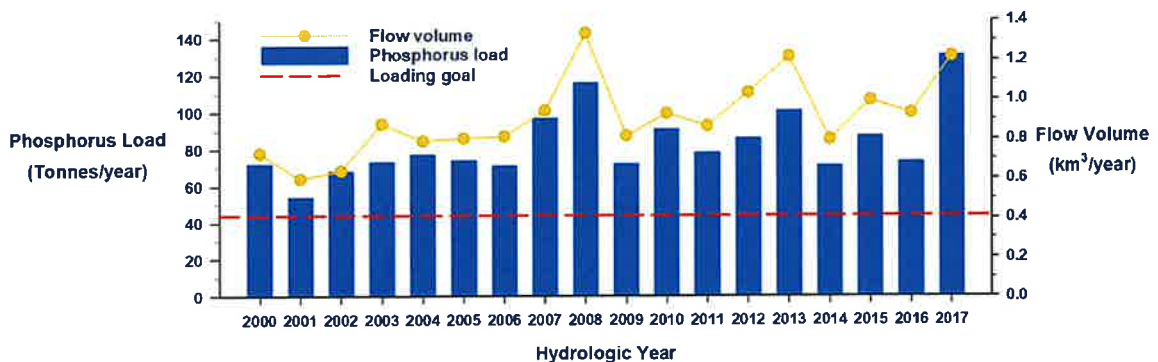
- Restoration of more than 15 kilometres of degraded shorelines;
- Planting more than 55,000 trees and shrubs;

- Creation or restoration of 120 hectares of wetlands;
- Repair or replacement of more than 160 failed septic systems;
- Reduced phosphorus loads from sewage treatment plants by 50% since 2009;
- Positive steps toward restoring and sustaining a cold-water fish community through continued signs of naturally reproducing cold-water species such as lake trout, lake whitefish and cisco; and,
- Improved dissolved oxygen levels in the lake's deep waters, which will help support a self-sustaining cold-water fish community;

The report recognizes the importance of Lake Simcoe and indicates that the government is committed to protecting the lake's ecosystem. It states that stressors facing the Lake Simcoe watershed are complex and climate change will continue to affect the local ecosystem. The continued pressure from urbanization and growth, and the need to control the pathways for new invasive species, will require innovative solutions.

The Minister's Report contends that efforts to protect the lake are working, and progress is being made towards the objectives of the *LSPP*. By providing ongoing scientific research and monitoring, informed decisions are being guided by scientific evidence. It identifies efforts to reduce pollutants and nutrients to the lake, and to promote sustainable land and water uses to drive positive change across the watershed. It suggests that stakeholders are actively working to prevent new invasive species from entering the watershed and responding to the adverse effects from those that are already established. By helping communities improve their ability to respond to climate change, the elements that contribute to ecosystem health are being protected.

The Minister's Report acknowledges that the phosphorus load entering the lake is in excess of the long-term goal, dissolved oxygen levels are increasing, but despite that, the overall ecological health of the lake has improved.





The figure above is taken from Minister's Report and shows the historic phosphorus load into Lake Simcoe between 2000 and 2017 against the baseline objective of 44 tonnes/year (red line). A copy of the Province's Lake Simcoe Phosphorus Reduction Strategy prepared under the requirements of the LSPP can be viewed at:

<https://www.ontario.ca/page/lake-simcoe-phosphorus-reduction-strategy>.

Despite the lack of achievement of phosphorus loading objectives the Minister's Report notes that there has been considerable progress made on the achievement of deep-water dissolved oxygen objectives. The minimum deep-water dissolved oxygen level by the end of the summer has continued to increase since the 1980s. Since 2012, it has ranged from 5.52–7.14 mg/L, surpassing the plan target of 7 mg/L in 2014.

The Minister's Report recognizes a long history of partnerships in the watershed, and the reliance on science to inform decision making. The report suggests that there is evidence that can support new provincial policies to compel actions, and that new management tools are ready to be applied. However, no information is provided on what these may be.

#### 3.4 HOLLAND MARSH STORMWATER MANAGEMENT FACILITY

In November 2020 the Region of York and Government of Canada announced the development of a \$40-million storm-water treatment facility that will be built to reduce phosphorus runoff from Holland Marsh into Lake Simcoe.

The Holland Marsh has a critical point load of phosphorus into Lake Simcoe, contributing an average of six tonnes a year. The release of excess phosphorus from agriculture, such as fertilizer, places the Lake Simcoe Watershed at risk of eutrophication that can irreversibly destroy aquatic habitats and ecosystem biodiversity.

This project alone will reduce phosphorus runoff from the Holland River into Lake Simcoe by 40-percent, cutting algae growth in the lake's watershed, preserving fish habitat and protecting a major source of drinking water.

#### 4. PUBLIC CONSULTATION AND NOTICE REQUIREMENTS:

There are no public consultations or notices required in association with this report. The Province has established its own process for engaging with the public and stakeholders.

4.1 RESCUE LAKE SIMCOE COALITION – FEBRUARY 9, 2021

Staff are in receipt of correspondence to members of Council from the Rescue Lake Simcoe Coalition (Refer to Attachment 2). A summary of the major points raised in the correspondence are provided below with Staff comments in italics:

- Improve water quality by reducing phosphorus loads to the lake to 44 tonnes per year, as soon as possible, from urban and agricultural areas, and from aggregate and construction sites;

*This remains an objective of the LSPP and Staff are unaware of any objective to change the standard by the Province. Reasonable, realistic and balanced steps towards meeting this target would be supported.*

- Support a healthy environment around the lake and reduce flooding impacts by protecting 40% of the watershed area's forests and wetlands;

*This remains an objective of the LSPP and Staff are unaware of any objective to change the standard by the Province.*

- Enable First Nations and the Lake Simcoe Region Conservation Authority to participate meaningfully in LSPP governance;

*Staff support this objective.*

- Respect the LSPP by stopping the use of Minister's Zoning Orders (MZO) in the watershed;

*It is unclear how MZO have been introduced in a manner that violates the LSPP to this point. The Province contends that it does not approve MZO without the support of the local municipal Council.*

- Increase public engagement in restoration and invasive species control. Get the public and businesses involved in locally-driven stewardship activities;

*This objective is supported.*

- Incorporate and implement the Lake Simcoe Climate Change Adaptation Strategy policies into the LSPP to reduce phosphorus loads, mitigate the impacts of climate change, and increase natural cover.

*These are existing objectives of the LSPP that are supported.*

#### 4.2 EXTERNAL AGENCY AND TOWN DEPARTMENT COMMENTS

As part of this review, consultation meetings were held with Staff from the LSRCA and the Region of York. Staff further received comments and input from the Town's Operations and Infrastructure Department and the Development Engineering Division and the Building Division which were considered in the preparation of this report.

#### 5. ANALYSIS:

As a lakeshore community, the Town of Georgina is fundamentally reliant upon the health of Lake Simcoe and its watershed in many facets of its economy, lifestyle and culture. The history and development of the Town is inextricably linked to the Lake. The Lake Simcoe Protection Act 2008 and Lake Simcoe Protection Plan 2009 have represented a major step forward toward restoring and protecting the ecological health of the Lake Simcoe watershed. The requirements of the LSPP have been effectively "hard-wired" into many facets of Town standards, operations and practices.

#### 5.1 LAKE SIMCOE PROTECTION ACT (LSPP ACT)

The LSPP Act received Royal Assent in December 2008. The preamble to the legislation establishes that:

*Lake Simcoe is an essential part of Ontario's natural environment and a critical resource, especially for people who live, work and play within the watershed of the Lake. In the face of climate change, invasive species, and the pressures of population growth and development, strong action is needed to protect and restore the ecological health of the Lake Simcoe watershed for the present generation and for future generations. There are many benefits of promoting environmentally sustainable land and water uses, activities and development practices in the Lake Simcoe watershed. Public bodies, aboriginal communities, businesses and individuals share an interest in the ecosystem of the Lake Simcoe watershed and have shared responsibility for its health.*

The LSPP Act essentially puts into place the legislative framework necessary for implementing the LSPP. Notably, the LSPP Act establishes the objectives for the LSPP as follows:

- (a) To protect, improve or restore the elements that contribute to the ecological health of the Lake Simcoe watershed, including,
  - (i) water quality,
  - (ii) hydrology,
  - (iii) key natural heritage features and their functions, and
  - (iv) key hydrologic features and their functions;
- (b) To restore a self-sustaining coldwater fish community in Lake Simcoe;

- (c) To reduce loadings of phosphorus and other nutrients of concern to Lake Simcoe and its tributaries;
- (d) To reduce the discharge of pollutants to Lake Simcoe and its tributaries;
- (e) To respond to adverse effects related to invasive species and, where possible to prevent invasive species from entering the Lake Simcoe watershed;
- (f) To improve the Lake Simcoe watershed's capacity to adapt to climate change;
- (g) To provide for ongoing scientific research and monitoring related to the ecological health of the Lake Simcoe watershed;
- (h) To improve conditions for environmentally sustainable recreational activities related to Lake Simcoe and to promote those activities;
- (i) To promote environmentally sustainable land and water uses, activities and development practices; and
- (j) To build on the protections for the Lake Simcoe watershed that are provided by, provincial plans that apply in all or part of the Lake Simcoe watershed, including the Oak Ridges Moraine Conservation Plan and the Greenbelt Plan, and provincial legislation, including the *Clean Water Act, 2006*, the *Conservation Authorities Act*, the *Ontario Water Resources Act* and the *Planning Act*.

The LSPP Act further establishes the Lake Simcoe Science Committee to advise the Minister on a range of scientific matters related to the health of the watershed including the monitoring of specific conditions. The Lake Simcoe Coordinating Committee coordinates the development and preparation of the LSPP and coordinates and resolves issues related to the implementation of the Plan.

## 5.2 LAKE SIMCOE PROTECTION PLAN (LSPP)

The LSPP came into force and effect on June 2, 2009 under the provisions of the LSPP Act. The LSPP has the same legal stature as do other Provincial Plans established the Planning Act such as the Greenbelt Plan, the Oak Ridges Moraine Plan, the Growth Plan and the Niagara Escarpment Plan. The LSPP applies specifically to the Lake Simcoe Watershed which crosses some part of the jurisdiction of all other provincial plans except for the Niagara Escarpment Plan. The LSPP is at its core, a fundamentally, a watershed based environmental management plan with the overriding objective of protecting and enhancing the health of Lake Simcoe and its watershed.

Under the provisions of the LSPP Act, municipalities are required to update their Official Plans under Section 26(1) of the *Planning Act* to be in conformity with the LSPP. In addition, all planning decisions must be consistent with the LSPP and no zoning by-law can be passed that does not conform to the provisions of the LSPP.

## **Key Policies in the LSPP**

A summary of the key policies within each of the major topic areas is provided below:

### **Aquatic Life Policies**

- Develop aquatic/fish community objectives within two years.
- Review stocking program.
- Conduct socio economic evaluation of the ecological and monetary/social cultural value of aquatic resources.

### **Key Water Quality Policies**

- Prepare a phosphorus reduction strategy and a loading target of 44 tones per year.
- Introduce new restrictions on the establishment of new municipal sewage treatment plants and adjustments to the water quality objectives on existing plants.
- A requirement for municipalities to undertaken comprehensive stormwater master plans and stormwater management plans within five years of LSPP adoption.
- Use of comprehensive and integrated stormwater management water treatment approaches.
- A requirement for Major Development (500 square metres) to undertake water balance and stormwater management plans.
- New inspection requirements for owners of stormwater management facilities within 100 metres of Lake Simcoe.
- Restrict new on-site septic systems within 100 meters of the shoreline and watercourses.
- Require on-site inspection programs for on-site sewage system maintenance and re-inspections.
- Research on atmospheric deposition and mitigation.
- Evaluate the feasibility of a water quality trading program.

- The imposition of new water quality measures in all site plan and subdivision. Agreements.
- Enhancing existing water quality monitoring and scientific research programs.
- Commit certain municipalities to produce water conservation and efficiency plans.
- Achieve a dissolved oxygen target of 7 mg /L.

### **Key Water Quantity Policies**

- Develop in-stream flow targets for water quality stressed sub-watersheds.
- Require water quality efficiency plans for certain municipalities.
- Encourage water conservation and efficiency measures in the agricultural community.
- Requirements on establishment or expansion of major recreational uses.

### **Lake Simcoe Shoreline and Natural Heritage Policies**

- Development and / or site alteration not permitted outside of existing settlement areas and within a related vegetation protection zone. (30 metres in existing areas and 100 metres outside of existing settlement areas or shoreline built up areas.) Applications within 120 metres are subject to the requirement for a Natural Hazard Evaluation.
- Settlement areas not to be subject to the shoreline, natural heritage and hydrologic policies although measures to improve the ecological health of features and functions are encouraged.
- The development of a shoreline management strategy is to take place within three years of the adoption of the plan and reflected in municipal official plans.
- Priority areas for restoration, improvement and enhancement of shoreline and natural heritage features are to be identified.
- Development is not permitted within a key natural heritage features, a key hydrological feature and within a related vegetation protection zone subject to exceptions.

- Minimum vegetation protection zone for all key natural heritage features in 30 metres.
- Applications for development or site alteration within 120 metres of a key natural heritage feature or key hydrological feature shall be accompanied by a Natural Heritage Evaluation
- Incorporation of new policies for development and site alteration in relation to existing uses.

#### **Key Invasive Species Policies**

- Restrict angler use of live bait (e.g. bait fish) from outside of the watershed, proposed under the Federal Fisheries Act.
- Enhance education and outreach, including best management practices for public and industry.
- Conduct community-based social marketing.
- Develop watch list and prepare risk-based response plans.
- Implement an annual terrestrial invasive species monitoring program.

#### **Key Climate Change Policies**

- Preparation of a climate change adaptation strategy for the watershed.
- Examination of climate change impact and conclude the role of municipalities.
- Develop an integrated climate change monitoring program.
- Identify potential amendments to the LSPP.

### **5.3 TOWN OF GEORGINA OFFICIAL PLAN**

The Town Official Plan (OP) as finally approved in 2016, fully implements the provisions of the LSPP, in a comprehensive manner and addresses key aspects of the land use and development program supporting the LSPP, including policies related but not limited to:

- Site Alteration.
- Shoreline Development.

- A Natural Heritage System Framework.
- Requirements for a Septic Inspection program.
- Watershed planning.
- Major Development, and,
- Ecological Offsetting

#### 5.4 SUTTON / JACKSON'S POINT SECONDARY PLAN, KESWICK SECONDARY PLAN AND PEFFERLAW SECONDARY PLAN

The Sutton / Jackson's Point Secondary Plan was approved by Council on June 30, 2010, and finally by the Ontario Municipal Board on March 23, 2013. This plan has a comprehensive environmental planning framework addressing a Greenlands System, Environmental Protection policies as well as enabling policies related to the Lake Simcoe Shoreline Management Strategy and Lake Simcoe Subwatershed Evaluations.

The Sutton/Jackson's Point Secondary Plan was approved in conformity with the LSPP and applicable Provincial Plans.

The Keswick Secondary Plan (KSP) came into force and effect on October 26, 2004. The town is currently engaged in a review and update of the KSP that is planned to conclude later in 2021 with a new Council approved Secondary Plan. The new KSP will be required to include a policy Framework that implements the provisions of the LSPP and other Provincial Plans. Despite the fact the KSP does contain a strong environmental framework all Planning Act applications are required to be in conformity with all provincial plans including the LSPP.

The Pefferlaw Secondary Plan (PSP) came into force and effect on November 1, 1996. The PSP was prepared in advance of Provincial Plans introduced by the Province of Ontario including the LSPP. Notwithstanding all, although Planning Act applications and applicable septic system works are required to comply with the Provisions of the LSPP. The PSP is scheduled for review an update in the 2023 Town Capital Budget forecast.

#### 5.5 ON-SITE SEWAGE SYSTEM MAINTENANCE PROGRAM

In accordance with the provisions of the LSPP the Town's Building Division administers on-site sewage system maintenance program on all septic systems in the regulated area every five years.

The regulated area includes all systems located within 100m of:



- the shoreline of Lake Simcoe,
- a river/stream that continuously flows in a normal year,
- a lake that is connected to a river/stream referenced above or
- a lake greater than 8 hectares in surface area.

Approximately 1265 septic systems have been inspected since 2012. Approximately 49 (4%) were found to be deficient. Four systems remain unresolved and the Building Division is working with the owners to bring the systems up to standard.

#### 5.5 LAKE SIMCOE REGION CONSERVATION AUTHORITY (LSRCA)

The LSRCA is the singular Conservation Authority within the Lake Simcoe watershed. The Town and Region of York both operate with the LSRCA under the Terms of a Memorandum of Understanding (MOU) which addresses environmental planning matters. The LSRCA is fully engaged in the development engineering processes at the Town through its Regulations and is relied upon to address all aspects of compliance with LSPP standards including critical aspects of phosphorous control to Lake Simcoe

The LSRCA phosphorous offsetting policy was developed specifically to control phosphorus from new development. As of January 1, 2018, any new development in the watershed is required to control 100% of the phosphorus leaving the property.

The policy ensures that new development or redevelopment activities do not contribute to phosphorus loading to Lake Simcoe. Under this Policy, as new urban growth occurs phosphorus loads will be controlled to the maximum extent possible using the best available control technology within the development itself in compliance with the MOECC Stormwater Guidelines and the LSRCA Watershed Development Guidelines, whichever is most stringent.

Any remaining stormwater phosphorus load that cannot be controlled would trigger the need for an offset to achieve a net zero target. An offset ratio of 2.5:1 would be applied meaning that 2.5 kg of phosphorus per year would be removed for every 1 kg required to be offset. The offset measures would consist of phosphorus load reduction through the use of Low Impact Development (LID) techniques and the retrofit of existing stormwater discharges elsewhere in a sub-watershed or in adjacent sub-watersheds.

Presently, the dollar cost attributable to a kilogram of phosphorous that must be offset is \$35,000. The LSRCA phosphorous offsetting policy is available at: [https://www.lsrca.on.ca/Shared%20Documents/Phosphorus\\_Offsetting\\_Policy.pdf](https://www.lsrca.on.ca/Shared%20Documents/Phosphorus_Offsetting_Policy.pdf)

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5.6 TOWN OF GEORGINA COMPREHENSIVE STORMWATER MANAGEMENT STUDY – JULY 2017 (AQUAFOR BEECH LTD)

In July 2017, The Town of Georgina Comprehensive Stormwater Management Strategy was completed. The study was mandated under the provisions of the LSP. The study addresses all facets of municipal engineering standards, facilities and municipal infrastructure. A particular focus of the study is to address the means by which the Town can undertake works towards the achievement of LSP targets particularly phosphorous reduction. For the conclusion and recommendations of this report, refer to Attachment No. 3. To date, works associated with the implementation of the study have not been included in the Town's 10 year Capital Budget Forecast.

5.7 SUMMARY OF COMMENTS ON THE 10-YEAR REVIEW OF THE LSP

**The LSP Remains a Vital Component of the Planning System**

The Plan is a comprehensive, ambitious and necessary component of the Ontario Planning, Development and Environmental Management System. The Town of Georgina has a historic and symbiotic relationship with the Lake in many aspects of its economy, culture, operations and identity. Accordingly, it is vitally important that the Plan be continually improved and implemented with advancing technology and science to meet credible targets in a sustainable manner. As a Provincial Plan with a specific environmental focus, the LSP needs to be implemented in a balanced fashion to address the emerging growth in the watershed to allow for complete community development in a sustainable way.

**More Consultation is Required**

Provincial staff have advised that should Minister decide that changes are required to the LSP Act or LSP Plan, then notification of these changes would be posted on the Environmental Bill of Rights Registry System ( EBR). This is considered to be the final step prior to legislative enactment and is considered to be premature. Given the importance of the LSP and its profound implications a more robust consultation program is required with the inclusion of a consultation on any specific changes prior to a posting on the EBR.

**Phosphorous and Dissolved Oxygen Targets Are Not Being Met – A New Action Plan is Needed**

It is clear from the presentation in the Minister's Report that the target set by the LSP for Phosphorous Loading on the Lake – 44 tonnes/ per year is not being met and dissolved oxygen targets of 7 mg/L are not being met consistently. On the assumption that these targets remain reasonable and required to sustain and enhance the ecosystem of the Lake new solutions will likely be required. Increased pressure on the watershed ecosystem will materialize given the anticipated, significant future growth in the watershed planned in the next 30 years.

It remains vitally important to utilize the best science available in the design of new development to minimize the impact on Lake and overall on a changing climate. However, the costs associated with re-engineering and adapting legacy municipal infrastructure is very significant. Municipalities are hard pressed to finance these costs in an expeditious manner given the constraints of current municipal finance. More funding assistance is required to accelerate this important work. In this regard, the Ministry of Environment, Conservation and Parks should update its Phosphorous Reduction Strategy to examine the Comprehensive Stormwater Management Master Plans of watershed municipalities, and in consultation with the Lake Simcoe Region Conservation Authority, prioritize effective phosphorous reduction works and develop a funding strategy to accelerate their development and implementation.

### **There are inconsistencies between the LSPP and Other Provincial Plans**

The LSPP was prepared following the Greenbelt Plan (GBP), Growth Plan (GP) and Oak Ridges Moraine Plan (ORMCP). Despite that, there are a number of inconsistencies in the language, concepts, definitions and scope of the LSPP in comparison to other Provincial Plans. The LSPP is on an independent review cycle and was not considered by the Province at the time of the Provincial Plan Review in 2016. For example:

- The GBP defines Key Natural Heritage Features (KNHF) and Key Hydrological Features and KHF; whereas the LSPP explains what features are considered KNHF and KHF in various policies.
- The LSPP refers to a Natural Heritage Evaluation (NHE); whereas, the GBP refers to both NHE and Hydrological Evaluations (HE.)
- There are actual discrepancies between mapped KNHF in the LSPP and the GBP Vegetation Protection Zones (VPZ) are defined in the GBP but not in the LSPP.
- The GBP requires that new development or site alteration within the Natural Heritage System (NHS) shall demonstrate that connectivity along the system and between KNHFs and KHFs located within 240m of each other will be maintained or, where possible, enhanced. The LSPP does not contain such a policy.
- The GBP provides exceptions for when new buildings or structures related to agricultural, agricultural related and on-farm diversified uses, ag-related and on-farm diversified uses within 120m of a KNHF or KHF are not required to undertake a natural heritage or hydrologic evaluation (i.e. if a min VPZ of 30m is provided from KNHF and KHF). The LSPP does not contain such an exemption.

- The Greenbelt Plan (GBP) contains policies for the Natural Heritage Systems (NHS) and Key Natural Heritage Features (KNHF) and Key Hydrological Features (KHF); whereas the Lake Simcoe Protection Plan (LSPP) only contains policies for KNHF and KHF and does not speak to a NHS.
- The definitions for Development and Site Alteration are not consistent between the documents

The LSPP should be thoroughly reviewed to ensure consistency between terminology, definitions and policies across all provincial plans that are in force across the Lake Simcoe watershed. This could also be extended to applicable review cycles if possible. Harmonization with the other provincial plans would assist in ensuring a more consistent understanding of applicable policies and a result in a more consistent and credible planning system.

## **6. CORPORATE STRATEGIC PLAN:**

This report addresses the following strategic priorities:

- Goal 1 Grow Our Economy Sustainable Economic Growth & Employment
- Goal 2 Promote A High Quality of Life Healthy, Safe, Sustainable Communities
- Goal 3 Engage our Community & Build Partnerships Communication, Engagement, Collaboration

## **7. FINANCIAL AND BUDGETARY IMPACT:**

There are no proposals by the Province in the context of the current review that can be measured for financial impact to the Town. The LSPP has effectively become “hard-wired” to Town standards, business practices and culture as required. The costs of implementing the LSPP to date have been significant but have not been itemized. Any increased requirements or, elevation of standards applicable to the Town is would likely come at a cost.

## **8. CONCLUSION:**

Ensuring the health and vitality of Lake Simcoe and the supporting Greenbelt landscape and environment is an important principle that is embodied in the Town’s Official Plan, and many facets of the organization’s policies and practices.

Despite the best of intentions and practices, phosphorous loading targets in the lake have not been met since the adoption of the LSPP in 2009. Clearly, better efforts and measures are required to address this condition in the face of increased

population growth in the watershed. No specific proposals have been advanced by the Province on the direction of possible future changes to the LSPP in the context of the present review. As such it is not possible to provide specific comments.

On October 28, 2020, Council adopted a resolution requesting the Province to ensure that provisions in the Lake Simcoe Protection Plan that protect water quality not be weakened and that policies protecting natural heritage be strengthened, in order to meet the targets of the Lake Simcoe Protection Plan in the context of the 10 year review.

The recommendations in this report build upon the October 28, 2020 resolution by adding the comments in this report as further advancing the Town's position and comments on the 10- Year Review of the LSPP by the Province.

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Director of Development Services

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David Reddon  
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24 February, 2021

*Attachment 1. E-mail from Ministry of Environment, Conservation and Parks*

*Attachment 2. E-mail from Rescue Lake Simcoe Coalition – February 9, 2021*

*Attachment 3. Town of Georgina Comprehensive Stormwater Management Master Plan – Conclusions and Recommendations*