

The Ripple Effects of Draining Ontario's Wetlands

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BACKGROUNDER
December 2024



Wetlands are some of the most ecologically productive ecosystems in the world. They prevent floods, filter water, store carbon, replenish groundwater, serve as habitats for plants and animals, and hold deep cultural and spiritual significance for Indigenous Peoples.¹

In Southern Ontario, wetlands provide over \$50 billion in benefits to human well-being per year.² Wetlands can also reduce the costs of flood damage by up to 29 per cent in rural areas and 38 per cent in cities.³ Yet despite their value, Southern Ontario has lost over 72 per cent of its original wetlands since the start of colonization.

Without provincial leadership, Ontario could lose its last remaining wetlands and all the benefits they provide. We need Ontario to recognize the important role wetlands play in our environment and our everyday lives, and to champion policies, programs and laws that protect them.

To save Southern Ontario's wetlands, the province must:

- Strengthen the Ontario Wetland Evaluation System (OWES):
 - Return lost protections to wetland complexes, including the ability to classify them as provincially significant wetlands (PSWs).
 - Return the requirement that a wetland be classified provincially significant when habitat for endangered or threatened species is present.
 - Return the Ministry of Natural Resources (MNR) to its role as an overseer ensuring the quality and accuracy of wetland evaluations.
 - Recognize and acknowledge Indigenous perspectives and Traditional Ecological Knowledge in the evaluation process
- Reverse the amendments made to the Conservation Authorities Act and reintroduce consultation with conservation authorities during the development permit approval process.
- Prohibit development within 150m of PSWs, and 100m of all other wetlands.
- Restore and enhance the Growth Plan for the Greater Golden Horseshoe and the broader protections it provides wetlands from development and site alteration within the Greater Golden Horseshoe.
- Revoke subsections 47 (1.1) to 47 (1.3) of the *Planning Act* so that Minister's Zoning Orders (MZOs) must follow all provincial planning policies and avoid severe threats to wetlands.
- Reinstate and effectively implement laws, and policies such as the Wetland Conservation Strategy for Ontario (2017-2030) as well as the Great Lakes Protection Act (2015) to set and enforce targets for wetland protection.

¹ https://www.ramsar.org/sites/default/files/documents/library/indigenous_peoples_local_communities_wetlands_e.pdf

² <https://alus.ca/wp-content/uploads/2016/08/estimation-of-ecosystem.pdf>

³ <https://files.ontario.ca/mnrf-english-ontario-special-advisor-on-flooding-report-2019-11-25.pdf>

- Develop a strong framework to support the restoration of wetlands that have been degraded or destroyed with the goal to achieve a net gain of wetland area.

Prior to 2018, Ontario had more robust wetland policies and programs that provided critical protection measures. Important strategies and rules such as the [Wetland Conservation Strategy for Ontario \(2017-2030\)](#), the Ontario Wetland Evaluation System (2014), the [Great Lakes Protection Act \(2015\)](#), and the [Growth Plan for the Greater Golden Horseshoe \(2020\)](#) aided in the protection and sustainable management of these threatened ecosystems. However, over the last six years, the Ontario government has removed or weakened many of these protections, by gutting the OWES, the Conservation Authorities Act, and the Provincial Planning Statement (2024) and abandoning the Wetland Conservation Strategy and Great Lakes Protection Act. The government's assault on environmental protection has left Ontario's remaining wetlands vulnerable. Today, it's easier than ever to drain or fill (with soil, gravel, or other infill material) a wetland and replace it with a sprawling development project.

The province claims that its changes to the OWES and other wetland policies and programs are to support the construction of 1.5 million new homes by 2031.⁴ However, we don't need to pave over wetlands to provide housing. According to the Ontario Housing Affordability Task Force, "the shortage of land is not the cause of the problem. Land is available, both inside the existing built-up areas and on undeveloped land outside greenbelts. Most of the solution must come from densification"⁵—more compact, walkable, transit oriented communities. Greenbelts and other environmentally sensitive areas need to be protected.

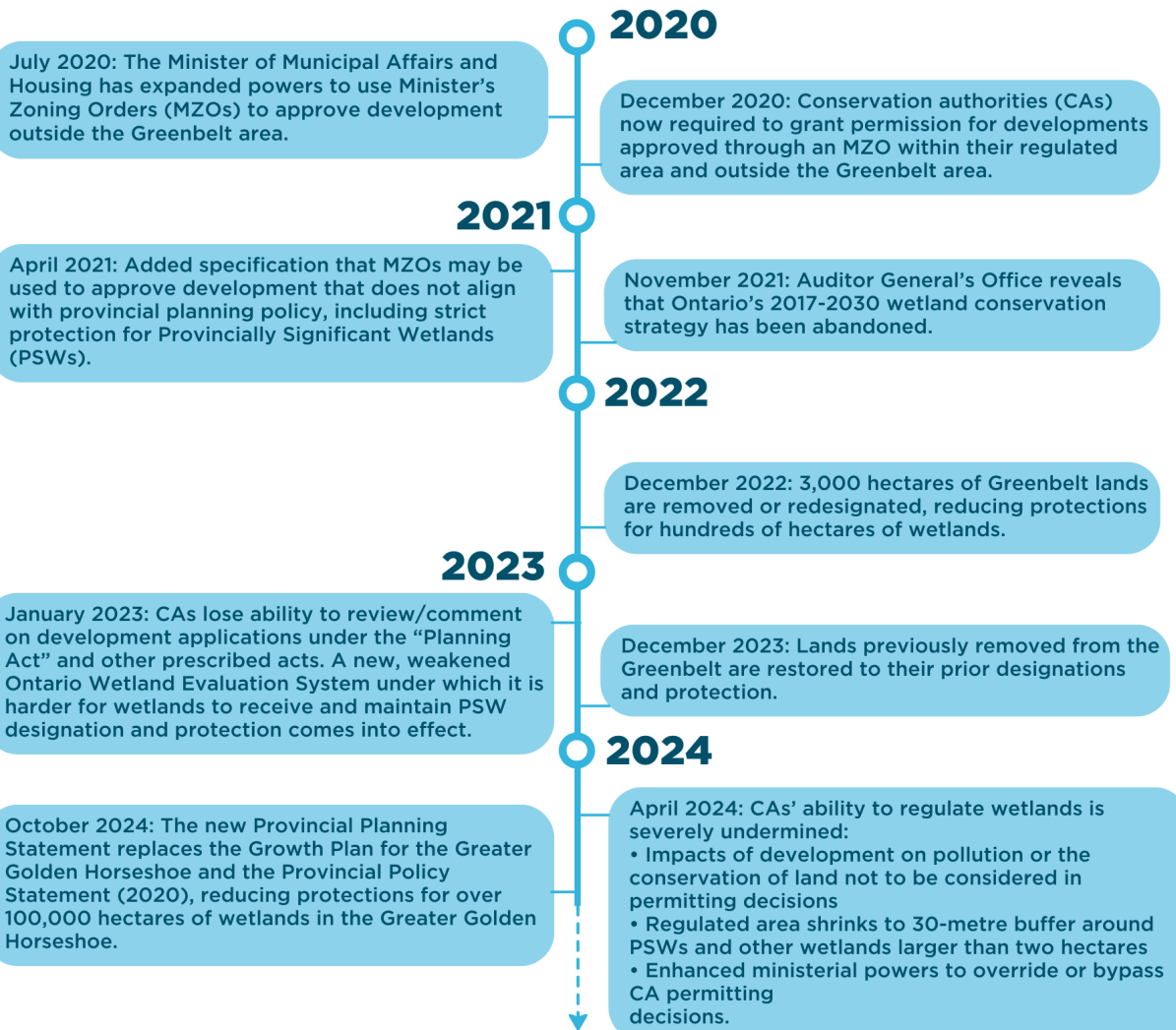
This past summer, the Greater Toronto Area experienced catastrophic flooding, estimated to cost governments and homeowners over \$1 billion. This kind of extreme flooding will happen more and more frequently if we continue to destroy wetlands and pave over green spaces. It isn't a choice between housing and wetlands; we can and must have both.

⁴ <https://ero.ontario.ca/notice/019-6160>

⁵ <https://files.ontario.ca/mmah-housing-affordability-task-force-report-en-2022-02-07-v2.pdf>

ONTARIO'S WETLANDS

A timeline



The Rise and Fall of the Ontario Wetland Evaluation System (OWES)

The OWES was once a powerful tool for wetland conservation in the province, but recent changes have undermined its effectiveness, putting Ontario's wetlands at risk.

In 2022, the Ontario government made changes to the OWES in support of Bill 23, *the More Homes Built Faster Act*. In the updated version of the OWES, it is much harder for wetlands to be recognized as PSWs and receive protections. Additionally, the protections themselves have been

watered down by a new regulation under the Conservation Authorities Act, that allows development just 30m from a PSW—too close to protect wetland health and function. These changes have completely undermined the original purpose of the OWES to determine a wetland’s value and protection requirements using science-based evaluations that consider biology, hydrology and social factors.

The government has removed important criteria that were once part of the OWES, with devastating impacts on wetland protection. Complexes of smaller, connected wetlands are no longer eligible, the presence of habitat for endangered or threatened species is no longer considered, the MNR no longer has oversight of the process, and Indigenous rights and values are not respected.

1. Wetland complexes are no longer recognized or considered:

Identifying wetland complexes was once a fundamental part of the evaluation process and a major factor when determining PSWs. Complexing wetlands makes sense: it recognizes the natural movement of wildlife and water within a larger system of wetlands and that together a group of wetlands may provide much more value than any one in isolation. Even smaller, isolated wetlands provide significant benefits to surrounding communities, but these [benefits are amplified](#) when they work together within a complex. In the past, many wetlands received PSW status because they belonged to a larger complex. Moving forward, without a consideration for complexing, it will be nearly impossible for smaller wetlands to receive PSW status. This change also means that existing PSWs are likely to lose their designation and associated protections, leaving them vulnerable to being drained and filled for development.

2. The presence of endangered or threatened species habitat is no longer recognized

The presence of habitat for endangered or threatened species was previously a critical consideration in the wetland evaluation process, and automatically gave a PSW designation. Ontario’s wetlands provide habitat for approximately 20 per cent of the province’s species at risk. Protecting the places they live and reproduce is critical to their recovery and survival.⁶ This undermining of the OWES further threatens already vulnerable plants and animals.

3. Provincial government oversight and coordination removed from the OWES

The MNR has passed off the responsibility for the wetland evaluation process onto municipalities that lack resources and expertise. What’s more, municipalities are no longer allowed to consult with conservation authorities (due to Bill 23 amendments to the *Conservation Authorities Act*). This means most evaluations and reevaluations are now done by evaluators that are hired by developers, creating a bias in support of the proposed development.

⁶ <https://ontarionature.org/campaigns/wetlands/wetlands-are-biodiversity-support-systems/>

4. Indigenous values and rights not fairly respected in the OWES

The OWES does not—and never has—fairly respected Indigenous values and rights in its scoring system. If a response is not received from an Indigenous community, it is scored a zero in the “Aboriginal Values” section of the evaluation.⁷ No response does not mean no value. Meaningful engagement with Indigenous communities requires time, effort, and often resources, which is something that is not outlined in the manual, but should be. Instead, the evaluators sometimes report Traditional Ecological Values themselves, which is not an adequate alternative to direct and meaningful consultation with Indigenous communities.

Overall, it’s much more difficult for wetlands to receive and maintain PSW status and the protections it affords. To protect Ontario’s wetlands, the OWES must immediately be reviewed and amended to prioritize wetland protection.

Recommendations:

- Return lost protections to wetland complexes, including the ability to designate them as PSWs.
- Return the requirement that a wetland be designated a PSW when habitat for endangered or threatened species is present.
- Return the MNR to its role as an overseer ensuring the quality and accuracy of wetland evaluations.
- Require meaningful consultation and engagement with Indigenous Communities and acknowledge Indigenous perspectives and Traditional Ecological Knowledge in the evaluation process

Weakening the Conservation Authorities Act’s Power to Protect Wetlands

In 2024, changes to Ontario’s [Conservation Authorities Act](#) weakened conservation authorities’ role in the permitting process for new development, and significantly reduced buffer zones between development and PSWs. These changes are bad news for wetland health.

Conservation authorities are no longer able to consider the impacts of pollution and conservation of land when reviewing development permits near wetlands. This means they can only consider impacts related to natural hazards, like flooding, and must disregard that they are experts in their own watersheds and have unique place-based environmental knowledge. Decisions are now made by the Minister and ministry staff without full knowledge and appropriate consideration of potential environmental impacts.

Buffer zones and development setbacks protect wetland habitat from the impacts of development, including pollution runoff and erosion. They also protect surrounding properties from floods by making sure building isn’t happening in a wetland’s floodplain. Ontario’s previous buffer zone for PSWs and other wetlands greater than 2ha has been downgraded from 120m to a mere 30m—not nearly enough to prevent erosion, pollution and other harms. Research shows that development within 100m of a wetland will negatively impact water quality.⁸ Another study found that 150m of

⁷ <https://www.ontario.ca/files/2023-02/mnrf-pd-rpdpb-ontario-wetlands-evaluation-system-southern-manual-2022-en-2023-02-02.pdf>

⁸ <https://esajournals.onlinelibrary.wiley.com/doi/full/10.1002/ecs2.2661>

buffer is most effective at mitigating the impacts of development on wetlands (e.g. pollution runoff).⁹ The latest changes to the Conservation Authorities Act puts Ontario's most valuable wetlands at risk.

Recommendations:

- Reverse the amendments made to the Conservation Authorities Act and reintroduce consultation with conservation authorities during the development permit approval process.
- Prohibit development within 150m of PSWs, and 100m of all other wetlands.

Land Use Planning Prioritizes Developers Over Wetlands

Poor land use planning in the province has been a major contributor to Ontario's wetland loss, especially in Southern Ontario. The Provincial Policy Statement (2020) and the Growth Plan for the Greater Golden Horseshoe (Growth Plan) had policies to guide local land use planning decisions with wetland protection in mind. The policies in the Provincial Policy Statement (2020) and Growth Plan protected both PSWs and non-PSWs by prohibiting development and site alteration on adjacent lands unless it was "demonstrated that there would be no negative impacts on natural features or on their ecological functions."¹⁰

In October 2024, both the Provincial Policy Statement (2020) and the Growth Plan were replaced by the new Provincial Planning Statement (PPS). The new PPS carried over all policies from the 2020 Provincial Policy Statement that benefit PSWs and provincially significant coastal wetlands. However, as already described, the changes made to the OWES mean far fewer wetlands will be eligible to receive these protections. The new PPS fails to protect unevaluated wetlands and does not require that wetlands be evaluated prior to development, heightening the risk of wetland destruction. The province seems to have adopted a "don't ask, don't tell" policy for wetland protection.

In the Growth Plan, *all* wetlands (including non-PSWs) located outside settlement areas within the Greater Golden Horseshoe were considered Key Hydrologic Features and Key Natural Heritage Features. This meant that wetlands and their functions were protected from development and/or site alteration.¹¹ However, none of these critical Growth Plan policies were carried over into the new Provincial Planning Statement. By leaving out these policies, over 160,000 hectares of wetlands located throughout the Greater Golden Horseshoe are at risk of being lost to development—a threat that is all too real given the province's pro-sprawl housing agenda.

Additionally, because of changes to the *Planning Act*, the Minister of Municipal Affairs and Housing now has the power to issue Minister's Zoning Orders (MZOs) and bypass local and provincial planning rules. MZOs immediately authorize development, even if it's inconsistent with provincial planning policies and any remaining wetland protections. This is done without consulting environmental experts, Indigenous Peoples, or the public. Since these powers to disregard provincial planning rules and environmental protections were introduced, there has been an increase in the use of MZOs to approve new development. More MZOs were issued in 2020 than in

⁹ <https://carleton.ca/glel/wp-content/uploads/19SawatzkyFahrigEcosphere-1.pdf>

¹⁰

[https://prod-environmental-registry.s3.amazonaws.com/2024-04/Proposed%20Provincial%20Planning%20Statement,%20April%2010,%202024%20-%20EN%20\(2\).pdf](https://prod-environmental-registry.s3.amazonaws.com/2024-04/Proposed%20Provincial%20Planning%20Statement,%20April%2010,%202024%20-%20EN%20(2).pdf)

¹¹ <https://files.ontario.ca/mmah-place-to-grow-office-consolidation-en-2020-08-28.pdf>

the previous 15 years combined.¹² MZOs and the powers they afford make it much easier for developers to destroy wetlands and other sensitive ecosystems regardless of the impact.

Recommendations:

- Restore and enhance the Growth Plan for the Greater Golden Horseshoe and the broader protections it provides for wetlands within the Greater Golden Horseshoe.
- Revoke subsections 47 (1.1) to 47 (1.3) of the *Planning Act* so that Minister's Zoning Orders (MZOs) must follow all provincial planning policies and avoid severe threats to wetlands.

Restoring and Implementing Existing Laws to Safeguard Ontario's Wetlands

On top of everything, the province has quietly abandoned its 2017-2030 Wetland Conservation Strategy. The strategy was created to stop wetland loss, restore wetlands in areas where losses have been the greatest, and establish a common focus to protect wetlands in Ontario. The success of the strategy would have been measured against two overarching targets: 1) By 2025, the net loss of wetland area and function is halted where wetland loss has been the greatest. 2) By 2030, a net gain in wetland area and function is achieved where wetland loss has been the greatest.¹³

These targets could have been achieved with the help of other laws and policies, including the Great Lakes Protection Act, 2015. The purpose of the Great Lakes Protection Act is to protect and restore watersheds, wetlands, beaches, shorelines and coastal areas of the Great Lakes-St. Lawrence River Basin and provides the tools to achieve these protections.¹⁴

By disregarding this strategy the province has, once again, neglected wetland protection. The strategy's accompanying targets are no longer in effect, leaving Ontario with no way to measure conservation success.

Recommendations:

- Restore and effectively implement existing laws, and policies such as the Wetland Conservation Strategy for Ontario (2017-2030) as well as the Great Lakes Protection Act (2015) to set and enforce targets for wetland protection.
- Develop a strong framework to support the restoration of wetlands that have been degraded or destroyed with the goal to achieve a net gain of wetland area.

In Conclusion:

The weakening of provincial policies, programs, and regulations has left Ontario's wetlands unprotected and communities at risk.

In order to effectively protect our remaining wetlands, the province must change course and make wetland protection a priority—no more wetland loss. If changes aren't made, Ontario could lose its remaining wetlands along with the critical services they provide. We cannot let that happen.

¹²

<https://environmentaldefence.ca/2020/08/28/may-never-heard-ministers-zoning-order-used-ok-not-anymore/#:~:text=The%20Ontario%20government%20is%20using%20a%20tool%20to,for%20special%20cases%2C%20but%20has%20now%20become%20routine.>

¹³ https://files.ontario.ca/mnr_17-075_wetlandstrategy_final_en-accessible.pdf

¹⁴ <https://www.ontario.ca/laws/statute/15q24>



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Environmental Defence gratefully acknowledges the generous support from the KEN AND DEBBIE RUBIN PUBLIC INTEREST ADVOCACY FUND for making this backgrounder possible.

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