

January 29, 2026

Ministry of the Environment, Conservation and Parks  
777 Bay Street, 5<sup>th</sup> Floor  
Toronto, ON M7A 2J3

Subject: Environmental Registry of Ontario Postings: 019-7891  
Proposed Environmental Assessment Regulation for Municipal Infrastructure  
- City of Pickering Comments on ERO Posting  
File: A-2200-001

The City of Pickering is pleased to provide comments in response to the Proposed Environmental Assessment Regulation for Municipal Infrastructure.

The City recognizes and appreciates that the intent for the Proposed Environmental Assessment Regulation for Municipal Infrastructure is to maintain robust environmental protections while streamlining processes to reduce delays and unnecessary burdens, particularly for lower-impact projects.

While the proposed changes can help the City by reducing timelines and legislated requirements for many infrastructure projects, the changes also offer an imbalance in terms of requirements for municipalities versus the private development community. This can result in potential risk for the public entities that are ultimately taking ownership of these infrastructure assets once constructed.

Please find the City of Pickering's detailed comments enclosed.

Yours truly



Kevin Heathcote, P. Eng.  
Director, City Infrastructure

KH:mjh  
Enclosure

Copy: Chief Administrative Officer  
Director, Engineering Services

## City of Pickering Comments on ERO Posting

**City of Pickering Detailed Comments on the proposed changes to the *Environmental Assessment Act*****Questions related to Table 1: Projects proposed to be subject to the Archaeological Assessment Process**

1. The City of Pickering requests that the province provide clarification as to why the archeological assessment process is not applicable to private developers for the following road and road-related projects:

| <b>No.</b> | <b>Project Description</b>                                                                                                                                                                                     |
|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>5</b>   | Construction of underpasses or overpasses for pedestrian, cycling, recreational or agricultural use outside of a previously disturbed portion of an existing right-of-way and/or in a utility or rail corridor |
| <b>8</b>   | Reconstruction of a water crossing where the reconstructed facility will not be for the same purpose, use, capacity or at the same location                                                                    |
| <b>9</b>   | Reconstruction of, or alteration to a structure (bridge) or the grading adjacent to it when the structure is over 40 years old where there is an increase in footprint                                         |
| <b>10</b>  | Construction of new water crossings                                                                                                                                                                            |
| <b>11</b>  | Construction of new grade separations and interchanges                                                                                                                                                         |

2. The City of Pickering requests that the province provide clarification as to why the archeological assessment process is not applicable to private developers for the following municipal wastewater projects:

| <b>No.</b> | <b>Project Description</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>39</b>  | Establish new or modify, retrofit or improve LID features outside of a previously disturbed portion of an existing road allowance or utility corridor or where property acquisition is required.<br>LID – Low Impact Development means a stormwater management strategy that seeks to mitigate the impacts of increased runoff and stormwater pollution by managing runoff as close to its source as possible. LID comprises a set of site design strategies that minimize runoff and distributed, small scale practices that mimic natural or predevelopment hydrology through the process of infiltration, evapotranspiration, harvesting, filtration and detention of stormwater. |
| <b>40</b>  | Establish new or expand existing stormwater detention/retention ponds or tanks and appurtenances including outfall to receiving water body where all such facilities are not located in a previously disturbed portion of an existing utility corridor, or an existing road allowance or where property acquisition is required.                                                                                                                                                                                                                                                                                                                                                     |
| <b>41</b>  | Construct a stormwater control demonstration or pilot facility for the purpose of assessing new technology or procedures. Establish stormwater infiltration system for end-of-pipe control and/or for groundwater recharge.                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>42</b>  | Establish stormwater infiltration system for end-of-pipe control and/or for groundwater recharge.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

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3. The City of Pickering requests that the province provide clarification as to why the archeological assessment process is not applicable to private developers for any shoreline or in water works projects identified in Table 1.
4. The City of Pickering requests that the province provide clarification as to why the requirement to consult the public was removed for road and road-related projects that do not require a streamlined EA process or how public consultation will be outlined for these types of projects.

**Questions related to Table 2: Projects proposed to be subject to the streamlined environmental assessment (EA) process**

1. The City of Pickering requests that the province provide clarification as to why the streamlined EA process is not applicable for road and road-related projects specifically, road and road-related projects that consist of new infrastructure being constructed outside of an already disturbed right-of-way where there is a high likelihood of impact to the environment.
2. The City of Pickering requests that the province provide clarification as to why the streamlined EA process is not applicable to private developers for stormwater and shoreline / in water works projects outlined in Table 2.

**General Comments**

1. Any infrastructure that a municipality will assume, own, and maintain should undergo the same EA process, regardless of whether it is initiated by a public or private organization.