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**RCCAO** Constructing Ontario's Future

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## Ministry will review Municipal Class Environmental Assessment process

Late in 2016, Ontario Auditor General Bonnie Lysyk tabled her annual report which contained a chapter on ways that the environmental assessment process could be “modernized and aligned with best practices in Canada and internationally.” Two months later, the Residential and Civil Construction Alliance of Ontario (RCCAO) and the Municipal Engineers Association (MEA) also made the case for EA reform by jointly submitting an Application for Review to request that this issue be addressed on a priority basis.

RCCAO’s research has shown that there are growing delays to study the impacts on core municipal infrastructure projects through the Municipal Class Environmental Assessment (MCEA) process. These assessments take more than two years on average to complete and hold up important infrastructure investments which help us to build better communities. When a Part II Order or “Bump-Up” request is made to the Minister of the Environment and Climate Change, the review process can be slowed down ever further.

On Feb. 3, RCCAO and MEA submitted the application to Dianne Saxe, Environmental Commissioner of Ontario, concerning MCEAs, pursuant to section 61 of the Environmental Bill of Rights.

The application calls for a review of changes that may be needed to the *Environmental Assessment Act*, various regulations under that statute, and all policies and guidance documents related to the MCEA process. It also includes why it is in the public interest to do so.

Among the requests:

- 1 Expediting the response process for Part II Orders or Bump-Up requests.
- 2 Supporting changes to better integrate and harmonize the MCEA process with processes under the *Planning Act*.
- 3 Reducing the scope of MCEA reports and studies to reduce duplication with existing public processes and decisions made under municipal Official Plans and provincial legislation.

**In April, the ministry advised RCCAO and MEA that “completion of the review is expected by the end of December 2018.”**

The application was supported by Ontario’s broader construction industry and the municipal sector. RCCAO and MEA are grateful for the support of these 13 organizations.

Saxe’s office responded to our application within a week and forwarded the application to MOECC. In April 2017, the ministry advised RCCAO and MEA that a comprehensive review will be underway in the coming months, and that it is scheduled to be completed by December 2018.

We will strive to ensure that this review will lead to meaningful changes to the MCEA process in Ontario.

In her annual report, Lysyk pointed out that an EA Advisory Panel had made recommendations in 2005 which called for “new procedures that would support a more efficient process for reviewing bump-up requests, but the Ministry has not acted on this recommendation.” Twelve years is an unacceptable length of time to wait for meaningful reform and helps to explain the growing frustration of the municipal sector and other stakeholders.

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