



November 27, 2019

By EMAIL

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Environmental Registry of Ontario

Ms. Goldie Ghamari, MPP
Chair, Standing Committee on General Government 99 Wellesley Street West, Room 1405
Whitney Block, Queen's Park
Toronto, Ontario
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Mr. Michael Helfinger
Senior Policy Advisor
Strategic and Corporate Policy Branch
Ministry of Economic Development, Job Creation and Trade 56 Wellesley Street West, 11th
Floor
Toronto, Ontario
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Dear Ms. Ghamari and Mr. Helfinger:

**RE: Bill 132 – Better for People, Smarter for Business Act, 2019 Environmental
Registry No. 019-0774**

On behalf of The Federation of Tiny Township Shoreline Associations, I am writing to provide our reactions to Bill 132 (Better for People, Smarter for Business Act, 2019).

We do not support the various Schedules within Bill 132 that propose to significantly amend Ontario's environmental legislation. In particular, we feel that Schedules 3, 8, 9, and 16 are unnecessary, unjustified and unacceptable from the public interest perspective.

If the province believes that there is a compelling need to change Ontario's environmental protection and resource management statutes, then the government must meaningfully consult all persons interested in, or potentially affected by, such changes. Meaningful public and stakeholder consultation has not occurred to date in relation to omnibus Bill 132, which, in our view, is being rushed through the legislative process without adequate notice and comment opportunities.

According to the Associate Minister of Small Business and Red Tape Reduction, Bill 132 is intended to make Ontario more competitive and cut red tape for business. However, careful reading of the Bill reveals that several Schedules are aimed rather at revising, weakening or

eliminated key environmental safeguards. We urge that Schedules 3, 8, 9 and 16 do not proceed in their present form.

Bill 132 proposes to change fourteen different environmental laws, while allowing the public only 30 days to comment. At the same time, the Ontario government has shortened the legislative process for Bill 132. Clearly the Ontario government does not want to hear meaningful comment from the public.

We are dismayed to see that **Schedule 3** eliminates the very useful Local Planning Appeal Support Centre which fills the public need for planning assistance and general information.

We argue that the proposed amendments to **Schedule 8** should be reconsidered and re-drafted for purposes of greater clarity, certainty and accountability.

Schedule 9 proposes a wide-ranging series of amendments to the Environmental Protection Act including the repeal of the current “environmental penalties” and proposing wording that is counter-productive and will undermine the effectiveness of administrative penalties. We believe the current per diem approach should be retained since it will have a greater deterrent effect on polluters. The proposed ARA amendments in Schedule 9 generally weaken or wholly remove some important safeguards that currently exist in Ontario law. These protections are not “red tape,” nor do they impose an undue burden to the aggregate industry by wholly preventing or unreasonably constraining aggregate extraction.

These and other reforms in Schedule 9 require more thought and complete re-drafting before they move forward. We also urge the retention and updating of critically important MISA regulations and wastewater ECAs.

We are particularly concerned about the proposal in **Schedule 16** to amend several statutes administered by the MNRF. This Schedule proposes to make municipal by-laws “inoperative” if they restrict the depth of aggregate extraction in order to protect groundwater. Schedule 16 also proposes to expand the ability of aggregate companies to self-file their own changes to site plans without Ministerial approval, thereby raising the prospect of “self-regulation” by the aggregate industry. We urge that the Ontario government develop and consult upon the long overdue ARA reforms recommended by the Environmental Commissioner of Ontario in 2017:

- decrease the demand for “new” or “virgin” aggregate (e.g. by increasing the use of recycled aggregate, wood building materials and green infrastructure);
- strengthen MNRF powers to update site-specific environmental requirements to ensure that long-operating pits and quarries continue to meet modern standards; and
- improve progressive and final rehabilitation rates through better compliance and enforcement by the MNRF, and through clearer timelines for rehabilitation.

In conclusion, we urge that Schedules 3, 8, 9 and 16 be struck or withdrawn from Bill 132.

Yours truly,

Judith Grant, Director, Federation of Tiny Township Shoreline Associations
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