

submitted via email to EnvisionDurham@durham.ca

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Submission re. Envision Durham

June 30, 2021

About the Rescue Lake Simcoe Coalition

The Rescue Lake Simcoe Coalition (RLSC) is an umbrella organization representing 27 groups that empowers local groups to take action to protect Lake Simcoe's health. We focus on promoting dialogue between citizens and their governments around the lake. One of RLSC's primary objectives is to encourage land use planning decisions that will protect the lake as well as forests, wetlands, and working farms within the Lake Simcoe Watershed. Currently, our work centres on maintaining or improving the Lake Simcoe Protection Plan (LSPP) and ensuring its full implementation.

Executive summary

The Rescue Lake Simcoe Coalition appreciates the opportunity to comment on Envision Durham regarding the Region's ROP and MCR. We also applaud the region for starting the process by surveying its residents' priorities. We hope these will be useful in evaluating growth scenarios.

1. We support the Region-wide mandatory 30 m buffer on Natural Heritage and Hydrologic features because it limits unnecessary debate and study while achieving greater protections NH and climate goals overall.
2. The forest cover goals should be 40% not 30% of land area to meet the Lake Simcoe Protection Plan's goals and targets.

3. We have reviewed and would like to note that we support the LSRCA's recommendations on Climate Change and Sustainability and have nothing to add regarding this section.
4. We agree with Land Over Landings comments regarding the urgent need to permanently protect the agricultural system in Durham Region.

Sections: Healthy Communities and Greenhouse Gas Reduction

Comments:

The Healthy community goals and proposed policy direction for climate resilient development do represent a holistic understanding of the role of planning in creating healthy people and communities. It does not go far enough however, if the Region intends to achieve those goals. To achieve meaningful reductions in GHGs the lens has to be applied to new proposed development patterns in the MCR. This is one of the main reasons for providing a hard urban boundary option as one growth option to consider.

Recommendations:

In order for single occupancy vehicle use to decline, along with GHG emissions, we encourage the Region to develop a clearer policy on the employment: housing ratio in order to achieve the ambition of higher local employment rates and lower GHG emissions.

In order to reduce GHG emissions and poverty, and to increase household solvency, and increase quality of life, we encourage:

- Resist "single-use communities" where only one activity is possible - live OR work OR shop. A building/community can never truly be sustainable if only accessible by car. Must combine *all* for optimum land usage and sustainable growth, (Dr. Shoshanna Saxe - Canada Research Chair in Sustainable Infrastructure);
- Implement a meaningful carbon budget across all aspects of the municipality (not just city operations) so leaders and staff understand clearly what they can say yes to while approving new growth and other measures that affect GHG emissions;
- Far more density in the Region's MCR, particularly around transit nodes;
- A clear analysis of the current housing needs and an analysis of the cost of living;
- Support for Granny suites and secondary units in order to increase residential density without changing the urban form;
- The Climate resilient development proposed policy direction is a good one, but it has to be tied to higher residential density to be meaningful for transit and vehicle emissions.

**Section: Proposed Direction: Goals for a Protected Greenlands System;
& Proposed Direction: Natural Heritage System**

Comments:

The region currently has approximately 25.8 % woodland coverage, and the current Regional Official Plan contains a specific woodlands policy section that identifies a 30% woodland cover target. The woodland target needs to be higher. The High Quality Natural Cover (HQNC) target for the Lake Simcoe watershed is 40%. Further, the LSRCA's Natural Heritage System and Restoration Strategy has a 40% woodland cover for the Lake Simcoe watershed. While the Region's proposed woodlands inventory, tree planting and stewardship programs could help to protect and enhance woodlands in the region, they will not achieve the Lake Simcoe target unless it is stated explicitly. It is the time to do so now, not in 10 years when more forests have been lost.

As an organization focused on the health of Lake Simcoe, we are concerned that there are no forests or wetlands in Brock Township or northern Durham Region that are identified as provincially significant forests or wetlands. Please see appendix 2. Surely there are features worthy of identification and protection in that area. Focusing on those areas that are mapped as High Quality Natural Cover would be a good start.

Further, the reactionary approach of identifying ecological values when a development application has been made, has resulted in huge losses of natural heritage across the province. It's for this reason that the province has outlined a provincial NHS. Leaving it to municipalities to identify significant features in our experience is not the strongest way to achieve protection goals. It guarantees that there will be battles between municipalities with limited resources and developers with adequate resources, over lands that should not be purchased for development.

We would like the opportunity to discuss the integration of the Lake Simcoe Protection Plan's High Quality Natural Cover mapping with staff. Please identify how, through the MCR Durham Region will achieve the High Quality Natural Cover target of the Lake Simcoe Protection Plan?

Recommendations:

The RLSC has submitted a full set of comments on the Greenlands system discussion paper, which includes maps that demonstrate the absence of well protected features in Brock, and identify the high quality natural cover areas that deserve protection. Please see <https://rescuelakesimcoe.org/wp-content/uploads/2020/10/RLSC-Greenlands-Recommendations-to-Durham-.pdf>

Mapping the NHS centrally would mitigate mapping, planning and communication problems and cut "red tape". Map overlays that can be used by municipalities will alleviate confusion about possible land use changes at the local level.

Regarding the idea of directing municipalities to develop and refine an NHS - this must be easier to accomplish if the Region leads and centralizes the feature identification and mapping

work. Given that one of the goals is to create linkages across political boundaries, it's worth considering. One of the steps needed, and should be added to the ROP, is for the Region to commit to the identification and mapping of natural features and linkages that are not covered by the province's NHS. York Region has done this, and looking at the Lake Simcoe watershed, it's clear that it makes a difference for both increasing the size of the NHS and protecting the natural features.

The technical report linked here is supposed to be used in the identification of features in the Lake Simcoe watershed. This too should be listed and linked explicitly as it is not being used adequately across the watershed. https://rescuelakesimcoe.org/wp-content/uploads/2020/05/lsp_knhf_khf_definitions_MNR.pdf

The Regional target of 40% for the whole Greenlands system is inadequate to cover all of the uses in the Greenlands system. In the Lake Simcoe watershed, the aim is to have 40% of the watershed area in High Quality Natural Cover, HQNC, (which is generally defined as large patches of natural cover, mainly woodlands and wetlands, that are 10 hectares plus.) Those are mapped, and some areas of HQNC exist in Brock but they do not enjoy the protection of significant forests. This must be investigated, mapped and protected by policy before it's too late.

Compare Appendix A – Durham Region area of the Lake Simcoe watershed's High Quality Natural Cover, with Appendix B - Strength of environmental protections in the Lake Simcoe watershed: Durham Region. The areas of HQNC that are not dark green (best protected by policy) in the second map are where the Region ought to start identifying features that deserve protection.

This factsheet lays out steps to achieve the 40% HQNC target:

<https://rescuelakesimcoe.org/wp-content/uploads/2020/12/40-percent-factsheet.pdf>

We support the Region-wide mandatory 30 m buffer on Natural Heritage and Hydrologic features because it limits unnecessary debate and study while achieving greater protections NH and climate goals overall.

Section: Proposed Direction: Key Natural Heritage and Key Hydrologic Features

Comments:

We are pleased that the region is undertaking a Significant Woodlands study, and that setting a higher target is the plan.

We appreciate the inclusion of wetland mapping, and no net loss of wetland function and area policy direction.

The suggested 30 meter vegetation protection zone around all protected Natural Heritage features would be administratively simple, would ensure consistency, protect features, and contribute to the Region achieving a higher NH cover target.

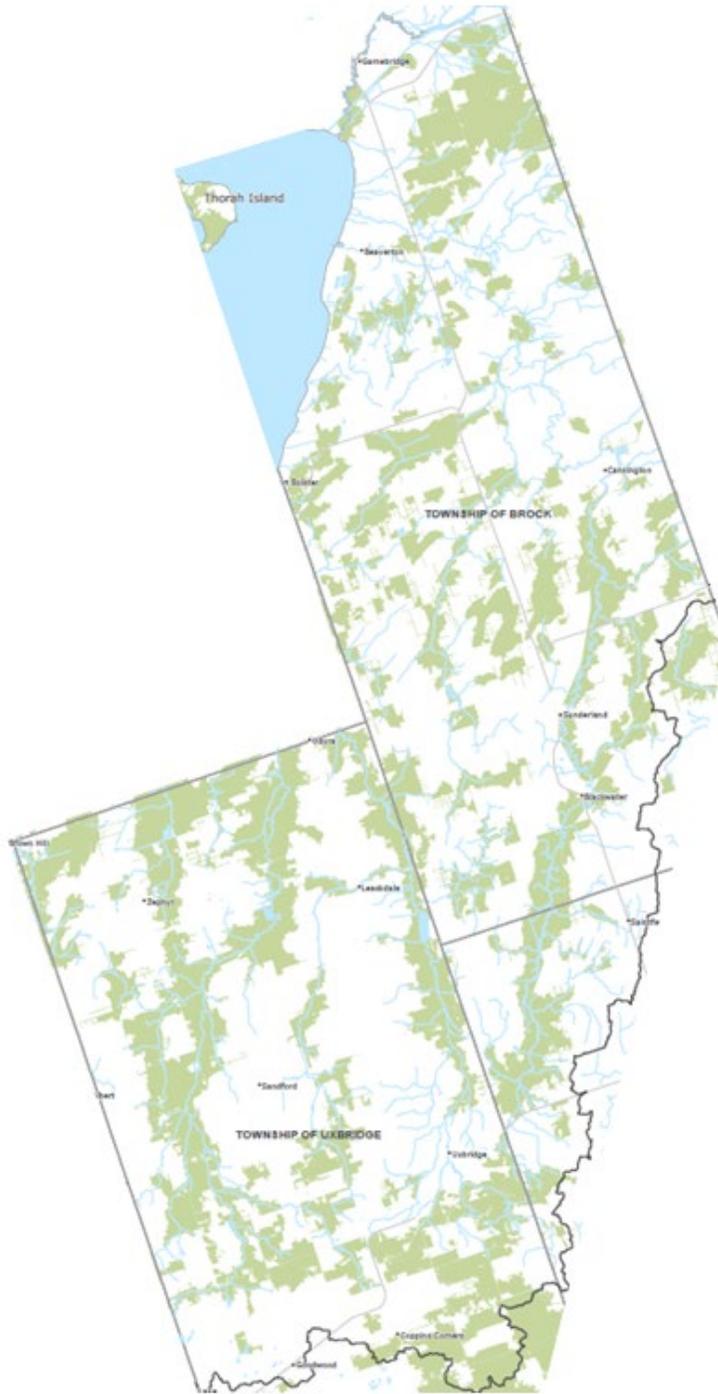
Recommendations:

We recommend a 40% woodland target at a minimum. Alternatively the Region can map, identify, and develop a plan to achieve the 40% for the Lake Simcoe watershed and identify a different target for the more developed areas to the south of the Lake Simcoe watershed.

Suggest that a model robust tree protection bylaw be developed and shared with municipalities to encourage best practices.

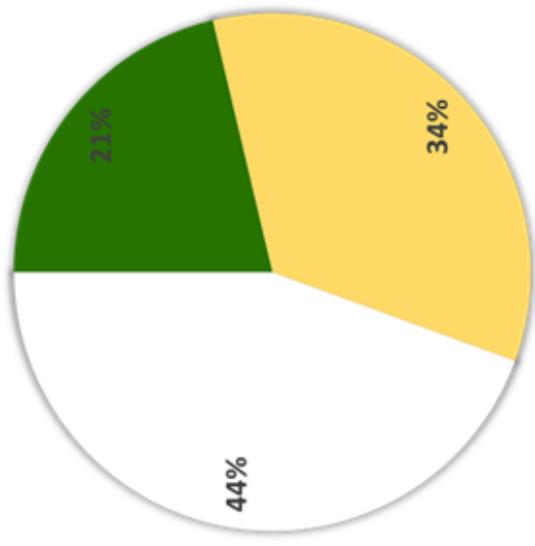
Appendix A – Durham Region area of the Lake Simcoe watershed’s High Quality Natural Cover (HQNC) map. Source: Ministry of Natural Resources, Areas of High Quality Natural Cover in the Lake Simcoe Watershed

<https://geohub.lio.gov.on.ca/datasets/6c670c2076d442f7aff114815d8adcae>



Appendix B - Strength of environmental protections in the Lake Simcoe watershed:
Durham Region

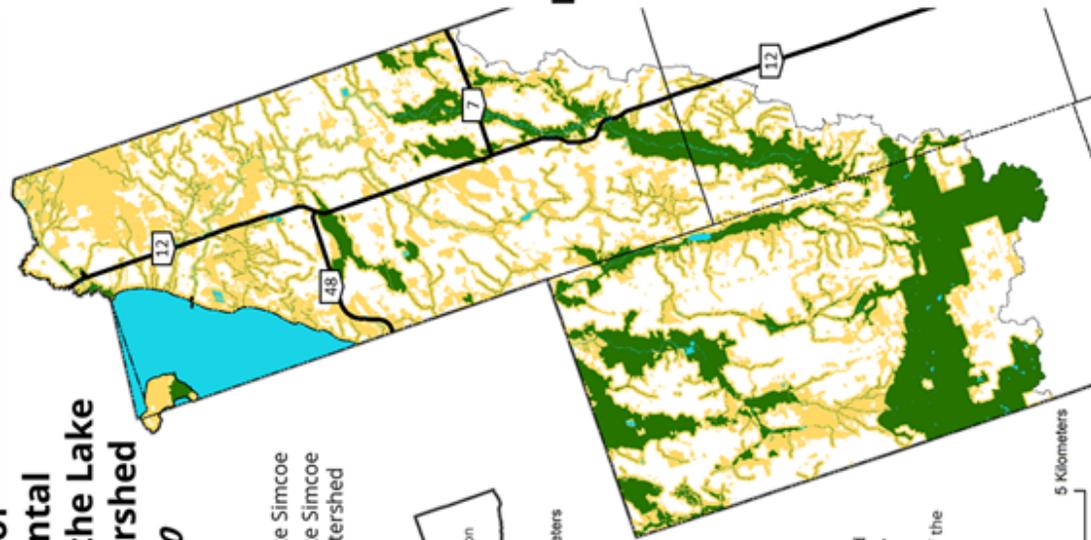
Region of Durham
Strength of
environmental
protections in the Lake
Simcoe Watershed
May 2020



Proportion of total land area in each 'level of protection'. See legend below

LEVEL OF ENVIRONMENTAL PROTECTION

- BEST PROTECTED:** These features are subject to policies that prevent or tightly restrict development. Permitted activities are limited to aggregate extraction, wildlife and stewardship, and storm-water management.
- GENERALLY PROTECTED:** These features are subject to policies that allow some site alterations or land cover change, having met criteria and conditions.
- NOT PROTECTED:** These areas are already developed and / or are not subject to environmental protections.



Map produced by Assim Sayed
Mohammed and Kirby Calvert,
Department of Geography,
University of Guelph,
Environment and Geomatics,
Rescue Lake Simcoe Coalition



Legend: Environmental Policy Protections

Level	Definition	Examples of permitted activities
1. BEST POLICY PROTECTION	<p>These features are subject to policies that prevent or tightly restrict development or other land cover change on them. An Environmental Impact Assessment (EIA) is required to demonstrate environmental impacts of permitted activities are minimal and can be mitigated.</p> <p>Level 1 includes mostly features protected by provincial policies:</p> <ul style="list-style-type: none"> • significant woodlands; • significant valleylands; • Provincially Significant Wetlands (PSWs); • Areas of Natural Scientific Interest (ANSI's); • Lake Simcoe shoreline; • natural areas abutting Lake Simcoe; • Significant Wildlife Habitat; • Provincial Parks; • Natural Areas (Niagara Escapment Plan); • Core Areas (Oak Ridges Moraine Conservation Plan). 	<ul style="list-style-type: none"> • new aggregate operations, with restoration and environmental impact requirements; • low footprint infrastructure that has been proven to have no alternative; • non-intrusive recreation; • maintenance of existing infrastructure; • fish, forest, wildlife management; • stewardship and conservation activities; • flood or erosion control; • retrofits to stormwater facilities.
2. MODERATE POLICY PROTECTION	<p>These features are subject to policies that allow some site alterations or land cover change, having met criteria and conditions. An Environmental Impact Assessment (EIA) is required to demonstrate that environmental impacts are minimal and can be mitigated.</p> <p>Level 2 includes:</p> <ul style="list-style-type: none"> • Setbacks and vegetation protection zones around protected features such as ANSIs, PSWs, permanent and intermittent streams and lakes; • significant groundwater recharge areas and highly vulnerable aquifers; • linkage areas (Oak Ridges Moraine); • Simcoe County Greenlands linkage areas; • features adjacent to level 1 features. 	<ul style="list-style-type: none"> • new aggregate operations, with restoration and environmental impact requirements; <p>Having met criteria to demonstrate limited environmental impact:</p> <ul style="list-style-type: none"> • development and site alteration; • wind power facilities. <p>No Environmental Impact Assessment required for:</p> <ul style="list-style-type: none"> • low footprint infrastructure that has been proven to have no alternative; • non-intrusive recreation; • maintenance of existing infrastructure; • fish, forest, wildlife management; • stewardship and conservation activities; • flood or erosion control; • retrofits to stormwater facilities.
3. NOT PROTECTED BY ENVIRONMENTAL POLICY	<p>These areas do not contain features that are protected.</p> <p>Level 3 includes:</p> <ul style="list-style-type: none"> • farmland; • roads; • settlement areas and built up areas. <p>The Greenbelt Protected Countryside designation is included because it does not protect Natural Heritage Features. It does, however, restrict settlement boundary expansions.</p>	<p>N/A</p>

Section: Proposed Direction: Traditional Ecological Knowledge

Comments: We support the incorporation of TEK in the analysis of greenlands.

Recommendations:

The wording could be stronger and allow for the protection of lands considered culturally significant by area First Nations. The Rescue Lake Simcoe Coalition and [CIPS Aboriginal](#) authored a report called *Advancing TEK in the Lake Simcoe Watershed*, and it's recommendations for consideration in Official Plans are:

"We recommend incorporating direction in County and Regional Official Plans to include relevant TEK in the preparation and/or deliberation of development applications wherever appropriate, analogously to requirements for considering the presence of key natural heritage features or species at risk. In support of these changes, we recommend that the Region / County provide funding for local Indigenous communities to compile, document and digitize traditional knowledge so that it can be readily available to inform the development approval process. The support for TEK storage within the Indigenous community should also be considered to ensure the consultation and inclusion of the community that provided it as well as to ensure it is being used appropriately. We also recommend engaging and compensating Indigenous knowledge-holders to consult on the identification of the Region / County's natural heritage system." Source: *Advancing TEK in the Lake Simcoe Watershed* (2020)

<https://rescuelakesimcoe.org/wp-content/uploads/2020/12/TEK-Report-Dec-2020.pdf>

(By Kerry Ann Charles and Claire Malcolmson.)

Section: Proposed Direction: Identifying a Water Resources System

Comments:

In a time of climatic stress on water resources, we encourage the ROP to be as robust as possible in the protection of water resources. It is critical that streams and shorelines be shaded in order to reduce water temperature increases from direct sunlight. This will help protect fish spawning and other aquatic health indicators.

Recommendations:

The Region-wide 30 m vegetative buffer suggested would help support a healthier water resources system.

Section: Watershed planning and the Lake Simcoe Protection Plan

Comments:

Generally agree with the direction provided in this section on the LSPP. The following should be strengthened to identify which policy direction will be provided to municipalities.

"Provide policy direction to the area municipalities to include policies within their official plans to reduce stormwater runoff volume and pollutant loadings within Designated Urban Areas in the Lake Simcoe watershed, in accordance with the LSPP."

Recommendations:

As the Region considers settlement boundary expansions in this MCR, it is crucial that the following policy be adhered:

4.1-DP For a proposed *settlement area* expansion, establishment of a new *settlement area* or a *development* proposal outside of a *settlement area* that requires an increase in the existing *rated capacity* of a *sewage treatment plant* or the establishment of a new *sewage treatment plant*, an environmental assessment of the undertaking shall be completed or approved prior to giving any approvals for the proposal under the Planning Act or the Condominium Act, 1998.

The following development impact control mechanisms should be specifically listed in follow up documentation in the OP as those that must be used by lower tier municipalities:

Stormwater management guidelines in the Lake Simcoe watershed

https://www.lsrca.on.ca/Shared%20Documents/permits/swm_guidelines.pdf

the watershed development guidelines

<https://www.lsrca.on.ca/Shared%20Documents/permits/watershed-development-guidelines.pdf>,

and the Lake Simcoe Phosphorus Offset Policy

https://www.lsrca.on.ca/Shared%20Documents/Phosphorus_Offsetting_Policy.pdf

Other / phasing

As the time horizon for the 2020 Growth Plan is rather long, strong phasing policies are needed to manage growth over time, and to avoid expensive extension of services into low density areas before population can support the recovery of those costs.

Thank you for the opportunity to comment.

Sincerely,

Claire Malcolmson



Executive Director, Rescue Lake Simcoe Coalition