



Dec 2, 2022

Hon. Steve Clark, Minister of Municipal Affairs and Housing

Dear Minister Clark,

**Re ERO 019-6196, ERO 019- 6163, ERO 019-6141 Bill 23 *More Homes Built Faster Act*, ERO 019-6160 Proposed Updates to the Ontario Wetland Evaluation System, *Bill 39 An Act to amend the City of Toronto Act, 2006 and the Municipal Act, 2001 and to enact the Duffins Rouge Agricultural Preserve Repeal Act, 2022*, ERO 019-6304 Repeal of the *Duffins Rouge Agricultural Preserve Act, 2005*, and, Proposed Amendments to the Greenbelt Plan and the Oak Ridges Moraine Conservation Plan ERO 019-6216, 019-6217 and 019-6218.**

**This submission is an update to an earlier one submitted November 24<sup>th</sup>. We will continue to update our submission as new due dates and information come up.**

The proposed changes in Bills 23 and 39 and associated ERO proposals together constitute the worst assault on nature that we have ever seen. It is a systemic dismantling of thoughtful land use planning regulations successive governments put in place to not only safeguard the ecosystems we rely on for clean air and fresh water but also to protect homeowners and neighbourhoods against flooding and heat events.

Five schedules and almost 20 ERO notices associated with Bill 23 alone set the stage for increased risks to homeowners, the crippling of connectivity for Rouge National Urban Park and undermining local food production in the Greenbelt and elsewhere.

Wildlands League strongly objects to both the passing of Bills 23 and 39 and associated changes as proposed-including opening the Greenbelt and Oak Ridges Moraine to housing through Proposed Amendments to the Greenbelt Plan, and Oak Ridges Moraine Conservation Plan. The overall impact is undemocratic and out of step with the priority needs of the people of Ontario, damaging to the environment, ineffective in building new housing and unnecessary. We fear that the current proposals set the stage to open the rest of the Greenbelt and other environmentally sensitive areas to increasing incursions over time and further erode democratic processes and our ability to combat climate change and its impacts. We believe that the current suite of proposals threatens these underpinnings of a healthy society.

While new housing is needed, it can be built in a manner that does not compromise our climate and ecological future, erode our democratic processes, and threaten our food and water supply. We respectfully ask that you withdraw the proposed legislation pieces and enabling proposals and instead focus on increasing density for green housing built around transit within existing communities and on land already slated for development without requiring the use of 'strong mayor' powers or bulldozing the rights of citizens to appeal decisions. New housing must avoid the current Ontario Greenbelt in its entirety as well as other provincial significant woodlands, wetlands, and water bodies. Otherwise, the



people of Ontario will be faced with paying the considerable environmental devastation bill when the inevitable floods and prolonged heat events occur, putting life and property at risk.

### **About Wildlands League**

Wildlands League is one of Canada's pre-eminent conservation organizations, collaborating with communities, governments, Indigenous Peoples, scientists, and progressive industry to protect nature and find solutions that work for the planet and for all. We are a team of relentless solution seekers with expertise in policy, strategy, and conservation. We have been working in the public interest since 1968, beginning with a campaign to protect Algonquin Park and including the establishment of Rouge National Urban Park, Canada's first. Our vision is to protect at least half of Canada's land, freshwater and ocean so that future generations can experience and benefit from Canada's irreplaceable natural wonders and ecosystems. Our detailed submission comments follow.

### **Bill 23 *More Homes Built Faster Act* (ERO 019-6196, ERO 019- 6163, ERO 019-6141).**

This Bill, as proposed, would weaken Ontario's conservation authorities (CAs), erode green development, and reduce citizen participation in planning decisions.

Under Bill 23, CAs would be restricted from commenting on development and planning applications and be forced to issue permits resulting from specified *Planning Act* approvals. CAs would not be allowed to analyse pollution and land conservation impacts of proposals. This would increase financial and environmental risks for homeowners in the affected areas. These changes should be removed from the Bill.

Bill 23 would also remove a municipality's ability to authorize green development standards for new developments. This responsibility is critical for an effective local response to climate change and biodiversity loss. These standards help with fighting climate impacts and requiring more bird-friendly design. All Ontario municipalities must retain their authority to require green development and performance standards.

Bill 23 proposes to remove third party appeal rights under the Planning Act. Without these rights residents concerned about water or air pollution resulting from a zoning change will have no opportunity to seek a review by the independent Ontario Land Tribunal. Development projects will be better planned if they consider residents environmental concerns and develop solutions at the front end of the process, rather than having to respond later to damages incurred from poor planning. Please remove all sections of the Bill that would impact these rights to appeal, including changes to the costs structure at the Ontario Land Tribunal.

### ***Proposed Updates to the Ontario Wetland Evaluation System* (ERO 019-6160)**

Wildlands League is opposed to these changes. They downgrade the criteria for identifying significant wetlands and their boundaries and could accelerate the already rapid loss of wetlands in Ontario.



Without strong protections wetlands will be increasingly targeted for home building and other development. We have already lost 70% of our wetlands south of the Canadian Shield. We have also lost associated values: species, the ability to store carbon, absorption of heavy runoff and storage and purification of water. The proposed updates further exacerbate the problem, when what is needed is urgent action to protect more wetlands, not pave them.

**ERO 019-6216 Proposed Amendments to the Greenbelt Plan and boundary regulation (ERO 019-6217) and the Oak Ridges Moraine Conservation Plan (019-6218) and ERO 019-6304 Repeal of the Duffins Rouge Agricultural Preserve Act, 2005**

ERO posting 019-6304 does not qualify to be exempted from a comment period under the Environmental Bill of Rights (EBR) as is currently the case. This is because the other associated postings (that do have a comment period) do not provide the prescribed period of 30 days for comment on 019-6304. Most close only 12 days after 019-6304 was posted. One closes only 2 days after. **The Ministry should open ERO 019-6304 to a full 30 day posting and comment period.**

The proposal to remove land from the Greenbelt for housing would cause irreparable harm to the integrity of the Greenbelt and the surrounding landscape. The current proposal would 'swap' 7,400 acres of the Greenbelt to be used for housing with the purported addition of other lands elsewhere. However, these other lands are already largely protected under other policies. Swapping land for offsetting areas is rife with issues. Offset lands allow more harm to occur to ecosystems, and are general subject to less stringent design, standards, monitoring, and oversight than those under the original protection.<sup>1</sup> This plan is therefore effectively a net loss in protected farmland and natural heritage areas. This sets the stage for more land speculation in the Greenbelt with developers buying up land in increasing amounts, counting on the rules being changed in their favour, thereby putting pressure on opening even more land for sprawling development. This precedent will destroy the integrity of the Greenbelt and its purpose of securing natural spaces and farmland for the benefit of all Ontarians.

The act establishing Duffins Rouge Agriculture Preserve is proposed to be repealed. Rouge National Urban Park (RNUP) would lose both ecological and agricultural integrity with the loss of the Duffins Rouge Agricultural Preserve next door. Removing protections to the Preserve will damage the habitat and connectivity for species at risk. The link between Lake Ontario and the Oak Ridges moraine would be severed. It is the only such connection in the Greater Golden Horseshoe and one of the fundamental roles played by RNUP.

The Townline Swamp Wetland complex, one of the most sensitive and biologically diverse parts of RNUP directly borders the agricultural preserve. It supports many species at risk including critical habitat for Blandings turtles. These turtles have been a focus of partnership efforts between Parks Canada, Toronto Zoo, TRCA and Indigenous Peoples to reintroduce more than 500 turtles to the area since 2015.

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<sup>1</sup> Ontario Nature, *Navigating the Swamp: Lessons on Wetland Offsetting for Ontario* (Toronto: Ontario Nature, July 2017).



Development of the preserve would devastate connectivity for the turtles and other species at risk. Human disturbance from encroaching properties and unofficial trails, and unauthorized ATV use would all increase if the Duffins Rouge Agricultural Preserve land was to be developed.

The loss of further Class 1 farmland in the agricultural preserve would remove an ecological and agricultural buffer and lost opportunities for Rouge farmers to have operations outside the Park, making farming less viable for the remaining farmers. Productivity and investment in improving farms for food production and ecological integrity would suffer all at a time when local food production is becoming more needed, not less.

These proposals to remove existing regulations and open Greenbelt lands to development are destructive, but they are also unnecessary. The province's own taskforce on housing has concluded that land is not the limiting factor when it comes to addressing housing needs, especially affordable housing.

### **Conclusion**

Minister Clark, please repeal proposed changes in ERO 019-6196, ERO 019- 6163, ERO 019-6141 Bill 23 More Homes Built Faster Act, ERO 019-6160 Proposed Updates to the Ontario Wetland Evaluation System, Bill 39 An Act to amend the City of Toronto Act, 2006 and the Municipal Act, 2001 and to enact the Duffins Rouge Agricultural Preserve Repeal Act, 2022, ERO 019-6304 Repeal of the Duffins Rouge Agricultural Preserve Act, 2005, and, Proposed Amendments to the Greenbelt Plan and the Oak Ridges Moraine Conservation Plan ERO 019-6216, 019-6217 and 019-6218 and instead focus on proposals with real solutions to housing that do not threaten our climate, democracy, and ecological resilience to extreme weather.

The province should withdraw its plans to remove Greenbelt and other land protections and curtail civil engagement for housing. Instead, we implore you to engage with Indigenous partners, municipalities, conservation authorities and civil society stakeholders to support development that is in line with pre-existing protection, plans and agreements. The Greenbelt needs to be expanded, not diminished.

There are huge areas already available for housing. Gains can be made where people already live through modestly increasing density with more greenspace close to transit. Your own Housing Task Force concluded that land supply is not the limiting factor when it comes to housing.

Biodiversity loss and climate change are existential threats and Ontario is not immune. Monarchs, bees and swallows are all on the endangered list. We have lost 70% of our wetlands and Ontario has more than half of Canada's endangered species. We aren't doing a good job of protecting nature with a mere 3% of lands and waters protected from development in the south. Housing needs can be addressed without further endangering the systems that life depends on. It is not necessary to pave farms, forests, and wetlands for sixties-style sprawl.

Minister, where will you be when the birds stop singing and the pollinators are gone? You have the power to stop this now before it is too late.



WILDLANDS LEAGUE

CRA/ARC # 11878 2317 RR0001

Sincerely,

A handwritten signature in black ink, appearing to be 'Janet', written in a cursive style.

Executive Director  
Wildlands League  
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CC: Premier Doug Ford, Peter Tabuns, John Fraser, Mike Schreiner, Laurie Scott, Graydon Smith, Tyler Schulz, Commissioner of the Environment