



**Ontario**  
Home Builders'  
Association

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EA Modernization Project Team  
Environmental Assessment Modernization Branch  
135 St Clair Ave West 4th Floor  
Toronto, ON M4V 1P5

**RE:**

**ERO 019-5069 Notice of amendment: Municipal Class Environmental Assessment**

**ERO 019-6693 Evaluating municipal class environmental assessment requirements for infrastructure projects**

The Ontario Home Builders' Association (OHBA) thanks the Ministry of the Environment, Conservation and Parks for the opportunity to comment on modernizing the Environmental Assessment process to make it more agile, current and predictable. OHBA is overall glad to see the Ministry move ahead on a number of changes that will make it easier to build the housing supply we need while preserving our natural green spaces.

An Environmental Assessment regime in Ontario that is more agile is the ultimate goal to ensure the system is ultimately meeting its goals. In order to provide specific feedback on the proposals, OHBA has prepared the following feedback on the proposed sections of the Ministry's Municipal Class Environmental Assessment guide as well as a review of municipal class environmental assessment requirements for infrastructure projects.

**Review and Feedback on Notice of amendment: Municipal Class Environmental Assessment**

Page 26 – Eligible for Screening to Exempt – OHBA notes that the second paragraph states that proponents are “strongly encouraged to consider whether notice about the project should be give or consultation on the project should be carried out beyond that required by the screening process). In order to deliver more homes faster, this statement reads as counterintuitive, if the appropriate process is followed. OHBA recommends the Ministry reconsider this.

Page 31 – The Notice of Commencement form submissions for Streamlined Class EA's. For the purpose of this process the Ministry has an opportunity to provide input on projects. OHBA requests that this section be clarified or modified as necessary to exclude “exempt” projects from being subject to any further input.

Page 86 – A.3.7 - Ministry contact for Indigenous Communities consultation. OHBA requests that specific contact person/department/information be provided at the Ministry to further streamline this for all groups, Indigenous Communities and proponents. OHBA strongly recommends that the Ministry officials responsible for providing a consultation list should have deadlines associated with the distribution of that information in a timely manner.



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Page 163 – Screening Process – Step 6 – The points of contact with the public and Indigenous Communities should be consistent with the *Planning Act* process as opposed to each of the key decision-making milestones, which would otherwise unnecessarily significantly slow down the process.

Page 169 – Table A – Municipal Road Projects – Item 14b – OHBA appreciates the effort to streamline collector roads that are implemented through the planning process. The currently proposed screening process however opens up the process to increased risk based on the enhanced consultation relative to the mandatory *Planning Act* process. A suggested alternative is to either:

- Simply combining Collector Roads with Local Roads as being Exempt (both are planned through the same *Planning Act* Process and follow the same planning, design and consultation process), or
- Utilize the same approach as item 37 (Water Crossings) and make this a Schedule B project without the screening exemption since all of the analysis and consultation is already required and completed through the *Planning Act* process.

Page 173 – Table A – Reconstruction of Roads with Increase to Travel Lanes – Item 33 – Projects initiated as part of a *Planning Act* application (i.e. boundary road improvements to accommodate transportation requirements for a new Secondary Plan area) will undergo a rigorous planning, design and consultation process. It would be very appropriate to also allow a Screening Process exemption for this item since it is no different than the process undertaken for the internal road assessments.

Page 173 – Table A - Reconstruction of Roads with Increase to Travel Lanes – Item 34 – OHBA notes that this item generally includes “construction of new roads or other linear paved facilities”. A clarification is required to identify how local and collector roads are in a different category and aren’t captured in this “new roads” category.

Page 174 – Table A – Reconstruction of Bridges with Increase to Travel Lanes – Item 37 – OHBA notes that regarding construction of New Water Crossings, it is very helpful to have “culverts” excluded from this category, and also very helpful to have bridges moved to schedule B, which will allow projects planned through the *Planning Act* process to be appropriately recognized.

Page 177 – Table A – Drinking Water Systems – Items 10a and 10b seem to overlap with other items in the table. A new well (9d) or a new water distribution system (4 a-c) are not Schedule C items. However, a new Water Treatment Plant is a schedule C item per item 15c. On this basis, OHBA requests that items 10A and 10b simply be deleted since all the other items already confirm the Class required depending on the water system components utilized.

Page 180 – Table A – OHBA notes that item 24d applies to a sewage pumping station that is not next to an environmental area. Many pumping stations are located at the site low point which is often next to a valley feature. There doesn’t appear to be an item in Table A that covers this situation. If planned through a *Planning Act* application, the pumping station will undergo a strict planning, design and consultation process and should therefore also fall under a Schedule B process.



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Page 180 – Table A – Item 27 – OHBA notes that this item pertains to new sewage systems with outfalls to a receiving water body and identifies it as a Schedule C project. Since “sewage” includes stormwater, this item must have a condition to note that it excludes stormwater discharge or that it only applies to treated sanitary sewage effluent.

Page 181 – Table A – item 35 – OHBA notes that there is no specific item for a “new” flow equalization tank or influent/effluent control structure, there are only items for adding those structures to an existing system and they are listed as Schedule B items. OHBA requests clarity on how a “new” flow equalization tank or influent/effluent control structure is to be classified. It follows that it should also be a Schedule C item instead of falling into Item 35 which is more of a holding tank situation as opposed to an inflow attenuation facility. Since these structures are routinely implemented as either interim or long-term solutions to expedite new growth, a separate item should be created with a Schedule B category.

Page 185 – Table A – Item 57 – Diverting flows from one watershed to another – OHBA notes that this item is of concern since most large development areas will inevitably have some minor diversion of flows between watersheds based on the realities of site design, grading and achieving municipal design criteria. In other instances, there are land use constraints that require a minor flow diversion to be undertaken via pipe or diversion channel. OHBA requests clarity on how the Ministry differentiates between a significant or insignificant diversion of flow.

### **Review & Feedback on Evaluating municipal class environmental assessment requirements for infrastructure projects**

OHBA strongly supports the proposal to revoke Municipal Class Environmental Assessments (EA) to low-risk projects and any projects administered through the planning process.

The Environmental Assessment Act and system in Ontario has undergone only minor changes throughout its history and the proposed changes to end the Class EA process for low-risk projects will help dramatically improve timelines for crucial infrastructure that underpins new housing supply. Furthermore, this change will help Ministry staff focus on more environmentally sensitive projects which will result in better environmental protections overall.

We thank the Ministry for the opportunity to comment on these proposals. We also recognize that there is still more work to do and OHBA as a critical housing stakeholder in the housing sector may provide further comments at a later date. We look forward to continuing engaging with the Ministry in order to ensure these proposals are aligned with the goals of improving housing attainability.