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THE FORD GOVERNMENT

CLIMATE CRIME # 32

Conservation areas under attack

Ontario's system of Conservation Authorities (CAs) was first created in 1946 and is unique in Canada. These award-winning agencies are charged "to undertake watershed-based programs to protect people and property from flooding and other natural hazards, and to conserve natural resources for economic, social and environmental benefits."¹ CAs are mandated to ensure Ontario's water resources, woodlands, wetlands and natural habitat are properly safeguarded, managed and restored. They also work to "connect people to the natural environment."²

What Ford Did

- On June 9, 2019 the Ford government passed Bill 108, titled "More Homes, More Choices". Ford argued that the high cost of housing in Ontario was due to the "red tape" that hinders development. He argued that this red tape delayed building houses and increased the cost of housing. He also argued that the existing system needed to be "modernized". Bill 108 required CAs to issue building permits when a Ministerial Zoning Order (MZO) has been issued. Cabinet could directly override CA decisions. CAs are required to issue the permit; even if the CA believes

the project violated environmental rules. This bill also changed parts of the Endangered Species Act, the Environmental Assessment Act, the Environmental Protection Act, the Local Planning Appeal Tribunal Act, the Ontario Heritage Act and the Planning Act

- For Ford, one of the most important parts of the bill was a very dramatic cut in the appeal process of CA decisions. Previously a developer who didn't like a CA decision first



¹ <https://conservationontario.ca/conservation-authorities/about-conservation-authorities>

² Ibid.



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appealed to the CA executive and after that to the OMB. Local and environmental groups could participate in the process and could not be liable for costs. Bill 108 replaced the Ontario Management Board with the Land Planning Appeals Tribunal (LPAT). The LPAT system limits the issues that can be appealed and requires appellants to post money for potential costs. This makes it very hard for local and environmental groups to appeal decisions. In addition, the LPAT system dramatically limits the ability of third parties, commonly local and environmental groups, to be heard during the appeals process.

- Finally, the Ford government cut CAs funding by 50%.

Public opposition

The environmental movement, most farming associations and most municipalities opposed Bill 108.

Many members of local Conservation Authorities resigned in protest. Legal groups argued that the bill restricted equity access to the planning process. Developers and aggregate associations support the bill. Notwithstanding the widespread opposition to the Bill, it was passed.

Yet, as recent years have shown, house prices have continued to rise, public outrage over decisions to allow developers building on public lands has increased but the Ford government still insists on supporting private developers to build on previously protected lands.

A People and Climate

First response:

- **Restore funding to the CAs.**
- **Restore the authority of CAs and related environmental protections.**
- **Reinstate planning accountability.**