



Office of the Commissioner
Environmental Services Department

MEMORANDUM

To: Members of Committee of the Whole

From: Erin Mahoney, M. Eng.
Commissioner of Environmental Services

Paul Jankowski
Commissioner of Transportation Services

Date: May 30, 2019

Re: **York Region Response – Modernizing Ontario’s Environmental Assessment Program – ERO 013-5102**

This memorandum provides Council with information about York Region’s staff response to the provincial government’s proposed modernization of Ontario’s environmental assessment program, as posted on the Environmental Registry of Ontario and found within Schedule 6 of Bill 108 (Amendments to the *Environmental Assessment Act*).

Due to the short consultation timeframe, it was not possible to bring the attached response to York Region Council for endorsement prior to submission; however, should Council have any additional comments, Regional staff will forward them to the Province.

Changes urgently required to deliver on the provincial growth plan

York Region has advocated for changes to the environmental assessment process for a number of years and supports the Province taking a leadership role to modernize the program. The need for change has taken on greater urgency given the housing affordability crisis in the Greater Toronto Area. Although York Region is required to achieve population and growth targets under the *Places to Grow Act, 2005*, barriers are consistently encountered in achieving these targets due to challenges related to implementing the services required to support growth (e.g. water, wastewater and roads infrastructure). Addressing the unnecessarily cumbersome environmental assessment processes and adhering to process timelines can help provide the servicing required to accommodate growth.

Environmental assessment processes should focus on mitigating risk to the environment from activities necessary to service communities

The environmental assessment process can be helpful in ensuring projects effectively address infrastructure needs while mitigating environmental impacts. However, the Region has faced numerous issues related to the level of assessment required for low-risk projects, and long timeframes for Part II Order request decisions related to Class Environmental Assessments. These challenges have impacted the delivery of critical infrastructure, with little to no perceptible environmental benefit.

To ensure better alignment between the level of assessment and the level of environmental risk associated with a project, York Region staff recommended that environmental assessments:

- Be limited to projects that have potential to result in significant environmental impacts
- Ensure the level of assessment is proportional to the environmental risk associated with the undertaking
- Support achievement of broader provincial goals, including those in the *Places to Grow Act* Made-in-Ontario Environment Plan, the Affordable Housing Strategy, and other key provincial policy documents and proposals

Current environmental assessment process impediments can be addressed in three key steps

The staff response identified that current challenges can be addressed by the Province by taking three key steps to modernize the environmental assessment process in Ontario:

1. **Exempting Schedule A and A+ projects** as proposed under Schedule 6 of Bill 108 to alleviate project delays and reduce backlogs
2. **Achieving 90-day service standards for provincial reviews/decisions** to help ensure that municipalities can meet growth targets at a reasonable cost to ratepayers
3. **Streamlining processes for water, wastewater and roads** that mirror *Ontario Regulation 231/08: Transit Projects and Metrolinx Undertakings* to help significantly increase the pace of delivery of the critical municipal services required to support growth, especially in the Greater Toronto Area

For further details regarding the Region's recommendations to the Province, please see attached "York Region Response – Modernizing the Environmental Assessment Act – ERO 013-5102)".

Erin Mahoney, M. Eng.
Commissioner of Environmental Services

Paul Jankowski
Commissioner of Transportation Services

Bruce Macgregor
Chief Administrative Officer

Attachments (2)

#9620330