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INSPIRING CHANGE



North Gwillimbury Forest Alliance



May 13, 2013

Mayor Robert Grossi  
Chair, Lake Simcoe Region Conservation Authority  
120 Bayview Parkway, Box 120  
Newmarket, Ontario  
L3Y 4X1

Dear Mayor Grossi:

**Re: Protecting the Paradise Beach-Island Grove Provincially Significant Wetland**

Metrus Developments Inc. wishes to proceed with a 1,073 unit residential development on its Maple Lake Estates (MLE) property despite the fact that the majority of the MLE land is located on the Paradise Beach-Island Grove provincially significant wetland (PSW) in the North Gwillimbury Forest (NGF). As a result, 86% of MLE lies inside the Lake Simcoe Region Conservation Authority (LSRCA) regulated area by virtue of being located in or within 120 m of the PSW.

To proceed with either the adult-only mobile home park development on leased lots -- as approved 25 years ago -- or a conventional subdivision on freehold lots, Metrus would first need to obtain a Section 28 permit from LSRCA.

Metrus' proposed development is **not** in the public interest for the following reasons:

1. According to Section 2.1.3 of the Provincial Policy Statement, no development or site alteration shall be permitted in PSWs in southern Ontario.

2. York Region's Official Plan prohibits development in all wetlands in the Lake Simcoe watershed, and there is no "transition clause" in the Region's Plan that exempts the MLE property from this prohibition.
3. To date, 72% of southern Ontario's wetlands have been lost and this loss continues at an alarming rate. The Lake Simcoe Protection Plan seeks to achieve at least 40% high-quality natural vegetative cover (wetlands and woodlands) in the Lake Simcoe watershed, preferably in large, high-quality patches. At present, approximately 35% of the Lake Simcoe watershed is under natural cover, much of it in small, fragmented patches.
4. The proposed Metrus development would drive a stake through the heart of the NGF, which is one of the ten largest forests in the Lake Simcoe watershed, and is 3.5 times larger than Vancouver's Stanley Park.

Section 28 of the *Conservation Authorities Act* and Sections 2 and 3 of Ontario Regulation 179/06 give the LSRCA the authority to deny Metrus the permit it needs to proceed with either an adult-only mobile home park development on leased lots or a conventional subdivision on freehold lots.

In addition, Section 11.4.1.1 of the LSRCA's Watershed Development Policies prohibits new development in PSWs.

Unfortunately, Section 11.4.1.2 states that the LSRCA **will** grant approval for development in PSWs, on lots within registered Plans of Subdivision. To apply this policy to MLE is completely inappropriate for the following reasons:

- First, the MLE Plan of Subdivision consists of two lots, one of 200 hectares and one of less than 1 hectare. Its purpose was not to create freehold residential lots as we normally understand them, but to allow approval conditions to be attached to the land.
- Second, this Plan of Subdivision was approved in 1988 before the Province adopted any provincial policy protecting PSWs, and long before the Province identified the majority of MLE as a PSW.
- Third, automatic approval of a large development that is on a PSW just because it is within a previously registered Plan of Subdivision is inconsistent with Regulation 179/06, which requires that the LSRCA determine that the "control of flooding, erosion, dynamic beaches, pollution or the conservation of land will be not affected" before it issues a Section 28 permit.
- Finally, since the LSRCA's mandate is to protect the Lake Simcoe watershed, not the financial interests of landowners, it offends its mandate by creating an automatic approval for permits within registered Plans of Subdivision regardless of their adverse impact on PSWs and the watershed as a whole.

The LSRCA has adopted a less than transparent approval process for most Section 28 permit applications. In most cases, the public is not told that an application has even been made until after staff have approved it. Nor is the public given any opportunity to make submissions on whether the application is in the public interest. The LSRCA Board does decide on a few select applications, though without public input, and we have absolutely no assurances that an application for development at MLE would receive even this limited exposure.

For the LSRCA to use this less than transparent process to approve a permit that would destroy a PSW is simply unacceptable.

Therefore we are writing to make the following requests:

1. That we be notified if and when Metrus Developments Inc. makes any application for a Section 28 permit to proceed with development on the MLE property.
2. That the LSRCA undertake that its Board will hear and decide upon any such application by Metrus.
3. That we, and all members of the public, be given the opportunity to review any such application by Metrus, and be allowed to make oral and written submissions to the LSRCA Board.
4. That we be notified if and when the LSRCA issues any Section 28 permit to Metrus to proceed with development on the MLE property.
5. That the LSRCA immediately revise Section 11.4.1.2 of its Watershed Development Policies with respect to Section 28 permits in PSWs within registered Plans of Subdivision, so that such policy only applies to such plans that:
  - (i) consist of conventional residential lots;
  - (ii) were circulated to the LSRCA, and the LSRCA provided comments and conditions pursuant to Watershed Development Policies Section 8.2; and
  - (iii) were draft-approved within the three years prior to permit application.

Yours truly,



Faisal Moola, PhD  
Director General, Ontario and Northern Canada  
David Suzuki Foundation



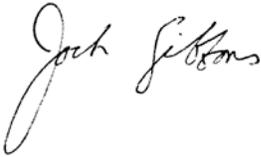
Gillian McEachern  
Campaigns Director  
Environmental Defence



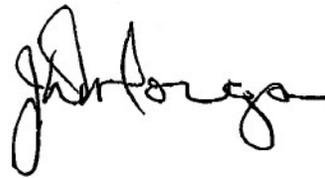
Anne Bell, PhD  
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Don Morgan  
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