



Public Works

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peelregion.ca

December 18, 2020

Ms. Kate Manson-Smith
Ministry of Municipal Affairs and Housing
777 Bay Street, 17th Floor
Toronto, ON
M7A 2J3

Dear Ms. Manson-Smith:

Re: Ontario Rebuilding and Recovery Act: Accelerating Infrastructure Initiatives Municipal Engagement

Thank you for the opportunity to provide feedback on the Ontario Rebuilding and Recovery Initiative. The following comments and feedback outlined in this letter are in response to the municipal survey questions distributed by the Ministry of Municipal Affairs and Housing on November 18, 2020. This letter is considered to be staff level comments. If additional comments are provided through a Regional Council resolution, they will be forwarded to Ministry staff for further consideration.

The Region of Peel supports the goals of accelerating the delivery of major provincial public infrastructure projects such as transit and highways as well as local linear infrastructure projects. Staff are supportive of these measures in order to strengthen communities, create jobs, increase critical services in the Province, and support future growth within the Region.

We look forward to continuing to provide insights and perspectives throughout the municipal consultation phase to help inform any recommendations brought forward by the Province.

Part 1 - Problem Identification

Q1 -What are the challenges/ barriers that your municipality is facing in moving funded and planned priority infrastructure forward?

- The process for land expropriation lengthens project timelines.
- Requirements for 'Permission to Enter agreements' with homeowners for minor encroachments during construction, contributes to lengthening the time to complete infrastructure projects.
- Utility coordination process is lengthy and challenging
- More transparency from utility companies regarding their cost breakdown
- Further clarity from the Province is requested regarding whether municipalities are required to provide property for hydro aerial swing easements
- Delays in Provincial highway projects resulting in increased traffic volumes on Regional roads (i.e. GTA West resulting in increased traffic volumes on Mayfield Road and Highway 427 Extension, resulting in increased traffic volumes on Highway 50).
- Where Provincial funding is provided, the deadline for completion is often challenging for municipalities to meet.



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- Challenges with addressing deteriorating infrastructure due to the location of where the infrastructure was originally constructed. Most large wastewater conveyance systems were constructed in regulated environmental areas and excessive challenges exist for municipalities to address rehabilitation needs.
- There is a lack of strategic thinking regarding water and wastewater servicing. While the downloading of water and wastewater to municipalities solved many issues, it also created a lack of strategic planning and thinking about the overall benefit of coordinated utility programs. There is a distinct need for an Authority to assist in overall provincial planning of water and wastewater services.
- The Region could benefit from additional resources (i.e. thresholds/ triggers) to review the impact of projects on the environment and infrastructure, especially underground infrastructure such as water/wastewater.

Q2 - Which of these challenges/ barriers are best addressed municipally through existing functions?

- Public Utility Coordinating Committee (PUCC) process
- Road Occupancy Permits
- Municipal By-laws
- Coordination with Conservation Authorities – more power is needed for the municipalities to address infrastructure rehabilitation needs specifically where infrastructure resides in protected areas.
- Improve existing arrangements between municipalities and Conservation Authorities to expedite the delivery of infrastructure projects in regulated and protected areas.

Part 2. Building Transit Faster Act, 2020 Authorities

Q3 - Can or should the authorities included in the BFTA be made available to support municipal infrastructure?

- Yes, including utility related items

Q4 - Which authorities should be scoped for municipal application? Are there any limitations to municipal application?

- Authorities 2 (Ability to Enter Land), 3 (Land Assembly) and 4 (Utility Company Coordination) from appendix C of your November 18th letter would be beneficial for municipal application

Q5 - Which authorities should/ could be used in partnership with the Province?

- Region of Peel staff request more clarity on this question and in particular, whether this means municipalities using the Province's authorities for our own purposes on projects where we are partnering with the Province or on municipal stand-alone projects.

Part 3 - How to Use/ Apply Potential New Authorities

Q6 - What types of categories of infrastructure projects should we consider for any new authorities?

- Active Transportation Infrastructure Projects



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- Road Widening
- Road reconstruction
- Noise walls
- Construction of new roads
- Structure replacement and rehabilitation
- Intersection improvements
- Stormwater improvements
- Shoreline protection and other environmental projects that protect municipalities from long term impacts from quantitative changes in the Great Lakes.
- Projects which protect against environmental discharge including overflow storage and control
- Projects that integrate real time controls to protect against environmental discharge, sewer surcharging, basement flooding and plant overloading
- Projects that assist municipalities to address emerging legislative processes such as Excess Soils Management
- Projects that assist municipalities to address qualitative impacts to source waters
- Projects that assist municipalities to address emerging regulatory criteria for wastewater effluent
- Projects that address challenges and opportunities for inter-regional servicing

Q7 - What key considerations or criteria should be used to assess any proposed new municipal authorities?

- Ethics and upholding the primacy of the Public Interest
- Indigenous Rights and Considerations
- Cost savings
- Time savings
- Legal and regulatory implications and impacts
- Conflicts between competing interests
- Environmental protection
- Economic considerations

Q8 - How might an infrastructure project be identified or designated as being eligible to benefit from accelerating authorities?

- Province is requested to provide municipalities with criteria for designating priority projects that we can apply some of these authorities and exemptions to
- Criteria should be established in consultation with the public and stakeholders
- New authorities could exist in expediting the process for core infrastructure required to support long-term goals
- New authorities could review regulatory impacts on future infrastructure needs
- Designation by Province as priorities to support economic recovery

Q9 - What obligations should run with any delegated/ granted new authorities (e.g. public consultation)?

- Requirement to conduct public and stakeholder consultations
- Upholding the primacy of the public interest
- Consultation with legal departments



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Part 4 – Other Considerations

Q11 - Can you foresee any challenges or obstacles with potential new authorities for municipalities?

- Discrepancies in authority between different levels of municipal government (i.e. Regional vs. Local)

Q12 – With what other parties and/ or stakeholders should the province engage on this topic?

- Conservation authorities
- Ministry of the Environment, Conservation and Parks
- utility companies

We look forward to continuing to work with the Province to accelerate the delivery of major provincial public infrastructure projects in Peel Region and across Ontario. Regional staff would be pleased to discuss any clarifications and provide additional comments as required.

Sincerely,

Adrian Smith, MCIP, RPP
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