



**CHIEFS OF ONTARIO
FALL CHIEFS ASSEMBLY
NOVEMBER 15-17, 2022**

**RESOLUTION 22/42S
PAGE 1 OF 2**

SUBJECT: BILL 23, MORE HOMES BUILT FASTER ACT, 2022

MOVER: Chief Laurie Carr, Hiawatha First Nation

SECONDER: Chief Mary Duckworth, Caldwell First Nation

DECISION: CARRIED BY CONSENSUS

WHEREAS:

1. On October 31, 2022 Ontario's Minister of Municipal Affairs introduced Bill 23, More Homes, Built Faster, 2022, and on November 10, 2022, the bill passed second reading and was sent to committee;
2. First Nations had no opportunity or capacity to be consulted on Bill 23 including despite it entailing significant changes to the legislative and policy landscape in Ontario, including 8 ERO postings, 5 regulatory registry postings, and the 6 proposed policy changes by December 31, 2022;
3. A piecemeal approach to First Nations engagement and consultation is not sufficient for such a far-reaching piece of legislation;
4. First Nations have constitutionally protected treaty rights to hunt, trap, fish and gather;
5. First Nations in Ontario have repeatedly advised Ontario that inherent in the Crown's duty to consult is the obligation to ensure that the concerns of the impacted First Nations people are addressed, including the preparation of studies that analyze impact on their constitutional rights;
6. After-the-fact solicitation of comments on reports that are prepared without considering First Nations concerns and mitigation measures, conceived without their participation, does not discharge the Crown's duty to consult;
7. The proposed changes to eliminate the concept of wetland complexes is not based on science, and when coupled with the changes to s. 28(1) of the Conservation Authorities Act, 1990, will allow for development to take place on newly declassified wetlands and will result in irreversible losses of critical habitat;
8. Since it is simply impossible for humans to replicate the complex function of wetlands, there will inevitably be adverse impacts on the constitutionally protected First Nations inherent and treaty rights that cannot be mitigated;

9. The Chiefs in Ontario strongly oppose the legislative changes that would weaken the role of Conservation Authorities in protecting the environment and have an adverse impact on the constitutionally protected Aboriginal and treaty rights;
10. The Chiefs in Ontario strongly oppose the proposal that Conservation Authorities lands, that protect species at risk and are a source of traditional medicines, be considered for development;
11. Conservation Authorities protect wetlands, forests, moraines, and ecologically sensitive lands that serve critical ecological functions such as protecting against flooding and erosion, capturing emission, cooling temperatures, and protecting water quality;
12. The Government of Ontario's changes to the planning regime are simply a response to the development industry to allow homes to be built faster and does not uphold the Duty to Consult nor the honour of the Crown.

THEREFORE BE IT RESOLVED that we, the Chiefs in Assembly:

1. Strongly oppose the passing of Bill 23 in its entirety and call on the Chiefs of Ontario Political Office and Secretariat to coordinate action-oriented solutions to mitigate the effects Bill 23 in the event of its passing.
2. Call on the Ontario Regional Chief to send a letter to the Premier of Ontario clearly articulating the position of the Chiefs in Ontario as outlined in this resolution and requesting an immediate meeting between the Chiefs in Ontario and relevant cabinet ministers.
3. Call on the Chiefs of Ontario Secretariat to draft and disseminate a template letter opposing Bill 23 for signature by the Chiefs in Ontario for delivery to provincial cabinet ministers, shadow cabinet ministers, and the Premier of Ontario.

Certified Copy of a Resolution passed November 16, 2022.



Glen Hare, Ontario Regional Chief