

# THE CORPORATION OF THE TOWN OF GEORGINA

## COUNCIL AGENDA

Wednesday, February 14, 2018  
9:00 AM

### 12. REPORTS

#### (2) Dispositions/Proclamations

#### (D) Verbal Report- Short Term Rental Accommodations

Pages 1-4

- Correspondence: Letter from R. Andrew Biggart, Town Solicitor, dated February 12, 2018, re: Short-Term Rental Accommodations – Town of Georgina Interim Control By-law

Pages 5-6

- Correspondence: Susan Jagminas email dated February 11, 2108 advising of her experiences with a neighbouring AirBnB establishing and imploring Council to act now.

### 13. DISPOSITIONS/PROCLAMATIONS, GENERAL INFORMATION ITEMS AND COMMITTEE OF ADJUSTMENT

#### (1) Dispositions/Proclamations

Pages 7-9

#### (F) GTTI Funding Application

- Email from Phil Rose-Donahoe, Manager of Cultural Services, dated February 13, 2017, re: Council approval to work with GTTI to submit an application to the Ontario Trillium Foundation Seed Grant Investment Stream to develop a Social Enterprise Café Program at the Link.

Page 10

(G) Four-Way Stop at Ravenshoe Road and Regional Road 1

- Letter from Town of Uxbridge Deputy Clerk, Catalina Blumenburg, to Township of Georgina dated February 9, 2018 re: 4-Way Stop at intersection of Ravenshoe Road and Regional Road 1

(3) Committee of Adjustment Planning Matters

(C) Decisions

Page 11

- Memo from Mamata Baykar, Secretary-Treasurer, Committee of Adjustment to Carolyn Lance, Council Services Coordinator re: correction to decision re: File A40-17 Minor Variance (pp. 45 and 46 of February 14, 2018 Council Agenda)

16. OTHER BUSINESS

(2) Upper York Sewage Solutions- for information

Pages 12-15

- Letter from Laura Bowman to Regional Clerk's Office dated February 13, 2018 re: Upper York Sewage Solutions

VIA E-MAIL and REGULAR MAIL

February 12, 2018

Winanne Grant  
Chief Administrative Officer  
Town of Georgina  
26557 Civic Centre Road, R.R. #2  
Keswick, ON L4P 3G1

Dear Ms. Grant:

**RE: SHORT-TERM RENTAL ACCOMMODATIONS - TOWN OF GEORGINA  
INTERIM CONTROL BY-LAW**

---

As requested, I am writing further to my report of January 28, 2018 regarding Short-Term Rental Accommodations ("STRA") to now address the issue of utilizing an Interim Control By-law to prohibit the creation of new STRAs while the Town decides how best to regulate their creation and operation.

### **Passing Interim Control By-law and Potential Appeal**

Section 38 of the *Planning Act* permits a municipality to pass an Interim Control By-law to prohibit the use of land, buildings or structures within the municipality, or within a defined area or areas of the municipality, for such purposes as are set out in the By-law. Such a By-law can be passed only after Council has, by by-law or resolution, directed that a review or study be undertaken in respect of land use planning policies related to the use that will be affected by the Interim Control By-law. An Interim Control By-law cannot be in effect of a period of more than one year from the date of passage unless, pursuant to Section 38(2) of the *Planning Act*, Council amends the By-law to have it remain in effect for a period of no longer than one additional year.

Importantly, there is no requirement for the Town to provide notice or have a hearing prior to the passing of an Interim Control By-law. However, the clerk must provide notice of the passing of the by-law within thirty (30) days of its passing.

As the *Planning Act* currently reads, prior to the Lieutenant Governor proclaiming that specific amendments to the *Planning Act* are to come into effect under the Building Better Communities and *Conserving Watersheds Act*, 2017 (i.e. Bill 139), a person may appeal the passing of the Interim Control By-law to the Ontario Municipal Board within sixty (60) days of the date of the passing of the by-law.

Once the amendments to the *Planning Act* come into effect on the date proclaimed by the Lieutenant Governor, there will be no appeal by a person or public body (other than the Minister who can appeal the original Interim Control By-law) from the passing of an Interim Control By-law unless the Council amends the Interim Control By-law, pursuant to Section 38(2), to extend the period in which it is to be in effect. Such an appeal would not be brought to the Ontario Municipal Board but would be brought to the tribunal that has been identified in the legislation as 'continuing the Ontario Municipal Board' as the Local Planning Appeals Tribunal.

Given the above, if an Interim Control By-law were to be passed by Council before the date proclaimed by the Lieutenant Governor, an appeal of the Interim Control By-law could be brought to the Ontario Municipal Board for the purpose of challenging the by-law. The practical effect, however, is that any appeal to the Ontario Municipal Board is unlikely to be scheduled and heard until approximately one year after any appeal has been filed. Additionally, even if the Interim Control By-law is appealed, Section 38(6.1) of the *Planning Act* states that the by-law remains in effect until the decision of the Ontario Municipal Board is issued with respect to the appeal.

### **Limitation Upon Passing Additional Interim Control By-law**

It is important to note that once an Interim Control By-law is passed, a new Interim Control By-law cannot be passed for another three (3) years if it is to apply to the same lands that were affected by the first Interim Control By-law. Therefore, if the Town passes a 'Town-wide' Interim Control By-law, it cannot pass another Interim Control By-law for a period of three (3) years from the date of the expiry of the first Interim Control By-law anywhere in the Town.

However, if the Town were to pass an Interim Control By-law for a limited geographic area of the Town, the prohibition of passing a new Interim Control By-law for a period of three (3) years would only apply to that specific geographic area.

Given the above restriction prohibiting the passing of another Interim Control By-law for a three (3) year period upon the same lands, it is usually in the best interest of a municipality to pass an Interim Control By-law for specific 'targeted' areas of the municipality rather than to pass a 'municipal wide' Interim Control By-law.

### **Matters to Consider Prior to Passing an Interim Control By-law Re: STRAs**

In my opinion, the Town has the authority under the *Planning Act* to prohibit the creation or establishment of STRAs within the Town by way of an Interim Control By-law while the Town studies, or retains outside consultants to study, the land use planning effects of STRAs and how, if at all, the Town should regulate their creation and operation. The Courts have recognized Interim Control By-laws, “allow the municipality breathing space to rethink its land use policies by suspending development that may conflict with any new policy.”<sup>1</sup>

The passing of an Interim Control By-law could not prohibit currently established STRAs from continuing to operate but it would stop the establishment of new STRAs within identified areas of the Town.

If Town Council is of the opinion that it is in the best interest of the Town to pass an Interim Control By-law to prohibit the creation of new STRA's, it is my recommendation that the Town limit the geographic scope of the applicability of the Interim Control By-law to areas of the Town in which such a use could currently be established. For example, it would make little sense to have the Interim Control By-law apply to industrial/employment lands within the Town as it would already be illegal for a person to create a STRA upon such lands. As noted above, it is important to restrict the Interim Control By-law only to lands upon which it is necessary to apply because, once an Interim Control By-law is brought into effect on certain lands, there is a three (3) prohibition on passing another Interim Control By-law on those same lands.

The second aspect that is critically important to the passing of any Interim Control By-law is to make certain that the use that is to be prohibited is properly defined. While this point may appear obvious, it is important that the Interim Control By-law capture only the specific uses that are of concern to the Town and not other uses. The by-law must also be broad enough to capture all forms of uses that would reasonably fall into the description of STRAs. As the Town cannot apply a new Interim Control By-law or amend an Interim Control By-law on an ongoing basis, it is important to make certain that the Interim Control By-law at the time of its passing, prohibits the uses that Council intends to prohibit.

It is also of assistance if Council identifies, in the public record, the reason or reasons as to why it is passing an Interim Control By-law. While this is not a requirement under the *Planning Act*, having Council identify the reason or reasons for passing the By-law will assist in defending the Town against any allegations, or Court challenges, claiming that the Interim Control By-law has somehow been passed in bad faith.

### **Conclusion and Recommendation**

If Council determines that it is appropriate to temporarily (for up to one year with a permitted one-year extension) prohibit the creation of STRAs within Georgina for the purpose of allowing the Town time to study the land use planning and other impacts, if any, of STRAs,

---

<sup>1</sup> *Equity Waste Management of Canada v. Halton Hills (Town)* 35 O.R. (3d) 321 at 337, (C.A. Ont), 1997

Council has the authority to pass an Interim Control By-law prohibiting such a use throughout the Town, or in any part of the Town as Council deems appropriate.

If Council determines that it is appropriate to pass an Interim Control By-law to prohibit the creation of STRAs, Council should be aware that it will be prohibited from passing another Interim Control By-law affecting the same lands for a period of three (3) years from the date upon which the Interim Control By-law expires.

Once passed, a study must be undertaken and completed well before the expiry of the Interim Control By-law to allow Council to determine how, if at all, the Zoning on the affected lands should be amended to address any issues identified in the study or as brought to Council's attention concerning STRAs. As the expiry period of the Interim Control By-law approaches, Council will have the option of allowing the by-law to expire and have the current zoning remain in effect or it may decide to pass a Zoning By-law Amendment to regulate STRAs.

As noted above, it is critically important that Council consider the geographic scope of the Interim Control By-law as well as the definitions utilized in the Interim Control By-law. The Town will want to make certain that only intended uses are captured in the Interim Control By-law and, at the same time, have the definition that is broad enough to capture the uses intended.

I would be pleased to answer any questions that you may have regarding this matter.

Yours very truly,

**RITCHIE KETCHESON  
HART & BIGGART LLP**



R. Andrew Biggart

RAB/bjc

---

**Subject:** RE: Short Term Rentals: My response to Wednesday's meeting

**From:** Susan Jagminas [<mailto:~>]

**Sent:** February-11-18 6:53 PM

**To:** Winanne Grant <[wgrant@georgina.ca](mailto:wgrant@georgina.ca)>; Margaret Quirk <[mquirk@georgina.ca](mailto:mquirk@georgina.ca)>; Dan Fellini <[dfellini@georgina.ca](mailto:dfellini@georgina.ca)>; Dave Neeson <[dneeson@georgina.ca](mailto:dneeson@georgina.ca)>; Dave Harding <[dharding@georgina.ca](mailto:dharding@georgina.ca)>; Naomi Davison <[ndavison@georgina.ca](mailto:ndavison@georgina.ca)>; Frank A. Sebo <[fsebo@georgina.ca](mailto:fsebo@georgina.ca)>; Charlene Biggerstaff <[cbiggerstaff@georgina.ca](mailto:cbiggerstaff@georgina.ca)>

**Subject:** Short Term Rentals: My response to Wednesday's meeting

Dear CAO and Council:

Thank you for putting the topic of short term rental accommodations on this past Wednesday night's Council agenda.

Although I had planned on attending and speaking, a personal emergency arose just prior to the meeting that kept me away. Below are the notes I was planning on saying, which I have now revised based on watching the recording of the meeting on your website afterwards...

Up until late 2016, I had regular neighbours, just like most people here. That all changed in late 2016, when the neighbour on my left sold his house. Shortly afterwards, renovations began. Our new neighbours told us they were fixing it up before moving in. But move in day never happened. Or at least not the type of move in I was expecting.

When the first inhabitants arrived, they filled the driveway with a fleet of vehicles, and more than a dozen people... on the lawn, in the house, on the balcony. After a few days, they left, and then a few days later, another fleet of vehicles arrived with another party of strangers. I don't think I need to tell you what a house and yard full of no less than 12 people is like. It's noisy. It's impossible for that many people not to make a ruckus. They're on vacation... they're there to have a good time. And in a residential area with 50' frontages, their activities necessarily impede on mine. Every weekend... all summer long.

We now know the neighbours never planned on moving in. They advertise the property on AirBnB as sleeping 12 and renting for \$350 to \$400 per night. And let me confirm that 12 people is the minimum number of people I see. There are usually many more than that.

So, for all intents and purposes, I live next to a hotel - despite the fact that I live in a residential area. Because I looked up the definition of hotel. Webster's defines hotel as: an establishment providing accommodations, meals, and other services for travelers and tourists.

A hotel, I might add, with a waterfront that is basically a steep slope full of rocks and weeds. A waterfront not nearly as inviting as mine. So it's not enough that I have to deal with large parties every weekend throughout the summer. I also have the issue of these strangers trespassing on my waterfront... a property, may I remind you, that I'm also defending in the Shoreline Jurisdiction issue.

I detail my experiences because it's important for you to understand the immensity of the impact that this is having on me and my husband. I'm only one story of many that you've no doubt been advised of by your law-abiding residents of Georgina.

I want to make it very clear to you that the idea of another summer of this causes me, and no doubt others, extreme anxiety. So the notion this is going to take another year has put me in a tailspin, and, quite frankly, disbelief. I am not sure how you expect your law-abiding citizens that live in residential

zoned areas to accept the nuisance associated with living beside hotels any longer than they already have. One summer was more than enough for me.

In my mind, the Town is not acting quickly enough. Should this summer be a repeat of last, I can assure you many, many, many calls to your by-laws department all summer long, as well as the police. I am also concerned about increases in the possibility of skirmishes and legal problems – for example if a drunken guest trespasses on my dock and injures themselves. Since the Town claims ownership of my waterfront at present, this puts you at significant risk.

I'm calling for an interim control by law, as several of your Council members also suggested. Although I call on it only because it doesn't appear that our zoning actually works to prevent commercial establishments from setting up in residential areas areas (which it should). If you need to consult, then do so, but don't make your law-abiding residents endure another summer of this. Why not make the hotels stop their activities until the consultation and research can be undertaken? It's only fair as they are the problem.

I'm not suggesting banning all short term rentals. The City of Toronto has come up with a clear and understandable explanation for how they're handling the matter.

<https://www.toronto.ca/city-government/public-notices-bylaws/bylaw-enforcement/short-term-rentals/>

Once again, I implore you to act now, before the vacation season begins, to protect your law-abiding residents from enduring another summer of this. The longer this goes on, the more likelihood there will be clashes, accidents from trespass, and the greater chance there is for legal repercussions.

Thank you

Susan Jagminas

**John Espinosa**

---

**Attachments:** Social Enterprise Cafe - Grant Proposal FEB 2018.docx

**From:** Phil Rose-Donahoe  
**Sent:** February-13-18 3:11 PM  
**To:** John Espinosa <jespinosa@georgina.ca>; Winanne Grant <wgrant@georgina.ca>  
**Subject:** RE: need that email within the next 10 minutes!.... no pressure though

In order to meet the deadline of February 21, 2018, staff are seeking Council's approval to work with Georgina Trades Training Inc. to submit a funding application to the Ontario Trillium Foundation Seed Grant Investment Stream (Pilot Project) to develop a Social Enterprise Café Program at The Link.

The attached document provides a summary of the proposed project, a list of potential collaborators and funding sources.



**Phil Rose-Donahoe, B.A. Hons, MMSt**  
Cultural Services Manager | Recreation & Culture  
26557 Civic Centre Road, Keswick, ON | L4P 3G1  
905-476-4301 Ext. 2224 | [georgina.ca](http://georgina.ca)  
Follow us on [Twitter](#) and [Instagram](#)  
Like us on [Facebook](#)

## **Ontario Trillium Foundation Seed Grant Investment Stream (Pilot Project) – Due February 21, 2018**

### **PROPOSAL CONCEPT**

Social Enterprise Café at The Link with a focus on providing Employment Readiness Skills for Persons with Disabilities

### **POTENTIAL COLLABORATORS**

- GTTI - Lead applicant
- Town of Georgina
- The Link Tenants:
  - Community Living
  - Peaceful Hearts Georgina
  - YRDSB Exceptionalities Program at Sutton High School
  - Informal Partnerships include referrals from all community partners in Georgina

### **POTENTIAL FUNDERS**

Ontario Trillium Foundation & South Lake Community Futures Development Corporation (\$75,000 + \$75,000 = \$150,000)

No direct funding required from the Town, only in-kind support

### **PROJECT SUMMARY - Development of a Social Enterprise Café at The Link**

The Link Social Enterprise Café will be led by a Program Coordinator funded by Trillium with a background in social services and “experience learning”/programming/employment programs. Persons with Disabilities would be strongly encouraged to apply; a background in Restaurants and Hospitality is an asset.

The Program will be set up in 3 phases:

#### **PHASE 1:**

Renovations to the Café to make it more accessible

Hiring of a Coordinator who will recruit an advisory/project committee that will consist of a mentor from each of the formal partners mentioned above and two clients each from Community Living, Peaceful Hearts and YRDSB's Exceptionalities Program. The 6 client participants will assist in the development of the Social Enterprise Café, including menu development and pricing, Café name, branding and marketing, policy and procedure development, and hiring/intake process.

#### **PHASE 2:**

Recruit, train and hire candidates from those partner organizations serving persons with disabilities. With the assistance of the mentors, each individual will develop learning

goals and a work plan. Staff candidates will receive job assignments and appropriate training. They will be given the opportunity to practice their skills with a soft launch.

### PHASE 3:

Grand opening and regular operation of the Café. Staff will be assigned shifts that work with their personal situations and be given opportunities to move into new positions as they develop different skills. The Café will primarily serve The Link tenants and their clients.

As staff develop and they become skilled they will be encouraged and supported to find employment outside of the Café.



The Corporation of the

**Township  
of  
Uxbridge**

In The Regional Municipality of Durham

Town Hall  
51 Toronto Street South  
P.O. Box 190  
Uxbridge, ON L9P 1T1  
Telephone (905) 852-9181  
Facsimile (905) 852-9674  
Web [www.town.uxbridge.on.ca](http://www.town.uxbridge.on.ca)

February 9, 2018

Township of Georgina  
26557 Civic Centre Road, R.R. #2  
Keswick, Ontario L4P 3G1

Attention: Mayor Margaret Quirk

**RE: THE INTERSECTION OF RAVENSHOE ROAD AND REGIONAL ROAD  
1 – 4-WAY STOP  
TOWNSHIP FILE: T-OOT**

Please be advised that during the regular meeting of the General Purpose and Administration Committee of February 5<sup>th</sup>, 2018 the following motion was carried;

THAT the Public Works and Operations Committee direct that Councillor Ballinger speak to the Region of Durham regarding the Township's concerns respecting the installation of a 4-way stop at the intersection at Ravenshoe Road and Regional Road 1;

AND THAT the Region of Durham, Region of York and Township of Georgina be advised that the Township of Uxbridge does not support a 4-way stop at Ravenshoe Road and Regional Road 1 due to safety concerns.

I trust you will find the above to be satisfactory.

Yours truly,

Catalina Blumenburg  
Deputy Clerk

/ljr



# interoffice MEMO



## Development Services Department Town of Georgina

DATE: February 13, 2018

TO: Carolyn Lance, Council Services Coordinator

CC: Harold Lenters, Director, Development Services Dept.  
Velvet Ross, Manager of Planning  
Alan Drozd, Supervisor of Development Planning  
Dustin Robson, Junior Planner

FROM: Mamata Baykar, Secretary-Treasurer, Committee of Adjustment

**RE: Committee of Adjustment – Revisions to the memorandum to the Council dated February 06, 2018.**

With respect to the memorandum to the Council dated February 06, 2018, regarding Committee of Adjustment (COA) decisions on applications considered at COA meeting of January 22, 2018, please note that the Minor Variance application A40-17 'Status' (page 46 of the Council Agenda for February 14, 2018) should read as follows:

*“Application approved as recommended by Staff, with a change pertaining to maximum lot coverage requested. The proposed relief for the maximum lot coverage was for 37.8% while the Committee approved 36.0%.”*

Should Council wish to obtain further information, please contact Mamata Baykar Secretary-Treasurer to the Committee of Adjustment.

**Laura Bowman**  
1910-777 Bay Street, PO Box 106  
Toronto, Ontario M5G 2C8  
Tel: 416-368-7533 x 522  
Fax: 416-363-2746  
Email: lbowman@ecojustice.ca

February 13, 2018

*Sent via email*

Regional Clerk's Office  
17250 Yonge Street  
Newmarket, ON L3Y 6Z1  
regionalclerk@york.ca

Dear York Region Council,

**Re: Upper York Sewage Solutions**

The Chippewas of Georgina Island First Nation are in receipt of your letter dated January 26, 2018 enclosing a recent York Region staff report from the January 25, 2018 Regional Council meeting concerning the Upper York Sewage Solutions (UYSS).

I am counsel for the Chippewas of Georgina Island, and I am writing to advise that my clients are concerned about misleading information in that staff report. The misleading information is as follows:

Prior to any proposal for the UYSS, the First Nation participated in two key processes: (i) the preparation of the original Terms of Reference for the environmental assessment (EA) and (ii) the development of the Lake Simcoe Protection Plan. The First Nation supported the decisions, reflected in the original terms of reference and the Lake Simcoe Protection Plan, which were part of a long line of Regional decisions dating back to the 1990s, that further wastewater volume would not be imposed on Lake Simcoe's ecosystem. The First Nation supported the decision to ban further wastewater treatment in the Lake Simcoe Protection Plan. The First Nation supported the decision to expand the YDSS and to focus on the YDSS and other Lake Ontario options in the original Terms of Reference.

The process that followed was one that dramatically reversed direction of the project and the overall plans to protect Lake Simcoe. The amendments to the Terms of Reference made by the Minister in 2010 were not subject to public consultation or consultation with First Nations. The Lake Simcoe option was added by the Minister in secret.

As your staff report describes, the decision to add the Lake Simcoe as an option for consideration in the environmental assessment was a closed-doors process between the Region and the

Ministry that excluded First Nations and other residents. These same discussions apparently included crafting a Lake Simcoe option that would attempt to circumvent the very explicit sewage treatment ban implemented in the Lake Simcoe Protection Plan. This is described on page 7 of your staff report. It is the First Nations' position that the claim that the UYSS – which would process 40MLD “replaces” the tiny Holland landing sewage lagoons for the purposes of compliance with the Lake Simcoe Protection Plan is patently false. This argument is unsustainable on the face of the plans for the UYSS and the wording of the Lake Simcoe Protection Plan, which is legally binding on both the Province and the Region.

Following the change to the Terms of Reference, the Region could have chosen to support other options as it had in all past EA processes and wastewater planning processes. The Minister did not force the Region to support the Lake Simcoe option, only to evaluate it fairly in the EA. It is our position that a fair evaluation based on good science and First Nations consultation would not have concluded that the Lake Simcoe option was preferable.

Instead of taking this approach the Region proceeded to craft an EA that advocated for the Lake Simcoe option. The Environmental Assessment that followed from the Region included misleading information, in order to justify this dramatic departure from decades of environmental assessment conclusions and regional and provincial decision-making.

First, the EA contains a claim that the water processed in the facility would come from local wells and stay within the Lake Simcoe watershed. This claim is contradicted by the Region's own wastewater master planning document which demonstrates that the water will come from Lake Ontario. The Ministry and the Region relied on this misleading information about return flows as the key reason why the Lake Simcoe option was preferred. This remains the case and it is therefore still unclear why the Lake Simcoe option is preferred.

Second, the Environmental Assessment makes the claim that effluent from the sewage treatment plant will be beneficial to the watershed using phosphorus concentration numbers of 0.02 mg/L. However the Region later indicated it could not achieve these concentrations in permitting discussions with the Ministry, where it expected to double that concentration at best. Accordingly the predictions of the environmental impact of phosphorus in the EA are not useful or realistic. Additionally, the proposed offsets have not been shown to be effective in offsetting the large amount of additional phosphorus that would result.

As a result of this misleading EA, which rejects the past approach, agreements and consultations upon which the First Nation relied, and fails to provide relevant environmental information about potential impacts on First Nation rights, the First Nation's rights to hunt and fish in Lake Simcoe have not been respected.

The staff report also paints a misleading picture of the Region's efforts to engage with the First Nation. The Region initially made incorrect statements at public meetings stating that the First Nation supported the project. The Region engaged in evasive tactics related to the engagement of the First Nation in its archaeological work related to the environmental assessment, which made it difficult for the First Nation to participate. Throughout this process the Region has failed to provide adequate technical review funding for the First Nation to effectively evaluate the project.

Pages 8-9 of the staff report also insinuate that the Region is supporting the health impact assessment and traditional knowledge study in coordination with the First Nation. My clients

advise that the traditional knowledge study was unilaterally put on hold by the Region in January due to cost concerns. It is unclear why the staff report does not disclose this information.

The staff report also continues the tone of general disrespect towards the First Nation, for example putting the duty to consult in derogatory quotation marks on page 9 as if the Region does not accept that this is an established legal and constitutional duty. The First Nation finds this insulting.

As for the argument on page 10 of the staff report that the consultation with the First Nation causes delays in YDSS sewage forcemain twinning, we do not understand this argument. The YDSS was approved in a separate EA many years ago and does not depend on the approval of the UYSS EA to our knowledge. This included proposed work to the forcemain and upgrades to the Newmarket pumping station as well as several other pumping stations. There is nothing to our knowledge preventing the Region from proceeding with this work. The First Nation offered to write in support of the approval of this portion of the work but the Region declined this offer. This is yet another misleading argument regarding the urgency of the approval process. It appears that the Region is blaming past sewage spills on the First Nation. Maintaining sewage infrastructure to an appropriate standard and seeking related approvals is the Region's obligation.

Contrary to the assertions of the Region on page 14 of the Staff Report, the First Nation is unaware of any reason that the Region cannot proceed with its phosphorus offsetting plans prior to approval of the UYSS as these are not within the scope of the UYSS EA or approval.

Similarly, the claim on page 11 of the York Region staff report is misleading. On this page the staff report alleges that it is impossible to decommission the Holland Landing Lagoons until the UYSS is in place. This is false, and is shown to be false in the Region's own documentation wherein it was made clear that the lagoons could be decommissioned at any time and serviced by other infrastructure. Instead the Region is keeping the lagoons on-line purely to make its argument that the UYSS is compliant with the Lake Simcoe Protection Plan as a "replacement" facility for the lagoons. As stated above this argument is artificial and unsustainable.

The First Nation does not see any cause for alarm in the description of financial risks to the Region on pages 14-15 of the staff report. All of these issues are typical of any major project. It is the Region's choice to proceed with planning or spending on this project prior to approval. Notably this is an approach that is disrespectful to the larger regulatory process the Region is in and insulting to those the Region is purporting to consult with. The Region should be aware that projects that are not yet approved may need to be modified.

It is unbecoming of the Region to purport to consult with the First Nation on health impacts and traditional ecological knowledge, while at the same time demanding immediate approval from the Ministry. This is not in keeping with the spirit of reconciliation.

The First Nation is deeply disappointed with the Region's ongoing approach to this matter. The First Nation will continue to engage with the Region in good faith, as they have always done. The First Nation has been patient with the Region and this has not been reciprocated.

Sincerely,

---

Laura Bowman  
Barrister & Solicitor

cc: Clerk, Town of Bradford West Gwillimbury;  
John Daly, County Clerk, Simcoe County;  
Clerk, Town of Georgina;  
Building Industry and Land Development Association;  
Chief Donna Big Canoe, Chippewas of Georgina Island First Nation;  
Hon. Kathleen Wynne, Premier of Ontario;  
Hon. Chris Ballard, Minister of the Environment and Climate Change;  
Hon. Nathalie Des Rosiers, Minister of Natural Resources and Forestry;  
Hon. Dr. Eric Hoskins, Minister of Health and Long-Term Care;  
Hon. Bill Mauro, Minister of Municipal Affairs; and  
Mike Walters, CAO, Lake Simcoe Region Conservation Authority