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Bill 140 would strip Ontarians of their right to protect their communities

On October 27, 2026, the Ontario government introduced Bill 140. Among its many proposed changes are amendments to Ontario's *Environmental Bill of Rights, 1993* (EBR) that would strip away important public environmental rights.

For more than 30 years, the EBR has given people in Ontario a meaningful voice in provincial decisions that affect their air, water and land.

For example, the EBR lets people comment on environmental proposals, request investigations of suspected violations, and ask the government to review outdated laws and regulations. It lets people appeal unreasonable approval decisions that may cause significant environmental harm.

If passed, Bill 140 would eliminate these important and long-held rights to influence environmental decisions and seek investigations of suspected pollution violations.

These rights matter because people know their communities best. Communities have used these tools to question landfill expansions, challenge air pollution, and push for more monitoring of environmental impacts. Bill 140

would make it harder for them to protect themselves and hold the provincial government accountable.

The net result of Bill 140 will likely be more pollution, increased environmental degradation, and greater health risks for Ontarians.

CELA is calling on the Ontario government to withdraw Bill 140. Here's what you can do:

- Contact your MPP and ask them to oppose Bill 140.
- Share this newsletter with your neighbours and community groups.
- Tell the government before November 26th to withdraw Bill 140.

Watch for a CELA Action Alert next week, along with our detailed analysis of what the Bill means for Ontario's environmental protections.

Have you used Ontario's Environmental Bill of Rights?

We want to hear from you.

Bill 140 would take away rights that people across Ontario have relied on for more than three decades. We're gathering real stories that show what these tools have meant for communities.

Have you, your organization, or your community group ever:

- filed an Application for Investigation of a suspected environmental violation,
- filed an Application for Review of an outdated law, regulation or policy, or
- sought leave to appeal a provincial environmental approval?

If so, please tell us about it. Your experience can help show decision-makers what Ontarians stand to lose.

Share Your Story

Casework

Fast-Tracking High-Level Risk: On behalf of our client, We the Nuclear Free North (WTNFN), CELA has [filed comments](#) opposing the federal proposal to list the Nuclear Waste Management Organization's [Deep Geological Repository](#) for used nuclear fuel as a project of national interest (PONI) under the *Building Canada Act*. Used nuclear fuel is highly radioactive and inherently dangerous. No facility like this has ever been completed anywhere in the world. A PONI designation would effectively pre-approve the project before the federal impact assessment process, which has just begun, evaluates its risks. WTNFN is urging the federal government to let the impact assessment fully run its course, and to keep Cabinet's option to refuse approval.

Court Dismisses Challenge to Governmental Inaction on Water Pollution: On behalf of [Grassy Narrows First Nation](#), CELA and co-counsel at Cavalluzzo LLP commenced a judicial review application that challenged provincial refusals to issue enforceable statutory orders to address water pollution issues related to mining operations in the river system upstream of the Grassy Narrows community. However, Ontario's Divisional Court recently released a decision that dismissed the challenge for legal reasons, but recognized that Grassy Narrows had raised "serious environmental concerns" about the deposit of various contaminants into local waters (i.e. sulfate discharges that facilitate the formation of methylmercury, which is a neurotoxin that bioaccumulates in fish and poses significant health risks to consumers of fish).

Friends of Butternut Creek: CELA is representing the Friends of Butternut Creek, a Kingston community group, in an upcoming hearing before the Ontario Land Tribunal (OLT). A developer is seeking to expand the City of Kingston's urban boundary to permit a residential subdivision of approximately 200 housing units.

The property is ecologically significant and is adjacent to Butternut Creek, the eastern natural boundary between urban and rural Kingston. The group's main concerns are the potential impacts of the proposed development on Butternut

Creek and the surrounding wetlands, streams, forests and wildlife habitat. The property also has inferred karst features.

CELA successfully obtained party status on behalf of the group at a Case Management Conference before the OLT on October 7th. The OLT has scheduled a fifteen-day hearing commencing on April 12, 2027

Inside CELA

LCO Board Appointment: CELA is pleased and proud to congratulate Ramani Nadarajah on her appointment to the board of governors of the Law Commission of Ontario (LCO). Ramani has extensive experience in environmental and administrative law, law reform, and public policy. Ramani also has a longstanding connection to the LCO, having served as Policy Counsel there from 2022-2023 where she led the Environmental Accountability project.

Law Reform

CELA Urges Passage of First Nations Clean Water Act: This legislation (Bill C-37), introduced in June, passed second reading earlier this month and has been referred to the Standing Committee on Indigenous and Northern Affairs.

CELA submitted our written analysis, and Executive Director Theresa McClenaghan appeared before the committee earlier this week. CELA is advocating for rapid passage of this critical legislation, while also pushing for two key amendments. You can read a summary of our comments on our website.

Hamilton Passes Ontario's First Maximum Temperature By-Law: Earlier this month, Hamilton became the first city in Ontario to cap indoor temperatures in rental homes at 26C. The by-law is a two-year pilot that applies only to Ward 2, with expansion planned for 2029. CELA and partners have long advocated for protection extreme heat in rental housing. We're calling on Hamilton to expand the program citywide, and on other municipalities to follow its lead.

CELA Opposes Key Parts of Bill C-39: Bill C-39, the *Building Canada Stronger Act*, was introduced in September. Part 1 of the bill proposes to change how projects are evaluated, amending laws including the *Impact Assessment Act*, the *Building Canada Act*, and the *Canadian Environmental Protection Act*. CELA strongly opposes key provisions in Part 1. If enacted, they would significantly erode environmental safeguards, reduce public and Indigenous participation in federal decision-making, and undermine government accountability. CELA is calling for the provisions to be removed. CELA also recently published a blog discussing the rapid rollback of federal environmental laws, including Bill C-39.

Canada's First National Water Security Strategy: The Canada Water Agency is developing Canada's first Water Security Strategy. CELA recently responded to the online consultation - our responses covered the challenges facing Canada's freshwater sources and the solutions needed to protect them for future generations. CELA also signed on to a joint submission with a number of other environmental organizations. It sets out three pillars for the strategy:

- Enabling the Canada Water Agency to advance Integrated Watershed Co-Management
- Community Level Stewardship: A Whole-of-Society Approach to Watershed Security
- Balance Development Priorities with Investment in Watershed Security

The joint submission aligns with the inherent, constitutionally protected rights, laws, knowledge, and governance of Indigenous peoples. It also calls for meaningful support for First Nations, Inuit, and Métis leadership as a foundation of the strategy.

Events

Know Your Rights – Air Quality Information and Legal Pop-Up Clinic

- **Thursday, November 12, 2026**
- **7:00 - 8:30pm**
- **City Lounge, Hamilton Stadium**

Have you been affected by air pollution in your Hamilton neighbourhood? Odours, dust, grime, or other air quality concerns? Come speak one-on-one with a lawyer from the Canadian Environmental Law Association. This free, confidential clinic will offer general information about your legal options if you've experienced impacts from air pollution. Lawyers can answer general questions, explain legal options, and connect you with further resources.



[Learn more](#)

Canada Home Energy Justice Conference: The Low-Income Energy Network (LIEN) co-hosted the 2026 CHEJ Conference with Efficiency Canada and Ishkoday in Ottawa earlier this month. The conference brought together advocates, policymakers, researchers, and people with lived experience to advance solutions to energy poverty. A highlight was Senator Mary Coyle's

introduction of Bill S-251, which would establish a national strategy to end energy poverty

Energy Poverty Day on the Hill: LIEN's Stakeholder Engagement and Energy Policy Analyst, Zee Bhanji, joined advocates from across Canada at Energy Poverty Day on the Hill in Ottawa on October 8, organized by Efficiency Canada. Advocates met with MPs, senators, and staff to build support for Bill S-251 and call for a national energy poverty strategy that prioritizes low-income households.



RentSafe Climate Resilience Roundtable: On October 20, LIEN and CELA took part in the RentSafe Intersectoral Roundtable in Toronto. The roundtable was hosted by the Canadian Partnership for Children's Health and Environment (CPCHE) and brought together tenant advocates, legal experts, public health professionals, municipal representatives, and community groups to explore how to better protect low-income renters from climate impacts. CELA's Jacqueline Wilson spoke about legal and policy protections such as maximum indoor temperature standards. LIEN shared approaches to energy equity, affordable retrofits, and tenant protections. Participants identified opportunities for collective action toward safer, healthier, more climate-resilient rental housing.

Resources

Climate-Resilient Housing: CELA has published a new memorandum on climate resilience in rental housing, looked at through a human rights lens. Under international law, everyone has a right to adequate housing, and that right has been recognized in Canada's National Housing Strategy. As extreme heat, flooding, and other climate impacts worsen, homes that can't keep tenants safe raise human rights concerns. The memo finds there is support for treating climate risks in low-income rental housing as human rights issues.

Report on Climate Change and Health Vulnerability Assessments: The health and environmental effects of climate change continue to worsen across Canada, especially for vulnerable communities. Ontario Public Health Units have published climate change and health vulnerability assessments. In this new report, CELA examines the results of those assessments and make recommendations for Ontario Public Health Units as they continue to analyze the impacts of climate change on the people living in their communities.

Report: Acknowledged and Deferred: CELA recently published a report that finds the design of the Canadian Nuclear Safety Commission's (CNSC) regulatory process leaves significant public concerns unresolved when major licensing decisions are made and instead defers them to later processes with little or no public participation.

Centering Tenants in Building Emissions Performance Standards - LIEN's Focus Group and Report: With support from The Atmospheric Fund, LIEN held a virtual focus group with organizations serving low-income tenants. Participants explored how Building Emissions Performance Standards (BEPS) could affect renters, from risks like renovictions to benefits like better comfort and affordability. LIEN has since published a report with recommendations for building tenant protections into BEPS policies.

Need Legal Services?

If you have an environmental justice issue, we may be able to help.

We provide free, confidential legal help to people living on low income as well as vulnerable, under-resourced or Indigenous communities.

We also provide environmental justice legal advice to individuals and groups regardless of income.

Complete an online intake form, call our office at 416-960-2284 or 1-844-755-1420 ext 7216, or email us at articling@cela.ca.

[Click here to complete an intake form](#)

Support Our Work

The Canadian Environmental Law Foundation raises funds to support environmental research, education, and access-to-justice initiatives.

In addition, the Foundation works to preserve and make accessible the history of environmental law in Canada so that future generations can learn from the past. This includes our digital and physical library and archival holdings.

Your gift today will help mentor the next generation of environmental lawyers and sustain the research and education needed to ensure environmental law continues to evolve.

[Support Our Work](#)

From the Foundation

October Feature: This month's feature from the Foundation is from our Environmental Beginnings collection. Titled "Birth of the Environmental Bill of Rights", it talks about how the *Environmental Bill of Rights, 1993* was developed and feature first hand accounts from CELA Counsel Rick Lindgren, former CELA Executive Director Paul Muldoon, and Ruth Grier, former Minister of Environment.

Forward to a Friend

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