



November 7, 2024

Client Services and Permissions Branch (Policy and Program Development Section)
Ministry of the Environment, Conservation and Parks
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Public Works

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peelregion.ca

Dear Permissions Modernization Team:

Re: Proposed regulatory amendments to streamline the approvals process for alterations to municipally owned sewage and water distribution works that are part of transit projects (ERO 019-8728)

Peel Region appreciates the opportunity to comment on the proposed amendments to Regulations 208/19 and 172/03. Peel Region staff's response to one of the discussion questions posed and comments are included below.

PEEL REGION STAFF RESPONSE TO A DISCUSSION QUESTION

Are there other entities that construct or alter sewage or water distribution works that will eventually be transferred to municipal ownership that the ministry should consider designating a prescribed person under O. Reg. 208/19 and defining water distribution works that these entities construct as part of a municipal drinking water system under O. Reg. 172/03?

Water and wastewater infrastructure is owned and operated at the regional (upper-tier municipal) level by Peel Region. Local (lower tier) municipalities are sometimes considered such 'entities', as they may include water and wastewater infrastructure installation or relocation as part of road widening projects. With changes to the Planning Act (in response to Cutting Red Tape to Build More Homes Act) regarding transition of upper-tier municipal planning responsibilities to the lower-tier and the Province, local municipalities would have to remain as one of those entities.

PEEL REGION STAFF COMMENTS

- Peel Region staff see this approach being a benefit, as municipalities will have awareness of planned work. As the owner of the water/wastewater system being extended or altered, the municipality would have to sign off the Form 1 or Form SS1 to consent to the modification/extension before it can be placed into service. Transit authorities performing work on municipal sewers will be subject to all conditions of the Consolidated Linear Infrastructure Environmental Compliance Approval and be overseen by the municipality (in a position of beneficial owner) until connection to the existing system is made. This may give municipalities increased decision-making powers related to design standards, timing, choice of contractors, etc.



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- Where the proposed work is not pre-authorized under the municipal Approval (Drinking Water Works Permit and/or Environmental Compliance Approval), the municipality (system owner) would have to apply to the Ministry for amendment to their Approval. The proposed changes to O. Reg. 208/19 mention an agreement between the municipality and transit authority. Establishing or revising detailed agreements can take months; therefore, the changes to O. Reg. 208/19 must include an effective date with an adequate window of time for finalization of (e.g. 12 months from date of issue).
- Notwithstanding the Ministry's water and wastewater design standards stating that municipal or regional jurisdictions in which the works are located may impose more stringent standards, the regulation must make it clear that the local/regional municipality must have the opportunity to review, consult on, and approve the design and ensure it meets their connection criteria and design standards *before the work begins* (not just before it is connected to the municipal system), to protect municipal water and wastewater systems from non-compliant alterations.

CONCLUSION

Peel Region staff are overall supportive of the proposed regulatory amendments but ask that the Ministry consider the comments provided herein when drafting the changes. Peel Region looks forward to participating in the consultation on the draft regulation.

If you have any questions or require more information, please contact me at anthony.parente@peelregion.ca.

Kind Regards,

Signed by:

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