



RESIDENTIAL AND  
CIVIL  
CONSTRUCTION  
ALLIANCE OF  
ONTARIO

**Constructing Ontario's Future**

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December 1, 2015

The Honourable Glen R. Murray  
Minister of the Environment and Climate Change  
77 Wellesley Street West  
11<sup>th</sup> Floor, Ferguson Block  
Toronto, ON M7A 2T5

Dear Minister:

Re.: Review of Municipal Class EA Processes

Please find attached comments and recommendations prepared by the Residential and Civil Construction Alliance of Ontario (RCCAO) in support of the recent submission made by the Municipal Engineers Association (MEA).

Independent research commissioned by RCCAO reveals that costs to complete the Class EA process continue to rise and that the time to go through the process is taking longer than even a few years ago: 27 months on average without any Part II Order request, but a further 12 months if a Part II Order request is made. RCCAO encourages your Ministry to continue its efforts to modernize environmental approvals. In the case of the Class EA system, it is clear that a more efficient process is needed and the MEA's recommendations will go a long way to meet that objective. As RCCAO's submission points out, the delays are occurring in part because more requirements are being added to the process even though in many cases these are basic municipal infrastructure projects.

For more than a quarter of a century, routine construction, operation and maintenance of municipal infrastructure was classified as pre-approved under the Schedule A and A+, meaning these projects were excluded from a Part II Order request. As MEA has previously advised, this could mean that routine municipal snow plow operations could be delayed, thus exposing the public to safety risk and the municipal sector to liability if snow clearing is held up for an entire winter cycle. RCCAO completely supports the MEA position that Schedule A projects are pre-approved and thus exempted.

During a meeting attended by MEA, Peel Region and RCCAO representatives this past spring, Ministry staff indicated that there have been no examples where the public has triggered this type of situation through a Part II Order request so that this should not be a concern. In our respectful opinion, this type of response not only is irresponsible but also ignores the commitment that was made to address the unfortunate situation that was created by the Ministry's own legal advisors in 2011. In fact, this legal interpretation indicates a profound misunderstanding of the entire history and intent of the Class EA process as developed in the 1980s.

RCCAO would be pleased to discuss any of the recommendations in the attached response.

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Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Andy Manahan', with a long horizontal flourish extending to the right.

Andy Manahan

Copy to:

Hon. Brad Duguid, Minister of Economic Development, Employment and Infrastructure

Hon. Steven Del Duca, Minister of Transportation

Reg Russwurm, President, Municipal Engineers Association

Paul Knowles, Chair, MCEA Monitoring Committee