

February 3, 2026

EA Modernization Project Team
Environmental Assessment Modernization Branch
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Submitted online

Re: Frontenac Municipal Services (FMS) Submission to ERO Posting 019-7891: *New regulation to focus municipal environmental assessment requirements*

Introduction

Frontenac Municipal Services (FMS) is a publicly owned municipal services corporation serving the County of Frontenac and its four lower-tier municipalities. FMS was established to plan, implement, and ultimately operate communal and decentralized water and wastewater systems to support appropriate growth, housing development, and the long-term economic viability of rural communities in the Frontenac region.

FMS works closely with municipal planning authorities, County and Township staff, and project proponents, primarily during the early planning and feasibility stages of infrastructure development. As a result, FMS has a direct interest in ensuring that modernized environmental assessment (EA) processes are aligned with land-use planning, Indigenous engagement, and infrastructure delivery frameworks.

FMS appreciates the opportunity to provide comments on the Ministry's proposal and offers the following responses to the discussion questions.

Indigenous Engagement

FMS is not a planning authority and does not lead Indigenous consultation. Our work, however, supports and relies on established municipal and County-led engagement processes. Based on our involvement in communal servicing projects, best practices include:

- Early identification of potentially affected Indigenous communities through municipal planning processes and established consultation protocols.
- Engagement at the project concept and feasibility stage, prior to detailed design or infrastructure commitment, particularly where communal servicing is being explored to support housing or employment lands.

- Integration of archaeological and natural heritage considerations into early project screening, including the use of Stage 1 and Stage 2 archaeological assessments and environmental impact studies completed by qualified professionals.
- Clear delineation of roles, whereby municipalities and planning authorities lead Indigenous engagement and archaeological consultation, while FMS ensures that servicing concepts remain flexible and responsive to engagement outcomes.

From FMS's perspective, Indigenous engagement is most effective when embedded within land-use planning and early project feasibility discussions rather than introduced late in the infrastructure approval process. Modernized EA processes should continue to encourage early, coordinated engagement that aligns servicing decisions with planning, archaeological, natural heritage, and Indigenous consultation requirements.

Planning Act Exemption

FMS recognizes that under the current Municipal Class Environmental Assessment (MCEA), certain road, drinking water, and wastewater projects may be exempt where they are required as a condition of approval under the *Planning Act*.

FMS also acknowledges that *Planning Act* approval processes have evolved over time, including changes to appeal rights and timelines. However, there remains a need for a clear, risk-based approach for projects that are already subject to *Planning Act* approvals and coordinated technical review.

This has implications for how *Planning Act* integration is relied upon when considering exemptions for projects that would otherwise be subject to the Municipal Project Assessment Process (MPAP).

From a municipal services and implementation perspective:

- While *Planning Act* processes continue to require detailed technical studies and agency review, including matters related to servicing and environmental protection, they no longer provide the same breadth of appeal mechanisms as in the past.
- Any exemption or streamlined EA pathway should therefore be carefully scoped, transparent, and aligned with MPAP requirements to ensure appropriate public and agency oversight.
- For communal water and wastewater infrastructure that is integral to implementing approved land-use decisions, the EA process should be designed to complement *Planning Act* approvals, avoid duplication, and focus review effort where environmental risk is highest.

FMS acknowledges the Ministry's proposal to subject appropriate projects to an Approach to Assessment (AAP), recognizing that AAP designation will apply to many, but not all, communal water and wastewater servicing scenarios, and that assessment requirements will continue to be determined on a project-specific basis.

Where AAP is applicable, clarity around process scope, proportionality to environmental risk, and alignment with *Planning Act* approvals will be important to avoid unnecessary duplication while maintaining appropriate environmental safeguards.

Planning Processes

FMS supports the Ministry's effort to refine the list of projects subject to the streamlined environmental assessment process by introducing clearer project definitions and capacity-based thresholds. Greater clarity and predictability are essential for municipalities, municipal service corporations, and proponents planning infrastructure to support housing and economic development.

FMS acknowledges and supports the proposed increases to the drinking water system threshold and to the wastewater threshold of 100,000 litres per day, whereby systems at or below this capacity are exempt from the streamlined EA process and systems exceeding this threshold are subject to the MPAP. This approach more accurately reflects the scale, risk profile, and operational realities of communal systems used to support village-scale, mixed-use, and multi-unit rural developments – as well as the practical realities of rural communal servicing.

This change represents a positive step toward a more proportionate, risk-based EA framework. Aligning these increased thresholds will improve regulatory coherence and reduce the likelihood that relatively small, housing-enabling projects are captured by disproportionate approval requirements.

In FMS's experience, communal water and wastewater systems serving small, clearly defined rural communities at or below this threshold rely on proven and standardized treatment technologies and do not constitute large, complex, or high-risk infrastructure.

Environmental risk is appropriately managed through professional engineering design, accredited operating authorities, commissioning and performance validation, and ongoing regulatory oversight. These measures are already embedded in communal servicing projects supported by FMS and provide robust safeguards for public health and the natural environment.

The Province's own infrastructure investments illustrate the appropriateness of this scale. The Township of South Frontenac has been awarded \$3.2 million through the Housing-Enabling Water Systems Fund (HEWSF) to support communal water and wastewater infrastructure for the Verona Housing Project, a village-scale development anticipated to enable approximately 100 new homes. This project will represent the first development to be supported by FMS through communal servicing and demonstrates how systems at or near the proposed thresholds play a critical role in delivering housing in rural communities.

In addition, FMS emphasizes the importance of clear and predictable implementation of the modernized EA framework. Clear guidance on roles, process triggers, documentation expectations, and timelines – particularly where MPAP, AAP, and *Planning Act* approvals intersect – will be essential to provide municipalities, municipal service corporations, and proponents with the certainty required to coordinate infrastructure delivery and support housing outcomes.

Ensuring that streamlined EA thresholds align with housing-enabling infrastructure investments such as HEWSF will help maintain consistency across provincial policy objectives. Thresholds that are set too low risk introducing unnecessary cost, delay, and uncertainty for projects that are already subject to comprehensive *Planning Act* approvals, regulatory oversight, and MECP technical review.

Closing

FMS appreciates the Ministry's efforts to modernize the environmental assessment framework and supports continued refinement of the proposed approach. We would welcome further engagement as the framework is finalized and implemented, particularly to ensure that modernized EA processes support coordinated planning, timely infrastructure delivery, and rural housing and economic development objectives.

Sincerely,

Frontenac Municipal Services (FMS)