



Committee of the Whole Item 7.1

Planning staff Recommendations to Council

1. *That Council direct Staff to develop a Wetland Offset Program in response to the changes to the Ontario Wetland Evaluation System (OWES);*
2. *That Council direct Staff to utilize a third-party organization for ecological and natural heritage peer-reviews where necessary, and when the Conservation Authority is unable to provide the review, the costs of which are to be recovered from the Applicant.*

I am speaking tonight as chair of the Kingscross Ratepayers Association but my experiences as Chair of the Georgian Bay Great Lakes Foundation are very relevant to this wetland off setting topic. As background, quickly I will tell you that I have been working with McMaster U's Prof. Pat Chow-Fraser and her lab of graduate students to evaluate coastal and some inland wetlands on Georgian Bay for now over 20 years. Their work undergoes extensive peer reviews and gets published in scientific journals. Their data is shared with MNRF. My comments are based on my experience working with university wetland researchers in the field, attending and presenting at Great Lakes wetlands conferences but also having observed some of the high-quality remaining wetlands within King Township.

If King Township is now considering developing a wetlands offsetting strategy to counter the implications of Bill 23 regarding the loss of TRCA and MNRF for wetlands evaluations, that is a huge and important amount of work that will take time and expertise to develop. For instance, King Township contains the largest designated Provincially Significant Wetland in southern Ontario = the Hacket Lake, Mary Lake, and Eaton Hall Lake wetlands complex. The southern portion south of Mary Lake wetland complex was re-assessed by MNRF about 5 years ago and even that reassessment took most of the summer months. For the full wetland it likely took several years to undertake the assessment to determine if it met the strict criteria to qualify as a Provincially Significant Wetland. It is a lengthy and detailed process to follow the OWES guidelines.

An example of what it could mean if wetlands are allowed to be offset, exists directly south of Kingscross properties. We, KRA, have been a party to two developments there including LPAT hearings for the lands immediately south of Kingscross where the terminus of that same large designated Provincially Significant Wetland ends and the water from the wetlands drains into the mighty East Humber River. If wetlands offsetting was ever allowed on these lands for development purposes so that the wetlands could be filled in - besides the devastating ecological consequences ie loss of habitat including unknown numbers of Species at Risk, ...the risk of flooding upstream would suddenly move to a very high level. You are aware of the



flooding that has already been happening in Kingscross and any attempt to fill in the southern portion of these wetlands would increase that risk and the occurrence significantly. This would result in a need to redefine the floodplain adjacent to the East Humber. Hydrologists are needed to do that. And ultimately KT might have to buy homes, tear them down and excavate to open up wetlands again to alleviate flooding facing extreme climate change impacts.

I hope you get the picture and I hope King Township can avoid losing valuable wetlands but if they are threatened and if Bill 23 results in KT having to establish a wetlands offsetting program - the Township will need high levels of a range of expertise – aquatic biologists, terrestrial biologists, hydrologists, GIS mapping experts as a start. I am not aware of any KT staff that have these types of qualifications. Yes the work can be contracted out but unless some staff have some wetlands knowledge that contract work may be challenging to understand and interpret. My suggestions are as follows.

1. Start with an education session by MNR, TRCA and Ontario Nature staff for all planning staff so they can become familiar with the assessment protocols and be able to understand reports. TRCA relies on MNR for wetlands evaluations and expertise.
2. Consider development impacts for all types of wetlands including vernal pools that like most wetlands that have evolved over thousands of years. Vernal pools provide essential habitat in late spring for frogs, toads and salamanders to breed in. But they typically dry up in late summer meaning they do not have fish in them that would eat the amphibian's eggs. And they typically are depressions from the retreat of the ice age and are lined with layers of sand that allows for significant groundwater recharge. We need to keep that in mind since there are at least 2 vernal pool wetlands on the Mansions of King now Orca development lands south of Kingscross. One vernal pool is the subject of a significant Condition attached to the draft plan of subdivision that TRCA is supposed to provide oversight. And the applicant is required to demonstrate that groundwater recharge will be the same post development as it is predevelopment. Who will do that assessment now? Any attempt to offset including filling in that wetland could significantly impact groundwater levels and adjacent private wells.
3. Realize that wetland evaluations are seasonally time sensitive. You cannot easily find some species except when they are present and active. So, an evaluation done in late fall provides very little information on species present or wetland plant condition/species.
4. Understand that work has already begun on this topic. Take advantage of groups and agencies that already have high levels of expertise. For instance, Ontario Nature's 2013 report titled **Navigating the Swamp: Lessons on Wetland Offsetting**



for Ontario that has important recommendations relevant to King Township that could be adopted such as

- 11. The wetland offsetting policy should ensure that provincially significant wetlands (~~and significant coastal wetlands~~) are strictly off limits to all forms of development, and that current protections under the *Provincial Policy Statement* and other provincial land use policies are upheld or strengthened.
- 12. In setting limits to wetland offsetting, the Government of Ontario should take into account the type, location, vulnerability and irreplaceability of wetlands, as well as their cultural significance to Indigenous peoples. In so doing, it should consider levels of risk especially for flooding and historic loss.

KT does not need to reinvent these assessment protocols, but staff and Council need to be able to understand the required processes even if the work is contracted out. I hope this is helpful.

KRA Recommendations to Council – Committee of the Whole

1. That Council direct Staff to develop a Wetland Offset Program in response to the changes removing TRCA's and MNRF's wetlands evaluation roles and responsibilities.
2. That Council direct Staff to utilize an appropriately qualified, suitably accredited, independent third-party organization, known/recognised for such capability, for ecological and natural heritage peer-reviews where necessary, and when the Conservation Authority is unable to provide the review, the costs of which are to be recovered from the Applicant.
3. Consider adopting Ontario Nature's recommendations 11 and 12 as quoted above.

Thank you, Mary Muter, Chair, Kingscross Ratepayers Association. 905 833 2020