



November 11, 2024

Heather Malcolmsen
Director, Client Services and Permissions Branch
Ministry of the Environment, Conservation and Parks
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via email: heather.malcomson@ontario.ca

Subject: Environmental Registry of Ontario No. 019-8728 - Proposed regulatory amendments to streamline the approvals process for alterations to municipally owned sewage and water distribution works that are part of transit projects

Please accept this letter as official comment to the Ministry of Environment, Conservation, and Parks' (MECP) proposal on the Environmental Registry of Ontario (ERO) number (No.) 019-8728, focused on streamlining the approvals process for alterations to municipally owned sewage and water distribution works that are included in transit projects.

On August 24, 2023, Metrolinx formally requested consideration for an amendment to Ontario Regulation 208/19 to include Metrolinx as a prescribed person in Section 1(1) or a similar change that would enable Metrolinx's inclusion into the Consolidated Linear Infrastructure Environmental Compliance Approval (CLI EA) program. Upon review of ERO No. 019-8728, Metrolinx understands that MECP is proposing to make the requested change. Metrolinx also understands that MECP is proposing to make changes to definitions under Ontario Regulation 172/03 for consistency with the changes to the prescribed persons definition in O. Reg. 208/19.

Metrolinx generally supports MECP's proposal. However, we offer two comments for consideration to ensure the proposal can be operationalized as intended.

First, the proposal does not indicate how transit authorities will be added to the definition of prescribed persons in O. Reg. 208/19. The current definition requires a prescribed person to carry out the work under an agreement with a municipality pursuant to the *Planning Act* or the *Development Charges Act, 1997*. Although Metrolinx enters into various agreements with municipalities, they are not pursuant to the above-noted Acts. Metrolinx requests that the MECP consider this when amending the definition of prescribed persons.

Second, Metrolinx requests that the proposed changes to O. Reg. 208/19 and O. Reg. 172/03 ensure that Metrolinx or any persons contracted by Metrolinx to carry out the works will be permitted to sign and submit any applications under the CLI ECA program or the DWWP program on behalf of Metrolinx.

Metrolinx would appreciate the opportunity to review the proposed language changes to O. Reg. 208/19 and O. Reg. 172/03.

Thank you for the opportunity to review the proposals and to provide comment and recommendations to the MECP. Please note the content of this letter has been provided online through the comment response option on the ERO posting and is also being shared with you for record keeping purposes. Metrolinx appreciates the efforts made by MECP and is available to discuss these considerations to this proposal (ERO No. 019-8728) further, along with any future opportunities to streamline approval processes to support the construction of transit projects.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Anna Lipa', with a stylized flourish at the end.

Anna Lipa
Director, Third Party & Agreements
Metrolinx

Copies: Aziz Ahmed, Manager, Municipal Water & Wastewater Permissions, MECP
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