[Bill 212 - Reducing Gridlock, Saving You Time Act, 2024 – Building Highways Faster Act , 2024 | Environmental Registry of Ontario](https://ero.ontario.ca/notice/019-9265)

[Highway 413 Act | Environmental Registry of Ontario](https://ero.ontario.ca/notice/019-9213)

I have several major concerns with Bill 212 and associated legislative acts and request that you reject this bill or amend it to address my concerns. My primary concerns are that it (1) will not save anyone time or money, (2) it increases risk to Ontarians, and (3) the way the government is doing it undermines the public trust. I summarize my concerns and propose solutions below.

**Problem #1: Highway 413 will not save time or money**

Minister Sarkaria has said that “This project has been studied and debated for over 20 years. After two decades, the only thing that’s changed is traffic is significantly worse.” Minister Sarkaria appears to have not considered an obvious reason Highway 413 hasn’t been built for over 20 years – it is a bad plan.

The government claims that Bill 212 will improve traffic flow and make life easier for Ontarians, get people and goods out of gridlock, and save drivers and businesses time and money. This is false.

The Highway 413 corridor follows the same corridor identified as part of the Ministry of Transportation’s (MTO) Greater Toronto Area West Corridor Environmental Assessment (EA). Stage 1 of the assessment was completed in 2012 resulting in the release of a Transportation Development Strategy. MTO suspended the EA in 2015, at which time the Minister of Transportation appointed an Advisory Panel to conduct a strategic assessment of the project. The Panel concluded that:

1. Highway 413 would save drivers about 30 seconds per trip. Including supporting projects would increase time saves to about 60 seconds.
2. Reducing Highway 407 tolls for large trucks would produce equal outcomes for drivers and the movement of goods.
3. Altering lane configurations of existing highways would reduce travel times from about equal to more than 10 times better than Highway 413
4. Limiting urban sprawl by promoting compact land use would reduce shorter travel times more than Highway 413

There are many reasons that Highway 413 is less effective than modifying existing highways, changing tolls, and focusing on infill development. One reason is “induced traffic demand” a well-known economic principle where creating more roads (supply) results in more traffic (demand) which negates the point of building new roads to reduce congestion. A second, related reason is that expanding the road network will promote more urban sprawl which will increase the number of people commuting from further away… resulting in more congestion.

In short, Highway 413 will not reduce traffic. The conclusions of Ontario’s Advisory Panel shows that it would be much more effective to spend the estimated $4 billion price tag (Auditor General 2022) on implementing targeted measures on the existing 400 series highways, promoting compact urban developments, and investing in public transportation to help more people get where they need without a car. Stop wasting money on Highway 413 and refocus efforts on targeted traffic measures on the existing highways, promoting compact urban developments, and investing in public transportation.

**Problem #2: Harms people protection of people or their property**

ERO 019-9265 states that government is committed to balancing environmental protection with the need to support crucial infrastructure development that will benefit the economy. Ontario’s *Environmental Assessment Act* (EAA)is intended to provide for the protection, conservation, and wise management of the environment (§2), which is defined as including water, land, life, and the social and economic conditions (§1(1)(a)). That is, the EAA is specifically designed to balance environmental protection and economics. Exempting activities and accelerating oversight processes related to Bill 212 from the EAA therefore conflicts with Ontario’s existing legal frameworks for no cogent reason.

What more, the government has taken a vary narrow economic view that increases financial risk to residents, municipalities, and Ontario writ large. The project has been estimated to impact 400 acres in the Greenbelt and 2000 acres of Ontario’s food producing farmlands. Green areas provide many critical economic, social, and environmental services through the provision of ecosystem services including and water. Aziz and Van Cappellen (2019) estimated the potential and realized ecosystem services in southern Ontario at $19 billion and $9.7 billion per year, respectively, while Wilson (2008) estimates that the Greenbelt alone provides $2.7 billion per year. The loss of green spaces and farmlands would compromise the Nashville Conservation Reserve, directly harm 29 federally protected species, and hundreds of waterways.

Exempting these projects from the EAA process increases risk to hydrological processes that provide ground water and flood prevention that Ontarians need to live. The resulting costs on downstream communities in the GTA are exceptionally large. The 2013 Toronto flood cost an estimated $1 billion (reported by The Star, 17 July 2024) and the 2024 flood cost an estimated $940 million (Insurance Bureau of Canada). Removing green space in major watersheds can be expected to increase these costs by increasing the probability and severity of flooding events at a time when climate change is increasing the frequency of severe precipitation events. This is compounded by the fact that Highway 413 would increase CO2 emissions by a projected 17 million tonnes thereby increasing the probability and severity of severe weather.

In short, these projects can have wide-reaching and long-lasting effects that will inevitably increase risk to residents, municipalities, and Ontario. Ignoring these effects by exempting projects from the EAA is not just short-sighted – it is bad business. The assessment and construction of priority Highway projects must be subject to the *Environmental Assessment Act*.

**Problem #3: Undermines the public trust**

Exempting activities and accelerating oversight processes related to Highway 413 from the *Environmental Assessment Act* undermines the public trust by creating a two-tiered system where government projects are not subject to the same consideration as private projects. The assessment and construction of priority Highway projects must be subject to the *Environmental Assessment Act* same as other developments.

Moving the appeal process from the courts to the Minister of Transportation, who is responsible for delivering the projects in question is a direct conflict of interest and counter to good governance. This effectively grants the proponent the authority to dismiss appeals without due process or considering the merits of the case. Appeals must remain with the courts.

Removing property owners’ ability to apply to the courts for a later date of possession under 39(3) of the *Expropriations Act* disenfranchises Ontarians of their existing property rights without an option for independent appeal or legal remedy. Expropriation rules and processes must remain with through the *Expropriations Act*.

**Resources**

Aziz and Van Cappellen. 2019. Comparative valuation of potential and realized ecosystem services in Southern Ontario, Canada. Environmental Science and Policy 100: 105-112.

Wilson, S.J., 2008. Ontario’s Wealth, Canada’s Future: Appreciating the Value of the Greenbelts’ Eco-Services. David Suzuki Foundation, ISBN 978-1-897375-17-4