



September 4, 2008

Ian Bender, Director of Planning  
Allan Greenwood, Director of Communications  
County of Simcoe  
Administration Centre  
1110 Highway 26  
Midhurst, Ontario  
L0L 1X0

Dear Sirs,

**Re: Proposed Official Plan**

Campaign Lake Simcoe, a coalition made up of Environmental Defence, the Rescue Lake Simcoe Coalition and Ontario Nature, is dedicated to protecting greenspace and natural heritage in Simcoe County and improving the water quality of Lake Simcoe.

Over the past three years, Campaign Lake Simcoe has spearheaded the effort to secure protection for Lake Simcoe and its watershed through the *Lake Simcoe Protection Act*. This past April, as a demonstration of the public support for our campaign, 45 local groups supported our campaign's formal response to the province's discussion paper on Lake Simcoe.

The primary conclusion of these groups is that more must be done to protect the land that polishes our water. Furthermore, there is broad support for stopping all new large scale development outside of designated growth areas, including so-called limited occupancy resorts.

We have also been following the development of a new official plan for the County of Simcoe. Campaign Lake Simcoe released an open letter to the County of Simcoe on May 5<sup>th</sup>, 2008. This document was a response to three preliminary presentations and the Simcoe County Growth Plan report by Hemson Consulting Inc. posted on the County of Simcoe website. Claire Malcolmson, the project coordinator of Campaign Lake Simcoe, spoke at the Nottawasaga Inn public consultation on the *Plan* in July.

On July 9, the County of Simcoe released its *Proposed Official Plan of the County of Simcoe*. The following comments are in reference to this document. Campaign Lake Simcoe applauds the attention to detail in the *Plan* and the general movement towards a more environmentally-sound framework.

However, there are still a number of items that require improvement, and issues that are omitted or unclear.

There must be absolute clarity that, as drafted in Sec.6 (4) of Bill 99 (*the Lake Simcoe Protection Act*) “if there is a conflict between a provision of a designated policy set out in the Lake Simcoe Protection plan and a provision in a plan or policy that is mentioned in subsection (5) the provision that provides the greatest protection to the ecological health of the Lake Simcoe watershed prevails.”

Due to the preamble nature of Parts 1 (Introduction) and 2 (Structure and Features of the County) of the plan, we will begin by looking at Part 3.

### Part 3 – Growth Management Strategy

The strategy of the *Plan* is based on four themes:

- Direction of most non-resource related growth and development to settlements.
- Enabling and managing resource-based development including agriculture, forestry, aggregates, and tourism and recreation.
- Protection and enhancement of the County’s natural and cultural heritage, including water resources.
- Development of complete settlements with diversified economic functions and opportunities.

We agree with the direction of these four main themes. The County of Simcoe must intelligently manage its existing resources while making sure its future development does not damage its natural and cultural heritage. We are particularly pleased with the special mention to water resources, as both human and ecosystem health and well-being depends on well-maintained water resources.

However, within the Growth Management Strategy, there are a number of specific items that concern us. We will highlight these and the positive aspects of the *Plan*.

- If the County is serious about the protection of natural heritage and water resources, it is counter-productive to promote ski resorts and marinas as a perfect fit for the topography of the area (3.1.2). The nature of these developments alters the landscape, regardless of efforts to mitigate impact. Detailed and comprehensive studies of the carrying capacity of the Lake and Region must precede regulations for such developments in this *Plan*.

- We applaud the *Plan*’s call for environmental analyses and policy development in the context of broader systems such as the watersheds of Severn Sound and the Oro Moraine (3.1.3). In order for conservation to be successful, it is essential to understand ecological processes at various scales.

- The County’s assertion that it needs to develop and direct growth to settlements is inconsistent with the statement in 3.1.4 that land use policies should encourage the development of highway commercial development where appropriate. At what point is highway commercial

development appropriate? If indeed the proposed Bradford Bypass (for example) is merely a goods movement and transit corridor, why should development along the highway itself be a destination? This is bound to result in further sprawl.

- Regarding 3.3 Table 1: “Projections by municipality for the year 2031”, we maintain the position that development must be directed away from Lake Simcoe, with the exception of growth in Barrie. To that end, we support higher population allocations to Barrie, due to the availability of infrastructure and the distant possibility of a viable public transportation system. We strongly oppose the growth projections for Innisfil, which has proven itself unable to improve its stormwater and sewer infrastructure during a period of unprecedented growth. It is our opinion that Innisfil is unsuitable for a doubling of its population over the next 23 years if the goals of the Lake Simcoe Protection Act are to be achieved.

- It is stated in 3.3.11 that no new lot may be created on Greenlands category 2 (containing either a significant wildlife habitat or an ANSI) *unless* the lot is created for agricultural uses or mineral aggregate operations. While developing an agricultural use on land while protecting its wildlife habitat is potentially feasible, this qualification must be in the *Plan*. We would like to see the phrase read “...created for agricultural uses that will pose no damage to the significant wildlife habitat or ANSI.” In no circumstance should a lot for an aggregate mineral operation be allowed in a Greenlands category 2 area. An aggregate operation would irrevocably damage significant wildlife habitat. We recommend following Green Gravel’s *Priorities for Aggregate Reform* and apply the following Green Gravel priority to Greenlands category 2 lands:

**2. Ban new aggregate extraction in the Greenbelt, the Niagara Escarpment, the Oak Ridges Moraine, and Class I, II and III agricultural lands adjacent or contiguous to these designated areas.** Make use of Minister’s Zoning Order(s) under the *Planning Act* to immediately stop any new aggregate extraction in these key green spaces, their natural and hydrologic features, habitat and corridors. Amend the relevant legislation and Plans – the *Greenbelt Act* and Plan, the *Niagara Escarpment Planning and Development Act* and the *Oak Ridges Moraine Conservation Act*, and the *Planning Act* to protect the Greenbelt, Niagara Escarpment, Oak Ridges Moraine and our most valuable agricultural land from new aggregate extraction forever.

Please refer to Green Gravel’s Priorities report at:

<http://www.greenbelt.ca/reports/Green%20Gravel%20Priorities%20FINAL.pdf>

- We applaud the decision to require developments of more than 5 units to submit a Stormwater Management Report in its plans (3.3.14). We hope this will contribute significantly to the protection of the County’s water resources.

- As stated in our May 5<sup>th</sup> letter, we do not agree with the *Plan*’s decision that only the six largest municipalities in Simcoe County should abide by the province’s density guidelines of 50 persons and/or jobs per hectare (3.5.15). If the county is attempting to direct development towards existing settlements, it must aim to curb the low-density sprawl that will create further automobile dependency

and limit the feasibility of public transit. Every municipality in the county should have a minimum of 50 persons and/or jobs per hectare and secondary settlements should not be encouraged to develop at a lower density (3.5.7).

- The decision to allow lot size exemptions to organic farmers is an excellent one, as it will attract independent farmers and help to create healthier agricultural land (3.6.4). However, we would suggest that the *Plan* dictate exactly what constitutes “organic soil”, as its definition can vary.

- We applaud the decision to “require local municipalities to identify and protect natural features and ecological functions that in turn complement and support the Greenlands.”(3.8.6) If the *Plan* is to be successful, it is necessary that all levels of government put in the effort to protect the area’s natural heritage by making definitions and practices consistent in all member municipalities. We remain concerned that the Greenlands strategy falls short of the province’s Greenbelt policies in its scope. There should be only one land use designation protection plan for one watershed.

- There remains the omission of habitat of species of special concern in Greenlands Category 1 (3.8.10). According to the Ontario Ministry of Natural Resources, there are 15 species of special concern within the Lake Simcoe Drainage Basin alone. The vast majority of these species are struggling due to constraints placed by human development. If we continue to develop in their habitats these species are likely to become candidates for listing and habitat regulation as species at risk. The Plan must require action to protect these habitats now.

- We applaud the decision to keep Greenland designation on land regardless of impropriety by a landowner (3.8.28). We believe there also needs to be some mention of the penalty incurred by a landowner in such a case. We also urge that strict enforcement be implemented.

- Special Development Areas are large developments that have the ability to change the dynamic of the surrounding region drastically, both economically and environmentally. As such, they require amendments to the *Plan* (3.9.4). However, how these Special Development Areas get accepted or rejected is unclear. The Big Bay Point Resort was accepted because developers said that the development was a “resort” as opposed to a “permanent dwelling”. But the effect that this project will have on the local environment is the same regardless of what classification is used. There is almost no economic development potential beyond the project’s border and little potential for such a large employment area to be serviced by public transit. The County has no plan in place to deal with future “resort” applications. The *Plan must* define what a “resort” is in a meaningful way. Otherwise loopholes will open the door for a bevy of settlements posing as resorts outside settlement areas.

#### Part 4 – Policy Statements

- As stated in our previous response, the county should have a forest cover target, and this should be reflected in each municipality’s official plan (4.5.39-44). As is recommended by Environment Canada in their document *How Much Habitat is Enough? A Framework for Guiding Habitat Rehabilitation in Great Lakes Areas of Concern*, there should be a minimum target of 30% forest cover in the watershed, at least 15% of which should be interior forest. To combat the effects of global warming

and to reverse the impacts on Lake Simcoe, a figure of 40% may be appropriate. Other recommendations pertaining to the proximity of forest patches and forest type representation should also be followed. Additional criteria and thresholds in *Suggested Conservation Guidelines for the Identification of Significant Woodlands in Southern Ontario* (Ontario Nature, 2004) pertaining to minimum patch size, hydrologic linkages and slopes should also be addressed.

- 4.5.42, 4.5.43, and 4.5.44 must use stronger wording. Rather than “encouraging” forestry to use sustainable management practices, it must be required to do so. This will be much more effective in keeping Simcoe County’s forests healthy and productive. 4.5.42 must read:

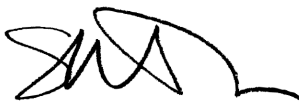
“The County requires forestry management practices that sustain the viability of both the woodlot and the harvest of woodland products.” Likewise, 4.5.43 and 4.5.44 must use “requires” and “require” where “encourages” and “encourage” are used, respectively.

- The County must reconsider how it sees the future of its transportation infrastructure (4.8). The main objective of the transportation section of the *Plan* seems to be to build more highways and widen the existing ones. While the County may still be discussing the 30 year-old idea of the Bradford Bypass or the widening of the Hwy 400, it must realize these out-dated notions will not only accommodate, but attract traffic and sprawl. Study after study tells us that new roads quickly become new traffic jams - build it and they will come.

With Simcoe County about to see a substantial leap in population, this is the time to make a serious investment in public transit. The return of the Barrie GO station is just the beginning. It is essential to make it more feasible for residents to travel within and outside the county by transit.

We sincerely hope you take our recommendations into account. Thank you for this opportunity to comment on the County of Simcoe’s *Proposed Official Plan*.

Sincerely,



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Environmental Defence



Robert Eisenberg,  
Director  
Rescue Lake Simcoe Coalition



Caroline Schultz,  
Executive Director  
Ontario Nature

C.c. The Hon. Dalton McGuinty, Premier (Fax: 416-325-3745)  
The Hon. John Gerretsen, Minister of the Environment (Fax: 416-314-6748)  
The Hon. Jim Watson, Minister of Municipal Affairs and Housing (Fax: 416-585-6470)  
The Hon. Donna Cansfield, Minister of Natural Resources (Fax: 416-325-5316)  
The Hon. Leona Dombrowsky, Minister of Agriculture (Fax: 416-326-3083)  
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