

MUNICIPAL CLASS ENVIRONMENT ASSESSMENT

FIVE YEAR REVIEW

EXECUTIVE SUMMARY

JULY 2005

In October 2000, the Minister of the Environment approved the Municipal Class Environmental Assessment. This approval included conditions that required annual monitoring and a review of the Municipal Class EA after 5 years. MEA established the Municipal Class EA Monitoring Committee and each year this Committee has produced a monitoring report.

The 5 year review of the Municipal Class EA must be submitted by October 2005. On January 17th, 2005, the Monitoring Committee outlined their plans for the 5 year review to MOE. On February 28th, 2005, MOE responded with some specific comments and suggested amendments to the Municipal Class EA. In February and March 2005 the previous monitoring reports were reviewed. The attached questionnaire was then developed based on the previous monitoring reports and on MOE's comments. Circulation of this questionnaire was delayed so that feedback regarding MOE's EA Advisory Panel's report could be collected at the same time.

On May 13th, 2005, the attached questionnaire was circulated to all MEA members and was posted on MEA's web site. The feedback, which was due on June 10th, 2005, was compiled and on June 20th, 2005, the MEA Class EA Monitoring Committee reviewed the feedback with MOE.

The MEA Class EA Monitoring Committee concludes that the Municipal Class EA is still compliant with legislative requirements, planning practices and continues to satisfy the purpose of the Environmental Assessment Act. However, based on the feedback and on discussions at the June 20th, 2005 meeting, to improve the process, the Monitoring Committee intends to pursue two amendments, one minor and one major, to the Municipal Class EA.

MINOR AMENDMENT

The minor amendment to the Municipal Class EA would address the following:

1. **Include Transit or Bus Lanes as Schedule C Projects**
2. **Structural Rehabilitation +40 years**
3. **Alter the Consultation – Public Notice Requirements to Provide Flexibility for Advertising**
4. **Reference to Local Improvement Act**
5. **Increase Dollar Limits with Inflation**
6. **The 5 Years Should Begin on the Date the EA is Approved**

7. **Notices Regarding Addendum**
8. **Construction of Local Roads**
9. **Changes in Legislation and Review Procedures**
10. **Changes in Legislation and Review Procedures**
11. **References to Drainage Act on Pages A-49, C-16 and 1-11, Schedule A**
12. **Appendix 1, Schedule B, item 25, Page 1-15**

MAJOR AMENDMENTS

The major amendment to the Municipal Class EA would include two parts:

Part I The process requirements of the Municipal Class EA would be rewritten to create and define a new schedule of projects – Schedule A+. Projects in this new schedule would require notification to the public, (Note – Schedule A projects do not require any public notification) but there would be no ability to request a Part II Order from the Minister (Note – Schedule B projects allow the public to request a Part II Order). The schedules would then be reviewed and those projects for which public notice is appropriate but the issues are local would be placed in this new Schedule A+.

Ontario Regulation 334 exempts municipal projects less than \$3.5 million unless the project is identified in a Class EA. During the review of the schedules certain projects could be removed from the Class EA if appropriate to take advantage of this exemption. This portion of the Major Amendment would address the following issues which have been identified:

1. **Addition of Bike Lanes**
2. **Conversion of One Way or Two Way Streets**
3. **Parking or Turning Lane Markings**
4. **Water Crossing by Tunneling**
5. **Changes Proposed by MOE in Scheduled Activities**
6. **Traffic Calming**
7. **Include Shoreline Works Such as Off Shore Breakwater, Shore Connected Breakwater, Groynes and Sea Wall**
8. **Increase Dollar Limits for Intersection Improvement So That It Does Not Go To A Schedule C At \$1.5 million**
9. **Reclassify or Redefine Road Closure**
10. **Municipal Drain Projects**

Part II The Municipal Class EA would be rewritten to incorporate a new section for Transit projects. Specific Transit Projects would then be defined as Schedule A, A+, B or C projects. This implements one of MOE's EA Advisory Panel's recommendations.

The MEA is currently seeking partners with Transit expertise to assist with the preparation of the proposed major amendment to the Municipal Class EA. We anticipate that both individuals and funding will be identified shortly so that work on the proposed major and minor amendment can proceed in the fall of 2005.

In 2004, MEA organized an EA update training course which was delivered in 7 locations throughout the Province and attended by more than 450 practitioners. In the spring of 2005, MEA organized an EA101 training course for junior staff which was attended by 129 people. This course is being repeated on October 27th, 2005. Further training sessions will be organized after the proposed amendments have been approved and the Municipal Class EA reprinted to incorporate the amendments.

Also, MOE has committed to inviting MEA to meet with the Regional EA Coordinators in September 2005. This meeting will be useful to ensure EA practices are consistent across the Province.