

March 27, 2026

Ministry of Transportation
Municipal Standards Harmonization Office
95 Arrow Road, Floor 2
Toronto, ON
M9M 2L4

via: Online Submission

RE: Proposal No. 26-MTO003 - Harmonization of Municipal Road Construction Standards under the Public Transportation and Highway Improvement Act

Middlesex County appreciates the opportunity to provide feedback regarding the proposed regulation to harmonize municipal road construction standards across Ontario.

The County supports the Province's objective to improve consistency, efficiency, and quality in municipal road construction through the use of harmonized standards. The Ontario Provincial Standard Specifications (OPSS.MUNI) framework provides a strong technical foundation that supports fair procurement practices, promotes competition, and enables municipalities and contractors to deliver infrastructure in a consistent and cost-effective manner.

At the same time, the proposed regulatory approach introduces a number of implementation, governance, and operational considerations that require careful attention to ensure that harmonization achieves its intended outcomes without creating unintended risks for municipalities, particularly in rural and small urban contexts.

Regulatory Application of Evolving Technical Standards

OPSS.MUNI standards are continuously updated through a collaborative process involving municipal practitioners and provincial technical experts to reflect advancements in materials, construction methods, and lifecycle performance.

Embedding a dynamic technical framework within a fixed regulatory structure raises practical concerns regarding version control and application. Specifically, clarification is required regarding how the regulation will reference the applicable version of OPSS.MUNI standards at any given time, and how updates will be managed during active procurement processes.

Without clear transition mechanisms, municipalities may face uncertainty at key stages including design, tender issuance, and contract award.

The County recommends that the Province establish clear versioning and transition protocols, including defined provisions for standards that change during active procurement. Consideration should be given to a defined grace period whereby tenders issued or closing within a specified timeframe of a standards update may proceed under the previous version of the applicable standard.

Exemption Framework and Decision-Making Timelines

The proposed exemption request process is a critical component of the framework; however, the current proposal provides limited detail regarding how the process will function in practice.

The regulation contemplates that exemption requests will be reviewed and approved by the Minister, but does not identify expected timelines, administrative capacity, or mechanisms to address time-sensitive or urgent infrastructure projects. Given the potential volume of exemption requests across Ontario municipalities, clarity is required regarding the administrative capacity and resourcing of the review process.

From a municipal perspective, delays in exemption approvals could have direct impacts on project delivery, including missed construction windows, increased costs, and disruption to capital planning. This is particularly significant given the need to advance infrastructure that supports housing and growth.

The County recommends that the Province establish a clearly defined, service-based exemption framework, including standardized submission requirements, defined timelines for review and decision-making, and streamlined processes for common or low-risk exemption categories.

Reporting Requirements and Administrative Burden

The proposed annual reporting requirement introduces an additional administrative layer for municipalities.

Municipalities are already subject to extensive reporting obligations related to capital expenditures, financial accountability, and asset management planning. Provincial oversight over adherence to construction standards through additional annual reporting is not considered necessary given these existing accountability frameworks. Introducing new reporting requirements specific to construction standards has the potential to increase administrative burden, duplicate existing processes, and require additional staff resources without a clear corresponding benefit.

The County recommends that any reporting requirements be clearly defined, standardized, and aligned with existing municipal reporting frameworks. Consideration should be given to value-based or risk-based reporting thresholds to ensure that reporting obligations remain proportionate and practical.

Scope and Phasing of Initial Standards

The list of OPSS.MUNI standards included in the initial phase of harmonization captures a significant portion of commonly used municipal construction specifications.

While the County supports a phased implementation approach, the breadth of standards proposed in Phase 1 may introduce complexity and implementation risk at the outset.

The County recommends a more targeted initial phase focused on priority areas where harmonization is most likely to yield measurable benefits in procurement efficiency and contractor consistency. This approach should be supported by continued consultation with municipalities and sector organizations, including the Municipal Engineers Association and

Good Roads.

Rural and Small Municipality Context

The proposed regulation appears to respond to challenges observed in larger urban markets, particularly related to contractor efficiency and material production across multiple specifications; however, its application may introduce unintended impacts in rural and small urban municipalities.

Municipalities within Middlesex County operate in diverse environments with varying project scales, contractor availability, material supply conditions, and site-specific engineering requirements. While harmonization may improve efficiency for smaller-scale or routine projects, it may also introduce constraints for larger or more technically complex projects where local adaptation supports better long-term performance.

Through engagement with industry associations, including the Ontario Road Builders' Association and the Ontario Asphalt Paving Council, municipalities understand the challenges associated with producing small quantities of materials under varying specifications within a limited geographic area. While harmonization may improve efficiency in these circumstances, a fully prescriptive approach may introduce constraints for larger or more complex projects where tailored specifications support improved performance outcomes.

The County encourages the Province to ensure that the regulatory framework recognizes these differences and maintains sufficient flexibility to support sound asset management practices across rural and small urban municipalities.

Local Adaptation and Lifecycle Performance Optimization

Municipalities routinely apply engineering expertise and performance data to refine standard specifications in order to improve infrastructure durability and lifecycle value.

Middlesex County has implemented targeted modifications to OPSS.MUNI 310 and OPSS.MUNI 1150 (Hot Mix Asphalt) through special provisions, including adjustments to asphalt cement content. These refinements have improved durability and extended service life, reducing long-term lifecycle costs, while remaining supported by the contractor community.

This experience reflects the value of evidence-based local adaptation. At the same time, the County recognizes the importance of maintaining consistency and managing legal and quality assurance risks associated with deviations from standardized specifications.

The County recommends that the Province explicitly recognize and permit evidence-based local modifications where they achieve equal or improved performance outcomes. A clear framework for allowable deviations, supported by technical justification and documentation, would help balance consistency with performance optimization.

Overall Implementation Considerations

Middlesex County supports the intent of harmonizing municipal road construction standards and recognizes the potential benefits of improved consistency and procurement efficiency across Ontario.

However, the proposed regulatory approach introduces risks related to increased costs, reduced flexibility, additional administrative burden, and potential delays to infrastructure delivery, including projects required to support housing development.

The County encourages the Province to continue working collaboratively with municipalities to refine the regulatory framework, with a focus on implementation clarity, administrative feasibility, and flexibility to accommodate local conditions.

Middlesex County remains committed to working with the Province to support the successful implementation of harmonized standards in a manner that strengthens infrastructure outcomes while maintaining reliable municipal service delivery and fiscal sustainability.

Regards,

A handwritten signature in black ink, appearing to read "Sue Clarke". The signature is fluid and cursive, with the first name "Sue" being more prominent than the last name "Clarke".

Sue Clarke
Warden

Cc: Chris Traini, Deputy CAO / County Engineer
Josh White, Manager of Procurement Services
Middlesex County Local Municipalities