



March 15, 2024

Ministry of Municipal Affairs and Housing
Municipal Services Office- Central Ontario
777 Bay Street
Toronto, Ontario
M7A 2 J3

Via Email: mmahofficialplans@ontario.ca

To Whom it May Concern:

Re: Bill 162, Get It Done Act, 2024
ERO Number 019 -8273

The Canadian Environmental Law Association (CELA) is a legal aid clinic dedicated to environmental equity, justice, and health. Founded in 1970, CELA is one of the oldest advocates for environmental protection in the country. CELA provides free legal services relating to environmental justice in Ontario, including representing low-income and vulnerable or disadvantaged communities in litigation. CELA also works on environmental legal education and reform initiatives.

CELA has reviewed the *Bill 162, Get It Done Act, 2024*, (Bill 162) and has the following comments regarding specific amendments that pertain to environmental protection and land-use planning matters in Ontario.

1) Expropriation Act

Schedule 1 of Bill 162 proposes to amend the *Environmental Assessment Act* to provide that “a reference to acquiring property or rights in a property is a reference to acquiring the property or rights in property by purchase, lease, expropriation or otherwise.”

The Backgrounder to Bill 162 states that the intent of the amendment is to make it clear that expropriation is one of the ways that property can be acquired for a project before an environmental assessment process is complete. The Backgrounder further states that the proposed amendment is intended to provide “greater certainty to municipalities and other proponents as they plan for future projects and get shovels in the ground sooner.”

The proposed amendment, if adopted, will mean that expropriation can be undertaken before an environmental assessment is completed. The changes proposed under Bill 162 follow amendments that have been made over recent years to *Expropriation Act*, through *Bill 171*,

Canadian Environmental Law Association

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Building Transit Faster Act, 2020, Bill 197, COVID-19 Economic Recovery Act, 2020, and Bill 245, Accelerating Access to Justice Act, 2021. These changes have eliminated and/or weakened landowners' rights to have a hearing before their land is expropriated.

CELA is concerned that allowing expropriation prior to completion of an environmental assessment (EA), and prior to Ministerial decision-making under the *Environmental Assessment Act*, creates the risk that lands may be unnecessarily expropriated and will undermine public perception about the legitimacy of the expropriation process. This approach also affects the integrity and credibility of the environmental assessment process since the outcome may be perceived by stakeholders to be pre-determined where a provincial or municipal authority has already expropriated the subject property prior to or during the EA process.

CELA, therefore, recommends that Schedule 1 be removed from Bill 160.

2) Amendments to the Official Plans in the Greater Toronto and Hamilton Region

Schedule 3 of Bill 162 proposes to restore a number of modifications made by *Bill 150, Planning Statute Law Amendment Act, 2023*. Most of the proposed modifications relate to urban boundary area expansions. According to the Backgrounder, the modifications would apply to Barrie, Belleville, Guelph, Hamilton, Ottawa, Peterborough, Wellington County and the regions of Halton, Peel, Waterloo, and York. The proposed modifications will come into force retroactively on December 6, 2023.

CELA is concerned that these changes advance urban sprawl and lead to the loss of farmland and greenspace in Ontario.

CELA, therefore, recommends the amendments authorizing urban boundary expansions be removed from Bill 160.

3) Carbon Pricing Programs

Schedule 5 of Bill 162 proposes to restrict any future provincial carbon pricing programs by requiring the government first hold a referendum before implementing a new carbon pricing program.

CELA is concerned that Bill 162 creates unnecessary obstacles on future carbon pricing programs as opposed to addressing adverse impacts of climate change on the natural environment, public health and safety, infrastructure, and the economy. The proposal is fundamentally at odds with the recommendation in the [Ontario Provincial Climate Change Impact Assessment: Technical Report: January 2023](#). The report states on page 2 that “[a]s changes in Ontario’s climate are expected to continue at unprecedented rates, it is critical for governments and regulatory agencies to support and enhance adaptation by developing enabling policies and programs.” Bill 162 does the opposite.

CELA recommends that Schedule 5 be removed from Bill 160.

Yours truly,

A handwritten signature in black ink, appearing to read 'Ramani Nadarajah'.

Ramani Nadarajah
Counsel

CANADIAN ENVIRONMENTAL LAW ASSOCIATION