

May 3, 2023

EA Modernization Project Team  
Environmental Assessment Modernization Branch  
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## Public Works

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To EA Modernization Project Team:

### **Re: Evaluating municipal class environmental assessment requirements for infrastructure projects (ERO 019-6693)**

Thank you for the opportunity to comment on *Evaluating municipal class environmental assessment requirements for infrastructure projects (ERO 019-6693)*. Peel Region appreciates the review of the Environmental Assessment (EA) Act requirements for municipal infrastructure projects such as roads, water, and wastewater that currently follow the Municipal Class Environmental Assessment (MCEA). Reducing duplication in EA requirements can improve the timing of critical infrastructure.

While Peel Region supports these efforts to reform the EA and MCEA processes, it is important to ensure that a revamped MCEA continues to provide for environmental protections and public consultation. Peel Region staff's comments and questions on this proposal are outlined below.

### **GENERAL COMMENTS**

The requirements of the MCEA need to be carefully reviewed against any similar requirements of other legislation, planning processes or authorizations as they may differ in scale. For example, although many municipalities prepare and update Master Plans for infrastructure, the impacts are often assessed at a broader scale than for site-specific plans for local roads and/or subdivisions. The Municipal Class EA facilitates a process that verifies the need for infrastructure, and the best method for implementation, based on the local context. Impacts and mitigation measures are based on local environmental conditions and community input that otherwise may not be captured, which could weaken environmental oversight and consultation efforts. Therefore, Peel Region staff recommends that:

- Systematic evaluation of alternative methods or design concepts, and public and stakeholder consultation at key project milestones be retained in the process.
- The related regulations for similar projects in municipalities that are led by other proponents should be included in this review to ensure that planning for critical infrastructure is achieved with the same rigorous environmental protection and consultation requirements as municipalities.

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## SPECIFIC COMMENTS

Peel Region staff have several comments and questions regarding the Ministry's request for feedback on changes to the EA process requirements for municipal projects subject to the MCEA:

- **Ambiguity in the term "streamlined process"** – There is mention of a "streamlined process" to reduce project timelines, but it is unclear what this process entails or how it would work. It would be helpful to have more details on the specific steps that would be taken to streamline the process. Furthermore, a clearer definition of what is classified as a "low risk project" that includes examples and their associated EA schedules would be helpful for all proponents to better understand this term.
- **Trade-off between timelines and consultation:** The proposal suggests that reducing timelines for projects can be achieved while still providing opportunities for consultation and environmental oversight. While this would be ideal, in some cases it may be necessary to sacrifice consultation and oversight to achieve faster timelines, and this trade-off should be acknowledged and discussed.
- **Impact on consultation and oversight:** The proposal suggests that using the MTO Class EA would provide a consistent approach to assessing highways. However, it is unclear how this would affect public consultation and environmental oversight. It would be helpful to have more information on how public input would be incorporated into the streamlined EA process.
- **More detail about B" and "C" classifications:** Regarding the Group "B" and "C" classifications, details on what constitutes "major" and "minor" improvements to existing transportation facilities is required. The classification of a project into these categories can significantly impact the level of assessment and consultation required. Therefore, it would be important to have clear criteria for determining whether a project is a major or minor improvement.
- **Next steps and transition:** Peel Region would appreciate more details on the next steps, when the new amendments will be in effect, how ongoing EAs will be impacted and if there are any transition plans. In particular, Peel Region would like to know how the proposed changes could impact GTA West Transportation Corridor Project (Highway 413) EA, details of which are outlined below.

### GTA West Transportation Corridor Project (Highway 413) EA

Peel Regional Council is on record as strongly opposing any and all advanced construction associated with preparations for a GTA West highway and Transmission Corridor. While Peel Region is opposed to any preliminary design and construction work, we realize that there is a need to complete the EA for this corridor.

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As requested in Peel Region's January 2022 response to ERO Posting 019-4219, staff seek further clarity on whether this regulation would impact new EAs only, or also impact existing and ongoing individual EAs that no longer meet the requirements of this regulation. In particular, it is unclear about whether this regulation would impact the Highway 413 EA and how it relates to *ERO 019-1882 Proposed regulation for a streamlined environmental assessment process for the Ministry of Transportation's Greater Toronto Area West Transportation Corridor project*. Clear answers to these questions would help Peel Region to plan for the growth in this particular area of the GTA West region.

## CONCLUSION

Peel Region supports efforts to reform and streamline the MCEA requirements that not only improve timelines for the completion of infrastructure projects, but also ensure environmental protection and public consultation. To better assess whether the proposal meets those objectives, municipalities such as Peel Region would benefit from having more details and clarity about the proposal, as there are still several unknowns.

If you have any questions or require more information, please contact Syeda Banuri, Project Manager, Infrastructure Programming Transportation, at [syeda.banuri@peelregion.ca](mailto:syeda.banuri@peelregion.ca).

Kind Regards,



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