

Public Works

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peelregion.ca

February 3, 2026

EA Modernization Project Team
Environmental Assessment Modernization Branch
135 St Clair Ave West, 4th Floor
Toronto, ON M4V 1P5

RE: New regulation to focus municipal environmental assessment requirements (ERO 019-7891)

To the EA Modernization Project Team:

Peel Region thanks the Ministry of Environment, Conservation and Parks (MECP) for the opportunity to comment on the updated proposal regarding municipal environmental assessment (EA) requirements. This feedback builds on comments previously submitted during the March 2024 consultation.

Peel Region supports the Ministry's objective to streamline requirements for lower impact projects and accelerate the delivery of critical housing and appreciates that previous feedback requesting private sector developers be subject to the proposed streamlined EA process for new drinking water treatment systems or plants, and new sewage systems, plants or lagoons was incorporated. However, Peel Region encourages the Ministry to ensure EA modernization retains appropriate environmental oversight, as well as meaningful public engagement, particularly for higher risk projects as well as Indigenous and other equity deserving communities.

Peel Region remains concerned about the proposed exclusion of certain projects under the Municipal Project Assessment Process (MPAP) regulation and the potential effects on environmental protections, public consultation, climate change considerations, and broader stakeholder engagement. Peel Region staff's general and detailed comments on the proposal are summarized below.

General Comments

Peel Region has thoroughly reviewed the proposed regulation and supporting materials. While the intent is to simplify and streamline the environmental assessment process, additional clarity is required regarding environmental oversight, Indigenous engagement roles, public consultation expectations, climate change considerations, and compliance with other applicable environmental legislation. In the absence of defined process guidance, there is a risk that municipalities may experience extended planning timelines, legal uncertainty, and increased complexity despite the proposal's aim to streamline requirements.

As currently proposed, municipalities would continue to be responsible for undertaking necessary technical studies, such as field investigations, evaluation of alternative solutions, and public engagement, even though the aim of these changes is to provide a more streamlined and lower cost alternative to the existing Schedule B and C EA processes. Greater alignment between the regulatory intent

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and the practical requirements faced by municipalities would help manage expectations regarding project timelines and level of effort.

Without clearer guidance and a defined process framework, there is potential for extended planning timelines for municipalities prior to the construction phase. Additionally, Peel Region is requesting clarity regarding a definition of projects that are considered "underway" under the proposed changes.

Specific Comments

PROJECTS SUBJECT TO THE ARCHAEOLOGICAL ASSESSMENT PROCESS

Indigenous Community Consultation and Duty to Consult

Peel Region welcomes the proposed mandatory notification with Indigenous communities and strongly supports seeking their early input. There is sufficient guidance provided in the proposal related to the steps involved in carrying out the archaeological screening process and notifying Indigenous communities. However, the proposed changes provide little information or clarity regarding whether this step is considered as a "duty to consult" or simply engagement with Indigenous communities for the projects which will have no other EA requirements.

Some Indigenous communities have had negative experiences with some licensed consultants in the industry. Accordingly, Peel Region requests that the Ministry consider this history and provide clarity regarding the extent of municipal obligations under the proposed regulation. This guidance is essential to build trust and ensure a positive working relationship with Indigenous communities.

Peel Region also strongly urges, if not already done, that the Ministry consult with Indigenous communities on the proposed changes and that their comments and concerns be considered before finalization. This ensures municipalities do not face conflicts or challenges related to the implementation of the updated model. Peel Region suggests that the Ministry conduct a training/awareness campaign with Indigenous communities, municipal staff and consultants, or develop a new thorough guidance manual replacing the existing Municipal Class Environmental Assessment (MCEA) documents.

Definition of "Previously Disturbed"

In the Updated Proposed Processes and Project Lists provided in the supporting materials, the project description in Table 1, #4 notes that "Projects proposed to be subject to the Archaeological Assessment Process, notes a proposed project for the 'construction of sidewalks, multi-use paths or cycling facilities outside of the previously disturbed portion of an existing right-of-way and/or in a utility or rail corridor, greater than 1 km'". However, it is unclear what is considered "previously disturbed"; further guidance will help to avoid inconsistent interpretations.

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Standardized Reporting Templates

It would be helpful if the Ministry could provide a template for municipalities to follow when preparing the draft and final reports. This would ensure consistency in reporting with no required details or information being missed.

Review Period Flexibility

Indigenous communities may request additional time beyond the 30-day review period, and the current regulation provides no further guidance on this subject. Peel Region would appreciate further clarity with respect to flexibility municipalities would have in this regard to balance the need for Indigenous engagement without risking delay to projects.

IMPACTS TO THE NATURAL ENVIRONMENT AND CLIMATE CHANGE

Environmental Impact Assessment for Roads Projects

For projects that will not require an EA process, it is unclear how the environmental impacts are to be considered and mitigated. Some roads projects have significant impacts on the environment, including natural habitats, terrestrial and aquatic environments, stormwater and water quality impacts, and more. The steps set out in the proposed changes do not address how municipalities should assess and mitigate such impacts to the natural environment.

Peel Region requests clarity and guidance in this area, recommending a new process guidance manual which lists possible studies to be completed to replace the existing MCEA documents. As previously noted in Peel Region's March 2024 submission, all high impact projects should be assessed for adverse environmental impacts and how these impacts can be avoided.

Compliance with Other Legislation

There is no clear guidance on how municipalities should meet requirements under other legislation (such as the Water Resources Act, Clean Water Act, or Endangered Species Act) without completing technical studies currently part of Schedule B or C EA processes. For example, work near/in streams with threatened species requires permits and timing restrictions, yet the proposed process does not explain how these impacts will be assessed. Peel Region recommends that the role of the other permitting agencies be identified and compliance guidance for municipalities be developed.

Climate Change Lens

As emphasized in Peel Region's previous submission, schedules B and C of the current MCEA prescribe taking a climate change lens and considerations into account when completing EAs. These same requirements under the current MCEA should be part of the proposed processes. As such, adverse impacts and possible disruption to services would be avoided. Peel Region advises that the proposed regulation should explicitly require application of a climate change lens for projects, particularly those on the streamlined project list.

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PUBLIC CONSULTATION

Importance of Public Engagement

Peel Region previously emphasized the vital importance of public engagement and adequate consultation to the municipal EA process in its March 2024 consultation submission. Public consultation is critical in the environmental assessment process. Peel Region feels this is not adequately addressed in the proposed changes. Municipalities gather diverse local knowledge through encouraging public inclusion. Public consultation gains public trust, identifies potential issues early, and ensures decisions reflect the residents' needs. The factors mentioned all lead to better outcomes and the acceptance of proposed changes. The need for public input and opportunity in the process for roads projects is critical.

Property Acquisition and Expropriation

New road or road-widening projects may require the acquisition of private property. Under the current MCEA process, municipalities can identify and evaluate impacts and alternative solutions through early engagement and consultation with affected property owners, prior to invoking the Expropriation Act. Without completing an EA in advance, property acquisition becomes a more resource-intensive and time-consuming process. The proposed legislation does not address how property acquisition and expropriation considerations would be managed in the absence of an EA, nor does it provide guidance on the steps municipalities would be expected to follow.

NEW ROADS WITH NEW DEVELOPMENTS

If a new road is associated with a development project, it should be addressed as part of the Secondary Plan. There is no clarity on how this situation would be managed under the proposed requirements.

Conclusion

Peel Region appreciates the Ministry's efforts to modernize the EA process and recognizes the benefits of streamlining lower-impact projects. However, there are significant concerns around:

- The lack of environmental assessment requirements for many roads and infrastructure projects that can have substantial environmental impacts;
- Insufficient guidance on duty to consult with Indigenous communities;
- Though limited consultation opportunities exist within the provisions of the proposal, the absence of mandatory public consultation for projects subject only to the Archaeological Assessment Process;
- The need for explicit climate change considerations in all project assessments; and
- The lack of clarity on how municipalities will comply with other environmental legislation without conducting technical studies outlined in the current MCEA process.

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We respectfully request that the Ministry address these concerns and provide comprehensive guidance to municipalities before the regulation is finalized. We would be pleased to meet with Ministry staff to discuss these comments in further detail.

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

Kind Regards,

Miriam Polga

Miriam Polga
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