

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

**ERO Number:** 019-6693 | [Evaluating municipal class environmental assessment requirements for infrastructure projects](#)

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### **The West End Home Builders' Association (WE HBA)**

The West End Home Builders' Association (WE HBA) is the voice of the land development, new housing and professional renovation industries in Hamilton. The WE HBA represents 300 member companies made up of all disciplines involved in land development and residential construction. The residential construction industry employed over 550,000 people, paying \$37.7 billion in wages, and contributed over \$76.9 billion in investment value across Ontario in 2021.

The WE HBA is coordinating our public policy response with input from members across Ontario. WE HBA proudly affiliated with the **Ontario Home Builders' Association (OHBA)** and is working in conjunction with the **Building Industry and Land Development Association (BILD)** and the **Greater Ottawa Home Builders' Association (GOHBA)** with respect to our recommendations to government.

### **Environmental Registry Background**

We are proposing to evaluate the need for Environmental Assessment Act requirements for municipal infrastructure projects that are currently required to follow the process under the Municipal Class Environmental Assessment (e.g., roads, water, and wastewater systems projects).

An Environmental Assessment regime in Ontario that is more agile should the ultimate goal to ensure the system is ultimately meeting its goals. In order to provide specific feedback on the proposals, WE HBA has prepared the following feedback on the proposed sections of the [Ministry's Municipal Class Environmental Assessment guide](#). We hope the Ministry is able to respond to these comments where possible and provide additional clarity where requested.

### **Detailed Feedback**

Page 26 – Eligible for Screening to Exempt – WE HBA 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 the spirit of being able to deliver more homes faster, this statement seems counterintuitive, if the appropriate process is followed. WE HBA 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. WE HBA 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. WE HBA requests that specific contact person/department/information be provided at the Ministry to further streamline this for all groups, Indigenous Communities and proponents. WE HBA 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.

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 – WE HBA 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. Suggested alternatives include:

- Making the public and Indigenous Communities consultation consistent with the *Planning Act* process
- 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)
- 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.
- Considerably increasing the cost threshold for Schedule B projects (in addition to the screening exemption) to say \$40M (which would allow 4 collector roads through a 1000-acre Secondary Plan block)

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 – WE HBA 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 – WE HBA 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, WE HBA 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 – WE HBA 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.

Page 180 – Table A – Item 27 – WE HBA 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 – WE HBA 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. WE HBA 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 – WE HBA 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. WE HBA requests clarity on how the Ministry differentiates between a significant or insignificant diversion of flow.

#### **Closing Comments**

WE HBA thanks the provincial government for the opportunity to submit these comments. Our members believe that the provincial government has recognized the severity of our housing supply crisis and have taken bold and definitive action with these proposed legislative and policy changes. We trust that you will take our comments and recommendations into consideration, and we look forward to the outcome of these consultations.

Regards,



Mike Collins-Williams, MCIP, RPP  
Chief Executive Officer  
West End Home Builders' Association