Infrastructure Policy Briefing

Who can address Canada's infrastructure needs?

The federal government's 'peace, order, and good government' emergency powers need to be invoked because surely the current infrastructure deficit, combined with the climate crisis, qualifies as an emergency.

Mariana Valverde

Opinion

Serious policy discussions about Canada's housing needs are happening at all levels of government and in virtually all municipalities, not just big cities. Some politicians want to facilitate any type of new housing, a position that favours developers of the most profitable forms of housing: suburban single-family detached homes, and, in urban centres. tall buildings of tiny condo units. Others, like Toronto's new Mayor Olivia Chow, put the emphasis on affordable housing rather than trusting that the private sector will provide not only for people currently in Canada, but also for the hundreds of thousands of newcomers that federal immigration plans envisage.

But housing is not the only infrastructure needed. Downtown Toronto is dotted with numerous billboards warning potential new residents that there may not be schools for their children nearby. Similarly, mayors in suburban and rural municipalities in Ontario's Greenbelt have said that even if Premier Doug Ford's government changes the rules of the game to allow housing in protected land, housing cannot be built in many of those parcels because there is no plan to extend to those areas municipal sewer, water, roads, and electricity.

Like many other countries today, Canada faces a serious infrastructure deficit. One cannot easily quantify that deficit in large part because there is no consensus about the technical standards needed to survive the climate disasters that have already caused havoc, and that will only get worse. But pothole-ridden roads and streets are everywhere, not to mention homes built on flood plains, as well as dams that can withstand 19th-century weather events, but not those of the 21st century. And then there's the vast network of what used to be called "the welfare state" and now goes by "social infrastructure": the networks of parks, schools, community centres, daycares, and all the "social" goods and services that are as necessary as housing.

Who should and could address the infrastructure crisis? The key problem is experts tell us that more than 60 per cent of Canada's current infrastructure is municipal. The federal government can pull a few levers to make the building of affordable housing easier, as they did in the days when the Canada Mortgage and Housing Corporation facilitated the building of urban housing co-operatives. But the federal government owns very little infrastructure. Even major airports and ports are run by arms-length public corporations that make their own decisions. It is difficult to find federally owned infrastructure in Canada—other than the Rideau Canal and the Trent Canal, which cannot be downloaded because their federal status is written into the 1867 BNA Act.

The provinces own and control much infrastructure: most of the roads and highways, several large electricity providers, and most of what has come to be known as "social infrastructure." Plus some transit systems, though most transit is the responsibility of cash-strapped municipalities, which is why it's more expensive and less efficient than in other countries. In Ontario, the province has worsened an already-bad situation by cutting the development charges that municipalities need to build parks, schools, and other essential amenities.

If Canada cannot overcome the jurisdictional obstacles that lie in the way of providing both housing and other necessary infrastructure, a dire future awaits. Newcomers, who generally choose big cities as landing spots, will unwittingly drive up residential rents and real estate prices. Thousands of international students may be forced to live in illegal basement conversions for years, which, on top of being forced to work in the black market to pay their astronomical fees, will only embitter future citizens.

What is to be done? Only strong federal action resembling the United States" New Deal" of the 1930s and 1940s can save us. Federal governments have chipped in billions of dollars for infrastructure projects chosen by municipal or provincial authorities (and/or the private sector). That is a dereliction of duty. The "peace, order, and good government" emergency powers that are exclusive to the feds need to be invoked. They were invoked in 1940 to justify creating federal Unemployment Insurance, because Depression-era unemployment was an emergency. Surely the current infrastructure deficit, combined with the climate crisis, qualifies as an emergency. Premiers will grumble, but only Ottawa can implement a Green New Deal.

Mariana Valverde is a professor emeritus at the University of Toronto. Her latest book is Infrastructure: New Trajectories in Law (Routledge, 2022).

The Hill Times