

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

Regarding  
Bill 23, *More Homes Built Faster Act, 2022*

November 17, 2022

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Ms. Laurie Scott, MPP  
Chair, Standing Committee on Heritage, Infrastructure and Cultural Policy  
Whitney Block, Room 1405  
Toronto, ON M7A 1A2

**RE: Bill 23, *More Homes Built Faster Act, 2022***

Dear Ms. Scott,

Please accept the following written submission from Ottawa Riverkeeper related to the committee's consideration of Ontario Bill 23, *More Homes Built Faster Act, 2022*.

Ottawa Riverkeeper is an independent, charitable organization that provides leadership to protect and promote the ecological health and diversity of the Ottawa River and its tributaries. Since 2001, we have advocated for informed decision-making, public awareness and involvement, access to information, and regulatory compliance for the benefit of the Ottawa River and the 200+ communities that depend on it. The Ottawa River, as one example of its intrinsic relationship with human health, provides drinking water for more than 1 million people.

On behalf of Ottawa Riverkeeper staff and Board of Directors, I request that the Committee amend Bill 23, *More Homes Built Faster Act, 2022*, to ensure it addresses the housing crisis without degrading natural resources that provide important services for flooding mitigation and water quality protections, in addition to providing critical habitat for vulnerable and at risk species. In our recommendations for how to amend Bill 23, we have prioritised our review of Page | 1 Schedule 2, *Conservation Authorities Act*, which will limit the ability of conservation

Page 1

authorities to provide comments for development projects and protections for the conservation of land and prevention of pollution during the permitting process and Schedule 9, *Planning Act*, which removes upper tier municipal planning responsibilities. Given the concerns raised by countless organisations and municipalities throughout Ontario related to the implications of Bill 23 regarding the conservation of lands and protections of wetlands, we implore the Committee to review all of the submissions before considering this Bill.

The Ottawa River watershed, like many watersheds across Ontario, is home to a diversity of flora and fauna including many species at risk. There have also been catastrophic flooding events in the Ottawa River watershed, most notably in 2017 and 2019, that caused significant damage to properties and city infrastructure. It is our concern that the passing of Bill 23 as currently written will leave homes and properties vulnerable to future flood events, lead to the destruction of critical habitat for these species, and threaten water quality (including drinking water sources), all while doing very little to address the issue of housing availability in Ontario.

The Ontario government has taken steps to understand the impact that development has on flood risk. This concern was recently demonstrated after the 2019 flooding events when the Ontario government commissioned a Special Advisor on Flooding Report to Government, *An Independent Review of the 2019 Flood Events in Ontario*. This review noted that “Ontario’s preventative approach of directing development away from floodplains and other hazardous areas is highly effective in preventing property damage.” Not only was the flood and natural hazard management successful at mitigating damages, it also helped to reduce the “costs associated with the operation and maintenance of flood and erosion control infrastructure by 20

to 80%.” Ontario’s approach has been to share planning responsibilities between municipalities and conservation authorities. This approach has demonstrated that the mechanisms in place that protect wetlands and green infrastructure “will be increasingly valuable in protecting Ontarians from flooding and other natural hazards.” This is especially difficult to do given the increased pressure to develop these areas as “increasing property values and income levels”, despite the protections they provide.<sup>1</sup> Given the support for the existing protections for wetlands and green infrastructure provided in this report, we strongly recommend that the Committee amend Bill 23 so that the Ontario government’s solutions to create additional housing do not compromise protections from flooding risks.

Amendments to the *Conservation Authorities Act* and *Planning Act*, as outlined in Schedule 2 and Schedule 9 of Bill 23, will effectively remove the power of conservation authorities to protect ecologically important lands, prevent shoreline erosion and flooding, or provide consultation to municipal authorities in support of conservation efforts. Bill 23 appears to have the intention to increase suburban sprawl that will not only lead to the destruction of wetlands, rivers and streams but will also result in increased pressures on municipalities to provide access and services to these new communities, while increased paved surfaces will enhance the rate of runoff pollution entering into waterways. This is of particular concern to residents of the Ottawa River watershed, where many municipalities draw drinking water from the Ottawa River and other natural water sources. Increased runoff to these water bodies will likely result in greater,

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<sup>1</sup> P.62-63 of Ontario’s Special Advisor on Flooding Report to Government, *An Independent Review of the 2019 Flood Events in Ontario* by Douglas McNeil, P.Eng., McNeil Consulting Inc., Winnipeg, Manitoba  
<https://files.ontario.ca/mnrf-english-ontario-special-advisor-on-flooding-report-2019-11-25.pdf>

and more frequent combined sewer overflows, as well as put additional pressure on drinking water and wastewater treatment facilities, which in the absence of source water protection at an ecological level, will be the only forms of water protection.

In addition to protecting ecologically significant lands, conservation authorities play an important role in watershed management and flood prevention. In both 2017 and 2019, the Ottawa River experienced unprecedented high-water events which resulted in wide-scale flooding, damage and property loss. Changes to the *Conservation Authorities Act*, as outlined in Schedule 2, Section 7, would remove the power of conservation authorities to regulate or prohibit the development of wetlands, floodplains and erosion-sensitive areas, likely resulting in increased flooding. The Ottawa River watershed in Ontario does not have the protection of a conservation authority throughout and, for this reason, Ottawa Riverkeeper is aware of the challenges municipalities can have in the absence of conservation authorities when making informed decisions regarding the development of shorelines. Understanding how development projects can adversely impact endangered species, water quality and/or flood protections is not always easy to decipher in project proposals that can bring revenue to smaller municipalities. Having Acts, Regulations, and Policies that ensure protections for wetlands and green infrastructure ensures that all municipalities have the tools required to support prudent decision making.

Ottawa Riverkeeper's recommendations to the Standing Committee are as follows:

1. Amend Schedule 2, Bill 23 by removing those sections that restrict the ability of conservation authorities to comment on development and planning applications, as well as those sections of Schedule 2 that delegate natural hazard reviews to municipalities.

2. Amend Schedule 2, Bill 23 to remove sections that limit the ability of conservation authorities to comment on factors related to conservation of land and prevention of pollution when it comes to permit decisions.
3. Amend Schedule 9, Bill 23 to remove Section 1(4) which limits conservation authorities' right to appeal planning decisions.
4. Amend Schedule 9, Bill 23 to remove section 3 which removes upper tier municipal planning responsibilities

Lastly, Ottawa Riverkeeper asks that the Committee review how the housing targets for Bill 23 were set. The City of Ottawa's Interim General Manager, Planning, Real Estate and Economic Development Department, Don Herweyer, completed a review of Bill 23 and among the findings was that the new housing calculated for Ottawa is double what the city has estimated is required for the rate of population growth during the same time period.<sup>2</sup>

We thank you for considering Ottawa Riverkeeper's comments and recommendations as the Committee reviews these and other submissions to both the Standing Committee but also through the Environmental Registry of Ontario as you consider Bill 23.

Kind regards,



Laura Reinsborough  
Ottawa Riverkeeper and CEO

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<sup>2</sup> Article in The Ottawa Citizen: *City of Ottawa staff have analyzed the local impacts of the province's new housing bill, and their conclusions are grim*, by Taylor Blewett. Printed on Nov 08, 2022