

Citizens groups challenge King Township's approval of LTC facility on the Greenbelt

Concerned Citizens of King Township (CCKT) and Save the Oak Ridges Moraine (STORM) Coalition have filed a request for an investigation under the Ontario Environmental Bill of Rights. They have requested a review of the approvals issued by King Township to allow the construction of St. Rita at Mary Lake, a proposed 160-bed long term care (LTC) facility on the Oak Ridges Moraine (Greenbelt). This new 160-bed LTC facility (St. Rita) is to be located outside of the King City settlement area boundary, on 600 acres on the Moraine and will be squeezed between the shores of Mary Lake and a provincially significant wetland (PSW) that drains into Seneca Lake. Due to their hydrogeological composition, Mary Lake and Seneca Lake are ecologically sensitive kettle lakes with many fish species present. Kettle Lakes are highly susceptible to harm caused by common urban contaminants, which is why both Mary Lake and Seneca Lake are designated as key hydrologic features within a Natural Core Area designation of the Oak Ridges Moraine Conservation Plan (ORMCP). New development is strictly prohibited in key hydrologic features and associated buffers and especially in kettle lakes, which are further protected from stormwater discharge. CCKT and STORM allege that the plans approved by King Township staff violates Section 14 of the Environmental Protection Act (EPA), the Provincial Policy Statement (PPS), the Oak Ridges Moraine Conservation Act (ORMCP), and the Federal Fisheries Act by: (1) contravening the ORMCP prohibiting the discharge of stormwater into kettle lakes and by (2) contravening the EPA and Fisheries Act by discharging contaminated stormwater and dewatering outflows into kettle lakes and PSWs. With a proposed size of 17,000-square-metres, the construction of St. Rita LTC involves extensive dewatering, both during construction and permanently after, with the applicant indicating it is necessary to pump 237,000 litres of groundwater daily during construction, and about half that amount after construction. As of July 2023, groundwater tests on the construction site recorded the presence of Phenols (oils) at a level of 66 micrograms/L, well exceeding the 4 micrograms/L of Environment Canada and Climate Change's freshwater limit. There is the risk the applicant could be discharging Phenol-contaminated groundwater at 15 times the limit, threatening the designated PSWs and the 10 species of fish that inhabit Mary Lake. The applicant has determined that the amount of contaminated groundwater pump outs will increase to over 500,000 litres per day during a 100 year storm event which is happening more frequently due to climate changes. In addition, expert assessment provided by hydrogeologist Garry Hunter indicates that the dewatering risk has actually been underestimated. There are further concerns that the stormwater treatment system, approved by King Township planning staff, is incapable of removing winter road salt and other potential urban contaminants contained in the parking lot. Salt is a known contaminant to fish and other aquatic life found in freshwater lakes and has been documented as driving harmful algae blooms (eutrophication) in other kettle lakes on the ORM. Due to the steep slopes surrounding stormwater and groundwater discharge areas, the outflow will be effectively directed into Mary Lake and the Seneca Lake PSWs. Bruce Craig, chair of CCKT, emphasizes: "It's clear that the degradation of water quality will negatively impact these wetlands and the kettle lakes. The plans, acts, and regulations that were put in place to prevent these exact contaminants from harming and destroying sensitive ecosystems on the Moraine must be upheld. We're appealing to the Ministry of the Environment, Conservation and Parks, and the Ministry of Natural Resources and Forestry to uphold these important protections." "When Bill 23 stopped the Conservation Authorities from assessing environmental and hydrological aspects of development applications, local governments like King began making decisions on their own," notes Robert Brown, chair of STORM. "At a delegation to King Council in May 2023, we urged Council and Staff to hire qualified independent experts to review the hydrological and natural heritage reports submitted with the St. Rita development application. Unfortunately, it appears this request was not undertaken and now we see the outcome, which is posing significant risks to the natural heritage on the Moraine." "As it has taken time and money to investigate this breach of legislation and regulation, anyone interested in helping is asked to please donate to the Save Mary Lake account with the Small Change Fund" www.savemarylake.ca