



Subject: [#StopBill66](#) from becoming Law in Ontario

To members and supporters of ProtectNatureTO

Motto:

[The Ontario Environmental Bill of Rights \(EBR\) was proclaimed in February 1994. The founding principles of the EBR are stated in its Preamble:](#)

- *The people of Ontario recognize the inherent value of the natural environment.*
- *The people of Ontario have a right to a healthful environment.*
- *The people of Ontario have as a common goal the protection, conservation and restoration of the natural environment for the benefit of present and future generations.*

Join us and many nature protection and citizen groups and thousands of Ontarians making efforts to stop Bill 66 from obliterating years of struggle to establish and bring into force essential environmental protection laws in Ontario.

People across Ontario are up in arms about Bill 66, introduced in the Legislature on December 6th, 2018. This omnibus Bill has caused an enormous outrage as many feel that it allows big business to bypass decades of environmental legislation.

A potential silver lining to this unparalleled challenge to Ontario's environment protection and consequently human health is an immense response and coming together of a wide range of Ontarians. They are now rallying behind the very legislative acts that the newly elected PC government is trying to eliminate.

Here are some ways you can raise your concerns and help to stop [#Bill66](#)

1. Sign a petition

Ontario Nature:

[Ontario Nature: Bill 66: What you need to know](#)

[Ontario Nature Petition - "Privileging big business over the people of Ontario"](#)

Environmental Defence:

[Ontario's environmental laws are under attack by Premier Doug Ford: Why we need to come together to STOP BILL 66](#)

Sign the petition telling Premier Doug Ford and your MPP to save the Greenbelt, protect our water and keep us safe from toxic chemicals – www.stopbill66.ca

2. Get a commitment from your MPP that they will not vote for Bill66

[Current MPPs](#)

3. Write a letter to Hon. Todd Smith - Minister of Economic Development, Job Creation and Trade asking him to remove Schedule 10 from Bill 66

todd.smithco@pc.ola.org

4. Get a commitment from your municipality that they will reject Bill66

5. Comment on the Environmental Registry of Ontario

[Comment on the Environmental Registry of Ontario](#)

Proposed open-for-business planning tool

ERO number 013-4125

Related ERO notices

[Bill 66, Restoring Ontario's Competitiveness Act, 2018](#)

[New Regulation under the Planning Act for open-for-business planning tool](#)

Background:

Major Changes To Zoning Law Proposed In Ontario's Bill 66

On Dec 6, Bill 66, [Restoring Ontario's Competitiveness Act, 2018](#), was announced by the Government of Ontario and underwent first reading at the Legislature. If passed, Bill 66 would introduce amendments to a variety of statutes, most notably introducing significant and unprecedented changes to the [Planning Act](#).

As proposed, an OFB ZBL “Open For Business Zoning By Laws” enacted under subsection 34.1 of the *Planning Act* would be exempt from a wide range of planning regulations.

Act	Regulations Not Applicable	What this means for an OFB ZBL
Planning Act	Subsection 3(5)	An OFB ZBL need not be consistent with policy statements or conform to provincial plans.
	Section 24	An OFB ZBL need not to conform to an upper or lower tier Official Plan, as may be applicable.
	Section 36	An OFB ZBL is not affected by a holding by-law.
	Section 37	Bonusing is not permitted with respect to an OFB ZBL
	Section 41 (section 114 of the <i>City of Toronto Act</i>)	Site plan approval would not be required for development approved under an OFB ZBL
Clean Water Act, 2006	Section 39	An OFB ZBL would be exempt from source water protection policies.
Great Lakes Protection Act, 2015	Section 20	An OFB ZBL would be exempt from conformity requirements
Greenbelt Act, 2005	Section 7	An OFB ZBL need not conform with the <i>Green Belt Act</i> .
Lake Simcoe Protection Act, 2008	Section 6	An OFB ZBL need not conform to or have regard to Lake Simcoe Protection Plan policies.
Metrolinx Act, 2006	Subsection 31.1(4)	An OFB ZBL need not be consistent with designated polices in a transportation planning policy statement.
Oak Ridges Moraine Conservation Act, 2001	Section 7	An OFB ZBL need not conform to the Oak Ridges Moraine Conservation Plan.

<u>Ontario Planning and Development Act, 1994</u>	Section 13	Such by-law may conflict with a development plan that is in effect. It also appears that were such by-law is in effect; public works need not conform to the development plan in effect.
<u>Places to Grow Act, 2005</u>	Subsection 14(1)	An OFB ZBL need not conform with the Growth Plan.
<u>Resource Recovery and Circular Economy Act, 2016</u>	Section 12	An OFB ZBL need not be consistent with applicable policy statements.

Bill 66 would allow municipalities to pass OFB ZBLs through a streamlined process with relatively relaxed procedural requirements. An OFB ZBL would first need to be approved by the Minister. Approval by the Minister would need to be requested by the municipality through resolution and accompanied by the prescribed information.

Bill 66 would amend the appeal and notice provisions of Section 34 of the Planning Act, such that person can apply for an amendment to the OFB-ZBL during the two-year period following its passage; **an OFB-ZBL cannot be appealed to the LPAT; and, a municipality is not required to hold public meetings with respect to an OFB-ZBL**

Quotes from press:

- **“Bill 66 represents an unprecedented and unacceptable attack on legislative provisions which currently safeguard environmental quality and public health and safety throughout Ontario.”**
[Canadian Environmental Law Association](#)
- **Proposed Bill 66 will roll back many of the province’s fundamental water and environmental protection rules.** If dismantling Ontario’s [cap-and-trade system](#), energy efficiency programs and the independent Office of the [Environmental Commissioner of Ontario](#) wasn’t enough, [Bill 66](#) opens up Ontario’s Greenbelt for factory, retail and residential development, undermines drinking water protection rules and guts rules that help industry reduce the release of toxic chemicals. **At a time when Ontarians need forward-thinking government action, Bill 66 basically takes us back 40 years.”**
Tim Gray, Environmental Defence: [Ontario’s environmental laws are under attack by Premier Doug Ford: Why we need to come together to STOP BILL 66](#)
- **“Open-for-business by-laws” can bypass legal requirements intended to ensure fair, consistent and transparent public engagement with land use decisions in our communities. They can present industry with a back door to develop properties in places like the Greenbelt.** In other words, these “open-for-business by-laws” would turn back the clock on many years of good planning, community input and strong leadership from previous Progressive Conservative and Liberal governments. They would sidestep laws and policies intended to protect the long-term health and resilience of our communities and their residents by facilitating sprawling and unchecked development in areas that are home to sensitive natural features and the water resources upon which we all rely.”
Ontario Nature - ["Privileging big business over the people of Ontario"](#)
- **“Every Ontarian, in fact, has the right to a healthy environment under the Environmental Bill of Rights, and the duty of "protection, conservation and restoration of the natural environment for the benefit of present and future generations."** The provincial government's proposed Bill 66, therefore, contravenes the Bill of Rights and puts more than two million acres of protected green space at risk for the sake of development.”
Stephen Cornish, CEO of the David Suzuki Foundation, asks: [Who will stand up for the rights that guarantee a better Ontario for all?](#) If the current government is ‘for the people,’ why do so many feel left out?

Selected Press articles in chronological order:

https://awareontario.nfshost.com/AWARE-Ontario/Issues/Miscellaneous/2018_Bill_66_Open_For_Business.htm **Ontario Bill-66** On December 6, 2018 the Government of Ontario introduced [Bill 66, Restoring Ontario’s Competitiveness Act \(“Bill 66”\)](#)

https://www.huffingtonpost.ca/2018/12/07/lawyers-slam-doug-ford-governments-move-to-let-cities-ignore-environmental-rules_a_23612091/

Lawyers Slam Doug Ford Government's Move To Let Cities Ignore Environmental Rules

Under a proposed law, Ontario municipalities could bypass a slew of environmental regulations.

By Emma Paling

TORONTO—Environmental lawyers are slamming Ontario's government for introducing new legislation which they call "the biggest and most significant environmental rollback to occur in a generation."

<https://www.cela.ca/blog/2018-12-07/deregulation-redux-Ont-envl-laws-under-attack-again>

Deregulation Redux: Ontario's Environmental Laws under Attack (Again)

Posted by *Theresa McClenaghan and Richard D. Lindgren, Executive Director and Counsel, CELA* on December 7, 2018

CELA's core mandate is to use and improve the law in order to safeguard the environment, protect the interests of low-income and vulnerable communities, and ensure access to environmental justice.

In Ontario, however, it now appears that our main challenge is not to incrementally strengthen provincial laws, but to fend off ill-advised governmental attempts to repeal key environmental statutes and eliminate environmental regulations as "red tape."

<https://www.thestar.com/opinion/contributors/2018/12/10/developing-the-greenbelt-a-disaster-on-multiple-levels.html>

Developing the Greenbelt is a disaster on multiple levels

By Tim Gray Opinion Mon., Dec. 10, 2018

<https://www.ecojustice.ca/premier-doug-ford-dismantles-protections/>

Ecojustice **Blog**

Premier Doug Ford dismantles Ontario's environmental protections – and what you can do about it

Bill 66 is the Ontario government's latest attempt to weaken environmental protections in Ontario. **Ontario just passed Bill 57, which eliminated the independent office of the Environmental Commissioner of Ontario (ECO), and placed the role under the office of the Auditor General.** The ECO has been a critical watchdog, shedding light on Ontario's [climate](#), [environmental protection](#) and [energy conservation](#) performance through three separate annual reports to the legislature. Reporting on climate change and energy conservation is no longer mandatory under the amendments brought in by Bill 57, and environmental protection reporting is now under the control of the Auditor General. Posted in [Special Update](#) on December 10, 2018

<https://www.yorkregion.com/opinion-story/9083582-our-environment-is-becoming-a-victim-of-ontario-s-provincial-government/>

Our environment is becoming a victim of Ontario's provincial government Opinion Dec 14, 2018 Stouffville Sun-Tribune

Dec 14, 2018 Stouffville Sun-Tribune

...For over 25 years, Ontario citizens have benefitted from relying on the ECO as an independent, non-partisan officer that holds all governments accountable for their decisions related to the environment. In our own region, the ECO has been a great help in implementing new soil regulations and helping in the fight against dumping.

...And now on Dec. 6, Doug Ford opened a back door to developing the Greenbelt with a bill that also guts hard-earned drinking water and environmental protections. He stated during his campaign, "The people have spoken. We won't touch the Greenbelt." Clearly, he lied.

<https://www.cbc.ca/news/canada/hamilton/hamilton-bill-66-1.4939902>

Samantha Craggs · CBC News · Posted: Dec 10, 2018

Hamilton and Burlington mayors won't sacrifice greenbelt for Ford's open for business bill

The mayors of Hamilton and Burlington are both calling for the greenbelt to be preserved

<https://www.pembina.org/blog/how-proposed-changes-planning-act-will-impact-ontarians>

How proposed changes to the Planning Act will impact Ontarians

Blog - Dec. 13, 2018 - By [Carolyn Kim](#)

<https://www.thestar.com/news/gta/2018/12/14/gta-mayors-respond-to-proposed-legislation-that-could-open-up-greenbelt-to-development.html>

GTA mayors respond to proposed legislation that could open up Greenbelt to development

By [Stefanie Marotta](#) Staff Reporter

Fri., Dec. 14, 2018

<https://environmentaldefence.ca/2018/12/17/stop-bill-66/>

Ontario's environmental laws are under attack by Premier Doug Ford: Why we need to come together to STOP BILL 66

Dec 17 2018, Tim Gray, Executive Director

Under the guise of creating jobs and cutting "red tape and burdensome regulations," the provincial government introduced a bombshell of a bill last Thursday. Proposed Bill 66 will roll back many of the province's fundamental water and environmental protection rules.

If dismantling Ontario's cap-and-trade system, energy efficiency programs and the independent Office of the Environmental Commissioner of Ontario wasn't enough, Bill 66 opens up Ontario's Greenbelt for factory, retail and residential development, undermines drinking water protection rules and guts rules that help industry reduce the release of toxic chemicals. At a time when Ontarians need forward-thinking government action, Bill 66 basically takes us back 40 years.

<https://www.cbc.ca/news/canada/kitchener-waterloo/bill-66-region-of-waterloo-no-support-tell-province-1.4969748>

Bill 66 is a 'Pandora's box,' Hold the Line's Kevin Thomason says Kate Bueckert · CBC News · Posted: Jan 08, 2019

<https://www.guelphmercury.com/opinion-story/9092856-public-pressure-will-determine-if-ford-makes-another-greenbelt-u-turn/>

Public pressure will determine if Ford makes another Greenbelt U-turn

Premier broke a campaign promise to protect the Greenbelt, Mike Schreiner writes

Opinion Dec 20, 2018 by Mike Schreiner Guelph Mercury

<https://www.caledonenterprise.com/opinion-story/9097702-bill-66-would-override-crucial-protections-for-clean-water-farmland-wetlands-ontario-nature-s-dr-anne-bell/?platform=hootsuite>

Bill 66 would override crucial protections for clean water, farmland, wetlands: Ontario Nature's Dr. Anne Bell Opinion Dec 24, 2018 Caledon Enterprise

<https://www.yorkregion.com/news-story/9095214-stouffville-seeks-development-on-hwy-404/#.XDORvm2W5Q.twitter>

Stouffville seeks development on Hwy. 404

Town doesn't plan to 'run roughshod' over Greenbelt and Oak Ridges Moraine: mayor

News Dec 27, 2018 by [Lisa Queen](#) Stouffville Sun-Tribune

“In the '70s, I used to live along the 404 when it was being built and that’s what they told us, your land is going to be valuable because it's commercial/industrial. Well, then someone decided that Whitchurch-Stouffville was going to get the short end of the stick and the Oak Ridges Moraine (legislation) was going to be dumped on top of that and we were cut off,” Kroon said.

“I believe this provincial government is going to change that back. It’s going to give us what we deserve. There’s no reason why a provincial government would expect a municipality to have nothing but residential.”

<https://www.thespec.com/opinion-story/9102681-who-will-stand-up-for-the-rights-that-guarantee-a-better-ontario-for-all/>

Who will stand up for the rights that guarantee a better Ontario for all?

Stephen Cornish asks, if the current government is ‘for the people,’ why do so many feel left out?

Opinion Dec 30, 2018 by Stephen Cornish Hamilton Spectator

<https://www.watercanada.net/canadian-environmental-law-association-warns-against-ont-bill-66/>

News

Canadian Environmental Law Association Warns Against Ont. Bill 66

By Todd Westcott 09:49AM January 02, 2019

In response to the Ontario Government's proposed Bill 66, the Canadian Environmental Law Association (CELA), which represented the Concerned Walkerton Citizens at the Walkerton Inquiry, has released a detailed legal analysis.

CELA's analysis focused on drinking water safety and human health and called upon the government to withdraw key portions of Bill 66 in order to safeguard the public interest.

"In our view, this Bill cannot be acceptable to the people of Ontario, given the lessons we all learned from the Walkerton tragedy and the ensuing Inquiry" said Theresa McClenaghan, CELA executive director and counsel. "We learned that we can never take drinking water safety for granted, and that stringent, clear, unambiguous protections are necessary to ensure that we don't ever have a repeat of the terrible events that unfolded in Walkerton in May 2000."

If enacted, Schedule 10 of Bill 66 will amend the Planning Act to enable municipalities to pass "open-for-business planning by-laws" aimed at facilitating new major development in order to create employment. CELA called it alarming that Schedule 10 also provides that section 39 of the Clean Water Act, 2006 (CWA) does not apply to an open-for-business planning by-law. Section 39 requires provincial and municipal decisions to conform to policies in CWA-approved source protection plans that address significant drinking water threats.

In a briefing note on Bill 66, CELA concluded that "there is no legal justification or compelling public policy rationale for allowing open-for-business planning by-laws to circumvent or override significant threat policies in source protection plans approved under the CWA."

"Schedule 10 of Bill 66 is an unwarranted and potentially risky proposal," said CELA lawyer Richard Lindgren. "The Schedule's attempt to bypass significant threat policies in approved source protection plans across Ontario is contrary to key recommendations from the Walkerton Inquiry."

<https://www.cbc.ca/news/canada/kitchener-waterloo/grand-river-environmental-groups-bill-66-1.4964719>

Grand River environmental group leads local push against Bill 66

'This [bill] could have devastating impacts,' says environmental activist

CBC News · Posted: Jan 03, 2019

<http://www.cela.ca/article/environmental-deregulation-ontario-1996-2000/top-10-things-wrong-environmental-protection-un>

Dec 2000

The top 10 things wrong with environmental protection under the Common Sense Revolution

The first four years of the "Common Sense Revolution," (the all-inclusive name for the policies and actions of the Ontario provincial conservative government), saw radical changes to Ontario's environmental protection framework. **Government actions during those years (1995-1999) can be described as the "Three D's": Deregulation, De-funding and Devolution.**

No. 1 Cuts have crippled the Ministry of the Environment, Conservation Authorities and the Ministry of Natural Resources.

No. 2 Common Sense Revolution loads municipalities with environmental responsibilities and then ties their Hands.

No. 3 The Common Sense Revolution thinks environmental protection is red tape.

Deregulation-or cutting "red tape"-has been a major component of the Common Sense Revolution. Environmental "red tape" cuts include air and water quality monitoring systems, environmental assessment hearings, environmental inspections, provincial oversight of risky undertakings such as mining, and municipal controls on developers.

No. 4 New laws and regulations are not enough to protect the environment.

No. 5 Government's focus on enforcement is ineffective, inefficient, and expensive.

Enforcement of environmental laws in Ontario dropped sharply after 1995 when the Common Sense Revolution began.

No. 6 "Protected" areas are not.

No. 7 The Government refuses to act when it should to protect the environment.

Throughout 1999-2000, repeated requests were made to the provincial government to protect the Oak Ridges Moraine from development. In February 2000, conservation groups presented a petition to the province signed by 465 scientists urging a moratorium on development on the moraine. City and regional councils voted against approval of development applications on the moraine pending a provincial strategy. Five regional governments asked the province to work with them on a coordinated policy on development that would protect the Oak Ridges Moraine.

No. 8 Industry self-regulation and self-monitoring increase the risk of environmental damage. Industry self-regulation has been a dominant theme within the Common Sense Revolution.

No. 9 Common Sense Revolution protects game animals and commercial fisheries, not biodiversity.

Fish and wildlife regulations, policies and strategies developed during the report period all reveal a ruling preoccupation within the Common Sense Revolution. **What is called "wildlife" is in fact only game. "Fish" are treated the same way: the term means fisheries.** If an animal can be caught on a hook or shot with a gun (or crossbow) then it falls within the purview of the regulatory regime. The only other animals included in regulatory activity over the past year were two birds listed on the Endangered Species Act. **Late in 1999, the province considered the conundrum of maintaining the commercial fisheries in the Great Lakes but at the cost of restoring the lakes' native fish populations. The commercial fishery prevailed.** The province "restored" elk populations to Ontario for hunting, announced the success of the wild turkey population restoration, and expanded the hunting season.

No. 10 The Revolution fumbles national and international environmental protection initiatives.