



Traffic crosses Alexandra Bridge at night in Ottawa, Ontario. Photographer: Brent Lewin/Bloomberg via Getty Images

Ontario Lawmakers Loosen Environment Reviews, Citing Long Delays

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- Changes cut reviews from six to three years
- Environment groups oppose use of project list

Ontario passed legislation Tuesday changing its environmental assessment system, citing the need to cut lengthy delays and spur economic growth.

[Bill 197](#), the Covid-19 Economic Recovery Act, changes how officials decide which public infrastructure projects receive reviews under the Environmental Assessment Act, curbs the use of a public appeal option, and halves the time it takes for projects to be reviewed.

After the legislature acted, Bill 197 received royal assent and immediately became law.

Ontario's environmental assessment system had given citizens a chance to raise concerns about the environmental impacts of public projects, like highways and sewage plants, and propose changes before construction begins. Private sector projects also occasionally had received reviews in Ontario.

Bill 197 will require citizens to use protests, lobbying, and court action to voice concerns over environmental harms, pushing construction costs upward, said Laura Bowman, lawyer with the firm Ecojustice.

“There’s a real cost to eliminating these processes,” Bowman said.

The law changes Ontario’s environmental assessment system from one that requires a review on every public infrastructure project—unless it’s explicitly exempted—to one that only requires reviews for projects included on a specific list. A regulation creating the new list has yet to be released.

The law also allows the province to simplify review conditions, restrict the use of an appeal process so that it can only be used for concerns related to the infringement of indigenous land title, and exempt low-risk projects, the Ministry of Environment, Conservation and Parks said.

The changes will cut the length of the longest reviews from six to three years, according to the ministry.

‘A Very Good Move’

“This is a very good move on the government’s part,” said Giovanni Cautillo, president of the Ontario General Contractors Association.

The Association of Municipalities of Ontario, which represents the province’s 444 cities and towns, also welcomed the bill and said it will give the province more time to focus on the biggest proposals.

“Increased costs and long construction delays are hard to justify for low risk projects,” said Brian Rosborough, the association’s executive director.

The cost for municipal projects to undergo reviews more than tripled to C\$386,500 between 2010 and 2014, a [2019 report](#) by the **Residential and Civil construction Alliance of Ontario** found.

The length of a typical review grew from 19 to 27 months over that same period, the report said.

Environment Groups Oppose

Environment groups said projects with significant harms will be approved because of the new law.

A project list is a poor tool for filtering out low-risk projects because it only looks at the size of a project, not the surrounding environmental conditions that might make a project more harmful, said Bowman, the Ecojustice lawyer.

The province passed a regulation exempting the forestry sector from assessments on June 30. It will remain in place even with Bill 197 in force.

Ontario is also planning to change the assessment conditions for whole categories of projects, including those for highways, municipal works, and electrical transmission facilities, under a separate regulatory proposal.

The system had grown slow and ineffective, Lindsay Davidson, spokeswoman for Ministry of Environment, Conservation and Parks, wrote in an email Tuesday.

Bill 197 will reduce duplication by eliminating oversight covered by other legislation, she wrote. Seven other Canadian provinces and territories use projects lists instead of blanket coverage, including British Columbia and Quebec, she added.

Low-risk projects that will be exempted under the current regulatory proposals include installing traffic lights and upgrading water wells, she wrote.

Minor sewage treatment plant upgrades also will be exempted, Davidson wrote. But Bowman said sewage plant expansions as big as 50% larger will be permissible.