



Katerina Downard
Environmental Policy Office
438 University Ave
12th Floor
Toronto, ON
M7A 1N3
Canada

Township of Puslinch
7404 Wellington Road 34
Puslinch, ON N0B 2J0
www.puslinch.ca

November 20, 2024

RE: Bill 212 Reducing Gridlock, Saving You Time Act, 2024 – Building Highways Faster Act, 2024

Please be advised that Township of Puslinch Council, at its meeting held on November 20, 2024 considered the aforementioned topic and subsequent to discussion, the following was resolved:

Resolution No. 2024-417:

Moved by Councillor Sepulis and
Seconded by Councillor Hurst

Whereas comments are being requested for ERO 019-9265 concerning Bill 212 - Reducing Gridlock, Saving You Time Act, 2024 – Building Highways Faster Act, 2024; and

Whereas the Township of Puslinch Council has received the Town of Caledon's resolution regarding ERO 019-9265; and

Whereas the proposed Building Highways Faster Act aims to prioritize certain highway projects which, according to the Ministry of Transportation's (MTO) evidence-based evaluation in Figure 12A of the 2022 Auditor General's Report on Highway Planning and Management, are lower on the priority list; and

Whereas the proposed Act includes provisions as follows:

- (a) the Minister may compensate the property owner for any damages resulting from the site inspection, but does not have to;
- (b) if the Minister compensates the property owner, the Minister shall decide the quantum of compensation and may provide only partial compensation; and



(c) for greater certainty, the Minister is not required to compensate the property owner for anything done under subsection 9 (1), and the procedure for determining compensation set out in subsections (1) to (5) of this section does not apply; and

Whereas the Township of Puslinch has concerns that the proposed Act may override local by-laws, such as environmental by-laws, bypass federal impact studies, exempt projects like the 413 from environmental studies, withhold existing studies, facilitate property expropriations, ignore Freedom of Information (FOI) requests, penalize residents opposing expropriation or construction, compel information from municipalities or individuals, and allow appeals for expropriation decisions to be heard by the Minister of Transportation instead of the courts;

Be it resolved that the Township of Puslinch:

1. Supports the Town of Caledon's resolution regarding Bill 212;
2. Requests that the Province of Ontario use fact-based evaluations to prioritize highway projects based on their true need and urgency;
3. Requests that the Province amend the proposed legislation to ensure municipalities are compensated for all reasonable costs incurred in supporting priority projects under the Act; and

That the Township of Puslinch Council submits this resolution as the Township's formal comment for ERO 019-9265; and

That a copy of this resolution be sent to Speaker Ted Arnott and the Association of Municipalities of Ontario (AMO).

CARRIED

As per the above resolution, please accept a copy of this correspondence for your information and consideration.

Sincerely,

Justine Brotherston
Municipal Clerk



Town of Caledon Resolution RE: Bill 212 Reducing Gridlock, Saving You Time Act, 2024 – Building Highways Faster Act, 2024

Moved by: Councillor D. Maskell Seconded by: Councillor M. Russo

Whereas, in June 2019, the Government of Ontario resumed the suspended Environmental Assessment (EA) for the GTA West Corridor (413 Highway); and

Whereas, throughout 2021, the following municipal and regional councils passed motions in opposition to the proposed 413 Highway: Mississauga, Peel Region, Halton Hills, Halton Region, Vaughan, Markham, King, Orangeville and Toronto; and

Whereas, in October 2023, during the scheduled Peel Region Public Information Centre (PIC), presented by the Ontario Ministry of Transportation (MTO), it was acknowledged that Highway 413 will: traverse four (4) distinct watersheds (Credit, Humber, 16 Mile and Etobicoke), impact 42 dominant or seasonal fish habitats (spawning areas), increase both annual vehicle kilometer traffic and CO2 emissions and disturb at least 44 culturally significant heritage sites; and

Whereas the charity Environmental Defence obtained documents through a recent Access to Information and Privacy (ATIP) request that indicate that Highway 413 will threaten the critical habitats of at least ten (10) Federally protected species at risk that are either Threatened or Endangered and a further ten (10) that are species at risk with the status of Special Concern; and

Whereas, in October 2024, the Government of Ontario tabled Bill 212, Reducing Gridlock, Saving You Time Act, which included the Building Highways Faster Act and the Highway 413 Act; and

Whereas, the Building Highways Faster Act, in Section 3.1 would prevent a Caledon property owner from applying for an adjustment to the date of possession specified in a notice of possession, overriding the protection provided in subsection 39.3 of the Expropriations Act. Subsection 39.3 allows a registered property owner the right to apply to a judge for an adjustment to the date of expropriation specified in Section 39.2 as three months; and

Whereas, the Building Highways Faster Act, in Section 12.4, on a first offence, imposes, on a Caledon resident who interferes with an expropriation, a fine of not more than \$50,000, plus not more than an additional \$10,000 for each day on which the offence continues; and



Whereas, the Building Highways Faster Act, in Section 13.6, authorizes entry into the private dwelling of a Caledon resident; and

Whereas, the Building Highways Faster Act, in Section 13.9 authorizes the use of force to take possession of land owned by a Caledon resident; and

Whereas, the Highway 413 Act, in Section 2.1 provides for the following exemptions from the Environmental Assessment Act:

1. The Highway 413 Project including any change to the 413 Project
2. The Highway 413 early works project

... 6. Any prescribed enterprise or activity or proposal, plan or program in respect of an enterprise or activity that is for or related to Highway 413 or extensions of Highway 410 and Highway 427 to connect them with Highway 413; and

Whereas, the Highway 413 Act, Section 3.2 allows the Minister to make changes that do not accord with the final environmental impact assessment as outlined in Sections 8.4 and 9.8; and

Whereas, the Highway 413 Act, in Section 6.4 allows the Minister to, in his opinion, to prohibit the publication of studies or updates of studies that contain sensitive natural or cultural heritage matters; and

Whereas more than 45% of the proposed 52km highway 413 will be built across Caledon; Therefore, be it resolved, that this Council does not support the Government of Ontario's plan to build the 413 Highway as outlined in Bill 212 Reducing Gridlock, Saving You Time Act; and

That a formal letter, be sent by the Mayor, including concerns affiliated with Bill 212 to the province, upon consultation with staff, in time for the comments to be heard by the Province on November 20, 2024, and registering this Council's decision to not support Bill 212, Reducing Gridlock, Saving You Time Act, be sent to: the Honorable Doug Ford, Premier of Ontario, the Honorable Prabmeet Sarkaria, Minister of Transportation, the Honorable Andrea Khanjin, Minister of Environment, Conservation and Parks and the Honorable Sylvia Jones, Deputy Premier, Minister of Health and MPP Caledon-Dufferin; and



That this letter be sent to the municipal and regional councils that have registered their prior opposition to the construction of Highway 413; and

That this letter be sent to Association of Municipalities of Ontario (AMO) and to all of Ontario's 444 municipalities; and

this letter be sent the Honorable Kyle Seeback, MP Caledon-Dufferin and to the Honorable Steven Guilbeault, Minister of Environment and Climate Change