

People & Homes At Risk

RESPONSES TO THE ONTARIO
GOVERNMENT'S BILL 23

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Bill 23, More Homes Built Faster Act, will deliver a two-fold punch to Niagara Escarpment areas, through changes already made to the Conservation Authorities Act and proposed changes to the Greenbelt Plan.



With a majority in the last election, Premier Doug Ford's

Progressive Conservative government passed Bill 23, More Homes Built Faster Act, on Nov. 28, 2022. While this is old news by the time this issue goes to print, it may be convenient or even important to record in one place, responses to the Act by relevant organizations.

No one denies that there is a need for more housing, especially affordable and low-cost or modest housing. A drive around most towns or rural areas will show how many new large or even “monster” homes there are, or are under construction, which can't be seen as affordable. Even small houses that previously were sufficient to shelter families of four, have additions built on, even as the average size of many families is shrinking. There is a great need for affordable housing.

Bill 23 will deliver a two-fold punch to Niagara Escarpment areas, through changes already made to the Conservation Authorities Act and proposed changes to the Greenbelt Plan.

Conservation Ontario

According to Conservation Ontario, which represents the 36 conservation authorities in Ontario, these are the negative consequences of Bill 23, which will:

- Weaken the ability of conservation authorities to continue protecting people and property from natural hazards;
- Place new responsibilities on municipalities related to natural hazards and natural resources that they are unprepared and under resourced to tackle;

- Diminish the ability to protect critical natural infrastructure like wetlands that reduce flooding and protect water quality in lakes and rivers.

Conservation Ontario goes on to state that the changes “to delegate conservation authority regulatory responsibility to individual municipalities are contrary to the core mandate of conservation authorities and may put additional people – and their homes – at more risk. The ability of conservation authorities to regulate development in hazardous areas is critical for successful emergency preparedness response in order to prevent the worst outcomes. Municipalities have successfully relied on the benefits of a long-standing conservation authority partnership which has used local watershed science to guide decision-making.”

Here are excerpts of responses to Bill 23 from conservation authorities (CAs) along the Niagara Escarpment, from north to south.

Grey Sauble Conservation

Conservation authorities have concerns, particularly around two proposals: one that transfers regulatory responsibilities in some municipal jurisdictions from conservation authorities to municipalities; and a second that prevents municipalities from working with conservation authorities to provide development application review services for anything beyond natural hazards.

What is the advantage of changes that do not solve the housing crisis, but create a host of new problems – not just for conservation authorities and municipalities, but also for the development community?

This is a watershed



moment for Ontario. For decades, municipalities – and Ontarians – have relied on CAs to keep our communities safe and help plan our communities well. This partnership uses local, watershed science, collected and built over years, to guide decision-making.

Bill 23... changes the rules and rolls back 70 years of successful science-based watershed protection by Ontario's 36 CAs. These changes are contrary to the core mandate of CAs and could put people – and their homes – at risk.

Successful emergency preparedness relies on CAs to regulate development in hazardous areas. This prevents the worst possible outcome which at the top of the list, is loss of life. Delegating this risk to select municipalities creates an additional level of risk that municipalities have not had to manage until now.

We must protect and include green infrastructure

“... changes to delegate conservation authority regulatory responsibility to individual municipalities are contrary to the core mandate of conservation authorities and may put additional people – and their homes – at more risk.”

(wetlands, forests, riparian areas, etc.) because they cost-effectively, and efficiently reduce flood risks and protect water quality. Flood management relies on ‘conserving’ the interconnected

waters and lands of Ontario’s environment.

Ontario’s conservation authority model is internationally recognized for leading the way in creating healthy, safe communities,

especially now at a time when emergency preparedness is more important than ever.

Nottawasaga Valley Conservation Authority

In the Nottawasaga watershed, there are 33 provincially significant wetlands (PSW), 34 important but non-provincially significant wetlands as well as approximately 80 wetlands and wetland complexes in the Nottawasaga watershed that are unevaluated, but would likely become provincially significant if they were evaluated. The Ontario government is proposing to change the evaluation system and redefine what PSWs are. If the new legislation is approved, the Ministry of Natural Resources and Forestry is no longer involved in evaluating wetlands. If conservation authorities also are taken out of the picture, who will oversee development around wetlands with an objective lens? The proposed



changes are signaling that municipalities will play a large role in protecting people and property from natural hazards and the evaluation of wetlands. Municipalities have neither capacity nor expertise in water resources engineering, environmental planning and regulatory compliance... Executive Members of NVCA's Board of Directors recommend municipalities retain the option to enter into agreements with conservation authorities, and that the Ontario Government pause Bill 23 and continue to work with conservation authorities...

Credit Valley Conservation

The changes limit the way conservation authorities can work with their municipal partners to plan safe development while maintaining the benefits of nature in our communities. The changes raise a number of

The Bill would make it easier to develop where wetlands or other natural features exist.

concerns because they:

- prohibit a municipality's choice to request that conservation authorities comment on conservation and environmental matters in the development review process, except for flooding and erosion;
- remove critical tests that are used in reviewing permit applications;
- empower the Minister to freeze conservation authority user fees;
- would enable the Minister to exempt certain types of Planning Act applications from requiring a conservation authority permit;

- would make conservation lands available to support housing development. Conservation authority lands are acquired to protect against flooding and erosion and provide residents access to local greenspaces... CVC does not retain lands that are surplus to this purpose.

Conservation Halton

Conservation Halton has identified areas where the government needs to press pause. Conservation Halton is asking the Province to engage with Conservation Authorities to consider better alternatives to balancing housing

supply with protection of communities from flooding and erosion. We want the core mandate of Conservation Authorities, to protect life and property, to in fact be upheld.

Hamilton Conservation Authority

The changes reduce our ability to protect people and property from natural hazards – which the Province has repeatedly stated is our core mandate - and reduce protection for our green spaces and natural areas. We urge the government to pause. Homes are indeed important, but let's not solve one crisis and create another.

HCA receives and reviews permit and development applications, for everything from a homeowner wanting to build a deck adjacent to a local creek to multi-million-dollar developments that could impact flooding, erosion and natural areas. Our role is to ensure the proposed project



doesn't create undue safety risks due to natural hazards or harm the natural environment.

Municipalities do not have the expertise or capacity in areas such as water resources engineering, environmental planning and regulatory compliance.

The Bill would make it easier to develop where wetlands or other natural features exist. Wetlands and natural areas could be dealt with in a fragmented way, with potential for re-evaluation of what deems a wetland significant and allowances for offsetting of natural heritage features. This may indeed get homes built faster, but at what cost?

We help steer development to appropriate places where it will not harm the environment or create safety risks for people.

Changes should consider a watershed-based approach and continue to provide

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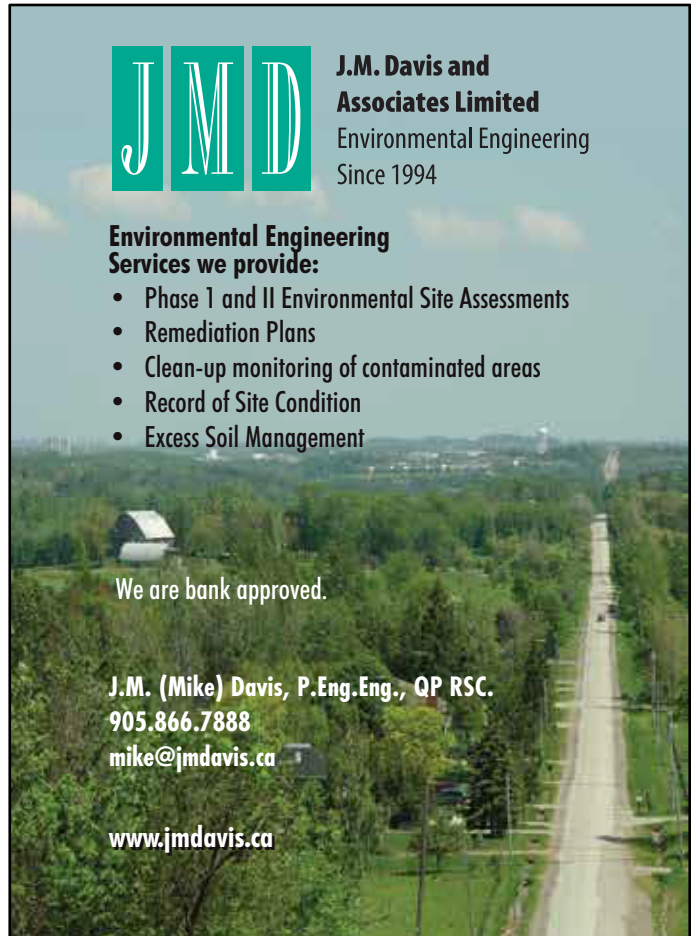
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It will also, for the first time in our history, result in a significant net loss of available farmland within the Greenbelt. Given that Ontario is losing an average of 319 acres of farmland every day, we cannot afford to lose even more of some of Canada's most fertile and productive land.

conservation authorities with the ability to review and comment on natural heritage and natural hazards in permitting and planning applications.

Further, conservation authorities will be asked to identify conservation lands where development could take place. There is

very little land owned by HCA where development would be appropriate.

Niagara Peninsula Conservation Authority

We support the Province's goal of increasing the housing supply. However, the proposed changes affecting CAs and our

mandate will have minimal effect in increasing the housing supply and could lead to unintended future consequences associated with the loss of critical natural heritage features such as wetlands. The diminished role of CAs could also lead to more development being located in natural hazards, higher costs in property damage, increased burden on municipal partners, and absolute erosion of the ecosystem approach applied through the established integrated watershed management lens.

GREENBELT CHANGES

The Ontario government is also proposing amendments to the Greenbelt Plan in order to support Bill 23, the More Homes Built Faster Act. Lands that are

on or near the Niagara Escarpment, and that are proposed for removal from the Greenbelt Plan, include in the City of Hamilton and the Town of Grimsby. The proposal notes that the Grimsby lands "are currently designated as Specialty Crop (Niagara Peninsula Tender Fruit and Grape Area) and Natural Heritage System in the Greenbelt and would be redesignated to Town/Village under this proposal."

Greenbelt Foundation

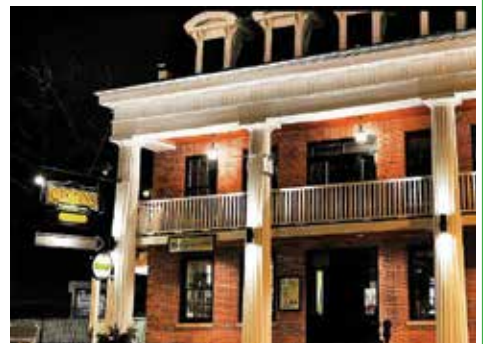
A statement on Dec. 8, 2022, released by the Greenbelt Foundation, includes "The integrity of the Greenbelt is what has made it a global success story and we must ensure that it remains permanently protected.... Proposed changes would remove protections and open land within the Greenbelt to development, a dangerous





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precedent, which will damage valuable water systems and wetlands that supply ground water, reduce flood risks and improve climate resilience for the nearby communities. It will also, for the first time in our history, result in a significant net loss of available farmland within the Greenbelt. Given that

Ontario is losing an average of 319 acres of farmland every day, we cannot afford to lose even more of some of Canada's most fertile and productive land."

Niagara Escarpment Biosphere Network
"Bill 23's erosion of the Greenbelt, which intersects the Niagara Escarpment

Biosphere from Niagara to Tobermory, is effectively an attack on biodiversity and on the capacity of our natural areas and farmlands to provide ecosystem benefits, human physical and mental health benefits, and in this time of food insecurity, the ability to feed ourselves... Ontario's... Bill 23 presents a clear and

present threat to the Niagara Escarpment Biosphere." **NEV**

Share your opinion of these changes! Write to us at editor@NEViews.ca and/or write your local Member of Provincial Parliament.

