

Proposed regulation for a streamlined environmental assessment process for the Ministry of Transportation's Greater Toronto Area West Transportation Corridor project.

ERO (Environmental Registry of Ontario) number	019-1882
Notice type	Regulation
Act	Environmental Assessment Act, R.S.O. 1990
Posted by	Ministry of the Environment, Conservation and Parks
Notice stage	Proposal
Proposal posted	July 8, 2020
Comment period	July 8, 2020 - August 22, 2020 (45 days) Closed
Last updated	July 8, 2020

This consultation was open from:

**July 8, 2020
to August 22, 2020**

Proposal summary

We are proposing a regulation to update the existing environmental assessment process for the Ministry of Transportation's Greater Toronto Area (GTA) West Transportation Corridor. The regulation would create a new streamlined process for assessing potential environmental impacts of the project, as well as consulting on it.

Proposal details

Environmental assessment modernization

As part of the government's Made-in-Ontario Plan commitment to modernize the 50-year old environmental assessment program, the Ministry of the Environment, Conservation and Parks is proposing a regulation to update the existing environmental assessment process for the Ministry of Transportation's ~~GTA (Greater Toronto Area)~~ West Transportation Corridor.

The proposed regulation would create a new streamlined process for assessing potential environmental impacts of the project, as well as consulting on it.

The new process outlined in the regulation would eliminate duplication while maintaining environmental protection. For example, it would include a requirement to complete field investigations and collect technical information for documentation in the Environmental Conditions report, an Environmental Impact Assessment report, and an Early Works report.

The Greater Toronto Area West Transportation Corridor Study

The Ministry of Transportation's ~~GTA (Greater Toronto Area)~~ West Corridor environmental assessment Terms of Reference was approved on March 4, 2008.

Stage 1 of the ~~GTA (Greater Toronto Area)~~ West environmental assessment study (Systems Planning) recommended a Transportation Development Strategy (TDS), which was completed in November 2012. This strategy identified the need for more road capacity beyond optimizing the existing transportation network, widening existing highways, and the transit expansion projects identified by Metrolinx.

Stage 2 of the ~~GTA (Greater Toronto Area)~~ West environmental assessment study (Route Planning and Preliminary Design) is currently underway. Building on the recommendations from Stage 1, the ~~GTA (Greater Toronto Area)~~ West environmental assessment study will identify the route, determine

interchange locations, and complete the preliminary design for a new transportation corridor within the Route Planning Study Area. The new multimodal transportation corridor will include:

- a 400-series highway
- transitway and potential goods movement priority features extending from Highway 400 (between Kirby Road and King-Vaughan Road) in the east to the Highway 401/407 ETR (express toll route) interchange area in the west

Proposed regulation

In consultation with the Ministry of Transportation, we are proposing a regulation to modify the existing environmental assessment process for the GTA (Greater Toronto Area) West Transportation Corridor project. The proposed regulation would create a new streamlined process for assessing potential environmental impacts as well as consulting on it.

The proposed regulation for a streamlined environmental assessment process for the Ministry of Transportation's GTA (Greater Toronto Area) West Transportation Corridor project builds on our vision for a modern environmental assessment program. It does this by eliminating duplication with other planning and approvals processes and as a result, shortening timelines for building important infrastructure for Ontario communities.

Shortened timelines would speed up completion of the preliminary design phase of the project, providing earlier confirmation of the transportation corridor to local communities, municipalities, and Indigenous communities. More broadly, this could allow construction to start earlier, which would ease congestion in the study area more quickly from its intersection with Highway 400 west to its intersection with Highway 401/407 ETR (express toll route).

Modifying the existing environmental assessment process for the GTA (Greater Toronto Area) West Transportation Corridor project would lead to more efficient design and construction phases and provide flexibility for the delivery model selected in the future.

The preliminary/detail design and consultation

Under the proposed regulation, the Ministry of Transportation would still be required to complete preliminary/detail design and consultation as a requirement of conditions outlined in the regulation. This would include

- completing field investigations and collecting technical information that would be documented in the reports noted below
- continuing public and stakeholder consultation consistent with previous commitments
- continuing consultation with Indigenous communities

Specifically, this streamlined process would require the Ministry of Transportation to prepare an Environmental Conditions report. This report would be documentation of all work completed from the start of the project up until the completion of the preliminary design phase. The report would help expedite timelines and provide certainty in the process, which in turn would support selection of the future delivery model.

The Ministry of Transportation would also be required to:

- complete and publish a draft Environmental Conditions report which identifies the study area and a preliminary design for the project, existing environmental conditions in the area, a plan to deal with any known environmental impacts identified at this stage, and a consultation record
- notify and consult with government agencies, stakeholders, the public, and Indigenous communities about the Environmental Conditions report
- publish a final Environmental Conditions Report that includes a record of the consultation and a description of if and how the preliminary design was changed as a result of that consultation

The Ministry of Transportation would also be required to develop an issues resolution process that replaces the public objections process.

After detail design

Once the detail design is complete, the Ministry of Transportation would be required to:

- complete and publish a draft Environmental Impact Assessment report which will include the elements of the final Environmental Conditions report (including any changes) based on detail design and works that have not proceeded through the early works process (described below), along with impact assessment and a proposed plan to deal with any environmental impacts
- notify and consult with government agencies, stakeholders, the public, and Indigenous communities about the draft Environmental Impact Assessment report
- publish the final Environmental Impact Assessment report which will include a record of the consultation, and a description of if and how the Environmental Impact Assessment was changed as a result of that consultation
- document any changes made to the project, for example as a result of public and Indigenous consultation, after the Environmental Impact Assessment report has been completed
- notify government agencies, stakeholders, the public, and Indigenous communities of any significant changes and provide an opportunity to review those changes
- address any outstanding concerns through an issues resolution process administered by the Ministry of Transportation
- publish a Statement of Completion noting their intent to proceed with the project

Early works

Certain parts of the ~~GTA (Greater Toronto Area)~~ West Transportation Corridor project are expected to be ready for construction earlier than other parts of the highway.

To provide flexibility, the proposed regulation would permit early works to proceed to construction before the completion of the draft Environmental Impact Assessment Report, subject to:

- Ministry of Transportation fulfilling the duty to consult if there is a potential for adverse impacts on Aboriginal and treaty rights
- requirements for consultation
- identification of impacts and mitigation measures
- issues resolution

Preliminary early works activities could include:

- new bridge construction
- bridge replacement or expansion
- transitway station construction
- utility relocation

The Ministry of Transportation will be able to complete an Early Works report for public comment and consultation with Indigenous communities at any point prior to completion of the draft Environmental Impact Assessment report.

The process for public and Indigenous community consultation, posting of reports, and issues resolution would be the same as for the Environmental Impact Assessment report.

Other considerations

The new environmental assessment streamlined process would also require:

- an addendum process for both the Early Works Report and Environmental Impact Assessment Report to deal with any changes to the project that were not included in the original reports:
 - minor changes can proceed without further consultation
 - significant changes will require a report with opportunity for the public and Indigenous communities to provide input and submit comments
 - the process will allow for documenting, publishing, and evaluating the need for an addendum, as well as documenting the changes that would be available for public review

- publishing of addendum reports based on reporting requirements for the Early Works report and Environmental Impact Assessment report
- an issues resolution process administered by the Ministry of Transportation to address any outstanding concerns during the consultation periods
- continued Indigenous consultation throughout each of the phases outlined above, including the submission of an Indigenous Consultation Plan to the Ministry of the Environment, Conservation and Parks at the start of the process

This streamlined environmental assessment process would shorten the project schedule by completing the preliminary design study in 2022 instead of 2023 or beyond. It would also remove duplication between *Environmental Assessment Act* requirements and other specific legislation, as well as the Ministry of Transportation standards and practices, while maintaining environmental considerations.

The proposed regulation would save time by allowing the Ministry of Transportation to apply for, and obtain permits and approvals required for construction. These approvals would be subject to consultation or other requirements associated with those processes, and to meeting the requirements set out in the regulation.

Regulatory impact statement

The objective of the proposed regulation is to support the maintenance and implementation of critical roadway infrastructure in Ontario and ensure that:

- appropriate consultation occurs
- the protection of the environment remains a priority

There are no direct compliance costs or new administrative burdens associated with the proposed regulation, as there will be a streamlined process to address the requirements of the *Environmental Assessment Act*. There are also other applicable provincial and federal approvals and permits that would still be required.

The proposed regulation will eliminate duplication, allowing us to shorten timelines, reduce delays, and focus the province's resources on projects that matter most to Ontario communities.

Through these sensible, practical changes, we are bringing Ontario's environmental assessment program into the 21st century.

Supporting materials

Related links

[GTA West Transportation Corridor - Project Information \(https://www.ontario.ca/page/gta-west-transportation-corridor\)](https://www.ontario.ca/page/gta-west-transportation-corridor)

Related ERO (Environmental Registry of Ontario) notices

[Proposed exemption to the Environmental Assessment Act and a new policy under the Provincial Parks and Conservation Reserves Act for projects in provincial parks and conservation reserves \(/notice/019-1804\)](/notice/019-1804)

[Proposal to exempt projects or activities related to land claim settlements and other agreements with Indigenous communities from the Environmental Assessment Act \(/notice/019-1805\)](/notice/019-1805)

[Proposal to exempt various Ministry of Transportation projects from the requirements of the Environmental Assessment Act. \(/notice/019-1883\)](/notice/019-1883)

[Modernizing Ontario's environmental assessment program - Environmental Assessment Act \(/notice/013-5102\)](/notice/013-5102)

[Environmental assessment modernization: amendment proposals for Class Environmental Assessments \(/notice/019-1712\)](#)

[Proposed Environmental Assessment Act \(EAA\) Amendments in the COVID 19- Economic Recovery Act \(/notice/019-2051\)](#)

View materials in person

Important notice: Due to the ongoing COVID-19 pandemic, viewing supporting materials in person is not available at this time.

Please reach out to the Contact listed in this notice to see if alternate arrangements can be made.

Comment


Commenting is now closed.


The comment period was from July 8, 2020
to August 22, 2020

Connect with us

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