

MISSISSAUGAS OF SCUGOG ISLAND
FIRST NATION



22521 ISLAND ROAD · PORT PERRY, ON · L9L 1B6 · TEL: 905-985-3337 · FAX: 905-985-8828

March 27, 2024

The Township of Scugog
181 Perry Street
PO Box 780
Port Perry, ON L9L 1A7
March 19, 2024

Dear Mayor and Council,

We are writing to you on behalf of the Mississaugas of Scugog Island First Nation (MSIFN) with a request to ensure that the proposed development in Lake Scugog will receive a thorough environmental assessment with meaningful consultation by the Township of Scugog with MSIFN.

From time immemorial, we have lived on the shores of Lake Scugog, north of what is now Port Perry. MSIFN has been working to establish a constructive dialogue towards the protection of our Constitutionally recognized Aboriginal and Treaty rights.

We continue to be concerned about the provincial government's ongoing removal of protections for the land, including the "streamlining" of environmental assessment processes for certain infrastructure projects recently introduced in Bill 162, the *Get it Done Act, 2024* and the *More Homes for Everyone Act, 2022* which created a minister's order authority known as the "Community Infrastructure and Housing Accelerator" (CIHA) tool. This authority gives the Minister of Municipal Affairs and Housing the power to make orders to respond to requests from Municipalities such as the Township of Scugog for expedited zoning.

We have heightened concern about the proposal of Avenu Properties Corp. to develop property on the shores of Lake Scugog. We are of the understanding that the Township of Scugog is in favour of this project and, at the request of Avenu Properties, is considering seeking a CIHA order from the Minister. While we understand the Township's desire to see more residential

development in the community, this should not happen without extensive and meaningful consultation with MSIFN. A Community Infrastructure and Housing Accelerator order will significantly impact the exercise of our Constitutionally protected Aboriginal and Treaty Rights.

MSIFN and Ontario municipalities used to rely on technical reviews of projects like this from Conservation Authorities working under the Conservation Authorities Act. However, the province has removed Conservation Authorities from the planning and assessment process for these municipal development projects. This is the first major project both the Township and MSIFN are being asked to consider without the resources and technical expertise of Kawartha Conservation. We are concerned about the level of due diligence the Township has conducted to date with Avenu Properties, especially given the inability of Kawartha Conservation to review and comment on the proposal. Also concerning is the notice from Avenu Properties' (March 15, 2024) that it is refusing to fund MSIFN's costs for a third-party technical review of its technical work and reports.

In our view Avenu Properties has no track record in Ontario – in fact, they do not appear to have built anything. Additionally, we know that this project is located on a floodplain, environmentally sensitive waterfront land, may have long-term impacts on the surrounding provincially significant wetland, may impact protected species at risk, and may significantly impact MSIFN's harvesting rights which are protected by treaty.

Avenu Properties has asked Scugog Council to request the use of Ontario's CIHA tool to speed the project forward. Due to our deep concerns over the abilities of the developer, the environmental sensitivity of the land and waters, and the impacts on our rights and interests, we request your assurance that this project will undergo a full and detailed environmental assessment, with meaningful consultation by the Township of Scugog with MSIFN, before any further action is taken to speed up this development.

Thank you for taking the time to consider this matter and we look forward to receiving your response.

Sincerely,



Chief Kelly LaRocca



Councillor Jeff Forbes



Councillor Sylvia Coleman

Cc: The Honourable Doug Ford, Premier of Ontario
The Honourable Paul Calandra, Minister of Municipal Affairs and Housing
The Honourable Andrea Khanjin, Minister of the Environment, Conservation & Parks