



Percy Lake Ratepayers' Association

Minister Kathryn McGarry
Ministry of Natural Resources and Forestry
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Dear Minister McGarry;

On behalf of the Percy Lake Ratepayers' Association (PLRA), I am writing to express our concerns regarding a new permitting process that has been brought in this year by the Ministry of Natural Resources and Forestry (MNRF). Over the past couple months, on behalf of the PLRA, I have communicated with MNRF staff and the Municipality of Dysart to ascertain the rationale for and obtain clarity on this new authorization. However, despite many concerns that have been raised by municipalities and lake associations, and the unnecessary complications and confusion it has created, MNRF is still proceeding with this process this year.

This new process requires property owners in Ontario to obtain authorization from MNRF for the construction or replacement, including structural repairs for winter ice damage, of docks/decks/ramps that occupy more than 15 square metres (approximately 161 square feet) of shore lands, that is, land over or abutting Crown Lands. There is no Crown land in the municipality of Dysart et al where Percy Lake is located. Accordingly, the authorization, once granted, is valid for five years, at which point the property owner would have to re-apply.

It is our understanding that MNRF instituted this new requirement as a result of the outcome of a recent court decision in August 2015 (*Glaspell v HMQ*) with respect to the Public Lands Act. However, rather than MNRF addressing policy reforms to appropriately recognize and accommodate small undertakings within the Free Use Policy/Public Lands Act, the MNRF has responded hastily, and without public consultation, by implementing an onerous permitting process that requires property owners and Ministry staff to undertake a new bureaucratic process of dubious worth that would necessitate the enforcement of small works across the province, holus, bolus.

This new MNRF requirement has caught many off guard. Consequently, it has created a great deal of confusion among property owners, businesses, and municipalities, and yet, is a requirement that many may not necessarily be aware of.

There is a very limited time to do construction work on docks and ramps on our lake. If property owners cannot obtain a permit expeditiously to make necessary repairs to damage, for example, due to winter ice, the Ministry may be creating unnecessary and significant risks to human safety as well as to the environment. The risk of damaged dock material falling into the

lake, and drifting can potentially be harmful to fish and other aquatic species, as well as being hazardous to boating.

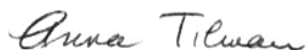
As a result, many shoreline projects across Ontario are on hold or delayed, and some work on docks may have already been done without authorization, and thus, property owners, especially those impacted by flood damage, are unnecessarily inconvenienced.

While we appreciate the need for MNRF to take a prudent approach to managing their resources and protecting the lakes, rivers and shore lands in the province, the direction taken by MNRF with respect to authorization of docks adds a needless and undue workload for MNRF staff, which are already seriously under-resourced.

We urge the province to take a second sober thought over this rash, under-researched authorization for small projects, and re-think the process by which the Public Lands Act can best be updated to protect shore lands.

We therefore request that a hold be put on this new authorization, and that the public be fully engaged in government plans to update and improve the current Public lands Act and thus, the protection of shore lands. We further urge that the Ministry be given appropriate resources that best serve the protection of our many lakes and rivers in Ontario.

Sincerely,



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