



ESCARPMENT
CORRIDOR ALLIANCE

Escarpment Corridor Alliance

Submission to the Standing Committee on Heritage, Infrastructure and
Cultural Policy

Bill 23: More Homes Built Faster Act, 2022

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Introduction

The Escarpment Corridor Alliance (ECA) represents a large and diverse group of residents, businesses, and community groups in the South Georgian Bay area which share an interest in protecting the region's famed natural landscapes and internationally recognized UNESCO biosphere. The group advocates for community-led planning and sustainability in support of land conservation efforts.

The ECA is deeply concerned about multiple components of the government's legislation which will undo decades of conservation efforts by Ontarians and threaten the province's remaining natural lands. Specifically, our organization disagrees with:

- the government's proposed changes to the *Planning Act*;
- the weakening of Conservation Authorities through the *Conservation Authorities Act*, and
- improper changes to the Ontario Land Tribunal process.

We strongly encourage the government to reconsider its approach to housing policy and prioritize efficient land use over further sprawl and irresponsible development practices.

Proposed Changes to the *Planning Act*

The *Planning Act* is critical to facilitating public participation in planning decisions across the province, providing Ontarians with the opportunity to determine the futures of their home communities in accordance with their needs and values. The ECA was troubled to learn of the government's proposed changes to the *Planning Act* which, most significantly, would drastically reduce consultations for new developments and lower

opportunities for public participation. In a significant move away from trends towards democratized planning, the government's approach would centralize decision-making between proponents, municipal councils, and the province.

In response to the rapid loss of natural and agricultural land in the province, Ontarians have become increasingly interested in participating in local planning decisions – seeking to balance development with land conservation. The removal of public consultations will impede their ability to participate in significant decisions for their community, essentially concentrating power within a limited group of stakeholders with vested political and financial interests. The amendments are contrary to the democratic principles which should guide such significant and irreversible plans; as such, we strongly urge the province to reconsider its position on public consultations.

Proposed *Conservation Authorities Act* Amendments

Evidence-based input in planning, including the recommendations of reasoned mitigation techniques and conditions by Conservation Authorities, is critical to reducing the irreversible environmental harms related to housing developments. It is, therefore, deeply concerning that the government's legislation would further reduce the mandates, resources, and responsibilities of Conservation Authorities in the province. The proposed amendments would further set back efforts to protect natural lands and at-risk species and, instead, increase the risk of environmental harms.

Conservation Authorities are tasked with critical duties including enforcing environmental regulations, assessing and recommending harm-prevention conditions on development permits, and supporting land and watershed conservation efforts. Through their law enforcement roles, Conservation Authority enforcement officers play a pivotal role in preventing illegal and unethical activities while pursuing equitable remedies. Additionally, the organizations are critical to flood prevention – recommending strategies to prevent environmental hazards. Given their importance to provincial lands and natural areas, it is unclear as to why the government would deem it necessary to reduce their participation in the planning process. The province has not demonstrated the benefits of this decision, nor has it provided any assurances to suggest that it would not lead to environmental harm. We strongly urge the government to remove its proposed amendments to the *Conservation Authorities Act* from Bill 23.

Changes to the Ontario Land Tribunal Process

Similar to its concerns regarding changes to planning processes, the ECA is deeply troubled by the proposed changes to the Ontario Land Tribunal process. Through the proposed limits on third parties and amended cost structure, the changes will both impede and discourage participation in the tribunal process. By imposing these amendments, the government will essentially weaken the credibility and value of the tribunal process while yet again providing proponents with a procedural advantage.

First, the removal of third-party rights from the Ontario Land Tribunal will deprive the process of much of the critical information required for the body to issue informed and

reasoned decisions. Third parties regularly participate as a means of expressing their positions on significant decisions, voicing community concerns, and offering subject matter expertise to broaden the tribunal's understanding of specific issues. The changes would increase the weight of proponent submissions, creating an imbalance of power, contrary to the principles of fair adjudication. It is difficult to understand the government's repeated efforts to weaken the rights of citizens in the planning process while augmenting the capacities of proponents.

Similarly, the proposed amendments to tribunal cost structures, which would increase the costs demanded of losing parties, create an additional barrier to participation. These changes would strongly discourage the few residents, grassroots organizations, and other groups that are able to participate under this proposed legislation from participating in the tribunal process due to limited resources as they would be unable to bear the financial burden in the same way which a well-funded proponent could. The changes would provide another procedural advantage to developers while shutting Ontarians out of the planning process. It is deeply troubling that the government would consider tabling such anti-democratic legislation which reduces the rights of taxpayers in favour of private entities. The government must remove these provisions and commit to protecting a fair and equitable tribunal process.

Conclusion

The ECA remains committed to land conservation and protecting the famed natural heritage of the South Georgian Bay region. While it hopes to work collaboratively with

the province on these critical priorities, it is deeply troubled by Bill 23 and the perceptions which it has created about the government's approach to land use. We strongly urge the province to remove its harmful provisions and commit to an approach to housing policy which balances demand with responsible conservation.