November 16, 2026

The Philosopher's Wool Environmental Preserve
2 Alma Street
Tiverton, ON N0G 2T0

To the Standing Committee on the Interior

RE: Bill 140 - Building Ontario Faster Act, *2026* (ERO #026-1109, ERO #026-1114)

Respected Chair and Members of the Committee,

On behalf of the Philosopher's Wool Environmental Preserve (PWEP), thank you for the opportunity to comment on Bill 140, the *Building Ontario Faster Act.* Bill 140 proposes to repeal most of the Environmental Bill of Rights (EBR, passed in 1993); as well as portions of the Environmental Assessment Act (EAA, 1975) and the Environmental Protection Act (EPA, 1988). While we understand the need for economic growth and housing development across the province, we are deeply opposed to Bill 140, as it would cause irreversible damage to the environment while at the same time severely undermining the democratic process. **We therefore respectfully request that the Committee withdraw Bill 140.**

PWEP is a community run, volunteer based non-profit organization dedicated to protecting and preserving fragile natural environments in Inverhuron and throughout the Penetangore Watershed in Bruce County. It is our mission to develop and organize environmental projects that preserve and protect flora and fauna, restore rivers, and improve the rural and urban environment, as well as promoting responsible stewardship and sustainable development of land, water, air, and natural resources.

We maintain that it is possible to meet the growing housing and economic needs across the province through thoughtful, environmentally responsible development by containing development within urban boundaries, protecting the integrity of fragile natural environments, being mindful of the interconnectivity of ecosystems, and taking into account the various impacts on the surrounding communities. Bill 140 undermines all of these priorities.

PWEP's concerns and recommendations are as follows:

1) <u>Environmental Bill of Rights</u>

a) *Bill 140 proposes to eliminate third-party appeal rights under the EBR.* In its current form, the EBR enables members of the public, First Nations and communities to appeal Class I or II instruments to the Ontario Land Tribunal (OLT). Class I and Class II instruments consist of a variety of environmental permits and approvals, including permits to take water, approval for municipal drinking water systems, *Environmental Protection Act* and *Ontario Water Resources Act* orders, and environmental compliance approvals for discharge of air contaminants, sewage works, and landfills. These types of projects often impact communities and environments in significant, long-lasting ways. To remove the right of appeal of these kinds of instruments is unacceptable. It is also the continuation of a negative trend in which the government seeks to disenfranchise the very communities that will have to live with the environmental consequences. For example, we have seen the impacts from legislation passed in Bill 23 with regards to curtailing public participation in the planning process, especially with regards to Plans of Subdivision, right here in our community. A paper[1] put out by Bruce County had warned prior to the passing of the bill that there would likely be a spike in Judicial Reviews, as members of the public would no longer be able to appeal Draft Plans of Subdivision to the Ontario Land Tribunal (OLT). The County was correct in this assessment: we have an ongoing judicial review in our community right now. Bill 140, if adopted, would further exclude members of the public and First Nations from participating in important land use decisions. This top-down approach to force development and growth without giving due consideration to environmental risks is unacceptable. The Canadian Environmental Law Association has put it this way: "For over 30 years, the EBR has been an absolutely essential safety net for communities across the province, including numerous CELA clients. It is counter-productive, unfair, and more costly for all parties to force environmental disputes to be fought in the courts, which will be the likely result if Bill 140 is not withdrawn" [2]

Recommendation: Third party appeal rights to the OLT under the EBR must be maintained.

b) *Bill 140 proposes to eliminate Statements of Environmental Value.* Under the current EBR, prescribed ministries are required to compile SEVs to demonstrate how each ministry applies EBR legislation. As a result, SEVs are a mechanism for balancing environmental considerations with other factors, such as economic and social needs. By eliminating SEVs, environmental considerations will no longer be a part of the information and decision-making process when ministries post project descriptions for public review. We are deeply

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[1] Bruce County, November 24 2022, *RE: Bill 23 More Homes Built Faster Act, 2022 and associated ERO postings*

[2] CELA PUBLICATION #1728, November 3 2026, RE: Bill 140, the Building Ontario Faster Act, 2026 (ERO #026-1109, ERO #026-1114)

concerned that the government is giving itself vast, unchecked powers to further an economic agenda while ignoring science-based principles, procedures and environmental safeguards.

Recommendation: SEVs must be maintained.

c) *Bill 140 proposes that public notice of policies and legislation no longer be posted on the Environmental Registry of Ontario (ERO), but on the Ontario Regulatory Registry (ORR)*. ERO is the EBR registry, and thus places significant emphasis on the evaluation of environmental risk, health and safety of any given proposal; whereas the ORR is a business-centric registry. Shifting public notice and public comments from the ERO to the ORR would mean that notice is no longer given to analyze significant environmental impacts under the EBR; there are also no minimum timelines under the Regulatory Registry to post proposals for comments before a decision is made. Again, this aspect of Bill 140 would remove environmental safeguards and public oversight.

Recommendation: The ORR must not replace the ERO for purposes of posting projects with significant environmental implications, and for purposes of gathering public comments. The Province should maintain a science-based approach to assessing environmental risk.

d) Furthermore, we ask that parts IV to VI of the EBR be maintained. This will ensure Ontarians' continued ability to: request a ministry review of existing environmental policies, or an assessment of the need to create regulations; apply for an investigation into suspected violations of environmental laws; and to bring a civil action in court for harm done to a public resource. Bill 140 proposed to eliminate all these rights. We request that citizen's rights in the form of these important checks and balances be maintained.

2) Environmental Assessment Act

Bill 140 proposes to repeal section 17.5 of Ontario's *Environmental Assessment Act*, which currently requires landfill developers to obtain written "support" from municipalities in which the project is proposed. Eliminating the municipality's ability to address environmental and health concerns in connection to a proposed landfill under the EAA could lead to severe safety risks. Local authorities should continue to have a say in proposals that have the potential to affect the health of the community and environment.

Recommendation: Schedule 7 of Bill 140 should be withdrawn.

3) Environmental Protection Act

Bill 140 proposes to repeal third-party appeal rights under Ontario's *Environmental Protection Act.* Specifically, this would impede citizens and environmental groups to appeal the issuance of Renewable Energy Approvals (REA). An example of when such an appeal may be brought to the OLT under current legislation might be negative impacts on a threatened or endangered species.

Recommendation: Schedule 9 of Bill 140 should be withdrawn, thereby ensuring Ontarians' continued participation in environmental decision-making.

In summary, Bill 140 is deeply concerning as it would negatively impact natural heritage features across the province, further endanger species that are already at risk, curtail public oversight, disenfranchise First Nations, adversely affect public health and safety, and undermine the democratic process.

In addition, it is necessary to note that Bill 140 is the latest in a series of environmentally and democratically degrading bills (including Bill 23 and Bill 5) that are allowing the government, developers, industry and business to take the Province's natural heritage hostage; imperil low-income communities that tend to be disproportionately affected by polluting projects; and erode the democratic process, all while doing *nothing* to improve the issues these bills are supposed to address (lack of affordable housing, infrastructure, jobs, provincial deficit). This is clearly the wrong path. We have shared our concerns about Bill 23, we have shared our concerns about Bill 5. The deafness to these concerns has been staggering. It is time to change gears and realize that legislation that comes at great cost, rather than benefit, to the communities you represent and the environment we all depend on for our collective health and welfare is *not* the right way to go.

It is not acceptable for the government to take away the public's and First Nations rights of participation, while at the same time legally sanctioning the ongoing degradation of the environment. This is tantamount to forcing communities to stand by and watch, with ever-waning legal recourse, as their air is poisoned, their water polluted, their green spaces paved over, their natural and cultural heritage stolen. This is sacrificing the common good and care for the environment that sustains us all to the economic imperative of growth at all costs – and the irony is, it's not even working. None of these bills have prevented Ontario from sliding ever deeper into deficit over the past years. **We therefore urge the Committee to reject this bill in its entirety.**

Sincerely,

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Respectfully acknowledging that I live, work and benefit from the Lands and Waters of the Saugeen Ojibway Nation.