



City of Mississauga
Transportation & Works
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April 7, 2022

Sharmila Uruthiranandasivam

Senior Policy Advisor
Ministry of Government and Consumer Services
Public Safety and Operations Policy Branch
56 Wellesley St. West, 6th floor
Toronto, ON M7A 1C1

Dear Sharmila,

Re: Proposed legislative amendments to the *Ontario Underground Infrastructure Notification System Act, 2012* under the *Getting Ontario Connected Act, 2022*

On behalf of the City of Mississauga ("City"), we thank you for the opportunity to submit feedback to Bill 93, the *Getting Ontario Connected Act, 2022*.

The City supports the overall goal of accelerating broadband internet for residents across Ontario. It plays a crucial part by providing permits for municipal service, real property, or right of way access. While the City has implemented multiple internal process improvements over the past few years, Bill 93 introduces new requirements that raise concerns for the City's ability to maintain compliance.

Implementing the *Getting Ontario Connected Act, 2022*, when it comes into force, will impact the City's service levels and those of other municipalities in Ontario. The City cannot cushion this impact without more information and clarity on the requirements outlined in the Bill.

The City acknowledges and appreciates that the Ministry of Infrastructure issued the Building Broadband Faster Guideline on November 30, 2021. However, the timing and communication of the information do not offer sufficient time to change the City's processes to accommodate the requirements of the Bill, especially as the City cannot anticipate the volume of projects that will fall within the scope of the Bill. The Bill also has areas of ambiguity with unanswered questions regarding its interpretation.

The City is aware of and supports the Association of Municipalities Ontario (AMO) remarks delivered to the Standing Committee on General Government on March 30, 2022. The AMO's feedback focuses on rural areas. It is unknown if/how it would affect urban environments where the complexity of permit approval in the municipal right of way is higher. In addition to the remarks provided by AMO, the City lists the following for consideration:

- 1) Timelines for responding to designated Broadband projects
 - The proposed timelines would require increased resources to achieve the new service levels.
 - The definition of "Broadband projects" is unclear and does not provide enough information to enable the assessment and impact in volume to meet the new service levels.
 - Impact/Interpretation of the Municipal Consent (MC) and Road Occupancy Permit (ROP) requirements are unclear.

- 2) Implementation of Broadband One Window Platform
 - The City will require more time to assess the impact on its current permitting/ticketing system and processes while the magnitude of the IT impact is unknown.
 - The City will incur costs in integrating and training staff on the new platform, which is currently not in the budget.
 - The Bill does not provide concrete technical information on system integration and data transfer with the City.
 - The Bill does not provide information on the legal implications of sharing City data with this new platform.
- 3) Disclosure of infrastructure records and locates services
 - The Bill does not address incomplete or inaccurate records, and the implications of incomplete or inaccurate records are unknown.
 - Bill 93 introduces “excavator recourse”; the penalization impact of locate records or performing locate services for City infrastructure within the timelines set out in the Bill could be sizable.
- 4) Dedicated Locate Provider requirements and Excavator Recourse
 - The information provided for this requirement is vague, and there may be unknown additional requirements set out that could impact the City’s ability to comply.
 - The City depends on third-party vendors or contractors for construction drawings which may not follow the submission guidelines. The Bill did not consider this requirement and its implication.

The overarching concern for consideration is adequate time to prepare for the requirements once they become law, as the available information through the Ministry of Infrastructure is limited.

As a result, the City of Mississauga is requesting additional detail regarding the technical requirements of the Broadband One Window Platform and the interpretation of the Bill, to the extent and volume of projects expected to be under the scope of Bill 93. More importantly, a delay in the passage and implementation of the Bill so that the City and other municipalities in Ontario can plan appropriately to accommodate the changes.

It is our intent to have this letter endorsed by the Mayor and Council of the City of Mississauga.

Sincerely,



Geoff Wright
Commissioner, Transportation & Works

CC: The Honourable Kinga Surma, Minister of Infrastructure