

**Table of Proposed Class EA Amendments
Other Sections (Version 5, January 20, 2020)**

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| 1. | Throughout | Various administrative changes, including: minor clarifications, updates to legislation, regulations, policies, documents, branch names, ministry names, government agencies, references to permits and approvals, glossary, new and updated sample notices. | Administrative Changes. |
| 2. | Executive Summary | <p>INTRODUCTION</p> <p>In 1987, the first Municipal Class Environmental Assessments (EAs), prepared by the Municipal Engineers Association (MEA) on behalf of Ontario municipalities, were approved under the Ontario Environmental Assessment (EA) Act for municipal road projects, and municipal water and wastewater projects. In 1993, the Municipal Class EAs were reviewed, updated and their approval extended.</p> <p>In 2000, the Class EAs for Municipal Road Projects and Municipal Water and Wastewater Projects were consolidated, updated, and approved under Part II.1 of the amended Ontario EA Act by Order-in-Council on October 4, 2000. Since many municipalities and stakeholders indicated that the process is working well, and, recognizing that much had been achieved over the years of working with and refining the Municipal Class EAs, the main guiding principle was to maintain the substance of the existing process while making any necessary changes.</p> <p>Since 2000, MEAs part of its 5-year review of the Municipal Class EA (2000), MEA has proposed a number of amendments to the Class EA. The major amendments are summarized below: which were posted on MEA's website under "Municipal Class EA—Change Management". The amendments are as follows:</p> <p><u>2007 – Amendment to create Schedule A+ and to create the Transit section.</u></p> <p><u>2011 – Amendment to revise Section A.2.9 Integration with the Planning Act.</u></p> <p><u>2015 – Amendment to the Roads section of Appendix 1 to include active transportation facilities.</u></p> <p><u>2020 – Amendment to Appendix 1 and other various sections as described in Section A.1.6.</u></p> <p>Minor Amendment ————— minor modification to the document</p> <p>Major Amendment ————— Part 1 addition of a new Project Schedule A+, defined as, "preapproved, however, the public is to be advised prior to implementation. The manner in which the public is to be advised is to be determined by the proponent."</p> | <p>Section updated to include recent amendments and Bill 108 changes.</p> <p>Administrative changes.</p> |

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| | | <p style="text-align: center;"> increase cost thresholds for road project other changes as identified during review Major Amendment – Part 2 – addition of Municipal Transit Projects </p> <p>With the approval of the amendments, MEA is releasing the amended Municipal Class EA which is referred to as:</p> <p style="text-align: center;"> Municipal Class Environmental Assessment October 2000, as amended in 2007 </p> <p>DESCRIPTION OF THE CLASS OF UNDERTAKINGS</p> <p>The Municipal Class EA applies to municipal infrastructure projects including roads, water and wastewater, <u>and transit</u> projects. Since projects undertaken by municipalities can vary in their environmental impact, such projects are classified in this Class EA in terms of schedules:</p> <p>Schedule A - ge <u>These projects are limited in scale, have minimal adverse environmental effects and include various municipal maintenance and operational activities. These projects are exempt from the requirements of the EA Act.</u> nerally includes normal or emergency operational and maintenance activities</p> <p>the environmental effects of these activities are usually minimal and, therefore, these projects are pre-approved</p> <p>Schedule A+ - <u>These projects are limited in scale and have minimal adverse environmental effects on the natural environment and matters of provincial importance. These projects include rehabilitation works and may be of interest to the local community. These projects are exempt from the requirements of the EA Act.</u></p> <p>While <u>Schedule A and A+ projects are exempt from the EA Act, this does not relieve the municipality from acting as a responsible level of government and consulting with the local community.</u> in 2007, MEA introduced Schedule A+. These projects are pre-approved, however, the public is to be advised prior to project implementation. The manner in which the public is advised is to be determined by the proponent. Schedule A+ is discussed in Section A.1.2.2.</p> <p>Schedule B - <u>These projects have the potential for some adverse environmental effects. The proponent is required to undertake a screening process (see Appendix 1), involving mandatory contact with directly affected public and relevant review agencies, to</u></p> | |

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| | | <p><u>ensure that they are aware of the project and that their concerns are addressed.</u> A Project File must be prepared and made available for review by any interested person or party. <u>If there are no outstanding concerns, then the proponent may proceed to implementation</u> once the Class EA process has been completed. <u>Schedule B projects generally include improvements and minor expansions to existing facilities.</u>generally includes improvements and minor expansions to existing facilities</p> <p>_____ there is the potential for some adverse environmental impacts and therefore the proponent is required to proceed through a screening process including consultation with those who may be affected</p> <p>• _____</p> <p>Schedule C - <u>These projects have the potential for more significant environmental effects than a Schedule B project and must proceed under the full planning and documentation procedures specified in this Class EA document. Schedule C projects require an Environmental Study Report be prepared and filed for review by the public and review agencies.</u> If there are no outstanding concerns, then the proponent may proceed to implementation once the Class EA process has been completed. <u>Schedule C projects generally include the construction of new facilities and major expansions to existing facilities.</u> generally includes the construction of new facilities and major expansions to existing facilities</p> <p>_____ these projects proceed through the environmental assessment planning process outlined in the Class EA</p> <p>A detailed description of projects and activities that fall under each of these schedules is provided in Parts B, C, and D, and in Appendix 1.</p> <p>REASONS FOR USING A CLASS ENVIRONMENTAL ASSESSMENT WITH RESPECT TO UNDERTAKINGS IN THE CLASS</p> <p>The “parent” Municipal Class EA enables the planning of municipal infrastructure to be undertaken in accordance with an approved procedure designed to protect the environment. The Class EA approach to dealing with municipal infrastructure projects has been proven to be an effective way of complying with the EA Act through <u>thirty</u>twenty years of experience. It provides:</p> <ul style="list-style-type: none"> • a reasonable mechanism for proponents to fulfill their responsibilities to the public for the provision of municipal services in | |

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| | | <p>an efficient, timely, economic and environmentally responsible manner;</p> <ul style="list-style-type: none"> • a consistent, streamlined and easily understood process for planning and implementing infrastructure projects; and, • the flexibility to tailor the planning process to a specific project taking into account the environmental setting, local public interests and unique project requirements. <p>Municipalities undertake hundreds of projects. The Class EA process provides a decision-making framework that enables the requirements of the EA Act to be met in an effective manner. The alternatives to a parent Class EA would be: to undertake individual environmental assessments for all municipal projects; for each municipality to develop their own class environmental assessment process; and/or, for municipalities to obtain exemptions. These alternatives would be extremely onerous, time consuming and costly. Three decades of experience have demonstrated that considerable public, economic and environmental benefits are achieved by applying the Class EA concept to municipal infrastructure projects.</p> <p>SIMILARITIES AND DIFFERENCES TO BE EXPECTED AMONG UNDERTAKINGS IN THE CLASS</p> <p>The undertakings subject to this Class EA involve municipal infrastructure. Accordingly, they share the following similarities:</p> <ul style="list-style-type: none"> • they generally address similar types of problems and opportunities • a common set of “alternatives to” and “alternative methods” apply • they follow the same EA planning process with similar phases • the types of impacts and approaches to environmental protection and mitigation are recurrent <p>Given that there are over 440 municipalities within Ontario with a variety of environmental settings, the main expected differences amongst undertakings in the Municipal Class EA are:</p> <ul style="list-style-type: none"> • project-specific problems and opportunities • project-specific environmental and community issues • project-specific solutions • varying levels of project complexity or sensitivity <p>The Class EA defines the minimum requirements for environmental assessment planning. There are Given the potential differences amongst undertakings within the province, therefore however, the framework is flexible so that proponents may “customize” it to address the specific complexities and needs of a project including potential environmental effects.</p> | |

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| | | <p>EXPECTED RANGE OF ENVIRONMENTAL EFFECTS</p> <p>The geographic setting for projects undertaken under this Class EA will vary widely throughout Ontario. For the purposes of environmental analysis, however, geographic settings can be broadly categorized as urban and rural areas. Potential environmental effects are discussed in Sections B.3, C.3, and D.3, and Appendix 2.</p> <p>POTENTIAL MITIGATING MEASURES</p> <p>Appendix 2 describes typical measures that could be taken to mitigate adverse environmental effects that may result from proceeding with undertakings in this Class EA.</p> <p>With the wide diversity of geographic settings and environmental conditions pertaining to municipal infrastructure projects throughout Ontario, it is not possible to identify specific mitigating measures which can be applied in all instances. The Class EA does, however, require proponents to identify acceptable measures which will allow the project to be undertaken at reasonable cost while at the same time protecting the environment against net negative impacts. The Class EA also requires proponents to make provision for post-construction monitoring to ensure that projects are built and operated in accordance with the approved design and that environmental impacts <u>effects</u> are as predicted.</p> <p>PROCESS TO CONSULT WITH THE PUBLIC AND THOSE WHO MAY BE AFFECTED BY THE UNDERTAKING</p> <p>Consultation early in, and during, the planning process is a key feature of successful <u>Class EAs</u> environmental assessment. The Municipal Class EA identifies mandatory consultation requirements. These are a minimum only and proponents must tailor the consultation program to address the needs of a specific project and its stakeholders. Consultation with municipal councils, review agencies, the public, interest groups and property owners is discussed in Section A.3 and Appendix 5.</p> <p>METHOD TO EVALUATE A PROPOSED UNDERTAKING</p> <p>The framework for evaluating alternatives is outlined in the description of the <u>Class EA</u> environmental assessment planning process in Sections A.1 and A.2. The key elements are:</p> <ul style="list-style-type: none"> • consideration of the effects of each alternative on all aspects of the environment; • systematic evaluation; • traceable decision-making; and • public and review agency input in the evaluation. | |

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| | | <p>METHOD TO BE USED TO DETERMINE THE FINAL DESIGN OF A PROPOSED UNDERTAKING</p> <p>Section A.2.4 describes the process to determine the preferred design concept. Finalization of the detailed design occurs during Phase 5 after the Environmental Study Report (ESR) has been reviewed by the public and technical agencies. It is imperative that the commitments and decisions made during Phases 1 through 4 be clearly documented in the ESR and implemented during Phase 5.</p> | |
| 3. | Glossary of Terms | <p><u>BRIDGE CAPACITY</u></p> <p><u>Means the number of through travel lanes for vehicles on the bridge. Adjusting lane width to current standards does not increase the number of travel lanes and cycling, parking, or turning lanes are not through travel lanes. Increasing the width of a narrow bridge (one lane with two-way traffic) to the current standard to accommodate two-way traffic (two lane) is not considered an increase in capacity.</u></p> | New item added to clarify “bridge capacity”. |
| 4. | Glossary of Terms | <p><u>SPECIFIC CONDITION OF APPROVAL</u></p> <p><u>Means to be specifically described in the planning application. This means the location needs to be defined (for example by showing the road allowance property on a draft plan of subdivision) and the details of the road (cross section) or water/wastewater facility (conceptual design) considered during the Planning Act application by both the public and in the environmental inventory studies. For example, a road illustrated with a line on a Schedule to the Official Plan does not sufficiently define a new road to qualify for classification as a Schedule A project. Furthermore, the municipality must be satisfied that the proposed facility will provide the required function. The municipality must also ensure that there are sufficient controls in the Planning Act approval (specific clauses in the draft conditions) to ensure that the defined facility is constructed.</u></p> <p><u>Subject to Planning Act Requirements</u></p> <p><u>Means that the project must conform to the normal standards established in the zoning bylaw such as setbacks, buffering, grading, drainage and stormwater management, parking, traffic flow etc that are appropriate and apply to the project</u></p> | New item added to explain requirements set out in project schedule changes. |
| 5. | A.1.1 | <p>A.1.1 ONTARIO’S ENVIRONMENTAL ASSESSMENT ACT</p> <p>The purpose of the Ontario’s Environmental Assessment Act, R.S.O. 1990, Chapter E.18, as amended, (herein referred to as the EA Act), is to provide for... <i>the betterment of the people of the whole or any part of Ontario by providing for the protection, conservation and wise management in Ontario of the environment. (Part I-Section 2).</i></p> | Explains changes made through Bill 108 |

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| | | <p>“Environment” is applied in a broad sense and includes the natural, social, cultural, built and economic environments. The formal definition of the environment is included in the glossary of this document.</p> <p>In applying the requirements of the EA Act to undertakings, the EA Act identifies two types of environmental assessment planning and approval processes:</p> <p>Individual Environmental Assessments (Part II of the EA Act) - those projects for which a Terms of Reference and an individual environmental assessment are carried out and submitted to the Minister of the Environment, <u>Conservation and Parks</u> for review and approval, or <u>and</u></p> <p>Class Environmental Assessments (Part II.1 of the EA Act) - those projects which are approved subject to compliance with an approved class environmental assessment process with respect to a class of undertakings. Providing the approved process is followed, a proponent has complied with Section 13 (3)(a) of the EA Act.</p> <p>This feature of the amended EA Act is of note. Where previously Class EAs were enabled through Regulation 334, they are now embodied within the amended EA Act.</p> <p><u>In June 2019, the EA Act was amended by Bill 108: the More Homes, More Choice Act, 2019. This amendment exempted low-risk Schedule A and A+ projects from the requirements of the EA Act and makes changes to the Part II Order process. These changes include:</u></p> <ul style="list-style-type: none"> <u>• Authorizing the creation of a regulation that will focus the Part II Order process on matters related to adverse impacts on Aboriginal or treaty rights and other matters, as prescribed.</u> <u>• Authorizing the creation of a regulation that will prescribe time limits on when the Minister must make decisions on requests, and deadlines for making a Part II Order request.</u> <u>• Limiting the ability to request a Part II Order to residents of Ontario (once proclaimed).</u> <p>Whether carrying out individual or Class EAs, the key principles of successful environmental assessment planning under the EA Act include:</p> <p>Consultation with affected parties early in and throughout the process, such that the planning process is a cooperative venture. The proponent should seek to involve potentially affected parties as early as possible, so that their concerns can be identified and addressed before irreversible decisions are made. Early consultation allows for improved understanding of</p> | |

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| | | <p>environmental concerns before the undertaking is selected and focuses the planning on matters of concern. Potentially affected parties include technical agencies, the public, property owners, interest groups and other municipalities.</p> <p>Consideration of a reasonable range of alternatives, both the functionally different “alternatives to” and the “alternative methods” of implementing the solution. The “Do nothing” alternative, which provides a benchmark for the evaluation of alternatives, must be considered.</p> <p>Identification and consideration of the effects of each alternative on all aspects of the environment, i.e., the impact on the natural, social cultural, technical and economic/financial environment. The level of detail will vary depending primarily on the significance of the effect and the stage of the study.</p> <p>Systematic evaluation of alternatives in terms of their advantages and disadvantages, to determine their net environmental effects. The planning process must include distinct points where alternatives are evaluated and the net environmental effects are identified. The decision-making process should be phased, narrowing progressively to a preferred alternative. The process must recognize the dynamic nature of environmental decision-making, must be sensitive to changing conditions and new information, and must be flexible enough to deal with them.</p> <p>Provision of clear and complete documentation of the planning process followed, to allow “traceability” of decision-making with respect to the project. Documentation should set out the approach, and the way in which the principles of environmental assessment planning were followed in the planning process.</p> | |
| 6. | A.1.2.2 | <p>A.1.2.2 Project Schedules</p> <p>Projects undertaken by municipalities vary in their environmental impact. Consequently, projects are classified in this Class EA in terms of schedules:</p> <p>Schedule A projects are limited in scale, have minimal adverse environmental effects and include various a number of municipal maintenance and operational activities. These projects are <u>exempt from the requirements of the EA Act.</u> pre-approved and may proceed to implementation without following the full Class EA planning process. Schedule A projects generally include normal or emergency operational and maintenance activities.</p> <p><u>Schedule A+ projects are limited in scale and have minimal adverse environmental effects on the natural environment and matters of provincial importance. These projects include rehabilitation works and may be in of interest to the local community. These projects are exempt from the requirements of the EA Act and may proceed to implementation without following the Class EA process.</u> As</p> | Section is re-written to explain the exemption of Schedule A and A+ projects provided by Bill 108 and to describe the responsibilities of municipalities related to these projects to be accountable to their citizens. |

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| | | <p>part of the 2007 amendments, Schedule A+ was introduced, where Schedule A+ projects are pre-approved, however, the public is to be advised prior to project implementation.</p> <p>The purpose of Schedule A+ is to ensure some type of public notification for certain projects that are pre-approved under the Municipal Class EA, it is appropriate to inform the public of municipal infrastructure project(s) being constructed or implemented in their area. There, however, would be no ability for the public to request a Part II Order. If the public has any comments, they should be directed to the municipal council where they would be more appropriately addressed.</p> <p><u>However, while these projects are exempt from the EA Act, this does not relieve the municipality from acting as a responsible level of government and consulting with their local community.</u></p> <p><u>The purpose of Schedule A+ is to identify projects where it is appropriate to inform the public of municipal infrastructure project(s) being constructed or implemented in their area. There, however, would be no ability for the public to request a Part II Order. If the public has any comments, they should be directed to the municipal proponent where they would be more appropriately addressed</u></p> <p>Schedule A+ activities may have been previously approved by a municipal council through annual budgets or specific mandates. Advising the public of the project implementation is a means to inform the public of what is to be undertaken in their local area. The public retains the opportunity to comment to municipal council. Given that these projects are pre-approved, there is no appeal to MECP on these projects.</p> <p>The manner in which the public is advised is to be determined by the proponent. This could be a notice provided to adjacent property owners, a notice posted at the site, a report to council, a list of projects posted on the municipality's website etc. (Note: the mandatory requirements for a "Public Notice" as outlined in Section A.3.5.3 do not apply to Schedule A+).</p> <p>(For Schedule A and A+, Section A.1.3 explains the differences between municipalities who are proponents of the Municipal Class EA and those who are not but use it, with regard to unconditional approval of Schedule A and A+ projects).</p> <p>Schedule B projects have the potential for some adverse environmental effects. The proponent is required to undertake a screening process (see Appendix 1), involving mandatory contact with directly affected public and relevant review agencies, to ensure that they are aware of the project and that their concerns are addressed. If there are no outstanding concerns, then the proponent may proceed to implementation. Schedule B projects generally include improvements and minor expansions to existing facilities.</p> <p>Schedule C projects have the potential for significant environmental effects and must proceed under the full planning and documentation procedures specified in this Class EA document. Schedule C projects require that an Environmental Study Report</p> | |

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| | | <p>be prepared and filed for review by the public and review agencies. Schedule C projects generally include the construction of new facilities and major expansions to existing facilities.</p> <p>Provided the approved Class EA planning process is followed, a proponent has complied with Section 13(3) of the EA Act. The Class EA process therefore provides municipalities with significant relief from the application of the review requirements of the Act, while ensuring that an adequate environmental assessment process is followed. Class EAs place emphasis on project assessment and public and agency involvement rather than on review and approvals.</p> <p>Specific types of projects within these schedules are provided in Appendix 1. The types of projects and activities are intended generally to be categorized with reference to the magnitude of their anticipated environmental impact. In specific cases, however, a project may have a greater environmental impact than indicated by a Schedule. In these cases, the proponent may, at its discretion, change the project status by elevating it to a higher schedule.</p> <p>Part II Order There is also an <u>opportunity to request a higher level of study for Schedule B and C projects through a Part II Order request to the Minister of Environment, Conservation and Parks. Part II Orders are</u> appeal mechanism for Schedule B and C projects which is discussed in Section A.2.8.</p> | |
| 7. | A.1.2.4 | <p>A.1.2.4 Municipal Class EAs Renewal Project (1997-2015 to 2019-2000)</p> <p>On April 9, 1987, the first municipal Parent Class EAs prepared by the MEA were approved under the EA Act. <u>Since this first Municipal Class EA was approved, there have been various re-writes and revisions. In 2015, the Minister announced that there would be a review of the EA process, which prompted MEA to prepare a Position Paper dated November 2015 that described the improvements to the Municipal Class EA process that were recommended by MEA.</u></p> <p><u>The Residential Civil Construction Alliance of Ontario (RCCAO) provided comments on MEA's Position Paper and produced several papers on the Municipal Class EA process. In December 2016, the Auditor General released a report with 12 recommendations to improve the EA process. In January 2017, MEA and RCCAO jointly submitted an EBR Application for Review requesting the Ministry to conduct a formal review of the Municipal Class EA process. In April 2017, the Ministry agreed to complete the review of the Municipal Class EA process as requested and report their findings by January 31, 2019.</u></p> <p><u>To kick-start the review process, on November 29, 2017, MEA and RCCAO jointly hosted a session for stakeholders - Evolution of the MCEA: A Workshop to Improve this Vital Process. During the winter of 2018, Ontario Good Roads Association (OGRA) gathered strong support for Municipal Class EA reform from their member municipalities and during the spring of 2018, the Ministry hosted seven full day stakeholder consultations in downtown Toronto.</u></p> | Historical information summarized and added a description of the 2019 amendment process. |

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| | | <p><u>On April 25, 2019, the ministry released their Discussion Paper on EA Reform and the next week they introduced Bill 108 which amended several acts including the EA Act. There were two postings on the Environmental Registry related to EA Reform:</u></p> <p><u>Immediate Short-Term Fixes (ERO number 013-5102)</u></p> <p><u>In this posting, the ministry outlined amendments that they were proposing to the EA Act in Bill 108, specifically:</u></p> <ol style="list-style-type: none"> <u>1) To exempt low-risk activities/projects from the EA Act.</u> <u>2) To ensure timelines and certainty for the review of Part II Order Requests by clearly defining which matters bump-ups can be requested on and creating a regulation that would prescribe limits on when the Minister must make decisions on requests.</u> <u>3) Specifying that only those that live in Ontario would be able to submit a request for a Part II Order.</u> <p><u>Bill 108 received Royal Assent on June 6, 2019, exempting low-risk projects from the Class EA process, which included Schedule A and A+ undertakings. The changes to the Part II Order process will not take effect until the matters of provincial importance and timelines are prescribed, and the section of the EA Act is separately proclaimed.</u></p> <p><u>Discussion Paper: Modernizing Ontario’s EA Program (ERO number 013-5101)</u></p> <p><u>In this posting, the Ministry outlined potential improvements to the EA program and sought input that would help ensure better alignment between the level of assessment and the level of risk, eliminate duplication, find efficiencies and go digital.</u></p> | |
| 8. | A.1.2.5 | <p>A.1.2.5 “Parent” Class EA Framework</p> <p>As noted earlier, comments received by MEA and the information collected through the Renewal Project indicated that, in general, the process is working well. There were, however, differing opinions with regard to the level of explanatory detail and amount of direction to be provided. This was to be expected given the broad scope of the document, and its application to a variety of projects being undertaken by numerous proponents.</p> <p><u>Annual monitoring of the Municipal Class EA process since 2000, demonstrates that while there have been several serious specific issues, in general the Municipal Class EA process is working well and continues to serve the public.</u></p> <p>There are many proponents who are knowledgeable and experienced in applying the Municipal Class EA process to a full range of <u>straightforward or complex</u> projects either straightforward or complex, and, who have developed their own approach to Master Plans and co-ordinating EA Act requirements with Planning Act requirements. There are, however, some municipalities who desire greater direction, assistance or reassurance in carrying out their Class EA process, particularly when interpreting the schedules, conducting Master Plans, and coordinating with other legislation, particularly the Planning Act.</p> | First paragraph revised to reflect recent issues with the MCEA process. |

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| | | <p>This document does not provide exhaustive direction on how to manage complex projects or Master Plans. First and foremost, the Class EA provides the framework for environmental assessment planning of municipal infrastructure projects to fulfill the requirements of the EA Act. The key elements of the framework are provided in Section A.2. The Class EA establishes principles and certain minimum mandatory requirements and has been set-up as a self assessment process which is flexible enough to allow different proponents to meet the needs of specific projects while ensuring that the requirements of the EA Act are met. <u>To assist proponents, MEA has created a Municipal Class EA Companion Guide that provides useful tips for proponents and illustrates minimum requirements with examples. This Guide is available on MEA’s website and provides practical advice on satisfying the minimum requirements for Schedule B and C projects with real life examples. It focuses on satisfying the minimum requirements for Notification/Consultation, the EA process including investigation into options and detailed design and documentation (Schedule B and C) and explains when additional work could be considered. The guide does not provide expanded information on each section of the Municipal Class EA. Look for the Companion Guide icon in the margin to see if further information is available.</u> If a proponent determines that it requires more specific direction, then it may be appropriate for them to develop their own guidance documents to provide supplementary direction for project managers.</p> | |
| 9. | A.1.2.6 | <p>Section is deleted. A.1.2.6 Main Features of the 2000 Municipal Class EA</p> <p>The 2000 Municipal Class EA retained the process identified in the previous Class EAs as well as much of the explanatory information that was previously provided. The document, however, was reformatted and reorganized for easier use. The main features are:</p> <ul style="list-style-type: none"> • consolidation of the Class EA for Municipal Road Projects and the Class EA for Municipal Water and Wastewater projects into one document; • consolidation of common process elements (i.e. five phase process, consultation) in Part A, road projects in Part B and water and wastewater projects in Part C; • no substantive changes to the basic five phase planning process or mandatory minimum requirements; • references to property acquisition in the process flow chart and text were deleted due to changes in the amended EA Act; • identification of optional steps in flow chart; • schedules were printed on yellow paper in Appendix 1; • provision to change the status of project (formerly referred to as the bump up provision) was updated to reflect the new terminology and information in the amended EA Act now referred to as a “Part II Order” (see Section A.2.8); • a new monitoring provision was added whereby proponents must submit a copy of the Notice of Completion for Schedule B projects and a Notice of Completion of an (Environmental Study Report) ESR for Schedule C projects to the <u>Environmental Assessment and Permissions</u> A Branch (see Section A.1.5.1); • additional information on Master Plans was provided in Section A.2.7 and Appendix 4; | Section is deleted as it is no longer needed. |

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| | | <ul style="list-style-type: none"> • the means for co-ordination with the Planning Act has been revised, streamlined and clarified in order to continue to encourage integrated infrastructure and land use planning under both the EA Act and the Planning Act (see Section A.2.9); and • explanatory notes and helpful hints related to the Class EA process were highlighted in the margins in Part A of the document. <p>The 2000 document was amended in 2007, 2011, 2015 and 201920. A summary of the amended document is discussed in Section A.1.6.</p> | |
| 10. | A.1.3 | <p>A.1.3 PROPONENCY</p> <p>The 2000 Class EA document superseded the Municipal Class EAs which were approved in 1993. This document amends the 2000 Municipal Class EA. The proponents are the Cities of Barrie, Guelph, Hamilton, London, Mississauga, Ottawa, Sault Ste. Marie, Thunder Bay and Toronto, the Regional Municipalities of Durham, Niagara, Waterloo and York, the Town of Carleton Place and the County of Lanark. When carrying out projects to which the Class EA applies, these municipalities must either use the procedures described herein or undertake individual EAs. For these municipalities, Schedule A and Schedule A+ projects are unconditionally approved and cannot be subject to a request for a Part II Order while Schedule B and C projects are approved subject to the provisions of the Class EA process, <u>including</u> the provisions for a request for a Part II Order as outlined in Section A.2.8.</p> <p>Ontario Regulation 334 enables all municipalities to make use of this approved Class EA process to fulfill their EA Act requirements for the undertakings listed within this Class EA. Alternatively, at the municipal proponent y may opt to submit <u>an</u> individual EAs for each of their projects, regardless of cost, size or environmental impact. One small difference between the proponent and the non-proponent municipalities is that in the case of non-proponent municipalities, Schedule A projects could be designated under the EA Act. Schedule A projects generally have insignificant impacts and it is not anticipated that a designation would be made, except in very unusual circumstances.</p> <p>Proponency is defined in the Glossary. <u>Subject to another applicable exemption, in order for a proponent to be exempt from the requirement to submit an application for an undertaking in section 5 of the Environmental AssessmentEA Act, proponents must follow the planning process set out in this Class EA. If a proponent does not follow and complete the process set out in this Class EA, a proponent does not have the benefit of the exemption in section 15.1 of the Environmental AssessmentA Act and proceeding with the undertaking would be contrary to sections 5 and 13(3) of the EA Act.</u> Municipal projects undertaken by Ontario municipalities, Ontario Public Utility Commissions, the Ontario Clean Water Agency or the private sector, or as designated by the Minister, must follow the planning process set out in this Class EA, subject to the specific exemptions and other conditions set out in this document. This requirement applies to those municipal projects which are subject to this Class EA, regardless of the manner in which the facilities are funded.</p> | |

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| | | <p>In some cases, an undertaking under the Municipal Class EA may involve components which are subject to another proponent's Class EA (e.g. "Class EA for Provincial Transportation Facilities" (MTO), "Class EA for ORC Realty Activities" (ORC), "GO Transit Class EA" etc. Should this occur, municipal proponents should consult with the other proponents to determine how to coordinate the <u>Class EA requirements of each proponent and to determine if the process and documentation under the Municipal Class EA can be considered to have addressed the requirements of the other proponent's Class EA process. Each proponent should determine what their specific individual undertaking is, what their environmental assessment Class EA requirements are and must ensure that the requirements with respect to their particular undertaking are met.</u></p> <p>Private Sector Development:</p> <p><u>Private sector developers are defined as a developer of land other than land belonging to Her Majesty in right of Ontario, a public body or a municipality.</u></p> <p><u>O. Reg. 345/93 (Designation and Exemption - Private Sector Developers) made under the EA Act, designates certain undertakings by private sector developers as undertakings subject to the EA Act. Private sector developers should review the regulation to determine whether their project is an undertaking designated by the EA Act.</u></p> <p><u>Generally, O. Reg. 345/93 designates enterprises or activities by a private sector developer that are of a type listed in schedule C of this Class EA as it was approved on October 4, 2000; and are a road, water or wastewater project provided for residents of a municipality, as an undertaking that is subject to the requirements of the EA Act.</u></p> <p>PLEASE NOTE <u>that the list of schedule C undertakings in the Municipal Class Environmental Assessment EA that was approved on October 4, 2000 must be referred to in order to determine whether a proposed project is designated as an undertaking.</u></p> <p><u>Where an undertaking is designated, private sector developers have been authorized to use the Municipal Class EA to fulfill their obligations under the EA Act. Otherwise, a private sector developer may undertake an individual environmental assessment.</u></p> <p>Development of municipal servicing infrastructure is undertaken by municipalities acting in their own behalf or on behalf of private sector developers, or by private sector developers acting in their own behalf. Works undertaken by municipalities are subject to the EA Act, and to this Class EA, but works undertaken by private sector developers, with the exceptions noted in Ontario Regulation 345/93 (see discussion below), continue to be exempt from the EA Act and are therefore not subject to this Class EA.</p> | |

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| | | <p>The requirements for the private sector under the Ontario EA Act are defined by Ontario Regulation 345/93. For the private sector to meet their obligations under the Ontario EA Act, they can use the Municipal Class EA process rather than undertaking an Individual EA.</p> <p>Since certain infrastructure works can have significant impacts on the environment, the basis of this Class EA is that such projects shall be planned under the planning and documentation procedures set out under Schedule C and shall be subject to review by the public.</p> <p>Therefore, it is appropriate that such projects, whether undertaken by municipalities or by private sector developers, should be subject to review prior to implementation, regardless of who undertakes the planning and construction and regardless of who is ultimately responsible for control and maintenance of the works.</p> <p>Accordingly, those projects undertaken by private sector developers which are designated as an undertaking to which the Ontario EA Act applies (i.e. Schedule C projects that are servicing residential developments – see Ontario Regulation 345/93) are subject to all of the requirements of this Class EA. Section A.2.9 of this document provides a means for integrating the requirements of the EA Act and the Planning Act, where a proponent wishes to do so.</p> <p>In addition, municipalities are encouraged to consider requiring developers to fully consider appropriate alternatives even if the project is <u>not designated as an undertaking that is subject to the EA Act.</u> exempt under Ontario Regulation 345/93.</p> | |
| 11. | A.1.4 | <p>A.1.4 PHASE-IN</p> <p>Text deleted and replaced with:</p> <p>Phase-in provisions</p> <p>For roads, water/and-wastewater <u>and transit</u> projects, the following phase-in provisions are provided:</p> <p><u>1) All Schedule A and A+ projects listed in the Municipal Class EA before May 1, 2019 are exempt from EA Act requirements as of June 6, 2019.</u></p> <p><u>2) Any Schedule B or C project for which a Notice of Commencement has been issued under the 2000 Class EA as amended in 2015, shall continue under the 2000 Class EA as amended in 2015 until the project is completed, unless the proponent provides a</u></p> | New phase in provisions are provided |

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| | | <p><u>Notice of Schedule Change to impacted stakeholders, government agencies, Indigenous communities, and any interested persons due to the 2020 Class EA amendments.</u></p> <p><u>While the 2020 amendments to the Class EA have changed schedules for various undertakings, proponents that have commenced an undertaking under the previous scheduling should consider whether it is appropriate to downgrade Class EA requirements based on: how far along they are in the process (i.e. phase), the potential for environmental effects, public interest, and the complexity of the project.</u></p> <p><u>At a minimum, the Notice of Schedule Change must include:</u></p> <ul style="list-style-type: none"> • <u>The date of issuance of the notice</u> • <u>The name of the project and proponent</u> • <u>A description of the previous schedule and process under the Municipal Class EA</u> • <u>An explanation of the 2020 amendments and how that changes this project schedule</u> • <u>A description of the new schedule and the requirements of that schedule</u> • <u>Statement that if a member of the public has concerns with the project, they can raise it with the proponent directly</u> • <u>Proponent contact information</u> • <u>Information on the Freedom of Information and Protection of Privacy Act</u> <p><u>Any project that continues under a Schedule B or C process will be subject to Part II Order requests. It is inappropriate for a proponent to issue a Notice of Schedule Change to specifically avoid a Part II Order request.</u></p> <p><u>3) Any Schedule B or C project for which a Notice of Completion has been issued under the 2000 Class EA as amended in 2015 shall continue under the 2000 Class EA as amended in 2015 until the project is completed and the commitments in the EA fulfilled. If an addendum is required to a project that was planned under the 2000 Class EA, as amended in 2015, the proponent must follow the 2015 addendum requirements. 2) — Since there have been no substantive changes to the process or mandatory consultation requirements, and only minor revisions to the schedules, all other projects, as described in this document, are subject to the requirements of this Class EA as of the date of approval of this Municipal Class EA. Where changes to the Municipal Class EA do affect a project currently underway, then proponents can consult the EAA Branch to discuss the appropriate approach.</u></p> <p>For transit projects, phase-in provisions are provided in Section D.1.1 “Implementation and Transition Provisions”.</p> | |

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| 12. | A.1.5.1 | <p>A.1.5.1 Monitoring of Municipal Class EA</p> <p>In order to monitor the effectiveness of the process in meeting the requirements of the EA Act, as well as municipal compliance, proponents are required to submit to the MOE – EAA Branch, (MEA.Notices.EAAB@ontario.ca), one copy of the “Notice of Completion” for each Schedule B project and the “Notice of Completion of Environmental Study Report” for each Schedule C project.</p> <p>Section deleted and replaced with:</p> <p><u>The ministry becomes aware of streamlined environmental assessments (e.g. class environmental assessment projects, electricity projects and waste management projects) through notifications by project owners. Notifying the ministry is an important step in the streamlined EA processes. As part of the Ministry’s ongoing efforts to improve processes and ensure the ministry has an opportunity to provide input on projects undergoing streamlined EAs, the ministry has established dedicated email accounts in each regional office. These accounts will be used to receive notices as required in your Class EA process along with a new “Project Information Form”. As of May 1, 2018, proponents must use this new process:</u></p> <p><u>4 Step Process for Submitting Notices of Commencement for Streamlined EAs:</u></p> <p><u>To submit your notice, you need to do the following:</u></p> <ol style="list-style-type: none"> <u>1. Download and complete the Project Information Form. (The Form can be found here Ontario.ca under “Streamlined EAs”. It is an excel spreadsheet with columns that need to be filled out by the proponent. The form has been developed for ease of use (i.e. drop-down pick list for most fields). Instructions on filling out the form are contained in 2 tabs within the form itself).</u> <u>2. Create an email. The subject line of your email must include in this order: project location, type of streamlined EA and project name</u> <p><u>For example:</u></p> <ul style="list-style-type: none"> <u>• York Region, MEA Class EA, Elgin Mills Rd East (Bayview to Woodbine)</u> <u>• Durham Region, Electricity Screening Process, New Cogeneration Station</u> <u>• City of Ottawa, Waste Management Screening Process, Landfill Expansion</u> <ol style="list-style-type: none"> <u>3. Attach the completed Project Information Form (in excel format) and a copy of your project notice (in PDF format) to the email.</u> <u>4. Send by email to the appropriate Ministry Regional Office and the generic Class EA email address:</u> | Describes new process to submit notices. Re-write to mesh with info in Companion Guide |

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| | | <p> Central Region – eanotification.cregion@ontario.ca Eastern Region – eanotification.eregion@ontario.ca Northern Region – eanotification.nregion@ontario.ca South West Region – eanotification.swregion@ontario.ca West Central Region – eanotification.wcregion@ontario.ca </p> <p><u>and</u></p> <p>All - ClassEAnotices@ontario.ca</p> <p><u>3 Step Process for Submitting Notices of Completion for Streamlined EAs:</u></p> <p><u>To submit your notice you need to do the following:</u></p> <p><u>1. Create an email. The subject line of your email must include in this order: project location, type of streamlined EA and project name</u></p> <p><u>For example:</u></p> <ul style="list-style-type: none"> • York Region, MEA Class EA, Elgin Mills Rd East (Bayview to Woodbine) • Durham Region, Electricity Screening Process, New Cogeneration Station • City of Ottawa, Waste Management Screening Process, Landfill Expansion <p><u>2. Attach a copy of your project notice (in PDF format) to the email.</u></p> <p><u>3. Send by email to the appropriate Ministry Regional Office and the generic Class EA email address:</u></p> <p> Central Region – eanotification.cregion@ontario.ca Eastern Region – eanotification.eregion@ontario.ca Northern Region – eanotification.nregion@ontario.ca South West Region – eanotification.swregion@ontario.ca West Central Region – eanotification.wcregion@ontario.ca </p> <p><u>and</u></p> <p>All - ClassEAnotices@ontario.ca</p> <p><u>Notes:</u></p> <ul style="list-style-type: none"> • The hyperlink to the Ministry District Officer Locator website, can be used to assist with determining what Ministry Region your project is located. | |

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| | | <ul style="list-style-type: none"> • <u>If the project is located in more than one Ministry Region, the proponent shall submit notices to all appropriate regions.</u> <p><u>This will provide a record of projects undertaken within the province for use during the next review of this Class EA.</u></p> <p><u>In addition, representatives of the MEA will meet with staff of the ministry – Environmental Assessment Branch on an annual basis to review any comments received.</u></p> | |
| 13. | A.1.5.2 | Section will be deleted and replaced with standardized wording from MECP. | <p>MECP will be providing standardized language for amending procedures for all Class EAs. This process was amended through Bill 108.</p> <p>Administrative change.</p> |
| 14. | A.1.6 | <p>A.1.6 Amendments to the Municipal Class EA</p> <p>In 2000, the Municipal Class EA parent document, prepared by the MEA on behalf of proponent municipalities, was approved under the Ontario EA Act. As part of the approval given by the Minister of the Environment, Conservation and Parks, the MEA is required to undertake annual monitoring of the Class EA process to ensure the effectiveness in its continued use. In addition, the MEA is required to carry out a more comprehensive review of the Class EA process as part of the five-year reviews that are required by the Notice of Approval given for the Class EA.</p> <p>Over the years, a number of minor and major amendments to the Class EA have been proposed and approved and the Class EA document updated accordingly. <u>These amendments include:</u></p> <p><u>2007 – Amendment to create the Schedule A+ and to create the Transit section.</u></p> <p><u>2011 – Amendment to revise Section A.2.9 Integration with the Planning Act.</u></p> <p><u>2015 – Amendment to the Roads section of Appendix 1 to include active transportation facilities.</u></p> <p><u>2020 – Amendment to Appendix 1 and other various sections as described below:</u></p> | <p>Section updated to list recent amendments.</p> |

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| | | <p><u>Roads</u></p> <p>a. <u>New schedules created for stockpiling salt:</u></p> <ul style="list-style-type: none"> • <u>Initial stockpiling of de-icing material within an engineered permanent storage structure with an impervious surface, where de-icing material will be protected from precipitation and surface runoff and complies with the Government of Canada's code of practice for road salts environmental management (schedule A)</u> • <u>Stockpiling of de-icing material, where the de-icing material will be stored in an outdoor facility (schedule B)</u> <p>b. <u>A number of projects that were Schedule A if < \$2.4m or Schedule B if > \$2.4m are shifted to Schedule A or A+</u></p> <p>c. <u>A number of projects that were Schedule A are shifted to Schedule A+ to encourage community notification</u></p> <p>d. <u>Collector and arterial roads that are required as a specific condition of a planning approval and meet certain criteria are now Schedule A</u></p> <p>e. <u>Road diets and roundabouts are included in Schedule A+</u></p> <p>f. <u>If the heritage aspects of a bridge are addressed, reconstruction with the same vehicle capacity is Schedule A+</u></p> <p>g. <u>Reconstruction of expressways is added as a Schedule C</u></p> <p><u>Water/Wastewater</u></p> <p>h. <u>A number of existing items have been combined</u></p> <ul style="list-style-type: none"> • <u>4 items that deal with standby power combined into 1 item</u> • <u>10 items that deal with works yards combined into 1 item</u> • <u>4 items that deal with retiring facilities combined into 1 item</u> <p>i. <u>Projects must be required as a specific condition of a planning approval or subject to planning requirements and these terms will be added to the glossary</u></p> <p>j. <u>LID features have been added to Schedule A and A+</u></p> <p>k. <u>A number of projects have been shifted from Schedule A to Schedule A+ to encourage municipalities to provide notice to the local community</u></p> <p>l. <u>A number of projects have been shifted from Schedule B and C to Schedule A+ as the technical requirements are covered by an ECA and PTTW. Property acquisition is used as a trigger – most projects are Schedule A+ unless property acquisition is required</u></p> <p>m. <u>Infrastructure crossing a watercourse is clarified – Schedule A+ if replacement, trenchless or attached to existing bridge. New open cut or new bridge support is Schedule B.</u></p> <p><u>Transit</u></p> | |

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| | | <p><u>n. Transit Schedules are updated, and information is provided on Ontario Regulation 231/08: Transit Projects and Metrolinx Undertakings</u></p> <p><u>o. Part D is updated</u></p> <p><u>Other Sections</u></p> <p><u>p. Executive Summary, Glossary and other sections re-written to include update information related to Bill 108, the EA renewal process and changes made to Appendix 1</u></p> <p><u>q. A.1.2.2 Project Schedules - Section is re-written to explain the exemption of Schedule A and A+ projects provided by Bill 108 and to describe the responsibilities of municipalities related to these projects to be accountable to their citizens</u></p> <p><u>r. Various sections revised to include information from the Companion Guide</u></p> <p><u>s. A.1.4 Phase-In - Section revised for current amendment</u></p> <p><u>t. A.1.5.1 Monitoring of Municipal Class EA – Section revised to include process for submitting notices to MECP</u></p> <p><u>u. A.1.5.2 Municipal Class EA Amending Procedures</u></p> <p><u>v. A.1.7 MECP Codes of Practice – Section is updated to include current information about the Codes of Practice and Climate Change direction from the Companion Guide</u></p> <p><u>w. A.2.1.1 Level of Complexity – Section revised to highlight the use a Schedule A+ for many projects</u></p> <p><u>x. A.2.7.1 The Master Planning Process – Section updated to explain the different approaches of a Master Plan, expiration, and the abilities for a Part II Order Requests</u></p> <p><u>y. A.2.8 Changing the Project Status – Appeal Process</u></p> <p><u>z. A.2.10 Relationship of Projects within the Class EA to other Legislation – Section revised to identify other relevant regulations</u></p> <p><u>aa. A.3.5.3 Public Notices – Section revised to explain ability to establish notice requirements</u></p> <p><u>bb. A.4.3 Revisions and Addenda to Environmental Study Report – Section revised to clarify expiry/lapse of time.</u></p> <p><u>cc. Appendix 6 Sample Notices – New Sample Notices including for Schedule A+ are provided.</u></p> <p>A comprehensive list of the amendments made to the Class EA process is available on the MEA's website (http://www.municipalclassea.ca/) and proponents are encouraged to review this information to ensure that they have the most current information. The MEA will continue in its efforts to notify its stakeholders of any future changes to the Class EA.</p> <p>As part of its 5 year review of the Class EA, MEA proposed a number of amendments which were posted on MEA's website under "Municipal Class EA – Change Management". The proposed amendments were identified as follows:</p> <p>Minor Amendment: ———— minor modifications to the document</p> <p>Major Amendment – Part 1: ———— addition of a new project Schedule A+, defined as, "preapproved, however, the public is to be advised prior to implementation. The manner in which the public is to be advised is to be determined by the proponent."</p> <p>————— increase cost thresholds for road projects</p> | |

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| | | <p style="text-align: center;">———— other changes as identified during review</p> <p>Major Amendment — Part 2: ——— addition of Municipal Transit Projects</p> <p>The preparation of these amendments was done in parallel. The amendments were approved by the Ministry of the Environment (MOE) on September 6, 2007. Thereafter, MEA incorporated the amendments into the Municipal Class EA and re-issued the document.</p> | |
| 15. | a.1.6.1 a.1.6.2 | Sections are deleted | Sections are outdated. |
| 16. | A.1.7 | <p>A.1.7 <u>MECPOE Codes of Practice (2007) and Climate Change</u></p> <p>In August 2007, the Ministry of the Environment released a draft of the <i>Code of Practice: Preparing, Reviewing and Using Class Environmental Assessments in Ontario</i> which sets out the Ministry's expectations for the content of a "parent" class environmental assessment under 14 (2) of the <i>Environmental Assessment Act</i>. It also sets out the roles and responsibilities for all participants in the class environmental assessment process at the project stage and provides guidance to the public on how to navigate the class environmental assessment process for a particular project.</p> <p>In addition, it should be noted that on May 30, 2007, the Minister of the Environment approved three of the five Codes of Practice and one guidance document. They are:</p> <ul style="list-style-type: none"> • <i>Code of Practice: Preparing and Reviewing Terms of Reference for Environmental Assessments in Ontario</i> • <i>Code of Practice: Consultation in Ontario's Environmental Assessment Process</i> • <i>Code of Practice: Using Mediation in Ontario's Environmental Assessment Process</i> <p><i>Federal/Provincial Environmental Assessment Coordination in Ontario: A Guide for Proponents and the Public</i></p> <p><u>The Ministry has developed codes of practice to provide guidance on key aspects of the Class EA process. The codes of practice include:</u></p> <ul style="list-style-type: none"> <u>• <i>Preparing, Reviewing and Using Class Environmental Assessments in Ontario</i></u> <u>• <i>Consultation in Ontario's Environmental Assessment Process</i></u> <u>• <i>Using Mediation in Ontario's Environmental Assessment Process</i></u> <p><u>Together, the codes of practice:</u></p> <ul style="list-style-type: none"> <u>• <i>Set out the ministry's expectations for the content of a variety of environmental assessment documents and provide guidance on the roles and responsibilities of all participants in the environmental assessment process</i></u> <u>• <i>Provide clear direction to proponents, environmental assessment practitioners, and other stakeholders involved in the process on class environmental assessments, consultation, and mediation</i></u> <u>• <i>Promote the transparency of government involvement and the decision-making process when projects must meet the requirements of the EA Act provincial environmental assessment legislation</i></u> <p><u>In addition to these codes of practice, the Ministry has also developed the following guidance document:</u></p> | Section is updated to include current information about the Codes of Practice and Climate Change direction from the Companion Guide |

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| | | <ul style="list-style-type: none"> • <u>Considering climate change in the environmental assessment process</u> <p><u>This guide is a companion to the codes of practice and sets out the ministry’s expectations for considering climate change in the preparation, execution and documentation of environmental assessment studies and processes.</u></p> <p><u>The guide describes two types of climate change effects that can be considered. The first is the effect that a project can have on climate change. In this instance, the issue to be considered is the degree to which the project can provide some climate change mitigation measures by reducing carbon emissions and / or enhancing / protecting natural landscapes that act as carbon sinks. The second is the effect climate change has on a project. In this instance, the issue to be considered is the degree to which the project can demonstrate adaptation to climate change impacts.</u></p> <p><u>Climate Change Mitigation</u></p> <p><u>Climate change mitigation is a “big picture” issue. The most significant impact where decisions are made for climate change mitigation (i.e. green house gas emission reduction / protection and enhancement of natural areas as carbon sinks) relates to high level planning in a community. These types of planning decisions take place long before an undertaking is considered in the context of the Environmental AssessmentEA Act. These decisions are made through the development of Official Plans and Secondary plans under the Planning Act.</u></p> <p><u>Provincial Policy Statements address the need for climate change considerations in these high-level planning decisions. Infrastructure system development, expansion and improvement projects that fall under the Municipal Class EA follow the strategic direction of these high-level planning decisions. The impact on climate change mitigation between alternative conceptual solutions (Phase 2 of the Municipal Class EA) or optional design approaches (Phase 3 of the Municipal Class EA) could be relatively minor at this stage of the development of an undertaking. This would be a basis for a proponent to scale the level of evaluation associated with climate change mitigation assessment in the project.</u></p> <p><u>A logical approach to incorporate some consideration into the Class EA evaluation, if warranted, is to include climate change mitigation criteria into the decision-matrix as one of the factors impacting the selection of a preferred solution (Phase 2 of the Municipal Class EA) and / or preferred project design option (Phase 3 of the Municipal Class EA). Possible criteria descriptions may be as follows:</u></p> <ul style="list-style-type: none"> • <u>Potential for greenhouse gas emission reduction measures</u> • <u>Potential for protecting / enhancing carbon sinks (i.e. natural landscapes)</u> <p><u>These accommodate qualitative statements, such as “high / medium / low” to be part of the decision matrix based on potential measures that an option may be able to accommodate in reducing greenhouse gas emissions or protecting / enhancing carbon sinks.</u></p> | |

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| | | <p><u>Climate Change Adaptation</u></p> <p><u>Climate change adaptation is a project specific issue. Any weather event related to climate change that exerts an influence on a project can be considered an effect of climate change on a project. Extreme weather events and phenomenon are changing the performance or level of service for existing infrastructure systems and impacting the basis of designing new systems for the future.</u></p> <p><u>Climate change effects can be localized to property / project specific sites (e.g. flooding from extreme rainfall events), or wide-spread over large areas or regions (e.g. higher community water demands from drought conditions, higher power demands for heating and cooling from cold and hot temperature extremes, ecosystem resilience issues from rain, drought, ice and wind storms or other extreme events of nature).</u></p> <p><u>Effects of climate change on wide-spread areas would typically be addressed in master plan and high-level planning studies of community infrastructure needs. As with climate change mitigation, many of these decisions would be addressed through higher level community planning processes under the Planning Act and aligning with appropriate Provincial Policy Statements that incorporate climate change considerations. The Province’s EA program is developing more climate change guidance and tools for proponents. Reference is made to the Ministry’s Climate Change website.</u></p> <p><u>Addressing the potential effects of climate change on localized properties and projects ultimately becomes part of the design process, where infrastructure systems and structures are designed in such a way as to adapt and be resilient to extreme weather events. The impact on climate change adaptation between alternative conceptual solutions (Phase 2 of the Municipal Class EA) or optional design approaches (Phase 3 of the Municipal Class EA) could be relatively minor at this stage of the development of an undertaking. This would be a basis for a proponent to scale the level of evaluation associated with climate change adaptation assessment in the project.</u></p> <p><u>A logical approach to incorporate some consideration into the evaluation, if warranted, is to include climate change adaptation criteria into the decision-matrix as one of the factors impacting the selection of a preferred solution (Phase 2 of the Municipal Class EA) and / or preferred project design option (Phase 3 of the Municipal Class EA). Possible criteria descriptions may be stated as follows:</u></p> <ul style="list-style-type: none"> <u>• Vulnerability of project / infrastructure to climate change effects</u> <u>• Flexibility to incorporate climate change adaptation measures in design</u> <p><u>These criteria accommodate qualitative statements, such as “high / medium / low” to be part of the decision matrix based on degree of vulnerability between options to climate change effects and flexibility to accommodate adaptation features into the design of an undertaking.</u></p> | |

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| | | <p><u>Climate Change Conclusions</u></p> <p><u>The proponent should avoid including specific detailed design features in the Class EA analysis, particularly if these specific design features can be readily incorporated with any of the selected alternatives. Instead, the Class EA analysis should focus on factors that contribute to selecting the best alternative solution.</u></p> <p><u>The proponent would also decide what weighting the climate change criteria would carry relative to the other criterion in the decision matrix.</u></p> <p><u>The outcome of these considerations would result in proponent commitments through recommendations in the Phase 2 Report or Environmental Study Report to address adaption measures in the implementation of the preferred project (i.e. Phase 5 - design and construction of the Municipal Class EA).</u></p> <p><u>In summary, climate change considerations need to be incorporated into the Municipal Class EA process, but these must be scaled appropriately to be practically applied for the types of projects completed under the Class EA process.</u></p> | |
| 17. | A.2.1.1 | <p>A.2.1.1 Level of Complexity</p> <p>The following sections describe the planning process in this Class EA. It is important, however, to recognize that there is flexibility within the process to be responsive to specific project and consultation needs, while ensuring that the requirements of the Class EA are met.</p> <p>Level of complexity or sensitivity can relate to the nature of the problem or opportunity being addressed, the level of investigation required to assess alternatives and environmental effects, and public and agency issues and concerns. The level of complexity may affect the selection of the project schedule, and the scope of each phase in the Class EA process as well as the need to revisit steps in the process. The level of complexity will therefore affect the manner in which a project proceeds through the process.</p> <p>The complexity of a project is based on many components, including environmental effects, public and agency input and technical considerations, and how these interrelate on a specific project. Accordingly, the determination of complexity (and its ongoing assessment) requires sound professional judgement, is an inherent function of the management of a project and, is the responsibility of the proponent.</p> <p>Given the varying levels of complexity, the divisions amongst Schedules A, A+ B and C projects are therefore often not distinct. <u>Historically, the Municipal Class EA would allow proponents to elevate any project to a higher schedule if they wanted to follow a more comprehensive planning process for a project with less or no requirements (e.g. Schedule A). However, as Schedule A and A+ projects are now exempt from the Class EA process, they can no longer be elevated to a Schedule B or C process.</u></p> | Information from Companion Guide is included. See attached for Companion Guide. |

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| | | <p><u>Alternatively, proponents may still decide to elevate Schedule B projects to Schedule C requirements, if the project is particularly complex or controversial, and may Schedule A or A+B project would likely warrant efforts beyond the minimum Schedule B requirements.</u></p> <p>4) Having the ultimate decision regarding the project made outside the community? If yes, then the proponent should elevate the project to a Schedule B or C process and allow the community the opportunity to file a Part II Order Request. If warranted, the Minister will then make the final determination regarding the project.</p> <p>As a result, some proponents may choose to follow the process for a Schedule B, while others may decide to follow the process for a Schedule <u>CA+ with enhanced engagement, analysis or documentation.</u></p> <p>While the Class EA document defines the minimum requirements for environmental assessment planning, the proponent is responsible for “customizing” it to reflect the specific complexities and needs of a project.</p> <p><u>There is no need to automatically follow all of the steps of a higher Schedule. Instead, the proponent could simply expand the process to incorporate the components that will provide benefit to the community. All the above can be accomplished without elevating the project to a Schedule B or C process.</u></p> <p><u>IMPORTANT NOTE – When a proponent has a particularly complex or controversial project and decides to add extra steps (public engagement, more consideration of alternatives, extensive documentation or elevate a project to a higher Schedule), this extra effort should not become normal practice. Remember that this extra effort was justified for a specific project because of the unique circumstances. Unless the next project also has unique circumstances, the project should follow the process outlined in the <u>Municipal Class EA.</u></u></p> <p>The foregoing should be considered not only at the outset of project planning but as one proceeds through the process and reviews and confirms the project schedule.</p> <p>All activities undertaken in the planning process must be documented and records maintained in a form which can be presented to the public for review. However, the proponent need only gather and document information which is likely to have a direct bearing on impacts and mitigating measures. The level of detail of the information to be inventoried should reflect the potential severity of the impacts predicted.</p> <p>Lastly, it should also be noted that the process outlined in the following sections is not necessarily sequential. It can be an iterative process whereby the results of one step may necessitate re-evaluation of a previous step.</p> | |

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| 18. | A.2.7 | <p>A.2.7 MASTER PLANS</p> <p>The preceding section has addressed the planning and design process by which municipalities may plan municipal works on a project by project basis. It is recognized, however, that in many cases it is beneficial to begin the planning process by considering a group of related projects, or an overall system (e.g. water, wastewater and/or <u>transportation</u> roads network) or a number of integrated systems (e.g. infrastructure master plan) prior to dealing with project specific issues. By planning in this way, the need and justification for individual projects <u>can be defined through</u> and the associated broader context, are better defined.</p> <p>Master Plans are long range plans which integrate infrastructure requirements for existing and future land use with environmental assessment planning principles. These plans examine an infrastructure system(s) or group of related projects in order to outline a framework for planning for subsequent projects and/or developments <u>over the long-term</u>. At a minimum, Master Plans address Phases 1 and 2 of the Municipal Class EA process.</p> <p>The following section outlines a framework whereby this Class EA recognizes the place of such Master Planning studies in guiding sound environmental planning at the project-specific level. This approach recognizes that there are real benefits in terms of better planning when long range comprehensive studies are undertaken over logical planning units, such as at the regional level, and that proponents who undertake such studies can build on the recommendations and conclusions contained in them. Additional explanatory information and sample notices are provided in Appendix 4.</p> <p>Master Plans typically differ from project-specific studies in several key respects:</p> <ul style="list-style-type: none"> a) Long range infrastructure planning enables the proponent to comprehensively identify need and establish broader infrastructure options. The combined impact of alternatives is also better understood which may lead to other and better solutions. In addition, the opportunity to integrate with land use planning enables the proponent to look at the full impact of decisions from a variety of perspectives. <p>The following are distinguishing features of Master Plans:</p> <ul style="list-style-type: none"> <u>a)</u> <u>b)</u> The scope of Master Plans is broad and usually includes an analysis of the system in order to outline a framework for future works and developments. Master Plans are not typically undertaken to address a site-specific problem. <u>b)c)</u> b) Master Plans typically recommend a set of works which are distributed geographically throughout the study area and which are to be implemented over an extended period of time. Master Plans provide the context for the implementation of the specific projects which make up the plan and satisfy, as a minimum, Phases 1 and 2 of the Class EA process. Notwithstanding that <u>While</u> these works may be implemented as separate projects, collectively these works are part of a larger management system. <u>Master plans thus provide the context for the implementation or follow-up EA studies of the specific projects that make up the plan.</u> Master Plan studies in | <p>Amendments proposed to clarify process requirements/expectations.</p> |

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| | | <p>essence conclude with a set of preferred alternatives and, therefore, by their nature, Master Plans will limit the scope of alternatives which can be considered at <u>a project-specific level of assessment</u>the implementation stage.</p> <p>A.2.7.1 The Master Planning Process</p> <p>The work undertaken in the preparation of Master Plans should recognize the Planning and Design Process of this Class EA, and should incorporate the key principles of successful environmental assessment planning identified in Section A.1.1. It is imperative that public and agency consultation take place during each phase of the study process <u>as outlined below.</u>, specifically, at the initiation of the Master Plan study so that the scope and purpose of the study is understood, and at the selection of the preferred set of alternatives.</p> <p>At a minimum, t<u>The Master Planning process must follow, at a minimum, the same steps</u> should address <u>of</u> the first two phases <u>of</u> in the Planning and Design Process of the Class EA <u>process</u>:-</p> <ul style="list-style-type: none"> • <u>Phase 1 – Problem or Opportunity</u> <ul style="list-style-type: none"> ○ <u>Identify and describe the problem or opportunity that the Master Plan is addressing (see section A.2.2).</u> ○ <u>Notes for Master Plan studies (Phase 1): It is imperative that public and agency consultation take place at the initiation of the Master Plan study so that the scope and purpose of the study is understood. As such, proponents must use the discretionary consultation point.</u> • <u>Phase 2 – Alternative Solutions</u> <ul style="list-style-type: none"> ○ <u>Identify alternative solutions to the problem/opportunity by taking into consideration the existing environment, and establish the preferred alternative solution taking into account public and review agency input. Then, document the Master Planning process (see section A.2.3).</u> ○ <u>Notes for Master Plan studies (Phase 2): Depending on the level of detail of the Master Plan study being undertaken, “alternative solutions” may only involve broader network alternative solutions or it may also involve alternative solutions at a project-specific level where appropriate/needed.</u> <p>Given the broad scope of Master Plans, there are infinite <u>ways of conducting them. Various approaches are described below to guide proponents. Proponents can adapt and tailor the details of these approaches to best suit their needs, as long as the resulting approach is in keeping with</u> variations on the basic approaches described in Appendix 4. Regardless of the approach, the onus is on the proponent to ensure that the requirements of the Municipal-Class EA <u>process and the intent of its application. The onus is on the proponent to determine the preferred approach for the issues being addressed by the municipality.</u> are met.</p> <p>Prior to commencing a Master Plan, proponents are urged to contact the <u>Regional EA Coordinator at the Ministry’s Regional Office</u> A Branch to discuss their proposed approach.</p> | |

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| | | <p><u>Approach #1 – Broad Master Planning where identified projects are subject to project-specific requirements</u></p> <p><u>Approach #1 involves the Master Plan being undertaken with a broad scope and level of assessment. This involves analysis on a regional or systems scale, which enables the proponent to identify needs and establish broader infrastructure alternatives and solutions. The inventory of the natural, social and economic environments which are to be considered when assessing the alternative solutions may also be broader/more general.</u></p> <p><u>Specific projects that are required to achieve the preferred solution described in the Master Plan may be identified within the Master Plan document, however the level of detail at a project-specific level is minimal. Therefore, more detailed investigations at the project-specific level are required in order to fulfil the Municipal Class EA requirements for the specific Schedule B and C projects identified within the Master Plan. The Master Plan would therefore become the basis for, and be used in support of, future investigations for the specific Schedule B and C projects identified within it. For example, while the Master Plan may identify and recommend a series of transportation improvement projects, this would likely be done at a broad level, and additional work would be required to complete the EA process for the Schedule B or C projects (e.g. detailed inventory of the environment, impacts assessment, and development of mitigation measures – all specific to a particular project). Please see Appendix 4 – “Master Plan Review and Updates” for more information on using the Master Plan as the basis for future investigations of Schedule B and C projects.</u></p> <p><u>Documentation:</u> <u>The Master Plan document would be prepared at the conclusion of the selection of broad preferred alternatives. A final public notice for the Master Plan would be issued and the Master Plan document would be made available for public comment prior to being approved by the municipality. There are no Part II Order provisions for the Master Plan itself.</u></p> <p><u>Schedule B projects identified in the Master Plan would require the filing of the Project File for public review, while Schedule C projects would have to fulfil Phases 3 and 4 prior to filing an Environmental Study Report (ESR) for public review. Once the Notice of Completion is issued for a project, a Part II Order request may be submitted to the Ministry for the specific projects that are completing the EA process.</u></p> <p><u>Approach #2 – Detailed Master Planning where identified Schedule B projects have completed the EA process but identified Schedule C projects are subject to project-specific requirements</u></p> <p><u>Approach #2 involves the Master Plan being undertaken with detailed assessment work to appropriately meet the requirements of Schedule B projects.</u></p> | |

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| | | <p><u>Specific projects that are required to achieve the preferred solution described in the Master Plan are identified within the Master Plan document. The level of investigation, consultation and documentation are sufficient to fulfil the requirements for the Schedule B projects identified within the Master Plan. For example, more detailed inventories of the natural, social and economic environments are to be prepared for the areas where specific Schedule B projects are proposed to be located. These detailed inventories should be considered in identifying and assessing project-specific impacts and mitigation measures for each project. The project-specific information (in addition to the general Master Plan information) should be consulted on during the Master Planning process and documented in the Master Plan document.</u></p> <p><u>The level of study completed for the Master Plan is not sufficient to fulfil the requirements for any Schedule C projects identified. The Master Plan would therefore become the basis for, and be used in support of, future investigations for the specific Schedule C projects identified within it.</u></p> <p><u>Documentation:</u> <u>The Master Plan document would be prepared at the conclusion of Phases 1 and 2 of the Municipal Class EA process. The final public notice for the Master Plan would become the Notice of Completion for the Schedule B projects within it. At this time, the Ministry would consider Part II Order requests for the Schedule B projects that are completing the EA process only. These projects shall be specifically identified on the final notice as being subject to the Part II Order provision.</u></p> <p><u>Any Schedule C projects identified in the Master Plan would have to fulfil Phases 3 and 4 prior to filing an Environmental Study Report (ESR) for public review. The Ministry may not consider any Part II Order requests on projects that have not yet completed the EA process.</u></p> <p><u>Approach #3 – Comprehensive Master Planning where identified Schedule B and C projects have completed the EA process</u></p> <p><u>Approach #3 involves the Master Plan having comprehensive assessment work being done to appropriately address Schedule B and C project-specific scales.</u></p> <p><u>Specific projects that are required to achieve the preferred solution described in the Master Plan are identified within the Master Plan document. The level of investigation, consultation and documentation are sufficient to fulfil the requirements for the Schedule B and C projects identified within the Master Plan. For example, more detailed inventories of the natural, social and economic environments are to be prepared for the areas where specific Schedule B and C projects are proposed to be located. These detailed inventories</u></p> | |

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| | | <p><u>should be considered in identifying and assessing project-specific impacts and mitigation measures for each project. The Master Planning process would also include fulfilling requirements of phases 3 and 4 of the Class EA process. The project-specific information (in addition to the general Master Plan information) should be consulted on during the Master Planning process and documented in the Master Plan document.</u></p> <p><u>Documentation:</u> <u>The Master Plan document would be prepared at the conclusion of Phases 4 of the Municipal Class EA process. The Master Plan documents Phases 1 to 4 of the Class EA process for Schedule B and/or Schedule C projects. Therefore, the final public notice for the Master Plan would become the Notice of Completion for the Schedule B and C projects within it. At this time, there would be Part II Order provisions for the Schedule B and C projects identified. These projects shall be specifically identified on the final notice as being subject to the Part II Order provision.</u></p> <p><u>Depending on the scope of the Master Plan, this approach would likely result in extensive documentation should the Master Plan include numerous Schedule C projects. The proponent should take this into consideration when determining the appropriateness of using this approach.</u></p> <p><u>Modified Approach #2 or #3</u> <u>As mentioned above, depending on the scope of the Master Plan, approach #2 or #3 may result in extensive documentation should the Master Plan include numerous Schedule B and/or C projects. Further, some projects may need to be implemented sooner than others. Accordingly, proponents may choose to complete a Master Plan following approach #2 or #3 for some of the identified projects, but not for all.</u></p> <p><u>For a Modified Approach #2, this would mean that the level of investigation, consultation and documentation are sufficient to fulfil the requirements for specific Schedule B projects identified within the Master Plan, but not all of them and not the Schedule C projects. The final public notice for the Master Plan would become the Notice of Completion only for those specific Schedule B projects that had the detailed assessment completed and there would be Part II Order provisions for only those Schedule B projects. These projects shall be specifically identified on the final notice as being subject to the Part II Order provision. The remaining Schedule B projects would require the filing of the Project File for public review, while Schedule C projects would have to fulfil Phases 3 and 4 prior to filing an Environmental Study Report (ESR) for public review. There will be Part II Order provisions on the projects at the time of issuing the Notice of Completion.</u></p> <p><u>For a Modified Approach #3, this would mean that the level of investigation, consultation and documentation are sufficient to fulfil the requirements for all Schedule B projects identified within the Master Plan, and some of the Schedule C projects, but not all of the Schedule C projects. The final public notice for the Master Plan would become the Notice of Completion only for the Schedule B projects and the specific Schedule C projects that had the detailed assessment completed. There would be Part II Order provisions</u></p> | |

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| | | <p><u>for the Schedule B and the specific Schedule C projects only. These projects shall be specifically identified on the final notice as being subject to the Part II Order provision. The remaining Schedule C projects would have to fulfil Phases 3 and 4 prior to filing an Environmental Study Report (ESR) for public review. There will be Part II Order provisions on those projects at the time of issuing the Notice of Completion.</u></p> <p><u>These modified approaches are meant to provide flexibility to proponents to accommodate their particular needs, timing and resources. In following Modified Approach #2 or #3, it is very important that the proponent clearly communicates to stakeholders which identified Schedule B and/or Schedule C projects it is fully satisfying the Class EA process for, and which will be subject to further investigation through subsequent project-specific EAs. A strong consultation/communication plan is advised.</u></p> <p><u>Integration with the Planning Act</u></p> <p><u>Given the broad scope of Master Plans, it may be appropriate to integrate with approvals under the Planning Act. For example, the preparation of a new official plan or a comprehensive official plan amendment could be accompanied by Master Plans for water, wastewater and/or transportation. When these planning documents are prepared simultaneously, alternatives can be assessed taking into account land use and servicing issues while addressing a preferred alternative which minimizes, to the extent possible, the impact on the community, natural environment and the economy. Often the range of alternatives that can be assessed for servicing are greater because the land use plan has not been finalized. This approach is best suited when planning for a significant geographical area in the long term where interdependent decisions which impact servicing and land use are being made and the range of servicing alternatives needs to be addressed in an integrated fashion in order to recommend the best overall solution for the community.</u></p> <p><u>The integrated approach still involves the completion of the procedural requirements of this Class EA, however proponents can reduce duplication by simultaneously complying with Planning Act and Class EA processes using shared notification, consultation, studies, technical reports and documentation opportunities. Essentially both processes can be satisfied at the same time using the same information/studies/documentation, as long as the level of detail and assessment completed appropriately captures the requirements of both processes.</u></p> <p><u>For Master Plans that are integrated with a Planning Act approval, the proponent should clearly identify which Master Plan approach it is following i.e. approach 1, 2 or 3.</u> When choosing the appropriate approach, the proponent should carefully consider factors such as:</p> <ul style="list-style-type: none"> <u>the objective/purpose of the Master Plan (e.g. broad plan that identifies projects needed to service development and provides the support for future investigation to fully confirm project-specific recommended solutions (approach 1) or a plan that would study and determine the preferred alternatives for the identified projects and complete Class EA requirements in</u> | |

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| | | <p><u>order to proceed to implementation (approach 2/3));</u></p> <ul style="list-style-type: none"> • <u>complexity of the Master Plan (e.g. number of projects identified; is there sufficient detail at this stage to fulfil the level of assessment required for Schedule B/C projects?); and</u> • <u>timing of infrastructure needs (e.g. do any of the projects need to be implemented immediately or in the short term?).</u> <p><u>More information on the integrated approach and fulfilling the requirements under both the Planning Act and the Class EA are in Section A.2.9.</u></p> | |
| 19. | A.2.7.2 | <p><u>A.2.7.2 Master Plan – Monitoring, Amending and Lapse of Time</u></p> <p>In order to monitor the effectiveness and benefits of this approach, proponents are required to briefly summarize how the Master Plan followed Class EA requirements and copy this to the EAA Branch, including copies of mandatory notices.</p> <p><u>Master Plans are long-term plans that will likely be implemented over many years. The inclusion of a project in a Master Plan does not provide EA Act approval — there is no Notice of Completion for a Master Plan and no associated approval. — In order to meet the requirements of the EA process, a Notice of Completion for each of the identified Schedule B and C projects must be issued. As such, there is no lapse of time limit on a Master Plan. The lapse of time applies to the identified projects (see section A.4.1.1 and A.4.3).</u></p> <p><u>However, when the proponent wants to proceed with one of the identified Schedule B or C projects, the proponent needs to complete the Municipal Class EA process with complete and current information. If the Master Plan is dated and does not include complete and current information, the proponent will need to gather and analyze that information prior to issuing the Notice of Completion for the Schedule B or C project.</u></p> <p><u>It is recommended that proponents review and update (amend) their Master Plans on a regular basis. Regular updates will permit the proponent to simply reference the complete and current information in the Master Plan when proceeding with completion of the EA process for a project.</u></p> | Includes advice on amending and lapse of time and recommends regular updates to keep Master Plans current. |
| 20. | A.2.8 | <p>Section to be deleted and replaced with standardized wording from MECP[PK1].</p> | MECP to provide standardized wording for Class EAs to explain the Part II Order process. |
| 21. | A.2.9.1 – A.2.9.4 | <p>There may be circumstances where a proponent (including private developers) may have a Planning Act application and Class EA requirements at the same time. For example, an application for a plan of subdivision may trigger the need for a new collector road. When this occurs, <u>the Ministry strongly encourages proponents to</u> it may be desirable to consider the Planning Act and Class EA processes together in an integrated approach in order to avoid duplication and ensure improved environmental protection. This Class EA recognizes the desirability of coordinating or integrating the planning</p> | Section updated to clarify integration provisions. |

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| | | <p>processes and approvals under the EA Act and the Planning Act, as long as the intent and requirements of both acts are met.</p> <p>The types of Planning Act applications/documents that may proceed using the integration approach include: an official plan, official plan amendment including secondary plans adopted as an official plan amendment, community improvement plan, plan of subdivision and a plan of condominium. Applications may be initiated by the municipality or by a private sector developer or both as co-proponents. By completing the requirements for environmental assessment EA and land use planning processes at the same time, proponents can streamline their efforts and more effectively meet the requirements of both the Planning Act and EA Act.</p> <p>A.2.9.1 Integrated Approach Overview</p> <p>The integrated approach provides proponents with the opportunity to reduce duplication by simultaneously complying with the Planning Act and Class EA processes. <u>For example, proponents could use the same, including public/stakeholder notification and consultation requirements, technical reports and analyses, and land use planning and environmental protection decisions for both the Planning Act approval and the Class EA, as long as the level of detail and assessment completed for those shared opportunities appropriately captures the requirements of both processes.</u> As noted in condition ii) above, the requirements of this Class EA process still need to be met.</p> <p>The integrated approach still involves the completion of the procedural requirements of this Class EA based on whether the project is classified as a Schedule B or Schedule C project. If the project is defined as a Schedule B project, the proponent must complete Phases 1 and 2 of this Class EA. If the project is categorized as a Schedule C project, the proponent is required to complete Phases 1 through 4 of this Class EA. All Class EA planning principles and mandatory consultation requirements still apply.</p> <p>Work completed by the proponent for each of the applicable Phases of this Class EA are to be documented in a publicly available document to accompany the Planning Act application. Documentation must be prepared in accordance with section A.2.9.4 of this Class EA and must demonstrate how the proponent has satisfied the requirements for each of the Phases required to be completed under this Class EA in completing their Planning Act application(s) (referred to in this section) and their respective requirements.</p> <p>Under the Planning Act, decision(s) may be appealed to the <u>Local Planning Appeals Tribunal</u> Ontario Municipal Board (<u>LPATOMB</u>). The <u>LPATOMB</u> is the <u>adjudicative tribunal</u> administrative body to which appeals of the land use planning decisions, including the supporting infrastructure can be made. If a project has been appealed to the <u>LPATOMB</u>, the requirements of the integrated approach have not been met until the <u>LPATOMB</u> renders a decision allowing the project to proceed. As outlined in section 2.8.1 of this Class EA, a Part II Order request may also be made to the Minister of the Environment, <u>Conservation and Parks</u> or delegate. However, the purpose of the integration provisions is to coordinate requirements under the Planning Act with</p> | |

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| | | <p>this Class EA. When reviewing a <u>Part II Order request</u> P110, the Minister of the Environment, <u>Conservation and Parks</u> or delegate will consider the purpose and intent of the integration provisions.</p> <p>A.2.9.2 Who Can Use the Integrated Approach</p> <p>The proponent of a project using the integrated approach is the same as the applicant under the Planning Act, whether the proponent is a municipality, a private sector developer or both. Two or more municipalities and/or private sector developers may act as co-proponents.</p> <p><i>Private Sector Proponent</i></p> <p>Ontario Regulation 345/93, made under the EA Act, designates private sector developers as subject to the requirements of the EA Act if a private sector developer is proposing an undertaking of a type listed in Schedule C and the undertaking involves the provision of roads, water or wastewater facilities for the residents of a municipality.</p> <p>Municipalities should not avoid their EA Act requirements through the use of conditions on a Planning Act approval where the appropriate proponent for the work is the municipality.</p> <p><i>Co-proponency</i></p> <ul style="list-style-type: none"> Two or more parties may have responsibilities under the Class EA process for the same project (either different municipalities or private sector developers or a combination of two or more). Where two or more proponents undertake a project for their mutual benefit, as co-proponents, all terms and conditions of this Class EA shall apply equally to each of the co-proponents. In a co-proponency that involves a private sector developer and a municipality, Class EA requirements shall be those of the municipality. In cases where components of a single project fall within more than one schedule, the more rigorous schedule shall apply. Proponents may also change during the planning and implementation of a project. Initial Class EA Phases may be completed by one proponent and following Phases may be completed by another. For example, a municipality may use a Master Plan to complete Phases 1 and 2 of this Class EA process, while a private sector proponent, building upon the work completed by the municipality, completes Phases 3 and 4 of this Class EA process through the standard Class EA process or through the use of the integrated approach. If a proponent is relying on work completed by another proponent to fulfill their requirements under this Class EA, the proponent needs to ensure that the work that is being relied upon meets the requirements of section A.2.9.2 and that they are able to make use of the work completed by the other proponent. There may be restrictions on the use of previous work by others (e.g., reliance or copyright). <p>The proponent of a project using the integrated approach is the same as the applicant under the Planning Act, whether the proponent</p> | |

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| | | <p>is a municipality, a private sector developer or both. Two or more municipalities and/or private sector developers may act as co-proponents.</p> <p>A.2.9.3 Steps in the Integrated Approach</p> <p>The following section provides a step-by-step guide of the Class EA requirements for proponents planning a project using the integrated approach. <u>Proponents should match up Planning Act approval requirement steps with Class EA requirement steps to identify opportunities to reduce duplication and coordinate timing of both processes.</u></p> <p>1) Identify the problem or opportunity.</p> <p>2) (a) Identify alternative solutions to the problem or opportunity. (b) Carry out an inventory of the environment, including the natural, social, cultural and economic environment. (c) Identify the potential impacts of the alternative solutions on the environment and any measures needed to mitigate those impacts. (d) Carry out a comparative evaluation of the alternative solutions and identify a preliminary preferred solution. (e) Mandatory Point of Consultation – notify and consult with review agencies and the public as described in section A.3 of this Class EA.</p> <p>(f) Determine the preferred alternative solution (project) based on the results of the comparative evaluation and feedback received from review agencies and the public.</p> <p>(g) Key Decision Point - At this point in the process, the proponent must confirm the applicable Class EA Schedule for the preferred solution (project):</p> <ul style="list-style-type: none"> • If the Project would have been defined as a Schedule B project under this Class EA, then the proponent must: <ul style="list-style-type: none"> ○ document the study process and description of the physical location and dimensions of the project in a public document. Documentation must be consistent with the requirements in section A.2.9.4 (Documentation) of this Class EA; ○ issue mandatory notification (e.g. a Notice of Completion) to review agencies and the public about the availability of the study documentation for public review as well as the appeal rights under the Planning Act; and ○ proceed to Phase 5 of this Class EA below. | |

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| | | <ul style="list-style-type: none"> • If the Project would have been defined as a Schedule C project under this Class EA, then the proponent must: Proceed with Phases 3, 4 and 5 of this Class EA below. <p>3) (a) Identify alternative design concepts for the preferred solution (project).</p> <p>(b) Undertake a detailed inventory of the environment, including the natural, social, cultural and economic environments.</p> <p>(c) Identify the potential impact of the alternative project designs on the environment and any measures needed to mitigate those impacts.</p> <p>(d) Carry out a comparative evaluation of the alternative project designs and identify a recommended project design.</p> <p>(e) Mandatory Point of Consultation - notify and consult review agencies and the public as described in sections A.3, A.3.5.3, A.3.6 and A.3.7 of this Class EA.</p> <p>(f) Determine the preferred design for the project.</p> <p>4) (a) Document the integrated approach, including the problem or opportunity, alternative solutions, alternative project design concepts, preferred project designs, preferred design of the project, consultation and decision-making process using section A.4 as a guide. Documentation must include a description of the proposed project including the physical location and physical dimensions of the project.</p> <p>(b) Mandatory Point of Consultation (e.g. Issue Notice of Completion) – notify review agencies and the public about the availability of the study documentation for public review and their rights of appeal.</p> <p>Documentation and supporting technical reports must be provided to review agencies as required. Section A.2.9.4 provides further information regarding documenting the integration process.</p> <p>5) Once all necessary Planning Act approval(s) have been obtained and the integrated planning process as described in section A.2.9.3 is complete, the proponent may proceed to implement the project. It is the responsibility of the proponent to ensure that they have fulfilled all of the Planning Act and EA Act requirements for their project and obtained any other necessary approvals or permits prior to implementing the project.</p> <p>A.2.9.4 Documentation</p> <p>The Class EA documentation supporting a Planning Act application must be made available to the public and shall include:</p> | |

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| | | <ul style="list-style-type: none"> • a statement of the purpose, problem or opportunity. • details of the planning process followed. • details of the consultation carried out. • existing environmental conditions. • alternative solutions and evaluation of its potential environmental effects. • the preferred solution and its effects on the environment. • the mitigation measures to be implemented. • commitments made during the planning process. <p>(see section A.4 as a guide)</p> <p>Documentation and supporting technical reports must be provided to review agencies for their review and comment as required. Where studies are necessary to support the decisions made, the feasibility of the preferred alternative, and the conclusions drawn about environmental impacts and mitigation measures, these technical studies must be provided to the review agencies at an early stage in the integrated planning process. Examples include hydrogeological studies for communal groundwater supply or a noise study for a new or widened roadway. It is further recommended that proponents consult with review agencies early in the process to determine any requirements and/or site-specific information that should be provided in the relevant studies.</p> <p><u>As a reminder, proponents can use the same technical studies and documentation for both the Planning Act approval and the Class EA, so long as the requirements of both processes are met. For example, a document that is to be used for both processes must contain all the information requirements of the Planning Act approval and all the information requirements of the Class EA. This may result in a slightly longer single document versus two separate documents that contain mostly duplicative information in both.</u></p> | |
| 22. | A.2.9.7 | <p>A.2.9.7 Monitoring the Application of the Approach to Integrate with the Planning Act</p> <p>After proponents have completed a project using the integrated approach, proponents should briefly summarize how a project has met the conditions in section A.2.9 (+/- 2 pages) and copy this to MOE, Director, EAAB including copies of the mandatory public and review agency notices. Doing so will assist in monitoring the effectiveness and benefits of the integrated approach.</p> <p>The information provided to MOE, Director, EAAB should include a description of:</p> <ul style="list-style-type: none"> • the Planning Act application that was integrated with the Class EA process. • how the requirements of the Class EA process were fulfilled with respect to the appropriate Phase 1 through 4 requirements. • consultation undertaken, including copies of notices. • project documentation. | Section updated |

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| | | <p>Representatives of the MOE, MEA and MMAH will meet on an annual basis to review the submissions received, any comments provided and to discuss the effectiveness of the integrated approach.</p> <p><u>All notices of commencement and completion, including those for projects or Master Plans following the integrated approach, are required to be submitted to the Ministry's Regional Email Address (per section A.1.5.1). This system will track the number of projects following the integrated approach.</u> After proponents have completed a project using the integrated approach, proponents should briefly summarize how a project has met the conditions in section A.2.9 (+/- 2 pages) and copy this to MOE, Director, EAAB including copies of the mandatory public and review agency notices. Doing so will assist in monitoring the effectiveness and benefits of the integrated approach.</p> <p>The information provided to MOE, Director, EAAB should include a description of:</p> <ul style="list-style-type: none"> • the Planning Act application that was integrated with the Class EA process. • how the requirements of the Class EA process were fulfilled with respect to the appropriate Phase 1 through 4 requirements. • consultation undertaken, including copies of notices. • project documentation. <p>Representatives of the MOE, MEA and MMAH will meet on an annual basis to review the submissions received, any comments provided and to discuss the effectiveness of the integrated approach.</p> | |
| 23. | A.2.10 | <p>A.2.10 RELATIONSHIP OF PROJECTS WITHIN THE CLASS EA TO OTHER LEGISLATION</p> <p>This Class EA process can be conducted in such a way as to ensure compliance with other environmental legislation. The Class EA process, however, does not replace or exempt the formal processes of other applicable federal, provincial and municipal legislation and municipal by-laws, such as permits or approvals and the specific public and agency consultation that they may require. Where possible, duplication between the Class EA process and other formal approval processes should be avoided.</p> <p><u>This section is not intended to be an exhaustive list of approvals or undergo regular updates to reflect ongoing changes to legislation.</u> It is well beyond the scope of this document to outline all the potential legislation and regulatory requirements of municipal projects. It is, therefore, the responsibility of the proponent to ensure that all <u>approval and permitting</u> requirements are met <u>prior to implementation</u>. Furthermore, good project management will endeavour to do this in a streamlined and efficient manner in order to minimize duplication where possible.</p> <p>The relationship to the following provincial legislation <u>and regulations</u> are is discussed in the following sections:</p> <ul style="list-style-type: none"> • Planning Act, <u>2001</u> _____ see Section A.2.9 | Updates entire section and includes traffic calming, source water protection, ECAs, transit reg and other regulations related to the Municipal Class EA |

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| | | <ul style="list-style-type: none"> • Municipal Act, 2001 _____ see Section A.2.10.1 • Ontario Water Resources Act, 1990 see Section A.2.10.2 Environmental Protection Act, 1990 • Consolidated Hearings Act, 1990 see Section A.2.10.3 • Ontario Regulation 586/06 _____ see Section A.2.10.4 • Drainage Act, 1990 see Section A.2.10.5 • Clean Water Act see Section A.2.10.6 • Endangered Species Act, 2007 see Section A.2.10.7 • Ontario Regulation 231/08 see section A.2.10.8 <p>Other key provincial, <u>plans and policies</u> legislation includes:</p> <ul style="list-style-type: none"> • the Provincial Policy Statement (PPS); • the Oak Ridges Moraine Conservation Act 2001, and the Oak Ridges Conservation Plan enacted in 2004; • the Ontario Safe Water Drinking Act, 2002 and its regulations; • the Nutrient Management Act, 2002 and its regulation; • the Niagara Escarpment <u>Planning and Development Act, and Niagara Escarpment</u> Plan; • the Greenbelt <u>Act, 2005 and the Greenbelt</u> Plan; • Places to Grow Act, <u>2005 and the Growth Plan for the Greater Golden Horseshoe</u>; • Ontario Heritage Act, <u>1990 and its regulations</u>; • Ontario Regulation 116/01 (Electricity Regulation); • Clean Water Act, 2006 <u>and its regulations</u>; • Great Lakes – St. Lawrence River Basin Sustainable Water Resources Agreement, December 2005; • <u>Safeguarding and Sustaining Ontario’s Water Act, 2007.</u> • The Endangered Species Act, 2007 and its regulations; • <u>The Lake Simcoe Protection Act, 2008 and the Lake Simcoe Protection Plan</u>; • <u>Water Opportunities Act, 2010</u>; • Ontario Regulation 101/07. • <p><u>Also, proponents should be aware of the following:</u></p> <p>In addition it should be noted that Section 3.3(1) of the Ontario EA Act removes traffic calming from being subject to the Ontario EA Act.</p> | |

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| | | <p><u>Ontario Regulation 116/01 (Exempts Standby Power)</u> <u>Ontario Regulation 334/90 (Exempts projects not defined in Class EA if < \$3.5m)</u> <u>Ontario Regulation 345/93 (Exempts private proponents)</u> <u>Ontario Regulation ???/19 (Establishes process for Part II Order Requests)</u></p> <p>Municipal projects must also comply with the requirements of the Canadian Environmental Assessment Act (CEAA) <u>federal Impact Assessment Act (IAA)</u> where applicable. This is discussed in Section A.2.11. In addition, there are a number of Federal Acts that are relevant to municipal projects including:</p> <ul style="list-style-type: none"> • Fisheries Act (see Section A.2.11.1). • Navigable Waters Protection Act (see Section A.2.11.2). • Species at Risk Act (see Section A.2.11.3). • <u>Migratory Birds Convention Act.</u> • Canadian Transportation Act. <p>Federal agencies have prepared a document entitled, “Information Requirements for Municipal Class Environmental Assessment Projects – Guidance Document”. The focus of this Guidance Document is on projects for which Fisheries and Oceans Canada, Transport Canada (Navigable Water Protection Program), Environment <u>and Climate Change</u> Canada and Industry Canada are involved, since these are the departments that most frequently have an interest in municipal projects</p> | |
| 24. | A.2.10.1 | <p>A.2.10.1 Municipal Act / <u>City of Toronto Act</u></p> <p>The <i>Municipal Act</i> sets out the powers of municipalities and the division of responsibilities in all municipal systems. It provides the authority under which municipalities may operate. Proponents are urged to coordinate requirements under the EA Act and the Municipal Act where possible and appropriate, for example, public notification.</p> <p><u>The City of Toronto Act is a permissive legislative framework created for the City of Toronto that provides the city with broader powers to pass by-laws on matters ranging from health and safety to the city’s economic, social and environmental well-being.</u></p> | Section updated to reflect changes to legislation. |
| 25. | A.2.10.6 | <p>A.2.10.6 The Clean Water Act</p> <p>The purpose of the <i>Clean Water Act</i> (CWA) is to protect existing and future sources of municipal drinking water. Under the CWA, <u>four types of vulnerable areas</u> have been delineated around surface water intakes and wellheads for every existing and planned municipal residential drinking water system that is located in <u>sa s</u>Source <u>pp</u>Protection <u>aa</u>Areas <u>ss</u> (SPA). These vulnerable areas are known as a Wellhead Protection Areas (WHPAs), <u>or</u> surface water Intake Protection Zones (IPZs), <u>Highly Vulnerable Aquifers (HVAs)</u> <u>Highly Vulnerable Aquifers (HVAs) and Significant Groundwater Recharge Areas (SGRAs)</u> <u>and Significant Groundwater Recharge Areas (SGRAs).</u> <u>In addition, portions of the vulnerable areas may include Issues Contributing Areas (ICAs) and Events-based Areas (EBAs)</u> <u>In addition, portions of the vulnerable areas may include Issues Contributing Areas (ICAs) and Events-based Areas (EBAs).</u> Details regarding the location of vulnerable areas <u>are</u> <u>will be</u> <u>are</u> available in approved Source Protection</p> | Administrative updates. |

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| | | <p>Plans/Assessment Reports available on <u>available on</u> and from the Conservation Authority/Source Protection Authority <u>websites</u> websites.</p> <p>Source protection plans set out the local approach to protecting sources of drinking water. Where an activity poses a risk to drinking water, policies in the local source protection plan may impact how that activity is undertaken. Policies may prohibit certain activities, or they may use certain tools to manage these activities. Municipal Official Plans, planning decisions, Municipal Class EA projects (where a project includes a drinking water risk) and prescribed instruments must conform with policies that address significant risks to drinking water and must have regard for policies that address moderate or low risks.</p> <p>Projects Located Within A Vulnerable Area: Projects being proposed in a vulnerable area may pose a risk to drinking water and may be subject to policies in a source protection plan. When projects are proposed within a vulnerable area, the policies in source protection plans must be considered and the impact of the policies on those who may need to implement the policies or those who are otherwise impacted (e.g. land owners) should be given adequate consideration during the planning stage. Proponents undertaking a Municipal Class EA project must identify early in their process whether a project is or could potentially be occurring within a vulnerable area; this would fall within Phase 1 of the Class EA process and must be clearly documented in the project file or Environmental Study Report (ESR), as may be appropriate.</p> <p>Projects that create new or amended vulnerable areas: For any proposed projects that alter or result in new vulnerable areas, the vulnerable areas will have to be incorporated into updated Source Protection Plans/Assessment Reports. Examples of such projects include but are not limited to: municipal well or surface water intake (existing or draw on a new source of drinking water), new storm sewersheds due to new development (which can expand an intake protection zone). When this happens, landowners within new or amended vulnerable areas (IPZs or WHPAs) will be subject to source protection plan policies. These policies may impact existing or proposed land uses and the activities carried out by landowners. To fully understand the impact of establishing a new or expanded drinking water systems, it is recommended that the technical work required by the CWA to identify the vulnerable areas and potential drinking water threats be undertaken concurrently with the Municipal Class EA process. This will facilitate the assessment of potential impacts and allow a more comprehensive consultation process with potentially affected stakeholders. Coordinating this work will also expedite Source Protection Plan/Assessment Report amendments to incorporate the new system or any changes to existing systems that may be required. It will also minimize the likelihood of Municipal Class EA proponents having to amend completed Municipal Class EA projects to reflect the technical work required by the CWA.</p> <p>For further <u>information on source protection requirements</u> clarity, the proponent should <u>can</u> contact <u>source protection staff at the local or regional</u> the Conservation Authority/Source Protection Authority.</p> | |
| 26. | A.2.10.7 | <p><u>New section</u> <u>Endangered Species Act</u></p> | |

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| | | <p><u>The Endangered Species Act, 2007 (Endangered Species Act) came into effect on June 30, 2008, and provides for the protection of species that are listed as “endangered”, “threatened”, or extirpated, and their habitat.</u></p> <p><u>The purposes of the Endangered Species Act are to:</u></p> <ul style="list-style-type: none"> <u>• identify species at risk based on the best available scientific information, including information obtained from community knowledge and Aboriginal traditional knowledge;</u> <u>• protect species that are at risk and their habitats, and promote the recovery of species that are at risk; and,</u> <u>• promote stewardship activities to assist in the protection and recovery of species at risk.</u> <p><u>Avoiding impacts to species at risk and their habitat is an integral part of protection and recovery. Where activities may have impacts that cannot be avoided, an authorization or compliance with a regulatory provision (which in some cases requires registration with the ministry) can allow those activities to occur under certain conditions (e.g. creating and following a mitigation plan).</u></p> <p><u>Proponents are expected to assess impacts to species at risk during the Class EA process, by doing so the proponent can be prepared for any Endangered Species Act permitting requires as part of the proposed activity. This includes:</u></p> <ul style="list-style-type: none"> <u>• consideration of alternatives that avoid impacting specie at risk</u> <u>• Identification of mitigation actions that minimize impacts</u> <u>• Identification of overall benefit actions</u> <p><u>For additional information on requirements for ESA authorizations, proponents can consult the Ministry’s website https://www.ontario.ca/page/how-get-endangered-species-act-permit-or-authorization. Or can contact the Ministry at SAROntario@ontario.ca.</u></p> | |
| 27. | A.2.10.8 | <p>NEW Section</p> <p><u>Ontario Regulation 231/08 – Transit Projects and Metrolinx Undertakings (transit regulation)</u></p> <p><u>The Transit Regulation exempts proponents of all public transit projects from the requirements under Part II and Part II.1 of the EA Act and creates a process that certain projects (those set out in Schedule 1 to the regulation) must follow in order to be exempt; the “transit project assessment process” outlined in the regulation. If a transit project is not listed in Schedule 1 of the regulation, it is exempt from EA Act requirements and may proceed subject to any other required approvals.</u></p> | Section added to clarify transit project assessment requirements under 231/08. |

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| | | <p><u>The transit project assessment process is a proponent-led, self-assessment process and does not require Minister and Cabinet approval. Timelines have been prescribed for the transit project assessment process that pertain to both public proponents and the Minister. The process starts with a defined project. The Transit Regulation includes requirements for notification, studies, documentation and consultation. There is an opportunity under the process to submit an objection to the Minister. The Minister may only require further consideration of the transit project (including requiring an individual environmental assessment) or impose conditions if the project may have a negative impact on a matter of provincial importance that relates to a natural environment or cultural heritage value/interest or a constitutionally protected Aboriginal or treaty right.</u></p> <p><u>Proponents of dedicated municipal transit facilities or services, other than heavy rail, have the option to provide written notice to the Director of the Environmental Assessment Approvals Branch and the appropriate regional director of the Ministry indicating their intent to proceed with their transit project pursuant to the Municipal Class Environmental Assessment EA. The Municipal Class EA Environmental Assessment does not include heavy rail projects as an undertaking.</u></p> <p><u>For those transit projects that are included in Schedule 1 in the Transit Regulation and will involve mixed uses (i.e. cars and public transit) or will involve other infrastructure projects that are not part of the dedicated transit project, proponents are required to proceed with their undertaking pursuant to this Class EA.</u></p> <p><u>For additional information on the Transit Project Assessment Process, please refer to Appendix 1, the Transit Regulation and the Ministry of Environment, Conservation and Parks' Guide: Ontario's Transit Project Assessment Process, January 2014.</u></p> | |
| 28. | A.2.11 | <p>Section deleted and replaced with:</p> <p><u>Impact Assessment Act</u></p> <p><u>Municipal projects may be subject to the requirements of the federal <i>Impact Assessment Act</i> (IA Act). The IA Act came into force on August 28, 2019 and repeals the <i>Canadian Environmental Assessment Act, 2012</i>.</u></p> <p><u>The information contained in this section is not all-inclusive and is provided for information purposes only to highlight for proponent's potential federal environmental assessment requirements. For specific details, refer to the legislation and associated regulations. Copies of the IA Act and its regulations, as well as guidance materials are available on the Impact Assessment Agency of Canada (Agency) website at www.canada.ca/iaac.</u></p> <p><u>The <i>Physical Activities Regulations</i> (also known as the Project List) identify types of projects that may require an impact assessment under the IA Act. When the physical activity associated with the carrying out of a proponent's project is described in the Project List, the proponent must provide the Agency with an Initial Project Description.</u></p> | Section updated to reflect legislative changes. |

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| | | <p><u>Proponents are encouraged to contact potential federal authorities as early as possible so that all requirements for their municipal projects can be identified.</u></p> <p><u>Under the IA Act, a federal environmental assessment is required for a proposed undertaking if:</u></p> <ul style="list-style-type: none"> • <u>The proposed project is listed in the Project List and the Agency determines that a federal impact assessment must be conducted; or,</u> • <u>The federal Minister of the Environment and Climate Change designates the proposed project.</u> | |
| 29. | A.2.11.1 | <p>Section deleted and replaced with:</p> <p>Fisheries Act</p> <p><u>On August 28th, 2019 provisions of the new <i>Fisheries Act</i> came into force including new protections for fish and fish habitat in the form of standards, codes of practice, and guidelines for projects near water.</u></p> <p><u>The purpose of the <i>Fisheries Act</i> is to provide a framework for the proper management and control of fisheries; and the conservation and protection of fish and fish habitat, including by preventing pollution. Where a project may have impacts to fish or fish habitat, proponents are expected to consult with the Department of Fisheries and Oceans. In some cases, a federal review may be triggered, and/or an authorization under the <i>Fisheries Act</i> may be required.</u>The <i>Fisheries Act</i> sets out general habitat and pollution protection provisions that are binding on all levels of government and the public in areas such as:</p> <ul style="list-style-type: none"> • Section 20: Passage of fish around migration barriers; • Section 22: Provision of sufficient water flows; • Section 30: Screening of water intakes; • Section 32: Prohibition against the destruction of fish by means other than fishing unless authorized by DFO; • Section 35: The prohibition against the harmful alteration, disruption or destruction (HADD) of fish habitat unless authorized by DFO; and <p>Section 36: Prohibition to deposit deleterious substances unless by regulation (administered by Environment Canada, with the exception of subsection 36(3) with respect to sediment).</p> <p>Under the <i>Fisheries Act</i>, no one may carry out any work or undertaking that results in the harmful alteration, disruption or destruction (HADD) of fish habitat, unless this HADD has been authorized by the Minister of Fisheries and Oceans Canada. Where adverse effects to fish habitat cannot be avoided through project relocation, redesign or mitigation, habitat compensation options may be required and a subsection 35(2) <i>Fisheries Act</i> authorization issued. Where the HADD is not acceptable, the authorization may be refused.</p> <p>A subsection 35(2) <i>Fisheries Act</i> authorization is a regulatory trigger for an environmental assessment under the CEA Act. CEA Act requirements must be completed prior to making a decision on whether to issue a subsection 35(2) <i>Fisheries Act</i> authorization. DFO has agreements with the Conservation Authorities in Ontario. Conservation Authorities are the first point of contact for the</p> | Section updated to reflect legislative changes. |

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| | | majority of projects in and around water in Ontario. Depending on the level of agreement, Conservation Authorities will undertake an initial review of the project, provide mitigation advice and/or review habitat compensation plans. Projects requiring review, <i>Fisheries Act</i> authorization and/or assessment under CEA Act are forwarded to DFO. In cases where there is no Conservation Authority, the local MNR office is the first point of contact. | |
| 30. | A.2.11.2 | <p>Section deleted and replaced with:</p> <p><u>Canadian Navigable Waters Act</u></p> <p><u>In 2019, the Navigation Protection Act was amended and renamed the Canadian Navigable Waters Act to better reflect its purpose.</u></p> <p><u>The Canadian Navigable Waters Act is a federal law designed to protect the public right of navigation. It ensures that works constructed in navigable waterways are reviewed and regulated so as to minimize the overall impact upon navigation.</u></p> <p><u>Transport Canada administers the Act through the Navigation Protection Program (NPP). Where a project may affect navigable waters, and is not considered as minor work, proponents are expected to consult with Transport Canada to determine if an application for an approval to the Navigation Protection Program is needed.</u></p> | Section updated to reflect legislative changes. |
| 31. | A.3.1 | <p>A.3.1 General</p> <p>Consultation early in and throughout the process is a key feature of environmental assessment planning. Consultation is a two-way communications process between the proponent and affected or interested stakeholders that provides opportunities for information exchange and for those consulted to influence decision-making. The degree to which decision-making can be influenced will depend on the nature of the problem or opportunity being addressed, the alternatives and their environmental effects, the nature of any concerns which are identified, and the responsibilities of the proponent. Through an effective consultation program, the proponent can generate meaningful dialogue between the project planners and stakeholders including the general public, property owners, community representatives, <u>Indigenous communities</u>, interest groups, review agencies and other municipalities. This allows an exchange of ideas and the broadening of the information base leading to better decision making. One of the principal aims of consultation, therefore, is to achieve resolution of differences of points of view, thus reducing or avoiding controversy and, ultimately, avoiding the use of the provision to require a project to comply with Part II of the EA Act which addresses individual environmental assessments. Furthermore, contact with review agencies will ensure compliance with all public policy and regulatory requirements <u>that proponents are made aware of the government agency requirements that need to be addressed as part of the planning process or through the issuance of permits or approvals following the completion of a Class EA.</u></p> | Minor updates. |

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| | | <p>This section discusses the main stakeholders and identifies the timing and type of mandatory notification requirements. These are a minimum only. Proponents must tailor the consultation program to address the needs of a specific project and its stakeholders. Supplementary information is provided in Appendix 5 while sample notices are provided in Appendix 6.</p> | |
| 32. | A.3.5.1 | <p>A.3.5.1 Development of a Public Consultation Plan <u>and Consultation Records</u></p> <p>At the outset of the study, a proponent shall develop a public consultation plan to address the following while taking into consideration the minimum mandatory requirements and objectives of effective consultation:</p> <ul style="list-style-type: none"> • potential stakeholders and special requirements. • level of consultation. • appropriate means of contact. • general timing of contact. <p>A consultation plan is not necessarily a formal document. Rather, it is a proposed approach or methodology which is determined early in the study and which may be documented, for example, in a study design, minutes, memo to file or a report.</p> <p>This section provides some basic information and mandatory notice requirements while supplementary information and sample notices are provided in Appendices 5 and 6 respectively. <u>It is strongly recommended that the Consultation Plan be prepared as a formal document. Be sure the methods for contacting the public are consistent with the Notice Requirements particularly if your municipality has developed its own unique minimum notice requirements (see A.3.5.3 Public Notices).</u></p> <p><u>The following is an outline for the development of a Consultation Plan:</u></p> <ul style="list-style-type: none"> • <u>Define goals and objectives for the Consultation Plan considering the complexity of the EA project in the context of the Problem / Opportunity statement</u> • <u>Identify stakeholders and potential concerns/“hot button” issues that may be raised</u> • <u>Develop a stakeholder distribution list (contact information for who will be contacted within each identified stakeholder group)</u> • <u>Confirm minimum consultation requirements, per the Municipal Class EA, in the Consultation Plan</u> • <u>Develop strategies and communication activities (e.g. communication channels, materials, venues, etc.) to enhance the minimum consultation requirements.</u> • <u>Implement and document the consultation plan process (record or log)</u> • <u>Evaluate need for mid-course corrections</u> <p><u>Consultation Records</u></p> | <p>Section was updated to clarify requirements and expectations for consultation records.</p> |

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| | | <p><u>A Consultation Record should be maintained and included in the Project File Report or ESR as an appendix. The Consultation Record should be detailed, including:</u></p> <ul style="list-style-type: none"> <u>• An overall record of communication (who was contacted, date of contact, method of contact) including details of follow-ups</u> <u>• copies of all consultation, pProof of delivery of documents</u> <u>• The date of meetings, the agendas, any materials distributed, those in attendance and copies of any minutes prepared</u> <u>• Concerns/comments/feedback provided follow-up contact and an explanation of how concerns were addressed.</u> <u>• Copies of all correspondence and communication (to and from stakeholders)</u> <p><u>In addition to the above information, the following information, as applicable, should also be documented with respect to Indigenous consultation:</u></p> <ul style="list-style-type: none"> <u>• Any information that was shared by a community in relation to its asserted or established Aboriginal or treaty rights and any potential adverse impacts of the proposed activity, approval or disposition on such rights</u> <u>• Any proposed project changes or mitigation measures that were discussed, and feedback from Indigenous communities about the proposed changes and measures</u> <u>• Any commitments made by the proponent in response to any concerns raised, and feedback from Indigenous communities on those commitments</u> <u>• Information regarding any financial assistance provided by the proponent to enable participation by Indigenous communities in the consultation</u> <u>• Periodic consultation progress reports or copies of meeting notes if requested by the Crown</u> <u>• A summary of how the delegated aspects of consultation were carried out and the results</u> <p><u>Proponents may find it useful to keep a separate “Indigenous Community Consultation Record” which tracks consultation with Indigenous communities separately from other consultation with other interested parties and stakeholders. This can help the Crown easily assess the proponent’s consultation activities with Indigenous communities, especially in cases where the procedural aspects of rights-based consultation have been delegated to the proponent.</u></p> <p><u>Consultation Records are This is one of the first items that the Ministry MECP will request from a proponent that is facing a Part II Order request and therefore it should be readily available. Also, a formal document will ensure that consultation is organized and complete.</u></p> | |
| 33. | A.3.5.2 | <p>A.3.5.2 Methods of Public Contact</p> <p>There are several a number of ways in which the public may be involved in the project. It is the proponent’s responsibility to determine the most suitable and effective means of involving the public. It is recognized that methods vary from community to community and with the nature of the project and potential environmental effects.</p> | Re-write to mesh with info in Companion Guide |

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| | | <p>The proponent must decide which method of contact will best provide the public with sufficient information to provide input and reasonably address issues and concerns. What is suitable for a large controversial project in a populous urban location would be inappropriate in a small rural community undertaking a small straight forward project</p> <p>Appendix 5 outlines a number of methods for contacting and consulting with the public. A consultation plan will likely include one or more or a combination of these methods.</p> <p><u>Be sure the methods for contacting the public are consistent with the Notice Requirements particularly if your municipality has developed its own unique minimum notice requirements- (A.3.5.3 of the Municipal Class EA). It is then necessary to document the method, timing, and content of all contact with the public, government agencies, other regulatory bodies, Indigenous groups, and any other identified stakeholders in a formal consultation record (see A.3.5.1 of the Municipal Class EA).</u></p> <p><u>If a proponent develops its own Notice Requirements (A.3.5.3), they must clearly describe the approved procedure in the Project File or Environmental Study Report. This will increase transparency and clarify for all stakeholders who are reviewing the documentation.</u></p> | |
| 34. | A.3.5.3 | <p>A.3.5.3 Public Notices</p> <p>Each of the points of contact with the public shall be advertised by means of published Notices to the public. In some cases, the notice itself may constitute contact with the public and no further dialogue may be necessary other than to invite input. For larger projects, however, a public notice will give details about information centres or workshops, availability of information for review, or some other means of contact between the proponent and the public.</p> <p><u>Historically</u> For the purposes of this Class EA, the Municipal Class EA required that a published notice shall mean a notice be published in a local newspaper having general circulation in the area of the project. Two (2) published notices shall mean the same notice two (2) notices appearing in two (2) separate issues of the same newspaper.</p> <p><u>However, proponents are now encouraged to establish their own custom policies for providing notice to the public. –Section 270(1)(4) of the Municipal Act., 2001 requires municipalities to adopt policies for providing notice to the public for a variety of circumstances and normally municipalities have complied with this section by adopting a municipal notice bylaw. Proponents are encouraged to develop notice procedures that suit their individual municipalities and work with the Municipal Clerk to incorporate these notice procedures into their municipal notice by-law. Once incorporated into their municipal notice by-law, proponents will comply with section A.3.5.3 of the Municipal Class EA if they follow the notice procedures set out in their municipal notice by-law.</u></p> <p><u>For example, instead of the traditional “two notices in a local newspaper”, a municipality could decide that notices will be provided to stakeholders on the municipal website a minimum of 10 days prior to the meeting. The consultation plan for each Municipal</u></p> | Section was re-written to mesh with info in Companion Guide and modernize the notification/consultation process. |

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| | | <p><u>Class EA project would then set out specific details for consultation. Alternatively, a municipality may decide to adopt a detailed notice procedure that sets out the consultation process for all Municipal Class EA projects.</u></p> <p><u>Every reasonable effort should be made to ensure the notices are published in an accessible media with high visibility. This will typically mean publishing notices in multiple forms of media (newspaper, website, social media, flyers/posters in public spaces, printed notices delivered door to door, press release, etc.). The type, scale, and location of the project must be carefully considered.</u></p> <p><u>A sample of a detailed process follows:</u></p> <table border="1" data-bbox="419 493 1655 1429"> <thead> <tr> <th data-bbox="419 493 688 594"><u>Notice Type</u></th> <th data-bbox="688 493 916 594"><u>Government Agencies</u></th> <th data-bbox="916 493 1314 594"><u>Public Stakeholders</u></th> <th data-bbox="1314 493 1655 594"><u>Indigenous Communities</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="419 594 688 797"><u>Schedule B Notice of Commencement</u></td> <td data-bbox="688 594 916 797"><u>Notice via email</u></td> <td data-bbox="916 594 1314 797"><u>Signage at project location</u> <u>Notice on municipal website and mail to directly impacted (adjacent) owners</u></td> <td data-bbox="1314 594 1655 797"><u>Mail or email with minimum of one follow up communication and offer for a special meeting</u></td> </tr> <tr> <td data-bbox="419 797 688 980"><u>Schedule C Notice of Commencement</u></td> <td data-bbox="688 797 916 980"><u>Notice via email</u></td> <td data-bbox="916 797 1314 980"><u>Signage at project location</u> <u>Notice on municipal website and mail to directly impacted owners</u></td> <td data-bbox="1314 797 1655 980"><u>Mail or email with minimum of one follow up communication</u></td> </tr> <tr> <td data-bbox="419 980 688 1281"><u>Schedule C Notice of Public Consultation (Minimum 10 days prior to meeting date)</u></td> <td data-bbox="688 980 916 1281"><u>Notice via email</u></td> <td data-bbox="916 980 1314 1281"><u>Email to anyone that responded to the Notice of Commencement.</u> <u>Notice on municipal website.</u> <u>Mail to directly impacted (adjacent) owners.</u></td> <td data-bbox="1314 980 1655 1281"><u>Mail or email with minimum of one follow up communication and offer for a special meeting</u></td> </tr> <tr> <td data-bbox="419 1281 688 1429"><u>Schedule B & C Notice of Completion</u></td> <td data-bbox="688 1281 916 1429"><u>Notice via email</u></td> <td data-bbox="916 1281 1314 1429"><u>Email to anyone that has expressed interest in the project and Notice on municipal website</u></td> <td data-bbox="1314 1281 1655 1429"><u>Mail or email with minimum of one follow up communication</u></td> </tr> </tbody> </table> | <u>Notice Type</u> | <u>Government Agencies</u> | <u>Public Stakeholders</u> | <u>Indigenous Communities</u> | <u>Schedule B Notice of Commencement</u> | <u>Notice via email</u> | <u>Signage at project location</u> <u>Notice on municipal website and mail to directly impacted (adjacent) owners</u> | <u>Mail or email with minimum of one follow up communication and offer for a special meeting</u> | <u>Schedule C Notice of Commencement</u> | <u>Notice via email</u> | <u>Signage at project location</u> <u>Notice on municipal website and mail to directly impacted owners</u> | <u>Mail or email with minimum of one follow up communication</u> | <u>Schedule C Notice of Public Consultation (Minimum 10 days prior to meeting date)</u> | <u>Notice via email</u> | <u>Email to anyone that responded to the Notice of Commencement.</u> <u>Notice on municipal website.</u> <u>Mail to directly impacted (adjacent) owners.</u> | <u>Mail or email with minimum of one follow up communication and offer for a special meeting</u> | <u>Schedule B & C Notice of Completion</u> | <u>Notice via email</u> | <u>Email to anyone that has expressed interest in the project and Notice on municipal website</u> | <u>Mail or email with minimum of one follow up communication</u> | |
| <u>Notice Type</u> | <u>Government Agencies</u> | <u>Public Stakeholders</u> | <u>Indigenous Communities</u> | | | | | | | | | | | | | | | | | | | | |
| <u>Schedule B Notice of Commencement</u> | <u>Notice via email</u> | <u>Signage at project location</u> <u>Notice on municipal website and mail to directly impacted (adjacent) owners</u> | <u>Mail or email with minimum of one follow up communication and offer for a special meeting</u> | | | | | | | | | | | | | | | | | | | | |
| <u>Schedule C Notice of Commencement</u> | <u>Notice via email</u> | <u>Signage at project location</u> <u>Notice on municipal website and mail to directly impacted owners</u> | <u>Mail or email with minimum of one follow up communication</u> | | | | | | | | | | | | | | | | | | | | |
| <u>Schedule C Notice of Public Consultation (Minimum 10 days prior to meeting date)</u> | <u>Notice via email</u> | <u>Email to anyone that responded to the Notice of Commencement.</u> <u>Notice on municipal website.</u> <u>Mail to directly impacted (adjacent) owners.</u> | <u>Mail or email with minimum of one follow up communication and offer for a special meeting</u> | | | | | | | | | | | | | | | | | | | | |
| <u>Schedule B & C Notice of Completion</u> | <u>Notice via email</u> | <u>Email to anyone that has expressed interest in the project and Notice on municipal website</u> | <u>Mail or email with minimum of one follow up communication</u> | | | | | | | | | | | | | | | | | | | | |

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| | | <p>Where no such newspaper exists, the proponent shall be responsible for determining the equivalent local means of achieving the same objective of adequate notification to the general public. In cases where a municipality has elected to establish a procedure for notifying the public regarding similar projects under other applicable provincial legislation, the proponent may use that procedure to fulfill their requirements for “published notice”.</p> <p>Proponents are encouraged to establish a procedure to coordinate the public notices for Schedule B and C projects with other municipal notice procedures. For example, notices for Schedule B and C projects, which are associated with a Planning Act application, should be coordinated with the notice required by the Planning Act. Municipalities should establish notice procedures for other Schedule B and C projects in a similar fashion to the notice procedures which they have adopted as required by the Municipal Act. The format for notices may vary from municipality to municipality, but the following points shall be considered as minimum mandatory requirements:</p> <p>Contents:</p> <ul style="list-style-type: none"> • <u>Date the notice was issued</u> • <u>Project name, description, and purpose</u> • <u>Proponent name and contact information (address, phone, fax, email) where comments or questions should be directed to</u> • <u>Name of the Class EA being followed (e.g. the Municipal Class EA)</u> • <u>Schedule of the Class EA being followed (A+, B, C)</u> • <u>a brief description of the project which outlines the nature of the problem or opportunity and the need for a solution.</u> • <u>Map of where project is located (where applicable)</u> • <u>Public record locations where documents are located for viewing or information (where applicable) and when they are available to the public</u> • <u>Meeting locations (where applicable)</u> • <u>Project website address (where applicable)</u> • <u>Freedom of Information and Protection of Privacy (FIPPA) disclaimer</u> • <u>For Notice of Completions, advice of the public’s right with regards to the provisions to request a Part II Order, including information on the mandatory form and the date by which the request must be received by the Minister</u> • <u>For Notice of Completions, information on who/where the Part II Order request must be sent to including: Minister of the Environment, Conservation and Parks, Environmental Assessment Branch (EAB) Director, and proponent contact</u> <p>First mandatory point of contact:</p> | |

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| | | <p>Schedule B and C projects - two (2) published notices. In addition, where appropriate, notices mailed, delivered or posted to all properties abutting the project and to all persons who might reasonably have an interest in the project.</p> <p>Where possible, and in larger projects, the proponent should notify and solicit input from the public in ways other than newspaper advertisements alone.</p> <p>Second mandatory point of contact:</p> <ul style="list-style-type: none"> • Schedule B projects - two (2) published Notices of Completion • Schedule C projects - two (2) published Notices. <p>Third mandatory point of contact:</p> <p>Schedule C projects - two (2) published Notices of Completion of Environmental Study Report</p> <p>For both the Second and the Third mandatory points of contact, the proponent shall also mail or deliver copies of the notices to all who had expressed interest in the project. For this purpose, the proponent shall maintain throughout the Class EA planning process, a list of all persons who provide comment and input to the process or otherwise express an interest in the project.</p> <p>Sample Notices for Schedule B and Schedule C projects and for each point of public contact are included at Appendix 6. The Notices describe hypothetical projects in a hypothetical municipality and are intended only as a guide</p> <p>The proponent should endeavour in its notices and other material presented to the public to use plain, simple language which can be readily understood by the lay person.</p> | |
| 35. | A.3.8 | <p>A.3.8 REVIEW OF THE ENVIRONMENTAL STUDY REPORT/<u>PROJECT FILE REPORT</u></p> <p>It is good practice to provide review agencies with the opportunity to comment on a draft copy of the <u>Project File or ESR. It is advisable to allow review agencies approximately one month to review draft reports.</u></p> <p>When completed, the <u>Project File or ESR</u> shall be placed on the public record and be available for review by the public and review agencies for a period of at least 30 calendar days.</p> | Modernized include posting ESR on web not hard copy in Library. |

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| | | <p>For most municipalities, placing on the public record will mean placing a copy <u>on the municipality's web site with hard copies available for viewing at selected convenient locations. For complex projects, a summary of the Project File or ESR could be placed on the website with hard copies of the full version available at selected locations.</u> with the Municipal Clerk and formal input and comment to the municipality will in turn be received by the Municipal Clerk.</p> <p>In some cases however, particularly in larger municipalities, or in those municipalities where the Municipal Project Manager may be located in a different building from the Municipal Clerk, it may be more appropriate to have the ESR available at another Office and for the Municipal Project Manager to receive input and comment. This arrangement would equally well satisfy the requirement for the ESR to be placed on the public record.</p> <p>It is sometimes inconvenient for members of the public to review the ESR during normal municipal office hours at the offices of the municipality. Copies of the ESR shall therefore be placed at public libraries, community centres, or at other places of convenient public access, where the document may be viewed for longer periods of time during the day, particularly outside normal office hours. The public should not be placed in a position of having insufficient time in which to review the ESR in order to make meaningful and informed comment to the municipality on the project.</p> | |
| 36. | A.4.1 and A.4.1.1 | <p>A.4.1 SCHEDULE B – PROJECT FILE</p> <p>Formal planning of Schedule B projects ends at the conclusion of Phase 2. At this point, documentation of the planning process followed through Phases 1 and 2 shall be finalized and a Notice of Completion shall be issued, allowing the public at least a 30 calendar day period during which documentation may be reviewed and comment and input received. Documentation of the planning process shall be prepared and maintained in such a way that it is suitable for easy review by the public at any time</p> <p>Proponents shall maintain a Project File for all Schedule B projects. The location of the file shall be made known to the public through the Notices issued. Only one file need be maintained although the proponent may wish to duplicate it for purposes of convenience.</p> <p>The Project File shall be organized chronologically in such a way as to clearly demonstrate that the appropriate steps in Phases 1 and 2 have been followed and explain the following:</p> <ul style="list-style-type: none"> • background to the project and earlier studies. • the nature and extent of the problem or opportunity, to explain the source of the concern or issue and the need for a solution. • description / inventory of the environment. • the alternative solutions considered and the evaluation process followed to select the preferred solution. • follow-up commitments, including any monitoring necessary. | Section is modernized and updated to clarify current process expectations. |

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| | | <ul style="list-style-type: none"> • the public consultation program employed and how concerns raised have been addressed. <p>The Project File shall contain a complete record of all activities associated with the planning of the project and shall include:</p> <ul style="list-style-type: none"> • correspondence. • copies of notices, letters, bulletins relating to public consultation. • memoranda to file explaining the proponent's rationale in developing stages of the project. • copies of reports prepared by consultants and others. <p>Proponents may wish to include in the Project File, a short summary listing key activities and the principal decisions/conclusions. Copies of <u>the Project File and such a summary should be made available on the municipality's website with hard copies available for viewing at selected convenient locations.</u> could readily be made available to review agencies or other interested persons/parties.</p> <p>A.4.1.1 Revisions to Schedule B Projects</p> <p>It may be necessary to revise Schedule B projects due to the environmental implications of changes to the project or due to a delay in implementation.</p> <p>Significant modifications to Schedule B projects, as presented to the public during the screening process and as set out in the Notice of Completion shall be reviewed by the proponent. Similarly, if the period of time from <u>(i) the filing of the Notice of Completion in the public record, or (ii) the Minister's or delegate's denial of any Part II Order request(s), to the commencement of construction for the project exceeds ten (10) years, the proponent shall review the planning and design process and environmental setting to ensure that the project and the mitigating measures are still valid given the current planning context. The ten (10) year review will begin from the date of the Minister's or delegate's decision on any Part II Order request(s), or at the end of the public review period following the posting of the Notice of Completion where there is no Part II Order request.</u></p> <p>In either event, the reviews shall be documented in the Project File and the proponent shall issue a Revised Notice of Completion to all potentially affected members of the public and review agencies. A period of 30 calendar days shall be provided for review and response by the public. The Notice shall include the public's right to request a Part II Order within the 30-day review period (see Section A.2.8). If no Part II Order request is received by the Minister, the proponent is free to proceed with implementation and construction. Where implementation of a project has already commenced, those portions of the project which are the subject of the</p> | |

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| | | <p>revision, or have the potential to be directly affected by the proposed change, shall cease and shall not be reactivated until the termination of the review period.</p> | |
| 37. | A.4.2 | <p>A.4.2 SCHEDULE C – ENVIRONMENTAL STUDY REPORT</p> <p>An Environmental Study Report (ESR) must be prepared for each project that proceeds through the Schedule C planning process described in this Class EA. The ESR will be prepared when the preferred design has been selected and design work has progressed to the point where the details of any environmental protective measures to be incorporated in the construction package have been finalized.</p> <p><u>A notice indicating completion of the ESR and its filing on the public record will be issued to the public and to all parties who have been previously contacted and who have indicated the desire to stay involved in the planning of the undertaking. The notice will indicate that the project may proceed to construction after the 30-calendar day review period following the placing of the ESR on the public record, provided no request for a Part II Order has been made to the Minister.</u></p> <p>The ESR will be placed on the public record for a period of at least 30 calendar days and will be available for inspection by the public, <u>Indigenous communities</u>, or by any interested parties. In the case where a request for a Part II Order has been submitted to the Minister, the ESR shall be submitted to the <u>m</u>Ministry’s Regional EA Coordinator and to the Environmental Assessment Services Section Branch immediately upon the proponent becoming aware of the request.</p> <p>A notice indicating completion of the ESR and its filing on the public record will be issued to the public and to all parties who have been previously contacted and who have indicated the desire to stay involved in the planning of the undertaking. The notice will indicate that the project may proceed to construction after the 30-calendar day review period following the placing of the ESR on the public record, provided no request for a Part II Order has been made to the Minister.</p> | |
| 38. | A.4.3 | <p>A.4.3 Revisions and Addenda to Environmental Study Report</p> <p>Change <u>i</u>n Project or Environment</p> <p>Due to unforeseen circumstances, it may not be feasible to implement the project in the manner outlined in the ESR. Any significant modification to the project or change in the environmental setting for the project which occurs after the filing of the ESR shall be reviewed by the proponent and an addendum to the ESR shall be written. The addendum shall describe the circumstances necessitating the change, the environmental implications of the change, and what, if anything can and will be done to mitigate any negative environmental impacts. The addendum shall be filed with the ESR and Notice of Filing of Addendum (see Sample Notice, Appendix 6) shall be given immediately to all potentially affected members of the public and review agencies as well as those who were notified in the preparation of the original ESR. It should be made clear to review agencies and the public that when an</p> | Explains expiry/lapse of time and defines start implementing project. |

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| | | <p>Addendum to an ESR is issued, only the items in the addendum (i.e. the changes) are open for review, i.e. only the proposed changes to the recommended undertaking are open for review.</p> <p>A period of 30 calendar days following the issue of the Notice of Filing of Addendum shall be allowed for review and response by affected parties. The Notice shall include the public's right to request a Part II Order within the 30-day review period (see Section A.2.8). If no request is received by the Minister or delegate, the proponent is free to proceed with implementation and construction. During the 30-day addendum review period, no work shall be undertaken that will adversely affect the matter under review. Furthermore, where implementation of a project has already commenced, those portions of the project which are the subject of the addendum, or have the potential to be directly affected by the proposed change, shall cease and shall not be reactivated until the termination of the review period.</p> <p>Lapse of time</p> <p>A time lapse may occur between the filing of the ESR and the implementation of the project. In such cases, the proposed project and the environmental mitigation measures proposed may no longer be valid.</p> <p>If the period of time <u>from</u> (i) filing of the Notice of Completion of ESR in the public record or (ii) the Ministry'sECP's denial of a Part II Order request(s), <u>to</u> the proposed commencement of construction for the project exceeds ten (10) years, the proponent shall review the planning and design process and the current environmental setting to ensure that the project and the mitigation measures are still valid given the current planning context. The review shall be recorded in an addendum to the ESR which shall be placed on the public record.</p> <p>The 10 year review will begin from the date of the Minister's or delegate's decision of any Part II Order requests, or at the end of the public review period following the posting of the Notice of Completion where there is no Part II Order request.</p> <p><u>The project must commence construction within ten (10) years of the above date. Commence construction means to begin work in a meaningful way such at it is obvious to stakeholders that the project is proceeding. Sometimes the preferred solution determined by the EA process involves a project that is constructed in phases.</u></p> <p><u>Examples could include expanding the capacity of a treatment facility by first expanding one component of the treatment process first followed by a second phase to expand other components of the plant or expand the capacity of a road by expanding bridges and intersections followed by a second phase to expand the road sections between the intersections.</u></p> <p><u>In these examples, the EA should be clear that the solution to the one problem is a series of phased projects. As long as the proponent has begun construction on a part of the solution (one of the component projects) within the 10 year window, then</u></p> | |

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| | | <p><u>proponent can proceed with implementing the solution by constructing the remaining component projects. To proceed, it is recommended that the proponent document how proceeding is effectively implementing the main solution as per the original ESR.</u></p> <p>Notice of Filing of Addendum shall be placed on the public record with the ESR <u>or Project File</u> and shall be given to the public and to the review agencies; a period of 30 calendar days shall be provided for review and response. The Notice shall include the public’s right to request a Part II Order (see Section A.2.8) during the 30-day addendum review period. If no request is received, the proponent is free to proceed with implementation and construction.</p> | |
| Part D | | | |
| 39. | Part D.1 and <u>D.1.1</u> | <p>D.1 Introduction and Background</p> <p><u>Public t</u>ransit is a key component of municipal transportation networks. As municipalities continue to grow, there is an increasing emphasis being placed on <u>public</u> transit due to its overall societal benefits on a broad scale. This is clearly evident in the identification of significant increases in transit as an integral part of many of the municipal Transportation Master Plans that have been or are being completed.</p> <p>Prior to adding Part D (Municipal Transit Projects) to the Municipal Class Environmental Assessment parent document in 2007, municipalities did not have a pre-approved planning process under the Ontario Environmental Assessment (EA) Act to plan and implement transit projects. As a result, municipalities used a variety of different mechanisms under the Ontario EA Act, including the following:</p> <p>1) Ontario Regulation 334, which includes provisions that:</p> <p>i) identify new bus service on an exclusive right-of-way or a new rail transit system, or a new station, terminal or marshalling yard for a rail transit system, being subject to the requirements of an Individual Environmental Assessment (IEA);</p> <p>ii) exempt projects with an estimated cost of not more than \$3.5M (note — this exemption does not apply to projects that are covered by parent Class EA documents);</p> <p>2) Using the “Linear paved facility” definition (amended in 2004) in the Municipal Class EA 3) Partnering with the Ontario Ministry of Transportation (MTO) and/or GO Transit and then utilizing the transit provisions in their respective parent Class EA documents 4) Undertaking an Individual Environmental Assessment</p> | Section updated to explain changes to transit chapter. |

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| | | <p>With the growing emphasis on <u>public</u> transit at the federal, provincial and municipal levels, municipal proposals for a wide range of transit initiatives are escalating. It is recognized that public transit offers many benefits as compared to the private automobile including:</p> <ul style="list-style-type: none"> • It is a more effective and efficient way of moving people; • It is more energy-efficient per person; • It requires less energy and produces less emissions per person; • It provides mobility to all persons in society; and • As a result, it will help achieve sustainable development and an improved urban environment. <p>The ability to carry out municipal transit projects under the Municipal Class EA parent document provides proponents with an opportunity to expedite the planning of municipal transit projects since they are EA approved under the Ontario EA Act. GO Transit and the Ministry of Transportation currently have pre-approved planning processes that allow them to plan and implement interregional and provincial transit projects.</p> <p>Municipalities have identified the need to develop an approach that would allow them to plan and design transit projects in a streamlined pre-approved process that provides for public consultation and assessment of environmental effects. The ability to carry out municipal transit projects under the Municipal Class EA was therefore identified in the Municipal Class EA (2000) 5-year review.</p> <p>Therefore, in 2006/7, a study was undertaken to add municipal transit projects/activities to the Municipal Class EA parent document. The study itself was undertaken as a Schedule C and an Environmental Study Report was filed on June 27, 2007 for public review. There were no Part II Order requests. Thereafter, MEA submitted a Major Amendment to the Ministry of the Environment (MOECC) for approval to add municipal transit projects to the Municipal Class EA document. The amendment includes:</p> <ul style="list-style-type: none"> • Adding a new Part D to the parent document which addresses Municipal Transit Projects. • Adding a section to Appendix 1 of the parent document outlining municipal transit projects and their associated project schedule under the Municipal Class EA. | |

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| | | <p>• Editing the remainder of the Municipal Class EA document where applicable, to include references to transit.</p> <p><u>In 2007, the Municipal Transit Projects Chapter was added to the Municipal Class EA. This provided municipalities with a streamlined process for planning and implementing transit projects under the EA Act.</u></p> <p><u>In 2008, O. Reg. 231/08, the Transit Projects and Metrolinx Undertakings regulation (the transit regulation) made under the EA Act came into effect, providing an alternative streamlined assessment process for transit projects to that in this class environmental assessment. In accordance with subsection 2(6) of O. Reg. 231/08, proponents must provide written notice to the Director of the Environmental Assessment Branch and the appropriate Regional Director of the Ministry if they intend to proceed with the process set out in this class environmental assessment where the Transit Assessment Process otherwise applies. The notice must clearly state that the proponent intends to proceed with their undertaking pursuant to the Municipal Class EA process.</u></p> <p><u>Proponents should note that transit projects that include heavy rail cannot proceed pursuant to the Municipal Class EA but rather must proceed pursuant to the Transit Assessment Process set out in the transit regulation.</u></p> <p>D.1.1 <u>APPLICATION</u>IMPLEMENTATION AND TRANSITION PROVISIONS</p> <p><u>The transit regulation exempts municipal proponents of all transit projects from the requirements under the EA Act, but then requires that certain transit projects (those set out in Schedule 1 to the regulation – also set out below) follow a streamlined environmental assessment process in order to be exempt. If a transit project is not listed in Schedule 1 of the regulation, it is exempt from EA Act requirements and may proceed subject to any other required approvals.</u></p> <p><u>The transit regulation sets out the “transit project assessment process”. The transit project assessment process is a streamlined assessment process that can be used for dedicated transit facilities or services. Mixed use facilities cannot be planned using the transit project assessment process.</u></p> <p><u>Similar to other streamlined processes, the transit project assessment process is a proponent-led, self-assessment process. Unlike other streamlined processes, this process has prescribed timelines that pertain to both proponents and the Minister. In addition, where concerns regarding the undertaking are raised to the Minister, the Minister may only require further consideration of the transit project (including requiring an individual environmental assessment) or impose conditions if the project may have a negative impact on a matter of provincial importance that relates to a natural environment or cultural heritage value/interest or a constitutionally protected Aboriginal or treaty right.</u></p> <p><u>Proponents of dedicated municipal transit facilities or services, other than heavy rail, have the option to provide written notice to the Director of the Environmental Assessment Branch and the appropriate regional director of the Ministry indicating their</u></p> | |

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| | | <p><u>intent to proceed with their transit project pursuant to the Municipal Class Environmental Assessment. The Municipal Class Environmental Assessment does not include heavy rail projects as an undertaking.</u></p> <p><u>For those transit projects that are included in Schedule 1 in the Transit Projects and Metrolinx Undertakings regulation and will involve mixed uses (i.e. cars and public transit) or will involve other infrastructure projects that are not part of the dedicated transit project, proponents are required to proceed with their undertaking pursuant to this Class EA. Again, the Municipal Class Environmental Assessment does not include heavy rail projects as an undertaking. Municipal transit projects proceeding pursuant to this Class EA must be planned in accordance with the process set out for Schedule C projects.</u></p> <p><u>For additional information on the transit project assessment process, please refer to O. Reg. 231/08 (Transit Projects and Metrolinx Undertakings) regulation and the Ministry of Environment, Conservation and Parks' Guide: Ontario's Transit Project Assessment Process, January 2014.</u></p> <p><u>Schedule 1 - Classes of Transit Projects Exempted Conditional on Compliance with Transit Project Assessment Process</u></p> <p><u>Subsection 1(1) of Schedule 1 in O. Reg. 231/08 (Transit Projects and Metrolinx Undertakings) lists those transit projects that may be carried out by a municipality for which an environmental assessment process must be undertaken by the municipality. Subsection 1(1) of Schedule 1 is reproduced below for convenience. All other transit projects that may be carried out by a municipality are exempt from Part II and subsection 13(3) of the Act.</u></p> <p><u>A transit project includes any one or more of the following:</u></p> <ol style="list-style-type: none"> <u>1. Culvert repair or replacement where the capacity of the culvert or drainage area is changed.</u> <u>2. Reconstruction of water crossing where the reconstructed facility will not be for the same purpose, use, capacity and at the same location as the facility being reconstructed (capacity refers to hydraulic capacity).</u> <u>3. Construction of new stations in or adjacent to residential land-use or an environmentally-sensitive area including natural heritage features, cultural heritage and archaeological resources, recreational or other sensitive land-uses.</u> <u>4. Construction of new passenger pick-up/drop off areas (e.g. Kiss and Ride), and park and ride lots in or adjacent to residential land-use or an environmentally-sensitive area including natural heritage features, cultural heritage and archaeological resources, recreational or other sensitive land-uses.</u> <u>5. Construction of new grade separation.</u> <u>6. Construction of new storage facilities in or adjacent to residential land-use or an environmentally-sensitive area including natural heritage features, cultural heritage and archaeological resources, recreational or other sensitive land-uses.</u> | |

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| | | <p><u>7. Reconstruction, widening or expansion of linear components of a transit system where the reconstructed facility will not be for the same purpose, use, and at the same location as the facility being reconstructed (e.g. a change from an existing Reserved Bus Lane (RBL) that is separated from general purpose lanes by signage and pavement markings only to a Reserved Bus Lane (RBL) in a right-of-way that is physically separated from general purpose lanes).</u></p> <p><u>8. Widening of an existing road to create new transit lanes for bus or light rail.</u></p> <p><u>9. Construction of new maintenance facilities in or adjacent to residential land-use or an environmentally-sensitive area including natural heritage features, cultural heritage and archaeological resources, recreational or other sensitive land-uses.</u></p> <p><u>10. Construction of new Transit System i.e. involving construction of new infrastructure</u> Transit projects are subject to the requirements of the Municipal Class EA as of the date of approval of the Transit Amendment. In discussion with the Ministry of the Environment and Climate Change, the following phase in, or transitional provisions, were identified for transit projects underway as of the date of approval of the Transit Amendment:</p> <p>D.1.1.1 Individual Environmental Assessments</p> <p>For Individual Environmental Assessment studies underway upon the coming into effect of Part D of the Municipal Class EA, the following Transition Provisions apply:</p> <ul style="list-style-type: none"> • For projects where the Terms of Reference have been submitted: If the proponent of an undertaking described in the Municipal Class EA, Part D – Municipal Transit Projects submitted a proposed Terms of Reference or Environmental Assessment in respect of that undertaking to the Ministry of the Environment and Climate Change before the date of approval of the Transit Amendment, the proponent may elect to proceed in accordance with the requirements of the Municipal Class EA rather than continuing with their application under Part II of the Ontario Environmental Assessment Act. This applies regardless of whether or not the Terms of Reference were approved by the Minister. <p>However, in order to do so the proponent must give written notice to the Director of the Ministry’s Environmental Assessment and Permissions Branch within 60 days from approval of the Transit Amendment of their intention to proceed in accordance with the requirements of the Municipal Class EA.</p> <p>If the proponent does not give the Director the requisite notice within 60 days from approval of the Transit Amendment, the proponent may only proceed with their application in accordance with Part II of th</p> <p>D.1.1.2 Transit Projects Exempt Under Ontario Regulation 334</p> | |

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| | | <p>Transit projects underway upon the coming into effect of Part D of the Municipal Class EA that were undertaken as per the conditions of Ontario Regulation 334 may continue to completion under Regulation 334.</p> | |
| 40. | D.1.2 | <p>D.1.2 DEFINITION OF “MUNICIPAL TRANSIT”</p> <p>In general, “Municipal Transit” refers to public transportation services (and facilities) undertaken by a municipality for travel within a municipality or region, and can incorporate various technologies including bus, streetcar/light rail vehicle, Intermediate Capacity Transit Systems (ICTS), and heavy rail.</p> <p>For the purposes of Part D of the Municipal Class EA, however, “transit” includes all transit technologies other than heavy rail (subway). Accordingly, new heavy rail lines and maintenance facilities, or extensions of existing heavy rail lines are not included in this transit chapter. Since new, or extensions of existing heavy rail lines are not undertaken by municipalities on a frequent basis, the MOE has advised that the planning and design of heavy rail facilities will continue to be subject to Part II of the Ontario EA Act (i.e. Individual Environmental Assessment).</p> <p>New, or changes to, heavy rail system elements including stations, park and ride lots, etc., however, are included in the Municipal Class EA. This is because: they are associated with an approved linear component of a transit facility; these types of activities are undertaken on a frequent basis to maintain and operate existing systems; and the anticipated environmental effects are generally predictable given that the projects are site specific with localized impacts.</p> <p><u>Subsection 1(1) of Schedule 1 in the transit regulation refers to and relies on the definitions contained in this Class EA. For the purposes of the regulation and the Transit Project Assessment Process, “municipal transit”, includes heavy rail (subway). However, as indicated previously, the process set out in this Class EA cannot be used for transit projects that include heavy rail.</u></p> | <p>Section was updated to create consistency with requirements under the transit regulation.</p> |
| 41. | D.1.3 Glossary of Transit Terms | <p>D.1.3 GLOSSARY OF TRANSIT TERMS</p> <p>This section defines terms specific to the transit section of the Municipal Class EA. It should be noted, however, that the glossary of terms included in the main Municipal Class EA document (see pages G-1 to G-11) applies to Part D as well. <u>Proponents should also refer to the Glossary of Terms in Section G for defined terms applicable to the entire document.</u></p> <p>With the addition of “Transit Projects” to the Municipal Class EA parent document, the definition of “linear paved facility” has been modified to:</p> <p>“Means facilities which utilize a linear paved surface including road lanes, or lanes for High Occupancy Vehicle (HOV) lanes.”</p> | |

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| | | <p>High Occupancy Vehicle (HOV) – a bus or motor vehicle containing the specified minimum number of persons prescribed by local by-laws</p> <p>The following terms are specific to this chapter <u>transit section</u> of the Municipal Class EA:</p> <p><u>Ancillary facilities – can include landscaping, other streetscape treatments and parking lots.</u></p> <p>Municipal Transit – see discussion in Section D.1.2.</p> <p>Heavy Rail Transit (HRT) – The American Public Transportation Association (APTA) Public Transportation Fact Book, 2006 defines Heavy Rail as:</p> <p><i>An electric railway with the capacity for a high volume of traffic. It is characterized by high speed and rapid acceleration passenger rail cars operating singly or in multi-car trains on fixed rails; separate rights-of-way from which all other vehicular and foot traffic are excluded; sophisticated signalling, and high platform loading. If the service were converted to full automation with no onboard personnel, the service would be considered an automated guideway.</i></p> <p>High Occupancy Vehicle (HOV) – a bus or motor vehicle containing the specified minimum number of persons prescribed by local by-laws</p> <p>Intelligent Transportation Systems (ITS) – “The application of advanced and emerging technologies (computers, sensors, control, communications, and electronic devices) in transportation to save lives, time, money, energy and the environment”</p> <p style="text-align: center;">Source: <i>ITS Canada, 2006</i></p> <p>Intermediate Capacity Transit System (ICTS) – The Canadian Urban Transit Association (CUTA) Canadian Transit Handbook describes ICTS in Section 3.3.4. An excerpt of which is included in Attachment 1.</p> <p>Linear Component of a Transit System - the travelled way including road lanes, lanes in an exclusive right-of-way, at grade track, or grade separated lanes/track of a transit facility and other ancillary features (e.g. ballast, electrical substations etc), exclusive of stations, park and ride lots and storage and maintenance facilities.</p> <p>Linear Paved Facilities – facilities which utilize a linear paved surface including road lanes, or lanes for High Occupancy Vehicle</p> | |

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| | | <p><i>(HOV) lanes.</i></p> <p>Maintenance Facility – A facility where the service and repair of major mechanical components of transit vehicles is undertaken and typically includes vehicle storage.</p> <p><u><i>Municipal Transit</i></u> – <i>refers to public transportation services (and facilities) undertaken by a municipality for travel within a municipality or region, and can incorporate various technologies including bus, streetcar/light rail vehicle, Intermediate Capacity Transit Systems (ICTS), and heavy rail (subway).</i></p> <p>Park and Ride Lot – Parking lot associated with a transit stop, station, or terminal, for the purposes of passenger transfer between personal automobile and transit services.</p> <p><u><i>Same Purpose, Use, and Location</i></u> – <i>see section D. 131 below</i></p> <p><u><i>Storage Facility/Yard</i></u> – <i>A facility used for the storage of transit vehicles, and can include vehicle fuelling, washing facilities, and minor “running maintenance”.</i></p> <p>Transit Loop – A facility constructed for the primary purpose of allowing a transit vehicle to turn around, either at the end of, or midway along, its route. Transit loops may include modest pedestrian facilities such as a passenger shelter and, in some cases, washrooms for operators.</p> <p><u><i>Transit project has the same meaning as in O.Reg. 231/08 and is defined as:</i></u></p> <p><u><i>(a) an enterprise or activity that is the planning, designing, establishing, constructing, operating, changing or retiring of,</i></u></p> <p><u><i>(i) a facility or service that, aside from any incidental use for walking, bicycling or other means of transporting people by human power, is used exclusively for the transportation of passengers by bus or rail, or</i></u></p> <p><u><i>(ii) anything that is ancillary to a facility or service described in subclause (i) and that is used to support or facilitate the transportation of passengers by bus or rail, or</i></u></p> <p><u><i>(b) a proposal, plan or program in respect of an enterprise or activity described in clause (a);</i></u></p> <p>Transit Station/Terminal – A facility which is typically designed to accommodate passenger transfer activity between transit modes</p> | |

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| | | <p>and other travel modes, and may include passenger pick-up and drop-off, and park and ride lots. Transit stations may include overpasses/underpasses for pedestrian use, passenger services buildings, shelters or structures, benches, fare collection equipment, passenger information facilities, bicycle posts/lockers and/or other related passenger equipment, amenities and facilities. The implementation of transit stations typically requires property acquisition. For the purposes of the Municipal Class EA, a transit station may also include the construction of a new subway station on an existing subway line, with or without any significant transfer facility at-grade.</p> <p>Transit Stop – A facility where transit vehicles stop to pick up and discharge passengers and may include boarding/alighting platforms, bus bays, passenger shelters, benches, fare collection equipment, passenger information facilities and other related passenger equipment, amenities, and facilities. Examples of transit stops include:</p> <ul style="list-style-type: none"> • A bus, streetcar, or light rail vehicle stop or group of stops located on any roadway; • A stop or group of stops on any existing transit facility such as a separate busway or rail facility, or a median bus rapid transit or rail facility with no or minimal intermodal transfer provisions (e.g. provisions to transfer between interregional and local bus services). <p>Transit System – Encompasses the linear component of a transit facility and associated system elements such as stations, park and ride lots, storage and maintenance facilities and other ancillary features.</p> <p>D.1.3.1 “Same Purpose, Use and Location”</p> <p>The Municipal Class EA Glossary defines the “same purpose, use, capacity and location” for municipal roads and water/wastewater projects in the Glossary section of the parent document. This se definition has been modified for municipal transit projects as follows:</p> <p>Same Purpose, Use, and Location (for transit projects/activities) refers to the replacement or upgrading of a structure or facility, where the objective and application remain unchanged, and there is no substantial change in location. For the purposes of the Transit Project schedules:</p> <p>Purpose and Use refer to the overall intended result/objective of the project, and the specific operational utilization of the corridor.</p> <p><i>Location</i> refers to the specific site of physical changes. For example, for a transit facility within a roadway, works carried out within an existing road allowance such that no land acquisition is required are considered to be in the same location. (Note: <i>road allowance</i> is defined in the Glossary section of the parent document). It is recognized that some projects may involve no change in purpose or use and be within the existing road allowance other than minor additional property requirements in</p> | |

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| | | <p>localized, site-specific areas. If the impacts are determined not to be significant, this can be considered to be in the same location.</p> <p><i>Note that this definition does not apply to operational changes on a roadway that do not involve physical construction. For example, the dedication of an existing traffic lane for the exclusive use of transit through signing and/or pavement markings would not constitute a change in purpose and use, within the context of this document and the transit project schedules, if not accompanied by the construction of a physical barrier (see Project #17).</i></p> <p>Accordingly, e<i>Example a) A</i> a<i> general traffic lane is reconstructed as a physically-separated</i></p> <p><i>(e.g. semi-exclusive) transit lane. This is considered to be a significant change in the purpose and use of the lane (See Project #16).</i></p> <p><i>Example b) A median transit lane separated from general traffic by a physical barrier is reconstructed with no change in footprint and with no change to the extent of physical separation from other traffic. This is considered to be for the same purpose and use (See Project #15).</i></p> | |
| 42. | D.1.4 and D.1.5 | <p>D.1.4 TRANSIT IN THE MUNICIPAL CLASS EA</p> <p>In fulfillment of the requirements of the Ontario EA Act, tIhis section provides a broad description of the following with respect to municipal transit projects:</p> <ul style="list-style-type: none"> • the projects, purpose and alternatives. • the environment and potential mitigating measures. • screening criteria. <p>Part D of this Class EA should be reviewed in conjunction with <u>Schedule 1 of the transit regulation; the</u> the project schedules in Appendix 1; typical mitigation measures for potential effects in Appendix 2; and, the screening criteria in Appendix 3 <u>of this Class EA</u>.</p> <p>The Municipal Class EA process, including consultation and documentation, is provided in Part A of the Municipal Class EA.</p> | Section was updated to create consistency with requirements under the transit regulation. |

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| | | <p>D.1.5 KEY CONSIDERATIONS</p> <p>Transit projects/activities in general are <u>outlined in Schedule 1 of the transit regulation and in</u> discussed in Section D.2 <u>of this Class EA</u>. This section addresses key considerations when developing and assessing alternatives.</p> <p>When generating and evaluating alternative transit improvement solutions in Phases 2 and 3 of the Municipal Class EA process, the proponent shall bear the following considerations in mind:</p> <p>1. Land-Use Planning Objectives</p> <p>Land-use planning objectives refer to the <u>legislation</u>, plans, and policies as identified in provincial plans and municipal Official Plans and Secondary Plans. At a provincial level, key policies/plans include the Provincial Policy Statement (PPS), the Places to Grow Act (2005) and associated Growth Plan(s).</p> <p>The Ontario's Planning Act requires that municipal Official Plans contain "goals, objectives, and policies established primarily to manage and direct physical change and the effects on the social, economic, and natural environment". The Planning Act prescribes a rigorous process by which Official Plans are to be developed and periodically reviewed, including opportunities for extensive public consultation. Once adopted by the local municipal council, Official Plans are formally approved by the Ontario Minister of Housing and Municipal Affairs and <u>Housing, and</u>, where applicable, are required to be in conformity with provincial objectives. Once in place, Official Plans are legal documents, and therefore, provide the specific municipal policies and objectives that need to be considered including, but not limited to, those for: urban areas, growth areas/corridors, rural areas, neighbourhoods and residential areas, employment areas, transit and transit-supportive development, commercial, institutional, recreational, natural, open space, agricultural, and special policy areas.</p> <p>2. Natural Heritage Features</p> <p>The Natural Environment consists of the following typical elements:</p> <ul style="list-style-type: none"> • Landforms (including valleylands)-; • Groundwater-; • Surface water and fisheries-; • Terrestrial Vegetation and wetlands-; • Wildlife and habitat; and | |

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| | | <ul style="list-style-type: none"> • Connections provided by, or between these, resources. <p>Within this natural environment framework, significant natural heritage features may be identified at the local, regional, provincial or federal level reflecting municipal, Conservation Authority, provincial or federal designations/policies. Key elements such as valleylands, fish habitat, evaluated wetlands (including Provincially Significant Wetlands), significant portions of the habitat of threatened and endangered species, Areas of Natural and Scientific Interest (ANSI), and Environmentally Sensitive Areas (ESAs) will constitute significant natural heritage features. Woodlands and wildlife habitat may also constitute significant features if certain criteria are met. Natural heritage features should be identified early in the EA process to determine significant features and potential impacts. Significant natural heritage features should be avoided where possible. Where they cannot be avoided, then effects should be minimized where possible, and every effort made to mitigate adverse impacts.</p> <p>In most cases, municipalities have specific policies related to natural environmental protection. These policies, along with regional, provincial, and/or federal policies should be identified as part of the EA process.</p> <p>3. Social Environment</p> <p>The Social Environment includes existing communities, residential areas and recreational areas. Significant negative impacts to the social environment should be avoided where possible. Where they cannot be avoided, then effects should be minimized where possible, and every effort made to mitigate adverse impacts. Key considerations are the overall community impacts to residential property and access, community facilities and access, recreational facilities and access, pedestrians, cyclists, noise impacts and air quality.</p> <p>In most cases, municipalities have specific policies related to social environmental protection. These policies, along with regional and/or provincial policies should be identified as part of the EA process.</p> <p>4. Cultural Environment</p> <p>Cultural Environment refers to cultural heritage and archaeological resources in the environment. These are defined as follows:</p> <p>Archaeological resources includes artifacts, archaeological sites and marine archaeological sites. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the Ontario Heritage Act.</p> <p>Areas of archaeological potential means areas with the likelihood to contain archaeological resources. Criteria for determining archaeological potential are established by the Province, but municipal approaches which achieve the same objective may be</p> | |

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| | | <p>applied. Archaeological potential is confirmed through archaeological fieldwork undertaken in accordance with the Ontario Heritage Act.</p> <p>Built heritage resources means one or more significant buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community. These resources may be identified through designation or heritage conservation easement under the Ontario Heritage Act, or listed by local, provincial or federal jurisdictions.</p> <p>Cultural heritage landscape means a defined geographical area of heritage significance which has been modified by human activities and is valued by a community. It involves grouping(s) of individual heritage features such as structures, spaces, archaeological sites, and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; and villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, and industrial complexes of cultural heritage value.</p> <p>Cultural heritage resources include built heritage, cultural heritage landscapes, and marine and other archaeological sites. The Minister of <u>Heritage, Sport, Tourism and Culture Industries (MCLMHSTCI)</u> is responsible for the administration of the Ontario Heritage Act and is responsible for determining policies, priorities and programs for the conservation, protection and preservation of Ontario's heritage, which includes cultural heritage landscapes, built heritage and archaeological resources. MHSTCI has released a series of resource guides on the Ontario Heritage Act, entitled the Ontario Heritage Tool Kit.</p> <p>Significant cultural heritage and archaeological resources features should be avoided where possible. Where they cannot be avoided, then effects should be minimized where possible, and every effort made to mitigate adverse impacts, in accordance with provincial and municipal policies and procedures. Cultural heritage features should be identified early in the process in order to determine significant features and potential impacts.</p> <p>5. First Nations/<u>Métis</u>/Aboriginal Peoples <u>Communities/Indigenous Communities</u></p> <p><u>Proponents are required to consider the potential impacts of their projects on Indigenous communities. This includes both First Nation and Métis communities. Consideration of the project's impact should be given with respect to:</u>This includes, but is not limited to:</p> <ul style="list-style-type: none"> • First Nations <u>Indigenous</u> lands. <ul style="list-style-type: none"> • <u>Established and credibly asserted Aboriginal and treaty rights.</u> | |

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| | | <ul style="list-style-type: none"> • Aboriginal Peoples' Treaty Rights or use of land and resources for traditional purposes. • Aboriginal Peoples' industry. • Pre-historic and historic Aboriginal Peoples' <u>Indigenous</u> archaeological sites. <ul style="list-style-type: none"> • Aboriginal Peoples' rights claims. <p>6. Economic Environment</p> <p>Economic Environment includes commercial and industrial land uses and activities. It also includes the financial costs associated with the alternatives, including construction, operation, maintenance, and property costs.</p> <p>7. Property</p> <p>Significant impacts to property should be avoided where possible. Where they cannot be avoided, the effects should be minimized where possible, and every effort made to mitigate adverse effects. Property impacts include direct impacts on: access, parking, and buildings, and indirect impacts where by relocating property lines the property owner is placed out of compliance with local standards (e.g. building setback requirements, etc.).</p> <p>8. Evaluation of Alternative Solutions</p> <p>When evaluating alternative solutions, the following considerations should be kept in mind:</p> <ul style="list-style-type: none"> • Many of the potential alternative solutions may resolve more than one problem. • The feasibility of the alternative solutions will depend, in part, on the nature and location of the transportation system, the nature and location of the opportunity and/or problem(s) being addressed, the comparative cost of the alternative solutions, and on the municipality's capacity to finance the extension of services. <p>At a broad planning level, this step is typically addressed in Transportation Master Plans (see Section D.1.6), recognizing that the determination of transit needs would be a component of developing a balanced and integrated multi-modal transportation solution.</p> | |
| 43. | D.1.6 and D.1.7 | <p>D.1.6 OVERVIEW OF TRANSIT IN TRANSPORTATION MASTER PLANS</p> <p>Many municipalities undertake Transportation Master Plans (TMPs) to define their long-term transportation objectives as a supplement to transportation needs identified through their Official Plan development process. A Transportation Master Plan</p> | Section was updated to create consistency with requirements under the transit regulation. |

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| | | <p>integrates existing and future land-use planning and the planning of transportation infrastructure with the principles of environmental assessment planning.</p> <p>In larger urban areas, Transportation Master Plans often recognize that the current level of reliance on the automobile is not sustainable and that public transit provides benefits to the natural, social, and economic environment by improving mobility for people through providing traffic relief for people and goods, and reducing environmental impacts. As such, many Transportation Master Plans at the regional and local levels emphasize that increased use of transit is a key component of an integrated transportation strategy that considers all modes of travel.</p> <p>Transportation Master Plans <u>usually</u> build upon the analysis and detailed policies developed through municipal Official Plans. Therefore, it must be recognized that the link between Transportation Master Plans and Official Plans is fundamental. An Official Plan is a legal document, developed through a public and legislative process in accordance with the Ontario Planning Act that contains “goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic and natural environment of the municipality”. While Official Plans are approved under the Ontario Planning Act, typically they are developed through a process which applies the principles of EA planning. As such, Official Plans provide a planning and technical basis for undertaking infrastructure environmental assessment studies.</p> <p><u>Development of a</u> Transportation Master Plans <u>pursuant to this Class EA would include a</u> are developed through a stakeholder consultation process that involves consultation with the public, government technical agencies, other municipalities, and <u>Indigenous Communities</u><u>First Nations.</u></p> <p>-If developed in accordance with S<u>section A.2.7</u> of the Municipal Class EA, at a minimum, a <u>Transportation Master Plan must follow the same steps as</u> can address Phases 1 and 2 of the Municipal Class EA process. As a result, a <u>Transportation Master Plan</u> -can provide the basis for carrying out follow-on EA <u>requirements for</u> studies of the specific <u>projects</u> components, including the problem and/or opportunity being addressed and the range of alternatives being considered. Transportation Master Plans are discussed in <u>s</u>Section A.2.7 of the <u>Class EA</u> parent document.</p> <p>D.1.7 INTEGRATION WITH THE PLANNING ACT</p> <p>The Municipal Class EA also provides for the opportunity to integrate the requirements of this <u>Class EA</u> Ontario EA Act with the requirements of the Ontario Planning Act, as discussed in <u>S</u>section A.2.9 of <u>this</u> Municipal Class EA parent document. The key is that the requirements of both Acts must be met.</p> <p>It is also recognized that many site specific facilities (e.g. stations, maintenance facilities, etc.) are also subject to approval under the</p> | |

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| | | <p>Planning Act. As such, it is possible to integrate the Planning Act approvals with Class EA requirements. These issues are fully discussed in detail in Section A.2.9 of the Municipal Class EA.</p> | |
| 44. | D.2. | <p>D.2 DESCRIPTION OF THE PROJECTS, PURPOSE AND ALTERNATIVES This section addresses the main groupings of transit projects/activities as follows:</p> <ul style="list-style-type: none"> • D.2.1 New Transit Systems • D.2.2 Linear Facilities and Associated Elements • D.2.3 Site Specific Facilities • D.2.4 The Do Nothing Alternative <p>D.2.1 NEW TRANSIT SYSTEMS</p> <p>D.2.1.1 Description of the Projects</p> <p>New Transit Systems, as defined in the Glossary (see Section D.1.3), are comprised of both the linear component of a transit system and associated system elements such as stations, park and ride lots, storage and maintenance facilities and other ancillary features. These projects typically involve the acquisition of a new or widened right-of-way.</p> <p>D.2.1.2 Purpose of the Project</p> <p>New transit projects systems planned under this Class EA could will be undertaken to provide new or extended transit facilities for the following possible reasons:</p> <ol style="list-style-type: none"> 1) to accommodate and support opportunities and policies for economic development and municipal growth. 2) to support opportunities and policies for reducing auto dependency and increasing use of alternate modes of transportation, including transit. 3) to address projected capacity deficiencies in the transportation system. 4) to provide greater transportation choice for basic mobility for those persons who do not have an alternative, including transit-dependent students, lower income workers, seniors and persons who cannot or do not drive. | Section was updated to create consistency with requirements under the transit regulation. |

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| | | <p>5) to support policies for reducing environmental and health impacts of transportation. 6) to provide access to existing or proposed land uses.</p> <p>D.2.1.3 Alternative Solutions</p> <p>In many instances, there may be more than one way of solving problems, addressing opportunities, or meeting the demand for new or extended transit facilities. Possible “Alternative Solutions” may include, for example:</p> <ol style="list-style-type: none"> 1) New transit systems. 2) Widen or improve existing roads for general traffic, High Occupancy Vehicles (HOVs) or transit vehicles. 3) Transit operational changes (i.e. increased frequency of service or extended routes on existing roads). 4) Provide alternative transportation facilities such as a new road, train, ferry, etc. 5) Limit / manage growth. 6) Develop alternative routes for existing or anticipated traffic. 7) “Do Nothing”. <p>It should be noted that a combination of alternatives may be required to address the problem and/or opportunity (e.g. widen roadway for exclusive bus use in peak periods and general traffic use in off-peak periods).</p> <p>D.2.2 LINEAR FACILITIES AND ASSOCIATED ELEMENTS</p> <p>D.2.2.1 Description of the Projects <u>Under the Class EA</u></p> <p>Projects of this type would typically involve one or more of the following:</p> <ul style="list-style-type: none"> • <u>Construction of a new transit system with new transit facilities.</u> • <u>Culvert repair or replacement where the capacity of the culvert or drainage area is changed.</u> • <u>Construction of new grade-separations.</u> • <u>Reconstruction of a water crossing.</u> • <u>Reconstruction, widening or expansion of linear components of a transit system.</u> • <u>Widening of an existing road to create new transit lanes for bus or light rail.</u> • <u>Other municipal infrastructure combined with transit.</u> <p>• Construction or reconstruction of transit only lanes or transit loops.</p> | |

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| | | <ul style="list-style-type: none"> • Construction of new localized operational improvements at specific locations (e.g. queue jump lanes, turning lanes, etc.). • Installation, construction, or reconstruction of traffic control devices. • Construction or reconstruction of grade separations. • Reconstruction or replacement of water crossings and culverts to facilitate new or modified transit improvements. • New or modified Intelligent Transportation Systems elements for transit systems. • Installation, modification, or reconstruction of safety facilities (i.e. lighting, safety barriers, energy attenuation, etc.). • Decommissioning of existing municipal transit facilities. <p>D.2.2.2 Purpose of the Project</p> <p>Linear facilities and associated elements will be undertaken for the following possible reasons:</p> <ol style="list-style-type: none"> 1) to accommodate and support opportunities and policies for economic development and municipal growth. 2) to support opportunities and policies for reducing auto dependency and increasing use of alternate modes of transportation, including transit. 3) to address projected capacity deficiencies in transportation system. 4) to provide greater transportation choice and basic mobility for those persons who do not have an alternative, including transit-dependent students, lower income workers, seniors and persons who do not drive. 5) to address deficiencies in current transportation infrastructure, including structural and capacity deficiencies. 6) to support policies for reducing environmental and health impacts of transportation. 7) to provide access to existing or proposed land uses. <p>D.2.2.3 Alternative Solutions</p> <p>In many instances, there may be more than one way of solving problems, addressing opportunities or meeting the demands on existing linear facilities. Possible “Alternative Solutions” may include, for example:</p> <ol style="list-style-type: none"> 1) Widen or improve existing facilities for general traffic, High Occupancy Vehicles (HOVs) or transit vehicles. 2) Transit operational changes (i.e. increased frequency of service or extended routes on existing roads). 3) Provide alternative transportation facilities such as train, ferry, etc. 4) Limit / manage growth. 5) Develop alternative routes for existing or anticipated transit. 6) “Do Nothing” It should be noted that a combination of alternatives may be required to address the problem and/or opportunity | |

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| | | <p>(e.g. widen roadway for exclusive bus use in peak periods.</p> <p>D.2.3 SITE-SPECIFIC FACILITIES</p> <p>While “site-specific” facilities are often part of linear transit systems, they may also be “standalone” facilities. Transit systems include both linear components and site-specific facilities.</p> <p>D.2.3.1 Description of the Projects</p> <p><u>In general, projects developed in this group may include the following types of projects that are located in or adjacent to residential land-use and/or environmentally sensitive areas (e.g. natural heritage features, cultural heritage and archaeological resources, recreational or other sensitive land-uses):</u></p> <ul style="list-style-type: none"> • <u>Construction of new stations</u> • <u>Construction of new passenger pick-up/drop off areas (e.g. Kiss and Ride), and park and ride lots</u> • <u>Construction of new storage facilities</u> • Construction of new maintenance facilities construction or expansion of transit stations. • construction or expansion of transit maintenance facilities. • construction or expansion of transit storage facilities. • construction or expansion of park and ride lots. • construction of a transit loop. <p>D.2.3.2 Purpose of the Projects</p> <p>Projects to develop site-specific facilities are undertaken to address one or more of the following problems: 1) additional or expanded stations required to meet demand or service requirements 2) increased transit vehicle fleet to be maintained 3) inadequate parking facilities 4) inadequate vehicle storage facilities</p> <p>D.2.3.3 Alternative Solutions</p> <p>The above problems, opportunities or a combination of them could justify the development of a site-specific project. <u>Examples of Alternative solutions which that could</u> may be considered are:</p> <p>1) Build a new facility.</p> | |

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| | | <p>2) Increase the capabilities of a nearby facility. 3) Increase the efficiency of operation of existing facilities. 4) Utilize mobile or temporary facilities. 5) Lease commercially available facilities (e.g. parking lots). 6) Contract out the service function to a commercial enterprise (e.g. vehicle maintenance operations). 7) "Do nothing". 8) A combination of multiple alternative solutions.</p> <p>D.2.4 THE "DO NOTHING" ALTERNATIVE</p> <p>Throughout Section D.2, the "Do Nothing" alternative is to be considered. In the "Do Nothing" alternative, no facilities would be constructed to solve the identified problem or opportunity. This means that the problem would remain in the system or an opportunity would not be addressed. It does not necessarily mean, however, that no further development in the community would occur.</p> <p>The "Do Nothing" alternative will be documented along with any other alternatives to the project which were examined.</p> <p>The "Do Nothing" alternative may be recommended at any time during the design process prior to the commencement of construction. A decision to "Do Nothing" would typically be made when the costs of all other alternatives, both financial and environmental, significantly outweigh the benefits.</p> | |
| 45. | | <p>D.3.1 DESCRIPTION OF THE ENVIRONMENT</p> <p>The following provides an overview of environmental factors to be considered when reviewing existing and future conditions, developing alternatives, and analyzing and evaluating them to determine the preferred alternative.</p> <p>Although these descriptions are general, the proponent is required to describe the environment to be affected by a specific project in detail including the significant features which comprise each type of environment. It should be noted that potential environmental effects include both positive and negative effects. Review agencies, <u>Indigenous Communities</u>First Nations and the public will therefore have an opportunity to understand the specific environment affected by a given project while it is being planned. The list provided is general only and is intended to be developed on a project-specific basis reflecting the scope of the study area, federal, provincial, and municipal legislation, policies, and agency and public input.</p> <p>Transportation:</p> | |

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| | | <ul style="list-style-type: none"> • Existing transportation network • Future transportation network <p><i>Land-Use Planning Objectives:</i></p> <ul style="list-style-type: none"> • Provincial • Regional • Municipal <p><i>Natural Environment/Natural Heritage Features:</i></p> <ul style="list-style-type: none"> • Natural heritage policies • Fisheries and aquatic resources • Vegetation and flora • Wildlife resources and linkages • Surface water • Ground water • Geotechnical • Fluvial geomorphology <p><i>Social Environment:</i></p> <ul style="list-style-type: none"> • Existing communities • Existing residential areas • Recreational facilities • Noise and vibration • Air quality • Aesthetics <p><i>Cultural Environment (Cultural Heritage and Archaeological Resources in the Environment):</i></p> <ul style="list-style-type: none"> • Archaeological resources and areas of archaeological potential • Built heritage resources and cultural heritage landscapes | |

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| | | <p>First Nations/Aboriginal Peoples: <u>Indigenous Communities:</u></p> <ul style="list-style-type: none"> • <u>Use of</u> Lands • Treaty rights <u>and Aboriginal Rights</u> • Archaeological sites • Land claims <p><i>Economic Environment:</i></p> <ul style="list-style-type: none"> • Commercial land-use • Industrial land-use • Agricultural land-use • Preliminary cost estimates: • Capital costs • Property costs • Maintenance costs <p><i>Other:</i></p> <ul style="list-style-type: none"> • Utilities <p>D.3.2 DESCRIPTION OF THE POTENTIAL EFFECTS ON THE ENVIRONMENT</p> <p>The effects (both positive and negative) on the environment are to be identified and assessed based on the following process:</p> <ul style="list-style-type: none"> • Review of existing conditions within the study area. • Review of future conditions within the study area. • Assessment of the potential effects that alternatives may have on the factors identified in Section D.3.1. • Identification of a technically preferred alternative based on the overall net effects. • Review with affected parties per the requirements of the Municipal Class Environmental Assessment. <p>D.3.3 MITIGATING MEASURES</p> | |

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| | | <p>D.3.3.1 Design</p> <p>It is recognized that, overall, municipal transit offers many benefits to the social, natural, and economic environments in addition to transportation and land-use benefits. The Ontario Provincial Policy Statement outlines the major benefits of transit to the economy, urban form, and protection of natural resources.</p> <p>Through the planning and design process described in this Class EA, however, it may be determined that, together with the benefits, certain projects may have some adverse effects on the environment. The Class EA process is intended to identify potential impacts and where possible, to avoid them. However, in some cases, this may not be possible. In such situations, measures will have to be taken to either minimize or offset such effects. Actions taken to reduce the effects of a certain project on the environment are called “Mitigating Measures”.</p> <p>During design, the environment affected by a project will be established and the specific net effects identified. The design shall include measures to mitigate the negative effects. Measures which must be taken to minimize the negative effects will be worked out such that the design can be tailored to recognize them. Contract drawings and documents shall include special provisions to ensure the least impact on the environment. Appendix 2 sets out a table showing typical mitigating measures for potential adverse effects on the environment.</p> <p>D.3.3.2 Construction</p> <p>This Class EA describes the process by which the various alternatives are analyzed and the most suitable design is chosen. The construction stage presents another set of alternatives as to how the work will be undertaken.</p> <p>Many projects which undergo the Class EA planning process will be carried out by contract let by competitive tender, and the contractor is normally the low bidder. The contractor will have estimated his costs and planned his method of operation during the tendering stage, subject to the specifications and special provisions in the contract and any relevant legislation.</p> <p>Contractors differ in their approach regarding sequence of operation, techniques, methods of operation, type make and size of equipment utilized, and speed of operation. There is, however, a fairly general uniformity in construction operation, being the natural result of economic competition.</p> <p>Some of these operations have potential for environmental impact, and where these can be anticipated in the design stage, ‘special provisions’ shall be written into the construction package. They shall spell out what can or cannot be done during specific operations. Unforeseen problems that arise during construction shall be addressed on the site, and the proponent’s best judgment used to</p> | |

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| | | <p>ensure that changes to the contract do not cause negative environmental impacts.</p> <p>Staff responsible for inspecting the contractor’s work must be made aware of such provisions, in order to ensure compliance during construction. It shall be the responsibility of the proponent to ensure that inspectors enforce compliance with the environmental provisions, as well as the traditional engineering provisions, of the construction package.</p> <p>D.3.3.3 Policy and Guidelines</p> <p>Throughout the planning and design process, and subsequently throughout the construction phase, the proponent is to comply with the policies and guidelines outlined by municipalities, or the provincial or federal governments in documents. <u>For more information, please see Section A.2.10.</u> such as:</p> <p>Provincial policies, including:</p> <p>Provincial Policy Statement (PPS)</p> <p>The Planning Act</p> <p>Places to Grow Act</p> <p>Conservation Authority Policies and Regulations</p> <p>The Ontario Heritage Act</p> <p>Lakes and Rivers Improvement Act</p> <p>Ontario Water Resources Act</p> <p>Environmental Protection Act</p> <p>Related Provincial Plans, including:</p> <p>Greenbelt Plan</p> | |

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| | | <p>Growth Plan for the Greater Golden Horseshoe</p> <p>Niagara Escarpment Plan</p> <p>Oak Ridges Moraine Plan</p> <p>Parkway Belt Plan</p> <p>Rouge North Management Plan</p> <p>Rouge Park Master Plan</p> <p>Municipal policies, including:</p> <p>Official Plans</p> <p>Secondary Plans</p> <p>Transportation Master Plans</p> <p>Infrastructure Master Plans In addition, federal requirements need to be addressed and coordinated where applicable, including:</p> <p>The Canadian Environmental Assessment Act (Canadian Environmental Assessment Agency)</p> <p>Navigable Waters Permit (Transport Canada)</p> <p>Fisheries Authorization (Department of Fisheries and Oceans)</p> <p>Funding (Transport Canada, Industry Canada)</p> | |
| 46. | Appendix A | <ul style="list-style-type: none"> • All project Schedules are updated. <ul style="list-style-type: none"> ○ Road and Water/Wastewater changes are included in separate table. ○ Transit Schedules are updated in Appendix A1 to be consistent with the Transit Regulation. Refer to Schedule 1 of Transit regulation (O.Reg 231/08) for more information. • Sample Notices updated in Appendix A6 | Appendix A is updated to be consistent with changes to legislation and regulations (Impact Assessment Act, O.Reg 231/08). |

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| | | <ul style="list-style-type: none">Information on Master Plans are updatedInformation regarding the Canadian Environmental Assessment Act removed from Appendix A7. | New sample notice examples are added and older sample notices are updated for enhanced clarity. |