

Toolkit for Responding to Bill 23
Deadline for written submission - Friday November 17

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Prepared by
 Grand(m)others Act To Save The Planet (GASP)
 November 13, 2022

#1. Actions you can take to voice your objection to Bill 23
Write to your local councillor, MPP and the Premier

Deadline is Friday, November 18 for written submission!
Links to Bill 23 - [STOP BILL 23 Nov-Dec 2022 | Linktree](#)

The recently introduced omnibus Bill 23, More Homes Built Faster Act, 2022, is abominable. Please take some of the steps at the end of this message, by NOV 17. This excellent document was prepared by Sheila Clarke.

Wetlands, Green Space, Affordable Housing, Public, Municipal and Regional Input into Development- all gone.

Using the Environmental Defence Summary, and also drawing from Ontario Nature, "the Pointer," and the Farmland Trust, I'll try to summarize the schedules of concern in Bill 23 .

I'm going to start with the most important part of the bill in terms of the future health of our environment, **SCHEDULE 2**, that has been described as ecological insanity - and it is. **It's a wholesale attack on Conservation Authorities ability to protect important habitat and water control environments in order to open those areas to urban sprawl. Wetlands especially will be under attack.** Our Conservation Authorities have been able to protect ecologically important habitats, which in turn are part of flood control, and of the ultimate health of all of us. Wetlands absorb flood waters, are critically important for migrating species, and are home to millions of species of wildlife , many endangered. Complex wetlands are not separate, they are ecologically linked; they enable moderation of flood surges, and link important habitat locations, forming "bridges" for wildlife movement. They are truly the lifeblood of our natural environment. They are little understood, and are often seen as nuisances by developers, something to fill in and pave over. Equally endangered would be forested areas. **Bill 23 removes the ability of the Conservation Authorities to protect these very important elements of our environment.**

SCHEDULE 2: CONSERVATION AUTHORITIES ACT -

Facilitating a Mass Sell-Off of Conservation Lands

Bill 23 would remove the requirement for government permission, and allow the sale of conservation lands – including endangered or threatened species habitat, wetlands, and areas of natural and scientific interest. Where a sale is for “provincial or municipal infrastructure and municipal purposes”, the authority is not even required to consult on these dispositions.

Open Season for Sprawl on Wetlands

Many of Ontario’s rarest and most at-risk wildlife and habitats are concentrated in the same “crisis ecoregions” which the vast majority of the province’s people live, and where pressure for suburban residential, commercial and residential sprawl is most intense

This Bill would remove the power of Conservation Authorities to regulate or prohibit sprawl developers and land speculators from destroying wetlands, river or stream valleys, within their jurisdiction, in almost every case. It does this through **Section 7 of the Bill**, which would amend s. 28 of the Conservation Authorities Act to exempt any project that has received land use planning approval under the Planning Act from Conservation Authority regulations regulating water-taking, interference with rivers, creeks, streams, watercourses, and wetlands, or controlling flooding, erosion, conservation of land.

Conservation Authorities would not be able to regulate and refuse building permits based on “pollution or the conservation of land”, and the Minister would not be required to consider those matters in appeals.

Gagging Conservation Authorities

Bill 23 will also prohibit Conservation Authorities from providing Municipalities with the information they need in order to start protecting conservation lands themselves when they consider land use planning approvals. The result will be a massive gap in Ontario’s system for protecting public safety and ecosystems, and

ultimately, the unleashing of bulldozers and backhoes on cumulatively vast areas of wetland, forest and other sensitive areas currently off-limits for development.

ACTION: REMOVE SCHEDULE 2.

The remaining schedules deal with housing, but in most cases, are in complete opposition to recommendations to reduce sprawl over important habitat and green space: "densify" building within existing city and municipal boundaries where there is ample space; and address the serious need for affordable housing in Ontario.

SCHEDULE 1: CITY OF TORONTO ACT, 2006

Jeopardizing Rental Replacement

The amendment to s. 111 of the City of Toronto Act would empower the Minister of Municipal Affairs and Housing to unilaterally limit the City of Toronto's much admired rental replacement policy.

The Rental Replacement Policy ensures that when rental apartments are demolished to make way for new development, the tenants are entitled to a replacement unit of roughly the same size and type in the new development, at the same rent as before – as well as temporary accommodation in the interim.

In the absence of the Rental Replacement Policy, construction of much-needed new housing will frequently result in the displacement of existing tenants who currently pay lower rents, and will require them to enter new leases at rents that will almost always be much higher.

Killing the Toronto Green Standard

Another amendment under Schedule 1 would remove the authority for many parts of the Toronto Green Standard, and narrow its application considerably – potentially making it impossible for the City of Toronto to meet its building emissions targets.

**ACTION: REMOVE SCHEDULE 1 - SAFEGUARD TORONTO RENTAL REPLACEMENT POLICY
-MAINTAIN CURRENT TORONTO GREEN STANDARD BUILDING APPLICATION**

SCHEDULE 3: DEVELOPMENT CHARGES ACT, 1997

Bill 23 would jeopardize the ability of municipalities to use development charges as intended – to gather funds for large infrastructure projects to accommodate and support growth. It would do this by requiring municipalities to spend or allocate 60 per cent of reserve funds each year. This would make it impossible for municipalities to plan for creation of major affordable housing units through reserve funds gathered for that purpose.

ACTION: REMOVE SCHEDULE 3. REMOVE REQUIREMENT FOR SPENDING 60% OF RESERVE FUNDS EACH YEAR.

SCHEDULE 4: MUNICIPAL ACT, 2001

Opening the Door to Displacement of Lower-Income Tenants

Schedule 4 amendments to the Municipal Act, 2001 would empower the Minister of Municipal Affairs and Housing to unilaterally limit – and even dismantle – rental replacement policies of other Ontario municipalities.

Current rental replacement policy ensures that when rental apartments are demolished to make way for new development, the tenants are entitled to a replacement unit of roughly the same size and type in the new development, at the same rent as before – as well as temporary accommodation in the interim.

In the absence of the rental replacement policies, construction of much-needed new housing will frequently result in the displacement of existing tenants who currently pay lower rents, and will require them to enter new leases at rents that will almost always be much higher.

ACTION: REMOVE SCHEDULE 4. SAFEGUARD RENTAL REPLACEMENT POLICY.

SCHEDULE 7: ONTARIO LAND TRIBUNAL ACT

Considerable clarification is needed in this schedule to insure that there is adequate and fair access to the OLT, and that the concept of "delay" is not structured to create rushed approval of development plans, or the incursion of fines assigned to the municipality which is already the catchment of considerable downloading, overworked staff, and limited resources.

It is important that OLT access be a fair process for all aspects of community development, both within the municipality, and external development. To have fines incurred by the body losing an appeal seems to assign a punitive element to what should be an open process designed for reasoned address.

As well, to preclude third party appeal, leaving only municipal and corporate appeal seems to overlook a basic precept of fair appeal in community and environmental development.

ACTION: CLARIFY SCHEDULE 7 TO ADDRESS FAIRNESS, ACCESS, AND DEFINITION OF TERMS SUCH THAT MUNICIPALITIES ARE NOT UNDULY PENALIZED. EXPAND DEFINITIONS OF LEAVE TO APPEAL TO INCLUDE THIRD PARTY.

SCHEDULE 9: PLANNING ACT

Contrary to the government's messaging, the main thrust of its amendments to the Planning Act – and the main thrust Bill 23 overall – **is to legalize and provoke a massive acceleration of suburban sprawl into wetlands, forests, farmland, and other areas on the rural outskirts of major population centers in Ontario's most sensitive ecoregions.**

Unilaterally Imposing Sprawl on Municipalities that Choose Smart Growth

Over the past year, Ontario municipalities like Hamilton, Halton and Waterloo have made extraordinary strides in protecting wildlife habitat and farmland and delivering the denser, walkable, lower-cost forms of housing in existing neighborhoods, by adopting groundbreaking plans that would allocate all – or almost all – of their new homes and workplaces to existing neighborhoods, built up areas, and their existing supply of unused designated greenfield area.

This Bill's amendments to the s. 23 of the Planning Act would allow the government to directly impose sprawl on those municipalities, without any opportunity to accommodate demand for housing and workplaces in their own way.

Destroying Regional Planning in the Greater Golden Horseshoe

Even more concerning is the Bill's proposal to entirely eliminate coordinated regional planning in Ontario's Golden Horseshoe. In Simcoe, Durham, Halton, Peel, Niagara and Waterloo and York Region, regional planning is meant to prevent "patchwork" sprawl that wastes construction resources and infrastructure, to enable regional governments to ensure that development can be serviced effectively, and to ensure that land isn't wasted.

The Bill would remove the power of Regional governments to plan where new homes and workplaces go, and the densities at which they are built, to prevent the squandering of farmland and wildlife to habitat, and to ensure that new and existing communities can be serviced with public transit, water and other infrastructure.

The effect of Bill 23 will be a region-wide race to the bottom when it comes to land-use planning, with lower-tier municipalities that lack experienced land use planning staff pressured to expand settlement boundaries onto vital farmland and habitat, or into places where they can never be serviced effectively.

Failure to Deliver on Densification: Exiling Families to Sprawl

All of Ontario's major municipalities are on a race against time to bring post-WWII neighborhoods, in particular, up to densities that support frequent, reliable public transit, and allow most residents to get by comfortably without a car. That is in part because of the need to both to make room for everyone who wants to live there – and to stop pushing residents into sprawl. It is also because reducing car trips is vital to meeting Ontario's obligations to eliminate greenhouse gas emissions before it is too late. However, it is also because the population growth that enables us to deliver them without massive hardship will not continue forever. Ontario cannot afford to squander homes and workplaces that are needed to fix existing sprawl right now on the creation of even more sprawl suburbs in wetlands and farms.

Unfortunately, Bill 23 fails to deliver the changes required to meet demand for housing in existing neighborhoods. Measures to require that zoning be updated to facilitate densification around public transit are a modest step in the right direction. However, promised reforms to remove or reduce exclusionary "single detached" zoning, were watered down to such a degree that, according to the government's own documents,

they would create just 50,000 of the 1,500,000 promised homes. Contrary to government messaging, amendments to s. 16(3) of the Planning Act do not allow modest, purpose-built walk-up apartments or even townhomes to be built as of right on the existing lots currently being squandered on single detached McMansions. It is difficult to see how the changes permitted by the Bill – which allows up to two additional residential units within a detached house, semi-detached house or rowhouse, or in a modest ancillary structure – go meaningfully beyond what is already permitted in the City of Toronto.

**ACTION: -PERMIT REGIONAL PLANNING TO FACILITATE INFRASTRUCTURE DELIVERY, AND PROTECTION OF CRITICAL WETLANDS, FARMLAND AND HABITAT.
-REDUCE URBAN SPRAWL THROUGH DENSIFICATION.**

SUPPORTING GROWTH AND HOUSING IN YORK AND DURHAM REGIONS ACT, 2022

The new “Supporting Growth and Housing in York and Durham Regions Act, 2022”, which would be created by Bill 23, aims to facilitate York Region’s reckless and excessive boundary expansion by forcing a massive sewage tunnel through the Greenbelt and the sensitive Oak Ridges Moraine. This law would exempt the project from many features of an Environmental Assessment, and even from the Environmental Bill of Rights. Unleashing Sprawl in York Region and Northern Durham Region

While municipalities like Hamilton and Waterloo made an unprecedented effort to deliver housing in affordable and environmentally sustainable way, York Region, in particular, submitted boundary expansion requests that would mark far more farmland and wildlife habitat for destruction than could ever plausibly be required to meet housing need. Moreover, York Region approved boundary expansion on large swathes of land in the overtaxed Lake Simcoe watershed that lacked any capacity at all for further expansion.

ACTION: REMOVE THE SUPPORTING GROWTH AND HOUSING IN YORK AND DURHAM REGIONS ACT, 2022

If you belong to a group, please have the group write a letter to those below. If you are an individual, please write your own personal letter. Speak from the heart.

Things you could include:

- That you are not against development, especially affordable housing (defined as no more than 30% of income).
- That to address the threats caused by the climate crisis and biodiversity loss and to protect Ontario's critical agricultural land, the focus of legislation should be on limiting sprawl, encouraging development within urban boundaries and creating complete healthy communities on already serviced land that can be served by public transit.
- Talk about any of your specific concerns related to the points list above.
- Note that Conservation Authorities have played a crucial role in protecting against losses caused by flooding, erosion and other natural hazards that are bound to increase as the climate changes. Now, more than ever, it's important that planning takes a watershed approach.
- Note the importance of protecting conservation areas in terms of human health, recreation and biodiversity protection.
- Express concern that Bill 23 has not been given the time needed for detailed analysis and informed discussion. Ask that Bill 23 is given significant time for public consultation.

Key asks:

****REMOVE SCHEDULE 2****

-REMOVE SCHEDULE 1 - SAFEGUARD TORONTO RENTAL REPLACEMENT POLICY

-MAINTAIN CURRENT TORONTO GREEN STANDARD BUILDING APPLICATION

-REMOVE SCHEDULE 3. REMOVE REQUIREMENT FOR SPENDING 60% OF RESERVE FUNDS EACH YEAR.

-REMOVE SCHEDULE 4. SAFEGUARD RENTAL REPLACEMENT POLICY.

-CLARIFY SCHEDULE 7 TO ADDRESS FAIRNESS, ACCESS, AND DEFINITION OF TERMS SUCH THAT MUNICIPALITIES ARE NOT UNDULY PENALIZED.

-EXPAND DEFINITIONS OF LEAVE TO APPEAL TO INCLUDE THIRD PARTY.

-PERMIT REGIONAL PLANNING TO FACILITATE INFRASTRUCTURE DELIVERY, AND PROTECTION OF CRITICAL WETLANDS, FARMLAND AND HABITAT.

-REMOVE THE SUPPORTING GROWTH AND HOUSING IN YORK AND DURHAM REGIONS ACT, 2022

Email your letter to:

Email your letter to:

David Piccini, Minister of Environment Conservation and Parks: minister.mecp@ontario.ca

Then cc (see below) all the key members of the legislature. (all the emails are copied here so you can just copy and paste):

premier@ontario.ca , minister.mnrf@ontario.ca , minister.mah@ontario.ca , tabunsp-qp@ndp.on.ca , SShaw-QP@ndp.on.ca , JBurch-QP@ndp.on.ca , jbell-co@ndp.on.ca , jfraser.mpp.co@liberal.ola.org , jfraser.mpp.co@liberal.ola.org , mmcmahon.mpp.co@liberal.ola.org , sblais.mpp.co@liberal.ola.org , mschreiner@ola.org

Premier Doug Ford premier@ontario.ca

Minister of Natural Resources and Forestry minister.mnrf@ontario.ca

Minister of Municipal Affairs and Housing minister.mah@ontario.ca

NDP Interim Leader Peter Tabuns: tabunsp-qp@ndp.on.ca

NDP Critic Environment, Conservation and Parks, Sandy Shaw: SShaw-QP@ndp.on.ca

NDP Critic Municipal Affairs, Jeff Burch: JBurch-QP@ndp.on.ca

NDP Critic Housing, Jessica Bell: jbell-co@ndp.on.ca

Liberal Interim Leader, John Fraser: jfraser.mpp.co@liberal.ola.org

Liberal Critic for Environment, Conservation and Parks, Mary-Margaret McMahon:

mmcmahon.mpp.co@liberal.ola.org

Liberal Critic for Municipal Affairs and Housing, Stephen Blais, sblais.mpp.co@liberal.ola.org

Green Party Leader, Mike Schreiner: mschreiner@ola.org

you can find the email address for your local MPPs here: [https://www.ola.org/en/members/](https://www.ola.org/en/members/current)

[current](https://www.ola.org/en/members/current)

Some supporting statements from the Ontario Farmland Trust

[https://ontariofarmlandtrust.ca/2022/11/10/bill-23/:](https://ontariofarmlandtrust.ca/2022/11/10/bill-23/)

Bill 23 proposes removing 7400 acres of farmland and greenspace from the Greenbelt and offsetting this loss by adding 9400 acres of land to the Greenbelt in other areas. While overall this will result in a net increase in protected area, most of the lands that are going to be added to the Greenbelt already receive protection through environmental policy (e.g. river valleys). The land that is being removed, much of which is farmland, does not receive these same protections. Note, **the International Union for Conservation of Nature (IUCN) states that offsets must be more than twice the area being lost in order restore the lost biodiversity and ultimately, that offsetting is not a viable solution.** Farmland may also be an easy target for places for the offset wetlands, which will result in more agricultural lands being taken out of production.

Offsetting has also been proposed as a regulation to Bill 23 in order to permit development on wetlands and sensitive ecological areas, however no detailed offsetting requirements were provided. Wetlands are crucial to our landscape, and help to mitigate and prevent floods. Without them, the landscape is at risk of increased flooding, which means that farmlands may experience higher levels of erosion that wash away precious soil. **It takes approximately 100 years for one inch of soil to form, so it is crucial that we protect what we have.** (See Ontario Nature blog re: offsetting, below.)

It is also worth noting that in the proposed changes to the Greenbelt, parts of the Duffins Rouge Agricultural Preserve are going to be removed from the protected area. **These lands contain specialty crop areas and are home to unique microclimates that contribute to our diverse food system, and cannot be replicated elsewhere.**

Additional Comments

Finally, OFT is concerned about the changes of powers for the Ontario Land Tribunal that are proposed in Bill 23. Currently, the Tribunal allows for a third party to appeal planning decisions, which can be crucial for farmers when planning mistakes will impact their livelihood (e.g. when the Minimum Distance Separation Formulae has not been followed, allowing development to occur too close to a manure storage facility, causing significant conflicts between farmers and the new residents). **OFT believes it is important that the agricultural community still have mechanisms such as third-party appeals, as a means to correct planning issues.**

Ontario needs an increased housing supply, but this is not an effective solution. It is likely that these changes will result in mainly detached, single-family homes being built. These homes will still be unaffordable for potential new homebuyers, and will not solve the housing crisis. **We need to focus on building high-density housing options in pre-developed areas that are affordable, walkable, and easily accessible via public transit. Doing so will help ensure that we are developing equitable communities that will actually address the housing crisis and help Ontarians.**

Information re: Offsetting:

<https://ontarionature.org/wetland-offsetting-does-it-really-work-blog/>

Two other Ontario Nature sites that may be of help:

<https://ontarionature.org/bill-23-what-you-need-to-know-blog/>

<https://ontarionature.org/event/working-together-for-ontarios-wetlands-webinar/>

may the force be with you,
cheers, Sheila

How to make a written submission to the committee hearings on Bill 23

<https://docs.google.com/document/d/>

Before you visit the submission site, prepare your comments. Tips on making a submission:

- Open with a brief summary of your claims and suggestions
- Make specific recommendations (e.g. sections of the bill which should be amended or removed)
- Try to provide evidence for any factual claims you make
- Don't let the perfect be the enemy of the good! Orgs like Environmental Defence will be making professional submissions, so you don't have to say everything. Submit something thoughtful and persuasive about an aspect of the bill that concerns you.

- Formatting your submission:

Use a title page with your name + address and double-space any document you submit

When you're ready - go here: ola.org/en/apply-committees

There are step-by-step instructions about using the submission form at the end of this toolkit.

TALKING POINTS AND USEFUL EVIDENCE

- I am concerned about the loss of conservation authority powers resulting from this bill.
- I don't believe any conservation lands should ever be sold for development, they are needed as habitat and for flood prevention. Therefore no new process for selling off Conservation Lands is needed.
- Small municipalities do not have the capacity to take on all the work being done by conservation authorities.
- The Bill will gut the Green Standards many municipalities have put in place to make new buildings sustainable and energy efficient, with the goal of bringing down local emissions.

Phil Pothén's Analysis: <https://environmentaldefence.ca/2022/10/31/ontarios-housing-bill-is-actually-a-trojan-horse-for-environmentally-catastrophic-rural-sprawl/>

Canadian Environmental Law Association: <https://cela.ca/reviewing-bill-23-more-homes-built-faster-act-2022/>

Ontario Nature Backgrounder:

<https://view.publitas.com/on-nature/bill-23-backgrounder-november-2022/page/1>

Green Building Standards: - <https://taf.ca/save-green-development-standards/>

MPP Addresses, phone numbers, and email addresses

<https://www.ola.org/en/members>

In the Oakville News, Kim Arnott outlines the huge property tax increases that will be caused by Bill 23

['Staggering financial implications': Housing plan will download growth costs to property taxpayers - Oakville News](#)

Of particular concern are plans to cut development charges – the fees municipalities collect to pay for needed new infrastructure like water systems and roads.

Without development charge revenue, the cost of building new infrastructure will have to be borne by property taxpayers, which would run counter to an attempt to make homes more affordable.

“The financial implications, which we’ve only really started to understand ... are staggering for the region and other high-growth municipalities,” said Jane MacCaskill, Halton’s CAO.

She added that the proposed changes run “completely counter” to the principle of growth paying for growth. While details are still sparse, early calculations suggest that the changes could cost Halton in the range of hundreds of millions of dollars over the coming decade.

Bill 23 Flaws from Environmental Defence perspective:

Ontario’s Housing Bill is Actually a Trojan Horse for Environmentally Catastrophic Rural Sprawl
<https://environmentaldefence.ca/2022/10/31/ontarios-housing-bill-is-actually-a-trojan-horse-for-environmentally-catastrophic-rural-sprawl/>

Bill 23 would remove the requirement for government permission, and **allow the sale of conservation lands** – including endangered or threatened species habitat, wetlands, and areas of natural and scientific interest. Where a sale is for “provincial or municipal infrastructure and municipal purposes”, the authority is not even required to consult on these dispositions.

This Bill would remove the power of Conservation Authorities to regulate or prohibit sprawl developers and land speculators from destroying wetlands, river or stream valleys, within their jurisdiction, in almost every case.

Bill 23 doesn’t just prohibit Conservation Authorities from protecting conservation lands, wetlands, river or stream valleys themselves. It actually goes so far as to “gag” them – prohibiting them from providing Municipalities with the information they need in order to start protecting conservation lands when they consider land use planning approvals. The result will be the unleashing of bulldozers and backhoes on cumulatively vast areas of wetland, forest and other sensitive areas currently off-limits for development.

Over the past year, Ontario municipalities like Hamilton, Halton and Waterloo have made extraordinary strides in protecting wildlife habitat and farmland and delivering the denser, walkable, lower-cost forms of housing in existing neighborhoods, by adopting groundbreaking plans that would allocate all – or almost all – of their new homes and workplaces to existing neighborhoods, built up areas, and their existing supply of unused designated greenfield area.

One of the most glaring features of this Bill’s amendments to the Planning Act is the removal of the last procedural obstacles to the Minister unilaterally imposing sprawl on those conscientious municipal governments.

This Bill’s amendments to the s. 23 of the Planning Act would allow the government to directly impose sprawl on those municipalities, without any opportunity to accommodate demand for housing and workplaces in their own way.

**Bill 23 Flaws from Environmental Defence perspective:
Ontario's Housing Bill is Actually a Trojan Horse for Environmentally Catastrophic Rural Sprawl
Cont'd from page 2**

Regional planning is meant to prevent “patchwork” sprawl that wastes construction resources and infrastructure, to enable regional governments to ensure that development can be serviced effectively, and to ensure that land isn't wasted.

The Bill would remove the power of Regional governments to plan where new homes and workplaces go, and the densities at which they are built, to prevent the squandering of farmland and wildlife to habitat, and to ensure that new and existing communities can be serviced with public transit, water and other infrastructure.

The effect of Bill 23 will be a region-wide race to the bottom when it comes to land-use planning.

From the Canadian Centre for Housing Rights
<https://housingrightscanada.com/what-you-need-to-know-about-ontarios-new-housing-policy-bill-23/>

At the municipal level, development charges, community benefits charges and parkland dedication levies are key growth funding tools (GFTs), which fund key infrastructure and services needed to support growth. Proposed reductions in development charges and other GFTs could have the secondary effect of reducing the revenues that municipalities generate through these tools to support local communities.

Concerningly, **the bill will limit municipalities from funding affordable housing development and services with revenues from development charges. This will reduce the already scarce resources available to create new affordable rental housing and fund existing housing programs.**

Additionally, under Bill 23, the Government of Ontario has proposed to explore reforms to the property tax assessment methodology for rental housing, with the objective of **reducing the tax burden on rental housing providers**. Framed as another measure to incentivize the provision of rental housing, this initiative would decrease the revenue generating capacity of property taxes – a core revenue stream for municipalities.

As it is currently articulated, the bill does not propose any measures that could offset revenue losses for municipalities caused by reduced GFTs and property taxes.

Here are some of the key takeaways:

- Ontario's Bill 23 includes a broad range of measures that will impact how and what type of housing is built in the province.
- Proposed initiatives that allow new housing options and greater density and reduce development costs for non-profit housing providers may contribute to the creation of diverse and more affordable housing options.
- Taken as a whole, measures proposed in the bill **significantly constrain options for building new affordable rental housing and seriously jeopardize the affordable housing that exists.**
- The measures in Bill 23 **leave municipalities with fewer policy tools and resources to address housing challenges in their communities, with those in the greatest housing need left worse off.**

From Conservation Ontario - https://conservationontario.ca/fileadmin/pdf/latest-news/2022_CO_Media_Release_Changes_to_CA_Act_Oct_2022_FINAL.pdf

In terms of another provincial proposal to freeze conservation authority development fees, 'development needs to pay for development'. Freezing these fees just creates a backlog of costs that will eventually need to be addressed.

"Conservation authority fees are based on cost recovery and there is no other mechanism being suggested that would ensure those costs are met, who will pay for the eventual shortfall?"

Regarding the provincial proposal that conservation lands be used to support housing development, careful consideration is required when identifying CA lands in this way. Conservation authorities own approximately 147,000 hectares of land which are made up of important natural systems and biodiversity such as wetlands, forests, moraines, and ecologically sensitive lands. These lands typically have clear functions and purposes.

Conservation authority lands are often located in floodplains and help to protect against flooding and erosion. They offer trails and other outdoor amenities that contribute to public well-being and they protect important sources of drinking water and biodiversity. They also contribute to climate change adaptation measures by capturing emissions, cooling temperatures, and protecting water quality.

"Regardless of the source of funding for the lands, clear policies are needed to protect these locally significant conservation lands and land use should only be considered for housing in exceptional circumstances."

Conservation authorities provide cost-effective solutions that help to solve challenging local issues. **Their watershed-based approach is recognized globally as the best management unit for ensuring we take into consideration a wide range of competing interests and impacts on natural resources.** When downloading these kinds of responsibilities to municipalities, we need to consider how development in one jurisdiction can impact other adjacent or 'downstream' municipalities.

Change in Ontario Planning Regulations Could Kill Millions of Birds Along the Atlantic Flyway
<https://www.treehugger.com/ontario-bill-23-could-kill-millions-birds-in-atlantic-flyway-6824769>

The government of Ontario, Canada introduced Bill 23 ("More Homes Built Faster Act") to remove restrictions that they claim are driving up the cost of housing and slowing construction. One of the major features of the act is to remove the authority of municipalities to develop their own green standards that differ from the provincial standards. When questioned, the office of the Housing Ministry told The Star that "if municipalities create their own standards, this patchwork of energy efficiency and other requirements reduces consistency and erodes affordability."

Toronto was the first municipality in the world to adopt a bird-friendly building design guideline as part of the Toronto Green Standard back in 2007, in effect requiring that new buildings subject to municipal site plan control had to be designed using materials (i.e., glass with visual markers) that reduce the risk of bird-window collisions. Since then, over a dozen other municipalities in Ontario have adopted similar measures, and there is growing interest. This initiative in Toronto and elsewhere has been highly successful and has led to the proliferation of bird-friendly building design practices across North America."

Samuels says the new bill strips municipalities of their authority to demand bird-friendly design. "In addition to throwing a wrench in municipal efforts to build more sustainably in anticipation of climate change conditions, it also means that municipalities can no longer require bird-friendly building design through site plan control." Where Ontario was once a global leader in bird conservation, we are now seeing environmental protections rolled back in service of private developer interests who regard bird-friendly measures as unnecessary red tape."

The proposed changes will facilitate the construction of new subdivisions proceeding in places that should not really be developed, at least according to the current legal and scientific framework, out of consideration for impacts to existing natural heritage like wetlands and forests, and also considering elevated flood risk under climate change conditions," he says. **"Another relevant aspect is that Ontario has not updated most of its floodplain mapping in about 40 years, and the way we are building now doesn't factor in what flooding conditions will look like in the coming decades. So, in the long run, the housing that is happening now will end up being quite a bit more expensive to municipalities, the province, and homeowners left to cover the costs of disaster mitigation."**

"Habitat loss is the single greatest cause of biodiversity decline in the world. Southern Ontario, a region facing the highest development pressure in the country, is also home to the most native biodiversity of anywhere in Canada. In Ontario, there are natural heritage features—wetlands, forests, and other natural habitats that are legally protected because of their designation as 'provincially significant.' There is also an extensive natural heritage that is not designated and is generally less protected despite still being important. Part of what conservation authorities offer municipalities is that they look at how local impacts on natural heritage caused by development could impact the entire system, like contaminating the watershed or eliminating rare habitats for species at risk."

Proposed offsetting has never proven successful

"Now, under changes proposed to how these natural heritage features are to be evaluated by the province, in many cases it would become permissible for developers to 'offset' or compensate for the clearing of habitats to make room for new buildings, roads, etc. by paying into a fund that would somehow go towards creating new habitat elsewhere," he says. "But anyone who has ever visited an older forest or wetland in Ontario should appreciate that these are not ecosystems we can just fabricate instantly from money, and the loss of existing ecosystems and their functions within the surrounding landscape would be impossible to make up elsewhere."

The Toronto bird-friendly standard was a model for the world; the wetlands are a waystation on the Atlantic Flyway. People in Ontario are justifiably outraged, but bird lovers from across the western hemisphere should be too and should let Premier Doug Ford and the government of Ontario know it.

CELA is thoroughly assessing the proposals and will be evaluating them against criteria including:

- effective public participation, including transparency of decision-making and ensuring diversity of voices heard;
- responsiveness to local circumstances within a clear provincial planning framework;
- consistency with values articulated by the province based on public input (eg, protection of water, wetlands, forests, natural heritage, biodiversity, hazard, and flood protection);
- supporting increased density around services and transit;
- promoting healthy rural economies;
- access to green space and walkable communities;
- utilization of brownfields;
- climate resilience (eg, mitigation, adaptation including adoption of green infrastructure, and avoiding heat islands);
- provision of high-quality safe housing for all, including young people and under-resourced Ontarians; and
- meaningful reconciliation with Indigenous communities.

GASP shares these goals and values!

1. Doug Ford wants to limit Ontarians' ability to appeal planning and development decisions.
2. The Ford government wants to remove cities' green building standards
3. Ontario's Progressive Conservatives want to revoke the Central Pickering Development Plan
4. The Progressive Conservatives want to give developers more control over Ontario's park planning. Currently, Ontario developers must provide a certain amount of greenspace for every new development, or pay cost in lieu. This process is largely overseen by city councils, but this legislation would limit their power.

5. **Ontario is making 'transformational change' to wetland and natural heritage regulations.**

Most significant is probably that species-at-risk habitat will no longer factor into decisions about which wetlands should be protected. Protection of endangered species has stalled or stopped development in the province in the past, and the leaked document notes the likelihood of strong developer support for removing this condition.

6. **The Ford government aims to 'streamline' Conservation Authorities.** The overhaul of conservation authorities is one of the largest sections of the new legislation. It includes dozens of changes to at least 11 regulations that enable these bodies to prevent flooding and other natural hazards by protecting wetlands and other ecosystems. "As someone who supports the government's all-hands-on-deck approach to the housing crisis, it's frustrating," said Hasaan Basit, CEO of Halton Region Conservation Authority. **"They have told us they value the important work [conservation authorities] do to protect people and property from natural hazards and flooding, but then they introduce sweeping changes that will keep us from doing the work needed at the watershed level."**

7. The government also wants municipalities to issue the development permits conservation authorities handle now. But Ontario's cities, regions and towns have "neither capacity nor expertise" in the relevant water protection, engineering and oversight roles needed, according to a letter to the government last week from the board of Conservation Halton, which includes the mayors of Burlington, Oakville and Milton.

Municipalities, will have to revamp land planning policy, and Indigenous communities will be concerned about Treaty Rights and natural features.

Most of the changes made in Bill 23 are targeted at removing wetland and woodland protections* and creating a process for selling off conservation lands without oversight. It also strips power from municipalities like Hamilton, Halton and Waterloo that are trying to build more new homes within their city boundaries, forcing them to sprawl instead.

Homes belong in towns and cities, not on top of farms, forests and wetlands! But **this catastrophic bill aims to put homes in all the wrong places.**

Tell your MPP and Steve Clark, Minister of Municipal Affairs and Housing, to withdraw this wetland destruction bill and deliver a real housing bill which builds homes where people want to live!

The proposed "More Homes Built Faster Act" includes only tepid measures to enable more badly needed home construction in existing cities while **diving deep into dangerous attacks on wetland habitat, woodlands and other conservation lands and encouraging even more of the expensive rural sprawl that caused Ontario's housing crisis.**

The **most glaring feature of this bill and its associated policy proposals is an attack on Conservation Authorities**, woodlands and provincially significant wetlands that aims to enable destruction of wetland habitats and conservation lands.

Across Ontario, municipalities largely leave it to Conservation Authorities to use refusal of permits – and their authority to appeal land use decisions – to ensure that sprawl doesn't destroy the ecological function of the habitat and water bodies they protect.

However, **this Bill prohibits Conservation Authorities from doing anything to prevent sprawl from causing flooding and erosion – or destroying ecology.** It would leave vast swathes of Ontario's most important habitats largely unprotected – and put Ontarians at real risk. This measure is useless as a spur to housing supply, because Ontario has more than enough room in existing neighborhoods and lands already designated for development than it will need for housing for many decades.

Proposed policy to allow "pay to slay" destruction of currently protected wetlands and woodlands, and changes to the rules that are used to identify wetlands, will cause the majority of these rare and ecologically crucial areas to be opened to development

This Bill's attack on regional planning is counterproductive for creating affordable homes – as well as being environmentally disastrous. Devolving planning decisions to lower-tier municipalities would produce development that is more scattered and thus much more environmentally harmful, but also more uncoordinated and expensive.

This is precisely the opposite of what's needed at a time when we need to preserve every acre of farmland and habitat, and use scarce construction materials, construction labour, equipment and supporting infrastructure to maximize the number of well-designed and low-cost homes, and transform existing post-warll subdivisions into public transit supporting complete communities.

The draft bill attacks Green Buildings.

Municipalities have developed green building standards to ensure new construction is environmentally, socially, and economically responsible as well as cheaper to own and maintain. This bill will take away their authority to require green buildings and undermine the affordability benefits that energy-efficient, climate-resilient buildings provide to owners and tenants.

Sign petition from Environmental Defence
<https://act.environmentaldefence.ca/page/116359/action/1>
Cont'd from page 6

One of the only bright spots in this Bill is a requirement to build more densely near major transit stations: However, promised reforms to remove or reduce exclusionary “single detached” zoning, which is desperately needed to add compact and low-cost family housing to existing low-rise neighborhoods, were watered down to such a degree that, according to the government’s own documents, they would create just 50,000 of the 1,500,000 promised homes.

This means that families would still be pushed out into low-density car-dependent sprawl.

The government seems to be using this bill to destroy many of the most effective measures that cities have created to ensure that development can go ahead smoothly without causing social and environmental problems, including ending the requirement for rental unit replacement when old buildings are replaced and putting restrictions on inclusionary zoning.

Unless the major flaws in this Bill are addressed it will further the destruction of critical natural areas in a time of climate crisis while also failing to deliver the urban transformation – or the affordable housing – that Ontario needs

From Save our Wetlands - Phone and letter campaign
<https://saveontariowetlands.weebly.com/take-action.html>

Points to Consider:

Bill 23, the “More Homes Built Faster Act” will not create affordable housing. It will create sprawl. It will facilitate the destruction of wetlands, worsen climate change, and endanger biodiversity. It will put people and property at greater risk from flooding and pollution. Ontarians want our leaders to stand up for public safety, nearby nature and smart, dense, affordable growth within existing cities. Say no to Bill 23 and go back to the drawing board.

Bill 23 proposes to gut protections for wetlands and the crucial role of Conservation Authorities in restricting development that will negatively impact watersheds. 60-90% of wetlands in Ontario have already been destroyed and the few left struggles to function under the stresses of urban growth and agriculture. We need to save all remaining wetlands and restore those lost.

Wetlands help prevent flooding, purify water, recharge aquifers, support endangered species and trap and store carbon. Wetlands provide these ecosystem services for free, and when we build on wetlands, we put people and property at risk. Taxpayers and homeowners have to pay more. This makes housing less affordable, not more. Bill 23 proposes to allow more wetlands to be destroyed with so-called “offsets.” The ecosystem services that wetlands provide are tied to their location. You can’t just drain a wetland in one place and compensate for it somewhere else. Wetlands don’t prevent flooding locally if they’re destroyed, and then new ones are built miles away.

Wetlands are complicated ecosystems that take decades to centuries to develop. Restored wetlands may never reach the biodiversity of natural ones, and most species at risk can’t just move.

In 2021, Minister Steve Clark promised not to develop the greenbelt or consider a “land swap,” but the government is now proposing to break that promise and open up 7,400 acres for low-density development. Breaking promises like this right after the election erodes trust in the government. It will not solve the housing affordability crisis because most regions already have enough land allocated to development to meet their housing needs and low-density sprawl development isn’t affordable housing.

Stop Bill 23, drop changes to the Ontario Wetland Evaluation System, and honour the government’s promise to protect the Greenbelt. We need cities that are livable, housing that is truly affordable and doesn’t destroy wetlands, and nature that is accessible to everyone.

Four Simple Reasons Not to Develop Wetlands

1. Wetlands mitigate flooding; when you build on them your house and your neighbourhood are much more likely to flood.
2. Wetlands are important for biodiversity - your house comes at the expense of hundreds of species at risk's home.
3. Wetlands store carbon, and developing them releases greenhouse gases like carbon dioxide and methane.
4. Wetlands filter our ground water, which is an important source of drinking water.

Developing on wetlands forces taxpayers to take on the services that wetlands provide for free!

<https://saveontariowetlands.weebly.com/wetland-info>

Wetlands are often referred to as the earth's liver, because much like the liver does in the body, wetlands remove toxic substances and pollutants from the environment. But how do wetlands improve water quality?

Wetlands are like sponges. They soak up flood waters, holding onto them in their soils just long enough for plants, insects, and the microorganisms that live in wetlands to get to work. All of these living organisms act as the first line of defense against pollution. Wetland plants take up excess nutrients, like nitrogen and phosphorus, from lawn fertilizer and animal waste, preventing it from reaching our streams and lakes where it can lead to harmful algal blooms. Plants can also take up heavy metals, like cadmium and copper, known for their deleterious health effects. Microbes can break down organic pollutants like pesticides, which can be potent neurotoxins. Finally, many of the toxic chemicals that enter wetlands simply get trapped and settle into the soil, where they get buried. This trapping of harmful substances effectively protects plants and animals (including people!) from exposure.

The money value of wetlands cannot be understated. The tax burden of maintaining clean water without the help of existing wetlands would be felt by everyone. It is estimated that a small wetland of only one hectare (about the size of a football field), saves about \$1,000 in water treatment costs every year, adding up to billions of dollars in Ontario alone. These small wetlands are the most threatened by development and urban sprawl, but it is essential that we maintain a healthy distribution of small wetlands throughout the province to protect us from harmful water contamination.

Getting Nature on the Balance Sheet: Recognizing the Financial Value Provided by Natural Assets in a Changing Climate

A key challenge in Canada is mainstreaming recognition of the role and value of natural assets within a timeframe that supports accelerated investment in natural-climate solutions, urgently required to tackle climate change and reverse biodiversity loss.

https://www.intactcentreclimateadaptation.ca/wp-content/uploads/2022/09/UoW_ICCA_2022-10_Nature-on-the-Balance-Sheet_Infographic.pdf

This report, co-authored by the University of Waterloo's Intact Centre on Climate Adaptation, KPMG and the Municipal Natural Assets Initiative, argues for a revamp of accounting rules to safeguard natural resilience.

Economic decisions continue to lead to the degradation of natural assets, such as rivers, wetlands, and forests. To tackle the dual crises of climate change and biodiversity loss, the United Nations is urging G20 countries (like Canada) to **triple their investment in nature-based solutions by 2030.**

PETITIONS

From Save Ontario Wetlands:

<https://saveontariowetlands.weebly.com/take-action.html>

Tell your MPP and Steve Clark, Minister of Municipal Affairs and Housing, to withdraw this wetland destruction bill, take their hands off the Greenbelt, and deliver a real housing bill which builds homes within city limits. Your email will also go to Premier Doug Ford, MPP Laurie Scott, Committee Chair Reviewing Bill 23 and Wilderness Committee Ontario Campaigner Katie Krelove.

From David Suzuki Foundation:

Bill 23 will greatly reduce environmental protection for wetlands, woodlands and other sensitive green spaces, and prohibit conservation authorities from protecting these areas. It will leave vast swathes of Ontario's few remaining and most important habitats largely unprotected.

It will also drive low-density, sprawling development in the suburbs and weaken Toronto's Green Standard, which is essential for the city to lower its building emissions. If we really want to address the housing crisis, we need well-designed, low-cost family homes and climate friendly communities supported by transit.

The Ontario government is putting the climate and our communities at risk when it's crucial to protect them. We must prioritize sustainability, livability and affordability, not profits and sprawl.

The government wants to push this reckless bill through as fast as possible, so we need to act now.

Tell your MPP and the Ontario government you want sustainable communities built for people and the planet, not unchecked sprawl.

<https://davidsuzuki.org/action/urge-ontario-government-to-amend-homes-act/>

From the Ontario Headwaters Institute

<https://act.newmode.net/action/ontario-headwaters-institute/ontario-must-withdraw-bill-23-and-shift-sustainable-planning>

The public sees through the naked assault on municipal planning, conservation authorities, and democracy for what it is. And many tell the OHI they abhor the false and mis-leading claims emanating from the 1980-Ford government.

Given the disastrous sweep of the current proposals, the Minister of Municipal Affairs and Housing should either withdraw Bill 23 and its aligned initiatives or ensure a lengthy period of public engagement. He should also update his perspective to recognize that the economy, the environment, and democracy are inter-dependent, and stop using the former as a cudgel against the latter two.

From the Ontario Headwaters Institute
Ontario Must Withdraw Bill 23 and Shift to Sustainable Planning

<https://act.newmode.net/action/ontario-headwaters-institute/ontario-must-withdraw-bill-23->

Cumulatively, the changes in Bill 23 seek to redefine the scope of municipal planning; reduce democratic norms for both public participation in planning and legal recourse through the Ontario Land Tribunal; offer weak support for affordable housing; and seek to prevent the pursuit of green development standards at a time when we need to address the climate crisis by building complete, compact, and low-carbon communities.

In addition, Bill 23 will trample key aspects of watershed management of interest to the Ontario Headwaters Institute. This includes: the CA mandate to address the conservation of land revoked; CAs possibly barred from entering into service agreements to help municipalities protect the environment; development allowed on wetlands; the Province able to direct CAs to surrender land, such as conservation areas often donated in perpetuity, for future development; developers allowed to place small streams underground, thereby impacting water quality and natural heritage. It also appears that CA monitoring and their valuable watershed report cards may be banned.

The OHI and our sister organizations are not NIMBY-ists. We do not express concerns about the Housing Action Plan because we have massive holdings near proposed development, but because watercourses and wetlands are part of the global commons of water. Because society needs to protect regional biodiversity and food security. And because it is imperative to build sustainable, low-carbon communities in an era of the climate, biodiversity, and food security crises.

From ACORN (Association of Community Organizations for Reform Now) Canada
Doug Ford's Bill 23 destroys existing affordable housing & builds more luxury condos!

Scrap it NOW

https://acorncanada.org/take_action/doug-fords-bill-23-destroys-existing-affordable-housing-builds-more-luxury-condos-scrap-it-now/

Doug Ford is back and this time with a Housing Bill that is devastating for low- and moderate-income renters. Recently, the PC Government introduced the More Homes Built Faster 2022 Act (Bill 23) claiming that it will be a new solution to the housing crisis in Ontario. But, the Bill is simply a way to build many more luxury condos and takes away years of gains that ACORN members and allies have painstakingly won in achieving stronger affordable housing policies and stronger tenant protections in case of renovations/demolitions in various cities. The Bill will intensify the housing crisis by accelerating evictions and homelessness. Send a quick letter to the Premier Doug Ford, Housing Minister Steve Clark, your local MPP, your City Councillor and your Mayor. The cities are worried and need to be as the Bill takes away powers they have to protect tenants' rights and build real affordable housing.

- The Bill says that 1.5 million homes will be constructed in 10 years. But all this housing will be unaffordable.
- The definition of affordability is also being changed.
- Currently, the cities can draft their own Inclusionary Zoning (IZ) policies and mandate developers to set aside 20-30% of units as affordable. But with this new Bill, the developers will be required to set aside a mere 5% of units in new developments as affordable.
- The Bill requires developers to keep these affordable housing units as affordable for only 25 years after which the unit will return to the market!
- In cases of demolition (demolition or conversion to condos), tenants who currently have a right to return in cities such as in Toronto and Mississauga, might lose that right.

Several cities including Ottawa and Hamilton were on their way to bringing in strong rental replacement bylaws, similar to Toronto and Mississauga's existing ones. This Bill will push cities to follow a "standardized" approach which may result in watered down and blocked versions of tenant protections that tenants want and need. It exempts developers from paying development charges and does not say anything about how they will get paid. These are important charges to meet expenses for transit, waste water etc.