



# Municipal Environmental Assessments



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Transportation Advisory Committee (TAC)  
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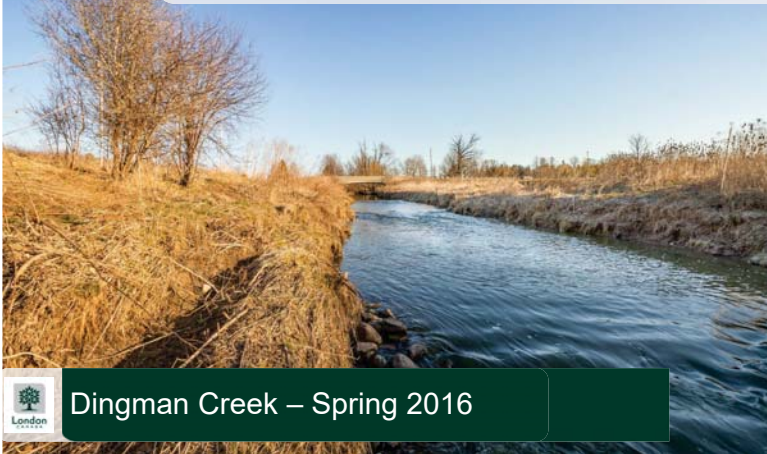


## Outline

- The Environmental Assessment (EA) Act
- The EA Process
- EA Requirements
- Engagement



## Environmental Assessment Act



Dingman Creek – Spring 2016



## Ontario Environmental Assessment Act (EA Act, R.S.O. 1990)

### **Purpose:**

*“Betterment of the people of Ontario by providing for the protection, conservation and wise management of Ontario’s environment”*

### **Overall Objective:**

Ensure environmental effects are minimized and appropriate mitigation is proposed

### **Key Definition:**

Environment includes natural, social, cultural, built and economic environments.



## Ontario Environmental Assessment Act (EA Act, R.S.O. 1990)

The EA Act applies to enterprises, activities, proposals, plans or programs by a public body;

**Therefore, Municipal Infrastructure is Subject to Ontario EA Act**

- It is illegal to build municipal infrastructure (roads, transit, water, wastewater,) without EA Act approval
- Regardless who is building it



## Ontario Environmental Assessment Act (EA Act, R.S.O. 1990)

### **Who Has to Comply?**

- **Those groups who build municipal infrastructure:**
  - Municipalities
  - Ontario Clean Water Agency
  - Public Utility Commission
  - Private Sector (Certain projects with a high environmental impact)



# Ontario Environmental Assessment Act (EA Act, R.S.O. 1990)

## How Can One Comply?

- **By carrying out:**
  1. An **Individual** Environmental Assessment (subject to formal government review and approval) for each project [Part II of EA Act]; or
  2. A **Class** Environmental Assessment for municipal projects in accordance with approved "Parent" project [Part II.1 of EA Act]



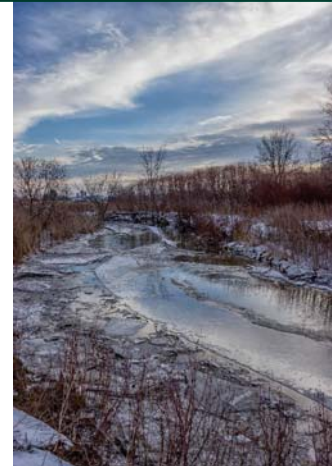
# Municipal Class EA Process

- Municipal Class EA process originally approved in the year 2000.
- Ontario Regulation 334 enables municipalities to follow the approved *Municipal Class EA process* to fulfill EA Act requirements.
- Self assessment process, the proponent is responsible to ensure planning process is followed.
- Typically a consultant is retained by the City to complete the EA requirements.
- Detailed design process follows EA completion.



# Municipal Class EA Process

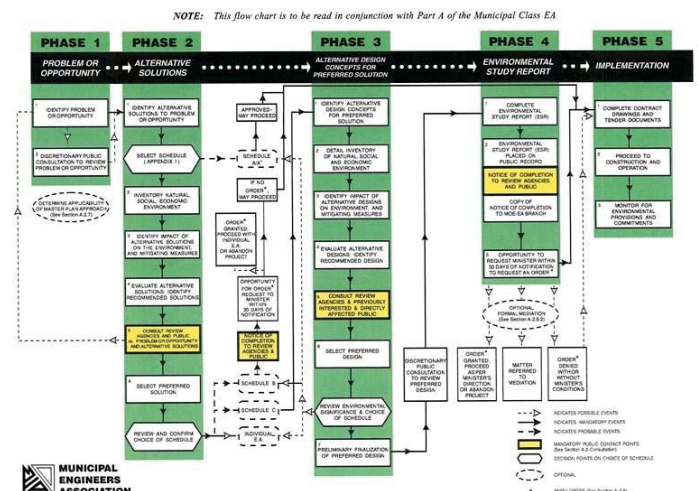
- Key Principles:
  - Public engagement
  - Reasonable range of alternatives
  - Consideration of the effects on all aspects of the environment
  - Systematic evaluation
  - Clear documentation
  - Traceable decision making



# Municipal Class EA Process

Projects are categorized by different schedules: A, A+, B, and C. Based on the project schedule various phases are required.

- Phase 1 - Define problem or opportunity
- Phase 2 - Develop alternative solutions
- Phase 3 - Develop concepts for preferred solution
- Phase 4 - Issue Environmental Study Report
- Phase 5 - Implementation





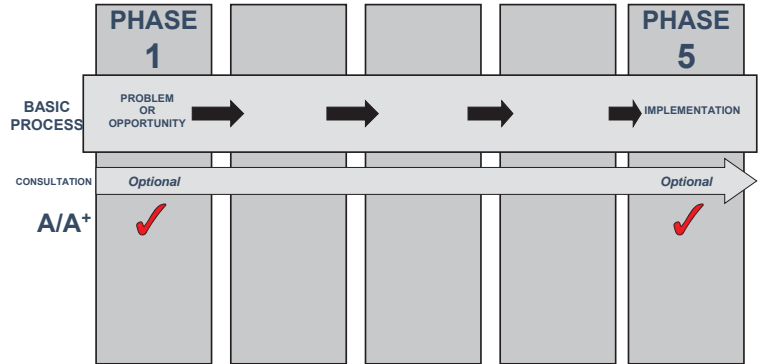
## Schedule A / A+

### Schedule A / A+

- Typically limited in scale
- Minimal adverse environmental effects
- Include normal or emergency operational and maintenance activities
- Pre-approved; proponent may proceed without following procedures set-out in the Municipal Class EA
- A+ projects advise the public prior to implementation
- **Example:** Road resurfacing, sewer reconstruction, reconstructing a failed outlet for a stormwater management pond



## Schedule A / A+

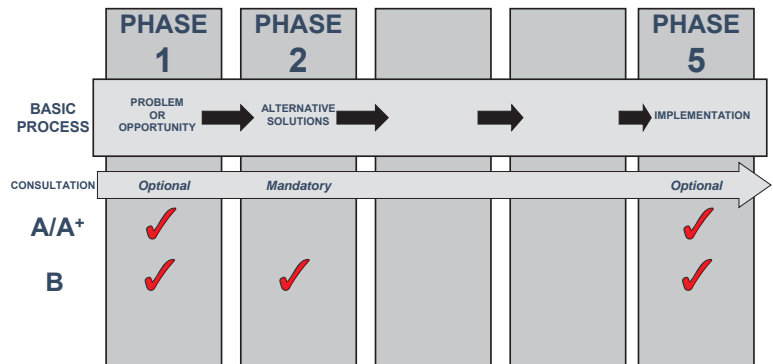


## Schedule B

- Potential for some adverse environmental effects with known mitigation
- Generally include improvements and minor expansions to existing facilities
- Undertake a screening process including mandatory contact with directly affected public and relevant review agencies
- "Project File" is available for a minimum 30 day public review period
- **Example Project:** Road construction or widening <\$2.4m, construct a new stormwater management pond



## Schedule B

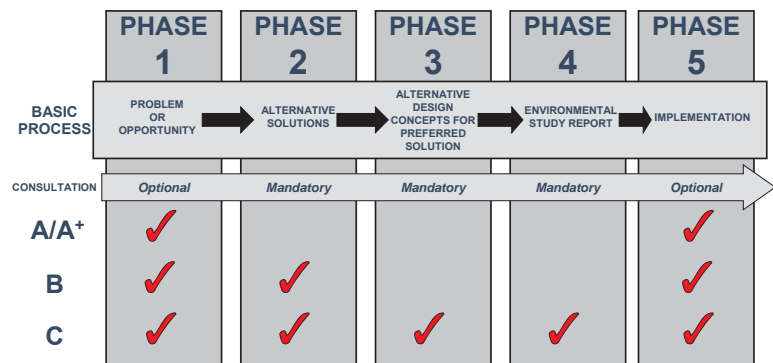


## Schedule C

- Potential for significant environmental effects
- Generally include the construction of new facilities and major expansions to existing facilities
- Must proceed under the full procedures specified in Class EA process
- File Environmental Study Report (ESR) for minimum 30 day public review
- **Example Project:** Construction of new grade separations >\$9.5m, moving an existing watercourse.



## Schedule C





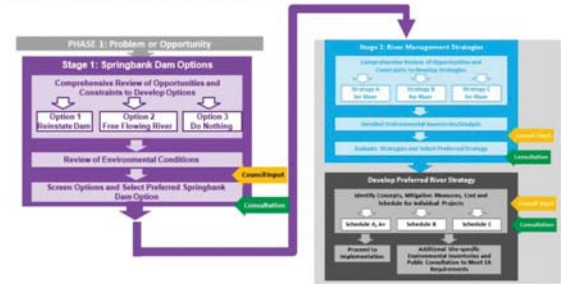
# Master Plans

- Consider systems or groups of related projects.
- Long range infrastructure plans.
- Often integrate existing and future land use planning with EA principles.
- At a minimum address Phases 1 & 2 of the EA process.



# Master Plans – One River

## One River EA Process



# Master Plans

	PHASE 1	PHASE 2	PHASE 3	PHASE 4	PHASE 5
<b>BASIC PROCESS</b>	PROBLEM OR OPPORTUNITY	ALTERNATIVE SOLUTIONS	ALTERNATIVE DESIGN CONCEPTS FOR PREFERRED SOLUTION	ENVIRONMENTAL STUDY REPORT	IMPLEMENTATION
<b>Consultation Requirements</b>	Optional	Mandatory	Mandatory	Mandatory	Optional
<b>A/A+</b>	✓				✓
<b>B</b>	✓	✓			✓
<b>C</b>	✓	✓	✓	✓	✓
<b>Master Plans</b>	✓	✓	✓	✓	✓



# Public Engagement

- The proponent develops a consultation plan
- Consultation: is a two-way communications process between the proponent and affected or interested stakeholders
- Mandatory Contact: Phase 2 (alternative solutions), Phase 3 (design concepts or preferred solution), notice of completion
- 30-day review period of EA document



# Appeal Mechanism

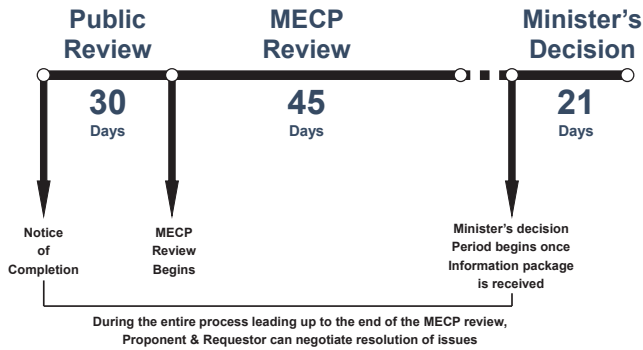
- During the 30 day review period the public can request the Ministry of Environment, Conservation and Parks (MECP) make a **Part II Order Request** to the municipality

### Minister can:

- 1) Deny, with or without Conditions
- 2) Refer matter to mediation
- 3) Order proponent to comply with Part II



## Part II Order – Timeline



## TAC Engagement

- **Role:** to provide recommendations, advice, and information on those specialized matters which relate to the purpose of the advisory committee
- **Mandate:** to advise and support City Council in the implementation of the City's Transportation Master Plan and London Road Safety Strategy by reviewing master planning studies, implementation projects, long term capital plans, land use plans and other planning studies.



## Resources

- Municipal Class Environmental Assessment, YouTube Training Videos (<https://www.youtube.com/user/municipalengineers>)
- Municipal Engineers Association, <http://www.municipalclassea.ca/>

