Green Infrastructure Ontario Coalition Comments on the Municipal Legislation Review

In response to the request for comments on the Municipal Legislation Review, the Green Infrastructure Ontario Coalition (GIO) has reviewed the supporting materials and provides the following comments.

GIO is a collaborative alliance of businesses, not-for-profits, community groups, and local governments from across the province working to promote and support green infrastructure across the province.

GENERAL COMMENTS

Green infrastructure can make a significant contribution to the priorities outlined in the province's municipal review process. In response to the province's consultation questions, the comments below demonstrate how incorporating provisions for green infrastructure into the Municipal Act helps support municipal financial sustainability and municipal governments that are responsive and resilient in the face of climate change.

Green infrastructure is a proven tool that utilizes natural and human-made elements that provide ecological and hydrological functions and processes to deliver environmental, economic and social benefits. It includes the natural capital, semi-natural areas, and vegetative technologies that are designed or managed to deliver a wide range of infrastructure functions. This includes everything from tree-lined streets, urban parks and gardens, to green roofs, urban agriculture, soils, and bioswales. One of the key rationales for green infrastructure is its ability to perform several functions in the same area. In contrast, most grey infrastructure (eg. roads, pipes) usually has only a single purpose and benefit. Green infrastructure investments have been shown to have a high return on investment, provide job opportunities, and can be a cost-effective complement (or alternative) to grey infrastructure.

CONSULTATION QUESTION COMMENTS

Municipal Financial Stability

Question 1: Do you feel your municipality is able to effectively plan for and prioritize its investments in infrastructure (e.g. roads, bridges, water systems, public transit) and its spending on services (e.g. fire, police, water, garbage, public health, recreation programs)?

Municipalities could more effective plan for and prioritize infrastructure investment by requiring long term lifecycle accounting and coordinated infrastructure planning when estimating the costs of infrastructure redevelopment, infrastructure construction and changes to current practices. This would involve encouraging municipalities to analyze a range of alternatives, including green infrastructure, based on full life-cycle costs and integrated planning when undertaking a project. The aim would be to minimize the total cost of owning and

operating the assets and to maximize benefits while reducing disruptions to natural and constructed systems all while delivering the desired service levels.

The Municipal Act should recognize green infrastructure as assets that provide significant value and community services. These assets should be included in asset management planning and part of infrastructure investments. They help municipalities prioritize spending as they provide both an infrastructure function (eg. stormwater management and cooling urban areas) and societal benefits (eg. improved public health and recreation opportunities).

Responsive and Flexible Municipal Government

Question 4: What tools do municipalities need to address climate change mitigation and adaptation?

Green infrastructure is a key tool for municipalities to help adapt to the effects of climate change. The province should encourage implementation of green infrastructure to help reduce emissions and moderate the adverse impacts of climate change. Green infrastructure enhances the ability of communities to deal with effects of climate change by:

- Decreasing ambient urban air temperatures by cooling the air through evapotranspiration and providing shade.
- Decreasing the temperature of stormwater runoff, helping to mitigate thermal pollution of waterways.
- Reducing flooding by absorbing rain and stormwater.
- Reducing erosion by decreasing and detaining stormwater flow to tributaries.

Green infrastructure assets also reduce emissions by:

- Directly removing pollutants from the air.
- Reducing energy use, the urban heat island effect, and water treatment needs, therefore lowering emissions from regional electricity generation (and associated costs for consumers and businesses).
- Reducing the high temperatures that contribute to ground level ozone formation.

Climate change vulnerability assessments should be a mandatory and core element of asset management planning at the municipal level. Appropriate guidance, linked to implementation, should also be provided. Asset management plans are a pre-condition of infrastructure funding support for municipalities, and the province has published a guide that sets out minimum expectations. The Environmental Commissioner of Ontario's 2014 'Looking for Leadership: The Costs of Climate Inaction' report concludes that, unfortunately, the guide does not make vulnerability assessments a mandatory component; nor does it explain the concept. The province should look to the example of Nova Scotia, where municipalities must submit their climate change plans to qualify for funding support. To do this municipalities are provided in depth guidance through the 2011 Municipal Climate Change Action Plan Guidebook. The guidebook walks municipalities through the process of identifying vulnerabilities, hazards and key infrastructure, and helps prioritize actions.

Urban forests are the backbone of a community's green infrastructure and where they are part of natural heritage systems, they are also critical to watershed health. To support the urban forest's significant contributions to climate change adaptation and mitigation, the Municipal Act should be amended, similar to

Ontario Regulation 239/02, MINIMUM MAINTENANCE STANDARDS FOR MUNICIPAL HIGHWAYS (under the Municipal Act), to:

- Provide minimum maintenance standards for trees (this should include pruning cycles and active and passive irrigation)
- Provide minimum planting standards for trees (this should include soil volumes, soil quality, tree quality, and planting methods)
- Provide minimum tree protection standards (this should include de-icing salt recommendations to protect trees from soil salt and salt spray damage)
- Require urban forest management planning

For more information on the Green Infrastructure Ontario Coalition and the above comments, please contact Michelle Sawka, at msawka@greeninfrastructureontario.org or 647-287-6540.